

# The Formation of *the* Biblical Canon

VOLUME 1



THE OLD TESTAMENT  
ITS AUTHORITY AND CANONICITY

LEE MARTIN McDONALD

B L O O M S B U R Y



# THE FORMATION OF THE BIBLICAL CANON

## VOLUME I





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## Volume I

### The Old Testament: Its Authority and Canonicity

By  
Lee Martin McDonald

Bloomsbury T&T Clark  
An imprint of Bloomsbury Publishing Plc

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LONDON • OXFORD • NEW YORK • NEW DELHI • SYDNEY

**Bloomsbury T&T Clark**

An imprint of Bloomsbury Publishing Plc

Imprint previously known as T&T Clark

50 Bedford Square

London

WC1B 3DP

UK

1385 Broadway

New York

NY 10018

USA

**[www.bloomsbury.com](http://www.bloomsbury.com)**

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First published 2017

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**British Library Cataloguing-in-Publication Data**

A catalogue record for this book is available from the British Library.

ISBN: HB: 978-0-5676-6876-9

ePDF: 978-0-5676-6877-6

ePub: 978-0-5676-6878-3

**Library of Congress Cataloging-in-Publication Data**

A catalog record for this book is available from the Library of Congress.

Cover image: Dead Sea Scroll 11Q14, 20-50 CE © Donald Nausbaum/Getty

Typeset by Forthcoming Publications ([www.forthpub.com](http://www.forthpub.com))

Printed and bound in Great Britain

*To Mary*

*With love, appreciation and gratitude for all that you are  
and  
for our brief 53 years of marriage!*





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# FOREWORD TO THE FOURTH EDITION

## CANON: THE MEASURING RULE FOR DISCERNING GOD’S WORD

JAMES HAMILTON CHARLESWORTH

(George L. Collord Professor of New Testament Language  
and Literature and Director of the Dead Sea Scrolls Project  
at Princeton Theological Seminary)

“All our texts are human responses to a perceived revelation.”<sup>1</sup>

### I. INTRODUCTION

Humans with any sense of spirituality would recoil with horror if they found out that there is a God but they had not perceived the fact. Maybe more horrifying to them would be the experience of knowing that there is a God but receiving no revelation of what would be God’s will. The situation becomes intolerable when disobeying God would demand condemnation and consignment to Hell. Thus, the “canon” provides for all who accept the sanctity of Scripture not only evidence of God but also a revelation of God’s will for all creation.

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1. This thought was shared with an advanced Qumran Philology Class in Princeton on 12 November 2015. Those in the class stopped and had begun to listen attentively. They brought this thought out of me. It pertains to texts like Isaiah, the *Rule of the Community*, Romans, the Gospel of John, the *Odes of Solomon*, and Revelation. In some publications, I have urged scholars to leave behind them the need to italicize books that are deeply spiritual and informative for Hillel, Jesus, and their followers, but never “canonized.” All great theologians know that revelation was never reserved only for those who wrote so-called canonical books.

There is no doubt that the Bible, however defined, is heralded as revelatory and definitive for belief and action by Jews and Christians, no matter how diverse. The Bible contains evidence of God, God's activities in history (*Heilsgeschichte*), inspired thought (poetry), and guidance for morality and conceptuality. Most importantly, all who revere any books collected into any Bible acknowledge that they are informed of what God expects of them, his creations. "Torah" is often translated "Law"; it means fundamentally "God's Will." Lost to too many in Western society is the celebration of *Simchat Torah*: "Joy (or Rejoicing) in the Torah." This joyous day, each year, signifies the conclusion of the weekly cycle of reading Torah (Gen 1 to Deut 34) in synagogues. The readings of Scripture continue with a return to Gen 1 to begin a new cycle. The time for this resetting of the cycle is immediately after Sukkot in Tishrei (sometime between mid-September and early October according to our Gregorian calendar).

The Torah is not legislation. It is not a collection of laws or *halakot* (Jewish prescriptions for right conduct). Some Jews during Jesus' time, and during other periods, may be judged to have lowered Torah into legality; but that is misleading to faithful Jews from Hillel's time to the present. Torah is the revelation of God's Will. We all rejoice at knowing God's will, and God's love, for us.

What is in the Torah or Bible (not necessarily the same collection) and how do we know that? The Hebrew noun, *kāneh* (קנה), means "reed" or "measuring reed" (cf. Ezek 40:3 and 42:15–20). It was the measurement for many things, including the length of a robe. The noun was subsequently expanded to denote the rule by which we could discern the list of books that are sacred because they contain God's WORD; *kāneh* evolved to mean a "canon." Greek *kanōn* (κανών; Latin *canna*) and English "canon" are transliterations of the Hebrew; they are not translations of the Hebrew noun. They eventually evolved to denote the "sacred writings" in a collection.

In the late first century CE, the author of 4 Ezra 14:44–46 and Josephus (*Ag. Apion* 1.37–43) are apparently the first ones to refer to the concept of a fixed collection of "Sacred Scripture," but neither Jew used the term "canon" or "Sacred Scripture." A list specifying the "canon" (not mentioned) appears in the sixth-century Babylonian Talmud (*b. Baba Batra* 14b); but this text is a "*baraita*," ("Our Rabbis taught") that may well originate in the late second century CE. The list assumes the Pentateuch, presents the names of the prophetic books and then the documents in the *hagiographa*.

Beginning in the second century CE, after the fateful two Jewish Revolts (66–70 [74] and 132–35[6]), Jews realized the need to decide what books were in the canon; that is, what constituted Sacred Scripture. They did not specify what books were still sacred but on the fringes of the canon; so, for example, Sirach, which was not included, continued to be definitive for Jewish spirituality.

No one in the second century CE, Jew or Christian, used the term "Bible" or "canon" to denote a fixed or putative closed collection of Scriptures. Jerome (c. 340 to 420) is the first to use the term *ta biblia* (plural of *biblion*, "book") to



denote “holy books.” This concept denoted for him and many Roman Catholics the documents in the “Holy Bible” or Vulgate. Apparently, the term “Holy Bible” was not prevalent in the churches in the West (including Palestine) until the ninth century.

The measuring rule, “canon,” allowed early Christians to decide what was in the Bible and what was “the rule of faith” (*regula fidei*) or “the rule of truth” (*regula veritatis*). Paul may adumbrate this concept in Rom 12:6; and he used *kanōn* to denote “all who walk by this rule” in Gal 6:16. These terms were popularized by the early scholars of the Church, notably Dionysius of Corinth, Irenaeus, Clement of Alexandria, and Tertullian. In contrast to the influential Greek schools of Socrates, Plato, and Aristotle, “truth” was not obtained by thought but was given through revelation.

The Bible for Jews included only the Hebrew Scriptures (or Old Testament), but the Babylonian Talmud was equally as important (and sometimes more important) than the canon for many Jews throughout the world. The Bible for Protestant Christians numbered 66 books, but the Roman Catholics and Ethiopians, for example, included more books in the canon. Through common use but interpreted differently, the Bible (so variously defined but with the same base text) came to be recognized as the quintessential, and sometimes the only, book of revelation. For Christians today in many countries, the Bible is a collection of compositions, traditions, and books that were composed and edited from about 900 BCE to 150 CE. For all those who revere the Bible, it may be categorized as an ancient library of sacred books.

## II. “OLD TESTAMENT” CANON

What happened at Jamnia (Javneh)? Before the 1970s, professors (as well as Rabbis) told students that the “Old Testament” canon had been defined at “the Council of Jamnia” about 90 CE. This old view has largely been replaced by a more perceptive one that is now regnant in universities and seminaries (but not in Yeshivas). We have no “Proceedings” from Jamnia, a town on the western shores of the Mediterranean and south of Tel Aviv-Jaffa. It was not a “Council” comparable to Nicea in 325 CE (and no biblical canon was articulated at Nicea, despite too many claims to the contrary). At Jamnia, no canon was defined or closed. Discussions were focused intermittently on Ecclesiastes and the Song of Solomon.

In the same first century, Jesus is reported to have said, “It is written” (Matt 4:6–11). Jesus is portrayed referring to writings that are “sacred scripture,” since the parallel thought is “every word that proceeds from the mouth of God” (Matt 4:4). Jesus knew no set or closed canon; all the books in the New Testament had not yet been composed.

Most scholars now contributing to canon research concur that the three divisions of the Hebrew Bible (the Old Testament) were defined chronologically and probably as follows:

Torah (the first five books, “Pentateuch”) sometime before 400 BCE;  
the Prophets (sometime before 200 BCE);  
the Writings (unclear; maybe in the late second century CE).

Too often the Septuagint (the authoritative Greek translation of the Hebrew Bible) is dated to about 200 BCE; but some of the books found in it were composed after 200 BCE (including Sirach). These dates are the ones I prefer; in the following two volumes, crowning the research career of Lee McDonald, the evidence and discussion is presented judiciously and attractively.

Today, biblical experts try to overcome a European-American focus. Biblical research in Western Culture has been blind to the various canons in World Culture. As we seek to comprehend the definition and power of “canon,” we confront complexities caused by a global perspective. Today, the Hebrew Bible or Old Testament is considered closed by Jews and Christians; yet, what is included in it is debated. Roman Catholics include the “Deuterocanonical Books” (what the Protestants label “the Apocrypha”), which usually denotes the books added in the Septuagint or Greek Version.

The issue is far more complicated, however, if we ask what is in the Bible. Specifically, what books belong in the Christian Bible? In Syria and the East, the issue was debated until the sixth century, and often the harmony of the gospels called the Diatessaron trumped the power of the four canonical Gospels. All 27 books in the New Testament were deemed part of the Peshitta (the Syriac Christian Bible) only in the sixth century; that is, the shape of the New Testament in the East was finally established by Mar Aba between 525 and 533. Earlier, for example, Rabulla of Edessa (411–435) did not have in his New Testament the following books: 2 Peter, 2 John, 3 John, Jude, and Revelation. Most likely, Eastern Christianity was influenced by Athanasius’s canon of 27 books in 367 and the distribution of the Vulgate that was translated by Jerome (384–405).<sup>2</sup>

Some churches included other books in their canon. For example, the Armenian Church placed 3 *Corinthians* (part of the *Acts of Paul*) in their canon. Thus, Armenian Bibles once had 1–3 *Corinthians* in their canon. 3 *Corinthians* is not now part of the Armenian Bible. In 1200, Revelation was added to the Armenian canon and later, around 1290, additional documents were finally excluded; among them are *Advice of the Mother of God to the Apostles*, the *Books of Criapos*, and the *Epistle of Barnabas*. Sometimes, the Armenian Apostolic Church seems to have included the *Testaments of the Twelve Patriarchs* in the “Old Testament.”

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<sup>2</sup> See the succinct and helpful discussion by Johan Ferreira in *Early Chinese Christianity*, *Early Christian Studies* 17 (Strathfield, NSW: St. Paul’s Publications, 2014) on pp. 74–78.

Moreover, in the Syriac Bible there are 155 Psalms in the Davidic Psalter. At least three of these are very early and were found in the Qumran caves: 151A and 151B (11Ps<sup>a</sup> 151), 154 (11QPs<sup>a</sup> 154), and 155 (11Ps<sup>a</sup> 155).<sup>3</sup> Psalm 151 preserves the remains of two psalms; they are present in the Septuagint. In Ethiopia, *Jubilees* and the *Books of Enoch* are included in the Bible. These books were once considered medieval compositions; but manuscripts of them have been found in the Qumran caves. The book that has not yet been identified among the Dead Sea Scrolls, the *Parables of Enoch* or 1 Enoch 37–71, is judged to be both Jewish and completed prior to Jesus. A symposium shared these new insights and was published as *The Parables of Enoch: A Paradigm Shift*.<sup>4</sup>

The issues become complex when we ask what is the text of a book. It is certain that before 70 CE, more than 12 text types of some biblical books were known. Sometimes we find better readings than those that are revered by Jews and Christians; a parade example is Deut 27:4 (as will be noted). More challenges appear when we include the books of Jeremiah and 1 and 2 Samuel. The versions known before 70 CE are profoundly different. Perhaps it would be best to include in two columns the different readings; then, we would all know that we have what is most reliable and sacred in our Bibles.

These forays into the byway of canon help us search for what is in the Bible and what is the Bible. What is meant by Bible? The answer should not be reduced to what books are in a list (and history indicates that there were different lists). Any answer should include what is in each book. The problem is extreme when we perceive, on the one hand, that some portions of our Bible were deliberately altered, as for example Deut 27:4;<sup>5</sup> and, on the other hand, that the books of Jeremiah and 1–2 Samuel had two appreciably different contents during the time of Hillel and Jesus.

### III. IF THE CANON WERE OPEN IN THE WEST, WHAT SHOULD BE ADDED?

Mormons adhere to an open canon. They and many other Christians often ask me: “If the canon were open, what books would you add?” My answer would begin with the widespread recognition that for us today the canon is set and closed. I

<sup>3</sup> See the introduction and translation by Charlesworth and J. A. Sanders in *OTP* 2:609–24.

<sup>4</sup> See the contributions to James H. Charlesworth and Darrell L. Bock, eds., *Parables of Enoch: A Paradigm Shift* (London: T&T Clark, 2013).

<sup>5</sup> See J. H. Charlesworth, “What Is a Variant? Announcing a Dead Sea Scrolls Fragment of Deuteronomy,” *MAARAV* 16, no. 2 (2009): 201–12, Plate IX and X, and idem, “An Unknown Dead Sea Scroll and Speculations Focused on the *Vorlage* of Deuteronomy 27:4,” in *Jesus, Paulus und die Texte von Qumran* [FS H.-W. Kuhn], ed. J. Frey and E. E. Popkes, WUNT 2/390 (Tübingen: Mohr Siebeck, 2014), 393–414.

do not want to lead a campaign to expand the canon with more books. Debating what books should be added would initiate debates that would detract from the salubrious force of a recognized canon of sacred books.

I would shift the question to the following one: What early sacred books are fundamental in grasping the unparalleled importance of the books in the Christian canon? Some of the books that reflect this include *first*, the *Books of Enoch* since it is becoming clear to many biblical scholars that these books preserve exceedingly important concepts and symbols that help us re-create early Jewish thought and Jesus himself seems to have been influenced by the portrayal of the “Son of Man” in the *Parables of Enoch*, and that many early “Christians,” notably the author of Jude, considered the work prophetic and revelatory (and perhaps canonical). *Second*, the *Prayer of Manasseh* deserves consideration since it records a Jew’s confession of sin and need for God’s forgiveness and acceptance. Third, I add for consideration the *Gospel of Thomas* because it contains some of Jesus’ parables in an early version that are not shaped by the theologies of Matthew or Luke. *Fourth*, I highlight the *Odes of Solomon* because it may well have been composed within the community that gave us the Gospel of John and helps us understand that marvelous text and the Logos Christology. *Finally*, the *Protevangelium of James (Gospel of Mary)* deserves our attention since it is one of the earliest books in the so-called *New Testament Apocrypha* and it may well contain sources from the first century CE.

#### IV. WHAT ARE THE ADVANTAGES AND DISADVANTAGES OF A CLOSED CANON?

A canon is required for all who wish to know God’s story and where God is present in the past. It provides the means to ascertain God’s WORD transmitted to us, even when edited and shaped and altered by thought and theology. A canon is also necessary to provide for a society’s rules, regulations, cultural norms, and dreams. A canon helps Christians comprehend the “rule of faith” by which they should think and act.

A closed list of sacred scripture became necessary for three main reasons. First, Jews and Christians needed guidance regarding what books contained God’s WORD. The Jews’ Hebrew Scriptures is similar to the Christians’ Old Testament, even though the name and order of books is different. Jews and Christians today share similar translations of the Hebrew Bible (or Old Testament) and they convene to work together to provide ecumenical and scholarly translations. Second, before 200 CE too many books within Judaism and especially within Christianity were circulating with the claim to be authoritative and full of revelation. A limited list was deemed wise and fundamental for society by leaders in the synagogue and in the church. Third, sound revelatory beliefs needed to be distinguished from excessive imaginations as in the claims in Antonius Diogenes’s *Wonders Beyond*

*Thule* (maybe of the second century CE) that in Spain some see at night but are blind during the day, that horses can change colors, and that one journeying northward might come close to the moon.<sup>6</sup>

What are some disadvantages of a closed canon? A closed canon may indicate Deism; that is, God created the world and then left it to spin on its own without any guidance. A closed book unfortunately has suggested to some that God's mouth has been muted for virtually 2,000 years. A closed canon may imply that many books once considered inspired and revelatory are unimportant or threatening because they were eventually not included in the canon. The phenomenon of exclusion does not mean the early compositions on the "fringe of the Bible" are discarded, irrelevant for historical and theological insights, or pseudepigraphical (many books in the canon are pseudepigraphical; that is, David did not write all the Davidic Psalms and Solomon did not write Proverbs).

The medieval list of canonical books and the list of apocryphal and pseudepigraphical compositions by the author of the *Apostolic Constitutions*, Nicephorus, Mechithar, and the compiler of the Slavic lists indicate both the continuing fear of "apocryphal works" and a fascination with them. In antiquity and today, some who revere the Bible believe that Adam wrote the *Books of Adam*, Enoch wrote the *Books of Enoch*, and Solomon wrote the *Psalms of Solomon* and the *Odes of Solomon*. Attempts to disprove such authorship should be joined with the recognition that the shared canon attributes incorrectly documents to Moses, David, Solomon, Isaiah, Jesus, and Paul.

In summation, the canon gives us a means to measure God's WORD in texts and in living situations. For example, many rightly feel the call of God in Martin Luther King's message and in the life and words of Pope Francis and earlier in Mother Teresa's witness and words. Their message is not another canon; it mirrors the continuing efficaciousness of the biblical witness. Through such living witnesses, the message in the Bible continues to influence society and excite those who strive to be obedient to the One and Only God.

## V. CONCLUSION

Each *homo religiosus* (deeply spiritual person) knows the need to allow for God's continuing Voice. We may all ponder: "What did 'thus saith the Lord' mean originally and what does it mean now?" The vast amount of "sacred writings" related to the canon found over the past two hundred years, from *Didache* and the *Odes of Solomon* to the *Hodayot* and *Self-Glorification Hymn*, help us understand the full range of *sacra scriptura*.<sup>7</sup> God's First is not God's Final Word. By the words

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<sup>6</sup> See N. G. Wilson, trans., *Photius: The Bibliotheca* (London: Duckworth, 1994), 149–54.

<sup>7</sup> See esp. the contributions to J. H. Charlesworth and L. M. McDonald, eds., "*Non-Canonical Religious Texts in Early Judaism and Early Christianity*," T&T Clark Jewish and Christian Texts

of *sacra scriptura*, a canon, we may measure how and in what ways God is now speaking to each of us. No other scholar has contributed so much to our perception of the origin, development, and meaning of canon as Lee McDonald. His two volumes provide us with reflections that are not only erudite and historical but perspicacious and theological.

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in Contexts and Related Studies 14 (London: T&T Clark, 2012), and J. H. Charlesworth, L. M. McDonald, and Blake A. Jurgens, *Sacra Scriptura: How "Non-Canonical" Texts Functioned in Early Judaism and Early Christianity*, T&T Clark Jewish and Christian Texts in Contexts and Related Studies 20 (London: Bloomsbury T&T Clark, 2014).

# FOREWORD TO THE FIRST EDITION

HELMUT KOESTER

(John H. Morison Professor of New Testament Studies  
and Winn Professor of Ecclesiastical History  
Harvard University, The Divinity School)

The Bible of the Christians' religious tradition includes two books, the Old Testament and the New Testament. The first of these two books has always been a substantial part of the Christian scriptural authority. However, the exact definition of the writings that should be a part of the Old Testament canon never played a decisive role in the discussions about the Christian canon of Holy Scripture and its authority. While the so-called Old Testament Apocrypha are an undisputed part of the canon of the Greek Church and a smaller corpus of apocryphal writings is included in the Bible of the Roman Catholic Church, most Protestant churches have ascribed authority only to a smaller Old Testament canon, corresponding to the Hebrew Bible, from which the Apocrypha are excluded. But these differences are rarely considered to be divisive.

In contrast, the question of the exact extent of the New Testament canon has often been hotly debated among Christians. In recent decades, this issue has taken on new dimensions through the discovery of an increasing number of ancient Christian gospels, epistles, and books of revelation under apostolic names such as Peter, Thomas, Philip, and even Mary. At the same time, critical scholarship has questioned the "apostolic" authorship of writings of the New Testament canon itself. Matthew and John may not be the authors of the Gospels transmitted under their names, the apostle Paul was not the author of all the letters of the Pauline corpus, and both Epistles of Peter were probably written half a century after Peter's death. Should we, therefore, revise the canon of the New Testament? Should we exclude the Second Epistle of Peter? Should we include the newly discovered Gospel of Thomas?

It is understandable that many Christians are disturbed by critical questions regarding the authority of writings of the New Testament canon, while others are excited about the discovery of new and hitherto unknown gospels, which claim to have been written by apostles. But what is happening to canonical authority, when there are apostolic writings outside of the canon and when the apostolic authorship of writings of the New Testament is questioned? The New Testament no longer



seems to be the one and only collection of inspired writings from the hands of genuine apostles and disciples of Jesus. Its authority as Holy Scripture appears to be seriously questioned.

If there is an answer to this question, it will not come through abstract theological controversy but only through a reconsideration of the history that once created the canon of the New Testament. What did the Christians who established the canon mean when they spoke of “scripture,” “inspiration,” “tradition,” and “apostolic authorship”? Why were these twenty-seven writings included and others excluded? How did these writings function in nourishing and building Christian communities, and why were other writings found lacking? What were the competing forces in the formation of the early Christian churches, and what roles did various writings claiming “apostolicity” play in these controversies?

Early Christianity appears to have been much less united and much more diversified than we have thought. The writings of the New Testament were not necessarily the only early Christian apostolic witnesses. Rather, from the beginning they had to compete with other books, produced by other followers of Jesus who were later considered to be heretics. The collection of the twenty-seven writings now comprising the New Testament canon was a long and arduous process, extending over many centuries. In order to understand this process, several generations of scholars have done most of the groundwork, have investigated the Greek and Latin sources from early Christian times, have tested, approved, and rejected various hypotheses, and have thus come to a much better understanding of the process. The literature on this topic is immense, often very technical and learned, and not always easily understood. But it is also very exciting, and it has opened up a much better understanding of the story of the formation of the canon. Holy books do not fall from heaven; rather, they are created in the historical experiences of religious communities. Scholars have learned much about this in an intense international debate.

But this story must also be told so that everyone can be informed by a better understanding of the developments that took place in the early centuries of the Christian communities. It is an exciting and enriching story, filled with the experiences and thoughts of Christian believers from the time of the apostles to the consolidation of the church three centuries later. The story must be told in terms easily comprehended by every reader, the interested layperson as well as the student in a theological school. The story must be told in such a way that everyone in the divided Christian churches of our day may share it and learn from it, evangelical Christians as well as those of a more liberal persuasion. The story must be told without apology and without zeal so that all may enter into the discourse with the history that created the foundations through which all Christians belong to the one church universal and are bound to the same God whose word and witness are preserved in the book we call the New Testament.

I have spent countless hours with the author of this book, and I have been deeply impressed by his scholarship, his learning, his faith, and his commitment to Christian education. This book, the result of many years of research, has accomplished what few have ever achieved: telling a difficult story well. There are no shortcuts, no facile solutions, no easy reconciliations of problems. All the materials are there. All the relevant texts are quoted and interpreted. Every one is treated fairly and judiciously. All scholarly hypotheses are presented and discussed. All that is required of the reader is the same fairness and the same patience that are evident in the author's effort of presenting both the ancient sources and the modern scholarly debate.



# ABBREVIATIONS

## I. Ancient Literature (non biblical) and Codexes

<i>1 Apol.</i>	Justin Martyr, <i>1 Apology</i>
<i>1 En.</i>	<i>1 Enoch</i>
1Q, 2Q, etc.	Qumran caves numbered
1QapGen	<i>Genesis Apocryphon</i> of Qumran Cave 1
1QpHab	Peshier on Habakkuk from Qumran Cave 1
1QS	<i>Serek hayyahad (Rule of the Community, Manual of Discipline)</i>
2 Esdr	<i>2 Esdras</i>
3Q15	<i>Copper Scroll</i> from Qumran Cave 3
4QFlor	<i>Florilegium</i> (or Eschatological Midrashim) from Qumran Cave 4
4QMMT	<i>Miqsat Ma'aseh ha-Torah</i> from Cave 4
11QMelch	<i>Melchizedek</i> text from Qumran Cave 11
A	Codex Alexandrinus
Ⲁ	Codex Sinaiticus
<i>Acts Pil.</i>	<i>Acts of Pilate</i>
<i>ActS</i>	<i>Acta Sanctorum</i>
<i>Ag. Apion</i>	Josephus, <i>Adversus Apionem (Against Apion = Contra Apionem)</i>
<i>Ant.</i>	Josephus, <i>Jewish Antiquities</i>
<i>Apoc. Mos.</i>	<i>Apocalypse of Moses</i>
<i>Apos. Con.</i>	<i>Apostolic Constitutions and Canons</i>
<i>Apoc. Pet.</i>	<i>Apocalypse of Peter</i>
<i>Asc. Isa.</i>	<i>Ascension of Isaiah</i>
<i>b.</i>	Babylonian (Talmud) = <i>Bavli</i> or <i>Babli</i>
B	Codex Vaticanus
<i>Barn.</i>	<i>Epistle of Barnabas</i>
C	Codex Ephraemi
CD	Cairo (Genizah), Damascus Document
<i>1, 2 Clem.</i>	<i>1, 2 Clement</i>
<i>De Doct. chr.</i>	Augustine, <i>De Doctrina Christiana</i>
<i>De men.</i>	<i>De mensuris et ponderibus</i>
<i>De Princ.</i>	Origen, <i>De Principiis (On First Principles)</i>
<i>Dial.</i>	Justin Martyr, <i>Dialogue with Trypho</i>
<i>Did.</i>	<i>Didache (The Teaching of the Twelve Apostles)</i>

<i>Diogn.</i>	<i>Diognetus</i>
<i>Elench.</i>	<i>Elenchus</i>
<i>Ep. Pol.</i>	<i>Epistles of Polycarp</i>
<i>Flacc</i>	<i>Philo, In Flaccum</i>
<i>Gaium</i>	<i>Philo, Legatio ad Gaium</i>
<i>Gos. Eb.</i>	<i>Gospel of the Ebionites</i>
<i>Gos. Eg.</i>	<i>Gospel of the Egyptians</i>
<i>Gos. Heb.</i>	<i>Gospel of the Hebrews</i>
<i>Gos. Inf.</i>	<i>Infancy Gospels</i>
<i>Gos. Naas.</i>	<i>Gospel of the Naassenes</i>
<i>Gos. Pet.</i>	<i>Gospel of Peter</i>
<i>Gos. Thom.</i>	<i>Gospel of Thomas</i>
<i>Gos. Truth</i>	<i>Gospel of Truth</i>
<i>Haer.</i>	<i>Irenaeus, Adversus Haereses (Against Heresy)</i>
<i>Herm. Man.</i>	<i>Hermas, Mandate(s)</i>
<i>Herm. Sim.</i>	<i>Hermas, Similitude(s)</i>
<i>Herm. Vis.</i>	<i>Hermas, Vision(s)</i>
<i>Hist. eccl.</i>	<i>Eusebius, Historia ecclesia (Ecclesiastical History)</i>
<i>Ign. Eph.</i>	<i>Ignatius, Letter to the Ephesians</i>
<i>Ign. Magn.</i>	<i>Ignatius, Letter to the Magnesians</i>
<i>Ign. Phld.</i>	<i>Ignatius, Letter to the Philadelphians</i>
<i>Ign. Pol.</i>	<i>Ignatius, Letter to Polycarp</i>
<i>Ign. Rom.</i>	<i>Ignatius, Letter to the Romans</i>
<i>Ign. Smyrn.</i>	<i>Ignatius, Letter to the Smyrneans</i>
<i>Ign. Trall.</i>	<i>Ignatius, Letter to the Trallians</i>
<i>Let. Arist.</i>	<i>Letter of Aristaeas</i>
<i>Life</i>	<i>Philo, The Contemplative Life</i>
<i>Marc.</i>	<i>Tertullian, Adversus Marcionem (Against Marcion)</i>
<i>Mart. Pol.</i>	<i>Martyrdom of Polycarp</i>
<i>Moses</i>	<i>Philo, On the Life of Moses</i>
<i>Pol. Ep.</i>	<i>Polycarp, Letter to the Ephesians</i>
<i>Pol. Phil.</i>	<i>Polycarp, Letter to the Philippians</i>
<i>Praescr.</i>	<i>Tertullian, De Praescriptione (The Prescriptions Against Heretics)</i>
<i>Prax.</i>	<i>Tertullian, Adversus Praxean (Against Praxeas)</i>
<i>Ps. Clem.</i>	<i>Pseudo-Clementines</i>
<i>Pss. Sol.</i>	<i>Psalms of Solomon</i>
<i>Sec. Gos. Mark.</i>	<i>Secret Gospel of Mark</i>
<i>Sib. Or.</i>	<i>Sibylline Oracles</i>
<i>Strom.</i>	<i>Clement of Alexandria, Stromata, or Miscellanies</i>
<i>T. Benj.</i>	<i>Testament of Benjamin</i>
<i>T. Levi</i>	<i>Testament of Levi</i>
<i>War</i>	<i>Josephus, Jewish War</i>
<i>y.</i>	<i>Jerusalem (Talmud) = Yerushalmi or J</i>

**II. Abbreviations of Classical and Resource Material**

AB	Anchor Bible
ABD	<i>Anchor Bible Dictionary</i> . Edited by D. N. Freedman. 6 vols. New York, 1992
ANF	Ante-Nicene Fathers
ASBT	Acadia studies in Bible and theology
BETL	Bibliotheca ephemeridum theologicarum lovaniensium
BJRL	<i>Bulletin of John Rylands Library</i>
BTB	<i>Biblical Theology Bulletin</i>
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
CBET	Contributions to Biblical Exegesis and Theology
CBQ	<i>Catholic Biblical Quarterly</i>
DJD	Discoveries in the Judaean Desert
EDDS	<i>Encyclopedia of the Dead Sea Scrolls</i>
FAT	Forschungen zum Alten Testament
HBT	<i>Horizons in Biblical Theology</i>
HeyJ	<i>Heythrop Journal</i>
HTR	<i>Harvard Theological Review</i>
HTS	Harvard Theological Studies
ICC	International Critical Commentary
IDB	<i>The Interpreter's Dictionary of the Bible</i> . Edited by G. A. Buttrick. 4 vols. Nashville, 1962
Int	<i>Interpretation</i>
JBL	<i>Journal of Biblical Literature</i>
JECS	<i>Journal of Early Christian Studies</i>
JETS	<i>Journal of the Evangelical Theological Society</i>
JJS	<i>Journal of Jewish Studies</i>
JR	<i>Journal of Religion</i>
JSNT	<i>Journal for the Study of the New Testament</i>
JSOT	<i>Journal for the Study of the Old Testament</i>
JSOTSup	Journal for the Study of the Old Testament: Supplement Series
JSPSup	Journal for the Study of the Pseudepigrapha: Supplement Series
JTS	<i>Journal of Theological Studies</i>
LCL	Loeb Classical Library
LSTS	Library of Second Temple Studies
NPNF	Nicene and Post-Nicene Fathers
NTS	<i>New Testament Studies</i>
NTTS	New Testament Tools and Studies
OTP	<i>Old Testament Pseudepigrapha</i> . Edited by J. H. Charlesworth. 2 vols. New York, 1983
SBL	Society of Biblical Literature
SBLDS	Society of Biblical Literature Dissertation Series
SBLRBS	Society of Biblical Literature Resources for Biblical Studies
SBLSCS	Society of Biblical Literature Septuagint and Cognate Studies
SBLTCS	Society of Biblical Literature Text Critical Studies
SDSRL	Studies in the Dead Sea scrolls and Related Literature

SNTSMS	Society for New Testament Studies Monograph Series
STDJ	Studies on the Texts of the Desert of Judah
TDNT	<i>Theological Dictionary of the New Testament</i> . Edited by G. Kittel and G. Friedrich. Translated by G. W. Bromiley. 10 vols. Grand Rapids, 1964–76
USQR	<i>Union Seminary Quarterly Review</i>
VC	<i>Vigiliae christianae</i>
VCSup	Supplements to <i>Vigiliae christianae</i>
VT	<i>Vetus Testamentum</i>
VTSup	Vetus Testamentum Supplement Series
WBC	Word Biblical Commentary
WUNT	Wissenschaftliche Untersuchungen zum Neuen Testament
ZAW	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>
ZNW	<i>Zeitschrift für die neutestamentliche Wissenschaft und die Kunde</i>

### III. Other Abbreviations

BCE	Before the Common Era
ca.	around, approximately
CE	In the Common Era
cf.	<i>confer</i> ; compare
f (ff.).	following page(s)
<i>fl.</i>	<i>floruit</i> (flourished)
ibid.	ibidem (in the same place)
LXX	Septuagint
MF	Muratorian Fragment
ms(s)	manuscript(s)
MT	Masoretic Text
NT	New Testament
OL	Old Latin
OT	Old Testament
QL	Qumran Literature
Q	Qumran
“Q”	Source (German, <i>Quelle</i> ). Stands for passages in common in Matthew and Luke, but not in Mark’s Gospel.
sec.	section
Vg	Vulgate
Vol.(s)	Volume(s)

### IV. Timelines for the Formation of the Biblical Canon

Most of the dates below are approximate, though some are more precise. Dating events in antiquity is almost always approximate and subject to change, but the following are the events and dates that I have argued for in the following examination of the formation of the Bible.

## A. Emergence of the Hebrew Bible and Old Testament Canons

Early stages of oral – memory – written Law traditions – ca. 1400–1200 BCE  
 Emergence of “lost books” and reference to them – ca. 1200–450 BCE  
 Emergence of early biblical texts (Royal Psalms, Judges, Job) – ca. 1000 BCE  
 Deuteronomistic History including Former Prophets – ca. 800–500 BCE  
 Latter Prophets written – ca. 750–400 BCE  
 Destruction of Tribes to the North – 721 BCE  
 Rediscovery of the Law/Torah (likely a form of Deuteronomy) and early renewal in Israel – 621 BCE  
 Destruction of Judah and Jerusalem – 587–586 BCE  
 Renewed recognition of Law/Torah as Scripture – ca. 500 BCE  
 Renewal of Israel’s commitment to the Law and recognition of some prophets – 500–400 BCE  
 Recognition of “prophetic” writings as Scripture – 500–200 BCE  
 Emergence & acceptance of Apocryphal and Pseudepigraphal writings – ca. 300 BCE–200 CE  
 Jewish/Christian rejection of some Apocryphal and Pseudepigraphal writings – ca. 100–900 CE  
 Initial stages of closing the Hebrew Scriptures – ca. 90–200 CE  
 Rabbinic Biblical Canon recognized for Jews in the East – 180–400 CE  
 Some Christians identify Christian Scriptures as “OT” and “NT” – 170–180 CE  
 First *Christian* Catalogue of OT books by Melito – 170–180 CE  
 OT Canon closed for most Christians – ca. 330–500 CE  
 Widespread Identification of OT Books – 300–500 CE  
 Orthodox OT Canon widely adopted – seventh–ninth century CE  
 Roman Catholic Council of Trent reaffirms OT and Apocryphal (Deuterocanonical) books and NT canon – 1546 CE  
 General Protestant rejection of OT Apocryphal books – 1525–1885 CE

## B. Emergence and History of the New Testament Canon

Foundation: Life and Ministry of Jesus – 6–4 BCE to ca. 30 CE  
 NT writings produced – 49 CE to 110–130, and some possibly as late as 160 CE  
 Canonical Gospels written – 62–90/95 CE  
 Writing, delivery, and reading of Paul’s letters in churches – ca. 49–50 CE  
 Early recognition of New Testament books as Scripture – ca. 120–150 CE  
 Gospels read alongside and often instead of OT writings in Christian worship – ca. 150 CE  
 Some NT writings *functioning* as Scripture – ca. 90–150 CE  
 Some NT writings *called* “Scripture” – ca. 130–180 CE  
 Translations of NT writings begin – ca. 175–200 CE  
 Rejection of OT and NT Pseudonymous writings begins in churches – ca. 170–500 CE  
 Processes of *closing* NT canon begins – 230–450 CE  
 Athanasius presents first *complete* list of NT writings – 367 CE  
 Councils of Hippo and Carthage affirm Athanasius’ list – 393, 397, 416 CE



Emergence of canon lists of NT Scriptures – third and fourth centuries CE

Widespread acceptance of the complete 27 book NT – 367–416 CE

Variations in the books and texts of NT Manuscripts– from 200 CE to invention of printing press 1453

Trent: Catholic Council of Trent reaffirms the NT canon – 1546

Protestant reaffirmations of the current NT canon – 1525–1550

# PREFACE

Whatever we may know about the closing of the canon, it takes text-books hundreds of pages to say how little we know about when the process of canonization began.

—Max Margolis, 1924<sup>1</sup>

Margolis' comment is relevant in many fields of inquiry, but especially so in canon formation. As we begin this fourth edition it is important to acknowledge that there are areas of canon formation that are unknown and most scholars who inquire into this complex issue regularly use "perhaps," "possibly," "could be," "maybe," "likely," and other terms that reflect continuing uncertainty in this field of inquiry. The reason for the uncertainties is that the ancient sources are often vague or missing in areas of contemporary interest and that often leads to uncertain conclusions and considerable guesswork. However, scholars have made a number of advances in recent canon research and as a result we know more now than was possible earlier, even a few years ago. Old conclusions and hypotheses have begun to melt away and new ones are emerging that sometimes challenge older positions. This has led to fresh examinations of the ancient primary literature that enables scholars to posit sharper hypotheses that answer a number of questions that are central to understanding the how the Bible came to be in its various forms today. Because of many recent critical investigations of canon formation it is "likely" that we are able to get closer now to understanding the complex discipline that we call canon formation than was possible earlier. Since there is greater focus now on the significance of the Dead Sea Scrolls, ancient manuscripts including their text and the books included in them, surviving canon catalogues or lists, the importance of the codex, and a rethinking of the formation of various books and divisions that comprise the surviving biblical canons, some earlier notions of canon are in need of revision.

This study begins with a re-examination of some fundamental issues related to canon formation and hopefully with greater clarity than was offered by this author earlier. This study necessarily involves a basic examination of the designation "Bible," as well as several related designations that are often used anachronistically in canon inquiry and proceeds to the recognition of ancient religious texts as sacred scripture and finally canon.

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<sup>1</sup> Cited from Shemaryahu Talmon, *Text and Canon of the Hebrew Text* (Winona Lake, IN: Eisenbrauns, 2010), 419 from Margolis' early publication, "How the Song of Songs Entered the Canon," in *The Song of Songs: A Symposium*, ed. W. H. Schoff (Philadelphia: Jewish Publication Society, 1924), 9–17.

Whenever a revision or new edition of a volume is published the question is often and rightfully asked, “Why another edition?” In biblical scholarship, as well as in other fields of critical scholarship, the answer is invariably that the emergence of new data or revised arguments about them either strengthen earlier conclusions or lead to their abandonment. Often the same data is reconsidered from a different perspective than was possible earlier. In the introduction of one of his volumes, John Collins rightly observes: “It is the nature of scholarship that the firm conclusions of one generation are reexamined and overturned by the next.”<sup>2</sup> Similarly, in a recent plenary paper at an annual SNTS meeting, J. Keith Elliott advocated the importance of scholarly reconsiderations of earlier conclusions. He writes:

Academics and scholars who move from previously held positions are, I hope, judged more favorably [than politicians who do the same]. They may be praised for having developed different thinking in light of new discoveries or for having been intellectually honest, responding positively to criticisms by others as they reassess an earlier stance.<sup>3</sup>

Collins’ and Elliott’s comments are especially appropriate for this revision. New assessments of ancient literature often lead scholars to revise or challenge earlier “established” conclusions. Many articles, essays, and books have been published since the second and third editions of this volume were published and new assessments of the ancient literature that earlier led to inappropriate conclusions are in need of revision. That is the case here. Three publishers have welcomed the first three editions of this book and I have enjoyed my interactions with them and learned much from each of them. It is time, however, to address some of the same issues again in light of new research. A quick look at the bibliography demonstrates that a massive amount of new publications related to canon formation has emerged in recent years that challenge rightly some of my earlier conclusions and have led me to reconsider whether some of them need restatement and further analysis. Readers familiar with my earlier positions will find some of them strengthened and a few abandoned in favor of more defensible arguments. Because canon scholars know considerably more now than they did almost thirty-five years ago when I began my research on this subject, there is need for another appraisal and reassessment of the formation of the Bible. Several earlier publications still contain valuable information (e.g., H. B. Swete, E. W. Reuss, H. E. Ryle, Theodor Zahn, A. Souter, and T. Zahn, G. Wildeboer, Adolf von Harnack, Hans von Campenhausen, Roger Beckwith, Brevard Childs, F. F. Bruce, Bruce M. Metzger, and Earle Ellis), but again, we know more now than we did earlier. Despite some of their views being outdated, they have nonetheless contributed a considerable amount of helpful and related canon information and

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<sup>2</sup> J. J. Collins, *Seers, Sibyls, and Sages in Hellenistic-Roman Judaism* (Leiden: Brill, 2001), 3.

<sup>3</sup> J. Keith Elliott’s paper was delivered in a plenary session at the annual SNTS meetings in Szeged, Hungary, 2014.

often many careful and astute comments related to canon formation. I have cited all of them in what follows. Additional ancient texts have been appropriately drawn into the discussion that were not sufficiently explored or considered earlier that now lead to several revisions in my own work. It is appropriate for scholars to change their minds when new investigations suggest better conclusions. Hopefully I have learned to do that!

In the first year of my doctoral studies in the fall of 1970, Hugh Anderson, my *doktor vater*, made a statement that contradicted something he had said earlier in his book on Jesus.<sup>4</sup> Like a typical zealous doctoral student, I lowered my academic lance and charged him with the grave sin of inconsistency. When I asked him in front of the class about this inconsistency, he simply asked me when the book was written. When I told him, he politely responded: “Wasn’t that seven years ago Mr. McDonald!” And then he continued on with his lecture! That day I learned an important, albeit embarrassing, lesson about the willingness and even necessity of careful scholars to grow in their understanding and to be willing to change what needs to be changed when new information and new considerations of ancient texts require it. It is obviously more convenient to hold on to previous positions and ignore new evidence that suggests alternative conclusions, but such holding on to consistency is often a result of laziness and sometimes dishonesty. When emerging scholarship points to the weakness of previously held conclusions, it is time to re-examine the ancient texts and often many of the previously held conclusions.

This edition is larger than the previous ones and is not simply a correction of a few items or an updating, but also an almost complete rewrite that includes interaction with many important new articles and books on canon formation of both the Hebrew Bible, Old Testament, and the New Testament. For example, long ago most biblical scholars held to the “assured results” of a three-tiered development of the Hebrew Bible (HB) canon argued convincingly at that time by H. E. Ryle. He claimed that the Hebrew Bible or Old Testament developed in three successive stages: the Law (roughly sixth to fifth century BCE<sup>5</sup>), then the Prophets (roughly late third century BCE), and finally the Writings (ca. 90 CE).<sup>6</sup> I previously held to that position, but now, like other scholars, I have abandoned it. In the New Testament portion I have nuanced, modified, and strengthened my previous positions on the date of the Muratorian Fragment (MF). I still do not accept a second-century dating of that document, but I have revisited and nuanced

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<sup>4</sup> Hugh A. Anderson, *Jesus and Christian Origins* (Oxford: Oxford University Press, 1963).

<sup>5</sup> Because this study is designed for graduate students in multi-religious settings and in secular as well as religious communities, I have decided to make use of the emerging and most common designations for the division of history, namely instead of BC and AD, I use regularly BCE (before the common era) and CE (in the common era). In church settings I regularly use the traditional BC and AD.

<sup>6</sup> H. E. Ryle, *The Canon of the Old Testament: An Essay on the Gradual Growth and Formation of the Hebrew Canon of Scripture*, 2nd ed. (London: Macmillan, 1909).

my earlier position on the matter. I have dubbed the MF the “Achilles heel” of NT canon formation thinking and its dating and origin are important in canon formation and in need of reconsideration. As we will see, many current scholars generally conclude that the MF was produced in the late second century. Others, including this writer, conclude that it was more likely written in the middle to late fourth century where there are more parallels. Those are discussed below, but I share there that I am also open to a late third century date, though still more comfortable with the fourth-century dating, and also with the possibility that it was a late fourth-century fraudulent document. The arguments for a third-century date of the MF are relatively recent but deserve consideration. I have added a new and extended discussion of the MF, including interaction with those who continue to hold to the late second-century position.

Further, some scholars continue to argue that the birth of the New Testament canon was largely a response from second-century churches to heresies, namely those of Marcion, the Gnostics, and the Montanists. Several have begun to re-examine that position. Though some still claim that Marcion established the first Christian biblical canon,<sup>7</sup> many now think that is less likely than earlier thought. I have argued for decades now that second-century heresies were not answered with a *biblical* canon, but rather with a canon of *faith* (*regula fidei*) that was passed on in the church’s traditions. This does not deny that the second-century church fathers cited NT writings as well as the church’s traditions in support of their arguments against ancient heresies.

The growing contributions of Dead Sea Scrolls scholarship have also added significantly to our understanding of the time and formation of the Hebrew Bible and the church’s Old/First<sup>8</sup> Testament canon. Also, scholars are still divided over their definitions of scripture and canon and when both were perceived or functioned in antiquity. The debate continues and I will try again to rephrase my reasons for distinguishing between them and be more consistent in how I use those designations. Much of the confusion comes from emphasizing the root meaning of canon, that is, authority or rule, and equating that with what lies at the end of the process, namely a fixed collection of authoritative Scriptures for the church. I will respond again to current discussions of those differences.

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<sup>7</sup> See for example Jason D. BeDuhn, *The First New Testament: Marcion’s Scriptural Canon* (Salem, OR: Polebridge, 2013).

<sup>8</sup> James A. Sanders has regularly suggested the use of “First Testament” instead of “Old Testament” since the former does not suggest that the first scriptures of the Jews and Christians are outdated or superseded. In antiquity “Old” was not a derogatory designation, but added considerably to the recognized reliability of the Christians’ first collection of sacred scriptures. Today “Old” appears to be understood broadly as “outdated” or no longer relevant. That, of course, is not what Christians mean today by that designation, though some have made that suggestion. I will generally use “Old Testament” in what follows because of its familiarity, but I still have in mind Sanders’ less offensive and more broadly acceptable “First Testament.” His discussion of this issue is attached to the end of Chapter 1.

Some of the more than 40 reviews of the earlier editions of this volume have also brought to my attention some inaccuracies or misstatements and I have tried to correct them in this edition. I agree also with several reviewers who pointed to some weaknesses in my arguments, but in some cases I do not and I have tried to strengthen those positions and make them more clear. Some of the more significant reviews and engagements with my work are listed in the Bibliography (especially reviews or critiques by Stephen Chapman, Christopher Tuckett, Peter Head, and Juan Carlos Ossandon), but there is not enough space in this volume to address all of the reviewers, though I have tried to respond to the most important critiques.

Among the several areas that need more attention in this edition is the role of the early church fathers, the variety of biblical and ecclesiastical canons including early creeds in the churches, and the importance of the ancient biblical manuscripts and the books as well as texts in them. In previous editions I largely ignored the role of the Spirit in canon formation, as others have rightly pointed out, and this area deserves more attention than I previously gave it. Since this has much to do with the church's understanding of the role of the Spirit in both Old Testament (OT) and New Testament (NT) canon formation, I have addressed this matter in both the HB/OT and NT sections. Carl Holladay rightly raised this matter with me recently and while I argue that inspiration was more of a "corollary of canonicity" than a criterion, to borrow the words of F. F. Bruce (see Chapter 22 §II.F), I still maintain that view, but Holladay is correct in arguing that there is more to that subject than what I gave to it earlier. Hopefully my revisiting that question will be helpful.

Also, since an important Catholic reviewer indicated to me that my understanding of the church was unclear, I will state here that I believe that the church is essentially the body or family of Christ and is the community of those who acknowledge Jesus the Christ as Lord of their lives. Through him individuals have received forgiveness of sins and hope for the life to come. In him their lives are transformed through faith in him and the church offers praise to God and participates in the mission that the risen Christ gave to the church. The One Church notion in the New Testament transcends the many sectarian expressions of it, whether Roman Catholic, Orthodox, Protestant, Coptic, or Ethiopian. This doubtless sounds hopelessly Protestant, but I do not apologize for these essential features in my understanding.

More interesting to me is that some of those with whom I am in most agreement theologically have suggested that my views are out of step with the "assured results" of "sound" biblical scholarship. Nothing, of course, could be further from the truth. The broad interaction I have with some of the most important biblical texts and the significant lists of biblical texts in the indices should mute that criticism. I have consciously tried to offer a credible picture of the historical development of both the Jews' and the Christians' biblical canons and re-examined the primary biblical and non-biblical texts relevant to this discussion. I have also tried

to examine them within their own faith contexts. While I personally have many theological beliefs and commitments to the Christian faith, this is not the place to display them. I regularly invite all who would like that conversation to join me in church and we can discuss such matters there!

Still others have challenged my assertion that the Christians inherited their Scriptures from their Jewish siblings along with Jewish methodologies of interpreting them, especially the *pesher* style of interpretation. They contend that I should have focused more on the church's eschatological interpretation of those Scriptures, that is, the Christian prophecy-fulfillment motif with its heavy focus on the future kingdom. I accept some of that criticism and hopefully have addressed it more clearly now.

In several presentations that I have made on the formation of the Bible for lay audiences in churches and undergraduate contexts, I have been asked whether the ancient churches "got it right" when they affirmed the books that now comprise the Bible. I regularly say, "Yes, of course!" And this is true whether I am speaking in Catholic, Protestant, or Orthodox churches, but my affirmation does not mean that the church has everything it wants to know in the biblical canons, but rather what is in the various biblical canons today is sufficient for faith. The Bible never answers all of our questions, but it does answer the most important questions about the essence of faith and how faith responds. For example, while what we have in the New Testament is *sufficient* for faith, it is not a complete story of everything that happened in the story of Jesus or in the lives of his first followers. We would all like to know more than what is explicitly stated in Scripture and the author of the Fourth Gospel, knowing this, says that there is far more to know, but what we have is sufficient for faith (John 20:30–31). I will say later that it is helpful to be informed by all of the ancient biblical and nonbiblical literature that informed many Jews of late second Temple Judaism as well as many early Christians in their journeys of faith. I am not an advocate of expanding or contracting the biblical canon, though I have often been accused of trying to do that or even advocating that. That is not now or ever was the case. I think that changes in the composition of the biblical canon are highly unlikely in any of the churches, but we can learn much about the faith of the ancient Jews and Christians by exploring the noncanonical literature, both Jewish and Christian.

In the earlier prefaces to this volume I noted that my initial interest in pursuing canon formation began in a church setting when I was trying to respond to a young university student who had taken a religion course at his university in Nebraska. He asked me about some ancient books that were *not* included in the Bible and wondered why some of the ones that were included were welcomed. I initially thought that I knew the answer to his questions, but as I was responding to him I began to think of exceptions to just about everything I was telling him! After that I began reading more seriously on the topic. I told him I would get back to him in a week, and that was over thirty-five years ago. My first informed investigation of

canon formation began with a reading of Hans von Campenhausen's standard work on the subject. My first academic paper on canon formation issues began in 1983 in a term paper at Harvard that I later developed into a thesis under the supervision of Helmut Koester with considerable encouragement and help also from George MacRae and Krister Stendahl. Koester graciously wrote the Foreword to the first edition that no doubt helped me get it published with Abingdon Press (1988). It was enlarged in both the second and third editions that were published by Hendrickson Publishers (1995, 2006) with later corrections (2007).

The last printing of the third edition with some additions and corrections came when Baker Academic publishers (2011) took over the publishing rights for the book from Hendrickson Publishers. Now Bloomsbury T&T Clark have undertaken with permission from Baker Academic publishers to revise and publish this fourth edition that has increased in size considerably and hopefully is more informed than in previous editions.

Among the most recent scholars who have made considerable contributions to our understanding of the formation of the biblical canons, and from whom I have learned much, I include most notably James A. Sanders, John Barton, David M. Carr, Timothy H. Lim, John J. Collins, Edmon Gallagher, Armin Lange, Stephen Chapman, Juha Pakkala, Shemaryahu Talmon, Emanuel Tov, William M. Schneidewind, Robert Hull, Christopher Tuckett, Tomas Bokedal, Einar Thomassen, Larry Hurtado, Joseph Verheyden, and Michael Kruger. While I have significant differences with some of these scholars, as readers will see, I have nevertheless learned much from each of them and they have all helped me reform and strengthen much of my earlier thinking on canon formation. There are also several excellent encyclopedic resources on canon formation that have been published recently that deserve special attention here, especially *The New Cambridge History of the Bible* (2011 and 2013), the *Oxford Encyclopedia of the Books of the Bible*, many recent articles in the *Oxford Handbooks on Biblical Studies*, *Early Christian Studies*, *Dead Sea Scrolls*, and the forthcoming *Oxford Handbook on Early Christian Biblical Interpretation*. All of this literature brings greater clarity to and understanding of the ancient texts and brings to light a number of pivotal issues for understanding canonical processes.

I am also indebted to several scholars who took time from busy schedules to read portions of this volume in its earlier manuscript form. I have sent portions or all of the manuscript in earlier draft form to James A. Sanders, Timothy Lim, Michael Moore, Carl Holladay, Donn Morgan, Craig A. Evans, Craig Keener, and Geoffrey Hahneman. I have received from most of them many valuable insights and suggestions, including areas that needed correction or sources that I had overlooked. I am grateful to these scholars for their helpful comments and suggestions.



Of course, any mistakes, oversights, errors, or faulty judgment that remain are my responsibility. Since the third edition came out, I have had the privilege of addressing and interacting with a number of colleagues, faculties, and students on various aspects of canon formation at a number of institutions, academic associations, and churches. Some of the institutions include Acadia University in Nova Scotia, Princeton Theological Seminary, Charles University in Prague, Crandall University in Moncton in New Brunswick, the University of Athens in Greece, Gustavus Adolphus University in Minnesota, the Pontifical University in Rome (Pontificia Università della Santa Croce), York University in Toronto, Arizona State University in Tempe, McMaster Divinity College in Hamilton ON, Karoli Gaspar Reformatus University in Budapest, Chapman University in Orange, California, George Fox University in Newberg, Oregon, and the Jesus Seminar in Santa Maria in 1997 in Northern California and in Chicago during the SBL meetings in 2013. I have also presented a variety of related canon papers at the Society of Biblical Literature, Studiorum Novi Testamenti Societas (SNTS), as well as in many churches in the USA and Canada. I have learned much from colleagues and participants in each of these institutions or associations, including from informed laity in churches. Colleagues, students, and the church's laity have often raised important issues and questions that I had not adequately considered. This volume frequently reflects matters that I learned through these many interactions.

Those familiar with the third edition will observe that several items in the Appendices were not included in this edition. They were not deemed as relevant for this edition. Those deletions will continue to remain in the third edition published by Baker Academic publishers. Although Baker Academic is not publishing this fourth edition, the publishers there have cooperated and allowed Bloomsbury T&T Clark to include some of the overlap in these two publications. I want to thank the publishers at Baker Academic for allowing me to publish this extended fourth edition of *The Biblical Canon* with a modification in its title and with another publisher. All of my dealings with them over several years now have been positive and helpful. I am also grateful to the Bloomsbury T&T Clark publishers for accepting this manuscript for publication. I am especially grateful to James Kinney at Baker Academic for his cooperation in allowing this fourth edition to be published in another venue and to Dominic Mattos for bringing this volume to his board for their consideration. I am hopeful that it will become an even more useful resource for future canon formation inquiry and research. I have also appreciated working with Miriam Cantwell at Bloomsbury, and also Dr. Duncan Burns who has been quite helpful as the copy-editor.

Several new sections have been added and others have been significantly revised, expanded, and hopefully strengthened. The extended Select Bibliography is by no means exhaustive, but it includes what I believe are some of the more important sources on canon formation. Some of the tables in the Appendices in the third edition were eliminated and the canon lists in the third edition have

been retained, but also revised, corrected, and expanded. I have also included in Chapter 1 James A. Sanders' discussion of the terms used in identifying the Jewish Scriptures and his "What to Call the First Christian Testament." These and other additions and revisions should make this a more useful resource of information on canon formation.

I am indebted, of course, to Professor James H. Charlesworth for his gracious willingness to provide an informed Foreword to this volume. He has been a long time friend and we have cooperated on several earlier publications and academic activities. I have learned much from him over many years and greatly appreciate his willingness to offer a new Foreword to this fourth edition. He has brought many issues to my attention that are relevant for understanding the processes of canon formation that I would have otherwise missed, especially in regard to the Dead Sea Scrolls, but also in other areas as well.

I have also included Helmut Koester's gracious Foreword to the first edition. As many readers know, Helmut passed away January 1 of 2016 as this revised and expanded edition was just getting underway with the publishers. Before his death, I was privileged to talk with Helmut, and instead of his focusing on his own challenges, he wanted to discuss this edition of my canon work with me. He was most encouraging despite his failing health. I decided to keep his initial Foreword in this edition both as a tribute to him as well as something that allows readers to see the progress made in the various publications. Professor Koester's Foreword and Introduction to the first edition is from a gifted professor who was happy to help his student get his first book published! His comments are still quite useful in understanding the processes that led to the formation of the Christian Bible and the significance of the inquiry. I should also note that he contributed to a Festschrift volume that was presented to me on my retirement.<sup>9</sup> He has been most kind to me over the years and I appreciate his letting us use this earlier Foreword once again. He and the late George MacRae gave considerable oversight and guidance in the initial stages of my exploration of canon formation during my studies at Harvard Divinity School and both participated in examining me and my work at my dissertation's defense. Unfortunately, George MacRae died before the first edition was published, but he had a manuscript copy of the first edition and knew that the volume was going to be published. He was the first to share that news with the doctoral students and New Testament faculty at HDS in our Wednesday afternoon seminars. I am deeply indebted to Professors Koester and MacRae for their mentoring, friendship, commitment to scholarship and to the one church that we all love. I am grateful for their friendship and valued help in the early stages of my journey into canon formation.

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<sup>9</sup> Helmut Koester, "Revelation 12:1–12: A Meditation," in *From Biblical Criticism to Biblical Faith: Essays in Honor of Lee Martin McDonald*, ed. Craig A. Evans and W. H. Brackney (Macon, GA: Mercer University Press, 2007), 138–44. His article acknowledges our mutual commitments to Christ and the church.

Finally, I once again dedicate this fourth edition to Mary, my life-time mate, best friend, and lovely wife. By the time this fourth edition is published, we will have been married a brief 53 years! She has always been most patient, helpful, and supportive in my long journey in Christian ministry and academic inquiry. Everything of significance and value in my adult life and journey of faith has come as a result of her love, support, and encouragement. Thank you Mary!

Lee Martin McDonald  
January, 2016

# PART 1

## INTRODUCTIONS AND DEFINITIONS



## CHAPTER 1

# INTRODUCTION

The following is an overview and summary of the formation and canonization of the Hebrew Bible as well as the Old and New Testaments for Christians. This overview will be seen in more detail in each of the major sections of this investigation of canon formation. We begin with some foundational questions as well as introductory issues for the whole scope of what will follow in considerably more detail.

### I. WHAT IS THE BIBLE?

As we begin our study of the formation of the Bible, it is helpful to ask what we mean by “Bible.” A recent collection of essays explores how the term came to be used of a collection of sacred literature and how its use varies in the communities that make use of “Bible.”<sup>1</sup> From an etymological perspective, the familiar term “Bible” derives from the Greek plural noun *biblia*; the singular is *biblion* which is regularly translated “book” (Luke 4:17) (or treatise). The plural form is found in 2 Tim 4:13 and best translated there “books.” The term initially referred to a collection of scrolls made of parchment or papyrus that were often sewn together to form a small library of related texts or documents. “Bible” eventually was the term that came to refer to the collection of sacred books that comprise Jewish and Christian Scriptures. In the late fourth century, Jerome referred to the Christian Scriptures as a *bibliotheca*, that is, a “library.” By the ninth century CE, *biblia* (Bible) was widely and regularly used for the collection of Christian Scriptures, both OT and NT. It is not possible to date precisely when the term Bible was used as a reference for the church’s Scriptures, but at the latest we see it in the ninth century. Christians call these writings “Holy Books” (Latin, *biblia sacra*), which is similar to the Hebrew *kitvei haqodesh* (“the holy books”) and the root of the current “Holy Bible.” The Latin and Hebrew terms observe that Christians have Scriptures (plural) rather than a single book called the Bible.

Jewish teachers typically refer to the twenty-four books that comprise their sacred scriptures as the Hebrew Bible or the Tanak. The latter is derived from the first letter of each of the three divisions of the Jewish scriptures: T for *Torah*

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<sup>1</sup> Karin Finsterbusch and Armin Lange, eds., *What Is Bible?* CBET 67 (Leuven: Peeters, 2012).

(Law), N for *Nebi'im* (Prophets), and K for *Ketubim* (Writings). Jews also use the term *Mikra* (Heb., “to recite”) for their Holy Scriptures unless they are referring to a specific scripture text. These books were initially counted as twenty-two books, but later that number changed to twenty-four, the same number of books in Homer’s *Iliad* and *Odyssey*.<sup>2</sup> All Christians today recognize as sacred scripture the books that comprise the Jewish scriptures or Hebrew Bible (HB),<sup>3</sup> but, as we will see, not completely in the first few centuries. Some church fathers, like some rabbinic sages, doubted the scriptural status of Esther, Song of Songs, and Ecclesiastes. Christians today also count the same books differently and have them in a different order in their Old Testaments. The primary difference in counting has to do with how the HB combines several books into one as in the cases of 1 and 2 Samuel, 1 and 2 Kings, 1 and 2 Chronicles, Ruth with Judges, Ezra with Nehemiah, Jeremiah with Lamentations, and the largest combination is the book of the “Twelve” or the twelve Minor Prophets as one book in the HB. They are counted separately in Christian Bibles, hence the difference is either twenty-two or twenty-four books vs. thirty-nine books in the Christian canons for the same books, but they are in a different sequence and groupings or divisions. While the number of books in the Christian OT Bibles varies, all now accept at least the books that are in the HB though they are organized differently. Roman Catholics have 46 books in their OT, Orthodox Christians have 49, and Protestants 39. Roman Catholic and Orthodox Christians accept the additional books that Protestants call “apocryphal” and Roman Catholics call “Deuterocanonical” books. As we will see in the New Testament volume, the Ethiopian Christians have the largest Christian Bible containing some 81 books. In modern times, some Jewish writers also employ the term Bible for their sacred scriptures.<sup>4</sup>

<sup>2</sup> I will say more about the significance of this number in Chapter 6 §I, II, and VI.

<sup>3</sup> Hebrew Bible (HB), Hebrew Scriptures, or Hebrew biblical canon are all familiar terms in academic circles and I use them throughout this book because they communicate that we are talking about the Scriptures of the Jews in antiquity and also the first scriptures of the early Christians that eventually formed their Old Testament. The HB is *not* the same as the Christian Old Testament (OT), though the books in them are the same as the Protestant Old Testament. The primary distinctions come from the sequences of books and how the books are grouped together. These factors constitute a hermeneutical distinction. See James A. Sanders’ discussion of these terms below in the Excursus and his “‘Spinning’ the Bible,” *Bible Review* 14 (1998): 22–29, 44–45. The two canons comprising the same books are not identical. In the case of the HB, it ends with the *Ketubim* or Writings specifically with either Esther or Chronicles or Ezra–Nehemiah, but the Christian OT canons regularly end with the Minor Prophets that lead into the NT canon in the focus on Elijah (cf. Mal 4:5–6 and Matt 11:13–14 and 17:3–4, 9–13), which is more compatible with Christian teaching.

<sup>4</sup> See, for example, Sid Z. Leiman, “Josephus and the Canon of the Bible,” in *Josephus, the Bible, and History*, ed. L. H. Feldman and G. Hata (Detroit: Wayne State University Press, 1989), 50–58; and his edited volume *The Canon and Masorah of the Hebrew Bible: An Introductory Reader* (New York: Ktav, 1974).

The Jewish Bible (HB or Tanak) is tripartite, that is, it is divided into Law, Prophets (both Former and Latter), and Writings, but the Christian OT is divided into four parts, namely Pentateuch, History, Poetry and Wisdom, and Prophets. The difference in the organization of the Christian OT may reflect its combination with the New Testament writings into one volume and imply that the Christians invented a different order for their OT books, but it may also suggest that the Christians inherited this order from the LXX. This matter will be discussed below in Chapter 11 §II. The Christian OT has the Prophets at the end pointing to the future working of God initiated by Elijah (Mal 4:5–6), who is highlighted in the next book in the Christian Bible, namely the Gospel of Matthew. Jesus claims that Elijah has come in the person of John the Baptist (Matt 11:13–14) and in the appearance story on the Mount of Transfiguration, both Moses and Elijah appear (Matt 17:3). The books in the Hebrew Bible begin in a somewhat chronological sequence, namely Pentateuch and Former Prophets (Joshua, Judges, Samuel, and Kings), but the rest of the books (the Writings) are not in a chronological pattern. Rather they are in groups of specific genres (poetic, wisdom, prophets, and history). The third part of the HB is often referred to as something of a “catch all” category since it includes history (Ruth, Esther, Chronicles, Ezra–Nehemiah), prophecy (Daniel), and wisdom and poetry (Job, Song of Songs, Psalms, Proverbs, Ecclesiastes, Lamentations). The order of the Writings was not stabilized until the tenth or eleventh century for the Jews and later for the Christians.

The early Christians *generally* did not follow the current Jewish divisions of the scriptures likely because the Christians had separated from their Jewish siblings before those three divisions were accepted by *some* rabbinic sages *after* the separation of the Christians perhaps from the late first to the middle to late second century CE. As we will see in Chapter 11 §II, there is no solid evidence that those three divisions existed before the middle to late second century CE and even then many Jews continued to speak only of a bipartite biblical canon (Law and Prophets). The Christians made use of the Greek translation of the Hebrew Scriptures that is regularly referred to as the Septuagint (LXX)<sup>5</sup> and the usual HB tripartite divisions are not found in that collection of Jewish Scriptures.

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<sup>5</sup> The traditional name given to the Greek translation of the Jewish sacred Scriptures is the Septuagint (LXX), which technically was initially applied only to the Pentateuch and not to the rest of the OT Scriptures, but it is commonly used now as a reference to the whole Greek OT. The term supposedly derives from the tradition in the *Letter of Aristeas* that refers to seventy-two translators who worked on the translation of the Pentateuch. E. Lohse, *The New Testament Environment*, trans. J. E. Steely (Nashville: Abingdon, 1976), 129, suggests that the number seventy-two was simply rounded off to seventy, but it is also quite possible that the number derives from the tradition of the seventy elders (Exod 24:1, 9) who accompanied Moses to Mount Sinai when he received the law from Yahweh on tablets of stone; see Koester, *Introduction to the New Testament*, 1:252; J. W. Wevers, “Septuagint,” in *Interpreter’s Dictionary of the Bible*, ed. G. A. Buttrick (New York; Abingdon, 1962), 4:273; and A. R. C. Leaney, *The Jewish and Christian World* (Cambridge:



In regard to the Hebrew Bible, as we will see, some Jews expressed doubts for centuries over whether to include several of the books in the Writings, namely Esther, Song of Songs, Ezekiel, Ruth, and Ecclesiastes, but doubts were also raised for a period of time over whether to recognize the Wisdom of Solomon and the Wisdom of Jesus ben Sirach. The Christians also have never completely agreed on the scope of their Old Testament Scriptures and the major questions related to inclusion have focused mostly on the so-called apocryphal books, but, as in the case of Luther, also the books of Hebrews, James, Jude, and Revelation. The books now referred to as the Apocrypha did not have that designation initially in antiquity.

The sequence of the New Testament books varied for centuries, especially before the fourth century CE when codex technology advanced sufficiently to enable all of the biblical books to be included in one large codex or book. Although the Gospels as a collection regularly have the place of priority in the surviving NT manuscripts, the sequence of those books and others in the NT varied for centuries, especially with regard to the Catholic or General Epistles, Acts, and the Epistles of Paul. The New Testament books in most Bibles are now regularly placed in the following sequence: Gospels, Acts, Letters attributed to Paul, Catholic Epistles, and Revelation. The Letters or Epistles of Paul were *generally* listed in terms of their size rather than their chronological or historical sequence although Hebrews, which in terms of size would follow Romans or 1 Corinthians, was placed at the end of the Pauline collection suggesting the early church's uncertainty about its authorship.

The authority and use of the four canonical Gospels and the writings of Paul in the early churches was widely recognized among the early Christians both in the first and second centuries, and these were the first Christian writings that were generally identified *as scripture* by the end of the second century. The first known writer to list Christian writings as scripture was Basilides in the early second century and he mentions three of the Gospels and four letters of Paul as scripture.<sup>6</sup> However, it took several centuries before all of the New Testament books were widely acknowledged as Christian scripture. The most significant disputes were over the inclusion of Hebrews, James, 2 Peter, 2 and 3 John, Jude, and Revelation and eventually all of them were included in most collections by the end of the fourth century. Debate continued on for some time after that in regard to *Shepherd of Hermas*, *Epistle of Barnabas*, *1–2 Clement* and others, but these and many others were eventually excluded. The authenticity or authorship of the Pastoral Epistles (1 and 2 Timothy and Titus) was in some dispute in the second and third

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Cambridge University Press, 1984), 153. If this is the case, then the use of the term Septuagint could well be an acknowledgment of the early belief in the divinely inspired status of the translation, that is, it authentically and faithfully conveyed the full intent of the law given to Moses.

<sup>6</sup> The source for this comes from Hippolytus, *Ref.* 7.22.4; 7.25.25.3; 7.26.7. For a discussion on this, see Robert M. Grant, *The Formation of the New Testament* (London: Hutchinson University Library, 1965), 121–23.

centuries, but by the fourth century those questions were largely settled and the Pastorals appear in most of the manuscripts and catalogues of sacred books from the fourth century onward. They are not listed in the writings of Marcion, in P<sup>46</sup> (the late second or early third century), or in Codex Vaticanus (ca. 350 CE).<sup>7</sup> The earliest biblical manuscripts that include all of the books of the New Testament *and no others* date from around the tenth century and thereafter. This reflects the long history of the forming of the NT part of the Christian Bibles.<sup>8</sup> The book of Revelation was perhaps one of the most disputed NT books, especially in the eastern churches.

In sum, the forming of the OT and NT books into what we now call a Bible was a long process taking several centuries and the available evidence reflects uncertainty and fluidity in the various scriptural collections for centuries. This fluidity can be seen in occasional inclusions of noncanonical books or the exclusion of biblical books in the uncial manuscripts of the fourth century and later.<sup>9</sup> Some variations continued well into the nineteenth century as we will see below. While the historic and most widely accepted biblical canons of Jews and Christians (Orthodox, Roman Catholic, and Protestant) have been settled for a long time, scholars continue to debate the dating, authenticity, and acceptance of several biblical books and also the value of some of the books that were either included in or excluded from the sacred collections.

Today the Bibles of Jews and Christians are taken for granted in communities of faith and laity are often surprised to hear that biblical scholars continue to raise questions about the origin of the biblical books and how they came to be recognized as sacred Scripture. Historically there was little sustained interest in the origin and development of the Bibles for either church or synagogue among biblical scholars until the late eighteenth and nineteenth centuries. After the fifth century, while interest in which books could be read in churches continued as evidenced by surviving lists or catalogues of acceptable and rejected books for

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<sup>7</sup> Because Codex Vaticanus (ca. 350 CE) is a fragmented manuscript, certainty cannot be determined over the status of the Pastorals alone from that manuscript, but in what survives of it, it does not contain the Pastorals and stops in the middle of Heb 9:24.

<sup>8</sup> For a helpful discussion of the earliest manuscripts that contain all of the New Testament writings and no others, including the role of the codex in helping to define the collection of Christian scriptures, see Daryl D. Schmidt, "The Greek New Testament as a Codex," in *The Canon Debate*, ed. L. M. McDonald and J. A. Sanders (Peabody, MA: Hendrickson, 2002), 469–84.

<sup>9</sup> The uncial or majuscule manuscripts are quite significant since in them we have for the first time both Old and New Testament collections in one bound parchment volume. While there are variations in their contents and orders, we can detect in them early church priorities, sequences, and which books were *widely* recognized as sacred scripture. The papyrus manuscripts reflect recognition, but only fourteen of the 128 (that number varies from year to year as more papyrus manuscripts are discovered and published) manuscripts contain more than one book and none of them contain more than a few books. For example, P<sup>45</sup> includes fragmented portions of the four canonical Gospels and Acts and P<sup>46</sup> contains most of the letters attributed to Paul, but it had insufficient space to include the Pastoral Epistles.

reading in churches, little attention was given to the question of the formation of the Bible for almost another thousand years. No doubt many thought that the matter was settled and there was no need to discuss it, but in 1546 the Catholic Church, to some extent in response to the Protestant Reformation, identified at the Council of Trent the books that made up the Bible. After that several Protestant churches also established the boundaries of the sacred books that comprised their scriptures. The Eastern Orthodox churches, however, did not have a Council of Trent and the *full* scope of their scriptures was settled even later.<sup>10</sup>

Although Christians and Jews have long claimed that God initiated and was involved in the processes of canonization by inspiring various writers to produce the literature that makes up their Scriptures, they are often surprised that the process of recognizing the sacred books took centuries. The process of recognition was not as obvious then as it is for some today. It is also surprising that little attention or interest was given to the formation of the Bible for centuries. In 1913, Alexander Souter observed a surprising lack of interest in the origins of the biblical canon in his generation, but also acknowledged the unlikelihood of any successful changes in the contents of the Bible. His hope was that in the process of examining the formation of the Bible that the Christ of the Bible would not be forgotten.<sup>11</sup> Similarly, the late professor Bruce Metzger, as late as 1986, expressed considerable surprise that such an important topic as which books comprised the Bible had received so little attention in antiquity and even in modern times. He writes: “Although this [the Bible] was one of the most important developments in the thought and practice of the early Church, history is virtually silent as to how, when, and by whom it was brought about. Nothing is more amazing in the annals of the Christian Church than the absence of detailed accounts of so significant a process.” Similarly in his Preface he comments: “despite its [canon formation] importance and intrinsic interest, [it] receives comparatively little attention. In fact, few works in English consider both the historical development of the New Testament canon and the persistent problems that pertain to its significance.”<sup>12</sup> Much has changed since his significant contribution to this field of inquiry and, likely because of his work, numerous other contributions have been made to canon formation as the Select Bibliography at the end of this volume shows. My first edition on this volume was already in the process of publication a couple of months before Metzger’s work came out – too late to take advantage of his

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<sup>10</sup> For a discussion of the formation of the biblical canon for the Eastern Orthodox churches see especially Vahan S. Hovhannessian, ed., *The Canon of the Bible and the Apocrypha in the Churches of the East*, Bible in the Christian Orthodox Tradition 2 (New York: Lang, 2012); and more recently, Eugen J. Pentiu, *The Old Testament in Eastern Orthodox Tradition* (Oxford: Oxford University Press, 2014).

<sup>11</sup> Alexander Souter, *The Text and Canon of the New Testament*, Studies in Theology (London: Duckworth, 1913; rev. C. S. C. Williams, 1954), 186–87.

<sup>12</sup> Bruce M. Metzger, *The Canon of the New Testament: Its Origin, Development, and Significance* (Oxford: Clarendon, 1987), 1 and p. v.

excellent contribution. In subsequent editions, I have made considerable use of Metzger's well-informed work despite our disagreements on how to interpret some of the related ancient texts. In the middle to late 1980s there were only a few reliable sources to consult on canon formation, but now it is nearly impossible for scholars to read all of the recent related publications on canon formation. In the last few years, scholars have learned much about the origin of biblical books and the processes that led to the formation of the Bible that was not known earlier and more information is emerging all the time. No one presently suggests that the last word on canon formation has been written and this volume will not pretend to fill that void, but hopefully it will encourage others to pursue an even more fruitful investigation of the ancient traditions and advance this important inquiry. The considerable differences in approaches to and conclusions about canon formation today reflect what Metzger noted earlier, namely that the ancient sources are not clear on how the Bible was formed. When good and careful scholars disagree after long, arduous, and careful investigations, we can only conclude that the ancient sources are not as clear on the matter as we would like. Nevertheless, because more is known now than before new approaches and methodologies are emerging and leading scholars to ask new questions and pose new possibilities. Doubtless, some reaffirm earlier conclusions with new arguments and others pose alternative conclusions. As we proceed, several of these positions will be seen.

It is difficult to deny at least some of the recent interest in canon formation has been prompted by the publication of Dan Brown's sensational and fictional *Da Vinci Code* or the plethora of other spin-off volumes or media presentations that occur annually with considerable hype just before Christmas and Easter such as Mel Gibson's *The Passion* or the publication of *Gospel of Judas*. Often these and other popular publications are shrouded in tantalizing promises of new revelations of something the church does not want you to know because it could or would somehow damage Christianity or even destroy the Church's faith. I have personally been contacted by a publisher – several times! – to ask if I would write a book about what the church does not want you to know about the Bible! I have declined and indicated to that publisher that I know of nothing that the church wants to hide or even could hide about the formation of its Bible.

Although such publishers promote and sell a lot of sensational books they have also brought considerable new interest to the formation of the Bible both in the churches and likely also in the academy. This renewed interest does not take away from the fact that for two thousand years the church still has not fully agreed on the full scope of its Bible – even if there is wide agreement on most of it. As noted above, today there are four different Old Testament canons current in Christian churches, namely those in the Eastern Orthodox (both Greek and Russian),<sup>13</sup>

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<sup>13</sup> Besides the books of the Hebrew Bible, the Eastern Orthodox include in their OT 1 Esdras, Judith, Tobit, Wisdom of Solomon, Ecclesiasticus (Sirach), Baruch, as well as the additions to

Roman Catholic,<sup>14</sup> Protestant,<sup>15</sup> and Ethiopian churches.<sup>16</sup> Likewise, there are multiple collections of sacred books in antiquity that are often similar in content to what we now have, but not completely. Most of these differences were present before the fourth century, but some appear later. Then as now, the books that one religious community calls apocryphal or even pseudepigraphal (and thereby dismisses them), another religious community welcomes as scripture. Only the names of the books in question have changed over time.

Today no one denies the considerable diversity in early Christianity, but how widespread was what we now call “heresy” in the emerging churches of the second and third centuries? In a highly influential and often controversial book, Walter Bauer claimed that the heterodox churches actually outnumbered the orthodox in the second century and that they even produced literature opposing the “heretical” teachings of those churches that we now call orthodox!<sup>17</sup> Bart Ehrman, who agrees with Bauer, concludes that “orthodoxy” was more limited in influence in the second century than was earlier thought – and he may be right in this, but he is probably overstating his case when he claims that orthodoxy in the sense of a “unified group advocating an apostolic doctrine accepted by the majority of Christians everywhere, did not exist in the second and third centuries.”<sup>18</sup> Neither the church’s later wealth or later political power in Rome can account for all of

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Daniel and Esther, 1, 2, and 3 Maccabees, and Ps 151 (or 49 books). Their NT has the same 27 books that are common to the Roman Catholic and Protestant Bibles.

<sup>14</sup> Their OT canon is similar to the Orthodox (they have 46 books) along with the additions to Daniel and Esther but they do not have 3 Maccabees or Ps 151. Roman Catholics call their sacred books that are not in the HB the “Deuterocanonical” books. Their NT contains the same books as the Orthodox and the Protestant Bibles.

<sup>15</sup> The Protestants accept only the books in the HB, but in a different order, and like the other major Christian churches, they also accept only the twenty-seven books of the NT.

<sup>16</sup> The church in Ethiopia adopted as its OT the books adopted by the Eastern Orthodox, but also *Jubilees*, the Ethiopic *Enoch*, *IV Esdras*, and *The Rest of the Words of Baruch*. Their NT consists not only of the twenty-seven books of the New Testament, but also four other lesser known books: *Sinodos*, *Book of Clement* (not 1 or 2 Clement), *Book of the Covenant*, and *Didascalia*.

<sup>17</sup> *Orthodoxy and Heresy in Earliest Christianity*, ed. and trans. R. Kraft and G. Krodel (Philadelphia: Fortress, 1972), translated from *Rechtgläubigkeit und Ketzerei im ältesten Christentum*, BHT 10 (Tübingen: J. C. B. Mohr [Paul Siebeck], 1934).

<sup>18</sup> Bart D. Ehrman, *The Orthodox Corruption of Scripture: The Effect of Early Christological Controversies on the Text of the New Testament* (Oxford: Oxford University Press, 1993), 7. There certainly was considerable diversity in the churches during those two centuries and even later, and it appears that an orthodox majority began to emerge at the end of the second century, even though that did not mean that there was unanimity in theological thought at that time. The continuing debates among various strands of early Christianity suggest this, but that does not deny to the emerging orthodoxy a prominent role. It is not clear that orthodoxy only won out because of the Roman churches’ power, wealth, and influence in the fourth century. That argument has not been adequately demonstrated. The first-century documents to which early Christians appealed, especially the Gospels and the traditions about Jesus passed on in the churches that we clearly see in the second century (e.g., Irenaeus), surely weighed heavily in favor of orthodoxy.

the factors that led to the so-called triumph of orthodoxy in the greater church in antiquity. Ehrman does not give adequate weight to the antiquity of the orthodox tradition in the churches that appeals to or cites the canonical Gospels, mostly Matthew, and the letters of Paul. Those sources are among the earliest Christian writings known and more widely cited in the early churches. Also, the force of Irenaeus' teaching about apostolic succession that emphasized the passing on of the earliest traditions of the church about Jesus the Christ through the church's bishops cannot be ignored.<sup>19</sup> The traditions about Jesus clearly functioned as the primary authoritative guide for the churches well before the recognition of Christian writings as sacred scripture in the churches.

Given the authority of Jesus and the traditions about him circulating in the churches, as well as the circulation of the Gospels that reflect his actions and teachings, diversity was nonetheless more present in early Christianity than what existed after the fourth century following the Council of Nicea. However, at the end of the second century a "proto-orthodoxy" appears largely though not completely to have won much of the theological debates going on in churches in the second century. By the end of the second century much of the theological differences had been settled through the moves against what was perceived to be heresy. By that time the summations of the orthodox tradition, as we see in the Apostles' Creed and in other doctrinal summaries in Irenaeus (we will examine these below), had gained priority in the majority of churches. None of the noncanonical writings, sometimes called gnostic and Christian apocrypha, can reasonably claim to have first-century roots. Contrary to Ehrman, orthodoxy appears to have won the day long before orthodox churches gained wealth or power in the Roman Empire.

In regard to the scriptures of the Jews, it has long been wrongly assumed that the Jews in antiquity were of one mind on the scope and content of their Bible, as if it were a fixed entity no later than the end of the first century CE or before. Not only have recent studies of the Dead Sea Scrolls suggested otherwise,<sup>20</sup> but the seldom noticed differences between Jews in the east and those in the western

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<sup>19</sup> This does not take away from Ehrman's point in his *Orthodox Corruption of Scripture* that Christian orthodoxy variously and significantly influenced the transmission of the biblical text. That appears incontrovertible; however, most of the intentional variants in the Christian manuscripts tend toward orthodoxy, not heterodoxy. Robert F. Hull Jr., *The Story of the New Testament Text: Movers, Materials, Motives, Methods, and Models*, SBLRBS 58 (Atlanta: Society of Biblical Literature, 2010), makes this case well.

<sup>20</sup> See especially the impressive three volume series of essays in James H. Charlesworth, ed., *The Bible and the Dead Sea Scrolls* in the Princeton Symposium on the Dead Sea Scrolls (Waco, TX: Baylor University Press, 2006), but also Philip R. Davies, *Scribes and Schools: The Canonization of the Hebrew Scriptures* (Louisville, KY: Westminster John Knox, 1998), 152–69; A. J. Avery-Peck, Jacob Neusner, and B. Chilton, eds., *Judaism in Late Antiquity*, Part 5: *The Judaism of Qumran: A Systematic Reading of the Dead Sea Scrolls*, Vol. 1: *Theory of Israel* (Leiden: Brill, 2001); plus Volume 2 in the same series, *World View, Comparing Judaisms* (Leiden: Brill, 2002); and the useful introductory chapter of James C. VanderKam, *From Revelation to Canon: Studies*

diaspora point to significant differences in surviving expressions of Judaism on the matter of canon formation. More specifically, we have no evidence that the rabbinic decisions of the east made a significant impact on the Jews in the west. This appears to be the case whether in differences in their way of life, views about scripture, or the contents of their sacred collections. Jews to the west, north, and south of Palestine appear to have made use of the Septuagint rather than the Hebrew scriptures and the Septuagint included a broader collection of scriptures than the later HB canon. Recently two scholars have argued that Jews in the western diaspora continued for several centuries after the emergence of rabbinic Judaism to use the Septuagint in their religious devotion, including the apocryphal and pseudepigraphal books in it. Because for the most part they could not speak or read Hebrew or Aramaic, they were largely unaffected by the rabbinic decisions in the east and the literature that they produced (Mishnah, Tosefta, and the two Talmudim).<sup>21</sup> Was there only one Jewish understanding of scripture and canon in the time of Jesus? That notion should have been laid to rest long ago, but some scholars continue to advocate the notion of unity in Judaism on the scope of the scriptures before, during, and after the second century CE. This is a misunderstanding of Judaism of the late second temple period.<sup>22</sup> Well into the middle ages there were various Jewish sects still debating the scope of their scriptures. As we will see later, the Karaites, like the Samaritans, chided Rabbinic Jews over their use of the Prophets and for having more texts than the Law of Moses for their scriptural authority.<sup>23</sup> How representative were decisions of various Rabbinic Jews in the second and later centuries and were they uniform in what they had to say about the scope of the Jewish scriptures? I suggest that a considerable time elapsed

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in the *Hebrew Bible and Second Temple Literature* (Boston: Brill, 2002). These significant works represent only a small amount of the literature published in this field in recent years and much more is on the way!

<sup>21</sup> The case for this diversity between the Jews in the east and those to the west of the Land of Israel is reasonably argued by Arye Edrei and Doron Mendels, "A Split Jewish Diaspora: Its Dramatic Consequences," *JSP* 16, no. 2 (2007): 91–137.

<sup>22</sup> The popular designation "Second Temple Judaism" usually refers to the time between the rebuilding of Zerubbabel's temple and the destruction of the Second Temple of Herod in 70 CE. Technically, "late Second Temple Judaism" often refers to the temple of Herod the Great, begun in 37 BCE and destroyed by the Romans in 70 CE. The First Temple was destroyed in 587/586 BCE (2 Kgs 25:8–17), and following the decree of Cyrus (538 BCE) that allowed Jews to return to their homeland and rebuild their temple, Zerubbabel attempted to rebuild the temple between ca. 521 and 516 BCE (Ezra 1:1–4; 5:2–6:18; see also Hag 1:1–4, 12; 2:1–4; Zech 4:9; 6:15). Local opposition prevented him from rebuilding anything on the scale of the former temple built by Solomon. The rebuilding begun by Zerubbabel experienced many additions and changes and was finally replaced by Herod the Great *beginning* in 37 BCE. The term has gradually replaced the now dated and less precise term "Intertestamental period."

<sup>23</sup> Abraham Wasserstein and David J. Wasserstein, *The Legend of the Septuagint: From Classical Antiquity to Today* (Cambridge: Cambridge University Press, 2006), 217–37, describe the differences between the Karaites, Samaritans, and Rabbanite Jews over their sacred scriptures.

before there was a general agreement among the Jews over the “fringe” areas of their HB biblical canon and there never was a time when a recognized council of Rabbinic Jews, like the Council of Trent, made such a decision.

As I begin this study, I acknowledge the importance of memory and the challenge it brings to the stability and fluidity of the HB biblical texts in the early stages of their formation. It is most likely that the early tradition about the Exodus, wilderness wanderings, entrance into Canaan, and the giving of the Law at Sinai were all communicated initially by memory and oral tradition before being written down. This use and function of memory in transmitting the Jewish sacred story continues to be a major challenge for canon formation scholarship.<sup>24</sup> Until the invention of the printing press, there was little stability or fixation of the text of the Hebrew Bible despite several attempts toward textual stabilization among rabbis. After the fourth century when some churches were able to employ professional scribes, there was some stability in the transmission of the biblical text. Even after that changes were regularly made in the biblical texts, and these changes (accidental or deliberate) are reflected in current revisions of the biblical text of the Hebrew Bible and the Greek New Testament. The fluidity that characterized the transmission of the HB and Christian OT manuscripts can be seen in the rewritten scriptures of both Judaism and early Christianity and in the copying of the biblical manuscripts throughout their history. I will discuss “rewritten scriptures” below in the section on Qumran and the Dead Sea Scrolls (Chapter 7 §II.B). While the notion of not touching or modifying sacred scriptural texts was a means of declaring their sacred status (Deut 4:2; Rev 22:18–19), in practice all ancient texts were modified in transmission whether Jewish or Christian.

## II. SOME IMPORTANT QUESTIONS

Without question the Bible is one of the most important resources for understanding and interpreting Judaism and Christianity without which both communities of faith would be unable to discern the identity of the God they worship, how they are to live, and their mission in the world. The formation and function of the sacred texts that comprise the Bible and inform the faith of both communities lies at the heart of several fundamental questions such as when the books were written, how they functioned in communities of faith, when they were acknowledged as sacred scripture, and when and why they were brought together to form a fixed collection

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<sup>24</sup> David M. Carr has addressed this issue carefully in *Writing on the Tablet of the Heart: Origins of Scripture and Literature* (New York: Oxford University Press, 2005), 3–14, and in regard to the subsequent textual transmission, see also 111–73; and in his subsequent *The Formation of the Hebrew Bible: A New Reconstruction* (New York: Oxford University Press, 2011), 3–36, but also 102–49.



of religious texts. The following questions and issues are a summation of what will be dealt with in more detail throughout these volumes.

Scholars know that both Jews and Christians produced many more books than those that were finally included in the Bible. Why were the biblical books selected and what criteria were employed in making those selections? Would the faith of either Jews or Christians be significantly different today if some or all of the forgotten or lost books were included in the Bible? What if the time comes, as it did in antiquity, when some of those books no longer have appeal or perceived significance in various communities of faith? Would those neglected books no longer have a place in the Bible? Readers are surely aware of the interests of the Jesus Seminar in ridding the apocalyptic emphasis from the NT. In both the Hebrew scriptures and the Old and New Testaments there was a core of books that were widely accepted, but other books that were excluded continued to be popular among some Jews for several centuries (e.g., *Sirach* and *Wisdom of Solomon*) and also remained in the sacred collections of scriptural texts of many churches for several centuries (e.g., *1 Enoch*, *Shepherd of Hermas*, *Epistle of Barnabas*, *Didache*, *1–2 Clement*, *Letters of Ignatius*).

Canon questions are not simply academic matters, but also highly significant issues for faith communities that order their worship, instruction, and mission by their sacred scriptures. The available ancient resources for examining canon questions that have survived antiquity are both sketchy and inferential and seldom allow for firm conclusions. This is especially obvious when Bible scholars with impeccable academic and ecclesiastical credentials examine the same ancient artifacts and draw different conclusions from them.

All copies of the Scriptures were prepared and transmitted by hand for centuries until the invention of moveable type and the printing press. The ancient churches, with a few exceptions, generally made use of literate amateurs in producing copies of their sacred scriptures. By the fourth century, as the churches grew and became more financially able, they employed professional scribes to make individual copies of their sacred Scriptures, but still, until the invention of the printing press, no two biblical manuscripts were exactly alike. Nevertheless, despite the numerous variations in the texts of the surviving manuscripts (whether deliberate or accidental), all copies functioned as sacred scripture in the communities for which the sacred texts were copied and preserved.

No *known* original texts have been preserved, but rather copies of copies of ancient manuscripts. However, given the recent revisions in scholarly thinking about the durability of ancient manuscripts, it may be that some copies of biblical texts that have survived were produced from some original autographs.<sup>25</sup> There are significant new scholarly developments that may affect our understanding of the dating and life expectancy of the ancient papyrus manuscripts and that could have

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<sup>25</sup> See Craig A. Evans, "How Long Were Late Antique Books in Use? Possible Implications for New Testament Textual Criticism," *BBR* 25, no. 1 (2015): 23–37.

an effect on some aspects of canon formation. Earlier the life of a manuscript with normal use was considered twenty to thirty years, but now some scholars suggest that they may well have lasted in use some 100–300 years. Evans explains:

[George W.] Houston finds that literary manuscripts were in use anywhere from 75 to 500 years, with the average of about 150 years. Almost all of these libraries and collections were multi-generational, being handed down to descendants or in some cases purchased in their entirety by a new family or collector. Accordingly, a manuscript commissioned, say, in the first century BCE would have been read, studied, annotated, corrected, and copied over a period of two or more centuries and then would have been retired in the third century CE. Perhaps this should not be surprising. After all, books were expensive and precious and so not quickly discarded, and those made of papyrus that circulated in Egypt could survive a long, long time, as the ancient papyri uncovered at Oxyrhynchus and elsewhere testify.<sup>26</sup>

This line of reasoning points to greater durability of the earliest NT texts that could extend well into the third and possibly fourth centuries CE and, if correct, will lead some text critical scholars to new positions on the stability of the NT text and a longer life for the original manuscripts of the NT, and perhaps also the possibility that some manuscripts from the second and third century were copies of the autographs.

A cautionary note should be added here that is reflected in the second-century postscript to the *Martyrdom of Polycarp* (ca. 155–160 CE), which was written shortly after the death of Polycarp most likely by a contemporary eyewitnesses of his death.<sup>27</sup> Pionius was martyred either shortly after Polycarp or even later during the Decian persecutions of the mid third century (see Eusebius, *Hist. eccl.* 4.15.47). At the end of the accounting of Polycarp's martyrdom, Pionius says regarding the manuscript telling the story of Polycarp's death that "I gathered it together when it was nearly worn out by age" (*Mart. Pol.* 22.3, Holmes trans.). If written shortly after Polycarp's death, that would suggest that manuscripts that were regularly used might not have lasted as long as others that were not read or used as frequently, but if written in the fourth century and reported by Eusebius it might well point to a much longer life and use. Likewise, most of the oldest known biblical manuscripts were discovered in dry arid places (especially Egypt

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<sup>26</sup> C. A. Evans, "How Long Were Late Antique Books in Use?" He also cites several key papyrologists, including George W. Houston, who argue for a lengthy period of use of ancient texts in part because of their high expense to produce. Evans argues the case for the longer use of ancient papyrus manuscripts than was believed earlier. Houston elaborates on this in his *Inside Roman Libraries: Book Collections and Their Management in Antiquity*, Studies in the History of Greece and Rome (Chapel Hill, NC: The University of North Carolina Press, 2014).

<sup>27</sup> This date is in Michael W. Holmes, "The Martyrdom of Polycarp and the New Testament Passion Narrative," in *Trajectories Through the New Testament and the Apostolic Fathers*, ed. Andrew Gregory and Christopher Tuckett, The New Testament and the Apostolic Fathers (Oxford: Oxford University Press, 2005), 2:407–32. See also his introduction to this text in his *The Apostolic Fathers: Greek Texts and English Translations*, 3rd ed. (Grand Rapids: Baker Academic, 2007), 298–303.

and the Jordan Valley). It may be correct that some manuscripts (original or copies of copies) lasted much longer in warm and dryer communities than the twenty or thirty years of duration previously suggested by scholars if the manuscript was properly cared for and stored in a dry location.

An important consequence of multiple variants in the biblical texts was the birth of the later and highly significant craft that we now call “textual criticism” whose primary aim historically has been to produce the earliest and most reliable text of the Bible. One of the earliest church textual critics was Origen, an early church father (185–254) who was well aware of the many variants in the church’s scriptural manuscripts. He wanted to highlight and correct the variants and made the earliest known informed attempts at correcting the transmission of the church’s OT scriptures. This can be seen in his *Hexapla*, a six-column comparison of the Hebrew and Greek texts of the HB/OT circulating among the Jews and Christians. His work is still available today and can also be downloaded from the Internet. Origen’s remarkable *Hexapla* has served scholars of the Bible for many centuries.

This leads us to ask what is the appropriate canonical text of Scripture for the synagogue and church today? Brevard Childs rightly asks whether it is the text in its earliest known form or in its later form that is canonical (authoritative) for the churches. All scholars acknowledge that the church’s Scriptures incurred many textual additions or changes over several centuries, some of which were intentional but most were accidental. So, again, the question is which text is the canonical or authoritative text of the church, namely, the *original* form of Philippians or the one that currently exists in our NT – the earliest recoverable text or the one most commonly acknowledged in modern times?<sup>28</sup> Does it make a difference if the two parts of Philippians are read separately for study, teaching, and preaching? Is the Gospel of John best read as it was written, namely, as a single gospel, or as the *Fourth Gospel*? In this case, it does make a difference. Is the final form of Isaiah the authoritative base for preaching and teaching or should we consider accepting an earlier Isaiah that was followed by one or two other additions regularly called 2 and 3 Isaiah? If that is the case, how do we understand 2–3 Isaiah from different authors? Are they equally authoritative even if not written by the original author of 1 Isaiah? Should we retain in our biblical canon Mark 16:9–20, John 7:53–8:11 the whole of John 21, Acts 8:37, 1 John 5:7–8, or other texts with questionable textual support? Most scholars agree that these texts were *later* additions to the biblical texts in which they are found. The early churches sought to root their theology in the earliest witnesses from the *apostolic* community. Is that still true today or should we accept the later rewritten texts as scripture for the churches?

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<sup>28</sup> It is likely that the Letter to the Philippians is a composite of Paul’s writings from at least two separate occasions, namely, 1:1–3:1 and 3:2–4:23.

The rewriting of sacred scripture is not unique to the Christian community. As many scholars know from the Qumran manuscripts and some examples from the HB/OT, there were many “re-written scriptures” in antiquity. The scribal practice of copying the sacred scriptures often involved a rewriting of those same texts for a subsequent generation of readers who were often facing different circumstances. This was true in the transmission of some biblical texts, as for example, Deuteronomy, the Chronicles, and perhaps also the Gospels of Matthew and Luke that used and considerably expanded Mark.

Until recently most text-critical scholars focused primarily on establishing the original wording of biblical texts, the autographs. Their labor has shed considerable light on the production of biblical texts and brought us closer to the original texts of scripture, but more recently they have also advanced our understanding of the social and historical contexts of the ancient religious communities that prepared, transmitted, and read the sacred manuscripts.<sup>29</sup> As we will see later in both HB/OT and NT text inquiry, textual critics compare thousands of manuscripts to arrive at the most reliable text of the Scriptures, but now only a few of them would claim that they have either recovered the original text or even that it is possible unless some major new finds are discovered. Textual scholars continue to debate the precise criteria for uncovering the original text in the surviving manuscripts,<sup>30</sup> and some have abandoned that pursuit altogether and focus instead on establishing the social contexts in which the surviving manuscripts were produced. The surviving manuscripts often tell us much about the history of early Judaism and Christianity.

Students of biblical Hebrew and New Testament Greek soon learn from their study of both languages that the original wording of some passages in the Bible is still uncertain, and questions continue to be raised over the precise wording in some ancient biblical manuscripts. Most of the variants in the manuscripts were by far accidental and unintended, but some were intentional and those often shed light on important issues facing various Jewish or Christian communities at the time the changes were made. Editorial changes were not made once for all at a given point in the history of the transmission of the biblical literature, but rather they were regularly made throughout the history of the transmission of that literature until the invention of the printing press.

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<sup>29</sup> There are ongoing debates among many of leading textual critics of both the HB and NT canons and they have produced many advances in our understanding of the transmission of the Hebrew text of the HB. For example, see Emanuel Tov, *Textual Criticism of the Hebrew Bible*, 3rd ed. (Minneapolis, MN: Augsburg Fortress, 2012); and for the New Testament text in Bart D. Ehrman and Michael W. Holmes, eds., *The Text of the New Testament in Contemporary Research: Essays on the Status Quaestionis*, 2nd ed., NTS 42 (Leiden: Brill, 2013).

<sup>30</sup> Schnabel, “Textual Criticism: Recent Developments,” in *The Face of New Testament Studies: A Survey of Recent Research*, ed. S. McKnight and G. R. Osborne (Grand Rapids: Baker, 2004), 73–75, observes that, because of the many variables in the history of the transmission of the text and the oral history that lies behind much of it, many (not all) textual critics have given up on finding the original wording of the biblical text, even if that continues to be the underlying aim of textual critics.

The work of text critical scholars is foundational for all biblical inquiry and for modern translations of the Bible. The ongoing discoveries of ancient biblical manuscripts and fragments of ancient texts continues to raise additional questions about which ancient text of the Bible is most appropriate for producing a modern translation of the Bible. The church has not universally adopted any particular text of the Bible, even though text-critical scholars today agree on most of it. Establishing the best texts of the HB/OT and NT is still a work in progress.

Similarly, of the almost 2000 translations of the Bible that have been prepared over the centuries,<sup>31</sup> and perhaps the English language has the most translations of the biblical texts, church members today who read their scriptures faithfully frequently ask which translation is most appropriate today. Because no two Bible translations are the same, the question of translation is not irrelevant for churches today and has much to do with the question of canon in its original sense of authority and rule. Why does it matter? Translators read the same text-critical data differently and regularly select different words to translate the same biblical terms. Since many Christians not infrequently hinge interpretations of their faith on specific words, phrases, and sentences of the biblical text, text and translation issues can never be unimportant for faith communities. We might well also ask whether the ancient churches' beliefs and practices would have looked like ours had they possessed all the Scriptures used in churches or synagogues today or possessed the translations available to modern readers? So far as we can tell, most Jewish or Christian faith communities did not have a complete copy of all of the books included in their scriptural canons. With few exceptions most of the questions about canon formation focus on the biblical *books*, but issues related to text and translation are also very important questions for the church and academy today.

Some of us were taught in church and later in the seminary that the early followers of Jesus received from him a closed biblical canon that is the same as the present Protestant OT and that later the Roman Catholic and Orthodox Christians expanded their scriptures to include noncanonical (and thereby uninspired) apocryphal writings. In regard to the HB/OT, it was often taught that since Jesus cited or referred to passages in all three of the major divisions of the HB, namely the Law, Prophets, and Writings, then the OT canon was closed before the time of Jesus and he passed on to his disciples a closed biblical canon. In other words, the church simply adopted the biblical canon of Jesus who accepted the widely approved biblical canon in his day. In regard to the NT writings, many of us were also taught that the early churches and their councils simply *recognized* (as opposed to determined) the church's inspired NT Scriptures. In regard to the NT books, we were

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<sup>31</sup> According to Metzger, as of 2000, the complete Bible was available in 371 languages, and portions of it were translated into 1,862 other languages and dialects. See his *The Bible in Translation: Ancient and English Versions* (Grand Rapids: Baker, 2001), 9.

taught that the NT books were either written by or authorized by an apostle within the general proximity of the time of Jesus, that is, all NT books were written in the first century CE. We also understood that the NT writings were unified in their teaching (i.e., they were “orthodox”) and they were never in conflict with each other. It was claimed that all of the NT writings were early on acknowledged by the majority of the churches to be inspired by God and those books constituted the church’s second testament of scriptures. Several such traditional assumptions have been slowly eroding over the years, largely as a result of recent investigations into the formation of the biblical canon. New understandings of relevant ancient sources have led some scholars to reconsider several earlier assumptions about the formation of the Bible. Until recently most (but not all) introductions to both the OT and NT literature devoted only a few pages to a discussion of canon. Such questions, it was assumed, were settled long ago and they did not warrant further investigation. While some biblical scholars continue to affirm such positions, recent scholarship has challenged many of the earlier conclusions and raised important questions that continue to stimulate canon research.

Long after the writing and editing of the biblical books, considerable debate emerged over which books to include in the sacred collection that we now call the Bible and which text of those books is authoritative for the church. Early evidence for fluidity in these areas can be seen in the variety of books and texts in the Samaritan Pentateuch, Septuagint, the Dead Sea Scrolls, and the Christian OT Scriptures, as well as in their order in various council decisions, catalogues, and the surviving biblical manuscripts. Besides all of this, as we will see in the next two chapters, there remains considerable debate over the definition and meaning of scripture and canon. As a result, dating the formation of the Bible continues to be a challenge. I will not be focusing on the origin and dating of the individual biblical books since much of that can be gleaned from the standard HB/OT and NT introductions. I will instead focus more attention on the evidence that allows us to make more informed decisions about the formation of the HB/OT and NT canons.

Besides the above canon issues, other important questions need asking about the formation of the Bible. These include, but are not limited to the following:

1. Why were discussions about the sacredness of several of the books of the OT still going on in the early churches well into the fourth through the sixth centuries (and even later) if the matter had been largely settled well *before* the time of Jesus?
2. Why did it take the church three to four centuries to establish its twenty-seven-book NT canon if all of the books were recognized as Scripture in the first and second century?
3. What is a biblical canon and what evidence is there that this question was of any concern before the third and fourth centuries CE?

4. Should a cited text be considered a part of an ancient writer's biblical canon?<sup>32</sup> More recently, one rabbinic scholar rightly questions whether the issue of a closed biblical canon was ever discussed among rabbinic sages of Late Antiquity.<sup>33</sup>
5. Do other ancient sources accurately reflect the earliest strands of Christian faith? Some scholars today are considering other ancient sources that they believe faithfully relate some early Jesus traditions, some of which they suggest may be more reliable than some of those traditions we find in the canonical Gospels. In current scholarly discussions it is not unusual to hear debates about enlarging the traditional database of knowledge about the historical Jesus to include, for example, the *Gospel of Thomas*, the "Unknown Gospel" discovered in the Egerton Papyri, the *Gospel of Mary*, and several other noncanonical writings. For instance, at a recent conference on the Christian apocryphal texts held at York University in Toronto, some of the focus was on whether those texts have something to offer that may be significant in identifying the historical Jesus. Interestingly, a prominent New Testament scholar participating indicated that he preferred the "apocryphal Jesus" reflected in the Christian apocrypha over the NT Jesus displayed in the canonical Gospels. While there is much that we can learn from this

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<sup>32</sup> R. T. Beckwith, "Formation of the Hebrew Bible," in *Mikra: Text, Translation, Reading, and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity*, ed. M. J. Mulder, *Compendia rerum iudaicarum ad Novum Testamentum* 2/1 (Minneapolis: Fortress, 1990), 46, 48–49, suggests this without explicitly stating it when he simply compiles the references a writer made to earlier sources and calls that collection of references or citations that writer's biblical canon. Interestingly, however, when he deals with Jude 14's citing of *1 En.* 1:9, he asks more of Jude than of other NT writers when they cite or quote sacred texts. The very criteria he uses with other texts to establish a canon, namely, citing it in an authoritative manner, is rejected for the NT writers when they appear to cite texts other than the OT literature. Beckwith acknowledges that the later author of the *Epistle of Barnabas* cited *1 Enoch* as Scripture (*Barn.* 4.3; 16.5), but he claims that such citations had no effect on Jude's conclusions about *1 Enoch*. See also his *Old Testament Canon*, 401–3, where he claims that Jude is referring to *1 Enoch* and the *Assumption of Moses* only because they were edifying literature but not canonical! VanderKam, in his *Revelation to Canon*, 17–28, observes Beckwith's inconsistencies in this example and elsewhere and argues cogently that *1 Enoch* was more highly regarded among Jews and Christians in the first century than Beckwith is willing to concede. Despite this, such references often provide little evidence for the notion of a biblical canon in the first century CE unless they are cited in an authoritative manner to support an important point. We may ask whether there was any notion of an *unclosed* biblical canon in the first century, even though the early church did not yet have a term available to describe it.

<sup>33</sup> J. Neusner, *Judaism and Christianity in the Age of Constantine: History, Messiah, Israel, and the Initial Confrontation* (Chicago: University of Chicago Press, 1987), 128–45. In the formative years of Judaism, Neusner claims, the notion of Torah was eventually expanded to include the Mishnah, Tosefta, the two Talmuds, and the various Midrashim. A canon was constructed by defining Torah in a new way that encompassed all the literature that followed it. It was tied together through exegesis. See also his *Midrash in Context: Exegesis in Formative Judaism* (Philadelphia: Fortress, 1983), 1–22.

literature, few scholars today agree that the apocryphal literature presents a more credible picture of Jesus than the Jesus we find in the canonical Gospels. I have discussed this question at length elsewhere.<sup>34</sup>

6. What of the so-called *agrapha*, that is, the sayings of Jesus not found in the canonical Gospels, but elsewhere in the NT, in other early Christian literature, and in some surviving manuscripts? Various scholars have posited that the some of the *agrapha* Jesus sayings are authentic and should be added to the database of information about the historical Jesus. This is not a new proposal, of course, and it continues to surface periodically.<sup>35</sup> It is likely that the *agrapha* served as authoritative scriptural texts for those Christians who cited them. If we can with some assurance determine which of the more than two hundred such sayings attributed to Jesus are authentic, should they be added to the church's or scholars' database of information about Jesus, or even added to the church's Scriptures and used in worship, catechetical studies, and the church's mission?<sup>36</sup> These sayings circulated in some early churches apart from the Gospels, some in other late biblical texts, e.g., Mark 16:9–20, and some *agrapha* continued to function scripturally in antiquity and even later.<sup>37</sup>

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<sup>34</sup> Lee Martin McDonald, *The Story of Jesus in History and Faith: An Introduction* (Grand Rapids: Baker Academic, 2013), 127–35.

<sup>35</sup> Metzger, *Canon of the New Testament*, 272 n. 11, notes just such a proposal from E. Plätzhoff-Lejeune as long ago as 1949.

<sup>36</sup> J. Jeremias, *The Unknown Sayings of Jesus*, 2nd ed. (London: SPCK, 1964), claims that of the 266 extant *agrapha* only 18 are likely genuine (some recent scholars conclude that only about 8 or 9 are authentic) and none of them significantly affects our understanding of Jesus presented in the canonical Gospels. However, if they are authentic, should churches cite them in a scriptural fashion in their worship and catechetical teachings? W. D. Stroker, *Extracanonical Sayings of Jesus*, Society of Biblical Literature Resources for Biblical Study 18 (Atlanta: Scholars Press, 1989), translates and lists these sayings but without sufficient evaluation of their contents or authenticity. They are discussed in more detail in O. Hofius, "Isolated Sayings of Jesus," in *New Testament Apocrypha*, ed. W. Schneemelcher, trans. R. M. Wilson, rev. ed. (Louisville: Westminster John Knox, 1992), 1:88–91. The *agrapha* are also conveniently listed and discussed in Charlesworth and Evans, "Jesus in the Agrapha and Apocryphal Gospels," where they contend that there is essentially nothing new in the *agrapha* that causes concern or alters the understanding of Jesus in the canonical Gospels.

<sup>37</sup> Eusebius (*Hist. eccl.* 3.25.7) emphasizes both "apostolic style" and "orthodoxy" as criteria for genuine writings. Even the Muratorian Fragment, lines 73–80 (see Chapter 21 §IV), excluded a work from consideration (*Shepherd of Hermas*) because it did not come from the time of the apostolic community. The emergence of NT pseudepigrapha in ancient churches demonstrates the desire to ground theology in the witness of the apostolic community. The early church anchored its life and faith in God's activity in Jesus. Those writings believed to be closer in time to Jesus (namely, from the apostles or their associates) and to reflect early traditions about him were passed on in some churches. I will discuss this in more detail below.



These and other questions have given rise to the recent interest in canon formation and we are now likely on the threshold of even more advances in canonical studies. Though the current shape of the biblical canon will probably not change much for most churches in the ensuing years, scholars will no doubt continue to examine the criteria for establishing the current biblical canons, their scope, and many of the related fields of inquiry noted above. Some will likely continue to find ways to marginalize portions of the biblical canon that they no longer believe are relevant or that offend their modern sensibilities.<sup>38</sup> Because all of these questions, and others as well, are essential for understanding the broader scope of canon formation, it is encouraging to see several examinations of canon including increasing numbers of references to noncanonical Jewish and Christian literature in contemporary biblical scholarship, and the recent attention to canonical lists or catalogues from antiquity.<sup>39</sup> This is an important step toward more balanced and informed conclusions.

### III. RECENT INVESTIGATIONS OF CANON FORMATION

As noted in the preface, a long held position has been replaced, namely that the Torah, or Pentateuch, was “canonized” or firmly fixed in the time of Ezra and Nehemiah following the return of the Jewish exiles to their homeland from Babylon in the sixth and fifth centuries BCE, the Prophets were canonized by the early second century BCE, and the Writings were fairly well settled either during the time of the Maccabees (ca. 164–160 BCE, or later) or by the end of the first century CE during a so-called Council of Jamnia (ca. 90 CE). Most biblical scholars no longer hold this view and the arguments that were most often cited to support it have been successfully challenged. It is now more commonly held that both the Law and the Prophetic tradition were widely held as sacred authorities

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<sup>38</sup> It is unfortunate what some will do to make an awkward or even embarrassing text say something different from what is obvious in the text, whether it is about women’s roles in the church or home (1 Cor 11:7–10; Eph 5:22–33; 1 Tim 2:9–15), the immediacy of the return of Jesus (1 Thess 4:13–17; Rev 3:20), justification for killing innocent victims in the OT (1 Sam 15:3), praying for the demise of one’s enemies (Pss 58, 109, etc.), or early Christianity’s apparent acceptance of the practice of slavery and the submission of wives to husbands (1 Cor 7:21–24; Eph 6:5–9; Col 3:22–4:1; 1 Cor 14:33b–36; Eph 5:22–31).

<sup>39</sup> I note in this regard C. E. Arnold, ed., *Zondervan Illustrated Bible Background Commentary*, 4 vols. (Grand Rapids: Zondervan, 2002) and C. A. Evans, *The Bible Knowledge Background Commentary*, 3 vols. (Colorado Springs: Victor/Cook, 2003–2004). Both of these works show that evangelical scholarship has also acquired considerable interest in the value of noncanonical writings for assisting in our interpretation of the biblical text. Craig S. Keener, *Acts: An Exegetical Commentary*, 4 vols. (Grand Rapids: Baker Academic, 2012–14), provides an excellent example of how much knowledge of the Greco-Roman world adds to our understanding of the biblical text. He regularly highlights the considerable overlap between the biblical and Greco-Roman cultures, activities, and history.

among the Jews at an earlier date, though the Torah or Pentateuch held the place of priority among all of Israel's scriptures especially in the post-exilic Jewish community. The prophetic tradition, however, is not the same as the Prophets that now comprise the second part of the HB Bible, though they were included in it. The prophetic corpus as we now have it was not completely settled until much later, namely the end of the first century CE. That tradition of prophetic texts also included several books that were later placed among the Writings (*Ketubim*), and likely also others that were not finally included in the HB biblical canon.

The formation of the HB/OT *began* with a process that antedates the time when the book of Deuteronomy was discovered in the Temple in Jerusalem (621 BCE), but that is the time when most references to the influence of sacred texts in Israel are seen. Many of the stories and traditions that came to comprise the Pentateuch certainly existed before the seventh or sixth centuries BCE, but those traditions were not as influential in the nation as they were following the return of the Jews from their exile in Babylon. As we will see below, not only the Law but also several of the Prophets functioned as authoritative religious documents in Israel prior to, during, and after the Exile. This happened despite the negative and often inconvenient message of the prophets who repeated Israel's need to obey the laws and teachings of God as well as the "words" or commands of the prophets.

While we cannot say precisely what comprised the recognized "prophets" in the seventh and sixth centuries BCE, some of the earlier prophets are identified by name in Jer 26:16–18 that cites in a scriptural manner the earlier Mic 3:12 (cf. also Jer 26:4–6). Also Ezra–Nehemiah specifically mentions the prophets Haggai and Zechariah (Ezra 5:1). Several of Israel's scriptures were written well before the fall of the nation in 587–586 BCE (e.g., Isaiah, Amos, Hosea, Micah, Joel), but a significant influence of the earlier prophets among the Jews is difficult to establish before the exilic period. The author of 2 Kgs 17:13, written after the fall of Jerusalem, indicates that the laws of Moses were known and the "the Lord warned Israel and Judah by every prophet and seer" but the people would not listen.

Some of the prophetic writings were clearly remembered later and cited and expanded in the post-exilic period, but this does not take away from the fact that in the post-exilic period the laws of Moses, or laws attributed to Moses, were always at the heart of the recognized sacred scriptures of the Jews. By the time of Josiah in 621 BCE, Deuteronomy and possibly other prophets had gained a scriptural-like or authoritative recognition as well.<sup>40</sup> The oral tradition and perhaps written text of the Law, nevertheless, was known earlier than the current text of the Law as we will see in what follows.

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<sup>40</sup> S. Chapman argues convincingly that scriptural recognition referred not only to the Pentateuchal writings, but to other writings as well. See his "Second Temple Jewish Hermeneutics: How Canon Is Not an Anachronism," in *Invention, Rewriting, Usurpation: Discursive Fights Over Religious Traditions in Antiquity*, ed. Jörg Ulrich, Anders-Christian Jacobsen, and David Brakke (Frankfurt am Main: Lang, 2011), 281–96.

When the scriptures of the Jews were first translated into Greek in Alexandria (ca. 280–281 BCE), there is no evidence that more than the Pentateuch was translated. The rest of the HB/OT books were likely translated into Greek no later than 130–120 BCE, but it is difficult to be precise here. If the rest of the HB books had been considered scripture among the Jews earlier in Alexandria, it is remarkable that they were not included in this initial translation. My point here is that when the translation initially took place there was no equal recognition of a prophetic tradition with the Mosaic tradition and the latter always had priority.

However, it is not as if the Prophets suddenly appeared as a fixed collection and thrust themselves on the survivors of the destruction of the nation in 587 BCE. Sanders notes that the *prominence* of the prophets among the Jews likely came *after* the fall of the nation and during its deportation when religious leaders began to say among themselves that what the prophets had said earlier actually came to pass and their prominence in the nation was accentuated more after the exile than before. Earlier prophets had proclaimed to the nation that divine judgment would come to them if they continued to ignore the laws and statutes of God, serve other gods, and make unholy alliances with pagan nations.<sup>41</sup> As the reflections about the various kings in Samuel and Kings show, the prophetic warnings, oral and written, were generally not heeded and the nation was judged for this (2 Kgs 17:13; Jer 26:4–6).

The story of Israel's failure and the prophetic warnings that went unheeded again and again is seen in the Deuteronomic History of Israel (roughly Deuteronomy to 2 Kings). Consequently destruction came to the House of Israel in the north in 721 BCE and to the House of Judah in the south in 587 BCE. While several prophetic texts existed before the sixth century BCE, such as Amos, Hosea, and Joel, several did not (Haggai, Zechariah, Malachi), but this does not suggest that prophetic literature had no affect on the earlier pious Jews. Some of that Deuteronomic tradition dates perhaps as early as the tenth century in written form and perhaps earlier in oral tradition.<sup>42</sup>

To account for the presence of the so-called apocryphal books in Christian Bibles earlier scholars postulated a broader Alexandrian canon adopted by Jews in the Diaspora and also subsequently adopted by the early Christians. As we will see, however, Albert Sundberg has successfully discredited that view. More recently, scholars have suggested that the Pharisees established a canon of Scriptures that is essentially the same as the canon that obtained later among Rabbinic Jews and formed the HB. However, some of them suggest that this took place before the time of the separation of Jews and Christians but others argue that it was after the separation that the mostly Pharisaic Jews established such a collection. It is also suggested that both Josephus and a contemporary Jewish

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<sup>41</sup> James A. Sanders, *From Sacred Story to Sacred Text* (Philadelphia: Fortress, 1987).

<sup>42</sup> For more complete examples of this, such as Judges, 1 Samuel, Job, the Royal Psalms, and others, see Carr, *Formation of the Hebrew Bible*.

writer reflect this canon (Josephus, *Ag. Apion* 1.37–43 and *4 Ezra* 14:44–47). As we will see below, it has also been argued that the Apostle Paul welcomed this collection. The clear prominence of the Pharisees following the destruction of the Temple in 70 CE added to their influence in shaping the HB by the middle of the second century when the books that comprise the HB canon are first identified (*b. Baba Batra* 14b). This does not suggest that all Jews everywhere agreed with that assessment, but eventually after several centuries that became the dominant view of the rabbinic sages and it also held sway eventually among most Jews even in the Diaspora. The early Christians adopted the books that were deemed sacred by their Jewish (and most likely Pharisaic) siblings *before* their separation from them (ca. 62–135 CE). This collection included other books as well, including *1 Enoch* and most of the so-called Apocrypha or Deuterocanonical writings. As we will see below, the second-century church fathers often acknowledged several of these so-called apocryphal and pseudepigraphal writings as scripture along with most of the books in the later HB canon.

#### IV. ASSUMPTIONS OF CANON FORMATION

Not all current discussions of the formation of the Bible are equally valuable since some simply repeat previously unsubstantiated assumptions, such as: (1) if ancient authors cited a written text, that text must have been considered sacred Scripture; (2) if one author called a text “scripture,” then everyone in that writer’s time and provenance did the same; (3) the absence of scriptural formulae such as “as it is written” or “as the scriptures say” and such like mean that a text was not viewed as sacred scripture; and (4) a collection of all of the citations, quotations, or allusions to written texts by an ancient author constitutes that writer’s biblical canon. These assumptions should have been laid to rest long ago, but they continue to persist as unfounded assumptions of canon inquiry.

In recent years several significant scholarly advances in our understanding of the formation of the biblical canon have appeared, some of which come from an apologetic concern to defend the current biblical canon, but also from others who simply want to know how the Bible was formed. Although the biblical canon received some scholarly attention in the eighteenth, nineteenth, and twentieth centuries,<sup>43</sup> the current interest in its formation is even greater now than earlier and there are many more publications on the horizon. Recent scholarship often

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<sup>43</sup> Much of this interest began with the research of Johan S. Semler, Heinrich H. Graetz, H. E. Ryle, Alexander Souter, Moses Stuart, Edward Reuss, Theodore Zahn, and Caspar R. Gregory and has been carried on more recently by Kurt Aland, Hans von Campenhausen, James A. Sanders, Brevard Childs, Harry Gamble, Robert Grant, Bruce M. Metzger, Sid Leiman, Albert Sundberg, F. F. Bruce, Roger Beckwith, E. Earle Ellis, John Barton, J. Trebelle Barrera, Eugene Ulrich, and James VanderKam. See the Select Bibliography for a list of works by these scholars.

challenges some of the most widely held views on the origins and formation of the Bible, including but not limited to: (1) that, as noted above, the Hebrew Scriptures reached their canonical acceptance among the Jews in a three-stage development beginning around 500–400 BCE for the Pentateuch, around 200 BCE for the Prophets, and around 90–100 CE for the Writings; (2) that the early Christians received from Jesus a closed or fixed collection of OT Scriptures; (3) that most collections of NT Scriptures were fixed by the end of the second century CE; and (4) that evidence of the latter is provided by a late second-century canonical list called the Muratorian Fragment. There is currently no scholarly consensus on any of these positions and they continue to change. I will address these and many other questions about the origins, stabilization, canonization, and authority of the Bible.

With little or no focus on canon formation for hundreds of years, modern scholars are now seriously addressing many questions related to the formation of the Bible. Some of them advocate modifying or even ignoring various parts of its content. Kurt Aland, for example, raises the question of reducing the biblical canon by taking out those portions that he believes are an embarrassment to the majority of Christians with the hope that their removal will promote greater church unity.<sup>44</sup> Similarly, Ernst Käsemann asks about the possibility of recognizing a “canon within the canon” – in essence, a selective use of the Bible – in order to alleviate the concern over the diversity within the Bible.<sup>45</sup> Such selectivity is quite common today and few if any church lectionaries include all of the books of the biblical canon even over several years. Interestingly, my wife and I attended a Protestant worship service in which three scripture lessons were read before the sermon. When it was time for reading the last text, a Gospel reading, all stood and sang a song of praise before it was read and then also sang another song after it was read. We were then invited to be seated for the sermon. The Gospel text was dramatically singled out for higher honor than the other two passages from a Prophet and a Psalm. This, of course, is not unusual and some pastors simply ignore vast portions of the biblical canon in their preaching and teaching. Proclaiming the Gospel today appears at times to be something like proclaiming a “canon within the canon.”

Some members of the well-known and often controversial Jesus Seminar have likewise suggested both a reduction of the current biblical canon (eliminating especially Revelation and other apocalyptic literature in the Bible such as Mark 13, Matt 24, etc.) and an expansion of it to include the *Gospel of Thomas*, the

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<sup>44</sup> Kurt Aland, *The Problem of the New Testament Canon* (Oxford: A. R. Mowbray & Co., 1962), 28–33.

<sup>45</sup> E. Käsemann, “The Canon of the New Testament and the Unity of the Church,” in *Essays on New Testament Themes* (London: SCM, 1968), 95–107. Dunn, *Living Word*, 141–42, 161–74, also discusses the notion of a canon within the canon, albeit in a different sense, and, after describing four levels of canonical activity or four ways to view the canon, he asks what is the most important level of authority for exegesis and faith. He answers that it is the level of “final composition” (172).

*Gospel of Mary*, and the “*Unknown Gospel*” of the Egerton Papyri and others.<sup>46</sup> One can only imagine the response of dispensational and Adventist Christians to a proposed rejection of the book of Revelation!

I agree with Professor Bruce Metzger, who contends that although the biblical canon may in principle be changed, in all practicality that can no longer be done.<sup>47</sup> The Bible is complete and finished, but that does not mean that there are not important issues to be resolved about its contents, origins, formation, or its future in religious communities. This does not suggest that there is nothing of value to be learned from examining noncanonical writings. I am aware, however, that any changes – additions or subtractions – in the present Christian Bibles will undoubtedly have adverse effects in various segments of the Christian community. Such changes will doubtless cause more divisions and disputes than is wise or practical. Although some scholars have suggested that changing the shape of the biblical canon was a part of my original aim, in the three previous editions of this book I have stated that this was never my intention nor have I ever suggested adding noncanonical writings to the Bible or excluding any writings from the Bible.<sup>48</sup>

However, it is fair to say that I do think the church would be better served *if it were informed by or acquainted with the same literature that informed the earliest Christians*. That literature included several apocryphal and pseudepigraphal books and, as we will see, the early church fathers often indicated that some of that literature could and should be read in private for personal edification and knowledge.<sup>49</sup> Several scholars have shown that an awareness of some of the noncanonical

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<sup>46</sup> On two occasions I have been invited to give major papers and interact with Jesus Seminar scholars during their annual meetings on the formation and scope of the New Testament canon. I was received well by them on both occasions in 1997 in Northern California and in 2012 during the Society of Biblical Literature meetings in Chicago. I appreciated the interaction despite the several differences we have in our approaches to biblical inquiry and in the implications we draw from an examination of the relevant ancient literature related to canon formation. While we did not agree on many items, such as the resurrection of Jesus and aspects of the activity of God in history, the exchange was cordial and respectful. Many of their members are competent scholars and I have enjoyed cordial interaction and friendship with several of them over the years, including Karen King at Harvard University who was responsible for my first invitation to address the Jesus Seminar on canon issues. Robert Funk, founder and former director of the Jesus Seminar and its related organizations, the Westar Institute and Polebridge Press, was also very kind to me despite our differences in several areas of canon formation and biblical interpretation. In my second visit to the seminar, I again focused on canon issues and appreciated the opportunity to interact with the current members of the Seminar. They again treated me with respect and our interaction was cordial. I have been invited to engage in a dialogue with one of their scholars and that dialogue will be published soon in the journal, *The Fourth R*. It is well known that some their members have initiated a “Canon Seminar” to discuss creating what some members have called a “Scholars’ Canon.”

<sup>47</sup> Metzger, *Canon of the New Testament*, 275.

<sup>48</sup> See, for example, W. W. Klein, C. L. Blomberg, and R. L. Hubbard, *Introduction to Biblical Interpretation* (Dallas: Word, 1993).

<sup>49</sup> Examples of this are in Part 3 of this work, Chapter 16 §§I–V.

literature can be fruitful in aiding our understanding of several biblical texts and the context of late second Temple Judaism and early Christianity. Several parallels to noncanonical writings can be seen in the NT itself (e.g., Matt 11:2–6 and 4Q521 which adds clarity to Jesus’ self-understanding as messiah). Some early church fathers saw considerable value in reading noncanonical literature and employed a special term for it in Christian collections of sacred writings, namely “Ecclesiastical” writings.<sup>50</sup>

The story of the formation of the Bible began with an ancient religious community’s belief that God is interested in the human condition and has acted in significant redemptive ways that address humanity’s past, present, and future. That belief acknowledges that God revealed a message through prophetic figures who not only proclaimed it, but often also put it in writing. What the prophets wrote eventually was referred to as sacred Scripture both for Jews and subsequently for Christians. This prophetic word is at the heart of biblical faith and lies at the root of the notion of scripture. As we will see, this word also influenced the limits placed on the scope of those scriptures by Jews and Christians. The NT writers, for example, tell the story about what God has done in the life, ministry, death, and resurrection of Jesus that has great significance for those who believe in him. This story about Jesus gave identity to a “new Israel,” the church, and its transformative power gave rise to the call to be faithful witnesses of Jesus as the Christ. During Jesus’ ministry this story of God’s activity in him began to be shared orally among the Jews in Palestine and subsequently portions of it were written down, perhaps even before the death of Jesus, and it was later included in the canonical Gospels.<sup>51</sup> Soon after his death the story of Jesus’ ministry and teaching as well as his death and resurrection formed the core of early Christian preaching and became central in the collection of writings that formed the New Testament, much as the Law is at the heart of the HB or OT. This story was used in Christian proclamation, instruction, and apologetics throughout the Greco-Roman world. What was written down initially was likely not transcribed in formal or literary writings, but likely transmitted rather on ancient notepads (codices), and later passed on in more formal transmissions (e.g., P<sup>46</sup> and P<sup>75</sup>). In time, more formal literary transmissions of the same biblical story began to use better literary structures and some sacred name abbreviations. As we will see, the transmission of the biblical story in writing is an important part of the larger puzzle of canonization.

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<sup>50</sup> This is discussed in Edmon L. Gallagher, *Hebrew Scripture in Patristic Biblical Theory: Canon, Language, Text*, VCSup 114 (Leiden: Brill, 2012), 53–60.

<sup>51</sup> I follow here James D. G. Dunn, *Jesus Remembered*, Christianity in the Making 1 (Grand Rapids: Eerdmans, 2003), who argues that many of the stories about Jesus were likely written down even before his death, given his popularity among his followers. See my work, *Story of Jesus in History and Faith*.

## V. AN ADAPTABLE BIBLE

James Sanders contends that the Jews were able to adapt their authoritative Scriptures to their ever new and changing circumstances, and the very adaptability of those Scriptures allowed them to continue to serve as authoritative texts within the Jewish community.<sup>52</sup> Over many centuries of use and transmission, the biblical writings proved to be adaptable to the changing circumstances of Jewish and subsequently also Christian communities. As the texts became more established in those communities of faith and when the social circumstances of each changed, hermeneutical processes were introduced that continued to show the relevance of those sacred texts to the ongoing communities of faith.

As the Jewish community developed, the sacred written collections expanded when that community recognized the value of new written religious texts and they were welcomed alongside the Law of Moses. That is, they also welcomed a collection of prophetic writings that helped the nation understand their current circumstances. This collection eventually not only included books now identified as the Prophets, but also other works that were believed to be written by those in the prophetic community. For example, Job, Psalms, Proverbs, Chronicles, Daniel, and other books that were later placed in a separate collection subsequently called Writings (*Ketubim*). Initially they were all placed in a prophetic collection that was circulating among the Jews. Although there is clearly an emerging fixed collection of Jewish sacred scriptures by the end of the first century CE (Josephus and *4 Ezra*) as we saw above, the separate divisions of those scriptures (Law, Prophets, and Writings) does not appear before the middle of the second century and was not recognized by all rabbinic Jews for at least two more centuries. This separation of the Writings from the Prophets *began* in the middle of the second century CE and was not recognized by all Jews at that time. The ancient collections of sacred writings changed initially by expansion, but at the end of the process by reduction. For example, the rabbinic Jews did not finally accept the popular Sirach (Ecclesiasticus) or Jewish pseudepigrapha, some of which circulated among the Jews in late second Temple Judaism, but some did initially as we will see. Christians also chose to eliminate books that had earlier been welcomed as sacred Scripture (*Shepherd of Hermas*, *1 Clement*, *Gospel of Hebrews*, and others), but which they finally rejected.

From the beginning, the followers of Jesus accepted the scriptures of their Jewish siblings as their sacred scriptures and they also accepted the words of Jesus and the stories about him as normative for their faith and conduct (1 Tim 5:18; cf. Luke 7:10 and Matt 28:19; 1 Cor 7:10 and 9:14; 11:23–25). As the church grew in membership and in various locations in the Roman Empire the value of the written Gospels for the emerging churches was obvious for aiding the churches in their witness and teaching ministries. Their value appears to have been recognized

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<sup>52</sup> J. A. Sanders, *From Sacred Story*, 9–39, especially 23–30.



almost as soon as they were written and began circulating in churches. Soon thereafter, because of their theological and practical orientation, the Letters of Paul were also circulating in churches and welcomed as beneficial to the ongoing life of the Christian community. The Gospels and Paul's letters *generally* were not called "scripture" before the end of the second century, but they were used *as* scripture long before they received that designation. A few references to their scriptural standing do appear earlier as we will see, but again, not generally before the end of the second century.

Other writings were added to this growing collection of Christian texts, but later some of those writings that were initially included in the sacred collections ceased to be relevant to the religious needs of the Christian communities and were finally excluded. Neglect of those texts eventually led to their disappearance in churches and no further copies of them were made. In time most of them disappeared. Later when fixed collections were established in churches, the books that no longer were relevant to the ongoing life of the churches were not included in their final scriptural collections (e.g., *Shepherd of Hermas* and *Apocalypse of Peter*). Of course, not everyone agreed on what was relevant and useful and differences on these matters appear in the various surviving catalogues of sacred writings and these differences continued in subsequent centuries. Like in rabbinic Judaism, some OT books were also deemed less relevant to some early Christians (e.g., Esther, Song of Songs, Ecclesiastes) and they were "marginalized" within some sacred collections or interpreted in allegorical fashion (Song of Songs). Paul, for example, "decanonized"<sup>53</sup> much of the OT's emphasis on the law, especially its focus on clean and unclean foods and ritualistic cleansings, because such regulations were no longer deemed relevant to his understanding of the Christian faith. This change in the church's understanding of the continuing relevance of several aspects of the Law is recognizable in Paul's writings (Rom 4–8; Gal 3–4). As we will see, in the second century, Justin Martyr was the first teacher in the church after Paul to argue that Christians need not observe some of the laws of Moses, especially circumcision, purification, and various ceremonial laws. Dunn makes the point that the OT can never function as canon for Christians in the same way that it does for the Jews. For the church, the NT functions to some extent as a clarification of the OT canon and in the same way as a canon within the biblical canon.<sup>54</sup>

This precedent also leads to the question of the continuing viability and integrity of the current biblical canon today. Are all of the books in the Bible of contemporary relevance for believing communities? Can there be theological

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<sup>53</sup> Dunn, *Living Word*, 156, uses "decanonize," and a variation of it appears in the title of an important volume that focuses on the origins and function of biblical canons, namely, Kooij and Toorn's *Canonization and Decanonization*. It is also used among literary critics as well; see for example, J. Guillory, "Canon," in *Critical Terms for Literary Study*, ed. F. Lentricchia and T. McLaughlin (Chicago: University of Chicago Press, 1990), 246.

<sup>54</sup> Dunn, *Living Word*, 156.

and historical integrity to the Bible in light of recent historical-critical inquiry into its origins and formation? Carr asks a similar question that stems from his examination of the history of use of the Song of Songs. After observing the lack of knowledge on how that book was produced, its author's original intent, and its variety of interpretations, Carr concludes that the Song of Songs "is merely a clear example of the extent to which the triumph of a critical approach can divest a text of its canonical function"!<sup>55</sup> He shows how a careful understanding of the origins of a text may cause doubts about its continued use in a manner that is foreign to its original intent. Does it thereby follow that a critical analysis of the biblical literature ultimately leads to its "decanonization?" That, of course, is not a certainty, but traditional interpretations of some biblical books are occasionally at odds with what historical-critical scholarship has concluded about them.

Because of their roots in Second Temple Judaism, the early Christians were accustomed to recognizing the authority of specific written documents as Scripture. They did not doubt the notion of authority residing in books that later comprised their OT, even though, as we saw in Paul and Justin, some early Christians questioned the normative status of the law in those Scriptures (Heb 8:5–8a). The Jewish recognition of the divinely inspired (and therefore authoritative) status of their sacred writings became the model followed by the early churches as they recognized the inspired status of some of their own literature as scripture. That is, some of their writings were eventually accepted as prophetic and inspired scripture that functioned as guidelines for faith and conduct. As we observed earlier, the specific factors that led to this recognition are often obscure and unclear in the surviving ancient texts.

## VI. EMERGENCE OF AN OLD TESTAMENT AND NEW TESTAMENT

The terms "Old Testament" and "New Testament" were not originally identical to the OT and NT biblical canons that form the Christian Bible, but rather they focused more on the notion of "old covenant" and subsequently the "new covenant" and both notions are referred to in the HB/OT (Jer 31:31; cf. Ezek 37:26, "everlasting covenant") and in the NT (Luke 22:20; 1 Cor 11:25; Heb 8:8, 13; 9:15; 12:24) and the "first" or "old covenant" (Heb 9:1). "Old Testament" as a reference to the Scriptures of the Jews and of the early church is a thoroughly *Christian* classification not found either in the Jewish or Christian Scriptures themselves or in the rabbinic writings of the second century CE and following. The origin of these terms may be rooted in Paul's writings when he speaks of those

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<sup>55</sup> D. M. Carr, "The Song of Songs as a Microcosm of the Canonization and Decanonization Process," in *Canonization and Decanonization*, ed. A. van der Kooij and K. van der Toorn, *Studies in the History of Religion* 82 (Leiden: Brill, 1998), 186.

Jews who “hear the reading of the old covenant” but cannot grasp its meaning (2 Cor 3:14). He clarifies that this is in regard to the reading of “Moses” (3:15).

The NT authors themselves do not use the term New Testament (or covenant) to refer to writings, but rather the new covenant as that agreement between God and his people that has roots in Jer 31:31–34 and deals with God’s forgiveness of sin rooted in the death of Jesus (see 1 Cor 11:25; 2 Cor 3:6; also Matt 26:28; Mark 14:24; Luke 22:20). The Jewish notion of covenant or testament (Heb. ברית) may reflect an early use of the term to denote a sacred book, as in Exod 24:7: “He [Moses] took the book of the covenant, and read it in the hearing of the people” (see also 2 Kgs 23:2, 21). The “book of the covenant” (Heb. ספר הברית) may have been an extension of God’s written law. Early on, Jeremiah used the terms *torah* (“law”) and covenant interchangeably (Jer 31:31–32; cf. 2 Kgs 22:8, 10; 23:2, 21). Later, Sirach used “book of the covenant” (Gk. = βιβλος διαθήκης) to speak of the *Torah* (Gk. νόμος) or “law of Moses” (Sir 24:23). This is also found later in 1 Macc 1:56–57: “The books of the *law* that they [the Seleucids] found they tore to pieces and burned with fire. Anyone found possessing the book of the covenant, or anyone who adhered to the *law*, was condemned to death by decree of the king [Antiochus Epiphanes].” Here the notion of testament or covenant is restricted to the Law of Moses but it is also associated with a “book.”

Perhaps the designation was simply expanded to include the whole of the Jewish Scriptures and “new” was attached to the Christian texts that were beginning to be classified as sacred scripture in the latter part of the second century when we first find “Old Testament” and “New Testament” mentioned in reference to Christian scriptures. Because the terms law and covenant were often interchanged well before the time of Jesus, we can understand how “old” and “new” covenant were eventually applied to the Christian Scriptures. As close as can be determined, the terms Old Testament and New Testament were introduced into some churches in the last decades of the second century CE to refer to the two bodies of sacred literature that comprised the Christians’ scriptures, but they were not regularly used in the church for a body of sacred Scriptures until well into the fourth century CE to distinguish the Jewish writings that we now call the OT from the more recent Christian NT. These designations Old Testament and New Testament are first found in the writings of Irenaeus (ca. 170–180), but it is not certain that either of them invented these categories. Irenaeus writes:

Inasmuch, then, as in both Testaments there is the same righteousness of God [displayed] when God takes vengeance, in the one case indeed typically, temporarily, and more moderately; but in the other, really, enduringly, and more rigidly...

For as, in the New Testament, that faith of men [to be placed] in God has been increased, receiving in addition [to what was already revealed] the Son of God, that man too might be a partaker of God. (*Haer.* 4.28.1–2, ANF)

At roughly the same time, Melito of Sardis (ca. 170–175) speaks of “the books of the old covenant [testament]” [τὰ τῆς παλαιᾶς διαθήκης βιβλία] in a quotation preserved by Eusebius around 325–330 (*Hist. eccl.* 4.26.14). We do not know if Melito was the first to use these terms, but he is the first to identify the specific books that comprise his “Old Testament” (see the full quotation in Chapter 9 §IV.A.1). We also find similar references in Clement of Alexandria (ca. 170; *Strom.* 15.5.85). Later, Tertullian (ca. 200) similarly writes:

If I fail in resolving this article (of our faith) by passages which may admit of dispute out of the Old Testament, I will take out of the New Testament a confirmation of our view, that you may not straightway attribute to the Father every possible (relation and condition) which I ascribe to the Son. (*Prax.* 15, ANF)

Around 220 CE in Alexandria, Origen, criticizing the gnostic Christians, wrote:

It appears to me, therefore, to be necessary that one who is able to represent in a genuine manner the doctrine of the Church, and to refute those dealers in knowledge, falsely so-called, should take his stand against historical fictions, and oppose to them the true and lofty evangelical message in which the agreement of the doctrines, found both in the *so-called Old Testament and in the so-called New*, appears so plainly and fully. (*Commentary on John* 5.4, ANF, emphasis added; see also 10.28 and *De Princ.* 4.11)

Origen’s use of “so-called” suggests his readers’ lack of familiarity with these terms. Likewise, even later in the fourth century, Eusebius described Josephus’s canon of Scripture as follows: “In the first of these he gives the number of the canonical scriptures of the *so-called Old Testament*, and showed as follows which are undisputed among the Hebrews as belonging to ancient tradition” (*Hist. eccl.* 3.9.5, LCL, emphasis added). Later, however, while speaking of the NT writings he says, “At this point it seems reasonable to summarize the writings of the New Testament which have been quoted” (*Hist. eccl.* 3.25.1, LCL). From this, we may conclude that while these terms originated in the second century CE, they were still not widely used in churches until the fourth century.

In any case, what comprised the collections of Scriptures designated by these terms was not the same in all churches for several centuries (see Appendices A and B). In canon 59 of the Synod or Council of Laodicea (ca. 360 CE), for instance, we read, “[It is decreed] that private psalms should not be read in the church, neither uncanonized books, but only the canonical [books] of the New and Old Testament [*oude akononista biblia, alla mona ta kanonika tēs kainēs kai palaias*].”<sup>56</sup> It is not clear then what comprised those collections, but a later hand added canon 60 and listed them. For the New Testament it was all of the books in our current NT except the book of Revelation. It is interesting that here the NT is listed before the OT and obviously there is an acknowledgment that other books besides these

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<sup>56</sup> Daniel J. Theron, *Evidence of Tradition* (Grand Rapids: Baker, 1980), 125, emphasis added.

were being read in the churches, much to the disfavor of the council at Laodicea! This kind of ordering of the biblical books led to some Jewish criticism that since the Christians had abandoned the law, it was no longer a priority in their Bibles. Schwarz, for instance, writes concerning the order and collections of books in the Christian OT:

This generic grouping fails to keep the Torah in a class by itself and identifies prophecy as the climax of the Bible. These two features may account for the acceptance of this division [i.e., “historical books” that include Genesis through Chronicles, Ezra–Nehemiah, and Esther] in the Christian world, since Christianity abrogated Torah law and saw its own gospel as the fulfillment of Old Testament messianic prophecies.<sup>57</sup>

For Christians, the God of the OT was indeed the God of the NT, and the continuity between these two Testaments was only occasionally questioned in the church. When that happened, as in the case of Marcion in the second century who had abandoned use of the OT altogether and spoke against it, the church quickly condemned his attempt to sever its relations with its inherited past in the Jewish Scriptures and excommunicated Marcion from the church.

Rabbinic Jews (second to the sixth centuries CE) not only acknowledged a fixed collection of their Scriptures, but eventually also a fixed text because of their methods of interpretation (known as “*midrash*”) in which special laws and teachings were derived from the textual details of their biblical books. A fixed text aided in their interpretation and application. Later, vowel points and musical notations were added to the text to preserve textual integrity and authenticity of the biblical books. The production of the Masoretic Text (MT) of the HB containing vowel points became the standard text for most translations of the HB for most Jews and subsequently also for Christians today. The MT had an antecedent that is often designated as the “Proto-MT.” Except for Origen and Jerome, few of the early church fathers had any interest in a fixed or stabilized text of the Christian scriptures and there was little attempt to produce such a text until much later in church history.

## VII. THE *PROCESSES* OF CANONIZATION

An examination of the origins and development of the Bible for both Judaism and Christianity is essentially about the processes that led to the stabilization of several collections of writings that undergird and inform the core beliefs and religious practices of Jewish and Christian communities of faith. The corollary to canon formation is the belief that the writings that make up those collections have their origin in God, that is, that they are “inspired” by God and were produced by

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<sup>57</sup> B. J. Schwartz, “Bible,” in *The Oxford Dictionary of the Jewish Religion*, ed. R. J. Z. Werblowsky and G. Wigoder (New York: Oxford University Press, 1997), 121.

inspired or prophetic individuals. They are therefore sacred and authoritative texts for worship, instruction in core beliefs, mission activity, and religious conduct. As we will observe in the next chapter, while the definition of a biblical canon *today* has more to do with the end of a process, that is, with a fixed list of sacred Scriptures that comprise the Bible, the authority or “canonical *function*” attributed to those writings was recognized much earlier. The biblical books and their texts were initially in a fluid state often for centuries and those that were finally included in the biblical canon were those that were adaptable to meet the emerging needs of the religious community. Many factors played a role in the complex history of the formation of the Bible and the processes took several centuries.

There is little agreement among scholars on when canonical activity began or when it ended. By all appearances, canonization was an unconscious process throughout most of its development. For the church, it began with the production of literature that was read in churches and aided in the catechetical and missional needs of churches. Soon, as in the case of the Gospels, authority was attached to those writings and subsequently (decades later?) they were called “scripture” on par with the church’s Old Testament Scriptures. Eventually collections of NT writings were circulating together such as the Gospels and Acts (P<sup>45</sup>) or just the letters of Paul (P<sup>46</sup>) or Acts and the Catholic Epistles (a frequent combination for centuries). Eventually all of the sacred writings were brought together into a whole collection that functioned as the NT Scriptures of the church. When that happened, notions of a biblical canon emerged that set the parameters of the books that could be read in churches. There is no evidence from the time of Jesus or before or after for several centuries that there was any interest in the notion of a *closed* collection of sacred Scriptures.

In summary of what follows, Part 1 deals with the difficulty scholars have in defining and distinguishing the terms “scripture” and “canon.” It is often surprising to students to find out that biblical scholars are not agreed on such designations or that scholars often use them inconsistently, an accusation also noted of this writer that has some merit!<sup>58</sup> Part 2 is an examination of the factors leading to the formation of the HB Scriptures as a tripartite collection of sacred books among the Jews with a subsequent focus on the stabilization of the Christian OT Scriptures. Volume 2 extends this examination to the origin and stabilization of the Christian New Testament including the various factors that influenced the formation of the Christian Bible. The Appendices A and B in Volume 1 and C and D in Volume 2 include catalogues or canonical lists of biblical books for Jews and Christians, and finally, a select and updated Bibliography.

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<sup>58</sup> Ulrich, “Notion and Definition of Canon,” in McDonald and Sanders, eds., *The Canon Debate*, has brought my own inconsistency in this matter to my attention, and hopefully what follows will reflect that this has now been corrected.

**EXCURSUS:  
THE “FIRST” OR “OLD” TESTAMENT:  
WHAT TO CALL THE FIRST *CHRISTIAN* TESTAMENT<sup>59</sup>**

by  
James A. Sanders

Christians have for centuries called the first of their two-testament Bible “The Old Testament.” After the Second World War and the horrors of the Holocaust a sensitivity arose among many Christians in the West about the appropriateness of that time-honored title. To call the first three-fourths of their Bible “old” seemed to indicate that it was somehow past or passé, expressing an attitude toward Judaism itself. On the contrary, Judaism, after centuries of Christian disdain and persecution, was being rediscovered and rehabilitated in Christian circles. In order to address the problem, two possibilities, among others, then emerged: either to call it the Hebrew Bible, or to call it the First Testament.

Both of the new appellatives have problems. First Testament seems to indicate that there might not just be a second testament (the New Testament) but that the door would then be opened for a third testament, or more. While this appeared to delight a few who had wanted to add “non-canonical” literature it disturbed many students of the Bible who for whatever reason resisted calling it the First Testament but opted instead to call it the Hebrew Bible.

I have been rather consistent in calling it the First Testament for the simple reason that the Christian First Testament is not, repeat, not the Hebrew Bible. The “Old Testament” for Christians until well into the Middle Ages was based on the Septuagint, until Roman Catholics finally decided that Jerome’s *Vulgata* was the best translation to use for study and worship (displacing the *Vetus Latina*). But the order of the books in the Hebrew Bible and the First Testament is quite different and very important. The order of books of a Bible indicates the hermeneutic by which it is expected to be read and understood. The Hebrew Bible or Tanak is tripartite, that is, has three sections, Torah, Prophets, and Writings, but the Christian First Testament is quadripartite, that is, has four sections, Pentateuch, Historical Books, Wisdom and Poetic Books, and finally the Prophets.

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<sup>59</sup> The following comments are from Professor James A. Sanders, Professor Emeritus at Claremont School of Theology and Claremont Graduate University and President Emeritus of the Ancient Biblical Manuscript Center in Claremont, California. He has written significantly for many years on the distinction between the Hebrew Bible or Tanak and the Christian Old Testament that he calls First Testament. I invited him to clarify some important distinctions in his thinking about the designations he makes in the Jewish and Christian biblical canons and he has graciously accepted my invitation. The following is his explanation of the importance of these distinguishing factors.

There are minor differences and two crucial differences between the two. The placement in the Jewish canon of the Major Prophets immediately after the Torah and Early Prophets (Genesis through Kings) is crucial to understanding how God had allowed the old kingdoms of Israel and Judah to be destroyed and obliterated by Assyria and Babylonia. It was crucial to the rise of Early Judaism out of the ashes of the Exile; without explaining what had happened to the promises and their failure in the old kingdoms of Israel and Judah, there could have been no rise of the first New Israel or Early Judaism in the early Persian Period.<sup>60</sup> It surpassed even the extensive use of genealogies in Chronicles and Ezra/Nehemiah to bolster the argument of Early Judaism that it was the true heir to the Patriarchal promises. The fifteen prophetic books follow immediately upon the tragic epic, that ends with 2 Kings, in order to explain how God was just as sovereign in their defeat as God had been in the glorious fulfillment of the promises so triumphantly narrated in 1 Kgs 10 at the height of Solomon's reign. The Deuteronomistic History with its Deuteronomistic editing poignantly demonstrated the four-point summary of prophetic theology narrated in Deut 29–31: (a) it was not God who failed us; (b) on the contrary, we had failed God in our persistent idolatry of loving God's gifts rather than loving God the Giver of all gifts; (c) but if we take to heart the lessons, learned in the disaster, of God's sovereignty in both success and defeat (cf. Deut 32:39; 1 Sam 2:6–7; Luke 1:51–53); (d) it will be God's pleasure to restore and re-create the covenant people. Those four points are precisely what the fifteen case histories, found in the fifteen prophets that follow immediately upon the recounting of the failed epic story narrated in Genesis to Kings, affirm. The prophets, almost unanimously, interpreted the adversity of affliction by Assyria and Babylonia as both judgment and God's effort to transform the covenant people in hope for a new Israel (Hos 2:14–15; 6:1; 14:1–2; Mic 6:8; Isa 11–15; 6:13; 28:16; 31:4–9; Jer 30:10–11; 31:2–6, 18–19, 31–34; Ezek 33:10–11; 36:24–27; Isa 40:1–11 *et passim*).

In contrast, the Christian First Testament places those fifteen prophetic books last or fourth in its quadripartite canon. Why? Because of the belief of the early church that the prophets foretold Christ. It thus destroyed the lesson conveyed in the Jewish canon of the Tanak, and substituted for it the conviction that the value of the prophets had been in their foretelling of the Christ event.

The second major difference between the First Testament and the Hebrew Bible or Tanak is in its creating an Historical (or second) Section that runs from Joshua through Esther in the Protestant Old Testament. But that section in those forms of a canon of the First Testament truncated by the *Hebraica Veritas* principle fails to convey the hermeneutic principle seen more clearly in the older Greek (and thus Catholic and Orthodox) canons of the First Testament where the “biblical history” runs down through to Maccabean times. Because those older canons

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<sup>60</sup> James A. Sanders, *The Monotheizing Process: Its Origins and Development* (Eugene, OR: Cascade, 2014), 28–46.



support the idea of God's continuing work from Creation almost down to the first century CE, those adhering to those canons could claim that the Gospels and Acts rightly continued that story as it evolved in the Christ events and the origins of the Church. It permitted Christians to add the Gospels, Acts, and apostolic letters onto the First Testament because they continued God's story from Creation to the Christ event. And it argued that the Church was right to claim that it was the True Israel. We today, again out of just regard for Jewish sensibilities, are perhaps not unhappy that that older canonical claim has been botched. But that is not the point. The point is that the shape and order of books in a canon convey the hermeneutic by which it was and is to be read in study and worship. These points have almost totally been lost in the discussion of what now to call the First Christian Testament.<sup>61</sup>

Martin Luther, in 1519, when he began his translation project of the Old Testament, found major differences in the manuscripts of the Tanak that he gathered from synagogues and other sources near Erfurt. To address the problem he devised his hermeneutic of *res et argumentum*, that is choosing whatever reading could be found that would point to the Gospel of Jesus Christ.<sup>62</sup> He also made the crucial decision to follow Jerome's principle of *Hebraica Veritas* and thus opted in essence to include only the books that are found in the Tanak and to relegate those not in it to deuterocanonical status, that are called the Apocrypha. He was not aware, as most still are not aware, that Jerome when he devised his principle of *Hebraica Veritas* had misunderstood Origen's use of the obelisk and the asterisk, borrowed from contemporary editions of Homer, in the latter's compilation of the *Hexapla*. Nor, apparently, was he aware that Augustine, who had well understood the work of Origen, disagreed with his old friend Jerome by proclaiming that both the Septuagint and the Hebrew text of the First Testament were equally inspired and should be treated as such in both study and worship.<sup>63</sup>

In sum, if one wants to refer to the Jewish canon or the Tanak one should rightly use "Hebrew Bible." But if one wants to refer to the Christian First Testament one might well still use the term Old Testament, but some of us still find that offensive. In any case, one should not use the term "Hebrew Bible" if one wants to refer to the first of the two testaments in the Christian Bible. While the text may (or may not) be the same, they are canonically quite different and should not be confused. I, for one, shall continue to use the term "First Testament" when referring to the first of the Christian double-testament Bible.

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<sup>61</sup> James A. Sanders, "The Task of Text Criticism," in *Problems in Biblical Theology: Essays in Honor of Rolf Knierim*, ed. Henry T. C. Sun et al. (Grand Rapids: Eerdmans, 1997), 315–27; and his "‘Spinning’ the Bible."

<sup>62</sup> James A. Sanders, "Hermeneutics of Text Criticism," *Textus: Studies of the Hebrew University Bible Project* 18 (1995): 1–26.

<sup>63</sup> James A. Sanders, "Origen and the First Christian Testament," in *Studies in the Hebrew Bible, Qumran, and the Septuagint Presented to Eugene Ulrich*, ed. Peter W. Flint, Emanuel Rob, and James C. VanderKam (Leiden: Brill, 2006), 134–42.

## CHAPTER 2

# THE NOTION AND USE OF SCRIPTURE

### I. INTRODUCTION

The Scriptures are authoritative religious texts that religious people believe have their origin in God and identify God and the will of God, including the identity of the people of God and what they are to believe and live. Remarkably, while there is broad agreement on what scripture is, there is significant disagreement on how scripture and canon formation are related. They are clearly related, but also distinct. The latter assumes the former, but not the other way around. I will explore that issue more in the next chapter, but I start here with the meaning and function of scripture in Judaism and early Christianity.

Among the world's religions, Judaism, Christianity, and Islam have defined themselves largely in terms of sacred writings that identify the scope of their faith. The notion of scripture in these traditions appears to have come from a much earlier belief in a "heavenly book" that contains divine wisdom and knowledge as well as divine decrees by which adherents order their lives. The divine books include wisdom, destinies (or laws), a book of works, and a book of life – a notion that has earlier parallels in ancient Mesopotamia and Egypt, where a heavenly book not only indicated the future plans of God, but also the destinies of human beings.<sup>1</sup> Armin Lange suggests that several ancient antecedents to divinely written prophetic oracles show how both oral and written prophecies were common in the Middle East as early as the ninth century BCE, but also later among the Greeks, especially in the prophetic oracles that took place at Delphi.<sup>2</sup>

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<sup>1</sup> W. A. Graham, *Beyond the Written Word: Oral Aspects of Scripture in the History of Religion* (Cambridge: Cambridge University Press, 1987), 49–50.

<sup>2</sup> See his discussion of this practice in Armin Lange, "Oral Collection and Canon: A Comparison between Judah and Greece in Persian Times," in *Jewish and Christian Scripture as Artifact and Canon*, ed. C. A. Evans and H. D. Zacharias, LSTS 13 (London: T&T Clark, 2009), 9–47; also in the same volume, see Dorina Miller Parmenter, "The Bible as Icon: Myths of the Divine Origins of Scripture," 298–309, for parallels of such notions in Mesopotamia. She depends in part on Geo Widengren, *The Ascension of the Apostle and the Heavenly Book* (Uppsala: Uppsala University Press, 1950).

This notion of a heavenly book is also found in the HB/OT where we see Moses pleading with God to forgive the Israelites for their sin and offers himself on their behalf: “‘But now, if you will only forgive their sin – but if not, blot me out of the book that you have written.’ But the LORD said to Moses, ‘Whoever has sinned against me I will blot out of my book’” (Exod 32:32–33). Likewise, the psalmist writes about the future plans of God:

My frame was not hidden from you,  
when I was being made in secret,  
intricately woven in the depths of the earth.  
Your eyes beheld my unformed substance.  
In your book were written  
all the days that were formed for me,  
when none of them as yet existed. (Ps 139:15–16)

In the NT, this notion of a heavenly book continues as we see in the reference to God having a “book of life” (Phil 4:3), where Paul speaks of Clement and the rest of his colleagues in ministry “whose names are in the book of life.” The notion of both judgment and promise based upon this book of life are also found in the last book of the NT. See for example the author’s description of the opening of a heavenly book in Rev 5:1, 3; 6:1–17 (see also 8:1–10:11). See also at the end of the ages all people will stand before “a great white throne” and the visionary author says:

And I saw the dead, great and small, standing before the throne, and books were opened. Also another book was opened, the book of life. And the dead were judged according to their works, as recorded in the books...and anyone whose name was not found written in the book of life was thrown into the lake of fire. (Rev 20:12, 15)

In these texts, the notion of a divine book is present and in Revelation a divine prophecy is given to the visionary and acknowledgement of divine books is present throughout, including the unraveling of a divine scroll or volume (e.g., 1:19; chs. 5–6, 8 and 10; and 22:18–19).

Such passages reflect the relationships between the heavenly divine volumes and divinely inspired prophecy in books in the sacred traditions of both Judaism and early Christianity. According to Graham, belief in a divine book or books gave rise to the notion that the repository of divine knowledge and heavenly decrees is symbolized in written Scriptures.<sup>3</sup> Interestingly, the Qur’an also speaks of a divine book of destinies in which “no misfortune strikes on earth or in yourselves without its being [written] in a Book before we cause it to be” (*Surah* 57.22).<sup>4</sup> Among the ancient Israelites, long before the notion of a Bible existed, normative law was believed to have come directly from God. The Israelites believed Moses

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<sup>3</sup> Graham, *Beyond the Written Word*, 50–51.

<sup>4</sup> Ibid.

proclaimed the words and ordinances of *God* (Exod 24:3) and that he was commissioned by God to write them down (Exod 34:4, 27). They believed that God himself was the writer of the *Decalogue*, or Ten Commandments (Exod 34:1; Deut 4:13; 10:4). In time they came to believe that the laws and will of God were written and preserved in sacred writings by inspired prophetic figures.

The identity of the lost sacred writings is not always clear since there are a number of references in the HB/OT that refer to other writings that are not included in the biblical canon (these are listed in Chapter 4 §II below). However, several of these writings are attributed to prophets and are viewed in an authoritative manner. Although those writings have all been lost, at one time they likely functioned as written authoritative religious texts (scripture?) for some ancient Israelites as the several references to them suggests. While it may be argued that some of those writings appear only to be histories or “annals” of the people of Israel and not prophetic texts, the parallels to the histories of Samuels, Kings, and Chronicles that are viewed as sacred prophetic histories or annals should not be ignored. Those “histories” were included as prophetic texts (Former Prophets) in the HB scriptures and their status as histories or annals does not diminish their prophetic significance. As we will see below, authoritative religious texts were present and influential long before formal terms for such writings were employed to describe them, namely, the Hebrew *ketub* (כתב) or plural *ketubim* (כתבים), and the Greek *γραφή* and *γραφαί* or later Hagiographa, “sacred writings.”<sup>5</sup>

## II. SCRIPTURE AS “DEFILING THE HANDS”

Jews in the late first century CE began identifying their sacred scriptures by using the designation “defiling the hands.” Sacred books defiled the hands and non-sacred books did not. This expression is commonly used in the Mishnah, Tosefta, and later Talmudic literature to identify sacred scripture inspired by God. According to Lewis, the first person known to use these words as a designation for sacred scriptural books was Rabbi Johanan ben Zakkai (*fl.* ca. 40–80 CE), who escaped Jerusalem during its siege in 70 CE and, with permission from the Romans, established an academy and the Jewish Sanhedrin at Jamnia (Yavneh).<sup>6</sup>

<sup>5</sup> S. Talmon, *Text and Canon of the Hebrew Bible: Collected Essays* (Winona Lake, IN: Eisenbrauns, 2010), 427 n. 36, has observed in rabbinic literature that כתב, the root of *Ketubim* (“writings”), “is used in a variety of connotations, and covers practically all of the activities pertaining to the making of a book: original conception, composition, committing to writing, editing, text correction, and even “canonization” (see *b. Yoma* 29a; *b. Meg.* 7a. See also *Sop.* 1:8; *y. Meg.* 1:8, 71b–72a; *b. Meg.* 9a; *Mek. d’Rabbi Ishmael*, Bo’, 14).

<sup>6</sup> J. P. Lewis, “Some Aspects of the Problem of Inclusion of the Apocrypha,” in *The Apocrypha in Ecumenical Perspective: The Place of the Late Writings of the Old Testament Among the Biblical Writings and Their Significance in the Eastern and Western Church Traditions*, ed. S. Meurer, trans. P. Ellingworth, United Bible Societies Monograph Series 6 (New York: United Bible Societies,

Around 50 CE this famous rabbi apparently used the phrase in a debate with the Sadducees over whether certain revered texts “defile the hands,” but the phrase did not become standard terminology in Judaism to distinguish its sacred literature until later in the second century CE. An important Mishnaic text from that time addresses the meaning of this phrase:

The Sadducees say: We have a quarrel to pick with you, O Pharisees, for according to you the Holy Scriptures *defile the hands* whereas the writings of Homer would not *defile the hands*. Rabban Johanan ben Zakkai (40–80) replied: Have we naught against the Pharisees save this: According to them the bones of an ass are clean while the bones of Johanan the High Priest are unclean? They answered him: Their uncleanness corresponds to their preciousness, so that no man would make spoons out of the bones of his father and mother. He said to them: So too the Holy Scriptures, their uncleanness corresponds to their preciousness. The writings of Homer, which are not precious, *do not defile the hands*. (*m. Yadayim* 4.6, Leiman, *Canonization*, 107–8, emphasis added)

Later, in the Tosefta we read: “Said to them Rabban Yohanan b. Zakkai, ‘The preciousness of Holy Scriptures accounts for their uncleanness, so that a man should not make them into bedding for his cattle’” (*t. Yadayim* 2:19, Neusner, *Tosefta*, 1909). Another explanation for the origin of the phrase comes from Babylon around 350–375 CE asking the following:

And why did the rabbis impose uncleanness upon a Book? Said R. Mesharshiya: Because originally food of *terumah* was stored near the Scroll of the Law, with the argument, “This is holy and that is holy.” But when it was seen that they [the holy books] came to harm, the Rabbis imposed uncleanness on them. “And the hands”? Because hands are fidgety. It was taught: Also hands which came into contact with a Book [of Scripture] disqualify *terumah* (*b. Sanhedrin* 100a, Talmud, Soncino trans.)

It seems that the Jews were following the ancient practice of storing sacred writings in the temple with the heave offerings to the Lord (the *terumah*), and both were considered holy items. When they did this, however, mice ate not only the *terumah*, but also the holy writings. As a result, the sages declared that these writings made the hands unclean, with perhaps the hope that this conclusion would make Jews change the place where they stored them, i.e., away from the *terumah*, and the writings would thus be saved from destruction.

While the origins and thoughts behind the designation, “defile the hands,” are vague, the above texts show that it was used to distinguish Jewish sacred literature from other religious or non-religious texts. Some rabbis in the late first and early second centuries CE began using “defile the hands” for their sacred books, as we saw above in *m. Yadayim* 3:5: כל כתיבי הקודש מטמאין את הידים (“all holy scriptures defile the hands”). This refers to rendering the person handling the sacred texts

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1991), 170, 172–76; idem, “What Do We Mean by Jabneh?,” *Journal of Bible and Religion* 32 (1964): 125–32; idem, “Jamnia Revisited,” in McDonald and Sanders, eds., *The Canon Debate*, 146–62.

ritually unclean. Lim suggests that the designation likely comes from the story of David transporting the Ark when Uzzah touched it and died (2 Sam 6:2–8; cf. 1 Chr 13:9–10). In this case, the defilement was of the whole person (Uzzah died), not just the hand or hands. He concludes that “defile the hands” in *m. Yadayim* 3:5 (see text below) must have meant that the effect of the Ark’s holiness on the unsanctified is comparable to the defiling of the whole body. He explains that since only the priest was eligible to handle Holy Scriptures in the precincts of the Temple, all others handling them became ritually defiled or unclean.<sup>7</sup> He explains that in this sense, the rabbinic disputes over the sacredness of some HB books (*m. Yad.* 3:5) reflect whether certain books (in this case, Song of Songs and Qohelet or Ecclesiastes) defile an unauthorized person who comes in contact with them. He explains: “If the book is holy, then it will make him unclean. He would need a ritual washing to remove the uncleanness.”<sup>8</sup> It appears that the touching of the Ark by those unqualified to do so adversely affects them and so does touching sacred scripture by the unqualified.

Rabbinic sages regularly employed the words “defile the hands” from the second century CE on as a designation for their sacred scriptures.<sup>9</sup> In *m. Yadayim* 3:2–5, the author uses these words to describe the holiness of a text and informs readers about a debate over whether Song of Songs and Ecclesiastes were inspired scriptures. The whole text is useful in understanding the meaning of the notion of “defiling the hands” and imparting uncleanness. The text is as follows:

All the Holy Scriptures defile the hands. The Song of Songs and Ecclesiastes defile the hands. R. Judah (135–70) says: The Song of Songs defiles the hands but there is a dispute concerning Ecclesiastes. R. Jose (135–170) says: Ecclesiastes does not defile the hands but there is a dispute concerning the Song of Songs. R. Simeon (135–170) says: Ecclesiastes is among the lenient decisions of the School of Shammai and among the stringent decisions of the School of Hillel. R. Simeon b. Azzai (110–135) said: I have heard a tradition from the seventy-two elders on the day that R. Eleazar ben Azariah (110–135) was appointed head of the academy, that the Song of Songs and Ecclesiastes defile the hands. R. Akiba (110–135) said: God forbid: No man in Israel ever disputed the status of the Song of Songs saying that it does not defile the hands, for the whole world is not worth the day on which the Song of Songs was given to Israel; for

<sup>7</sup> See Timothy H. Lim, “The Defilement of the Hands as a Principle Determining the Holiness of Scriptures,” *JTS* NS 61, no. 2 (2010): 501–15. He concludes on 514: “Throughout the biblical period, both holiness and impurity were thought to have properties of contamination. In the rabbinic period, however, the concept of sancta contagion was no longer available, and the rabbis could only express the canonical principle in the language of impurity.”

<sup>8</sup> *Ibid.*, 513.

<sup>9</sup> Rabbinic texts that use these words in reference to the Scriptures of the Jews are *b. Shabbat* 14a–b; *b. Yoma* 29a; *b. Megillah* 7a; *b. Sanhedrin* 100a; *m. Eduyyot* 5:3; *m. Kelim* 15:6; *m. Yadayim* 3:2–5; 4:6; *t. Kelim Baba Metzi’a* 5:8; *t. Yadayim* 2:14, 19. For Rabbinic literature that discusses the status of noncanonical literature see *m. Yadayim* 4:5; *t. Yadayim* 2:12–13; *y. Sotah* 18a. These rabbinic texts and others are listed, discussed, and translated in Sid V. Leiman, *The Canonization of the Hebrew Scripture: The Talmudic and Midrashic Evidence* (Hamden, CN: Archon, 1976), 104–20, and several of them are discussed in Chapter 11 §III.C below.

all the writings are holy, the Song of Songs is the holiest of the holy. If there was a dispute, it concerned Ecclesiastes. R. Johanan (135–170) b. Joshua, the son of R. Akiba's father-in-law, said: Ben Azzai's version of what they disputed and decided is the correct one. (*m. Yadayim* 3:5, trans. by Leiman, *Canonization*, 103–4)

The relationship between holiness and defilement (i.e., the contagious nature of holiness) probably lies behind the notion of “defiling the hands,” and this idea likely relies on a rabbinic understanding of several HB texts, especially Hag 2:11–13 which states: “Thus says the LORD of hosts: Ask the priests for a ruling: If one carries consecrated meat in the fold of one's garment, and with the fold touches bread, or stew, or wine, or oil, or any kind of food, does it become holy? The priests answered, ‘No.’ Then Haggai said, ‘If one who is unclean by contact with a dead body touches any of these, does it become unclean?’ The priests answered, ‘Yes, it becomes unclean’” (see similar notions in Lev 6:20–30; Deut 22:9; Isa 65:5; and Ezek 44:19).

The defilement or holiness comes from touching the sacred altar and may also lie behind the notion in later Judaism (Exod 29:37; 30:29). Later rabbinic literature cites several of these passages to explain the holiness or defilement transferred from what is holy to the hands. This notion of defilement from the holy, as we saw in Lim's argument above, likely has its roots in the famous story of David bringing the sacred ark of God to Jerusalem from Philistia when Uzzah reached out his hand to steady the ark when the cart stumbled and he was struck dead, perhaps because he was not ritually clean and touched the holy object (2 Sam 6:6–15; cf. 1 Sam 5:1–12).

### III. ORAL AND WRITTEN SACRED TRADITIONS

William Schniedewind has observed that the books in the HB usually do not name their authors since they are mostly *about* individuals rather than *by* individuals and the key figures are usually spoken about in the third person, not the first person unless the text is quoting a biblical figure.<sup>10</sup> He concludes that the Bible “shows a distressing disinterest in who wrote it,” especially distressing to later Jews living in the Hellenistic period when the authority of a book was tied to its authorship. In addition, he claims that the “sacred power” of a biblical book derives its power from the presumption that Moses or Isaiah or some biblical person wrote it.<sup>11</sup> Sirach or Ecclesiasticus is the first written text whose author is clearly identified in the grandson's Prologue and that may be the reason it was later rejected by the rabbis as sacred scripture. Jewish religious texts often reflect groups and scribes, who were not authors. The “laws of Moses” and Jeremiah, for example

<sup>10</sup> William M. Schniedewind, *How the Bible Became a Book* (Cambridge: Cambridge University Press, 2004), 7–11.

<sup>11</sup> *Ibid.*, 9.

are clearly attributed to specific authors, but Isaiah is *about* what the Lord said *to him* (in the third person). Perhaps the absence of names on the Gospels, Acts, and Hebrews reflects this tradition and only later were the names of the supposed authors attached to them. The pseudepigraphal books include names of well-known biblical figures since they were penned later (begun late fourth century BCE) when the Hellenistic value of authorship was introduced into literature and subsequently it became a prominent feature in Hellenistic writings and subsequent Jewish writings.<sup>12</sup> This influence may also be seen in the well-known *b. Baba Batra* 14b text that for the first time identifies the authors of the Jewish scriptural books (see this text in Chapter 11 §III.A).

It appears that Israel had a sacred oral tradition initially that was eventually put in writing. Since Israel was largely an oral culture with very few able to read or write, Schniedewind raises the question of why Israel's sacred traditions were put in writing at all and asks why the Bible became a *book* when only a few could read. Orality was a prominent feature of the ancient Israelite culture (see Ps 105:1–2).<sup>13</sup> Schniedewind also suggests that the writing of the commandments attributed to God is a later insertion of writing into Exod 24:9–31:18 since once God dwells in the tabernacle built for him, he would *speak* “Torah” directly to the people and not through a written text (Exod 25:22).<sup>14</sup> This appears corrected in Deuteronomy and Deuteronomistic History when the *text* of the Law was read to the people and was unchangeable (Deut 4:2; cf 12:32 or 13:1 in Hebrew).<sup>15</sup>

#### IV. SCRIBES, WRITING, AND SCRIPTURES IN THE ANCIENT WORLD

In antiquity, scribes (Heb. ספרים) were highly esteemed and widely acknowledged as having a divine role, especially in the Jewish community. Whatever they wrote – much of which was simply copying what others had said – was considered important, but did not have a sacred or scriptural importance unless

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<sup>12</sup> For a helpful discussion of the development of authorship and authority in antiquity, see Jed Wyrick, *The Ascension of Authorship: Attribution and Canon Formation in Jewish, Hellenistic, and Christian Traditions* (Cambridge, MA: Harvard University Press, 2004).

<sup>13</sup> Schniedewind, *How the Bible Became a Book*, 11–12.

<sup>14</sup> *Ibid.*, 130–31. He says that Deuteronomy assumes that this was written, but Exodus only mentions that God spoke the Ten Commandments (Exod 20:1–17) and the Covenant Code (Exod 20:22–23:33).

<sup>15</sup> *Ibid.*, 7–17. See also his “Writing and Book Production in the Ancient Near East,” in *The New Cambridge History of The Bible: Vol. 1, From the Beginnings to 600*, ed. J. C. Paget and J. Schaper (Cambridge: Cambridge University Press, 2013), 46–62; on the oral-written transmission of Israelite literature, see Carr, *Writing on the Tablet of the Heart*, 3–14. For an in-depth and careful discussion of the topic of the emergence and focus on authorship in the classical and Jewish contexts, see Wyrick, *The Ascension of Authorship*.



what was written was a religious text that was believed to have a divine authority attached to it.<sup>16</sup> Special virtue was attached to almost anything that was written because it was finally “fixed”; however, although literary writings were highly valued, when the words “it is written” were attached to them, this often reflected divine authority. The sanctity of religious writings is noted in the Mishnah among the ten things that were created on the “eve of the Sabbath” reflecting the sanctity of the creation. Among the listing is included “the letters and the writing, and the Tables [of stone]” (*m. Aboth* 5.6, Danby trans.). This is not unlike the scribal role in ancient Mesopotamia when Nabu, the eldest son of Marduk who was “the king of the gods,” was praised for his scribal activity. He was the patron deity of Babylon and honored by the Assyrians and later Persians. Nabu was the record keeper of the heavenly council and custodian of the *Tablets of Destiny*. He was known to the ancient Jews as Nebo (Isa 46:1). Schniedewind draws attention to the fact that Moses died at Mt. Nebo and asks whether this was coincidental that the scribe of the Law died at a place named after Nabu (Nebo) the scribal god and whether because of this the name was later changed to Pisgah (Deut 3:27; 34:1) to disassociate Moses from the Mesopotamian god.<sup>17</sup> Could the notion of the *Tablets of Destiny* overseen by Nebo be an equivalent to the biblical “book of life”? That is difficult to prove, but some parallels are interesting.

The importance of writing things down can be seen in Rev 1:19, in which solemn words were often inscribed or written in books (see also Rev 2:17; 14:13; 19:16). The Scriptures were considered sacred because they revealed the very word of God, and consequently they were preserved and revered both among Jews and later among Christians. For example, when the Jews objected to the inscription that was placed over Jesus’ cross indicating the charge against him, namely, “King of the Jews,” Pilate responded, “What I have written I have written” (John 19:22).<sup>18</sup>

According to Farley, the basic properties of scripture for both ancient Judaism and early Christianity include at least four essential ingredients: (1) they are written, (2) have divine origin, (3) communicate the will and truth of God, and (4) function as an enduring source of regulations for the corporate and individual life of the people.<sup>19</sup> Layton adds that when a group of Christians recognized that a particular writing contained the presence of inspired authority it was elevated to the status of Scripture.<sup>20</sup> He observes, however, the limited agreement in the early church on inspired authority and finds only sporadic affirmation of the scriptural

<sup>16</sup> Bar-Ilan, “Writing in Ancient Israel and Early Judaism: Scribes and Books in the Late Second Commonwealth and Rabbinic Period,” in Mulder, ed., *Mikra*, 21–37.

<sup>17</sup> Schniedewind, “Writing and Book Production in the Ancient Near East,” 49–50.

<sup>18</sup> P. R. Davies, “The Jewish Scriptural Canon in Cultural Perspective,” in McDonald and Sanders, eds., *The Canon Debate*, 42–44.

<sup>19</sup> See E. Farley, *Ecclesial Reflection* (Philadelphia: Fortress, 1982), 58; and also D. H. Kelsey, *The Uses of Scripture in Recent Theology* (Philadelphia: Fortress, 1975), 89–94, for a similar definition.

<sup>20</sup> B. Layton, *The Gnostic Scriptures* (Garden City, NY: Doubleday 1987), xviii.

status of Christian writings in the first three centuries. For him, scripture is about a body of written religious literature that members of a religious group consider authoritative in matters of belief, conduct, rhetoric, or the running of practical affairs.<sup>21</sup> (For a more in depth discussion of inspiration and the role of the Spirit, see Chapter 5 §§VII–X, as well as Chapter 22 §II.F.)

The above descriptions of the notion of scripture are only part of the early church's perspective on scripture. For many early Christians, scripture at its core was both christological and eschatological, that is, they believed that the Jewish Scriptures had their primary fulfillment in Jesus (e.g., Matt 2:5, 17, 23; 3:3; 4:14; Mark 14:49; 15:28; Luke 4:21; Acts 1:16; John 17:12; 19:24, 28). Paul acknowledges this fulfillment motif in the Christian community (see Rom 4:23; 15:4; 16:26; 1 Cor 9:10; 10:11), but also acknowledges Jesus as the primary norm for interpreting the Scriptures in the early churches (see especially 2 Cor 3:12–16). This does not negate the church's acceptance of the unimpeachable authority of the OT Scriptures in themselves (John 10:35; Matt 5:18), but as Schrenk observes, for primitive Christianity Scripture is "the authoritative declaration of the divine will," but it is "not valid apart from the 'I say unto you' [of Jesus]," – that is, it had a christological fulfillment.<sup>22</sup>

Childs astutely observes that the early Christians, following their encounter with Jesus, understood Scripture in a theologically different way than did their fellow Jews. The church adopted its notion of Scripture as an authoritative collection of sacred writings from the Jews, along with a largely undefined collection of scriptures circulating among the Jews when Christianity separated from Judaism. Childs' claim that Christology shaped Christianity's basic stance toward its sacred scriptures is correct, along with his conclusion that for the early church "the Old Testament functioned as Christian Scripture because it bore witness to Christ. The Scriptures of the Old and New Testament were authoritative in so far as they pointed to God's redemptive intervention for the world in Jesus Christ."<sup>23</sup> This does not mean, of course, that the early Christians failed to recognize the authority of their inherited scriptures before their contact with Jesus, but only that after

<sup>21</sup> Ibid. Layton's understanding of canon, however, is not as clear because he suggests the presence of several closed canons of Christian literature before 200 (xix–xxi). If, however, we can speak at all of a completed biblical canon before 200 CE, it was only in rabbinic Judaism, but there is no evidence that such notions were present among Christians then. As we will see in Chapter 9 §§ III and V.A.1, Melito's canon or list of sacred Old Testament Scriptures may have been derived from his contact with Jews on his famous visit to Palestine ca. 180 CE. Besides that, only Irenaeus' fourfold fixed gospel canon is known from that time. Whether Marcion (ca. 140–150) had a biblical canon as such is highly debatable (see discussion of Marcion in Chapter 18 §II). Layton provides no evidence for the existence of multiple Scripture canons before 200 CE.

<sup>22</sup> G. Schrenk, "γράφῃ," *TDNT* 1:759–61. See also James Barr, *Holy Scripture: Canon, Authority, Criticism* (Philadelphia: Westminster, 1983), 14–15; and Werner George Kümmel, *Introduction to the New Testament*, trans. H.C. Kee, rev. ed. (Nashville: Abingdon, 1975), 335.

<sup>23</sup> Childs, *Biblical Theology*, 64.

their encounter with Jesus they read them in an altogether different light because of the impression that Jesus made on them. This Christological approach to their Scriptures began with an encounter with Jesus and subsequently was introduced into the early Christians' interpretation of their scriptures. It was precisely because they recognized the authority of their scriptures in all matters related to life and faith *before* their encounter with Jesus that they sought diligently to situate his story within their scriptures. Jesus' early followers recognized him as Lord and Christ but this recognition did not begin with an exegesis of their scriptures, but rather, and again, with their personal encounter with him (John 9:1–12).

The early Christians' recognition of the authority of the scriptures led them to seek through midrashic (or *peshet*) exegesis, a popular Jewish methodology of interpreting the Scriptures that focused on their own generation and present circumstances. This hermeneutical methodology presented to the Christians a means whereby they could proclaim Jesus as their Messiah who was also a fulfillment of their scriptures. This reflects the authority and normativity of those scriptures among the Jews in the first century CE and how closely connected the earliest followers of Jesus were to their Jewish siblings, their shared scriptures, and current interpretive methodologies. As we have seen, it is difficult today to discern all that Jesus did or said or understand his fate from a careful exegesis or interpretation of those inherited scriptures. The earliest followers of Jesus began their journey of faith through an encounter with him and subsequently found support for him, his life, teachings, and fate in their interpretations of selected scriptures (see for example, Matt 2:13–15; 1 Cor 15:3–5).

Chapman's view, if I understand him and his opposition to my position, appears to say that one could not confess Jesus as the Christ apart from an exegesis of the biblical texts. This appears to put the cart (exegesis) before the horse (an encounter with Jesus).<sup>24</sup> As we will see, confusion results from an imprecise definition of canon. This does not suggest that the church's biblical canon is "somehow in competition with the church's commitment to Jesus."<sup>25</sup> Indeed, the opposite is true. The early church's proclamation was never in competition with the church's scriptures, but neither did the church come to any firm conclusions about Jesus, rooted in the OT scriptures, *apart from first having come in contact with Jesus*. This is a question, not of either or, but only which came first. Both are essential features of early Christianity. That interpretation of Jesus was not the interpretation of the scribes and religious leaders of that day, but rather one that came from the followers of Jesus *after* their encounter with him. Jesus was an observant Jew and regularly cited the HB scriptures in regard to his ministry. At the close of his earthly ministry Jesus explained his ministry to his followers from the Jewish

<sup>24</sup> S. B. Chapman, "The Canon Debate: What It Is and Why It Matters," *Journal of Theological Interpretation* 4, no. 2 (2010): 273–94, here 288–94.

<sup>25</sup> S. B. Chapman, "What Are We Reading? Canonicity and the Old Testament," *Word & World* 29, no. 4 (2009): 334–47, here 346.

scriptures (Luke 24:25–27 and 44). Could or would late Second Temple Jews have figured everything out about Jesus from their scriptures without having met or encountered him? There is no evidence for that, but having met him, for many it all came together and using the interpretive or hermeneutical tools available to them *at that time* that they had acquired from their Jewish siblings, they christologically and eschatologically interpreted anew their sacred Jewish Scriptures.

The book of Acts claims that the community life of the early church focused on “the apostles’ teaching” (Acts 2:42) and we can see from Acts how the early Christians viewed and proclaimed the story about Jesus within a scriptural perspective. While the regular daily activities do not appear at first to have focused much on the OT Scriptures (2:46–47), the book of Acts is nevertheless sprinkled throughout with OT references that were employed as sacred texts for preaching about Jesus (e.g., 2:17–21, 25–28, 34–35; 4:25–26; 8:32–33; *passim*). One does not find any particular devotion to an interpretation of the OT Scriptures in *most* of the NT and the frequent citations of the OT texts do not reflect an extended investigation or exegesis of them, though there is some evidence of this in the book of Hebrews. Second Timothy 2:15 and 3:14–17 may not be reflective of the earliest practices of the early church, but they certainly were soon thereafter.

## V. THE EMERGENCE OF SCRIPTURES IN ANCIENT ISRAEL

Several OT texts have an admonition from a prophet about keeping the Law of Moses, or simply “the Law,” but most of them are toward the end of the OT era, namely, after the time of the reforms of Josiah (2 Kgs 17:13; 23:1–3; cf. 2 Chr 34:1–7). Before those reforms, there are, as noted above, references to observing the law of God (Hos 4:6; Amos 2:4) or an awareness of stories in the Pentateuch (e.g., Hos 12:2–6), but it appears that the laws of God given through Moses were largely ignored or unfamiliar to the people of Israel. For example, there are numerous places where a prophet spoke a word of admonition to ancient Israel from the Lord, but he could have strengthened his case considerably by citing a text from the Law. Amos, for instance, could easily have enlisted *specific* texts from the Law to support his accusations against Israel (see Amos 2:6–16; 5:1–6:14; 7:1–9:15) had they been circulating in some canonical (authoritative) fashion in the eighth century BCE, but he did not. Although Hosea warns the people of Israel that they had “forgotten the law of your God” (Hos 4:6; cf. Amos 2:4 and 6), in several locations he could have cited specific texts from the Decalogue about having no other gods before the Lord their God (Exod 20:3–6) and thus considerably strengthened his case. While this may be assumed given Israel’s pursuit of other gods and the example of Gomer and the parallels to the nation, it is not stated with reference to specific laws that were violated. Was the “law” that was forgotten an oral tradition behind the Pentateuch or the Decalogue known by some prophetic figures and a few others, or a large collection of laws

in Exodus and Leviticus circulating among the Jews and kept in the Temple? Hosea (perhaps 721–720 BCE) referred to Israel’s unfaithfulness to Yahweh (Hos 2:11–13 and 4:1–11) and this implies a failure to keep the first commandment. In Hos 6:7 and 8:1 an “agreement” is mentioned, but is this the same as an acceptance of the Decalogue in Exod 20? Amos 2:4 may be more focused on statutes of the Law of Moses and the reference in Amos 2:12 appears to be aware of the Nazirite laws in Num 6:1–3. Amos may have been written sometime between 788 and 747 BCE and his prophecy was followed by the devastation of the Northern Kingdom in 721 BCE. Both Amos and Hosea had later Judean edits and additions to their text and for the most part those are discernible in the texts reflecting admonitions to individuals as well as nations. The additions to those texts likely reflect post-exilic times when the terrible consequences of rebellion came to the nation and also when hope was renewed to the people.<sup>26</sup>

The lack of widespread awareness of the Law can be seen in the story of Nathan the prophet who could also have strengthened his case against David’s adultery and murder by charging him with violating “you shall not kill” and “you shall not commit adultery” from the Decalogue (2 Sam 12:1–15; cf. Exod 20:13–14), but he does not. He does say that David has broken (“despised”) the word of the Lord (12:9) and “utterly scorned the Lord” (12:14), but he does not say what “word of the Lord” was scorned. Was this Nathan’s own perceived understanding of the will of God? It is difficult to read into this passage any reference to a codified law that prohibited such conduct, but it appears that even if it did stand behind the prophet’s message, the specific citing of a specific well-recognized violation of a sacred Scripture or code would have added significantly to the impact of his message to David and later readers who would tell this story. Joshua appeals to the keeping of the “book of the law,” or “law of Moses,” or “covenant” (Josh 1:8; 23:6, 16; 24:25–27), but this kind of reference is rare and reflects the later Deuteronomistic History perspective.

This focus on the Law is not as obvious in Judg 6:8–10 that refers to a prophet without any clear recollection of a particular sacred text. There is one text in Judges that reflects on the commandments given through Moses. After commenting on the nations that Israel had to overcome in order to occupy their land, the author says those nations were there “for the testing of Israel, to know whether Israel would obey the commandments of the Lord, which he commanded their ancestors by Moses” (Judg 3:4). In 1 Sam 12:14–16, the Israelites are warned not to rebel against the “command of the Lord,” but it is not clear what this command specifically is, though the context favors the first commandment and that can be seen in the admonition of Samuel to “fear the Lord and serve him faithfully” (12:24; cf. also 13:13 and 15:24). There are no other references to the Law of Moses or divine commandments in Judges, Ruth, or the two Samuels,

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<sup>26</sup> John J. Collins, *Introduction to the Hebrew Bible* (Minneapolis: Fortress, 2014), 307–23, discusses both of these prophets and the additions to them by the Judeans at a later date.

and Job. Psalm 19:7–14 and Book V of the Psalter (Pss 107–150) show signs of a post-exilic origin with references to the Law. So also especially in Ps 119, Deuteronomy, Proverbs, Job, Jeremiah, Ezekiel, and Isa 40–55, but there are few references to the Law in the earlier Former Prophets (Joshua–2 Samuel) apart from the opening introduction to Joshua (1:1–9) and 8:30–35 (cf. also 17:4; 22:5; and a vague reference in 24:26). There are only vague references to the “commandment of the Lord” in Judg 2:17; 3:4 (similarly 1 Sam 12:14–15; 13:13–14; 15:24, but it is not clear if these are references to the Decalogue, laws, or commands of Moses). In the pre-exilic period of Israel’s history the temple and the monarchy were symbols of the divine presence, but after they were destroyed in 586 BCE, the chief symbol for the post-exilic period was Torah, the laws and teachings attributed to Moses.<sup>27</sup> Proverbs, like the Psalms, is a composite of several collections of wisdom sayings. It appears that most of the Proverbs are pre-exilic, but some (Prov 1–9 and possibly also Prov 28–29) are more likely post-exilic.

Whatever inferences may reasonably be drawn from the few citations of the Law or the prophets in the pre-exilic era, especially during the time of the Judges, Samuels, and 1 Kings, it appears that scriptural authority was not an important matter for the people of Israel until the time of Josiah briefly and later Ezra. If the Torah had been formed in its present Pentateuchal condition before Josiah’s reforms and circulated among the Israelites, the laws themselves apparently did not have much of an impact on the movers and shapers of Israel’s pre-exilic traditions as they did after the exile. If the Law had been received and functioned as canon or absolute authority in Israel earlier, why does it not function as canon more prominently before the reforms of Josiah in 621 BCE (2 Kgs 22:3–23:25 // 2 Chr 34:14–35:27)?<sup>28</sup> At the end of the First Temple period it appears that there was a concerted effort to show the relevance of the laws of Moses to the people and the importance of observing those laws (Ezra 10:2–3; Neh 8:1–8). With the reforms of Ezra there is a clear call to obey and observe the laws of Moses, but even here scholars have been uncertain whether the “law of Moses” in Neh 8:1–8 refers to the Pentateuch, the book of Deuteronomy, or simply the laws themselves. As we will see below, it would hardly have been possible to read the whole of the Pentateuch to the people in the amount of time mentioned in Neh 8:3. However, the references to the law in Neh 8–10 suggest more than simply Deuteronomy or the specific laws were known, but how much more is uncertain.

<sup>27</sup> Willem S. Prinsloo, “The Psalms,” in *Eerdmans Commentary on the Bible*, ed. James D. G. Dunn and John W. Rogerson (Grand Rapids: Eerdmans, 2003), 364–436, here 421–23.

<sup>28</sup> Barr, *Holy Scripture*, 6–8, contends that in the earlier stages of Israel its religion was not yet the scriptural religion that it later became. It is likely that only the Deuteronomic code is behind the reforms of Josiah, as many Old Testament scholars suggest. Only in the later stages of the religion of Israel do we find a concern for the interpretation of former prophetic writings, as in the case of Dan 9:2 focusing on the meaning of the seventy weeks of Jer 29:10.

Ezra and Nehemiah (perhaps ca. 458 BCE if written during the reign of Artaxerxes I, or 398 BCE if during the reign of Artaxerxes II) reflect this new emphasis on the laws of Moses. When the Jews returned from Babylon they reportedly renewed their commitment to the “law of Moses” (or “laws” – though they may not be the same as the Pentateuch) as we see mentioned in the books of Ezra (3:2; 6:18; 7:6, 10, 12, 21, 25, 26; 10:2–3) and Nehemiah (8:1–9, 13–14, 18; 9:3, 13, 14, 29; 10:28, 29, 34, 36; 12:44; 13:3).

Ezra also mentions specific names of writing prophets, Haggai and Zechariah (5:1–2; 6:14), and refers to an even broader group of prophets who delivered the commandments of God: “For we have forsaken your commandments, which you commanded by your servants the prophets...” (Ezra 9:10–11). Nehemiah mentions false prophets in 6:7, 14 and the prophets of God in 9:26, 30, and 32. As one can see, the “law of Moses” is given highest priority (Neh 8:1–8) though all of the Pentateuch was not likely read to the people on the one morning,<sup>29</sup> but as we see in Ezra 5:1 and Neh 9:26, doubtless other prophets were also considered important through whom the Lord commanded his people to a life of faithfulness and obedience. We should note that in Ezra and Neh 8–10 there are references that reflect awareness of the first *six* books of the HB (the Hexateuch), namely, Genesis (Neh 9:6, 7–8), Exodus (Neh 9:9–11, 12–21), Leviticus (Ezra 3:4; 6:19–22; Neh 8:14–17; 10:32; 13:15–22), Numbers (Neh 9:12–22), Deuteronomy (Ezra 3:4; 6:19–22; Neh 10:32; 13:1–2; 13:25), and Joshua (Neh 9:23–25; cf. 9:26–37).<sup>30</sup> Similarly, the Edict of Artaxerxes (Ezra 7:11–26) may be less plausible than earlier assumed (this is discussed in Chapter 4 §V). Since Neh 9 shows knowledge of Joshua as well as the Pentateuch (cf. Neh 9:23 with Josh 1:7–9) and Ezra 6:18 seems familiar with 1 Chr 24:3 and also 1 Chr 23–27,<sup>31</sup> it is safe to say that Ezra–Nehemiah were familiar with several non-Pentateuchal books. The point here is that the scriptures in their day appear to have included more than the Pentateuch and the Torah was broader in scope than the Pentateuch. While there was an awareness of some of the writings of the prophets, priority was nevertheless given to the “law(s) of Moses.”<sup>32</sup>

<sup>29</sup> As many scholars already know, this passage, as commonly understood, is clearly overstated since it would be difficult indeed to read to the people the whole Pentateuch in one sitting from dawn to noon. Lim observes this difficulty by noting that if the whole Pentateuch was read from early morning to mid-day, Ezra would have had to read 974 verses for each of the six hours assumed by the text, that is 16 verses per minute – a fast read for anyone to speak let alone to hear! See Timothy H. Lim, *The Formation of the Jewish Canon* (New Haven: Yale University Press, 2013), 64.

<sup>30</sup> These are listed in Timothy H. Lim, “A Theory of the Majority Canon,” *Expository Times* 124, no. 7 (2013): 1–9, here 4.

<sup>31</sup> These references are listed in Lim, *ibid.* 69. He concludes this list by saying that other passages could be added to the list, but these reflect Ezra–Nehemiah’s familiarity with several non-Pentateuchal biblical books.

<sup>32</sup> For a more complete discussion of Ezra–Nehemiah in current scholarly discussion, see Lim, *Formation of the Jewish Canon*, especially Chapter 4.

Most, if not all, of the Former Prophets were probably also a recognized authority in the time of Ezra, especially when the people of Israel believed that God had judged them because they had failed to listen to the prophets who witnessed to or proclaimed the message of the Law (Ezra 9:10–15).<sup>33</sup> In the time of Ezra, however, it appears that only the Mosaic codes were given a fixed canon-like recognition, and the prophets themselves were not yet brought into that arena as a collection, even though they were mentioned occasionally. References to the prophets in the postexilic writings of Ezra–Nehemiah have to do with the prophets' *public* proclamation and to their work on the temple, but little is said about their literary productions (Ezra 5:1–2 [Haggai and Zechariah]; 9:11; Neh 6:7, 14; 9:26, 30, 32). Had the Prophets existed as a complete collection of sacred writings in the time of Ezra, it would follow that it would have been an appropriate time to introduce them to the people as such. The books (or laws) of Moses were mentioned far more frequently in Ezra and Nehemiah and clearly had priority in both writings. Either earlier than Ezra–Nehemiah or approximately the same time the author of 2 Kgs 17:13 reflects an awareness of the “commandments and my statutes” of God that were given through God’s “servants, the prophets.” Similarly, there are a number of references in 2 Kings to the “law of Moses” as noted above and to various statutes of God. The date of the composition of 2 Kings is likely sometime after Evil-merodach – the last monarch mentioned in 2 Kings, who ruled ca. 562 BCE (2 Kgs 25:27–30) – and it appears to have been inspired by the book of Deuteronomy. 1 Kings was likely written earlier following the death of Josiah (ca. 620 BCE) and has only one reference to the “law of Moses” (1 Kgs 2:2–3). There are several more examples of this in 2 Kings that was completed after the fall of Jerusalem (ca. 586–585). Throughout Judges, the Samuels, and 1 Kings there are few references to the law of Moses or the commands of the Lord (if they are understood to be the same as the law of Moses).

More problematic for canon purposes is that although by the second century BCE many of the books later identified as the Prophets were recognized as scriptural texts, the texts of those books were not yet stable. In the Qumran community, for instance, it was not uncommon during Hellenistic and Roman times for scribes to make changes in spelling and orthography and even delete sentences from the Torah and other scrolls found at Qumran. The Law, Prophets, and Psalms carried considerable scriptural authority in the pre-rabbinic times, but even if they had graduated to the rank of Scripture sometime in the second century BCE their text was not inviolable.<sup>34</sup> For example, even though the Psalter was widely accepted as

<sup>33</sup> The prophets witnessed to or reminded the people of the Law of Moses in regard to intermarriage (cf. Exod 34:15–16; Deut 7:1–5). The judgment came as a result of the nation’s failure to listen to the message from Moses, which was viewed as inviolable, but it is not clear what other writings were so viewed at this time.

<sup>34</sup> D. J. Silver, *The Story of Scripture: From Oral Tradition to the Written Word* (New York: Basic, 1990), 141.



Scripture long before the first centuries BCE and CE, the scribes at Qumran felt free to make significant additions to the Psalter's text, provide elaborations of it, and even revise it.<sup>35</sup> This suggests that for those at Qumran the Jewish Scriptures, including the Torah, had not yet become textually fixed or inviolable. The apparent inviolability of Scripture that we see in Matt 5:18 is not found in practice among the scribes at Qumran, or at the least, they did not share the later rabbinic position that rejected any textual changes to the Scriptures.

Evidence that the Prophets had not yet been placed in a fixed sacred collection by the early third century BCE can be seen in the initial translation of the Hebrew Scriptures into Greek in the Septuagint (LXX, ca. 280–250 BCE), which included only the Law or Pentateuch. Had the other OT scriptures been recognized as a sacred scriptural collection among the Jews in Alexandria at that time, they would likely have been included in that initial translation project. The Prophets were eventually translated by ca. 130 BCE and were included among the scriptural collections already circulating among the Jews in Palestine as the Prologue to Sirach suggests. Several of the books later called Writings (Heb. כתובים) that comprised the third part of the HB, were also circulating among the Jews no later than the second century BCE and were translated into Greek and also added to the LXX. These additional texts were initially also referred to as “prophets” and included in the prophetic collection of scriptures well into the end of the first and beginning of the second centuries CE.

Since no complete copies of the LXX exist from the turn of the Common Era, we cannot know precisely what books were included in the LXX at that time. We do know, however, that after its beginning in the early third century BCE the LXX eventually expanded to include not only books that were later identified as the Prophets and the Writings, but also several apocryphal and pseudepigraphal books. In more than 90% of the citations of the Jewish scriptures in the NT, the authors made use of the LXX. They also cited books that were later included in all three parts of the HB (Law, Prophets, and Writings), but this does not suggest, as some contend, that the three part HB canon existed at that time. There is no suggestion of a tripartite biblical canon of the Jewish scriptures in the NT. The later tripartite divisions of the HB Scriptures were unknown to the NT writers who were informed by most of the books in the HB but also by other sacred texts as well (e.g., Heb 1:2–3; Jude 14, etc.). With one exception, Luke 24:44, the rest of the references to the Jewish Scriptures in the NT are of the Law or the Law and the Prophets. As we will see in the discussion below (Chapter 8 §III), some scholars suggest that Luke 24:44 implies that the third division of the HB (namely, “psalms” is equivalent to all the Writings or *Ketubim*) was known during the first century CE. However, as we will see below, that verse should be understood in light of Luke 24:25–27 and while the 24:44 text *may* reflect an early stage of an

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<sup>35</sup> James A. Sanders, “Cave 11 Surprises and the Question of Canon,” *McCormick Quarterly* 21 (1968): 284–317.

emerging third category of Jewish scriptures, the majority of Jewish and Christian writers at that time knew only the two well-known divisions of the HB Scriptures, namely Law and Prophets. Further, it is not clear what comprised the second division, the Prophets, at that time. It is quite possible that all of the books that comprised what we now call the HB were viewed as scripture in the time of Jesus and before and identified among the prophets, but so were other books by some of the Jews, as we will see presently. Those scriptures that were later included in the third category called the Writings (כתובים) were initially identified as “prophets.” The canonical categories in the HB were not complete or distinct at the time of the writing of Luke. The first time we see an itemized listing of the HB books in the three divisions of books that now comprise the HB is in the middle to late second-century rabbinic text *b. Baba Batra* 14b. The categories of writings in Josephus (*Ag. Apion* 1.37–43; see Chapter 10 §I) do not easily fit with the later three divisions seen in the *b. Baba Batra* 14b text that may have originated in Babylon, although that is disputed.

The authority attributed to the LXX in antiquity is obvious from the propagandistic description of the translation in the legendary *Letter of Aristeas* (ca. 150–130 BCE). This sensational description continued in the writings of Philo, Josephus, and several early church fathers. For the author of this letter, the Law of Moses was unquestionably accepted as inviolable Scripture. The translation was likely based on a standard Hebrew text from Jerusalem, but notions of a fixed text, though popular in the writings of Josephus (*Ag. Apion* 1.42), are more hyperbole than reality. In theory at least, but never in reality, the notion of an immutable text was present also in the first century CE (Matt 5:18).<sup>36</sup>

The *Letter of Aristeas* clearly reflects the high priority attributed to the Pentateuch in the formation of the HB. Had the Prophets and Writings already obtained the same scriptural status attributed to the Law when the LXX translation was produced, it is puzzling why they were not also mentioned in the *Letter of Aristeas* or included in the initial LXX translation in Alexandria. Timothy Lim has recently questioned the common assumptions that the translation was of the whole Pentateuch since Genesis is largely ignored in this so-called *Letter* and it may have only been a translation of Exodus, Leviticus, Numbers, and Deuteronomy, a different *Tetrateuch* (which usually refers to Genesis to Numbers). Since the word “Pentateuch” does not occur in the letter and the meaning of “law” is not precise, Lim asks whether the Pentateuch as we now have it was in view.<sup>37</sup> If Lim is correct, the question follows about what can be gleaned from the *Letter of Aristeas* and the scope of the Jewish Scriptures in the last two centuries BCE. On the other hand, Timothy Law contends that the *Letter of Aristeas* does refer specifically to

<sup>36</sup> F. M. Cross discusses this and the implications that the discovery of the Dead Sea Scrolls now have on this topic in his *From Epic to Canon: History and Literature in Ancient Israel* (Baltimore and London: Johns Hopkins University Press, 1998), 205–12.

<sup>37</sup> Lim, *Formation of the Jewish Canon*, 88–89.

the Pentateuch.<sup>38</sup> The evidence for the *Letter* focusing only on the translation of books in the Pentateuch can be found in several texts with references throughout the *Letter*;<sup>39</sup> however, Lim's comments about the possible lack of Genesis should not be ignored. The attractive and meticulous form in which the Law is brought from Jerusalem (§§176–77) reflects the priority regularly given to the Law in all Jewish tradition since the time of Ezra. When combined with the special number seventy-two (§51) that may refer to the seventy that Moses took with him to Sinai along with Joshua (= seventy-two total, cf. Exod 24:9–14), and the time that it took to do the translation (supposedly seventy-two days, §307), which is hardly sufficient for translating all of the books in the HB, did the Aristeas *Letter* intend more than the Pentateuch? Lim observes that passages from Exodus to Deuteronomy appear in the *Letter of Aristeas* and notes a possible allusion in §277 to Gen 2:7.<sup>40</sup>

Finally, most scholars agree that the most likely place where the *Letter of Aristeas* was written was Alexandria. This is also the home of Philo who refers to the remarkable translation of the Hebrew Scriptures without specifically mentioning the Aristeas letter (*Moses* 2.25–44), but the remarkable tradition of the *Letter* is clearly in view despite several differences in detail.<sup>41</sup> Philo remarkably almost restricts his citations of the Jewish scriptures to the Torah or Pentateuch. Of the more than 1100 citations, only about 50 are from books outside of the Pentateuch. I will say more about that later. Almost everything in the *Letter* fits with the books in the Pentateuch. Again, my point is that if the Prophets, as a collection, had been identified as a major part of Israel's Scriptures when the translation was made (ca. 280–250 BCE), why were they not included in the Greek translation? Given the propagandist flavor of the *Letter*, it would be remarkable if the Prophets had achieved the status of a fixed sacred collection of sacred scriptures and were not even mentioned in the *Letter*.

From the fifth century BCE, if not sooner, it appears that a higher priority was regularly given to reading and interpreting the laws of Moses (Pentateuch) over other sacred books. Further, the actual handling of the sacred scrolls themselves reflects this special place of Torah among the Jews. Scribes were not allowed

<sup>38</sup> Timothy M. Law, *When God Spoke Greek: The Septuagint and the Making of the Christian Bible* (Oxford: Oxford University Press, 2013), 35–39.

<sup>39</sup> For example, “divine Law” (§3), “the sacred/holy Law” (§5), “law books of the Jews” (§10), “the laws” (§15), “laws of the Jews,” “Scrolls of the Law of the Jews” (§30), “these books” (§31), “your Law” (§38), “the Law” (§§122, 176, 313), “laws” (§127), “lawgiver” (§131 = Moses), “the legislator” (§139) compare with “Moses enacted this legislation” (§144), “the books” (§176), “the rolls/scrolls” (§179). The only HB scriptures reflected in the document are from the Pentateuch and the references to Moses as the legislator or the Law noted above all point to the Pentateuch alone. See Lim, *Formation of the Jewish Canon*, 88, who helpfully includes the Greek text of these designations.

<sup>40</sup> *Ibid.*, 89.

<sup>41</sup> *Ibid.*, 74–89. Lim also has a careful discussion of the date, authorship, and interpretation of this document, including several historical blunders in it.

to divide or separate the Torah scrolls that were given a special and separate storing place in synagogues (the *tevah*). Whatever the scriptural status of the Prophets and the Writings were, the priority of the Torah was indisputable, and it has remained in the place of priority historically. Initially only the books of the Law were read annually as an essential part of the Jewish Sabbath liturgy, but eventually the *Megilloth* (Ruth, Lamentations, Song of Songs, Ecclesiastes, and Esther) were also included and read on special festive or memorial occasions. Equal priority was never given to all of the literature that now comprises the later Tanak. Again, this does not suggest that the other books in the HB did not receive a scriptural recognition among the Jews until the later categories for identifying them were established. For example, prophetic books are cited and referred to in Sirach before they are later seen in a category called “prophets” in the Prologue to Sirach (ca. 130–120 BCE). As we will see in several chapters in Part 2, some non-Pentateuchal books were likely welcomed as scriptural texts early in the pre-exilic period (Chapters 4 §§II–III).

Interestingly, Michael Satlow suggests that the regular citing of authoritative scriptural texts among the Jews *began* with the Sadducees in the late second century BCE in the reign of John Hyrcanus. This was a period when Jews were debating the legitimacy of the line of priests holding the chief priest’s office who also oversaw the Temple in Jerusalem. Satlow points to the challenges to the Hasmonean Dynasty and priesthood along with its control of the Temple as the primary context in which the Scriptures became authoritative in the lives of most Jews. The Sadducees challenged the appointment of an inappropriate high priest who controlled the Temple and religious affairs of the Jews.<sup>42</sup> He also contends that the institution that drew attention to the primacy of the authority of Scripture was the synagogue.<sup>43</sup>

Satlow’s view should probably be qualified somewhat in view of the careful attention given to the reading of the Law of Moses to the people (Neh 8:5–8), probably the first time when scriptures were read regularly to the people. Earlier Jeremiah’s contention over the right interpretation of the law by the wisdom teachers in Jerusalem (Jer 8:8–9) suggests that some attention was given to interpreting Scripture earlier, but Satlow may be correct if he intends to say that this practice was not *as widespread* as we find in the later Hasmonean period and thereafter in synagogues. Jeremiah does not suggest that the wisdom teachers in Jerusalem were ignorant of the law of God, but rather that they had forsaken it and instead boasted in their own wisdom (Jer 9:13–14, 23). That notwithstanding, Satlow’s point has merit if we are talking about the widespread recognition of the authority of Scripture among the Jews from the second century BCE onward.

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<sup>42</sup> See Michael L. Satlow, *How the Bible Became Holy* (New Haven: Yale University Press, 2014), 176–87, where he sets forth arguments for this position and also notes the parallels between the Sadducees and the Essenes who were committed to “rules” that governed their community and their interpretations of the Hebrew Scriptures.

<sup>43</sup> Ibid., 188.

Some canon scholars regularly interpret anachronistically pre-Christian Jewish texts such as the Prologue to Sirach, Philo's *Contemplative Life*, 4QMMT, and other pre-Christian Jewish writings as evidence for the three-part biblical canon in the second and first century BCE. They often claim that the late second-century CE *baraita*,<sup>44</sup> *b. Baba Batra* 14b,<sup>45</sup> is evidence for this earlier *widespread* understanding of the state of the biblical canon in the land of Israel, but that is clearly an overstatement as we will see in our discussion of those texts in Chapters 4, 5, and 11 below. In Part 2, I we will see that were *other* collections of Jewish Scriptures circulating in Palestine no later than the second century BCE and well into the second century CE with considerable overlap in content, but also with variants not only in the specific books included but also in their sequence. I will argue later that *b. Baba Batra* 14b was not included in the Mishnah in the early third century because it likely does not represent widespread second-century Jewish notions on the scope and divisions of the Jewish scriptures.

Some of the Israel's scriptures began as repeated traditions that included mostly oral stories and some widespread institutions or practices repeated again and again in the ever-changing situations of the people. Those traditions that eventually became sacred scripture for ancient Israel also empowered that community for life, gave hope often in hopeless situations (the exile), and brought life to the remnant of the nation of Israel. The story preserved in Israel's scriptures tells the rise and fall of a chosen people and their survival after terrible destruction. This story, essentially Genesis to 2 Kings, is the most stable part of the Jewish scriptures and the prophetic books largely forewarn the destruction, or explain why the nation experienced divine judgment at the hands of their enemies, and tell how hope can be recovered for the nation. Some of the unflattering stories became more compelling to the nation after the people realized that what was prophesied earlier in them had actually come to pass.

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<sup>44</sup> A *baraita* (Heb., "external") is a tradition from the Tannaitic teachers (roughly 10–210 CE) that was not included in the Mishnah, but was subsequently looked upon as a religiously authoritative text for the Jews. Since *b. Baba Batra* 14b was not included in the Mishnah, this suggests that it was not a widely accepted or a well-known tradition when the Mishnah in its current form was compiled in the late second and early third centuries CE.

<sup>45</sup> For further discussion of this text, see also Part 2, Chapter 11 §III.A below. Also for a helpful discussion of the significance of this important text, see Lim, *Formation of the Jewish Canon*, 51–53 and 180–81; and Philip S. Alexander, "Criteria for Recognizing Canonical Texts: A Survey and Critique," paper delivered at the Qumran and Canon Seminar of the SNTS, Vienna, August 5, 2009; and his "The Formation of the Biblical Canon in Judaism in Rabbinic Judaism," in *The Canon of Scripture in Jewish and Christian Tradition. Le canon des Ecritures dans les traditions juive et chretienne*, ed. Philip S. Alexander and Jean-Daniel Kristi (Lausanne: Zebre, 2007), 57–80. I owe this last source to Timothy Lim, though I also attended Philip Alexander's lecture in Vienna and interacted with him about his conclusions during the seminar session. I agree with many of his comments in the published paper, especially in his questioning of a formal closing of the rabbinic biblical canon, but not on other substantial issues.

The essence of these scriptural texts had to do with their repetition of the core traditions that formed the identity of the nation and, after repeated oral transmissions, they were written down and read to the people. For centuries there was little stability in the text of those traditions and every new copy included not only the retelling of the story, but also some revision to assure its continuing relevance.<sup>46</sup>

The survivability, or endurance, of the ancient writings had much to do with their ability to be interpreted afresh to new communities in new circumstances. This adaptive retelling of those traditions was a process of reinterpretation (hermeneutics) that allowed the treasured texts to be reinterpreted in ever-changing circumstances. The new interpretations were often beyond the intent of the original author and were the product of a hermeneutical process that searched for the relevance and meaning of this literature in the new and changing circumstances. The adaptability and survivability of ancient texts ultimately led to their recognition as scripture and eventually to their fixity in the collection of Jewish scriptures. Adaptability is a primary characteristic of scriptural writings. While stabilization of the biblical text and the biblical canon was a later development in the canonical processes, the church as a whole has never officially opted for any particular text of the biblical Scriptures and it has never fully agreed on the scope of its OT scriptures, though this does not suggest that within Christianity there was no agreement *within* the three leading expressions of Christian faith. Today Catholics, Orthodox, and Protestants have all agreed on *most* of their OT books, and completely on the scope of their NT scriptures.<sup>47</sup>

The HB Scriptures (whose parameters were not precisely defined in the time of Jesus) were viewed as authoritative sacred texts in the early Christian churches (e.g., Matt 21:42; 22:29; 26:56; Luke 24:32, 44; John 5:39; 1 Cor 15:3–4), but precisely when the NT literature began to be given equal scriptural status with the HB Scriptures is difficult to determine and is the subject of our discussion in Part 3 below. We can say in advance that when the early churches began to place Christian writings alongside the OT Scriptures as authoritative religious documents of the church and read in their worship services, their status as scripture was recognized even before those texts were identified as scripture in the churches. This recognition had already taken place in some churches known to Justin in the middle of the second century when the “memoirs of the Apostles” (Gospels, see his *1 Apol.* 64–67) were read alongside the “prophets.” With the reading of Christian writings in Christian worship (Col 4:16), the move toward a recognized Christian scripture had *begun*, though Christian writings were not generally called scripture before the middle to end of the second century.

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<sup>46</sup> The process that led to a recognition of scripture and canon in ancient Israel is carefully described in James A. Sanders, “The Scrolls and the Canonical Process,” in *The Dead Sea Scrolls After Fifty Years: A Comprehensive Assessment*, ed. P. W. Flint and J. C. VanderKam (Leiden: Brill, 1999), 2:1–23, here 7–16.

<sup>47</sup> Ibid.

When the words “fulfill,” “fulfilled,” or “as it is fulfilled” are used of Jewish or Christian religious texts, this implies recognition of their authority and sacredness. All ancient religious texts that were believed to be divinely inspired and revelatory were given special consideration in various communities of faith in antiquity. Since the prophets spoke about a revealed word from God, they came to be understood as the very word and will of God. If a prophet wrote down a prophecy, it took on divine significance in various religious communities. If one believed that a prophecy given earlier had been fulfilled in subsequent events, the divine origin of the prophecy was validated and affirmed. Prophecy-fulfillment motifs appear frequently in biblical literature and were received as authoritative sacred writings among Jews and Christians. In the NT, as well as in the early Christian communities, various designations were used to emphasize the sacredness of the body of literature that we now call the Old Testament. The most common designations are: “it is written,” “the scriptures say,” “the scripture says,” or “as the scripture says.”<sup>48</sup> As we will see below, not infrequently some religious texts were accorded scriptural status without using any of the above designations, e.g., scriptural texts cited in Hebrews.

When a religious text was acknowledged by churches to be true and authoritative for life and faith, it was often elevated to the status of scripture *in practice* and acknowledged as divinely inspired, even if the writing was not yet called “scripture,” and even if that status was only temporary. For example, the non-canonical writings *Eldad and Modad*,<sup>49</sup> *Epistle of Barnabas*, *Shepherd of Hermas*, *1 Clement*, and the letters of Ignatius were all for a time given this status in some early churches, but over time that ceased. For centuries there was limited agreement in the early churches on all of the sacred texts that informed their faith, and although there appears to have been considerable recognition of the Gospels, especially Matthew, and several letters of Paul by the end of the second century, still complete agreement on the scope of the OT or NT scriptures is not found. The same is true in the rabbinic period as we see in the various debates about several books in the Writings (see Chapter 11 §II).

It is less clear when the term “scripture” was actually transferred to a body of sacred scriptures. The earliest known source that uses the term “writing” or “writings” (Heb. כתובים, כתב; Gk. γραφή, γραφαί; Latin, *scriptura*) in its absolute sense, that is, as a reference to sacred Scripture, appears to be in the legendary *Letter of Aristeas* (ca. 130 BCE).<sup>50</sup> It states: “We are exhorted *through scripture*

<sup>48</sup> Schrenk, *TDNT* 1:742–61.

<sup>49</sup> The ancient source *Eldad and Modad* is an apocryphal fictional book forged in the names of the prophets mentioned in Num 11:26–30 and cited as inspired literature in the second century in *Herm. Vis.* 2.3 and possibly also in *1 Clem.* 23.3–4 and *2 Clem.* 11.2–4. The name Modad is sometimes spelled Medad or Modat.

<sup>50</sup> It is difficult to establish the date of the *Letter of Aristeas* with any precision, but it is likely to have been written sometime around or shortly after 130 BCE. The termination date is 35 CE, since Philo’s *Moses* 2.26–44 clearly depends on it.

also by the one who says thus, ‘Thou shalt remember the Lord, who did great and wonderful deeds in thee’” (*Let. Aris.* 155, *OTP* 2:23, emphasis added). The author later clarifies the importance of the “law of God” (likely the Pentateuch), claiming that all of the laws have been made with righteousness in view and “that no ordinances have been *made in scripture* without purpose or fancifully, but to the intent that through the whole of our lives we may also practice justice to all mankind in our acts, remembering the all-sovereign God” (*Let. Aris.* 168, *OTP* 2:24, emphasis added). These two examples do not try to defend the term “scripture,” but simply use it and the author assumes that the readers will understand it in its absolute sense of sacred and inspired writing. This, of course, suggests that the term had obtained currency prior to the writing of the *Letter of Aristeas*. Writing something down was sometimes viewed as a mark of revelation, as in the case when God wrote the law (Exod 24:12; 31:18; 32:15, 32; 34:1; Deut 4:13; 9:10). Moses wrote down the commandments of God (Exod 24:4; 34:27), and later the king of the nation was instructed to preserve the law by having it copied or reproduced (Deut 17:18). The act of writing down or copying the law of God was viewed as an act that declares the will of God.

The origin of the notion of Scripture among the Jews can be traced to the biblical writers who spoke of the divine status of the words of God that were to be read and etched on doorposts (Deut 6:6–9). There are no references to the technical term “Scriptures” (Heb. כְּתוּבִים; Gk. γραφαί) in the HB/OT, even though the notion of sacred writings certainly existed no later than the writing of Deuteronomy (Deut 4:2–8).<sup>51</sup>

Paul shares the view that the Jewish Scriptures were written for our benefit. Citing the story of Abraham’s faith and God’s promise, he writes: “Therefore his [Abraham’s] faith ‘was reckoned to him as righteousness.’ Now the words, ‘it was reckoned to him,’ were written not for his sake alone, but for ours also” (Rom 4:22–24a). He adds: “whatever was written in former days was written for our instruction” (15:4). After citing Deut 25:4, Paul claims that “it was indeed written for our sake, for whoever plows should plow in hope and whoever threshes should thresh in hope of a share in the crop” (1 Cor 9:10). Finally, after citing the fate of

<sup>51</sup> Although the notion of sacred scripture is infrequent before the reforms of Josiah in 621 BCE, subsequent literature frequently cites the failure of the Jews to keep the law of Moses or the law of God or it speaks of books in a scriptural or authoritative manner: 1 Kgs 2:3; 2 Kgs 10:31; 14:6; 17:13; 21:8; 22:3–13, 23:24–25; 1 Chr 16:40; 22:12; 2 Chr 6:16; 12:1; 23:18; 30:16; 35:26; Ezra 3:2; 7:6; Neh 8:1; Jer 2:8; 5:4–5; 44:10; Dan 9:11, 13. Before then, however, there are a few references to observing the law of God (Hos 4:6; Amos 2:4). Other prophetic texts surely existed before the emphasis on Deuteronomy, the Pentateuch, and the time of Josiah’s reign, as we will see in listing the so-called lost books in the Bible in Chapter 4 §II below. It is likely that other HB/OT books were written and circulated among the Jews before the Pentateuch books were produced in their current form. For a careful discussion of this, see Carr, *Formation of the Hebrew Bible*. It appears that a greater focus on the Law of Moses emerges as the dominant sacred writings near the end of the first Temple period (600 BCE) and especially from the time of the post-Exilic period (500–450 BCE).



those mentioned in Scripture who grumbled and were destroyed, he writes: “These things happened to them to serve as an example, and they were written down to instruct us, on whom the ends of the ages have come” (10:11). In these examples, Paul assumes that the Scriptures were not only written for past generations, but for the current and future ones as well. For him, the Scriptures are relevant and authoritative without respect of time.

The closest parallel to a collection of sacred writings outside of the Scriptures of late Second Temple Judaism is Homer’s *Iliad* and *Odyssey*. For instance, an otherwise unknown Heraclitus, a likely Stoic philosopher of the first century CE, observes that children were trained in the writings of Homer and that they were intended to occupy their life to the end of their days (*Allegorae: Questiones Homericae* 1.2).

The rabbis of the second century CE and following assume that Scripture is not only authoritative and permanent, but also “holy” and given by God. The notion of “holy Scripture” or “holy Scriptures” (Heb. כְּתָבִי הַקֹּדֶשׁ; Gk. αἱ ἱεραι γραφαί) is widespread in the rabbinic writings from the third century CE onward. For example, in the *Tosefta* (mid-third century CE) we read, “Even though they have said, ‘They do not read in Holy Scriptures [on the Sabbath]’ they do review [what they have read] in them, and they do expound [what is in them]” (*t. Shabbat* 13.1.A–B, Neusner, *Tosefta*, 404). The roots of this notion, however, are earlier and may come from Philo (early first century CE), who frequently speaks of “holy Scriptures” (Gk. αἱ ἱεραι γραφαί).<sup>52</sup> The Maccabean writer (ca. 135 BCE), who originally wrote in Hebrew, but whose text remains only in Greek, spoke of “the holy books [τὰ βιβλία τὰ ἁγία] that are in our hands” (1 Macc 12:9). Similarly, the later author of 2 Macc 8:23 (likely ca. 104–63 BCE) spoke of Judas Maccabeus appointing Eleazar “to read aloud from the holy book [ἱεράν βιβλίον].”

The NT writers seldom speak of “holy” Scripture, though the message that the disciples preached is called “holy” (τὸ ἅγιον, Matt 7:6). In Rom 1:2, Paul uses the word holy in reference to the Scriptures, but here he uses ἅγιος instead of the more usual ἱερός. In Rom 7:12, Paul says that the law is holy (ἅγιος). In 2 Tim 3:15 the Scriptures are called “sacred writings” (Gk. ἱεραὶ γράμματα). The notion of “holy Scripture” is found more frequently in the early Apostolic Fathers (late first and early second century). Clement of Rome, for instance, tells his readers in Corinth that “you have gazed into the holy and true Scriptures that were given through the Holy Spirit” (*1 Clem.* 45.2, LCL) and later “you know the sacred Scriptures” (53.1, LCL). The scriptural references in *1 Clement* are from the LXX Scriptures, but this description of the HB/LXX Scriptures is largely absent in the NT, though not an awareness of the sacredness of those Scriptures.

<sup>52</sup> For example, see *On the Life of Abraham* 61; *On the Preliminary Studies* 34; 90; *On the Decalogue* 8; 37; and *On the Special Laws* 1.214; 2.104, 134.

The use of the term “holy Scripture” appears to have emerged among some Jews *before* the first century CE, but in time Christians also adopted it. However, the notion of reverence for things that are written down and believed to have come from God is rooted earlier in the HB itself as we saw in those texts that speak of God or Moses writing down God’s laws (especially Exod 24:3–4, 12).

Occasionally, the Scriptures are personified as God speaking. In Jas 2:23, “the Scripture” is a personification of God speaking through the Scriptures (see also Gal 3:8, 22), and sometimes the word Scripture refers to a single passage (Gal 4:30; Rom 4:3; 9:17; 10:11; 11:2). Christians believed that the Scriptures expressed the will of God and that the divine Spirit spoke through them (Matt 22:43; Mark 12:36; Acts 1:16; Heb 3:7; 9:8; 10:15). The early Christians believed the Scriptures had their fulfillment in Jesus (Luke 24:27, 32, 45) and that the gospel of and about him was revealed in the Scriptures (Rom 16:26). The Scriptures were also considered “prophetic writings,” which is another way of saying that they are inspired by God and reveal the will of God. Such views of the Scriptures were also common to Jews in Palestine and in the Diaspora in the first century.

The terms for Scripture vary in antiquity, but there are some common themes. One of the early titles given to the sacred writings of the Jews was simply “the books” (Heb. הספרים). Daniel uses this designation in reference to the writing prophets of Israel (Dan 9:2; cf. Jer 25:11–12; 29:10). This is not unlike the way that Tannaitic literature refers to books (see *m. Megillah* 1:8; *m. Mo’ed Qatan* 3:4; *m. Gittin* 4:6; *m. Kelim* 15:6).<sup>53</sup> Greek-speaking Jews, following the Hebrew and Aramaic practice, called sacred scriptures simply “the books” (Gk. τὰ βιβλία). By the Middle Ages, Jews were regularly referring to their sacred books as “the holy books” (ספרי הקודש), but earlier, as we see in Josephus, the scriptures of the Jews were called “holy books” (*Ant.* 20.261) and at roughly the same time some Christians began calling the same scriptures “holy books” (Gk. ἱεραῖς βίβλοις, *1 Clem.* 43.1). In early rabbinic writings “holy writings” (Heb. כתבי הקודש) referred to the Jewish Scriptures (*m. Shabbat* 16:1; *m. Eruvin* 10:3; *m. Yadayim* 3:2, 5; 4:6; *m. Baba Batra* 1:6; *m. Parah* 10:3). The Hebrew word כתב (“writing”) in the plural is כתובים (“writings”) and is similar to Greek γραφή (“writing”) or γραφαί (“writings”). The Greek term was translated into Latin as *scriptura* or *scriptum*, and in English Bibles the terms are most often transliterated from the Latin as “Scripture” or “Scriptures.”

<sup>53</sup> Tannaitic literature is Jewish rabbinic literature written following the times of Hillel and Shammai (30 BCE–10 CE), namely between 10 CE and 220 CE. The term comes from the Aramaic *tanna*, meaning “one who studies/teaches/repeats” traditions. Some of the best-known *Tannaim* (rabbinic teachers) of this period lived after the destruction of Jerusalem in 70 CE. The last of them, Rabbi Judah the Prince, collected the rabbinic oral teachings of this period and placed them in the sixty-three tractates known as the Mishnah.

The Greek noun *γραφή* (“writing”) is used some forty-nine times in the NT in reference to sacred Scriptures.<sup>54</sup> The Greek verb *γράφω* (“I write”) is often used of the simple act of writing with no special connotations, but it is also used in the absolute sense of sacred writings. In the passive voice, the Greek verb *γέγραπται* (“it is written”) is used some sixty-five times in the NT to refer to sacred scripture (e.g., Matt 4:4–10; Luke 4:8; 19:46; 1 Cor 9:9). This practice underscores the belief that God speaks through the words of Scripture. Commonly, but not always, “it is written” (or “for it is written” [Gk. *γάρ γέγραπται*] or just “as it is written” [Gk. *καθὼς γέγραπται*]) precedes the quoting of a Scripture.<sup>55</sup> While it is not always clear which Scriptures are in view, there is little question that the Scriptures were believed to have divine origins and were authoritative in the synagogues and subsequently in churches. Sometimes unknown Scriptures are cited as in John 7:38 and Jas 4:5 (see also 1 Cor 2:9; 9:10; Eph 5:14; and Luke 11:49), which likely reflect the uncertainty in the first century about the scope of the collection of Scriptures.

Among the Jews, the word *Torah* (תורה, “teaching,” or “instruction”) was widely used of teachings (Gen 26:5; Prov 3:1; 6:20) and came to be equated with the teaching in the five books of the Pentateuch and, by the time of Josiah (621 BCE), *the Torah*, was often equated with the “law of Moses” or “the Law.” It was later often seen simply as the teaching of God through the prophets (1 Chr 16:40; 2 Chr 15:3).<sup>56</sup> While *Torah* is regularly used in reference to the Pentateuch, it was occasionally also a designation for all of the Scriptures of the Bible – regardless of their place in the sacred collection. For example, *b. Mo’ed Qatan* 5a calls Ezek 39:15 *torah*, and *b. Sanhedrin* 91b calls Ps 82:6 *torah* (cf. John 10:34; cf. also 1 Cor 14:21 that refers to Isa 28:11 as the “law”). *Torah* became equal to the statutes and commands of the Lord, whether in the Pentateuch or the Prophets, or Psalms.<sup>57</sup> Ezra’s confession that the Jewish nation had forsaken God’s commandments given through the prophets was, by the sixth to the fifth century BCE, widely acknowledged among the remnant nation (Ezra 9:10–15).

<sup>54</sup> The singular *γραφή* (“writing” or “Scripture”) occurs in Mark 12:10; Luke 4:21; John 2:22; 7:38; 7:42; 10:35; 13:18; 17:12; 19:24, 28, 36, 37; 20:9; Acts 1:16; 8:32, 35; Rom 4:3; 9:17; 10:11; 11:2; Gal 3:8, 22; 4:30; 1 Tim 5:18; 2 Tim 3:16; Jas 2:8, 23; 4:5; 1 Pet 2:6; 2 Pet 1:20. The plural “Scriptures” (*γραφαί*) is found in Matt 21:42; 22:29; 26:54, 56; Mark 12:24; 14:49; Luke 24:27, 32, 45; John 5:39; Acts 17:2, 11; 18:24, 28; Rom 1:2; 15:4; 1 Cor 15:3, 4; 2 Pet 3:16.

<sup>55</sup> For example, Mark 1:2 (cf. 2 Chr 32:32); Luke 2:23; Acts 7:42; and 15:15. The phrase “just as it is written” occurs some sixteen times in Romans alone (1:17; 2:24; 3:4, 10; 4:17; 8:36; 9:13, 33; 10:15; 11:8, 26; 12:19; 14:11; 15:3, 9, 21). Whether “it is written” or “just as it is written” is used, both refer to the sacred Scriptures recognized by Israel and by the early church.

<sup>56</sup> For a helpful and brief discussion of the meaning and use of *torah* in antiquity, see Schniedewind, *How the Bible Became a Book*, 119–21.

<sup>57</sup> Chapman, “Second Temple Jewish Hermeneutics,” 290–94, offers a helpful summary of the use of *torah* in the HB scriptures.

In rabbinic literature, eventually Torah included not only all of the written Scriptures, but also the oral traditions that interpreted those Scriptures, namely, the Mishnah, Tosefta, and the two Talmuds (*Talmudim*); among the rabbinic Jews these traditions had become known as “oral Torah.” The emergence of this oral Torah can be seen in several rabbinic texts: “The Torah in writing is made up of general rules; the Torah by word of mouth is made up of specific details”;<sup>58</sup> “thy cheeks are comely with circlets (תּוֹרִים) – with two Torahs, the one in writing and the one by word of mouth.”<sup>59</sup> The following is even more explicit:

The Holy One foresaw that the nations of the world would get to translate the Torah and, reading it in Greek, would declare, “We are Israel.” And to this day the scales appear to be evenly balanced between both claims. But then the Holy One will say to the nations of the world, “You claim you are My children? I have no way of knowing other than that My children are those who possess My secret lore.” What secret lore? Mishnah, which was given by word of mouth.

“And the Lord said to Moses: ‘Write thou these words’” [Exod 34:27]. When the Holy one came to give the Torah to Israel, he uttered it to Moses in its order, Scripture and Mishnah, Talmud and *Aggadah*,<sup>60</sup> as is said, “the Lord spoke all these words” [Exod 20:1]. Even what a faithful student was someday to ask his teacher, the Holy One uttered to Moses at that time... Therefore give them Scripture in writing and Mishnah by word of mouth. “Write thou these words” – Scripture. Then: “By these words uttered with the mouth I have made a covenant with thee” – these words being Mishnah and Talmud, which make it possible to tell Israel and the nations of the world apart. (*Tanhuma B, Ki Tissa*, §17, *Tanhuma, Ki Tissa* §60; *Exodus Rabah* 47:1, Bialik and Ravnitzky, *Book of Legends*, 441).

For rabbinic Judaism, eventually the whole of their oral tradition became Torah and all of it was written down and treated as sacred texts, even if the written Scriptures were given priority. In specific regard to the HB books themselves, the Torah always appears to have had priority over the Prophets and Writings, and in the rabbinic tradition, the written Torah had priority over the oral Torah,

<sup>58</sup> *Tanhuma*, Noah 3, H. N. Bialik and Y. H. Ravnitzky, *The Book of Legends, Sefer Ha-Aggadah: Legends from the Talmud and Midrash*, trans. W. G. Braude (New York: Schocken, 1992), 442.

<sup>59</sup> *Song Rabbah* 1.10 §1, Bialik and Ravnitzky, *Book of Legends*, 442.

<sup>60</sup> The Hebrew word *haggadah* or *Aggadah* (“narrative” or “telling”) has to do with pre-rabbinic and rabbinic interpretation of the HB in narrative form. The writers of *haggadah* interpret sacred texts by telling a story that makes the point about a text’s interpretation. This kind of story is also found in the New Testament when Matthew tells the story of Jesus’ infancy in a way that mirrors the antagonism between Moses and Pharaoh (cf. Matt 2:20 and Exod 4:19; Matt 2:15 and Hos 11:1). On the other hand, the term *halakah* (“to go”) refers to the legal aspects of Judaism. *Halakoth* (the plural of *halakah*) are legal prescriptions and proscriptions, such as the tractates that make up the Mishnah. There is very little *haggadah* in the Mishnah, but almost a third of the Jerusalem Talmud and a fourth of the Babylonian Talmud are made up of *haggadah*, narrative stories that illustrate the meaning of the sacred text.

even though both are sacred to the Jews and in practice Talmudic law became as important as biblical law.<sup>61</sup>

*Miqra* (“reading,” or “that which is read aloud”) is another common Hebrew designation for the Jewish Scriptures that dates from the rabbinic period. It emphasizes that the Scriptures were not only written, but also that they were read aloud in synagogues in Jewish worship and in schools (*yeshivot*). The term is first found in the Tannaitic literature of the Mishnah (*m. Nedarim* 4:3; *m. Avot* 5:21; see *m. Ta’anit* 4:2, 68a) and regularly translated into English as “Scripture.” *Mikra* became a common designation for the HB books among Jews in the Middle Ages.

Barr observes that generally in the OT “the writers do not reckon with a written ‘Scripture’ as a totally dominant, known, and acknowledged factor and force in the life of Israel.”<sup>62</sup> He goes on to say that even the prophets who proclaim, “Thus says the Lord,” are not speaking on the basis of an already existing text. As noted above, there are very few references to sacred scripture from Judges through most of 1 Kings. Most of the references to sacred scripture date from the time of Josiah and especially from Ezra–Nehemiah.<sup>63</sup> Indeed, David, Solomon, and Hezekiah do not speak of sacred books current and normative in the life of Israel. Rather, as Barr notes, the OT individuals in the Former Prophets related to God more through persons (priests, prophets) and institutions (tabernacle, temple) than through sacred writings.<sup>64</sup> This does not suggest that Israel was without any oral or written traditions that functioned in an authoritative manner among its people, but those sacred texts or traditions are not as evident in the earlier portions of the Hebrew Scriptures. This changes considerably following the reforms of Josiah and during the return of the Jews from Babylon under the leadership of Ezra and Nehemiah. No Jewish or Christian community existed without sacred traditions (or rules, practices, and perspectives), whether they were expressed in oral traditions, creeds, liturgies, or written Scriptures.

There are several early hints that some in the community of Israel were aware of the laws of God given earlier in Israel’s history (Hos 4:6; Amos 2:4, as noted above), and there are several references to the laws and commandments or statutes of God following the reforms of Josiah; but again, little attention is given to the

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<sup>61</sup> Interestingly, in an interview, Elie Wiesel noted that even today this equal priority given to the Talmudic law is still quite common among the Jews. See Shanks, “Contrasting Insights of Biblical Giants,” *Biblical Archaeology Review* 30, no. 4 (2004): 32–33.

<sup>62</sup> Barr, *Holy Scripture*, 5.

<sup>63</sup> Some of the Psalms, e.g., 2, 18 (cf. 2 Sam 22), 20, 21, 45, 72, 110, 132, 144 and 2 Sam 23:1–7 are most likely from the tenth to ninth centuries. But Ps 9 and also 119, which focus on the meditation on the word, law, precepts, and statutes of God, are likely post-exilic in origin. Many (most?) of the psalms do not date before the discovery of the book of the Law (probably Deuteronomy) by Hilkiah in the Temple around 622–621 BCE (compare 2 Kgs 18:20a with 22:3–13) that led to subsequent reforms. For a more complete discussion of this see Carr, *Formation of the Hebrew Bible*, 386–402. He also points to the Proverbs’ lack of reference to the Law as evidence of its earlier dating.

<sup>64</sup> Barr, *Holy Scripture*, 5.

law of God or the laws of Moses or the prophetic literature before the seventh century BCE. In fact, judgment comes from ignoring the law and commands of God as we see in the Hosea and Amos texts. Barr's point, however, is well taken. Prophetic words against Israel can be seen in several prophets including warnings of judgment, but again, there are some, even though few, references to Israel's scriptures *before* the Exile. The influence of the Law and other prophetic writings was apparently insignificant to most religious leaders and kings in the North and South of Israel before the reforms of Josiah (621 BCE). Although Amos and Hosea appear to assume an awareness of some aspects of the first five books of the HB, there is little reference to its commands as sacred literature until much later. Adherence to the priority of the Law, probably Deuteronomy, and some of prophets are seen in the reforms of Josiah and no later than the reforms of Ezra (Ezra 5:1; Neh 8:1–8; 9:1–3; see also 2 Kgs 17:13). The Deuteronomic History of Israel in the eighth and seventh centuries BCE no doubt played a major role in instituting that change, especially in its admonition to obey the commandments of Yahweh and not to add to them or take away from them (Deut 4:2). The importance of the Law and the prophets before, during, and after the exile played a major role in the widespread recognition of the Law and some prophets, in the sixth and fifth centuries. When the written sacred texts were explained to the people and their normative value in the life of their community was assumed (Neh 8:8–12), the notion of Scripture was clearly present in Judaism (Ezra 9:10–15; cf. Exod 34:11–16; Deut 7:1–5).

## VI. THE CHRISTIANS' *FIRST* SCRIPTURES AND EARLY *CHRISTIAN* SCRIPTURES

Although the acceptance of and belief in divinely inspired writings was widespread in the land of Israel in Second Temple Judaism and in Late Antiquity, as well as in early Christianity, what each community acknowledged as Scripture in their early stages of development is not always clear. While citations of sacred literature can often be helpful in identifying the scriptures of some individuals, but what an ancient writer cited does not necessarily mean that the writer viewed it as sacred Scripture, or that the cited texts included all the texts that the writer deemed scriptural. Also, texts cited must be considered individually in their own context to determine how the author used them and also how ancient communities received them. Just because a text was cited by a well-known church father, one cannot assume, as noted above, that the writing was part of a biblical canon acknowledged everywhere at that time. For example, Paul is reported to have cited several non-biblical sources in his speaking and writing (Epimenides and Aratus in Acts 17:28; Epimenides in Titus 1:12), but one cannot conclude from this that he cited them as sacred Scripture. Also, even though Irenaeus argued for a fourfold gospel collection, those four and no more, after him Bishop Serapion

of Antioch initially allowed the *Gospel of Peter* to be read in his churches, but after examining its theological contents he later reversed his view on the matter. The bishop's reversal was not because he discovered that the book was not a part of a widely accepted fixed collection of gospels or other sacred Scriptures, but rather because he believed its contents did not cohere with the sacred traditions about Jesus that were handed on in the churches (Eusebius, *Hist. eccl.* 6.12.3–6, cited below in Part 3). He believed that the book reflected the Docetic heresy that was common in the late first and second centuries. He also opposed pseudonymous works and perceived that the *Gospel of Peter* was such a production. It is important here to recognize that he rejected it not because the biblical canon was closed, but because he found its contents objectionable. As late as the mid-fourth century, when Athanasius published his twenty-seven-book list of NT scriptures in his *Thirty-Ninth Festal Letter*, his list was not universally accepted in the rest of the Roman Empire or even in his homeland in Egypt in his lifetime. Universal approval of that list took much longer.

The Scriptures of the early churches were the same as the religious texts circulating among various Jewish sects in late second Temple Judaism before Jews and Christians separated. Generally speaking, many if not most of those religious texts were acknowledged as Scripture not only among the Christians, but also by other religious Jews of that period. Those religious texts undoubtedly included most if not all of the books that later formed the HB for the Jews and the OT for Protestant Christians, but these sacred collections initially included not only the books that comprise the HB and OT Scriptures, but other writings as well that later were excluded from Jewish and Christian Scriptures, e.g., *I Enoch*, including also several apocryphal (Deuterocanonical) and pseudepigraphal writings. Some of the early Christians in the second century and following cited several apocryphal and some pseudepigraphal writings as scripture with the typical scriptural introductions (“it is written,” “the scripture says,” etc.). Some Jews also continued to cite the Wisdom of Sirach as Scripture for more than a century after that. Some of these non-scriptural writings also appeared in a number of the surviving biblical manuscripts and canonical lists for several centuries. (See Appendixes A and C for examples of this.) Some diversity in churches over the scope of their sacred scriptures continued for many centuries, both in their Old and New Testament collections and some of that diversity remains. Had Jesus himself received and passed on to his disciples a fixed collection of Scriptures that was the same as the HB collection, it is unthinkable that the early churches would have produced a different collection that contained books Jesus had rejected. Even more unimaginable is the view that once they had received a closed collection of Scriptures from Jesus, the disciples somehow lost it. That view continues in some Old Testament canon books!<sup>65</sup>

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<sup>65</sup> For example, E. E. Ellis, *The Old Testament in Early Christianity: Canon and Interpretation in the Light of Modern Research* (Grand Rapids: Baker, 1992).

All ancient Christian communities shared the Jewish belief that the revelation and will of God were preserved in written prophetic (HB) scriptures, but they also believed that God had acted decisively in the life, death, and resurrection of Jesus and that this activity had been foretold as a revelation from God in the Jewish Scriptures. This proclamation of and about Jesus was at first passed on orally, but later those traditions were put in writings, some of which were eventually called gospels or “memoirs of the Apostles” by the mid-second century. The four NT Gospels were quite popular among the churches even in the first century and later when they are listed no other gospels are included. Because these traditions focused on the life and fate of Jesus, the Lord of the church, they obviously had a normative value in the life of Christian congregations that had them right from the start. From the first third to the middle of the second century, some of these writings were called scripture, but not generally before around 170–180 CE. At that time several writings, especially the Gospels and Paul, were called “Scripture,” though as noted they were used in a scriptural fashion earlier. While these and perhaps a few others functioned in that capacity of Scripture earlier, that is they were accepted as authoritative writings for the church and read alongside their OT scriptures, they still were not generally called “Scripture” by large segments of the church before the end of the second century. Along with the Gospels, the letters of Paul, Acts, 1 Peter and 1 John were also quite popular in churches, but others less popular were also circulating in some churches. Many of these writings followed the genre of gospel, letter, Acts, and apocalypse, and are regularly identified as Apocryphal New Testament writings and circulated in churches for several centuries, as in the case of *3 Corinthians*.

Most of the traditions about Jesus were eventually written down after his death, though as we will see, some of the stories about Jesus and his teachings were written down before his death and later included in the NT Gospels. These traditions circulated in the early churches both orally and in writing and the latter were eventually identified as the church’s Scriptures. It is a temptation for some canon scholars to assume that writings acknowledged as inspired in the early churches were also accepted as sacred scripture even in the first century,<sup>66</sup> but that is difficult to demonstrate as we will see in Part 3.

Pretty much everything that was believed to be true in the early Christian churches was also believed to be inspired. When Paul, for instance, admonishes the Corinthians, he claims to have the Spirit (1 Cor 7:40). This is not unlike others in the early church, such as Clement of Rome, Ignatius, and Irenaeus who also claimed inspiration. For example, Clement of Rome asserts that Paul wrote with “true inspiration” (*1 Clem.* 47.3), but later claims that he also wrote his letter “through the Holy Spirit” (*1 Clem.* 63:2). Ignatius of Antioch claims that he too

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<sup>66</sup> For example, see M. J. Kruger, *The Question of Canon: Challenging the Status Quo in the New Testament Debate* (Downers Grove, IL: InterVarsity, 2013). And his earlier *Canon Revisited: Establishing the Origins and Authority of the New Testament Books* (Wheaton, IL: Crossway, 2012).



was speaking through the Spirit (*Phld.* 7.1b–2). The term “inspired” was not used exclusively of scripture in the early church, but was reflected in the whole church as we see also the fourth-century Abercius who speaks of a church council’s decision as “inspired judgment” (*Vita Abercii* 76). As I will show in Part 3, many of the records of church councils begin with an acknowledgement of the Spirit’s inspiration and leading in the decisions they made. Such claims make it clear that inspiration was not relegated only to written Scripture.

Michael Kruger claims that the NT writers were not only aware of their authority when writing, but also of the scriptural status of their writings.<sup>67</sup> He confuses spiritual “authority” with the notion of “Scripture,” including distinguishing the affirmation of being led by or filled with the Holy Spirit from one who is writing Scripture. If Paul were writing inspired Scripture, equal to that of the earlier recognized scriptures of Judaism and the early church, why would he need to appeal to them for authorization of his theological points? Why does he distinguish between what he says and the words of Jesus in 1 Cor 7:10–12? Kruger misses the point that Paul, like all other early Christians, elevated the teaching of Jesus above his own.<sup>68</sup> He argues instead that Paul was simply trying to distinguish what he had to say from what Jesus had to say and since Paul was led by the Spirit (1 Cor 7:40), which for Kruger indicates that Paul was writing scripture, Paul asserted his authority *alongside* that of Jesus and was simply trying to distinguish what he is saying from the commands of Jesus.<sup>69</sup> That, of course, does not square either with the context. Paul often cited dominical sayings when he had them, but he distinguished what he had to say *as his opinion* (1 Cor 7:25) from what Jesus had said. Also, his affirmation that he also has the Spirit in what he is saying is less “I know” but rather “I think” (1 Cor 7:40).

Speaking about this distinction, Gerhardsson focuses on the awkwardness of those who do not see it, noting that such passages are “embarrassing evidence against the common opinion that in the early church no distinction was made between what was said ‘by the Lord [himself]’ and what was said by someone else ‘in the Lord.’”<sup>70</sup> Indeed, Paul was trying to distinguish his advice (“opinion” as in 7:25) from Jesus’ commands, but does that not imply that Jesus’ words were more significant in the early church than his own (7:10)? Collins is certainly more accurate here when he concludes that Paul, in citing the words of Jesus, “moves the level of his paraenesis to a higher level” noting that Paul’s use of the verb *παράγγελλω* (“I command”) is used only twice in Paul’s writings (here

<sup>67</sup> Kruger, *The Question of Canon*, 119–54.

<sup>68</sup> Kruger, *Canon Revisited*, 187 n. 127.

<sup>69</sup> Kruger, *The Question of Canon*, 127 n. 36.

<sup>70</sup> Birger Gerhardsson, *The Reliability of the Gospel Tradition* (Peabody, MA: Hendrickson, 2001), 20. I owe this quote to David deSilva, *The Jewish Teachers of Jesus, James, and Jude: What Earliest Christianity Learned from the Apocrypha and Pseudepigrapha* (Oxford: Oxford University Press, 2014), 27.

and in 11:17). In both passages, “the Lord” (“the risen Christ”) is the authority that is higher than Paul’s counsel and is the authority to whom the Corinthian Christians owe their allegiance.<sup>71</sup> Why would Paul distinguish himself from Jesus if he believed that he was writing sacred scripture on an equal footing?

Kruger correctly notes that the closest we can come to Paul’s awareness of speaking by inspiration comes at the end of this chapter in 1 Cor 7:40, but there Paul concludes that he “thinks” that he has the Spirit of God. That text begins with Paul offering his opinion or judgment and concludes with the statement that “he thinks” (Greek = *δόκω* from *δοκέω*) he has the Spirit in the matter. This does not sound like one who is fully aware or absolutely certain that he is writing authoritative scripture! The word from the Lord is certain (7:10), but, while Paul *believes* that the Spirit led him in his advice and opinion, his advice is not without merit but not on the same level as the words “of the Lord”. Paul is aware that his advice on marriage is not as certain as the command from the Lord on the matter and shows awareness of the command of Jesus reflected in Matt 5:32; Mark 10:11–12, and Luke 16:18 without citing the words of Jesus in those passages.<sup>72</sup> Similarly, while Romans is a very well written letter with better grammar than Galatians but with essentially the same message, why would Paul produce a text, as in Galatians, with unfinished sentences and written in obvious haste and anger with crude expressions if he knew he was writing sacred scripture for all time (e.g., 5:12!)? In 1 Corinthians, Paul is clearly frustrated with the Corinthian believers who are divided and immature. So Paul writes that he is thankful that he baptized none of them except Crispus and Gaius (1:14), but then two verses later reconsiders and says that he did remember baptizing the household of Stephanus, but does not remember if he baptized any others (1:16). Was v. 14 of the Spirit, which was not accurately stated? What of his lack of memory about baptizing any others beyond the household of Stephanus? None of this sounds like a person consciously aware that he is writing Scripture, so much as one who is frustrated by the divisions in the church he founded and is admonishing his converts in strong language.

Surprisingly Kruger apparently does not see the clear distinction Paul makes between his own teaching and that of the Lord (Jesus). Why else would Paul make the distinction if the Corinthians viewed the sayings of Jesus on the same level as Paul’s? Paul returned to a saying of Jesus to make his point and reinforce it with words from the Lord of the church in the matter of abuse of the Lord’s Table (1 Cor 11:23–25), and then adds his own commentary on what he believed the Lord intended on the matter (11:26–34). Paul seldom cites the words of Jesus on any matter, but when he does, he is emphasizing their importance in what he is saying and he is clearly raising the level of authority higher. Paul regularly emphasized

<sup>71</sup> Raymond F. Collins, *First Corinthians*. Sacra Pagina 7 (Collegeville, MN: Liturgical Press, 1999), 269–70.

<sup>72</sup> Ibid.

his apostolic status and authority in resolving disputes in the churches that he founded (e.g., 1 Cor 4:14–5:5; 7:12–16; 2 Cor 13:10), but again, he does not call his writings “Scripture.”

Had the Gospels been recognized as sacred scripture in the first century, one might well expect that the later NT books would have referred to them as scripture, but apart from 2 Pet 3:16 (ca. 120–130 CE), that is not the case. Also the questionable status of 2 Peter in early Christianity and the lack of early references to it *as scripture* suggest that it is a later text. Its considerable use of Jude points to it being a pseudonymous text rather one from Peter himself. That matter will be discussed further in Chapter 20 §VI.E.3 and 6.

What makes it difficult to believe that the Gospels were initially acknowledged or received as Scripture is the liberty that the Evangelists took in changing or adapting their sources to fit their own aims. As noted, Matthew and Luke freely adapted, changed, and smoothed out the Gospel of Mark<sup>73</sup> including the so-called Q source,<sup>74</sup> which both Matthew and Luke used and adapted in their own way. Since the wording of Q is not always the same in both Gospels, some adaptation appears likely. Matthew and Luke made use of Mark, but neither refers to Mark as scripture. They simply use it variously in their presentations and occasionally correct or modify its text. Jesus’ words, however, are placed on par with the sacred scriptures. For instance, the author of 1 Tim 5:18 cites Deut 25:4 and Matt 10:10 (// Luke 10:7), with the words: “*for the scripture says*, ‘You shall not muzzle an ox while it is treading out the grain,’ and ‘The laborer deserves to be paid’.” The author of 2 Peter is aware of some Gospel stories (2 Pet 1:16–18, cf. Mark 9:2–7; and // in Matt 17:1–5; Luke 9:28–35; and 2 Pet 3:10 cf. Matt 24:43), but does not call the Gospels “scripture.” Rather, it was the words of Jesus and the stories about him that functioned initially *as sacred tradition* in the churches rather than the books that told that story. As these words and stories were shared over and over in the churches, they functioned like authoritative sacred texts, even though they were not *generally called* “scripture” until the latter part of the second century CE.

At any rate, the warning against modifying a sacred text (Deut 4:2; Rev 22:18–19) is not followed by Matthew and Luke who made use of Mark and both modified and changed its text. Did they acknowledge Mark as “scripture”? As late as the last half of the second century, Tatian, the disciple of Justin, was evidently concerned enough with the differences in the Gospels to try to harmonize them into one unified gospel text commonly called the *Diatessaron* (“through four” or,

<sup>73</sup> For example, both Matt 3:3 and Luke 3:4 drop the first part of the quotation in Mark 1:2, which was attributed to Isaiah but originated instead with Mal 3:1. The subject changes are also quite striking; for example, compare Matt 3:16 to Mark 1:10 and Matt 14:1 to Mark 6:14, where Matthew changes the more embarrassing title of Antipas.

<sup>74</sup> Q is an abbreviation for the German word *Quelle* meaning “source.” This is a convenient way to designate a source containing sayings of Jesus common to both Matthew and Luke and not found in Mark.

*The Gospel of the Changed* [or “mixed”]). Would he have taken such liberties if the Gospels he harmonized were deemed inviolable Scripture? Christian writings existed almost from the beginning of the church,<sup>75</sup> and possibly earlier since it is possible that some Gospel traditions were penned before the death of Jesus.<sup>76</sup> They doubtless functioned as authoritative guides about Jesus in the early churches because they told the story of Jesus and the implications of his life, teachings, death, and resurrection. Since Jesus was believed to be the Lord of the Church and because the Gospels told his story, why would Christians not read them in churches? But when did they call them Scripture?

While the Apostolic Fathers, with few exceptions, cited the Gospels and Paul, they did not seem to have an interest in recognizing new Scriptures on par with the Scriptures (OT) that they adopted from their Jewish siblings. Von Campenhausen rightly concludes that early Christianity was at that time *not yet* a “religion of the Book,” but rather “the religion of the Spirit and the living Christ.”<sup>77</sup> The church had an oral tradition concerning Jesus that was taught and proclaimed in the early communities of faith that also functioned authoritatively like scripture in those communities (Acts 2:42; 4:33; 6:4), but initially the Christian writings were *not yet called scripture* in the same way as their inherited Jewish scriptures. They heard the stories of Jesus circulating orally in their communities and they sought diligently to anchor or support all that Jesus did and said in their Jewish scriptures. Their anchoring this story in their OT sacred texts allowed them to find a prophetic/scriptural (eschatological) witness to the event of Jesus that they had experienced. A. R. C. Leaney correctly observes that the early Christians were concerned to find a Scripture “to fit a fact, and were far from inventing a fact to fit the Scripture.”<sup>78</sup>

Kruger, I suggest, confuses the authority of Spirit-led proclamation with the notion of sacred Scripture – *in the first century*. Paul never refers to his own writings as sacred scripture, though he regularly cites the Jewish scriptures in support of his views. While the church has always affirmed spirit-led preaching and teaching, it long ago ceased affirming new Scriptures. Kruger contends that apostolic authority was equivalent to the notion of sacred scripture and wants readers to conclude that if the NT writers believed they were spirit-led when they wrote to churches that they must also have known that they were writing sacred Scripture.<sup>79</sup> Not a few scholars disagree with Kruger’s argument, as he acknowledges. He appears to place a *later* church notion of the recognition of scripture and apostolic authority anachronistically on the minds of the *earlier* NT writers during

<sup>75</sup> For example, Q, but see also Luke 1:1–4.

<sup>76</sup> For examples of this, see Dunn, *Jesus Remembered*, 881–93.

<sup>77</sup> Von Campenhausen, *Formation of the Christian Bible*, 62–66. A similar stance could be argued for the ancient Jewish community of faith, as Barr, *Holy Scripture*, 2–7, shows.

<sup>78</sup> A. R. C. Leaney, “Theophany, Resurrection, and History,” *StEv* 103, no. 5 (1968): 112.

<sup>79</sup> Kruger, *The Question of Canon*, 127.

their ministry. Interestingly, if he is correct about those who believed that they were Spirit led, then, as we saw earlier, many other noncanonical writings will need to be added to the NT scriptures since several noncanonical authors make similar claims of inspiration or being led by the Spirit. However, in those cases and in all but one instance in the NT, there is no claim that the authors believed they were writing Scripture – with only one exception, namely, Rev 22:18–19.<sup>80</sup> Since later churches did not canonize the writings that their authors believed were inspired by the Spirit, how do we distinguish them from those books in the New Testament if consciousness of being led by the Spirit was a criterion for canonicity? I will address this matter again in Chapter 22 §F.

The eventual recognition of Christian writings as sacred Scripture and equal in authority to the church's inherited OT Scriptures can only be described as a long and slow process that was neither universal nor simultaneous in all of the ancient churches. I do not see that there was a common conscious effort to write Christian scriptures by the authors of the NT save the author of Revelation. Aside from that author, who claims that he was in the Spirit (1:10) and received an angelic vision that he was to communicate to the seven churches (1:11), which does, in fact, suggest that he was consciously writing scripture (Rev 22:18–19), no other NT writer calls his writings "scripture." It is difficult to date with precision how soon the early churches recognized the scriptural status of some or all of the NT literature – *and no other writings*, but with the possible exception of Revelation, no part of that body of literature was recognized as sacred scripture in the first century. Interestingly, Revelation was among the most disputed books in early Christianity when canon formation issues were deliberated.

Why did the earliest churches *not* call the NT writings scripture if their scriptural status was as apparent to everyone as Kruger supposes? Why did it take centuries for the matter to be settled in the churches? The early churches did not *initially* accept as Scripture several NT books (Hebrews, James, 2 Peter, 2 and 3 John, Jude, Revelation, and perhaps also in some cases the Pastoral Epistles), though there was widespread agreement on many of the NT books (Gospels and several letters of Paul, Acts, 1 Peter, and 1 John).

Michael Kruger and Tomas Bokedal<sup>81</sup> appear to start with what they want to find – an early conscious awareness of Christian scripture – and they subsequently find it everywhere. I will say more about this later, but for now, there is little evidence that substantiates their position and their desire to equate being led by the Spirit with writing scripture is a big leap that does not explain how the early churches understood the Spirit. If the NT writers were consciously writing scripture, why do they not call their own writings "scripture"? And if everyone was aware of his or her own scriptural status, why do they not say it? Why do they

<sup>80</sup> See Deut 4:2 and cf. Rev 1:3, 10–11; 22:7–9.

<sup>81</sup> *The Formation and Significance of the Christian Biblical Canon: A Study in Text, Ritual and Interpretation* (London: Bloomsbury T&T Clark, 2014).

not introduce what they have to say with the familiar scriptural formulae? As I will show below, that does not likely begin until ca. 120–150 CE at the earliest. Those who contend that being led by the Spirit is equal to writing scripture and who also equate scripture with canon invariably find an early canonization of the NT in the first century, but the available surviving evidence, as I will show later in Part 3, does not support that notion.

Stendahl correctly observes that Revelation is the only book in the NT that specifically claims to be a revelation from God.<sup>82</sup> The author of 2 Pet 3:15–16 (written ca. 120–150 CE) apparently recognized some of Paul’s letters as “Scripture,” though we are not sure which letters he intended. Paul, who is fully aware of his apostolic status, often defends himself against his opponents, but never says that he is the author of scripture. Even the Gospels, which tell the story of Jesus, do not in themselves claim final authority. At that time, such divine authority appears to be reserved for Jesus alone (Matt 28:19–20), and the many citations and allusions of the OT texts in the Gospels also show evidence of the authoritative status of the OT scriptures. The writers of the NT regularly show that they believed those scriptures point to the authority of Jesus, the Christ, in the life and ministry of the early Christian communities.

We will now turn to the challenge of defining canon in antiquity.

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<sup>82</sup> K. Stendahl, “The Apocalypse of John and the Epistles of Paul in the Muratorian Fragment,” in *Current Issues in New Testament Interpretation: Essays in Honor of Otto A. Piper*, ed. W. Klassen and G. F. Snyder (London: SCM, 1962), 240.

## CHAPTER 3

# THE NOTION, USE, AND ADAPTABILITY OF CANON

### I. INTRODUCTION<sup>1</sup>

Students are often confused when reading about scripture and canon in current publications, especially when they discover that scholars do not agree on the meaning of these basic terms and that each is loaded with significant historical and theological implications. In this chapter, I hope to aid readers in understanding the various nuances of the meaning of canon in antiquity and how it has come to be understood in canon inquiry today. “Canon,” of course, is the term that *later* Christian and eventually Jewish communities use to describe the collection of literature included in their Bibles. The language we use *now* was not used in the *earlier* processes that led to the formation of the Jewish and Christian Bibles, but “canon” is now commonly used to identify the final stage of the formation of the Bible and “canonical processes” for the various factors that led to the formation of the Bible. Scripture and canon are often and confusingly used interchangeably, but I will try to show how important it is to keep them separate.

As noted earlier, several of the well-known designations for the religious literature of antiquity today are anachronisms that often prejudice current understanding of that literature in its own context. The most common of these include: “canon,” “canonical,” “non-canonical,” “biblical,” “non-biblical,” apocryphal,” “pseudepigraphal,” “Hebrew Bible,” “Old Testament,” and “New Testament.” As we saw above, Hebrew Bible (HB) is a modern construct for the Scriptures that comprise the Jewish Bible, and Jews regularly also call it the “Mikra” (*Miqra*) or “Tanak,” and sometimes “Bible.” The following discussion will include focus on the meaning and validity of the above designations as they pertain to canon formation.

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<sup>1</sup> Because scholars are divided over the meaning of canon and when the notion functioned among the Jews and Christians, I have extended the following discussion and interacted with several contemporary scholars who continue to disagree over this issue.

Initially much of the literature that we now call nonbiblical or noncanonical, or even apocryphal and pseudepigraphal, likely functioned as sacred texts in some ancient Jewish and Christian communities. What do we call that literature now? Bart Ehrman correctly acknowledges that “scholars have never devised an adequate term for their ‘Lost Scriptures.’”<sup>2</sup> Because of widespread confusion on this matter, I will make yet another attempt at clarifying the terminology involved in examining canon formation. There are many examples of writings that functioned in a religiously authoritative (scriptural) manner in early Judaism and/or in early Christianity that were not included in Jewish or Christian Bibles.<sup>3</sup> Much of the excluded or rejected literature has not survived antiquity though scholars have occasionally found fragments of excluded texts in excavated Egyptian trash collections or in cartons and trunks of uncatalogued manuscripts in European museums and libraries. Among the goals of those who discover this literature is the necessity of identifying it and how it functioned in antiquity.

In regard to the notion of canon itself, there are currently two commonly used understandings of canon that scholars employ in their investigations and this often leads to confusion. Along with others, I have identified these two primary definitions as function and shape and I use the designations “Canon 1” and “Canon 2” to explain them. It may be better to distinguish them by “temporary scripture” (or temporary canonicity) and “permanent scripture,” but no such distinctions are without baggage. Canon 1 reflects the reality that some writings *functioned* initially in a scriptural manner, but for only a brief or limited time. A related question has to do with how long a book was viewed as scripture before it was excluded or included in the final fixed collection of sacred books. Some excluded writings continued in canon lists and biblical citations in the church fathers for centuries, but were eventually rejected. Some rabbis included Sirach in the

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<sup>2</sup> Barth Ehrman, *Lost Scriptures: Books That Did Not Make It into the New Testament* (Oxford: Oxford University Press, 2003), 4.

<sup>3</sup> I have addressed this issue several times earlier, but evidently without adequate clarity. See, for example, Ulrich, “Notion and Definition of Canon”; and more recently Stephen B. Chapman, “How the Biblical Canon Began: Working Models and Open Questions,” in *Homer, the Bible, and Beyond: Literary and Religious Canons in the Ancient World*, ed. M. Finkelberg and G. G. Stroumsa (Leiden: Brill, 2003), 35 n. 20. Chapman addresses what he considers my inconsistent use of the term canon and he may be right in some of his assessment, but a part of the problem lies in the doubts that scholars have regarding religious texts that at one time functioned as authoritative religious texts in some communities and later were not included in canonical lists or were specifically excluded from the Bible. Timothy Stone’s dissertation, *The Compilational History of the Megilloth: Canon, Contoured Intertextuality and Meaning in the Writings*, FAT 59 [Tübingen: Mohr Siebeck, 2013]), rightly associates my definition of “canon” with that of Ulrich and Barton, but argues that I have more interest in the final “official catalogues” than in the “canonical process.” Hopefully this chapter and the rest of the volume will quickly dispel such comments. I have regularly shown concern for the processes of canonization, how they started, and how (or whether) they ever concluded. However, if careful scholars have misunderstood what I have attempted in these definitions, I will try once again to be more clear.



Jewish collection of scriptures for more than two centuries, but eventually it was excluded. Some of those writings ceased having a canonical status in Protestant churches, but they continued in Catholic and Orthodox churches to this day. The other side of canon, namely shape or final fixing of the books that comprise the church's Scriptures, begins to emerge in the third century CE with Origen and becomes more popular in the middle to late fourth century and thereafter. At that time, there is little difference between shape and function since shape is about the listing of writings that function as sacred Scripture. We will see that the definitions overlap and are not mutually exclusive.

## II. THE TERM "CANON"

The Greek term "canon" (κανών) is regularly used in literary scholarship to speak of models, guides to follow, authorities, and the "classics" or the classical standards of literary productions that became models for subsequent writers. Biblical scholars regularly use "canon" to refer to a fixed collection or catalogue of Scriptures that comprise the Bible. They also use "canonical" and "canonization" to describe the process(es) that led to the final formation of the Bible.

The roots of the term canon are obscure, but it is likely that it came from a Semitic language of Sumerian origin and may have some parallels with the Babylonian/Assyrian word *kannu*.<sup>4</sup> The word commonly used comes from a form of the Greek word κανών and is derived from κανή, a loan word that likely has roots in the Semitic term *kaneh*. It initially referred to a "measuring rod" or "measuring stick" (see both the Hebrew and Greek texts of Ezek 40:5–8). Among the Greeks, the word came to refer to a standard or norm by which all things are judged or evaluated, whether the perfect form to follow in architecture or sculpture or the infallible criterion (κριτήριον) by which things are to be measured. The notion of canon appears in music, where the monochord was the canon that controls all other tonal relationships and also in the classics to identify guides or models of writing (poets) and philosophy to follow.<sup>5</sup> I will discuss some of these models below.

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<sup>4</sup> Hermann Wolfgang Beyer, "Κανών," *TDNT* 3:596. See also R. W. Funk, *Parables and Presence* (Philadelphia: Fortress, 1982), 151–53. Achtemeier, *Inspiration of Scripture*, 118–23, offers a brief but useful theological and historical description of the use of the term. Metzger, *Canon of the New Testament*, 289–93, has a more detailed discussion of the origin and use of the term.

<sup>5</sup> I have listed several examples of this in Lee Martin McDonald, "Hellenism and the Biblical Canons: Is There a Connection?," in *Christian Origins and Hellenistic Judaism: Social and Literary Contexts for the New Testament*, ed. S. E. Porter and A. W. Pitts, *TENT* 10 (Leiden: Brill, 2013), 13–49, here 16–24. I have also used some of that material in what follows here, although revised with important additions.

Knowing the origin and development of the term helps explain how it came to be used of biblical literature and clarifies a great deal of the debate among canon scholars today. It is rare among scholars to find a definition of the biblical canon that deals adequately both with the surviving ancient artifacts and the biblical text itself.<sup>6</sup> Much of the controversy surrounding canon formation, as we will see, has to do with the lack of agreement on the meaning of canon or when there are signs of it in ancient Israel and early Christianity.

As noted earlier, the term canon *began* to be applied to a fixed list or catalogue of the church's sacred and authoritative scriptures by no later than 367 CE in Athanasius' famous 39th *Festal Letter*. In that *Letter* Athanasius identified not only the date for the celebration of Easter, but also the writings that could be read in the churches. Athanasius was the first *known* church father to identify a fixed list or catalogue of Christian scriptures that is the same as the standard NT canons in most churches today and he referred to them as a "canon." Below I will quote the full passage that includes his list of sacred books, but for now I want to acknowledge that he identified a list or catalogue of Christian scriptures. In this sense, the notion of canon as authority and list (function and shape) were never at odds and notions of function or shape (fixed lists) were never mutually exclusive. While function always preceded shape and lists were never possible before widespread recognition of the authority of a collection of sacred texts, shape also has become subsequently an important feature that identifies the sacred texts that the churches call scripture.<sup>7</sup> That recognition of a fixed collection of scriptures began in the second century for rabbinic Jews and in the third and fourth centuries for the churches in regard to their NT canon.

Before Athanasius, "canon" was generally used in reference to a standard or measurement or model to follow and also for the "rule of faith" or *regula fidei* in the churches. This rule, authority, or "canon" included those beliefs and traditions that identified Christian faith and its mission. In the New Testament, canon (*κανών*) is used four times – the first three describe Paul's description of the *limits* or *sphere* of his mission and his aim not to build on the work of others (2 Cor 10:13, 15, 16), and the final use is in regard to the rule of faith (the essence of the cross) to be followed in the churches (Gal 6:16). In its popular use in religious circles today, scholars regularly speak of canon in reference to a closed collection of sacred Scriptures that comprise the modern Bibles of Jews and Christians. The books in the Jewish and Christian Bibles differ in terms of the books included and their sequence or order with considerable overlap. The collection of sacred books that comprise these Bibles is what is commonly referred to as a biblical canon.

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<sup>6</sup> More recently, Tomas Bokedal makes an attempt at this in his *The Formation and Significance of the Christian Biblical Canon: A Study in Text, Ritual and Interpretation* (London: Bloomsbury T&T Clark, 2014).

<sup>7</sup> In the Chapter 16 §V, I will suggest that Origen used a similar Latin designation of canon for Christian scriptures and that the origin of the term for a collection of Christian scriptures may have originated with him in the early to mid-third century.

Ulrich recognizes how confusing it is to use the word “canon” for writings that were used authoritatively (as Scripture) in Israel, but were *not* placed into the Jews’ final collection of sacred texts. As we will see in Chapter 7 §II, authoritative scriptures were discovered at Qumran, but it is difficult to determine from the Dead Sea Scrolls that there was any notion of a *fixed* collection of Scriptures, that is, a biblical canon. To identify a biblical canon with any level of certainty, according to Ulrich, requires several kinds of evidence: (1) the clear mention of the title of a canon or its individual parts, such as a list of books that make up a biblical canon; (2) multiple copies of the books, which indicate the popularity of the text or book in a religious community; (3) formulas such as “it is written” or “the Scripture says” used to introduce quotations of Scripture, as well as books specifically quoted as Scripture; (4) commentaries produced on biblical books; and (5) books translated into the vernacular languages whether in Greek or Aramaic.<sup>8</sup> Regardless of whether all of these criteria are operative, the very act of copying and preserving ancient documents, as scribes did at Qumran, suggests their significance and usefulness to some segments at least of a religious community such as the one that the Essenes formed at Qumran. The problem with the Qumran example, as we will see, is that we do not know the full extent of the collection that the Jews of Qumran tried to preserve. Eleven caves have been discovered, but no one can be sure whether yet another cave or caves awaits discovery. Likewise, had there been fewer worms in some of the caves, much more might have been discovered in and around Qumran!<sup>9</sup>

Smith notes how translating a book, or even copying it into the same language, was quite tedious and time consuming and such activity would not have taken place unless the document in question was viewed as an important if not sacred and authoritative text. As a result, he contends that neither activity, namely translation or copying, would have been carried out without some strong motivation regarding the value of the document. The same is true for those who took the time to produce, edit, and correct the various documents discovered in and around Qumran.<sup>10</sup> Using the criteria listed above, Ulrich agrees that the Qumran community recognized many books as the word of God, that is, divine Scripture, and that at times this literature was also referred to as “Torah and Prophets,” but he cautiously and rightly concludes that no available evidence enables the interpreter to determine precisely which books were part of those authoritative

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<sup>8</sup> E. Ulrich, “Qumran and the Canon of the Old Testament,” in *The Biblical Canons*, ed. J.-M. Auwers and H. J. de Jonge, BETL 163 (Leuven: Louvain University Press, 2003), 66–75.

<sup>9</sup> Cross, *From Epic to Canon*, 225, in his discussion of the absence of Esther at Qumran, underscores that this may only be due to chance since the book of Chronicles only exists there in a small fragment “despite its larger size; an additional hungry worm, and Chronicles too, would have been missing.”

<sup>10</sup> M. Smith, *Palestinian Parties and Politics That Shaped the Old Testament* (New York: Columbia University Press, 1971), 7.

collections.<sup>11</sup> It is unlikely that all of the literature discovered at Qumran in the various caves qualifies as sacred scripture in the Essene community and it is also quite possible that complete books from their collection are missing. In a similar word of caution, Sanders notes, “we simply do not know if we have everything they [the residents at Qumran] had in their library, probably indeed not.”<sup>12</sup> We will return later to the important issues raised by the discovery of the Dead Sea Scrolls.

Barton, who employs canon to identify the collection of scriptures that makes up the Bible, nevertheless acknowledges the challenge and difficulty of using this term to identify the biblical books. If canon refers to books that were recognized in some authoritative manner, then we have to acknowledge also that all of the books that were initially so recognized were not eventually included in the Jewish or Christian Bibles.<sup>13</sup> What lies behind these sacred collections is that God has spoken through prophetic inspired persons who wrote the books that comprise Jewish and Christian Scriptures.

### III. CANONS IN THE ANCIENT WORLD

Because of important recent advances in our understanding of late Second Temple Judaism and early Christianity, there is renewed interest in the impact of Hellenistic thought and culture on the religious traditions of both Jews and Christians. Hellenistic influences in Palestine and throughout the Greco-Roman world were widespread and many of the structures, art, and roads from this period can still be seen throughout the Mediterranean region. The Greek language and culture were still known in aristocratic and military circles of Judaism long after Greek domination had ended. Martin Hengel observes that the use of the Greek language was widespread among the Jews even before the accession of Antiochus IV in 175 BC and that it was not suppressed after the Maccabean victories over the

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<sup>11</sup> Ulrich, “Qumran and the Canon,” 77. In a paper delivered at the 2003 annual convention of the Society of Biblical Literature in Atlanta, Georgia, entitled “Canon,” Ulrich concluded, based on the criteria listed above, that we might now know the parameters of the biblical canon at Qumran. He had difficulty, however, when asked to account for the noncanonical literature discovered there that apparently functioned as scripture, or canonically, for the Essenes, especially the *Temple Scroll*. He later clarified his comments saying that “there is strong evidence to demonstrate that the writings in the library at Qumran – just as the NT and the majority of Judaism – recognized a number of books as containing the word of God, thus as authoritative Scripture, and that they were at times referred to as the Torah and the Prophets.” He is right to conclude, however, that the exact contents of a canonical collection at Qumran cannot presently be determined. He lists *1 Enoch*, *Jubilees*, *Tobit*, *Sirach*, and the *Epistle of Jeremiah* as candidates, but ignores several other possible candidates such as 4QMMT and the *Temple Scroll*.

<sup>12</sup> J. A. Sanders, “Canon: Hebrew Bible,” *ABD* 1:842.

<sup>13</sup> J. Barton, *Oracles of God: Perceptions of Ancient Prophecy in Israel After the Exile* (Oxford: Oxford University Press, 1986; rev. 2007), 80–82.

Seleucids in the Land of Israel.<sup>14</sup> I will offer examples below of Greek influence both among Jews and the early Christians that suggest a possible contributing influence for both Jews and Christians in their establishing fixed biblical canons.

More than two hundred years ago Friedrich August Wolf, in his *Prolegomena ad Homerum* (1795), suggested that there were parallels between Jewish and Christian biblical canons of sacred literature and Hellenistic literary canons that were both natural and obvious parallels, but not much research on these parallels has taken place since. Wolf observed that the *text* of the Jewish sacred scriptures was viewed and treated in similar ways as the Homeric poems and that the two canons, biblical and literary, were viewed from a canonical perspective.<sup>15</sup>

The ancient world was filled with canons (guides, models, regulations) for almost every sphere of art or activity. The Egyptians had canons of art by which the artisans were guided in their craft. The cartouche, for example, a rectangular closed circle containing a pharaoh's name in hieroglyphics, is uniform in almost all paintings and statuary of the ancient dynasties in Egypt. Other canons of art from the Egyptian Old Kingdom (ca. 2700–2160 BCE)<sup>16</sup> and the Middle Kingdom (2106–1786 BCE) include the uniform shape of human figures, skin color (women were uniformly given a lighter skin color than men), and arms crossed over the chest to indicate the death of the person portrayed. Besides that, a foot extended forward with the hands at the side or extended indicated that the person portrayed by the painter or sculptor was still alive, and symbols of the cobra and/or the falcon-god Horus (a deity that became associated with kingship) on the headdress of the pharaoh or within the design of art objects related to kingship.<sup>17</sup>

The same conformity to a canon of art appears on grave stelae<sup>18</sup> from ancient Greece. These stelae, from around 600 BCE to roughly 300 BCE, are quite uniform in style, with the only difference being a gradual progression from stelae bearing etchings, to bearing bas reliefs, to being sculpted in the round. The same figures are represented on the stone carvings, and the stelae are often topped first by a sphinx and eventually by a palmette finial,<sup>19</sup> with widespread uniform relief decoration on the shaft.

<sup>14</sup> Martin Hengel, *Judaism and Hellenism: Studies in Their Encounter in Palestine During the Early Hellenistic Period* (Philadelphia: Fortress, 1974), 1:103.

<sup>15</sup> For a concise discussion of this, see Margalit Finkelberg, "Introduction: Before the Western Canon," in Finkelberg and Stroumsa, eds., *Homer, the Bible, and Beyond*, 2–3.

<sup>16</sup> The dates here are taken from *ABD* 2:328.

<sup>17</sup> In the New Kingdom (1550 BCE and following) there was a temporary loosening of some of the more rigid patterns of art to allow for more realistic depictions of the torsos of the pharaohs with larger stomachs and weaker or even odd-looking torsos.

<sup>18</sup> A *stela* (Greek, pl., *stelae*) is an ancient upright stone slab often having a commemorative inscription on it as in the case of grave *stelae*.

<sup>19</sup> The palmette finial is an ornament with divisions resembling a palm leaf. This symbol completes the artwork and appears on the apex, top, or corner of the *stela*.

Many other examples of standards or canons are found in antiquity. Along with those just mentioned, there were also canons for writing that were followed in philosophy, poetry, and prose that became models for others to follow. For example, the notion of a standard was also employed in philosophy as the criterion or canon by which one discovers what is true and false. Beyer shows that Epicurus himself argued that logic and method in thought stemmed from a canon (κανών) or basis by which one could know what was true or false and thus whether it was worth investigating.<sup>20</sup> Epicurean philosopher Diogenes Laertius (200–250 CE) identifies one of the writings of Epicurus (341–270 BCE) as “Of the Standard, a Work Entitled Canon” (Περὶ κριτηρίου καὶ Κανών), calling it “canonic” (κανονικόν) for living (*Lives of Eminent Philosophers* 10.27, 30; see also 31, where he adds “Now in the Canon Epicurus affirms...the standard of truth...” [ἐν τοίνυν τῷ Κανόνι λέγων ἔστιν ὁ Ἐπίκουρος κριτήρια τῆς ἀληθείας]). In the same text, he explains the substance of this work: “Now in *The Canon* Epicurus affirms that our sensations and preconceptions and our feelings are the standards of truth; the Epicureans generally make perceptions of mental presentations to be also standards” (10.31, LCL).<sup>21</sup> This use is similar to the way that the term canon came to be used as the standard of truth, or *regula fidei*, for early Christian faith. Epictetus (ca. 50–130 CE) similarly argued that the goal of philosophy is to determine a “standard of judgment” and that whatever subject needs to be investigated, one needs to “subject it to the standard” (ὑπαγῇ αὐτὴν τῷ κανόνι) (*Dissertationes* 2.11.13, 20; cf. 2.23.21). Aeschines of Athens (ca. 397–322 BCE) says essentially the same thing:

In carpentry, when we want to know whether something is straight, we use a ruler [*kanōn*] designed for the purpose. So also in the case of indictments for illegal proposals, the guide [*kanōn*] for justice is this public posting of the proposal with accompanying statement of the laws that it violates. (*Against Ctesiphon* 199–200, quoted in Danker, *II Corinthians*, 160)

Both Homer and Hesiod were widely revered among the Greeks and used as standards or models for literary writings. Alexander the Great, under the influence of Aristotle, actually founded a cult in Homer’s name at Alexandria.<sup>22</sup> The gods mentioned in Homer’s *Iliad* and *Odyssey* are the ones that became canon for the Greeks, that is, they were the recognized and honored deities. Homer’s writings functioned as a supreme authority among the Greeks and in a very real sense became canon *par excellence* for them. This included a special religious significance. Unlike other ancient Greek writings, both of Homer’s works were divided into twenty-four parts (books or chapters), and a letter of the Greek alphabet identified each part, a factor that set Homer’s works apart from all other writings.

<sup>20</sup> Beyer, *TDNT* 3:596–98.

<sup>21</sup> For similar examples, see also Seneca, *Epistles* 89.11–12.

<sup>22</sup> Graham, *Beyond the Written Word*, 52.

The use of the alphabet as a sign of divine origin and importance, whether writings or persons or admonitions, is helpful for understanding the New Testament references to God and Jesus as “Alpha and Omega,” the first and last letters of the Greek alphabet (Rev 1:8; 21:6; 22:13), and perhaps also, the “twenty-four elders” (Rev 4:4, 10; 5:8; 11:16; 19:4). More specifically, and in regard to the twenty-four elders of Revelation, Victorinus (ca. 280 CE), in his commentary on the book of Revelation at 4:7–10, writes: “The twenty-four elders are the twenty-four books of the law and the Prophets, which give testimonies of the Judgment... The books of the Old Testament that are received are twenty-four, which you will find in the epitomes of Theodore” (*Comm. Apocalypse* 4:7–10, ANF, 7:348). Earlier he suggests that the number “twenty-four” is the sum of the Twelve Sons of Israel and the Twelve Apostles (4.3). Aune points out that “elder” (Gk. *presbuteros*) was often used in reference to a leadership role in the NT and early Christianity, e.g., Acts 11:30; 14:23; 20:17; 1 Tim 5:1, 17, *passim*, Ign., *Magn.* 2:1; 3:1; 6:1; 7:1; *Herm. Vis.* 2.4.2, 3 and several others. He goes on to list some seven possibilities for their meaning in Revelation, but none are without problems.<sup>23</sup> Perhaps the reference to twenty-four in Revelation, similar to the significance of twenty-four in Homer, has to do with divine leadership before the throne of God. In the early fifth century CE, Jerome compared the twenty-four books of the Hebrew Scriptures with the twenty-four elders of the book of Revelation (*Prologus in Libro Regum* [= *Prologus Galeatus*]).<sup>24</sup>

Some Christians, who acknowledged the sacredness of the twenty-two book Hebrew canon of scriptures, also found a way to accommodate the rabbinic acceptance of the twenty-four-book canon adopted by the Jews. For example, the author of the *Gospel of Thomas* (ca. 100–140 CE, and perhaps later<sup>25</sup>) says that “Twenty-four prophets spoke in Israel, and they have all spoken of you [Jesus]” (*Gospel of Thomas* 52). This passage may also refer to the OT books acknowledged as Scripture among early Christians, which if so would make it the earliest known *Christian* document to identify a specific number of books in the Christian OT. Interestingly, Hilary of Poitiers (d. 367 CE) mentions the twenty-two books of the OT in accordance with the *Hebrew* alphabet, but then added Judith and Tobit because the Greek alphabet has twenty-four letters!<sup>26</sup>

<sup>23</sup> David E. Aune, *Revelation 1–5*, WBC 52A (Waco: Word, 1995), 287–92.

<sup>24</sup> See M. Hengel, *The Septuagint as Christian Scripture: Its Prehistory and the Problem of Its Canon*, trans. M. E. Biddle (Edinburgh: T. & T. Clark, 2002), 57–74, for other examples.

<sup>25</sup> For arguments for a significantly later date for the origin of the *Gospel of Thomas*, see N. Perrin, *Thomas and Tatian: The Relationship Between the Gospel of Thomas and the Diatessaron*, Academia Biblica 5 (Leiden: Brill, 2002).

<sup>26</sup> Hengel, *The Septuagint as Christian Scripture*, 62 n. 13, makes this observation and cites Hilary of Poitiers’ commentary on the Psalms (*Instructio Psalmorum* 15).

The Jewish practice of dividing some psalms into twenty-two verses following the letters in the Hebrew alphabet (e.g., Pss 25, 34) can also be seen in divisions of a text into twenty-two sections (e.g., Ps 119) on the basis of the twenty-two-letter Hebrew alphabet where each verse or section begins with a successive letter of the Hebrew alphabet.<sup>27</sup> Like those who revered Homer and his introduction of each chapter or book with a successive letter of the Greek alphabet in the *Iliad* and *Odyssey*, the Jews also introduced some of their literature with letters of the Hebrew alphabet. They identified the number of books in their sacred collection with the number of letters in the Hebrew alphabet (twenty-two), but later adopted the number of their books by configuring the list of books to conform to the twenty-four letter Greek alphabet to identify the number of books in their Scriptures. In neither case do the numbers equate exactly with the books in the HB, but the books are combined in ways that make the same number of books come out to either twenty-two or twenty-four (see the later discussion of Josephus and the author of *4 Ezra*). Did the use of the Greek alphabet influence Jewish and later Christian writers? It appears so. We will explore those possibilities in Chapter 6 (especially §VI).

By around 25 BCE, many Roman grammarians were following the literary and grammatical models of Vergil's *Aeneid*, Cicero, and Sallust. Even Tacitus (78–115 CE), perhaps “the most individualistic and most psychological of ancient historians,”<sup>28</sup> was still guided by the model of Vergil's *Aeneid*. Among the Greeks, Plato especially and later also Aristotle provided the canons or models for subsequent philosophers. Latin grammarians, in the tradition of the Greeks, deemed it very important to follow certain models in their writing. According to Suetonius, they were also actively involved in training the rhetoricians of the day in the best principles of grammar. The common observance and strict adherence to these rules of grammar can be illustrated in the following three examples from Suetonius's *Lives of Illustrious Men*. Suetonius mentions one ancient writer who was evidently more interested in his Epicurean sect than in giving special attention to matters of grammar in his literary productions. The resulting criticism of his work by Roman colleagues, however, greatly embarrassed him and forced him to leave Rome. Suetonius writes:

Marcus Pompilius Andronicus, a native of Syria, ...was considered somewhat indolent in his work as a grammarian and not qualified to conduct a school. Therefore, realizing that he was held in less esteem at Rome, not only than Antonius Gniphos, but than others of even less ability, he moved to Cumae, where he led a quiet life and wrote many books. (*Lives of Illustrious Men: On Grammarians* 8, LCL)

<sup>27</sup> See, for example, Pss 25 and 34 that are acrostics; and Pss 37, 111, 112, 119, 145, Lam 1–4 and Prov 31:10–31.

<sup>28</sup> C. Moore, trans., *Tacitus: The Histories*, 2 vols., LCL (Cambridge, MA: Harvard University Press, 1931–37), 2:xiii.



Similarly, reflecting one of the worst insults of the day, namely being accused of ignorance of proper grammar, Lenaeus, a freedman of Pompey, criticized Sallust (who had criticized Pompey) with biting satire and several debasing adjectives. He concluded with this final salvo: “And who was besides an ignorant pilferer of the language of the ancients” (Suetonius, *Lives of Illustrious Men: On Grammarians* 15, LCL)!

The significant authority attributed to the canons or standards of grammar around the time of the birth of Jesus can be seen in the well-known account of Marcellus’s attack on the grammar of leading Roman officials, including his attack on Caesar Tiberius:

Marcus Pomponius Marcellus, a most pedantic critic of the Latin language, in one of his cases (for he sometimes acted as an advocate) was so persistent in criticizing an error in diction made by his opponent, that Cassius Severus appealed to the judges and asked for a postponement, to enable his client to employ a grammarian in his stead: “For,” said he, “he thinks that the contest with his opponent will not be on points of law, but of diction.” When this same Marcellus had criticized a word in one of Tiberius’s speeches, and Ateius Capito declared that it was good Latin, or if not, that it would surely be so from that time on, Marcellus answered: “Capito lies; for you, Caesar, can confer citizenship upon men, but not upon a word.” (Suetonius, *Lives of Illustrious Men: On Grammarians* 22, LCL)

Literate Alexandrians in Egypt also acknowledged written canons that were practiced in reference to grammar and the literary models that subsequent writers were advised to follow. They did not use the term “canon” to describe this activity, or for the collection of models to follow, but rather they employed the Greek term *πινακές* (“tables” or “lists”).<sup>29</sup> However, the very selectivity they used in compiling the famous lists of authoritative or “classic” works included in the Alexandrian library reflected the high standards employed in the selectivity. The grammarians serving at the great library of Alexandria sought to preserve an accurate and faithful text of the classics in literature and thus produced a collection of writers whose Greek and style of writing were models to follow. Among the most commonly recognized ancient classics were the works of Homer, Euripides, Menander, Demosthenes, Hesiod, Pindar, Sappho, Aeschylus, Sophocles, Plato, Aristotle, Aristophanes, Herodotus, Thucydides, and Aesop. In antiquity, those

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<sup>29</sup> *Pinax* (plural *pinakes*) originally referred to a board, plank, or tablet, often used to create a list, catalogue, or index. Eventually, the term was widely used in reference to lists or catalogues. *Pinakes* is similar in meaning to Cicero’s Latin term *classici* (“classes”) and Quintilian’s Latin *ordo* (“series, order”). Indeed, the very word *classic*, when applied to the ancient writers, suggests that these writers were among those who had reached certain standards of excellence and thought that others should and who subsequently did imitate (see Rudolf Pfeiffer, *History of Classical Scholarship: From the Beginnings to the End of the Hellenistic Age* [Oxford: Clarendon, 1968], 206–7). While the Greek *κάνων* did not originally have the sense of a finished or complete collection, as the word *pinakes* sometimes did, in several instances it has that meaning. I will discuss these terms more in Chapter 6.

who wrote literary works did not move far from these models in subject matter, style, or grammar. Those who departed from these standards were often criticized for doing so or ignored.

These classic writers (and some others) became the standards in the Alexandrian library. Not everything written in the ancient world was selected and placed in those collections, but those that were included were copied with considerable care by people trained to preserve the accuracy of their texts and to order them for identification and location. For example, the list of poets among the old Greek classics is undeniably selective. The Greek grammarians at Alexandria selected Homer's *Iliad* and *Odyssey*, along with Hesiod's *Theogony* and *Erga*, as the standards of epic poetry. Likewise, Pindar, Bacchylides, Sappho, Anacreon, Stesichorus, Simonides, Ibycus, Alcaeus, and Alcman became the nine standard lyric poets and were sometimes referred to as "the Nine." Although the order differs in the various epigrams that list these works, the names were all the same; it was a standard list. These names, as well as those of the ten great orators, circulated widely not only in Alexandria, but also in Pergamum, Rhodes, Athens, and Rome, the other important learning centers and locations of major libraries in the ancient Greco-Roman world. After listing the orators and writers with the best skills, Quintilian (born ca. 35 CE) explains the value of imitating them:

*It is from these and other authors worth reading that we must draw our stock of words, the variety of our Figures, and our system of composition, and also guide our minds by the patterns they provide of all the virtues.* It cannot be doubted that a large part of art consists of imitation. Invention of course came first and it is the main thing, and good inventions are profitable to follow. Moreover, it is a principle of life in general that we want to do for ourselves what we approve in others. Children follow the outlines of letters so as to become accustomed to writing. Singers find their model in their teacher's voice, painters in the works of their predecessors, and farmers in methods of cultivation which have been tested by experience. In a word, we see the rudiments of every branch of learning *shaped by standards* prescribed for it. We obviously cannot help being either like the good or unlike them. Nature rarely makes us like them; imitation often does. (*Orator's Education* 10.2.1–3, LCL, emphasis added)

In other Greco-Roman literature, *κανών* was employed as a means of determining the quality of something, that is, whether it "measured up."<sup>30</sup> This is similar to the notion of "canon of faith" (Lat., *regula fidei*), which refers to the religious beliefs that were the standards of faith in the early church. Unlike the Christian and Jewish understanding of their biblical canons, however, Quintilian urges caution when reading the best authors. He acknowledges that they were merely human and could make mistakes and this should be held in mind when reading the best orators and writers:

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<sup>30</sup> For example, see Euripides, *Hecuba* 602; Demosthenes 18.18, 296; Aeschines, *Against Ctesiphon* 88; Sextus Empiricus, *Pros Logikous* 2.3; Epictetus, *Discourses* 1.28.28.

The reader must not let himself be automatically convinced that everything which the best authors said is necessarily perfect. They do sometimes slip, stagger under the load, and indulge in the pleasures of their own ingenuity. They do not always concentrate, and they get tired from time to time. Cicero thinks Demosthenes sometimes drops off to sleep, and Horace thinks the same even of Homer. Great men they are, but they are only human, and it can happen that people who make everything they find in them into a law of oratory come to imitate their less good features (which is easier) and fancy themselves sufficiently like them if they attain to the great men's faults. However, we should be modest and circumspect in pronouncing judgment on men of such stature, and avoid the common mistake of condemning what we do not understand. If we must err on one side or the other, I should prefer readers to approve of everything in the masters than to find many things to disapprove. (*Orator's Education* 10.1.24–26, LCL)

On the other hand, those who followed a *biblical* canon believed that their writings came from God and they did not criticize them or stand in judgment over them.

Upon request from Alexander the Great, *supposedly*<sup>31</sup> Aristotle set forth standard “rules” or guidelines for the practice of rhetoric. Aristotle’s “Art” of Rhetoric in three volumes was followed by a subsequent author, writing in Aristotle’s name (sometimes called Pseudo-Aristotle) purporting to lecture Alexander on the benefits of careful rhetoric. He called his enterprise on rhetoric “principles of political oratory” and endeavored to present in Aristotle’s name to Alexander a treatise on this subject “with a degree of accuracy that has not yet been attained by any other of the authors dealing with it” (Ps.-Aristotle, *Rhetoric to Alexander*, 1420a, LCL 16:267).

Alexandrian grammarians, who set forth a canon of writers whose Greek was used as a model, may well have influenced both Jewish and Christian notions of a biblical canon when they identified the books that established the standard guidelines of their faith and practice. The gathering together of an authoritative collection of classical writings in the great library at Alexandria, Egypt has some parallels with the notion of canon as a collection of literary models or guides to be followed by both Jews and Christians.<sup>32</sup> John Van Seters argues more forcefully that the act of gathering and copying the classical texts in the library at Alexandria was the direct ancestor of the biblical canons of both Judaism and early Christianity. He writes:

The scholarly tradition of the Alexandrian library was likewise concerned with the listing and classification of its works. In this regard it established tables, i.e. lists (*pinakes*) of writers and classical works from the past, and excluded spurious works whose creation was very common in the Hellenistic period. These tables are the ancestors of the “canons of writers” that one encounters in the Roman and Byzantine periods. I think it is obvious that the concern to establish a canon of scripture in Judaism and Christianity draws directly upon this scholarly tradition.<sup>33</sup>

<sup>31</sup> Many scholars are not convinced that Aristotle himself actually wrote the Rhetoric guidelines.

<sup>32</sup> VanderKam, *Revelation to Canon*, 29–30, also suggests this influence.

<sup>33</sup> Quoted by VanderKam, *ibid.*, 30.

Perhaps here I should emphasize that the first person to identify the collection of Christian sacred scriptures with the word “canon,” Athanasius, *was also from Alexandria* where literary canons were well known.

The legendary story about the origins of the Greek translation of the Law (Pentateuch) presented in the *Letter of Aristeas* (discussed in the previous chapter) is in harmony with this theory. Its author gives a legendary account of how the Alexandrian library began and how the Jewish Scriptures were translated into Greek and included in it. While most scholars today recognize that there is a considerable amount of myth and legend in this account, they also recognize that some elements of reality are couched in the legend. In the early part of the so-called legendary “letter” we read:

On his appointment as keeper of the king’s [Ptolemy II Philadelphus, 285–247 BCE] library, Demetrius of Phalerum undertook many different negotiations aimed at collecting, if possible, all the books in the world. By purchase and translation he brought to successful conclusion, as far as lay in his power, the king’s plan. We were present when the question was put to him, “How many thousand books are there (in the royal library)?” His reply was, “Over two hundred thousand, O King. I shall take urgent steps to increase in a short time the total to five hundred thousand. Information has reached me that the lawbooks of the Jews are worth translation and inclusion in your royal library.” (*Let. Aris.* 9–10, *OTP* 2:12)

The *Letter of Aristeas*, though generally acknowledged as Jewish fictional propaganda, nonetheless likely reflects some reliable traditions in it such as its claim that individuals connected to the Alexandrian library sought to collect important literary productions.<sup>34</sup> It is also likely the case, as the *Letter of Aristeas* states, that the translators of the Law of Moses from Hebrew into Greek were Jews who came from Jerusalem to Egypt with Hebrew texts of the Jewish scriptures, the Pentateuch, to produce a reliable Greek translation of them. This seems to assume that a standard text of Jewish Scriptures existed in Jerusalem as the *Vorlage* (antecedent) to this translation (Septuagint or LXX) and it was used for the translation, and it also assumes some relationship between the Jews in the land of Israel and those in Alexandria.

The notion that this tradition of collecting the standard or classical writings in one library was a model for Jews is enhanced by the comment in the *Letter of Aristeas* that the Jewish “law books” were considered worthy of translation and inclusion in the royal library. Accordingly, not everything written was considered worthy of inclusion in the Alexandrian library nor viewed as models to follow, but the selectivity on the part of the librarians at the Alexandrian library, witnessed to by the *Letter of Aristeas*, may well give the context or background necessary

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<sup>34</sup> Rudolf Pfeiffer, *History of Classical Scholarship*, 99–104, discusses the importance of the *Letter of Aristeas* with its other ancient parallel, Tzetzes’ *Prolegomena to Aristophanes*, and while acknowledging the fictitious nature of the former, he nevertheless accepts many of its features as reflective of the origins and development of the library at Alexandria.

for understanding why both Jews and Christians adopted the notion of a *selected* standard of religious texts from among many other religious texts produced both by Jews and later by the Christians.

Those connected with the famous Alexandrian library commissioned the famous writer Callimachus<sup>35</sup> to compile a catalogue or list of ancient authors and works housed in the library at Alexandria. Again, it is possible that both Jews and Christians derived their understanding of the notion of a biblical canon as a fixed collection of authoritative writings from this example.<sup>36</sup> They both knew of the Greek translation of the Jewish scriptures, as we will see in Chapter 6 below, and there were certainly large numbers of Jews in Alexandria before and during the time when the Hebrew Scriptures were translated into Greek. The diaspora Jews at that time may well have gained their understanding of a fixed biblical canon from the closest model at hand, namely, the canon of literary texts in the library at Alexandria. Likewise, many Christians were living in Alexandria in the latter part of the first century CE and thereafter, and well before the time when anyone discussed the formation of a biblical canon.

Again, did the Alexandrian literary canon influence the Christian notion of a biblical canon? It is not yet possible to draw clear lines of dependence and no one in antiquity states this dependence, but both the proximity and influence of Alexandria on the land of Israel in the third century BCE and following suggests that possibility. Indeed, the Egyptian Ptolemies controlled the land of Israel until the battle at Paneas (called Caesarea Philippi in the New Testament and more recently Banias) in 198 BCE. As we will see later in Chapter 16 §VI, Origen may have been one of the earliest Christians to produce a list of Christian scriptures, and he also lived for years in Alexandria, Egypt. Similarly, as noted earlier, Athanasius, also of Alexandria, was the first church father to produce a NT canon like the one that currently exists in Christian Bibles and he used the term canon to identify it. It may be significant that there is no record of a fixed or stabilized collection of Scriptures in Judaism before the translation of the Pentateuch

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<sup>35</sup> Callimachus was born in Cyrene around 300 BCE and was educated in Athens. After teaching for a while near Alexandria, he was commissioned to produce catalogues or lists of the library, with notes on all of its estimated 500,000 volumes in order to make them more accessible. A poet and a prolific writer (supposedly producing more than 800 volumes) – but never head librarian at Alexandria – Callimachus' most valuable contribution is his 120-volume catalogue, which he entitled *Pinakes*. See A. Lesky, *A History of Greek Literature* (New York: Crowell, 1966), 5, 700–717; Rudolf Pfeiffer, *History of Classical Scholarship*, 123–51; and J. E. G. Zetzel, “Re-creating the Canon: Augustan Poetry and the Alexandrian Past,” in *Canons*, ed. R. von Hallberg (Chicago: University of Chicago Press, 1984), 122–25; and P. W. Pirie, “Callimachus,” in *The Oxford Classical Dictionary*, ed. Simon Hornblower and Antony Spawforth, 3rd ed. (Oxford: Oxford University Press, 1996), 276–78.

<sup>36</sup> Davies, *Scribes and Schools*, 6–8, 15–36, offers a helpful discussion of how the term *kanōn* was used in antiquity and he also suggests that the Christians only later adopted a well-used term in the Greco-Roman world for their own biblical canon. See also VanderKam, *Revelation to Canon*, 29–30.

into Greek at Alexandria. It is not a great leap in logic to see how librarians at Alexandria might have influenced the Jews, especially since their sacred writings were translated, given to the king, and placed in the Alexandrian library, and especially also because later they show considerable awareness of Homer and the classics (e.g., Josephus, *Ag. Apion* 1.9–46) as we will see in Chapter 6.

Widespread literary canons in the Greco-Roman world existed long before Jews and Christians began to talk about a recognized collection of sacred Scriptures and the Alexandrian example may have had an influence (been a model?) on Jewish and Christian formations of their biblical canons. However, what appears to be unique to Judaism, and subsequently early Christianity, is the notion of a *fixed* collection of sacred books that defines the will of God and is considered inviolable (Deut 4:2; Rev 22:18–19). Nothing else quite parallels this focus in antiquity, although the Greeks' recognition of the special religious significance to Homer has some parallels. Generally, if subsequent writers rose to the level of their antecedent models, they could be included in the classics as well.

It is not yet possible to draw clear lines of Jewish or Christian dependence on these Hellenistic models, but both the proximity and influence of Alexandria in the land of Israel from the fourth century BCE and following suggests the possibility. Indeed, the Ptolemies from Egypt controlled the land of Israel during the time the LXX translation was produced and later, until they lost control of it during the battle at Pan (Paneas), noted above. The introduction of the *pinakes* or catalogues of model literature took place in Alexandria during the time of Callimachus (third century BCE, see discussion in Chapter 6 §II). It may be significant that there is no record of a *fixed* or stabilized collection of Scriptures in Judaism before the existence of the *pinakes* in Alexandria.<sup>37</sup> The development and production of standards for a variety of human activities, including standard lists or collections of writings both at Alexandria and elsewhere in the Hellenistic world, is not far from what is implied in the Christian use of the term *canon* when applied to a collection of sacred books. The influence of the librarians at Alexandria might well have been felt not only among the Alexandrian Jews but also among those in the Land of Israel (Palestine). If the *Letter of Aristeas* is correct in its view that the sacred Jewish writings (the Pentateuch) were translated, given to the king, and placed in his royal library at Alexandria, then Jewish awareness of canons or models that define their faith are not likely far removed.

The processes of canonization have striking parallels in the Greco-Roman world and in modern times, including the selective “decanonization” that biblical canons undergo when the times, culture, and a religious community's needs change. For example, over time formal literary styles of language that were once dominant in one culture inevitably change and the former standards of literary

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<sup>37</sup> As we will observe below in the discussion of the criteria for the selection of books and closing of the period of canonization for the HB, the notion of the cessation of prophecy in Israel does not appear before the time of the Hasmonean Dynasty in the second century BCE.

activity are no longer the same as those in the emerging culture. Canons change over time *generally*. It is not unusual today to see former standards disappear, as in the practice of not ending a sentence with a preposition, splitting infinitives, or changing possessive words from 's to s's, and in Jesus' to Jesus's. Such changes take time and in times of change and transition, educational institutions and publishers, and leading authors often become the primary custodians of the classical literature of the past and its grammatical standards. Through a variety of interpretive measures that regularly introduce the previous "standard" styles to contemporary cultures, educational institutions seek ways of enabling the classical literature to remain relevant to the emerging communities, including making modifications of it to make it relevant.<sup>38</sup>

In the case of Judaism and Christianity, the "institutions" are the synagogue and the church respectively and they use a variety of hermeneutical skills to bring the past into the present and show the relevance of the "standards" of earlier synagogues and churches for the contemporary communities of faith. Historically, the oldest skill that sought to bridge the gap between contemporary and earlier sacred standards was hermeneutics.<sup>39</sup> Both Judaism and early Christianity utilized allegory to reflect the continuing relevance of their scriptures. Just as the ancient literary canons often spoke differently than the educators of a later period, the educators contemporized classical literature so those canons could continue to address the people of their day. Periodically, however, the canons of one generation ceased being relevant to the needs of the next and occasionally some earlier "canonized" literature became "decanonized." Some texts that initially functioned in an authoritative manner, later no longer did.

By the fifth century BCE, the notion of the Olympian gods expressing human behavior was problematic to a growing number of philosophers. Xenophanes of Colophon, for example, challenged whether the gods were capable of human jealousy, wrath, lust, and anger. Such behavior, they argued, was not appropriate to the propriety (*theoprepes*) and dignity of the gods (*dignum deo*). Human affections and emotions, it was believed, were unjustly ascribed to the gods in the mythical tales of Homer and Hesiod. Euripides claimed that it was unseemly for the gods to be like mortals in matters like fits of anger (*Bacchae* 1348).<sup>40</sup> Sextus Empiricus also concluded that it has been established by all philosophers that the gods cannot

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<sup>38</sup> Guillory offers a useful summary of how literary canons emerged in the ancient world and how they were maintained both in antiquity and in the modern world in his "Canon," 233–49.

<sup>39</sup> James A. Sanders in his *Monotheizing Process*, 2–3, discusses this process when he speaks of the "hermeneutical triangle" that addresses the text under consideration, the sociological context in which the text arose, and the hermeneutics employed by the interpreters of the text. The reinterpretation of the ancient texts in new situations involves this significant hermeneutical process. In antiquity it often involved allegory.

<sup>40</sup> For further expansion of this point, see Pieter W. Van Der Horst, *Jews and Christians in Their Greco-Roman Context*, WUNT 196 (Tübingen: Mohr Siebeck, 2006), 129–30.

be subject to emotions or passions. They are “apathetic” (*apathes*) as we see in his *Pyrrhoneiai Hypotposeis* (1.162).

Another feature that has parallels with the works of Homer and the biblical literature is the construction of commentaries on these works that were generated by the Greeks as well as the Jews and Christians. It appears that commentaries on sacred books began with Aristarchus of Samothrace (216–144 BCE), also known as the “most scholarly scholar” (*grammatikotatos*) and sometimes even called “the Prophet” (*ho mantis*), who is reputed to have written the first commentaries (called *hupomnemata*) on classical works beginning with Homer and Hesiod, then Aeschylus, Euripides, and other classical books. He discussed the meaning of words, style, form, and meter and also made comparisons with other literature in his commentaries. His well-known rule of interpreting a writer by use of his own words and context is essentially “interpreting Homer with Homer” (*Homeron ex Homerou saphenizein* = “explain Homer from Homer”). Rabbinic Jews regularly used this interpretive style as we see in the seven hermeneutical rules attributed to Hillel summarized as “like something similar in another passage” (*ke-yotze bo be-maqom aher*).<sup>41</sup> Historically, Jewish and Christian commentaries follow the commentaries of Aristarchus. Some of the earliest known Jewish commentaries are the *pesharim* (commentaries) from Qumran<sup>42</sup> and closer in geographical distance are the commentaries of Philo (of Alexandria).<sup>43</sup> Similarly, the production of commentaries on early Christian writings, such as the four canonical Gospels and letters of Paul, show the value of commentary literature among the early Christians. The best-known ancient commentator of New Testament writings is, of course, Origen (ca. 185–254), who produced more commentaries than any of his contemporaries. Demetrius, bishop of *Alexandria*, regularly implored him to pursue this activity.

These overlaps in the production of commentaries on sacred writings cannot be inconsequential for a study of canon formation, despite the differences between ancient literary canons and biblical canons. As this view took root in the synagogue and church, decanonization was harder to accomplish, and more creative hermeneutics were introduced to make the biblical literature relevant to contemporary generations. The similarities between Jewish and Christian commentaries on sacred literature and the ancient literary canons are the subject of several significant works on literary canons, and future advances in canon

<sup>41</sup> This comparison was brought to my attention by J. F. A. Sawyer, *Sacred Languages and Sacred Texts*, Religion in the First Christian Centuries (London: Routledge, 1999), 147–49.

<sup>42</sup> Namely, commentaries on Habakkuk, 1QpHab; on Micah, 1QpMic; on Isaiah, 4QpIsa<sup>a</sup>, 4QIsa<sup>b</sup>, and 4QpIsa<sup>c</sup>, 4QIsa<sup>c</sup>; on Hosea, 4QpHos<sup>b</sup>; on Nahum, 4QpNah; on the Psalms, 4QpPs<sup>a</sup>, 4QpPs<sup>b</sup>.

<sup>43</sup> See for example his commentary on the days of creation of the world (*De Opificio Mundi*) and his *Allegorical Interpretation of Genesis 2,3* (*Legum Allegoria*), as well as his commentaries on the Decalogue (*De Decalogo*) and *Special Laws* (*De Specialibus Legibus*).



formation will of necessity need to be informed by them.<sup>44</sup> The extent to which changing cultural influences had an effect on the decisions Jews and Christians made regarding the scope of their own biblical canons requires further exploration.<sup>45</sup> As we will see in Part 3, the push for unity and conformity in the Empire was a hallmark of Roman emperors, and this call for conformity in the Empire was especially prominent during the reign of Constantine in the fourth century when various Christian teachers began to produce lists of Scriptures that they could read in synagogues and churches.

#### IV. BIBLICAL CANONS IN EARLY CHRISTIANITY

As noted earlier, the early churches used the term canon at first in reference to a rule or guide in the sense of a “canon of faith” (*regula fidei*) as we saw above in Gal 6:16 when Paul was speaking about the church’s tradition of the cross and resurrection of Jesus the Christ. This rule or guide formed the essence of Christian belief and was at the heart of its traditions. I have argued earlier that Scripture is included in the notion of a biblical canon, namely, it is something sacred written down that became normative for a believing community. Writings were acknowledged as Scripture before they became part of a fixed collection of Scriptures that we call a biblical canon. Some scholars use the terms scripture and canon interchangeably, but they are distinguishable, and it is important to keep them that way.<sup>46</sup> There can be no doubt that the individual documents that comprise a biblical canon functioned authoritatively as inspired sacred scripture within a believing community before they were incorporated into a fixed corpus of canonized scriptures.<sup>47</sup> This is the sense of function rather than shape, or “canon

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<sup>44</sup> For a more thorough examination of the social context of literary canons, see Guillory’s *Cultural Capital* and Von Hallberg’s *Canons*, a collection of essays on the wide range of canon formation, including the formation of the HB. A standard and still relevant discussion that deals with the origin and perpetuation of literary canons is L. A. Fiedler and H. A. Baker Jr., eds., *English Literature: Opening up the Canon* (Baltimore: The Johns Hopkins University Press, 1981).

<sup>45</sup> It is disappointing that almost every significant investigation of biblical canons today omits discussion of the Greco-Roman influence on the notion of canon in the ancient Christian community. While there are significant differences between literary and biblical canons, there is also some overlap in concept that may reflect what influenced the church at various junctures in the processes of canonization. Dieter Georgi’s *The Opponents of Paul in Second Corinthians* (Philadelphia: Fortress, 1986), 427–45, includes a most welcomed epilogue on the question of canon in the ancient Greco-Roman world. He raises questions, makes observations about the social context of canon formation, and offers a helpful bibliography and footnotes to pursue the question.

<sup>46</sup> For further discussion of this topic, see Ulrich, “Notion and Definition of Canon” and also Law, *When God Spoke Greek*, who contends that for the sake of clarity it is essential to distinguish between scripture and canon.

<sup>47</sup> This distinction is also urged by N. M. Sarna, “Canon, Text, and Editions,” *EncJud* 1:822. Whatever else we call the writings that were appealed to as divinely inspired and authoritative texts

1” that comes before “canon 2.” If a biblical canon is a fixed list of Scriptures, what do we call a book or piece of literature that *functioned* authoritatively as a sacred writing before it became part of a fixed list of sacred Scriptures? We call it “Scripture” and it may have functioned that way only temporarily as in the cases of *1 Enoch* and *Shepherd of Hermas*.

While some Jewish scholars use the term “canon” in reference to their collection of sacred scriptures, historically Greek speaking Jews used canon not in reference to a fixed collection of sacred Scriptures, but rather in reference to a model or standard to follow. For example, Josephus (ca. 90 CE), referring to Josiah’s ascension to the throne (2 Kgs 22:1; 2 Chr 34:1), says that King David was a model “whom he [Josiah] made the pattern and rule [κανόνι] of his whole manner of life” (*Ant.* 10.49, LCL).<sup>48</sup>

Canon is used sparingly in the NT (only in Paul as noted earlier), and later in Clement of Rome (ca. 90 CE) who used “canon” in reference to the church’s revealed truth when he encourages the Christians at Corinth to “put aside empty and vain cares, and let us come to the glorious and venerable rule of our tradition [τῆς παραδόσεως ἡμῶν κανόνα]” (*1 Clem.* 7.2, LCL).<sup>49</sup> In second-century church fathers, κανών was used in the church to describe a “rule of faith” (Latin *regula fidei*; Gk. ὁ κανών τῆς πίστεως) or a “rule of truth” (Latin *regula veritatis*; Gk. ὁ κανών τῆς ἀλήθειας). It designated a core of beliefs that identified the Christian community, its understanding of the will of God, and its mission.<sup>50</sup>

At the end of the second century CE, Irenaeus used “canon” in reference to the rule of faith that governed Roman Christianity’s beliefs. He also used it to refer to the essence or core of Christian doctrine, saying that a true believer retains “unchangeable in his heart the *rule* of the truth which he received by means of baptism” (*Haer.* 1.9.4, ANF). This usage is similar to the Latin *norma* (“standard”). Eusebius (ca. 320–330) says that Clement of Alexandria (ca. 170–180) spoke of an “ecclesiastical canon” or “body of truth” (Gk. Κανὼν ἐκκλησιαστικὸς) (*Hist. eccl.* 6.13.3). Later church fathers used the term for books that could be read in private, but not in Christian worship. Clement of Alexandria also spoke of the “rule” (κανών) of faith that was the truth of the church, even though he did not apply the term

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before they were included in a biblical canon, because they functioned canonically or authoritatively as sacred literature, there needs to be some means of identifying them as such. This identity of ancient Israelite religious and historical texts as authoritative sacred scripture early on lets us know, as we see below in Chapter 4 §II, in a listing of “lost books” mentioned in Joshua to 1–2 Chronicles, that a number of earlier scriptures were lost and are presently not recoverable and do not form part of any biblical canon.

<sup>48</sup> See other examples in Josephus, *Ag. Apion* 2.174; and also in Philo’s *Allegorical Interpretation* 3.233; *Testament of Naphtali* 2:3; *4 Macc.* 7:21; and *Let. Aris.* 2.

<sup>49</sup> The precise meaning of this phrase is admittedly difficult to discern. It could refer to the Christian message and its implications that were passed on in the church, to a common code of church ethics, or to the Christian use of the Old Testament Scriptures. Probably the first of these is intended.

<sup>50</sup> Metzger, *Canon of the New Testament*, 251–52.

specifically to the biblical literature.<sup>51</sup> From approximately the middle of the fourth century CE, *κανών* began to be used for the collection of sacred writings of both the Old and New Testaments.<sup>52</sup> Here is where canon as function and shape merge.

Eusebius is sometimes credited as the first person to use *κανών* in reference to a collection of Christian Scriptures (see *Hist. eccl.* 6.25.3), but a careful study of his references to the Scriptures of the church indicates that his favorite terms for this literature was *ὁμολογουμένα* (*homologoumenon* = “recognized”) and *ἐνδιαθήκους* (“covenanted,” or more accurately “encovenanted”; see *Hist. eccl.* 3.25.3 and 3.25.6 respectively; see also 3.24.2).<sup>53</sup> His usual term for describing a list of sacred Scriptures is *κατάλογον* (“catalogue”; *Hist. eccl.* 3.25.6; 4.26.12). When he used *κανών*, he was generally referring to the church’s traditions or its rule of faith. Of the ten times Eusebius uses the term, only two are possible (but unlikely) candidates for an exclusive list of sacred Scriptures (*Hist. eccl.* 5.28.13 and 6.25.3). Although Eusebius may have provided the first datable list of the church’s New Testament books (*Hist. eccl.* 3.25.1–7),<sup>54</sup> he does not use the term *κανών* to identify it. He apparently used *κανόνα* in reference to a list of the four Gospels (*Hist. eccl.* 6.25.3), but may have depended on Origen for this as well as his use of *ἐνδιαθήκος*.<sup>55</sup>

Setting forth what he claimed to be Origen’s list of Christian Scriptures, Eusebius writes: “In the first of his [commentaries] on the Gospel according to Matthew, *defending the canon of the Church* [τὸν ἐκκλησιαστικὸν φυλάττων κανόνα], he gives his testimony that he knows only four Gospels” (*Hist. eccl.* 6.25.3, LCL, emphasis added). The question here is whether “canon of the church” refers to the rule of faith or to a body of sacred Christian literature, that is, a list or catalogue of Scriptures. It is possibly the latter since Eusebius is clearly speaking about the rule of faith presented in a collection of sacred writings while he is speaking of the Gospels, but he may be referring to the tradition about Jesus in the canonical Gospels (see also *Hist. eccl.* 6.25.1, where he refers to Origen’s “encovenanted books” [ἐνδιαθήκους βίβλους]).

In an annual Easter letter of 367 CE, commonly referred to as his 39th *Festal Letter*, Athanasius made use of the verbal form of canon (*κανονιζομένων* = “canonized”) in reference to a collection of sacred literature that he wanted to

<sup>51</sup> See Clement of Alexandria, *Strom.* 6.15.125, where *kanōn* is the harmony between the Law and the Prophets on the one side and the covenant instituted by the incarnation of the Lord on the other.

<sup>52</sup> Several scholars make this point. See, for example, Beyer, *TDNT* 3:600–601; W. Schneemelcher, “General Introduction,” trans. G. Ogg, in E. Hennecke, *New Testament Apocrypha*, ed. W. Schneemelcher, English trans. ed. R. M. Wilson (Philadelphia: Westminster, 1963), 1:22–24; and G. W. H. Lampe, “The Early Church,” in *Scripture and Tradition*, ed. F. W. Dillistone (London: Lutterworth, 1995), 24–26.

<sup>53</sup> Metzger, *Canon of the New Testament*, 292, translates *endiathekos* as “contained in the covenant” (i.e., not apocryphal).

<sup>54</sup> Later I will suggest that this may have begun with Origen in the third century and repeated by Victorinus of Pettau toward the end of the third century or early fourth century CE.

<sup>55</sup> For a careful study of these two terms in Origen, who was followed both by Eusebius and later Jerome, see Gallagher, *Hebrew Scripture in Patristic Biblical Theory*, especially 30–84.

distinguish from a collection of apocryphal writings commonly read in the churches in Egypt and elsewhere (see the text in Chapter 21 §I.E). This is the earliest known use of *κανών* for a fixed collection or listing of the church's Scriptures.

## V. SCRIPTURE AND CANON IN ANTIQUITY

Was there a distinction between Scripture and canon in antiquity? At the beginning of the processes that led to the formation of the Christian Bible, one can only speak of canon consciousness anachronistically. It is difficult to find any appropriate term to identify and describe the processes of canonization since the ancient religious communities showed little interest in forming a closed collection of sacred Scriptures until well into the fourth century CE. They used the term canon generally in reference to the church's sacred tradition passed on in the churches, but not in reference to a collection of the church's scriptures until well into the fourth century and later. While it is currently common to speak of canon in reference to an early recognition of the authority and value of religious texts, that use of the term did not exist in the first or second centuries.

Canon consciousness as a list of sacred books emerges at the earliest in the third century with Origen, and subsequently in the fourth century with Athanasius. It is more accurate to speak of a "canonical process" or even "canonical processes" than a biblical canon at these early stages that began in the first century with the recognition of the value of the Christian writings. In the second century, the practice of calling some Christian writings "scripture" began, but this is not the same as canon formation. No one at that time was focused on a fixed collection of Christian scriptures. In the second century, we are still without precise language to describe the formative stages of the biblical canon.

Sacred writings initially circulated alone in various churches, but were eventually collected and placed into larger collections and those collections were eventually brought together to form a biblical canon. The gathering of such writings in the first place suggests a respect for and recognition of their authority in the religious communities that possessed and copied them. In some cases, recognition of their value took place almost from the time they were produced, as in the case of the Gospels. One of the earliest references to Paul's writings as sacred scripture is in 2 Pet 3:15–16.

Speaking of the HB/OT canon, Davies argues that canonizing biblical literature involved the stages of composing, editing, archiving (= combining two or more writings on a single scroll), and then collecting and placing those writings into larger scrolls.<sup>56</sup> Among these processes, none of them would have happened had not the value of the writings become apparent to those involved in their early and later preservation and circulation.

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<sup>56</sup> Davies, *Scribes and Schools*, 57–58.

The eventual end of the canonization process is a stabilized collection of sacred books and lastly also a fixed text, but that was never the goal in the initial stages of canonical formation. The primary interest in the early Christian writings had to do with their value for worship, catechetical instruction, apologetics, and mission. The *end* result of the process that began with recognizing the value of this literature for the churches was the recognition of the scriptural status of those writings and the emergence of a biblical canon. The processes that led to its formation are often unclear since the steps taken in getting from the recognition of the value and authority of Christian texts to their scriptural status and eventually to a fixed biblical collection are remarkably absent in the history of early Christianity. Moreover, the processes that led to canonization are not uniform for each book since some books that seemed to be heading for canonization initially were not finally included in the fixed canon of the Jews (Sirach and Wisdom of Solomon) or the Christians (*1 Enoch*, *1 Clement*, *Barnabas*, *Didache*).

“Canon” is not equal to “Scripture” even though there is considerable overlap in the authority of both. As we saw earlier, Scripture has to do with the divine status (inspiration) of a written document that is accepted as authoritative in the life of the church. Scripture is believed to have its origins in God and expresses the will of God for the people. Canon, though initially used in reference to rule or model, came to refer primarily to a fixed standard or collection of acknowledged Scriptures that defines the faith and identity of a particular religious community and functions authoritatively in the church or synagogue. In this sense, all Scripture is canon (authoritative, canon 1), but a biblical canon is a fixed or selected collection of Scriptures that comprise the authoritative Scriptures for a religious community (shape *and* authority, canon 2). The two designations are not opposed to each other since both are authoritative in the churches, but it is quite possible to have an early recognition of the authority (function, *norma normans*, canon 1) of a text without any awareness of a standard or fixed collection of sacred texts (shape, *norma normata*, canon 2). I agree with Michael Holmes’ clarification of these distinctions when he concludes: “[I]t is clear that ‘canon’ presumes the existence of ‘scripture’, but ‘scripture’ does not require a ‘canon’. There can be scripture without a canon, but no canon without scripture – no ‘list’ or ‘catalogue’, because there would be nothing to put on the list. Canonicity is a matter of list-making, not scriptural status.”<sup>57</sup> See more discussion of these terms in §VI below.

In the historical climate of the developing churches of the second and later centuries, the church’s many interactions with so-called heretical teachers and their teachings led it to propose a standard by which it could define authentic Christianity. This standard was called a “rule of faith” or “canon of faith” (*regula fidei*) and it embodied the largely oral traditions about Jesus and traditional

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<sup>57</sup> Michael Holmes, “The Biblical Canon,” in *The Oxford Handbook of Early Christian Studies*, ed. Susan Ashbrook Harvey and David G. Hunter (Oxford: Oxford University Press, 2008), 406–26, here 406–7.

apostolic teaching. This canon of faith also included the writings that cohered with that tradition and which reflected that oral tradition that was present from the beginning. Only in this sense was a collection of writings enlisted to address the theological and practical concerns of the church that later developed into a biblical canon mostly emerging from the middle third to early fifth centuries. This does not mean that the church created a biblical canon in order to address the theological controversies and heresies of that day (second century).

The notion of a standard or rule of faith eventually led the churches to form a closed collection of Scriptures that Sundberg contends was unique for the church since it had not received a closed canon of Scriptures from Judaism.<sup>58</sup> The church inherited from Judaism the notion of sacred Scripture, but not a closed or fixed collection of Scriptures. That notion was present among the rabbinic sages only after the Christians separated from Judaism and the synagogue.

In reference to the eventual canonization of the Prophets, Sanders has observed that this involved reviewing the earlier prophetic messages and traditions and “adapting them to new situations started earlier.” He says that the prophets adapted the old traditions about the exodus from Egypt, the wilderness wanderings, and Israel’s entrance into Canaan that gave authority to their messages of divine judgment against his people. He concludes that the “universal human tendency to recapitulate old truths in order to transcend new crises lies at the heart of the canonical process. What is interesting is what was chosen to repeat and adapt, for it was in that selective process that a canon would take shape.”<sup>59</sup>

## VI. CANON 1 AND CANON 2

Several factors led the churches to establish a collection of sacred scriptures and there are generally two distinct ways of describing this “canonical” processes. A major part of what complicates inquiries into the origins of the biblical canon is the lack of agreement among scholars on what constitutes a biblical canon. Do biblical canons exist whenever an ancient book is cited authoritatively in another source? Should we infer that cited religious texts comprised an ancient writer’s “biblical canon,” as Beckwith, Childs, Seitz, Chapman, and Kruger suggest (see their works in the Bibliography)? Neusner rightly questions whether the notion of a closed biblical canon was ever discussed among the rabbinic sages of Late Antiquity.<sup>60</sup> The fixing of the scriptures into a collection to which nothing could

<sup>58</sup> A. C. Sundberg, Jr., “The Making of the New Testament Canon,” in *The Interpreter’s One-Volume Commentary on the Bible*, ed. Charles M. Laymon (New York: Abingdon, 1971), 1216.

<sup>59</sup> J. A. Sanders, “The Scrolls and the Canonical Process,” 11–12. See also his *Monotheizing Process*, 12–27, for a recent discussion of the exodus-wanderings-entrance motif in several HB/OT writings. Several examples of it are listed on pp. 13–19.

<sup>60</sup> Neusner, *Judaism and Christianity in the Age of Constantine*, 128–45; idem, *Midrash in Context*, 1–22.

be added or taken away is clearly a late development among both Jews and Christians, but that does not preclude the fact that some books circulated as a collection quite early in the process of canonization, namely the Law, the Twelve, perhaps the Former Prophets that have a historical sequence in them, but there were variables in the orders of the Major Prophets (Isaiah, Jeremiah, Ezekiel) and in the Writings. The formation of the *Megilloth* comes in various orders and is most likely post-rabbinic in the time in which it surfaces as a collection that celebrates and commemorates epoch's in Israel's history. This does not suggest that these books were not recognized as sacred texts or scriptural texts earlier than their current order in the HB. I will show below by illustration that there are a variety of places for Job in the collection of the Writings.

As noted earlier, Sanders recognizes two realities of canon formation among Jews and Christians and offers two terms to identify these realities. He calls them *norma normans* (literally, “norms that are norming”), and *norma normata* (i.e., sacred texts with a fixed and unchangeable shape).<sup>61</sup> *Norma normans* deals with the recognition and function of an authoritative voice or oral form that was first spoken and subsequently written and read to the people and that also was believed to have the authority of God attached to it. The second reality, *norma normata*, reflects both a listing and closed collection of sacred authoritative texts.<sup>62</sup> Both of these realities are essential to an understanding of canon formation. There could be no final listing (*norma normata*) without first an earlier text that functioned in an authoritative manner. Many scholars today refer to these two realities as “function” and “shape.”

Sheppard has described something similar to Sanders' distinctions using the terms “Canon 1” and “Canon 2.”<sup>63</sup> This is similar to but not exactly like the two kinds of canon argued earlier by Sanders.<sup>64</sup> I adopted Sheppard's terminology to speak of the two realities, but with a different focus than what Sheppard presented. These designations are helpful because they clarify both the original intent of the term canon (rule, guide, or authority) and its subsequent church usage and modern understanding of a biblical canon (a fixed or closed authoritative Scripture collection). The focus on the shape of the collection of authoritative writings (canon 2) is clearly a later development, but not antithetical to the earlier authoritative function of the sacred texts. Chapman has correctly noted that I use

<sup>61</sup> J. A. Sanders, “Canon: Hebrew Bible,” 1:847. See also idem, “Scrolls and the Canonical Process”; “The Stabilization of the Tanak,” in *A History of Biblical Interpretation: The Ancient Period*, ed. A. J. Hauser and D. F. Watson (Grand Rapids: Eerdmans, 2003), 225–53; and “From Prophecy to Testament: An Epilogue,” in *From Prophecy to Testament: The Function of the Old Testament in the New*, ed. C. A. Evans (Peabody, MA: Hendrickson, 2004), 252–58.

<sup>62</sup> J. A. Sanders, “Canon: Hebrew Bible,” 1:839 and 847–51.

<sup>63</sup> G. T. Sheppard, “Canon,” *The Encyclopedia of Religion*, ed. M. Eliade (New York: Macmillan, 1987), 3:64–67, cites many examples of both kinds of canon.

<sup>64</sup> James A. Sanders, *Torah and Canon* (Philadelphia: Fortress, 1972), 1–9.

Sheppard's terms but not in the ways he intended,<sup>65</sup> but my use of them is clearly stated and in line with the views of many current canon scholars (Barton, Collins, Lim, Satlow, Sundberg). I make no apologies for using these designations since they add clarity to understanding the formation of the Bible and allow for the original and subsequent understandings of canon in the churches. Others also have also used the designations "canon 1," "canon 2," and even "canon 3" but in different ways.<sup>66</sup> Those who do not distinguish between the two realities of canon and equate Scripture and canon often misunderstand and confuse my distinctions between canon 1 and canon 2, and have difficulty appreciating the fact that some texts were earlier called "Scripture," but later were not placed in the HB or NT canons.<sup>67</sup> Although Chapman acknowledges the imprecise boundaries of a collection of Jewish scriptures in late Second Temple Judaism, he seems not to recognize the distinctions I make between canon 1 and canon 2 texts. However, my use of those designations does not detract from the sometimes-temporary authority of canon 1 texts when they are recognized in a religiously authoritative manner in Jewish and early Christian communities. Many of the texts that were later rejected functioned authoritatively earlier among some Jews and among some early Christians and subsequently were included in writings that formed their sacred collections of scripture. The early churches acknowledged from their beginning the authority of Jesus, and the Gospels were welcomed as sacred authority since they told his story, but that is not necessarily the case for all of the literature that now makes up the HB or the OT and the NT. Many books were included in the churches' final collection of sacred scriptures, but many were not. Canon 2 distinguishes books that were included from those that were excluded. All canon 2 texts initially functioned as canon 1 texts and eventually were collected and formed the fixed collection of the church's Scriptures. Some canon 1 texts were not included in the church's final collection of scriptures. Chapman acknowledges the ambiguities in the reception or rejection of some books as late as the end of the first century CE, but he is not clear on how he distinguishes those realities. That part is confusing in his approach, though he acknowledges what he calls the "fuzziness" around the edges of canon formation. Some scholars speak of "temporary canonization" and others use the term "decanonization," but

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<sup>65</sup> Chapman, "Second Temple Jewish Hermeneutics," 282–86.

<sup>66</sup> Barr, *Holy Scripture*, 75–79, for example, describes three forms of canon that he designates "canon 1," "canon 2," and "canon 3," but in a quite different sense than what we find in Sanders or Sheppard. For Barr, canon 1 refers to the list of books that comprise the biblical Scriptures; canon 2 has to do with the final stages of each book as opposed to the original form of the book; and canon 3 is "the principle of attraction, value, and satisfaction that makes everything about canons and canonicity beautiful" (76–77).

<sup>67</sup> Julius Steinberg and Timothy J. Stone, "The Historical Formation of the Writings in Antiquity," in *The Shape of the Writings*, ed. Julius Steinberg and Timothy J. Stone, Siphut 16 (Winona Lake: Eisenbrauns, 2015), 5–8.



I prefer canon 1 and canon 2 because the former does not assume the latter. It often took centuries, as we saw, before there was widespread (never universal) recognition of some HB/OT books (Esther and Ecclesiastes) and also NT books (Hebrews, James, 2 Peter, 2–3 John Jude, and Revelation). We will see further discussion of this below.

The Jews of late Second Temple Judaism, like the early Christians, had authoritative scriptures before they had a Bible! This does not diminish the authority of those texts, but all canon scholars acknowledge that there came a time when nothing more was added and the books that were included in the HB and later in the NT were finally fixed or closed, even if they disagreed on the scope of the OT books. Chapman agrees that the HB was eventually closed and we both agree that it was not determined by a council on the order of some of the church councils, but rather it came through the practice of reading and re-reading those scriptural texts in ever new and changing circumstances.<sup>68</sup> He apparently thinks it is inappropriate to ask or discuss *when* this took place and how those decisions were made, but acknowledges that there was an end to the process. There came a time when some books that were earlier considered normative were no longer accepted as part of the Jewish sacred Scriptures or the Christian sacred Scriptures (*1 Enoch*, *Shepherd of Hermas* and many others).

When did this happen? We can be fairly certain that this happened when most of the rejected books were no longer considered scripture by the majority of churches, though some rejected books continued to appear in catalogues or lists of sacred Scriptures for centuries and have survived in several ancient biblical manuscripts. The primary exception for the Hebrew Bible, or rabbinic Scriptures, is Sirach that was acknowledged as scripture initially by the rabbis, but eventually was rejected (see discussion of this in Chapter 11 §III.D). This highlights the two kinds of canon, namely one that is temporary (canon 1) and the other that is permanent (canon 2), but both functioned authoritatively in various communities of faith initially and in some cases for centuries. In both instances the text functioned as a divinely inspired text, but not all such texts were finally included in the HB and OT biblical canons.

The original notion of canon 1 as rule, measurement, and model is true in both cases, but canon 2 focuses on the end of the canonization processes. The canonization processes, of course, always precede the conclusion about what goes into the biblical canon. While churches have never fully agreed on the scope of their OT canon, there came a time when the vast majority of Christians agreed on all of the books now included in the HB canon, but like several early church fathers, the Orthodox and Roman Catholic churches also included in their OT collections several additional books commonly referred to as Deuterocanonical or Apocryphal books. All three major Christian churches accept all of the books in the NT.

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<sup>68</sup> Chapman, "Second Temple Jewish Hermeneutics," 294–96.

We will note later that the Ethiopian Christians have the largest biblical canon. It is important to repeat here that all major groups of Christians accept *at the least* all of the HB books, though in a different order. That cannot be insignificant even if there are differences on the so-called Deuterocanonical books.

Chapman rightly sees the Bible as sacred scripture for communities of the faithful and that it developed intertextually within such communities.<sup>69</sup> I fully agree with that assessment, but this does not preclude an investigation of the historical development of the Bible or the criteria employed in its formation. Jewish and Christian perspectives on the inspired status of their Scriptures are not diminished by that inquiry. Chapman also rightly makes the point that a collection of prophetic writings existed *before* and alongside the Pentateuchal writings even before the Exile. We do not know what comprised a collection of prophets at that time, but it could not have been equal to the Prophets that form the second part of the HB since not all of the Latter prophets had been written before the Exile. He is also aware that sometimes the “words” of the prophets are intermingled with the Law of Moses as standards and prescriptions for the people of Israel.<sup>70</sup> I will address that issue more in the next chapter. We do not know what was in the collection of prophets before or even shortly after the Exile, but no doubt several of the canonical Prophets were among them. Since several of the “lost books” are mentioned in the Former Prophets and 1–2 Chronicles (see the list of them below in Chapter 4 §II), and since some of them were cited as prophetic writings, that is writings by seers or prophets or listed as a “vision,” it is possible that some of those books that we now call noncanonical books were included in earlier prophetic collections *at that time*.<sup>71</sup>

Sanders claims that in the processes leading to closure of the HB and OT both realities of fluidity and stability were present. In the first instance, Israel certainly had a sacred scripture tradition, perhaps an initial oral tradition that gave them

<sup>69</sup> Ibid., 290–94. See also his “Canon, Old Testament,” in *The Oxford Encyclopedia of the Books of the Bible*, ed. Michael D. Coogan (Oxford: Oxford University Press, 2011), 1:96–109; “The Canon Debate”; and “What Are We Reading?”

<sup>70</sup> Chapman, “Canon, Old Testament.”

<sup>71</sup> For a discussion of these now lost books, see Lee Martin McDonald, “Lost Books,” in Coogan, ed., *The Oxford Encyclopedia of the Books of the Bible*, 1:581–87. The following documents were reportedly written by or attributed to a seer or prophetic figure: Records of the seer Samuel (1 Chr 29:29), Records of the seer Gad (1 Chr 29:29), Records of the seer Nathan (1 Chr 29:29), History of the Prophet Nathan (2 Chr 9:29), Prophecy of Ahijah the Shilonite (2 Chr 9:29), Visions of the seer Iddo (2 Chr 9:29), Records of the Prophet Shemaiah and the seer Iddo (2 Chr 12:15), Annals of Jehu the son of Hanani (“which are recorded in the Book of the Kings of Israel”; 2 Chr 20:34), Records of the seers (2 Chr 33:19), Story of the prophet Iddo (2 Chr 13:22), A book written by the prophet Isaiah son of Amoz containing the history of Uzziah (2 Chr 26:22), and A vision of the prophet Isaiah son of Amoz in the Book of Kings of Judah and Israel (2 Chr 32:32; cf. Isa 1:1). Perhaps also Book of the Wars of the Lord (Num 21:14), and the Book of Jashar (Josh 10:12–13; 2 Sam 1:18–27; 1 Kgs 8:12–13 in LXX).

their identity,<sup>72</sup> but by no later than the Exile the tradition about Moses receiving the Torah on Sinai was central in the Jewish community. However, that sacred tradition continued along with the focus on the Law of Moses. Whatever else functioned in the post-exilic community as an authoritative guide or standard to follow was essentially “canon” in the sense of “canon 1.” At that time there was no fixed canon except perhaps the Torah or Pentateuch. For example, Hosea (ca. 750–722 BCE) cites stories that are in Genesis to describe the long history of the nation’s rebellion against God and how it has forgotten the “law of God” (Hos 4:6; 12:2–6; cf. Amos 2:4). What that “law” was is not clear; namely was it the laws of Moses, or the precepts that God had given to the prophets, or the Ten Commandments, or all of the above? Sanders’ point is that Jacob’s wayward behavior and wrestling with God are now reflected in the Northern Kingdom and divine judgment will follow. A widespread knowledge and acceptance of the Genesis story can be assumed or else Hosea’s point would make little sense to his readers (hearers). On the other hand, this “canon” (canon 1) eventually came to be a perpetual fixation or standardization, namely, when the books of the Bible were fixed or stabilized (“canon 2”) this tradition was always a part of it. There could be no “canon 2” list (shape) without “canon 1” (function) sacred texts, but, as we have seen in the “lost books,” it is possible for canon 1 texts to exist without finally being included in “canon 2” catalogs.

Sanders shows how “canon *as function* antedates canon *as shape*,” but *function* texts do not necessarily end up as *shape* or included in a recognized collection of sacred scriptures, HB or OT.<sup>73</sup> For example, Eusebius called *1 Clement* a “recognized” (ὁμολογουμένη) letter (*Hist. eccl.* 3.16.1), but it was not included in the final stabilized canon of the church. It is found in the fifth-century scriptural manuscript Codex Alexandrinus (A). Similarly *2 Clement*, *Psalms of Solomon*, and portions of the *Odes of Solomon* are also present in some ancient scriptural manuscripts, as we will see in Part 3, but eventually they were excluded from the church’s NT canon. Writings such as *1 Enoch* and *The Assumption of Moses* were initially part of an authoritative scriptural collection (canon 1) for *some* early churches, as we see in Jude 14–15, but by the fourth century they were not included in the churches’ collection of sacred scriptures – what I call “canon 2” or the finished collection. As noted above, rabbinic sages often cited the Wisdom of Jesus ben Sira (Sirach or Ecclesiasticus) as scripture well into the rabbinic period and it continued in some Christian Bibles, but eventually it was excluded from the books that comprise the HB and the Protestant OT canon.

<sup>72</sup> J. A. Sanders, *Monotheizing Process*, 22–24, speaks of the likely antecedent of the giving of the Law at Sinai, namely a tradition that focused on the Exodus, wilderness wanderings, and the entrance into the Land of Canaan (e.g. 1 Sam 12:8). He cites many examples of this and suggests that since there is almost no reference to the stop at Sinai that it may have been added to this story as it was later expanded. He claims that until the Exile (Neh 9:6–31), the recitals of this story did not include a stop at Sinai.

<sup>73</sup> J. A. Sanders, “Canon: Hebrew Bible,” 1:843.

Because of the fluidity of the processes of recognition of the scriptural status of various ancient religious texts, Sanders has stressed the need to make the distinction between function and shape in canon formation. He writes:

Keeping in mind the two meanings of the word canon, authority and invariability, one should be careful to distinguish between the near stability of the Genesis-to-Kings complex at the end of the sixth century B.C. and the dynamic character of a nascent collection of prophets. A canon begins to take shape first and foremost because a question of identity or authority has arisen, and a canon begins to become unchangeable or invariable somewhat later, after the question of identity has for the most part been settled.<sup>74</sup>

Biblical canons are by their nature a human response to what was believed to be a revelation of God. The fluidity in canons is evident at Qumran where we see among the Dead Sea Scrolls that the Essenes had a broader collection of religious texts that informed their faith and conduct and no suggestion that the collection was closed. As noted above, this can also be seen in Christian communities that initially adopted a broader collection of sacred writings as their scriptures, but eventually they narrowed that collection to the books we presently have. There are more than eighty books that we know were excluded from the HB and about that many from inclusion in the NT canon. In regard to the text of the HB scriptures, why did the residents of Qumran feel free to change the wording of the biblical texts, even texts in the Law of Moses (cf. Deut 4:2), and why was there so much discussion among rabbis of the second and third centuries CE about whether books like Ezekiel, Ruth, Esther, Ecclesiastes, and Sirach “defile the hands”? Was it because the Second Temple scriptures had not yet reached their final canonical status (canon 2) for all teachers in the rabbinic tradition *at that time*?

While many Jews, especially in the Hasmonean Period, agreed that prophecy had ceased sometime during the Persian period, some did not. Hence, other Jewish religious books emerged during the Hellenistic-Roman periods that are now called apocryphal or pseudepigraphal books. Some Jews recognized some of those “external” writings as sacred Scripture well into the first century CE. The author of 4 Ezra 14:44–47 (ca. 90 CE), for instance, recognized some seventy other sacred texts besides the twenty-four (likely the same as the twenty-four in the later HB canon) and some early Christians likely also recognized some of those same books in their OT canons, as we will see below in Chapter 9 §V.

In the broadest understanding of canon, neither Israel nor the church were ever without a canon or authoritative guide in their formative years, whether oral or written; that is to say, they always had a story that enabled them to establish their understanding of God and the will of God. This story identified for them the will of God and their own identity and mission, even though they did not as yet have a stabilized text or collection of Scriptures telling that story in their earliest

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<sup>74</sup> J. A. Sanders, *Torah and Canon*, 91. This notion is also in Dunn, *Living Word*, 145–53, who largely agrees with Sanders’ main theses.

development. The Israelites knew that God delivered them from Egypt and led them through the wilderness when they were a poor and despised people, and into their promised land. Later Amos reminds them that they had forgotten this story and that they had wrongly done to the poor among them as had been done to them in Egypt.

While I am inclined to follow Ulrich's decision not to use the term canon until there is a final fixing of scope of the biblical canon,<sup>75</sup> it is difficult not to acknowledge at least the functional authority of some stories and texts that had an authority among the Israelites, and also the church in its beginning before there were any Jewish or Christian scriptures. Jews and Christians had an authoritative tradition (story) before they had a written Scripture. Jeremiah 26:18 cites in a scriptural-like manner the earlier Mic 3:8. Zechariah chides the nation because they had not listened to the "law and the word the Lord of hosts had sent by his spirit through the former prophets" (Zech 7:12). The appropriate response to the sacred story and later to sacred Scripture was always the same, namely, obedience to the will or call of God expressed in it.

Some scholars use "canon" only to describe the reality of authority and rule that it suggests including the processes involved. Clearly some parts of the HB were widely recognized as a functional scriptural canon earlier than others, as in the case of the Law or Pentateuch and subsequently also a fluid prophetic collection of sacred texts that changed in scope over time, but eventually it became a more sharply focused collection called the Prophets. The Prophets initially included the Former Prophets, the Latter Prophets, and all of the books that were later separated from the prophetic collection and identified as the Writings or כתובים and included in the third part of the tripartite HB canon. By around the middle of the second century CE a number of sacred texts that had been included among the Prophets were placed in a separate collection and called the כתובים (Writings or *Hagiographa*). Some rabbis disputed a few of those writings (Esther, Song of Songs, Ecclesiastes, Ruth, and Sirach), but all except Sirach were eventually retained in the HB Scriptures. While most of the Writings are later than most of the books in the Prophets (Former and Latter), some or some portions of the Psalms and Proverbs, as we saw earlier, are likely earlier than the final formation of the Law and several of the Prophets.

In terms of the HB and OT, scholars acknowledge that many Jews and early Christians generally accepted the scriptures that were recognized and circulating in late Second Temple Judaism. They read these texts in their worship and catechetical instruction. There is little difference of opinion on this issue, but the primary debate is over *when* this literature took on the status of scripture and when those scriptures

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<sup>75</sup> See E. Ulrich, "The Canonical Process, Textual Criticism, and Latter Stages in the Composition of the Bible," in *Sha'arei Talmon: Studies in the Bible, Qumran, and the Ancient Near East Presented to Shemaryahu Talmon*, ed. M. Fishbane and E. Tov (Winona Lake, IN: Eisenbrauns, 1992), 272. See also idem, *The Dead Sea Scrolls and the Origins of the Bible*, Studies in the Dead Sea Scrolls and Related Literature (Grand Rapids: Eerdmans, 1999), 51–61, 73–78.

formed a fixed collection of sacred scripture. When a text was cited in a religiously authoritative manner, was it added to an existing sacred collection?

Again, the notion of scripture always precedes the notion of canon. Craig Allert, like Michael Holmes mentioned above, is certainly correct when he acknowledges that “the concept of canon presupposes scripture, but the concept of scripture does not necessarily entail the notion of canon.”<sup>76</sup> He, of course, is speaking of a fixed biblical canon here. The difficulty appears to be what to call the “finished product” and whether to distinguish it from the product “on the way.” Is there a difference in the two collections of sacred texts? Clearly there is. Religious texts function as authoritative religious literature before they are actually called scripture, and what is called “scripture” does not always appear in the later fixed collection of sacred scriptures. There was “scripture” before there was a “canon” of scriptures. The prophets often begin as the “word of the Lord” to a prophetic person who shares it with the people. The Gospels, for example, almost certainly were welcomed and read as authoritative books in churches soon after they were written because they all focused on the words and deeds of Jesus, the Lord of the church, whose word and model was final authority in the churches (Matt 28:19). Does this mean that all of the scriptures were written *as scripture* from the start? Not likely, or at least we cannot prove that they were so recognized from their beginning. I will deal with this issue in more detail in the NT part of this study where some claim that the writers of the NT were consciously aware of writing scripture when they wrote. Their arguments, as I will argue, are unconvincing. There are examples where the recognition of the text as sacred writing appears to be the case, especially in Deuteronomy and Revelation, but in others this is not as clear as we see in the cases of Ruth, Judges, the Samuels, Kings, Chronicles, Ezra–Nehemiah, Song of Songs, Ecclesiastes, and Esther. It is also not clear from the NT that *all* of the letters were written *as scripture*.<sup>77</sup> I will address that issue in more detail in Chapter 22 §II.F.

I continue to refer to canon 1 and canon 2 throughout this volume because those designations identify the two realities surrounding the origin and formation of the sacred and authoritative writings of Jewish and Christian faith.<sup>78</sup> There is no question that the function of a *Christian* scripture is present in the second century CE and even possibly in the late first century, but the notion of a fixed biblical canon is simply not there. No one is discussing a fixed biblical canon. If by canon we are referring to authoritative teachings and traditions that were circulating in the churches, then there was certainly a canon, but it was not a fixed collection

<sup>76</sup> Craig D. Allert, *Revelation, Truth, Canon and Interpretation*, VCSup 64 (Leiden: Brill, 2002), 214.

<sup>77</sup> Kruger, *The Question of Canon*, 119–54, contends that the NT writers were aware that they were writing scripture, but, as noted earlier, that argument cannot go unchallenged.

<sup>78</sup> My use of Sheppard’s terms, and also those employed by Folkert, “‘Canons’ of Scripture,” are noted and discussed in J. Z. Smith, “Canons, Catalogues, and Classics,” in van der Kooij and van der Toorn, eds., *Canonization and Decanonization*, 300–307.

of Christian scriptures until much later. It is unclear whether many of the books that now comprise the New Testament were even known by all or most church leaders well into the second and third centuries since most of the church fathers do not cite all of the NT writings and no early collections of NT writings or early translations of the Christian Scriptures before the fourth century contain all of the NT books and none of them before ca. 1000 CE contain all of the books of the NT and *only* those books.

Ulrich contends that canon was not a reality or fact until there was a fixed collection of books and that, prior to the end of the first century CE, there were no fixed biblical canons in either Judaism or early Christianity.<sup>79</sup> He is certainly correct in the latter part of that assertion since we have no record of any focus on which books belong in the Christians' first canon of scriptures until the late second century (Melito of Sardis) and the mid-third century (Origen), and more commonly in the fourth century (Eusebius, Athanasius, and Augustine). The two realities of canon discussed above are at the heart of the controversy among scholars today: (a) a canon that is not fixed but in the process of being fixed or deleted, and (b) a canon that is fixed and can no longer be changed. It is not uncommon for scholars to talk past one another on this matter by saying one thing and in the thinking of others meaning another. For this reason, Ulrich prefers to speak of "canonical process" rather than "canon" when describing the reality of books being "on the way" and concludes, rightly I think, that fixed or closed collections of sacred writings are a much later development in the believing communities.

During a long and complex process Jewish and Christian communities acknowledged certain sacred writings that defined for them the will of God and their own identity and their mission. This recognition is an essential feature of canon formation that highlights written authority in believing communities. Such traditions or texts were quite fluid for a long period of time and were often modified or adapted to meet the needs of communities of faith in subsequent generations, whether in the oral transmission of those stories or texts, or in the copying and rewriting of those traditions or texts.<sup>80</sup>

## VII. JEWISH NOTIONS OF CANON

We have already discussed earlier rabbinic descriptions of scripture, namely that which "defiles the hands," but how did they understand canon or did they understand it and promote it at all? Jewish leaders or sages of Late Antiquity did not use the term "canon" to speak of their sacred literature and there were no known

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<sup>79</sup> Ulrich, *Dead Sea Scrolls*, 53–61; idem, "Notion and Definition of Canon."

<sup>80</sup> An example of this modification may be seen in the use of Ps 68:18 in Eph 4:8, where the original text is changed from "received" to "gave" gifts. The text was already long received as a scriptural text, but clearly was adapted to address a different situation. I will discuss other examples of rewritten Scripture in Chapter 7 §II.B.

rabbinic councils that determined the scope of the HB. We can acknowledge the challenge that canon terminology presents. Sid Leiman, for example, acknowledges the variability in the rabbinic tradition about the writings that were acknowledged as sacred Scripture and concludes that some Jewish religious texts were considered *canonical but not inspired*.<sup>81</sup> In his attempt to make sense of the variable rabbinic positions on the sacredness of the biblical books, he introduces the following rather strange distinction:

By definition, then, a canonical book need not be inspired; an inspired book need not be canonical; and a book can be at once canonical and inspired. In tannaitic times, all books considered inspired were canonical, but not all canonical books were considered inspired. Megillath Taanith was treated as a canonical but uninspired book; similarly, we have seen that even those who denied its inspired status considered Ecclesiastes canonical. It is therefore crucial to trace the history of the notion of canonicity (as opposed to the notion of inspiration), and to determine the dates when all uninspired books (such as Ben Sira and *Megillath Taanith*) attained canonical status. For when a book attained canonical status it became an authoritative guide for religious practice and doctrine, and was expounded publicly and privately. Is not this precisely what the historian of the canon is after?<sup>82</sup>

This novel view is, of course, widely recognized as confusing and Leiman could likely have been clearer had he followed the distinctions between canon 1 and canon 2. Kraemer agrees that Leiman's position on the distinction between canon and inspiration is troublesome and "at least in the context of the community that finally defined that canon – not tenable."<sup>83</sup> He goes on to show from the Tannaitic literature and also from Leiman's comments that the final definition of the biblical canon was not yet made for all Jews in the first three centuries CE.<sup>84</sup> Conversely, Kraemer concludes:

While it may be so that early rabbinic documents were considered both uninspired and canonical (= authoritative to a certain degree), the community apparently found this status to be intolerable. In a society where canon/authority was equated with Torah, the claim had finally to be made that all religiously authoritative works were Torah, and therefore inspired.<sup>85</sup>

Kraemer also observes that as later rabbinic writings were gradually received into the authoritative base of Judaism, the boundaries of the earlier canons became less secure. Ultimately, he says, all rabbinic teachings became Torah and "the canons that were once closed were forced to admit a wealth of new traditions and documents."<sup>86</sup> In practice, the oral traditions of the Jews from the Tannaitic period,

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<sup>81</sup> Leiman, *Canonization*, 127.

<sup>82</sup> Ibid. Clearly Leiman's definition of canon is more focused on function than fixed text here.

<sup>83</sup> D. Kraemer, "The Formation of Rabbinic Canon: Authority and Boundaries," *JBL* 110 (1991): 616.

<sup>84</sup> Ibid., 628.

<sup>85</sup> Ibid., 628–29.

<sup>86</sup> Ibid., 629.



namely the Mishnah and its later interpretations (*gemara*) in the two Talmudim, along with the Tosefta and various midrashim, were all given *in practice* canonical standing. Kraemer is correct in his assessment, even if some difficulties remain unsolved by his explanation.

The distinction between two kinds of canon existing side by side in both the Jewish and Christian communities helps explain the recognition of the authority of certain writings (e.g., Sirach) that received something of a scriptural status (canon 1), but which were not included in the later fixed HB canon (canon 2) of Judaism, though it did survive as canon 2 in some Christian churches. In Judaism in practice the biblical books as well as the Mishnah and subsequent Jewish writings (two Talmudim and various midrashim) eventually also functioned as canon in the surviving Jewish communities. Similarly, in the early church fathers some writings had attained a canon 1 status early on, but were not included in the later fixed canonical traditions. Tertullian, for example, cites *1 Enoch* (8:1) and calls it Scripture (*On the Apparel of Women* 1.3), and later in defending his arguments he made reference to the authority of the *Sibylline Oracles* (200 BCE–250 CE), both Jewish and Christian.<sup>87</sup>

Leiman's distinction between uninspired canonical literature and inspired literature is unconvincing and difficult to sustain from either an appeal to late Second Temple Jewish literature or the rabbinic tradition. A better solution is to recognize that a Jewish biblical canon only *began* to emerge at the end of the first century CE and its full contents were not determined for some Jews before the middle to end of the second century CE (see discussion of *b. Baba Batra* 14b in Chapter 11 §III.A below), but not for all Jews in the West until well into the eighth or ninth centuries. It appears that unlike in church history, there never was a rabbinic council to make a final decision about the scope of their scriptures, but rather the scope of the rabbinic scripture canon was fixed by the end of the second century for some rabbinic Jews in the East and that took longer for Jews in the West.

Rabbinic Judaism's conflicting comments about which books are sacred continued for centuries, but most rabbis no doubt still accepted most of the HB books as sacred scripture. The long-standing traditions about the closure of the Jewish biblical canon and the problems related to limiting the number of Scriptures that made up the HB<sup>88</sup> may be illustrated by a Talmudic tradition that expresses some doubt regarding the book of Esther:

<sup>87</sup> I owe this observation to F. F. Bruce, *Canon of Scripture*, 85–86.

<sup>88</sup> For further reading on this subject, see S. Friedman, "The Holy Scriptures Defile the Hands: The Transformation of a Biblical Concept in Rabbinic Theology," in *Biblical and Other Studies Presented to Nahum M. Sarna in Honor of His 70th Birthday*, ed. M. Brettler and M. Fishbane, JSOTSup 154 (Sheffield: Sheffield Academic, 1993), 115–32; and M. J. Broyde, "Defilement of the Hands, Canonization of the Bible, and the Special Status of Esther, Ecclesiastes, and the Song of Songs," *Judaism* 44 (1995): 65–79. See Chapter 11 §III for more examples of rabbinic disputes about the status of biblical books.

Levi ben Samuel and R. Huna ben Hiyya were repairing the mantles of the scrolls of R. Judah's college. On coming to the Scroll of Esther, they remarked, "O, this Scroll of Esther does not require a mantle."<sup>89</sup> Thereupon he reproved them, "This too smacks of irreverence." (*b. Sanhedrin* 100a, Soncino trans.)

In the Babylonian Talmud (*Bavli*), when the sacred status of Esther was challenged, the following rabbi responded:

R. Assi said: Why was Esther compared to the dawn? To tell you that just as the dawn is the end of the whole night, so is the story of Esther the end of all the miracles. But there is Hanukkah? – We refer to those included in Scripture. That will be right according to the opinion that Esther was meant to be written, but what can be said according to him who held that it was not meant to be written? (*b. Yoma* 29a, Soncino trans.)<sup>90</sup>

While "canon" was not a term used by the Rabbinic Jews in antiquity to describe their sacred collection, the notion of canon is clearly present in their understanding of a limited number of sacred books (twenty-four) that "defile the hands." There is not much difference between Jewish and Christian notions of sacred inspired scripture with the exceptions noted in the previous chapter, nor eventually in the notion of both faith communities that scripture was a limited collection of books.

The rabbis also did not use "noncanonical" in reference to rejected writings, but their expression was "external books" (Heb. ספרים חיצונים) and this reflected the same idea. "External books" is translated from the Mishnah as "heretical books." After asking who are those who will have no share in the world to come, several kinds of persons are identified, but Rabbi Akiba says: "he that reads the heretical books" (*m. Sanh.* 10:1).<sup>91</sup>

## VIII. CANON CHARACTERISTICS: ADAPTABILITY AND LIFE

For more than a hundred years scholars have seriously examined the scope of the biblical canon in its final stages, but James Sanders, to my knowledge, is the first to focus on its prehistory in ancient Israel. In a perceptive essay, he asks several penetrating and enduring questions about the nature and chief characteristics of the notion of canon that have been foundational for all subsequent canon inquiry.<sup>92</sup> He contends that the nature of canon has much to do with its repetition in believing

<sup>89</sup> Danby, *Mishnah*, 397. The point is that its sanctity is of a lower grade, so it would not defile the hands; cf. *b. Shabbat* 14a.

<sup>90</sup> Whether Esther "defiles the hands" is the subject of debate also in *b. Megillah* 7a.

<sup>91</sup> I will discuss this topic more in Chapter 11 §III.F.

<sup>92</sup> J. A. Sanders, "Adaptable for Life: The Nature and Function of Canon," in *Magnalia Dei: The Mighty Acts of God: Essays on the Bible and Archaeology in Memory of G. Ernest Wright*, ed. F. M. Cross, W. E. Lemke, and P. D. Miller Jr. (New York: Doubleday, 1976), 531–60.

communities and their ability to change or modify the text or its meaning in order to meet the variable circumstances of the community of faith (adaptability). The primary function of canon, he observes, is to aid the community of faith in its own self-definition (who we are) and to offer guidelines for living (what we are to do). He knows that adaptability alone, however, is not sufficient for a writing to be recognized as canon and contends that those traditions that eventually became canon for ancient Israel also had to empower that community for life, that is, they had to give hope even in hopeless situations (the exile) and bring life to the nation.

The literature that spoke to the needs of one generation that could not be re-interpreted or adapted to meet the needs of later generations, simply did not survive either in Judaism or later in Christianity. The survivability or endurance of sacred literature has to do with its ability to be interpreted afresh for new communities in new circumstances. That the biblical writings have had the ability to be reinterpreted and applied to new circumstances underscores their adaptability and ultimately their canonicity. Sanders claims that: “the major characteristic of canonical material is its adaptability – not its rigidity.”<sup>93</sup> He acknowledges the eventual stabilization of the biblical text, but also observes that the need for such a fixed tradition in the believing community comes much later in the canonical process.<sup>94</sup>

This is similar to Burns’ contention that the distinction between canonical and noncanonical is not the same as the distinction between authentic and inauthentic or between true and false, but rather, “it is the distinction between texts that are forceful in a given situation and those which are not. From a hermeneutical standpoint, in which the relation of a text to a situation is always of primary interest, the theme of canonization is power.”<sup>95</sup> He adds that the canonization or significance of the Law lies “not only in what it contains or means but also in its power over those who stand within its jurisdiction. It is precisely within such a textual jurisdiction that the true meaning of canonicity begins to emerge.”<sup>96</sup> The power of a text is not intrinsic to it, but rather it draws its power from the situation in which it makes its “unexpected appearance” and speaks to the situation at hand.<sup>97</sup> Burns contends that the authority of a text is related directly to the circumstances that the people who hear it and obey it are facing. Canon in antiquity was always a relevant issue in which the force or power of a given text was released in specific contexts. In this sense, canonization has much to do with hermeneutics, that is, the ability of a text to be reinterpreted in ever new and changing circumstances.

As we saw earlier, Sanders claims that at the heart of the earliest Scripture canon of the Jews was a story (or *mythos*) about a people who migrated from Egypt to

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<sup>93</sup> J. A. Sanders, *From Sacred Story*, 22; see also idem, “Stabilization of the Tanak.”

<sup>94</sup> J. A. Sanders, *From Sacred Story*, 22.

<sup>95</sup> G. L. Burns, “Canon and Power in the Hebrew Scriptures,” in von Hallberg, ed., *Canons*, 65.

<sup>96</sup> *Ibid.*, 67.

<sup>97</sup> *Ibid.*, 69.

Canaan under the guidance and protection of Yahweh, even though other elements were later added to the beginning and the ending of that story, for example, the Genesis story of beginnings, the prophetic tradition, and the history of the fall of the nation. The earliest development of the story, he contends, did not include a Decalogue or other lists of divine commandments. Rather, it consisted of telling about God's calling of a people to a hope and promise in a new land and the preservation of those people through divine mighty acts. The response of the people to these acts of preservation or salvation was the monotheizing move to recognize the one true God and to obey God's call. There are many examples of this story in the Old Testament Scriptures, especially in the Prophets.<sup>98</sup>

In the New Testament that same story is also preserved, e.g., Acts 7:2–53; 1 Cor 10:1–11; Heb 3:5–19. The story was clearly expandable, and after the exile of Israel to Babylon the Jews reconsidered their circumstances from the perspective of the classic prophets whose witness to God's activity among them gave them life and hope. In the message from Ezekiel, for example, the people could through their faithfulness to Yahweh and Yahweh's faithfulness to them look forward to the resurrection of the nation following its death (Ezek 36–37). In the exilic sojourn, Ezekiel began to echo the vision of Jeremiah who also spoke of the reforming of the nation (Jer 18:1–11).<sup>99</sup>

After Israel experienced destruction of its nation in 586 BCE, including its loss of leadership, temple, and cultus, what was it that enabled the Jewish people to continue their identity as a separate people? Why not like many other nations before and after them simply merge with other nations that overpowered them and become extinct as a people and adopt a different religious faith? A merger with and assimilation into another nation and culture, with the consequent loss of a separate national identity, would have been the most natural course of action and that has many ancient parallels, but instead the nation of Israel was reborn. What was it that kept them alive as a nation when all of the things that identified them as a nation had been taken away – their land, sovereignty/rulership, temple, cultus, and language? Sanders contends that only something indestructible, readily available, adaptable, and portable could keep this people from extinction. The only thing that fits this description, he claims, was a story that could be transported to Babylon and adapted to the new circumstances that the nation faced in its captivity.<sup>100</sup> He adds that during the exile a remnant remembered the witness of the prophets who had predicted accurately what would happen to the nation. As these individuals realized that the prophets had told the truth regarding the fate and story of Israel,

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<sup>98</sup> J. A. Sanders, *From Sacred Story*, 18–19. See some examples of this story about God's people in Amos 2:9–11; 3:1–2; 4:10–11; 5:25; 9:7, 11. Other early summations of the story are Deut 26:5–9 and Josh 24. See Sanders' recent brief but significant contribution to this topic in his *Monotheizing Process*.

<sup>99</sup> *From Sacred Story*, 15–29.

<sup>100</sup> *Ibid.*, 18–19.

they realized that the message of the judgmental prophets before the exile also had a story that could offer them hope and allow them to survive the terrible judgments currently inflicted upon them.

Unlike other nations that saw in their defeat in battle also the defeat of their gods, the Jews accepted the message of the prophets and took responsibility for their failure as a nation and accepted their captivity and destruction as a judgment from Yahweh for their own misdeeds. It was in this context that the prophets were remembered and their story repeated. When the prophets had earlier proclaimed this story, warning the people of the consequences of their behavior, they were accused of being “madmen, unpatriotic, blasphemous, seditious, and traitorous” (Jer 29:26), but now they were remembered precisely because what they had said actually came to pass.<sup>101</sup> The exiles concluded that the core of the prophetic message was also a story that was reflected and contained in the Torah. This notion was eventually expanded to include the Former Prophets, then the Latter Prophets, and finally the Writings though some of them had already functioned that way earlier than some of the Latter Prophets. The Law, however, was the core of the story that gave life (John 5:39) and identity to the nation. As the Jews returned from Babylon, the canon (canon 1) of the community of Israel – that which gave the nation an identity and purpose with guidelines to follow – was the laws of Moses, but this does not suggest that only the Law of Moses was of importance or sacred to those returning from Babylon; it was also important to a growing collection of prophets.

In the repetition of this story (repetition is a feature of canon), the remnant of the Jewish people found life and hope. The fluidity of the transmission of this story continued well into the time of Jesus, when the lack of a fixed or stabilized tradition was a contributing factor to the existence of the variety of Jewish sects (or “Judaisms”) that flourished in the first century CE, namely, the Sadducees, Pharisees, Essenes, Samaritans, and Christians. After the destruction of the second temple and its cultus in 70 CE, and following the failure of the messianic movement in the Bar Kokhba rebellion of 132–135 CE, the two major expressions of Judaism that survived these traumatic events were rabbinic Judaism which was born largely but not exclusively out of the remnants of the first-century Pharisees, and early Christianity. The HB and the First Christian Testament thus developed over a long period, beginning with a fluid and adaptable story in pre-exilic times that became fixed in the second to fourth centuries CE for most Jews and for many Christians.

A similar story can also be told about the emergence of the New Testament canon. What first gathered the Christian community together and gave it its identity and reason for being (i.e., its mission) was a story about God’s activity in Jesus of Nazareth. The story was first told in preaching (Acts 2:17–36) and

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<sup>101</sup> Ibid., 28.

teaching (Acts 2:42; 1 Cor 15:3–8). In time, the story of God’s activity in Jesus, along with its implications for humanity, was expanded and expressed in a variety of literary forms (gospel, history, letters, sermon, and apocalypse). The movement toward stabilizing these writings began in the second century, but was not finalized until the fourth and fifth centuries, that is, after the canonical (i.e., stabilized or fixed) status of the NT writings was widely accepted.

Almost at the same time, the First Testament or OT was also moving toward its final stages of stabilization in the Christian community. The adaptability of these Jewish Scriptures to new circumstances was due in part to the creative genius of the surviving community that reinterpreted and applied this story of Yahweh’s activity to the new circumstances in which the people found themselves. This genius is what Sanders calls the employed hermeneutics that grew out of a need “to keep a stabilized tradition adaptable”<sup>102</sup> and the ability to see in that literature something that was adaptable and highly relevant and useful for the emerging community of faith.

Since canons are by their nature adaptable to the ever-changing life circumstances of a believing community, the continuing usefulness of the current biblical canon gives witness to its ability to be relevant in specific and changing circumstances of the synagogue and the church. Canons often change, however, initially by expansion, but at a given point when there is wide acceptance of a collection of sacred texts, also by reduction. That means that some texts that were relevant to some religious communities, and were welcomed as scripture by those communities, over time ceased to have a continuing relevance among a majority of those communities and eventually ceased to have a scriptural function. For example, the *Shepherd of Hermas* and the *Letter of Barnabas* eventually dropped away from the church’s sacred Scriptures after having been included by some Christians for centuries. Codex Sinaiticus (Ⲱ), which dates from the last half of the fourth century, included these two books in its collection. Even later, Codex Claromontanus (D) included *Barnabas*, *Shepherd*, *Acts of Paul*, and *Revelation of Peter*, but strangely it is missing Philippians, 1–2 Thessalonians, and probably Hebrews. In the church, the early followers of Jesus accepted the words of and about Jesus as their final normative guide, even though they also acknowledged the authority of the Old Testament Scriptures that they believed gave witness to him. The early church made use of the OT writings primarily as a predictive witness to Jesus the Christ, but also as an authority for Christian conduct, as seen in *1 Clement*’s generous collection of OT references. Early on in the early church the written Gospels and the Letters of Paul especially proved advantageous to its ongoing life, ministry, and mission.

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<sup>102</sup> Ibid., 25.

Interestingly, Paul appears to have “decanonized”<sup>103</sup> much of the OT emphasis on the rituals attached to the Law, especially its focus on clean and unclean foods, ritual cleansings, and Sabbath laws because such things were deemed by him to be no longer relevant to the faith he had adopted. Dunn makes the point that the Old Testament can never function as canon for Christians in the same way that it does for the Jews. For Christians, the New Testament always functions to some extent as the canon within the biblical canon.<sup>104</sup> Paul (Gal 3:15–22) and later Justin (*Dial.* 16.2; 27.2–4; 46.5) were the first to deal with the problem that Gentile Christians had in accepting the Mosaic Law as a part of their sacred Scriptures, but at the same time rejecting its prescriptions for conduct (see Chapter 16 §I). For Paul, promise and faith preceded the law, and Justin argued that the regulations of the law were given because of the hardness of heart and rebellion of the Jews and that such prescriptions are no longer needed by the church.

For many early Christians the solution to the problem of recognizing the Law as scripture and how to keep or not keep its prescriptions and proscriptions was settled later in their adoption of an allegorical hermeneutic or spiritual interpretation of the law. Marcion (ca. 140 CE) rejected this spiritual interpretation and subsequently rejected not only the Law but also the other books of the OT. The church condemned Marcion’s option and taught that the OT revealed the truth and will of God and was also the church’s First Scriptures.

The literature that survived in the biblical canon was precisely that which was perceived to have continuing viability for Judaism and later also for the Church. The Torah’s/Law’s ability to be adapted and reinterpreted in changing times and in new circumstances gave to it a canonical identity. The remnant of Jews in the Diaspora defined their identity in terms of the Law and other Jewish religious texts that they regularly adapted to their needs. This allowed them to survive assimilation into neighboring cultures and societies. As the Mosaic Law or Torah was adapted to the new life of the Jews following their captivity (Neh 8:1–8), it also brought new life and hope to them.

The viability of the current biblical canon has much to do with its power to address the needs and hopes of modern communities of faith, and this ability is regularly aided through the genius of its contemporary interpreters. Scripture interpretation and application continues unimpeded in both Jewish and Christian communities, and, as the production of many new commentary series demonstrates, there is no sign of ending the adaptation of the ancient Scriptures to new circumstances.

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<sup>103</sup> As noted earlier, this is Dunn’s expression in *Living Word*, 156. See also Kooij and van der Toorn, eds., *Canonization and Decanonization*, who discuss this phenomenon in the development of the biblical canon.

<sup>104</sup> Dunn, *Living Word*, 156.

## IX. SUMMARY

In antiquity, Jews and Christians regularly made use of terms that identified their sacred scriptures, but it is not always clear which books they had in mind when they used those designations. There is no doubt that the Law and the Prophets from the fifth to the third century BCE formed the heart of Jewish Scriptures widely accepted by Jews and later by Christians in their OT collections. The early churches had few questions about the scope of their sacred scriptures until the latter part of the second century at the earliest as we see in Melito's famous journey to the east (Chapter 9, §V.A.1), but determining precisely the final shape of their OT biblical canon took centuries, though the churches never fully agreed on the scope of their Old Testament. Unfortunately the evidence that survives is often unclear and generally of an inferential nature. By the end of the first century CE, there was widespread recognition of the notion of Scripture with abundant citations of it in first-century Jewish and Christian writings, but the Jews were only beginning to focus on the parameters of their scriptural canon and that discussion was even later for the Christians.

Sanders' reexamination of the origins of the biblical canon has yielded valuable results, including a better understanding of the nature of canon and its chief components and characteristics. Because of this, the origins of the biblical canon and the move toward its stabilization are more understandable than before. He correctly concludes "we cannot deal adequately with the question of the structure of canon, or what is in and what is out, until we have explored seriously and extensively the question of the function of canon. It is time to attempt to write a history of the early canonical process."<sup>105</sup> I agree. The remainder of this book will focus on the processes that led to the formation of the HB/OT canon and subsequently also the NT canon.

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<sup>105</sup> J. A. Sanders, *From Sacred Story*, 11.





## PART 2

# FORMATION OF THE HEBREW BIBLE AND THE OLD TESTAMENT CANON



## CHAPTER 4

# THE HEBREW SCRIPTURES

### I. INTRODUCTION

The current Hebrew Bible (HB) is divided into three basic parts, Law (*Torah*), Prophets (*Nebi'im*), and Writings (*Ketubim*), and these three divisions are not completely arranged chronologically or always in logical sequences or groupings. There is some historical sequence in Genesis to 2 Kings, and some with logical connections as in the Latter Prophets though not with precise chronological connections. The Writings are difficult to categorize and appear to be like something of a “catch-all” collection of several genres of literature (Law, history, wisdom and poetry, and prophecy). The Pentateuch,<sup>1</sup> or the first five biblical books, is logically in first place in both Jewish and Christian Bibles and this speaks not only to the place of the priority given to the Law (Heb. תורה = “instruction” or “teaching”) and to its logical place because of its focus on the beginning of humanity and the unfolding Israel’s emergence in that story – their call into existence, preservation in Egypt, exodus from Egypt, wanderings including Sinai and the giving of the Law, and promise of their re-entrance into the promised land. The Pentateuch logically and historically takes first place in the HB and forms the foundation for understanding the Former and Latter Prophets that offer stories of the nation’s rise to power, downfall, and hope for recovery (Deuteronomy).

Although the whole collection of HB texts at times appears more like an anthology of various literary genres, it is much more than that and it tells the story of the beginning of creation to the selection of a people through whom the purposes of God will be carried out. The story also describes a nation’s failure, destruction, and reconstitution or revival. Despite the variety of theologies and

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<sup>1</sup> The term “Pentateuch,” from the Greek *penta* (“five” = πέντε) and *teuchos* (vessel, body, or even “book” = τευχος) forming πεντάτευχος, referring to the “five books” in the Bible, is attributed to Moses though in its current form is highly unlikely. In the third century CE, Tertullian and Origen adopted the term to refer to the first five books of the Christian scriptures. The Jews adopted the term *Torah* for this collection, but sometimes referred to it as the *khamash* (חמשה), which is one of the terms for “five.” Torah is regularly rendered in the Greek translation of the HB (the Septuagint or LXX) as *nomos* (νόμος), and in English as “law,” but Torah is much more than law, as we saw earlier and law or *nomos* does not catch its full significance.

perspectives in the collection of HB books, the various parts form a story with implications that its readers/hearers are responsible for living in obedience to the monotheistic God, Yahweh. Remarkably, this sacred collection continues to enrich, inspire, and encourage both Jews and Christians. Because Christianity began as a religious sect within Judaism, its first collection of sacred scriptures was the same as that embraced by many of their contemporary Jewish siblings, but in a different sequence and in different groupings. Also, the early Christians, like many of their contemporaries, accepted several *other* religious Jewish texts in their OT collections that were circulating in Palestine in the first century CE that eventually were not included in the HB. For most rabbinic Jews, their collection of sacred books reached its initial final shape around the middle to late second century. The early Christians, who parted ways with their siblings before any stabilization of the parameters of the HB had occurred, adopted all of the HB books that were included in the Jewish sacred collections, though not generally in the same sequence, but also other books as well.

The differences in grouping and sequence of books in the HB and Christian OT reflect something of an anthology with an apparent overall purpose that often gets lost in the details.<sup>2</sup> The sequence of books varies in the different traditions and in various periods, which suggests the changing culture and circumstances being the primary influences on the order of the books. This variation may be a result of the lengthy period of formation and also how the various texts included were transmitted, namely in oral and written traditions, with some dependence on *memory* rather than an antecedent (*Vorlage*) text. Portions of the Law or Pentateuch doubtless had both an oral and memory transmission history prior to its written text, and *its current text* is likely a product of the sixth or fifth century BCE.<sup>3</sup> This is the period that others have called the origin of “early Judaism” beginning after the devastation of the kingdoms of Israel in the North (722–721 BCE) and in the South (586 BCE). Sanders has recently summarized this time as follows:

Israel in the north was totally annihilated because of Assyrian foreign policy that forced peoples to migrate around the 8th to 7th c. BCE [Assyrian] empire and integrate, thus losing their Israelite identity. But some Israelites escaped south to Jerusalem and Judah and were able to keep their basic identity through integration with their Judahite cousins there. This caused amalgams of the epics and traditions of north and south which are identified in the Pentateuch

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<sup>2</sup> For a helpful summary of the forming of the HB and Christian OT canons, see Michael D. Coogan, *The Old Testament: A Historical and Literary Introduction to the Hebrew Scriptures*, 3rd ed. (New York: Oxford University Press, 2014), 4–12.

<sup>3</sup> Carr, *Formation of the Hebrew Bible*, especially 102–79 and 252–303, describes the history of the formation of the HB in which his discussion of aspects of the Documentary Hypothesis (JEDP) is presented and challenged at various places, especially JE or EJ. See also Jaqueline S. du Toit, *Textual Memory: Ancient Archives, Libraries and the Hebrew Bible* (Sheffield: Sheffield Phoenix, 2010), who draws parallels between oral tradition and memory with other ancient libraries and suggests patterns of archival practices of the great libraries of Ashurbanipal and Alexandria were models that influenced the formation of the Hebrew Bible.

as a southern source J, and a northern source E (= JE), Deuteronomy, and the basic “histories” that are found in Joshua–Judges and in Samuel–Kings. They tell a story of God’s rule over his chosen people, first through patriarchs, then judges, prophets, and kings, up to the exile.<sup>4</sup>

The so-called Deuteronomistic History (essentially Joshua to 2 Kings, though some scholars include Deuteronomy in it) has significantly affected the traditional understanding of the formation of the Pentateuch and subsequently the development of the HB/OT itself. Since Julius Wellhausen in his *History of Israel* (1878) introduced the Documentary Hypothesis to explain the origin and sources of the Pentateuch, he identified what he thought were the major sources that comprise the Pentateuch with the terms J E D P, that is sources identified by the name of Yahweh (J), Elohim or (E), or reflected the Deuteronomistic history (D), and finally Priestly traditions (P). In short, these sources are believed to reflect the origin and development not only of the Pentateuch, but also other writings that comprise the HB.

Recently significant questions have been raised about the existence of an E source since it appears only in fragmentary sections, but there are also challenges against its reflection of the northern tribes’ designation for God. Recently much of the Wellhausen hypothesis has come under considerable doubt and re-examinations and new proposals are emerging that reflect different understandings of the sources and formation of the Pentateuchal and Deuteronomic History.<sup>5</sup> It is not yet clear what *new* formation theories will emerge to take the place of the Wellhausen interpretations, but there are still popular views of JEDP reflected in current HB/OT scholars. The notion of a Deuteronomistic History has for generations now been seen as a settled feature of the HB/OT, but some contemporary scholars are now challenging this notion.<sup>6</sup>

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<sup>4</sup> J. A. Sanders, “Early Judaism: 580 BCE to 70 CE,” *Judaism* (forthcoming 2017), in an as yet unpublished essay on the history of Judaism, describes this process from its inception in the sixth century BCE to the present. He has a helpful summary of the complex history of Israel from the inception of Early Judaism to the present. Sanders recently sent to me a copy of this essay that explains a very complex history.

<sup>5</sup> See, for instance, the newly released book by Jeffrey Stackert, *Prophet Like Moses: Prophecy, Law, and Israelite Religion* (Oxford: Oxford University Press, 2014) in which the author challenges the use of the Documentary Hypothesis for understanding the religion of ancient Israel. In a more radical fashion, Ernest W. Nicholson, *Deuteronomy and the Judaeon Diaspora* (Oxford: Oxford University Press, 2014) suggests that the book of Deuteronomy was not what was found in the Temple in Jerusalem during the days of Josiah’s reign (2 Kgs 22–23). Rather, Deuteronomy was written, he claims, by Judaeon exiles in Babylon in the sixth century BCE. He contends that this Deuteronomistic school saw itself as scripture and the history of Joshua to 2 Kings as theodicy rather than history.

<sup>6</sup> Julius Wellhausen presented his theory in 1889 in his *Die Composition des Hexateuchs und der Historischen Büchern des Alten Testaments*, and in recent years after many decades, Old Testament scholars have begun challenging this theory and revised many of the previously “assured results” of the earlier generations. For a discussion of this, see Carr, *Formation of the Hebrew Bible*, 256–303 and 337–38. See also Coogan, *Old Testament*, 49–58.

The postulated JEDP sources likely have unrecoverable oral and even written antecedents, but there are nonetheless likely antecedent sources that influenced the Deuteronomistic History story that was initially repeated from memory and subsequently in written sources. Despite recent challenges to Wellhausen's theory, Coogan concludes that the Documentary Hypothesis continues to provide "the best explanation of the data that careful analysis uncovers, data that include repetitions, similarities, inconsistencies, and contradictions."<sup>7</sup>

While there are a number of other important issues related to the sources that impact the origin of the books that form the Hebrew Bible (HB) and their antecedents, they are not the primary focus of this volume. Rather, I will focus here on the function and stabilization of the *books* that form the HB, including the rewriting of those scriptures during their transmission. This includes recognition of the authority of those writings in a religious context that eventually led to their collection and circulation in ancient Israel and subsequently in the early churches as their sacred scripture. This recognition is equal or similar to the notion of scripture. The origin of the individual biblical and non-biblical books will not be discussed here, except in passing, since they are more helpfully discussed in contemporary OT introductions.

Several scholars have observed that before the Jewish scriptures were written, much of what was in them circulated among the Jews in oral traditions and were passed on for centuries through memory. Carr, for instance, claims that Israel's ancient stories and their implications were transmitted *initially* through memory and oral tradition rather than from copied antecedent texts. He illustrates his point about oral and memory transmissions from parallels in Homeric writings and the HB books, but also with examples of texts from the Proverbs. He concludes that texts copied from *written* texts usually have more consistency in sequence and verbal parallels with other texts than those transmitted in writing from memory. The former have fewer errors in them and fewer summaries. Those texts based on oral tradition, while at times quite carefully transmitted with poetic and musical

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<sup>7</sup> Coogan, *Old Testament*, 51. See his more complete and helpful summary of J E D P in 49–55 and especially his more complete discussion of the Priestly Source (P) and the Exilic edition of the Deuteronomistic history (404–13), and discussion of 1–2 Chronicles, Ezra–Nehemiah, Psalms, Proverbs, and other texts (444–71). See also John J. Collins, *Introduction to the Hebrew Bible* (Minneapolis: Fortress, 2004), 47–64, 159–78, 427–42, and also the same sections in his 2nd edition (2014), 49–67, 177–81, who offers not only a lucid clarification of the Documentary Hypothesis set forth by Wellhausen, but also a critique of it with implications for future developments. Also helpful and engaging is Erhard S. Gerstenberger, *Israel in the Persian Period: The Fifth and Fourth Centuries BCE* (Atlanta: Society of Biblical Literature, 2011), who examines the post-exilic literature (Ezra–Nehemiah, Haggai–Zechariah, Malachi, as well as the continued shaping of Deuteronomy and the Psalms), and offers a coherent description of the often-elusive history of the Achaemenid period. On this see also Gale A. Yee, Hugh R. Page Jr., and Matthew J. M. Coomber, eds., *Fortress Commentary on the Bible: The Old Testament and Apocrypha* (Minneapolis: Augsburg Fortress, 2014). Finally, see also Chapman's summary and critique of the Documentary Hypothesis in his "What Are We Reading?" 335–37.

aids, and with familiar and consistent openings, have less consistency in longer texts and their sequence is seldom consistent. He claims that some texts can be dated based on their transmissional distinctives. Earlier texts based on memory and oral transmission are generally less consistent in words and word order than those based on written texts.<sup>8</sup> Carr's focus is not the primary emphasis of the following study, but it is important to state here its importance in aiding our understanding of how the ancient biblical texts were initially transmitted by memory and orally and what lies behind them. The element of orality and memory in the transmission of the Jewish scriptures, however, is an important factor in the early process of the stabilization of the text of the HB.

## II. LOST SCRIPTURES IN ANCIENT ISRAEL

Biblical scholars generally acknowledge that Israel accepted the authority and sacredness of some religious texts no later than the time of the Josiah reforms (621 BCE) following the discovery of the "book of the law" (possibly Deuteronomy) in the Temple and it was subsequently was read to the people (2 Kgs 22:8–13). They also acknowledge the existence of a number of books now lost that date sometime before the seventh century BCE. While there is a paucity of specific references to the sacred story or the Law or sacred texts in the early Monarchical period of Israel's history, these other now lost texts do draw attention to activities and statutes or commandments of God that influenced the authors of the Former Prophets.

The summary in 1 Sam 12:8 shows an awareness of the Pentateuch story (settling in Egypt, exodus from Egypt under Moses' leadership, and entrance into the promised land). Similarly, as we saw earlier, Amos 2:10 reflects an awareness of this sacred story and it has implications for the nation. Amos 2:4 assumes an awareness of divine laws and commands that the people rejected. Although some scholars acknowledge the existence of the Law (Torah) well before the time of Josiah, perhaps in oral or memory transmission, and that parts of it may have preceded Moses,<sup>9</sup> it is not certain how much Torah was *the* moving force behind the religion of Israel in the early Monarchical Period. The references to the "law" or "law of Moses" are not as clear or frequent in the books of Judges

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<sup>8</sup> Carr, *Formation of the Hebrew Bible*, 3–36. The first four chapters set the stage for understanding the rest of the volume and in them Carr makes a case for how ancient texts were transmitted from both memory and oral tradition along with written antecedent texts. Scholars have usually focused only on the textual transmission of the HB and not its oral-written history that Carr explores. He adds an important focus that was either largely unknown or ignored by previous HB scholars. See also his earlier *Writings on the Tablet of the Heart*, 3–14.

<sup>9</sup> Barr, *Holy Scripture*, 6–7. See also Davies, *Scribes and Schools*, 89–106, on the origins of the Mosaic canon.



through 1 Kings, but they become more common thereafter in 2 Kings (written in the post-exilic period) and following.<sup>10</sup> However, it is clear that the story of the Exodus – the redemptive event of Israel that gave the nation its identity and hope – was known whether in text or oral tradition (probably the latter) long before the discovery of the Law (likely Deuteronomy) in the days of Josiah.<sup>11</sup>

Sanders has shown that the Exodus was a significant theme in Amos' message (ca. 750 BCE) to the House of Israel in the north and how he used this well-known story, that Israel saw as its security among the nations, but turned their understanding of it on its head to say that they were taking a false security (see Amos 1:3–3:1–2; cf. 2:9–11).<sup>12</sup> Similarly, it is obvious that Hosea was familiar with the Genesis story of Jacob's wrestling with the angel (Hos 12:2–4; cf. Gen 32:24–26). It is not clear whether the form of this story known to Hosea was oral or written, but it is clear that he was familiar with the story as an important piece of Israel's history.

Regarding the other books that informed ancient Israel's faith, Carr discusses several other HB books that circulated in Israel *before* the Law was put in its present form in the sixth century BCE, such as several of the Proverbs, the Royal Psalms, Job, Judges, portions of 1–2 Samuel and 1 Kings, Hosea, Amos, Micah, and possibly others.<sup>13</sup> He adds that often the “oral-written” traditions were antecedents to the documents that were finally included in the HB concluding that the “early documents again seem to have been subjected to extensive, largely unreconstructible modification in the process of centuries of later oral-written transmission.”<sup>14</sup> Like James Sanders before him, he concludes that the emphasis on the Law, or Law of Moses, appears mostly in the later Deuteronomistic period of Israel's history completed in its current form in the post-Exilic period (see Neh 9:6–31, esp. 13–15) (ca. 458–450 BCE).<sup>15</sup> Acknowledging the fluidity in the text

<sup>10</sup> Stephen B. Chapman has a useful summary of how torah (or law) sometimes refers to prophetic writings. See his “Second Temple Jewish Hermeneutics,” 290–94.

<sup>11</sup> For a lengthy and helpful listing of the recitals of the Exodus story in both early and later biblical texts, see J. A. Sanders, *The Monotheizing Process*, 13–19.

<sup>12</sup> J. A. Sanders, “The Scrolls and the Canonical Process,” 2:12–13.

<sup>13</sup> Carr, *Formation of the Hebrew Bible*, 336–43. These “Royal Psalms” are psalms that reflect a kingship or dynasty in which the central speaker or figure in the psalm is a king, as in Pss 2, 18, 20, 21, 72, 89, 110, 144. For a short explanation of these and other psalms and their context, see Coogan, *Old Testament*, 280 and 452–61.

<sup>14</sup> Carr, *Formation of the Hebrew Bible*, 339–492, quote from 488. Carr's arguments here appear reasonable.

<sup>15</sup> Generally speaking, the Deuteronomistic Period was formed by the Deuteronomistic Historians and covers Israel's time in the land of Canaan from their entrance under the leadership of Joshua to the downfall of Jerusalem in 587 BCE. It includes the books of Joshua, Judges, Samuels, and Kings. Some include Deuteronomy in it. These writings focus especially on the essentialness of the worship of Yahweh, the place of worship, and Yahweh's covenant with the dynasty of David. These books offer a rationale for the apostasy of Israel in the Promised Land. For a discussion of this, see Coogan, *The Old Testament*, 196–98. Also, Chronicles' relation to this period and the literature reflected

of the books in the HB collection, Carr works backwards, beginning with the Hasmonean period in which he argues from 1–2 Maccabees and the Prologue to Sirach the emergence of the finalization of the scriptures in the HB. He posits that in this period “an emergent standardization of the Hebrew Bible, both in scope and (textual) form, was underway amidst this documented fluidity.”<sup>16</sup> From this period, Carr proceeds backwards through each layer of Israelite history to around the tenth century BCE and sets forth the developments of written texts that later added to the formation of the HB. While Carr is more optimistic that I am about how stable the HB books were during the Hasmonean Dynasty, he makes several important points regarding the origin of those books from their initial oral traditions.

Bruce makes an important observation regarding this tradition from its start, namely, that when Moses read the commandments of God to the people (Exod 24:3–7), he was most certainly reading to them what he understood to be the very word of God, and when “the law-code of Deuteronomy was put ‘beside the ark of the covenant of Yahweh’ (Deut 31:26), this was to be a token of its sanctity and a reminder to the people of the solemnity of their obligation to continue in the way which God had commanded them.”<sup>17</sup>

All biblical scholars agree that the people of Israel were significantly influenced by sacred writings, but exactly *when* those writings functioned as scripture among the people and *what texts* were involved is not clear. In the early Monarchical Period, there is very little reference to the Law or prophets in the history of Israel, though, as we saw earlier, there are many references to seers and prophetic figures in that period. Later, there are many references to law(s), statutes, and commandments mostly in 2 Kings and 1–2 Chronicles,<sup>18</sup> but these books *in their current form* were either written or edited in the late pre-exilic, exilic, and post-exilic periods and before the Hellenistic period of domination over the land of Israel. A question that cannot be answered here has to do with when the “Law” or “Torah” became equal to the first five books of the HB. Some scholars suggest that the formation of the Pentateuch as it is now took place in the fourth century BCE and

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in it is discussed on 444–46. Students unfamiliar with this language should consult discussions of former and present understandings of J E D P or Documentary Hypothesis as narrative sources in the Pentateuch. These are regularly discussed at length in standard Old Testament introductions, such as Bernhard W. Anderson, with Steven Bishop and Judith H. Newman, *Understanding the Old Testament*, 5th ed. (Upper Saddle River, NJ: Prentice Hall, 2007); Collins, *Introduction to the Hebrew Bible*, 2nd ed.; Coogan, *Old Testament*, 49–52. See also Carr, *Formation of the Hebrew Bible*, 487–90 for a brief summary, but for a more detailed discussion of how these sources impacted the formation of the HB scriptures, see also 214–24, and 252–303.

<sup>16</sup> Carr, *Formation of the Hebrew Bible*, 153.

<sup>17</sup> F. F. Bruce, *The Canon of Scripture* (Downers Grove, IL: InterVarsity, 1988), 36–37.

<sup>18</sup> See especially 2 Kgs 10:31; 14:6; 17:13; 26, 27, 34, 37; 21:8; 22:8, 11; 23:24, 25; 1 Chr 16:40, Pss 1; 19:7–14; 119, as well as in Josh 1:7–8; 8:31, 32–34. Only one clear reference can be found in 1 Kings (1 Kgs 2:3).

that from that time forward the Law took priority over all the sacred scriptures of the people of Israel. Others suggest the sixth century BCE. The fourth century BCE appears to be too late, however, given the many references to the Law of Moses with several reflections of Pentateuch books in Ezra and Nehemiah.

According to Barr, the Deuteronomistic movement, which began in the eighth to seventh centuries BCE, initiated “something like a ‘scripture’” that had a central role in the life of the nation of Israel.<sup>19</sup> He argues that only with this movement and the reforms of Josiah did the religion of Israel begin to be built around a book (or sacred Scripture).

Besides the Law, it appears that several other religious texts also informed the faith and life of early Israelite history both before and during this time, but they do not appear to have much influence after the fifth century BCE. These other texts, for example, include several lost religious texts circulating in Israel well before, during, and after the time of Josiah’s reforms in 621 BCE and they apparently had some affect as religious texts on the Jewish people until around the fifth to fourth centuries. These lost books include:

- A. In the Law or Torah: Book of the Wars of the Lord (Num 21:14)
- B. In Joshua, Judges, and 1–2 Samuel, 1–2 Kings:
  - 1. Book of Jashar (Josh 10:12–13; 2 Sam 1:18–27; 1 Kgs 8:12–13 in LXX)
  - 2. Book of the Annals of the Kings of Judah (1 Kgs 14:29; 15:7, 23; 22:45; 2 Kgs 8:23; 12:18; 14:18; 15:6, 36; 16:19; 20:20; 21:17, 25; 23:28; 24:5)
  - 3. Book of the Annals of the Kings of Israel (1 Kgs 14:19; 15:31; 16:5, 14, 20, 27; 22:39; 2 Kgs 1:18; 10:34; 13:8, 12; 14:15, 28; 15:11, 15, 21, 26, 31)
  - 4. Book of Acts of Solomon (1 Kgs 11:41)
- C. In Chronicles, Ezra, and Nehemiah:
  - 1. Book of the Kings of Israel (1 Chr 9:21; 2 Chr 20:34)
  - 2. Book of the Kings of Judah and Israel (2 Chr 16:11)
  - 3. Book of Kings of Israel and Judah (2 Chr 27:7)
  - 4. Annals of the Kings of Israel (2 Chr 33:18)
  - 5. Records of the seer Samuel (1 Chr 29:29)
  - 6. Records of the seer Gad (1 Chr 29:29)
  - 7. Records of the seer Nathan (1 Chr 29:29)
  - 8. History of the Prophet Nathan (2 Chr 9:29)
  - 9. Prophecy of Ahijah the Shilonite (2 Chr 9:29)
  - 10. Visions of the seer Iddo (2 Chr 9:29)
  - 11. Records of the Prophet Shemaiah and the seer Iddo (2 Chr 12:15)
  - 12. Annals of Jehu the son of Hanani (“which are recorded in the Book of the Kings of Israel”; 2 Chr 20:34)
  - 13. Records of the seers (2 Chr 33:19)
  - 14. Story of the prophet Iddo (2 Chr 13:22)
  - 15. Commentary on the Book of the Kings (2 Chr 24:27)
  - 16. A book written by the prophet Isaiah son of Amoz containing the history of Uzziah (2 Chr 26:22)

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<sup>19</sup> Barr, *Holy Scripture*, 7.

17. A vision of the prophet Isaiah son of Amoz in the Book of Kings of Judah and Israel (2 Chr 32:32; cf. Isa 1:1)
18. Annals of King David (1 Chr 27:24)
19. Annals of your ancestors (Ezra 4:15)
20. Book of the Annals (Neh 12:23)
21. Additional book: “Laments” in 2 Chr 35:25 is not a reference to Lamentations, but rather to a book evidently produced by or for Josiah that is now lost.<sup>20</sup>

Most of these references come after the Josiah reforms and the exile, but some are earlier and show that various unknown religious and historical texts played an influential role in the life of ancient Israel before, during, and after Josiah. None of those listed were included in the HB, with a possible exception of Isaiah (numbers C. 16 and 17 above), but we do not have that book. In the list there are several books attributed to a “prophet” or a “seer,” as in the case of “Records of the seer Samuel” (1 Chr 29:29; cf. 1 Sam 9:9, 11, 11,18, 19; 1 Chr 17:1; 26:28). Similarly, a second source for the account of the activities of David is the “Records of the prophet Nathan” (1 Chr 29:29; 2 Chr 9:29; 29:25); we also see books by the prophet Iddo who saw the end of Solomon’s reign (2 Chr 13:22), the Prophet Shemaiah and the seer Iddo (2 Chr 12:15). Also Iddo is mentioned again saying that the acts of Abijah are written in the “story of the prophet Iddo” (2 Chr 13:22), and the acts of Manasseh, along with the “words of the seers” recorded in the “Annals of the Kings of Israel” (2 Chr 33:19), and “Records of the seer Gad” (1 Chr 29:29; cf. 1 Chr 21:9 and 2 Sam 24:11). These books are all now lost, but they were evidently authoritative books in ancient Israel. It appears that these informed the authoritative collection of written texts before, during, and after the reforms of Josiah. It is difficult to draw any conclusions about these lost books since we do not know what was in them, though we have some broad indication from the citations of the book of Jashur, but more importantly the references to prophets and seers are about those who were perceived to receive from God and communicate to the people the will and word of God. Likewise, while it is possible that the records or annals may only refer to histories, we must remember that such writings eventually were welcomed as sacred scripture and called “prophets” in the Hebrew Bible (e.g., Joshua, Judges, 1–2 Samuel, 1–2 Kings). What one makes of these unknown writings is difficult to say since we do not know for the most part what was in them, but the context in which several of them appear suggests

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<sup>20</sup> The references to the “Book of the Acts of Solomon” and the “Book of the Annals of the Kings of Israel” as well as the “Annals of the Kings of Judah” likely existed in the courts of Samaria and Jerusalem. The authors and editors of the Kings doubtless used independent sources that circulated during the Deuteronomistic period of Israel’s history. See my discussion of these sources in McDonald, “Lost Books,” 1:581–84. See also James R. Davila, “Quotations from Lost Books in the Hebrew Bible: A New Translation and Introduction, with an Excursus on Quotations from Lost Books in the New Testament,” in *Old Testament Pseudepigrapha: More Noncanonical Scriptures*, ed. Richard Bauckham, James R. Davila, and Alexander Panayotov (Grand Rapids: Eerdmans, 2013), 1:673–98.

that some of them at least functioned in an authoritative manner in a religious community. That function lies at the heart of the notion of scripture. Is it possible that some ancient Scriptures have been lost?<sup>21</sup>

The above listing of lost books did not make it into the HB canon, but they likely functioned authoritatively or even scripturally for a time in the Jewish community and they are referred to in the HB/OT at a fairly early stage in the development of the notion of Scripture. Because they are now all lost and largely unknown to modern scholarship and because the references to them are often vague, it is difficult to tell the extent to which the ancient Israelite community accepted them as scriptural writings. Besides those writings, many others have survived antiquity and likely functioned either as scripture or as trusted sources for the faith and life of various Jewish sects before the second century CE. These texts are what we anachronistically call Jewish Apocrypha and Pseudepigrapha, but generally they were not considered extraneous or noncanonical texts when they were cited in antiquity.

The references in biblical and nonbiblical texts to the writings that did not survive the canonization processes suggest at least some level of importance in the nation of Israel, or at least in some segments or sects of Judaism in Second Temple Judaism. Some of these lost books were important enough to require written commentary, as seen in the reference to “the Commentary on the Book of the Kings” (2 Chr 24:27). That a commentary was written on a now-lost book suggests the book’s sacredness, or at least its high significance and influence. Like today, commentaries were made only on the most significant writings. The “Laments” mentioned in 2 Chr 35:25 is not a reference to the biblical book of Lamentations, but rather to a book produced by or for Josiah. Undoubtedly other ancient texts that we know nothing about have been lost, and it is impossible to determine how much authority the ancient communities attributed to them. Since at one time the “book of the law” (Deuteronomy?) was for a time lost (2 Kgs 22–23), it is also likely that other sacred books either mentioned or not mentioned in the Bible were also lost. When they no longer functioned authoritatively in a religious community, their “decanonization” or marginalization was set in motion.

Chapman does not deal with these lost books, but correctly notes that other texts besides the Law of Moses were cited in a scriptural manner, that is, as religiously authoritative texts. However, we cannot ignore the list of books mentioned above or fail to ask how they functioned in ancient Israel. He observes that not only the law, but also the “prophets” formed a “twin criteria of right belief” and cites as evidence 2 Kgs 17:13 and Jer 26:16–18 in which Micah’s prophecy to King Hezekiah is cited from Mic 3:12. See also Jer 26:3–4 in which Jeremiah admonishes the people to “heed the words of my servants the prophets.” It is not always certain which prophets are in view in Chapman’s texts, but they clearly

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<sup>21</sup> See a brief discussion of these books in McDonald, “Lost Books,” 1:581–87.

reflect a broader collection of sacred texts than simply the Pentateuch. He also cites Zech 7:12 that refers to the “former prophets” who prophesied in Israel, and Ezra 9:9–12 in which commands from Exod 34:11 and Deut 7:1–5 are cited. The prayer of Daniel (Dan 9:5–10) also reflects the nations’ failure to heed to the Lord’s commandments and the laws “set before us *by his servants the prophets*.”<sup>22</sup> I would add to this Ezra’s reference to the prophecies of Haggai and Zechariah to the Jews regarding the restoration of the Temple (Ezra 5:1–2).

Lim has shown that not only the Law of Moses is cited in Ezra–Nehemiah, but the books also show considerable awareness of each of the books in the Pentateuch and Joshua.<sup>23</sup> These references show that Joshua, several prophets, and the Law of Moses formed scriptural authorities for the Jews in the post-exilic period. It is not possible at this time to identify all of those acknowledged as seers or prophets at that time, but clearly others also revealed the will of God for the people as in the seers and prophets listed above whose work is now lost. There is no question about the prominence given to the Law of Moses, but this does not suggest that there was no role for several of the prophets at that time. Other prophetic voices than the Law of Moses informed the Jews at this time, but it is not always clear which prophets are in view until there is a listing of prophets much later. In the Chronicles, the law is often viewed as essentially complete and generally standing alone except for a reference to the prophets in 2 Kgs 17:13. Clearly in the post-exilic period, the Law of Moses was the primary authority in the nation (1 Chr 16:40; 2 Chr 23:18; 31:3; 35:12), but the prophets are those who transmit the word of the Lord by voice or in writing (cf. Jer 45:1–5 and Dan 9:2). See also the reference to Jer 25:11 and 29:10 in Ezra 1:1, though it is not often clear which prophets are in view as in the cases of 2 Chr 26:22, 29:25, and 32:32. See, for example, 1 Chr 29:29 where we see “The commandment was from the Lord through his prophets.” Some of the later Psalms also reflect on the

<sup>22</sup> Chapman, “Canon, Old Testament,” 103. He also refers to several of the now lost books listed above to support his view that both law and other prophetic texts served as sacred authoritative texts among the people of Israel both before and during the exilic period.

<sup>23</sup> Lim, *Formation of the Jewish Canon*, 54–72, especially 62–68; and also in his earlier article “A Theory of the Majority Canon,” Lim lists the parallels in Ezra not only to the Pentateuch, but also to Joshua and he concludes that for “Ezra–Nehemiah, therefore, ‘Torah’ refers to both the Pentateuch and the Hexateuch (on the use of Joshua, see Neh 9:23–25; cf. 9:26–37), to laws and narratives” (4). He is also aware of the reference to the writing prophets Haggai and Zechariah (Ezra 5:1–2). It is the biblical citations embedded in Neh 8–10 that reflect familiarity not only with the Law in its narrow sense (the Ten Commandments and other commandments), but also the whole of the Pentateuch and Joshua. Lim lists the following parallels in Neh 8–10: “Neh 9 cites passages from the first six books of the traditional canon: Genesis (Neh 9:6, 7–8), Exodus (Neh 9:9–11, 12–21), Leviticus (Ezra 3:4; 6:19–22; Neh 8:14–17; 10:32; 13:15–22), Numbers (Neh 9:12–22), Deuteronomy (Ezra 3:4; 6:19–22; Neh 10:32; 13:1–2; 13:25), and Joshua (Neh 9:23–25; cf. 9:26–37)” (4). He adds, however, that it is not likely that Ezra read the whole of the Pentateuch or Hexateuch in one setting “from morning until midday” since it would take far longer than the time mentioned in Neh 8:1–8 to read the whole Pentateuch. It is more likely that Deuteronomy alone was read on that occasion.

authority of the Law (see Ps 51:18–19 and Ps 78 that show familiarity with Exod 15, and especially Ps 1:2; 19:7–14; and Ps 119), but nothing is said there about the prophets. Psalm 105:15 does refer to protection of the Lord's prophets, but no specific prophets are mentioned. The author of that psalm does show familiarity with the books of Genesis and Exodus and knows of Abraham and his covenant, Jacob, Moses, and Aaron, and the exodus from Egypt.

Again, is it possible that some of the prophets intended in these passages were not later included in the HB as in the case of the lost books noted above? It may be that what the prophets wrote was also viewed as Law, a summarizing term for all of Israel's scriptures. That is possible, but not definitive. The category of "prophets" was widely recognized in the *late* Deuteronomic period in the exilic and post-exilic periods and although some of those prophets are identified by name, many are not. Until the early second century BCE when Sirach writes in praise of the nation's famous ancestors and heroes, he mentions not only Moses but also several prophets that were later included in the HB (Isaiah in Sir 48:23–25; Ezekiel, Job, and the Twelve in Sir 49:8–10), but others as well. Several of those mentioned were not authors of prophetic books, including Josiah (49:1), Zerubbabel and Jozadak (49:11–12), and Nehemiah (49:13), and others (see 44:16–50:21). Sirach was clearly familiar with several of the books that tell the stories of Israel's famous ancestors and speaks favorably of those authorities who devoted themselves to "the study of the law of the Most High" and who "seek out the wisdom of all the ancients" and is "concerned with prophecies" as well as "proverbs" and "parables" (39:1–3). The specific books Sirach refers to here are not mentioned, but rather the categories of writings with which devoted persons in his time would have some familiarity. Sirach was no doubt aware of several of the books that are now included in the HB, but again, the specific identities of those books or the boundaries of the collection available to him are not known.

Following the return of the Jews from exile in Babylon, after the decrees of Cyrus (2 Chr 36:23; Ezra 1:2–4) and Artaxerxes (Ezra 7:12–26), a significant religious reform movement was begun by Ezra and Nehemiah who recognized and adopted a body of scriptures, especially the laws of Moses. From this time on, the laws of Moses, probably at this time the Pentateuch, was chief among them. The term "scripture" (Hebrew, כְּתוּבִים, pl., כְּתוּב, as a term for divine writings is a later designation and not used in Ezra and Nehemiah or in the Kings, Chronicles, and Psalms where the law is mentioned. However, the notion of authoritative and divinely acknowledged sacred texts is nevertheless clearly present, as we saw above. The earlier reforms of Josiah (ca. 621 BCE) resulted from the discovery of the scroll of the Law in the Temple, but the more significant and lasting reforms took place during the time of Ezra and Nehemiah (roughly 450–400 BCE).<sup>24</sup> The

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<sup>24</sup> I am inclined to agree with J. J. Collins who concludes that Ezra–Nehemiah likely dates around 400 BCE, primarily because they reflect three important events that date in the first century after the Jews returned from exile. These include both the initial return of the Jews and the rebuilding of

laws of Moses were not the only books recognized as sacred writings at that time, but they held the highest place of priority from that time on in second Temple Judaism and beyond.

While the whole Pentateuch appears to have been recognized as sacred Scripture in Israel no later than the time of Ezra and Nehemiah, portions of it (Deuteronomy) were recognized as sacred scripture earlier in the reforms of Josiah (2 Kgs 22–23) and even before. The Law, or “law of Moses,” contained references to the beginnings of the history of Israel in Genesis, the sojourn of Israel in Egypt, the Israelites’ wanderings in the wilderness to the land of Canaan, the giving of the Law, and their entrance into the promised land. In the days of Josiah or later Ezra and Nehemiah, there was no mention of a closed canon or fixed collection of Scriptures, but the Law (Torah) clearly took priority over other religious texts circulating at that time. In the post-exilic period, other books that were later included in the HB had gained some recognition, as we saw in Ezra–Nehemiah above,<sup>25</sup> but others may be implied in 2 Kgs 17:13.

There is considerable uncertainty over when the other HB books were identified as scripture, but it is obvious that some books were accepted sooner than others whose recognition and acceptance developed in various stages over time. From the late seventh century (ca. 621 BCE) through the sixth and even fifth centuries, it appears that the Pentateuch and *Joshua* received their final *major* editing.<sup>26</sup> From that time, it was common to speak of the “book of the law,” “the books of Moses,” or simply the “law they would not obey” (Isa 42:24). Jeremiah also spoke of the “law” and condemned the nation for failing to observe the “law of the Lord” (2:8; 5:4–5; 8:8; 9:13; 16:11; 26:4; 31:31–33; 32:23; 44:10, 23). Ezekiel also speaks of the “ordinances” of the temple plans and “all its laws” (43:11–12). Later the Chronicler invokes the “law of Moses” during the reign of Jehoiada (2 Chr 23:18), and in the reign of Amaziah he speaks of the “book of Moses” (2 Chr 25:4). In the reign of Josiah, the high priest Hilkiah reports to the king that he has found the “book of the law” in the temple (2 Kgs 22:8). We also see that Josiah “established the words of the law that were written in the book that the priest Hilkiah had found” (2 Kgs 23:24; cf. 2 Chr 34:14–16, 24). Notice that “book” is in the singular. What was found in the temple and functioned as sacred Scripture for the Jews in Josiah’s day is generally thought by most scholars to be the book of Deuteronomy. Davies brings to our attention that Deuteronomy is the only book of the Law that calls itself a “*torah book*” (e.g., Deut 4:1–2; cf. 6:1–9; 8:1, 11; 10:13;

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the Temple, the career of Ezra, and finally the career of Nehemiah. See Collins, *Introduction to the Hebrew Bible*, 427–29 and 429–43.

<sup>25</sup> Lim, *Formation of the Jewish Canon*, 72–73, shows that in Ezra–Nehemiah *torah* not only had to do with prescriptive laws, but with the story of creation and Abram’s journey to the Land of Canaan. He shows that *torah* refers not only to laws, but also to narratives.

<sup>26</sup> I will note with examples below that all of the biblical writings have received editing and various changes throughout the history of their transmission.



11:1, 8, 13; 12:1).<sup>27</sup> Some scholars contend that Deuteronomy was the original “book of the Law” and that the other books of the Law were included later in the sacred collection.<sup>28</sup> Again, this does not suggest that the story of the beginning of the nation and the Exodus was unknown at the time of its writing. As we saw, earlier texts show familiarity with that story (exodus-wanderings-entrance) theme.

### III. APOCRYPHAL AND PSEUDEPIGRAPHAL WRITINGS: WRITINGS THAT DID NOT MAKE THE CUT

In mid-to-late Second Temple Judaism and in the rabbinic period (Judaism of Late Antiquity), several religious texts were produced that were later excluded from the Jewish sacred scriptures and some of them that played a role in early Christianity were accepted by some early church fathers as sacred Scripture. Eventually many of those writings were also excluded from the Christian scriptural collections. These rejected writings are often called apocryphal and pseudepigraphal writings, though initially they did not have those designations and were often welcomed as sacred texts by various Jewish and later Christian communities. Both designations, Apocrypha and Pseudepigrapha, are later anachronistic designations for writings that were not accepted into *all* Bibles, though some of those writings remain in Roman Catholic, Orthodox, and Ethiopian Bibles. The authorship of most of the books in these collections of literature is often attributed to earlier well-known figures, such as leaders, prophets, and heroes, who are well attested in earlier Jewish scriptures. Because there was a widespread and growing belief in Palestine that prophecy had ceased in the Jewish nation sometime after the time of Ezra and Nehemiah or Haggai and Zechariah, those who sensed the need to write a prophetic word from God regularly ascribed their texts to previously famous prophetic and prominent individuals such as those listed in Sirach’s celebration of Famous Men (Sir 44–49).

The term “Old Testament Apocrypha” (Gk. *ἀπόκρυφα*, “hidden”) refers to a collection of Jewish writings dating from roughly 300 BCE to 70–90 CE, some of which are incorporated into the Roman Catholic and Orthodox Old Testaments. The dates for these writings are disputed among scholars, but not that they served for a period of time as religious authoritative texts for some Jewish and subsequently Christian communities of faith. These writings are generally referred to in the Roman Catholic community as “Deuterocanonical” literature (“second canon”) and they include some fifteen writings or portions of writings, namely, Tobit, Judith, Additions to the Book of Esther, Wisdom of Solomon, Sirach

<sup>27</sup> Davies, *Scribes and Schools*, 99.

<sup>28</sup> Ibid., 93, and Jack N. Lightstone, *Society, The Sacred, and Scripture in Ancient Judaism: A Sociology of Knowledge*, Studies in Christianity and Judaism 3 (Waterloo, ON: Wilfrid Laurier University Press, 1988), 21–43.

(Ecclesiasticus), Baruch, Epistle of Jeremiah, Prayer of Azariah and the Song of the Three Jews, Susanna, Bel and the Dragon, 1–2 Maccabees, 1–2 Esdras, 3 Esdras, and for some Prayer of Manasseh, Ps 151, and 3 and 4 Maccabees. Sometimes these books are scattered among the other OT books in Roman Catholic and Orthodox Bibles, and when included they are grouped together in some Protestant Bibles between the Old and New Testaments. Their order in antiquity and even presently, however, is seldom consistent. Several of these so-called Apocryphal books are in the LXX version of the Christian OT. The term *Apocrypha* is also applied later to many Christian writings that were rejected in the majority of churches, and these are collectively and commonly referred to as “New Testament Apocrypha.”<sup>29</sup> There is a question among scholars of this field of inquiry over whether it should include the Christian gnostic writings as well or if those constitute a separate field of inquiry.

Sirach was one of the more popular Jewish wisdom writings discussed in the later rabbinic literature. It was initially accepted as scripture by some rabbinic sages, and quoted as such, but eventually it was rejected. Sarna indicates that the need of the rabbis to emphasize that this book did *not* “defile the hands,” that is, it was not canonical, shows that the *Ketubim*, the third part of the HB Scriptures, was still fluid in the second century CE and the books debated by them were from this collection. He acknowledges that Sirach had already acquired a “measure of sanctity in the popular conscience” and adds that even after its ban by the rabbis (*t. Yadayim* 2:13), some of the Amoraim continued to quote it *as scripture*.<sup>30</sup>

The term “apocrypha” came to refer to Jewish writings that were not to be read in public in Jewish or in some Christian worship services, but rather could be read in private by the more mature believers (see, for instance, 2 Esdras = 4 Ezra 14:45–46). Oepke concludes that the Greek term ἀπόκρυφος (“hidden”) is essentially a translation of the Hebrew verb *gnz*<sup>31</sup> (the participial form is גנוזים), though he acknowledges that in time the term took on various meanings, including a reference to rejected books not included in the biblical canon.<sup>32</sup> In the *Avot* of Rabbi Nathan 1:3, Proverbs, the Song of Songs, and Ecclesiastes are “hidden” (גנוזים) because of the fictitious and symbolic language in them. The preservation of the so-called apocryphal books was not the work of the rabbinic sages who eventually came to reject them altogether, but rather the church fathers who

<sup>29</sup> See, for example, the standard translation of many of these texts in J. K. Elliott, ed., *The Apocryphal New Testament: A Collection of Apocryphal Christian Literature in an English Translation Based on M. R. James* (Oxford: Oxford University Press, 1993).

<sup>30</sup> Sarna, “Canon, Text, and Editions,” 1:826. See, for example, *y. Sanh.* 28a and *m. Sanh.* 10:1. He adds that a third-generation *amora* cited Sirach and placed it in the Writings (*b. Baba Qamma* 92b).

<sup>31</sup> A *genizah* is an Aramaic loan word for a storeroom in which sacred texts were stored. The term itself simply means to hide or store up and it came to refer to a place of hiding or storing old sacred texts in a synagogue. The most famous of these is the Cairo Genizah that we will discuss below.

<sup>32</sup> A. Oepke, “κρύπτω,” *TDNT* 3:997–1000.

preserved them in some cases with considerable modifications to the text, as in the case of *4 Ezra*.<sup>33</sup>

The term “pseudepigrapha” (Gk. = ψευδής [“false”] plus ἐπιγραφή [“superscription”], yielding “false superscription”) refers to an undetermined number of books<sup>34</sup> not included in the Jewish or Christian Bibles, with the exception of the Ethiopian Bible that has some pseudepigraphal books (most notably *1 Enoch*). The Old Testament Pseudepigrapha is a collection of pseudonymous Jewish noncanonical writings dating from roughly 300 BCE to approximately 200 CE and, in the case of Christian pseudepigraphal writings, even as late as 300 to 325 CE. These religious documents are generally written in the name of well-known biblical personalities, for example, Enoch, Abraham, Moses, the sons of Jacob, or others, hence “Pseudepigrapha,” “pseudepigraphal,” and “pseudonymous” designations. At times, there is very little distinction between the apocryphal and pseudepigraphal writings in terms of their pseudonymous authorship. For example, Wisdom of Solomon is clearly a pseudonymous work, but it is regularly listed among the apocryphal writings and incorporated into the Catholic and Orthodox Old Testament Scriptures as Deuterocanonical scripture.

For a time some of the pseudepigraphal literature was received as sacred literature in some elements of Judaism and early Christianity. For example, the now lost book called *Eldad and Modad* is cited *as scripture* in *Shepherd of Hermas*, *Vis.* 7.4 (2.3.4) and the Greek translation of *Eldad and Modad* may also be cited *as scripture* in Jas 4:5, a scriptural citation that is not found in any OT text.<sup>35</sup> Some of the apocryphal literature was discovered in the Cairo Genizah, among the Dead Sea Scrolls at Qumran, and in some early church copies of scriptures and translations. Much of this literature is preserved in the Christian translations in Ethiopic, Syriac, Armenian, Slavonic, and Greek.<sup>36</sup>

Many important texts in pseudepigraphal literature aid our understanding of the so-called intertestamental period, but also our understanding of several NT texts. By the fourth century CE, several of these writings that had earlier been welcomed

<sup>33</sup> Ibid., 3:995.

<sup>34</sup> The standard collection of these is in James H. Charlesworth’s *OTP*. A newly published collection of ancient pseudepigraphal books is now emerging that compliments Charlesworth’s *OTP*. See Richard Bauckham, James R. Davila, and Alexander Panayotov, eds., *Old Testament Pseudepigrapha: More Noncanonical Scriptures*, vol. 1 (Grand Rapids: Eerdmans, 2013). The first of two substantial volumes of this literature has already been published and the second is in process.

<sup>35</sup> This case is suggested in Richard Bauckham, “Eldad and Modad,” in Bauckham, Davila, and Panayotov, eds., *Old Testament Pseudepigrapha*, 1:255–56; and also in Davila in “Quotations from Lost Books,” 1:686, who suggests that the otherwise unknown reference likely comes from a Greek translation of this Hebrew book.

<sup>36</sup> See a discussion of this in G. Vermes, *The Dead Sea Scrolls: Qumran in Perspective* (Philadelphia: Fortress, 1977), 209–11; and G. W. Anderson, “Canonical and Non-canonical,” in *The Cambridge History of the Bible*, Vol. 1: *From the Beginnings to Jerome*, ed. P. R. Ackroyd and C. F. Evans (Cambridge: Cambridge University Press, 1970), 155–59.

as scripture in various churches were rejected as spurious or even heretical. Consequently, there was widespread neglect of this literature for centuries when it was no longer copied or passed along in churches. However, in modern times there has been a resurgence of interest in these ancient writings because they often enable better interpretations of difficult biblical texts and illuminate previously poorly understood contexts of Second Temple Judaism and early Christianity. They also aid considerably in our understanding of the notions of Scripture and canon in antiquity.<sup>37</sup>

At some point, and often for unclear reasons, the Jewish apocryphal and pseudepigraphal writings fell into disrepute in Jewish and some Christian communities,<sup>38</sup> and it appears that the rabbinic sages quickly rejected most of these writings by the end of the second century CE. The one exception was Sirach that had received earlier widespread approval and consequently took longer to reject. The text of these writings was more fluid in Christian collections of sacred texts in the second through fifth centuries than in rabbinic Judaism, but the fluidity in terms of which books were considered sacred scripture by some Christians continued for centuries longer than in Judaism.

After the acceptance of the biblical books was largely settled in the churches, as noted in the previous chapter, hermeneutics were employed to adapt the interpretation of that collection to the ever-changing circumstances of Jewish and Christian communities. In terms of the canonical writings, the well-known *Commentary on Habakkuk* discovered at Qumran is a primary example of how earlier sacred texts were reinterpreted later in light of contemporary circumstances of various religious communities. Some uncertainty continued about the scope of the Jewish Scriptures in rabbinic Judaism as we see in some Amoraim<sup>39</sup> texts where the sages were discussing the authenticity and authority of Sirach well into the fourth and fifth centuries CE. Since the reading of a text in worship and teaching it in a religious community implies its recognition as sacred scripture and an authoritative text for a believing community, the act of forbidding a

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<sup>37</sup> See D. W. Suter, "Apocrypha, Old Testament," in *Harper's Bible Dictionary*, ed. P. J. Achtemeier et al. (San Francisco: Harper & Row, 1985), 36–38; B. M. Metzger, *An Introduction to the Apocrypha* (New York: Oxford University Press, 1957); and H. C. Kee, ed., *Cambridge Annotated Study Apocrypha: New Revised Standard Version* (Cambridge: Cambridge University Press, 1994).

<sup>38</sup> Adler, "The Pseudepigrapha in the Early Church," in McDonald and Sanders, eds., *The Canon Debate*, 211–28, has a helpful discussion of the mixed reception of this literature in early Christianity.

<sup>39</sup> *Amora'im* is the plural noun from the Aramaic "*amora*" meaning "speaker" or "interpreter," and the name is given to the rabbinic interpreters of the Mishnah, the collection of tannaitic traditions of the Tannaim from roughly from 220 CE through the rabbinic period. The *Tannaim* comes from the plural noun from the Aramaic "*tanna*," meaning "one who teaches" or "repeats traditions." This community began with Hillel and Shamm'ai (ca. 50 BCE–30 CE) and possibly earlier and the last of the *Tannaim* is Judah ha Nasi in the early third century CE.

congregation to read a document in public worship conversely suggests that it was not or no longer viewed as Scripture. As noted earlier, initially some Jews toward the end of the first century CE were reading “twenty-four” sacred books publicly in worship,<sup>40</sup> but, according to 4 Ezra 14:45–46, “seventy” other books were read privately by the spiritually wise. Some of the books were eventually received as a part of the HB, but were either not initially read publicly by all rabbinic sages, or their sacredness was questioned by some as we see, for example in Song of Songs (*b. Megillah* 7a), Ecclesiastes (*m. Yadayim* 3:5; *b. Shabbat* 100a;<sup>41</sup> Ruth (*b. Megillah* 7a), Esther (*b. Sanhedrin* 100a;<sup>42</sup> *b. Megillah* 7a), Proverbs (*b. Shabbat* 30b<sup>43</sup>), and Ezekiel (*b. Shabbat* 13b;<sup>44</sup> *b. Hagigah* 13a; *b. Menahot* 45a).

Charlesworth wisely cautions that not all of the pseudepigraphal literature is cut from the same piece of cloth because it does not originate from the same sources or have the same motives (i.e., deception). He identifies five loosely defined categories of pseudepigraphal writings:<sup>45</sup>

1. Apocalyptic literature and related works
  - 1 (Ethiopic Apocalypse of) *Enoch* (Jewish, ca. 200 BCE–50 CE)
  - 2 (Slavonic Apocalypse of) *Enoch* (Jewish, ca. 75–100 CE)
  - 3 (Hebrew Apocalypse of) *Enoch* (Jewish, present form ca. fifth–sixth century CE)
  - Sibylline Oracles* (Jewish and Christian, second century BCE–seventh century CE)
  - Treatise of Shem* (ca. end of first century BCE)
  - Apocryphon of Ezekiel* (mostly lost, original form ca. late first century BCE)
  - Apocalypse of Zephaniah* (mostly lost, original form ca. late first century BCE)
  - 4 *Ezra* (Jewish, after 70 CE, with final Christian additions later)

<sup>40</sup> Also, as noted earlier, that number is not precise, but depends on how various combinations of books were made to arrive at that number. This is why with other combinations of books like Sirach could have been added without changing the sacred number of the Jewish scripture collection.

<sup>41</sup> The text reads in part: “Rab Judah son of R. Samuel b. Shilath said in Rab’s name: The Sages wished to hide the Book of Ecclesiastes, because its words are self-contradictory; yet why did they not hide it?” (Soncino trans.).

<sup>42</sup> The text reflects that mantles were prepared for sacred books. It reads in part: “Levi b. Samuel and R. Huna b. Hiyya were repairing the mantles of the Scrolls of R. Judah’s college. On coming to the Scroll of Esther, they remarked, ‘O, this Scroll of Esther does not require a mantle.’ (5) Thereupon he reproved them, ‘This too savours of irreverence’” (Soncino trans.).

<sup>43</sup> The text reads in part: “The Book of Proverbs too they desired to hide, because its statements are self-contradictory. Yet why did they not hide it? They said, ‘Did we not examine the Book of Ecclesiastes and find a reconciliation?’” (Soncino trans.).

<sup>44</sup> The text reads in part: “Rab Judah son of R. Samuel b. Shilath said in Rab’s name: The Sages wished to hide the Book of Ecclesiastes, because its words are self-contradictory...” (Soncino trans.).

<sup>45</sup> J. H. Charlesworth, “Pseudepigrapha,” in Achtemeier et al., eds., *Harper’s Bible Dictionary*, 836–40. Again, Bauckham, Davila, and Panayotov have thus far complimented Charlesworth’s *OTP* with 39 more ancient texts. Charlesworth has written an insightful Foreword to this collection noting his longstanding view that his own collection (*OTP*) needed considerable expansion. He also offers an important clarification on what in fact constitutes a place among the pseudepigrapha. Bauckham, Davila, and Panayotov project a forthcoming vol. 2 that has an additional 40 more selections in it!

Greek *Apocalypse of Ezra* (present form is Christian, ca. ninth century CE, with Jewish and Christian sources)

*Vision of Ezra* (Christian, fourth–seventh century CE)

*Questions of Ezra* (Christian, date imprecise)

*Revelation of Ezra* (Christian, sometime before ninth century CE)

*Apocalypse of Sedrach* (present form is Christian, ca. fifth century CE, with earlier sources)

2 (Syriac Apocalypse of) *Baruch* (Jewish, ca. 100 CE)

3 (Greek Apocalypse of) *Baruch* (Christian, ca. first–second century CE, with Jewish sources)

*Apocalypse of Abraham* (primarily Jewish, ca. 70–150 CE)

*Apocalypse of Adam* (gnostic, ca. first century CE, with Jewish sources)

*Apocalypse of Elijah* (Jewish and Christian, ca. 150–275 CE)

*Apocalypse of Daniel* (present form ca. ninth century CE, with Jewish sources from ca. fourth century CE)

## 2. Testaments

*Testaments of the Twelve Patriarchs* (present form is Christian, ca. 150–200 CE, but Levi, Judah, and Naphtali draw on Jewish sources before 70 CE and probably second–first century BCE)

*Testament of Job* (Jewish, ca. late first century BCE)

*Testaments of the Three Patriarchs* (Jewish versions of Abraham, Isaac, and Jacob, ca. 100 CE, linked with Christian versions of Isaac and Jacob)

*Testament of Moses* (Jewish, ca. early first century CE)

*Testament of Solomon* (Jewish, present form ca. third century CE, but earliest form ca. 100 CE)

*Testament of Adam* (present form is Christian, ca. late third century CE, with Jewish sources from ca. 150–200 CE)

## 3. Expansions of biblical and other legends

*Letter of Aristeas* (Jewish, ca. 200–150 BCE)

*Jubilees* (Jewish, ca. 130–100 CE)

*Martyrdom and Ascension of Isaiah* (first section is Jewish from ca. 100 BCE; second section is Christian from ca. second century CE; and third section, the Testament of Hezekiah, is Christian from ca. 90–100 CE)

*Joseph and Aseneth* (Jewish, ca. 100 CE)

*Life of Adam and Eve* (Jewish, ca. early to middle first century CE)

*Pseudo-Philo* (Jewish, ca. 66–135 CE)

*Lives of the Prophets* (Jewish, ca. early first century CE, with later Christian additions)

*Ladder of Jacob* (Jewish, late first century CE; one chapter is Christian)

4 *Baruch* (Jewish original edited by a Christian, ca. 100–110 CE)

*Jannes and Jambres* (present form is Christian, ca. first century BCE, with Jewish sources)

*History of the Rechabites* (present form is Christian, ca. sixth century CE, with some pre-100 CE Jewish sources)

*Eldad and Modad* (first century, now lost; quoted in Shepherd of Hermas, ca. 140 CE)

*History of Joseph* (Jewish, too difficult to date)

## 4. Wisdom and philosophical literature

*Ahiqar* (Jewish, late seventh or six century BCE; quoted in Tobit)

3 *Maccabees* (Jewish, ca. first century BCE)

4 *Maccabees* (Jewish, ca. before 70 CE)

*Pseudo-Phocylides* (Jewish maxims attributed to sixth-century BCE Ionic poet, ca. 50 BCE–100 CE)

*Sentences of the Syriac Menander* (Jewish, ca. third century CE)

## 5. Prayers, psalms, and odes

More *Psalms of David* (Jewish, ca. third century BCE–100 CE)

*Prayer of Manasseh* (Jewish, ca. early first century CE; sometimes listed in Apocrypha)

*Psalms of Solomon* (Jewish, ca. 55–50 BCE)

*Hellenistic Synagogal Prayers* (Jewish, ca. second–third century CE)

*Prayer of Joseph* (Jewish, ca. 70–135 CE)

*Prayer of Jacob* (Jewish, mostly lost, ca. fourth century CE)

*Odes of Solomon* (Christian, ca. 100–125 CE, influenced by Judaism)

Craig Evans conveniently lists the Jewish apocryphal and pseudepigraphal books as follows:

## The First or Old Testament Apocrypha

1 Esdras  
 2 Esdras  
 Tobit  
 Judith  
 Additions to Esther  
 Wisdom of Solomon  
 Ecclesiasticus  
 Baruch  
 Letter of Jeremiah  
 Prayer of Azariah and the Song of the Three Children  
 Susanna  
 Bel and the Dragon  
 Prayer of Manasseh  
 1 Maccabees  
 2 Maccabees  
 3 Maccabees (see Pseudepigrapha)  
 4 Maccabees (see Pseudepigrapha)  
 Psalm 151 (see Pseudepigrapha)

## Early Jewish Pseudepigrapha

1 Enoch	Lives of the Prophets
2 Enoch	Ladder of Jacob
3 Enoch	4 Baruch [= Omissions of Jeremiah]
Sibylline Oracles	Jannes and Jambres
Treatise of Shem	History of the Rechabites
Apocryphon of Ezekiel	Eldad and Modad
Apocalypse of Zephaniah	History of Joseph
Fourth Book of Ezra (=2 Esdras 3–14)	Ahiqar
Greek Apocalypse of Ezra	3 Maccabees
Vision of Ezra	4 Maccabees
Questions of Ezra	Pseudo-Phocylides
Revelation of Ezra	The Sentences of the Syriac Menander
Apocalypse of Sedrach	More Psalms of David
2 Baruch	Psalm 151 (see Apocrypha)
3 Baruch	Psalm 152

Apocalypse of Abraham	Psalms 153
Apocalypse of Adam (see NHC)	Psalms 154
Apocalypse of Elijah	Psalms 155
Apocalypse of Daniel	Prayer of Manasseh (see Apocrypha)
Testaments of the Twelve Patriarchs	Psalms of Solomon
Testament of Reuben	Hellenistic Synagogal Prayers
Testament of Simeon	Prayer of Joseph
Testament of Levi	Prayer of Jacob
Testament of Judah	Odes of Solomon
Testament of Issachar	Philo the Epic Poet
Testament of Zebulun	Theodotus
Testament of Dan	Orphica
Testament of Naphtali	Ezekiel the Tragedian
Testament of Gad	Fragments of Pseudo-Greek Poets
Testament of Asher	Pseudo-Hesiod
Testament of Joseph	Pseudo-Pythagoras
Testament of Benjamin	Pseudo-Aeschylus
Testament of Job	Pseudo-Sophocles
Testaments of the Three Patriarchs	Pseudo-Euripides
Testament of Abraham	Pseudo-Philemon
Testament of Isaac	Pseudo-Diphilus
Testament of Jacob	Pseudo-Menander
Testament (Assumption) of Moses	Aristobulus
Testament of Solomon	Demetrius the Chronographer
Testament of Adam	Aristeas the Exegete
Letter of Aristeas	Eupolemus
Jubilees	Pseudo-Eupolemus
Martyrdom and Ascension of Isaiah	Cleodemus Malchus
[3:13–4:22 = Testament of Hezekiah]	Artapanus
Joseph and Aseneth	Pseudo-Hecataeus
Life of Adam and Eve	5 Maccabees <sup>46</sup>
Pseudo-Philo, <i>Biblical Antiquities</i>	

Some of this literature influenced early Christianity, and there are several instances that reflect Christian editing or additions after which in some cases it was also acknowledged as Scripture (e.g., *4 Ezra* and the *Sibylline Oracles*). Whether or not one acknowledges this literature as sacred Scripture, it is important that Jesus and his earliest followers, including the early churches, had an understanding and knowledge of some of it and it is sometimes cited as scripture in the early centuries (e.g., *1 Enoch*).<sup>47</sup> Besides that literature witnessing frequently to the authority of the HB books, their use also indicates the early church's interest in the major biblical figures (e.g., Adam, Enoch, Moses, and Elijah) and also the

<sup>46</sup> Craig A. Evans, *Ancient Texts for New Testament Studies: A Guide to the Background Literature* (Peabody, MA: Hendrickson, 2005), 9 and 26–27.

<sup>47</sup> A recent and excellent discussion of the influence and importance that the so-called noncanonical literature had in Jesus' teaching and the NT writers is in deSilva, *Jewish Teachers of Jesus*. Parallels to this literature in the NT are discussed in Chapter 9 §§I–III.



continuity of faith between the two Testaments. De Jonge concludes from this that “because Christians were convinced of the continuity in God’s revelation through the great figures of the ‘Old Testament’ and through Jesus Christ and his apostles, the distinction between ‘Jewish’ and ‘Christian’ was for them only of relative importance.”<sup>48</sup>

The most popular books among these ancient texts that were not included in the rabbinic Scriptures were included in the biblical canons of the Roman Catholic and Eastern Orthodox Churches.<sup>49</sup> Other ancient texts less known and less frequently cited have mostly vanished and only a few survive in fragments. Often they survive largely only by name in other documents as in the case of *Eldad and Modad*. They evidently served a purpose for a time, but fell into disfavor and were rejected or discarded and understandably no further copies of them were made. Many of these books were developed around the names and stories of famous biblical characters such as Adam, Enoch, Moses, Melchizedek, and the Patriarchs. Some of these writings are included in the three well-known ancient catalogues below, but the lists are not exhaustive of what was circulating in antiquity, only what was known or circulating in particular communities. Some of these writings are listed, along with the manuscripts in which they are found, in Joseph van Haelst’s standard work with the subsequent additions to his work now posted on the Web.<sup>50</sup>

In the well-known catalogue commonly called the *Stichometry*<sup>51</sup> of *Nicephorus*<sup>52</sup> (ca. 806–815 CE), the author lists the following titles of Old Testament “apocryphal” books along with the lines of text in each book:<sup>53</sup>

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<sup>48</sup> M. de Jonge, “The Old Testament in the Pseudepigrapha,” in Auwers and de Jonge, eds., *The Biblical Canons*, 478.

<sup>49</sup> These include Tobit, Judith, the six additions to Esther, 1–2 Maccabees (Orthodox include 3 Maccabees and Ps 151), Wisdom of Solomon, Wisdom of Sirach/Ecclesiasticus, the Prayer of Azariah, Song of the Three Young Men, Susanna, and Bel and the Dragon, Baruch plus the Epistle of Jeremiah. The Eastern Orthodox Christians made the final decision about the scope of their biblical canon at the Council of Jerusalem in 1672, which is slightly longer than that of the Roman Catholics. They earlier had accepted essentially the books of the Roman Catholic Old Testament, but added the books mentioned above. For a brief summary of the development of the Greek Version, see S. A. Nigosian, *From Ancient Writings to Sacred Texts: The Old Testament and Apocrypha* (Baltimore: The Johns Hopkins University Press, 2004), 19–23. See also his lists of Jewish and Christian Scriptures (28–29).

<sup>50</sup> See Joseph van Haelst, *Catalogue des Papyrus Littéraires Juifs et Chrétiens* (Paris: Publications de la Sorbonne, 1976), especially 96–119 and 199–205. The website with updates from Cornelia Römer is <<http://www.ucl.ac.uk/GrandLat/research/christianpapyri.htm>>.

<sup>51</sup> Stichometry is an ancient method of calculating the number of lines in a manuscript that were used as a basis for payment to a scribe or copier for services rendered. The term comes from the Greek *stichos* (pl. = *stichoi*), referring to a line in a manuscript that normally had 16 syllables or some 36 letters.

<sup>52</sup> This list was attributed to Nicephorus, but more likely dates well after him to around 850.

<sup>53</sup> The following lists come from the dated but still very useful limited descriptions of these ancient texts in Montague Rhodes James, *The Lost Apocrypha of the Old Testament: Their Titles and Fragments* (London: Society for Promoting Christian Knowledge; New York: Macmillan, 1920), xii–xiv.

Enoch	4800
Patriarchs	5100
Prayer of Joseph	1100
Testament of Moses	1100
Assumption of Moses	1400
Abraham	300
Eldad and Modad	400
Of Elias the Prophet	316
Of Sophonias the Prophet	600
Of Zacharias the father of John	500
Pseudepigrapha of Baruch, Ambacum (Habakkuk), Ezekiel, and Daniel (no lines indicated here)	

Besides this, in the *Sixty Books*,<sup>54</sup> which refers to the canonical books, the author lists several apocryphal and pseudepigraphal books without the *stichoi* (or lines) as follows:

Adam  
 Enoch  
 Lamech  
 Patriarchs  
 Prayer of Joseph  
 Eldad and Modad  
 Testament of Moses  
 Psalms of Solomon  
 Apocalypse of Elias (Elijah)  
 Vision of Esaias (Isaiah)  
 Apocalypse of Sophonias  
 Apocalypse of Zacharias  
 Apocalypse of Esdras

Along with these two lists of ancient apocryphal and pseudepigraphal books, the Latin list that is best known as the *Gelasian Decree* (or *Decretum Gelasianum*, ca. 492–96) identifies sacred books as those received and not received (Latin = *De libris recipiendis et non recipiendis*). It is attributed to Pope Gelasius' decree on which books are approved for reading in the churches and which are not. It omits mentioning Enoch, but adds several other uncommon names as follows:

The book, concerning the daughters of Adam, of Leptogenesis  
 The book, which is called the *Penitence of Adam*  
 The book concerning the *Giant Ogias* who is stated by the heretics to have fought with a dragon after the Flood  
 The book which is called the *Testament of Job*  
 The book which is called the *Penitence of Jannes and Mambres*  
 The writing, which is called the *Interdiction (or Contradiction) of Solomon*

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<sup>54</sup> This list is found in some of the manuscripts of the *Quaestiones* (or *Questions and Answers*) of Anastasius (d. ca. 700 CE), abbot of the St. Catherine's monastery in the Sinai Peninsula.

Besides these three collections of rejected apocryphal books, the Armenian lists collected by Theodor Zahn in 1893 have three other shorter collections:

- A. Samuel of Ani (ca. 1179) speaks of books brought to Armenia around 591 CE by Nestorian missionaries that include: *The Penitence of Adam* and *The Testament* (probably of Moses or Adam).
- B. Mechithar of Airivank (ca. 1290 CE) lists writings similar to those in Greek and under the title of *Secret Books of the Jews* as follows:
  - Book of Adam
  - Book of Enoch
  - Book of the Sybil
  - The Twelve Patriarchs (= testaments of the Twelve sons of Jacob)
  - The Prayers of Joseph
  - The Ascension of Moses
  - Eldad and Modad (or Medad)
  - The Psalms of Solomon
  - The Mysteries of Elias
  - The Seventh Vision of Daniel<sup>55</sup>
- C. Another list under the same writer's name, dated 1085 CE, mixes some of the following apocryphal books in the canon of the OT in the Roman Catholic and Orthodox churches as follows:
  - The Vision of Enoch
  - The Testaments of the Patriarchs
  - The Prayers of Aseneth (takes the place of the *Prayer of Joseph*)
  - Tobit, Judith, and Esther
  - Esdras Salathiel (= 4 Ezra) = Job, etc.
  - The Paralipomena concerning Jeremiah Babylon (= the Rest of the Words of Baruch)
  - Deaths of the Prophets (a version of the Pseudo-Epiphanian, *Lives of the Prophets*)
  - Jesus son of Sirach

Besides the above, other writings have occurred in later lists under the pseudonymous names of Moses, Eve, Seth, Noah, Ham, Melchizedek, Hezekiah, and the ancient Persian King Hystaspes.<sup>56</sup> Along with the ancient books that we know about through various ancient sources, including the early church fathers through the fourth century, there were doubtless many other religious books written of which we are unaware that were produced and functioned as sacred literature in some Jewish and Christian communities.

The reason many of these books did not survive antiquity is rather simple: they no longer met the worship, catechetical and, missional needs of Jews and/

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<sup>55</sup> This is similar to the list in the *Sixty Books* above, but *Sibyl* is substituted for *Lamech*, *Testament of Moses* is omitted, and the last four items are replaced by the *Seventh Vision of Daniel*.

<sup>56</sup> These and a number of unnamed apocryphal or pseudepigraphal writings are discussed in M. R. James, *Lost Apocrypha*, 87–95. He lists many of the ancient texts that are either cited or quoted. See also the *OTP* volumes by Charlesworth and the recent edition by Richard Bauckham, James R. Davila, and Alexander Panayotov noted above.

or Christians and so they were simply discarded and no longer copied. Over time when copies of texts wore out they were stored (Jews) or discarded (Christians) and in both cases those books were not replaced. In the case of worn out or retired Jewish sacred texts, many were placed in sacred storage places such as those discovered in the Cairo Genizah. For Christians, worn out sacred texts were often discarded and some of them were found in a garbage dump in Egypt.<sup>57</sup> Some were misplaced or ignored over the centuries. After the church had determined the broad outlines of its theology by the fourth century, many of the writings that had once informed its faith eventually no longer did. Because of the considerable expense in making copies of this literature, it is reasonable to expect that in time there would be fewer and fewer copies available of writings no longer deemed sacred or useful to the church in its self-understanding and in fulfilling its mission. A considerable number of manuscripts or fragments of manuscripts have survived (over 9000 HB manuscripts have survived and some 5740 NT manuscripts have survived antiquity).<sup>58</sup> These manuscripts often give us a glimpse into the faith and social contexts of the Jews or Christians who made use of them.

#### IV. TEMPORARY CANONIZATION OR “DECANONIZATION”<sup>59</sup>

Many books considered in the canonization processes had earlier been recognized as scripture or cited authoritatively in churches but were later rejected either formally or more commonly by gradual lack of use in Jewish and Christian communities. Not everything that was written in the early history of the Jewish

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<sup>57</sup> See AnnaMarie Luijendijke, “Sacred Scriptures as Trash: Biblical Papyri from Oxyrhynchus,” *VC* 64 (2010): 217–54. She reflects a different pattern in Christian churches from their Jewish siblings that did not discard sacred texts but stored them in a *genizah*. When texts wore out, Christians simply discarded them, an action that points perhaps to a different understanding of sacred texts. It was the message, not the particular text, that took priority initially in the churches and that may explain both the Christians’ use of the codex and their later discarding those texts. For a discussion of this, see Satlow’s *How the Bible Became Holy*, 248–56.

<sup>58</sup> The number of ancient manuscripts seems to grow almost annually as heretofore unknown ancient texts are published, some from Qumran that were hidden for years in vaults in Zurich or some in trunks and boxes in museums and libraries in Europe that have not yet been catalogued or examined. Several of these documents have been published in recent years and more are surely going to be.

<sup>59</sup> I acknowledge the awkwardness of using the term “decanonization.” In the early stages of the church, no such term was used. Some scholars use this term in an anachronistic fashion. I mention it here only to refer to books that once had a significant impact (authority) in the religious life of the Jews and subsequently some Christians, but later lost their influence and relevance. The term suggests wrongly that a biblical canon had already been constructed and some books were excluded from it. Most designations for this literature have problems in consistency. I prefer “canon 1” described earlier to refer to writings initially welcomed, but later rejected.

nation, including lost books earlier noted as possible sacred scriptures, survived in the scriptures of the Jews or Christians. Besides the recognition and use of a number of books that reflected the faith, identity, and mission of Jews and Christians, a process of “decanonization” was also taking place in those communities. For example, as we saw above, the so-called lost books mentioned in the HB or OT obviously had little or no significance in late Second Temple Judaism or in Judaism of Late Antiquity and as a result they were not included in the final canonization processes of the Jews. Many of those books are not mentioned in either the NT or contemporary Jewish writings (Philo, Dead Sea Scrolls, and Josephus), and so we have no idea about their contents other than what we can ascertain from their titles or a few short references to them. Because some of these writings were mentioned in several HB/OT passages, obviously at some point, as noted earlier, they had some influence in an earlier history of the Jewish people, but for whatever reason(s) they did not continue that way and were not included in the sacred scriptures of ancient Israel.

What do we make of books that once functioned in the religious community of Israel but no longer do? Not much is said about them in most canonical studies, and yet their origin and significance raises important questions that cannot be ignored. When writings no longer served the life and worship needs of a community of faith, they were neglected, no longer transmitted in synagogues and churches, and eventually no longer copied or even mentioned or cited in communities of faith. Although scholars attribute high value to such books that help them in their historical understanding of the growth and development of the Jewish religion, seldom do they emphasize that they initially played a role in the history of the canonization processes. Speaking of these lost religious writings Sarna offers several explanations for the disproportionate number of literary productions in the ancient world and the few that remain. He explains why they eventually vanished.

The absence of mass literacy, the labor of hand copying, and the perishability of writing materials in an inhospitable climate all combined to limit circulation, restrict availability, and reduce the chances of a work becoming standard. In addition, the land of Israel was more frequently plundered and more thoroughly devastated than any other in the ancient Near East... The change in script that occurred in the course of Persian hegemony doubtless drove out of circulation many books, while the mere existence of canonized corpora almost inevitably consigned excluded compositions to oblivion.<sup>60</sup>

There was, of course, not only book fluidity, but also linguistic and textual fluidity among Jewish scribes and later among rabbinic sages. The many duplicates in the HB also suggest textual fluidity prior to its stabilization. Some of the duplicates in the Hebrew Bible include the following:

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<sup>60</sup> Sarna, “Canon, Text, and Editions,” 817.

2 Sam 22 = Ps 18  
 2 Kgs 18:13–20:19 = Isa 36–39  
 2 Kgs 24:18–25:30 = Jer 52  
 Isa 2:2–4 = Mic 4:1–3  
 Ps 14 = Ps 53  
 Ps 40:13–17 = Ps 70  
 Ps 57:7–11 = Ps 108:1–5  
 Ps 60:6–12 = Ps 108:7–13  
 Ps 96:1–13a = 1 Chr 16:23–33  
 Ps 105:1–15 = 1 Chr 16:8–22  
 Ps 106:1, 47–48 = 1 Chr 16:34–36<sup>61</sup>

Sarna claims that the very notion of canonicity carries with it an expectation of reverence for the text and care in handling the text, but the above examples suggest to him that canonicity was not yet in view in Jewish thought when the now designated “noncanonical” writings were circulating in Israel.

The NT also mentions books that we no longer have and somehow were not preserved in the churches: for example, a letter that Paul wrote to the Laodiceans (Col 4:16), or perhaps the “first” letter that Paul wrote to the Corinthians (1 Cor 5:9), that is, the one that he wrote prior to writing what is now called 1 Corinthians.<sup>62</sup> In addition, Luke refers to other books on Jesus (Luke 1:1–4) at the beginning of his Gospel referring to the “many have undertaken to set down an orderly account” attempts to tell the story of Jesus. He may have in mind Mark and perhaps a document now called Q, or perhaps other writings that formed the special or unique parts of his Gospel (L) or Matthew’s (M), but that does not appear to be equivalent to “many.” All scholars would appreciate having access to this lost written material, and perhaps it will one day show up in another archaeological excavation or in some as yet uncatalogued collection of ancient manuscripts in some trunk or box in a European or Middle Eastern library. This, of course, is not at all uncommon and, with more ancient manuscripts coming to light almost yearly, it will likely continue. In the meantime, we know that many currently unknown writings were once useful in religious communities and enabled them to establish their identity and practice their religious activities for a period of time but then no longer. In other words, however we identify those texts, whether “decanonized,” or “temporary canonical,” or “canon 1,” they all address a phenomenon that needs to be considered in canon formation inquiry, namely some texts did not make the final cut.

<sup>61</sup> Besides these, there are many parallels between 1–2 Samuels–1–2 Kings and 1–2 Chronicles, even if there are many textual variances. For more on this, see *ibid.*, 832.

<sup>62</sup> Some have suggested that this “first letter” may have been the latter part of 2 Cor 10–13, but this is uncertain and cannot as yet be demonstrated despite the shift in the tone in 2 Corinthians. It is more likely that 2 Corinthians is a compilation of *at least* two of Paul’s writings written on separate occasions.

## V. THE THEORY OF A THREE-TIERED CANON FORMATION OF THE HEBREW BIBLE

In his early influential *Canon of the Old Testament* (1909), Ryle argued that the HB developed in a three-tiered fashion. This roughly approximated the recognition of the Law (Heb. תורה) by no later than 400 BCE, the Prophets (Heb. נביאים) possibly by the late third or early second century BCE, and the Writings (Heb. כתובים; *Hagiographa* = Gk. ἅγιος + γραφή = “holy writing”) that in Ryle’s view were included in the rest of the sacred writings in the HB by no later than the Council of Jamnia in 90 CE. He claimed that the third part of the HB canon was highly influential for decades before this final inclusion. His view is now considered both hypothetical and unsubstantiated and not based on solid evidence. It is now more common to acknowledge that there is little substantial evidence for the canonization of the Prophets in their current shape in the late third century BCE nor that the third part of the HB was closed at a supposed “council” at Jamnia (Yavneh) at the end of the first century CE (this so-called council will be discussed in Chapter 11 §I below).

In Second Temple Judaism, if the number of references to the Law of Moses from the fifth centuries BCE on in the surviving Jewish literature (Ezra–Nehemiah, Philo, 1–2 Maccabees, Dead Sea Scrolls, and Josephus), including the NT, is any indication, it is clear that the Pentateuch took priority of place among all Jewish religious texts. This is supported by the early to middle third-century BCE translation of the Jewish scriptures into Greek that included only the Pentateuch noted in the *Letter of Aristeas* (a more detailed discussion of this important text is in the next two chapters). It is clear that the Law held a place of priority among the Jews throughout late Second Temple Judaism. The later practice of keeping the Law in a separate special place apart from the Prophets and Writings in synagogues is also suggestive of the priority of the Law among Jews in Judaism of Late Antiquity.

While it is likely that a collection of prophetic writings was also recognized as scriptural authorities as early as the fifth century BCE, it is not clear what comprised that collection. The books that comprised the Prophets are not identified until the second century CE (*b. Baba Batra* 14b, see full text in Chapter 11 §III.A). The Jews do not appear to have formed a stabilized collection of prophetic literature before the Prologue to Sirach (130 BCE), but that collection is not identified until much later and after considerable changes. As we see from the list of famous Israelite personalities in Sirach 44–49, there was recognition of a growing number of recognized prophetic scriptures in the late third or early second century BCE. As we will see, it is not clear how to distinguish the “prophets” from the “others” in the Prologue to Sirach. I will discuss the “others” in more detail in a discussion of the Prologue in the next chapter, however, we cannot at this point say that the “prophets” were as yet anything more than all of the other non-Torah sacred texts scriptures circulating among the Jews at that time. We have no record of what comprised the prophets until much later. In the first century CE, the Prophets

and Writings are not distinguished as separate collections of Jewish Scriptures, though some scholars have tried to make that argument based on Luke 24:44 that identifies three parts of the Jewish Scriptures (“law of Moses, the prophets, and the psalms”; cf. also 24:27 that only mentions two parts of all the Jewish Scriptures). Throughout the NT writings, however, all other references to the Jewish scriptures mention only the “law of Moses” or “law and the prophets.” Despite our current inability to identify the prophetic literature at that time, some of the Writings themselves do identify some of the books that comprised that collection. For example, the voice of the prophets was not silent during the pre-exilic and post-exilic periods, as we saw earlier in Jeremiah’s reference to Micah’s and Ezra’s reference to Haggai and Zechariah. As we will see, the NT writers also identify several of the prophets by name (e.g., Isaiah, Jeremiah, Daniel). In the early second century BCE and well into the New Testament era, the “prophets” likely contained most if not all of the books that are now recognized as the Prophets but also many if not most of the books that later comprised the Writings in the HB and possibly Sirach and others as we will see below (Chapter 11 §II).

While some canon scholars have tried to find clear distinctions between the Prophets and the Writings in the early second century BCE assuming that the “others” in the Prologue to Sirach is a designation of that third part of the HB, there is no clear evidence that a third division or section of the HB existed like what we see in the middle to late second century CE in the *b. Baba Batra* 14b text. This does not suggest, of course, that the books in the Writings were all produced later than the Law and the Prophets or had no influence among the Jews. On the contrary, as we saw earlier there is considerable evidence that several of these books existed earlier than some of the Prophets and likely influenced ancient Israel prior to the final shaping of the Pentateuch. Nevertheless, there is no evidence that the *Baba Batra* 14b text was widely acknowledged or highly influential among all or a majority of rabbinic Jews in the second century CE since the majority of all of the early rabbinic references to the HB scriptures in the second and third centuries CE refer only to the Law and the Prophets. That practice is also true in the NT writings. Nonetheless, many if not all of the Writings (*Ketubim* or *Hagiographa*) were welcomed as sacred scripture among the Jews well before a third division of the HB was formed and they were initially acknowledged as a part of the Jewish prophetic corpus.

The traditional development of the HB in three distinct stages is now widely abandoned and unsupportable,<sup>63</sup> but the gradual expansion of a scriptural collection that eventuated first into a two-part collection of Jewish scriptures (law and

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<sup>63</sup> See, for instance, Leiman, *Canonization*, 120–24; J. N. Lightstone, “The Formation of the Biblical Canon in Judaism of Late Antiquity: Prolegomenon to a General Reassessment,” *Studies in Religion* 8 (1979): 135–42; compare E. E. Ellis, *The Old Testament in Early Christianity: Canon and Interpretation in the Light of Modern Research* (Grand Rapids: Baker, 1992), 125–26; R. T. Beckwith, *The Old Testament Canon of the New Testament Church and Its Background in Early Judaism* (Grand Rapids: Eerdmans, 1985), 276–77; F. F. Bruce, *Canon of Scripture*, 34–36; and



prophets) was later divided into the current Law, Prophets and Writings and combined they comprise the three-part scriptural collection of the Jews (Tanak). In light of the evidence available, this is not unreasonable though the boundaries in the tripartite HB canon are not precise until the middle to late second century at the earliest. (More extensive evidence for this argument is presented in Chapter 11 §II.)

It is interesting that Abraham is praised because he “obeyed my voice and kept my charge, my commandments, my statutes, and my laws” (Gen 26:5). While it is not completely clear what commandments, statutes, or laws are in view there, even the law in the time of Moses likely had antecedents and some of those may be what is in mind. On the other hand, it is likely that the final editor of Genesis claims that some laws in the Mosaic laws were known *before* the giving of the Mosaic laws. According to Carr, the Gen 26:5 passage, and indeed all of Gen 12–50, is a “post-D insertion [in]to non-P material.”<sup>64</sup> Did these oral traditions function as laws among the Jews before they were written down? If this passage was later inserted into Gen 12–50, as seems likely, apart from the Pentateuch, references to the Law or Laws are only elsewhere in Joshua and there is one reference in 1 Kgs 2:3. The rest of them are scattered throughout 2 Kings, the Chronicles, Ezra, Nehemiah, the later Psalms, some Proverbs (28–29), and in a few of the Latter Prophets, especially Second Isaiah (42:24), Jeremiah (throughout as noted above), Ezekiel (43:11–12; 44:5, 24) and in the Book of the Twelve (Hos 4:6; 8:1; Amos 2:4; Hab 1:4; Zeph 3:4; Zech 7:12). See examples also in Daniel, the latest book in its current form admitted to the HB (6:5, 8, 12, 15; 7:25; 9:10–11, 13). Remarkably, there are no references to the Law of Moses in Judges, 1 or 2 Samuel, Esther, or Job, though in 2 Samuel when David is caught in murder and adultery, Nathan accused him of despising “the word of the Lord” (2 Sam 12:9), but there is no particular reference to a specific law or commandment that was violated such as we see in Exod 20:13, 14, 17.

In large measure, 1–2 Kings and later the Chronicles offer a rationale for the judgment of God on the Houses of Israel and Judah because of their failure to obey the law of God. The judgment on the House of Israel was its destruction in 721–720 BCE and the destruction of Jerusalem and its Temple in 587 BCE for the House of Judah. As David was about to die he charged Solomon to “keep the charge of the Lord your God, walking in his ways and keeping his statutes, his commandments, his ordinances, and his testimonies, *as it is written in the law of Moses*, so that you may prosper in all that you do and wherever you turn” (1 Kgs 2:1–3, emphasis added). This is the last time that the “law of Moses” is mentioned in 1 Kings. However, in 2 Kings, Jehu is accused of not following the “law of the

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more recently, Carr, *Formation of the Hebrew Bible*, 3–9; Lim, *Formation of the Jewish Canon*, 18–25; J. J. Collins, *Seers, Sybils and Sages in Hellenistic-Roman Judaism* (Boston: Brill, 2001), 3–21; and Chapman, “Canon, Old Testament,” 101–3.

<sup>64</sup> Carr, *Formation of the Hebrew Bible*, 259; see also his explanation on 257–8 n. 11, and 286. For a discussion of J E D P, see section 1 above.

Lord God” (10:31), and thereafter, the author(s) of 2 Kings attempt to clarify the basis for God allowing the destruction of their nation (see especially 14:6; 17:13, 26–27, 34–40; 21:8). The discovery of the law in the Temple that had been lost (22:8–20; 23:24–27) reflects a lack of attention given to the Law earlier, though the story of God’s preservation of Israel was known and proclaimed earlier (1 Sam 12:7–8). This text shows that there was an awareness in the nation of its origins, bondage, release, and entrance into the promised land as an act of Yahweh, but this may not have been based on a written law so much as an oral tradition passed on from memory or perhaps partially also in a pre-exilic written form until the Law or Pentateuch was put or expanded into its final form in the Exilic and post-exilic periods. The reference to the law of Moses and laws of God in 1 Kgs 2:1–3 and later in 2 Kings and 1–2 Chronicles show in their authors an awareness of other books that tell or summarize the story of the nation and the rationale for the fall of Israel and God’s judgment upon both Israel and Judah.<sup>65</sup>

By the middle to end of the second century CE, *some*, not all, Jews had begun to identify their scriptures as the Law, Prophets, and Writings. At that time the Writings as a collection *began for the first time* to be distinguished from the Prophets. There was no clearly defined third part of the HB before then, but the books that were included in that third part were already in large part recognized as Scripture in the first century CE if not before. As we will see in the next chapter, some scholars have seen possible antecedents to a third division of the HB Scriptures in Philo (*On the Contemplative Life* 25–29), Josephus (*Ag. Apion* 1.37–43), Luke 24:44, and 4 Ezra 14:44–47, which suggest the possibility of multiple collections of Jewish scriptures in the first century CE, but as we will see, there is no specificity in what comprised those collections until later in the second century CE.

Most if not all of the books now called Prophets and Writings were welcomed as sacred texts among many Jews before the first century CE, but there are no specific texts that identify the books in the Jewish Scriptures at that time. Hence some caution is needed before assuming that the later understanding of a tripartite canon was present in the first century CE or before. In Late Second Temple Judaism, the NT, the early church fathers, and in most of the early rabbinic traditions the primary designations for the Jewish Scriptures was “Law and the Prophets” and those texts reflected fluidity in the scope of those scriptures well into the second century CE. It is also likely that in the first centuries BCE and CE, as we will see in the Dead Sea Scrolls and in the NT (Chapters 7, 8, 9), other books were also acknowledged as sacred scripture by some Jews and subsequently by some Christians that were not eventually included in the later HB, especially the Wisdom of Solomon, Wisdom of ben Sirach (or Sira), and 1 Enoch.

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<sup>65</sup> Walter Brueggemann, *An Introduction to the Old Testament: The Canon and Christian Imagination* (Louisville: Westminster John Knox, 2003), 145–58, offers three prominent interpretations of the message of 1–2 Kings. I have selected the second one he discusses that was earlier presented by Hans W. Wolff (1982).

As we saw earlier, before the separation of the church from the synagogue, some Jews read or were informed by books that we *now* call apocryphal or pseudepigraphal writings. The Christians likely recognized the same books that many of their contemporary Jewish siblings acknowledged as sacred scripture, but it took the Christians longer to determine the scope of their OT Scriptures. Also, as we will see in Chapter 11 §II below, they generally placed them in four divisions and in a different sequence than the later tripartite structure in the present HB canon. The Christians' quadripartite OT canon (Pentateuch, History, Poetry-Wisdom, and Prophets) may well precede the tripartite divisions in the HB Scriptures, which is only found after the separation of the Christians from the Jewish synagogues (ca. 66–135 CE). I will note later that it would be strange if the Christians accepted all of the books in the HB canon but not the divisions in which they are found if those divisions were present when Jews and Christians separated in the first and second centuries (between 62 and 135 CE).

Jerome appears to be the primary exception to the usual Christian way of separating their OT scriptures in four divisions and it is well known that he was influenced by local rabbis who evidently taught him Hebrew, the basis for his translation of the OT in the Vulgate. He listed the Christian OT books similar to, but not exactly like, the Jewish divisions without actually listing the books under the categories of Law, Prophets, and Writings (*On Weights and Measures* 22–23; ca. 374–77, Salamis, Cyprus). When Christians began to identify their Old Testament books,<sup>66</sup> they included some books that are now classified as apocryphal or deuterocanonical literature and generally put them in the four part divisions, but without explanation. We will examine in Chapter 11 (§II) whether the Christians inherited that order or invented it.

Sundberg explains why the early churches' collection of Scriptures was more extensive than the one eventually adopted by the rabbinic sages and concludes that Christians simply adopted the sacred writings in use within Pharisaic Judaism prior to their separation from the Jews.<sup>67</sup> Lightstone, however, rightly cautions, "one may not assume that books known and respected in one circle will have soon come even to the attention of other groups – let alone to be revered."<sup>68</sup> The earlier notion of a "normative Judaism" in the first century CE held by scholars has long been abandoned and scholars are well aware now that all of the first-century Jewish sects are unlikely to have accepted the same scriptural collections.

Sundberg's position assumes that near the end of the first century CE a so-called Council of Jamnia made a decision about which books were or were not sacred. Although this view can no longer be reasonably defended, his main point is

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<sup>66</sup> Melito of Sardis (ca. 170 CE) is the first known church father to identify the books in the Christian OT, but his listing of them is not the same as the collection that finally obtained in Judaism and comprised the HB or the Christian OT.

<sup>67</sup> Sundberg, *Old Testament of the Early Church*.

<sup>68</sup> Lightstone, "Formation of the Biblical Canon," 141.

nonetheless valid, namely, that the early Christians acknowledged as sacred and authoritative the same literature acknowledged as such by some sects of Judaism in pre-70 CE Palestine before their separation from the Jews. In addition, he also concluded that the collection of Scriptures adopted by Christians at the end of the first century CE was still in a fluid state and not yet fixed like we find in the later HB and OT Scriptures.

Ellis disagrees with Sundberg claiming that both the Pentateuch and the Prophets were a part of the biblical canon of the Jews in the early postexilic times,<sup>69</sup> but his position is difficult to prove from the available data without unwarranted assumptions. If the Prophets as they are now had been accepted as part of the HB canon in the time of Ezra, why are only a few prophets mentioned in Ezra or Nehemiah (Haggai, Zechariah, and Jeremiah) or in 2 Kings and the Chronicles, and why was *only* the Law of Moses read to the people in Nehemiah? Ezra–Nehemiah refers *primarily* to the Law of Moses citing particular admonitions found in the Pentateuch (see Ezra 3:2; 7:6, 10, 12; 9:10; 10:3; Neh 1:5–9; 8:9–15, 18; 9:3, 13–14, 16, 29, 34; 10:28–29, 34; 12:44; 13:1). The “law of Moses” in Ezra–Nehemiah is all but certainly a reference to the whole of the Pentateuch.<sup>70</sup> As noted above, in Ezra, three writing prophets in particular are mentioned (Haggai, Zechariah, and Jeremiah), but not all of the prophets. Although prophets are mentioned in Nehemiah (9:26, 30), this is in reference to warnings that God gave through the prophets to the people and not to a specific complete *collection* of prophetic scriptures.

The evidence below (Chapters 5 and 7) suggests that the scriptural support for the reforms of Josiah and Ezra–Nehemiah were rooted primarily in the Law, but with support from various prophets (Ezra 9:10–11; cf. also Joshua in Neh 9:23–25). There is, however, no reference to a study or interpretation of the prophets such as we see advocated for the Law in Ezra 7:10 or Neh 8:5–8, nor are other books given the same prominence attributed to the laws of Moses at that time or later. The identity of the Prophets as sacred literature and as a fixed collection of writings is not in view in Ezra–Nehemiah, despite references to and parallels with some prophetic literature. It may be that the Former (or Early) Prophets (Joshua, Judges, 1–2 Samuel, and 1–2 Kings) were collected and circulated among the Jews in the late sixth century to early fifth century BCE, but they did not have the

<sup>69</sup> Ellis, *Old Testament in Early Christianity*, 37–38, especially n. 115.

<sup>70</sup> Lim, *Formation of the Jewish Canon*, 69, advocates this view and cites in support Lester L. Grabbe, *A History of the Jews and Judaism in the Second Temple Period* (London: T&T Clark, 2004), 337, that the whole of the Pentateuch was in view. Grabbe lists the parallels in content between Ezra–Nehemiah, including Joshua in his “Law of Moses in Ezra Tradition: More Virtual Than Real?,” in *Persia and Torah: The Theory of Imperial Authorization of the Pentateuch*, ed. J. W. Watts (Atlanta: SBL, 2001), 91–114. Lim lists as examples the following: Genesis (Neh 9:6–8), Exodus (Neh 9:9–11, 12–21), Leviticus (Ezra 3:4; 6:19–22; Neh 8:14–17; 10:32; 13:15–22), Numbers (Neh 9:12–22), and Deuteronomy (Ezra 3:4; 6:19–22; Neh 10:32; 13:1–2, 25).

same recognition as the law of Moses.<sup>71</sup> No ancient source suggests that such a collection had parity with the Law of Moses at that time.

Sanders calls on scholars to distinguish on the one hand between the stability of the “Genesis to Kings complex,” which was most likely circulating among the Jewish people by the end of the sixth century BCE, and the “dynamic character of a nascent collection of prophets.”<sup>72</sup> In the case of the former collection, he concludes that the Law and the Former Prophets began to acquire a primitive form of canonical authority, or canonization, for the Jews who survived the traumatic experience of exile in Babylon.<sup>73</sup> The literature of the Torah, which was shaped (or re-shaped) in a context of exile, was the primary scriptural authority for the Jews who survived the exile. Sanders adds that the language of the Latter Prophets was remembered *after* the exile and during the rebuilding of the nation precisely because those prophets who had once spoken a message to them now seemed all the more credible and relevant because what they warned about actually came to pass. The scenario for such acceptance of that literature and its eventual canonization, according to Sanders, is as follows:

Little by little some of us [the Jews following the exile] began to recall that back in the old country from time to time there had been loners we had called madmen who had precisely said that this is what would happen. Where were they now? Ezekiel, by all means. But did we not see around here just the other day that fellow who was always talking about Amos? A disciple, he called himself. Let us get him to recite all that Amos said and listen to it for what it says to us now. And there was one called Hosea, others called Micah, Isaiah, Jeremiah, and so on. Perhaps they were right and all the rest of us wrong. Let’s hear now what they said.<sup>74</sup>

In this kind of a context, an early prophetic collection likely began to take some shape and develop within a post-exilic nation that had need of hope, stability, and an authoritative guide in very troubled times. Since what the Prophets had said actually came true, that was a significant motivation to listen to them anew in light of the exile. The final collection of fixed prophetic books that formed the HB canon, however, was still in process for centuries.

One final point here has to do with the authorization of the authority of the Law of Moses by the imperial court of Persia. The letter from Artaxerxes to Ezra is as follows:

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<sup>71</sup> Interestingly, Davies, *Scribes and Schools*, 102–4, cites Hecataeus of Abdera (ca. 300 BCE) who, writing about the Jews of Palestine, shows awareness only of the Law of Moses, but not the Former Prophets. His works survive only in fragments and his comments likely come from his book called *On Egypt*. Hecataeus is also mentioned in Josephus, *Ag. Apion* 1.183–204, but this book may be by another person of the same name, or it may be a pseudo-Hecataeus.

<sup>72</sup> J. A. Sanders, *Torah and Canon*, 91.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid., 93.

And you, Ezra, according to the God-given wisdom you possess, appoint magistrates and judges who may judge all the people in the province Beyond the River who know the laws of your God; and you shall teach those who do not know them. 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 dead or for banishment or for confiscation of their goods or for imprisonment. (Ezra 7:25–26)

Scholars have “spilled much ink” over the historicity of this passage since it implies that the imperial court of Persia had a role in the canonization of the Torah. Kyong-Jin Lee has described the popular interpretations of this passage and the whole extended section in Ezra 7:11–28. These interpretations range from the text being a total fabrication, including the very existence of Ezra, that came primarily from the hand of the Chronicler (C. C. Torrey), to the canonization of the Torah by the Persian Court (Peter Frei), to acknowledgment that some elements of it may be historical, but its historical plausibility is rejected claiming that it came by way of many editorial hands (Lester Grabbe and Juha Pakkala),<sup>75</sup> and even more. After assessing the evidence for each of these positions, Lee acknowledges that there were likely several hands involved in the production of Ezra, but concludes “the basic layer of the current decree was likely an original Persian Aramaic document.”<sup>76</sup> He adds that, given the widespread geographical limits of the Persian Achaemenid Dynasty and its limited resources for governing all of the states under its control, as well as the often considerable distance and lack of regular contact with subunits in their kingdom, the kings sending Ezra to a subunit representing the king of Persia (Artaxerxes) was quite plausible. He adds that the recognition of foreign gods was common among the Achaemenid kings as the famous Persepolis Tablets confirm.<sup>77</sup>

But did the Persian king impose something on the Jewish people that was foreign to them? Lim suggests that before this letter or decree from the Persian court arrived the Torah was already a traditional authority since judges were appointed *because* of their knowledge of the Law. But whether the Persian court in fact played a role in elevating the authority of the Torah is uncertain. However Lim, noting the addition of the law of the Persian king (7:26) and the practice of the Persians toward their conquered nations in recognizing their gods and religious practices, suggests that this was simply a political move on the king’s part and that his ruling lent his authority to local legislation.<sup>78</sup>

<sup>75</sup> See Juha Pakkala, *Ezra the Scribe: The Development of Ezra 7–10 and Nehemiah 8*, BZAW 347 (Berlin: de Gruyter, 2004).

<sup>76</sup> Kyong-Jin Lee, *The Authority and Authorization of the Torah in the Persian Period*, CBET 64 (Leuven: Peeters, 2011), 213–35 and 223 for the reference to “Much ink has been spilled in attempts to uncover Ezra’s persona...” See also 235.

<sup>77</sup> *Ibid.*, 239, and 249–53.

<sup>78</sup> Lim, *Formation of the Jewish Canon*, 59–61. He also cites here in support of his position Lee, *Authority and Authorization of Torah*, 251–52, and 265.

This, of course, points to recognition of the authority of the Law of Moses among the Jews no later than the time of Ezra–Nehemiah, but probably much sooner. This “authorization” has some parallels with the edict of Cyrus (Ezra 1:1–4) in which Cyrus acknowledges that “the Lord, the God of heaven” called him to “build him a house at Jerusalem in Judah” in response to the “word of the Lord by the mouth of Jeremiah.” Lim posits that this decree was edited in keeping with the “priestly theology” from a priestly editor who is presumably reflected in the omission of taxation of the priests and those connected with the temple activities (Ezra 7:24).<sup>79</sup> This decree does not say specifically what books were “authorized,” but, again, the possible edit is in keeping with Persian practice in the ancient world and it probably also reflects a later priestly propaganda supporting its final editors.

## VI. THE PROPHETS AS A SCRIPTURE COLLECTION

I have argued to this point that from the second century BCE to the first century CE, the term “prophets” appears to include *all* non-Torah books, and that there are no references to an *identifiable* collection of prophets prior to the second century CE. Most references to prophets in the early Deuteronomic period are to speaking and acting prophets such as Elijah and Elisha, but generally not to writing prophets. For example, the short book of Malachi,<sup>80</sup> possibly the last book written in the HB prophetic collection and placed last in the Minor Prophets,<sup>81</sup> says nothing specifically about a collection of prophetic writings in its closing admonitions. Instead it admonishes the readers to “remember the teaching of my servant Moses, the statutes and ordinances that I commanded him at Horeb for all Israel” (4:4). Had the Prophets as a collection, or any portion of them, acquired the status along the lines of sacred scripture and similar to the priority given to the Law of Moses at that time, it is remarkable that nothing is said about them in Malachi’s closing admonitions. Chapman’s reference to Elijah as representing such a collection is special pleading for two distinct collections of the Law and the Prophets, especially since Elijah left no prophetic text behind.<sup>82</sup>

We have no evidence that the Prophets in the HB were recognized *as a fixed collection* in the post-exilic community of Ezra or Nehemiah, despite, as we saw

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<sup>79</sup> Lim, *Formation of the Jewish Canon*, 59–62.

<sup>80</sup> The name of the book means simply “my messenger” (see 3:1). It is a reference to the one who is coming: “I am sending my messenger to prepare the way before me.” It is unlikely that its otherwise unknown author had that name.

<sup>81</sup> Because there is no reference to a Jewish king in the land, but rather a governor in 1:8, this likely reflects a post-exilic period after 515 BCE, and more likely in the time of Ezra–Nehemiah (mid-fifth century BCE) since both deal with problems relating to tithing (Mal 3:8–12; cf. Neh 13:10–14). There are also parallels between Malachi and Zech 9–14 (“2 Zechariah”), the setting of which is likely in the fifth century BCE.

<sup>82</sup> Chapman, “Second Temple Jewish Hermeneutics,” 292–93.

above, evidence that several writing prophets were known and cited in the sixth and fifth centuries (e.g., Jer 26:18 cf. Mic 3:12; cf. also see also Jer 26:4–5). Jeremiah is also mentioned in the opening verse of Ezra (1:1). Later, Neh 9:30 appears to refer to writing prophets, but that is not certain. In Ezra 5:1–2, there is a reference to Haggai and Zechariah and also to other prophets who may or may not be writing prophets in 9:10–11. Jeremiah is mentioned among the officials (mostly priests and Levites of Judah) in the official lists of those who signed the covenant to keep the laws of Moses (Neh 10:2), but Nehemiah has no specific reference to Jeremiah’s prophecy (Neh 12:1, 12, 34). Prophets who warned and admonished the keeping of the statutes and commandments of God are mentioned in 2 Kgs 17:13, but it is not clear if writing prophets in particular are in view or those who prophesied orally or both. The passage reads: “Yet the Lord warned Israel and Judah and every seer saying ‘Turn from your evil ways and keep my commandments and my statutes, in accordance with all the law that I commanded your ancestors and that I sent to you by my servants the prophets.’”

As we saw earlier in several texts, some writing prophets are mentioned in various Deuteronomistic history texts, a fact that indicates an acknowledgment of their influence in that period. However, at no time do they take precedence over the Law, nor does their influence appear equal to the Law. Later Sirach (ca. 180 BCE) refers specifically to several writing prophets by name and to the Minor Prophets as a fixed collection in his praise of the great men of the faith (Sir 49:9–10; see also Dan 9:2 referring to Jeremiah and 2 Chr 32:32 referring to Isaiah’s prophecy). However, while there is recognition of several of the writing prophets, there is no indication that the prophetic collection was closed.

In the fifth century BCE, there were obviously prophetic individuals, some of whom were writing prophets, who warned the nation to keep the laws of Moses and their covenant with Yahweh. They were never seen as competitors with Moses or as equal to Moses, but rather the prophets referred to provided warnings to those who rejected or ignored the laws of Moses. Scholars regularly make guesses about the scope of that prophetic collection, but at that time it was apparently still quite fluid. The Prophets that now form the second part of the HB were most likely all written before 400 BCE or at the latest 350 BCE, but there is no certainty on what comprised a prophetic corpus before the second century CE. Prophetic texts were often cited in a scriptural manner, that is, authoritatively *before* they were called Scripture.<sup>83</sup>

<sup>83</sup> As noted in Chapter 1, sacred texts function as Scripture before they are actually called Scripture. References to biblical writings as “Scripture” are a rather late development. While the Greek terms for “scripture” (γραφή) and “scriptures” (γραφαί) are commonly used in the NT in reference to OT writings, those designations are not used in the Septuagint, which typically uses the terms decree, word, statute, precept, testimony, way, ordinance, commandment, and law, to identify the HB/OT writings. See, for example, the variety of terms used in Ps 19:7–10 and Ps 119. These terms are synonymous with scripture at that time, even if the biblical books were not yet designated by the name “Scripture” (Heb. בְּרִית).



Some of the latest writings in the Book of the Twelve (the so-called Minor Prophets),<sup>84</sup> namely, Haggai, Zechariah, and Malachi, had not yet been written when the earlier prophetic writings were already gaining influence in the pre-exilic and exilic periods. Pfeiffer contends that the Former Prophets and some of the Latter Prophets were included in Israel's sacred scriptures not only because of growing public interest in them, but also because of their recognized value "for enhancing the national pride and the hopes for a better future."<sup>85</sup> I add to this three more reasons why the prophetic writings were welcomed: (1) they extended and interpreted Israel's story of God's activity among the Jews; (2) they were recognized as having intrinsic worth in the worship and religious instruction of the Jewish people; and (3) they gave to Israel an identity and knowledge of the will of God that enabled them to renew themselves as a people of God and to rebuild their nation.

While we cannot be precise about when the prophetic writings *began* to function as sacred scripture in the nation, some of them apparently functioned in a scriptural manner from the time of the exile and most likely functioned that way by the beginning of the second century BCE. This does not mean that the Jews viewed the Law and the Prophets and no other books as scripture, but only that the Law and several prophetic books functioned as scripture quite early. There is no talk about a closed collection of scriptures at this time. The earliest specific references to the designation "Law and the Prophets" is in the Prologue to Sirach (ca. 130–120 BCE) and in the reference to Judas Maccabeus, during his battle with the forces of Nicanor, who exhorts his troops not to fear any attack from the Gentiles. He began "encouraging them from the *law and the prophets*, and reminding them also of the struggles they had won" (2 Macc 15:9, ca. early first century BCE, emphasis added).

According to Blenkinsopp, involving the prophets in communicating history was a way of commending the prophets, and he notes that most of the specific sources cited by the Chronicler were seers and prophets whose works have been lost.<sup>86</sup> Interestingly, Josephus (ca. 95–100 CE) argued that only prophets could write the history of Israel since they alone had access to information through divine inspiration: "From the death of Moses until Artaxerxes, who succeeded Xerxes as king of Persia, the prophets subsequent to Moses wrote the history of the events of their own times in thirteen books" (*Ag. Apion* 1.40, LCL).

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<sup>84</sup> They are called Minor Prophets because of their shorter length, not because their message was less important. Most often in antiquity these writings are referred to as the "Twelve." For a helpful discussion of their formation as a single collection, see B. A. Jones, *The Formation of the Book of the Twelve: A Study in Text and Canon*, SBLDS 149 (Atlanta: Scholars Press, 1995).

<sup>85</sup> Robert Pfeiffer, "Canon of the Old Testament," *IDB* 1:507.

<sup>86</sup> J. Blenkinsopp, *Prophecy and Canon: A Contribution to the Study of Jewish Origins* (Notre Dame: University of Notre Dame Press, 1977), 98.

Freedman contends that the prophetic collection was recognized as Scripture in the sixth century BCE,<sup>87</sup> but we cannot substantiate from any ancient sources that the prophetic writings *as a fixed collection* were acknowledged as sacred Scripture at that time. Freedman's conclusions are based both on an arbitrary early dating of most of the prophetic corpus and a rather early addition of the post-exilic prophets to that collection. On the other hand, although Blenkinsopp agrees that the Former Prophets (Joshua, Judges, Samuel, and Kings) were collected early on, possibly in the sixth century BCE, he concludes that this process took considerably longer for the Latter Prophets.<sup>88</sup> For example, the book of Isaiah undoubtedly went through a long period of revision in which the "Apocalypse of Isaiah" (Isa 24–27) and the additional writings of chs. 40–66 were edited and connected with the original text of Isaiah (probably chs. 1–33, with the subsequent addition of chs. 34–39). There is also considerable debate over the dating of Zech 9–14, since the two supplementary oracles of Zech 9–11 and Zech 12–14 (sometimes called "2 Zechariah") were likely connected later to the original text, Zech 1–8. Presently, there is no available evidence that allows us to conclude that the Prophets as a fixed collection existed at or before the time of Ben Sirach (200–180 BCE). In the Prologue of Sirach all we have is an imprecise collection of prophets by around 130 BCE, but the works included in that prophetic collection are not identified until much later and likely after several revisions. I will explore this matter more in the next chapter along with various second- and first-century texts that mention collections of sacred texts circulating in the Land of Israel before and during the first century CE.

I will now turn specifically to the recognition of the Law and Prophets as scripture and the origin of the notion of the cessation of prophecy that established a date as a criterion for the acceptance of the HB books.

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<sup>87</sup> D. N. Freedman, "The Symmetry of the Hebrew Bible," *Studia Theologica* 46 (1992): 102–5.

<sup>88</sup> Blenkinsopp, *Prophecy and Canon*, 99–101.

## CHAPTER 5

# THE LAW, THE PROPHETS, AND THE CESSATION OF PROPHECY

### I. INTRODUCTION

Although the Pentateuch was recognized as the most prominent scriptural authority among the Jews returning to the Land of Israel after the exile, other writings were also recognized as sacred texts though not on the same level as the Law. Additional religious texts generally identified as “prophets” and believed to have been penned by seers or prophets in Israel began to be recognized as part of a prophetic corpus by the second century BCE. This broad unidentified collection of prophetic texts that eventually formed the second and third parts of the Jewish scriptures was emerging in the second century BCE, but many of its writings had been circulating independently among the Jewish people much sooner. Some of those writings are identified by name in Sir 44–49, but there is nothing at that time that specifically identifies the books or texts that formed that collection. In the Prologue to Sirach (ca. 130–120 BCE), this broad collection was called “prophets” and was placed after the Law, but there is no specific identity of the books in it. In what follows I will explore early references to this collection of sacred texts and also when production of “prophetic” literature appears to have ceased.

Along with a collection of prophetic literature, or perhaps even within that collection of prophetic literature, other religious texts were also circulating among the Jews in the third and second centuries BCE. Some may have been written earlier than some of the prophets, but several texts initially included among the Prophets were later placed in a distinct category called “the Writings” (Heb. *כתובים*) that appear to be something of a “catch all” collection of several genres of literature (prophets, apocalyptic writing, wisdom literature, poetry, and history). Some religious texts were not eventually included in the HB scriptures but were for a time acknowledged as scripture by some Jews and subsequently by some early Christians, especially *1 Enoch*, *Wisdom of Solomon* and the *Wisdom of Jesus ben Sirach*, but also several other texts.

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<sup>1</sup> The plural Hebrew term *Ketubim* (“things written down”) is regularly translated “Writings” or “Hagiographa” (= “holy writings”). “*Ketubim*” is translated in Latin as “Scriptures,” and “Holy Scriptures,” which became the most common reference among Christians for all of their sacred writings.

The latest book to be included in the HB was Daniel, which in its current form dates to between 167 and 164 BCE. In its earlier chapters (1–6), it tells the story of Daniel, a counselor and dream interpreter for the Babylonian, Median, and Persian kings in the sixth and early fifth centuries BCE. This story has parallels to the story of Joseph in Gen 37–50. Later these and other writings circulating among the Jews in Palestine were translated from Hebrew into Greek – probably by the time of Sirach’s grandson – not only for the Jews in Egypt, but eventually also for other Jews in the Diaspora. In the second century CE, the name “Writings” was applied to some of these books. Daniel, a prophetic-apocalyptic book, was generally, but not always, placed in the *Ketubim* between the historical books of Esther and Ezra–Nehemiah (*b. Meg.* 3a; *b. Sanh.* 94a).

For years the argument has been made that since Daniel is a prophetic book with a strong emphasis on apocalyptic eschatology, and since it was not included among the collection of Prophets in the HB, the Prophets must have been a fixed collection before the time Daniel was written.<sup>2</sup> The difficulty with this argument is that other writings not later counted among the Prophets of the HB were identified as prophets before the third category of Writings was formed in the second century CE. It is only later that Daniel appears among the Writings, but this was not the case initially or until the second century CE. Throughout the New Testament the reference to the Jewish scriptures is regularly identified as “Law and the Prophets” and only one time is “psalms” listed separately, namely in Luke 24:44, but in 24:27 the same collection (“Moses and all the prophets”) is identified but without reference to “psalms.” This passage may reflect the emergence of a third category in the Jewish scriptures, but 24:44 suggests that a third grouping of the Hebrew scriptures may have been emerging in the last half of the first century CE, but it was not regularly distinguished from a prophetic corpus until the middle to late second century CE, and even later for many rabbis.

Josephus himself viewed Daniel as a prophet (Josephus, *Ant.* 10.245–46, 249) and even greater than all other prophets (*Ant.* 10.266) and as the author of several books (10.267, possibly a reference to the later additions added on to Daniel). In the NT, Daniel is specifically called a prophet by Jesus and Jesus cites his prophecy (Matt 24:15; cf. Dan 11:31 and 12:11; cf. Mark 14:62 and Dan 7:13). Even in the second century CE, Daniel is called a prophet by the author of the *Epistle of Barnabas* (4.4), and at Qumran the phrase “as it is written in the book of the prophet Daniel” appears multiple times.<sup>3</sup> Even later in the rabbinic tradition Daniel was cited among the prophets Haggai, Zechariah, and Malachi (*Megillah* 3a and 15a and *b. Sanhedrin* 94a).<sup>4</sup> At the time when Daniel and the Psalms were

<sup>2</sup> So argues Barton, *Oracles of God*, 25, 35–40.

<sup>3</sup> This is noted by G. A. Anderson, “Canonical and Non-Canonical,” 151. He is citing here J. T. Milik, *Ten Years of Discovery in the Wilderness of Judaea* (London: SCM, 1959), 41. See also Barton, *Oracles of God*, 35–37, 40–42.

<sup>4</sup> I owe these references, earlier overlooked, to Barton, *Oracles of God*, 36.

placed among the Writings (*Ketubim* or Hagiographa), some rabbis still counted them among the “prophets.” Leiman observes that in the rabbinic tradition both Daniel and David (Psalms) “are frequently considered into the Amoraic period, the third נביאים [prophets] in rabbinic literature.”<sup>5</sup> Well into the Amoraic period, the third part of the HB scriptures was not yet identified as *Ketubim* or Hagiographa by many rabbis, but rather Daniel and the Psalms were included among the Prophets as sacred scripture.

From its beginning Daniel was always recognized as prophetic literature and is cited as prophetic literature in the NT (Matt 24:15 and Mark 13:14), but Daniel was not eventually included in the Prophetic collection in the HB. Was this because the Prophets had already been closed when Daniel was written and so it was placed among the Writings? If so, why would the Christians later regularly include Daniel in the Prophets of their OT scriptures? The argument assumes that if prophecy had already ceased after the death of Malachi,<sup>6</sup> then nothing else could be added to it, not even Daniel. Thus, according to this tradition, Daniel was placed in the Hebrew Writings. Several scholars draw this conclusion, including Wildeboer who long ago argued that the lateness of Daniel makes its inclusion in the Prophets impossible.<sup>7</sup> John Collins agrees that the Psalms and Daniel were both viewed as prophetic literature in the Qumran *pesharim* (commentaries), and apart from the Psalms and Daniel, none of the other *Ketubim* had *pesharim* written to interpret them.<sup>8</sup> Peter Flint has also shown how both Daniel and Psalms were viewed as prophetic literature at Qumran. Daniel was introduced as scripture in 4Q174 2:3 with the words: “As it is written in the book of Daniel the Prophet.” Flint also cites 11QPsa 27:2–11 that, after referencing David’s composition of 3600 psalms, concludes “All these he composed through prophecy which was given him from before the Most High.”<sup>9</sup>

<sup>5</sup> Leiman, *Canonization*, 59 and 168 n. 288. He cites *Megillah* 15a for Daniel and *Sotah* 48a for Psalms or David as prophetic literature. See for example where David is placed among the prophets: “when the former prophets died, the *urim* and *thummim* ceased. When [the second] temple was destroyed, the *Shamir* and *Nopheth Zufim* ceased, and men of faith disappeared from Israel; as it is said, help, Lord, for the godly man ceaseth...” (see Ps 19:11 and 12:2, Soncino trans.). Leiman cites several references to the Law and the Prophets without reference to the Writings (*Ketubim* or Hagiographa) well into the Amoraic period (pp. 58–60), as well as later when Law, Prophets, and Writings are mentioned (pp. 60–67).

<sup>6</sup> According to *b. Sotah* 48b, we read: “But, said R. Nahman: Who are the former prophets? [The term ‘former’] excludes Haggai, Zechariah, and Malachi who are the latter [prophets]. For our Rabbis have taught: When Haggai, Zechariah and Malachi died, the Holy Spirit departed from Israel; nevertheless they made use of the Bath Kol” (Soncino trans.).

<sup>7</sup> G. Wildeboer, *The Origin of the Canon of the Old Testament* (London: Luzac & Co., 1895), 4. He adds that Daniel in its present form was not excluded “because its principal character was a well-known figure of the Exile (Ezek. 14,14. 20 and 28,3).” *Ibid.*, 99.

<sup>8</sup> Collins, *Seers, Sybils and Sages*, 14.

<sup>9</sup> “Noncanonical Writings in the Dead Sea Scrolls: Apocrypha, Other Previously Known Writings, Pseudepigrapha,” in *The Bible at Qumran: Text, Shape, and Interpretation*, ed. P. W. Flint (Grand Rapids: Eerdmans, 2001), 80–123, here 116–17.

While later rabbis challenged the sacredness of some of the books in the Writings, none of the books acknowledged as Prophets, including Daniel and the Psalms, were ever challenged. Luke 24:44 is the only first-century exception that supposedly reflects an early stage of an emerging tripartite biblical canon. Some scholars have ventured to say that “psalms” in Luke 24:44 refers to the whole of the third of the part of the HB Writings. That, however, is special pleading, as I will show in Chapter 8 §III.

Some scholars have argued for an established or widely recognized three-part HB collection of scriptures before the time of Jesus, but this is quite premature since “the Law” or “the Law and the Prophets” are the most common designations for the Jewish scriptures well beyond the second century CE and Luke 24:44 is the only reference in the NT missing to a third part (“psalms”) of the Jewish scriptures. Why should this one verse be a referendum on what all of the rest of the NT authors thought when none of them say it? In what follows I will examine below several of the ancient Jewish and Christian texts that help identify the scriptures of the Jewish people dating from the second and first centuries BCE and the first century CE.

As noted earlier, the HB canon was not clearly defined until sometime in the middle to late second century CE and certainly not at a supposed Jamnia Council at the end of the first century CE.<sup>10</sup> The Writings later became a more precisely defined and ordered canon of authoritative Scriptures for the surviving elements of Judaism (primarily Pharisaic Jews) in the second century CE. Sarna agrees and contends that the name Writings (*Ketubim*) was indeterminate initially and its contents were not made clear until the second century CE. Before that time, he rightly, in my view, contends that all of the sacred writings of the Jews were regularly referred to as the Law and the Prophets.<sup>11</sup> We will now examine the primary evidence for exploring the growth and development of the HB.

## II. THE WISDOM OF JESUS BEN SIRACH

The book of Sirach (also known as Ecclesiasticus, Wisdom of Jesus ben Sira, or simply Sira) was written in the early decades of the second century BCE (ca. 180 BCE). As we have already seen, likely from the sixth to the fifth century several

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<sup>10</sup> Barr, *Holy Scripture*, 56–57, does not believe that an actual council at Jamnia empowered Jewish leaders to determine which books would be included in the third part of the Jewish canon of Scriptures. Most scholars now agree with the conclusions of Jack P. Lewis against that supposed council in his “What Do We Mean by Jabneh?” See also Lightstone, “Formation of the Biblical Canon,” who argues similarly and calls into question whether much of anything was really settled at Jamnia regarding the Jewish canon. The growing consensus among scholars that no such council decisions were made about a biblical canon at Jamnia in the latter part of the first century CE is fairly well settled now. I will return to that matter in Chapter 11 §I.

<sup>11</sup> Sarna, “Canon, Text, and Editions,” 824.

collections of religious texts were circulating in Second Temple Judaism including the Law of Moses or Pentateuch and an undefined collection of prophetic writings and traditions (2 Kgs 17:13). This collection included a collection of “prophets” mentioned in the Prologue to Sirach in the late second century BCE. Sirach’s list of several famous persons and their activities in chs. 44–50 includes names of some prophetic books that were later included in the HB, including the apparently fixed collection of smaller prophetic writings called “the Twelve” or later “Minor Prophets” (49:9–10). Sirach’s awareness of well-known prophetic figures occasionally reflects some knowledge of their prophetic writings, but there is no specifically identified collection of prophetic books at that time. Along with those who wrote books, he also mentions those who did not write any known books (chs. 44–50). Based on his investigation of Sir 38:34–39:1 and 44:1–50:24, Hengel believes that Sirach was aware of all of the HB books except Ruth, Canticles, Esther, and Daniel, but he adds that the “others” listed in the Prologue to Sirach betray an uncertainty about a third division of the Jewish scriptures that “was by no means definitely delimited even in the grandson’s time.”<sup>12</sup> At least by the time of the grandson (ca. 130 BCE) the category of “prophets” *may*, for the first time, suggest a well-known collection, but its parameters are still undefined and likely still fluid.<sup>13</sup> Ulrich is likely correct when he concludes that the Prologue to Sirach does not have three distinct categories for the Scriptures of the Jews, but only two and a loose collection of other texts, namely “the Law and the Prophets and the *nonauthoritative* ‘others’.”<sup>14</sup> Some of those “others” could well be some of the so-called lost books mentioned above or some of the additional books found at Qumran among the Dead Sea Scrolls or among the apocryphal or pseudepigraphal books listed earlier, and even Sirach itself.

It appears from the NT that the sacred books that were not called Torah or the Law were simply called “prophets.” Had there been a separate collection known as “others” in the Prologue to Sirach, one would expect to see a third category *regularly* used in first century CE Judaism and early Christianity, but that is not the case. As we saw earlier, *only* Luke 24:44 refers to a third scriptural category “psalms” which cannot reasonably be identified with the later broader collection of eleven books that comprise the Writings (see further discussion of this text below). In the Mishnah, only the Law and the Prophets are mentioned as the Jewish Scriptures and no reference is made to the Hagiographa or *Ketubim* as a separate collection.

<sup>12</sup> Hengel, *Septuagint as Christian Scripture*, 96–97.

<sup>13</sup> For a brief but helpful survey of the origin of “prophets” in the ancient world both in and outside of Palestine, see Martti Nissinen with C. L. Seow and Robert K. Ritner, *Prophets and Prophecy in the Ancient Near East*, SBL Writings from the Ancient World 12 (Atlanta: Society of Biblical Literature, 2003), 1–11.

<sup>14</sup> Eugene C. Ulrich, “The Non-attestation of a Tripartite Canon in 4QMMT,” *CBQ* 65 (2003): 202–14.

From several passages in Sirach it seems obvious that a wider body of literature than simply the Pentateuch informed the faith of the Jews of his day. Some scholars regularly cite the later Prologue to Sirach as evidence that the HB canon was largely settled in the second century BCE, namely the Law, Prophets, and “others that followed them.” The book of Sirach itself speaks of those who seek wisdom and instruction, saying: “I will again pour out teaching like prophecy, and leave it to all future generations” (24:33). Later he reflects on “the law of the Most High” in a scripture-like manner, that is, as religiously authoritative writings, and identifies several genres in that collection:

How different the one who devotes himself  
to the *study of the law* of the Most High!  
He *seeks out the wisdom* of all the ancients,  
and is concerned with prophecies;  
he preserves the *sayings of the famous*  
and penetrates the subtleties of parables;  
he seeks out the hidden meanings of *proverbs*  
and is at home with the *obscurities of parables*. (Sir 38:34b–39:3, emphasis added)

Sirach also says that he himself has poured forth wisdom out of his heart (50:27) and that he himself is filled with the “spirit of understanding” (39:6).<sup>15</sup> Sirach’s grandson apparently agrees with this assessment and translated Sirach’s work into Greek concluding that his grandfather’s work was also inspired and worthy of being placed alongside the other sacred books among the Jews. He writes:

So my grandfather Jesus, who had devoted himself especially to the reading of the *Law and the Prophets and the other books of our ancestors*, and had acquired considerable proficiency in them, was himself also *led to write* something pertaining to instruction and wisdom, so that by becoming familiar also with his book those who love learning might make even greater progress in living according to the law. (Sirach Prologue, NRSV, emphasis added)

The instruction and wisdom that he attributes to his grandfather are also attributed to the “Law and the Prophets and the others,” and he brings his grandfather’s work together with these writings when he acknowledges the difficulty in translating them into Greek: “Not only this book, but even the Law itself, the Prophecies, and the rest of the books differ not a little when read in the original.” I will return to the Prologue later in Chapter 11 §III.E, but it is sufficient here to observe that many Jews accepted Sirach’s book as scriptural wisdom before the final definition of their Scriptures. Sirach was the most popular writing discussed in the rabbinic literature that was not included later in the HB. Sarna indicates that the need of the rabbis to emphasize that this book did not “defile the hands,” that is, it was not canonical, shows that the *Ketubim* collection was still fluid in the second century and that Sirach had already acquired a “measure of sanctity in the popular

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<sup>15</sup> VanderKam, *Revelation to Canon*, 21, makes this observation.



conscience.” He further notes that even after its ban by the rabbis (*t. Yadayim* 2:13), some of the Amoraim continued to quote it as scripture.<sup>16</sup> Although Sirach was eventually not included in the HB, it was nevertheless welcomed in several Jewish communities for centuries.<sup>17</sup> Sirach was a popular book not only among the Jews, but subsequently also among Christians. Barton observes that in antiquity Christians cited both Sirach and the Wisdom of Solomon more frequently than the books of Samuel and Kings.<sup>18</sup>

In the well-known Sir 49:8–10 text, Sirach shows familiarity with several prophetic writings and specifically mentions the exilic prophet Ezekiel, Job, and the “Twelve Prophets” as if the latter were already circulating as a fixed collection:

It was *Ezekiel* who saw the vision of glory,  
     which God showed him above the chariot of the cherubim.  
 For God also mentioned *Job*  
     who held fast to all the ways of justice.  
 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. (Sir 49:8–10, emphasis added)

This passage, in Sirach’s celebrated “history of famous men,” shows significant familiarity with the Law and several of the Prophets. In this section, Sirach shows an awareness of the books of Joshua (46:1–6), Samuel (46:13–47:11), and Kings (47:12–49:3), as well as several other well-known names in the HB/OT, including Isaiah (48:20–25), Jeremiah (49:6–7), Ezekiel (49:8), and the “Twelve Prophets” as a whole (49:10). His reference to the “Twelve Prophets” suggests that when Sirach wrote, the collection of Minor Prophets was already circulating in one scroll.<sup>19</sup>

<sup>16</sup> Sarna, “Canon, Text, and Editions,” 826. See, for example, *y. Sanh.* 28a and *m. Sanh.* 10:1. He adds that a third-generation *amora* cited Sirach and placed it in the Writings (*b. Baba Qamma* 92b).

<sup>17</sup> Some Amoraim, for example, were discussing the authority of Sirach and the Wisdom of Solomon well into the fourth and fifth centuries CE. Since reading a text in worship and teaching it in a religious community implies recognition of its sacredness and authority by a believing community, forbidding a congregation to read a document in public worship conversely suggests that it was not yet or no longer viewed as Scripture. The exception to this may be *4 Ezra* 14:43–47, where readers are permitted to read twenty-four books in public, but seventy other books are to be read only by the spiritually wise. Some books that were eventually received as a part of the HB that apparently were excluded earlier by some rabbis from public reading include: Song of Songs (*m. Yadayim* 3:5; *b. Megillah* 7a), Ecclesiastes (*m. Yadayim* 3:5; *b. Shabbat* 100a; see also Jerome on Eccl 12:14), Ruth (*b. Megillah* 7a), Esther (*b. Sanhedrin* 100a; *b. Megillah* 7a), Proverbs (*b. Shabbat* 30b), and Ezekiel (*b. Shabbat* 13b; *b. Hagigah* 13a; *b. Menahot* 45a).

<sup>18</sup> J. Barton, *Holy Writings, Sacred Text: The Canon in Early Christianity* (Louisville: Westminster John Knox, 1997), 146.

<sup>19</sup> Sirach’s reference to Mal 4:5–6 in Sir 48:10 suggests the completion of the Twelve took place sometime earlier, perhaps around 250 BCE. For more information on this, see Jones, *Formation*

This entire section (Sir 44–50) shows that Sirach was familiar with many of the heroes in several biblical texts, but also he focuses especially on famous persons who did not write books. He is obviously familiar, however, with the books that tell their story as in the case of Elijah (2 Kgs 1:1–16 and 2:11). He also is aware of the final reference Mal 4:4–6 (48:10) about turning the hearts of the parents to their children and the hearts of children to their parents. Sirach assumes his readers' knowledge of these characters and does not introduce them as new persons. This suggests widespread familiarity with the texts in which the stories are found. He makes no attempt to identify the texts that tell the stories of his heroes, but simply reminds readers of stories that he assumes were familiar to them. We have seen that Sirach shows awareness of many writings that later formed the HB and it is likely that those books functioned as scripture for many Jews at that time.

### III. THE PROLOGUE TO SIRACH

The grandson of Sirach, who translated his grandfather's work into Greek, added a very important prologue to this work, possibly as early as 130 BCE, but possibly as late as 117–110 BCE.<sup>20</sup> This short prologue is the first clear reference to specific collections of authoritative Jewish scriptures,<sup>21</sup> though it is not in the sense of a *fixed* biblical canon. The grandson speaks of three categories of writings and the first two appear to be more definite, namely Law and Prophets,<sup>22</sup> but the third category is quite vaguely identified as “the others that followed them,” “the other books of our ancestors,” and “the rest of the books.” Because this is the first time

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of the *Book of the Twelve*, 7–42; and more recently the collection by Rainer Albertz, James D. Nogalski, and Jakob Wöhrle, eds., *Perspectives on the Formation of the Book of the Twelve: Methodological Foundations – Redactional Processes – Historical Insights*, BZAW 433 (Berlin: de Gruyter, 2012), and for our purposes, see especially Roy E. Garton, “Rattling the Bones of the Twelve: Wilderness Reflections in the Formation of the Book of the Twelve,” 237–51, in which he compares the reference in Ezek 37:7–8 to Sir 49:10; Mark Leuchter, “The Book of the Twelve and ‘The Great Assembly’,” 337–52; and finally Russell Fuller's discussion of the stabilization of the sequence and text of the Twelve (ca. mid-second century to early first century BCE) in his “The Sequence of Malachi 3:22–24 in the Greek and Hebrew Textual Traditions,” 371–79.

<sup>20</sup> So argues P. E. Kahle, *The Cairo Geniza*, 2nd ed. (Oxford: Blackwell, 1959), 216. Not all scholars agree that the prologue to Sirach is genuine, that is, that it was written by the grandson, since it is not found in the Old Latin translation of the OT writings, and it is missing in several Greek cursive manuscripts. Also, a different prologue is found in some Greek manuscripts. If Sirach's grandson did not write the prologue – and it is by no means certain that he did – there may be, as Kahle argues, no clear examples of a three-part division of the Hebrew Scriptures before 70 CE. G. Kilpatrick denies that the grandson of Sirach wrote this introduction and Kahle, *Cairo Geniza*, 217, cites his arguments. I will argue later that even 70 CE is too early for a tripartite HB canon.

<sup>21</sup> Collins, *Seers, Sibyls and Sages*, 8.

<sup>22</sup> I am using the lower case “prophets” here because the collection appears to be indefinite and appears to apply to all non-Torah sacred writings.

the two well-known distinct categories “Law and Prophets” are combined, and because this text is such a pivotal text in the canonization processes of the HB, I include the whole Prologue here to show their context. It emphasizes the purpose of Sirach but also its relationship to other sacred writings:

Many great teachings have been given to us through *the Law and the Prophets and the others that followed them*, and for these we should praise Israel for instruction and wisdom. Now, those who read the scriptures must not only themselves understand them, but must also as lovers of learning be able through the spoken and written word to help the outsiders. So my grandfather Jesus, who had devoted himself especially to the reading of the *Law and the Prophets and the other books of our ancestors*, and had acquired considerable proficiency in them, was himself also led to write something pertaining to instruction and wisdom, so that by becoming familiar also with his book those who love learning might make even greater progress in living according to the law.

You are invited therefore to read it with goodwill and attention, and to be indulgent in cases where, despite our diligent labor in translating, we may seem to have rendered some phrases imperfectly. For what was originally expressed in Hebrew does not have exactly the same sense when translated into another language. *Not only this book, but even the Law itself, the Prophecies, and the rest of the books* differ not a little when read in the original.

When I came to Egypt in the thirty-eighth year of the reign of Euergetes and stayed for some time, I found opportunity for no little instruction. It seemed highly necessary that I should myself devote some diligence and labor to the translation of this book. During that time I have applied my skill day and night to complete and publish the book for those living abroad who wished to gain learning and are disposed to live according to the law. (Sirach Prologue, emphasis added)

The grandson appears to view his grandfather’s work as on par with the “other books,” that is, he probably included Sirach perhaps among the “other books” or possibly even among the “Prophets” themselves. Starting from the obvious, the book was valued enough to be translated into Greek for religious or pious use in the Jewish community of Alexandria. For example, the grandson wrote: “By becoming familiar also with his book [Sirach] those who love learning might make even greater progress in living according to the law.” Those who read this book, the grandson contends, will be more “disposed to live according to the law.” He translated Sirach’s work so that it would be used for edifying reading, and like his grandfather, he posits that the writing, as we see in the opening sentence of Sirach as wisdom is “from the Lord.” Sirach begins with the line: “All wisdom is from the Lord, and with him it remains forever” (Sir 1:1), which is likely evidence to the grandson that it was worthy of being welcomed as inspired scripture. Sirach wrote wisdom as if he believed that it came from God. The book was used in a canonical fashion and cited as “Scripture” for several hundred years in Jewish writings and more permanently in the early church fathers and later and it remains Scripture among Catholic and Orthodox Christians.

According to the Babylonian Talmud, Sirach was capable of being cited for the good teachings that it contained, but it was not considered inspired by a growing number of rabbis even if it was widely cited by other rabbis. For example: “R. Akiba said: Also he who reads uncanonical books, etc. A. Tanna taught: [This

means], the books of the Sadducees. R. Joseph said: it is also forbidden to read the book of Ben Sira" (*t. Sanhedrin* 100b, Epstein, trans.). On the other hand, several texts, even in the same tractate, cite Sirach with approval as in the following: "R. Joseph said: [Yet] we may expound to them the good things it [Sirach] contains, e.g., 'a good woman is a precious gift, who shall be given to the God-fearing man'." Likewise in the same passage, "All the days of the poor are evil. Ben Sira said: His nights too. The lowest roof is his roof, and on the highest mountain is his vineyard. The rain of [other] roofs [drip] on to his, whilst the earth of his vineyard is [borne] on [to other] vineyards." The popularity of Sirach among the rabbis is illustrated by several references where passages in Sirach are cited with approval, for example, in *b. Aboth* 4:4; *b. Pesahim* (or *b. Pesachim*) 113b; *b. Baba Metzi'a* 112a; *Tanhuma, Mikketz* 10; *Exodus Rabbah* 21:7; *Tanhuma, Va-Yishlah* 8; *Genesis Rabbah* 73:12; *b. Baba Batra* 98b and *Tanhuma, Hukkath* 1.<sup>23</sup>

Sirach was occasionally introduced with scriptural introductions (e.g., "as it is written") to support positions or argue points, but the book had a mixed tradition in the Talmudic literature. On the one hand, Rabbi Akiba especially in the later first century CE rejected it as a part of the Jewish scriptures (*b. Sanhedrin* 100b and *t. Yadayim* 2:13.), but still it was sometimes cited as Scripture in other later texts, as in *b. Baba Qamma* 92b.<sup>24</sup> After the writing of the two Talmudim (Bavli and Yerushalmi), it appears that the common use and citation of Sirach ceased in rabbinic Judaism, but it remained in the church's scriptures.

#### IV. 4QMMT

4QMMT, a fragmented text (4Q394–99) discovered among the Dead Sea Scrolls at Qumran, is frequently cited as evidence for a three-tiered biblical canon in the second century BCE. Some scholars date this now well-known text as early as 150 BCE. It is also called the 4QHalakic Letter, "A Sectarian Manifesto," *Miqsat Ma'aseh ha-Torah* ("some works of the law"), or more fully, "The Second Letter on Works Reckoned as Righteousness." The primary subject matter of this text appears to come from the famed "Teacher of Righteousness" (or "Righteous Teacher") who led the Qumran community. This is especially important because 4QMMT is one of three ancient documents that speaks about works-righteousness (Paul's letters to the Galatians and Romans are the other two), but secondly, and for our purpose, because the text refers to multiple collections of sacred texts. This surviving text is significantly fragmented and our knowledge of it depends largely

<sup>23</sup> Sid Leiman has supplied these references in his *Canonization of Hebrew Scripture*, 93–97. See also his footnotes 442–52 on p. 185.

<sup>24</sup> The text reads: "mentioned a third time in the Hagiographa, as written: Every fowl dwells near its kind and man near his equal" and it appears to be citing Sir 13:15, and this was included in the "Writings" (*Ketubim*).

on a heavily reconstructed text that is in several places educated guesswork. The variety of translations of this text underscores the difficulty in drawing strong conclusions about it. Here are some examples:<sup>25</sup>

[Indeed,] we [have written] to you so that you might understand the book of Moses, the book[s] of the Pr[o]phets, and Davi[d...] [...all] the generations. In the book of Moses it is written[...] not [to] you and days of old[...] It is also written that you ["will turn] from the pa[t]h and evil will befall you" (Deut 31:29). And it is writ[ten] "that when [a]ll these thing[s] happ[en] to you in the Last Days, the blessing [and] the curse, [that you call them] to m[ind] and return to Him with all your heart and with [a]ll [your] soul" (Deut 31:1–2,[...] at the end of [the age,] they [you] shall l[ive]...

[It is also written in the book of] Moses and in the [books of the prophet]s that [the blessings and curses] shall come [upon you...some of ] [the bles]sin[gs] came on[...] and] in the days of Solomon the son of David. (4QMMT 86–103, Wise, Abegg, and Cook, *Dead Sea Scrolls*, 363–64)

García Martínez acknowledges the difficulty of making sense of this text in the translation of the same passage and offers the following translation based on his reconstructed text:<sup>26</sup>

[...and further] to you we have wr[itte]n that you must understand the book of Moses [and the words of the] prophets and of David [and the annals] [of eac]h generation. And in the book it is written[...] ... [...not to][...]... And further it is written that [you shall stray] from the path and you will undergo [evil. And it is written that a]ll [these] things [shall happen to you at the e]nd of days, [the blessing] [and the curse...and you shall ass]ent in your heart [and will turn to me with all your... (4QMMT 86–103, García Martínez, *Dead Sea Scrolls Translated*, 84)

If Martínez's reconstructed text is correct and specific collections are in view, then the author has in mind four parts to the sacred scriptures, namely Moses, prophets, psalms, and annals. Not only is that unique at this time, but it is also a quadripartite collection that is unlike any other order of sacred texts.

<sup>25</sup> The brackets and ellipses in these translations show the many gaps or blurred words in the original text and also illustrate how difficult it is to translate the text accurately. The translators have filled the gaps in the original text with words of the same approximate length that appear to fit the context of the passage. The supplied material is consistent in both translations, but the words are not the same and several supplied texts are merely educated guesses.

<sup>26</sup> García Martínez's translation is based on E. Qimron and J. Strugnell, *Qumran Cave 4.V: Miqsat Ma'ase ha-Torah*, Discoveries in the Judaean Desert 10 (Oxford: Clarendon, 1994). Other English translations include B. W. W. Dombrowski, *An Annotated Translation of Miqsat Ma'ase ha-Torah (4QMMT)* (Krakow-Weenzen, Poland: Enigma, 1993), 14–15; and R. Eisenman and M. Wise, *The Dead Sea Scrolls Uncovered: The First Complete Translation and Interpretation of Fifty Key Documents Withheld for Over Thirty-five Years* (Rockport, MA.: Element, 1992), 196–200. For an evaluation of these translations, see D. J. Harrington and J. Strugnell, "Qumran Cave 4 Texts: A New Publication," *JBL* 112 (1993): 494–96.

Scholars claim that this text refers to a threefold, or even fourfold, division of the Hebrew collection of Scriptures, as we see in Schiffman's confidence that this is an "explicit reference to the tripartite canon."<sup>27</sup> His conclusion about the text appears to be overly optimistic. The focus of the passage is rather on looking at the biblical history for a proper understanding of the error of one's ways,<sup>28</sup> and more importantly, it emphasizes the consequences of one's obedience to the Law of Moses. Obedience to the Law of Moses is at the heart of the whole letter. Consequently, obedience brings joy and hope, but failure to observe the Law of Moses is the basis for God's judgment. Deuteronomy is cited twice in the larger passage and only occasionally are the "prophets" mentioned elsewhere in the entire letter (e.g., 4QMMT 103), but no specific prophetic texts are cited. Citations of or allusions to Scripture in 4QMMT are to passages from Leviticus, Numbers, and Deuteronomy, and no one is called to obey other HB Scriptures. No blessings or curses are related to any other part of the HB Scriptures except the Law.

The mention of David is generally thought to be a reference to his psalms, but also a reference to the whole of the *Ketubim* supposedly not unlike the reference to "psalms" in Luke 24:44. Although the author had a high regard for David (he is mentioned in 4QMMT 95, 104, 111), elsewhere (like in Luke 24:27) only Moses and the Prophets (4QMMT 103) or Moses alone (4QMMT 91, 107) are mentioned. David, according to 11QPsa (col. 27 or 11Q5) wrote under inspiration and through prophecy. That text in part reads:

And David, son of Jesse, was wise, and a light like the light of the sun, /and/learned, ... and discerning, and perfect in all his paths before God and men. And...YHWH gave him a discerning and enlightened spirit. And he wrote psalms: three thousand six hundred; and songs to be sung before the altar over the perpetual offering of every day, for all the days of the year: [lines 6–10 omitted here describe David's number of songs and the occasions for their use]

All these he spoke through (the spirit of) prophecy which had been given to him from the most High... [line 11]<sup>29</sup>

That connection of David's writings with prophecy can also be seen in the Qumran *peshtarim* (commentaries) written on the psalms of David (1QpPs, 4QpPs<sup>a</sup>, 4QpPs<sup>b</sup>). Whether this connecting of the production of psalmic writings with prophetic texts stems from 1 Chr 25:1–3 is difficult to establish, but that passage clearly relates the gift of prophecy to the activity of David and musical activity. It reads:

<sup>27</sup> L. Schiffman, "The Place of 4QMMT in the Corpus of Qumran MSS," in *Reading 4QMMT: New Perspectives on Qumran Law and History*, ed. J. Kampen and M. J. Bernstein (Atlanta: Scholars Press, 1996), 95.

<sup>28</sup> Bernstein, "The Employment and Interpretation of Scripture," in Kampen and Bernstein, eds., *Reading 4QMMT*, 49.

<sup>29</sup> Translation by Florentino Garcia Martinez and Eibert J. C. Tigchelaar, *The Dead Sea Scrolls: Study Edition*, 2 vols. (Leiden: Brill; Grand Rapids: Eerdmans, 1997), 2:1179.

David and the officers of the army also set apart for the service the sons of Asaph, and of Heman, and Jeduthun, *who should prophecy with lyres, harps, and cymbals*. The list of those who did the work and of their duties was: Of the sons of Asaph: Zaccur, Joseph, Nethaniah, and Asarelah, sons of Asaph *who prophesied under the direction of the king*. Of Jeduthun, the sons of Jeduthun...*who prophesied with the lyre in thanksgiving and praise to the Lord*. (emphasis added)

Lim, pointing to these texts, concludes that the production of David's psalms was viewed in antiquity as inspired prophecy because of their connection to David, a prophetic figure. He adds that although David is never specifically called a prophet, it nevertheless appears that "some form" of prophetic inspiration was attributed to him.<sup>30</sup>

While 4QMMT has often been cited as a reference to the threefold division in the Hebrew Scriptures in their initial stages, it is not at all clear here that a tripartite biblical canon can be discerned from this text. The canon had not yet reached its final form by the time of this writing and the categories in 4QMMT are not equal to those in the HB. Evans has a useful discussion of this text and acknowledges the parallels with Luke 24:44 suggesting that it *may* reflect an emerging third part of the HB scriptures, but observes that "in all of the writings from Qumran, with the possible exception of 4QMMT, we have references only to the first two divisions of the canon of Scripture."<sup>31</sup> He is cautious about jumping quickly on this text as evidence for a fixed three-part biblical canon this early and reminds us that there was no fixity at this time in terms of the books that are included in this passage. Also, as we see in Lim's arguments below, it is uncertain if "David" even refers to a collection of writings. While Luke 24:44 itself may suggest an initial stage in the forming of a third part of the HB scriptures, namely "psalms," in NT times, the Psalms were also viewed as prophetic literature (see Acts 1:16, 20; 2:30; 4:25 where David is viewed as participating in the prophetic tradition). Luke 24:27, from the same context as 24:44, appears to suggest that the Psalms were part of the prophetic tradition at the time of the writing of Luke since it is not mentioned in 24:27, but is in 24:44. I will return to this text below. The same is true at Qumran and later in the rabbinic tradition (*b. Baba Batra* 13b).<sup>32</sup> At Qumran some 36 scrolls of the Psalms were found along with four others partially included in other

<sup>30</sup> Timothy H. Lim, "'All These He Composed Through Prophecy,'" in *Prophecy After the Prophets: The Contribution of the Dead Sea Scrolls to the Understanding of Biblical and Extra-Biblical Prophecy*, ed. Kristin De Troyer and Armin Lange, with the assistance of Lucas L. Schulte, CBET 52 (Leuven: Peeters, 2009), 61–73.

<sup>31</sup> C. A. Evans, "The Dead Sea Scrolls and the Canon of Scripture in the Time of Jesus," in Flint, ed., *The Bible at Qumran*, 67–79, here 73. He also suggests that "David" may refer only to Psalms and not to the rest of the books in the later third division of the Hebrew Scriptures (72), but "Psalms" may not be in view at all as we see below in Lim's understanding of this passage.

<sup>32</sup> Peter Flint, *The Dead Sea Psalms Scrolls and the Book of Psalms* (Leiden: Brill, 1997), 219; and C. A. Evans, "The Scriptures of Jesus and His Earliest Followers," in McDonald and Sanders, eds., *The Canon Debate*, 185–95, here 191.

manuscripts. At Qumran there were more scrolls discovered of the Psalms than of any other religious texts in the eleven caves. Among the largest Psalms scrolls, 11QPsa<sup>a</sup>, 11QPsa<sup>b</sup>, and 11QPsa<sup>c</sup> constitute the “11QPsa-Psalter.” Psalms 1–89 at Qumran are very much like the traditional Pss 1–89 in the HB and OT, but after that the Qumran Psalter varies considerably. There is no Ps 90 and starting in 91, there is considerable fluctuation.<sup>33</sup>

Only in a very broad sense are the people asked to remember the history of the kings of Israel (4QMMT 109–111), and the whole focus of this letter is on keeping the Law. The history of Israel preserved in the Former Prophets (lines 109–113) is mentioned, but only in regard to whether the Jews kept the Law:

Remember the kings of Israel and reflect on their deeds, how whoever of them who respected [the Torah] was freed from his afflictions; those who sought the Torah...[were forgiven] their sins. Remember David, one of the “pious” and he, too, was freed from his many afflictions and was forgiven. And also we have written to you some of the works of the Torah which we think are good for you and for your people, for [we saw] in you intellect and knowledge of Torah. (4QMMT 109–114, García Martínez, *Dead Sea Scrolls Translated*, 84)

It is clear throughout this passage that the Law of Moses is central to the life of the community and must be kept. Only in this isolated text is there a possibility that more books than the Law and the Prophets are mentioned and in 4QMMT there is no clear reference to the Writings or *Ketubim* that later formed the HB (e.g., Esther, Ezra–Nehemiah, Song of Songs, etc.). That suggestion is drawn from an argument of silence from a fragmented text, but it is not clear from the text itself, and even if so, blessing or discipline came only from keeping or failing to keep the Law of Moses (Torah). Also, one cannot argue from this reference that “law” or Torah refers to all of the Scriptures of the later HB, since every specific biblical citation in 4QMMT is from the Pentateuch.

The usual interpretation of “David” as a collection of psalms, or even a reference to the third part of the HB canon, is commonly rooted in what is believed to be its parallel in Luke 24:44 (“law of Moses, the prophets, and the psalms”), namely, it is believed that in “psalms” there is an equivalent to “David” here. However, Lim raises reasonable questions about this parallel and claims that the reference to David in the above text in question is not like those to Moses and the prophets. He contends that in 4QMMT *be-david* is not a reference to the “psalms” or to a tripartite biblical canon, but it points instead to the grammatical difference to the previous other two items of the book of Moses and the books of the prophets. He

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<sup>33</sup> For a discussion of the Psalms scrolls at Qumran along with their order and similarities and differences from the traditional Psalms, see Martin Abegg, Jr., Peter Flint, and Eugene Ulrich, *The Dead Sea Scrolls Bible: The Oldest Known Bible Translated for the First Time into English* (San Francisco: HarperSanFrancisco, 1999), 505–11. Also see the still quite valued study by James A. Sanders, *The Psalms Scroll of Qumran Cave 11*, DJD IV (Oxford: Clarendon, 1965); and his “Cave 11 Surprises.”



explains that the first two include a reference to *sepher* and *siphrey* for ‘book of Moses’ and ‘books of the prophets’, but the last is simply *be-david* (David) and not *be-sepher david* (book, or books, of David). He contends that the *be-* is a preposition required by the verb, so it should simply be translated as “David.” Unlike Schwartz, who contends that the three are of the same kind, namely referring to three collections of books,<sup>34</sup> Lim maintains that the text in question refers to the book of Moses, the books of the prophets, and the “*deeds* of David” paralleled in the phrase “the deeds of the kings” (CT C. 28).<sup>35</sup> Lim adds that in 4QMMT David is mentioned several times and concludes that there is no distinctive use of the psalms here and the text in question should rather be understood as “We have written to you so that you may carefully consider the book of Moses and the books of the Prophets and the *example* of David.”<sup>36</sup> Lim’s argument is that we should not use Luke 24:44 to interpret 4QMMT. Rather the notice should be understood in its context, noting that in 4QMMT David and Solomon are held up as exemplary kings. David here, he concludes, cannot be used in reference to a third part of the HB canon.<sup>37</sup>

Apart from the absence of several letters and words in 4QMMT, that make any conclusions from it tenuous, even if the reconstruction of the text refers to three or four parts of a biblical canon, the text still lacks clarity on the scope of the categories in the Hebrew Scriptures. At best, and in the context of the whole letter, the text is ambiguous and not as clear as the testimony of Luke 24:44 where we clearly see “the law of Moses, the prophets, and the psalms.” Ellis acknowledges that there is no identification of the specific books that make up the categories mentioned in 4QMMT, but he attributes this lack of precision to a conjecture that everyone already knew the contents of these categories when 4QMMT was written and that only in the second century CE, “when uncertainty existed about their number or order, are the books of the OT listed by name.”<sup>38</sup> That is, of course, mere speculation based on an argument from silence and it does not take into account the context of 4QMMT. Although certainty over the dating of 4QMMT is not possible, the majority opinion seems to date it between 150 and 100 BCE at the latest. (See further discussion of these texts in Chapter 11 §II.)

At Qumran the most cited scriptures are from the Pentateuch, and that is followed by citations of the Psalms, Isaiah, and the 12 Minor Prophets. The significant number of citations of various Psalms also demonstrates the importance

<sup>34</sup> D. R. Schwartz, “Special People or Special Books? On Qumran and New Testament Notions of Canon,” in Ruth A. Clements and Daniel R. Schwartz, *Text, Thought, and Practice in Qumran and Early Christianity* (Leiden: Brill, 2009), 49–62.

<sup>35</sup> Lim, *Formation of the Jewish Canon*, 127–28.

<sup>36</sup> *Ibid.*, 128, emphasis added.

<sup>37</sup> *Ibid.* I have also been in personal communication with Professor Lim on this matter and appreciate his corrections of my earlier views on this Qumran text.

<sup>38</sup> Ellis, *Old Testament in Early Christianity*, 10.

of this literature at Qumran<sup>39</sup> and this closely parallels what we find in the New Testament. Jesus himself also favored the Psalms, Isaiah, and Deuteronomy, but also Daniel and Zechariah. Examples of the Scriptures Jesus cited most are listed in Chapter 9 §§IX and X.

## V. THE HASMONEAN DYNASTY AND THE CESSATION OF PROPHECY

After the expulsion of the Seleucids from their land, the family of the Maccabees, the Hasmonean Dynasty, established both their independence and a kingdom that lasted until the Romans took control of the land in 63 BCE. During the Ptolemaic rule of Palestine from Alexandria, Egypt (323–198 BCE), there was a time of considerable peace between Jews and the Greeks who controlled their land. After Antiochus III's defeat of Ptolemy V at Pan (or Baniyas and Caesarea-Philippi in the NT times) in 198 BCE, the Seleucids took control of Palestine and for a short period there was peace in the land, but when Antiochus IV "Epiphanes" came to power in 175–164 BCE, and after a failed battle against the Romans in Alexandria (169 BCE), he came to Jerusalem, plundered and robbed the Temple, sacrificed a pig on its altar to Zeus, then he began a campaign to force all Jews under threat of death to offer pagan sacrifices, recognize pagan cults, and not to observe Sabbath keeping. At the same time, Antiochus ordered the destruction of the Jewish Scriptures (1 Macc 1:20–62).

In 167 BCE, Mattathias, a non-Aaronic priest from Modein accompanied by his sons, began a rebellion against the Seleucid Dynasty and by 164 BCE they took control of Jerusalem (1 Macc 4) and exacted heavy penalties against the Greeks who occupied their land. After restoring (cleansing) the Temple Judas Maccabees, the son of Mattathias, sent a letter to the Jews in Egypt requesting that they honor the days set aside to celebrate the cleansing or purification of the temple following its recapture (2 Macc 2:16–18). Earlier in that same passage (2:13–15), he referred to his collecting books that had been lost during Antiochus IV's earlier attempts to destroy the Jewish religion (169 BCE, cf. 1 Macc 1:56). Judas offered copies of those scriptures to the Jews in Egypt if they had need of them (2 Macc 2:13–15,

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<sup>39</sup> For a listing of these references, see "Index of Passages in the Biblical Scrolls," in Flint and VanderKam, eds., *Dead Sea Scrolls After Fifty Years*, 2:649–65. The listing of biblical books cited or referred to shows that the Psalms have the most citations (ca. 239), Isaiah (183), Deuteronomy (163), Exodus (121), Leviticus (73), Genesis (66), and Numbers (59), and the Minor Prophets, cumulatively (157). Clearly, the Psalms, Deuteronomy, and Isaiah are the most cited individual books and cumulatively the Pentateuch, Psalms, Isaiah, and the Minor Prophets were the most popular scriptures at Qumran. The numbers above, while specific, may vary depending on which texts and how often they are cited in the same Qumran source. 1 Chronicles, Esther, and Nehemiah are not represented.

see discussion of this passage below). After the defeat of the Greeks, Simon Maccabees ruled (143–135), followed by John Hyrcanus who ruled 135–104 and established the Hasmonean<sup>40</sup> Dynasty (134 to 63, and thereafter the Hasmonean Dynasty was under the rule of Rome and ruled with Rome's approval until ca. 36 BCE).

Carr argues that the finalization of the HB took place in the second century BCE during the Hasmonean Dynasty's rule because no other entity could have had the authority or influence to make decisions on the scope of the HB before or after that time. He reasons that the "Hasmoneans were the last to have a chance to adjust the contents of the Hebrew-Torah-Prophets corpus they promoted."<sup>41</sup> The argument for the closing or fixing of the Prophets before the writing of Daniel as the reason for placing that book among the Writings is quite popular and rests upon the belief that prophecy had ceased in Israel, but as we saw above, Daniel was nevertheless viewed as a prophet and the book attributed to him was regularly understood as a prophetic book well into the Common Era and in the HB.

The notion that prophecy had ended at the end of the Persian-period control over Palestine (ca. 336 BCE) began to circulate later during the Hasmonean period and gained increasing popularity thereafter. This led to a greater focus on a limited collection of sacred scriptures, but not yet with precise definition.<sup>42</sup> This notion probably also contributed to the production of pseudonymous writings in the name of famous previous prophetic figures before the cessation of prophecy. During the Hasmonean rulership over Palestine, Jewish teachers began to say openly that the "spirit of prophecy" that came from God through the working of the Holy Spirit in prophetic figures who wrote the nations' sacred books, was no longer present in their nation. During the Seleucid domination over Israel, Hasmonean Jews began to teach that the activity of the Spirit and prophetic activity was no longer present among them and that all prophetic writings inspired by the Spirit were in the past – and they believed also that they would return in the future. The earliest known references that acknowledge this cessation of prophecy are in 1 Macc 4:45b–46; 9:27; 14:41 and all three are Hasmonean texts. It is not altogether clear why this belief emerged, but Carr suggests that it may be because of a Hellenistic influence.

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<sup>40</sup> The name Hasmonean comes from the family name of Mattathias' grandfather, Asamon/Asamoniaios (or Hashmon) a priest and son of Joarib, a native of Jerusalem (see Josephus, *Ant.* 12.265; cf. 1 Chr 24:7). For a helpful summary of the Hasmonean Dynasty, see Larry R. Helyer, "The Hasmoneans and the Hasmonean Era," in *The World of the New Testament: Cultural, Social, and Historical Contexts*, ed. J. B. Green and L. M. McDonald (Grand Rapids: Baker Academic, 2013), 38–53.

<sup>41</sup> Carr, *Formation of the Hebrew Bible*, 166. He adds that even the book of Daniel, written about two decades before the Torah-Prophets corpus was closed, "was not updated to contain a correct prophecy of the death of Antiochus or anticipate the Hasmonean monarchy." *Ibid.*

<sup>42</sup> For a discussion of this, see *ibid.*, 153–64; and Lim, *Formation of the Jewish Canon*, 183–84.

The Hellenists, who had considerable influence on the Jews from the time of Alexander, gave higher priority to their past ancient sources than to contemporary ones and subsequently Jewish leaders adopted this Hellenistic model of emphasizing prior prophetic texts “as a way of giving priority to their own ancient traditions.” This, according to Carr, allowed the Jews to claim in part that their traditions antedated the esteemed Homer and other Greek writers who were therefore inferior to the earlier scriptural prophets.<sup>43</sup> The later rabbinic sages also rejected any books in their biblical canon that had been written in Greek (I will discuss this in Chapter 11 §§II and IV). Hebrew and Aramaic were the only languages included in the later Hebrew biblical canon, but that may stem from the fact that those were the only two languages spoken when the perceived cessation of prophecy began (at the end of the Persian domination of Palestine).

A problem that came after the decision that prophecy had ceased was to decide *when* it ceased. Was it at the destruction of the Temple (see Ezek 36:26–27 that may presuppose the absence of the Spirit in the nation; cf. also Joel 2:28–29, likely a pre-exilic book that also presupposes the absence of the Spirit with a future hope for its outpouring)? Was it at the deaths of the final three prophets (Haggai, Zechariah, and Malachi), or at the end of the Persian domination over Palestine (Josephus, *Ag. Apion* 1.40–41)? Or finally, as some Christians supposed, was it even later with the death of John the Baptist (some church fathers, see below), or with the advent or death of Jesus as other Christians supposed? There were advocates for each period, but there was no agreement among the Jews on *when* the Spirit had ceased its activity among them.

There also may have been another factor involved during the Hasmonean era that aided Hasmonean power over the Jewish people and contributed to the formation of the Law and Prophets as a sacred scripture corpus. I am referring here to a socio-political perspective that refocused priority on the earlier written traditions *and* also the priestly functions of the earlier Monarchical period. That change involved a revision of earlier prophetic books that included more emphasis on the priestly functions that led to greater Hasmonean control in Palestine.<sup>44</sup> The evidence for this is not conclusive, but only suggestive.

David Carr’s argument may have some merit that the Hasmonean Dynasty developed the notion of the cessation of prophecy as a reaction to the influence of Hellenistic notions of the supremacy of antiquity and their earlier historical Hellenistic literary canons such as Homer, Plato, and others. If this is so, according to Carr, the Hasmonean scribes may have influenced the rewriting or editing of the Deuteronomistic History from Deuteronomy to 2 Kings that manifested itself in the proto-Masoretic text, the antecedent to the later Masoretic text from which

<sup>43</sup> Carr, *Formation of the Hebrew Bible*, 159–61 and 191–94.

<sup>44</sup> See *ibid.*, 195–200, for a discussion of this issue.

all *subsequent* translations of the HB emerged.<sup>45</sup> As we will see below, there are several problems with this view, but it is suggestive of the significant role of the Hasmoneans in shaping the nation's scriptural collection.

With possible exceptions, the LXX translation (beginning in 281–280 BCE) antedates much of the Hasmonean proto-Masoretic texts. The upshot of this textual activity was the claim that only those books produced before the emergence of Hellenism, that is, before the cessation of prophecy, could be included in the sacred scripture corpus.<sup>46</sup> As we will see, not all Jews within the later second Temple Judaism agreed with the Hasmonean collection of sacred books or with the belief that prophecy had ceased, especially the Essenes at Qumran and the Sadducees.

Interestingly, Satlow argues that the regular practice of citing authoritative scriptural texts *began* with the Sadducees in the late second century BCE in the reign of John Hyrcanus during a period of debate among the Jews over the legitimate line of priests to hold the chief of priests' office and oversee the Temple in Jerusalem. Satlow points to debates among religious Jews over the legitimacy of the Hasmonean Dynasty's control over the priesthood, along with its control of the Temple, as the primary context in which the Scriptures became authoritative in the lives of most Jews and cited with regularity. More specifically, the issue had to do with the Sadducees' argument that the appointment of an inappropriate high priest who controlled the Temple and religious affairs of the Jews was contrary to Scripture.<sup>47</sup> Satlow also notes that the synagogue was *the institution* that drew attention to the primacy of the authority of Scripture for Jews in Second Temple Judaism.<sup>48</sup>

Satlow's view should be moderated somewhat in view of the careful attention given to Josiah's having the Law read to the people (2 Kgs 23:1–3) and subsequently the reading with interpretation of the Law to the people in the post-exilic period (Neh 8:5–8). This was probably the first time the Jewish Scriptures were regularly read to the people. Earlier Jeremiah's contention over the right

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<sup>45</sup> Useful discussions of the role of prophecy in ancient Israel, especially in the Deuteronomistic History period, are in Mignon R. Jacobs and Raymond F. Person Jr., eds., *Israelite Prophecy and the Deuteronomistic History: Portrait, Reality, and the Formation of a History*, Ancient Israel and Its Literature 14 (Atlanta: Society of Biblical Literature, 2013), particularly articles by Marvin Sweeney, Martti Nissinen, and Thomas C. Römer.

<sup>46</sup> Carr goes into considerable detail to support this theory of early canon formation among the Hasmoneans in his *Formation of the Hebrew Bible*, 153–203. He cites a number of examples of what he believes are evidence of Hasmonean scribal textual editing of the Deuteronomistic History books, reflecting harmonization of Chronicles with Samuel and Kings, then the proto-Masoretic additions to books in what we now call the Writings, but eventually he deals with the additions to or corrections in the other prophetic books as well.

<sup>47</sup> Satlow, *How the Bible Became Holy*, 176–87. Here he sets forth arguments for this position and also observes the parallels between the Sadducees and the Essenes who were committed to “rules” that governed that community and their interpretations of the Hebrew Scriptures.

<sup>48</sup> *Ibid.*, 188.

interpretation of the law with the wisdom teachers in Jerusalem (Jer 8:8–9) also suggests some attention was given to interpreting Scripture earlier, but this admittedly was not as widespread as what we find later in the Hasmonean period and thereafter in the synagogues. Jeremiah does not suggest that the wisdom teachers in Jerusalem were ignorant of the law of God, but rather that they had forsaken it and instead boasted in their own wisdom (Jer 9:13–14, 23).

Some early Christians believed that the Spirit had been absent until the baptism, temptation, and ministry of Jesus (3:21–22; 4:1, 14–15). Jesus appears to assume the absence of the Spirit among the people when, according to John, he announces a future coming of the Spirit (John 7:39; 14:15–26; 15:26; 16:7–14; Acts 1:8; 2:4–36), but he also spoke of the prophetic ministry of John the Baptist (Matt 11:13). Was Jesus convinced that the Holy Spirit and prophetic activity among the Jews were no longer present perhaps following the death of John the Baptist? It appears that according to Luke and John, Jesus taught that the Spirit would return and come in greater measure in his glorification, resurrection, and ascension (cf. Acts 1:8; cf. John 7:39; 20:17–22)? The issue here is far more complex than is usually understood. As we will see, the Jews at Qumran did not believe that the Spirit was absent from them and neither did the early Christians from Pentecost on (Acts 2:1–36).

Following the Hasmonean belief about the cessation of prophecy and the departure of the Spirit, many Jews believed that the age of prophecy and the production of inspired literature had ceased in Israel sometime after Ezra, but this was not a universal view.<sup>49</sup> For example, after Judas Maccabeus had retaken the temple from the Seleucids who had defiled it, the author of 1 Maccabees (ca. 100 BCE) says that the Jews “tore down the altar [of the temple], and stored the stones in a convenient place on the temple hill *until a prophet should come to tell what to do with them*” (1 Macc 4:45–46, emphasis added). Speaking about the chaos caused by the Syrian military in Israel, he says, “So there was great distress in Israel, such as had not been since the time that the prophets ceased to appear among them” (1 Macc 9:27). And he later describes the election of Simon Maccabeus as ruler and high priest this way: “The Jews and their priests have resolved that Simon should be their leader and high priest forever, *until a trustworthy prophet should arise*” (14:41, emphasis added).

For the author of these paragraphs, prophets were absent from Israel at least temporarily, but there was anticipation that divine prophetic ministry would return. It is not known how or why this view that a future time of prophecy and

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<sup>49</sup> In addition to the biblical and rabbinic references noted in this and the next three paragraphs, see also 2 Bar. 85.3; *Seder Olam Rabbah* 30; and *b. Sotah* 11a–b; 48b. For a more complete discussion and listing of texts that mention the cessation of prophecy in Israel, see R. Meyer, “*προφήτης*,” *TDNT* 6:812–19. Also, see L. Stephen Cook, *On the Question of the “Cessation of Prophecy” in Ancient Judaism*, *Prophecy Texts and Studies in Ancient Judaism* 145 (Tübingen: Mohr Siebeck, 2011).

prophetic activity would emerge, but Joel 2:28–29; Ezek 13:9; 36:26–27; 37:14; 39:29; Ps 74:9; Zech 13:2–6; and Dan 9:24–27<sup>50</sup> likely played a role in the development of this view and it probably emerged during difficult times in the nation's history. Much later, near the end of the first century CE, Josephus echoes similar sentiments: "From Artaxerxes to our own time the complete history has been written, but has not been deemed worthy of equal credit with the earlier records, because of the failure of the exact succession of the prophets" (*Ag. Apion* 1.41, LCL). This could mean, as some argue, that the production of inspired and authoritative literature by the prophets also ceased.<sup>51</sup> However, despite these and other later Jewish writings that claim that the prophetic movement had ceased in Israel following the time of Ezra,<sup>52</sup> some literature continued to show that some Jews believed that writings by the inspiration of the Holy Spirit continued long after this time and their works were highly regarded in Israel both before and after the time of Josephus and among many early Christians. When any religious movement considers that the authentic voice of divine authority (i.e., a prophetic voice) is no longer present, then the writings produced in that community, when such religious authority was believed to be present, are given special prominence as sacred texts. This could be one of the reasons why the notion of a closed collection of Scriptures emerged quite late in Israel's history and why the notion of a Christian biblical canon did not *begin* to develop until the middle to late second century CE. In the Hasmonean period, perhaps because of a perceived belief in the abuse of the high priest's office, the role of prophetic ministry diminished and there emerged a greater dependence on authoritative voices of the past.<sup>53</sup>

## VI. PROPHECY IN THE DEAD SEA SCROLLS, PHILO, AND JOSEPHUS

For some Essene Jews during and after the Hasmonean Dynasty, the Spirit continued to be active in their community at Qumran, though perhaps in an inferior way. There is evidence that some Qumran residents thought that in some measure the Holy Spirit and prophetic activity was no longer present in full measure like in the ancient prophetic traditions. For example, the "men of holiness" (those of the Community) were to be ruled "by the first directives which the men of the

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<sup>50</sup> Daniel 9:24–27 suggests that more divine activity was coming after the seventy weeks.

<sup>51</sup> J. Blenkinsopp, "The Formation of the Hebrew Bible Canon: Isaiah as a Test Case," in McDonald and Sanders, eds., *The Canon Debate*, 54 n. 3, notes two alternative rabbinic views for the date of the cessation of prophecy in Israel: the destruction of Solomon's Temple (*b. Baba Batra* 12a; *b. Yoma* 21b; *b. Sotah* 48a) and the death of the last biblical prophet (*b. Yoma* 9b; *b. Sanhedrin* 11a).

<sup>52</sup> Sundberg draws attention to other post-70 CE references to the cessation of prophecy, *Old Testament of the Early Church*, 113–19.

<sup>53</sup> For further comment on this, see Jeffery, "The Canon of the Old Testament," *IB* 1:33.

Community began to be taught *until the prophet comes*, and the Messiahs of Aaron and Israel..." (1QS 9:10–11).<sup>54</sup> This text is sometimes cited to support a belief among the Essenes that the Spirit was no longer inspiring prophetic figures to write or speak. However, the *pesharim* or commentaries on prophetic texts at Qumran<sup>55</sup> reflect a belief that the Spirit was present in the teachings of their Righteous Teacher, who claimed for himself the Spirit's inspiration in his interpretation of Scripture. For instance, "And I, the instructor [Righteous teacher or Teacher of Righteousness?] have known you, my God, through the spirit which you gave to me, and I have listened loyally to your wonderful secret through your holy spirit" (1QH<sup>a</sup> 20:11–12).<sup>56</sup> Another text that reflects the Community's belief in the continuing activity of the Spirit is:

For it is by the spirit of the true counsel of God that are atoned the paths of man... And it is by the holy spirit of the community, in its truth, that he is cleansed of all his iniquities. And by the spirit of uprightness and of humility his sin is atoned. (1QS 3:6–8, Martinez and Tigchelaar, trans., p. 75)

Some among the Essenes believed that the Spirit was present in the life of the Righteous Teacher, who is mentioned 19 times as one who gave inspired interpretations of the community's scriptures.<sup>57</sup> However, George Brooke suggests that caution is needed here observing that the Teacher of Righteousness was specifically called a prophet and his role as a priest may – or may not – have precluded his role in communicating prophecy. Bowley concludes that since נביא (prophet) is never applied to the Teacher of Righteousness at Qumran and he never called himself a prophet in the existing Qumran texts that caution should be taken before making such suggestions.<sup>58</sup> However, since it is clear that the residents at Qumran were concerned about prophecy and making sure the voices of false prophets were silenced (4Q339; 11QTS 54:8–18 citing Deut 13:2–6; and 11QTS 60:21–61:5 citing Deut 18:20–22), there was obviously considerable interest in the continuing prophetic activity among them. Bowley also cites another Qumran text in support for contemporary prophetic activity among them, namely, the "Sapiential Work" (4Q410 1 7–9). It reads: "And now, I, with [the help of the

<sup>54</sup> Martinez and Tigchelaar, *The Dead Sea Scrolls: Study Edition*, 1:93, emphasis added.

<sup>55</sup> According to Nissinen, the practice of *pesharim*, which is similar to allegorical and typological interpretations, essentially implies that a text means something beyond what it actually says. He explains: "the outer appearance of the text (like that of an omen) is obvious to anyone, but its actual meaning is not evident before it is properly interpreted." See Martti Nissinen, "Pesharim as Divination: Qumran Exegesis, Omen Interpretation and Literary Prophecy," in De Troyer and Lange, eds., *Prophecy After the Prophets*, 43–60, here 53.

<sup>56</sup> Martinez and Tigchelaar, *The Dead Sea Scrolls: Study Edition*, 1:193.

<sup>57</sup> James H. Charlesworth, *The Pesharim and Qumran History: Chaos or Consensus?* (Grand Rapids: Eerdmans, 2002), 83–91.

<sup>58</sup> James E. Bowley, "Prophets and Prophecy at Qumran," in Flint and VanderKam, eds., *The Dead Sea Scrolls After Fifty Years*, 2:354–78, here 374–75.



Lord] in the spirit [ברוח] [...] he will not lie [...] The oracle [החזון] concerns [...], the vision is about the house of [...], for I have seen.” From this he concludes: “A text could hardly be more prophetic in form than this.”<sup>59</sup> George Brooke agrees with Bowley and says that one must offer a “qualified no” to the question of whether the Teacher of Righteousness was considered a prophet. Then he adds, however, that one could also offer a “qualified yes” to the same question saying that the community may have avoided the title as a “deliberate stratagem” perhaps as a way to include those within their movement who would have had difficulty in identifying their leader as a prophet. He continues that this does not mean that an avoidance of the term prevented the Teacher from acting in prophetic ways or from those after him seeing him in that way as we see in the *Pesher Habakkuk* that appears to have attributed to the Teacher a prophetic message. He concludes that the Teacher’s priesthood was exercised with a prophetic character functioning as an inspired interpreter of the Law and the Prophets.<sup>60</sup>

Philo affirmed that the Holy Spirit inspired the Jewish Scriptures (*On the life of Moses* 1.277; 2.191; *On the Virtues* 217–19), but he also claimed prophetic skills for himself. He relates how, at a time of leisure when he made the spirit of the universe his own, he was possessed “by some God-sent inspiration” (*Spec. Leg.* 3.1.1; see the longer text 3.1.1–6 that prepares him to be an interpreter of the Commandments; see also *De migr. Abr.* 35; *De cher.* 27).

While Josephus argued that the era of prophecy was over with Artaxerxes (ca. 465 BCE, cf. *Ag. Apion* 1.40–41), he still recognized that the Holy Spirit empowered prophetic speech and that there was a way of knowing when it was false (*Ant.* 8.408). While recognizing the inspiration of the Jewish prophetic scriptures, he thought that he too was “inspired” (*War* 3.351–53). He claims this in his ability to prophesy Vespasian’s ascent to become Roman Emperor (*War* 3.399–408). Although believing that the prophetic voice was *largely* gone in Israel, Josephus shows awareness that occasionally some still claimed prophetic status, as in the case of Theudas who apparently believed that he was a prophet and led some 400 Jews to the Jordan River, but he and his followers were killed by the Roman soldiers (see Josephus, *Ant.* 20:97–98a; cf. Acts 5:34–37; See also *War* 6.286). While Josephus never claims that he is a prophet, he does claim prophetic-like actions for himself (see *War* 3.400–402), and refers to a divine “voice” that gave clarity and vision to one named Jesus who proclaimed a voice predicting the destruction of Jerusalem (*War* 6.300–309).<sup>61</sup>

<sup>59</sup> Ibid., 2:376.

<sup>60</sup> George J. Brooke, “Was the Teacher of Righteousness Considered to be a Prophet?,” in De Troyer and Lange, eds., *Prophecy After the Prophets*, 77–97, here 94–97.

<sup>61</sup> For further discussion of the continuing role of prophecy well into the first and later centuries AD, see David E. Aune, *Prophecy in Early Christianity and the Ancient Mediterranean World* (Grand Rapids: Eerdmans, 1983), 125–52.

## VII. THE HOLY SPIRIT IN RABBINIC TRADITION

The rabbinic tradition agreed with the Hasmonean tradition that the Spirit had departed Israel and that prophetic activity ceased after the deaths of Haggai, Zechariah, and Malachi (*t. Sotah* 13:2–3; *b. Bat.* 14a; *b. Yoma* 21b; *b. Sanhedrin* 65b). In other rabbinic tradition, however, a belief persisted that divine activity still came to them through the *bat qol* (“daughter of voice” referring to a “divine voice”) in “an echo” (*t. Sotah* 13.3; *y. Sotah* 9:13, 24b). Although acknowledging that the Holy Spirit had departed Israel, they were still able to hear from the *bat qol* (*b. Sanh.* 11a; *b. Sotah* 48b; *b. Yoma* 9b).<sup>62</sup> Rabbinic teaching did not completely deny the presence of the Spirit on special occasions since subsequent revelation came to their community through a *bat qol*, although this was an apparent inferior manifestation of God’s revelation.

The above examples and others led Levison to conclude that there was no departure of the Holy Spirit from Israel with the death of classical prophets.<sup>63</sup> Aune similarly challenges just how widespread in antiquity was the belief in the cessation of prophecy and offers evidence from the Tosefta that divine oracles spiritually informed later Jews as well. The text reads:

When the first Temple was destroyed, the kingship was removed from the House of David... When the latter prophets died, that is Haggai, Zechariah, and Malachi, the Holy Spirit came to an end in Israel. But even so, they made them hear [Heavenly messages] through an echo... Sages gathered together in the upper room of the house of Guria in Jericho, and a heavenly echo came forth and said to them, “There is a man among you who is worthy to receive the Holy Spirit, but his generation is unworthy of such an honor.” They all set their eyes upon Hillel the elder... Then another time they were in session in Yabneh [Jamnia] and heard an echo saying, “There is among you a man who is worthy to receive the Holy Spirit, but the generation is unworthy of such an honor. They all set their eyes upon Samuel the Small... (*t. Sotah* 13:2–4; ca. 300 CE, Neusner trans.)

Aune cites several such examples from the first century BCE and the first century CE that indicate a strong belief that prophecy and the presence of the Spirit had not ceased in Israel.<sup>64</sup>

Leiman, on the other hand, maintains that all of the primary Jewish literature of antiquity claims a cessation of prophecy in Israel by the close of the fifth century BCE.<sup>65</sup> Strangely, as noted earlier, he argues that writings produced after the time of the cessation of prophecy were viewed as canonical, but not inspired. However, if such a view were prevalent in Israel before the first century CE, as Leiman

<sup>62</sup> For further examples and discussions of this, see L. S. Cook, *On the Question of the “Cessation of Prophecy”*.

<sup>63</sup> John R. Levison, “Spirit, Holy,” in *The Eerdmans Dictionary of Early Judaism*, ed. J. J. Collins and D. C. Harlow (Grand Rapids: Eerdmans, 2010), 1252–55.

<sup>64</sup> Aune, *Prophecy in Early Christianity*, 103–54.

<sup>65</sup> Leiman, *Canonization of the Hebrew Scripture*, 130.

contends, then a closed canon of scriptures might well have prevailed among the people of the land of Israel at that time, but there is no evidence of such a notion.

Aune offers three reasons why the evidence set forth by Leiman and others should be received with caution and not as reflective of the actual state of affairs in Israel: (1) many texts describing the cessation of prophecy do not antedate the second century CE; (2) early Judaism had a greater variety of opinion about such matters than many scholars previously thought; and (3) not all of the texts listed above claim that prophecy had actually ceased in Israel.<sup>66</sup> Aune concludes that the rabbinic sages of the second century and later did not consider themselves to be inspired, but rather traditionalists, and therefore they promoted the notion of the cessation of prophecy as a means of legitimating their own positions as the successors of the prophetic tradition.<sup>67</sup> In support of this, he cites Samuel Sandmel's conclusion: "Outside the circle of the Rabbinic Sages the view that prophecy had ended simply did not exist."<sup>68</sup> The belief that prophecy had not ceased also finds support at Qumran,<sup>69</sup> in Christian writings (1 Cor 12:4–11, 28; Rom 12:6; Eph 4:11), in Philo (*Moses* 2.187), and even Josephus (*Ant.* 3.311–13; *J.W.* 6.286, 300–309).<sup>70</sup> In addition, the book of Sirach, obviously written long after the time of Ezra, was accepted by some Jews well into the second century CE as inspired Scripture and deemed worthy to be read by both the Hebrew and Greek-speaking Jews. Sirach wrote with "instruction and wisdom," and his grandson, as we saw above, did not hesitate to commend his grandfather's written work along with that of the Law and the Prophets (Sir Prologue).

The Jewish biblical canon was not fixed with the emergence of the notion that prophecy had ceased in Israel in the fourth, third, or second century BCE. That notion implies that writings produced during the time when the Spirit was present were "scriptural" and those written after that time were not. However, the inclusion of writings in Israel's sacred Scriptures may not have had as much to do with the cessation of prophecy as with Israel's use of such literature in its liturgy, instruction, and community over a long period of time. There is little question that rabbinic decisions about the sacredness of this literature played an important part in the Jewish community's acceptance of it, but long use also played a role.

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<sup>66</sup> Aune, *Prophecy in Early Christianity*, 103.

<sup>67</sup> *Ibid.*, 104–6.

<sup>68</sup> S. Sandmel, *Judaism and Christian Beginnings* (New York: Oxford University Press, 1959), 174.

<sup>69</sup> Ellis, *Old Testament in Early Christianity*, 50.

<sup>70</sup> Aune, *Prophecy in Early Christianity*, 106–52, offers other examples of the various types of prophecy known and practiced within the sects of Judaism during the first century BCE and first century CE that show a strong belief that prophecy and the presence of the Spirit were still active in Israel.

There is no evidence that Jews throughout the empire were of one mind regarding the books they acknowledged as Scripture. Barton concludes that if by prophecy one means the “phenomenon of inspiration such as existed in the 8th century,” then there is little evidence that it ever died out in post-exilic Israel, even though the forms of expression changed and the prophets then expressed their oracles as additions to existing collections of prophetic writings.<sup>71</sup> The popularity of the notion that prophecy had ceased likely led to the production of pseudonymous writings in the names of earlier prophetic figures by those who believed that that prophecy had in fact not ceased, but a widespread belief in the cessation of prophecy led them to adopt an earlier prophetic figure’s name mentioned in the Jewish Scriptures.

The Essene Jews and later the early Christians did not agree with a limited prophetic corpus of writings, though it appears that all of the books in the HB collection, with the possible exception of Esther, were welcomed as scripture by the Qumran residents along with other writings that did not achieve HB recognition. But, as we will see, other writings were acknowledged in the same way at Qumran. For those Essenes, the spirit of prophecy had not ceased at the end of the Persian period of domination.

In an interesting reference in the *Gospel of Thomas* when Jesus’ disciples spoke to him of the “twenty-four prophets” who “have spoken in Israel, and all (of them) have spoken through you,” Jesus responded to them: “You have pushed away the Living One from you, and you have begun to speak of the dead” (52).<sup>72</sup> As I will show in Chapter 9 §V.A.9, this text has been used to argue for the completion of the HB by the time this text was written (late first or even late second century CE). This same tradition is similar to the *Apocryphon of James* (6.22–7.1; ca. second century CE) in which Jesus says to his disciples who are asking about their ability to prophecy that prophecy was removed or ceased with the death of John the Baptist, the last prophet of Israel, and after John prophecy is no longer necessary. As Plisch observes, this tradition has some parallel in Origen (*Comm. John* 2.34.199–201) who argues against those who “take pains to disprove the testimonials of the prophets about Jesus, maintaining that the Son of God does not need any testimony since he himself – so that one can believe in him – provides enough reason... They think that it is unnecessary to believe that the prophets foretold him.” Plisch adds that at the beginning of the fifth century, Augustine provides an almost verbatim quote of the second sentence in the *Gospel of Thomas* that he likely took from the work of a Marcionite whom he opposed, in which he focuses on the debate about the meaning of Old Testament prophecy. The text reads:

<sup>71</sup> J. Barton, “Prophecy (Post-exilic Hebrew),” *ABD* 5:495.

<sup>72</sup> I am using here the translation of Uwe-Karsten Plisch, *The Gospel of Thomas: Original Text with Commentary*, trans. from German by Gesine S. Robinson (Stuttgart: Deutsche Bibelgesellschaft, 2008), 133.

But when, he said, the apostles asked what to think of the prophets of the Jews who, as was assumed, announced something about his coming regarding the past (?), our Lord answered, moved that they still considered such (issues) now, “you (pl.) have pushed away the Living One who is before you, and you speak of the dead.” (Augustine, *Contra Adv. Leg.* 2.4.14)<sup>73</sup>

Plisch concludes that “*Gos. Thom.* 52 belongs to the early Christian context of the debate about the meaning of...Jewish Scripture for Christian theology and Christian faith. Hence the logion is not authentic, because for Jesus of Nazareth, the Torah and the Prophets were the natural foundation of his own proclamation.”<sup>74</sup> The appeal to *Gospel of Thomas* 52 to suggest that early Christianity believed that its OT was complete and that prophecy had ceased is an anachronism that develops first among the Jews and later continued among some of the early church fathers (see a list of those church fathers in Chapter 9 §V.A,B,C).

## VIII. SCRIPTURES PLACED IN THE TEMPLE

It is likely that copies of the Jewish Scriptures were kept in the Temple in Jerusalem. Josephus, for instance, while speaking of the destruction of the Temple and the spoils taken from it by the Romans (70 CE), mentions not only the furnishings of the Temple, but also “a copy of the Jewish Law” (*War* 7.148–50). He subsequently mentions that he had requested from Titus that he spare his brother and fifty of his friends, but he also asked for the favor of “a gift of sacred books” from the Temple that was granted to him (*Life* 419). An earlier tradition that copies of the Jewish Scriptures were kept in the Temple can be seen in the story of Hilkiah finding a copy of the Law in the Temple (2 Kgs 22:3–8). Likewise, the *Letter of Aristeeas* refers to the high priest in Jerusalem approving copies of the Jewish scriptures likely in the Temple since the high priest gave approval to take exemplar copies to Egypt for translation purposes. The Hasmonean scribes evidently made copies of the Jewish Scriptures and placed them in the Temple. These Scriptures may reasonably be identified as the “proto-Masoretic” texts of the Scriptures that have parallels with a number of the scriptural manuscripts at Qumran, but as we see in the copies of the Dead Sea Scrolls (Chapter 12 §§III–IV), several other textual types were also present in Palestine besides those likely stored in the Temple.

## IX. BOOKS IN THE SACRED COLLECTIONS

The Qumran collection of sacred texts shows that there was a variety of opinion among first-century Jews over what constituted sacred scripture. Unfortunately there is little surviving evidence that clarifies precisely which texts were specifically viewed as sacred scripture at Qumran or elsewhere in Late Second

<sup>73</sup> Ibid., 134.

<sup>74</sup> Ibid., 134–35.

Temple Judaism. It is not clear either how they were used in Jewish worship at that time. The reading of Scripture in the synagogues, as we saw in the example of Jesus being asked to read from the scroll of Isaiah in Luke 4:16–20, was likely a typical practice in the first-century synagogues. The following examples from the rabbinic tradition (second century CE) clarify which scriptures had to be read in the synagogues at that time, but not necessarily for Jews in the first centuries BCE and CE. In *m. Rosh HaShannah* 4:6 we read: “He begins with [verses from] the Torah and ends with [verses from] the Prophets. R. Jose (ca. 135–170 CE) says: If a man ended with [verses from] the Torah he has fulfilled his obligation.” There is no reference here to the Writings, nor is there in *m. Megillah* 4:1: “On Mondays and Thursdays and on Sabbath afternoons three people read the Torah, no more and no less. They do not close with a reading from the Prophets.” But in the later Tosefta text *t. Rosh HaShannah* 2:12G, the Writings (or Hagiographa) are added to what is read: “The reciter opens with verses from the Torah, and closes with verses from the Torah, and recites from the Prophets and Hagiographa in between.” Leiman acknowledges that the earlier *m. Megillah* 4:1 and 4:4 do not mention the Writings as a part of the Hebrew sacred collection, but again shows that the later *t. Rosh HaShannah* 2:12G text includes the Prophets and the Writings after and before a final reading of the Torah. This suggests, of course, the development of the role of the Writings as a separate collection of Jewish scriptures somewhere between the second and third centuries CE and that the Writings had earlier been viewed as a part of the Prophets. This emergence of the third part of the HB, in which several writings that were earlier acknowledged as Prophets were placed may have *begun* in the second century BCE beginning with the Psalms, the most popular scriptures among the Jews at that time. Its full development, however, is seen in the *b. Baba Batra* 14b text (150–180 CE), but a tripartite biblical canon was not widely known among Jews in the first or even second century CE. Leiman contends that the expansion of the Jewish scriptures into a three-part HB is based on a liturgical expansion rather than a canonical one,<sup>75</sup> but it is difficult to distinguish the authority attributed to the Jewish Scriptures in a canonical context from those writings used in a liturgical context. Both function as scripture.

With the one exception of Luke 24:44, only the Law and the Prophets, or just the Law, are mentioned in the NT in reference to the Jewish Scriptures (e.g., Matt 5:17; 7:12; Luke 24:27; and Acts 28:23, where “the law and the prophets” appear to comprise all of the Jewish sacred Scriptures). Luke 24:44 must be understood in the context of 24:27: “And beginning with Moses and all the prophets, he interpreted to them in *all the scriptures* the things concerning himself” (emphasis added). For Luke, both texts refer to all of the scriptures and there is no doubt that this also included the “psalms.” Why he distinguished the “psalms” as a third category in 24:44 is not clear, but it may reflect an emerging trend toward a three-part canon, but not a third part that included at that time all of the books that

<sup>75</sup> Leiman, *Canonization of the Hebrew Scripture*, 63–64.

would later be placed in the Writings (*Ketubim*). They were more likely included among the Prophets throughout the first century CE. Lim correctly understands that both references (Luke 24:27 and 44) refer to all of the Jewish scriptures at the time of the production of this Gospel, likely mid- to late 60s CE.<sup>76</sup> Sometimes the whole of the sacred writings is simply referred to as “law” (e.g., John 10:34 cites Ps 82:6 as “law,” and 1 Cor 14:21 introduces Isa 28:11–12 with “in the law it is written”). Other designations for the Jewish Scriptures include “scripture” (John 13:18; Gal 3:8), “old covenant” (2 Cor 3:14), and “Moses and all the prophets” (Luke 24:27; John 1:45).<sup>77</sup> Barr concludes from these and other NT references that perhaps the Prophets as a collection were much wider in scope than we have previously thought. He concludes that all authoritative sacred writings, not just the Former Prophets and Latter Prophets, were called “prophets.” Even these terms (Former and Latter) are a late development in Judaism and found nowhere in the early church before the second century CE. Barr correctly argues that the presence of such references “strongly suggests that the category of ‘Prophet’ was not a closed one: any non-Torah book that was holy Scripture was a ‘Prophet’.”<sup>78</sup> This is further supported by Melito’s reference to the Jewish Scriptures as late as 170–180 CE simply as “the Law and the Prophets” in which he includes books later assigned to the Writings (Eusebius, *Hist. eccl.* 4.26.13–14; see Appendix A.2). Melito lists most of the books that were later placed in the Writings or Hagiographa, but he does not have three categories. His list concludes with Daniel, Ezekiel, and Ezra. In Melito, the books that later comprised the Writings were included in his collection and were intermingled with the Former Prophets and Latter Prophets,<sup>79</sup> similar to the historic order of the Christian OT. We note here that he also includes the Wisdom of Solomon in his list of books. Barr agrees that the Law was a separate and distinct part of the Jewish canon, but correctly maintains that the boundaries between the Prophets and the Writings were still imprecise in the first century CE.<sup>80</sup> This imprecision is reflected not only in early rabbinic Judaism, but also in early Christian collections of OT Scriptures.

<sup>76</sup> For further discussion of the importance of this text, see Lim, *Formation of the Jewish Canon*, 157, and especially 162–65, who acknowledges, following Barton, the “overwhelmingly bipartite reference to the Law and the Prophets in the New Testament” (163). See further discussion of the Luke 24 text in Chapter 8 §III.

<sup>77</sup> These terms are discussed in Ellis, *Old Testament in Early Christianity*, 3.

<sup>78</sup> Barr, *Holy Scripture*, 55.

<sup>79</sup> The designations “Former Prophets” and “Latter Prophets” do not exist before the writings of the eighth-century CE Masoretic scribes. While Zech 1:4 and 7:7 do mention *former* prophets, this only refers to the earlier prophets, not to a specific collection by that name (Joshua–2 Kings).

<sup>80</sup> Barr, *Holy Scripture*, 55–56.

## X. THE HOLY SPIRIT AND SCRIPTURAL CANONS

In regard to canon formation, the classic definition of prophetic activity among ancient Jews is found in 2 Kgs 22:14 when Micaiah the prophet said, “Whatever the Lord says to me, that I will speak.” The primary role of a prophet was to speak (or write) the Word of the Lord. The remnant nation came to believe that God had sent his Spirit into the “former prophets” who prophesied the word of the Lord (Neh 9:30; Zech 7:12). This view persisted thereafter in Judaism and later in the NT and early church fathers. Not everything done or said in the name of the Spirit of God was from God, so there was a need to distinguish between true and false prophecy (Deut 18:20–22).<sup>81</sup>

In antiquity both Jews and Christians universally believed that their collections of sacred Scriptures were inspired by God through the Holy Spirit and transmitted through prophetic figures. Christians inherited their notion of scripture from their Jewish siblings and the major dividing issue between Jews and Christians and between Christians and other Christians was on which books comprised the inspired scriptural collections circulating in churches in antiquity. Fluidity on the scope of scripture collections continued for centuries with disagreement on the inspired status of some of the books circulating among Jews and Christians. By the mid-third century there was widespread, though not complete, agreement on most of the books that eventually comprised the church’s OT Scriptures and the HB canon of Scriptures.

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<sup>81</sup> A true prophet, it was believed, proclaimed the truth that was passed on in the church’s tradition and this did not violate other expected practices of prophets (cf. 1 Thess 5:21; Gal 1:6–9; cf. *Did.* 11:7–12).



## CHAPTER 6

# GREEK INFLUENCE AND THE FORMATION OF THE HEBREW BIBLE\*

### I. HELLENISM, THE GREEK LANGUAGE, AND JEWISH TRADITION

Because of many recent important advances in our understanding of late Second Temple Judaism within its Greco-Roman context, there is renewed interest in the impact of Hellenistic thought and culture on the context and religious traditions of both Jews and Christians. These influences in Palestine and throughout the Greco-Roman world included but were not limited to the widespread use of the Greek language and culture not only in aristocratic and military circles of Judaism as early as 260–250 BCE, but also throughout Palestine. After noting the widespread use of the Greek language among Jews before the accession of Antiochus IV in 175 BCE, Martin Hengel observes that the influence of the language was not suppressed even after the Maccabean victories over the Seleucids in the Land of Israel.<sup>1</sup> Generally speaking, the relationship between the Jewish nation and their Greek occupiers was friendly until the time of the Seleucid ruler Antiochus IV Epiphanes. This can be seen in the many Greek names adopted by Jews well into the first century CE, some of which are on the Jewish ossuaries (bone boxes) recovered in and around Jerusalem long after the Seleucids were forced out of Palestine, as well as in the many Greek inscriptions and mosaics found at various archaeological sites in Palestine dating well into the second century CE. The following is a collection of examples of Greek influences among Jews and later Christians that may point to Hellenistic influences on the formation of the biblical canons of both Jews and Christians.<sup>2</sup>

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\* Portions of this chapter are a revision and updating of my article “Hellenism and the Biblical Canons: Is There a Connection?,” 2:13–49.

<sup>1</sup> Martin Hengel, *Judaism and Hellenism: Studies in Their Encounter in Palestine During the Early Hellenistic Period* (Philadelphia: Fortress, 1974), 1:103.

<sup>2</sup> Several important articles that focus on the influence of the Septuagint on Diaspora Judaism and early Christianity are in David J. A. Clines and J. Cheryl Exum, eds., *The Reception of the Hebrew Bible in the Septuagint and the New Testament*, HBM 55 (Sheffield: Sheffield Phoenix, 2013). See

Following the decree of King Cyrus of Persia, Jews who had been taken captive to Babylon in 587–586 BCE were allowed to return and resettle in their homeland (Ezra 1:1–4). Some chose to return to their homeland in Israel, but most did not. Some were too old to make such a journey and much of their homeland was in ruins. The task of rebuilding it was formidable. It would not have been easy for any who returned to destroyed towns and a destroyed Temple to imagine hope in the midst of rubble. A large number of Jews chose to remain in Babylon, no doubt some of them because of age and the difficulty of making such a long and challenging trip, but others chose to resettle in major cities around the Mediterranean world, e.g., Italy, Greece, Asia Minor, Cyprus, and elsewhere. As the book of Acts readily shows (Acts 2:5–11), Jews were living in major cities and regions throughout the Greco-Roman world. Jews who made their homes outside Palestine were referred to as “Diaspora Jews,” or “Jews of the Dispersion” (e.g., Jas 1:1; 1 Pet 1:1). After taking up residence in the Diaspora communities, in time most of these Jews had forgotten their native Hebrew or Aramaic tongue and could only communicate in the languages of the lands, where they had migrated.

In the fourth century BCE, when Alexander the Great came to power, his aim was to create a universal empire dominated by Greek language and culture. His plan was remarkably successful and influential and it had an important impact upon the future of the Jews living not only in the Diaspora but also in their homeland. This influence continued well into the Common Era not only for Jews, but also for the early Christians and even among the Romans long after their victories over the surviving Greek dynasties. Following his conquest of a people, Alexander immediately instituted reforms that made the Greek language and culture a major part of the life of the nations he conquered. The author of 1 Maccabees provides a succinct history of this period of time and the impact that Alexander and his generals made on conquered nations:

After Alexander son of Philip, the Macedonian, who came from the land of Kittim, had defeated King Darius of the Persians and the Medes, he succeeded him as king. (He had previously become king of Greece.) He fought many battles, conquered strongholds, and put to death the kings of the earth. He advanced to the ends of the earth, and plundered many nations. When the earth became quiet before him, he was exalted, and his heart was lifted up. He gathered a very strong army and ruled over countries, nations, and princes, and they became tributary to him. (1 Macc 1:1–4)

Hellenization of the ancient world was quite successful despite considerable resistance from some Jews in the land of Israel and others in different parts of the Greek empire. Alexander’s Hellenization program included learning the Greek

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especially the essays by George J. Brooke, “The Influence of the Dead Sea Scrolls on Modern Interpretations of Jewish Traditions in the New Testament,” 32–48; Kristin De Troyer, “The Septuagint and the New Testament: Another Look at the Samuel–Kings Quotations and Allusions in the New Testament,” 49–55; and John Jarick, “Imagining a *qohelet* as an *ekklesiastes*,” 83–96.

language, but also the Hellenistic religion, literature, art, architecture, government, and administration. This was accomplished chiefly through the use of the ancient gymnasiums, the Hellenistic centers for physical exercise and the dissemination of the language and culture. Generally speaking, the literate and influential in the conquered nations throughout the Mediterranean world, including many of the religious and political leaders in the land of Israel, learned both the language and the culture of the Greeks. Although this process began during Alexander's lifetime and was carried on with various degrees of intensity and success by his generals, the *Diadochi* ("successors") who ruled after him, there was opposition to it in various places and the process took time. Hellenization was such a complex notion that it took several generations before it became the dominant socialization and cultural program in the Mediterranean world and later the Greco-Roman world. However, after it took hold it continued to be highly influential for centuries, long after the demise of the Greek empire. Both Jewish and later Christian scriptures circulated throughout the Mediterranean world in Greek, including in Palestine itself.

Hellenization was an amalgamation of Greek culture, language, and religious heritage with other languages and cultures that eventually led to a universal language and shared culture throughout the Mediterranean world and beyond. This facilitated communication, travel, and commerce that became considerably more common and less complex than before. Although many Jews resisted this Hellenization activity, some freely embraced it. In the second century BCE when Antiochus Epiphanes came to power, he tried to rid the Jewish nation of its religious heritage forcing many Jews to offer sacrifice to Zeus and, as we saw earlier, he even offered a pig on the altar of the Temple in Jerusalem. The authors of 1 and 2 Maccabees tell how this plan was imposed in the land of Israel and how many Jews resisted it, even to their deaths. Eventually, because of greater threats elsewhere and the growing resistance of the Maccabees, the Greek Seleucid Dynasty was forced to withdraw from the Jewish homeland and the Jewish Hasmonean Dynasty began its rule in Palestine. The departure of the Greeks, however, did not mean that the Greek language was no longer spoken in Palestine. To the contrary, Hellenization continued to impact the whole of the Mediterranean East, including Palestine, for centuries, even during Roman control of the land. When the early Christians began to compose the literature that eventually became their New Testament, it was composed in Greek well over 100 years after the Romans were the dominant power in the Mediterranean world, and for the most part their scriptures were the LXX scriptures.

Diaspora Jews were generally receptive to Hellenistic influences, but most remained loyal to their Jewish religious heritage. Philo (ca. 15 BCE–45 CE), for example, was a Hellenistic Jew who spoke and wrote in Greek and embraced much of the Hellenistic culture, but he also tried to influence the Hellenistic community of Alexandria by arguing for the relevance and superiority of the Law of Moses over other philosophies. Like the Greeks before him who interpreted allegorically

their own sacred literature (especially Homer), Philo also interpreted the Jewish Scriptures allegorically and sought through this interpretive process to make the Jewish Scriptures relevant not only to the local Jewish community in Alexandria, but also to contemporary Hellenistic communities as well.

In the late first century CE, Josephus, a Jewish general during the 66–70 CE rebellion against Rome, moved to Rome and wrote numerous volumes in Greek on the history of the Jews and their wars, but also on his own life, with an apology defending the Jews in a document titled *Against Apion* that focused on the Alexandrian opposition to the Jews. The more educated Jews in Palestine generally spoke Greek in the first centuries BCE and CE, but it was also the language of trade and commerce so those who sold their wares to Gentiles often did so employing the Greek language. It is now considered possible, if not even likely, that Jesus of Nazareth also could communicate in Greek. Because Gentile contemporaries considered Jewish circumcision barbaric, some Jews undertook a painful procedure called *epispasm* to remove the marks of their circumcision. As the early followers of Jesus began proclaiming their good news about him outside of Palestine, they did so in the Greek language, and all of their Christian Scriptures that later formed the New Testament were written in Greek. Alexander's Hellenizing program continued with his successors, having considerable impact on the Jews of the Diaspora, the Jews in Palestine, and later also on the early Christians.

Long ago in his *Prolegomena ad Homerum*, Friedrich August Wolf (1795) suggested that the parallels between Jewish and Christian scripture canons on the one hand and the Hellenistic literary canons on the other were both natural and obvious, but very little research subsequently focused on these parallels until recently. Wolf observed that the *text* of the Jewish sacred scriptures was viewed and treated in similar ways as the Homeric poems and that the two canons, literary and biblical, were viewed from a *canonical* perspective.<sup>3</sup> Several comparative studies of Jewish and Christian scriptures with the Hellenistic literary canons have appeared in recent years. Because many Jews learned the *common* Greek language (*koine*) and adopted several aspects of Hellenistic culture, it should not be thought unusual that Hellenistic literary canons may also have influenced the notion of biblical canons among scribal Jews and subsequently among Christians.

It is often overlooked that the Jews did not usually perceive the Hellenistic influences negatively except in religious matters. The challenging events Jews experienced during the Seleucid Dynasty's control of Palestine with its attempt to abolish their religion no doubt led to pejorative attitudes toward the Greeks. However, during the earlier Ptolemaic rule from Egypt over their homeland (that ended in 198 BCE) most Jews appeared to do quite well and their experience was generally positive. The *Letter of Aristeas*, most likely written in Egypt somewhere

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<sup>3</sup> For a brief discussion of this, see Finkelberg, "Introduction," 2–3.

between 130 and 100 BCE, reflects the favorable hospitality and freedom of religious practices extended to Jews living there. While the influence of Hellenistic culture on later Jewish and Christian notions of canon is not completely clear, there are interesting parallels between the lists of literary canons in Alexandria and elsewhere in the Hellenistic world and the scripture canons of Jews and Christians. It is doubtful whether the later second-century CE rabbis ever read the Alexandrian commentaries on Homer, but there are a number of hermeneutical and terminological similarities between Homeric scribes and the later rabbinic writings.<sup>4</sup>

This Hellenistic influence was apparently generally positive for most Diaspora Jews, especially those west of Palestine who were regularly exposed to Greek culture and ideas.<sup>5</sup> The best-known Hellenistic literary influence was, of course, Homer's *Iliad* and *Odyssey* that is sometimes described as an equivalent to the "Bible of the Greeks" in the ancient world.<sup>6</sup> The question here is whether the activity surrounding the gathering of materials, editing, and producing a recension of Homer was a model for Judaism and early Christianity in forming their biblical canons, such as we see especially in the rabbinic sages adopting a twenty-four book scripture corpus.<sup>7</sup> As we will see below, the number twenty-four is the number of

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<sup>4</sup> These are described in detail in Yakir Paz, "Re-Scripturalizing Traditions: Designating Dependence in Rabbinic Halakhic and Homeric Scholarship," in *Homer and the Bible in the Eyes of Ancient Interpreters*, ed. Maren R. Niehoff (Leiden: Brill, 2012), 269–98. By "re-scripturalizing" Paz refers to the efforts of the commentator or editor "to show that a certain word, verse or passage in the Scripture is the source of a later self-understanding tradition (whether oral or written). This could be seen as an attempt to 'return' the tradition to the Scripture in order to reaffirm its centrality and primacy" (271). Some of these parallels or similarities were noted long ago in the works of David Daube, "Rabbinic Methods of Interpretation and Hellenistic Rhetoric," *Hebrew Union College Annual* 22 (1949): 239–64; and also subsequently in Daube's "Alexandrian Methods of Interpretation and the Rabbis," in *Festschrift Hans Lewald* (Basel: Helbing & Lichtenhahn, 1953), 27–44. This was followed shortly thereafter by the substantial work of S. Lieberman, *Hellenism in Jewish Palestine* (New York: Jewish Theological Seminary, 1950, 1962).

<sup>5</sup> A recent careful assessment of the evidence for the influence of the editing of the Homeric corpus on the formation of the HB can be seen in Guy Darshan, "The Twenty-Four Books of the Hebrew Bible and Alexandrian Scribal Methods," in Niehoff, ed., *Homer and the Bible*, 221–44.

<sup>6</sup> This conclusion is drawn by Margalit Finkelberg, "Homer as a Foundation Text," in Finkelberg and Stoumsa, eds., *Homer, the Bible, and Beyond*, 75–96, here 91. See also the more recent, Maren R. Niehoff, ed., *Homer and the Bible in the Eyes of Ancient Interpreters*, JSRC 16 (Leiden: Brill, 2012). For our purposes here, see especially Maren R. Niehoff, "Why Compare Homer's Readers to Biblical Readers?," 3–14; Cyril Aslanov, "Homer within the Bible: Homerisms in the Graecus Venetus," 199–220; and Paz, "Re-Scripturizing Traditions," 269–98.

<sup>7</sup> An excellent discussion of this is Darshan, "The Twenty-Four Books of the Hebrew Bible and Alexandrian Scribal Methods," 221–44. While he does not fully subscribe to Rabbinic dependence on Homeric writings for establishing their biblical canon, he contends that the number twenty-four was clearly adopted by the rabbis from Alexandrian Homeric scribes in their fixing the number of their sacred books. This, of course, reflects the use of the alphabet in introducing each of the twenty-four chapters or books in both the *Iliad* and the *Odyssey*.

letters in the Greek alphabet that was used to identify each of the chapters or books in Homer's *Iliad* and *Odyssey*.<sup>8</sup> This, of course, raises the question about whether Greek literary classics influenced Jewish and Christian communities in how they formed their scripture collections. That is our focus below.

Niehoff raises questions about the comparisons between these two literary collections, including the tendency among scholars toward "parallelomania" (the temptation to find parallels between biblical and nonbiblical texts everywhere, and perhaps even where they are not), but contends that there are parallels worth exploring since the Greek Bible, first translated in Alexandria, appears to have similarities with scribal methods employed in the Alexandrian library.<sup>9</sup> It is worth noting that Origen, a resident of Alexandria, made considerable use of Alexandrian scribal practices in his *Hexapla*, six-parallel columns of contemporary Greek and Hebrew texts of the Jewish scriptures. Likewise, Athanasius, also from Alexandria, was the first to employ the term "canon" to describe a fixed collection or listing of Christian scriptures. Some of the parallels, as we will see, cannot be ignored even if comparisons between Alexandrian and Judeo-Christian canons are not exact.<sup>10</sup>

Since both Jewish and Christian writers of Late Antiquity show considerable familiarity with Hellenistic literature and several scribal practices, NT scholars have refocused attention on a number of the parallels between biblical and Hellenistic literature. Some scholars think Dennis R. MacDonald's suggestion that several NT books were written as Christian imitations of Homer goes too far in its comparisons,<sup>11</sup> but there is nonetheless merit in several of his arguments.

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<sup>8</sup> I will return to the importance of this number and its influence on the formation of the HB below. For a fuller treatment of this, see the helpful work of Tessa Rajak, *Translation and Survival: The Greek Bible of the Ancient Jewish Diaspora* (Oxford: Oxford University Press, 2009). Rajak focuses, not only on its origin and influence among Diaspora Jews and the Homeric influence on the rabbinic tradition (239–54), but also among non-Jews and non-Christians in antiquity (264–77).

<sup>9</sup> Niehoff, "Why Compare Homer's Readers to Biblical Readers?" 3–5.

<sup>10</sup> A helpful and accessible resource on many of these parallels is Evans, ed., *Bible Knowledge Background Commentary*. For citations of and parallels with Hellenistic influences in NT writings and examples of Hellenistic influence in early Christianity, see in that volume Lee M. McDonald, "Acts," 2:19–194; "1 Corinthians," 2:245–366; "2 Corinthians," 2:367–457; and "Galatians," 2:459–538; including other works throughout these three volumes. Also helpful in this regard is M. Eugene Boring, Klaus Berger, and Carsten Colpe, eds., *Hellenistic Commentary to the New Testament* (Nashville: Abingdon, 1995); and Arnold, ed., *Zondervan Illustrated Bible Background Commentary*. These resources show numerous parallels between early Christianity and its sacred writings with the ancient Hellenistic literary sources.

<sup>11</sup> See his *The Homeric Epics and the Gospel of Mark* (New Haven, CN: Yale University Press, 2000), in which he claims that Mark imitated Homeric epic to depict Jesus as superior to Homer; see also his *Christianizing Homer: "The Odyssey," Plato, and "The Acts of Andrew"* (New York: Oxford University Press, 1994), that shows how early Christian writers made use of the models in Homer. More recently, see his *Does the New Testament Imitate Homer? Four Cases from the Acts of the Apostles* (New York: Yale University Press, 2003), in which he argues that Acts of the Apostles imitates four famous passages in Homer, namely the visions of Cornelius and Peter (*Iliad* 2), Paul's

The later rabbinic sages show that Homer was quite familiar among the Jews since they often compared their sacred scriptures with the writings of Homer. For example, in the Mishnah we read:

The Sadducees say, “We cry out against you, O ye Pharisees,” for ye say, “the Holy Scriptures render the hands unclean,” [and] “The writings of Hamiram [Homer] do not render the hands unclean... Even so the Holy Scriptures: as is our love for them so is their uncleanness; [whereas] the writings of Hamiram [Homer] which are held in no account do not render the hands unclean. (*m. Yad. 4:6*, Danby)<sup>12</sup>

Josephus’ familiarity with the writings of Homer can be seen in his reference to an earlier edition of Homer and other Greek writers in his defense of the Jews (*Against Apion*). With a touch of sarcasm Josephus argues for the superiority of the Jewish writings over Homeric writings as well as over other Greek writers in terms of the accuracy and specificity of books involved.<sup>13</sup> He refers to the poor quality of the editing and preservation of Homeric writings, and even shows an awareness of the *legend* of the Peisistratus recension of Homer<sup>14</sup> (ca. 550–525 BCE) that reportedly attempted to correct and produce an accurate edition of the Homeric texts. Josephus emphasized the poor quality of the surviving text of Homer as follows:

The land of Greece, on the contrary, has experienced countless catastrophes, which have obliterated the memory of the past; and as one civilization succeeded another the men of each epoch believed that the world began with them. They were late in learning the alphabet and found the lesson difficult; for those who would assign the earliest date to its use pride themselves on having learned it from the Phoenicians and Cadmus. Even of that date, no record, preserved either in temples or on public monuments, could now be produced; seeing that it is a highly controversial and disputed question whether even those who took part in the Trojan campaign so many years later made use of letters, and the true and prevalent view is rather that they were

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farewell at Miletus (*Iliad* 6), the selection of Matthias (*Iliad* 7), and Peter’s escape from prison (*Iliad* 24). While many will disagree with some of MacDonald’s conclusions, he has nevertheless demonstrated awareness of Homeric traditions in biblical literature.

<sup>12</sup> For a discussion of the rabbinic attitudes toward the Septuagint and its use among Diaspora Jews, see Timothy M. Law and Alison Salvesen, *Greek Scripture and the Rabbis*, CBET 66 (Leuven: Peeters, 2012). See also Law’s more recent book, *When God Spoke Greek*, in which Law speaks not only of the influence of the Septuagint on Christians, but also among Diaspora Jews and even the rabbis.

<sup>13</sup> See Josephus’ discussion of Homer later in his *Ag. Apion* 1.37–46. This whole pivotal passage is below in Chapter 10 §I.

<sup>14</sup> Peisistratus – or Pisistratus (Greek = *Peisistratos*), frequently called the “tyrant of Athens,” is reportedly the first to bring the various uncollected texts from Homer’s writings together to form an early edition of the *Iliad* and *Odyssey*. He supposedly employed grammarians to edit those texts and produce a standard text of the *Iliad* and *Odyssey*. The stories of this recension are clouded with propaganda and care is needed to discern any historical facts related to it. It appears, however, that Peisistratus was anxious to produce a standardized text of Homer’s works and to make them available in a public library. The relevance of this is discussed more in the next section.

ignorant of the present-day mode of writing. *Throughout the whole range of Greek literature no undisputed work is found more ancient than the poetry of Homer.* His date, however, is clearly later than the Trojan war; and even he, they say, did not leave his poems in writing. *At first transmitted by memory, the scattered songs were not united until later;* to which circumstance the numerous inconsistencies of the work are attributable.” (*Ag. Apion* 1.12–13, LCL, emphasis added)

Josephus argues for the superiority of the Jewish scriptures over their literary rivals, the Greeks, and especially Homer (see also *Ag. Apion* 1.19 and later in 37–43). Earlier we saw that Carr spoke of Hasmonean attempts to show that the Jewish sacred writings antedated the Hellenistic treasured writings, reflecting their superiority.<sup>15</sup>

The Greco-Roman models or standards (canons) noted earlier that were reflected in standard collections of lyric and epic poets could well have served as a model or guide for forming the collections of Jewish and Christian Scriptures. While many of the Alexandrian literary collections that functioned as literary models were *somewhat* fixed, they could be expanded if subsequent excellent literary contributions emerged. When the later Jewish and Christian biblical canons were fixed, however, nothing else could be added to them. Biblical canons that often took centuries to establish, including a time of expansion and subsequently contraction, were finally fixed standard authoritative sacred texts that offered guidelines for belief and practices to follow. Like subsequent authors who followed closely these established literary patterns and models in their writing, Jews and Christians also followed the “standards” of their sacred traditions in their selection of sacred scriptures. For the Jews, the core tradition, as James Sanders showed above, includes the exodus, wilderness journey, and entrance into the land of Canaan. For the Christians, it included the traditions about Jesus’ life, ministry, teachings, death, and resurrection. Although the Hellenistic literary canons could be expanded with subsequent perceived high quality writings, that was not the case for Jewish and Christian biblical canons that tended toward reduction rather than expansion when discussions of canon emerged in both communities. Their sacred core traditions, however, did expand the Exodus, wilderness wanderings, and entrance traditions with the additions of the book of Genesis and the giving of the Law at Sinai. Again, as noted earlier in Chapter 3 §III, the possible influence of the Alexandrian catalogues, or *pinakes* (Gk. *πινακίς* or *πινακές*), on the notion of sacred catalogues or lists of inspired sacred books in the Jewish and Christian collections of sacred scriptures have some significant parallels.<sup>16</sup>

Despite Athanasius’ use of the term “canon” for a collection of sacred Christian Scriptures, the designation was not regularly used in reference to a *closed* collection of writings until David Ruhnken used it this way in 1768. In his treatise entitled *Historia critica oratorum Graecorum*, he employed “canon” for a select

<sup>15</sup> Carr, *Formation of the Hebrew Bible*.

<sup>16</sup> See also a more complete discussion of this in McDonald, “Hellenism and the Biblical Canons.”



list of literary writings. According to Pfeiffer, “his coinage met with worldwide and lasting success, as the term was found to be so convenient.” He adds that this unusual use of canon or *kanon* for a Scripture collection comes from the biblical traditions rather than from the ancients, who did not use it in reference to a standard list.<sup>17</sup> Pfeiffer suggests that Ruhnken likely discovered this use in the biblical tradition and not in antiquity and notes that *pinakes* is more commonly used of catalogues or lists than canon. Pfeiffer concedes that while he usually avoids using “canon” in his work, it is nevertheless appropriate to speak of an “Alexandrian canon” of the nine lyric poets, concluding: “the expression is sanctioned by its age and convenience, and will, I am afraid, never disappear. But if one calls such lists ‘canons,’ one should be aware that this is not the proper significance of the Greek *κανών* but a modern catachresis that originated in the eighteenth century.”<sup>18</sup> He is correct in this and this confusion on the use of the term probably accounts for the different definitions of canon employed by biblical scholars today. Some focus on the original meaning of the term, namely function or rule or authority, while others focus on the final shape of the Jewish and Christian scriptures that led to its derived meaning of authoritative catalogue of sacred scriptures. However, lists (*pinakes*, Gk. *πινακίς* or *πινακές*) of model and authoritative literary writers are not far from lists of authoritative scriptural texts. While it is tempting to think that what has become commonplace in modern religious jargon was also true in antiquity, that is simply not the case.<sup>19</sup> The ancient use of the term *pinakes* was not equal to the term canon, but *generally* both were eventually used to identify standard authoritative writings of antiquity, and in the case of Christian Scriptures that eventually formed a Bible, the lists were of authoritative collections of Scriptures. The notion of catalogues or lists of authoritative sacred books as canons (rules or models) that identify Christian faith are present, with the possible exception of Origen in the third century, only starting in the fourth century.

Some scholars object to any connections between *pinakes* and the way that *kanōn* eventually came to be used. They sometimes appeal to the Alexandrian library *pinakes*, the famous 120-volume catalogue of books compiled by Callimachus in the third century BCE. Callimachus’ *Pinakes* generally dealt with literary and not sacred texts, but in the case of Homer a clear exception was made. The parallels with the Jewish and Christian interest in collections of sacred texts may not be exact, but they also may not be negligible. Jed Wyrick asserts that “the Greek poetic contest is not the model by which the drawing up of definitive lists of

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<sup>17</sup> Pfeiffer, *History of Classical Scholarship*, 207.

<sup>18</sup> Ibid.

<sup>19</sup> For a helpful discussion of the background on the use of the term *kanōn* for a collection of Scriptures, see Robbins, “Eusebius’ Lexicon of ‘Canonicity,’” who claims that Eusebius never used the word canon as it is currently employed in modern times in reference to a fixed collection of sacred Scriptures. He also suggests that the list of Origen’s OT canon is Eusebius’ invention. That may not be the case, as I will show in Chapter 16 §§V and VI, but Origen did speak of the number twenty-two only in reference to the books of the Jewish Scriptures, and not his own collection of OT scriptures.

scriptures can be analyzed,”<sup>20</sup> but the notion of model is not far removed from what is involved in reading a sacred text or establishing a collection of such texts.

Callimachus not only listed the authors and their subjects, but also included comments about the authors and their work, including the quality of their work. Aristarchus later criticized Callimachus for placing Cassandra among the paeans,<sup>21</sup> which suggests that Callimachus also analyzed and classified the writings in the library. He may well have made use of Aristotle’s earlier listing of plays at the Athenian festivals of the City of Dionysia and Lenaea (*Didaskaliai*) and earlier Aristotle may have depended on the historian Hellanikos of Lesbos (ca. 450–400 BCE). Hellanikos made a list of the victors in the Karneian (*Karneonikai*) games at Sparta that were devoted to Apollo and included not only athletic games, but also contests in poetry and music. Hellanikos also produced a catalogue of the mythical and historical priestesses of Hera in Argos (*Hiereiai tes Heras Hai En Argei*).<sup>22</sup> While Callimachus produced a complete listing of the holdings in the library and entitled his work *Pinakes*, this does not contradict the fact that the library housed standard literary texts of the ancient world that were also included in the *pinakes*. Since others used *pinakes* for a collection of literary writers who followed acceptable standards, this may not be far removed from how canon came to be used. Archilochus was *the* iambic poet, Homer *the* epic writer, and Pindar *the* standard for lyric poets. As Pfeiffer cautions, to deny the existence of selective lists alongside the complete *Pinakes* produced by Callimachus is to miss the importance of a select number of books that did exist as standards. He claims that this list of the nine poets “became authoritative in the same way as his [Aristophanes’] terminology, classification, and colometry.”<sup>23</sup> The order might differ, but the actual names were the same in all the Hellenistic epigrams and prose lists until the latest Byzantine times.”<sup>24</sup>

At the end of the canonical processes, the writings included in scriptural collections were looked upon as inviolable and were called the churches’ “Holy Scriptures.” In the early more fluid stages of canon development, however, some of the writings that were used in the churches’ worship and mission were discarded when churches and synagogues were no longer used and they were no longer copied or kept in sacred collections. The books that still had favor among the believing communities, even if for a short time, nevertheless impacted the life,

<sup>20</sup> Wyrick, *Ascension of Authorship*, 353.

<sup>21</sup> A *paeon* was a Greek hymn of praise or thanksgiving in honor of Apollo or other divine beings.

<sup>22</sup> See a discussion of this in Gregory Nagy, “The Library of Pergamon as a Classical Model,” in *Pergamon: Citadel of the Gods*, ed. H. Koester, HTS 46 (Harrisburg, PA: Trinity Press International, 1998), 185–232. For a discussion of these earlier lists, see also Wyrick, *Ascension of Authorship*, 285–91.

<sup>23</sup> Colometry was the ancient arrangement of texts in terms of a single clause of nine to sixteen syllables. Manuscripts were often written this way to facilitate public readings. Codex Bezae (D) was written in colometry.

<sup>24</sup> Pfeiffer, *History of Classical Scholarship*, 205.

worship, conduct, dogma, and mission of these communities. By the middle to late second century CE, some Jews began to arrange their Scriptures in a tripartite collection, namely, Law, Prophets, and Writings, but later Christians, perhaps depending on the arrangement of the LXX Scriptures, classified the same books in four parts, namely, Law, History, Poetry and Wisdom, and Prophets (for a discussion of these divisions, see Chapter 8 §V and Chapter 11 §II).

## II. ARISTEAS AND THE ORIGIN OF THE GREEK BIBLE

Since the act of translation highlights the significant value of the books that are translated, the Greek translation of the Jewish Scriptures is important for understanding the development of the biblical canon. Most diaspora Jews could not speak Hebrew and it was eventually decided that a translation of their sacred scriptures would be especially helpful for their worship and instruction. The books that were initially translated (the Pentateuch) allow us to view the development of the Jewish scriptures at an early stage (ca. 281–280 BCE) and also see the high value the translators placed on the Pentateuch. The earliest Greek translation initially included only the Pentateuch, but eventually the rest of Jewish Scriptures including some of the later designated “apocryphal” writings were also included. This translation significantly influenced not only Diaspora Jews living outside of Palestine, but also Hellenistic Jews who migrated back to Palestine and were more comfortable using the Greek language (Acts 6:1–3) than Hebrew or Aramaic.

This first translation of the Hebrew Scriptures reportedly came at the instigation of Ptolemy II of Alexandria.<sup>25</sup> Demetrius of Phalerum, his chief librarian, compiled the largest library in the ancient world with estimates of up to 500,000 volumes. While most scholars acknowledge the legendary and apologetic nature of the *Letter of Aristeas*, some scholars also acknowledge that some elements in the letter reflect some authenticity. For instance, the author of that letter claims that Demetrius requested that the king include in his library a copy of the Jewish Scriptures, but noted that they would need to be translated by competent persons before being placed in the sacred “Museum” (or royal library) in Alexandria. It may be that the Jews themselves initiated this translation,<sup>26</sup> and Diaspora Jews subsequently made considerable use of it in synagogues in the Mediterranean world. As noted earlier, the initial translation of the Jewish Scriptures was only of the Law or Pentateuch, but in time it was expanded to include other sacred

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<sup>25</sup> It is, of course, likely that some translation from Hebrew to Aramaic took place earlier when the returning remnant of Jews from Babylon heard the scriptures (the Law of Moses) from Ezra (Neh 8:8).

<sup>26</sup> See Nina Collins, *The Library in Alexandria and the Bible in Greek* (Leiden: Brill, 2000), 117–37, who argues this point convincingly and describes the Greek translation of the Law that was placed in the Alexandrian library.

writings of the Jews, some of which (apocryphal and pseudepigraphal books) did not eventually make it into the final corpus that comprised the Hebrew Bible and the Protestant Old Testament. The initial translation is generally known as the “Septuagint” and is regularly abbreviated “LXX.”<sup>27</sup> Later, this designation was applied to all of the literature in the Old Greek Bible.

The Scriptures of most of the early Christians and the LXX varied both in content and order or sequence from the HB and included a larger collection of books than those included in the later HB. Some scholars have argued that the early Christians simply adopted a longer Alexandrian biblical canon that included some of the apocryphal and pseudepigraphal writings. As we will see below, that view and most of its arguments have been sufficiently dismantled by Albert Sundberg who showed conclusively that the Bible at Alexandria was probably smaller than the one adopted by the Jews in the land of Israel and that the so-called Alexandrian canon actually never existed.<sup>28</sup> If Philo’s example of scriptural citation is any measure of the scriptures that Alexandrian Jews held in high esteem, then they evidently had an even more limited sacred collection than Jews in Palestine. Philo, as we saw earlier, cites the OT scriptures over 1150 times but in 1100 of those

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<sup>27</sup> The traditional name given to the Greek translation of the Palestinian sacred scriptures is the “Septuagint,” or its more frequent designation “LXX” (= seventy). It is commonly believed that the term derives from the tradition passed on in the *Letter of Aristeas* that there were *seventy-two* translators (six from each of the twelve tribes of Israel) who worked on the translation. Lohse, *New Testament Environment*, 129, suggests that the number “Seventy-Two” could have been rounded off to “seventy,” hence “Septuagint,” but it is also quite possible that the number LXX derives from the tradition of the seventy elders of Exod 24:1, 9 who accompanied Moses and Joshua (hence 72?) to Mount Sinai where he received the Law from Yahweh on tablets of stone. See Helmut Koester, *Introduction to the New Testament*, 2 vols., 2nd ed (New York: de Gruyter, 1995–2000), 1:252; Wevers, “Septuagint,” 4:273; and A. R. C. Leane, *The Jewish and Christian World, 200 B.C. to A.D. 200*, Cambridge Commentaries 7 (Cambridge: Cambridge University Press, 1984), 153. If this is the case, then the use of the term Septuagint could well be an acknowledgment of the early belief in the divinely inspired status of the translation, that is, it authentically and faithfully conveyed the full intent of the law given to Moses who was accompanied by the seventy elders. The number seventy-two is elusive, however, and could be a reference to the seventy elders of Israel plus Moses and Joshua who went up to the mountain to receive the Law (Exod 24:13). This is speculative, of course. Interestingly, there is also a parallel that is mentioned in the legend of the preservation of the works of Homer by the seventy-two grammarians under the direction of Peisistratus ca. 550–525 BCE. It is not certain which tradition came first, Aristeas or the Peisistratus’ recension of Homer. According to the author of the Prologue to *Sirach* (grandson of Sirach?) by ca. 130 BCE, the Prophets and some other sacred Jewish writings were likewise translated into the Greek language, a tacit implication of their sacredness.

<sup>28</sup> Albert C. Sundberg, “The Old Testament of the Early Church,” *HTR* 51 (1958): 205–26; *The Old Testament of the Early Church* (Cambridge, MA: Harvard University Press, 1964); “Symposium on the Canon of Scripture: 2. The Protestant Old Testament Canon: Should It Be Re-examined?,” *CBQ* 28 (1966): 194–203; “The Old Testament: A Christian Canon,” *CBQ* 30 (1968): 403–9; and “The Septuagint: The Bible in Hellenistic Judaism,” in McDonald and Sanders, eds., *The Canon Debate*, 68–90.

instances he cites only books in the Pentateuch and only occasionally refers to other Jewish scriptural texts. The early Christians, however, adopted the broader collection of religious texts circulating in *Palestine* in the early first century before their separation from Judaism and the synagogue (ca. 62–35). As we will see, even larger collections of Jewish sacred texts in that region have been found among the Dead Sea Scrolls at Qumran.

The legendary *Letter of Aristeas* (ca. 130 BCE<sup>29</sup>) is an important early text that assumes the inspiration and authority of the Pentateuch and tells of its translation from a Hebrew antecedent into Greek at the request of King Ptolemy II Philadelphus of Egypt (ca. 285–246 BCE), the earliest known tradition of the translation of the Pentateuch into Greek. This translation will be discussed in more detail in the next two chapters, but for now it is important to acknowledge that it included initially only the Pentateuch and no other sacred Jewish books. This points not only to the primacy of the Torah or Law, but also suggests that the Prophets had not yet become an identifiable and widely accepted body of sacred prophetic texts. That begins to change in the latter part of the second century BCE, as we see in the Prologue to Sirach.

In the *Letter of Aristeas*, the books of Moses are for the first time specifically called “scripture” in the sacred sense of this designation. This does not suggest that those sacred texts were not viewed as scripture earlier, but only that this common term for identifying scripture is first seen in this *Letter*. Its author states: “So we are exhorted *through scripture* also by the one who says thus, ‘Thou shalt remember the Lord, who did great and wonderful deeds in thee’” (*Let. Aris.* 155, *OTP* 2:23, emphasis added). This so-called letter was not actually a letter. It was first designated as such in the fourteenth-century Codex Regius (Q) and is

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<sup>29</sup> For more than 400 years, scholars have rejected the authenticity of the Aristeas account of origins of the Septuagint, and no one today seriously believes that it is an eyewitness account of the events it describes. On the other hand, while many of its fictitious stories are intended to argue for the inspired status of the Greek Old Testament, most scholars agree that some of its features are probably genuine (listed in the text above). The *Letter of Aristeas* has been dated as early as 200 BCE, but most scholars date it between 130 BCE and as late as 70 CE, with some suggesting 35 BCE, the *terminus ad quem* since it is referred to by Philo. Natalio Fernandez Marcos, *The Septuagint in Context: Introduction to the Greek Versions of the Bible* (Leiden: Brill, 2001), 40–41, suggests a slightly later dating of this document claiming that it best fits between 122 and 118 BCE, but the latest possible times are ca. 35 CE when Philo refers to the Aristeas tradition (*Moses* 2.32–40) and after 70 CE when Josephus rewrites the letter in his *Antiquities* 12.12–118. For a discussion of its origins, see Herbert Andrews in R. H. Charles, ed., *The Apocrypha and Pseudepigrapha of the Old Testament*, 2 vols. (Oxford: Clarendon, 1913), 2:83–93; Zuntz, “Aristeas,” *IDB* 1:219–21; R. J. H. Shutt, *OTP* 2:7–11; Fernández Marcos, *Septuagint in Context*, 18–51; Hengel, *Septuagint as Christian Scripture*, 19–56; R. T. McLay, *The Use of the Septuagint in New Testament Research* (Grand Rapids: Eerdmans, 2003), 100–136; and K. H. Jobes and M. Silva, *Invitation to the Septuagint* (Grand Rapids: Baker, 2000), 19–44.

identified as a “narrative” written to Philocrates the brother of Aristeas (*Let. Aris.* 1,121). The narrative was well known in antiquity, especially by Philo in the first century CE who was aware of it, but he does not identify it by name (*Moses* 2.27–44, especially 31–33 and 37). The so-called *Letter* clearly had an important influence on late Second Temple Judaism<sup>30</sup> and early Christianity, and it tells in legendary fashion about the creation of the Greek translation of the Jewish “law” in Egypt. According to the *Letter of Aristeas*, an earlier attempt at translation was deemed unworthy, and so a more accurate translation was needed:

Scrolls of the Law of the Jews, *together with a few others*, are missing (from the library), for these (works) are written in Hebrew characters and language, according to the report of the experts, because they have not received royal patronage. *These (books)* also must be in your library in an accurate version because this legislation, as could be expected from its divine nature, is very philosophical and genuine. (*Let. Aris.* 30–31, *OTP* 2:14–15, emphasis added)

After the new translation of the “whole Law” (309–310) had been prepared, the writer says that a curse was put “on anyone who should alter the version by any addition or change to any part of the written text, or any deletion either” (*Let. Aris.* 311, *OTP* 2:33). This is similar, of course, to Deut 4:2 (cf. Deut 12:32 and Rev 22:18–19), which reminded the Jews of the sacredness of that inspired text by a charge against making any changes in it. Several terms used to describe the writings of Moses in the *Letter of Aristeas* suggest that the books translated were indeed acknowledged as sacred Scripture. For example, the writings are called “divine law” (*Let. Aris.* 3), “sacred law” (5, 45), “Law” (142, 176, 310), “scrolls of the Law of the Jews” (30), and “in the book [ἐν τῇ βίβλῳ]” (316). Although some translate this as “in the Bible,” namely a reference to a larger collection of sacred books, that was not intended here and is much too soon as we saw earlier. This same designation is used in the story of a poet named Theodectus, who was about to include a passage from the Law in his play, but was reportedly afflicted with cataracts of the eyes because he had tried to add to what is written “in the book.” This text is the first *known* time that the word “Bible” or “book” singular is used in reference to the Jewish Scriptures.<sup>31</sup> But was this an antecedent to what came later? That is doubtful. Philo’s description of the remarkable translation reflects also his awareness of the *Letter of Aristeas*. He writes:

Sitting here [on the island of Pharos] in seclusion with none present save the elements of nature, earth, water, air, heaven, the genesis of which was to be the first theme of their sacred revelation, for the laws begin with the story of the world’s creation, they became as it were possessed, and, under inspiration, wrote, not each several scribe something different, but the same word for word, as though dictated to each by an invisible prompter. (*Moses* 2.37, LCL)

<sup>30</sup> For a discussion of the term “Second Temple” see Chapter 1 n. 22.

<sup>31</sup> R. J. H. Shutt, “*Letter of Aristeas*,” *OTP* 2:34 n. 3, makes this claim.

Although the biblical books referred to in the *Letter* are not specifically mentioned by name, the parallels are all with the Pentateuch<sup>32</sup> and the writer used such terms as “the divine law” (3), “the laws of the Jews” (10), “the law” (176, 313); “the books” (176, 317), “the entire law” (309), and “the rolls” (179, 310). See also “the holy law” (5), “the law” (122, 168), “the scripture” (155, 168) and “the book” (316).<sup>33</sup> The only references in the whole Aristeas narrative are to matters found in the Pentateuch, such as the allegorical interpretation of aspects of dietary and cleanliness issues (see 139–155). Also, the only person referred to in regard to the “law” was Moses (see 144), so it is reasonably certain that we are only talking about the translation of the Pentateuch in this letter. In the closing parts of this narrative, the whole of the translation was read to Demetrius who read it also to an assembled company of Jews (see 308–310). Reading the whole of the Pentateuch in one sitting is hardly possible and would only have been done in multiple settings. If other books, such as the Former Prophets (Joshua to 2 Kings), were intended by the author, that would be a near impossible task! And, for that matter, neither would the reading of the whole Pentateuch on one occasion, as Lim has shown.<sup>34</sup>

Jerome, early fifth century CE, confirms the initial limited scope of the LXX and underscores that the initial translation of the Septuagint only included the Pentateuch and that subsequently many errors of translation crept into the translation. Citing Josephus, he writes: “Josephus, who gives the story of the Seventy Translators (LXX), reports them as translating only the five books of Moses; and we also acknowledge that these are more in harmony with the Hebrew than the rest” (Jerome, *Preface to the Book of Hebrew Questions – Quaest. Heb. in Gen.* in PNF trans., p. 486). We will return to the significance of the Septuagint (LXX) and the *Letter of Aristeas* for canon formation later, but for now, despite the legendary reports of the formation of the LXX, it is likely that aspects of this narrative have some historical value, including what books were likely translated.<sup>35</sup>

<sup>32</sup> Although some have suggested that not only the laws of Moses or the Pentateuch were translated at this time, but other HB books as well, the preference in Philo, *Moses* 2.37, indicates that the translation began with the story of creation, clearly the Genesis story, and only Pentateuch books are alluded to in the *Letter of Aristeas*. It was not the broader scope of the Jewish scriptures intended here, such as the prophets. That took longer.

<sup>33</sup> These references are also conveniently listed in Lim, *Formation of the Jewish Canon*, 68–69.

<sup>34</sup> Ibid. Quite apart from the implausibility of reading the whole of the Pentateuch, that includes some 5,845 verses, in one setting even at a very rapid pace, the rest of the books of the HB could not be read out loud in one or more days at a rapid pace. Lim makes this observation in regard to Ezra reading the Law to the people with interpretation (Neh 8:3–8) in the six hours mentioned in the text that it would require reading 16 verses a minute for six hours to complete! If other books were added to the Pentateuch in the case of the Aristeas narrative, it would not be possible to read the whole of the HB to the people in less than several days!

<sup>35</sup> Rajak, *Translation and Survival*, devotes considerable space to an analysis of this important artifact from antiquity dating it sometime in the second century BCE and reflecting one of the purposes of the document, namely to show how well the Jews did under the Ptolemies (pp. 15–66, 73–91, 125–52, 232–34, 239–43). This seems also to be Josephus’ intention in his longer description of the translation in *Ant.* 12.12–118.

The LXX may not be the first Greek translation, but it was by far the best known in antiquity. It became the standard Greek translation of the Jewish Scriptures first for the Jews in the Diaspora, and subsequently also for the Christians. Other translations of the Jewish scriptures were also known in antiquity. While we are uncertain of the dating and location of earlier Greek translations, some were likely circulating earlier but they did not have credibility with the Jews. The report in the Aristeas account about earlier and faulty translations of the Torah into Greek seems to support this conclusion:

Scrolls of the Law of the Jews, together with a few others, are missing (from the library), for these (works) are written in Hebrew characters and language. But they have been *transcribed*<sup>36</sup> somewhat carelessly and not as they should be, according to the report of the experts, because they have not received patronage. These (books) also must be in your library in an accurate version, because this legislation, as could be expected from its divine nature, is very philosophical and genuine. (*Let. Arist.* §§30–31, *OTP* trans., emphasis added)<sup>37</sup>

As all scholars acknowledge, the Aristeas document has many well-known legendary features that are highly improbable, but it may nevertheless retain some reliable historical features related to the origin of that translation.<sup>38</sup> For example, it reports that this major project began in Alexandria, Egypt sometime during or shortly after the reign of Ptolemy II Philadelphus (ruled 285–246 BCE). Several scholars put it around 250 BCE, but it could also have been earlier. The *Letter of Aristeas* claims that Ptolemy II wanted to develop one of the largest libraries in the ancient world and took considerable measures at great expense to acquire all of the best-known classic writings. Ptolemy II reportedly had copies made of all of the volumes that he could acquire. By the mid-to-late-third century BCE, the Alexandrian library may have exceeded well over half a million volumes, and it was likely the largest known library at that time.

The *Letter of Aristeas* claims that Ptolemy II also wanted to have a copy of the Law of Moses translated into Greek and placed in his library. The author claims that he took remarkable steps to insure the quality and integrity of the translation. Eventually this translation became known as the LXX. The LXX was likely started sometime in the first quarter of the third century BCE and

<sup>36</sup> The author of the *Letter of Aristeas* may refer here to previous inferior translations of the Law into Greek (§§30–31), but scholars debate this. The word “transcribed” [Greek = *σεσήμανται*] is uncertain and may only mean “interpreted” as the text suggests somewhat carelessly. But see also §314 that tells of a certain Theopompus who was “about to quote in a misleading way some of the previously translated passages from the Law, he had a mental upset for more than thirty days...” (*OTP*).

<sup>37</sup> The notes on this text in the *OTP* 2:14, do not agree with my conclusions here, but the context in light of §314 refers to “previously translated passages from the Law”, see 2:33.

<sup>38</sup> For a positive assessment of some of the historical aspects of the *Letter of Aristeas*, see N. L. Collins, *Library in Alexandria*. I follow her dating of the first Greek translation of the Hebrew scriptures. See 55–56.



was produced in Alexandria by Jews using a Hebrew antecedent from Jerusalem that included only the Pentateuch.<sup>39</sup> The *Letter* reflects a generally favorable acceptance of Jews in that vicinity. As noted above, the original translation was only of the Pentateuch, but by 100 BCE, most, if not all of the other HB books, as well as others also, were translated into Greek. A larger collection of translated HB books into Greek is mentioned in the Prologue to Sirach that speaks of the Law, “prophets,” and “others” in that collection. The *Aristeas Letter* defends the importance of the Jewish Scriptures and reflects awareness of a significant Jewish activity in royal levels in Alexandria in the third century BCE. The *Letter of Aristeas* unquestionably is propagandistic and apologetic making a case for the inspiration and reliability of the LXX. However, it probably reports fairly that the translation began when Palestine was under the rule of the Egyptian Ptolemies and that bilingual Jews probably from Jerusalem produced it in Egypt during the expansion of the Alexandrian library. The *Letter* also reflects the good relations between Alexandria and Jerusalem when the translation was made and that Hebrew manuscripts from Jerusalem (likely stored in the Temple) were employed in the project. It probably correctly reports that capable Jewish scholarship from Jerusalem was employed in the translation.<sup>40</sup> After the major revision of the two primary works of Homer that took place in Alexandria, it may be that a revised translation of the Hebrew Scriptures was also considered necessary because of the “somewhat carelessly” prepared earlier version(s) of the Law (see *Let. Aris.* 30–31).

It is difficult to substantiate Aristeas’ claim that the king of Egypt himself contacted the high priest in Jerusalem requesting six skilled translators from each of the twelve tribes of Jews to come to Alexandria to translate the Hebrew Scriptures into Greek. That seventy-two translators came to Egypt and finished their task in seventy-two days – with each translator’s work being exactly like that of the others is – most agree, over the top and without credibility! The further claim that this translation was miraculously accomplished with the help of God and could not be changed or altered is an ancient way of acknowledging its inspired status. Kahle observes that the reference to the inviolability of the Greek translation (*Let. Aris.* 310–11) was a way of speaking about its inspired and sacred status.<sup>41</sup> The *Letter of Aristeas* commends this translation thusly:

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<sup>39</sup> The term Pentateuch (Gk. πεντάτευχος, “five-volume [book]”) is a late designation for the five books of Moses and it appears for the first time in the early church in the gnostic *Letter to Flora*, when Ptolemy admonishes Flora (possibly a reference to the Roman church) that “you must learn that the Pentateuch of Moses was not ordained by one legislator – I mean, not by God alone; some commandments are Moses’, and some were given by men” (W. Barnstone, *The Other Bible: Jewish Pseudepigrapha, Christian Apocrypha, Gnostic Scriptures, Kabbalah, Dead Sea Scrolls* [San Francisco: Harper, 1984], 622).

<sup>40</sup> The Greek translation of the Law was undoubtedly an Alexandrian project, but the writer of the *Letter of Aristeas* may be correct in stating that help for the project came from Palestine.

<sup>41</sup> Kahle, *Cairo Geniza*, 211–12.

When the work was completed, Demetrius collected together the Jewish population in the place where the translation had been made, and read it over to all, in the presence of the translators, who met with a great reception also from the people, because of the great benefits which they had conferred upon them. They bestowed warm praise upon Demetrius too, and urged him to have the whole law transcribed and present a copy to their leaders.

After the books had been read, the priests and the elders of the translators and the Jewish community and the leaders of the people stood up and said, that since so excellent and sacred and accurate a translation had been made, it was only right that it should remain as it was and no alteration should be made in it. And when the whole company expressed their approval, they bade them pronounce a curse in accordance with their custom upon any one who should make any alteration either by adding anything or changing in any way whatever any of the words which had been written or making any omission. This was a very wise precaution to ensure that the book might be preserved for all the future time unchanged. (*Let. Aris.* 308–311, trans. by R. H. Charles, *Apocrypha and Pseudepigrapha*, 2:121)

The apologetic tone of the *Letter of Aristeas* suggests that it may also have been a defense against the LXX's later opponents. Both Philo and Josephus cited Aristeas with approval and modifications in defense of the translation. Philo, for example, writes:

Sitting here (on the island of Pharos [the alleged site of the translation work]) in seclusion... they became as it were possessed, and, under inspiration, wrote, not each several scribe something different, but the same word for word, as though dictated to each by an invisible prompter... The clearest proof of this is that, if Chaldeans have learned Greek, or Greeks Chaldean, and read both versions, the Chaldean and the translation, they regard them with awe and reverence as sisters, or rather one and the same, both in matter and words, and speak of the authors not as translators but as prophets and priests of the mysteries, whose sincerity and singleness of thought have enabled them to go hand in hand with the purest of spirits, the spirit of Moses. (Philo, *Moses* 2.37–40, Kahle trans., *Cairo Geniza*, 215)

Kahle observes further that Philo did not know sufficient Hebrew (which he calls Chaldean) to be able to make such claims about the similarities or differences in the Hebrew and Greek texts of Scripture, but the LXX had become widely accepted as an inspired translation long before Philo. His euphoric comments point to the elevated status of the translation among Diaspora Jews in the early first century CE and also to an acceptance of Aristeas' defense of it. Kahle, however, states what scholars of the Greek Bible and the HB already know well, namely that there are numerous and significant differences between the text in the HB and LXX.<sup>42</sup>

The Aristeas legend was known and cited with approval and sometimes by expansion by several early church fathers including Justin (*Dial.* 78; *I Apol.* 1.31), Irenaeus (*Haer.* 3.21.2; preserved also in Eusebius, *Hist. eccl.* 5.8.11–15), Clement of Alexandria (*Strom.* 1.22.148; 1.149.3), Tertullian (*Apologeticus* 18.5–9

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<sup>42</sup> Ibid., 215.

and 19.5–9), Pseudo-Justin (*Cohortatio ad Graecos*),<sup>43</sup> Eusebius (*Praeparatio Evangelica* 8.1.8 and 8.2.1), and Augustine (*Letter* 71). They all welcomed the *Letter* as support of the inspiration of the church's Greek OT Scriptures. Origen and Jerome appear to be the first early church scholars – and for a while the only ones – to doubt the claims of the *Letter of Aristeas*.<sup>44</sup> Eusebius reports a tradition from Irenaeus regarding the origins and recognition of the inspired status of the LXX. He dates the translation at an even earlier time than does the *Letter of Aristeas*, but shares much of the same story with his own changes and expansions:

For before the Romans established their government, while the Macedonians still possessed Asia, Ptolemy, the son of Lagus, being very anxious to adorn the library, which he had founded in Alexandria, with all the best extant writings of all men, asked from the inhabitants of Jerusalem to have their Scriptures translated into Greek. They, for they were at that time still subject to the Macedonians, sent to Ptolemy seventy elders, the most experienced they had in the Scriptures and in both languages, and God thus wrought what he willed. But Ptolemy, wishing to make trial of them in his own way, and being afraid lest they should have made some agreement to conceal by their translation of the truth in the Scriptures, separated them from one another and commanded them all to write the same translation. And this he did in the case of all the books. But when they came together to Ptolemy, and compared each his own translation, God was glorified and the Scriptures were recognized as truly divine, for they all rendered the same things in the same words and the same names, from beginning to end, so that even the heathen who were present knew that the Scriptures had been translated by the inspiration of God. (Eusebius, *Hist. eccl.* 5.8.11–14, LCL)

A remarkable fact about the LXX is the rapidity of its adoption within the Christian community as the Bible containing the church's first Scriptures. This was true even in Palestine where the Hebrew Scriptures were also in circulation and the earliest church was formed. The discovery of Greek manuscripts of scriptural texts in caves in the Judean Desert shows how popular the LXX was and also how widespread the use of the Greek language was even in Palestine in the first centuries BCE and CE. The LXX was the scriptures of Diaspora Jews and also proved especially helpful in the Christian evangelization of the Greco-Roman world. Indeed, the almost universal use of the LXX by the Christian community likely contributed to rabbinic reaction against it at the end of the first century CE and eventually its rejection altogether in the second century CE in favor of two other Greek translations. This rejection could have stemmed from rabbinic claims that Christians based their criticisms of Judaism on faulty LXX texts.<sup>45</sup>

Although the *Letter of Aristeas* reflects the centrality of the Torah in Jewish life in the third century BCE, this does not deny that at least some of the Prophets

<sup>43</sup> This treatise was falsely attributed to Justin Martyr and it is now called "Pseudo-Justin" and the unknown author expands the tradition of the *Letter of Aristeas* in his work.

<sup>44</sup> Hengel, *Septuagint as Christian Scripture*, 41.

<sup>45</sup> In fact, there is little doubt that Christians tampered with a number of the LXX texts when transmitting them.

functioned as sacred authoritative texts among many Jews before the LXX was produced. Other religious texts were cited and used in the Jewish community from at least the seventh and sixth centuries BCE – likely as scripture – but the Law had a special prominence for the Jews especially from the fifth century onward. By roughly 100 BCE, it is likely that most of the other Jewish Scriptures were also translated into Greek and were called “prophets.”

### III. HOMER AND BIBLICAL CANONS

Alexander the Great established a cult of Homer in Alexandria and eventually a recension of Homer’s works was produced there under the direction of Zenodotus, Aristophanes of Byzantium, and Aristarchus who compared the various versions of Homer’s works and commented on the text with annotations that appear in the margins (*scholia*).<sup>46</sup> As we saw above, Peisistratus, the “tyrant from Athens,” reportedly employed *seventy-two* editors or grammarians to produce an edition of Homer’s *Iliad* and the *Odyssey* from the various fragments he was able to recover and with the goal of putting Homer’s works in perfect condition. Various traditions claim that Homer’s works were somehow lost or destroyed or were victim of some other disaster, but a portion of these works was circulating largely by memory and oral tradition in song.<sup>47</sup> Peisistratus, according to the tradition, collected various parts of Homer’s work and then assembled *seventy-two grammarians* to produce an acceptable edition of Homer’s works.<sup>48</sup> The grammarians, so the tradition reports, all worked in isolation from each other, just as in the report about the translators in the *Letter of Aristeas*, and their editions all agreed completely in every detail. This tradition was generally cited by the citizens of Pergamum to advance their own literary standing in the ancient world, especially because of the well-known rivalry between Pergamum and Alexandria.

Several scholars agree that the tradition about Peisistratus producing an edition of Homer’s works may have some legitimacy, despite the many legendary elements in it, but the parallels with the *Letter of Aristeas* show obvious dependence, though

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<sup>46</sup> *Scholia* (Greek = *scholion*, “notes”) often refers to any critical notes ranging from one word to a commentary on a text and often written around the text in the margins in smaller and less formal script. The term used in this way is first found in Cicero (*Att.* 16.7.3). The *scholia* to Dionysius Thrax dates to the sixth or seventh century CE, but the legend in it likely dates earlier in the third to the fifth century CE. Some elements of the legend may have their origin in historical facts from the second century BCE or earlier.

<sup>47</sup> See *Commenarius Melampolis seu Dimomedis*, Cod. C, ed. Hilgard, pp. 29–30 = *Scholia Marciana* (VN), ed. Hilgard, p. 316. Josephus also refers to the circulation of Homer by memory and in song (*Ag. Apion* 1.13).

<sup>48</sup> The primary ancient source reporting this activity includes the late Byzantine legendary *scholia* to Dionysius Thrax. Dionysius Thrax lived ca. 170–90 BCE, but the legend in the *scholia* is much later (perhaps seventh century CE).

which way the dependency goes is debated. The grammarians in Alexandria ignored this tradition and made their own claims for producing an authoritative text of Homer.<sup>49</sup> Jed Wyrick has assembled a large collection of ancient texts supporting the notion that Peisistratus was widely recognized as the one who rescued the writings of Homer and produced an early edition of them.<sup>50</sup> The part of the legend that involves the seventy-two grammarians, however, is likely late and may depend on the similar legend in the *Letter of Aristeas*. By at least the late second century BCE to the first century CE, the story of Peisistratus' involvement in rescuing the works of Homer was well known. As the legend grew, additions to the story concerning the seventy-two grammarians were most likely added to support the claim of perfection and also its divine inspiration. Despite the legendary aspects of this tradition, widespread knowledge of Peisistratus' involvement in a new edition of Homer probably has some merit. Cicero (ca. 55 BCE), for instance, speaks of Peisistratus' involvement in a recension of Homer thusly:

Whose learning is reported, at the same period, to have been greater, or whose eloquence to have received more ornament from literature, than that of Pisistratus? Who is said to have been the first that arranged the books of Homer as we now have them, when they were previously confused. He was not indeed of any great service to the community, but was eminent for eloquence, at the same time that he excelled in erudition and liberal knowledge. (*De Oratore*, 3.34.137, trans. J. S. Watson)

The parallels between the legendary origins of the LXX according to the *Letter of Aristeas* and the Peisistratus Recension of Homer's *Iliad* and *Odyssey* are obvious, but legendary *scholia* about the seventy-two grammarians probably dates from the third or fourth century CE and appears to depend in several details on the *Letter of Aristeas*. This is described in the *Scholia to Dionysius Thrax*, a student of Aristarchus<sup>51</sup> who edited his recension.

Later, guided by Zenodotos of Ephesus (ca. early third century BCE), Aristophanes and Aristarchus of Samothrace (ca. 217–145 BCE) developed an apparatus of critical signs for reconstructing original texts that was later used by Origen (ca. 185–254 CE) in his famous *Hexapla*, a synopsis of six parallel columns of texts of the Old Testament Scriptures to try to identify the variants in the then current Hebrew and Greek texts of the Old Testament with the

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<sup>49</sup> See Gregory Nagy, *Pindar's Homer: The Lyric Possession of an Epic Past* (Baltimore: The Johns Hopkins University Press, 1990); and also his earlier work: *The Best of the Achaeans: Concepts of the Hero in Archaic Greek Poetry* (Baltimore: The Johns Hopkins University Press, 1979). See also his *Homeric Questions* (Austin: University of Texas Press, 1996), and more recent *Homer's Text and Language, Traditions* (Urbana: University of Illinois Press, 2004). This discussion is also researched at length in Wyrick, *Ascension of Authorship*, 138–280.

<sup>50</sup> Wyrick, *Ascension of Authorship*, 203–80.

<sup>51</sup> Aristarchus of Samothrace (ca. 216–144 BCE) became head librarian at Alexandria, teacher of Ptolemy VII, son of Ptolemy Philometor and he produced a critical text and treatises on Homer's *Iliad* and *Odyssey*.

goal of correcting the many textual traditions current in his day. Zenodotos, Aristophanes, and Aristarchus all lived in Alexandria centuries after Peisistratus and in succession took responsibility for the library at Alexandria. They all, but especially Aristarchus, produced an authoritative text of Homer for the library at Alexandria.

The additions to the Peisistratus legend, and subsequent attempts to edit and produce an authoritative text of Homer's *Iliad* and *Odyssey*, all show that the edition of Homer was accepted as a sacred text among the Greeks who perpetuated this tradition. The tradition of corrected writings of Homer in the Alexandrian library, primarily under the direction of Aristarchus in particular, has earlier roots in, and may have been known to, the author of the *Letter of Aristeas* who wanted to show the relationship between restoring the lost text of Homer to that of the construction of a perfect Greek translation of the Torah in Alexandria – or *vice versa*! In its current form, the Peisistratus recension legend of Homer appears to depend on the *Letter of Aristeas*.<sup>52</sup> Literary dependence in antiquity is not always a one-way street, namely Jewish or Christian authors depending on pagan sources, but it appears more like a two-way street in which each community – Hellenistic, Jewish, and Christian – used well-known traditions that supported their own dominant beliefs regardless of their origin. Interestingly, Philo claims that the Greek lawgivers depended on Exod 32:1 and that they had knowledge of the Jewish scriptures (*De Specialibus Legibus* 4.61).<sup>53</sup> In such cases, what was borrowed and cited argued for the superiority and sanctity of the works that were cited.

Ancient reports that Homer's writings were lost or destroyed but later reassembled from memory by various credible individuals was familiar to Josephus as we saw earlier. Part of the Peisistratus legend reflects the need to collect what remained of Homer's works, to edit or correct them, and make them available to others. There is nothing far-fetched about this part of the legend and it has other ancient parallels. Veltri is pessimistic about the authenticity of the Peisistratus legend or any ancient recension of Homer's works before the time of Aristarchus at Alexandria (216–144 BCE), but he acknowledges that there may be an element of truth in the legend besides substantiating the rivalry between Athens and Alexandria.<sup>54</sup>

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<sup>52</sup> See Giuseppe Veltri, *Libraries, Translations, and "Canonic" Texts: The Septuagint, Aquila and Ben Sira in the Jewish and Christian Traditions*, JSJSup 109 (Leiden: Brill, 2006), 79–89, for an interesting discussion of these parallels, including the later additions to the story that include the editing by the seventy-two grammarians. The legends about the LXX and Peisistratus' recension are strangely fused in Isidore of Seville's "On Libraries" and "On Translators" in his *Etymologies* VI. 3.3–4).

<sup>53</sup> The text reads: "it seems that some Grecian legislators did well when they copied from the most sacred tables of Moses the enactment that hearing is not accepted as evidence, meaning that what a man has seen is to be judged trustworthy, but what he has heard is not entirely reliable" (LCL, 47).

<sup>54</sup> Veltri, *Libraries, Translations, and "Canonic" Texts*, 88–89.

Josephus' assessment of Homer's writings as well as other Greek writings (*Ag. Apion* 1.10–13) is supported by Strabo (ca. 64 BCE–25 CE) who ridicules the Greeks' handling of their literary texts, especially those of Aristotle and Theophrastus:

But Apellicon was a bibliophile rather than a philosopher; and therefore, seeking a restoration of the parts that had been eaten through, he made new copies of the text, filling up the gaps incorrectly, and published the books full of errors. The result was that the earlier school of Peripatetics who came after Theophrastus had no books at all, with the exception of only a few mostly exoteric works, and were therefore able to philosophize about nothing in a practical way... (*Geography* 13.1.54, LCL)

Josephus' knowledge of Draco<sup>55</sup> and Peisistratus can be seen in the following:

Even among the Athenians, who are reputed to be indigenous and devoted to learning, we find that nothing of the kind existed, and their most ancient public records are said to be the laws on homicide drafted for them by Draco, a man who lived only a little before the despotism of Peisistratus. (*Ag. Ap.* 1.21, LCL)

Veltri concludes that although the Peisistratus legend emerged in the Common Era, it was not a Christian publication, but rather “testifies to a historical rivalry between Greece (the mother of Hellenistic culture) and Alexandria (the forum of Hellenistic fusion and diffusion). The legend of Peisistratus, or better of a Homeric edition before Aristarchus, is probably nothing but an apologetic answer directed against the Alexandrian editorial function and supremacy.”<sup>56</sup>

Veltri brings to our attention three legends about the canonization of writings that emerged in antiquity, namely: (1) the Aristeas story of the translation of the Hebrew Scriptures into Greek, (2) the story of the emergence of a perfect edition of Homer through the efforts of Peisistratus, and (3) the story of the restoration of the Law by Ezra in forty days (*4 Ezra* 14). He shows how all three legends have much in common, come from roughly the same area, and have a contamination of the details one with the other.<sup>57</sup> In the first and second cases, we see the seventy-two scribes whose work was exactly the same though all work was done separately. In the third instance, Ezra was given a restoration of the Law that included not only twenty-four books but *seventy* others that were all inspired by God and completed in the notable forty days, the special number reserved for a period of God's special activity in the world, namely, in the flood on the earth, Moses at Mt. Sinai, Elijah at Mt. Horeb, the years of the children of Israel in the

<sup>55</sup> Draco was the Athenian lawyer credited with introducing new laws to the Greeks and being the first to put Greek laws into writing, ca. 621–620 BCE (*Ath. pol.* 4 and Plutarch, *Sol.* 17). He reportedly wrote these laws in blood rather than ink. The term “draconian” reflects the ancient tradition about the severe penalties that Draco imposed.

<sup>56</sup> Veltri, *Libraries, Translations, and “Canonic” Texts*, 87.

<sup>57</sup> *Ibid.*, 79–80.

wilderness, the days of Jesus' temptation, and length of his appearances in Luke. In the case of 4 Ezra 14, which will be discussed more completely in Chapter 10 §II, another edition of the "law" (14:21) was necessary because of its demise during the destruction of Jerusalem (clearly a reference to all of the Jewish scriptures as we see in 14:44–47). In the Peisistratus tradition, Homer's writings were destroyed by fire and other elements including rain. Although no one seriously accepts the historicity of any of these three accounts today, their similarities and overlapping of tradition is notable and all three reflect a divine restoration or translation of sacred texts. The purpose of these legends is equally clear in all three cases, namely to legitimize the works highlighted in them – the Law (Pentateuch), Homer, and all of the Jewish sacred texts besides the Law. Veltri contends that Aristeeas, like Peisistratus, intends to present a new edition of the Law in Greek that is equal to the redaction of Homer that was carried out under the direction of the editors (Aristarchus especially) at Alexandria.<sup>58</sup> This Alexandrian influence on the interpretation of the Jewish Scriptures, according to Sawyer, is first seen in Philo, but subsequently in the Greek church fathers and eventually in all of Christianity both East and West.<sup>59</sup>

Another feature that accompanies both the works of Homer and the biblical literature has to do with the commentaries by the Greeks on these works. Both Jews and Christians subsequently followed that model as a means of contemporizing and interpreting the meaning of their scriptures to subsequent generations. To our knowledge, commentaries on sacred books began with Aristarchus of Samothrace (216–144 BCE), also known as the "most scholarly scholar" (γραμματικοτάτος or *grammatikos* = γραμματικός) and sometimes even called "the Prophet" (ὁ μάντις), who is reputed to have written the first commentaries (called *hupomnemata*) on classical works beginning with Homer and Hesiod, then Aeschylus, Euripides, and other classical books. He discussed not only the meaning of words, style, form, and meter, but also made comparisons of the literature in his commentaries. His well-known rule of interpreting a writer by use of his own words *and in that context*, that is, the model of "interpreting Homer with Homer" (*Homerom ex Homerou sapheizein* = "explain Homer from Homer"), was regularly followed by rabbinic Jews and this can be found in the seven hermeneutical rules attributed to Hillel (כִּי צִי בֵּא בַּמִּקּוֹם אֲחֵר = "like something similar in another passage").<sup>60</sup> Early Christian commentaries, especially those of Origen, and many contemporary commentaries continue much of this pattern set by the Greeks.

<sup>58</sup> Ibid., 88–89. Veltri has a helpful discussion of the origins of these three traditions and contends that the Peisistratus legend emerged as a defense of the Athenian domination of literary canons when in fact the Alexandrian editions were supreme in the third and second centuries BCE.

<sup>59</sup> Sawyer, *Sacred Languages and Sacred Texts*, 148–49.

<sup>60</sup> This comparison was brought to my attention in Sawyer, *ibid.*, 147–49.



Historically Jewish and Christian commentaries stem from a time after Aristarchus' commentaries, the majority of which were initially produced by Origen and mostly in Alexandria, but later also elsewhere. Some of the earliest known Jewish commentaries are the *pesharim*<sup>61</sup> (commentaries) from Qumran.<sup>62</sup> Philo's commentaries were all produced in Alexandria.<sup>63</sup> This Hellenistic influence cannot be negligible for understanding the role that Alexandria and its Hellenistic influences had on the formation of Jewish and Christian sacred scripture collections and their continuing relevance in those communities.<sup>64</sup> We will consider that influence next.

#### IV. THE ALEXANDRIAN LIBRARY, CATALOGUES, AND CANONS

As noted above, standard literary collections of exemplary authors and their works were produced for the library at Alexandria, including references to rules of grammar and the literary models for writers to follow. The librarians at Alexandria did not use *κατάλογον* to describe their collections of literary works, but rather *pinakes*, that is, "lists" or "catalogues." However, the very selectivity employed in compiling the exemplary lists of works in their library showed that high standards were held in the making of the catalogues. I have argued earlier that these lists of authoritative works are not unlike the later lists of Jewish and Christian scriptures that comprised the Christian Bible in that the catalogues also were viewed as a listing of authoritative texts.<sup>65</sup> The terminology is different but the notion is the same.

Callimachus, born in Cyrene ca. 300 BCE and educated in Athens, was credited with writing some 800 books himself, the most famous of which are *Aetia* and *Hecale*. While living near Alexandria, he was commissioned to produce a catalogue or listing of the volumes in the library. His lists comprised 120 volumes that he titled *Pinakes* (tables, si. = *πινάξις*), or more specifically, "Tables of Those who have Distinguished Themselves in Every Form of Culture and of What they Wrote." The estimated number of volumes in the Alexandrian library during his major literary productivity (ca. 285–246 BCE) was around 500,000 volumes.

<sup>61</sup> For a helpful discussion of the origin, function, and significance of the *pesharim* or commentaries at Qumran, see Charlesworth, *Pesharim and Qumran History*.

<sup>62</sup> Namely, commentaries on Habakkuk, 1QpHab; on Micah, 1QpMic; on Isaiah, 4QpIsa<sup>a</sup>, 4QIsa<sup>b</sup>, and 4QpIsa<sup>c</sup>, 4QIsa<sup>d</sup>; on Hosea, 4QpHos<sup>b</sup>; on Nahum, 4QpNah; on the Psalms, 4QpPs<sup>a</sup> and 4QpPs<sup>b</sup>.

<sup>63</sup> See for example his commentary on the days of creation of the world (*De Opificio Mundi*) and his *Allegorical Interpretation of Genesis 2,3* (*Legum Allegoria*), as well as his commentaries on the Decalogue (*De Decalogo*) and Special Laws (*De Specialibus Legibus*).

<sup>64</sup> A recent and important collection of essays that focus on the reception of the HB not only in the LXX, but also in the NT is Clines and Exum, eds., *Reception of the Hebrew Bible in the Septuagint*.

<sup>65</sup> McDonald, "Hellenism and the Biblical Canons."

To our knowledge, he was not the head librarian at Alexandria, but produced the first known catalogue of literary works in that library dividing the volumes into subject categories (rhetoric, laws, miscellaneous prose, etc.) and he also included biographical notes and catalogued the first line of each of the works. He also arranged the poems of Pindar and Bacchylides.<sup>66</sup>

In his catalogues, Callimachus produced a list of model writers whose grammar and style were used as standards for subsequent writers. The grammarians serving at the great library of Alexandria sought to preserve an accurate and faithful text as well as a catalogue of the classics in literature. Among the most commonly recognized “canons” or ancient classics and models to follow were, of course, Homer, Euripides, Menander, Demosthenes, and later Hesiod, Pindar, Sappho, Aeschylus, Sophocles, Aristophanes, Herodotus, Thucydides, and Aesop. Porter conveniently lists some of the standard classical writers with significant parallels in some NT books.<sup>67</sup> Those books were among the “canonical” or “classic” collections at Alexandria and were regularly cited in the educational system of that day. At the core of the educational system in the Greco-Roman world were the classic writers, but the most important among them was always Homer.

The Alexandrian grammarians set forth a “canon,” that they dubbed a *pinax*, of exemplary authors as models whose Greek was used as a standard for others to follow. Our question here is whether those grammarians influenced both the Jews in forming their collection of sacred scriptures and later the Christians who sought to identify the sacred books that established “standard” guidelines for their faith and conduct? Were Alexandrian practices influential on subsequent generations of Jews and Christians? As I have suggested earlier, the gathering together of an authoritative collection of classical writings in the great library at Alexandria has notable parallels with the canonical processes of the Jews and Christians. Guy Darshan, for example, argues this case in regard to the number of books in the Hebrew Bible, namely twenty-four, which is the same number as the books in Homer’s *Iliad* and *Odyssey*. He observes that not only did the rabbinic sages adopt the number twenty-four, the number of letters in the Greek alphabet, as the number of their books in their scriptures, that number that does not actually identify the number of the books in the HB, but only reflects that the books were combined to come to that number.<sup>68</sup> In the late first century some Jews, especially Josephus,

<sup>66</sup> See Lesky, *A History of Greek Literature*, 5, 700–17; Pfeiffer, *History of Classical Scholarship*, 123–51; and Zetzel, “Re-creating the Canon,” 122–25; and Pirie, “Callimachus.”

<sup>67</sup> See Stanley E. Porter and Andrew Witt, “Paul’s Bible, His Education and His Access to the Scriptures of Israel,” *JGRChJ* 5 (2008): 9–41. The authors include Menander, *Thais* frg. 218 in 1 Cor 15:33; Aristotle, *Pol.* 3.8.2 1284a 14–15 in Gal 5:22; Aeschylus, *Eum.* 1014–15 in Phil 4:4; Pindar frg. from Strabo, *Geogr.* 6.2.8 in 2 Tim 2:7; Epimenides in Tit 1:12 Aratus, *Phaen.* 5 or Epimenides in Acts 17:28; Epimenides, *Ion* 8 in Acts 21:39; Euripides, *Bacch.* 794–95 in Acts 26:14).

<sup>68</sup> Darshan, “The Twenty-Four Books of the Hebrew Bible,” see especially 226–31 and 237. He also draws attention to Jews adopting the Greek system of *gematria*, numbering by the alphabet, written on three baskets holding coins in the Temple, 229. He suggests that the use of the number

had adopted the number twenty-two for the number of books in their Scripture collection (*Ag. Apion* 1:39) and this number followed the number of letters in the Hebrew alphabet.<sup>69</sup> Soon, however, some Jewish rabbis adopted the number twenty-four, likely for the same sacred books in the twenty-two book collection, though that is not for certain. Both numbers combine books to arrive at either twenty-two or twenty-four books.

Later rabbis also adopted the Greek scribal signs (the *puncta extraordinaria* and *sigma* and *antisigma* marks) for use in the transmission of the Hebrew text of the HB. These signs were developed at a time when Alexandrian scribes had most influence on the scribes of the Hebrew Scriptures, namely from the last part of the second century BCE to the first century CE.

As we have seen, a number of classic writers, and a few others besides, became the literary standards and were identified as such in the Alexandrian library. Not everything written in the ancient world was placed in distinguished model collections in the Alexandrian library, but those that were included in distinguished categories were copied with great care by people selected and trained to preserve the accuracy of the texts and to order or classify them for identification and location. As noted above, Pindar, Bacchylides, Sappho, Anacreon, Stesichorus, Simonides, Ibycus, Alcaeus, and Alcman became the standard “Nine” lyric poets. Although the order differed in the various epigrams listing these works, the names were all the same; it was a standard list. Subsequent writers who departed from these standards were soon criticized and either marginalized or ignored. That practice continues to the present! Authors exploring a subject who neglect the best literature and best-known authors in their field of inquiry are soon ignored!

Those in antiquity who acknowledged a select collection of sacred writings they believed to be divinely inspired were not likely to criticize or stand in judgment over those writings. Not many in antiquity criticized the classics, but rather emulated them. Homer, whose writings were in essence the Bible of the ancient Greeks, was, aside from Plato, seldom criticized. In fact, a “fence” was put around his work by using the tool of allegorical interpretation to protect it from contemporary criticism over its excesses regarding the behavior of the gods.

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twenty-four and the Hellenistic scribal symbols began in the second century BCE and had considerable influence on limiting the number of books that formed the HB since the Jews began subsequently to put all of the books in the HB by various combinations in twenty-four scrolls and no more, 232.

<sup>69</sup> As we will see below, this number is the same as the letters in the Hebrew alphabet widely used as a symbolic number for completion and perfection. See e.g., Ps 119 is divided into 22 sections each beginning with a different letter of the Hebrew alphabet. The importance of the number 22 can be seen in *Jub.* 2:23–24. Several early church fathers indicated that the number of Jewish sacred scriptures was twenty-two, not twenty-four. This will be discussed below, but in neither case were the books in the HB exactly 24 or 22, but they were combined in order to arrive at those numbers. One can only wonder how the combinations would have worked if Sirach had been included in the HB Writings.

Awareness of *standard* collections of literary texts was widespread in the Greco-Roman world, but a firmly *fixed* or closed canon of sacred Scriptures appears to be unique to Judaism and Christianity. Early Christianity adopted this notion of a fixed collection of sacred scriptures and they eventually used the term *kanon* to identify it. As we saw in our investigation of the use of *kanon*, to identify a list or catalogue was uncommon in antiquity, but there are early parallels to the practice of establishing a collection of standard texts that others needed to follow if their work was to be accepted or recognized.

As we saw earlier, the early church fathers, including Origen and Eusebius, employed the term *kanon* to identify what was specifically Christian, that is, the “rule of faith” that identified the church’s traditional body of sacred beliefs. Eusebius speaks about a rule of faith presented in a collection of sacred writings when he cites Origen’s “encovenanted books” [ἐνδιαθήκους βίβλους]) (see *Hist. eccl.* 6.25.1). However, in Origen’s commentary on the Song of Songs (*Comm. Cant.*, ca. 240 CE) he appears to refer to a limited canon of Hebrew scriptural books. I rely here on Gallagher’s translation of this relevant text:

...since neither the Church of God has accepted any further songs of Solomon to be read, nor is anything more contained in the *canon* [Latin, *canone*] among the Hebrews, from whom the oracles of God were evidently transferred to us, beyond these three books of Solomon, which we also have.<sup>70</sup>

For our purposes this is quite significant because some scholars are now beginning to acknowledge the several interesting parallels between the development of lists or catalogues of highly influential literary texts in the Hellenistic world and the development of canonical lists of sacred scriptures that emerged subsequently both in early Judaism and the church fathers. While establishing a direct dependence on the Hellenistic world for canon formation is complex, interesting parallels and similar developments in the Greco-Roman world and in Judaism and early Christianity are suggestive of Hellenistic influence in the formation of Jewish and Christian scripture canons.

It is interesting that *occasionally* the order or sequence of the classic writers was considered important. It is reported that Aristophanes had a total recall of the classics in terms of their canonical sequence or order and that he was able to expose false poets by relying on his knowledge of the canonical sequence of the books stored in the library. Nagy recalls an ancient reference to Aristophanes’ ability at recall: “relying on his [Aristophanes] memory, he had countless scrolls brought out from their respective shelves [*armaria*], and then, by comparing them with the recited texts, he compelled the men to admit about themselves that they stole them.”<sup>71</sup> Nagy also observes that the sources reporting the possession of Homeric poetry by the Peisistratids emphasize the fixed order of performance

<sup>70</sup> Gallagher, *Hebrew Scripture in Patristic Biblical Theory*, 38, emphasis added.

<sup>71</sup> See Nagy, “Library of Pergamon as a Classical Model,” 210–11.

and even performers and this finds expression in archaic Greek oral poetics.<sup>72</sup> This practice of emphasizing order or sequence may lie behind the emphasis on order or sequence of the sacred books by the author of *b. Baba Batra* 14b who offers a rationale for the positions of both the Prophets and Writings. He writes: “Our Rabbis taught: The order of the Prophets is, Joshua, Judges, Samuel, Kings, Jeremiah, Ezekiel, Isaiah, and the Twelve Minor Prophets...” and subsequently, “The order of the Hagiographa is Ruth, the Book of Psalms, Job, Prophets, Ecclesiastes, Song of Songs, Lamentations, Daniel and the Scroll of Esther, Ezra and Chronicles” (Soncino trans.).<sup>73</sup> Before this, the sequence of books does not appear to have been of much concern to Jewish Scripture interpreters, though the Pentateuch was always first in their collections. In the early lists of Christian scriptures, the Gospels are always first, but the rest of the NT writings are in varied sequences with Revelation generally last.

The notion of canons of writings appears obvious among the Alexandrian librarians in Egypt both in reference to their grammar and literary models for subsequent writers to follow. The selectivity employed in compiling these famous lists (*pinakes*) of works demonstrated the high standards they used in their selectivity. They produced a canon of writers whose Greek was used as a model for other writers. This is the closest parallel to Scripture canons in Judaism and early Christianity whose scripture canons set forth models adherents were expected to follow.

## V. THE SEPTUAGINT IN RABBINIC JUDAISM AND EARLY CHRISTIANITY

In the second century CE and later, some rabbinic sages concluded that the LXX had theological problems, no doubt because various sections of it were at significant odds with the HB text. As we saw earlier, in his Prologue, Sirach’s grandson noted the difficulty of translating the Hebrew Scriptures into Greek thusly: “What was originally expressed in Hebrew does not have exactly the same sense when translated into another language. Not only this book, but even the Law itself, the Prophecies, and the rest of the books differ not a little when read in the original.” Corrective measures were taken at various times to bring the text of the LXX more in harmony with the Hebrew text that had obtained priority among the rabbis, e.g., Origen’s *Hexapla* reflects these attempts, but also subsequent Greek translations authorized by the rabbis replaced the LXX among the Jews. The problem with this, as we will see below in our focus on Qumran, is that at times the LXX appears to be based on an earlier antecedent (or *Vorlage*) text than the

<sup>72</sup> Ibid., 211–12.

<sup>73</sup> Proverbs is missing in this listing, but is found at the beginning of *b. Baba Batra* 15a after Isaiah and before Song of Songs and Ecclesiastes.

Masoretic Text (MT) of the Jewish Scriptures adopted by the rabbis. As we will see (Chapter 12 §IV.E), several scholars are now recognizing this and are paying closer attention to the LXX text than was done earlier.

The text of the LXX is often faithful to the Hebrew text, but that may be because of many *later* attempts to bring it more in line with the MT Hebrew text. After the translation of all of the Jewish scriptures into Greek, the designation “Septuagint” or LXX began to be transferred to all of the books in the Greek Bible.<sup>74</sup> The LXX is uneven in quality demonstrating multiple hands with uneven skills involved in the translation. The best translation of the LXX is in the Pentateuch and possibly the worst is in Isaiah. Nevertheless, the LXX helped to meet the religious needs of Diaspora Jews throughout the Greco-Roman world and also throughout Palestine in the first century CE.<sup>75</sup> The LXX was the first scriptures of the early Christians.

In the second century CE, the LXX became identified as the scriptures of the Christians, and the rabbis believed that another Greek version of their Scriptures was necessary for the Jewish community. Some challenges came in regard to the acceptance of LXX additions to books like Esther and Daniel that are not found in the HB.<sup>76</sup> The responsibility for producing another Greek translation was given to Aquila, a Jewish proselyte from Pontus, who produced in 128 CE a literal translation that was so slavishly loyal to the Hebrew text that the translation was not generally understandable to those unfamiliar with the Hebrew text and it soon fell into disuse and neglect.<sup>77</sup> Two subsequent Greek translations of the Hebrew Scriptures were produced probably near the end of the second century CE, one by Theodotion, of whom little is known, and the other by Symmachus, an Ebionite (or “Semitic-Christian”). Other Greek versions of the OT Scriptures emerged in the third century CE, including one by Origen, who set out to amend and correct some problems in the LXX in his *Hexapla* (six column text)<sup>78</sup> and/or *Tetrapla* (four column text). Eusebius preserves an interesting background story about Origen’s work:

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<sup>74</sup> Fernández Marcos, *Septuagint in Context*, 48–51.

<sup>75</sup> Some Greek fragments discovered in Cave 7 at Qumran may be sections of the LXX. They are, however, quite small, and it is difficult to be certain of their origin.

<sup>76</sup> These additions for Esther are helpfully discussed in John A. Dunne, *Esther and Her Elusive God: How a Secular Story Functions as Scripture* (Eugene, OR: Wipf & Stock, 2014), 68–77; see also C. A. Moore, *Daniel, Esther, and Jeremiah: The Additions*, AB 44 (Garden City, NY: Doubleday, 1977), for a discussion of the other additions in Daniel.

<sup>77</sup> Wevers, “Septuagint,” 4:275.

<sup>78</sup> The *Hexapla* is a six-column text of the OT produced by Origen in order to establish a reliable text of the Bible by eradicating errors through comparison of the current Greek translations (LXX, Aquila, Symmachus, and Theodotion) and the Hebrew texts available to him. Fernández Marcos, *Septuagint in Context*, 204–22, has a useful discussion of the origins of the *Hexapla* and notes that it may be the same as the *Tetrapla*. The *Hexapla* can now be downloaded from the internet.

And so accurate was the examination that Origen brought to bear upon the divine books, that he even made a thorough study of the Hebrew tongue, and got into his own possession the original writings in the actual Hebrew characters, which were extant among the Jews. Thus, too, he traced the editions of the other translators of the sacred writings *besides the Seventy* [= LXX]; and besides the beaten track of translations, that of Aquila and Symmachus and Theodotion, he discovered certain others, which were used in turn, which, after lying hidden for a long time, he traced and brought to light, I know not from what recesses. With regard to these, on account of their obscurity (not knowing whose in the world they were) he merely indicated this: that the one he found at Nicopolis, near Actium, and the other in such another place. At any rate, in the *Hexapla* of the Psalms, after the four well-known editions, he placed beside them not only a fifth but also a sixth and a seventh translation; and in the case of one of these he has indicated again that it was found at Jericho in a jar in the time of Antoninus the son of Severus. *All these he brought together, dividing them into clauses and placing them one over against the other, together with the actual Hebrew text; and so he has left us the copies of the Hexapla, as it is called.* He made a further separate arrangement of the edition of Aquila and Symmachus and Theodotion together with that of the Seventy, in the Tetrapla. (*Hist. eccl.* 6.16.1–4, LCL, emphasis added.)

The value attributed to the LXX in the early church cannot be overestimated. It was the Christian Bible. There was a belief circulating in the early church that the LXX was an inspired translation that was superior to the Hebrew. That assertion, of course, would not sit well with Rabbinic sages. Indeed, when the Hebrew and the LXX differed, the latter was preferred by Christians because they believed that the LXX translators who changed the Hebrew text were inspired by God to do so. The NT authors apparently agreed with this conclusion and made use of the LXX more than ninety percent of the time in the NT Scripture citations. In the fifth century, Augustine expressed the opinion that the LXX was inspired and therefore may be trusted in the Christian community. He also concluded that the writers of the NT frequently believed it was superior to the Hebrew Scriptures. He states:

But, if scribal error is not involved, it must be believed that, where the sense corresponds to the truth and proclaims the truth, they, moved by the divine Spirit, wished to deviate [from the Hebrew original], not in the manner of interpreters [translators], but in the freedom of those prophesying. Consequently, the apostles, in their authority, when they appealed to the Scriptures, quite rightly utilized not only the Hebrew, but also their own – the witness of the Seventy. (*City of God* 15.14, cited by Hengel, *Septuagint as Christian Scripture*, 17, emphasis original)

Fernández Marcos notes the irony of the early church's use of the LXX, and the concomitant support that this gives to the *Letter of Aristeas*: "A Jewish propaganda document which recommends the Greek translation of the Pentateuch has become the principal witness for the defending [of] the whole LXX, now adopted by Christianity as its official Bible."<sup>79</sup>

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<sup>79</sup> Ibid., 49.

The importance of the LXX from a canonical perspective is not only that it was the Bible of the early church, but it also differs considerably from the Hebrew text in several important passages, the best known, of course, being Isa 7:14 – a fact that was not missed in the early church in which a virgin conceives and this was the basis of Matthew’s citation of the LXX Isa 7:14 in Matt 1:23 (see discussion below). Also the considerably shorter text of Jeremiah in the LXX is often now preferred over the longer HB (MT) text of that book. According to Irenaeus (ca. 170 CE), as reported by Eusebius, the differences with the Jews that arose over this matter were settled by appealing to the inspiration of the Septuagint:

Hear also, word for word, what he [Irenaeus] writes about the interpretation of the inspired Scriptures according to the Septuagint. “So God became a man and the Lord himself saved us, giving us the sign of the virgin, but not as some say, who at the present time venture to translate the Scriptures, ‘behold a young woman shall conceive and bear a son,’ as Theodotion the Ephesian translated it and Aquila from Pontus, both of them Jewish proselytes, whom the Ebionites follow and aver that he was begotten by Joseph.” (*Hist. eccl.* 5.8.10, LCL)

As most students of the Bible know, the MT Hebrew of Isa 7:14 reads: “The Lord himself will give you a sign. Look, the young woman [עלמה] is with child and shall bear a son, and shall name him Immanuel.” Quite differently, the LXX has: “Therefore the Lord himself shall give you a sign; behold, a virgin [παρθένος] shall conceive in the womb, and shall bring forth a son, and thou shalt call his name Emmanuel.”<sup>80</sup> The question, of course, is whether the Hebrew term עלמה (“young woman,” “girl,” “maiden”) may mean “virgin” (the usual Hebrew word for virgin is בתולה). The translators of the LXX used instead the Greek term παρθένος (“virgin”), and Matt 1:23 follows the LXX: “The virgin shall conceive and bear a son.”<sup>81</sup> One can easily understand the Christian preference for a translation that advances belief in the virgin birth of Jesus – but also why the Jews authorized the production of a different Greek translation of their Scriptures.<sup>82</sup>

It is no wonder that in earlier years there was a tendency in the rabbinic tradition to marginalize or even ignore the LXX text in favor of the MT. Several ancient Jewish religious texts were rejected because of the *language* used in their production. Some rabbis contended that only those writings originally composed in Hebrew were approved. While it was permitted to translate the Torah into another language, Hebrew and Aramaic were always preferred. Some Jews also argued that the Torah could not be translated adequately and they specifically rejected the LXX translation of the Torah as we see in the following text: “It is related that *five elders* wrote the Torah in Greek for King Ptolemy. And that day

<sup>80</sup> L. C. L. Brenton, *The Septuagint Version of the Old Testament, According to the Vatican Text* (London: Bagster, 1844), 689.

<sup>81</sup> H. M. Shires, *Finding the Old Testament in the New* (Philadelphia: Westminster, 1974), 82–84, lists several other examples of the NT writers’ preference for the LXX.

<sup>82</sup> For further discussion of this point, see Hengel, *Septuagint as Christian Scripture*, 25–42.



was as intolerable for Israel as the day the golden calf was made, for the Torah cannot be translated adequately” (*Soferim, Massekhet* 1, emphasis added; note the “five elders”).

In the second century CE, it appears that translations of books of Scripture, other than the Pentateuch, were not to be used at all. For example, “Rabbi Judah said: Even when our masters allowed the use of Greek, they allowed it only for the scroll of Torah, and that came about because of the action taken by King Ptolemy” (*b. Megillah* 8b–9a; see also *Genesis Rabbah* 36:8; *Deuteronomy Rabbah* 1:1). Although other languages were allowed in the translation of the Hebrew Scriptures, Hebrew and Aramaic were always preferred. Notice, for example, the following permission: “Sacred writings, even if written in another language, must be put away properly [when they become unfit for use]... *Even if they are written in any language, though they may not be read [publicly]*, yet he [the *tanna*] teaches that they may be saved” (*b. Shabbat* 115a, Soncino trans., emphasis added). This preference for the Hebrew language eventually isolated Jews in the western diaspora from the developing religious traditions (Mishnah, Tosefta, Talmudim, Targums) of their fellow Jews in the eastern diaspora. The Diaspora Jews continued to make use of the Greek translations until around the eighth or ninth century.

There was a time in some conservative Christian seminaries in North America when students preparing for Christian ministry regularly heard that the LXX was only a secondary source and not of much value for Scripture study since the inspiration of the OT was rooted in its original Hebrew text. The Greek translation, so the argument often went, is a “mere translation” of the authentic originals.<sup>83</sup> More recently, however, following the discovery and examination of biblical texts found at Qumran, some scholars have begun to speak of the considerable value that the LXX brings to our understanding of the original text of the Jewish Scriptures and even at times acknowledging that it is likely superior to the Hebrew text.<sup>84</sup> There is a growing preference today among textual scholars to rely on a so-called eclectic

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<sup>83</sup> This characterization is, of course, a personal note of my time as a seminary student, but also what I heard from some colleagues when I first began my teaching career.

<sup>84</sup> J. Cook, “Septuagint Proverbs—and Canonization,” in van der Kooij and van der Toorn, eds., *Canonization and Decanonization*, 80, observes that in some instances the LXX was translated from a parent text that differed from the MT. Tov, “Status of the Masoretic Text,” in McDonald and Sanders, eds., *The Canon Debate*, 234–41, questions his former position of seeking to establish an *Urtext* (“original text” or “earlier text”) that was believed to be roughly identifiable with the MT, but now, like many NT textual critics, prefers an eclectic system to determine a more reliable biblical text since, as he says, we are no longer able to call “a single source, extant or reconstructed, ‘the text of the Bible’” (251). See also idem, “Recensional Differences Between the Masoretic Text and the Septuagint of Proverbs,” in *Of Scribes and Scrolls: Studies on the Hebrew Bible, Intertestamental Judaism, and Christian Origins Presented to John Strugnell*, ed. H. W. Attridge, J. J. Collins, and T. H. Tobin (Lanham, MD: University Press of America, 1990), 43–56, and *Textual Criticism of the Hebrew Bible*. Further discussion of this is in Chapter 12 §§IV and V.

text<sup>85</sup> that appeals not only to the MT and the Proto-MT texts among the Qumran scrolls, but also to the LXX and Samaritan Pentateuch texts in various places. Some ancient Jewish writings were apparently rejected because of the *language* (Greek) used in their production. Some rabbis contended that only those writings originally composed in Hebrew were approved. It was permitted to translate the Torah into another language, but Hebrew and Aramaic were always preferred.

## VI. THE GREEK ALPHABET AND A TWENTY-FOUR BOOK CANON

Rabbinic Jews showed a preference for a twenty-four-book canon over a twenty-two-book collection that likely included the same books. The twenty-two book sacred collection, as we saw earlier, was the same as the number of letters in the Hebrew alphabet that was replaced by some Jews at the end of the first century with twenty-four, the number of letters in the Greek alphabet. By the end of the first century CE, some Jewish teachers began identifying their sacred scriptures with the number twenty-four, the same as the number of chapters or books in each of Homer's *Iliad* and *Odyssey*. Following 4 *Ezra* 14:22–48 (ca. 90–95 CE) and *b. Baba Batra* 14b–15a (ca. 150–180 CE), the later Amoraim (third–sixth centuries CE) began to prefer the number twenty-four for counting their sacred scriptures (see *b. Ta'anit* 8a; *Numbers Rabbah* 13:16; 14:4, 18; 18:21; *Song Rabbah* 4:11; *Ecclesiastes Rabbah* 12:11–12). Why the change?

Later several early church fathers identified the twenty-two letters in the Hebrew alphabet as the books of the Jewish Scriptures and they, like the rabbinic sages, used various combinations of books to arrive at that number. However, at the same time, the number twenty-four was also quite common and subsequently adopted as the most appropriate number of the books in the Jewish scriptures.<sup>86</sup>

In his Prologue to Samuel and Kings, Jerome (ca. 390–400) also compared the twenty-four books of the Hebrew Scriptures with the twenty-four elders of the book of Revelation (Rev 4:4, 10; 5:8; 11:16; and 19:4; *Prologus in Libro Regum* [= *Prologus Galeatus*]).<sup>87</sup> Like other church fathers, he preferred to speak of the twenty-two book Hebrew canon that follows the Hebrew alphabet, but

<sup>85</sup> Eclecticism in textual criticism is the process of selecting from various sources – rather than relying on a single source – to determine the original reading of a given text. In this case, various ancient versions and manuscripts of the OT are used to try to arrive at the earliest and most reliable biblical text.

<sup>86</sup> For the number twenty-two among the church fathers for the number of their OT scriptures, see Beckwith, *Old Testament Canon*, 240–41, 271 n. 70; David E. Aune, *Revelation 1–5*, 288–92 who offers several possibilities for the identity of the 24 elders in Revelation; see also H. B. Swete, *An Introduction to the Old Testament in Greek* (Peabody, MA: Hendrickson, 1989; earlier edition by Cambridge University Press, 1914), 212–13, and Lim, *Formation of the Jewish Canon*, 38–40.

<sup>87</sup> See Lim, *Formation of the Jewish Canon*, 39–41, for other examples.

acknowledges that the number can be twenty-four by the way that the books are counted and combined. By adding Ruth and Lamentations (Kinoth), there are “twenty-four” books. From this he concludes: “we should thus have twenty-four books of the old law. And these the Apocalypse of John represents by the twenty-four elders, who adore the lamb” (*Prologue to the Books of Samuel and Kings*). However, like other Christians of his time, Jerome accepted additional materials into his scripture canon. His reference to the twenty-four elders in Revelation has been variously interpreted from ancient times and no consensus is on the horizon, but as we see in the references above, it was common to consider them as the number of prophetic books in the OT.<sup>88</sup>

Unlike other ancient Greek writings, Homer’s *Iliad* and *Odyssey* were divided into twenty-four parts (books or chapters), and each is identified by a sequential letter of the Greek alphabet, from alpha to omega. The use of each letter in the Greek alphabet for each of these books signifies not only completeness, but also perfection when used in reference to literature viewed as having a divine origin. The deities mentioned in Homer’s volumes are the same ones that became normative in the Greek religion. Knowing this helps us understand the New Testament references to God and Jesus as the “Alpha and Omega,” namely the first and last letters of the Greek alphabet (Rev 1:1:8; 21:6; 22:13), in other words, the beginning and end of all things. This also helps us understand the origin of the Jewish practice of dividing some chapters of the Psalter (Psalms) into the letters of the Hebrew alphabet, for example, Pss 25 and 34, with each line beginning with a sequential letter of the Hebrew alphabet. Each psalm has twenty-two verses, but the last line of each begins with a פ (or P). Psalm 119 has twenty-two sections of eight verses in each section and each section begins with a different sequential letter of the Hebrew alphabet. Like those who revered Homer and used the alphabet to designate chapters in his works, some Jews identified the number of books in their sacred collection with the number of letters in the Hebrew alphabet (22), but later the rabbis adopted the number of the Greek alphabet (24) instead to number their sacred scriptures.

The twenty-two letters in the Hebrew alphabet is evidently what Josephus believed to be the number of books in the Jewish Scriptures at the end of the first century. Comparing the Greek writings to the Jewish Scriptures and writing from Rome, he states: “we do not possess myriads of inconsistent books, conflicting with each other. Our books, those which are justly accredited [Greek = *δίχαλως πεπιστευμένα*], are but two and twenty, and contain the record of all time” (*Ag. Apion* 1.39). He fashioned the scope the Jewish Scriptures after the Hebrew alphabet, but that did not hold sway in Rabbinic Judaism when the Greek alphabet

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<sup>88</sup> See also Pseudo-Tertullian (*Carmen Adv. Marc.* 4.198–210; cf. Hengel, *Septuagint as Christian Scripture*, 57–74). For a listing of church fathers who equated the number of prophets in their OT of twenty-four with the elders in Revelation, see also Beckwith, *Old Testament Canon*, 240–41.

of twenty-four letters was adopted as the number of books in the HB. Again, the books in the Hebrew scriptures are more than twenty-two or twenty-four, but various combinations were devised to bring the number to the letters in either the Hebrew or Greek alphabets. The scriptures in both collections are widely believed to be the same. At about the same time (ca. 90 CE), the pseudonymous author of *4 Ezra* from Palestine wrote *4 Ezra* in Hebrew and it was later translated into Greek. The author speaks of two collections of sacred texts that were both inspired by God. The first collection is the twenty-four books that are to be read to all persons publicly, but the other seventy books are reserved for the wise. “Make public the twenty-four books that you wrote first, and let the worthy and unworthy read them; but keep the seventy that were written last, in order to give them to the wise among your people” (*4 Ezra* 14:45–46, NRSV).

The number twenty-four prevailed in Judaism, though the same books were probably included in both numbers. Like the use of the Greek alphabet in Homer’s writings, the use of the Greek alphabet in the HB represented the completion and perfection of the Scriptures and pointed readers to their divine origin. Rabbinic Judaism opted for the twenty-four-letter Greek alphabet as a symbol of the HB’s completeness and included various combinations of books to achieve that number such as the combination of Ezra and Nehemiah. This number prevailed among the Amoraim leaders of rabbinic Judaism from the third to the sixth century CE (see *b. Taanith* 8a; *Bemidbar Rabbah* 13:16; 14:4, 18; 18:21; *Shir Ha-Shirim Rabbah* 4:11; *Koheleth Rabbah* 12:11, 12), and clearly the number comes from the Greek alphabet. While the number of inspired books likely stayed the same with some books debated for a time, the books that comprised those twenty-four emerged through the combination of several books (e.g., Ruth with Judges, Ezra with Nehemiah). Some rabbis continued to contest the scriptural status of several biblical books including the Song of Songs long after the *number* (but not identity) of sacred books was settled.<sup>89</sup>

In his *Against Apion* treatise, shortly before his death around 100 CE Josephus defended the Jewish people against earlier attacks by Apion from Egypt, the leading interpreter of Homer in his day. Apion represented the Greek citizens of Alexandria against the Jews before Caligula, the Roman Emperor. He made many unsubstantiated charges against the Jews, including that the Jews took a Greek into their temple to be sacrificed. In his defense of the Jews, Josephus drew attention to the Jews’ sacred Scriptures that, unlike the literary texts of the Greeks, were twenty-two books in number and he identified them by classification or grouping, not by name. As we will see in Chapter 10 §I, he claimed that they were “justly

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<sup>89</sup> See *m. Ed.* 5:3; *m. Yad.* 3:5; *b. Meg.* 7a; *t. Yad.* 2:14; Ecclesiastes (*b. Shab.* 100a; see also Jerome on Eccl. 12.14), Ruth (*b. Meg.* 7a); Esther (*b. Sanh.* 100a; *b. Meg.* 7a. cf. *t. Meg.* 2:1a), Proverbs (*b. Shab.* 30b), and Ezekiel (*b. Shab.* 13b; *b. Hag.* 13a; *b. Men.* 45a. For other examples, see Leiman, *Canonization*, 82–108.

accredited” and that the matter had been settled among all Jews for a long time. For our purposes here, it is important to observe how Josephus’ twenty-two book Scripture canon may depend on a tradition in *Jubilees* that emphasizes the number twenty-two and says in part:

There were twenty-two chief men from Adam until Jacob, and twenty-two kinds of works were made before the seventh day. The former is blessed and sanctified, and the latter is also blessed and sanctified. One was like the other with respect to sanctification and blessing. And it was granted to the former that they should always be the blessed and sanctified ones of the testimony and the first law just as he had sanctified and blessed sabbath day on the seventh day. (*Jub.* 2:23–24, *OTP* 2:57)<sup>90</sup>

By the late first century, however, we see a change in the making in the *4 Ezra* 14:45 text that states: “And when the forty days were ended, the Most High spoke to me, saying, ‘Make public the twenty-four books that you wrote first, and let the worthy and unworthy read them...’” The text goes on to mention the seventy other books reserved for the “wise among your people.” I will say more about this text in Chapter 10 §II, but for now, it is important to note how the number twenty-four carried over into the second century in the well-known Jewish text, *b. Baba Batra* 14a–15b (ca. 140–50 CE), that also recognized twenty-four sacred books that were divided into three categories (Law, Prophets, and Writings). From the end of the first century CE, it appears that the number twenty-four *began* to take priority in Judaism. While the combinations of books sometimes varied, and especially their sequence, from the second century and thereafter the number gained widespread approval and remained among the Jews for the number of their sacred scriptures.

The big question here, of course, is why would the Jews change from using the number of letters in their own alphabet and use instead the number in the Greek alphabet and still have the same books? We can only guess here, but it is likely that the influence of Homer and the widespread familiarity and significance of the Greek alphabet influenced the rabbinic Jews. The Christians did not number their NT sacred books in terms of either alphabet. It appears that the influence of the Greek perspective of sacred writings also influenced the Jewish tradition. Why else would there be a change from the obvious number of books in the HB that included the same number of books as the books in each of Homer’s *Iliad* and *Odyssey*? The twenty-four books in the HB canon and the parallels to the twenty-four books in Homer’s writings suggest the influence of the Hellenistic world on Judaism and early Christianity as well as the establishing of select collections of sacred texts.

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<sup>90</sup> This text was discovered at Qumran, but there may be an *earlier* edition of it reflected later in Epiphanius’ *On Weights and Measures* (315–403 CE). That text states: “As there were twenty-two letters and twenty-two books and twenty-two chief men from Adam until Jacob, so twenty-two kinds of works were made before the seventh day.”

In an unpublished address at the Society of Biblical Literature, J. Van Seters argued more forcefully that the act of gathering and copying the classical texts in the library at Alexandria was the direct ancestor tradition of the biblical canons of both Judaism and early Christianity. He states unequivocally that:

The scholarly tradition of the Alexandrian library was likewise concerned with the listing and classification of its works. In this regard it established tables, i.e. lists (*pinakes*) of writers and classical works from the past, and excluded spurious works whose creation was very common in the Hellenistic period. These tables are the ancestors of the “canons of writers” that one encounters in the Roman and Byzantine periods. I think it is obvious that the concern to establish a canon of scripture in Judaism and Christianity draws directly upon this scholarly tradition.<sup>91</sup>

## VII. THE MYTH OF AN ALEXANDRIAN CANON

The presence of additional literature in the LXX beyond the books included in the HB long ago led many scholars to conclude that the earliest Christian churches adopted an Alexandrian canon of Jewish Scriptures and it contained the so-called apocryphal books that were not included in the Hebrew canon of Scriptures. For example, Pfeiffer, contending for the existence of an Alexandrian Jewish canon, distinguished the LXX from the biblical canon of Palestinian Jews who he claimed were part of a conservative group who “made a sharp distinction between inspired Scripture and human writings.”<sup>92</sup> He argued that the Alexandrian Jews “tended to accept as Scripture any writing in Hebrew or Aramaic which came from Palestine.”<sup>93</sup> He added that the same was true of the rest of the Diaspora Jews, who, unlike the Palestinian Jews, did not believe that prophecy had ceased with Ezra, but instead had continued.

A comparison of the LXX used with the HB shows significant differences in the number of books, the text, and also in the order or groupings of the books. The books in the LXX included the additions to Daniel (Song of the Three Children, Susanna, and Bel and the Dragon), extended portions of Esdras added to Ezra, and the Epistle of Jeremiah (sometimes included as the last chapter of 1 Baruch) and other books as well that are now called Apocryphal or Deuterocanonical writings listed earlier. However, some Palestinian Jews welcomed as scripture several extra-canonical books in the first century BCE and CE before the formation of a more limited collection of sacred writings that emerged in the late first century CE and throughout the second. The earliest Christians knew several of these writings and like some of their Jewish siblings in the first century also welcomed as scripture some of these additional writings before their separation from Judaism

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<sup>91</sup> VanderKam supplies this quote in his *From Revelation to Canon*, 30.

<sup>92</sup> Robert Pfeiffer, “Canon of the OT,” 510.

<sup>93</sup> Ibid.

from around 62–135 CE. This larger collection reflects the Scriptures of some Jews *before* there was a later rabbinic fixed biblical canon (the HB), and this collection was more fluid and accounts for the larger collection of Scriptures among the Christians especially in the first three centuries. With the exception of the obvious Christian editing of *4 Ezra* (also called 2 Esdras),<sup>94</sup> it is unlikely that the early Christians added anything else to their OT Scriptures. They later “decanonized” some of books they earlier accepted as scripture. These additional writings in the Christian collections of Jewish religious texts also informed the faith and life of some Jews before and during the time of Jesus. Later many of them remained in the early Christians’ scripture collections even after their separation from Judaism. Those Jews who accepted a broader range of scriptures than the later rabbinic sages will be examined in the next chapter.

The biggest problem with the theory of an expanded Alexandrian canon is that there are no extant Alexandrian canons that one can point to and say that these books and no others comprised it or that a larger number of books comprised it. Pfeiffer acknowledges that no one knows what the Scriptures of the Alexandrian Jews and other Diaspora Jews were before the LXX was condemned about 130 CE in Palestine.<sup>95</sup> In 1909, Reuss concluded that we in fact know nothing about the Septuagint before the time the church made extensive use of it.<sup>96</sup> I will return to this topic later in Chapter 11 §II.

Interestingly, there is no evidence that the Alexandrian Jews, or any other Diaspora Jews, were *more* inclined to adopt more books into their Scriptures than their Jewish siblings in Palestine. In fact, it appears from our discussion of Philo earlier who focused almost exclusively on the Law, that the opposite is true. Further, no evidence shows the existence of a biblical canon in Alexandria in the second century BCE or even up to the second century CE that differs from the sacred texts circulating in Palestine, though the evidence from Qumran may suggest a more extensive collection circulating in Palestine. Moreover, since the communications between Jerusalem and Alexandria were quite good during the first century BCE and first century CE, it is unlikely that either the notion or extent of divine Scripture varied significantly between the two Jewish communities during the period before 70 CE. This does not necessarily mean, of course, that there were no differences between the Jews in the Diaspora and those in Palestine. Since there were several differences among the Jewish sects in Palestine (e.g., Sadducees, Essenes, and Pharisees, see Chapter 7 below) regarding what was acknowledged as Scripture, it is likely that there were also similar differences among Diaspora Jews. They were more affected by Hellenism than Palestinian

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<sup>94</sup> *4 Ezra* is an exception, of course, because of the lateness of its composition.

<sup>95</sup> Sundberg, *Old Testament of the Early Church*, 51–79, offers a careful refutation of Robert Pfeiffer’s position.

<sup>96</sup> E. W. Reuss, *History of the Canon of the Holy Scriptures in the Christian Church*, trans. D. Hunter (Edinburgh: Hunter, 1891), 7.

Jews and they made use of the LXX as their sacred scriptures long after the books that comprised the HB were settled. The additional writings that found their way into the Christian OT were, *for the most part*, first written in Palestine in Hebrew or Aramaic and were more likely revered by Jews there than elsewhere. On the other hand, Jewish writings acknowledged as Scripture in Babylon, unlike in Palestine, appear to have been restricted to those written before the end of the reign of Artaxerxes.

The significant influence of the Greek language and culture in Palestine in the time of Jesus is becoming more widely acknowledged now than in the past. There is a growing number of scholars, as we noted earlier, who are making the case that even Jesus spoke Greek.<sup>97</sup> Likewise, Greek documents found at Qumran (mostly Cave 7) and at Nahal Hever raise questions about who wrote them and who read them. For most early Christians, the Greek Bible was their only Bible from the beginning of the Christian movement.

The likely explanation for the larger number of writings in the LXX is that the process of limiting the Scriptures began in Palestine (and Babylon?) *after* the time when Judaism ceased having a significant influence upon the Christian community. After their separation from Judaism, Christians produced copies of the Greek Scriptures that they inherited from fellow Jews before their separation. The Christian OT Scriptures were larger because the Jews at an earlier time recognized more writings as Scripture than the Jews under the influence of later rabbinic Judaism. The Jewish Christians who separated from Judaism evidently welcomed a broader collection of Scriptures that were circulating in Palestine before final decisions were made about the scope of the Jewish Scriptures that formed the HB. After the separation of Christians from Judaism, Palestinian Jewish influence on the scope of the Christian Scriptures diminished considerably.

## VIII. SUMMARY AND CONCLUSION

In the foregoing, I have identified a number of parallels between Hellenism in the Greco-Roman world and several Jewish and Christian traditions regarding the selection and listing of their sacred scriptures. This was especially true in regard to Homer and we have seen several possible influences from that time on the development of Jewish and Christian Scriptures. The number of the books in the Hebrew Bible and those in each of the books of the *Iliad* and *Odyssey* is the same as a result of various combinations to achieve that number which corresponds to the number of letters in the Greek alphabet. The alphabet is also prominent in each of the books in Homer's *Iliad* and *Odyssey* that begin with a sequential letter of the alphabet. The Jews also followed this practice for recognizing their own sacred

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<sup>97</sup> See S. E. Porter, ed., *The Language of the New Testament: Classic Essays* (Sheffield: JSOT Press, 1991), for a history and summary of this discussion.



books using the letters in the Hebrew alphabet as we saw in several Psalms as well as later in Josephus' scripture collection, but soon thereafter the Jews began to adopt instead the number of sacred books corresponding to the Greek alphabet (4 *Ezra* 14:45, *b. Baba Batra* 14b) and using various combinations of books to achieve that number.

It is interesting that later even the groupings and sequence of the Jewish scriptures were considered important as we saw in *b. Baba Batra* 14b–15a. This has some parallels with the sources reporting on the Peisistratids' emphasis on the fixed order of performance and even performers of Homeric poetry which find some parallels with canon formation. These and other parallels noted above suggest that Jews and later Christians were well aware of the Hellenistic canons of sacred and literary works and, given our knowledge of Jews and Christians of Late Antiquity, it is difficult to think that they were unaffected by them. Different criteria were used to establish classical and sacred collections, but, unlike most of the earlier Greco-Roman classics, Jewish and Christian collections were reduced in size and eventually fixed. The basic notion of select collections, however, is clear in all three traditions.

The listing and categorizing of the biblical books historically follows a similar practice found among the Greeks and the production of commentaries by the Jews and Christians likewise follows the example set by Aristarchus in Alexandria. Besides this, the parallels between Callimachus' *Pinakes* at Alexandria and the later Jewish and Christian cataloging of their sacred texts, offer the only known literary parallels in antiquity. There are no other known models that were as close geographically and chronologically or in substance to either the Jews or the Christians than those in the works of Homer and the grammarians connected with the Library in Alexandria.<sup>98</sup> The Jews, of course, ordered their biblical canon with Law, Prophets, and Writings and the Christians welcomed the Jewish Scriptures but generally grouped them differently as Law, History, Poetry and Wisdom, and Prophets. The Jewish and Christian Scripture collections were initially larger and included other books, but in time both collections were reduced in size and a stabilized collection of Scriptures, a biblical canon, emerged.

Jewish and Christian awareness of the Greco-Roman philosophy and literary productions, such as we see in the Apostle Paul, Josephus, and later rabbinic sages, suggests that the parallels with the Alexandrian literary canons of antiquity may have been more than coincidental. I have argued that the notion of a collection of sacred scriptures, including the Hellenistic allegorical methods for interpreting

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<sup>98</sup> I am aware that there were other lists of activities and writings produced both in Babylon and in Asia (China), but these do not have the same proximity either in time or geographical distance as those found in Alexandria or Athens. For a discussion of these other lists, see articles by Niek Veldhuis, "Mesopotamian Canons," 9–28, and Andrew H. Plaks, "Afterword: Canonization in the Ancient World: The View from Farther East," in Finkelberg and Stroumsa, eds., *Homer, the Bible, and Beyond*, 267–76.

them, suggests considerable influence from Alexandrian and other Hellenistic practices. Homer was as close to a Bible for the Greeks as one could get in antiquity, even eliciting worship of the gods mentioned in his works. Any listing of ancient books in divisions of twenty-four also cannot be negligible, especially since the Jews compared and occasionally contrasted their own sacred texts with Homer's writings (Josephus, *Ag. Apion* 1.6–46; *m. Yad.* 4:6 and *y. Sanh.* 10:1, 28a).

The Greek classics were somewhat open to the inclusion of new works, but there came a time for both Jews and Christians when their sacred collections were closed. That time closed sooner for the rabbinic Jews than for Jews in the diaspora<sup>99</sup> and for the Christians, but there was initially no notion of a closed or fixed sacred collection of scriptures for either Jews or Christians until at the earliest the end of the first century CE and even later for most other diaspora Jews and Christians. Initially in the second and first centuries BCE and through most of the first century CE, the collections of inspired sacred texts was fluid.

Because the works of Homer were considered next to, if not altogether, sacred literature among most Greeks, the parallels and comparisons we have seen in antiquity by both Jews and Christians should not be ignored. David Stern observes the slowness among scholars to appreciate these parallels and states that “the status of the Bible in Rabbinic culture was, in fact, more similar to that of Homer in the Late Antique pagan world than is commonly acknowledged.” He goes on to show through comparison how Homer was “an inspiration rather than a model for imitation” in the Roman schools, and subsequently an influence on how “the Bible also formed the base text of the Rabbinic curriculum.” On the other hand, by way of contrast, Stern rightly notes that students of the rabbis did not learn the Bible to imitate it or to write more biblical texts. He also notes that subsequently the rabbis, as we see in their rabbinic texts, did not produce any literature similar to the biblical literature.<sup>100</sup>

In the foregoing, as we have observed, there are a number of places where it appears likely that the Hellenistic world had considerable influence on those in late Second Temple Judaism and early Christianity in the shaping of their biblical canons. We will now examine variations in scripture collections of Jewish sects in Palestine in the first centuries BCE and CE.

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<sup>99</sup> I will address this issue later.

<sup>100</sup> David Stern, “On Canonization in Rabbinic Judaism,” in Finkelberg and Stroumsa, eds., *Homer, the Bible, and Beyond*, 239.

## CHAPTER 7

# SCRIPTURE AMONG ESSENES, SADDUCEES, PHARISEES, AND SAMARITANS

### I. JUDAISMS IN THE LATE SECOND TEMPLE PERIOD

In recent years biblical scholars have come to acknowledge that there was no single “normative Judaism” to which all Jews subscribed in the first century CE or before. However, there were several shared activities and beliefs common among most Jews in Palestine and in the Diaspora. Most Jewish sects held in common Sabbath keeping, circumcision, worship in the temple when possible, acceptance of the sacrificial cultus in the temple along with its priesthood, care for the temple though a temple tax, and a widespread recognition of the scriptural authority of the Torah. Participation in local religious activities in synagogues,<sup>1</sup> including worship and teaching, especially for Jews living far from the temple in Jerusalem, also seems to have been widespread in the first century CE. The residents at Qumran, as we will see below, had a different understanding of Temple leadership, its high priestly structures, and the rules for conduct whether in regard to dietary restrictions, poverty, or marriage. The sacred texts that informed their faith also appear to be different from those that were eventually included in the Hebrew Scriptures.

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<sup>1</sup> In antiquity, a synagogue was sometimes called a *προσευχη* (“prayer” or “place of prayer”; cf. Acts 16:13, 16), but the origin of synagogues is somewhat obscure. The earliest evidence for the existence of synagogues comes from Egypt in the third century BCE, but they probably antedate that time and likely have roots either in the reforms of Josiah (621 BCE), in the exile in Babylon, or shortly after that during the reforms of Ezra and Nehemiah and the reconstruction of Jerusalem and the temple. Whenever and wherever the synagogue began and *whatever* it was called, by the first century BCE synagogues were known throughout the Greco-Roman world including Palestine. They were a common feature among the various sects of Judaism in the Mediterranean world in the time of Jesus and following and were typically used for Jewish gatherings for prayer, the reading of Scriptures, and liturgical purposes. The standard work on the origin of the synagogue is Levine’s *Ancient Synagogue*, see especially 19–41. In recent years synagogues have been found at Masada, the Herodium, Gamla, Magdala, and perhaps the earliest in Palestine found at Modein that dates to ca. 165 BCE.

In the first century CE and before, synagogues and houses or places of prayer were scattered around the Greco-Roman world in the land of Palestine, especially Jerusalem, and in the Diaspora where many Jews lived. Local languages, mostly Greek, were used in the synagogues and most Jews outside the land of Israel spoke Greek. First century BCE and CE Jews, our primary focus in this chapter, frequently disagreed with each other on a variety of issues, including the nature and mode of life after death, whether there was life after death, and the books they acknowledged as Scripture. Jewish apocalypticism that focused on the rapidly approaching end of the ages, the impending judgment of God, and the establishment of God's kingdom on earth by a messianic figure were also popular themes with some segments of the Jewish community, but those views were not held universally by all Jews. There were several Jewish messianic claimants both before and after the time of Jesus in the land of Israel, but none of them garnered the universal support and recognition of all of the Jews. Judaism in the first century was a mixed variety of expressions of piety. This is also true in the Scriptures they recognized and that were read in their gatherings. So far as we can tell, all Jewish sects in the first century, including early Christianity, acknowledged the authority and inspiration of the books of Moses (the Pentateuch), even if the Samaritans' Pentateuch differed in several respects from the Jewish Pentateuch acknowledged by both Jews and Christians.

During the second century BCE and following, several collections of Scriptures circulated among the Jews both inside and outside of Palestine. While there is little certainty over the scope of these Scripture collections, what we can discern is nonetheless instructive on the development of the Jewish Scriptures in the formative era of early Christianity. What was in these varied collections is the primary focus of this chapter, but I will also focus especially on the significant importance of the Dead Sea Scrolls for our understanding of the biblical canon in its formative stages in the first centuries BCE and CE. As we will see, the variety of religious texts discovered at Qumran reflects the fluid state of the biblical canon at that time.

## II. THE ESSENES AND QUMRAN

The religious sect known as the Essenes was among the renewal movements in Palestine from the second century BCE to the late first century CE (at least). Some members of this community lived on the northwest shores of the Dead Sea in a place today called Khirbet Qumran.<sup>2</sup> These Jews are not identified by name in the

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<sup>2</sup> For summaries of the Qumran inhabitants, see J. Magness, *The Archaeology of Qumran and the Dead Sea Scrolls* (Grand Rapids: Eerdmans, 2002), 32–46; Vermes, *Dead Sea Scrolls*, 87–136; E. P. Sanders, “The Dead Sea Sect and Other Jews: Commonalities, Overlaps, and Differences,” in *The*

NT, but Philo and Josephus (see below) both describe their identity, activities, and beliefs. For our purposes, the Essenes at Qumran copied, transmitted, and also produced religious literature that sheds considerable light on their beliefs around the turn of the common era and now significantly informs scholarly opinion about the formation of the biblical canon for ancient Judaism and early Christianity. This literature, commonly known as the Dead Sea Scrolls (DSS), was discovered in eleven caves near the ruins of the Qumran community on the northwestern shores of the Dead Sea beginning in late 1946 to early 1947 and concluding in 1956 with the discovery of cave 11.<sup>3</sup> Not all of the so-called DSS came from the immediate vicinity of Qumran. Although the majority of them were found in the eleven caves at Qumran, others were found in the general vicinity of the Dead Sea and Judean wilderness at Masada and Naḥal Ḥever, so it is now more common to speak of the “Discoveries of the Judean Desert” (DJD).<sup>4</sup> The literary activity of the Essenes suggests that a large number of Jewish religious texts, both sectarian and non-sectarian, were circulating in Palestine in the first century CE and those writings aid considerably in our understanding of the status of Jewish scriptures in the first century CE. Several books that were not included in the later HB were nonetheless acknowledged as sacred and authoritative religious texts not only at Qumran and among the Essenes, but also in other Jewish religious sects as well. The DSS are also helpful in understanding several NT passages,<sup>5</sup> and they make clear that there was no single normative Judaism in the first century BCE and CE. In various collections of religious texts in the DJD, several non-sectarian texts that were imported into the Essene community were also circulating among other Jewish sects in Late Second Temple Judaism that some Jews believed were normative for faith, as we will see below in Chapters 8 and 9.

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*Dead Sea Scrolls in Their Historical Context*, ed. T. Lim (Edinburgh: T. & T. Clark, 2000), 7–44; and C. M. Patte, *Communities of the Last Days: The Dead Sea Scrolls, the New Testament, and the Story of Israel* (Downers Grove, IL: InterVarsity, 2000), 53–84.

<sup>3</sup> For a concise summary of these discoveries is in C. D. Elledge, *The Bible and the Dead Sea Scrolls* (Atlanta: Society of Biblical Literature, 2005), 1–8.

<sup>4</sup> For a summary of the scrolls, see F. M. Cross, *The Ancient Library at Qumran*, 3rd ed. (Minneapolis: Fortress, 1995), 19–53; also see Abegg, Flint, and Ulrich, *Dead Sea Scrolls Bible*, xiv–xv. For a more detailed scholarly investigation of the scrolls and their significance for canon formation, see T. H. Lim and J. J. Collins, eds., *The Oxford Handbook of the Dead Sea Scrolls* (Oxford: Oxford University Press, 2010); see also the significant and even foundational collection of articles in Charlesworth, ed., *The Bible and the Dead Sea Scrolls*; Flint and VanderKam, eds., *The Dead Sea Scrolls After Fifty Years*; James C. VanderKam and Peter W. Flint, *The Meaning of the Dead Sea Scrolls: Their Significance for Understanding the Bible, Judaism, Jesus, and Christianity* (San Francisco: HarperSanFrancisco, 2002); and Flint, ed., *The Bible at Qumran*.

<sup>5</sup> For examples of Qumran texts that clarify the meaning of NT passages, see Evans, “Jesus and the Dead Sea Scrolls,” 2:573–98; Fitzmyer, “Paul and the Dead Sea Scrolls,” 2:599–621; and Aune, “Qumran and the Book of Revelation,” 2:622–48, in Flint and VanderKam, eds., *The Dead Sea Scrolls After Fifty Years*; and George J. Brooke, *The Dead Sea Scrolls and the New Testament* (Minneapolis: Fortress, 2005).

The Essenes were known in Palestine in the first century CE, as well as in Asia Minor between Colossae and Ephesus during Paul's and John's ministries, and in Egypt. In the early first century CE, Philo of Alexandria summarized their virtues as follows:

(1) they do not sacrifice animals; (2) they live in villages; (3) they work industriously at a variety of occupations that are neither military nor commercial positions; (4) they keep no slaves; (5) they study morals and religion and especially practice allegorical interpretation of their Scriptures; (6) they pursue and practice virtue; (7) they refuse to swear oaths and reject ceremonial purity; (8) they hold all goods and clothing in common; (9) they care for the sick and the elderly; (10) they admit only adults to their order; and (11) they reject marriage and have low opinions of women.<sup>6</sup>

At the end of the first century CE, Josephus produced a lengthy and generally positive description of the Essenes, observing that they had several orders of membership. He describes their daily activities and how they practiced their religious piety (*War* 2.119–61). We can see that Philo and Josephus have considerable overlap in their descriptions, but Josephus adds other details as well. He writes:

The doctrine of the Essenes is wont to leave everything in the hands of God. They regard the soul as immortal and believe that they ought to strive especially to draw near to righteousness. They send votive offerings to the temple, but perform their sacrifices employing a different ritual of purification. For this reason they are barred from those precincts of the temple that are frequented by all the people and perform their rites by themselves. Otherwise they are of the highest character, devoting themselves solely to agricultural labour. They deserve admiration in contrast to all others who claim their share of virtue because such qualities as theirs were never found before among any Greek or barbarian people, nay, not even briefly, but have been among them in constant practice and never interrupted since they adopted them from of old. Moreover, they hold their possessions in common, and the wealthy man receives no more enjoyment from his property than the man who possesses nothing. The men who practice this way of life number more than four thousand [the same number mentioned by Philo]. They neither bring wives into the community nor do they own slaves, since they believe that the latter practice contributes to injustice and that the former opens the way to a source of dissension. Instead they live by themselves and perform menial tasks for one another. They elect by show of hands good men to receive their revenues and the produce of the earth and priests to prepare bread and other food. (*Ant.* 18.18–22, LCL)

Given their close proximity historically to the production of the NT writings, the DSS share several similarities with the New Testament writings, especially with the Gospels, but also the letters of Paul. Perhaps the most important is the Apostle Paul's notion of works righteousness (Rom 4; Gal 3–4; 2 Cor 6:14–7:1) and 4QMMT (see Chapter 5 §IV above). Other Essene parallels with Paul's

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<sup>6</sup> This summary of Essene characteristics comes in Colson's LCL translation of Philo (9:514–15). For another description of the Essenes, see Philo's *That Every Good Person Is Free* 75–87, and *Hypothetica* 11.

verbal terminology include “mystery,” “flesh and spirit,” “perfect,” “truth,” and “justification.” Qumran parallels with the Gospel of John include the designations “sons of light” and “the spirit of truth.” It may also be possible that the heresy mentioned in the NT Colossian letter was an Essene-type theology, but that is not certain. These similarities do not suggest any dependence of Christians upon the Essenes, but more likely that both communities shared several religious characteristics common among first-century Jewish sects.

The Essenes claimed that their covenant community was led by the priests of the sons of Zadok, reportedly the priests of King David (2 Sam 15–19 and 1 Kgs 1) who, some scholars contend, remained as priests through most of the Second Temple period.<sup>7</sup> The texts that reflect the Essene commitment to priestly leadership by the sons of Zadok priests are as follows:

This is the rule for the men of the Community who freely volunteer to convert from all evil and to keep themselves steadfast in all he commanded in compliance with his will. They should keep apart from the congregation of the men of injustice in order to constitute a Community in law and possessions, and acquiesce to the authority of the sons of Zadok, the priests who safeguard the covenant /and/ to the authority of the multitude of the men of the Community, those who persevere steadfastly in the covenant. (1QS 5.1–3)

And

Whoever enters the council of the Community enters the covenant of God in the presence of all who freely volunteer. He that shall swear with a binding oath to revert to the Law of Moses, according to all that he commanded, with whole heart and whole soul, in compliance with all that has been revealed of it to the sons of Zadok, the priests who keep the covenant and interpret his will and to the multitude of the men of their covenant who freely volunteer together for this truth and to walk according to his will. (1QS 5.7–10)<sup>8</sup>

## A. Essene Sacred Literature

The literary collections of the Essenes tell us much about the books that informed the faith of some Jews in the first century CE including some of the early Christians. The parallels between the scrolls and the NT also help us understand better many passages in the NT,<sup>9</sup> including the breadth of Judaism in the first centuries BCE and CE, as well as the normative religious texts at that time. Abegg

<sup>7</sup> For a summary of the arguments for this view, see Alice W. Hunt, “Zadok, Zadokites,” *NIDB* 5:952–54; and Philip R. Davies, “The Prehistory of the Qumran Community,” in *The Dead Sea Scrolls: Forty Years of Research*, ed. Devorah Dimant, Uriel Rappaport, and Yad Yitshak Ben-Tsevi, Studies on the Texts of the Desert of Judah (Leiden: Brill, 1992), 116–25.

<sup>8</sup> Both of these texts are cited from Martinez and Tigchelaar, eds., *The Dead Sea Scrolls Study Edition*, 1:79, 81.

<sup>9</sup> For examples of Qumran texts that clarify the meaning of NT passages, see Evans, “Jesus and the Dead Sea Scrolls”; Fitzmyer, “Paul and the Dead Sea Scrolls”; and Aune, “Qumran and the Book of Revelation.”

has shown significant parallels between Paul's understanding of the Law and 4QMMT at Qumran that helps clarify earlier confusing conclusions that Paul did not fully understand the role of the Law in first-century Judaism.<sup>10</sup> Evans shows a number of parallels between what the NT writers say about Jesus and some of the emphases in Jesus' teachings.<sup>11</sup>

Several of the scrolls are most likely the literary products of the Essene religious sect and date from approximately 250 (or possibly 150) BCE to perhaps ca. 40 CE, though some scholars place the latest written documents at 40 BCE. It is difficult to date any of the Dead Sea Scrolls after this date though that is still possible, despite the later destruction of that community in 68 CE. The scrolls themselves include thousands of small and large fragments as well as almost complete but still fragmented books from about nine hundred to a thousand separate documents. Because of the numerous fragments that have been found and the challenging attempts to identify those that belong to the same manuscript, scholars now generally say that there were somewhere between 900 and 1000 manuscripts in these collections. Several of these documents are multiple copies of antecedent texts. Some of them contain only a small portion of a single larger writing (e.g., Chronicles). Multiple copies of books at Qumran suggest the considerable value placed on them by the Jews in that community. In terms of the multiple copies of the Dead Sea Scrolls, it is obvious that some books were more favored than others at Qumran since we have multiple copies of Isaiah (21), Deuteronomy (30), and the Psalms (36), but only one of Ezra (and possibly Nehemiah) and Chronicles, two of Joshua and Proverbs, and three of the Kings, Judges, and Ecclesiastes. All of the books in the HB have been found among the DSS except the book of Esther. On the other hand, multiple copies of so-called non-biblical books were also found at Qumran, such as *The Temple Scroll* (likely at least 5 copies, the best preserved is 11QTemple<sup>a</sup>, = 11Q19), *1 Enoch* (12 copies), *Jubilees* (14 copies), Tobit (5 copies), and Sirach (2 copies). In the case of *The Temple Scroll*, we see from 11QT<sup>b</sup>, significant attention was given to this book well into the first century CE.<sup>12</sup> It is assumed here that books with multiple copies were likely more significant than others to the members of the Qumran community, though, again, it is possible that not all of the scrolls have been found and also that some have been destroyed that might change the contours of this assumption.

<sup>10</sup> Martin G. Abegg, "4QMMT, Paul, and 'Works of the Law,'" in Flint, ed., *The Bible at Qumran*, 203–16.

<sup>11</sup> Evans, "Dead Sea Scrolls and the Canon of Scripture."

<sup>12</sup> This observation is also in Elledge, *The Bible and the Dead Sea Scrolls*, 72. See also his helpful introduction of the *Temple Scroll* in C. D. Elledge, *The Statutes of the King: The Temple Scroll's Legislation on Kingship (11Q19 LVI 12-LIX 21)*, Cahiers De La Revue Biblique 56 (Paris: J. Gabalda, 2004), 1–69, especially 37–45, for the dating of the document between 143 and 125 BCE. See also Andrew Gross, "Temple Scroll (11QTemple)," in Collins and Harlow, eds., *Eerdmans Dictionary of Early Judaism*, 1291–94, here 1291.



Although other Essene communities existed in Palestine, Egypt, and elsewhere, the surviving available Essene literature comes from the Qumran community. Some writings discovered at Qumran were also discovered in the Cairo Genizah in Egypt, but the large number of the documents discovered at or near Qumran has considerable significance for understanding Jewish and Christian biblical canons.<sup>13</sup>

## B. Biblical Texts

The “biblical”<sup>14</sup> manuscripts found at Qumran are mostly in Hebrew and are fully one thousand years earlier than the Leningrad Codex (ca. 1008/9 CE) and the Aleppo Codex (ca. 925 CE), the chief witnesses to the Masoretic Text (MT) of the HB. Most of the scrolls discovered at Qumran are in Hebrew, but a hundred are in Aramaic, and several from Cave 7 and Naḥal Ḥever (south of Qumran) are in Greek.<sup>15</sup> Some 40 percent of the Hebrew biblical manuscripts are of the Pentateuch, which suggests where the primary scriptural authority of the Essenes was placed. Of the rest, thirty-six manuscripts (or possibly thirty-seven) are of the Psalms and thirty-three are from the Major Prophets (there are nineteen

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<sup>13</sup> Recent works on the relevance of the Qumran literature for understanding Judaism in the time of Jesus and the biblical canon at that time include Abegg, Flint, and Ulrich, *Dead Sea Scrolls Bible*; J. A. Fitzmyer, *The Dead Sea Scrolls and Christian Origins: Studies in the Dead Sea Scrolls and Related Literature* (Grand Rapids: Eerdmans, 2000); Flint and VanderKam, eds., *Dead Sea Scrolls After Fifty Years*; García Florentino Martínez, *The Dead Sea Scrolls Translated: The Qumran Texts in English*, trans. W. G. E. Watson, 2nd ed. (Grand Rapids: Eerdmans, 1996); L. Schiffman, *Reclaiming the Dead Sea Scrolls: Their True Meaning for Judaism and Christianity* (New York: Doubleday, 1995); Tov, “Groups of Biblical Texts Found at Qumran” and “Hebrew Biblical Manuscripts from the Judaean Desert,” and see others related in the Bibliography; J. Trebolle Barrera, *The Jewish Bible and the Christian Bible: An Introduction to the History of the Bible*, trans. W. G. E. Watson (Grand Rapids: Eerdmans, 1998); Ulrich, *Dead Sea Scrolls*; and J. C. VanderKam, *Dead Sea Scrolls Today* (Grand Rapids: Eerdmans, 1994).

<sup>14</sup> The terms “biblical” and “non-biblical” are, of course, anachronistic and are included here only to clarify our discussion and identify the books in question. To some extent, the Essenes valued everything found in the caves at Qumran, especially those writings in multiple copies. Whether those books were always valued in the same way that sacred Scripture is now understood is unclear. However, since the literature discovered there – “biblical” and “non-biblical” alike – was not only copied but also stored in the caves without obvious distinguishing features suggests the considerable value that the community attached to that literature.

<sup>15</sup> These numbers are based in part on Milik’s *Ten Years of Discovery*, supplemented with later sources. For a discussion of recently released documents, see García Martínez, *Dead Sea Scrolls Translated*. Although some have argued that a small fragment of a manuscript discovered at Qumran is from the Gospel of Mark, this view is now largely discredited, and scholars generally agree that no NT texts were found at Qumran. For a discussion of whether 7Q5 is a fragment of Mark 6:52–53, see G. N. Stanton, *Gospel Truth? New Light on Jesus and the Gospels* (London: HarperCollins, 1995), 20–32, who concludes that it is not.

or twenty-one manuscripts of Isaiah and six each of Jeremiah and Ezekiel).<sup>16</sup> If Daniel is figured into the Major Prophets, then eight more are added to this list.<sup>17</sup>

All of the HB books, except perhaps Esther and Nehemiah, have been found at Qumran.<sup>18</sup> In the case of Esther, it is likely that it was never considered as a sacred text among the Covenanters at Qumran not just because no portion of it was found there, but more importantly, it is not cited, quoted, or alluded to in any of the literature found at Qumran, and the festival of Purim, which is central to the later use of the book, is not mentioned in any of the calendar texts at Qumran.<sup>19</sup> The scriptures of Qumran are not equal to the biblical canon of later rabbinic Judaism or any Christian OT canon and it is clear from what has survived that there were more non-biblical texts discovered at Qumran than biblical texts and their sacredness or scriptural status is not easily distinguishable from the biblical manuscripts.

<sup>16</sup> It is not always easy to determine the precise number of manuscripts found at Qumran due to their fragmentation. Because of this, scholars regularly calculate different numbers of documents discovered at Qumran.

<sup>17</sup> These figures come from Abegg, "Hebrew of the Dead Sea Scrolls"; and L. Greenspoon, "The Dead Sea Scrolls and the Greek Bible," in Flint and VanderKam, eds., *The Dead Sea Scrolls After Fifty Years*, 1:101–27. For a more complete listing of the Qumran writings, see García Martínez, *Dead Sea Scrolls Translated*, 466–519; G. Vermes, *The Complete Dead Sea Scrolls in English* (London: Penguin, 1995), 602–18; S. A. Reed et al., eds., *The Dead Sea Scrolls Catalogue: Documents, Photographs, and Museum Inventory Numbers* (Atlanta: Scholars Press, 1994); and E. Tov and S. A. Pfann, *Companion Volume to the Dead Sea Scrolls*, Microfiche ed. (Leiden: Brill, 1995).

<sup>18</sup> Several biblical scholars argue that Esther was not found at Qumran and was purposefully omitted because of calendar conflicts. While no part of the biblical book of Esther has been found to date at Qumran, several fragments of a loosely parallel work called proto-Esther were discovered there namely, 4Q550, 4Q550a, 4Q550b, 4Q550c, 4Q550d, and perhaps 4Q550e (see García Martínez and Tigchelaar, *Dead Sea Scrolls Study Edition*, 1096–103; and M. O. Wise, M. G. Abegg, and E. M. Cook, *The Dead Sea Scrolls: A New Translation* [San Francisco: HarperCollins, 1996], 437–39). In these texts, Bagasraw (or Bagasro) seems to play the role of Haman. Mordecai and Esther are not mentioned, but the story, as best as can be discerned from the fragments, resembles somewhat the story of the book of Esther. I received this information in personal correspondence from C. A. Evans. It is difficult to know what to make of such discoveries, but one cannot leap from these texts to say that Esther as we know it was a part of a biblical canon at Qumran. The argument to include Nehemiah among the books found at Qumran stems from a later development in Judaism when Ezra and Nehemiah were often coupled together in one scroll; since, therefore, Ezra was found at Qumran, some scholars often assume that Nehemiah must have been at Qumran as well. This argument seems anachronistically flawed. For arguments against the presence of Nehemiah at Qumran, see Davies, *Scribes and Schools*, 154, 197; and J. C. VanderKam, "Ezra–Nehemiah or Ezra and Nehemiah," in *Priests, Prophets, and Scribes: Essays on the Formation and Heritage of Second Temple Judaism in Honour of Joseph Blenkinsopp*, ed. E. Ulrich, J. Wright, R. P. Carroll, and P. R. Davies, JSOTSup 149 (Sheffield: JSOT Press, 1992), 55–75.

<sup>19</sup> I owe this argument to Sidnie White Crawford, *Rewriting Scripture in Second Temple Times*. SDSRL (Grand Rapids: Eerdmans, 2008), 9.

No listing of a fixed collection of sacred books can be discerned at Qumran, though some scholars have suggested one. Also, the psalmic texts at Qumran exhibit significant variations from the later MT that became the fixed text of the HB.<sup>20</sup>

As noted, some 700 “nonbiblical” scrolls or manuscripts were also discovered at Qumran and elsewhere in the Judean desert. The noncanonical writings have been conveniently classified as (1) rules and regulations, (2) poetic and wisdom texts, (3) rewritten scriptures<sup>21</sup> (e.g., *Genesis Apocryphon*, *Rewritten Pentateuch*, *Temple Scroll*, and others), (4) commentaries (e.g., the Peshier commentary on Habakkuk), and (5) a miscellaneous section that includes a variety of other writings that do not fit the above categories.<sup>22</sup>

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<sup>20</sup> Most English translations of the OT are based on a single manuscript, the Leningrad Codex, which was copied in 1009/8 and is the oldest and most complete manuscript of the MT of the HB. An earlier manuscript, the Aleppo Codex, was produced in 925 CE, but because of considerable damage to it during a raid against the synagogue where it was housed in Aleppo, Syria in 1947, it is not complete and must be augmented by the Leningrad Codex. The Masoretic scribes produced many biblical manuscripts that exist now largely in fragmentary condition, but the Bible they produced is essentially the same as what is widely used today for translations of the HB, though the books are not always in the same order. This rabbinic Bible is based on a meticulous amount of painstaking work to maintain textual consistency in the biblical text. The final stages of this process were carried out by a group of scribes known as the Masoretes, who added vowel points to the consonantal text to ensure that it could be properly pronounced and carefully interpreted. The standardized form of the text that resulted is found in both the Leningrad text which itself is based on the earlier Aleppo text. See Abegg, Flint, and Ulrich, *Dead Sea Scrolls Bible*, x–xi.

<sup>21</sup> The notion of a “rewritten Bible” was first introduced by Geza Vermes as a way of explaining a number of the texts found at Qumran that appear to rewrite earlier biblical texts. Because of the similarities of this literature with much of the biblical literature along with several changes to it, Vermes coined this designation. The terminology has subsequently and more appropriately been modified by George Brooke and Sidnie White Crawford to “rewritten scriptures” because of the difficulty of determining a “Bible” or fixed collection of sacred scriptures among the Qumran findings. What we are talking about here is the practice of several ancient writers who rewrote portions of the sacred scriptures, e.g., Chronicles is generally looked upon as a rewriting of the Deuteronomistic History with more focus on the priestly traditions and practices in Judaism. For a helpful discussion of the definition of this “genre,” see Crawford, *Rewriting Scripture*, 9–13 and George J. Brooke, “The Rewritten Law, Prophets and Psalms: Issues for Understanding the Text of the Bible,” in *The Bible as Book: The Hebrew Bible and the Judaean Desert Discoveries*, ed. Edward D. Herbert and Emanuel Tov (London: British Library; New Castle, DE: Oak Knoll, 2002), 31–40. He offers a broader definition than the more restrictive one presented by Philip Alexander on 32–33. He claims that the rigid or “neat” distinction between “scripture” and “rewritten” is impossible to measure, and in the broadest sense reflects “a composition that shows clear dependence on a scriptural text” (32). See further discussion of this in Chapter 12 §IV.A.

<sup>22</sup> Abegg, Flint, and Ulrich, *Dead Sea Scrolls Bible*, xv.

## C. Sectarian Literature

The following writings are generally recognized as peculiarly (sectarian) Essene literature:

1. *Damascus Document* (abbreviated CD). It was also discovered in the Cairo Genizah in 1895. The Qumran manuscripts appear to be later versions of the *Community Rule*.
2. *Community Rule* or *Manual of Discipline* (1QS or *Serekh*) consists of rules of life for the community: (a) aims and ideals; (b) annual census instructions, including moral outlook (humility); (c) treatise on the spirits of good and evil; (d) regulations regarding obedience; (e) oath of allegiance; and (f) a hymn with reference to calendar details and secrecy of doctrine.
3. *Rule Annex* or *Messianic Rule* (1QSa) consists of supplementary provisions for instruction that describe the treatment of the aged and mentally ill, plus offering more council rules.
4. *Book of Blessings* (1QSB) is a handbook of benedictions for members and officials.
5. *War Scroll* (4QM or *Milhama*), a nineteen-column document, contains instructions on the preparations for the great eschatological battle when the universal dominion of God's holy race will be established (cf. Ezek 38–39 and Daniel).
6. *Hymn Scroll* (1QH or *Hodayot*) contains some thirty hymns, many of which are thanksgivings for salvation and knowledge. It is somewhat parallel to the canonical Psalms, but is more individualistic.
7. *Halakic Letter* (4QMMT or *Miqsat Ma'aseh ha-Torah* ["some works of the law"]). This is a collection of rules for behavior or law codes derived from a particular interpretation of the scriptural law codes (similar to the Temple Scroll and *Jubilees*). It has considerable relevance for the study of the canonical process in that it speaks of the kinds of literature about which the community was especially concerned, namely, the Law of Moses (see Chapter 4 §III.E).
8. Liturgical and astrological fragments.
9. *Florilegia* (or testimony books) includes three fragments from Cave 4 with assembled selections from OT passages.
10. *Genesis Apocryphon* (1QapGen or *Lamech Scroll*). This text, like *Jubilees*, contains a rewritten and "modernized" version of parts of Genesis in Aramaic.
11. *Temple Scroll* (11QTemple). This scroll is over thirty feet long and, based on the number of copies discovered at Qumran, was apparently highly influential in the Qumran community. This scroll is something of a rewritten text similar to a "new Book of Moses" that describes rules related to the Temple and sacrifices. More will be said about this scroll later.

## D. Biblical Commentaries

The commentaries found at Qumran consist of passages from the OT accompanied by *pesharim*, literalistic and eschatological interpretations of the scriptural books in light of the life and history of the community at Qumran. Scholars generally agree that ancient Jewish and Christian writers only produced commentaries on texts that they deemed were inspired and sacred. Lim offers a helpful discussion of the *pesharim* and how the Essene commentators both interpreted and modified their scriptural texts.<sup>23</sup> The commentaries constituted for the residents of Qumran the true interpretation of their sacred scriptures. Campbell conveniently lists these as continuous commentaries (*pesharim*) and thematic commentaries as follows:

The continuous *pesharim* include: the well preserved and mostly complete Commentary on Habakkuk (1QpHabakkuk), but also 4QpIsaiah<sup>a-c</sup>, 4QpHosea<sup>a-b</sup>, 4Q166–7, Commentary on Micah (1QpMicah (1Q14), 4QpMicah (4Q168), 4QpNahum (4Q169), Commentary on Zephaniah (1QpSephaniah (1Q15), 4QpZephaniah (1Q170), and Commentary on Psalms (1QpPsalms (1Q16), 4QpPsalms<sup>a-b</sup>, (4Q173).

The thematic *pesharim* include: 4Q Florilegium (4Q174), 4QCatena A (4Q177) and 11QMelchizedek (11Q13), plus 4QOrdinances<sup>a-c</sup> (4Q159, 513–14), 4QTanhumim (4Q176), 4QAges of Creation A-B (4Q180–1) and 4QCommentary on Genesis A (4Q252).<sup>24</sup>

## E. Late Jewish Apocryphal and Pseudepigraphal Works

Several of the so-called apocryphal and pseudepigraphal writings were also found at Qumran, including, but not limited to, a Hebrew version of Sirach, Tobit, an Aramaic version of Tobit, a Greek version of the Epistle of Jeremiah, *Jubilees*, an Aramaic version of *I Enoch*, and fragments used in producing the *Testaments of the Twelve Patriarchs*. All of these are of special significance because they point to the theological outlook in Palestine at the time of the emergence of early Christianity as well as to other religious texts that informed the faith of some Jews and some Christians in late Second Temple Judaism.<sup>25</sup> Several of these works were also welcomed and cited as authoritative documents in early Christianity.

<sup>23</sup> Timothy H. Lim, *Holy Scriptures in the Qumran Commentaries and Pauline Letters* (Oxford: Clarendon, 1997), 69–120. See also his discussion of the significance of these commentaries in *The Formation of the Jewish Canon*, 135–41; see also VanderKam and Flint, *Meaning of the Dead Sea Scrolls*, 174–75 for a similar listing and 221–25 and 303–7 for summarizing discussions of their significance.

<sup>24</sup> Jonathan G. Campbell, “Scriptural Interpretation at Qumran,” in Paget and Schaper, eds., *The New Cambridge History of the Bible: Vol. 1, From the Beginnings to 600*, 242–66; here 250–51.

<sup>25</sup> John J. Collins offers a recent discussion of this literature in his “The ‘Apocryphal’ Old Testament,” in Paget and Schaper, eds., *The New Cambridge History of the Bible: Vol. 1, From the Beginnings to 600*, 165–89.

## F. The Significance of These Finds<sup>26</sup>

The presence or absence of apocryphal or pseudepigraphal books in the DSS and DJD collections have considerable impact on current HB canonization discussions. In the first place, the absence at Qumran of the books included in the HB Scriptures cannot be ignored, namely Esther and Nehemiah, but this may not be as important as earlier thought, for only one small fragment of the larger book of Chronicles was found at Qumran.<sup>27</sup> Esther, however, as we have seen, is another story and there are likely reasons for its absence. What was discovered in and around Qumran is not necessarily a complete library of what was actually stored there, for the residents made no list of what they stored or where they stored their manuscripts and we do not know whether one day another cave or caves will be discovered with even more manuscripts in them. Therefore, a certain level of caution is necessary here before drawing firm conclusions about the contents of the Qumran library. Because of this uncertainty, it is also wise to soften some conclusions about what was and was not found there. Nevertheless, the presence of all but one or two of the HB books may shed light on what books were welcomed as sacred scripture. That may also be true of other contemporary Jewish religious sects elsewhere in Palestine. The collection of DSS, however, does suggest a broader acceptance of sacred books than what is in the later HB.

Even though all but two biblical books were found at Qumran, this does not mean that the Qumran community had the same biblical canon as the Pharisees or the later rabbis in the second century CE who were responsible for fixing the number and contents of the biblical books in the HB. Bruce incorrectly, I think, argues that “it is probable, indeed, that by the beginning of the Christian era the Essenes (including the Qumran community) were in substantial agreement with the Pharisees and Sadducees about the limits of Hebrew scripture.”<sup>28</sup> Beckwith similarly argues that the presence of all of the OT canonical books at Qumran, save Esther, points to the acceptance in that community essentially of the same biblical canon as the one found in Pharisaic Judaism and later identified and promoted in rabbinic Judaism that we now call Tanak or HB.<sup>29</sup> However, the discovery of parallels with Pharisaic Judaism in *some* of the books found at Qumran cannot

<sup>26</sup> For a helpful discussion of the significance of the Dead Sea Scrolls for understanding the formation of the HB and NT, see Nora David and Armin Lange, eds., *Qumran and the Bible: Studying the Jewish and Christian Scriptures in Light of the Dead Sea Scrolls*, CBET 57 (Leuven: Peeters, 2010).

<sup>27</sup> Cross, *From Epic to Canon*, 225; adds, “an additional worm, and Chronicles, too, would have been missing”!

<sup>28</sup> F. F. Bruce, *Canon of Scripture*, 40. Similarly, Satlow, *How the Bible Became Holy*, 172–79, contends that the Essenes were a related sect of the Sadducees and that 4QMMT is a Sadducean document, but acknowledges that the sectarian community at Qumran “had a loose but not closed canon” (180). Thus far, the evidence is not convincing that the Essenes and Sadducees held to the same scriptures, especially since the two sects are distinguished in Josephus.

<sup>29</sup> Beckwith, *Old Testament Canon*, 291–94, 312–13, and especially 358–66.

support the conclusion that they and the Essenes utilized the same biblical canon despite any overlap. Since the Qumran scrolls included considerably more than the HB canonical books their collection of sacred texts was clearly broader than the current HB biblical canon. In fact, as already noted, more nonbiblical writings were discovered at Qumran than biblical ones and the former often outnumber the biblical books.<sup>30</sup>

Beckwith contends that the Qumran community accepted as Scripture only the canonical writings of the OT, though he concedes that the Essenes excluded Esther for reasons related to the Jewish calendar. Oddly, however, he contends that essentially all of the other books found at Qumran, whether books dealing with legal matters or prophetic texts, were simply commentary or interpretations of the already fixed collection of sacred Scriptures – and even “revealed interpretation” of the biblical books.<sup>31</sup> VanderKam challenges Beckwith’s conclusions with reference to *Jubilees* and *1 Enoch* stating that these books were not simply commentary or interpretation of biblical books. These books, he claims, were presented as new revelations. For example, *1 En.* 72:1 states that the contents of *1 En.* 72–82 (the so-called *Astronomical Book* or *Book of Heavenly Luminaries*) were revealed to the writer by the angel Uriel, and in *Jub.* 6:29–35 a special calendar is traced to “heavenly tablets.”<sup>32</sup> It reads as follows:

And they set them upon the heavenly tablets. Each one of them in thirteen weeks from one to another of the remembrances, from the first to the second, and from the second to the third, and from the third to the fourth. And all of the days which will be commanded will be fifty-two weeks of days, and all of them are a complete year. Thus it is engraved and ordained on the heavenly tablets, and there is no transgressing in a single year, from year to year. (*Jub.* 6:29–31, *OTP* 2:68)

VanderKam appropriately asks of Beckwith which OT texts the author of *Jubilees* or *1 Enoch*’s *Astronomical Book* is citing or commenting on in these passages.<sup>33</sup> There are allusions to the OT Scriptures in some of these noncanonical books, but several have no discernible reference to biblical books.<sup>34</sup> Again, we underscore

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<sup>30</sup> For example, *Jubilees* is found in 14 or 15 manuscripts, and *1 Enoch* in 12, but by contrast some biblical manuscripts discovered there are much fewer in number. For such comparisons, see VanderKam, *Revelation to Canon*, 25–26; and Davies, *Scribes and Schools*, 154–57. The more than 700 nonbiblical books cannot be viewed as only “commentary” on biblical books. Some of them were “rewritten Scripture” but not all, and those that were “rewritten” likely functioned as scripture for the residents at Qumran.

<sup>31</sup> Beckwith, *Old Testament Canon*, 362; cf. 359–60. See also Davies, *Scribes and Schools*, 163–65.

<sup>32</sup> VanderKam, *Revelation to Canon*, 27–28.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid., 27. For a comparison and contrast of the parallels between *1 Enoch* and Genesis, see also James C. VanderKam, “The Interpretation of Genesis in 1 Enoch,” in Flint, ed., *The Bible at Qumran*, 129–48.

that at Qumran nonbiblical texts were found alongside biblical books with no discernible way of distinguishing them.

An excellent publication that illustrates the popular misleading information about the Dead Sea Scrolls is Abegg, Flint, and Ulrich's *Dead Sea Scrolls Bible*. It contains a translation of a select number of writings found at Qumran, but does not present all of the non-canonical literature found at Qumran or offer an adequate rationale for why the editors selected or omitted *some* of the Qumran literature in their volume. The title of the book itself is also misleading since their translation does not represent a Qumran "Bible." Its title suggests, contrary to the evidence, that somehow a "Bible" was discovered at Qumran made up of the books identified in this volume. That, however, is simply not the case. The term "Bible" suggests both a selected and limited collection of books that were placed side by side to form the stabilized Scriptures of a religious community.<sup>35</sup> Abegg, Flint, and Ulrich rightly include in their volume *Jubilees*, *1 Enoch*, some noncanonical Psalms, Sirach, Epistle of Jeremiah, and Tobit, but oddly omit without explanation several others such as *Temple Scroll*, *Rule of the Community*, *Damascus Document*, *Book of the Giants*, *4 Enoch*, *Book of Noah*, *Books of the Patriarchs*, and others. There is little that distinguishes the books that eventually became a part of the HB from the books at Qumran that did not.

A number of religious texts that were not included in the Hebrew Bible or most Christian biblical canons, were evidently significant literature among the Essenes at Qumran, for example, the *Book of Jubilees* (cf. reference to it in the Damascus Document [CD X, 9–10 = *Jub.* 23:1; cf. also CD XVI, 2–4, and elsewhere in 4Q228]).<sup>36</sup> There were some fifteen or sixteen copies of *Jubilees* discovered at Qumran, more than were found of most of the biblical books. In 4QTestimonia, there are not only quotations of Exodus (20:21b), Deuteronomy (5:28b–29; 18:18–19), Numbers (24:15–17 and 33:8–11), but also of the *Apocryphon of Joshua* (4QTest 21–23 = 4Q379 22 7–15). In 4Q247 (= 4QPesher on the Apocalypse

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<sup>35</sup> Abegg, Flint, and Ulrich have acknowledged that "Bible" is historically anachronistic in reference to the works found at Qumran and that "there is little evidence that people were seriously asking the question yet about the extent or the limits of the collection – the crucial question for a 'Bible' or 'canon' – which books are in and which books are outside this most sacred collection. Thus, *The Dead Sea Scrolls Scriptures* may be a more historically accurate title for this volume. At any rate, it presents the remains of the books for which there is good evidence that Jews at that time viewed them as Sacred Scripture" (vii). I would prefer instead *Dead Sea Scrolls Scriptures* omitting the definite article, "The," which would be more reflective of the status of canon formation in the first centuries BCE and CE, which is more in keeping with previous publications of these editors, but evidently, as I was informed by one of the authors, in this case the publishers made the final choice of titles and not the one they preferred.

<sup>36</sup> So argues Armin Lange, "The Status of the Biblical Texts in the Qumran Corpus and the Canonical Process," in Herbert and Tov, eds., *Bible as Book*, 23. See also VanderKam, *Dead Sea Scrolls Today*, 154–55.



of Weeks) there is a commentary on the Apocalypse of Weeks (= *1 En.* 93, 91:12–17), and the *Damascus Document* also alludes to the *Book of Watchers* (CD II, 17–19). In 1QSa I, 6–7; CD X, 6; XIII, 6–8 there is a reference to the vision of Enosh (4Q417 I, I 16).<sup>37</sup> It is also worth noting that half of the *large* scrolls at Qumran are non-biblical, that is, they were not included in the later HB or Christian OT.<sup>38</sup> What to make of all of this is complex and seldom clear, but Armin Lange goes so far as to say that the Qumran Covenanters “recognized, in addition to the Pentateuch, the Former and Latter Prophets, the Psalter, Proverbs, Job, Lamentations and Daniel, the following compositions as authoritative: Enochic writings, the Aramaic *Levi Document*, the *Book of Jubilees*, the *Apocryphon of Joshua*, and the *Book of Hugo*.” Interestingly, he adds that he does *not* think that the Essenes at Qumran viewed Canticles, Qohelet, Ruth, Esther, Ezra, Nehemiah, and 1–2 Chronicles as scripture.<sup>39</sup>

Elsewhere Ulrich clarifies his views on the Bible at Qumran, which accurately reflect what other scholars have also found there. I am in full agreement with his position on the status of the biblical canon during the time of the Qumran community’s existence. He writes:

I do not think that “The Bible” in our modern sense (whether Jewish, Protestant, or Catholic, or any other) existed as such in the Second Temple period, if by “Bible” we mean a complete, fixed, and closed collection of books of Scripture. There is sufficient and sufficiently broad reference to “the Scriptures” or “the Law and the Prophets” to ensure that certainly there were Sacred Scriptures at the end of the Second Temple period, but the point would have to be demonstrated that “The Bible” as such was an identifiable reality at the end of the Second Temple period.<sup>40</sup>

Ulrich raises several important questions in this regard that need answers before any conclusions can be drawn about fixing or stabilizing the Bible in its modern canonical sense. His focus is on standardizing of the biblical text, but his perceptive questions are also suitable for the standardized books as well. These include:

1. What are the available data for determining the nature and characteristics of the scriptural texts in the first century BCE and first century CE?
2. Even if we have the proper data, are we looking at them through the correct interpretive lenses?

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<sup>37</sup> I owe these observations to Lange, “Status of the Biblical Texts,” 23.

<sup>38</sup> I owe this observation to Emanuel Tov, “The Biblical Texts from the Judaean Desert: An Overview and Analysis of the Published Texts,” in Herbert and Tov, eds., *Bible as Book*, 159.

<sup>39</sup> Lange, “Status of the Biblical Texts,” 23–24.

<sup>40</sup> E. Ulrich, “The Qumran Biblical Scrolls—The Scriptures of Late Second Temple Judaism,” in Lim, ed., *The Dead Sea Scrolls in Their Historical Context*, 69–70.

3. Since “standard biblical text” normally refers to the MT, what was the MT? What would be an adequate description of it? Was there such a thing as “a/ the standard text”? If so, was the MT the standard text?
4. Was there an identifiable group of leaders in the first centuries BCE and the first century CE that knew of the variety of texts, was concerned about the diversity of textual forms, selected a single form, had the authority to declare a single form to be the standard text, and succeeded in having that standard text acknowledged by a majority of Jews? At the turn of the era, was there sufficient cohesion in Judaism and sufficiently acknowledged leadership to make it conceivable that a majority of Jews recognized and used a standard text?<sup>41</sup>

After considerable investigation, Yadin concludes convincingly that the *Temple Scroll* was venerated as the Essene Torah and held to be equal in importance to the traditional Torah.<sup>42</sup> He observes that the so-called Tetragrammaton, the four letters Y-H-W-H (יהוה) that form the unpronounced name of God (Yahweh) in the Hebrew Scriptures, is replaced in the *Temple Scroll* with the personal pronouns “I” or “me” and such like. For example, Num 30:3 in the *Temple Scroll* states: “When a woman vows a vow to me,” which replaces the traditional Torah: “When a woman vows a vow to the LORD.”<sup>43</sup> Yadin’s point is that the author presents the law as if it came directly from God himself rather than through Moses. He also notes that the square Aramaic script is used in the *Temple Scroll* to write the name of God, just as it is in the other biblical books, which is further indication that the people at Qumran viewed this scroll as sacred literature. Yadin adds that this lengthy scroll was copied several more times at Qumran than even the scroll of Isaiah. This leads him to the conclusion that “the Temple Scroll was, for the Essenes, a holy canonical book on par, for them, with the other books of the Bible.”<sup>44</sup>

Neusner concludes that the Essene community had a much wider collection of sacred Scriptures than did other Jews in the land of Israel. He acknowledges that the Essenes’ library at Qumran encompassed a diverse group of writings, surely received as authoritative and holy, and also those that “other Jews did not know within their canon.” He adds:

<sup>41</sup> Ibid., 70.

<sup>42</sup> Y. Yadin, “The Temple Scroll, the Longest and Most Recently Discovered Dead Sea Scroll,” in *Archaeology and the Bible: The Best of BAR: Archaeology in the World of Herod, Jesus, and Paul*, ed. H. Shanks and D. P. Cole (Washington, DC: Biblical Archaeology Society, 1990), 161–77; and idem, *The Temple Scroll*, 3 vols. (Jerusalem: Israel Exploration Society, 1983).

<sup>43</sup> Yadin, “Temple Scroll,” 168.

<sup>44</sup> Ibid., 172.

We have no evidence that the relation to the canon of Scripture of the *Manual of Discipline*, the *Hodayot* (or Hymns of Thanksgiving),<sup>45</sup> the *War Scroll*, or the *Damascus Covenant* and others perplexed the teacher of righteousness and the other holy priests of the Essene community about the scope of their biblical canon. To the contrary, these documents at Qumran appear side by side with the ones we now know as canonical Scripture.<sup>46</sup>

Interestingly, at Qumran the practice of altering and changing the biblical text was common and it did not seem to violate the Essenes' understanding of the sacredness of the texts that they were examining, copying, or editing. As noted earlier, the command in Deut 4:2 (cf. 12:32) that forbids anyone from adding to or taking from the Law, became the standard for distinguishing sacred texts (cf. also *Let. Aris.* §311; and Rev 22:18–19).

This notwithstanding, the Essene community frequently changed or altered sacred texts, even books of the Pentateuch. Silver calls attention to how the scribes at Qumran felt free to alter the order and wording of the Psalms, even to the point of adding the refrain “Praised be the LORD and praised be his name forever and ever” after each verse of Ps 145, and they also changed the script, spelling, grammar, and content of the two scrolls of Isaiah found in Cave 1. When the Qumran scrolls were produced, there were no agreed formal standards for the transmission of sacred writings, and the practice of changing the text, whether in books eventually included in the biblical canon or not. This common practice of changing the biblical texts was done in regard to the Torah as well. The Essenes at Qumran regularly deleted or added words and even sentences in the transmission and copying of their sacred texts. Changing such things as word division, syntax, and spelling appears to have been of little concern to the scribes at Qumran.

Silver concludes that in pre-rabbinic times the Law, Prophets, and Psalms carried a large degree of authority in the Qumran community, but they had not yet attained the inviolable status given to Scripture by the later rabbinic schools, which copied every letter and word as accurately as possible.<sup>47</sup> The idea of scriptural inviolability was not uniformly understood or followed by the Essenes in the first century CE or before. There is no evidence that they handled their sacred texts differently than other Jewish and Christian sects did in the first or second century CE and later. As I will note later in regard to the texts of surviving HB/OT or NT manuscripts, there are no two manuscripts exactly alike before the invention of the printing press. While most of the changes in the texts of these manuscripts were accidental and so corrections were made in them, some were intentional to

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<sup>45</sup> *Hodayot* is the term given to a number of thanksgiving hymns discovered at Qumran. The title takes its name from the opening verb to the various hymns that begins “I thank you [O Lord]” that usually begins with gratitude for knowledge or that the righteous will eventually overcome the trials facing them, and such like.

<sup>46</sup> J. Neusner, *The Talmud: A Close Encounter* (Minneapolis: Fortress, 1991), 174.

<sup>47</sup> Silver, *Story of Scripture*, 136–41.

change the meaning of the texts transmitted. This will be further discussed below in Chapter 19.

Tov, whose work supports Silver's conclusions, comments on how the scribes at Qumran often incorporated their thoughts about the biblical text into new versions of the text they produced. He explains: "In the newly created text scribes and readers inserted sundry changes, which are recognizable because the limitations of the ancient materials and the rigid form of the manuscript did not allow them to hide the intervention."<sup>48</sup> He adds that notations and changes in the various texts had little to do with whether they were biblical or non-biblical texts:

Very little distinction, if any, was made between the writing of biblical and nonbiblical texts. For example, the scribe who wrote 1QS, 1QSa and 1QSB, as well as the biblical 4QSam<sup>c</sup> and some of the corrections in 1QIsa<sup>a</sup> (e.g., at col. 33:7), employed the same system and notations throughout all five texts (including the use of four dots for the *tetragrammaton* [Y H W H or יהוה]). In addition, 1QS and 1QIsa<sup>a</sup> also share three unusual marginal signs, which were probably inserted by the same scribe.<sup>49</sup>

Tov goes on to say that in a few cases some scribes did distinguish the biblical texts from the nonbiblical texts by writing on only one side of the parchment for biblical texts and on both sides for nonbiblical texts, and notes that the biblical texts were almost exclusively written on parchment and only on a few on papyrus sheets which were likely for personal use. Finally, Tov notes that a special arrangement was devised for writing poetical sections in only the biblical books – and this included Sirach.<sup>50</sup>

Contemporary canon scholars generally agree that the discovery and study of the DSS has revolutionized previous conclusions about the formation and canonization of the HB. Whether the Essenes at Qumran had a biblical canon as such has been the subject of considerable debate, but again, further study of the scrolls demonstrates the fluidity of the scripture collections at the turn of the first century CE. Shemaryahu Talmon, for instance, claims that those who try to construct a twenty-four book biblical canon from the discoveries at Qumran will have considerable difficulty making their case. He concludes that "no discussion or even a hint of the reasons which put on foot the inclusion or non-inclusion of a work in the compendium of biblical books can be found in a *Yahad* [Qumran community] document, nor a mention of an authoritative committee or council that ever legislated in these matters."<sup>51</sup> He contends that the Covenanters at Qumran "did not consider their assemblage of biblical writings a closed canon

<sup>48</sup> E. Tov, "Scribal Practices Reflected in the Texts from the Judean Desert," in Flint and VanderKam, eds., *The Dead Sea Scrolls After Fifty Years*, 1:424.

<sup>49</sup> Ibid., 1:425.

<sup>50</sup> Ibid., 1:426. See also idem, "Scribal Practices Reflected in the Paleo-Hebrew Texts from the Judean Desert," *Scripta Classica Israelica* 15 (1996): 268–73.

<sup>51</sup> Talmon, *Text and Canon of the Hebrew Bible*, 441–42.

of Holy Writ” and that “Qumran literature evinces not only an ‘open-ended biblical canon,’ as is argued, but rather gives witness to what I have termed ‘the living Bible’.”<sup>52</sup> He claims that the Qumran Covenanters viewed themselves as living in the biblical age and in the historical and social context of biblical Israel. Finally, he states that attempts to discover a fixed biblical canon at Qumran ignore the central features of canon formation, namely a clearly stated and “precisely defined corpus of textually fixed or at least stable literary works, to which nothing can be added, and from which nothing can be detracted.”<sup>53</sup> Because the Qumran Covenanters (Essenes) saw themselves as part of the biblical story of Israel, as their writings and *pesharim*<sup>54</sup> (commentaries) make clear, it is difficult to show from them any claim for a fixed text or collection books that formed the Hebrew scriptures. Talmon’s arguments that the Covenanter’s synagogal style of worship that consisted exclusively of prayer texts “without the inclusion of readings from Scripture as a constitutive element,” precludes both the necessity of establishing a closed canon of biblical books and a fixed transmission of their texts.<sup>55</sup>

James Sanders draws similar conclusions based on his foundational work on the Psalms scrolls of Cave 11 at Qumran in which he shows convincingly that there was no single expression of Judaism in Israel in the first century BCE and CE. He contends that once the myth of the Jamnia hypothesis was dispelled, scholars typically moved in two opposite and contradictory directions, namely some chose to locate the formation of the HB in the Hasmonean period (Leiman, Beckwith, and Davies) and others chose sometime after the Bar Kochba rebellion in 133–135 CE (Sanders, VanderKam, Flint, McDonald).<sup>56</sup> The discoveries at Qumran, however, make it much less likely that the formation of the HB canon took place during the Hasmonean Dynasty since the nonsectarian<sup>57</sup> writings are alongside the so-called biblical writings at Qumran and this shows that the formation of the HB was still in a fluid state in the last century BCE and the first century CE. This does not deny that several collections of sacred texts existed at that time, such as the Pentateuch, the Twelve, and likely some if not all of the Prophets, though we have no indication of what was in the Prophets of those collections. As a result of DSS scholarship in recent years, scholars have begun to rethink many of the earlier notions about canon formation in late Second Temple Judaism.

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<sup>52</sup> Ibid., 433–34.

<sup>53</sup> Ibid., 435–36.

<sup>54</sup> For a careful discussion of these commentaries, see Lim, *Holy Scripture in the Qumran Commentaries*.

<sup>55</sup> Talmon, *Text and Canon of the Hebrew Bible*, 441–42.

<sup>56</sup> See especially J. A. Sanders, *Psalms Scroll of Qumran Cave 11*; “Cave 11 Surprises”; and “The Scrolls and the Canonical Process,” esp. 7.

<sup>57</sup> These so-called nonsectarian writings are those that were brought to Qumran, but did not originate there, as in the case of *I Enoch*.

As Talmon has reminded us, nothing at Qumran suggests anything related to a biblical canon. He agrees with James A. Sanders that the Qumran scrolls and other documents from the Judaean Desert “do not offer any decisive new evidence pertaining to the crystallization of a closed canon of Hebrew Scriptures, worded in a fixed and essentially standardized text.”<sup>58</sup> While Sanders was among the earliest scholars to understand how revolutionary the discovery of the Dead Sea Scrolls is to our understanding of the formation of the HB, others have subsequently joined him and share many of his sentiments on the matter.<sup>59</sup>

The Essene community reflects the multiple understandings of Scripture and canon in first century CE. Other first-century Jewish sects differ from its perspective and often also from perspectives that emerged in later rabbinic and Christian traditions. While no direct evidence exists for early Christian dependence upon Essene perspectives, some Essene influence may be detected in Jesus’ understanding of poverty and divorce,<sup>60</sup> or perhaps more likely, both shared a common Jewish perspective in the first century CE.

### III. THE SADDUCEES AND THEIR SCRIPTURES

The Sadducees were generally a wealthy priestly group made up mostly of aristocratic families. They were responsible for public order and cooperated with the Romans in order to ensure that the Jewish sacrifices would not be interrupted. They have a poor reputation in the NT, as well as in other ancient Jewish literature, especially that of rabbinic Judaism. After the destruction of Jerusalem and its temple in 66–70 CE, the Sadducees did not survive long in the religious life of Israel, and not much from their past survives, though some suggestions have been made as we will see presently.

#### A. Background

The origins of the Sadducees are obscure in Israel’s traditions in part because we have no clear extant literature from them though some have suggested that Ecclesiastes, Sirach, the *Targum of Ruth*, 1–2 Maccabees, even the *Damascus*

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<sup>58</sup> Talmon, *Text and Canon of the Hebrew Bible*, 444–42. He refers here to James A. Sanders, “The Issue of Closure in the Canonical Process,” in McDonald and Sanders, eds., *The Canon Debate*, 252–63.

<sup>59</sup> For an understanding of how the HB text has recently been affected by the DSS and how those finds affect current interpretations of the HB, as well as how the DSS relate to daily living, see Nora David, Armin Lange, Kristin De Troyer, and Shani Tzoref, eds., *The Hebrew Bible in Light of the Dead Sea Scrolls*. FRLANT 239 (Göttingen: Vandenhoeck & Ruprecht, 2012).

<sup>60</sup> Magen Broshi argues this point in “What Jesus Learned from the Essenes: The Blessing of Poverty and the Bane of Divorce,” *BAR* 30, no. 1 (2004): 32–37, 64. He makes a very good case and also acknowledges that this influence may have come directly from John the Baptist, who possibly grew up in such a community.

*Document*, and possibly 4QMMT described above, come from the Sadducees, but it is difficult to find something specific that ties the Sadducees to this literature. Our primary sources of information about this sect come from Josephus and the New Testament,<sup>61</sup> and while they are also mentioned in several rabbinic texts, it is essentially only when they are in dispute with the Pharisees or rabbinic sages. Nothing is said in Josephus or the NT about their origin or if they wrote anything. This absence suggests that there is much to be said about history's winners getting all the attention. After the destruction of the Temple in 70 CE, little is known of their activity apart from disputes with the Pharisees.

Three common suggestions for their origins have emerged in recent years: First, the name Sadducee may have come from צדוקים, a Hebraization of the Greek word σύνεδροι ("members of the council"). This appears to be more in keeping with the role assigned to the Sadducees in the NT, but it is difficult to make a strong case for this option because of the dearth of available ancient sources. Second, the Sadducees' name is derived from the Hebrew צדק ("righteous"), but other religious groups also used this designation of themselves, including the residents at Qumran who esteemed their "Teacher of Righteousness" or "Righteous Teacher." Consequently this view also is difficult to substantiate. Third, and more likely but also difficult to establish, is that the name is derived from the OT priest Zadok (from the line of Aaron) whose sons were recognized as the legitimate priests of Israel (Ezek 40:46). Both Ezra (Ezra 7:2) and the high priests of the postexilic and pre-Maccabean period (1 Chr 24:3; Hag 1:1; Sir 51:12 addition) founded their reigns as priests after the order of Zadok.

Since the Essenes claimed to be the spiritual sons of Zadok (1QS 5.2 and 9, see the passages in question included above; and *Damascus Document* 4.1–5), it is sometimes suggested that a close connection existed between the Sadducees and the Essenes. The traditional view that the Sadducees recognized a smaller collection of scriptures (Pentateuch) than the Pharisees and Essenes is based largely on comments from Josephus and the New Testament texts that claim that the Sadducees rejected fate and belief in the resurrection or life beyond death (*War* 2:164–65; *Ant.* 18:16–17; Acts 23:6–8) and this can also be seen in Jesus' reference to the Sadducees' scripture, i.e., Moses or Law/Torah which does not speak of resurrection, saying that God is the God of the living and not of the dead (Mark 12:18–27). Scholars differ on the significance of these texts, but it is difficult to see how the Sadducees could accept all of the HB books at Qumran as Scripture and yet deny the resurrection since resurrection from the dead is clearly found in Isa 26:19 in the "Isaiah Apocalypse" (Isa 24:1–27:13, perhaps from the sixth century BCE near the end of the Babylonian exile), as well as in Ezek

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<sup>61</sup> Josephus, *Life* 10–11; *War* 2.119, 164–166; *Ant.* 13.171, 173, 293, 296–98; 18.11, 16–17; 20.199; Matt 3:7; 16:1, 6, 11, 12; 22:23–32; Mark 12:18–27; Luke 20:27; Acts 4:1; 5:17; 23:6–8.

37:1–14 and Dan 12:1–2. It is difficult to see how the Sadducees could accept those books if they rejected the notion of resurrection and life after death. The identity of the Essenes with the Sadducees is problematic.

It is possible that the Essenes and the Sadducees had similar origins, but there are significant differences between them, not only on the notion of life after death, the rejection of fate, Sabbath laws, and ritual purity. It is unlikely that the Sadducees and the Essenes were the same or similar, despite some similarities such as giving priority to the Torah or Pentateuch. Also, since the Sadducees appear to have persecuted the Essenes and the Zadokite priests who headed the Qumran sects, and there is evidence that the Sadducees supported the non-Zadokite priesthood of the family of Annas (Acts 4:1, 6; 5:17), again it is difficult to make the claim that they were the same sect.<sup>62</sup> Whether Annas or his son-in-law, Caiaphas, was high priest, the latter being the most likely, the priesthood was still in the Annas family which was acceptable to the Sadducees, but not to the Essenes. The arguments in favor of the relationship between the Essene group and the Sadducees are based on the both groups advocating a strict observance of several laws that is reflected in the *Temple Scroll* at Qumran and in the *Halakhic Letter* (4QMMT B 21–22). Both rejected the Pharisaic practice of exhibiting the Temple menorah outside the Temple (*t. Hag.* 3:35), and both rejected the Pharisees' rule regarding the annual half-shekel tax and their annual celebration of the days of ordinance.

According to Eyal Regev, the Sadducees and the authors of the *Damascus Document* rejected "the practice of transforming the courtyard or alley into common property that allows its use on Sabbath."<sup>63</sup> However, he observes that while the Sadducees share with those at Qumran similar views that are emphasized in the *Temple Scroll* and in the *Halakhic Letter* and, although the Sadducees and Essenes may have had a common heritage, both Sadducees and Essenes developed independently.<sup>64</sup> Cross, acknowledging the similarities between them, agrees that they may have had a common origin, but says that because the Essenes called themselves "Sons of Zadok," they may have been "an apocalyptic branch of the Sadducees" and concludes that we have no firm evidence on which to determine a Sadducee biblical canon. He doubts, however, that the "conservative wing" of the Sadducee party as we see by that name in the NT "would have held the late apocalyptic book of Daniel, with its explicit doctrine of resurrection, to be

<sup>62</sup> For a summary discussion of the origin and beliefs of the Sadducees, see Günter Stemberger, "Sadducees," in Collins and Harlow, eds., *Eerdmans Dictionary of Early Judaism*, 1179–81; for a more complete discussion see the earlier but still relevant examination of all of the relevant ancient texts about the Sadducees, including the rabbinic references, in Anthony J. Saldarini, *Pharisees, Scribes and Sadducees in Palestinian Society* (Wilmington, DE: Glazier, 1988).

<sup>63</sup> Eyal Regev, "Sadducees," *NIDB* 5:32–36, here 33–34.

<sup>64</sup> *Ibid.*, 5:34.



authoritative.”<sup>65</sup> Religiously, the Sadducees were both conservative and traditional. They cooperated with the Romans for pragmatic reasons because by doing so they were allowed to keep the sacrificial system going on in Jerusalem. Like most other Jews, they also despised the Romans for occupying their homeland.

## B. The Scriptures of the Sadducees

Once again, scholars are divided over which biblical books the Sadducees acknowledged as sacred scripture. Since we do not have any clear statement from the first centuries BCE or CE on the parameters of their Scriptures, we are left to infer from several comments about the Sadducees in Josephus and the NT what those scriptures might have been. Were their choices different from other first-century sects of Judaism that welcomed other books that were also finally included in the HB? I have already indicated why it is likely that the Sadducees had the most conservative collection of Jewish Scriptures in the first century CE. Some scholars questioned whether there was any essential difference between the Sadducees, the Pharisees, or the Essenes in regard to the scope of their Scriptures. F. F. Bruce, for instance, suggests that the notion of a limited Sadducee biblical canon stems from a common misunderstanding of the following text in Josephus:

The Sadducees hold that the soul perishes along with the body. They own no observance of any sort apart from the laws; in fact, they reckon it a virtue to dispute with the teachers of the path of wisdom that they pursue. There are but few men to whom this doctrine has been made known, but these are men of the highest standing. They accomplish practically nothing, however. For whenever they assume some office, though they submit unwillingly and perforce, yet submit they do to the formulas of the Pharisees, since otherwise the masses would not tolerate them. (Josephus, *Ant.* 18.16–17, LCL)

This passage is usually taken to mean that only the Law of Moses was sacred to the Sadducees and that they excluded all other authoritative writings accepted by the Pharisees. Bruce claims instead that this passage refers *only to their rejection of the oral traditions of the Jews*, not to their rejection of the Prophets and Writings.<sup>66</sup> He may be right in this instance, but it would still be odd for the Sadducees to affirm all of the books affirmed by the Pharisees and Essenes and yet deny the resurrection and life after death. Saldarini acknowledges that scholars differ over the meaning of this text and concludes: “Josephus does not say explicitly that the Pharisees follow oral law, nor does he say that the Sadducees only follow the laws written in the Bible, contrary to the claims made in many descriptions of these groups. This passage says that their traditions differed, but not how.”<sup>67</sup> He is correct, of course, in seeing the ambiguity of this passage, but

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<sup>65</sup> Cross, *From Epic to Canon*, 224–25.

<sup>66</sup> F. F. Bruce, *Canon of Scripture*, 40–41.

<sup>67</sup> Saldarini, *Pharisees, Scribes, and Sadducees*, 113.

given what Josephus and the NT say elsewhere about the Sadducees' beliefs about life after death, including the perishing of the soul and the body, it is not a stretch to suggest that they adhered to a different collection of Scriptures. Likewise, when Jesus responds to the Sadducees and affirms that God is the God of Abraham, the God of Isaac, and the God of Jacob (Exod 3:6) and that he is the God of the living, not the dead (Mark 12:24–27), the passage makes little sense unless Jesus assumes that the Sadducees reject later HB/OT teachings about resurrection.<sup>68</sup>

Bruce cites another passage from Josephus that he claims makes clear that *Ant.* 18.16–17 refers to only the oral traditions of the Pharisees and not to the Prophets or Writings:

For the present I wish merely to explain that the Pharisees had passed on to the people certain regulations handed down by former generations and not recorded in the Laws of Moses, for which reasons they are rejected by the Sadducaean group, who hold that only those regulations should be considered valid which were written down (in Scripture) and that those which had been handed down by former generations need not be observed. (*Ant.* 13.297, LCL)

Based on these texts alone, we cannot say conclusively whether the Sadducees rejected the Prophets and the Writings, but supposedly, as Bruce claims, only the *oral traditions* of the Jews. However, can it be inferred here that the Sadducees accepted the same scriptures as the Pharisees or Essenes, especially in light of their rejection of belief in the resurrection of the dead, which is well established in Josephus and the book of Acts (see below)? Again, it is difficult to understand how the Sadducees could affirm the scriptural status of the biblical books mentioned above and yet deny the resurrection.<sup>69</sup> More importantly, Jesus' argument against the Sadducees' denial of the resurrection in Matt 22:23–32 (see also Mark 12:18–27) is not based on the clearer texts in Isaiah, Ezekiel, and Daniel, but rather on an inference taken from the Law (Exod 3:6), which the Sadducees clearly affirmed. Had the Sadducees accepted the Prophets, Jesus' case would have been stronger had he cited Isaiah, Ezekiel, or Daniel. Jesus' response, however, fits best with the obvious assertions of Acts 23:6–10 that the Sadducees denied the resurrection from the dead:

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<sup>68</sup> For helpful discussions of this passage and its implications and examples of early Jewish and rabbinic parallels in argumentation, see Hugh Anderson, *The Gospel of Mark*, New Century Bible (London: Oliphant, 1976), 276–79; Adela Yarbro Collins, *Mark*, Hermeneia (Minneapolis: Fortress, 2007), 557–64; Craig A. Evans, *Mark 8:27–16:20*, WBC 34B (Nashville: Thomas Nelson, 2001), 253–58.

<sup>69</sup> Beckwith recognizes the force of this argument but rejects it, claiming that the Sadducees rejected a belief in angels, which is taught in the Torah (e.g., Gen 19:1, 15; 28:12; 32:1), and that this line of reasoning would imply that the Sadducees also rejected the Law of Moses. See Beckwith, *Old Testament Canon*, 87–88 and 30–39 (his discussion of the Sadducees).

When Paul noticed that some were Sadducees and others were Pharisees, he called out in the council, “Brothers, I am a Pharisee, a son of Pharisees. *I am on trial concerning the hope of the resurrection of the dead.*” When he said this, a dissension began between the Pharisees and the Sadducees, and the assembly was divided. (*The Sadducees say that there is no resurrection, or angel, or spirit; but the Pharisees acknowledge all three.*) Then a great clamor arose, and certain scribes of the Pharisees’ group stood up and contended, “We find nothing wrong with this man. What if a spirit or an angel has spoken to him?” When the dissension became violent, the tribune, fearing that they would tear Paul to pieces, ordered the soldiers to go down, take him by force, and bring him into the barracks.<sup>70</sup> (emphasis added)

Had they held to the rest of the Jewish scriptures, how could they deny the belief in resurrection?

Origen and Jerome both lived in the land of Israel and had access to Jewish leaders and Jewish thought in their day. They both concluded that the Sadducees limited their scriptural collection to the Pentateuch. Origen, for instance, states: “But although the Samaritans and Sadducees, *who receive the books of Moses alone*, would say that there were contained in them predictions regarding Christ, yet certainly not in Jerusalem, which is not even mentioned in the times of Moses, was the prophecy uttered” (*Cels.* 1.49 ANF, emphasis added).<sup>71</sup> Both Origen and Jerome agree that the Sadducees accepted only the Law of Moses as Scripture. Bruce suggests that both depended on the Josephus texts for this information,<sup>72</sup> but this is neither obvious nor stated by either of these authors. Both writers had independent access to informed Jews in their own respective communities. Irenaeus, however, did not depend on Josephus, but rather the story of Jesus in the Gospels of Matthew and Mark and acknowledges that the Sadducees did not believe in the resurrection (*Haer.* 5.2).

Chapman has set forth five arguments against there being a difference between the Sadducees and the Pharisees in their scriptural collections, but some of them are not as clear as he would make them. For instance, he claims that there are rabbinic arguments for the resurrection based on the Pentateuch and non-Pentateuch books and cites *Sanhedrin* 90b and *Pesachim* 68a (cf. *Sipre* 306),<sup>73</sup> but, these arguments are not at all obvious or convincing and they reflect a specious style of midrashic explanation typical of the Talmudic rabbis. For example, in the *b. Sanhedrin* 90b

<sup>70</sup> The difference in the biblical canons of the Pharisees and the Sadducees is unclear in the NT, but it is obvious that there was a lack of belief in the resurrection by the Sadducees. The differences between the Sadducees and the Pharisees in the Mishnah (see *m. Yadayim* 4:6) are primarily over matters of purity, and this distinction is carried over to the Tosefta (*t. Parah* 3:7). However, those who have no hope and are called heretics in the Mishnah are those who say, “there is no resurrection of the dead prescribed in the Law” (*m. Sanhedrin* 10:1). For additional references to the Sadducees in the Mishnah, Tosefta, and Talmuds, see Porton, “Sadducees,” *ABD* 5:892–93.

<sup>71</sup> See also Jerome’s *Commentary on Matthew* 22:31–32 for the same understanding of the Sadducees’ scriptures.

<sup>72</sup> F. F. Bruce, *Canon of Scripture*, 40–41 and n. 41.

<sup>73</sup> Chapman, “Canon, Old Testament,” 105.

passage, much of which seeks to argue for a belief in resurrection from Torah, Prophets, and Writings, we read:

Sectarians [*minim*] asked Rabban Gamaliel: Whence do we know that the Holy One, blessed be He, will resurrect the dead? He answered them from the Torah, the Prophets, and the Hagiographa, yet they did not accept it [as conclusive proof]. “From the Torah”: for it is written, And the Lord said unto Moses, Behold, thou shalt sleep with thy fathers and rise up [again]. “But perhaps,” said they to him, “[the verse reads], and the people will rise up?” (Soncino trans.)

The rest of passage focuses on arguments for the resurrection, but nothing here is clear or substantiates Chapman’s claims about Pharisees and Sadducees holding the same views. Indeed, all arguments from these texts are drawn from inferences to substantiate views already held by the rabbis in view of the *minim* or heretics (Christians and others) that they are challenging. Hugh Anderson, in his above commentary on Mark 12:24–27, acknowledges that the rabbinic texts are strange arguments not so much from the Torah as from their own previously held views. The passages reflect a *peshet* style of interpretation more than identifying what Pharisees and Sadducees have in common. The Christians maintained that their resurrection depended on the resurrection of Christ and that resurrection was grounded in their Scriptures, but if the rabbis showed how that view derived from the Torah it would weaken their argument. Chapman then argues that since Acts 23:8 reflects the Sadducees’ disbelief in angels and spirit, both of which are found in the Torah, a limited canon of scripture for the Sadducees cannot be argued from this passage. While the rabbis through odd exegesis affirmed resurrection from Torah or Pentateuch, this does not set aside the arguments earlier based on Josephus’ understanding of the Sadducees or the reflections of them in the New Testament.

Chapman’s third argument depends on a reading of Josephus that says that Sadducees rejected the Pharisees’ “regulations handed down by former generations” that were not in the laws of Moses and that they only held that those “regulations should be considered valid which were written down (in Scripture)” (*Ant.* 13.297, LCL). The passage, like *Ant.* 18.16–17 noted above, could by itself could go either way, but it is clear that teaching about the future resurrection is in the other scriptures, but not as explicitly stated in the Torah. Jesus’ reference to the Law’s affirmation of the resurrection by saying that God is the God of Abraham, Isaac, and Jacob and he is not the God of the dead but the living is a similar midrashic interpretation of Torah that is not explicit in it. In his *Jewish War*, Josephus says of the Sadducees, “as for the persistence of the soul after death, penalties in the underworld, and rewards, they will have none of them” (*War* 2.165). His fourth argument makes it less clear, namely that the prophetic structure was a normal part of the synagogue service (cf. Matt 2:4–6 and Luke 4:16–20), but he assumes that the Sadducees were actively involved in the synagogue. Finally, Chapman claims that the “gospel disputation scenes involving Jesus and the Sadducees cannot be satisfactorily interpreted according to the inference that

they observed different canons.”<sup>74</sup> Why not? I continue to affirm that the only way to make sense of the Josephus texts, Jesus’ conflict with Sadducees, and Paul’s division between the Pharisees and Sadducees is if they recognized different collections of scriptures (there were no biblical canons at that time) and had different interpretations of those they held in common (the Law).

There is no evidence that anyone had fixed canons during the time of Jesus whether for the Sadducees, Pharisees, or Essenes, though there were collections of sacred texts circulating at that time, i.e., the Pentateuch, the Twelve, likely the Former and Latter Prophets, and other HB Scriptures. However, there is uncertainty over some books that later were included in the Writings and whether they formed a separate collection from the Prophets in the first century or whether they also included books that were later rejected in the HB. As shown above, the scripture collections were still quite fluid in the first centuries BCE and CE. There is no evidence that all of the first-century Jewish sects held to the same collection of sacred scriptures. It makes more sense to go with the inferences drawn both by Josephus, the early Christians, and two leading church fathers who were familiar with Jews in Palestine and they likely got it right.

#### IV. PHARISEES

The best known New Testament Jewish religious sect is without question the Pharisees who are mentioned ninety-nine times in the New Testament (89 in the Gospels; 9 others in Acts, and 1 in Phil 3:5) and also in numerous places throughout Josephus’ writings. They became the dominant religious expression of Judaism following the destruction of Jerusalem and the Temple in 70 CE and had a greater influence on all subsequent expressions of Judaism than any other Jewish sect, beginning with the rabbinic sages at the end of the first century CE to the present. Remarkably, despite their frequent mention in the NT and in Josephus, little is known of their origins, core beliefs and practices, and the specific Scriptures that they recognized. The only Pharisee to leave behind any information about them was Josephus who was often given to hyperbole. Scholars have little agreement on their origins or how they organized. The two main sources of information about them is an obviously biased favorable report from Josephus (*Life* 10–12; *War* 2.119–66; *Ant.* 13.171–73; and 18.12–22) and from the biased and almost always polemical descriptions of them regarding their activities and hypocrisy in the NT. No unbiased reports about them exist, but their widespread popularity among many of the Jewish people in Palestine in the first century BCE and CE is obvious.

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<sup>74</sup> Ibid.

Their origin is vague and complex and most of what we know about them is in Josephus, the New Testament, and rabbinic literature but none the less vague at several important points. It is likely that the Pharisees were a pious Jewish sect initially known as the Hasideans (*Hasidim*) whose origins date from sometime between 165 and 150 BCE. The name “Pharisee” comes from the Hebrew or Aramaic word *parash* (פרש), which means “to separate” or “be separated,” but possibly also “to explain” or “specify.” It is not clear if the sect identified itself as “Pharisees” (Greek = *pharisaioi*) or by the Hebrew or Aramaic equivalent *perushim*. It may be that this name was given to them by non-Pharisaic Jews, but somehow “Pharisee” stayed with them and initially it appears it was not necessarily a positive designation. The Apostle Paul in boasting identified himself as a Pharisee (Phil 3:5) before his conversion to follow Jesus the Christ (Acts 26:5). The term may suggest that the group was known for separating itself from others, but it is not clear from whom or what. Josephus refers to their wanting to be exact in their interpretations of the Torah (e.g. *Life* 191; *War* 1.110; 2.162; *Ant.* 17.41). They were apparently committed to a careful and strict interpretation of their scriptures and careful observance of the regulations both oral and written related to keeping the Law (Acts 22:3; 26:5).

The name could refer to the Pharisees’ separation from other religious or political institutions that they perceived were not interpreting Torah carefully or serving God faithfully. Or, perhaps they could have been known for their explanations of the sacred scriptures and traditions that were deemed relevant for daily living. Both of these ideas fit well with their usual association with the scribes in many NT passages and their strict adherence to the Law (e.g., Matt 5:20; 15:1; Mark 2:16; 7:1; Luke 5:21; 15:2, Acts 5:34; 23:9, *passim*). Possibly the former was what was intended if the union of scribes and Hasideans (cf. 1 Macc 7:12–13) is the same as scribes and Pharisees in the NT and their “separation” was either from the Hasmoneans and/or the Essenes (Hasideans?).

The Pharisees, along with the Hasmonean priestly family, were the two primary resisting parties against the Hellenization imposed on the Jewish nation by the Seleucid ruler Antiochus Epiphanes in the second century BCE mentioned above. Their sect had some 4000 to 6000 members and they were popular and quite influential among the Jews in Palestine in the first centuries BCE and CE. They were the dominant Jewish religious sect to survive the Roman destruction of the nation in 66–70 CE and subsequently the name itself lost its significance when scribal Pharisaism came to represent the entire Jewish people.<sup>75</sup> The most extensive descriptions of the Pharisees are found in Josephus (e.g., *War* 1.110–14; 2.162–66; *Ant.* 13.171–73, 288–98, 399–423; 17.41–45; 18.11–13, 15–16; *Life* 10–12, 190–96).

<sup>75</sup> Eckhard J. Schnabel, “Pharisees,” *NIDB* 4:485–96, here 486.

In the New Testament the Pharisees, like the Sadducees, are typically represented unfavorably. They are often depicted as legalistic and malicious antagonists of Jesus. Most NT writers and the later church fathers had little good to say about them. In Matthew, for instance, they are seen as arrogant, treacherous, and fundamentally hypocritical. John the Baptist makes scathing comments about the Pharisees in Matt 3:7 (“you brood of vipers”) and Jesus describes them in Matt 23:27 as “you white-washed tombs.” Jesus also said to those who listened to him that “unless your righteousness exceeds that of the Pharisees, you will never enter the kingdom of heaven.” (5:20) which drives home his point that he saw the Pharisees as legalistic hypocrites.

Josephus also mentions a “Fourth Philosophy” that was initiated by a certain Judas, a Gaulanite from Gamala (ca. 6 CE), who was accompanied by Saddok, a Pharisee. Together they led a rebellion against the forces of Quirinius of Syria because of his heavy and severe taxation imposed on the Jewish people (*Ant.* 18.4; cf. Luke 2:1–2). According to Josephus these people and their “Fourth Philosophy” were initially well received among the people, but the rebellion was put down with brutal force. The philosophy that he describes is similar to that of the Pharisees, except that its adherents would rather have liberty even at the cost of death than to live in slavery (*Ant.* 18:23). In this they are not unlike the later Zealots who came into prominence during the First Revolt against Rome (Josephus, *War* 4.162–313). They are not to be confused with the “zealots” in the NT (Luke 6:15) who were zealous to keep the law of God and have freedom from the yoke of bondage. These and others share the determination of the earlier Fourth Philosophy to live free and in obedience to the will of God.<sup>76</sup>

Paul does not condemn the Pharisees but rather claims to have been one (Phil 3:5) and according to Acts also studied under the famed Rabban Gamaliel (Acts 22:2–3; cf. 5:34). While their origins are obscure, it is possible that the Pharisees movement began with dissatisfied priests and pious Jews (the Hasideans) in the second century BCE who rejected the Hasmonean Dynasty’s combination of priesthood and kingship. That group of Hasideans or pious ones may have split into the Essenes and Pharisees, but this is difficult to prove since the only surviving evidence is vague and comes from the Hasmoneans (1 Macc 2:29–38, 42; 7:12; 2 Macc 14:6). They were the “winners” in the conflict. The Pharisees believed that the Hasmonean Dynasty’s leaders were compromising the will of God. In New Testament times the Pharisaic movement was made up primarily of lay people. They were popular among members of the emerging class of artisans and merchants of Palestine, but also among the Diaspora Jews. Paul, as noted, was a Pharisee born in the Diaspora city of Tarsus, a Hellenized city and Roman colony, though in his case it is not clear whether his commitment to the Pharisees began in Tarsus or in Jerusalem. His father was also a Pharisee and this suggests

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<sup>76</sup> For a summary of what we can know historically about the Pharisees, see Roland Deines, “Pharisees,” in Collins and Harlow, eds., *Eerdmans Dictionary of Early Judaism*, 1061–63.

that such a group also existed in Tarsus. Since Paul claimed to be a Pharisee, it is suggestive that he would have recognized a similar collection of scriptures as we find in Josephus, a Pharisee in *Ag. Ap.* 1.37–43.

The Pharisees, like other first century Jewish sects believed that they alone rightly interpreted their sacred scriptures and lived appropriately in accord with them. There were two major Pharisaic schools of scripture interpretation in the time of Jesus led by two famous teachers whose teaching careers extended from roughly 30 BCE to 10 CE, namely Shammai and Hillel. The first of these teachers of the Law was Shammai who was conservative in his outlook and tended to be somewhat rigid. His teaching on divorce is similar to the one Jesus adopted and taught in Matt 19:3–12. Shammai's teachings were Palestinian in orientation and focused on obedience to the Law and the sacrificial system of the Temple. Followers of Shammai were the dominant Pharisaic sect in Palestine until after the destruction of the Temple in 70 CE. After that, Hillel's teachings became the primary understanding of the Law, when a more liberal understanding of the Law and less rigidity in how it was to be kept carried the day. It is probable that he was raised in Babylon, or at least had early roots there, and was less interested in the Temple orientation than Shammai. He was more focused on the practical implications of the Law and taught that all of the requirements of the Law were fulfilled by loving God with all of one's heart and also by loving one's neighbor, which is similar to Jesus' interpretation of the Law (Matt 22:34–40).<sup>77</sup>

The Scriptures that the Pharisees recognized are noted by Josephus, who was himself a Pharisee, though he identifies the scriptures in terms of collections rather than by the names of the individual books (*Ag. Apion* 1.38–43). The individual books in those collections are possibly the same, but in a different order than those listed later in *b. Baba Batra* 14b (see Chapter 11 §II.A). At the time when the Jewish-Christian separation began (62–66 CE) the collection that comprised the Jewish Scriptures was still not a fixed collection. That collection *possibly* included all of the books that were included in the HB, but probably others also that were more prominent in the earlier part of the first century CE.

I am in substantial agreement with Timothy Lim who posits that the collection of scriptures used by Paul was also in broad agreement with the scriptures that were recognized by the Pharisees in the first century CE. Lim acknowledges that Paul never set forth a biblical canon, though he points to Paul's familiarity with most of the books that later formed the HB canon. Lim carefully examines Paul's use of the books in the HB canon and finds that he either cites or shows awareness of most the HB books with the exception of Ruth, Song of Songs, Ecclesiastes, and Esther, books that were also disputed later in the rabbinic tradition. He goes on to say that Paul does not clearly cite as scripture any of the Deuterocanonical or apocryphal

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<sup>77</sup> For a discussion of the Pharisees, see Saldarini, *Pharisees, Scribes and Sadducees* and his article "Pharisees," *ABD* 5:289–303. Also helpful is R. A. Horsley and J. S. Hanson, *Bandits, Prophets, and Messiahs: Popular Movements in the Time of Jesus* (San Francisco: Harper, 1985).



books with his usual introductory formulae such as “the scripture says” or “as it is written.” This suggests to him that Paul was silent on the books that were disputed among the rabbis and that he did not accept the apocryphal books as scripture, though he was doubtless familiar with several of them and also made use of some of them.<sup>78</sup> Obviously Paul cites a number of ancient non-biblical sources that he likely did not view as scripture, but rather as illustrative material that supported his points. But this is the point where some biblical scholars disagree with Lim.

The most obvious example, of course, is whether Paul cited Wisdom of Solomon as sacred scripture in Rom 1:19–32 (compare Wis 12–15). The parallels between Rom 2:4 and Wis 15:1–5 also suggest more than a casual familiarity with that book. The question this raises for Lim has to do with the way that Paul makes use of this text and whether he is citing it as scripture. He is not convinced that Paul thought of Wisdom as scripture, but he does not deny Paul’s awareness of this text. It may be that a reexamination of how the NT uses and cites the OT texts and other texts needs further clarification. Some scholars continue to insist that Paul cited Wisdom as scripture in this text and that may well be the case. Lim cites Dunn as an example. The lack of Paul’s use of citation formulae is not necessarily determinative here, as we see in other NT examples where Jesus, according to Mark 14:62, cites Dan 7:13, but does not use any scriptural formulae such as “as the scripture says.” It is generally conceded that Jesus saw and cited Daniel of sacred scripture. This practice of citing scriptural texts without the scriptural formulae is also found throughout the book of Hebrews in which its author regularly cites many OT texts, more than almost any other NT book, but with one exception (Heb 10:7) without the familiar introduction “as it is written.”

That author and others seems to be “writing with scripture,” to use Jacob Neusner’s line,<sup>79</sup> which often reflects the way that the NT writers occasionally made use of scriptural texts, namely without the typical introductory formulae. Paul’s use of the Wisdom of Solomon, like other NT writers’ use of Wisdom of Jesus ben Sirach, may reflect what was common in the early churches who welcomed these books and subsequently included them in sacred scripture collections. While Sirach was a disputed book for generations in rabbinic Judaism, it was welcomed initially by the rabbis as scripture and it is also included in early Christianity scripture canons. Does this suggest that it was also accepted as scripture in the first century and cited as such in several texts in the NT? The history of the early churches’ reception of both of these books as scripture suggests that Paul too may have had a more positive view toward Wisdom as scripture than what some scholars have seen.

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<sup>78</sup> Lim, *Formation of the Jewish Canon*; see his whole discussion of Paul’s scriptural canon on 159–77.

<sup>79</sup> See Jacob Neusner and W. S. Green. *Writing with Scripture: The Authority and Uses of the Hebrew Bible in the Torah of Formative Judaism* (Minneapolis: Fortress, 1989).

Lim also acknowledges that the full scope HB canon was not settled for the Pharisees in the first century. He also observes that Paul's claim to have been a Pharisee in regard to his zeal for the law (Phil 3:4–6) and reportedly studied under the famous Pharisee, Rabban Gamaliel (Acts 22:3), and boasts of his heritage as a Hebrew (2 Cor 11:22), and may claim that his father was a Pharisee (Acts 23:6), or at least that he belonged to the family of the Pharisees. This all leads us to conclude with Lim that "it is, therefore, entirely natural to compare Paul's canon to that of the Pharisees" noting that the Pharisees' biblical canon was still a work in process during the first century CE. That canon, for the most part, is quite similar to the HB canon that emerged in the second century CE and so Lim correctly concludes that Paul's "canon was the canon of the Pharisees, which was itself emerging and not yet finally closed" at the end of the first century.<sup>80</sup> There is no conclusive evidence that the HB canon, as it now stands, was settled for most Jews in the first century CE, but it appears that most of the books that eventually were canonized in the HB were those that were circulating as scripture in the first century CE. Nevertheless some doubts continued for centuries after broad agreement on the contours of the HB canon took place in the third and fourth centuries.

It is possible that the scope of the HB scriptures was settled for Josephus (*Ag. Apion* 1.37–43) and that his canon was equivalent to the same canon that eventually obtained scriptural status by the second century, but questions still remain since Josephus, the author of *4 Ezra*, and Paul never specifically identified the books that they believed were sacred scripture.

It has been suggested that the stabilization of the HB canon was largely due to the influence of Hillel, one of the two leading teachers of the Pharisees in the first century. He came to Palestine from Babylon and, according to F. M. Cross, appears to have been a leading voice in promoting the books that came to shape the contours of the HB. Cross suggests that Hillel may have had a greater influence on the formation of the Pharisaic biblical canon than any other leading voice from the first century.<sup>81</sup>

The author of *4 Ezra* 14:45–46 appears to have conceded the widespread acceptance of the "twenty-four" books that comprised the Jewish scriptures through various combinations by the last decade of the first century. His list of "seventy" other texts that were reserved for the wise was likely his way of focusing attention on the writings that were later rejected and are often dubbed apocryphal and pseudepigraphal writings. That author, like Josephus, has a specific number for the books that comprise the Jewish scriptures, but, as we saw earlier, that number was a special one that focused on divine origin and perfection, but not necessarily on which books were included in it. As we saw, various combinations of books were made to come up with that number and we do not know what

<sup>80</sup> Ibid., 176–77.

<sup>81</sup> Cross, *From Epic to Canon*, 223–24.

books were in Josephus' collection or the author of *4 Ezra*. However, it is likely that Paul's understanding of the sacred scriptures was similar to the Pharisees' scripture collection which was still fluid "around the edges" or "fringes" at the turn of that century. Later the shape of that biblical canon became more firmly established but debate continued among the rabbis over some of the books that were later included (Ezekiel, Ruth, Song of Songs, Ecclesiastes, Esther) and one that initially was welcomed but later dropped (Sirach).

The continuing fluidity in the shape of the HB canon during the early rabbinic period can be seen in the continuing questions about the sacredness of the disputed books, but it appears that the majority of books that later formed the HB canon were not in serious doubt among the rabbis. (A discussion of these disputed books will be discussed below in Chapter 11 §III.)

## V. THE SAMARITAN BIBLE

Many of the Jews who survived the 721 BCE Assyrian invasion of the northern tribes of Israel with the capture of Samaria, its capital, subsequently intermarried with the Assyrians and became known as "Samaritans." The Jews to the south tended to view them as despised "half-breeds" and rejected their participation in the life of the nation and its temple cultus. Following the devastation of the nation that began in 598/597 BCE, and concluded with the subsequent destruction of the temple and deportation of the people in 587/586 BCE, the only thing that remained for the Jews who returned to Palestine after more than fifty years of exile was a story about their heritage, including their experience with Yahweh.<sup>82</sup> These survivors concluded that the destruction of their homeland and temple was due to their own failure to keep their covenant (the Law/Torah) with Yahweh.

The school of interpretation that began with Ezra added a new focus on the Law and its practical implications in the lives of the Jewish people. After renewing their covenant with God (Ezra 10:1–5; Neh 7:73–9:38), they rebuilt the Jerusalem temple under Zerubbabel (Hag 1–2; Zech 1–8) and then rebuilt the walls around the city probably no later than 445–443 BCE. During the rebuilding of the walls, the Jews met with opposition from Sanballat, the governor of Samaria (Neh 4:2).<sup>83</sup> This is the first time the Samaritans are mentioned by name.

The division between Jews and Samaritans was discussed later among the rabbinic sages, who saw the Samaritans as ritually unclean (*b. Niddah* 4:1), and

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<sup>82</sup> As we saw earlier, Sanders, *From Sacred Story*, 127–47, 175–90, explains that it was not the cultus or the monarchy or anything else other than a story of Israel's life and heritage, wrapped up in the call of Yahweh, that gave Israel its identity and the incentive to continue its existence in the face of overwhelming odds.

<sup>83</sup> The dating of these events and the conflict that ensued are summarized in Cross, *From Epic to Canon*, 188–89.

asserted that they made unacceptable offerings to God (*b. Bekhorot* 7:1), did not observe the holy days properly (*b. Rosh HaShanah* 22b), and could not be relied on to give a reliable witness (*b. Gittin* 1:5). The question of when the Samaritans would be acceptable to the Jews is answered in the Babylonian Talmud: “When they renounce Mount Gerizim, and confess Jerusalem and the resurrection of the Dead,” which is the conclusion of the *Masseket Kutim*.<sup>84</sup>

By the first century BCE, Jews generally viewed the Samaritans with disdain (see also John 4:4–12, 19) and as natural enemies of the Jews. The point of Jesus’ parable of the Good Samaritan (Luke 10:25–37) – that his disciples are to be good neighbors even to their natural enemies – is heightened by an awareness of the long-standing Samaritan–Jewish antagonism. The Samaritans built their own temple on Mt. Gerizim around 330 BCE, but John Hyrcanus, the Hasmonean king, destroyed it (ca. 128–125 BCE), although he did not destroy the Samaritans’ devotion to Mt. Gerizim. The period of Persian domination of Palestine (ca. 532–330 BCE) was often turbulent for the Samaritans, but in comparison with the time of the Seleucid domination of Palestine (198–142 BCE) it was a relatively peaceful time. Evidence for the upheaval during this period may be recorded in Zech 9–14 (sometimes called Second Zechariah), which some scholars place somewhere between 330 BCE and 150 BCE since according to Zech 9:13 the rise of the Greeks had already occurred.<sup>85</sup>

The Samaritans adopted as their Scriptures their version of the Pentateuch that is regularly called the Samaritan Pentateuch (SP), which included variations not found in the MT. There is no record that they ever adopted as their Scriptures any other books of the HB. It is likely that the limited biblical canon of the Samaritans was adopted in the fifth–fourth century BCE during the time when the Jews preeminently acknowledged the Pentateuch as their primary Scriptures. Immediately after the reforms of Ezra and Nehemiah, the Law of Moses functioned as the primary Scriptures for the Jews, but as we saw earlier, other books called “prophets,” some of which included references to the biblical Prophets as authoritative scripture, were also cited authoritatively as scripture, but not by the Samaritans. The Samaritans had already accepted a version of their SP when they made a final separation from the Jews. This is not to suggest that the Samaritans copied and modified the Jews’ Scriptures. On the contrary, it is likely that they had an earlier version of the Law than what was eventually accepted by the Jews in their Scripture collection. Ulrich observes how the DSS discoveries at Qumran often show remarkable parallels with the SP texts in the Pentateuchal books and against the later MT text of those books. This, he claims, argues for an

<sup>84</sup> Cited by R. Anderson, “Samaritan Literature,” in *Dictionary of New Testament Background*, ed. C. A. Evans and S. E. Porter (Downers Grove, IL: InterVarsity, 2000), 1053.

<sup>85</sup> Coogan, *The Old Testament*, 2nd ed., 437–38; and Collins, *Introduction to the Hebrew Bible*, 2nd ed., 429.

earlier and separate text of the Pentateuch.<sup>86</sup> As we will see, the SP and the LXX often agree against the MT and likely follow an earlier antecedent than the MT that became the sacred text of the rabbinic HB.

While these two forms of the Pentateuch (SP and HB) have considerable overlapping in their text, several textual variations in them point to two different editions of an earlier Pentateuchal text. Of course, the Samaritans considered their Pentateuch to be the authoritative and original text of their scriptures, especially in regard to the location of their altar on Mt. Gerizim. For example, the MT of Deut 27:4–5 says that after the Jews cross the Jordan River, they are to build an altar to the Lord on Mt. Ebal, but the Samaritan Pentateuch of the same passage, which may well be the earlier and more reliable text, says that it is to be built on Mt. Gerizim.<sup>87</sup>

Unlike the MT, the Samaritan Pentateuch adds to the Decalogue a command to build an altar on Mt. Gerizim. This is generally seen as a late edition in the Samaritan Pentateuch, but that may not be the case based on a recent DSS discovery.<sup>88</sup> Interestingly, the Samaritans did not see themselves as a sect of Judaism, but rather as *the* community that interpreted the Mosaic tradition accurately, unlike the Jewish sects that they believe wrongly promoted Jerusalem as God's religious center. According to Purvis, however, the Samaritans may be understood as a "variety of Judaism" since both the Samaritans and the Jews saw themselves as the faithful "carriers of Israel's sacred traditions."<sup>89</sup>

Although other writings are found in the Samaritan collection of ancient literature, only the SP is canonized and read in all of their services of worship. Waltke says that one of the important features of the SP for canonical criticism is that it bears witness to texts being adapted to meet the needs of the living community and those adaptations "assisted the Samaritans in preserving themselves as a unified community for over two millennia."<sup>90</sup> Tov acknowledges the antiquity of the SP text and acknowledges that it is in many cases earlier than the MT, but he is also aware that the Samaritans have modified their SP text for their own sectarian purposes in various places.<sup>91</sup>

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<sup>86</sup> Ulrich, "Qumran Biblical Scrolls," 75–76.

<sup>87</sup> R. Anderson, "Samaritans," 946.

<sup>88</sup> See James H. Charlesworth, "An Unknown Dead Sea Scroll and Speculations Focused on the Vorlage of Deuteronomy 27:4," in *Jesus, Paulus und die Texte von Qumran*, ed. Jörg Frey und Enno Edzard Popkes (Tübingen: Mohr Siebeck, 2015), 393–414.

<sup>89</sup> Purvis, "Samaritans and Judaism," in *Early Judaism and Its Modern Interpreters*, ed. R. A. Kraft and G. W. E. Nickelsburg (Atlanta: Scholars Press, 1986), 90–92. See also idem, *The Samaritan Pentateuch and the Origin of the Samaritan Sect*, HSM 2 (Cambridge, MA: Harvard University Press, 1968).

<sup>90</sup> B. K. Waltke, "Samaritan Pentateuch," *ABD* 5:938–39.

<sup>91</sup> Emanuel Tov, "The Nature of the Large-Scale Differences between the LXX [Septuagint] and MT [Masoretic Text], S [Syriac Bible], T [Targum, and] V [Vulgate], Compared with Similar Evidence in Other Sources," in *The Earliest Text of the Hebrew Bible: The Relationship Between the Masoretic Text and the Hebrew Base of the Septuagint Reconsidered*, ed. Adrian Schenker, SCS

The Essenes, Sadducees, Pharisees, and Samaritans were competing sects of Judaism in the first century CE, though the latter was no longer a part of the main body of expressions of Judaism. Their place of priority for the SP is not unlike the Jewish priority given to the Torah/Law in their worship and instruction. The Law of Moses was clearly the primary and undisputed scripture of all of these sects, but from there considerable differences arose on what religious texts identified their faith.

We will now turn to emerging collections of HB/OT Scriptures in both second Temple Judaism and early Christianity.

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52 (Atlanta: SBL, 2003), 121–43, here 133–34. He illustrates this with the change in the Samaritan Pentateuch when its producers rewrote the Decalogue in Exod 20 and Deut 5 by producing a sectarian tenth commandment that refers to the sanctity of Mt. Gerizim.

## CHAPTER 8

# EMERGING JEWISH AND CHRISTIAN COLLECTIONS OF SCRIPTURES

Some biblical scholars have argued that the earliest followers of Jesus received from him a closed canon of Scriptures that was circulating in Palestine in the century before and during Jesus' ministry. In other words, there was a fixed a biblical canon that is essentially the same as the books that comprise the current HB and the Protestant OT canon. They contend that the HB was essentially complete by around 150 BCE or even slightly earlier (165 BCE). Some insist that Jesus endorsed the current Protestant OT books but arranged them as Law, Prophets, and Writings in the HB. For instance, LaSor, Hubbard, and Bush concluded, "the Christian church was born with a canon in its hands" and that "the New Testament authors never cite apocryphal writings directly, and it is probably safe to assume that the OT they used was identical with that known today."<sup>1</sup>

In what follows I will examine the most frequently cited witnesses to emerging collections of Jewish HB and Christian OT scripture collections beginning with 2 Macc 2:13–15, followed by Philo, Luke 24:44, and Matt 23:35 with Luke 11:51.

### I. 2 MACCABEES 2:13–15

This highly significant and controversial text comes from the time of the Hasmonean period and focuses on events that took place from 176–161 BCE including a reference to a supposed library began by Nehemiah. The text itself was more likely written sometime shortly after 130–100 BCE. Unlike 1 Maccabees,

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<sup>1</sup> W. S. LaSor, D. A. Hubbard, and F. W. Bush, *Old Testament Survey: The Message, Form, and Background of the Old Testament* (Grand Rapids: Eerdmans, 1982), 17, 21. See also F. F. Bruce, *The Books and the Parchments: How We Got Our English Bible*, 5th ed. (London: Marshall Pickering, 1991), 128; idem, *Canon of Scripture*, 28–32; E. F. Harrison, *Introduction to the Old Testament* (Grand Rapids: Eerdmans, 1969), 287, says the OT canon in all of its essentials was complete by 300 BCE; D. Ewert, *From Ancient Tablets to Modern Translations* (Grand Rapids: Zondervan, 1983), 71; Leiman, *Canonization of Hebrew Scripture*; Beckwith, *Old Testament Canon*; Trebolle Barrera, *Jewish and the Christian Bible*.

which was written in Hebrew, 2 Maccabees was written in Greek. Whether one should make much of that is unclear, but since the first letter in 2 Maccabees was written to the Jews in Egypt who spoke Greek (2 Macc 1:1 and 1–9), it is reasonable that this Jewish letter was composed in Greek.

Some scholars have contended that 2 Macc 2:13–15 reflects an early recognition of the completion of the HB. Leiman, for instance, appears to be the first to introduce this argument, but others after him have also cited this text as evidence for the completion of the HB canon in the second century BCE. Leiman and Beckwith appeal to this passage to justify their view that a three-part biblical canon existed in the second century BCE. It is hardly that, however, as we will see below. This passage speaks of a time following the Jewish rebellion against the Seleucid King, Antiochus Epiphanes IV, when the Jews were back in full control of their land, and the letter was written to the Jewish community in Egypt (cf. 1:1, probably Jews at Alexandria). The text in question is as follows:

The same things are reported in the records and in the memoirs of Nehemiah, and also that he founded a library and collected the *books about the kings and prophets, and the writings of David, and letters of kings about votive offerings*. In the same way Judas [Maccabeus] also collected all the books that had been lost on account of the war that had come upon us, and they are in our possession. So if you have need of them, send people to get them for you. (2 Macc 2:13–15, NRSV, emphasis added)

This passage claims that Nehemiah collected books for a library that included books of the “kings” (1–2 Samuel and 1–2 Kings?), the “prophets” (Former Prophets, or Latter Prophets, or both?), and the “writings of David” (psalms?) and the “letters of kings about votive offerings” (unclear). It may be possible to guess which books are intended in the first three of these categories, but the last one about “letters of kings about votive offerings” is a puzzle for all scholars. It may be that the tradition about a gathering together of prophetic books to form a “library” existed following the exile and that post-exilic prophets and later “prophetic” traditions were already functional among the Jews (e.g., Ezra 5:1; Dan 9:2 and 4 Ezra 14:1–48), but this is, of course, all speculation. Given the references to additional “other” sacred writings in the Prologue to Sirach noted earlier, however, it is possible that other texts were also in view.

This passage does not allow us to speak with certainty about which books were in Nehemiah’s collection and there is no attempt to identify the books that Judas’ collection made available. Further, there is no corroborating evidence that Nehemiah ever started a library. While libraries were known in the Persian period, it is more likely that this tradition came from the Hellenistic period in which several prominent libraries, such as those at Athens, Pergamum and especially Alexandria, were well known. This passage would have been especially significant to readers of 2 Maccabees because they lived in Egypt and more likely in Alexandria (2 Macc 1:1), the home of the most famous library in antiquity. Did the author have in mind an already existing library in Alexandria or in the



Jerusalem Temple?<sup>2</sup> We do not know. Nevertheless, this text does not specifically speak of sacred books deposited in the *Jerusalem Temple* during the time of Nehemiah or later following the Maccabean victories, though the practice of storing sacred books in the temple would not have been unusual for that time.

The suggestion that sacred books were placed in the Jerusalem Temple is supported by Josephus who was able to rescue “some sacred volumes” from the Temple during the destruction of Jerusalem (*Life* 418–19) and also by another reference he made to the “holy books” placed in the Temple (*Ant.* 3.1.7; 5.1.17; 10.4.2). Similarly, the author of the *Letter of Aristeas* refers to the chief priest in Jerusalem sending to the king a decorative copy of the Law (Pentateuch) and seventy-two scribes for the purpose of translating it (*Let. Aris.* 176). Presumably the chief priest, who was responsible for sending a copy of the Law to the king, kept the copy of the Law in the Temple or at least had control over it and could send a copy to the king of Egypt. This is supported by Hilkiah’s discovery of the “book of the law in the house of the Lord” (2 Kgs 22:8–10//2 Chr 34:14–21). The sacred books destroyed during Antiochus Epiphanes’ attempt to destroy the Jews’ sacred books are obviously those that Judas attempted to recover and subsequently make available to other Jewish communities. During Antiochus Epiphanes’ persecution of the Jews, his soldiers tried to destroy the “books of the law” which all but certainly included not only the Law of Moses but other sacred books as well. It is also unlikely that the soldiers would have been able to distinguish between the Law and other prophetic texts. The relevant part of that text reads as follows:

Now on the fifteenth day of Chislev, in the one hundred forty-fifth year, they erected a desolating sacrilege on the altar of burnt offering. They also built altars in the surrounding towns of Judah, and offered incense at the doors of the houses and in the streets. *The books of the law that they found they tore to pieces and burned with fire.* Anyone found possessing the book of the covenant, or anyone who adhered to the law, was condemned to death by decree of the king. (1 Macc 1:54–57, emphasis added)

Leiman probably correctly insists that “law” in this passage is a general reference to all of the Jewish Scriptures, not just the Pentateuch, and that Judas Maccabeus was involved in the canonization process.<sup>3</sup> It is quite likely that the authors of both 1 and 2 Maccabees had in view all of the Jewish sacred scriptures, but we do not know specifically what was in the collections in question. However, Leiman’s suggestion that 2 Macc 2:13–15 supports his claim that Judas Maccabeus was instrumental in closing the third category of the Hebrew canonical books, the Writings, is questionable. He asserts: “The literary activity ascribed here to Judas Maccabee may, in fact, be a description of the closing of the Hagiographa, and

<sup>2</sup> Schniedewind, *How the Bible Became a Book*, 182–83; makes this suggestion but also questions the historical validity of this attribution to Nehemiah in the Persian period.

<sup>3</sup> *Canonization of the Hebrew Scripture*, 151 n. 138. Leiman contends that the Syrians would not have been able to distinguish the Law from the Jews’ other scriptures, though surely the Jew who wrote this text would have been able to recognize the difference.

with it the entire biblical canon.”<sup>4</sup> Although he acknowledges in a footnote that no clear literary activity leading to a canonical collection of Scriptures is mentioned in this text, he nevertheless contends that Judas Maccabeus began a canonization process in response to Antiochus Epiphanes’ attempt to destroy the Hebrew Scriptures. In a footnote, however, Leiman appears less certain about the implications of this text and cautions that: “Uncertainties, however, abound and when viewed independently, nothing conclusive can be derived from this passage. While ‘the books about the kings and prophets’ probably refers to the Prophets section of the canon, the activity ascribed to Nehemiah may reflect the formation of a private library rather than an act of canonization.”<sup>5</sup> Barton concludes that Leiman’s interpretation of this text, especially his footnote, is “a quite unnatural way of reading the passage, which is actually about a salvage operation on archival material of all kinds, including Scripture. It has nothing to do with a decision about the limits of the canon.”<sup>6</sup> If Leiman’s conclusions are correct about Nehemiah’s library, however, and there are no historical reports that support them, it appears that we would then have to assume that the HB canon was stabilized sometime in the fifth century BCE and that simply cannot be demonstrated and does not account for writings later produced that were included in later canonical collections (e.g., Daniel, but also Sirach and others).

Considerable discussion continues over this text without agreement on its significance. There is some agreement, however, that three kinds of literature are described in the library of Nehemiah (“books about kings and prophets,” “books of David,”<sup>7</sup> and “letters of kings about votive offerings”). In the latter case there is no clear understanding of what that means. Nothing, however, is said specifically about the literature that Judas Maccabeus collected and made available to others, but it is likely that his collection *also* included Jewish sacred texts recognized as such *at that time*. Because the three kinds of literature in Nehemiah’s so-called library, including the library itself, are unclear to us, Lim argues that the whole passage lacks historical credibility, and instead of building a library, Nehemiah instead built a wall around Jerusalem (see Neh 2–4; cf. Sir 49:13) as we see in the two traditions that support his participation in rebuilding the Temple (2 Macc 1:18; Josephus, *Ant.* 11.183–85).<sup>8</sup>

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<sup>4</sup> Ibid., 29.

<sup>5</sup> Ibid., 149 n. 132. Lim, *Formation of the Jewish Canon*, 231 n. 58 cites Barton, *Oracles of God*, 57–58, regarding Leiman’s discussion of 2 Macc 2:13–15 that “As is often the case, Leiman’s footnote on the first suggestion [i.e., about canonization] is more cautious than the main text.” Cf. 149 n. 132.

<sup>6</sup> Barton, *Oracles of God*, 57.

<sup>7</sup> Compare the discussion of 4QMMT in Chapter 5 §IV above with this text. The 4QMMT text is fragmented and difficult to put together, but it mentions “book[s] of Pr[o]phets and David.” Luke 24:44 also speaks of “the law of Moses, prophets, and the psalms.” It is possible that “David” is a reference to a collection of psalms attributed to David.

<sup>8</sup> Lim, *Formation of the Jewish Canon*, 113–14.

We should note here that in the latter part of 2 Maccabees, while preparing for battle, Maccabeus encouraged the troops “from the law and the prophets reminding them also of the struggles they had won...” (2 Macc 15:9). Had there been any notion of a broader tripartite collection of sacred scriptures some imply from the 2 Macc 2:13–15 passage, it is surprising that it is not mentioned here.

The focus in 2 Macc 2:15 is not on the specific books that Judas collected, but rather on his collection of the sacred books that had been destroyed by the Seleucids in their wars against them. Again, there is little doubt that the destruction of the books included whatever Jewish sacred texts the soldiers could find, though a specific list of the books destroyed is uncertain. Leiman acknowledges that other Jewish groups did not adopt the same collection of Scriptures, but nevertheless declares that Judas Maccabeus completed the canonical activity started by Nehemiah. While he is doubtless correct in assuming that whatever books were discovered in the Jewish sacred collections were targeted for destruction by the Seleucid troops, this says nothing specific about the contents of Judas’ collection.

Interestingly, the burning of the books by the Syrian army in 1 Macc 1:56–57 and the burning of the “law” in 4 *Ezra* (= 2 Esdras) 14:21 may be the same event and may be a response to the report in 2 Macc 2:13 about Nehemiah’s activity in gathering the lost books of the law. If so, it is interesting that the author of 4 *Ezra* says, “Your *law* has been burned, and so no one knows the things which have been done or will be done by you” (14:21). In that passage *Ezra* requested that God “send the holy spirit into me and I will write everything that has happened in the world from the beginning, the things that were written in your law” (14:22). Here “law” evidently refers to “twenty-four books” that can be read publicly and the other “seventy [books] that were written...[for] the wise” (14:45–46). It is possible that the author of 2 Maccabees believed that all of the sacred books in the temple – not just the Pentateuch – were destroyed and perhaps some other books that were not eventually included in the HB.

A basic problem with Leiman’s argument is the difficulty of knowing what was in Judas’ collection. Nothing is said in this text about anything related to a *complete* collection of sacred scriptures or any canonizing process attributed to Judas, and there is no corroborating evidence for a canonization process whether adding or excluding religious texts during the second or first centuries BCE by the Jews. Leiman’s claim that the books that Judas Maccabeus collected are identical with the later closed collection of HB Scriptures is beyond what the text says. The first time the specific books in the HB are identified is in the second-century CE *baraita* known as *b. Baba Batra* 14a–15b (see Chapter 11 §III.A). In Collins’ assessment of this passage, he correctly sees that no awareness of a distinction between canonical and noncanonical books existed at that time. He concludes “all the available evidence suggests that the category of Scriptures, or authoritative writings, was open-ended throughout the Second Temple period.”<sup>9</sup>

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<sup>9</sup> Collins, *Seers, Sibyls and Sages*, 7–8.

There is no question that from the late pre-exilic to the early post-exilic period, the Law was the most influential part of the Jewish scriptural texts, although at that time there was an emerging undefined collection of prophetic literature functioning as sacred scripture (Jer 26:4–6, 16–18; Zech 7:12; 2 Kgs 17:13; and Sir 39:1–3). The emergence of these two strands of scriptural authority is what Chapman calls “a merism for Jewish faith.”<sup>10</sup> However, there was at that time no clarity on what constituted this second part of the Jewish Scriptures. We saw in Sirach that besides the Law the Jewish Scriptures included at that time (ca. 180 BCE) at least several of the books that are now included in the HB Prophets. This emerging collection of “prophets” in Sirach cannot be easily distinguished from the books that later were identified as Writings (כתובים). Nehemiah interestingly is identified among the prophetic figures (Sir 44:3; cf. 49:13). Scholars are aware that several of the books now included in the HB Writings date earlier than some Prophets (Former and Latter), and were likely included among the “prophecies” or “prophets” mentioned in earlier references to sacred writings.

Sometime in the post-exilic period several of the lost writings mentioned earlier in Joshua to 2 Chronicles, were either lost or discarded and no longer formed part of Israel’s sacred literature. We cannot pinpoint when that literature was lost, but we cannot rule out that some of the literature may have been lost during the destruction of the Temple in 586 BCE or during Antiochus Epiphanes’ hostilities toward the Jews and his destruction of Jewish sacred literature.

## II. THE THERAPEUTAE, THEIR SCRIPTURES, AND PHILO

In his treatise *On the Contemplative Life* 3.25–29, Philo of Alexandria (ca. 20 BCE–40 CE) admiringly describes the life of a Jewish sect known as the Therapeutae. In several ways they are similar to the Essenes, but nevertheless distinct from them. The Therapeutae lived near Alexandria on the shores of Lake Mareotis. We know practically nothing about them apart from what we read in Philo, but in his description he describes the books that these individuals used for reading during their devotional time. This collection of books, as with 2 Macc 2:13–15, is the source of considerable debate, since there appears to be three or four categories, but the specific identity of the books in these categories is not clear. We may be able to make some educated guesses about which books were involved, but considerable doubt remains about their identity:

In each house [of the Therapeutae] there is a consecrated room, which is called a sanctuary or closet [μοναστήριον] and closeted in this they are initiated into the mysteries of the sanctified life. They take nothing into it, either drink or food or any other of the things necessary for the

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<sup>10</sup> Chapman, “Canon, Old Testament,” 1:103.

needs of the body, but *laws and oracles delivered through the mouth of prophets, and psalms and anything else* [τὰ ἄλλα, lit. “the others” (perhaps “other books”)] which fosters and perfects knowledge and piety.

...

The interval between early morning and evening is spent entirely in spiritual exercise. *They read the Holy Scriptures* [ἱεροῖς γράμμασι] *and seek wisdom from their ancestral philosophy* by taking it as an allegory, since they think that the words of the literal text are symbols of something whose hidden nature is revealed by studying the underlying meaning.

They have also *writings of men of old*, the founders of their way of thinking, who left many memorials of the form used in *allegorical interpretation* and these they take as a kind of archetype and imitate the method in which this principle is carried out. And they do not confine themselves to contemplation *but also compose hymns and psalms to God* in all sorts of metres and melodies which they write down with the rhythms necessarily made more solemn.<sup>11</sup> (*Contempl. Life* 3.25, 28–29 LCL, emphasis added)

The text generally offered in canon discussions usually stops at 3.25, but I have added an extended part of the text to see what else the community did in regard to their sacred scriptures and how they spent their days. The Therapeutae appear to have been a group of Jewish ascetics living in something like a monastic community and involved in spiritual formation that focused on scriptural meditations. This text sheds light on an important statement about the sacred texts of a group of Jewish sectarians living in Egypt in the early first century CE. Philo's reference to the kinds of writings included in their sacred literature is especially important for canon studies. Unfortunately, Philo does not identify which books were in their sacred collection, but only categories that made up those sacred texts. He does, however, suggest that the Therapeutae had a larger and perhaps unrestricted collection of religious texts that presumably included their own psalms and hymns. Ancient Jewish communities apparently often incorporated psalms and hymns into their worship and daily living. This was true for the Essenes at Qumran, both in the variety of psalms they possessed and in their *Hodayot*, and subsequently also among the Christians.<sup>12</sup> See also the admonition to employ “psalms, hymns, and spiritual songs” in Eph 5:19 and also the example of such collections of songs in *Odes of Solomon*, a Jewish-Christian composition of spiritual songs from ca. 100–125 CE, that were for a time called scripture by some church fathers and reflect that the use of additional hymns and odes was commonplace.<sup>13</sup>

<sup>11</sup> Colson, *Philo*, vol. 9, LCL 130–31 n. a, explains “solemn” as “it is the rhythm which gives the solemnity necessary for sacred music and that this was indicated by some notation.”

<sup>12</sup> See, for example, the Gregory 1505 manuscript at the Laura monastery on Mt. Athos that includes psalms and odes along with their NT scriptures.

<sup>13</sup> For a discussion of how these odes were viewed in ancient Christianity see Lee M. McDonald, “The *Odes of Solomon* in Ancient Christianity,” in *Sacra Scriptura: How “Non-Canonical” Texts Functioned in Early Judaism and Early Christianity*, ed. J. H. Charlesworth and L. M. McDonald,

In the passage above Philo distinguishes between the history of the kings and the “oracles delivered through the mouth of prophets.” If they are not the same, should we conclude that Joshua, Judges, 1–2 Samuel and 1–2 Kings, and perhaps even 1–2 Chronicles, are the “history of the Kings” and are the “oracles” mentioned equal to the “prophets” or Latter Prophets? If that is the case, and it is by no means certain, does this collection also include Ezra, Nehemiah, Ruth, and Esther? Is it possible to put them in the “other” category that we see in the Prologue to Sirach? This is, of course, an argument from silence since the text does not make this clear.

Ellis translates this passage as follows: “[They take into their study rooms nothing] but the laws, the oracles uttered by the prophets, and hymns and the other [books]...that foster and perfect knowledge and purity.”<sup>14</sup> However, because of a connective *kai* (“and”) after “laws,” the passage is more accurately translated “laws and oracles uttered by the prophets.” The difference here is more than mere semantics. Ellis’ translation isolates the law from the oracles by the prophets, but the inclusion of *kai* in the translation makes it clear that the Therapeutae use nothing but “laws and oracles uttered by the prophets and hymns and the others.” We cannot, however, establish from this vague reference precisely what books Philo had in mind; nor can we determine how many categories he had in mind: two, three, or even four: laws, prophetic oracles, psalms, and other books. We do not have sufficient information in the passage to go on, but nothing in the text clearly identifies the threefold division of the Hebrew Scriptures (Tanak) that emerges in the second century CE (Law, Prophets, Writings). As Barton observes, if one has to speak of a biblical canon here, it is fourfold, not tripartite, namely “(a) laws, (b) oracles, (c) psalms, and (d) other books,” and he concludes that this shows how inappropriate it is to find clear divisions of a HB canon at this point.<sup>15</sup> We know nothing specific about the contours of a biblical canon either for the Therapeutae from Philo’s description of them.

In the above text, Philo’s reference to the “writings of men of old” suggests perhaps something like the noncanonical writings found at Qumran, such as the *Damascus Document*, *Community Rule*, 4QMMT, and their hymns and psalms. Could such writings have been taken into the Therapeutae closets for meditations? We cannot tell from the description provided, nor whether they distinguished these *other* books from what were later called “biblical books.” How they related to these “writings of men of old” is not clear in the text, but from the context it appears as if these writings were highly prized as sacred texts.

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T&T Clark Jewish and Christian Texts in Contexts and Related Studies 29 (London: Bloomsbury, T&T Clark, 2014), 108–36. These are sometimes cited as scripture by some early church fathers or included in scripture collections as in the case of the inclusion of *Ode* 11 in a papyrus manuscript (P<sup>72</sup>) of Christian sacred texts/scripts.

<sup>14</sup> E. Earle Ellis, *The Old Testament in Early Christianity* (Grand Rapids: Baker, 1991), 8 (words in brackets are provided by Ellis).

<sup>15</sup> Barton, *Oracles of God*, 58.

Interestingly, Philo's use and citation of the Jewish Scriptures can be seen throughout his writings and it is clear that he strongly favored the Pentateuch citing some eleven hundred references, yet fewer than fifty other references to non-Pentateuch books.<sup>16</sup> In practice, he cited the Pentateuch more frequently than the writers of the Mishnah who only cited the books of Moses twice as often as they cite the rest of the books in the HB.<sup>17</sup> Conceding Philo's greater use of Torah in his scriptural exegesis, Leiman strangely argues that Philo's practice was simply characteristic of Jewish exegesis in the first century CE, but that it has no bearing on the shape of his canonical collection.<sup>18</sup> Philo's citation of the Pentateuch over all other prophetic books was also true in later Talmudic literature though to a lesser extent. Philo's references to the Pentateuch over all of the other Jewish Scriptures, and the fact that all of his scriptural commentaries were on the Pentateuchal books, is a factor worthy of consideration when evaluating the status of the HB canon in his day. Does this suggest that Philo had "a canon within a canon" or that at the core of his sacred tradition was the Law of Moses and everything else was secondary to it?

Much has been made of Philo's failure to cite the so-called apocryphal literature or all of the books that later were included in the HB. Does his practice also mean that only the Pentateuch was canon for Philo? That is likely an overstatement, but it could be that the other sacred writings were, for Philo, not equal to the status of the Law. Does the restriction of his exegesis to the Pentateuch mean that he rejected the scriptural status of the rest of the HB books? Leiman himself cites examples in Philo where he calls the Torah books "Scripture" but calls books now in the Prophets and the Writings "sacred word" and "divine." Without doubting their scriptural status, Leiman suggests that Philo had a different attitude toward the non-Torah literature that he knew.<sup>19</sup>

What can be drawn from this? Why is Philo hesitant to cite the other books that are in the HB? Surely many if not all of them were known in his day. It may be an overstatement to conclude that Philo limited his biblical canon to the Law of Moses, but at least it is clear that the Law was the apex of what he considered sacred and authoritative. Leiman acknowledges that any argument about the scope of Philo's sacred scriptures based on what he used or cited most is an argument from silence, and must not be pressed too far.<sup>20</sup> Whatever the case, it appears that *functionally* Philo had a significantly smaller biblical canon than several of his predecessors and most of his contemporaries.

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<sup>16</sup> Hengel, *Septuagint as Christian Scripture*, 78–79, cites these numbers.

<sup>17</sup> Leiman, *Canonization of the Hebrew Scripture*, 31, 151 n. 146.

<sup>18</sup> *Ibid.*, 31.

<sup>19</sup> *Ibid.*, 151 n. 147.

<sup>20</sup> *Ibid.*, 31.

### III. LUKE 24:44, DANIEL, AND A TRIPARTITE BIBLICAL CANON

As we have argued earlier, the Jewish tripartite biblical canon was not yet formed when the Evangelists were writing their Gospels, but Luke 24:44 is frequently cited as evidence that a third category of their scriptures was present or emerging in the first century CE. The text in question takes place in Jesus' final post-resurrection appearance to his disciples when he said: "These are my words that I spoke to you while I was still with you – that everything written about me in the *law of Moses, the prophets, and the psalms* must be fulfilled" (Luke 24:44, emphasis added). When the Gospel of Luke was written (ca. 65–70 CE), the influence of Judaism on early Christianity had largely ceased, but the Jewish scriptures and their known boundaries at that time still significantly influenced his community. Luke 24:44 may reflect that influence and perhaps an early stage of what later became the third part of the HB canon that had at its heart the Psalms.

Luke 24:44 is the only NT reference to three parts in the Jewish Scriptures, but there is nothing in the text to suggest that it included other books that were later included in the collection of Writings of the Tanak. However, some of those later designated Writings are cited in the NT as "prophetic" scriptures, e.g., Matt 24:15 citing Dan 9:27 and Jesus' citation of Dan 7:13 in Mark 14:62. However, Leiman, Beckwith, and Bruce contend that "psalms" in this passage refers to the first book of the Writings that is representative of that whole collection of the Writings.<sup>21</sup> There is, however, no NT evidence that supports that assertion and there is no evidence that a three-part canon existed in the NT era or that the later third part began with the Psalms. These scholars impose a later notion that emerges only in the rabbinic era, but it cannot be demonstrated earlier. The Psalms were important in their own right and could easily have been given their own place of prominence in any collection of Scriptures. After all, the Psalms were among the three most frequently cited Scriptures in the NT (Isaiah, Psalms, and Deuteronomy), as well as at Qumran, and in the early churches. Also, there were more copies of the Psalms scrolls (thirty-six or thirty-seven) discovered at Qumran than any other book of the HB.

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<sup>21</sup> Ibid., 40, and Ellis, *Old Testament in Early Christianity*, 9 n. 30, contend that since the Psalms stand in the first place in some Hebrew manuscripts, the Psalms may "represent the third division of the Old Testament canon in Luke." See also Beckwith, *Old Testament Canon*, 111–15. Speaking of the possibility that Luke 24:44 may stand for the whole of the Writings, F. F. Bruce, *Canon of Scripture*, 32, concludes: "Here 'the psalms' might denote not only the contents of the Psalter, but also the whole of the third division – the Writings – of which the Psalter was the first book. We cannot be sure of this; in any case, the Hebrew Scriptures are more often referred to in the New Testament as 'the law and the prophets'." Unlike Beckwith, Ellis remains non-committal on this point.



The question then emerges, on what basis can we say that Psalms had first place in a third division of the HB or that it represented all of the other books in the later Writings? Further, what psalms were initially in view? Not all collections of the Psalms were alike, as we saw earlier in the Psalms Scroll in Cave 11 at Qumran. What we have in Luke 24:44 is more likely an early stage of the *later* three-part biblical canon that had not yet developed, but again, this suggestion is unclear even in the Gospel of Luke that elsewhere regularly identifies Scripture as the Law and Prophets.

Since both the MT and the LXX translation of the Psalms follow the same order, this suggests that there was some fixing of the text of the Psalms quite early, but there is no indication that this was true also of the rest of the Writings. Also, this does not imply that the Psalms at Qumran were fixed and that nothing could be added or deleted. Most of the Psalms through Ps 89 are roughly the same at Qumran as those in the MT, but after that there is considerable variability in them. It seems clear that several additions to or modifications of the Psalms took place sometime between the first century BCE and the end of the first century CE. Davies comments as follows on the differences between the psalms at Qumran and in the MT Psalms: "Some of the psalms contain additional material and a different sequence from the Masoretic [text], including the Cave 11 scroll, the most extensively preserved, which includes 'David's Last Words' (2 Sam. 23:1–7), Psalms 154–55 of the Syriac canon, the Greek Psalm 151, and Sirach 51:13–30."<sup>22</sup> His work builds on the foundational work of James Sanders that reflects on the fluid state of the canonical psalmic literature in the first centuries BCE and CE, especially for the last third of the Psalter.<sup>23</sup>

Julio Treballe Barrera has shown convincingly that the Law and Prophets were the dominant core of the Jewish scriptures, and that the Prophets were in a state of flux well into the first century CE. By the first century CE, the Psalms, *and they alone*, it appears, began to form a separate part of the Jewish scriptures, namely Law, Prophets, and Psalms. The "psalms" were sometimes identified as "David" as we saw as a possibility in 2 Macc 2:13 and possibly also but not necessarily in 4QMMT. By the end of the first or early second century CE, Barrera claims that the Psalms were included in the Writings, but were initially viewed as prophetic literature.<sup>24</sup> An emerging third part of the Jewish scriptures may be also attested in the 4QMMT passage discussed above,<sup>25</sup> but nothing is said here about the other

<sup>22</sup> Davies, *Scribes and Schools*, 162.

<sup>23</sup> J. A. Sanders, *Psalms Scroll of Qumran Cave 11*.

<sup>24</sup> Julio C. Treballe Barrera, "Origins of a Tripartite Old Testament Canon," in McDonald and Sanders, eds., *The Canon Debate*, 128–45, especially 138–45.

<sup>25</sup> See Ulrich, "Qumran and the Canon of the Old Testament," for a careful discussion of the sacred texts in 4QMMT. He claims that the Dead Sea Scrolls offer the "oldest, the best, and most authentic evidence we have for the shape of the Scriptures at the time of the beginning of Christianity and Rabbinic Judaism" (62), and, after a careful re-translation and investigation of 4QMMT (66–71), he concludes that "David, if correct, does not refer to the Ketubim" (70). I agree! We can agree with

books in the Writings besides “David.” Treballe Barrera calls this tripartite canon “a further development of the canon of the Law and the Prophets, or rather, of the canon of ‘Law, Prophets, and Psalms’.”<sup>26</sup> The books cited most frequently at Qumran were the Pentateuch (Deuteronomy especially), Isaiah, the Minor Prophets and the Psalms, and only sparingly references to other books. The same is true in the NT writings and the early church fathers. It is unlikely that other books were in view in a third collection besides the Psalter in its as yet incomplete form.

Barton draws attention to the practice of reading only the Pentateuch and the five *Megilloth* or *Hamesh Megilloth* (Song of Songs, Ruth, Lamentations, Ecclesiastes, and Esther) that came to be read on the fixed occasions among Jews in synagogues, and only selective texts from the *haftaroth* or Prophets,<sup>27</sup> but nothing else from the Writings with the only exception being of some Psalms. Barton posits that there is a connection between Jewish liturgical practice and the origins of the tripartite biblical canon.<sup>28</sup> This practice distinguishes between those texts that could be *read* in the synagogue and those that were *written* but *not read*. This selectivity of what can be read in the synagogues is likely confirmed by *m. Shabbat* 16:1 which reads: “Any of the Holy Scriptures may be saved from burning [by bearing them from one domain to another on the Sabbath], whether they are such that are read [on the Sabbath] or not” (Danby trans.).

From this text we see that some Scriptures were read on the Sabbath in a synagogue, but some were not. For example, Barton observes that in Luke 4:17 Jesus was given the scroll of Isaiah (Isa 61) to read rather than asking him to select it. From this, he concludes that the *haftaroth* were already set at this time.<sup>29</sup> Could this reflect why some of the most common texts cited by Jesus were Deuteronomy, Isaiah, and the Psalms? Were these books also cited and copied extensively at Qumran, in the NT, and in early Christianity? Since it is highly unlikely that all first-century CE synagogues possessed all of the books that later comprised the HB, it may be that the popularity of Torah or Pentateuch, Isaiah, and the Psalms reflect the limited collections of Jewish scriptures circulating in most early synagogues of Judaism of Late Antiquity. Barton is probably right when concluding that all of the HB scriptures would not have been in every synagogue or even later in every church. Hence, the readings of sacred scripture in both were limited to what they had, but later this habit of reading primarily the Torah and selections from some Prophets, some of the Psalms, and the five Megilloth became a common practice in Rabbinic Judaism.

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Ulrich who concludes that “no list of authoritative books has been preserved in the writings found at Qumran” though he observes that in the sub-collections found there several authoritative books can be discerned, but again, that does not reflect a complete list of them (66).

<sup>26</sup> Treballe Barrera, “Origins of a Tripartite Old Testament Canon,” 144.

<sup>27</sup> *Haftarah* (pl. *Haftaroth*) is a prophetic reading or book classified as a prophetic book that was read by a *maftir* in a synagogue on the Sabbath following a reading from the Torah.

<sup>28</sup> Barton, *Oracles of God*, 75–76.

<sup>29</sup> *Ibid.*, 77–79.

As noted above, Beckwith contends that “psalms” in Luke 24:44 refers to the whole of the books that comprise the writings in the HB, but his evidence is unconvincing. It is a special challenge to identify the “psalms” in Luke 24:44 with the later collection of Writings identified in the second century CE. Beckwith’s evidence comes from the later Talmudic references when the term “Fifths” (Heb. חומשים or חומשין) sometimes refers to the five parts of the book of Psalms and sometimes refers to the Writings. He concludes that “psalms” refers to the third part of the Hebrew biblical canon in the Talmudic literature for the following reasons:

In a scroll of the Law, the space of the two finger-breadths must be left (between columns), but in scrolls of the Prophets and in scrolls of the Fifths the space of one thumb-breadth. In the lower margin of a scroll of the Law the space of a hand-breadth is left, and in the upper margin two thirds of a hand-breadth, but in scrolls of the Prophets and the Fifths three finger-breadths in the lower margin and two finger-breadths in the upper.<sup>30</sup>

Beckwith claims that all of the Writings are referred to as the “Fifths” in the Tosefta. For instance: “The Scroll of Ezra which went forth outside [the court] renders the hands unclean. And not only of the Scroll of Ezra alone did they speak, but even the Prophets and the Pentateuch. And another scroll which entered there renders the hands clean” (*t. Kelim Baba Metzi’a* 5:8, Neusner, *Tosefta*, 1617). He adds that both the “Scroll of Ezra” and “psalms” in Luke 24:44 refer to the Writings as a whole. The texts he cites, however, do not demonstrate his claim even for a later period let alone for the first century CE. Also, it is not clear what books the “Scroll of Ezra” contained. Beckwith projects anachronistically a slim possibility from the middle to late third century CE as a certainty back on the time of Jesus and before. He reasons that since Jesus also cites the book of Daniel (e.g., Dan 4:26 in Matt 4:17 and 9:27; 11:31; Dan 12:11 in Matt 24:15 and Dan 7:13 in Mark 14:62), which was a part of the Writings, he surely must have intended the whole of the Writings when he mentioned the “psalms” in Luke 24:44.<sup>31</sup> This argument assumes, of course, that Daniel and the Psalms were a part of a well-defined third collection, Writings/*Ketubim*, in the first century, but there is no evidence for that assumption or arguments that the Writings were fixed *before* the time of Jesus. Beckwith assumes as evidence the placement of Daniel in the *Ketubim* for which there is no evidence before the middle to late second century CE and on the contrary, as we saw earlier, Daniel was viewed as one of the prophets in the DSS, the Gospels, and in Josephus.

<sup>30</sup> Beckwith, *Old Testament Canon*, 438 (citing *Sepher Torah* 2:3–4 and *Sopherim* 2:4); see also 111–14.

<sup>31</sup> *Ibid.*, 111–12.

Leiman and Beckwith acknowledge that the meaning of “Fifths” is not uniform in the rabbinic tradition, but this does not deter their willingness to use it as a defense of their interpretations of Luke 24:44.<sup>32</sup> As noted earlier, it is best to understand “psalms” in Luke 24:44 in light of Luke 24:27. Did Luke intend to say, just a few verses earlier, that when Jesus explained to his disciples “beginning with Moses and all the prophets,” he consciously did not intend also the psalms among the prophets? That would only make sense in the same chapter if v. 27 specifically excluded the psalms. Later when Jesus met with his disciples Luke included “psalms” to Moses and all the prophets in Luke 24:44, but not earlier in 24:27. That is difficult to explain if Jesus wanted to exclude “psalms” in v. 27 and include it in v. 44. Since Luke later claimed that David, the author of the Psalms, was a prophet (Acts 2:30), it is more likely that “psalms” in Luke was also understood as prophetic literature as we see in Luke 24:27 which reads: “Then beginning with *Moses and all the prophets*, he interpreted to them the things about himself in *all the scriptures*.”

Kümmel concludes that it is highly unlikely that Luke intended this reference to psalms to include all of the documents later designated as the Writings.<sup>33</sup> Rather, Luke’s reference only to “psalms” here instead of all the Writings supports the view that the third part of the Jewish biblical canon had not yet been defined in the time of Jesus – or even later when Luke was written and only “psalms” was intended. All but one of the references to the Jewish scriptures in the NT is to the Law (or Moses or law of Moses) or to the Law (or “Moses”) and the Prophets. It is more likely that all of the Jewish scriptures, including the “psalms,” were included in v. 27. Like 24:44, in 24:27 Jesus instructed the disciples in *all* the scriptures in both places and this presumes that the “psalms” was intended in “all the scriptures” (v. 27) as well as in 24:44.

Since there is no clear evidence for a *tripartite* HB before the middle to late second century CE,<sup>34</sup> we should be cautious about declaring its presence before we have solid evidence of its existence. It is best to avoid assuming a tripartite HB canon before or during the ministry of Jesus or even later in the first century CE. Even when a specific number of books were identified as in Josephus and 4 *Ezra* noted earlier, we do not know what books were included in these texts and neither author reflects a tripartite collection of those scriptures. The first time this happens is in the middle to late second century (*b. Baba Batra* 14b).

<sup>32</sup> Leiman, *Canonization of the Hebrew Scripture*, 61–63; and Beckwith, *Old Testament Canon*, 438–47.

<sup>33</sup> Kümmel, *Introduction to the New Testament*, 335.

<sup>34</sup> As we will see in Chapter 10 §I, Josephus (*Ag. Apion* 1.37–43) divided his scripture collection into categories that are not identical to the later Tanak (Law, Prophets, and Writings).

Again, there is one piece of evidence that suggests an emerging third part of the Jewish scriptures that included in the first century only the “psalms.” There is little evidence that the Psalter itself was complete before the fall of Jerusalem in 70 CE, even though major sections of it (up to Ps 89) were fairly stable in the Jewish communities possibly from the Persian period.<sup>35</sup> As we saw in the *Halakhic Letter* or 4QMMT (Chapter 5 §IV) and 2 Macc 2:13, a third part of the Hebrew Scriptures may have been emerging in the second century BCE, and scholars who make this claim generally refer to Luke 24:44 and to “others” in the Prologue to Sirach as evidence, but as we saw earlier, that is not clear in those texts. The majority of references to the HB scriptures refer only to the Law and the Prophets before the middle to late second century CE. Even in the Mishnah that reflects first and second century CE Jewish religious teachings, nothing suggests that “psalms” represented all of the literature that later comprised the Writings.

In the later rabbinic period there are references to a tripartite canon of Jewish scriptures. For instance: “The Torah and prophets may be written on one scroll; this is the ruling of R. Meir (135–170). The Sages, however, say that the Torah and Prophets may not be written on one scroll, but that the Prophets and the Hagiographa [Writings] may be written on one scroll” (*y. Megillah* 73d–74a).<sup>36</sup> In this case, the Prophets and Writings never have priority over the Torah. In a later Talmudic text there is a reference to an earlier tradition that speaks of three parts of the Jewish Scriptures supposedly reflecting an earlier time around 80–110 CE. It reads: “Sectarians asked Rabban Gamaliel: Whence do we know that the Holy One, blessed be He, will resurrect the dead? He answered them from the Torah, Prophets, and Hagiographa, yet they were not convinced” (*b. Sanhedrin* 90b).<sup>37</sup> However, there is no evidence that this notion was present in other surviving traditions from the first century.

Collins observes that the *Pesharim* (commentaries) at Qumran were not written on any other books that comprise the Writings, except for the Psalms as in 1QpPsalms (1Q16), 4QpPsalms<sup>a-b</sup> (4Q173), and Daniel as in (4QFlorilegium or 4Q174), both of which were viewed as prophetic literature.<sup>38</sup> This suggests, he claims, “that Psalms and Daniel were regarded as prophetic books, even if Psalms [David] was understood to constitute a special category in 4QMMT. This view of the emerging canon corresponds with what we know from other sources for the period between the Maccabees and the fall of Jerusalem in 70 CE.”<sup>39</sup>

<sup>35</sup> J. A. Sanders, *Torah and Canon*, 97.

<sup>36</sup> Leiman, *Canonization of the Hebrew Scripture*, 60.

<sup>37</sup> *Ibid.*, 67. Other examples are *b. Baba Batra* 13b; *y. Hagigah* 72b (reporting the teachings of Elisha *b. Abuyah* [110–135 CE] and Rabbi Joshua [80–110 CE]); and *Leviticus Rabbah* 16:4 (reporting the tradition of Ben Azzai [110–135 CE]). See Leiman, *Canonization of the Hebrew Scripture*, 61–62, 66–67.

<sup>38</sup> Collins, *Seers, Sybils and Sages*, 13–14.

<sup>39</sup> *Ibid.*, 14.

On a related topic, there is a well-known and widely held view that since the book of Daniel, the last of the HB books to be included in the HB,<sup>40</sup> was not included among the Prophets where it logically belongs, then the Prophets as we now have them in the HB must have been closed as a collection sometime before the time when Daniel was written and so it was placed among the Writings, the third part of the HB. Collins, however, suggests that the assumption that the Prophets as we now have them were closed before Daniel was written is not well founded since Nehemiah, which was later placed in the Writings, was also seen by Sirach as a prophetic figure and he did not distinguish Nehemiah from the other prophets (Sir 49:13), but rather saw him as one of those “who spoke in prophetic oracles” (Sir 44:3).<sup>41</sup> He adds that Daniel is often identified as a prophet in antiquity as in the cases of 4QFlorilegium (4Q174 2:4) that refers to “the book of Daniel the Prophet,” Matt 24:15 which refers to the “desolating sacrilege” found in Dan 9:27; 11:31; 12:11 as “spoken of by the prophet Daniel,” and later in Josephus who refers to Daniel “as to one of the greatest prophets” and later adding that “Daniel spoke with God, for he was not only wont to prophecy future things, as did the other prophets” (*Ant.* 10.266–67, LCL).<sup>42</sup> Elsewhere Collins says that the later rabbis may have placed Daniel among the Writings because they thought the book had more in common with the Writings than with the Prophets.<sup>43</sup>

Whatever the case, the only evidence that places Daniel in the Writings is middle to late second century CE and that does not account for the book’s earlier placement among the prophets. Daniel was placed among the Prophets in the LXX and in Christian Bibles and was widely regarded as a prophet in the Dead Sea Scrolls,<sup>44</sup> the NT (Matt 24:15; cf. Dan 11:31; 12:11), including also in some Rabbinic traditions where Daniel is counted among the prophets (*Megillah* 3a; *Sanhedrin* 94a), and in all but one of the early church fathers, namely Jerome in his *Preface to the Books of Samuel and Kings*, ca. 394 CE, but who places Daniel

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<sup>40</sup> The Aramaic section of Daniel (2–7) may derive from an earlier antecedent from the fifth to fourth centuries BCE in the late Persian period, but its introduction and final apocalyptic second section (chs. 1, 8–12) were composed in Hebrew ca. 167–163 BCE during the Maccabean revolt clearly reflected in Dan 11. John J. Collins, *Introduction to the Hebrew Bible*, 2nd ed. (Minneapolis: Fortress, 2014), 565–66, comments on the strangeness of the two major parts of the book, namely that it is naturally divided in two sections, chs. 1–6 and 7–12, but the language division is oddly different. 2:4b–7:28 is in Aramaic, but ch. 1, an introduction to the stories in the book, and chs. 8–12 are in Hebrew. Collins suggests the Hebrew may have been added because of the patriotic fervor at the time of the Maccabean revolt.

<sup>41</sup> Collins, *Seers, Sibyls and Sages*, 8–9.

<sup>42</sup> *Ibid.*, 10.

<sup>43</sup> Collins, *Introduction to the Hebrew Bible*, 565.

<sup>44</sup> According to G. Anderson, “Canonical and Non-Canonical,” 151, the Dead Sea Scrolls have at least seven fragments of the book of Daniel and he cites Milik’s *Ten Years of Discovery*, 41, saying that several of these citations of Daniel begin with the formula, “as it is written in the book of the prophet Daniel.”

among the Prophets in his *Epistle* 53:8 (ca. 384; see also *Prologus Galeatus*, PL 28). The assignment of Daniel to the Writings instead of the Prophets is a *later* activity of the rabbis in the second century and after, but that was not the case at Qumran, or in the NT, the early church fathers, or even in several rabbinic writings.

Since the NT writings, with only one exception (Luke 24:44), speak of the Law and the Prophets, it is clear that the third part of the HB had not yet been firmly formed or fixed in the first century CE.<sup>45</sup> It is clearly anachronistic to speak of the Prophets in the first century CE, that are so designated in the later HB as a closed list reflecting what is later designated as the Former and Latter Prophets, simply based on the Prologue to Sirach or Luke 24:44. Barton correctly makes the point that there is little distinction between the Prophets and the collection of Writings in the Rabbinic traditions and this also acknowledges that the three-part HB canon was not as familiar to rabbinic Jews until well into the Talmudic period and following. He notes that the Tosefta does not regularly distinguish between Prophets and Writings.<sup>46</sup> We must therefore exercise caution and not impose later meanings of a term or later designations on an earlier ancient text. Likewise, it is difficult under any reckoning to assume that the books of Ezra–Nehemiah, Esther, or the Chronicles can be implied in Jesus' reference to the "psalms" in Luke 24:44, or for that matter any other books in the Writings.<sup>47</sup>

Because there were considerably more books in the Writings than just "psalms," and because there is such a wide range of meanings of the term "Fifths" in the later rabbinic traditions, we must conclude that the third division had not yet come to its final form at the time of the writing of Luke's Gospel (perhaps as early as ca. 65–70 CE). It is further not useful to employ later designations, as in the case of "Fifths," that have no parallels in the first century CE or before to interpret what a first-century writer (Luke) says.<sup>48</sup>

Again, Luke 24:44 may reflect an early stage of an *emerging* three-part canon, but "psalms" is not equal to the later collection of Writings that is first seen in the *b. Baba Batra* 14b text. The earlier reference in Luke 24:27 in which Jesus refers to "Moses and *all* the prophets" no doubt included *all* the known Jewish scriptures, including the Psalms, and all of which were viewed at that time as

<sup>45</sup> See also Barton, *Oracles of God*, 52–55, who makes this same point.

<sup>46</sup> *Ibid.*, 43–44.

<sup>47</sup> Reuss, *History of the Canon*, 10, agrees with this conclusion.

<sup>48</sup> P. Stuhlmacher, "The Significance of the Old Testament Apocrypha and Pseudepigrapha for the Understanding of Jesus and Christology," in *The Apocrypha in Ecumenical Perspective*, ed. Siegfried Meurer, UBS Monograph Series 6 (New York: United Bible Society, 1991), 2, also agrees with this and adds that "nowhere in the New Testament writings can any special interest in the canonical delimitation and fixing of the Holy Scriptures be detected."

*prophetic* texts.<sup>49</sup> This is also supported by a reference in *4 Maccabees*,<sup>50</sup> a Jewish text written after the Gospel of Luke that tells the story of a mother saying to her sons that their father “taught the law and the prophets” (18:10). She then gives examples of what the father taught from stories from the Pentateuch, Isaiah, and Daniel, and then states that he sang to them “songs of the psalmist David” and noting that he “recounted to you Solomon’s proverb [Prov 3:18].” She finally cites Ezekiel and concludes with Moses (Deut 30:20; 32:39) in *4 Macc.* 18:11–19. From that writer’s perspective all of the non-Mosaic writings were included in the prophetic scriptures *at that time*.

While Luke 24:44 may suggest an initial stage of an emerging tripartite biblical canon, the reference to “psalms” is not evidence that more than psalms was intended *at that time*. As we saw in the discussion of the Dead Sea Scrolls above, Psalms played a significant role in the Essene community and references to David as a prophetic figure points to a special place for the Psalms in the Jewish sacred scriptures. References simply to David may also refer to him as an example for the people as we saw earlier. This does not deny that other texts were also viewed as sacred scripture among the Essenes or other Jews in that period, but they also were viewed as prophetic literature and subsumed among the category of “prophets.” As we will see below, the later Writings included not only prophetic material, such as Daniel, but also historical material (Chronicles, Ezra–Nehemiah, Esther) and wisdom literature. The *Ketubim* appears to have been something of a “catch all” collection without an easy explanation for its formation.<sup>51</sup>

It is interesting that all of the disputed books noted in the later rabbinic tradition, with the exception of Ezekiel, are from the Writings, a sign that the last category of the HB were formed later than the others. The books in the Writings were not all late, and it is likely that all or most of them were considered scripture in the first centuries BCE and CE, but their place in the Jewish Scriptures was not separated from the Prophets until the middle to late second century.

Finally, had all of the books of the HB been formed as a fixed collection of scriptures before the first century CE, it is remarkable that the Christians, who adopted the scriptures of their first-century CE Jewish siblings in the first century, also welcomed other books than those that were later included in the HB, as in the cases of the Wisdom of Solomon, *1 Enoch*, Sirach, and others.<sup>52</sup>

<sup>49</sup> Evans, “The Scriptures of Jesus,” 190–91, makes this point.

<sup>50</sup> *4 Maccabees* was probably written perhaps ca. 100 CE, or even in the middle to late second century CE, by an observant Jew most likely from the northeastern Mediterranean basin.

<sup>51</sup> Donn F. Morgan, *Between Text and Community: The “Writings” in Canonical Interpretation* (Minneapolis: Fortress, 1990), 108–29, makes this point and seeks a way to understand the Writings *as canon* when it has such divergent writings in it.

<sup>52</sup> John Barton also argues this point in his “The Old Testament Canon,” in Paget and Schaper, eds., *The New Cambridge History of the Bible: Vol. 1, From the Beginnings to 600*, 145–64, here 151.



#### IV. LUKE 11:48–51 AND MATTHEW 23:34–35

Canon scholars regularly debate the significance of two almost parallel passages from the Gospels as evidence for a closed HB biblical canon in the early first century CE. Some claim that these passages reveal Jesus' biblical canon, but others are unconvinced. I present the major arguments for each position in this section. The relevant texts and their parallels and differences can be seen, including Matthew's addition of the patronym, in the following two texts.

Therefore I send you prophets, sages, and scribes, some of whom you will kill and crucify, and some you will flog in your synagogues and pursue from town to town, so that upon you may come *all the righteous blood shed on earth, from the blood of righteous Abel to the blood of Zechariah son of Barachiah, whom you murdered between the sanctuary and the altar*. (Matt 23:34–35, emphasis added)

So you are witnesses and approve of the deeds of your ancestors; for they killed them [prophets], and you build their tombs. Therefore also the Wisdom of God said, "I will send them prophets and apostles, some of whom they will kill and persecute," so that this generation may be charged with *the blood of all the prophets shed since the foundation of the world, from the blood of Abel to the blood of Zechariah, who perished between the altar and the sanctuary*. Yes, I tell you, it will be charged against this generation. (Luke 11:48–51, emphasis added)

Several scholars claim that these two texts show that Jesus endorsed the current HB canon. Not long ago Peels argued, wrongly in my opinion, that "virtually all exegetes believe that Mt 23,35 and Lk 11,51 mirror the structure and scope of the Old Testament canon of that time."<sup>53</sup> This view historically can be traced back to Johann Gotfried Eichhorn in 1780<sup>54</sup> whose later commentary on Matt 23:35 in 1836 had a significant impact on subsequent interpretations of this passage. Gallagher, however, has shown that this interpretation depends on Chronicles standing last in the HB manuscripts and that there is only one antecedent that supports that place in HB manuscripts before the twelfth century, namely the second-century CE *baraita*, the *b. Baba Batra* 14b text that has 2 Chronicles in the last place in the HB. However, there is no evidence that this was the order of the Jewish Scriptures in the first century CE and Gallagher contends that only after the HB was published *in print*, and I might add *in a codex*, was such a position

<sup>53</sup> H G. L. Peels, "The Blood 'from Abel to Zechariah' (Matthew 23:35; Luke 11:50f.) and the Canon of the Old Testament," *ZAW* 113 (2001): 583–601, here 586. I owe this reference to Edmon L. Gallagher, "The Blood from Abel to Zechariah in the History of Interpretation," *NTS* 60, no. 1 (2014): 121–38. Beckwith, *Old Testament Canon*, 122–23, 127, draws the same conclusion as Peels and claims that Jesus in Matt 23:35, Luke 11:51, and Luke 24:44 refers to "the beginning of the Law to the end of the Hagiographa." Gallagher adds a list of modern interpreters who hold this position but also a growing list of scholars who do not (p. 122).

<sup>54</sup> J. G. Eichhorn, *Einleitung in das Alte Testament* (Leipzig: Bey Weidmanns Erben & Reich, 1780), 1:18.

possible. Codices L (Leningrad) and A (Aleppo), for instance, have Chronicles in the *first* place in the Writings, not the last. Gallagher concludes that “neither Jesus nor anyone else could assert the same [order or sequence] until the late fifteenth century” after the printing press was invented. He also draws attention to the lack of any church father drawing from Matt 23:35 or Luke 11:51 that Jesus had in mind the scope of the biblical canon. Jesus’ point rather was his focus on the heinous acts taken against pious Jews in antiquity.<sup>55</sup>

Gallagher also observes that no one before the eighth century CE suggested that Jesus’ reference to Zechariah was to one of the Minor Prophets. He adds “it was apparently, not until the rise of modern biblical criticism that someone thought of relating the mention of Zechariah to the concluding position of Chronicles within the Bible.”<sup>56</sup> Matthew alone adds the patronym “son of Barachiah” and modern scholars frequently identify this Zechariah with the Zechariah in 2 Chr 24:20–21 who is listed as “the son of the priest Jehoiada.” That text reads:

Then the spirit of God took possession of Zechariah *son of the priest Jehoiada*; he stood above the people and said to them, “Thus says God: Why do you transgress the commandments of the Lord, so that you cannot prosper? Because you have forsaken the Lord, he has also forsaken you.” But they conspired against him, and by command of the king *they stoned him to death in the court of the house of the Lord.* (2 Chr 24:20–21, emphasis added)

Only Zech 1:1 speaks of a “Zechariah, the son of Berechiah” and there is no evidence that the author of one of the final books of the HB had a violent death or was executed. Roger Beckwith argues in considerable detail that this passage refers to the scope of the Bible. To make the texts harmonize, he conflates Zechariah son of Jehoiada in 2 Chr 24:20 with Zechariah son of Berechiah (Zech 1:1), claiming that Jesus referred to both Zechariahs!<sup>57</sup> Lim disagrees, however, and concludes that Beckwith’s argument is a most unlikely technique and that Jesus was not speaking about a “composite figure” (two Zechariahs) after speaking of a single individual (a singular Abel). Lim also points to Beckwith’s failure to consider that the editor of Matt 23:35 may be reflecting a later reference in Josephus.<sup>58</sup>

<sup>55</sup> Gallagher, “Blood from Abel to Zechariah.” See also A. Van Der Kooij, “The Canonization of Ancient Books Kept in the Temple of Jerusalem,” in Van der Kooij and Van der Toorn, eds., *Canonization and Decanonization*, 17–40, here 21–22. He agrees that the place of Chronicles in the HB varied for many centuries and was in last place only in the *b. Baba Batra* 14b text until much later.

<sup>56</sup> Ibid., 126 n. 16 and 133 n. 40. The quote is from 136.

<sup>57</sup> Beckwith, *Old Testament Canon*, 211–22. See also similarly Robert H. Gundry, *Matthew: A Commentary on His Handbook for a Mixed Church Under Persecution*, 2nd ed. (Grand Rapids: Eerdmans, 1994), 471–72; and F. F. Bruce, *The Canon of Scripture*, 30–31.

<sup>58</sup> *Formation of the Jewish Canon*, 158–59 and 160–61.

Interestingly, Origen is the first to suggest that Jesus was not referring to Zechariah the prophet, but rather to a *first century* Zechariah, namely the father of John the Baptist (Origen, *Comm. on Matthew* 25),<sup>59</sup> and he claims that Jesus had in mind all of the bloodshed of pious individuals from the beginning of humanity to the time of Jesus, namely the death of John the Baptist's father according to "apocryphal sources" (Origen, *Ep. Africanus* 14). Jerome rejected Origen's view and identified Zechariah as the one killed near the altar by King Joash of Judea in 2 Chr 24:20–22, 25, despite his not being referred to there as the son of Jehoiada, but rather Barachiah (see his *Commentary on Matthew*). While Jerome alone lists the books of the Old Testament in *roughly* the same sequence as the HB (See Appendix A), namely Law, Prophets, and Writings, he does not place Chronicles *at the end of his list*. Further, Gallagher observes that "Jerome did not interpret 'the blood of Zechariah' as a reference to the last book of the Hebrew Bible because it was not the last book of the Hebrew Bible/Old Testament as he knew it."<sup>60</sup>

No ancient discussion or interpretation of the identity of Zechariah in Luke or Matthew is without its problems, but it is important that no church father identified these two texts as references to the scope of the Jewish scriptures. Also, this passage referred to the all of the prophets that were executed from the time of Abel (who is not called a prophet in the HB/OT) to Zechariah, but identifying him as an Old Testament figure would be strange had Jesus intended to say to his current listeners that "this generation" was accountable for the death of Zechariah when he had been executed hundreds of years earlier.

Also, the prophetic figure, Uriah son of Shemaiah, was executed *by the sword* by Jehoiakim (ca. 609–598 BCE; see Jer 26:20–23), unlike the *stoning* of the Zechariah son of Jehoiada in 2 Chr 24:20–21. Could it be that the idea of shedding of blood is simply a reference to death rather than how it was accomplished? The author of 2 Chronicles does refer to the execution of Joash "because of the blood of the son of the priest Jehoiada" (24:25), but more importantly Uriah was the *last* prophetic figure executed in the HB. Zechariah the son of Barachiah (or Jehoiada?) was executed much earlier. Responding to this, John Lightfoot long ago suggested that the reason Jesus chose Zechariah instead of Uriah was because the "killing of Zechariah was more horrible, as he was more high in dignity; and as the place wherein he was killed was more holy."<sup>61</sup> He adds that Zechariah's death involved the consent of all of the people unlike Uriah's death. He suggests that Zechariah was more a type of Christ figure, and both Abel's and Zechariah's

<sup>59</sup> This text is discussed in Gallagher, "The Blood from Abel to Zechariah," 127–33.

<sup>60</sup> *Ibid.*, 134. I have identified the two surviving lists of Jerome's OT canon in the appendices and, likely following Jewish tradition at that time, this shows that he concluded his OT canon with either Ezra–Nehemiah (Epistle 53.8) or Esther (*Preface to the Books of Samuel and Kings*).

<sup>61</sup> John Lightfoot, *A Commentary on the New Testament from the Talmud and Hebraica* (Oxford: Oxford University Press, 1859; reprinted in Grand Rapids: Baker Book House, 1979), 2:307. See his longer discussion of this passage in 302–8.

deaths cry out for vengeance (Gen 4:10 and 2 Chr 24:22, cf. Matt 27:25).<sup>62</sup> This is not unlike George Foot Moore's comment: "It is not, then, because the death of Zechariah was the last crime of the kind in Jewish history that it is named in the Gospel, but because it was in popular legend the typical example of the sacrilegious murder of a righteous man, a prophet of God, and of the appalling expiation of God exacted for it."<sup>63</sup> This may also be special pleading and it does not show that the death was either the last or specifically whether Jesus had this in mind in his accusation, let alone the scope of the HB canon.

The difference in the patronyms "son of Barachiah" and "son of Jehoiada" has not troubled most commentators who assume that since the names "Barachiah" and "Jehoiada" are roughly equivalent in meaning and since most conclude that Jesus had 2 Chronicles in mind, the name does not pose a problem for their interpretation. More recently, several scholars have moderated the popular notion that these two texts in Matthew and Luke reflect the scope of the biblical canon.<sup>64</sup> Since no one in antiquity came up with the notion that Jesus was referring to the completion or scope of the HB/OT canon, the reconsiderations of these passages in Matthew and Luke are a welcome contribution to current canon discussions.

As we saw above, Origen (*Comm. ser. Matt. 25*; *Comm. in Matt. 10.18*) claims that Jesus' reference to Zechariah was to the father of John the Baptist (Luke 1:59–80). The author of the second-century CE *Protevangelium of James* supports Origen's interpretation and reports that it was Zechariah, the father of John the Baptist, who was executed *by the sword*, and that this Zechariah is the one Jesus had in view. That text reads:

Herod was searching for John [the Baptist], and sent officers to Zacharias [father of John] saying "Where have you hidden your son?" And he answered and said to them, "I am a minister of God and serve in the temple of the Lord. I do not know where my son is." And the officers departed and told all this to Herod. Then Herod was angry and said, "His son is to be king over Israel!" And he sent to him saying, "Tell the truth. Where is your son? You know that you are at my mercy." And the officers departed and told him these things. And Zacharias said, "I am a witness of God. Pour out blood! But the Lord will receive my spirit, for you shed innocent blood at the threshold of the temple of the Lord." And about daybreak Zacharias was slain. And the children of Israel did not know that he had been slain. (*Protevangelium of James* 23.1–3)<sup>65</sup>

<sup>62</sup> Ibid., 308.

<sup>63</sup> George Foot Moore, "*Conjectanea Talmudica*: Notes on Rev 13:18; Matt 23:35f.; 28:1; 2 Cor 2:14–16; Jubilees 34:4, 7; 7:4," *JAOS* (1905): 315–33, here 323. I first saw this reference in Lim, *Formation of the Canon*, 237 n. 13.

<sup>64</sup> See, for example, Ulrich Luz's discussion of these passages in his *Matthew 21–28: A Commentary*, Hermeneia, trans. J. E. Crouch (Minneapolis: Fortress, 2005), 154–56; W. D. Davies and Dale C. Allison, Jr., *The Gospel According to Saint Matthew*, ICC (Edinburgh: T. & T. Clark, 1997), 3:316–19; and Chapman, "Canon, Old Testament," 104.

<sup>65</sup> From Elliott, ed., *Apocryphal New Testament*, 66–67.

Josephus referred to a certain Zecharias *son of Baras* who was slain in the Temple by the Zealots during the outbreak of the war against Rome (ca. 69 CE), which may have been confused by some church fathers with the Zechariah mentioned by Jesus in Matt 23:35. Although this cannot have been the Zechariah mentioned by Jesus, some scholars have suggested that later editors of Matthew inserted this patronym into the text (it is absent in Luke). Long ago Julius Wellhausen suggested that this Zecharias “son of Baras” (or Bariscaeus) (see Josephus, *War* 4.335–43) was the same as the Zechariah son of Barachiah, in Matt 23:35.<sup>66</sup> He suggests that Matthew’s text focused on a certain Zacharias, the Greek equivalent of Zechariah, who was executed *after* the time of Jesus and that he (Matthew or Matthew’s latest editor) was confused on the identity of the one Jesus spoke about. Josephus’ text is as follows:

Having now come to loathe indiscriminate massacre, the Zealots instituted mock trials and courts of justice. They determined to put to death Zacharias, son of Baris, one of the most eminent of the citizens. The man exasperated them by his pronounced hatred of wrong and love of liberty... (*War* 4.334–35, LCL)

When their mock trial did not go the way they had hoped because of the convincing defense that Zecharias gave before the judges, the Zealots slew him anyway.

Two of the most daring of them [Zealots] set upon Zacharias and slew him in the midst of the Temple, and exclaiming in jest over his prostrate body “Now you have our verdict also and also a more certain release,” forthwith cast him out of the Temple into the ravine below. (Josephus, *War* 4.343, LCL)

Nothing certain can be proved from this, but Josephus, like the *Protevangelium of James* text above, speaks of a more recent Zechariah than the one in 2 Chronicles.

Since it is unlikely that Matthew and Luke are referring to the Zechariah of 2 Chr 24, what other possibilities are there? Although some have suggested that Zechariah is a reference to the author of one of the latest books in the Minor Prophets, no one before the eighth century CE concluded that and no one today makes that suggestion. The first church father to suggest that Jesus referred to the Zechariah of 2 Chr 24:20–22 was apparently Jerome in the late fourth century (*Commentary on Matthew* 23.35), but he never drew from this that Jesus was describing the boundaries of the OT canon.

The ancient Greek church fathers *generally* concluded that Jesus’ reference to Zechariah was to the father of John the Baptist with the inference from Jesus that from the beginning of time until the generation of Jesus, prophets had been slain.

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<sup>66</sup> Wellhausen, *Einleitung in die drei ersten Evangelien*, ed. 2, 1911, pp. 118ff. This is noted in the editor’s n. a, p. 254–55 in Josephus, *War* IV (LCL). I found these references in Gallagher, “The Blood from Abel to Zechariah in the History of Interpretation,” 127–29.

Luke does not mention the father of Zachariah and so the guessing game goes on in that Gospel. Those scholars who think that this Zechariah was the author of the Minor Prophet, Zechariah (see Zech 1:1), who was the son of Berechiah, son of Iddo, have difficulty acknowledging that there is no ancient evidence that Zechariah, who authored one of the last two Minor Prophets, died a martyr's death or in a violent manner. *The Lives of the Prophets*, perhaps a fourth-century text with first-century traditions in it (it appears to contain both Jewish and Christian elements),<sup>67</sup> claims that the biblical prophet Zechariah died a peaceful death at an advanced age (*Liv. Pro.* 15.6).<sup>68</sup> The Zechariah mentioned in Isa 8:1–2 does not appear to be a likely candidate either since there also is no record of his death in a violent manner or that others were murdered after him. There are some 30 different Zechariahs in the HB scriptures and the name was still popular even in the first century (John's father and Josephus). The most commonly suggested candidates include the author of the book of Zechariah in the Minor Prophets (Zech. 1:1), the son of Jehoiada in 2 Chr 24:20, Zechariah son of Jeberechiah (which becomes Barachiah in the LXX) in Isa 8:2, and from the time of Origen, the father of John the Baptist (Luke 1:5–23, 67–79).

Was Jesus focused on the shape of the biblical canon when he referred to Abel and Zechariah consciously considering all of the books from Genesis to 2 Chronicles? F. F. Bruce concludes that Jesus' reference to Zechariah in 2 Chr 24:20–23 affirmed a tripartite biblical canon that was settled long before Jesus.<sup>69</sup> He states that since canonically Zechariah *the son of Jehoiada*<sup>70</sup> was the last mentioned prophet martyred in the Hebrew canon, then these texts point to the completeness of the Hebrew biblical canon by the time of Jesus.<sup>71</sup> Bruce states, "[t]here is evidence that Chronicles was the last book of the Hebrew Bible as Jesus knew it." And he goes on to say "Zechariah is canonically the last faithful prophet to die as a martyr, because his death is recorded in Chronicles, the last book in the Hebrew Bible."<sup>72</sup>

<sup>67</sup> For a helpful discussion of the date and provenance of this ancient text of some 180 sentences, see Peter Enns, "Lives of the Prophets," in Collins and Harlow, eds., *Eerdmans Dictionary of Early Judaism*, 892–94.

<sup>68</sup> See the discussion in Luz, *Matthew 21–28*, 154–55. He concludes that Jesus is speaking of Zechariah in 2 Chr 24 and offers support from the rabbinic tradition, namely *y. Ta'an.* 4:69a.56; *Liv. Pro.* 23; and *Tg. Lam.* 2:20. He does not discuss the reference in *Protevangelium James* 23.1–3 to the father of John the Baptist.

<sup>69</sup> F. F. Bruce, *Canon of Scripture*, 29.

<sup>70</sup> The problematical parallel in Matt 23:35 *appears* to have the wrong family tree for Zachariah or it is talking about a different Zachariah. Could it be that Matthew and Luke may be referring to the murder of Zechariah the son of Baris in Jerusalem during the first Jewish revolt (see Josephus, *War* 4.335–343)?

<sup>71</sup> F. F. Bruce, *Canon of Scripture*, 31.

<sup>72</sup> *Ibid.*

Bruce misses, of course, the reference to Uriah and his explanation assumes that there was a clearly identifiable order of the HB by the time of Jesus, but there is no evidence for that supposition. He also contends that the reference in Luke 24:44 to “the law of Moses, prophets, and the psalms” does not interfere with that order. However, if the *order* of the Writings had already been set by the time of Luke’s writing (ca. 65–70 CE or even later), it is strange that Josephus (ca. 95–100 CE) does not reflect that ordering in his comments on the scope of the Jewish Scriptures. Josephus concludes his summary of the Jewish Scriptures with a final group he designated: “the remaining four books contain hymns to God and precepts for the conduct of human life” (*Ag. Apion* 1.40, LCL). It is also strange that most of the early Christians, when they focused on the formation of their Christian scriptures, including their contents and order, did not discuss these two passages as a reference to a three-part and complete biblical canon ending with books of hymns. The HB sequence is only detected in Jerome, the church father who wrote mostly in Bethlehem and was more acquainted with local Jewish tradition than most of his contemporaries, but even he does not tie the order or formation of the OT books to these passages.

The tripartite HB canon was largely formed by some rabbis in the middle to end of the second century CE and this was later widely acknowledged in the two Talmudim. The best explanation for the almost universal lack of reference to the Jewish tripartite biblical canon is that it had not been developed before the separation of Jews and Christians was complete, after which the Jews ceased having an influence on the scope and order of the Christian Scriptures. There is nothing wrong with the formation of the HB, but the Christians overwhelmingly did not follow it, which suggests that it was largely unknown to them at the time of their separation from their Jewish siblings.

Rather than Chronicles being the last book in the Hebrew biblical canon, Freedman argues convincingly that Chronicles stands in first place in the Writings, and he supports this with references to the major medieval manuscripts, including the standard Masoretic Aleppo and Leningrad Codices. Rather than Writings concluding with 1–2 Chronicles, he contends that they end with Ezra–Nehemiah.<sup>73</sup> Freedman adds that since 2 Chr 36:22–23 and Ezra 1:1–4 are almost identical, this suggests that the books were separated spatially since, had they been consecutive, and that order remained, there would have been no need for the repetition.<sup>74</sup> By contrast, the primary historical books (Former Prophets, are consecutive (i.e., Joshua, Judges, 1–2 Samuel and 1–2 Kings) and have no repetitive texts

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<sup>73</sup> Freedman, “Symmetry of the Hebrew Bible,” 95–96. The order of books in the Aleppo Codex is as follows: Genesis to Judges (same as usual), 1–2 Samuel, 1–2 Kings, Isaiah, Jeremiah, Ezekiel, the Twelve (in the standard sequence), 1–2 Chronicles, Psalms, Job, Proverbs, Ruth, Ecclesiastes, Lamentations, Esther, Daniel, Ezra. (Ezra includes Nehemiah. Freedman does not mention Song of Songs.)

<sup>74</sup> *Ibid.*, 96.

connecting them. More importantly, Chronicles is in the last place only in the *b. Baba Batra* text before the tenth-century classical Tiberian codices of the Masoretic text of the HB (Codices Aleppo and Leningrad) that place Chronicles last in the *Ketubim*. Although the Talmud places Chronicles in first place in the *Ketubim*, all Tanak Bibles in use today have Chronicles at the end of the *Ketubim* more out of habit and based on Codices A and L.

Evans suggests that the words “righteous” (“innocent” in some translations), “son of Barachiah,” and “whom you murdered” in Matt 23:35 are probably all Matthean additions to the tradition cited in Luke, and they are designed to intensify and clarify the meaning of the utterance. He adds that the Matthean evangelist either added “son of Barachiah,” thus identifying the martyr with the prophet Zechariah, or the Lukan evangelist deleted the familial epithet, because he realized that the person murdered “between the sanctuary and the altar” was a different Zechariah. On balance, it appears more likely that Matthew added the epithet to the Q tradition, since Jesus more typically referred simply to given names, e.g., “Jonah” and not their ancestry as in “Jonah son of Amittai,” or “Isaiah” not “Isaiah the son of Amoz.”<sup>75</sup> Treballe Barrera is in basic agreement with Evans here and suggests that Matt 23:35 “simply points to the first and last murder in the Bible without implying that Chronicles was the last book in the Bible, as is the case in the present sequence of books but not in other traditions known in the Talmudic period.”<sup>76</sup> Evans concludes that the argument put forth by Bruce, Beckwith, and others assumes not only that 2 Chronicles was considered canonical in the time of Jesus, but also that it had already been assigned the last place in the Jewish scriptural collection. He correctly, in my opinion, concludes that in context Jesus’ reference to Abel and Zechariah was “probably meant to sum up Israel’s history, not Israel’s sacred Scripture.”<sup>77</sup>

In conclusion, Luke 11:49–51 and Matt 23:34–35 do not reflect a fixed biblical canon in the first century CE and that conclusion is no longer as convincing as previously thought. The precise boundaries and contents of the Jewish scriptures cannot be discerned in the first century CE from these two texts.

<sup>75</sup> Evans, “Scriptures of Jesus,” 90 n. 17.

<sup>76</sup> Treballe Barrera, “Origins of a Tripartite Old Testament Canon,” 131. In regard to the obscure reference to “the Wisdom of God” in Luke 11:49, this locution is also in Luke 7:35 where it is a reference to God and it may be a reference to Jesus. Commentators are not in agreement on the precise meaning here and some have suggested that a reference to a book in the third-part of the HB or to an unknown book that Jesus is citing, may simply be an allusion to common language circulating among Jews in the first century CE or earlier.

<sup>77</sup> Evans, “Scriptures of Jesus,” 190.



## V. ORDER AND SEQUENCE OF BIBLICAL CANONS

Because the early collections of the HB books circulated in scrolls and not in codices, it is understandable why there is considerable variety in the order of the books in various Jewish and Christian traditions well into the tenth and eleventh century, as we will see in Chapter 11 and Appendix A. It is important simply to note here that all such discussions of the order or sequence of books in antiquity appear to be something like what Barton described as a “wild goose chase” that is ultimately “devoid of importance.”<sup>78</sup> He doubts whether any significance can be found in the order of biblical books before the use of the codex for transmitting them. Such notions, he claims, were not present either in Judaism of Late Antiquity or in early Christianity before the widespread use of the codex. Until the technology of the codex had advanced to the point where one could include all of the biblical books in one volume, which was possible for the first time in the fourth century CE, there was very little focus on order or sequence. Since the use of codices for the HB books is not attested before the eighth century CE,<sup>79</sup> little focus was placed on the sequence of HB books outside of the Pentateuch and Deuteronomistic History books except in *b. Baba Batra* 14b. The variability in sequences of specific collections such as the Twelve Minor Prophets or the places of Job and Proverbs in HB manuscripts makes this point. Sanders draws attention to the often significantly different contents and order of the Psalms in Cave 11 at Qumran (11QPs<sup>a</sup>) that he argues reflect the fluidity of the scriptures at that time and should not be seen as “a deviation from a rigidly fixed canon of the latter third of the Psalter, but rather as a signpost in the multi-faceted history of the canonization of the Psalter.”<sup>80</sup> The earliest rabbinic text that identifies the order of the books in the Jewish scriptures, *b. Baba Batra* 14b–15a, says nothing *essential* about the order in it, except perhaps that the Pentateuch is in first place (see 14a and 15a). Barton suggests that the order here may emphasize the chronology of the books within each category, but while this is easier to see in the Pentateuch and the Former and possibly Latter Prophets, it is more difficult to establish in regard to the Writings.<sup>81</sup> The early Christian listings of the order of the books generally follow the LXX and not the HB sequence and little can be made from this sequence except, as Sanders has noted, the Christian OT closes with a view to the future that anticipates the next event in salvation history, namely the story of

<sup>78</sup> Barton, *Oracles of God*, 82.

<sup>79</sup> For this date, see Barton, *Oracles of God*, 83, who cites the work of E. Würthwein, *The Text of the Old Testament: An Introduction to Kittel-Kahle's Biblia Hebraica* (Oxford: Oxford University Press, 1957), 10.

<sup>80</sup> J. A. Sanders, *Psalms Scroll of Qumran Cave 11*; and idem, “*Variorum* in the Psalms Scroll,” *HTR* 59 (1966): 89. Barton also quotes Sanders’ conclusion in *Oracles of God*, 86.

<sup>81</sup> *Ibid.*, 88.

Jesus, which is why the (Latter) Prophets are placed last and not second in most of the Christian Bibles.<sup>82</sup>

Barton adds that while distinctions in genre, date, and classification are important to modern scholars, they were of little concern to the mindset of the earliest interpreters of scripture who, like the author of Hebrews, could speak of God in former times who “spoke to our fathers ancestors [fathers]...by the prophets” (Heb 1:1). The author goes on to cite all three of the later designations of the Hebrew Scriptures (prophets, psalms, and Pentateuch) “without any sense of incongruity.” It is not unusual, however, for modern readers of these ancient texts to suppose that the first readers always had in mind what scholars many centuries later now consider relevant.<sup>83</sup> More will be said about this issue in Chapter 11 §II.

## VI. CONCLUSION

It is quite likely that all of the books that eventually made up the HB canon were also widely circulating as sacred scripture among many Jews and early Christians in the first century CE. However, Barton reminds us that this does not suggest that *only* those books were accepted as sacred Scripture *at that time*. He cites Jude 14’s reference to *1 En.* 1:9 and Paul’s use of Wisdom of Solomon in Rom 2:23–24 and 5:12–21 as evidence for more writings functioning as scripture in the first century and concludes: “To say that these references are real but do not involve treating the deuterocanonical books as ‘scripture’ is simply special pleading.”<sup>84</sup> I fully agree.

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<sup>82</sup> For a discussion of the order of the Jewish and Christian Bibles, see Sanders, “Spinning the Bible,” but as we will see later, that order may not have been altogether a Christian invention but one they may have inherited.

<sup>83</sup> Barton, *Oracles of God*, 82–91. He correctly concludes, in my opinion, that with the exception of the historical books, sequence seems to be of “small importance” (91).

<sup>84</sup> Barton, “Old Testament Canon,” 151.

## CHAPTER 9

# THE SCRIPTURES OF JESUS AND EARLY CHRISTIANITY\*

### I. SCRIPTURE IN EARLY CHRISTIANITY

Jesus and his earliest followers were all Jews who worshipped regularly at Jewish synagogues and likely also made periodic visits to the Temple in Jerusalem. Their understanding of the notion of Scripture and the Scriptures that constituted their sacred Scripture collections they learned from fellow Jews in first-century Palestine. The earliest disciples of Jesus experienced him within the Jewish culture and within the knowledge of the Jewish Scriptures that significantly influenced their belief that Jesus was *the* eschatological fulfillment of their Scriptures. Also, they believed that their understanding of the outpouring of the Holy Spirit in the “last days” was foretold in their Scriptures (Joel 2:28–29; Ezek 36:27; 37:14; cf. Acts 2:17–17; John 7:39; 14:16–17; 15:26) and was present in Jesus and in the community of those who followed him. As we saw earlier, the notion that prophecy had ceased in Israel was a popular view among many Jews in the time of Jesus, but not by all. Jesus himself may have assumed the absence of the Spirit and prophetic activity among the Jews and spoke of the Spirit’s return (John 14:26; 15:26; 16:7–15; 20:22; Acts 1:8), though not necessarily since he saw John the Baptist as a prophetic figure (Matt 11:7–15). Jesus may have suggested that the Spirit and prophetic activity departed the nation perhaps at the time of the death of John the Baptist as the last prophet in Israel (Matt 11:7–14 // Luke 16:6), or earlier as that popular view may have been considered by him. However, before and during the time of Jesus some Jews believed that the religious books produced by prophetic figures, before the supposed cessation of the Spirit and prophetic activity, were their inspired sacred Scriptures (1 Macc 14:41; *Prayer of Azariah* 15; Josephus, *Ag. Apion* 1.37–41). The early Christians believed that in the resurrection of Jesus, the promised Spirit, which evidently was absent, had returned (John 7:39; 20:22; Acts 1:8; 2:14–21).

\* Portions of this chapter are published in *Forgotten Scriptures*, 123–50, and are updated and used here with permission from Westminster John Knox Press.

Early Christianity also emphasized an important eschatological feature that focused on the presence of the Spirit as a demonstration that they were in the “last days” (2 Cor 5:4–5). Coupled with that, the church’s Christological emphasis in their interpretation of Scripture, while not unique to the followers of Jesus, was certainly characteristic of them.

As a first-century Jew living in Palestine, Jesus and his earliest followers were informed by the same Jewish Scriptures that circulated among his fellow adherents of Judaism in Palestine. Evans has observed that in the Synoptic Gospels Jesus cited the same books that were most frequently quoted or cited in the Qumran scrolls, especially Deuteronomy some fifteen or sixteen times, Isaiah some forty times, and the Psalms some thirteen times.<sup>1</sup> Jesus apparently favored those books, but frequently he also cited Daniel and Zechariah and several other HB books as well. He did not cite or quote all of the HB books, however. According to Evans, “Jesus’ usage of Scripture was pretty much in step with what we observe in other circles, circles that took the Law very seriously, understood the Prophets eschatologically, and had some regard for the Writings, though this last division was very open ended.”<sup>2</sup> In the approximately 700 (or so) extra-biblical scrolls discovered at Qumran and elsewhere in the Judean desert,<sup>3</sup> there are several parallels with the NT literature, not only in mutual themes, beliefs, and practices, but in parallels with specific focus such as a messianic text in 4Q521 that helped answer questions raised about Jesus’ response to John’s disciples in Matt 11:4–6.<sup>4</sup> Besides the NT’s use of the Jewish scriptures, there are several NT passages that have very close parallels or allusions to the so-called non-canonical writings, some of which were also discovered at Qumran. I have listed several of these attributed to Jesus at the end of this chapter, but I will simply list a few of the more significant texts here that have NT parallels. These include *1 Enoch*, *Jubilees*, possibly the *Apocalypse of Moses*, *Testament of Levi*, *Tobit*, and *Sirach*. Several of the DSS have no parallels in the NT, but in the *Temple Scroll*, for example, there is a certain praise for death by hanging on a tree that reflects awareness of what we find in Deut 21:22 (compare 11QTa LXIV) and may shed some light on the hanging of Jesus on a tree

<sup>1</sup> C. A. Evans, “Scriptures of Jesus,” 185–86.

<sup>2</sup> *Ibid.*, 186.

<sup>3</sup> The ancient Jewish religious texts discovered at Qumran, and popularly called the Dead Sea Scrolls, were not all in the eleven caves at Qumran and, as noted earlier, scholars now regularly identify them as “Discoveries of the Judaean Desert” (or DJD). The Essenes produced or copied several of those writings either at Qumran or brought them in from other communities in Palestine. Also, other documents were found in caves away from Qumran such as those discovered at Masada (where some three chapters of *Sirach* and fragments of *Psalms*, *Leviticus*, and *Genesis*) were found. Also, at Naḥal Ḥever other documents were found in what is termed the “Cave of Letters” and “The Cave of Horror,” including bits and pieces of the Minor Prophets and a large number of Bar Kochba documents. For a helpful summary of the contents of these scrolls, see Cross, *Ancient Library at Qumran*, 19–53. See also Abegg, Flint, and Ulrich, *Dead Sea Scrolls Bible*, xiv–xv.

<sup>4</sup> For a careful assessment of the parallels between the Dead Sea Scrolls and how to understand them, see Brooke, *Dead Sea Scrolls and the New Testament*. For our purposes, see especially 3–69.

(see Acts 5:30; 10:39; Gal 3:13). Brooke discusses this topic in detail along with a number of parallels to Jesus' understanding of divorce and he examines carefully the parallels between the Gospels of John and Mark in this regard.<sup>5</sup> I have already drawn attention to the parallels between 4QMMT and Paul's focus on the works of the Law and righteousness. Such parallels do not suggest that Jesus or his early followers made use of or read any of the DSS, but only that they had been exposed to some teachings that also informed the Essene community. Some of the parallels between the NT and the DSS more likely are elements they shared with first-century CE expressions of Palestinian Judaism.

There is considerable evidence in the Gospels that Jesus regularly cited the Jewish Scriptures, but no evidence that he cited any particular *form* of the various biblical texts. Again, Evans observes that Jesus regularly "appealed to words, phrases, and sometimes whole passages – whatever their textual origin – in an *ad hoc*, experiential fashion."<sup>6</sup> Because of the *ad hoc* nature of his citations or quotes that addressed specific concerns and situations, it is not possible to determine all of the books that Jesus deemed sacred. However, from his teachings that have parallels in extra-biblical writings, as we will see below, it is apparent that he was familiar with more traditions or teachings than those in the HB. It is likely that he considered more books as Jewish Scripture than the available sources allow us to discern, but most of the works he cited are from HB books (Pentateuch, especially Deuteronomy, Isaiah, and Psalms).

In a recent study, David deSilva makes the case that in the Synoptic Gospels Jesus was either familiar with several extra-biblical or non-canonical writings, or that those works were familiar to the teachers of Jesus. However, he makes a case for Jesus' familiarity with several noncanonical writings found in letters produced by two of Jesus' half brothers, James and Jude. Those writings include parallels in word and/or thought with Sirach, Tobit, *1 Enoch*, *Psalms of Solomon*, *2 Maccabees* (possibly also *1 Maccabees*), and *likely the Testaments of the Twelve Patriarchs*, and the *Testament of Job*.<sup>7</sup> Since several noncanonical writings were popular in Palestine in the first century CE, it is likely that he either heard some of the traditions in them or had seen some of those writings. There is no evidence that Jesus specifically read extra-biblical books, but there are a number of parallel words, phrases, and ideas from them in his teachings that are suggestive of that. There is no question, however, that Jesus mostly cited scriptural texts with the designations "the Law" or "the Law and the Prophets." Several of the biblical and extra-biblical texts with which he appears to have some familiarity were circulating in Galilee and Judea in his generation. The parallels listed in deSilva's substantial investigations support this notion.

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<sup>5</sup> Ibid., 97–114.

<sup>6</sup> Evans, "Scriptures of Jesus," 195.

<sup>7</sup> deSilva, *Jewish Teachers of Jesus*.

Several biblical scholars insist that Jesus and the apostles subscribed to a fixed biblical canon of the Hebrew Scriptures that was settled well before the first century CE that was exactly like the current HB, but the evidence for that conclusion is not convincing. Beckwith, for instance, contends that “the New Testament shows Jesus and his apostles endorsing a canon wider than that of the Samaritans and indistinguishable from that of the Pharisees, which now seems to have been the standard (if not, indeed, the only) Jewish canon.”<sup>8</sup> It is, however, anachronistic to suggest that Jesus and his disciples endorsed a particular biblical canon. If Jesus had endorsed a closed biblical canon in the first century, it is remarkable that his followers in the second century cited non-biblical texts as Scripture. As we will see, the response to that has often been that by the second century many of his followers had lost sight of what Jesus had endorsed! While there were known collections of religious texts available to them that functioned as Scripture, and chief among them was Torah, several Prophets, and some Writings (especially Psalms and Daniel), that is considerably different from a widely accepted biblical canon. None of Jesus’ followers or Jesus himself discussed a fixed biblical canon in the first century. As noted earlier, most, if not all, of the literature that is now a part of the HB was recognized as Scripture by many Jews in Palestine in the first century CE, but Jesus and his followers were also informed by other religious texts and may have viewed some of them as Scripture.

Admittedly it is difficult to determine which texts Jesus acknowledged as Scripture since he does not cite or quote all of the books in the HB, but he appears to be familiar with several “non-canonical” Jewish religious texts circulating in Palestine in his day. The available evidence, discussed in the next section, suggests that Jesus was familiar with several other religious texts or textual traditions circulating in Palestine that were not eventually included in the HB canon or the Christian OT. I will also include texts from other parts of the NT and the church fathers. This necessarily also involves the complex issue of how the NT uses the OT writings.

## II. THE SCRIPTURES OF JESUS

There is general agreement among scholars that quoting or citing a particular document does not mean that a writer considered what was quoted or cited to be sacred and inspired Scripture. A familiar example of this is when, in one of the speeches of Acts, Paul is cited as quoting Epimenides and also the opening lines from Aratus’ *Phaenomena* when he stood before the Areopagus on Mars Hill (Acts 17:28). Most agree that those texts were simply illustrative material for Paul’s message, not unlike such material used in most pulpits today, but no one seriously thinks that such writings were part of Paul’s (or Luke’s) acknowledged scriptural

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<sup>8</sup> Beckwith, “Canon of the Hebrew Bible,” 102.

texts, rather they were a reflection of familiarity with classical writers that were employed to gain the interest of Athenian hearers. It is seldom easy to distinguish one's high esteem for a source and one's views on its scriptural authority, but generally, if the source is cited in a scriptural or authoritative manner, introduced perhaps with the words "it is written," "as the Scripture says," or similar designations, it is easier to identify the text as a writer's Scriptures. NT writers do not always use the familiar scriptural formulae to distinguish the status of writings, but clearly a text may be cited authoritatively without using such designations (see examples below), yet still use the cited text as Scripture. Beckwith rightly speaks of the difficulty and inappropriateness of drawing conclusions about the scope of the biblical canon from simple references to other sources and helpfully lists five major methodological fallacies commonly followed by scholars:

1. failure to distinguish evidence that a book was known from evidence that a book was canonical;
2. failure to distinguish disagreement about the canon between different parties from uncertainty about the canon within those parties;
3. failure to distinguish between the adding of books to the canon and the removal of books from it;
4. failure to distinguish between the canon which the community recognized and used, and the eccentric views of individuals about it;
5. failure to make use of Jewish evidence about the canon transmitted through Christian hands, whether by denying its Jewish origins, or by ignoring the Christian medium through which it has come.<sup>9</sup>

I am in agreement with each of these points and acknowledge the temptation of many scholars to say that what was quoted or used was necessarily also Scripture or canonical. Beckwith, however, stresses that the NT writers did not quote any of the apocryphal or pseudepigraphal writings as Scripture or canon, even though, as he says, there is "an occasional correspondence of thought which suggests a knowledge of some of them."<sup>10</sup> However, there is more to the NT's use of apocryphal and pseudepigraphal writings than an "occasional correspondence of thought." Beckwith argues that since the usual scriptural citation formulas are not used when the "occasional correspondence of thought" occurs, it is important to remember that the lack of the standard citation formulae, such as "it is written," is not determinative of a text's sacred status in the NT writings. For instance, in Mark 14:62 Jesus cited Dan 7:13 in a scriptural manner, but without any typical formulae. Similarly, the author of Hebrews, who cites the OT Scriptures proportionately more than any other NT author, only used one of the scriptural citation formulae and that was used in a citation from the LXX (Heb 10:7 citing Ps 40:8).

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<sup>9</sup> Beckwith, *Old Testament Canon*, 7–8.

<sup>10</sup> *Ibid.*, 387.

Otherwise, all of his citations in Hebrews are from the LXX and without the usual formulae. No one would deny that the author of Hebrews cited many OT texts as Scripture, but he did not use the introductory formulae. Because those formulae are not cited when Apocryphal or Deuterocanonical writings are cited or used, as in the clear citation of Wis 7:25 in Heb 1:3, we cannot conclude that all ancient texts cited without the usual formulae were not viewed as sacred Scripture. Lim has shown that many of the parallels in language and so-called citations listed in the Appendix of the Nestle/Aland 27th edition of the Greek New Testament, *Novum Testamentum Graece* – which I also included in my previous edition of this volume – are often unconvincing especially as they relate to Paul.<sup>11</sup> He concludes “on the whole, literary dependence of the Pauline letters on apocryphal and pseudepigraphal texts is not supported by the evidence.”<sup>12</sup> It is difficult to know, however, whether Paul had a different biblical canon than the other writers of the NT since he never quotes all of the HB books nor did he ever list all of the books that he thought were inspired Scripture. There are, nevertheless, still some parallels in Paul’s letters with noncanonical writings. I agree with Lim, that it is not possible to determine the full scope of the Scriptures of the Pharisees or of Paul in the first century, but perhaps his examination of Paul’s familiarity with and use of Wis 11:15, 23 and 15:1–5 in his Rom 1:23 and 2:4, discussed earlier, may be an exception that might need reconsideration. Those citations are close enough to suggest Paul’s awareness of them and, I suggest, that he used them in a scriptural manner in making his case. In the following lists, we will see a number of the parallels between Jesus’ teachings and several apocryphal and pseudepigraphal texts. How did they influence Jesus and his early followers? Were they a part of his scriptural collection or did they simply inform his thinking? The following parallels, both verbal and notional, between Jesus’ teachings and the several apocryphal and pseudepigraphal sources are suggestive of a broader collection of

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<sup>11</sup> See Appendix 4 in Lim, *Formation of the Jewish Canon*, 195–207 and 166–77, where he refers to Nestle-Aland’s *loci citati vel allegati* and lists each of these so-called references, but finds them unconvincing. This list has been updated and modified in NA<sup>28</sup> and in some places citations are reduced, but in others expanded. Lim contends that Paul had adopted the collection of Scriptures adopted by the Pharisees that was still emerging and not yet closed during Paul’s lifetime (177). He correctly observes that Paul’s most frequent citations are Isaiah, Psalms, Deuteronomy, and Genesis (not unlike Jesus and the Essenes at Qumran), but Paul does not cite all of the HB books. This does not settle canon issues for Paul since all of his writings were *ad hoc*, that is written to address specific issues facing his churches and he does not identify all of the writings that he deemed sacred. It is certainly correct to say that Paul cites the HB texts most of the time. Lim does not say that Paul’s view was the same as all other writers of the NT, but only that his collection of citations parallels the best-known views of the Pharisees of his day. Jude’s reference to *I En.* 1:9 in Jude 14, however, shows that the canon was still fluid at the time of Paul’s writings. Again, in the recent NA<sup>28</sup> (pp. 869–78 for parallels with noncanonical writings), some changes were made in the list of parallels and citations and many earlier parallels were retained, but not all.

<sup>12</sup> *Ibid.*, 196.



sacred texts circulating in Palestine in Jesus' generation. I will start with several of the key parallels in deSilva's collection and I will then add some from *I Enoch* that illustrate Jesus' awareness either of that literature or the oral teachings about them in the early first century CE. At the end of this chapter I will list several more parallels that are at least worth consideration.

## A. Jesus' Teachings and Extra-Biblical Influences (deSilva's list)

1. Receiving God's forgiveness depends upon forgiving one's fellow human beings, extending to others the forbearance and mercy one seeks for oneself (Sir 28:2–5; Matt 6:12 // Luke 11:4; Mark 11:25 // Matt 6:14).
2. Charitable giving toward those in need *now* is the best means by which to lay up one's treasure for the future (whether for this life or the next) rather than hoarding resources to rust and rot doing no one any good (Sir 29:9–12; Tob 4:6b–11; 12:8–9; Matt 6:19–20 // Luke 12:33; Mark 10:22 // Matt 19:21 // Luke 18:22).
3. Being rich in terms of amassed wealth, but not rich in a way that God would affirm, poses grave danger to an individual, rather than ensuring the security that such a person seeks (*I En.* 97:8–9; Luke 12:16–21).
4. Hypocrisy and presumption upon God's favor and forgiveness, for example on the basis of the performance of acts of personal piety, have no place in the life of the covenant people (Sir 7:5, 8–9; *Pss. Sol.* 4:2–3; Luke 18:10–14; Matt 7:3–5).
5. Humility and other-centered service is the path to honor in God's sight, not the practices and orientations modeled by the competitive, precedence-seeking culture (Sir 1:30; 3:18; *T. Jos.* 17:8; Luke 14:11; 18:14; Matt 23:12; Mark 10:42–44 // Matt 20:26–28; Mark 9:35 // Luke 9:46–48).
6. In the resurrection, the righteous will enter upon a life like that led by the angels, in which there is no need or place for either marriage or procreation (*I En.* 15:6–7; 51:1, 4; Mark 12:25 // Matt 22:30 // Luke 20:35–36).<sup>13</sup>

At the end of his list, deSilva comments that besides these:

there are also several striking points of commonality between Jesus' teachings and these extra biblical texts that indicate further influence through some channel, though the disputes concerning the date and availability of these texts or portions of texts require greater caution in this regard.<sup>14</sup>

<sup>13</sup> These examples have all come from deSilva, *Jewish Teachers of Jesus, James, and Jude*, 254–55. I have numbered deSilva's list for convenience of reference, but the text is almost all his.

<sup>14</sup> *Ibid.*, 255.

## B. Parallels Between the *Parables of Enoch* and Jesus' Teaching<sup>15</sup>

1. *I Enoch* 15:6–7: “Indeed, formerly you were spiritual, (having) eternal life, and immortal in all the generations of the world. That is why (formerly) *I did not make wives for you, for the dwelling of the spiritual beings of heaven is heaven.*” – Mark 12:25: “For when they rise from the dead, *they neither marry nor are given in marriage, but are like angels in heaven.*” The similarity here is in the thought that angels do not marry and neither do those who go from this life to the next.
2. *I Enoch* 22:9–10: “the spirits of the dead might be separated. And in the manner in which the souls of the righteous are separated [by] this spring of water with light upon it, in like manner, *the sinners are set apart when they die and are buried.*” – Luke 16:26: “Besides all this, *between you and us a great chasm has been fixed, so that those who might want to pass from here to you cannot do so, and no one can cross from there to us.*” The similarity is in the notion of separation of the righteous in the afterlife.
3. *I Enoch* 38:2, cf. Matt 26:24; *I En.* 46:3–5, cf. Matt 13:41–42 and Matt 16:27. The Son of Man comes from heaven at the end of the age and judges evil in the world, including those who have “denied the Lord of the Spirits and his Messiah” in *I En.* 48:10. See also the Son of Man’s authority as Lord of the Sabbath in Mark 2:28/Matt 12:8/Luke 6:5.
4. *I Enoch* 51:3–5: “In those days, (the Elect One) *shall sit on my throne*, and from the conscience of his mouth shall come out all secrets of wisdom, for the Lord of the Spirits has given them to him and glorified him... And the faces of all the angels in heaven shall glow with joy, because on that day the Elect One has arisen.” Compare also *I En.* 61:2–5: “And I asked the angel, saying unto him, “Why have those (angels) hoisted these ropes and gone off?” And he said unto me, ‘They have gone in order to make measurements.’ The angel who was going with me also said unto me, ‘These (angels) are the ones who shall bring the measuring ropes of the righteous ones as well as their binding cords in order that they might lean on the name of the *Lord of the Spirits* forever and ever’.”; compare parallels in word and thought in Matt 19:28 and 25:31 below for “sitting on my throne.”
5. *I Enoch* 52:4: “All these substances [metals] will be removed and destroyed from the surface of the earth *when the Elect One shall appear before the face of the Lord of the Spirits.*” The pre-existence of Son of Man is kept in secret and is now being revealed (see also 48:2, 7, 10; cf. John 1:1–3, 14–18 + Rev 5:1–4).]

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<sup>15</sup> The biblical texts cited are from the NRSV and the Enoch texts are from *OTP*.

6. *1 Enoch* 61:8: "He placed the *Elect One on the throne of glory*; and he shall judge all the works of the holy ones in heaven above, weighing in the balance their deeds. And he shall lift up his countenance in order to judge the secret ways of theirs, by the word of the name of the Lord of the Spirits, and their conduct, by the method of the righteous judgments of the Lord of the Spirits, then they shall all speak with one voice, blessing, glorifying, extolling, sanctifying the name of the Lord of the Spirits." Observe the role of eschatological judge. See Luke 19:10 where the words are different, but the two passages have similar theological content. See also Matt 16:27. See also Matt 19:28 and Mark 8:38; Luke 9:26; cf. also role of Christ as judge in 2 Cor 5:10; and Mark 13:26–27; 14:62 cf. Matt 24:26–27,37–39/Luke 17:22–37.
7. *1 Enoch* 62:2–5 (cf. Luke 19:10): "*The Lord of the Spirits has sat down on the throne of his glory, and the spirit of righteousness has been poured out upon him.* The word of his mouth will do the sinners in; and all the oppressors shall be eliminated from before his face. On the day of judgment, all the kings, the governors, the high officials, and the landlords shall see and recognize him – *how he sits on the throne of his glory*, and righteousness is judged before him, and that no nonsensical talk shall be uttered in his presence. Then pain shall come upon them as a woman in travail with birth pangs – when she is giving birth...and pain shall seize them when they see that *Son of Man sitting on the throne of his glory.*" – Matt 25:31: "*When the Son of Man comes in his glory, and all the angels with him, then he will sit on the throne of his glory.*" Note: Besides the role of judge of evil, the judged will experience judgment as in birth pangs, see Mark 13:8; Matt 19:28; 24:8. Also see Rev 3:21 where the Son of Man comes and "*sits on his throne*" with the Father. See also Phil 2:9–11 where Christ receives exaltation (like one on a throne) and every knee bows to him.
8. *1 Enoch* 62:14–15: "The Lord of the Spirits will abide over them; they shall eat and rest and rise with that Son of Man forever and ever" [see Rev 3:20]. "The righteous and elect ones shall rise from the earth and shall cease being of downcast face. They shall wear the garments of glory [see Rev 6:11]. These garments of yours shall become the garments of life from the Lord of the Spirits." Compare Mark 8:38–9:1 ("coming with angels").
9. *1 Enoch* 65:9–10: "Because their [evil persons'] oppression has been carried out (on the earth), their judgment will be limitless before me. On account of the abstract things which they have investigated and experienced, the earth shall perish (together with) those who dwell upon her." Note: Judgment comes upon those who persecuted the righteous. See also *1 En.* 66:1–2 where angels in charge of the flood are agents of God to perform judgment on those who dwell on the earth. Note also: judgment comes to those who oppress the righteous. Note the parallels of judgment against those who persecute the righteous in Luke 11:49–52 and // in Matt 23:31–35.

10. *1 Enoch* 69:27–29: “Then there came to them a great joy. *And they blessed, glorified, and exalted the Lord on account of the fact that the name of that Son of Man was revealed to them.* He shall never pass away or perish from before the face of the earth...for that *Son of Man has appeared and has seated himself upon the throne of his glory*; and all evil shall disappear from before his face; and he shall go and tell to that Son of Man, and he shall be strong before the Lord of the Spirits.” – Matt 19:28: “Jesus said to them, ‘Truly I tell you, at the renewal of all things, when the Son of Man is *seated on the throne of his glory*, you who have followed me will also sit on twelve thrones, judging the twelve tribes of Israel.’” – Matt 26:64: “*Jesus said to him, “You have said so. But I tell you, from now on you will see the Son of Man seated at the right hand of Power and coming on the clouds of heaven.”*” [Note: Exaltation of Son of Man is revealed and he exercises judgment. See also Matt 13:37–43 and 25:31. See also *1 En.* 46, 48:2–4; 62–63; 70–71.]
11. *1 Enoch* 94:8: “*Woe unto you, O rich people!* For you have put your trust in your wealth. You shall ooze out of your riches, for you do not remember the Most High.” – Luke 6:24: “*But woe to you who are rich, for you have received your consolation.*”
12. *1 Enoch* 97:8–10: “*Woe unto you who gain silver and gold by unjust means; you will then say, “We have grown rich and accumulated goods, we have acquired everything that we have desired. So now let us do whatever we like; for we have gathered silver, we have filled our treasuries (with money) like water.* And many are the laborers in our houses. Your lies flow like water. For your wealth shall not endure but it shall take off from you quickly, for you have acquired it all unjustly, and you shall be given over to a great curse.” – Luke 12:19–21: “*And I will say to my soul, ‘Soul, you have ample goods laid up for many years; relax, eat, drink, be merry.’ But God said to him, ‘you fool! This very night your life is being demanded of you. And the things you have prepared, whose will they be?’* So it is with those who store up treasures for themselves but are not rich toward God.”  
Note: The parallel here is in the notion of putting confidence in worldly goods and losing all of one’s wealth. [See also *1 En.* 5:7 (Matt 5:5); 16:1 (Matt 13:39); 22:9 (Luke 16:26); 94:8 (Luke 6:24); 97:8–10 (Luke 12:19); 103:4 (Matt 26:13). There are also several similarities between Matt 11:25–28 and the apocryphal Psalm 11QPs 154 (see 11Q5 XVIII, 3–6).]<sup>16</sup>

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<sup>16</sup> A more complete listing of Enochic parallels in the teaching of Jesus and early Christianity can be found in Lee M. McDonald, “The Parables of Enoch in Early Christianity,” in *Parables of Enoch: A Paradigm Shift*, ed. Darrell L. Bock and James H. Charlesworth, Jewish and Christian Texts in Contexts and Related Studies 11 (London: Bloomsbury T&T Clark, 2013), 329–63.

Again, these parallels do not necessitate that Jesus read *1 Enoch* or other extra-biblical texts in deSilva's list of parallels, but it appears that the contents were either common elements in Judaism in the first century known by Jesus or that those teachers of Jesus in his early years were familiar with some of these texts, or Jesus may himself have read them. It appears that the understanding of the Son of Man as reconfigured both in *1 Enoch* and the Synoptic Gospels has similarities and occasional verbal parallels.<sup>17</sup>

Biblical scholars today are aware of Jude's reference to *Enoch* who "prophesied" (Jude 14; cf. *1 En.* 1:9), but they differ on what it implies. Did Jude, the half-brother of Jesus, accept it as Scripture?<sup>18</sup> Did Jesus also accept the same texts as Scripture since we saw above that his understanding of the Son of Man is similar to texts in the Enochic Parables that sometimes have similar wording or thought patterns? It may be that Jesus never saw a copy of *1 Enoch*, but it appears likely at the least that he was aware of the oral tradition in it that was circulating in the region of Galilee in the first century. It appears that one or the other of these possibilities is likely and both reflect Jesus' awareness of some of the teaching in *1 Enoch*.

Since neither Jesus nor his disciples left behind a listing of the writings that they acknowledged as Scripture, what can be discerned from some of the parallels in word or thought between his teachings and some of the extra-biblical works? What complicates this issue is that we cannot prove that we have in the canonical Gospels a complete collection of all of the citations of sacred texts that Jesus made or all of the texts that he considered sacred. John acknowledges in his Gospel that we do not know everything that Jesus said or did, but what he wrote was relevant for faith in him (John 20:30–31). Even if we include some of the so-called *agrapha*,<sup>19</sup> we still possess only a brief summary or outline of Jesus'

<sup>17</sup> DeSilva, *Jewish Teachers of Jesus*, 255, also makes this point. James Davila (posted on his University of St. Andrews web site at: <http://www.st.andrews.ac.uk/divinity/rt/otp/abstracts/2enoch2/>) has also drawn attention to several parallels between *2 Enoch* and the Gospel of Matthew, but because the date and provenance of *2 Enoch* are less certain than the five treatises that comprise *1 Enoch*, *2 Enoch* will not be considered here. Some of those parallels are also listed in G. K. Beale and D. A. Carson, eds., *Commentary on the New Testament Use of the Old Testament* (Grand Rapids: Baker Academic, 2007), 1233–34.

<sup>18</sup> DeSilva, *Jewish Teachers of Jesus*, 255–56, draws attention to these texts that the reported brothers of Jesus cited or are reflected in their writings. It is assumed that since they grew up in the same environment as Jesus, there would be parallels in the writings they all considered Scripture or in writings that influenced their teachings. He points to the parallels between the Epistle of James and several noncanonical writings such as the source of temptation is not God but in human beings (Sir 15:11–20; cf. Jas 1:13–15); the destructive nature of human speech is like a fire (Sir 19:16; 22:27; 28:12–16; Jas 3:6–12); wealth obtained without regard to justice will lose divine favor (*1 En.* 94:7–8; 96:5, 8; 97:7–8; Jas 5:1–6); and the destructive power of envy that destroys human relationships and only humility before God can cure it (*T. Sim.* 3:2–5; 4:4, 7–8; Jas 4:1–8).

<sup>19</sup> As we will see in Part 3 below, the *agrapha* are both authentic and inauthentic sayings of Jesus recorded outside the canonical Gospels in other parts of the NT, in the early church fathers, in

ministry and teachings. Conclusions drawn from parallels in what we find in the NT and nonbiblical resources cannot with confidence tell us all of the writings that Jesus knew or affirmed as sacred Scripture. In the Gospels that tell Jesus' story, he never made a list of the books that he accepted as sacred Scripture, but simply used various religious texts in the many circumstances he faced during his ministry to teach and illustrate his points. Stuhlmacher concludes that in regard to Jesus or any NT writer: "nowhere in the New Testament writings can any special interest in the canonical delimitation and fixing of the Holy Scriptures be detected."<sup>20</sup> Scholars collect and list those references, but that only tells us part of the story. What we see in the texts he cited, alluded to, or those that have parallels with other texts, suggests that Jesus was familiar with and acknowledged a broader collection of sacred texts than those finally included in the HB or Protestant OT.

That notwithstanding, it is essential that we see how each of those texts cited or alluded to both in the NT and early church fathers were employed before drawing conclusions about the scope and identity of their Scriptures. How did Jesus or his followers refer to or cite noncanonical writings, as in the case of Jude 14 citing *1 En.* 1:9, or did he or they simply use them as illustrative material, as some suppose, and place *1 Enoch* on the same level as is reported of Paul in the Acts when citing well-known sources: Epimenides (Acts 17:28) or Posidonius (based on Plato?) and Aratus (Acts 17:28, cf. *Phaenomena* 5) and Epimenides (Titus 1:12)? Only after carefully examining each context can responsible conclusions be drawn about how such ancient sources functioned for their users. Both Steinberg and Stone acknowledge that Jude cited *1 Enoch* as Scripture, despite the claims and arguments to the contrary by Brevard Childs and Roger Beckwith.<sup>21</sup> Dale Allison also recognizes the obvious reference to *1 Enoch* as Scripture in Jude 14, but marginalizes its impact on the rest of the NT writers with the exception of Matthew that he thinks likely has "echoes" of *1 Enoch* in it.<sup>22</sup> He adds that

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noncanonical writings, and in textual variants in biblical manuscripts. The large majority of these are not considered authentic. For an evaluation of the authenticity of the *agrapha*, see James H. Charlesworth and Craig A. Evans, "Jesus in the Agrapha and Apocryphal Gospels," in *Studying the Historical Jesus: Evaluations of the State of Current Research*, ed. Bruce Chilton and C. A. Evans, NTTS 19 (Leiden: Brill, 1994), 479–533.

<sup>20</sup> Stuhlmacher, "Significance of the Old Testament Apocrypha," 2.

<sup>21</sup> See Steinberg and Stone, "Historical Formation of the Writings," 23–24.

<sup>22</sup> Dale C. Allison, Jr., "The Old Testament in the New Testament," in Paget and Schaper, eds., *New Cambridge History of the Bible: Vol. 1, From the Beginnings to 600*, 479–502, here 480. Presumably he is thinking especially of Matt 19:28 when the "son of man comes sitting on the throne of his glory" (cf. also Matt 25:31) whose only parallels are in *1 En.* 61 and 62. Other examples of such parallels can be seen in Tertullian's use of *1 Enoch* as Scripture in *Apol.* 22 (cf. *1 En.* 15:8, 9); *De cultu feminarum* 1.3.1 (*1 En.* 8:1, 3); 2.10 (*1 En.* 8:1); *De Idolatria* 4, 15 (*1 En.* 19:1; 99:6–7); 9 (*1 En.* 6; 14:5), 15; *De Virg. Veland.* 7 (*1 En.* 6; 14:5; see also *De Anima* 50).

of the early Christians, like their Jewish siblings, doubtless some of them found some parts of the Jewish Scriptures more favorable than others, but also that they borrowed regularly from all three of the divisions that later comprised the Tanak Scriptures.<sup>23</sup>

As noted, in the canonical Gospels Jesus does not cite or refer to all of the writings in the OT, but what does that show? Does it mean that we cannot be sure which ones he considered sacred and which ones he did not? Since his teachings were of an *ad hoc* nature addressing specific issues relevant to his hearers, we cannot say with assurance that had he faced other issues that he would have cited additional texts from the HB books or even extra-biblical sources. What we can say with assurance is that according to the NT Evangelists, Jesus directly quotes or cites only twenty-three of the thirty-nine books in the HB/Protestant OT.<sup>24</sup> He alludes to or cites all five books of Moses (but Deuteronomy the most); Isaiah, Jeremiah, Ezekiel, and Daniel (with Isaiah and Daniel cited most); eight of the twelve Minor Prophets, but not Obadiah, Nahum, Habakkuk, and Haggai; and Psalms, Proverbs, Job, and *possibly* Chronicles. He does not refer to Song of Songs, Ruth, Lamentations, Ecclesiastes, Esther, and Ezra and Nehemiah.<sup>25</sup> Should all of the HB books that Jesus did *not* cite be excluded in the OT/HB canon? No one will go that far and that would only be true if we possessed everything that Jesus said or taught and especially if he gave a fixed list of Scriptures to his disciples, but he did not nor did anyone else in his generation or earlier make a list of all of the books that they considered sacred Scripture. Certainly, if Jesus made such a listing, the works he cited or alluded to would most likely be in it.

Origen believed that Jesus had used and recognized as Scripture the Wisdom of Solomon based on his investigation of Luke 11:49 and Matt 23:35.<sup>26</sup> Scholars have long acknowledged the significant parallels in word and thought with Paul's arguments in Rom 1:18–3:20 and the Wisdom of Solomon. Stuhlmacher also draws attention to the close parallels between the series of proverbs in Jesus' teachings in Matt 11:25–30 (see also Luke 10:21–22) and those found in Sir 24:19; 51:1, 23, 26.<sup>27</sup>

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<sup>23</sup> Ibid., 481. I should add here that these divisions were not known in the first century, as we saw above, and the church fathers later did not adopt them.

<sup>24</sup> These are tabulated in R. T. France, *Jesus and the Old Testament* (London: Tyndale, 1971), 259–63.

<sup>25</sup> Evans, "Scriptures of Jesus," 185–86, offers a comparison of the references that Jesus makes to the OT Scriptures with the quotation of biblical texts in noncanonical writings from Qumran.

<sup>26</sup> Other references to this possibility are in *Bibliothèque Ellenion Pateron kai Ekklesiastikon Syggrafeon* (Athens) 16:354–56.

<sup>27</sup> Stuhlmacher, "Significance of the Old Testament Apocrypha," 8–10, who also notes the close parallels in Jesus' teaching in Matt 11:25–28 and the apocryphal 11Q Ps154 18.3–6.

The Gospels frequently show that Jesus cited the Psalms<sup>28</sup> in his teaching (e.g., Ps 22:1; cf. Mark 15:34),<sup>29</sup> and that his disciples cited and applied various Psalms in reference to his teaching or ministry (e.g., Ps 69:4–9 in John 2:17). No one contests Jesus' familiarity with most of the books in the HB. That appears beyond dispute and the same is also true of his earliest followers. The theology of the NT without question is inextricably bound to the books later included in the HB, but that may not be all of the books that informed early Christianity's faith. The HB texts bolstered the church's messianic claims about Jesus and offered clarity for his messianic identity as well as guidance for Christian conduct. All of that is beyond dispute and not at issue here, but the question here is whether Jesus appealed to or made use of writings that are now considered noncanonical *books* (or apocryphal or pseudepigraphal texts)? The parallels above and those at the end of this chapter suggest that he did.

Some scholars assume that since Jesus cites books from each of the later tripartite HB canon (Law, Prophets, and Writings) that the HB canon was closed and fixed in or before the time of Jesus. They seldom acknowledge that many if not all of the books that are now in the Writings were earlier included in the prophetic corpus in the time of Jesus (compare Luke 24:27 and 24:44 which speaks of the same collection), and possibly others also (Sirach, *I Enoch*, Wisdom of Solomon). Copies as well as citations of nonsectarian extra-canonical literature at Qumran and sometimes in the early church fathers reflect a broader collection of Jewish sacred texts circulating in Palestine in the first century CE. Were the early Christians aware of it and did they cite or make use of some of it? The answer is yes. We see this in the early church fathers' citations, some of which were actually called "Scripture." The early church fathers cited the OT books mostly, but occasionally they also cited extra-biblical books as Scripture and used the usual scriptural formulae when referring to them (see §V below). Some of this literature may only have been known by oral tradition circulating in Palestine in the first century CE, but it is possible that those who could read also knew it from having read it.

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<sup>28</sup> Namely, see Pss 6:9 (Matt 7:23/Luke 13:27); 8:3 (Matt 21:16); 22:2 (Mark 15:34/Matt 27:46); 22:2 (Mark 15:34/Matt 27:46); 24:4 (Matt 5:8); 31:6 (Luke 23:46); 37:11 (Matt 5:5); 48:3 (Matt 5:35); 50:14 (Matt 5:33); 110:1 (Mark 12:36; 14:62/Matt 22:44; 26:64/Luke 20:42–43; 22:69); 118:22–23 (Mark 12:10–11/Matt 21:42/Luke 20:17); 118:26 (Matt 23:39/Luke 13:35).

<sup>29</sup> It is generally agreed that Jesus made use of this psalm at his crucifixion, especially because it appears to report Jesus' loss of faith, and that it is not the kind of text that the early church would have invented and placed in the mouth of Jesus without some credible basis for doing so. For an interesting interpretation of the meaning of the passage see Dibelius, *From Tradition to Gospel*, 193–94, who claims that the reference to the first verse of Ps 22 was in fact a reference to the whole psalm.



### III. THE NEW TESTAMENT'S USE OF SCRIPTURE

We have considerable information about which sacred texts informed the NT authors. The frequency with which they cited various OT books indicates that those writings formed their primary core of scriptural collections. NT citations of the Law and Prophets are considerable, while several OT books (e.g., Judges, Ruth, and Esther) are not mentioned in the NT. Others (Chronicles and Ecclesiastes) do not appear to have played any role in the formation and ministry of the early church.

As noted earlier, the NT has numerous references to the Law and the Prophets (e.g., Matt 7:12; Rom 3:21; Luke 4:17; John 1:45; Acts 13:27; 28:23) and “law” sometimes refers to all of the Jewish Scriptures (e.g., Ps 82:6 in John 10:34, and a series of quotations from the Psalms in Rom 3:10–19 that Paul calls “law”). The Law and the Prophets were read regularly in the synagogue: “After the reading of the law and the prophets, the officials of the synagogue sent them [Paul and Barnabas] a message, saying, ‘Brothers, if you have any word of exhortation for the people, give it’” (Acts 13:15).<sup>30</sup> With numerous NT references to a two-part collection of sacred writings (Law and Prophets), and only one text that mentions “psalms” (Luke 24:44) that was later placed in the Writings, we can surmise that there was not a widespread recognition of a tripartite biblical canon at that time, but rather that all sacred literature was typically referred to as “the Law and the Prophets.” For most Jews in the first century, their Scriptures were acknowledged as Law and Prophets, even though some of those writings were later assigned to the third part of the HB. Bishop Melito of Sardis (ca. 170–180 CE), the earliest Christian writer to produce a list of OT books, called his collection “the Law and the Prophets,” and he included in them books now considered by Jews to be part of the Writings (Eusebius, *Hist. eccl.* 4.26.13–14). We should note that Melito’s list excludes Esther that only later was included in Jewish and Christian canon catalogues. This cannot be unimportant in his time in view of his likely consulting Jewish (Jewish Christian?) authorities in Palestine about the contents of the churches’ OT (see §V.A.1 below). Likewise, as we will see in Chapter 11, Esther was one of the disputed books among the second-century rabbis.

Some scholars contend that no apocryphal or pseudepigraphal books are quoted or cited in the NT and conclude with confidence that those books were not a part of Jesus’ or his followers’ biblical canon. That position, however, is not easily sustained. There are, in fact, several parallels to this literature both in verbal and written expression. Stuhlmacher lists the following parallels with and allusions to the apocryphal literature in the NT:<sup>31</sup>

<sup>30</sup> Leiman, *Canonization of the Hebrew Scripture*, 40.

<sup>31</sup> Stuhlmacher, “Significance of the Old Testament Apocrypha,” 2–12. Harrington, “Old Testament Apocrypha,” challenges the view that there was a lot of dependency on this literature in early Christianity, but acknowledges the use of Tobit, 2 Maccabees, and Sirach. He questions how much

1. Mark 10:19 appears to make use of Sir 4:1 alongside the canonical Exod 20:12–16 and Deut 5:16–20.
2. Second Timothy 2:19–20 appears to cite Sir 17:26 alongside the canonical Num 16:5.
3. It is likely that Paul uses Wis 14:22–31 in Rom 1:24–32 and Wis 2:23–24 in Rom 5:12–21.<sup>32</sup>
4. In 1 Cor 2:9, Paul appears to cite as Scripture (“it is written”) either the *Asc. Isa.* 11:34 or a lost *Elijah Apocalypse* derived from or based on Isa 64:3.
5. Jude 14 expressly mentions Enoch who “prophesied” and refers explicitly to *1 En.* 1:9.
6. The author of 2 Pet 2:4 and 3:6 shows knowledge or awareness of *1 Enoch*.<sup>33</sup>
7. The author of Heb 1:3 makes a clear reference to and citation of Wis 7:25–26.
8. James 4:5 appears to cite an unknown Scripture (pseudepigraphal?).
9. The pseudepigraphal writings *Life of Adam and Eve* and *Apocalypse of Moses* have several parallels in the writings of the NT.

In this last reference, *Life of Adam and Eve* and *Apocalypse of Moses* are the names given to somewhat different versions (respectively, Latin and Greek) of the same ancient book, which is also called *Life of Adam and Eve*.<sup>34</sup> Several NT themes may be found in these two pseudepigraphal books: worship of God by angels (Heb 1:6; *LAE* 13–14); God as light (Jas 1:17; *LAE* 28:2; *Apoc. Mos.* 36:3); tree of life (Rev 22:2; *Apoc. Mos.* 9:3); Eve as the source of sin (2 Cor 11:3; 1 Tim 2:14; *Apoc. Mos.* 14:2); death following the sin of Adam (Rom 5:12–21; *Apoc. Mos.* 14:2); death as the separation of soul and body (2 Cor 5:1–5; *Apoc. Mos.* 31); Satan as an angel of light (2 Cor 11:14; *LAE* 9:1; *Apoc. Mos.* 17:1); paradise located in the third heaven (2 Cor 12:2; *Apoc. Mos.* 37:5); and covetousness as the root of all sin (Rom 7:7; *Apoc. Mos.* 19:3).<sup>35</sup>

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the early Christians included this literature, and suggests a growing tendency in Judaism at the end of the first century CE toward a three-part Scripture canon. He also adds that there was a growing acceptance of a wider and more inclusive OT canon among Christians in the fourth and fifth centuries.

<sup>32</sup> J. Barton, *People of the Book? The Authority of the Bible in Christianity* (Louisville: Westminster John Knox, 1988), 25, 34, makes the observation that the canonicity of the Wisdom of Solomon does not appear to concern Paul, but only the theological arguments in it.

<sup>33</sup> Stuhlmacher, “Significance of the Old Testament Apocrypha,” 2.

<sup>34</sup> See *OTP* 2:249 for a fuller explanation of the date and origin of this text.

<sup>35</sup> For additional NT themes drawn from apocryphal and pseudepigraphal literature, see Stuhlmacher, “Significance of the Old Testament Apocrypha.”

These and other parallels do not *necessarily* reflect the NT writers' acknowledgment of noncanonical writings as sacred Scripture or even *always* their dependence upon them. The parallel themes, words, and phrases may at the least show a shared knowledge or perspective that was common among Jews in the first century CE. Their cumulative effect, however, shows the tenuous boundaries of Scripture collections in the first century.

The Apostolic Fathers (ca. 90–150), the closest writers chronologically to the NT writings with some overlap in dating, have a number of parallels, quotations, and allusions to noncanonical literature. For example, Clement of Rome (ca. 90–95 CE) quotes Sir 2:11 (*1 Clem.* 60.1), Wis 12:10 (*1 Clem.* 7.5), and Wis 12:12 (*1 Clem.* 27.5, with allusions in 3.4 and 7.5), and he does not distinguish between the stories of biblical Esther and nonbiblical Judith (*1 Clem.* 55.4–6). The author of *2 Clement* (ca. 150 CE) has several quotations and references of unknown sources (*2 Clem.* 11.2–4, 7; 13.2). The *Epistle of Barnabas* includes several quotations or citations from *1 En.* 89:56 (*Barn.* 16.5), *4 Ezra* 4:33 and 5:5 (*Barn.* 12.1). The *Didache* (ca. 70–90 CE), which itself was included in some fifth-century canonical lists, but was excluded by Athanasius, makes use of Wis 12:5–7 and 15:11 (*Did.* 5.2) and Wis 1:14 (*Did.* 10.3), along with an unknown quotation (*Did.* 1.6). Lastly, Polycarp, *Phil.* 10.2 cites Tob 4:10 and 12:9.

The later second-century church fathers are similar. In his *Dial.* 120.5, Justin Martyr (ca. 160) appears to refer to the *Ascension of Isaiah* in an authoritative or scriptural manner and yet seems to base his argument on the books accepted by the Jews. He also refers to Genesis, Exodus, Leviticus, 1–2 Kings, 1–2 Samuel (possibly), Psalms, Proverbs, and Job and names the prophets Isaiah, Jeremiah, Ezekiel, Daniel, the Minor Prophets, and 1 Esd 2:36–37 (see *Dial.* 72.1). He quotes, without referring to them by name, Numbers, Deuteronomy, and 2 Chronicles. These references to biblical literature do not imply that Justin's references suggest that he had in mind the full scope of a biblical canon, but only that he used these texts when addressing specific situations addressed in his *Dialogue with Trypho*. It is nevertheless possible that this text may be reflective of the accepted Scriptures among Christians in the middle of the second century. Justin is surely not unique in the various texts he quotes, but, like Jesus, he does not mention Ecclesiastes, Song of Songs, and Esther. This silence may reflect the doubts that existed about these books in the rabbinic community and possibly also in the second- and third-century churches as can be seen in the earliest scripture lists (see Appendix A).<sup>36</sup>

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<sup>36</sup> Robert M. Grant, *The Formation of the New Testament* (New York: Harper & Row, 1965), 38–41, makes this suggestion and cites several examples of doubts about Esther in the church fathers. He proposes that later Christians may have avoided using most of the apocryphal and pseudepigraphal writings, unless they allegorized them, because they no longer addressed the special or specific concerns of later Christian communities (41).

There is no question that most scriptural references and quotations in *1 Clement* are from the books in the later HB and Protestant OT, with some citations of NT texts. We cannot conclude from this, however, that all apocryphal and pseudepigraphal writings were only “fringe” literature and had no impact on the early church’s life, theology, and development. On the contrary, as Bruce Metzger has shown, these books inspired homilies, meditations, liturgical forms, poets, dramatists, composers, and artists to draw freely for centuries upon the Apocrypha for their subject matter. Apparently even the discovery of the New World by Christopher Columbus was initiated by his understanding of 2 Esd 6:42. Columbus reasoned that if only one seventh of the earth’s surface was covered with water, the distance between the coast of western Europe and the coast of eastern Asia could not be too far apart, and with a few good days of sailing, he could reach the eastern coast of Asia. He cited this text before Ferdinand and Isabella of Spain and that helped gain their financial support for his historic journey. This literature affected English literature, including Shakespeare and Henry Wadsworth Longfellow. In music, some of the words of the exalted hymn “Now Thank We All Our God” depend on Luther’s translation of Sirach. Ideas included in the Christmas carol “It Came upon the Midnight Clear” are also derived from the OT Apocrypha (nothing is said in the NT writings about the exact time of Jesus’ birth. i.e., “midnight clear”!). Traces of the names of Susanna, Judas Maccabeus, and Alexander Balas are found in Handel’s famous oratorios. Similarly, significant numbers of Renaissance paintings treat themes from the apocryphal writings.<sup>37</sup> It is difficult to imagine that such influence had no impact on the formation of the church’s Scriptures and the sacredness believed inherent in this literature.

The number of passages from noncanonical books cited or having parallels in either the NT or in the second- and third-century church fathers may be debated – that is, some are questionable and some are more clearly referred to as “Scripture.” Stuhlmacher argues that these references at the least demonstrate that at that time there was “no firm decision about the extent of the third part of the OT canon, the so-called Writings.”<sup>38</sup> What all of this confirms, of course, is that the HB and OT canons were still in a fluid state in the first century CE.

The Apocryphal additions to biblical books in the LXX further demonstrate this point. For example, the additions to Daniel – namely the Song of the Three Young Men, Susanna, and Bel and the Dragon – all became part of the LXX and were accepted by Clement of Alexandria, Irenaeus, Tertullian, and Origen. The additions to Esther mentioned in Josephus are also referred to by Clement of Rome, Clement of Alexandria, and Origen. *The Prayer of Manasseh* is found in the

<sup>37</sup> The information in this paragraph comes from B. M. Metzger, “Introduction to Apocryphal/Deuterocanonical Books,” in *The New Oxford Annotated Bible with the Apocryphal/Deuterocanonical Books*, ed. B. M. Metzger and R. E. Murphy (New York: Oxford University Press, 1991), viii–xi.

<sup>38</sup> Stuhlmacher, “Significance of the Old Testament Apocrypha,” 3.

Syriac *Didascalia* (third century CE), in the *Apostolic Constitutions* 2.22.12–14 (second half of the fourth century CE in Syria), and in Codex Alexandrinus (fifth century CE).<sup>39</sup> According to Grant, an examination of the Apostolic Fathers shows conclusively that they appealed to apocryphal and pseudepigraphal literature in much the same way that they appealed to the Scriptures of the HB. He adds: “We cannot deny, of course, that the Apostolic Fathers did make use of apocryphal documents. Indeed, the only explicit quotation in the *Shepherd of Hermas* comes from the lost *Book of Eldad and Modad* (*Herm. Vis.* 2–4; cf. Num 11:26).”<sup>40</sup>

Long ago Reuss observed that Greek-speaking Christians in the time of Origen were not yet ready to choose between the books in the Hebrew canon and those in the larger collection in the Septuagint. He notes, “the learned Origen does not put an end to this uncertainty.” When enumerating the books of the Old Testament, Reuss observes that Origen fixed their number at twenty-two, which is the number of letters in the Hebrew alphabet (*Selecta in Psalmos*; cf. Eusebius, *Hist. eccl.* 6.25), but changed the order of those books to that of the Septuagint.<sup>41</sup> While he was clearly aware of the scope of the Hebrew canon at that time – which suggests that the matter was settled for most Rabbinic Jews by the third century, Origen preferred instead to accept books from the apocryphal collection in his own canon. In his response to the rebuke paid him by Julius Africanus for accepting additional books, Origen defended his use of Bel and the Dragon, Song of the Three Children, and additions to Esther, and Judith (Origen, *ad Africanus* 13) and also elsewhere quoted positively the Wisdom of Solomon and Sirach/Ecclesiasticus (*Homily* 18 in *Numer.*), and he specifically calls the Maccabees (presumably 1 and 2) “the Scriptures, the Word of God” (*De princip* 2.1.5).<sup>42</sup>

#### IV. THE INVIOABILITY OF SCRIPTURE

With one exception (Rev 22:18–19), the notion of the inviolability of Scripture found in later teachings of the church is not present *in the same way* in the rest of the NT Scriptures themselves. Ellis objects to this suggestion,<sup>43</sup> but it seems to be the most natural way to understand Jesus’ contrast with the Law. While Jesus says “not one letter, not one stroke of a letter, will pass from the law until all is accomplished” (5:18), this does not appear to negate the clear contrast that he made between the teaching of the Law of Moses and his own intensification of the Law (Matt 5:21–48). Jesus does not negate the Law in this passage, but radically intensifies its focus away from the externals to the internals. Nevertheless, his

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<sup>39</sup> See Grant, *Formation of the New Testament*, 44.

<sup>40</sup> *Ibid.*, 46.

<sup>41</sup> Reuss, *History of the Canon*, 130–31.

<sup>42</sup> I owe these references to Reuss. *Ibid.*, 130–31.

<sup>43</sup> Ellis, *Old Testament in Early Christianity*, 128, 138.

emphasis on loving unlovely persons in Matt 5:43–48 is a direct contrast with the OT focus on the punishment and hatred of one's enemies, seen in the imprecatory psalms (e.g., 69:21–29; 71:13; 109:6–25), and the instructions to kill the residents of the promised land (Deut 7:1–2; 13:12–15; 20:16–18).

Neither the covenanters at Qumran nor the NT writers apparently viewed the OT Scriptures as inviolable in accordance with the commands in Deut 4:2 and 12:32. Several statements of Jesus in the Sermon on the Mount (see Matt 5:21, 27, 31, 33, 38, 43), for example, contrast Jesus' teachings with – and show their superiority to – Scriptures from the HB/OT, especially the Law of Moses. We see this contrast from the lesser to the greater in Jesus' words "you have heard that it was said...but I say to you..." in clear contrast to admonitions in the sacred Scriptures, including those in the Law.

How could Jesus have made such a series of comments in that context if he viewed the Law as authoritative and inviolable as was later taught by the rabbinic Amoraim and the church fathers? Neusner says of this that when Jesus says, "You have heard that it was said...but I say to you..." he was saying "nothing less than the Torah, God himself speaking through his prophet Moses. Any observant Jew would immediately recognize that fact." Neusner goes on to say that Jesus is "not simply being assertive, in our modern parlance; he is claiming for himself the right to adapt, or modify, Divine Law." Neusner goes on to ask of Jesus, "Who do you think you are – God?"<sup>44</sup>

The author of Hebrews, speaking likely to a Hellenistic Jewish-Christian community, argues that the old covenant made with Israel had fault and was surpassed by the new covenant initiated in the ministry of Jesus (Heb 8:7–12). If we are to suppose that the biblical writings had reached a final fixed corpus by the time of Jesus (i.e., canon 2), how could any Jew with this view of Scripture have taught that the Law, the very foundation of Judaism, was but a shadow of its "true form"? How also could the author of Hebrews continue to show the superiority of the sacrifice of Jesus over what the Torah had to say about the temple cultus and the sacrifices made in the Temple (Heb 10:1–14)?

What was the relationship of early Christianity to the canonical or the authoritative scriptural base that it had inherited from Judaism? How was that base understood? How could Paul, who was brought up in Judaism and became a "Pharisee of the Pharisees," have made the kinds of statements he did about the law and its abrogation because of what God did in Jesus (see Gal 2:21; 4:21–5:6; Rom 2:28–29)? Without question the notion of Law (*νόμος*) in the NT has several possible meanings and not all are understood in the same way. On occasion the Law is good and holy and just, but on others we are not under the law but grace. Have we misunderstood Paul, or did his opponents actually understand correctly what he meant regarding the Law and therefore rejected what he had to say?

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<sup>44</sup> Quotations from Robert J. Hutchinson, "What the Rabbi Taught Me About Jesus," *Christianity Today* (September 1993): 28.

Was Jesus the Christ Paul's primary basis of authority and not his observance of the Law? Was James' concern over rumors about Paul's teaching about the law simply a case of misunderstanding Paul (Acts 21:18–25; cf. Jas 2:14–26)? That the author of Acts felt obliged to mention this story undoubtedly reflects accusations against Paul's interpretation of the Law. Further, if the NT writers were all that concerned with the text of the OT as an inviolable Scripture (a view that we see in later Christianity and Judaism), then how can the author of Ephesians change the meaning of Ps 68:18 from "receives" to "gives" in Eph 4:8 when citing that text? Was he unaware of the context of the passage he cited? What was his *Vorlage*? It was not the Hebrew text or the LXX text (cf. Ps 67:19), both of which say that the gifts were "received" not given.

A close parallel to this is in the contemporary Qumran community where scribes did not hesitate to change the text to suit their needs or to make it relevant to their contemporary situation. They made minor changes in spelling, deleted full sentences, and even wrote words into the text on top of other words when copying or transmitting the Torah. From this, Silver concludes that "the Law, the Prophets, and the Psalms carried a large and increasing measure of authority but, in these pre-rabbinic centuries, had not yet fully graduated to the rank of Scripture, in which it is crucial that every word and every letter be presented accurately and copied faithfully."<sup>45</sup>

In later centuries, this would have been most unusual and almost unthinkable, given the perceived holiness of the text. For instance, Irenaeus (ca. 130–200), reflecting the admonition in Deut 4:2 and 12:32, warns: "There shall be no light punishment [inflicted] upon him who either adds or subtracts anything from the Scripture, under that such a person must fall" (*Haer.* 3.30, ANF). Similarly, Tertullian (ca. 200 CE) writes: "If it is nowhere written, then let him [Hermogenes] fear the woe which impends on all who add to or take away from [the written word]" (*Adversus Hermogenes* 22). The same is true of later rabbinic sages who appointed *maggidhei sefarim* ("investigators of texts") to make sure that copies of Scriptures were free from error (*b. Ketubbot* 106a).

This view is not found in practice at Qumran or in the NT because this later and more highly developed sense of the accuracy of the text of Scripture and canon simply did not exist in the first centuries BCE and CE.<sup>46</sup> In other words, looking at Scripture and canon in the first century CE (i.e., canon 1) is significantly different from the way it developed later both in Judaism and early Christianity (i.e., canon 2). The multiple variants in the HB manuscripts and even later in the NT manuscripts show the lack of commitment to an inviolable text.

<sup>45</sup> Silver, *Story of Scripture*, 141.

<sup>46</sup> B. B. Levy's *Fixing God's Torah: The Accuracy of the Hebrew Bible Text in Jewish Law* (Oxford: Oxford University Press, 2001), is a useful description of the stabilizing of the text of the HB that includes a widely and carefully illustrated collection of primary texts from the Talmudic literature. He also notes how unstable the text of the HB was prior to the production of the Masoretic Text.

## V. THE CHURCH FATHERS AND THE OLD TESTAMENT CANON

An examination of the early church's use of the OT and noncanonical writings is made more helpful if we group the church fathers by geographical location because their tendencies are often linked to their locale. In this section we will examine some of the lists of Scriptures appealed to or listed by the church fathers in the second and later centuries.

### A. Eastern Church Fathers

Although the Eastern church fathers generally preferred the Jewish twenty-two-book or twenty-four-book biblical canon, they did not object to reading many of the deuterocanonical books in their churches.

1. *Melito (ca. 180)*. Because of some confusion in his region over the scope of the biblical canon, Bishop Melito of Sardis, upon the request of a fellow Christian for clarity on the scope and identity of the church's Scriptures, made a special trip to the East (Jerusalem?) in order to find out the number and names of the books in the Hebrew Scriptures. Melito describes his visit in a letter to Onesimus that is recorded by Eusebius:

Melito to Onesimus his brother, greeting. Since you often desired, in your zeal for the true word, to have extracts *from the Law and the Prophets* concerning the Saviour, and concerning all our faith, and, moreover, since you wished to know the accurate facts about the ancient writings, *how many they are in number, and what is their order*, I have taken pains to do thus, for I know your zeal for the faith and interest in the word, and that in your struggle for eternal salvation you esteem these things more highly than all else in your love towards God. Accordingly when I came to the east and reached the place where these things were preached and done, and learnt accurately *the books of the Old Testament*, I set down the facts and sent them to you. These are their names: five books of Moses, Genesis, Exodus, Numbers,<sup>47</sup> Leviticus, Deuteronomy, Joshua the son of Nun, Judges, Ruth, four books of Kingdoms, two books of Chronicles, the Psalms of David, *the Proverbs of Solomon* and [or "even" or "that is"?] *his Wisdom*,<sup>48</sup> Ecclesiastes, the Songs of Songs, Job, the prophets Isaiah, Jeremiah, the Twelve in a single book, Daniel, Ezekiel, Ezra. From these I have made extracts and compiled them in six books. (*Hist. eccl.* 4.26.13–14, LCL; emphasis added)

In this list, Melito identifies the books of the Christian OT and their order,<sup>49</sup> though not in their usual order; and he omits Esther and Nehemiah, adds Wisdom of

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<sup>47</sup> Note this strange sequence of Numbers before Leviticus.

<sup>48</sup> The Greek of the emphasized part of this translation will be discussed below.

<sup>49</sup> Grant, *Formation of the New Testament*, 39, points out that variation in the sequence of even the books of the Law gives little confidence that the writings of David or Solomon or the Prophets could find a fixed sequence.



Solomon, and gives Greek titles for the books (though this may have come from Eusebius' editing). Unlike in the HB, he does not divide the books according to the later Tanak, but places Ruth after Judges, several poetic and wisdom books before the Latter Prophets, and has Daniel, Ezekiel and Ezra after the Twelve. Even though Melito had to make such a trip to discover the scope of the Christian OT Scriptures, one might well ask why did he not consult one of the many Jews living in Sardis at that time.<sup>50</sup> Perhaps he did, but it is certainly possible at that time that Jews in Sardis did not know the full parameters of their HB canon or did not have access to all of their sacred books. Whatever the case, Melito's list lets us know that the HB canon that later prevailed was not fully formed or known at the end of the second century either in the church and probably also in Rabbinic Judaism.<sup>51</sup>

I should note here that the translation of the Greek *Σολομῶνος Παροιμίαι ἢ καὶ Σοφία* (*Hist. eccl.* 4.26.12–13, emphasized above) could be, as Gallagher claims, “Proverbs of Solomon, i.e., his Wisdom.”<sup>52</sup> The *καὶ* in the passage is usually translated “and,” that is, as a connective as in “Solomon's Proverbs and the Wisdom,” signifying two books attributed to Solomon (Proverbs and Wisdom of Solomon). It can also be translated as an explicative as in “Solomon's Proverbs, even (or that is) Wisdom.” In this case, it signifies only one book, namely Proverbs. In *Hist. eccl.* 4.22.9, Eusebius' focus is only on the Proverbs as an exemplary of a special divine wisdom and Eusebius says: “And not only he but also Irenaeus and the whole company of the ancients called the Proverbs the All-virtuous Wisdom” (Greek, *καὶ Εἰρηναῖος δὲ καὶ ὁ πᾶς τῶν ἀρχαίων χορός πανάρετον Σοφίαν τὰς Σολομῶνος Παροιμίας ἐκάλουν*). The translation in the LCL is not exact, but the focus here is *only* on Proverbs and the special wisdom in it, that is, the divine wisdom given to Solomon. In 4.22.9, Irenaeus is not citing the Proverbs by a different name (Wisdom), but rather he is magnifying the wisdom with which Solomon wrote the Proverbs. Irenaeus writes:

I have also largely demonstrated, that the Word, namely the Son, was always with the Father; and that Wisdom also, which is the Spirit, was present with Him, anterior to all creation, He declares by Solomon: ‘God by Wisdom founded the earth, and by understanding hath He established the heaven’ (*Haer.* 4.20.3, ANF).

<sup>50</sup> See Lee M. McDonald, “Anti-Judaism in the Early Church Fathers,” in *Anti-Semitism and Early Christianity: Issues of Polemic and Faith*, ed. C. A. Evans and D. A. Hagner (Minneapolis: Fortress, 1993), 215–52, for Melito's knowledge of the Jews in Sardis.

<sup>51</sup> Interestingly, Reuss, *History of the Canon*, 248–49, observes that John of Damascus (d. 754) in his *De orthod. fide* 4.7 takes up the question of the biblical canon dividing those books into “four Pentateuchs” of five books in each (Law, the Scriptures, Poems, and Prophets). Ezra and Esther were placed in an appendix and Wisdom and Sirach are not counted at all.

<sup>52</sup> Gallagher, *Hebrew Scripture*, 22. See also Lim, *Formation of the Jewish Bible*, 219 n. 6, who similarly agrees with Leiman's translation (*Canonization of Hebrew Scripture*, 42 and 158), namely, “the Proverbs of Solomon also called his Wisdom.” Or, as Lim translates it, “the Proverbs of Solomon or also Wisdom” and compares it to *Hist. eccl.* 4.22.9. However, the easiest translation here makes the *καὶ* a connective and not an explicative and this fits with the regular distinctions between Proverbs and Wisdom of Solomon in the fourth- and fifth-century catalogues in Appendix A.

Interestingly, Clement of Rome introduces a quote from Prov 1:23–33 with words similar to those in Eusebius (*Hist. eccl.* 4.22.9): “For thus says his [God’s] all-virtuous Wisdom” (Greek: οὕτως γὰρ λέγει ἡ πανάρετος σοφία, *1 Clem.* 57.3).<sup>53</sup> Solomon’s name is not mentioned there, but the focus is on divine wisdom and Clement is citing Proverbs. This is a similar description of “all virtuous wisdom” that is not specifically in reference to a book, such as the Wisdom of Solomon. In Irenaeus, “Wisdom” was equal to the “Spirit” that Solomon had and exercised in writing. The passage in Irenaeus that Eusebius is citing is not a reference to a book at all, but rather to divine wisdom. The text in *Hist. eccl.* 4.22.9 is only saying that Solomon exercised “all-virtuous Wisdom,” but it is not the same as we see in *Hist. eccl.* 4.26.12–13.

Michael Law, however, is unconvinced by Gallagher’s translation and claims that the Wisdom of Solomon is more commonly abbreviated as “Wisdom” and claims that this is what was intended in 4.26.12–13.<sup>54</sup> For example, we can see this in ancient catalogues of Scriptures (e.g., Augustine, *De doctrina christiana* 26–27; ca. 395) and in later manuscripts of Codices Vaticanus, Sinaiticus, and Alexandrinus that *two* books are intended (Proverbs and Wisdom of Solomon). These references agree that Proverbs and Wisdom are two separate books though Augustine does not attribute the Wisdom of Solomon to Solomon, but instead to Sirach (*De doctrina christiana* 27). Jerome also understands “Wisdom” as the Wisdom of Solomon, a book that he does not include in the church’s OT Scriptures. He places it and Sirach among the Apocryphal books that are not included in the biblical canon. He writes: “Therefore Wisdom, which is commonly entitled Solomon’s, with the book of Jesus the son of Sirach...” (*Prologus gateatus* [“Helmeted Prologue”]). Again, the order in the text varies, namely Numbers is before Leviticus, the Twelve before Daniel and Ezekiel, and Esther is missing, but the inclusion of Wisdom of Solomon is most likely intended. Also Melito omitted Esther but that is not unlike other church fathers and some rabbis as well.<sup>55</sup>

2. *Origen* (ca. 185–254). Origen lived in two cities with large Jewish and Gentile populations, Alexandria and Caesarea, and he reported the biblical canon *of the Jews*, as recorded in Eusebius thusly:<sup>56</sup>

<sup>53</sup> This translation comes from Bart D. Ehrman, *1 Clement* (*The Apostolic Fathers*, 137, LCL). In the earlier LCL translation of the same text by Kirsopp Lake, we read “For ‘the excellent wisdom’ says thus:” (107).

<sup>54</sup> Law, *When God Spoke Greek*, 123.

<sup>55</sup> Ibid., 121 and n. 16 on the NT’s use of apocryphal and pseudepigraphal literature.

<sup>56</sup> E. R. Kalin, “Re-examining New Testament Canon History, 1: The Canon of Origen,” *Currents in Theology and Mission* 17 (1990): 277, contends that Eusebius was not careful when he states that Origen is setting forth his own collection of Old Testament Scriptures. Rather, Kalin holds that Origen is offering a Jewish list, not his own views on what belonged in the Christian canon. This is confirmed by Origen’s use and defense of non-Tanak books, noted below.

Now while expounding the first Psalm he [Origen] set forth the catalogue [καταλόγου] of the sacred Scriptures of the Old Testament, writing somewhat as follows in these words: "But it should be known that there are twenty-two canonical books [ἐγδιαθήκους βίβλους], according to the Hebrew tradition; the same as the number of the letters of their alphabet."

He further adds:

There are twenty-two books *according to the Hebrew tradition; the same as the number of the letters of their alphabet.* (*Hist. eccl.* 6.25.1–2, LCL, emphasis added)

Origen did not, however, restrict himself to the biblical canon of the Jews or reject the use of deuterocanonical literature as we saw above. In the list that Eusebius reports as being given in Origen's commentary on Ps 1, Origen includes in his own canon the Epistle of Jeremiah (an apocryphal book allegedly written by the prophet Jeremiah to the captives at Babylon during the exile) and 1–2 Maccabees.<sup>57</sup> And in his *Homily* on Numbers, Origen recommends that a Christian's intellectual diet should begin with Esther, Judith, Tobit, and Wisdom of Solomon before proceeding to the Psalms and the Gospels. It was not good, he said, to set before the reader either Numbers or Leviticus!<sup>58</sup>

When Julius Africanus, Origen's contemporary, challenged him about the propriety of appealing to Susanna (one of the Septuagint additions to the book of Daniel), Origen replied that many things in the Greek Bible were not in the Hebrew Bible, and that the church could not be expected to give them all up!<sup>59</sup>

3. *Athanasius (ca. 367)*. Athanasius excluded some writings of the Apocrypha (Wisdom of Solomon, Sirach, Esther, Judith, Tobit) as well as some Christian Apostolic Fathers (*Didache* and *Shepherd of Hermas*), declaring that they were not canonical, but nevertheless were valuable for instructing new converts ("those who newly join us") in piety. On the other hand, he included in his list of canonical Scriptures the Epistle of Jeremiah and Baruch:

"Forasmuch as some have taken in hand," to reduce into order for themselves the books termed apocryphal, and to mix them up with the divinely inspired Scripture, concerning which we have been fully persuaded, as they who from the beginning were eyewitnesses and ministers of the

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<sup>57</sup> Aland, *Canon*, 6–7.

<sup>58</sup> I owe this reference to C. H. Roberts, "The Christian Book and the Greek Papyri," *JTS* 50 (1949): 164–65, who also shows how the Jews restricted the reading of Genesis and certain passages in Ezekiel and Song of Songs to the mature reader.

<sup>59</sup> I owe this reference to F. F. Bruce, *Canon of Scripture*, 76–77, who claims that Origen practiced a double standard by including apocryphal books in the canon because the Jews included them. However, Gallagher argues that Origen knew the contents of the Hebrew canon, but he did not limit himself or the church to them. See also Gallagher, *Hebrew Scriptures*, 37–40. Also Kalin ("Re-examining New Testament Canon History," 277–78) notes that the *Letter to Africanus* 13 (see also 8) states that the churches used Tobit and Judith even though the Jews did not.

Word, delivered to the fathers; it seemed good to me also, having been urged thereto by true brethren, and having learned from the beginning, to set before you the books included in the Canon, and handed down, and accredited as Divine; to the end that any one who has fallen into error may condemn those who have led him astray; and that he who has continued steadfast in purity may again rejoice, having these things brought to his remembrance.

There are, then, of the Old Testament, twenty-two books in number; for, as I have heard, it is handed down that this is the number of the letters among the Hebrews; their respective order and names being as follows. The first is Genesis, then Exodus, then Leviticus, after that Numbers, and then Deuteronomy. Following these there is Joshua, the son of Nun, then Judges, then Ruth. And again, after these four books of Kings [i.e., 1–2 Samuel and 1–2 Kings], the first and second being reckoned as one book, and so likewise the third and fourth as one book. And again, the first and second of the Chronicles are reckoned as one book. Again Ezra, the first and second [Nehemiah] are similarly one book. After these there is the book of Psalms, then the Proverbs, next Ecclesiastes, and the Song of Songs. Job follows, then the Prophets, the twelve being reckoned as one book. Then Isaiah, one book, then Jeremiah with Baruch, Lamentations, and the epistle, one book; afterwards, Ezekiel and Daniel, each one book. Thus far constitutes the Old Testament. (*Ep. fest.* 39.3–4, NPNF)

It is interesting that he omits Esther as did several church fathers (see Appendix A), and also that the occasion for this listing of the books in the HB that he accepts as the church's OT is that some church fathers continued "to mix them [apocryphal books] up with the divinely inspired Scripture" and he wanted to present his own views on the matter. He acknowledges that others have included books that he himself rejects in his OT canon and largely, but not completely follows the books of the HB and not in the Tanak order, but following more the LXX order. He also includes Baruch and the Epistle of Jeremiah which are not included in the HB.

4. *Synopsis scripturae sacrae* (ca. 350–370). Similar to Athanasius is the anonymous *Synopsis scripturae sacrae*, which was reproduced in the works of Athanasius, but was probably not written by him. The author lists in accordance with the Hebrew alphabet a twenty-two-book canon that separates Judges and Ruth and omits Esther. The author specifically rejects Esther as "not canonical" along with the Wisdom of Solomon, Sirach, Judith, and Tobit.

5. *Cyril of Jerusalem* (ca. 350). Like Origen and Athanasius, Cyril has a twenty-two-book OT canon in which he refers to the LXX Scriptures and the legend of their origin in the *Letter of Aristeas*, which he claims, "were translated by the seventy-two interpreters" like the HB canon, but in a different sequence. He adds to Jeremiah both Baruch and the Letter of Jeremiah.<sup>60</sup>

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<sup>60</sup> Cyril of Jerusalem, *Catech.* 4.35 (ca. 394–395, Bethlehem).

6. *Gregory of Nazianzus (ca. 370)*. In a list of canonical books that conforms to the twenty-two-letter Hebrew alphabet, Gregory of Nazianzus omits Esther and as a result, divides Judges and Ruth in order to keep the same number of books.

7. *Epiphanius (ca. 315–403)*. Bishop Epiphanius of Salamis produced in his *On Weights and Measures* 23 a twenty-two-book catalogue of canonical writings and two others, noted below, that have some similarities with the list in the Bryennios Canon (see discussion of this early list in Chapter 10 §IV), although Epiphanius placed them in the more familiar Christian OT order.<sup>61</sup> Epiphanius' list also parallels the current Protestant OT canon, and it depends on the twenty-two-letter Hebrew alphabet: "so twenty-two books are completed according to the number of the twenty-two letters of the Hebrews." Elsewhere, Epiphanius clearly favors the Wisdom of Solomon and Sirach, which he calls "helpful and useful but are not included in the number of the recognized" (*Pan.* 8.6.1).<sup>62</sup> As listed in Appendix A, there are three lists with variable sequences (*Panarion* 1.1.8.6; *De Mensuris et Ponderibus* 3–5; and *De Mensuris et Ponderibus* 22–23).

8. *Jerome (342–420)*. Jerome's two lists of OT Scriptures follow the basic flow of the HB canon, that is Law, Prophets, and Writings and in this regard are similar to *b. Baba Batra* 14b–15a, but he does not mention those three categories and the lists do not have the same sequence nor are they the same. However, he includes Ruth with Judges and Lamentations with Jeremiah instead of including them in the Writings or "third order" of his canon list. Interestingly, in his *Ep.* 53.8, Jerome has Job after Deuteronomy and before Joshua (for his other list, see also his *Praef. in Lib. Sam. et Mal.*).

Bruce notes that Jerome has three categories of writings: canonical, edifying but not canonical, and apocryphal.<sup>63</sup> For Jerome and the churches he served, the last category of books was to be avoided altogether. In the first category, Jerome put the Jewish biblical canon, consisting of twenty-four books, which he related to the twenty-four elders of Revelation, and he numbered them in the three Hebrew categories: Law (5), Prophets (8), and Writings (11).<sup>64</sup> His lists, apart from Codices Sinaiticus and Alexandrinus, are the only Christian examples that follow *generally* (not in all details) the HB sequence of books. In his list, *Prologus gateatus* ("Helmeted Prologue"), Jerome concludes:

<sup>61</sup> See Leiman, *Canonization of the Hebrew Scriptures*, 161 n. 28.

<sup>62</sup> Quoted from *ibid.*, 44–45. Leiman also points out that in a third list Epiphanius included Baruch and the Epistle of Jeremiah. See n. 235 on p. 159.

<sup>63</sup> F. F. Bruce, *Canon of Scripture*, 90.

<sup>64</sup> I should note that Jerome placed Daniel among the Writings in his list in *Preface to the Books of Samuel and Kings* (see text below), but not in his other two lists where Daniel is at the end of the other Major Prophets (see Appendix A), though he generally followed the tripartite HB categories of HB Scriptures.

Whatever falls outside these [his list of twenty-four books] must be set apart among the Apocrypha. Therefore Wisdom, which is commonly entitled Solomon's, with the book of Jesus the son of Sirach, Judith, Tobias, and the Shepherd are not in the canon. I have found the first book of Maccabees in Hebrew; the second is in Greek, as may be proved from the language itself.<sup>65</sup>

Jerome includes Esther *at the end* of his lists, possibly reflecting the doubtful status of Esther among the church fathers at that time. He also includes Wisdom of Solomon, Sirach, Judith, Tobit, *Didache*, and *Shepherd of Hermas* for edifying reading in the churches (see Jerome, *Preface to the Books of Samuel and Kings*; see also Appendix A). In the Prologue or Preface, he states the following:

That the Hebrews have twenty-two letters is testified by the Syrian and Chaldean languages which are nearly related to the Hebrew, for they have twenty-two elementary sounds which are pronounced the same way, but are differently written... Whence it happens that, by most people, five of the books are reckoned as double, viz., Samuel, Kings, Chronicles, Ezra, Jeremiah with Kinoth (Lamentations)... The first of these books is called Bresith, to which we give the name Genesis. The second [Exodus and the remaining books of the Pentateuch]... The second class is composed of the Prophets, and they begin with Jesus the son of Nave, who among them is called Joshua the son of Nun [he then lists Judges, Ruth, 1 & 2 Samuel, 1 & 2 Kings, then Isaiah, Jeremiah, Ezekiel, the Twelve Prophets.]... The third class belongs to the Hagiographa of which the first begins with Job [followed by David (= Psalms), three attributed to Solomon, namely Proverbs, Ecclesiastes, Song of Songs, then Daniel, Ezra in two books (Ezra–Nehemiah) and Esther.

... And so there are also twenty-two books of the Old Testament; that is, five of Moses, eight of the Prophets, nine of the Hagiographa, though some include Ruth and Kinother (Lamentations) amongst the Hagiographa, and think that these books ought to be reckoned; we should thus have twenty-four books of the old law. And these the Apocalypse of John represents by the twenty-four elders, who adore the lamb. (*Prologue to the Books of Samuel and Kings*)<sup>66</sup>

Jerome cited Sirach over eighty times in the Greek translation, but he still calls it "Proverbs" (*meshalim*), a title seen elsewhere in a commentary on the Mishnaic tractate *Sanhedrin* found in the Cairo Genizah. He refused to make a new Latin translation for Sirach, suggesting that he did not accept it as Scripture, but he nevertheless saw its value for Christian faith.<sup>67</sup>

It is interesting that Beckwith suggests an early church identification of the twenty-four elders of Revelation with the twenty-four prophets or books of the HB canon. His argument is based on a text in the *Gospel of Thomas* (52) that points to the number of the books in the HB and speaks of a closed biblical canon.<sup>68</sup> That

<sup>65</sup> F. F. Bruce, *Canon of Scripture*, 90.

<sup>66</sup> I have listed and abbreviated this Prologue or Preface from the longer text provided in Lim, *Formation of the Jewish Canon*, 39–40.

<sup>67</sup> M. Gilbert, "The Book of Ben Sira: Implications for Jewish and Christian Traditions," in *Jewish Civilization in the Hellenistic-Roman Period*, ed. S. Talmon (Philadelphia: Trinity, 1991), 85–87.

<sup>68</sup> Beckwith, *Old Testament of the New Testament Church*, 273 n. 86.

text reads: “His disciples said to him [Jesus], ‘twenty-four prophets have spoken in Israel, and all (of them) have spoken through you’.”<sup>69</sup> Beckwith concludes from this text that it “may well stand for the authors of the Old Testament.” He adds:

But even if some such list does not lie behind the prophet John’s symbolism, the fact that the Old Testament canon to which the New Testament in various other ways refers did have a settled number of books by New Testament times is a further indication that Jesus and his earliest followers were acquainted with a closed canon, and commended a closed canon to the Christian Church.<sup>70</sup>

The difficulty with this identification, of course, is that while the Jews identified the number of *books* by the number twenty-four, the *names* of the prophets who wrote those books is larger than twenty-four since the names in the Twelve Minor prophets are counted as one, that is as one book. In this matter, Plisch acknowledges the problem of trying to identify only twenty-four names of prophets with the number of books, but adds: “at least the statement of the disciples makes absolutely clear that the 24 prophets refers to *all* the prophets of Israel, no matter how the number arose.”<sup>71</sup> More importantly, this may suggest that the author of Revelation knew of this equating of the twenty-four elders with the books that comprised the HB. Also since the equation first appears in the *Gospel of Thomas*, and likely in the second century when it became popular in the rabbinic tradition and subsequently cited in Jerome and reflected in Augustine, it appears that this equation is a later tradition. The same number in the *4 Ezra* 14:44–45 text and in Revelation with both appearing at or near the end of the first century CE may reflect a tradition circulating among Jews at that time about the scope of the HB. Does this early Christian notion seen in the *Gospel of Thomas* 52 and in Revelation depend on some late first-century tradition that is also reflected in *4 Ezra* 14 and in the second-century *b. Baba Batra* 14b tradition (see next chapter)?<sup>72</sup> We should not forget that the number twenty-four is taken over from a Greek holy number identifying the number of letters in the Greek alphabet and the number of chapters or books in each of Homer’s *Iliad* and *Odyssey*, discussed above in Chapter 6 §VI.

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<sup>69</sup> I am using here the translation of Plisch, *Gospel of Thomas*, 133.

<sup>70</sup> Beckwith, *Old Testament of the New Testament Church*, 262–63 and see also 271 n. 70. The dating of the *Gospel of Thomas* is important of course for this reading, but if the book of Revelation was written at the end of the first century, then, of course, it could have parallels with Josephus’ twenty-two-book list, but especially with the author of *4 Ezra*’s collection of twenty-four books (*4 Ezra* 14:44–45). The author of *Gospel of Thomas*, probably a second-century text, could be reflecting an early Jewish tradition that the HB was closed and the books in it are twenty-four. Is this the source for the twenty-four elders in Revelation? It is possible because there are few other attractive possibilities for that number and Revelation was written close to the time of *4 Ezra* (ca. 90–100).

<sup>71</sup> Plisch, *Gospel of Thomas*, 133, emphasis his.

<sup>72</sup> The developments in rabbinic Judaism that opted for the twenty-four book biblical canon are discussed above in Chapter 6 §VI.

9. *Later Catalogues of Noncanonical Books.* Perhaps we should note here that even in later catalogues, writings viewed as sacred, suspect, and rejected were listed in catalogues in separate sections and that, as we have already commented, there would be little need to continue to list rejected books if no one was using them centuries after some church councils had rejected them.

a. The *Stichometry of Nicephoris* (ca. 850 CE).<sup>73</sup> Its author is not Nicephoris of Constantinople,<sup>74</sup> but it lists not only the received Scriptures, but also some of the rejected books that, although rejected quite early by a majority of churches and in later church councils, they continued to be listed for more than 100 to even 500 years later. The OT part of this list includes: Genesis, Exodus, Leviticus, Numbers, Deuteronomy, Joshua, Judges, Ruth, 1–2 Samuel, 1–2 Kings, 1–2 Chronicles, 1–2 Esdras, Psalms, Proverbs, Ecclesiastes, Song of Songs, Job, Hosea, Amos, Micah, Joel, Obadiah, Jonah, Nahum, Habakkuk, Zephaniah, Haggai, Zechariah, Malachi, Isaiah, Jeremiah, Ezekiel, Daniel, and evidently 1 Maccabees, but not 2, 3, 4 Maccabees. Among the *antilegomena* (“spoken against” books) were Maccabees (3), Wisdom of Solomon, Ecclesiasticus (Sirach), *Psalms of Solomon*, Esther, Judith, Susanna, and Tobit.<sup>75</sup>

In the case of the *Stichometry of Nicephoris* it appears that some Christians were still reading the rejected books. Why else would someone that late continue to list them in a rejected column?<sup>76</sup> The author of that stichometry lists the following titles of OT apocryphal books along with the lines of text in each book:<sup>77</sup>

Enoch	4800
Patriarchs	5100
Prayer of Joseph	1100
Testament of Moses	1100
Assumption of Moses	1400
Abraham	300
Eldad and Modad	400
Of Elias the Prophet	316
Of Sophonias the Prophet	600
Of Zacharias the father of John	500

<sup>73</sup> Stichometry is an ancient method of calculating the number of lines in a manuscript that were used as a basis for payment to the professional scribe or copier. The term comes from the Greek *stichos* (pl. = *stichoi*), referring to a line in a manuscript that normally had 16 syllables or some 36 letters per line.

<sup>74</sup> Nicephoris of Constantinople (d. 828) was supposedly the one who constructed this list and later it was wrongly inserted in the *Abridgment of Chronography*, a catalogue of biblical books (ca. 850).

<sup>75</sup> See these lists in Swete, *Introduction to the Greek Old Testament*, 207–8 and 346–48.

<sup>76</sup> For a listing of the Stichometry of Nicephorus, see *ibid.*, 208–9, 346–47. See also Theodore Zahn, *Geschichte des neutestamentlichen Kanons*, 2 vols. (Erlangen: A Deichert, 1888–92), 2:295ff. and 143ff. For a discussion of this document, see my *Forgotten Scriptures*, 67–68.

<sup>77</sup> The following lists come from the dated but still very useful description of these ancient texts to the extent possible in James, *Lost Apocrypha*, xii–xiv.



The list also includes the Pseudepigrapha of Baruch, Ambacum (Habakkuk), Ezekiel, and Daniel (no lines are listed).

b. Besides this collection, the *Sixty Books*,<sup>78</sup> which refers to the canonical books, then lists the apocryphal books without the *stichoi* (or lines, which presumably means they were no longer copied by scribes) as follows:

Adam  
 Enoch  
 Lamech  
 Patriarchs  
 Prayer of Joseph  
 Eldad and Modad  
 Testament of Moses  
 Psalms of Solomon  
 Apocalypse of Elias (Elijah)  
 Vision of Esaias (Isaiah)  
 Apocalypse of Sophonias  
 Apocalypse of Zacharias  
 Apocalypse of Esdras

c. *Gelasian Decree* (or *Decretum Gelasianum*, ca. 492–96). This Latin list is attributed to Pope Gelasius' decree on which books are approved for reading in the churches and which are not. It includes a reference to pseudepigraphal books as follows: "concerning books to be received and not to be received" (Latin = *De libris recipiendis et non recipiendis*). The *Decree* omits mentioning Enoch, but adds several other uncommon names as follows:

The book, concerning the daughters of Adam, of Leptogenesis  
 The book, which is called the Penitence of Adam  
 The book concerning the Giant Ogias who is stated by the heretics to have fought with a dragon after the Flood  
 The book which is called the Testament of Job  
 The book which is called the Penitence of Jannes and Mambres  
 The writing, which is called the Interdiction (or Contradiction) of Solomon

d. *The Armenian lists*. These lists of noncanonical books were collected by Theodor Zahn in 1893 and are comprised of three shorter collections:

1. Samuel of Ani (ca. 1179) speaks of books brought to Armenia around 591 CE by Nestorian missionaries and they include: *The Penitence of Adam* and *The Testament* (probably of Moses or Adam).

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<sup>78</sup> This list is found in some of the manuscripts of the *Quaestiones* (or *Questions and Answers*) of Anastasius, abbot of the monastery of St. Catherine at Mt. Sinai (d. ca. 700 CE).

2. Mechithar of Airivank (ca. 1290) who lists writings similar to those in Greek and is under the title of *Secret Books of the Jews* that are as follows:
  - Book of Adam
  - Book of Enoch
  - Book of the Sybil
  - The Twelve Patriarchs (= testaments of the Twelve sons of Jacob)
  - The Prayers of Joseph
  - The Ascension of Moses
  - Eldad and Modad
  - The Psalms of Solomon
  - The Mysteries of Elias
  - The Seventh Vision of Daniel<sup>79</sup>
  
3. Another list under the same writer's name, and perhaps dated ca. 1085 CE, mixes some of the apocryphal books with the OT canon in the Roman Catholic and Orthodox churches, as the following shows:
  - The Vision of Enoch
  - The Testaments of the Patriarchs
  - The Prayers of Aseneth (takes the place of the *Prayer of Joseph*)
  - Tobit, Judith, and Esther
  - Esdras Salathiel (= 4 Ezra) = Job, etc.
  - The Paralipomena concerning Jeremiah Babylon (= the Rest of the Words of Baruch)
  - Deaths of the Prophets (a version of the Pseudo-Epiphanian, *Lives of the Prophets*)
  - Jesus son of Sirach

Along with the above, other writings have occurred in later lists under the names of Moses, Eve, Seth, Noah, Ham, Melchizedek, Hezekiah, and the ancient Persian King Hystaspes.<sup>80</sup> Along with the ancient books that we know about through various ancient sources including the early church fathers and especially through the fourth century, there were doubtless others of which we are unaware that were produced and functioned as sacred literature in one or more Jewish or Christian communities.

## B. Western Church Fathers

Interest in the deuterocanonical writings was much more substantial in the Western churches that acknowledged fifteen of the apocryphal writings as Scripture and added them to their biblical canon.

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<sup>79</sup> This is similar to the list in the *Sixty Books* above, but *Sibyl* is substituted for *Lamech* and *Testament of Moses* is omitted and the last four items are replaced by the *Seventh Vision of Daniel*.

<sup>80</sup> These and a number of unnamed apocryphal or pseudepigraphal writings are discussed in James, *Lost Apocrypha*, 87–95. He lists many of the ancient texts where these writings are either cited or quoted.

1. *Hilary of Poitiers* (ca. 315–367). Hilary of Poitiers appears to follow Origen's example of holding to the twenty-two books, but nevertheless adds two extra books to his canon, namely, Tobit and Judith, in order to make a twenty-four-book biblical canon, which he believed followed the number of letters in the Hebrew alphabet! He, too, along with Cyprian and Ambrose, included the Epistle of Jeremiah with Jeremiah and Lamentations and cited all three as having been written by Jeremiah (see Hilary of Poitiers, *Prologue in the Book of Psalms* 15).

2. *Augustine* (354–430). Without question the most influential Western church father was Bishop Augustine of Hippo in North Africa, who lists some forty-four books in his OT biblical canon. He identifies each of the twelve Minor Prophets, but also includes Wisdom of Solomon, Sirach, Tobit, Esther, Judith, 1–2 Maccabees,<sup>81</sup> the additions to the books of Daniel and Esther, Baruch, and the Epistle of Jeremiah (Augustine, *De doctrina christiana* 2.13). The text of his word on the matter is instructive and, unlike others listed above, he was not interested in the *number* of the books in his Old Testament, but more in the books he believed informed the church's faith. His statement on the books that comprised his Old Testament reads as follows:<sup>82</sup>

The complete canon of Scripture, on which I say that our attention should be concentrated, includes the following books: *the five books of Moses* (Genesis, Exodus, Leviticus, Numbers, Deuteronomy), and the single books of Joshua, son of Nave [Nun], and of Judges, and the little book known as Ruth, which seems to relate more to the beginning of Kings, and then the four books of Kings [1–2 Samuel, 1–2 Kings], and two of Chronicles, which do not follow chronologically but proceed as it were side by side with Kings. *All this is historiography*, which covers continuous periods of time and gives a chronological sequence of events. *There are others, forming another sequence*, not connected with either this class or each other, like Job, Tobias, Esther, Judith, and the two books of Maccabees and the two of Ezra, which rather seem to follow on from the chronologically ordered account which ends with Kings and Chronicles. *Then come the prophets*, including David's single book of Psalms, and three books of Solomon, namely Proverbs, Song of Songs, and Ecclesiastes. The two books entitled Wisdom [Wisdom of Solomon] and Ecclesiasticus [Wisdom of Jesus ben Sirach] are also said to be by Solomon on the strength of a general similarity; but there is a strong tradition that Jesus Sirach wrote them, and in any case, because they have been found worthy of inclusion among authoritative texts, they should be numbered with the prophetic books. *There remain the books of the prophets properly so called*, the individual books of the twelve prophets who because they are joined and never separated are counted as one. Their names are these: Hosea,

<sup>81</sup> Augustine was not the first Christian to appreciate the stories of 1–2 Maccabees. The story of the Maccabean brothers and their mother (2 Macc 7) was especially inspiring to Christians who were being persecuted because of their faith, as in the case of Cyprian and other Christians who suffered during the Decian persecution. Rutgers shows how the Maccabean literature endeared itself to persecuted Christians in his "Importance of Scripture."

<sup>82</sup> He actually lists the books of both Old and New Testaments, but I will limit myself here only to the books that comprised his Old Testament.

Joel, Amos, Obadiah, Jonah, Micah, Nahum, Habakkuk, Zephaniah, Haggai, Zechariah, and Malachi. Then there are the four prophets in larger books: Isaiah, Jeremiah, Daniel, Ezekiel. These forty-four books form the authoritative Old Testament. (*De doctrina christiana* 2.8.26–29, emphasis added)<sup>83</sup>

The added emphasis in the above draws attention to the categories of the Scriptures. They include the books of Moses, history, prophets that include the wisdom literature, and the “properly so called Prophets” that include what is usually called the Latter Prophets or simply Prophets. It is interesting that the Twelve are listed before the Major Prophets and Daniel comes before Ezekiel. Augustine’s collection of the church’s sacred Scriptures was also what won the day at the early church Councils of Hippo (393), Carthage (397 and 416) and had considerable influence in churches especially in the West. Canon 26 in the 397 Council included 1–5 Solomon, which included Proverbs, Ecclesiastes, Song of Songs, Sirach, and Wisdom of Solomon. It also included Tobit, Judith, 1–2 Esdras, and 1–2 Maccabees. The order is the same or similar to others from Genesis to 2 Chronicles but varies thereafter.

3. *Rufinus* (ca. 345–410). Rufinus tabulated a list of canonical books (*On the Creed* 38), similar to that of Jerome, but he included in his “ecclesiastical” collection Wisdom of Solomon, Sirach, Tobit, Judith, and 1–2 Maccabees.<sup>84</sup> That “ecclesiastical” collection was intended to be read privately, but not in church worship.<sup>85</sup> Also, he places the poetic and wisdom literature last.

## C. Summary

The LXX was the Christians’ Bible and what went into it was never formally fixed.<sup>86</sup> Put another way, Stendebach writes: “the church Fathers did not treat as canonical what they found in the Septuagint; what they treated as canonical came into the Septuagint.”<sup>87</sup> However, as we will see in Chapter 11 §II, that may not be the case. The development and complete contents of the LXX have always been elusive, but it is likely that the Greek Bible used by the Christians included writings that were a part of this collection and used by the earliest Christian community even before their separation from Judaism in the first century CE.

<sup>83</sup> R. P. H. Green, trans., *Saint Augustine: On Christian Teaching*, Oxford World’s Classics (Oxford: Oxford University Press, 1997), 36–37.

<sup>84</sup> See also Rufinus, *Comm. in Symb. Apoc.* 35 (Rome, Italy). For a useful discussion of this text, see F. F. Bruce, *Canon of Scripture*, 90–91.

<sup>85</sup> For other lists of Christian OT Scriptures see the additional lists in Appendix A.

<sup>86</sup> Stuhlmacher, “Significance of the Old Testament Apocrypha,” 3.

<sup>87</sup> F. J. Stendebach, “The Old Testament Canon in the Roman Catholic Church,” in Meurer, ed., *The Apocrypha in Ecumenical Perspective*, 34, quoting H. Haag.

There is no evidence that their OT Scripture collection got bigger with time. The Christians accepted from Hellenistic Judaism the LXX books *before* their separation from Judaism. That separation took place most likely just prior to the destruction of Jerusalem in the first century (66 CE) and was pretty well complete no later than 132–135 CE following the Bar Kokhba rebellion noted earlier.

The Eastern Church fathers usually opted for the shorter OT canon, generally following either the twenty-two or twenty-four-book biblical canon that they believed comprised the sacred Scriptures of their Jewish siblings. However, the contents of their lists of sacred Scriptures vary in the fringe areas (Baruch, Epistle of Jeremiah, and Esther especially) and in their sequence, but they all have most of the HB canon in common. Generally speaking, the Western church followed the lead of Augustine and included many of the apocryphal writings. What is not clear is why they accepted the apocryphal books but rejected most of the pseudepigraphal writings that initially informed the faith of the early Christians and possibly Jesus as well.<sup>88</sup>

## VI. THE AUTHORITY OF THE OLD TESTAMENT IN EARLY CHRISTIANITY

Acknowledgment of the authority of the Jewish Scriptures in the early church was never seriously doubted before the time of Marcion, or even after him and his movement that rejected the church's OT Scriptures, but evidence that the NT writers were interested in the *contextual* message of the OT itself is more difficult to establish. As von Campenhausen has observed, an examination of the NT's citation of the OT Scriptures shows that the early Christians were more interested in finding prophecies of the life, death, and resurrection of Jesus than in examining those texts to discover their own meaning.<sup>89</sup> This suggests, as Williams acknowledges, that the early followers of Jesus recognized the authority of their Scriptures, but their focus was not so much on the message of the OT, as on how those Scriptures affirmed the story of Jesus.<sup>90</sup> Greer concludes from this "while the Hebrew Scriptures were the Bible of the church, their authority was secondary to that of the Christian preaching."<sup>91</sup> He claims that the Christians as a whole "were

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<sup>88</sup> Lewis examines the question why both the Greek and Latin church fathers rejected the Pseudepigrapha, but he does not find a suitable answer; see "Problems of Inclusion," 182.

<sup>89</sup> Hans von Campenhausen, *The Formation of the Christian Bible*, trans. J. A. Baker (Philadelphia: Fortress, 1972), 21–102, especially 82–102.

<sup>90</sup> R. R. Williams, *Authority in the Apostolic Age* (London: SCM, 1950), 32–37.

<sup>91</sup> J. L. Kugel and R. A. Greer, *Early Biblical Interpretation*, Library of Early Christianity 3 (Philadelphia: Westminster, 1986), 114. Greer argues that the Hebrew Scriptures played less of a role in the early Christian community than has been previously supposed. He supports this claim with many examples from the early church fathers (126–54). The church attempted to maintain both continuity and discontinuity with its Jewish heritage (113–17).

less a ‘people of the book’ than the Jews, for the Christian revelation was located in Christ and only secondarily in the Scripture that bore witness to him.”<sup>92</sup> This claim finds support in the fact that most Scripture references in the early church fathers are from the NT writings and not their OT! There are exceptions, of course (*1 Clement*), but until the fourth century, references to the OT writings are fewer in number than the NT writings. Barton brings this tension into full relief: “We see here a paradox. The early Church cited the Old Testament as ‘Scripture,’ but to begin with tended to possess it only in a fragmentary form. The New Testament, on the other hand, was widely available and was used much more heavily, but it was not yet cited as ‘Scripture.’”<sup>93</sup> How could writings that were only beginning to be considered Scripture so outstrip the earliest Scriptures of the church, namely, the writings of the OT?

The early Christians believed that the whole story of God’s plans and purposes for Israel reflected in their OT Scriptures had reached their completion and fulfillment in the life and ministry of Jesus.<sup>94</sup> Without question the NT writers saw continuity in what they were describing, presenting, or advocating with their OT Scriptures. They fully accepted them as the authoritative word of God, but like their Jewish contemporaries, they also took many liberties in the way that they cited and interpreted the OT Scriptures, sometimes even altering the passages they cited (e.g., Ps 94:11 in 1 Cor 3:19–20; Ps 68:18 in Eph 4:8; and Ps 8:4–6 in Heb 2:6–8). A study of the NT’s use of the HB/OT shows that the driving force behind the NT writers was not so much an interpretation or exegesis of the OT, as an affirmation of the word of and about the risen Christ.<sup>95</sup> Paul, for example, in 2 Cor 3:12–18 sets forth a commonly held view in the early church that the OT could be understood only through Jesus the Christ. Barr observes that the OT had the status of the Word of God in the early church, but this “did not alter the fact that, for the men of the NT, the OT, though authoritative, was no longer the communicator of salvation... Only the preaching of Jesus Christ as crucified and risen communicated salvation in the Christian sense.”<sup>96</sup> He adds that Jesus’ teachings likewise do not result from an exegesis of OT texts or an attempt to elucidate the meaning of those texts, but rather that Paul employs the OT to support his own claims.<sup>97</sup> Seldom, Barr observes, do the NT writers interpret whole passages (e.g., Gen 1–3), because the NT writers never set out to interpret the OT itself, but rather the new substance of the gospel.<sup>98</sup>

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<sup>92</sup> Ibid., 202.

<sup>93</sup> Barton, *Holy Writings*, 65, citing Franz Stuhlhofer.

<sup>94</sup> Shires, *Finding the Old Testament*, 31–35.

<sup>95</sup> Numerous examples of this are listed in *ibid.* 183–84, a still useful work on this topic.

<sup>96</sup> Barr, *Holy Writings*, 14.

<sup>97</sup> Ibid., 68.

<sup>98</sup> Ibid., 68–70.

Early Christian use of the OT was highly selective and generally aimed at clarifying or confirming Christian beliefs. According to Shires, the real moving force of the NT was not an exegesis of the OT, but rather the early Christians' experiences of Jesus.<sup>99</sup> The early Christians regularly appealed to the OT as a predictive book, that is, eschatologically. In fact, portions of the OT, especially the Law, raised difficulties for the Christian faith in the first and second centuries and how the church's normative Scriptures could be ignored or reinterpreted (Justin) or dispensed with (Marcion).<sup>100</sup>

There is no question about the authority of the Jewish Scriptures among the earliest followers of Jesus, not only for understanding the life and ministry of Jesus, but also as an authoritative guide for their conduct and mission. This was true even though the boundaries of the canon had not yet been fully decided. For example, Clement of Rome, in almost every matter of faith, order, and morals, exhorts his readers in *1 Clement* with the aid of OT citations. Also, for Polycarp the "Prophets" were inseparable from the mission of the apostles and the church. He writes: "So then 'let us serve him with fear and all reverence,' as he himself commanded us, and as did the Apostles, who brought us the Gospel, and the Prophets who foretold the coming of our Lord" (*Pol. Phil.* 6.3, LCL.). Tertullian, who viewed the NT writings as equals with the church's OT Scriptures, said: "One Lord God does she [the church] acknowledge, the Creator of the universe, and Christ Jesus (born) of the Virgin Mary, the Son of God the Creator; and the Resurrection of the flesh; the law and the prophets she unites in one volume with the writings of evangelists and apostles, from which she drinks in her faith" (*Praescr.* 36, ANF).

It is obvious that the early Christians received from their Jewish siblings their first Scriptures (First Testament) that they believed disclosed the revelation of God and predicted the Christ event. Even though this collection of Scriptures was used in the Christian communities to argue for church polity (e.g., Rom 14:10–13; 1 Cor 6:12–16; 9:7–10; 14:20–22; 1 Tim 5:17–18), mission (Rom 10:14–21), and many other functions relevant to the life of the early Christian community, the most important function of those Scriptures for the early church appears to have been their predictive witness to the Christ event (e.g., Luke 24:44; John 5:39; 2 Tim 3:15). That is, they were predictive (eschatological) and Christological (identifying Jesus as the Lord and Christ) in their major function for the churches.

<sup>99</sup> Shires, *Finding the Old Testament*, 38–39. In his discussion of the OT predictions of Christ (43–51), Shires observes that Christians made the OT "their own special possession whose meaning relates directly to their situation" (51).

<sup>100</sup> I will discuss Justin's and Marcion's perspectives on the Law below in Chapter 16 §I.

## VII. CHURCH COUNCIL DECISIONS AND CANON FORMATION

It has long been thought that church councils deliberated and determined which books would be included in the Christian Bibles and read in churches, but a more precise view of the function of the fourth- and fifth-century church councils is that they simply acknowledged the books that had already obtained prominence from widespread usage (catholicity) among the churches in their respective areas. Church council decisions generally reflected what the communities in their regions had already recognized, and they subsequently authorized this recognition for the churches. Any decisions by church councils on the scope of the biblical canon usually had only to do with books on the “fringe” in the collections where some element of doubt had existed. The rest had already obtained widespread recognition in the majority of churches. No council, for example, could have taken away from the churches the Pentateuch, Psalms, Isaiah, and most of the other OT books, though doubts lingered about Ecclesiastes, Song of Songs, Esther, and a few others for centuries.

Likewise no church council would or could have taken away from the churches the Gospels and the recognized authentic letters of Paul. Those books were favorites and frequently cited by the church fathers and read in churches. Council decisions came at the end of a long process of recognition in the churches, and they were often *not* unilateral decisions issued from the top of an organization. In other words, church councils did not create biblical canons, but rather reflected the state of affairs about such matters in their geographical locations. The Eastern churches appear to have been more conservative in such matters than those in the West and they were less inclined to convene councils to determine the scope of their scriptural collections. As we will see, the Eastern churches never had the equivalent of a Council of Trent that made such decisions for all of their churches.

Historically, several important early church councils issued statements regarding the books that comprised the biblical canon, and more specifically which books could be read in the churches. The Council of Laodicea (360–363) focused on which psalms could be read in the churches (canon 59) and subsequently a list of the OT and NT books was attached to the rules or canons derived from the Council of Laodicea (canon 60). Since these canons generally agree with the canon presented later in Athanasius’s *Thirty-Ninth Festal Letter* (except that Ruth is combined with Judges and Esther immediately follows), Bruce rightly cautions that canon 60 in the Council of Laodicea canons may be corrupt.<sup>101</sup>

The Council of Hippo (393 CE) set forth a biblical canon similar to the one produced by Augustine. Although the full deliberations of this council are now lost, they were summarized in the proceedings of the Third Council of Carthage

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<sup>101</sup> F. F. Bruce, *Canon of Scripture*, 80.



(397 CE). This was apparently the first council to make a decision or, as Bruce puts it, a “formal pronouncement” on the biblical canon.<sup>102</sup> Again, scholarly opinion generally agrees that for the most part councils did not determine books included in the Christian biblical canons, but rather decisions were made on the basis of widespread tradition and use of sacred books in their respective communities of faith. Bruce states, correctly I think: “It is probable that, when the canon was ‘closed’ in due course by competent authority, this simply meant that official recognition was given to the situation already obtaining in the practice of the worshipping community.”<sup>103</sup>

An important church council that came at the end of the process for the Roman Catholic Church is the Council of Trent, which, in its fourth session on April 8, 1546, set forth its decision regarding the limits of the biblical canon. Its OT included not only all of the books in the HB, but also the so-called Apocryphal or Deuterocanonical writings. The pertinent aspects of the Trent decisions for OT canon formation are as follows:

They [the books] are as set down here below: of the Old Testament: the five books of Moses, to wit, Genesis, Exodus, Leviticus, Numbers, Deuteronomy; Josue [Joshua], Judges, Ruth, four books of Kings [= 1–2 Samuel and 1–2 Kings], two of Paralipomenon [1–2 Chronicles], the first book of Esdras, and the second which is entitled Nehemiah; Tobias, Judith, Esther, Job, and the Davidical Psalter, consisting of a hundred and fifty psalms; the Proverbs, Ecclesiastes, the Canticle of Canticles, Wisdom, Ecclesiasticus, Isaías, Jeremias, with Baruch; Ezechiel, Daniel; the twelve minor prophets, to wit, Osee [Hosea], Joel, Amos, Abdias [Obadiah], Jonas [Jonah], Micheas [Micah], Nahum, Habacuc [Habakkuk], Sophonias [Zephaniah], Aggaeus [Haggai], Zacharias [Zechariah], Malachias [Malachi]; two books of the Maccabees, the first and the second.

...

The holy, ecumenical and general Council...following...the examples of the orthodox Fathers, ...receives and venerates with a feeling of piety and reverence all the books of the Old and New Testaments, since one God is the author of both; also the traditions, whether relating to faith or to morals, as having been dictated either orally by Christ or by the Holy Ghost, and preserved in the Catholic Church in unbroken succession... If anyone does not accept as sacred and canonical the aforesaid books in their entirety and with all their parts, as they have been accustomed to be read in the Catholic Church...let him be anathema.<sup>104</sup>

Interestingly, Stendebach brings to our attention that the legitimacy of the Council of Trent’s declaration on the inclusion of the apocryphal books in the OT canon is confirmed by the New Testament’s use of the apocryphal literature. He cites, for example, the allusion to Sir 5:11 in Jas 1:19; the allusion to Wis 3:5–7 in 1 Pet 1:6–7; the parallel of or allusion to 2 Macc 7:9, 11, 14, 23, 29, 36 in

<sup>102</sup> Ibid., 97.

<sup>103</sup> Ibid., 42.

<sup>104</sup> This text is from Philip Schaff, *The Creeds of Christendom*. Vol. 3, *The Greek and Latin Creeds*, 6th ed. (Grand Rapids: Baker, 1993; repr. from Harper & Row, 1931), 81.

Heb 11:35; the parallel of Wis 7:26 with Heb 1:3 and Col 1:15; and the parallel of Wis 13:1–9 with Rom 1:18–21.<sup>105</sup> (The NT portion of that decree is below in Chapter 21 §IX.B.) The First Vatican Council (1869–70) reaffirmed this decision.

The Reformed churches set forth in the 1559 *Gallican Confession* (arts. 3–4) and the 1561 *Belgic Confession* (arts. 4–5) a canon that excluded the apocryphal books. In England, the 1562/1571 Thirty-Nine Articles of the Church of England (art. 6) affirmed the use of the apocryphal books, but added: “And the other books (as Hierome [i.e., Jerome] saith) the Church doth read for example of life and instruction of manners, but yet doth it not apply them to establish any doctrine.”<sup>106</sup> As late as 1950 the Greek Orthodox Church authorized as its OT canon all of the HB books and the entire Apocrypha, including 2 Esdras and 3 *Maccabees* (4 *Maccabees* was placed in an appendix). The 1956 Russian Bible included the same OT contents as the Greek Bible, but omits 2 Esdras and 4 *Maccabees*.<sup>107</sup>

The popularity of the Jewish biblical canon, that is, the twenty-four-book HB collection, that obtained canonical status among early Christians, is undeniable. It is instructive, however, that all of the Christian lists of OT Scriptures in the fourth to sixth centuries differ slightly from the Jewish biblical canon whether in books included or their sequence and divisions.<sup>108</sup> And even when they attempt to produce lists of these Scriptures, several of these lists varied in regard to their inclusion of Esther or whether to add the Epistle of Jeremiah and Baruch. The ancient and even modern churches have never fully agreed on the scope of their OT Scriptures.

## VIII. CONCLUSION

The NT writers were clearly aware of more books than those that were finally included in the HB or OT biblical canons. They often alluded to or specifically cited several apocryphal or Deuterocanonical texts in their discussions or descriptions. It is clear that several other texts influenced the writers of the NT. For instance, the author of John 10:22 refers to the “festival of Dedication,” which is not found in the Hebrew Scriptures, but only mentioned in the Greek text of 1 Macc 4:59 and 2 Macc 10:18. Similarly, the author of Heb 1:3 uses precisely the technical terms for wisdom found in the Wis 7:25. Whatever else one can say about the so-called apocryphal writings, several of them appear to have informed the faith of the early Christians who received them from their Jewish siblings before their separation. Apocryphal writings continued to be welcomed and read

<sup>105</sup> Stendebach, “Old Testament Canon,” 35–36.

<sup>106</sup> O. Chadwick, “The Significance of the Deuterocanonical Writings in the Anglican Tradition,” in Meurer, ed., *The Apocrypha in Ecumenical Perspective*, 117.

<sup>107</sup> Aland, *Canon*, 5.

<sup>108</sup> Aland, *ibid.*, 4–6, claims that no early church list exactly parallels the Jewish biblical canon.

in Christian congregations long after their separation from their Jewish siblings. Hippolytus of Rome (ca. 180–200 CE), for example, included sections of Susanna and the Song of the Three Jews in his *Commentary on Daniel*.

A large number of so-called noncanonical Jewish religious texts were circulating among the Jews in Palestine in the first century CE and the early Christians adopted some of them as sacred Scripture. As a Jewish sect, the earliest followers of Jesus were naturally drawn to popular religious texts circulating in their homeland and after their separation they did not abandon those “other” texts that had become important to them earlier. We have identified some of these “other writings” in the various NT citations and some of them were found at Qumran among the Dead Sea Scrolls.

## IX. SUPPLEMENT: JESUS’ SCRIPTURE REFERENCES

Some scholars have argued that most of the citations of Jewish Scriptures by Jesus were inauthentic and not reflective of the historical Jesus, but rather were later insertions into the Gospel texts or inventions by the Gospel writers.<sup>109</sup> They deny that Jesus himself invoked or quoted Scripture, but relied instead on his own authority that he expressed in parables and aphorisms.<sup>110</sup> Most NT scholars, however, agree that Jesus knew the Jewish Scriptures and made considerable use of them. As we see in the canonical Gospels, Jesus’ earliest followers attributed to him many quotes or citations of the Jewish Scriptures. These attempts to set Jesus apart from the Jewish community in which he was raised makes little sense to most contemporary NT scholars who are more willing to acknowledge that Jesus was a Jew and, like most if not all fellow Jews, recognized the authority of Jewish Scriptures. The only question for the majority of NT scholars is which Scriptures Jesus used or cited, but not whether he ignored them altogether. For that reason it is important to examine the teachings attributed to him in the Gospels. I list them below and acknowledge here that some of them may have been attributed to him by the Gospel writers, but, following E. P. Sanders,<sup>111</sup> I am convinced that Jesus was quite familiar with Jewish Scriptures and this comes out clearly in his teachings. As I have noted earlier, he was especially familiar with the Pentateuch, Isaiah, and the Psalms, but with many other writings as well.

The following lists are not complete, but reflect most of the citations of, or allusions to, Jewish Scriptures that the NT Evangelists say Jesus cited or included in his teachings in the Gospels. The parallels may also be in subject as well as

<sup>109</sup> For a discussion of this, see Emerson B. Powrey, *Jesus Reads Scripture: The Function of Jesus’ Use of Scripture in the Synoptic Gospels*, BINS (Leiden: Brill, 2003), 1–27.

<sup>110</sup> Robert W. Funk and Roy W. Hoover, *The Five Gospels: What Did Jesus Really Say? The Search for the Authentic Words of Jesus* (San Francisco: Harper One, 1996), 68.

<sup>111</sup> J. E. Sanders, “Jesus in Historical Context,” *Theology Today* 3 (1993): 448.

verbal matter with the Old Testament/Hebrew Bible and also several Apocryphal and Pseudepigraphal writings.

## A. Jesus' Citations of Biblical Books in the Synoptic Gospels<sup>112</sup>

Gen 1:27 (Mark 10:6/Matt 19:4); 2:24 (Mark 10:7–8/Matt 19:5); 4:1ff. (Matt 23:35/Luke 11:51); 4:24 (Matt 18:22); 6–7 (Matt 24:37–39/Luke 17:26–27); 19 (Matt 10:15/11:23–24/Luke 10:12); Exod 3:6 (Mark 12:26/Matt 22:32/Luke 20:37); 20:7 (Matt 5:33); 20:12 (Mark 7:10/Matt 15:4); 20:7 (Matt 5:33); 20:12–16 (Mark 10:19/Matt 19:18–19/Luke 18:20); 20:13 (Matt 5:21); 20:14 (Matt 5:27); 21:12 (Matt 5:21); 21:17 (Mark 7:10/Matt 15:4); 21:24 (Matt 5:38); 23:20 (Mark 1:2/Matt 11:10/Luke 7:27); 24:8 (Mark 14:24; Matt 26:28); 29:37 (Matt 23:17, 19); 30:29 (Matt 23:17, 19); Lev 13–14 (Luke 17:14); 14:2–32 (Mark 1:44/Matt 8:4/Luke 5:14); 19:2 (Matt 5:48/Luke 6:36); 19:12 (Matt 5:33); 19:18 (Mark 12:31/Matt 5:43; 19:18; 22:39/Luke 10:27); 24:9 (Mark 2:25–26/Matt 12:3–4/Luke 6:3–4); 24:17 (Matt 5:21); 24:20 (Matt 5:38); Num 28:9–10 (Matt 12:5); Deut 5:16–20 (Mark 10:19/Matt 19:18–19/Luke 18:20); 5:17 (Matt 5:21); 5:18 (Matt 5:21); 6:4–5 (Mark 12:29–30/Matt 22:37/Luke 10:27); 6:13 (Matt 4:10/Luke 4:8); 6:16 (Matt 4:7/Luke 4:12); 8:3 (Matt 4:4/Luke 4:4); 13:2 (Matt 24:24); 19:15 (Matt 18:16); 23:22 (Matt 5:33); 24:1 (Mark 10:5/Matt 5:31/19:8); 30:4 (Matt 24:31); 1 Sam 21:2–7 (Mark 2:25–26/Matt 12:4/Luke 6:3–4); 1 Kgs 10:4ff. (Matt 6:29/Luke 12:27); 10:13 (Matt 12:42/Luke 11:31); 17:1ff. (Luke 4:25–26); 2 Kgs 5 (Luke 4:27); 2 Chr 24:20–22 (Matt 23:35/Luke 11:51); Pss 6:9 (Matt 7:23/Luke 13:27); 8:3 (Matt 21:16); 22:2 (Mark 15:34/Matt 27:46); 22:2 (Mark 15:34/Matt 27:46); 24:4 (Matt 5:8); 31:6 (Luke 23:46); 37:11 (Matt 5:5); 48:3 (Matt 5:35); 50:14 (Matt 5:33); 110:1 (Mark 12:36; 14:62/Matt 22:44; 26:64/Luke 20:42–43; 22:69); 118:22–23 (Mark 12:10–11/Matt 21:42/Luke 20:17); 118:26 (Matt 23:39/Luke 13:35); Isa 5:1–2 (Mark 12:1/Matt 21:33/Luke 20:9); 6:9–10 (Mark 4:12/Matt 12:4; 13:14–15/Luke 6:4); 8:14–15 (Matt 21:44/Luke 20:18); 13:10 (Mark 13:24–25/Matt 24:39/Luke 21:25–26); 14:13, 15 (Matt 11:23/Luke 10:15); 23 (Matt 11:21–22/Luke 10:13–14); 29:13 (Mark 7:6–7/Matt 15:8–9); 32:15 (Luke 24:49); 34:4 (Mark 13:24–25/Matt 24:29/Luke 21:25–26); 35:5–6 (Matt 11:5/Luke 7:27); 53:10–12 (Mark 10:45/Matt 20:28); 53:12 (Luke 22:37); 56:7 (Mark 11:17/Matt 21:13/Luke 19:46); 58:6 (Luke 4:18); 66:1 (Matt 5:34–35; 11:5/Luke 7:22); 61:1–2 (Luke 4:18–19); Jer 6:16 (Matt 11:29); 7:11 (Mark 11:17); Ezek 26–28 (Matt 11:21–22; Luke 10:13–14); Dan 7:13 (Mark 13:26; 14:62/Matt 24:30; 26:64/Luke 21:27; 22:69); 11:31 (Mark 13:14/Matt 24:15); 12:11, cf. 9:27 (Mark 13:14/Matt 24:15); Joel 4:13 (Mark 4:29); Hosea 6:6 (Matt 9:13); 10:8 (Matt 23:30); Mic 7:6 (Matt 10:35–36/Luke 12:53); Jonah (Matt 16:4; cf. 12:39); 2:1 (Mark 8:31); 3:5–9 (Matt 12:41/Luke 11:32); Zech 9:9 (Mark 11:1ff./Matt 21:1ff./Luke 19:29ff.); 13:7 (Mark 14:27/Matt 26:31); Mal 3:1 (Matt 11:10/Luke 7:27); 3:23–24 (Mark 9:12–13; 11:14/Matt 11:10/Luke 7:27; 17:11–12); 12:12 (Matt 24:30).<sup>113</sup>

<sup>112</sup> The following examples are adapted from Nestle/Aland's *Novum Testamentum Graece*<sup>27</sup>, pp. 770–806, especially pp. 800–806, but also the NA<sup>28</sup>, pp. 836–78. A more complete current listing of these references is in Kevin P. Edgecombe's collection. Edgecombe has expanded the NA<sup>27</sup> list of allusions and parallels considerably and added comparisons in translation at: <http://bombaxo.com/allusions.html>. See also his lengthy index of comparisons with the pseudepigraphal writings at <http://www.bombaxo.com>. A more detailed collection of references can be found in Steve Delamarter, *A Scripture Index to Charlesworth's The Old Testament Pseudepigrapha* (Sheffield: Sheffield Academic, 2002).

<sup>113</sup> What we see from this survey is that the Evangelists frequently attribute to Jesus the use of the Pentateuch, especially Deuteronomy, the Psalms, and Isaiah.

## B. Jesus' Citations of Biblical Books in the Gospel of John

It is commonly recognized today that the Gospel of John (or more precisely, "The Gospel according to John"), known by that name at least from the time of Irenaeus (*Adv. Haer.* 3.11.1–9), has more archaeological, topographical, and chronological data in it than all three Synoptic Gospels combined.<sup>114</sup> While there is considerable debate about the amount of theology that prevails in this Gospel, scholars are beginning to reassess its value for constructing the life of Jesus. For more than a century its historical value as a reliable witness to the historical Jesus has been minimized, but recent attention to its historical accuracy has often been corroborated through archaeological activity and has led to a new appreciation of its attention to historical detail.<sup>115</sup> This does not mean that John's christological affirmations are any more acceptable to critical scholarship than before, but only that John's Gospel needs to be given more consideration for its historical value in reconstructing the story of Jesus.<sup>116</sup> In terms of the scriptural citations of Jesus, John is similar to the Synoptic Gospels in that he also shows that Jesus cited the Psalms, Deuteronomy, and Isaiah more than the other HB Scriptures, but he also shows that Jesus cited other HB texts as well. The following is a list of citations attributed to Jesus in the Gospel of John.

Gen 1:1 (John 1:1); 4:7 (John 8:34); 17:10–12 (John 7:22); 21:17 (John 12:29); 21:19 (John 4:11); 26:19 (John 4:10); 28:12 (John 1:51); 40:55 (John 2:5); 48:22 (John 4:5); Exod 7:1 (John 10:34); 12:10 and 46 (John 19:36); 14:21 (John 14:1); 16:4 and 15 (John 6:32); 22:27 (John 10:34 and 18:22); 28:30 (John 11:51); 33:11 (John 15:15); 34:6 (John 1:17); Lev 17:10–14 (John 6:53); 20:10 (John 8:5); 23:34 (John 7:2); 23:36 (John 7:37); 23:40 (John 12:13); 24:16 (John 10:33); Num 5:12 (John 8:3); 9:12 (John 19:36); 12:2 (John 9:29); 12:8 (John 9:29); 14:23 (John 6:49); 16:28 (John 5:30 and 7:17); 21:8 (John 3:14); 27:21 (John 11:51); Deut 1:16 (John 7:51); 1:35 (John 6:49); 2:14 (John 5:5); 4:12 (John 5:37); 11:29 (John 4:20); 12:5 (John 4:20); 17:7 (John 8:7); 18:15 (John 1:21 and 5:46); 19:18 (John 7:51); 21:23 (John 19:31); 22:22–24 (John 8:5); 24:16 (John 8:21); 27:12 (John 4:20); 27:26 (John 7:49); 30:6 (John 3:13);

<sup>114</sup> This claim is made by P. N. Anderson, "Aspects of Historicity in the Gospel of John," in *Jesus and Archaeology*, ed. James H. Charlesworth (Grand Rapids: Eerdmans, 2006), 596. This claim is supported by Urban C. Von Wahlde, "Archaeology and John's Gospel," 583–86, in the same volume.

<sup>115</sup> Several studies of John's Gospel that highlight this emerging change in reassessing the historical features of John's Gospel include James H. Charlesworth, *Jesus within Judaism: New Light from Exciting Archaeological Discoveries* (New York: Doubleday, 1988), 103–30, especially 118–27, followed by his *The Beloved Disciple: Whose Witness Validates the Gospel of John?* (Valley Forge: Trinity Press International, 1995); Urban C. Von Wahlde, "Archaeology and John's Gospel," 523–86, and P. N. Anderson, "Aspects of Historicity in the Gospel of John," 587–618; P. N. Anderson, "John and Mark – the Bi-Optic Gospels," in *Jesus in Johannine Tradition*, ed. R. Fortuna and T. Thatcher (Philadelphia: Westminster John Knox, 2001); A. J. B. Higgins, *The Historicity of the Fourth Gospel* (London: Lutterworth, 1960); Franz Müssner, *The Historical Jesus in the Gospel of John*, trans. W. J. O'Hareh (New York: Herder & Herder, 1966); and J. A. T. Robinson, *The Priority of John*, ed. J. F. Coakley (London: SCM, 1985).

<sup>116</sup> For a discussion of this and examples as well, see McDonald, *Story of Jesus*, 109–25.

Josh 7:19 (John 9:24); 2 Sam 7:12 (John 7:42); 13:25? (John 11:54); 2 Kgs 5:7 (John 5:21); 10:16 (John 1:46); 14:25 (John 7:52); 19:15 (John 5:44); 19:19 (John 5:44); Neh 12:39 (John 5:2); Job 24:13–17 (John 3:20); 31:8 (John 4:37); 37:5 (John 12:29); Pss 2:2 (John 1:41); 2:7 (John 1:49); 15:2 (John 8:40); 22:19 (John 19:24); 22:23 (John 20:17); 25:5 (John 16:13); 31:10 (John 12:27); 32:2 (John 1:47); 33:6 (John 1:3); 35:19 (John 15:25); 35:23 (John 20:28); 40:11 (John 1:17); 41:10 (John 13:18); 51:7 (John 9:34); 63:2 (John 19:28); 66:18 (John 9:31); 69:5 (John 15:25); 69:10 (John 2:17); 78:24 (John 6:31); 78:71 (John 21:16); 80:2 (John 10:4); 82:6 (John 10:34); 85:11 (John 1:17); 89:4 (John 7:42); 89:27 (John 12:34); 92:16 (John 7:18); 95:7 (John 10:3); 107:30 (John 6:21); 118:20 (John 10:9); 119:142 and 160 (John 17:17); 122:1ff. (John 4:20); 132:16 (John 5:35); 145:19 (John 9:31); Prov 1:28 (John 7:34); 8:22 (John 1:2); 15:8 (John 9:31); 15:29 (John 9:31); 18:4 (John 7:38); John 24:22 (John 17:12); 30:4 (John 3:13); Eccl 11:5 (John 7:38); Isa 2:3 (John 4:22); 6:1 (John 12:41); 6:10 (John 12:40); 8:6 (John 9:7); 8:23 [9:1] (John 2:11); 9:2 (John 4:36); 11:2 (John 1:32); 12:3 (John 7:37); 26:17 (John 16:21); 35:4 (John 12:15); 37:20 (John 5:44); 40:3 (John 1:23); 40:9 (John 12:15); 42:8 (John 8:12); 43:10 (John 8:28, 58); 43:13 (John 8:58); 43:19 (John 7:38); 45:19 (John 18:20); 46:10 (John 13:19); 52:13 (John 12:38); 53:7 (John 8:32); 54:13 (John 6:45); 55:1 (John 7:37); 57:4 (John 17:12); 58:11 (John 4:14); 60:1 and 3 (John 8:12); 66:14 (John 16:22); Jer 1:5 (John 10:36); 2:13 (John 4:10); 11:19 (John 1:29); 13:16 (John 9:4); 17:21 (John 5:10); Ezek 15:1–8 (John 15:6); 34:11–16 (John 10:11); 34:23 (John 10:11, 16); 36:25–27 (John 3:5); 37:24 (John 10:11, 16); 37:25 (John 12:34); 37:27 (John 1:14); 47:1–12 (John 7:38); Dan 1:2 (John 3:35); Hos 6:2 (John 5:21); 4:18 (John 7:38); Obad 1:12–14 (John 11:50); Mic 5:1 (John 7:42); 6:15 (John 4:37); Zeph 3:13 (John 1:47); 3:14 (John 12:15); 3:15 (John 1:49); Hag 2:9 (John 14:27); Zech 1:5 (John 8:52); 9:9 (John 12:15); 12:10 (John 19:37); 13:7 (John 16:32); 14:8 (John 4:10 and 7:38); Mal 1:6 (John 8:49); 3:23 (John 1:21).

### C. Allusions to or Verbal and Subject Parallels with Apocryphal and Pseudepigraphal Texts Attributed to Jesus in the Synoptic Gospels

3 *Ezra* 1:3 (Matt 6:29); 4 *Ezra* 4:8 (John 3:13); 6:25 (Matt 10:22); 7:14 (Matt 5:1); 7:36 (Luke 16:26); 7:77 (Matt 6:20); 7:113 (Matt 13:39); 8:3 (Matt 22:14); 8:41 (Matt 13:3; 22:14); 1 Macc 1:54 (Matt 24:15); 2:21 (Matt 16:22); 2:28 (Matt 24:16); 3:6 (Luke 13:27); 3:60 (Matt 6:10); 4:59 (John 10:22); 5:15 (Matt 4:15); 9:39 (John 3:29); 10:29 (Luke 15:12); 12:17 (Matt 9:38); 2 Macc 3:26 (Luke 24:4); 8:17 (Matt 24:15); 10:3 (Matt 12:4); 4 *Macc.* 3:13–19 (Luke 6:12); 7:19 (Matt 22:32/Luke 20:37); 13:14 (Matt 10:28); 13:15 (Luke 16:23); 13:17 (Matt 8:11); 16:25 (Matt 22:32/Luke 20:37); Tobias 2:2–3a (Luke 14:13); 3:17 (Luke 15:12); 4:3 (Matt 8:21); 4:6 (John 3:21); 4:15 (Matt 7:12); 4:17 (Matt 25:35); 5:15 (Matt 20:2); 7:10 (Luke 12:19); 7:17 (Matt 11:25/Luke 10:17); 11:9 (Luke 2:29); 12:15 (Matt 18:10/Luke 1:19); 14:4 (Matt 23:38/Luke 21:24); Jdt 11:19 (Matt 9:36); 13:18 (Luke 1:42); 16:17 (Matt 11:22); Susanna 46 (Matt 27:24); Bar 4:1 (Matt 5:18); 4:37 (Matt 8:11/Luke 13:29); *Epistle of Jeremiah* 6:24, 28 (Matt 11:29); 7:14 (Matt 6:7); 7:32–35 (Matt 25:36); 9:8 (Matt 5:28); 10:14 (Luke 1:52); 11:19 (Luke 10:19); 13:17 (Matt 10:16); 14:10 (Matt 6:23); 20:30 (Matt 13:44); 23:1.4 (Matt 6:9); 24:19 (Matt 11:28); 24:21 (John 6:35); 24:40.43 (John 7:38); 25:7–12 (Matt 5:2); 27:6 (Matt 6:12); 28:18 (Luke 21:24); 29:10 (Matt 6:20); 31:15 (Matt 7:12); 33:1 (Matt 6:13); 35:22 (Matt 16:27/Luke 18:7); 37:2 (Matt 26:38); 40:15 (Matt 13:5); 44:19 (John 8:53); 48:5 (Luke 7:22); 48:10 (Matt 11:14; 17:11/Luke 1:17; 9:8); 48:24 (Matt 5:4); 50:20 (Luke 24:50); 50:22 (Luke 24:53); 50:25 (John 4:9); 51:1 (Matt 11:25/Luke 10:21); 51:23 (Matt 11:28); 51:26 (Matt 11:29); Wis 2:13 (Matt 27:43); 2:16 (John 5:18); 2:18–20 (Matt 27:43); 2:24 (John 8:44); 3:7 (Luke 19:44); 3:9 (John 15:19); 5:22 (Luke 21:25); 6:18 (John 14:15); 7:11 (Matt 6:33); 8:8 (John 4:48); 9:1 (John 1:3); 15:1 (Luke 6:35); 15:3 (John 17:3); 15:8 (Luke 12:20);

15:11 (John 20:22); 16:13 (Matt 16:18); 16:26 (Matt 4:4); 17:2 (Matt 22:13); 18:15 (John 3:12); *Pss. Sol.* 1:5 (Matt 11:23); 5:3 (John 3:27); 5:9 (Matt 6:26); 7:1 (John 15:25); 7:6 (John 1:14); 16:5 (Luke 22:37); 17:21 (John 7:42); 17:25 (Luke 21:24); 17:26, 29 (Matt 19:28); 17:30 (Matt 21:12); 17:32 (Luke 2:11); 18:6 (Matt 13:6); 18:10 (Luke 2:14); *I En.* 5:7 (Matt 5:5); 16:1 (Matt 13:39); 22:9 (Luke 16:26); 38:2 (Matt 26:24); 39:4 (Luke 16:9); 51:2 (Luke 21:28); 61:8 (Matt 25:31); 62:2 (Matt 25:31); 63:10 (Luke 16:9); 69:27 (Matt 25:31/ 26:64/ John 5:22); 94:8 (Luke 6:24); 97:8–10 (Luke 12:19); 103:4 (Matt 26:13).<sup>117</sup>

#### D. Allusions to or Verbal and Subject Parallels with Apocryphal and Pseudepigraphal Texts Attributed to Jesus in the Gospel of John

*4 Ezra* 1:37 (John 20:29); 4:8 (John 3:13); 1 Macc 4:59 (John 10:22); 9:39 (John 3:29); 10:7 (John 12:13); *4 Macc.* 17:20 (John 12:26); Tob 4:6 (John 3:21); Bar 3:29 (John 3:13); *2 Bar.* 18:9 (John 1:9; 3:19; 5:35); 39:7 (John 15:1); Sir 16:21 (John 3:8); 24:21 (John 6:35); 24:40, 43 (John 7:38); 44:19 (John 8:53); 50:25–26 (John 4:9); Wis 2:16 (John 5:18); 2:24 (John 8:44); 3:9 (John 15:9–10); 5:4 (John 10:20); 6:18 (John 14:15); 8:8 (John 4:48); 9:1 (John 1:3); 9:16 (John 3:12); 15:3 (John 17:3); 15:11 (John 20:22); 18:14–16 (John 3:12); *Pss. Sol.* 5:3 (John 3:27); 7:1 (John 15:25); 7:6 (John 1:14); 17:21 (John 7:42); *I En.* 69:27 (John 5:22).

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<sup>117</sup> Peter Stuhlmacher adds some other parallels to this list in his “Significance of the Old Testament Apocrypha,” 8–10. As noted above, Stuhlmacher also notes the parallels between Matt 11:25–28 and the apocryphal Psalm 11QPs 154 (11Q5 XVIII, 3–6).

## CHAPTER 10

# TEXTS REFLECTING AN EMERGING BIBLICAL CANON

By the end of the first century CE, several texts suggest and point to an emerging tendency in Palestine to define more specifically the works that comprise the Jewish scriptures. The contributions of Josephus and the pseudonymous author of *4 Ezra* are more clearly representative of those advances in canon consciousness following the destruction of the Temple. Both texts set forth a precisely defined number of books that reflect the sacred texts that identified the ancient faith of the Jewish people by the end of the first century CE. Unfortunately the specific books are not identified, but the numbers identified in Josephus (22) and *4 Ezra* (24) point to a time when the biblical canon was closing for some first-century Jews. Neither contribution is without its complexity and challenges, but both advance the idea that a specific number of books form the scriptures of their nation and reflect early stages of the canonization of the Hebrew Bible. Those numbers, as we will see, are not exact, but by combining several of the books the counts come to twenty-two and twenty-four books. These numbers are the same number of letters in the Hebrew and Greek alphabets respectively. Besides these books, however, there are other examples that point to the early stages of canonical formation. These will be examined below along with summary comments about an emerging biblical canon.

### I. JOSEPHUS AND A TWENTY-TWO BOOK CANON

At the end of the first century CE two separate traditions, Josephus (*Ag. Apion* 1.37–43) and the author of *4 Ezra* (14:19–48) acknowledge a limited or fixed collection of sacred Jewish books. The fixed number of books in each collection suggests that the number of sacred books is settled and that the biblical canon of the Jews is closed, even though the authors do not specifically identify which books are in their limited collections.

We have discussed earlier (Chapter 6 §VI) the importance of the Greek and Hebrew and Greek alphabets for identifying the number of Jewish sacred Scriptures. The esteem the Greeks had for Homer's *Iliad* and *Odyssey* can be



seen in their division of Homer's works into twenty-four chapters by a successive letter of the twenty-four letters in the Greek alphabet. This suggests, as noted earlier, completion and divine perfection. A Jewish example of using the alphabet in sacred literature is the division of certain psalms into twenty-two sections, each beginning with a different letter of the Hebrew alphabet (Pss 25; 34; 119). A Christian example of the popularity of this notion can be seen in the reference to God and Jesus as the "alpha and omega" (Rev 1:8; 21:6; 22:13). Not surprisingly, in the first century CE, and possibly earlier, some Jews began using the twenty-two letters of the Hebrew alphabet to enumerate the books of their OT canon. As we will see below in the *Jub.* 2:23–24 text, Jews and later Christians made attempts to tell their history's completion and perfection including the scope of their scriptures employing the number of letters in the Hebrew alphabet.

Again, near the end of the first century CE some Jews began identifying the number of their sacred books with the number of letters in the Hebrew alphabet, but eventually adopted the number twenty-four from the Greek alphabet for the number of books in their sacred scriptures. As noted earlier, the actual number of books in the HB is not the same as the number of letters in either alphabet but the numbers were possible by various combinations of books. This seems also to have influenced several early church fathers. Hilary of Poitiers (d. 367 CE), as we saw above, mentions the twenty-two books of the Old Testament based on the Hebrew alphabet (*Instructio Psalmorum* 15), but then adds Judith and Tobit because the Greek alphabet has twenty-four letters!<sup>1</sup> This suggests, of course, that whatever books were considered sacred, the number was going to be either twenty-two or twenty-four and the subsequent debates about the scope of the HB or the OT, regardless of the content, would still come out to one of the two numbers. Josephus, the earliest known source adopting the number twenty-two for his collection of the Jewish scriptures, may have been influenced by *Jub.* 2:23–24 (see below), but that is not clear. Special reference to the number twenty-two, however, continued in several church fathers for centuries, long after it was abandoned by the rabbis in favor of the twenty-four-book canon.

Josephus is best known as a Jewish historian and advocate for Judaism at the end of the first century CE. He was born Joseph ben Matthias in 37 CE, was well educated in Jewish law and Greek literature, was intimately knowledgeable

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<sup>1</sup> See the discussion of this text in Hengel, *Septuagint as Christian Scripture*, 62 n. 13; and in Beckwith, *Old Testament Canon*, 271 n. 70 and 273 n. 86, who notes also that Mommsen's list strangely reaches the number twenty-four by counting Samuel, Kings, and Chronicles as six books and reckoning Wisdom of Solomon and Sirach, the Major and Minor Prophets as only three books, and including Tobit and Judith along with 1 and 2 Maccabees without mention of Lamentations and excluding Ezra–Nehemiah. By combining these books with the five books of Moses and Joshua, Judges, Ruth, Job, Esther and Psalms, he comes to the desired number of twenty-four. As we saw in the previous chapter, Beckwith argues from the book of Revelation's otherwise unknown identity of the twenty-four elders that they may well be a reference to the 24 prophets of an already completed OT biblical canon.

about the three major sects of Judaism in the first century (Sadducees, Pharisees, and Essenes), but also the Herodians, scribes, priests, and Jewish and Samaritan history. He became a priest at age twenty-nine and identified himself with the Pharisees. Soon thereafter he became a general in the Jewish army in the Galilee region during the 66–70 CE war against Rome. After surrendering to the Romans, Josephus prophesied that Vespasian, the Roman general, would one day become the Roman emperor. At first he was disbelieved, but when his prophecy came true, both Vespasian and his son Titus, who later also became Roman emperor, remembered the prophecy and treated Josephus with respect and gave him many privileges. Where Josephus got this prophecy is not known, but there were stories circulating in the Greco-Roman world in the first century that someone coming from Judea would rule the world:

There had spread over all the Orient an old and established belief, that it was fated at that time for men coming from Judaea to rule the world. This prediction, referring to the emperor of Rome, as afterwards appeared from the event, the people of Judaea took to themselves. (Suetonius, *Lives of the Caesars: Vespasian* 4.5, LCL)

Few interpreted these omens as fearful; the majority firmly believed that their ancient priestly writings contained the prophecy that this was the very time when the East should grow strong and that men starting from Judaea should possess the world. This mysterious prophecy had in reality pointed to Vespasian and Titus, but the common people, as is the way of human ambition, interpreted these great destinies in their own favour, and could not be turned to the truth even by adversity. (Tacitus, *Histories* 5.13, LCL)

Whether Josephus knew these stories and simply shared them with Vespasian is not known, but when the prophecy came true in 69 CE, Josephus was favored by Vespasian and Titus and eventually taken to Rome where he spent the rest of his days writing and advocating on behalf of the Jewish people.

More importantly for our purposes, when the city of Jerusalem lay in ruins in 70 CE, Josephus reports that Titus told him that he could have anything he wanted from the city. Josephus asked to have some of his family and friends freed from captivity and he requested some of the sacred books stored in the temple. Being a priest, Josephus was “not ignorant of the prophecies in the sacred books” (*War* 3.352, LCL) and he may have taken some sacred books from the temple in Jerusalem to Rome, where he began or continued his career as a writer of Jewish history. Josephus tells the story of his interest in taking these sacred volumes:

And after the city of Jerusalem was being held by force, he [Titus] tried to persuade me to take anything I might like from the ruin of my native place. He insisted that he gave his consent. Having nothing of greater value in the fall of my native place that I might take and cherish as a consolation for my circumstances, I put the request to Titus for the freedom of persons, and for some sacred volumes... I received [them] as an expression of Titus' favor. A little later, in fact, when I requested [freedom for] my brother along with fifty friends, I was not disappointed. (*Life* 418–19, Mason, *Life of Josephus*, 165–66)

After his arrival in Rome, Josephus took the name Flavius, the family name of Vespasian, the Roman emperor. Toward the end of the first century, after completing his *Jewish War* and *Jewish Antiquities*, he wrote *Against Apion*, an apology for the Jewish religion and against anti-Semitism. In this work, Josephus is the earliest to describe a specific number of sacred books in the Hebrew Scriptures. Because of his unique position of favor at the time of the destruction of Jerusalem and because of his knowledge and access to sacred literature kept in Jerusalem, Josephus becomes an important figure for understanding the scope of the Jewish Scripture collection at the end of the first century CE.

Shortly before his death (ca. 100 CE), Josephus, in his *Against Apion*, defended the Jewish people in a case argued before Emperor Caligula in Rome against attacks by Apion from Egypt who represented the Greek citizens of Alexandria against the Jews. Apion made numerous unsubstantiated charges against the Jews, even including hiding a Greek in the temple for later sacrifice by the Jews, and he apparently also rejected Josephus' *Antiquities* written about his fellow countrymen. In his defense, Josephus stated that the Jews' sacred Scriptures contained twenty-two books,<sup>2</sup> which he identifies by classification or groupings, but not by name. He claimed that these books were "justly accredited" by the Jews and that the matter had been settled for all Jews for a long time. The full text is as follows:<sup>3</sup>

It therefore naturally, or rather necessarily, follows (seeing that with us it is not open to everybody to write the records, and that there is no discrepancy in what is written; seeing that, on the contrary, the prophets alone had this privilege, obtaining their knowledge of the most remote and ancient history through the inspiration which they owed to God, and committing to writing a clear account of the events of their time just as they occurred) – it follows, I say, that we do not possess myriads of inconsistent books, conflicting with each other. *Our books, those which are justly accredited,<sup>4</sup> are but two and twenty, and contain the record of all time.*

Of these, *five are the books of Moses*, comprising the laws and the traditional history from the birth of man down to the death of the lawgiver. This period falls only a little short of three thousand years. *From the death of Moses until Artaxerxes*, who succeeded Xerxes as king of Persia, *the prophets subsequent to Moses wrote the history of the events of their own times in thirteen books. The remaining four books contain hymns to God and precepts for the conduct of human life.*

From Artaxerxes to our own time the complete history has been written, but has not been deemed worthy of equal credit with the earlier records, *because of the failure of the exact succession of the prophets.*<sup>5</sup>

<sup>2</sup> Sarna ("Canon, Text, and Editions," 828) suggests that Josephus may not have included Song of Songs and Ecclesiastes in his collection, which is why he has only twenty-two books rather than the more usual twenty-four.

<sup>3</sup> See S. Mason, "Josephus and His Twenty-two Book Canon," in McDonald and Sanders, eds., *The Canon Debate*, 110 n. 2, critical literature on *Ag. Apion* 1.37–43.

<sup>4</sup> While scholars disagree on the significance and meaning of "which are justly accredited" (Greek, τὰ δικαίως πεπιστευμένα), most agree that Josephus wanted to emphasize that the sacred books he mentioned in several categories were widely acknowledged among the Jews as sacred scripture.

<sup>5</sup> This is a reference to the notion of a cessation of prophecy discussed above in Chapter 5 §V.

We have given practical proof of our reverence for our own Scriptures. For although such long ages have now passed, *no one has ventured either to add, or to remove, or to alter a syllable*;<sup>6</sup> and it is an instinct with every Jew, from the day of his birth, to regard them as the decrees of God, to abide by them, and, if need be, cheerfully to die for them. Time and again ere now the sight has been witnessed of prisoners enduring tortures and death in every form in the theaters, rather than utter a single word against the laws and the allied documents. (*Ag. Apion* 1.37–43. LCL, trans. H. St. J. Thackeray, emphasis added)

Josephus does not specify which books comprise his tripartite scripture canon, but only the kinds of writings in that collection, some of which may reasonably be assumed: Genesis to Deuteronomy, Joshua to Kings plus other prophetic books, and at least part of the poetry and wisdom literature (David and Solomon?). One wonders, however, on what basis Leiman boldly asserts that Josephus included the precise books of the later Hebrew biblical canon identified later in the Talmud.<sup>7</sup> However, nothing clearly identifies the books in Josephus' list with the books that later obtained a permanent position in the Jewish Bible, namely the Tanak. His list also does not reflect the later tripartite biblical canon in its organization, though it may have included all or most of the books in it. Leiman appears to work backwards from the later fixed collection first identified in the second century and even later when such matters were of more interest to both Judaism and the early Christian church. Many of the HB books may be inferred from how Josephus refers to or cites various HB scriptures throughout his other writings, notably in his *Antiquities of the Jews* 1–11, but it is difficult to establish exact parallels in order and content with the later HB. Josephus' divisions of the twenty-two books differ considerably from the threefold division that later obtained prominence in Judaism, especially in regard to the contents of the Writings.

Zevit acknowledges the difficulty of finding room in Josephus's list for Song of Songs and Lamentations. He states perceptively:

Scholars usually try to squeeze all books of the extant canon into these numerical references [in *Ag. Apion* 1.39–40]. It appears to me, however, that since most of the essay *Against Apion* is concerned with the issue of whether or not the Jews possess authentic, accurate historical records written in terms that a contemporary historian may appreciate, Josephus is referring to historical compositions exclusively. The 13 books were Joshua, Judges, Ruth, 1 and 2 Samuel, 1 and 2 Kings, 1 and 2 Chronicles, Daniel, Ezra, Nehemiah, and Esther. The four books tacked on at the end were Psalms, Proverbs, Job, and Ecclesiastes. Prophetic books, i.e., Isaiah, Jeremiah, Ezekiel, the Twelve, would have contributed nothing to his argument at this stage of its development in the essay and were not implicit in his enumeration. So too, Canticles and Lamentations were ignored.<sup>8</sup>

<sup>6</sup> This is a Jewish expression of the sanctity and holiness of the texts in question and stems from the admonition in Deut 4:2 mentioned earlier.

<sup>7</sup> Leiman, *Canonization of the Hebrew Scripture*, 32–33.

<sup>8</sup> Z. Zevit, "The Second–Third Century Canonization of the Hebrew Bible and Its Influence on Christian Canonizing," in van der Kooij and van der Toorn, eds., *Canonization and Decanonization*, 140 n. 20.

Specifically the books indicated or implied in Josephus' *Against Apion* apology are difficult to establish with any certainty, but from this listing and citation of scriptures in *Antiquities*, some things can be discerned. Steve Mason has conveniently listed scriptures that Josephus refers to in those texts and I list them here because they indicate most of what Josephus likely intended when he spoke of his scriptures. Mason lists not only the texts, but also their sequence in Josephus from *Jewish Antiquities* (A.J.):

- A.J. 1: Gen 1–35
- A.J. 2: Gen 36–48; Exod 1–15
- A.J. 3: Exod 16–49; Exod/Lev/Num conflated for the summary of laws
- A.J. 4: Num 14–36; Deuteronomy, conflated with Exod/Lev/Num
- A.J. 5: Joshua, Judges, Ruth, 1 Sam 1–4
- A.J. 6: 1 Sam 5–31
- A.J. 7: 2 Sam 1–24; 1 Kgs 1–2 conflated with 1 Chr 1–29; David is a singer and musician (7.305)
- A.J. 8: 1 Kgs 1–2 conflated with 2 Chr 1–18; Solomon composed 1,005 volumes of odes/songs and 3,000 volumes of parables (8.44)
- A.J. 9: 2 Chr 9–31 conflated with 2 Kgs 1–17, Jonah, Zech 14:5, and Neh 2
- A.J. 10: 2 Kgs 18–24 conflated with 2 Chr 32–36, Isa 38–39, Ezek 1, 12, and some biographical passages (rearranged) from Jeremiah (a lament by Jeremiah is also mentioned; 10:78); Dan 1–8. Isaiah and Daniel wrote “books” – plural (10.35, 267)
- A.J. 11: 1 Esdras, perhaps conflated with Ezra (though generally preferring 1 Esdras); Nehemiah, Haggai and Zechariah mentioned; Esther (including “Greek additions” B-E)<sup>9</sup>

How reliable are Josephus' comments about the scope of the Jewish biblical canon at the end of the first century CE? Since he claims that “the exact succession of prophets” ceased with Artaxerxes son of Xerxes, whom he elsewhere identifies as Ahasuerus from the book of Esther (*Ant.* 11.184), it is understandable why he concludes his biblical canon as early as he did, namely, in the time of Artaxerxes.<sup>10</sup> Does Josephus' accounting of these matters in *Against Apion* reflect what was actually believed among most Jews at the end of the first century or was it an emerging view that had not yet gained widespread acceptance among the Jews? Scholars not infrequently point to the numerous inconsistencies in what Josephus has to say about the scriptures in Judaism, noting that he appears to have favored Pseudo-Aristeas (*Letter of Aristeas*) and 1 Maccabees.

Satlow suggests that Josephus never actually focused on the canon of Scripture, that is a fixed collection of writings, before his time in Rome when he met with Roman intellectuals. He indicates that Josephus certainly would have known of other books circulating among the Jews in Palestine at that time, given his knowledge of the Essenes, but now in Rome he “would have been exposed to a more limited set of Jewish ‘scriptures’ than he had encountered in Judea.”<sup>11</sup> He notes that the gift of the “holy books” that Titus gave to Josephus after the fall of

<sup>9</sup> Mason, “Josephus and His Twenty-Two Book Canon,” 122.

<sup>10</sup> This point is made by Leiman, “Josephus and the Canon of the Bible,” 51.

<sup>11</sup> Satlow, *How the Bible Became Holy*, 245.

Jerusalem was likely the first time that he had possessed a copy of those books and that over the next two decades he worked his way through them and that his notion of authoritative scriptures “evolved and grew as a response to his participation in these circles [Roman intellectual circles].”<sup>12</sup>

There is much to commend Josephus’ obvious apologetic tone of this passage as he seeks not only to rebut Apion, but also all attempts to deny the antiquity of the Jews and their sacred literature. Leiman concludes here that Josephus was contending for the accuracy of the Bible as reliable history and not as sacred Scripture.<sup>13</sup> In fact, Josephus’ comment that “no one has ventured either to add, or to remove, or to alter a syllable” is simply without justification since “it is inconceivable that Josephus was unaware of the wide range of textual divergency that characterized the Hebrew, Greek, and Aramaic versions of Scripture current in first century Palestine.”<sup>14</sup> His considerable familiarity with the Essenes, which would include their broad collections of Jewish religious texts, would also dispel any limitation of the Jewish scriptures to twenty-two books. Also, although Josephus says that no Jew would change anything in the text of scripture, Mason points to Josephus’ own considerable inconsistency here since he himself regularly made changes in the text of the scriptures.<sup>15</sup>

How do we account, then, for such exclusive language about the contents and inviolability of the Hebrew Scriptures in Josephus? Leiman observes that this rhetoric has parallels in classical historiography and that Josephus need not be taken literally.<sup>16</sup> And in a later period, Maimonides (d. 1204) and Joseph Albo (fifteenth century) made similar statements in an apologetic context.<sup>17</sup> Feldman questions Josephus’ reliability even more than Leiman, noting several examples of his exaggerations and his bent toward propaganda, especially in the defense of Judaism.<sup>18</sup> After reviewing Josephus’ prejudices and inaccuracies, he concludes: “he is far from infallible.”<sup>19</sup> He adds that Josephus appears to be quite reliable in matters of topography and geography of the land of Israel and in matters of economics, but he is nonetheless a propagandist in regard to the defense of Judaism against the pagan intellectuals of his day.<sup>20</sup> Silver also agrees that Josephus is not always reliable and concludes from the *Against Apion* text that it reveals Josephus’ wish more than the actual state of affairs regarding the biblical canon current in his day.<sup>21</sup>

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<sup>12</sup> Ibid., 247.

<sup>13</sup> Leiman, “Josephus and the Canon of the Bible,” 51–52.

<sup>14</sup> Ibid., 52.

<sup>15</sup> Mason, “Josephus and His Twenty-Two Book Canon,” 126–27.

<sup>16</sup> Leiman, “Josephus and the Canon of the Bible,” 52–53.

<sup>17</sup> Ibid., 53.

<sup>18</sup> Feldman, “Introduction,” in Feldman and Hata, eds., *Josephus, the Bible, and History*, 17–49, gives several examples from Josephus to substantiate this point.

<sup>19</sup> Ibid., 46–47.

<sup>20</sup> Ibid., 47.

<sup>21</sup> Silver, *Story of Scripture*, 134.

Barr asks whether Josephus actually acknowledged a tripartite biblical canon. Even if the number of books found in Josephus' list is the same as in the present Jewish canon, the division of books in the Prophets and Writings clearly differs, possibly indicating that Josephus did not have a tripartite canon, but rather a two-part canon (Law and Prophets) which is characteristic of all first-century collections, save the one exception in Luke 24:44 noted earlier.<sup>22</sup> Mason agrees stating that it does not appear that Josephus was arguing for a biblical canon in this disputed text and adds that if one reads the rest of Josephus' writings, no one would conclude that he showed any interest in a closed biblical canon, and certainly not a tripartite biblical canon. He does think, however, that the text in question limits the sacred books to those written before Artaxerxes.<sup>23</sup> Similarly, Cross claims that Josephus "not infrequently over-stated his case in propagandizing a Greek-speaking audience," but grants that Josephus himself believed that the scope of the HB was a fixed entity in his day.<sup>24</sup>

Although Leiman claims that Josephus faithfully reported a standardized biblical canon that could be verified by any Roman reader of his time, he also recognizes Josephus' propensity for exaggeration and nevertheless claims: "Even if one allows for exaggeration on Josephus' part, he could hardly lie about the extent or antiquity of the canon; any Roman reader could inquire of the nearest Jew and test the veracity of Josephus's statement."<sup>25</sup> This test of veracity sounds plausible enough, but assumes that the "nearest Jew" would have known the contents of the biblical canon and that all Jews would have agreed on the matter. There is no evidence that the scope of the Jewish Scriptures was widely known or even discussed in the first century CE before the time of Josephus and *4 Ezra*. We have shown earlier that Josephus' perspective was not likely popular in Palestine in the first century CE, though the broad and undefined category of "prophets" was known along with the Pentateuch as Jewish Scripture.

What evidence exists that *all* Jews everywhere accepted the same books in their collection of sacred Scriptures? Were it true that all Jews everywhere agreed on the precise number and identity of the books that made up their Scriptures, one can only wonder why at the end of the second century CE Melito the bishop of Sardis could not find sufficient awareness of the scope of the Scriptures in his own community, when it had one of the largest synagogues and Jewish communities in that part of the ancient Greco-Roman world. Why did he feel the need to make a lengthy journey to the East (probably Jerusalem) to obtain this information? Had every Jew known the scope of their scriptures at that time, Melito could have simply crossed the road and asked the "nearest Jew," but he made a long trip to the East to clarify the matter. If, therefore, the number and books in the Jewish Scriptures were long settled for all Jews everywhere, and if the early Christians

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<sup>22</sup> Barr, *Holy Scripture*, 55.

<sup>23</sup> Mason, "Josephus and His Twenty-Two Book Canon," 125–26.

<sup>24</sup> Cross, *From Epic to Canon*, 205.

<sup>25</sup> Leiman, *Canonization of the Hebrew Scripture*, 34.

had received a biblical canon endorsed by Jesus, why would a well-known and distinguished bishop at the end of the second century not have known the number or specific books in the church's OT Scriptures? If Melito did not know the contents of the Jewish canon, how certain can we be that any Roman citizen could have verified Josephus' comments about the extent of the HB by asking the nearest Jew? That Jew might well have responded that the Scriptures were comprised of the Law and Prophets, but it is unlikely that "any Jew" could have listed all of the books in the second part of this collection. As we have seen already, Melito's collection of OT scriptures was not the same as the twenty-two-book or twenty-four book canons that emerged among the Jews in the latter part of the second century CE.

This is not to say that most surviving Jewish religious leaders from the first century (mostly Pharisees) rejected the Law of Moses, the Prophets, or books that later comprised the Writings as their Scriptures. Not at all, but so far as we can tell, and based on the Judaean Desert discoveries and the NT writings, *most* of the books in the later Law, Prophets, and Writings were already highly valued in the religious life of Jewish communities in the first century CE, but we do not know if the later Tanak books *alone* were in the categories Josephus names. The doubts noted above suggest questions about the status of Song of Songs and Ecclesiastes, Esther, and Ezekiel, but also Wisdom of Solomon and Sirach continued well into the second and third centuries CE. Books from all three of the later categories were revered for their sacredness, inspiration, and authority in both Jewish and Christian religious communities, but we cannot conclude from the surviving evidence that only these books, or a tripartite biblical canon, existed for all Jews *at that time*.

If a *tripartite* biblical canon, such as we see in the later listing of the Jewish Scriptures in *b. Baba Batra* 14b (see text in the next chapter) was in existence at the end of the first century, it is not clear from the sources that remain from that period and cannot be demonstrated from any known earlier sources. Since the early Christians received from their Jewish siblings their first sacred scriptures, and since they continued to use and cite several other books as Scripture in the second century and later, some of which became a permanent part of the biblical canons for Roman Catholics and Orthodox Christians, it is difficult to say that Josephus' list in *Ag. Apion* 1.37–43 carried the day or was even well known in the first century CE. Nevertheless, it appears that an emerging tripartite biblical canon was well on its way shortly thereafter.

Mason observes that Josephus' statement about prophecy having ceased in Israel ("because of the failure of the exact succession of the prophets") is the only way that we know that *Ag. Apion* 1.37–43 refers to a fixed biblical canon, especially since Josephus cites the *Letter of Aristeas* and 1 Maccabees in the same manner that he cites other biblical material as prophetic literature.<sup>26</sup> Josephus, it appears,

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<sup>26</sup> Mason, "Josephus and His Twenty-two Book Canon," 126.



is out of step with other contemporary open-ended or fluid Jewish scripture collections in the first century. It is not clear whether the residents at Qumran made a distinction between writers before and writers after Artaxerxes (i.e., the Ezra tradition), though some there may have reflected on a time when prophecy ceased (e.g., see above discussion of 1QS 9:10–11 but also 1QH<sup>a</sup> 20.11–12 in Chapter 5 §§ V and VI for examples of this). The same is true in early Christianity, as we see with the welcome of Sirach and other examples cited earlier, about their use of apocryphal and pseudepigraphal writings.

The freedom of the Jews at Qumran to add to or change the biblical texts also suggests that there was no universally accepted text of the scriptural literature in the first century CE. Mason agrees with Rudolf Meyer that Josephus' fixed biblical canon was not a widespread first-century Jewish perspective, but rather an "inner-Pharisaic view" that could only have come to prominence after 70 CE.<sup>27</sup> Since he elsewhere also refers to thirteen prophets,<sup>28</sup> it is clear that Josephus himself limited the number of prophets who were authoritative among the Jews:

As for the prophet [Isaiah], he was acknowledged to be a man of God and marvelously possessed of truth, and, as he was confident of never having spoken what was false, he wrote down in books all that he had prophesied and left them to be recognized as true from the event by men of future ages. And not alone this prophet, *but also others, twelve in number, did the same*, and whatever happens to us whether for good or ill comes about in accordance with their prophecies. (*Ant.* 10.35, LCL, emphasis added)

Josephus appears to be ahead of his time in terms of limiting the number of books in the Jewish sacred collection to twenty-two. Since there are no other clear parallels before him to this position, where did he get this view?

Cross suggests a possible Babylonian origin for Josephus' view on the scope of the Jewish Scriptures at the end of the first century.<sup>29</sup> During the Hasmonean era, many Diaspora Jews returned to their homeland from Syria, Babylon, and Egypt, bringing with them a variety of textual traditions of the Hebrew Scriptures. He observes that Hillel, the most creative and influential teacher of his day, immigrated from Babylon to Israel in the first century BCE, and successive generations of his students developed the "proto-rabbinic text" (first century CE) and a rabbinic recension (second century CE) of the Hebrew Bible.<sup>30</sup> To quell the confusion resulting from multiple textual traditions, the Tannaitic schools of

<sup>27</sup> Ibid., citing R. Meyer, "Bemerkungen zum literargeschichtlichen Hintergrund der Kanontheorie des Josephus," in *Josephus-Studien: Untersuchungen zu Josephus, d. antiken Judentum u. d. Neuen Testament: Otto Michel z. 70. Geburtstag gewidmet*, ed. Otto Betz, Klaus Haacker and Martin Hengel (Göttingen: Vandenhoeck & Ruprecht, 1974), 285–99, here 290.

<sup>28</sup> Josephus mentions at least fifteen prophets in his writings, so he may have coupled some of them together when he says "thirteen."

<sup>29</sup> Cross, *From Epic to Canon*, 213–18.

<sup>30</sup> This so-called Pharisaic-Hillelite recension became the parent of the ninth-century CE Masoretic Text.

Hillel and Shammai developed rules of interpretation and discussed a fixed text of Scriptures. This emphasis on fixing the text perhaps also prompted the rabbis – sometime between the Jewish revolts (i.e., between 66 CE and 132 CE) – to prefer the common Aramaic script (sometimes called “Assyrian” in ancient sources) over the Paleo-Hebrew script.<sup>31</sup>

Unlike other Jewish sects of the day (e.g., Essenes, Hellenistic-Jewish communities in Alexandria and Palestine, Samaritans, and Jewish-Christians), the Pharisaic tradition of Hillel was interested in a fixed text and canon of Scriptures,<sup>32</sup> and, according to Cross, Josephus’ Pharisaic tradition led him to adopt this tradition that had its origins in Hillel.<sup>33</sup> Cross suggests that Josephus’ understanding of the Hebrew Scriptures had a Babylonian origin. This origin appears to have support in the Babylonian Talmud. It reads: “When the Torah was forgotten in Israel, Ezra came up from Babylon and established it; and when it was once again forgotten, Hillel the Babylonian came up and reestablished it” (*b. Sukkah* 20a). A Babylonian origin for the rabbinic recension of the Hebrew Bible makes sense given Hillel’s homeland and his significant influence on Pharisaism in first-century Palestine. Even though Hillel and the Babylonian *baraita* (e.g., *b. Baba Batra* 14b–15a) are two primary examples of Babylonian influence on Israel, according to Cross the Babylonian Jewish community repeatedly “developed spiritual and intellectual leaders who reshaped the direction of Palestinian Judaism and defined its norms.”<sup>34</sup> If Cross’ suggestion is correct, the Pharisaic biblical canon – Josephus’ biblical canon – may plausibly be dated between the destruction of Jerusalem in 70 CE and the end of the first century when Josephus wrote *Against Apion* and *Jewish Antiquities*. Contra Josephus, however, this “canon and text did not immediately supplant other traditions or receive uniform acceptance even in Pharisaic circles.”<sup>35</sup>

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<sup>31</sup> The Paleo-Hebrew script survived from pre-exilic times, was revived during the Maccabean revolt against the Seleucid Empire, and was subsequently used on official Jewish seals and coins. It continued to be used at Qumran and is found in the manuscript tradition behind the Septuagint, in the divine name in manuscripts written in the Aramaic script, and in inscriptions found in the temple area in Jerusalem. The Mishnah contains a proscription against using a script other than Aramaic: “The [Aramaic] version that is in Ezra [4:8–7:18] and Daniel [2:4–6:28] renders the hands unclean. If an [Aramaic] version [contained in the Scriptures] was written in Hebrew, or if [Scripture that is in] Hebrew was written in an [Aramaic] version, or in Hebrew script, it does not render the hands unclean. [The Holy Scriptures] render the hands unclean only if they are written in the Assyrian character, on leather, and in ink” (*m. Yadayim* 4:5, quoted from H. Danby, *The Mishnah* [Oxford: Oxford University Press, 1933; repr., 1992], 784).

<sup>32</sup> Cross, *From Epic to Canon*, 215, argues that the fixation of the biblical text and the stabilization of the biblical canon were bound together in the canonical process.

<sup>33</sup> *Ibid.*, 221–25.

<sup>34</sup> Cross, *From Epic to Canon*, 217–18.

<sup>35</sup> *Ibid.*, 225.

In fact, some early Christians and Jews were open to other books produced in Israel after Ezra's time (including the Apocrypha and Pseudepigrapha), but they had little impact on Jews living in Babylon during the last two centuries BCE and the first century CE. The result is that the Jews at Qumran and the early Christians who had more in common with the Pharisees in the land of Palestine, had a longer list of sacred writings that originated on Palestinian soil and not in the Diaspora. On the other hand, the influence of Babylonian Jews likely played a significant role in the shorter list of Scriptures later adopted by rabbinic Judaism in the second century.

## II. 4 EZRA 14:19–48

*4 Ezra* (ca. 90–100 CE)<sup>36</sup> is a pseudonymous Jewish writing that was highly regarded by the early Christians who added material to the book and accepted it as sacred scripture and used it in their worship and instruction in the second century CE.<sup>37</sup> The book contains an important reference to a collection of sacred books among the Jews and deals with the question of why God delivered his people into the hands of their enemies.<sup>38</sup> The writer explains how Ezra miraculously recovered the Scriptures of Israel following the return of the Jews from Babylon through divine inspiration. The passage begins with Ezra's appeal to God for help in recovering the law of God, which included not only a collection of twenty-four books to be read by all Jews, but also an additional collection of seventy sacred writings reserved for those who were "wise among your people" (14:46). This passage gives a clear statement on the sacredness of both collections of writings. In *4 Ezra*'s seventh vision we read:

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<sup>36</sup> The identity of *4 Ezra* (also called 2 Esdras and "Apocalypse of Ezra") is quite confusing to biblical students and scholars alike. Bruce Metzger (in *OTP* 1:517) explains: "The treatise identified in Latin manuscripts as *4 Ezra* (*Esdrae liber IV*) comprises chs. 3–14 of an expanded form of the book traditionally included among the Apocrypha of English Bibles under the title 2 Esdras." In addition, modern scholars frequently identify portions of *4 Ezra* as 5 Ezra (= *4 Ezra* 1–2) and 6 Ezra (= *4 Ezra* 15–16). The confusion becomes even more challenging when the titles given to these works in ancient versions (especially the Septuagint and Vulgate) are compared with those in modern English Bibles. For helpful tables that clarify the relationship of the ancient Ezra material, see F. F. Bruce, *Canon of Scripture*, 47 n. 11; and Patrick Alexander et al., *The SBL Handbook of Style for Ancient Near Eastern, Biblical, and Early Christian Studies* (Peabody, MA: Hendrickson, 1999), 167.

<sup>37</sup> *4 Ezra* must be interpreted carefully because of its mixture of Christian and Jewish writings: a Christian introduction (*4 Ezra* 1–2) and epilogue (*4 Ezra* 15–16) were added to the original Jewish core text (*4 Ezra* 3–14), which was written around the end of the first century (ca. 85–95 CE) and possibly in the early part of the second century CE.

<sup>38</sup> See Metzger in *OTP* 1:520–21.

"If then I have found favor with you, send the holy spirit into me, and I will write everything that has happened in the world from the beginning, the things that were written in your law, so that people may be able to find the path, and that those who want to live in the last days may do so."

He [God] answered me and said, "Go and gather the people, and tell them not to seek you for forty days. But prepare for yourself many writing tablets, and take with you Sarea, Dabria, Selemia, Ethanus, and Asiel – these five, who are trained to write rapidly; and you shall come here, and I will light in your heart the lamp of understanding, which shall not be put out until what you are about to write is finished. And when you have finished, *some things you shall make public, and some you shall deliver in secret to the wise*; tomorrow at this hour you shall begin to write."

Then I went as he commanded me, and I gathered all the people together, and said, "Hear these words, O Israel. At first our ancestors lived as aliens in Egypt, and they were liberated from there and received the law of life, which they did not keep, which you also have transgressed after them. Then land was given to you for a possession in the land of Zion; but you and your ancestors committed iniquity and did not keep the ways that the Most High commanded you. And since he is a righteous judge, in due time he took from you what he had given. And now you are here, and your people are farther in the interior. If you, then, will rule over your minds and discipline your hearts, you shall be kept alive, and after death you shall obtain mercy. For after death the judgment will come, when we shall live again; and then the names of the righteous shall become manifest, and the deeds of the ungodly shall be disclosed. But let no one come to me now, and *let no one seek me for forty days*."

So I took the five men, as he commanded me, and we proceeded to the field, and remained there. And on the next day a voice called me, saying, "Ezra, open your mouth and drink what I give you to drink." So I opened my mouth, and a full cup was offered to me; it was full of something like water, but its color was like fire. I took it and drank; and when I had drunk it, my heart poured forth understanding, and wisdom increased in my breast, for my spirit retained its memory, and my mouth was opened and was no longer closed. Moreover, the Most High gave understanding to the five men, and by turns *they wrote what was dictated, using characters that they did not know. They sat forty days*; they wrote during the daytime, and ate their bread at night. But as for me, I spoke in the daytime and was not silent at night.

So *during the forty days, ninety-four books were written. And when the forty days were ended*, the Most High spoke to me, saying, "*Make public the twenty-four books that you wrote first, and let the worthy and the unworthy read them; but keep the seventy that were written last, in order to give them to the wise among your people.* For in them is the spring of understanding, the fountain of wisdom, and the river of knowledge." And I did so. (NRSV, emphasis added)

There are obvious similarities between this passage and the *Letter of Aristeas*. Both focus on the miraculous origin of the Scriptures and the divine activity involved in their translation *or* preservation. Also, the similarities between Ezra and Moses is also clear: God speaking directly to him and calling his name twice *from a bush* and both Ezra and Moses standing when God spoke to them, and their response, "Here I am" (14:1–3; cf. Exod 3:1–4), as well as the period of *forty days* for the time of revelation from God (14:44 cf. Exod 24:18 and 34:28). As with Josephus, the author of *4 Ezra* does not identify the particular books in his twenty-four-book collection or those in the additional seventy-book collection, but it is likely that the former included most of the books mentioned in Josephus, if not the same as those in *Ag. Apion* 1.38 but following the Greek alphabet number. The seventy others, or many of them, are probably among those that are now identified

as apocryphal and pseudepigraphal texts, and they “are reserved for the wise.” This passage also shows that for the pseudonymous author of this text, the Spirit’s activity had not ceased in Israel and that its activity was not limited to the twenty-four-book canon of later Rabbinic tradition and that revelation and prophecy had not ceased, as we see in the “seventy.”<sup>39</sup>

While this is the first *known* time the number twenty-four was used in reference to Jewish sacred Scriptures (14:44–45), this is also the first mention of the seventy others and they raise considerable scholarly debate.<sup>40</sup> They were also a result of the inspiration given to Ezra and were reserved for the wise among them. The first time the twenty-four books are identified and listed is in *b. Baba Batra* 14b and the second time is in *b. Ta’an* 8a, though not the number itself. The listings include of the Prophets and Writings plus the “book of Moses.”

Both Josephus and the author of *4 Ezra* speak of a limited collection of sacred books at the end of the first century CE.<sup>41</sup> It is highly probable but by no means certain that by the time *4 Ezra* was written the twenty-four-book collection included the Law of Moses at its core (*4 Ezra* 14:22, 30) and most, if not all, of the Prophets and Writings. Also, it appears that the twenty-four books were already settled, but the mention of the seventy others was to commend them for acceptance also. Most of those sacred writings likely formed the Jewish Scriptures for most first-century Jews, though we cannot be certain about this until the specific books are identified later in the mid-to-late second century. The twenty-four are settled and identified by 150–180 CE in the *b. Baba Batra* 14b–15a text, but the seventy are never identified. The number twenty-four, like the twenty-two for Josephus, was based on the number of letters in the Hebrew alphabet and the books were configured and combined in various ways that allowed others to be included in that number if deemed necessary and some to be excluded. Both numbers reflected the divine origin of the corpus of the writings that were available to all persons. It could well be that *4 Ezra*’s reference to the “twenty-four” books are what that author already acknowledged as widely accepted Jewish scriptures and the “seventy” were what he hoped would also be included among them.

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<sup>39</sup> Satlow, *How the Bible Became Holy*, 261, 267.

<sup>40</sup> For a helpful summary of the numbers in the passage as well as their identity, see Michael E. Stone, *4 Ezra*, Hermeneia (Minneapolis: Fortress, 1990), 437–42, plus his discussion of inspiration on 119–20; see also his introduction to ch. 14 on 410–13; and Satlow, *How the Bible Became Holy*, 260–62, 267. According to 14:21, “the law” referred to all of the Jewish sacred scriptures. Satlow adds that “the rabbis had an expansive understanding of ‘Torah’.” For these rabbis, ‘Torah’ meant the divine will, how it is that God wants his people to behave” (267). See also Timothy Lim’s similar discussion of this passage in *Formation of the Jewish Canon*, 49–50.

<sup>41</sup> It is interesting that in his *De mensuris et ponderibus* 5, Epiphanius of Salamis (315–403) lists twenty-two books and seventy-two “apocryphal” books that combine to make up the same number of 94 books that we see in *4 Ezra*. He does not mention *4 Ezra*, but appears familiar with the 94, which is only mentioned elsewhere in *4 Ezra* 14:44.

Earlier we saw that neither of these numbers, twenty-four or twenty-two, are the actual number of books included in the HB, but both were reached by several various combinations of books to arrive at these holy numbers among the Greeks and the Jews. Since the specific books are not identified in either Josephus or by the author of *4 Ezra*, their precise identity is still uncertain, and we are unsure about the status of Sirach in either collection, though Sirach continued to be widely accepted as scripture among some Jews for centuries.

The author of *4 Ezra* distinguishes between the twenty-four books that everyone can read and the seventy books that are reserved for “the wise among your people” and adds that in the “seventy” is found “the spring of understanding, the fountain of wisdom, and the river of knowledge” (14:46–47). It is easy to surmise that the seventy books were also held in equally high esteem for some first-century Jews along with the twenty-four books since this text indicates that all ninety-four books were received by Ezra through the presence of the Holy Spirit at the same time and place (14:22) and over a *forty-day* period (14:23, 36, 42, 44, 45).<sup>42</sup> The division between the twenty-four and the seventy books parallels later distinctions between canonical and apocryphal (or deuterocanonical) writings that were read for catechetical and devotional purposes. Barton argues that the author here, while acknowledging the widespread acceptance of the twenty-four, claims inspiration also for the seventy that were reserved “for the wise.” This was his way to promote the divine inspiration of additional books as well as make the case for their antiquity.<sup>43</sup> He concludes: “The theory that Ezra had been told to conceal it [the seventy books] was part of the fiction by which it could be promoted as hidden lore from the remote past. The fiction enables the author to claim the most superlative authority for works which had not been known to past generations, by invoking a divine decision which had led to their being hidden.”<sup>44</sup>

Earlier in *4 Ezra*, the author claims that God interpreted Ezra’s dream saying:

This is the dream that you saw and this is its interpretation. And you alone were worthy to learn this secret of the Most High. Therefore write all these things that you have seen in a book, put it in a hidden place; and you shall teach them to the wise among your people, whose hearts you know are able to comprehend and keep these secrets. (*4 Ezra* 12:36–38)

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<sup>42</sup> The number forty in the Bible typically focuses on the presence and activity of God: forty days of flooding on the earth (Gen 7:17), Moses on Mount Sinai for forty days (Exod 24:18), the children of Israel in the wilderness for forty years (Exod 16:35), Elijah on Mount Horeb for forty days (1 Kgs 19:8), Jesus’ temptation in the wilderness for forty days (Mark 1:13), and post-resurrection appearances of Jesus for forty days (Acts 1:3). Stone lists the possibilities for identifying the “70” other books, noting that some rabbis and modern scholars believed that this was a reference to the tractates of the Mishnah or the Jewish Oral Law. But that is highly improbable. For a discussion of this see Stone, *4 Ezra*, 441.

<sup>43</sup> Barton, *Oracles of God*, 64–66, 283 n. 71.

<sup>44</sup> Ibid., 283.

The pseudonymous author claimed divine inspiration not only for the twenty-four, but also for his own book, like the seventy books mentioned in 14:46 – or perhaps his own book was one of the “seventy.” The author of this work would no doubt have known the tradition that prophecy had ceased and hence chose to imitate Ezra, a well-known figure from the past who lived before the cessation of prophecy began in order to defend probably the inspiration of his book and that of the other apocryphal and pseudepigraphal books. Because several of the apocryphal and pseudepigraphal books were identified with biblical figures who preceded Moses, the author may have thought that the seventy had more authority than even the books attributed to Moses.

There is no way to know with certainty whether the collection referred to in *4 Ezra* included Esther, Ruth, Lamentations, Ezekiel, Ecclesiastes, or Song of Songs, the books more commonly disputed in the rabbinic tradition, nor whether Wisdom of Solomon and Sirach were excluded. It is best to be cautious about the scope of *4 Ezra*’s twenty-four-book canon or what was in the seventy since no evidence allows for specificity. Nothing prior to the second century CE identifies the books that made up the sacred writings in any of the sects of Judaism at the turn of the era. Some of the books in *4 Ezra*’s “seventy” books probably overlap with the wider collection of books discovered at Qumran, some of which circulated in some early Christian churches, but nothing specific can be said about the *4 Ezra* collection. Of course, since the books are not identified in *4 Ezra*, this is in large measure guesswork. However, *4 Ezra* does illustrate a late first century move toward a restricted collection of sacred scriptures in Palestine.

### III. JUBILEES 2:23–24

In earlier treatments of Josephus’ twenty-two-book canon I suggested that Josephus might have drawn on an earlier source that emphasized the number twenty-two. However, the earliest known manuscript of Jubilees<sup>45</sup> (*Jub.* 2:23–24) discovered at Qumran does not mention twenty-two sacred books in connection with the number of the nation’s sacred writings. It reads as follows:

There were twenty-two chief men from Adam until Jacob, and twenty-two kinds of works were made before the seventh day. The former is blessed and sanctified, and the latter is also blessed and sanctified. One was like the other with respect to sanctification and blessing. And it was granted to the former that they should always be the blessed and sanctified ones of the testimony and the first law just as he had sanctified and blessed the sabbath day on the seventh day. (*Jub.* 2:23–24, *OTP* 2:57)

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<sup>45</sup> According to O. S. Wintermute in *OTP* 2:43–44, the earliest possible date for this book is around 161–140 BCE.

There is nothing specific in the above original text of *Jubilees* about a twenty-two-book biblical canon, but in a late fourth- or fifth-century quotation of *Jubilees*, Epiphanius of Salamis, *On Weights and Measures* (ca. 315–403 CE), cites this book and refers to a twenty-two-book collection of Jewish Scriptures along with several other important twenty-two number groupings in the Jewish traditions. The relevant part of the Epiphanius text reads as follows: “As there were twenty-two letters *and twenty-two books* and twenty-two chief men from Adam until Jacob, so twenty-two kinds of works were made before the seventh day” (emphasis added). R. H. Charles suggested that Epiphanius had recovered the original text of *Jubilees* and argued that he drew directly on an early form of *Jubilees* to justify his own twenty-two-book OT canon.<sup>46</sup>

Beckwith suggests that, according to Eusebius, Origen knew the twenty-two-book tradition referred to in *Jubilees*. He cites Eusebius who wrote: “Now while expounding the first Psalm he [Origen] set forth the catalogue of the sacred Scriptures of the Old Testament, writing somewhat as follows in these words: ‘But it should be known that there are twenty-two canonical books, according to the Hebrew tradition; the same as the number of the letters of their alphabet’” (Eusebius, *Hist. eccl.* 6.25.1–2). Beckwith’s assertion that Epiphanius cited an earlier form of the text of *Jubilees* is, of course, difficult to prove, but it supports his view that Origen knew this tradition from *Jubilees* and he argues that it is “hard to believe that so learned a man as Origen was ignorant of the book [of *Jubilees*].”<sup>47</sup> Beckwith supports his conclusion by referring to similar wording in the Epiphanius text found in two late sources: Symeon Logothetes (a tenth-century CE manuscript in Constantinople) and George Syncellus (ca. 800 CE).<sup>48</sup> These three textual traditions *could* be dated as early as the first century BCE or CE, and if so they might well suggest that there was a twenty-two-book canon notion in the second century BCE. However, because of the many “ifs” that have to fall into place before this scenario is taken seriously, we must be cautious. The major problem with Beckwith’s position is the difficulty of situating the notion of a fixed scriptural canon some 200 or 250 years before anyone else was talking about the matter!

VanderKam is more likely correct in his challenge of Beckwith when he asserts that the earliest Qumran text of *Jubilees* has in it nothing about twenty-two books. More to the point, he adds that there is no space in the Qumran text for these words, which are also lacking in the earliest Ethiopic manuscripts. He concludes: “The simple fact is that no text of *Jubilees* – whether Hebrew, Syriac, or Ethiopic – contains these words.”<sup>49</sup> Although it is possible that Josephus used an unknown early source for numbering his twenty-two-book biblical canon, we cannot prove this from a textual variant in *Jubilees* recovered from Epiphanius in

<sup>46</sup> Ibid., 2:57 n. y; Beckwith, *Old Testament Canon*, 237–40, and R. H. Charles, *The Book of Jubilees or the Little Genesis* (London: Oxford University Press, 1902), lxxvii–lxxx.

<sup>47</sup> Beckwith, *Old Testament Canon*, 263 n. 9.

<sup>48</sup> Ibid., 236–37.

<sup>49</sup> VanderKam, *Revelation to Canon*, 18–19.



*the late fourth* or early fifth century CE. It seems more reasonable to assume an imprecise understanding in both Judaism and early Christianity about the scope of their biblical canons at the end of the first century CE. However, Josephus' awareness that each book of Homer's *Iliad* and *Odyssey* is divided into twenty-four parts following the number of letters in the Greek alphabet is more likely to be the source of Josephus' twenty-two book list following the Hebrew alphabet. He adopted this pattern to show the superiority of the Jewish scriptures and that they were complete in his twenty-two book collection by various book combinations that for him were superior to the books represented in the Greek alphabet (Homer). It is obvious from the first part of *Against Apion*, where he shows considerable awareness of Homer, that he chose to contrast the Jewish Scriptures with Homer and employed the letters of the alphabet to make the comparison and contrast. Since a comparison of Judaism with Homer is a part of the context of *Against Apion*, it is not an unreasonable suggestion.

Josephus' canon consciousness, that is, his notion of a limited collection of Jewish scriptures, tied to the number of books in the Hebrew alphabet, appears to have emerged first in Judaism in the late first century CE. This emergence, however, does not necessarily reflect a widespread acknowledged biblical canon for first-century Jews, but it may reflect an emerging Pharisaic biblical canon that takes root at that time and gains widespread acceptance among rabbinic Judaism later. However, no one else makes Josephus' point in the same way at the end of the first century, but as we have seen, the widely known use of the Greek alphabet in sacred Greek texts also likely influenced the author of *4 Ezra*. Further, as we saw earlier, the way that Josephus' scripture collection is divided does not fit easily with the later tripartite canon of the later HB. His aim of tying the number of the Jewish Scriptures to the number of letters in the Hebrew alphabet appears to be drawn from the Hellenistic precedent of Homer's writings identified by the number of letters in the Greek alphabet. Earlier, this practice can be seen in the division of some of the Psalms by letters in the Hebrew alphabet, especially Ps 119, which is structured around the 22 letters of the Hebrew alphabet. This may be the precedent for Josephus' selection of the number twenty-two for the number of sacred books for the Jews books to include, and probably the most overlooked parallel.

#### IV. THE BRYENNIOS CANON

A strange list of twenty-seven canonical HB books occurs in a Greek manuscript dating ca. 1056 CE that was copied in transliterated Greek reflecting Aramaic and Greek names of the HB books.<sup>50</sup> It was discovered in 1875 and is commonly

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<sup>50</sup> This list is reproduced by Leiman, *Canonization of the Hebrew Scripture*, 43, who follows Jean-Paul Audet, "A Hebrew-Aramaic List of Books of the Old Testament in Greek Transcription," *JTS* NS 1, no. 2 (1950): 135–54, here 136. See also discussions of this list in F. F. Bruce, *Canon of Scripture*, 71–72; and Beckwith, *Old Testament Canon*, 188–90.

known as the “Bryennios Canon.” The original form of the list may date between the late first and early second centuries CE, but possibly later if some scholars are correct. If the list has earlier roots, this would be a specific list of sacred books close in time to the listing of sacred books in *b. Baba Batra* 14b (Chapter 11 §II.A), and would suggest that a broader Jewish community (Jewish-Christian?) had come to an agreement on the scope of their scriptures. The Bryennios list, also identified as the “Jerusalem MS,” has *twenty-seven* books, but the books are essentially the same as the twenty-four books in the HB biblical canon, though not coupled the same way. It is similar to but less polished than the late fourth- or early fifth-century CE list produced by Epiphanius and since Epiphanius follows a later traditional order of books, Bryennios quite possibly antedates it.<sup>51</sup> Little is known of this text’s background, but because it closely matches the contents (though not the order) of books in the second-century Hebrew Bible (*b. Baba Batra* 14b), several scholars believe that it has a Jewish origin, perhaps from the first half of the second century. Oddly, the names in the list are in both Aramaic and Greek, with several misspellings in the transliterations. As noted above, the Bryennios Canon also has a strange sequence of books. We cannot be sure if some modifications were made in this text that appeared later in its transmission, but its contents appear to be at home in the early to middle second century CE. The list is as follows:

Genesis	1–2 Chronicles
Exodus	Proverbs
Leviticus	Ecclesiastes
Joshua	Song of Songs
Deuteronomy	Jeremiah + Lamentations
Numbers	the Twelve
Ruth	Isaiah
Job	Ezekiel
Judges	Daniel
Psalms	1–2 Esdras <sup>52</sup>
1–2 Samuel	Esther
1–2 Kings	

The list has several anomalies in it such as the break up of the books of the Pentateuch, putting Joshua after Leviticus and before Deuteronomy, followed by Numbers, and Ruth and Job following Numbers and disconnected from Judges, and other peculiarities. While it appears to be a Jewish canon list, it could well

<sup>51</sup> Because of the significant overlap in Aramaic and Greek transliterations, translation of the names, and in several other parallels, Audet contends that Epiphanius’ lists in his *De Mensuris et Ponderibus* 3–5 and 22–23 are quite similar to the Bryennios list, but not dependent on it. Both, he suggests, depend on a common earlier source.

<sup>52</sup> An explanation of the adoption of these writings that were first produced in Hebrew and subsequently translated into Greek is discussed in Audet, “Hebrew-Aramaic List,” 150–54. He acknowledges “there is no satisfactory explanation of the origin of Greek Esdras...” (151).

be a Jewish *Christian* list since it is unlikely that the rabbis would have divided the Pentateuch in the way done here. Beckwith may well be right that, although many date this document in the late first or early second century CE, it is probably later and reconstructed in the Christian community.<sup>53</sup> Beckwith includes a helpful diagram of the three canon lists of Epiphanius along with the Bryennios manuscript showing the several parallels in the lists, e.g., Isaiah following the Twelve (Minor Prophets) in all four lists and all four end with 1 and 2 Esdras and Esther. If the dating is as it seems to be, namely early second century CE, this list appears to support an early Jewish listing of the Jewish Scriptures that is roughly similar to that which later obtained canonical status among the Jews. See the parallels with Epiphanius in Chapter 9 §V.A.7.

## V. 1 ENOCH: A CHALLENGING EXCEPTION

In his fairly detailed discussion of the closure of the canon, Beckwith argues that Jews from the second century BCE distinguished in practice and theory between the OT canonical books and the later apocryphal and pseudepigraphal books. He insists that only the canonical OT Scriptures were those believed by the various Jewish sects of that day – including Jesus and his earliest followers – to be inspired by God and sacred Scripture. His argument that apocryphal and pseudepigraphal writings were not accepted as inspired Scripture by either the Jews or the Christians forces him to find a way to interpret Jude's citation of *1 En.* 1:9. He does not establish a clear understanding of how noncanonical writings were used or cited in the NT, but rather he distinguishes between accepting a text as authoritative and accepting it as Scripture acknowledging that on occasion the canonical and apocryphal texts appear to be cited similarly.<sup>54</sup> He is less convincing, however, when discussing the use of or reference to apocryphal and pseudepigraphal literature in the developing Christian communities. For example, in his discussion of Jude's citation of *1 En.* 1:9 and probably also Jude's use of the *Assumption of Moses* (Jude 14–15), Beckwith argues that Jude saw this literature merely as edifying, but not as sacred Scripture.<sup>55</sup> However, his reasoning does not show an awareness of how prophetic literature was understood in antiquity or how Jude appealed to *1 Enoch* as one who has "prophesied." Prophets who are inspired by the Spirit prophesy. Jude bases his warning of judgment on the reliability and inspiration of *1 Enoch*. Is there any example of a writing classified

<sup>53</sup> Beckwith, *Old Testament Canon*, 188–92. Audet, "A Hebrew-Aramaic List of Books," suggests that the list probably depends on a Syrian Targum in the first half of the second century CE, and not a Jewish Christian source, but that presents problems in trying to account for Esdras A and Esdras B in a Jewish listing. It is more likely that it depends on an early Jewish list that may have found its way into a Jewish-Christian text.

<sup>54</sup> Beckwith, *Old Testament Canon*, 16–19, and especially 389–400, where he acknowledges the apparent "authoritative" use of this noncanonical literature in the early church fathers.

<sup>55</sup> *Ibid.*, 401–5.

as prophetic that was not considered divinely inspired Scripture? That is what Scripture is.<sup>56</sup> Beckwith concludes that “if Jude had selected two such edifying stories from books which he may even have regarded as otherwise unedifying, this would neither have impugned his own authority nor have conferred authority upon the pseudonymous apocalypses from which he drew.”<sup>57</sup> However, on the contrary, when Jude claims that Enoch prophesied, he at the same time also conferred authority on a later recognized pseudonymous document, namely, *1 Enoch*. Beckwith and other scholars have a reluctance to acknowledge that the NT writers appealed to or made use of pseudonymous writings (i.e., the Pseudepigrapha) to understand and present their case about the Christian faith, but the fact remains that Jude used *1 Enoch* to argue his case for right living. It is appropriate here to list some of the prominent uses of and references to *1 Enoch* as scripture in early Christianity that show how the book is used, not simply as illustrative material, but also as sacred Scripture.<sup>58</sup>

### A. Enoch in Patristic Literature<sup>59</sup>

1. *Epistle of Barnabas* 4.3 (ca. 130–150 likely from Alexandria) has parallels with *1 En.* 89:61–64 and 90:17 making use of the scriptural formula “it was written, as Enoch says” (Grk. οὗ γέγραπται, ὡς Ἐνὼχ λέγει); see also *Ep. Barnabas* 16:4–6 that has a summary of *1 En.* 89:56 (see also 89:57–74) and 91:13.
2. *Apocalypse of Peter* (ca. 100–110, possibly Egypt) 2–8 (*1 En.* 108:7–9; 106:2, 10; 61:9–11; 53:3).
3. *Odes of Solomon* (ca. 100–125, Northern Israel or Syria). The Odists seem to have had some familiarity with several Jewish noncanonical writings as

<sup>56</sup> Davies, *Scribes and Schools*, 164–65, acknowledges the sacred status of *1 Enoch* and concludes, “The Enoch writings are a distinct, continually evolving corpus which would readily define on my terms as a canon. The final fivefold structure has been suggested as an imitation of the Mosaic canon... Like an early collection of Daniel stories, Enoch is an Aramaic canon.”

<sup>57</sup> Beckwith, *Old Testament Canon*, 405.

<sup>58</sup> The following examples, both positive and negative references to *1 Enoch*, are in McDonald, “*Parables of Enoch* in Early Christianity,” 357–61.

<sup>59</sup> The following collections of parallels in word and thought are familiar to most Enoch scholars and are found listed variously in H. J. Lawlor, “Early Citations from the Book of Enoch,” *Journal of Philology* 25 (1897): 164–225; R. H. Charles, ed., *The Apocrypha and Pseudepigrapha of the Old Testament*, 2 vols. (Oxford: Clarendon, 1913), 2:163–85; R. H. Charles, *The Book of Enoch* (Oxford: Clarendon, 1912); Emil Schürer, *History of the Jewish People in the Age of Jesus Christ*, rev. ed. (Edinburgh: T. & T. Clark 1986), 3:250–68; J. C. VanderKam, “1 Enoch, Enochic Motifs, and Enoch in Early Christian Literature,” in *The Jewish Apocalyptic Heritage in Early Christianity*, ed. James C. VanderKam and William Adler (Assen: Van Gorcum; Minneapolis: Fortress, 1996), 33–101; and Gabriele Boccaccini who discusses the role of the *Parables* and their influence in early Christianity in his “Finding a Place for the Parables of Enoch within Second Temple Jewish Literature,” in *Enoch and the Messiah Son of Man: Revisiting the Book of Parables*, ed. Gabriele Boccaccini (Grand Rapids: Eerdmans, 2005), 263–89.

well as with some early Christian apocryphal writings. As in the case of NT writings, except for Jude 14, the Odist never directly cites or quotes by name or as “scripture” any apocryphal or pseudepigraphal literature, and the several parallels suggest that the Odist was familiar both with the canonical Psalms and several Old Testament books, including also *1 Enoch* as well as the *Palms of Solomon* (cf. *Ps. Sol.* 14 and *Ode* 11:12, 16, 18 and 38:17; see also *Ps. Sol.* 15 and *Ode* 37:2 and 41:16; *Ps. Sol.* 18:12–14, cf. *Ode* 16:13). In the case of *1 Enoch*, it is possible that *1 En.* 48:1–10 influenced the description in *Ode* 30 of a living spring (of wisdom) and an exhortation for all who are thirsty to come and drink. (Compare also *1 En.* 48:2–10 with *Ode* 36:1–3.)<sup>60</sup> On the other hand, it is also possible that the *Odes* influenced the subsequent author of the *Ascension of Isaiah*.<sup>61</sup>

4. Justin Martyr’s (ca. 100–165, Neapolis near Samaria, Ephesus, Rome) *1 Apologia* 2:5 likely depends on *1 En.* 7; 8:9; 15:8, 9.<sup>62</sup>
5. Tatian (ca. 110–72, Rome and Antioch), *Oratio adv. Graecos* 18.20 (cf. *1 En.* 8:3; 6:6; 15:8, 9) likely also used the *Watcher* story with parallels in *1 En.* 6–16 calling demons angels.
6. Athenagoras (fl. ca. 170–180, Athens), *Legatio pro Christianis* 24, 25 (cf. *1 En.* 6, 7, 13:5; 15:3, 8, 10; 60:15–21).
7. Minucius Felix (late second or third century, North Africa), *Octavius* 26 (*1 En.* 8; 15:8–12; 16:1; 19:1).
8. Irenaeus (ca. 130–200, Bishop of Lyons), *Adv. Haer.* 1.2.1 (*1 En.* 10:13–14); 1.8.17 (*1 En.* 7:1; 8:1); 4.16.2 (*1 En.* 12:4–6; 13; 14:3–7; 15; 16); 4.36.4 (*1 En.* 10:2); 4.58.4 (*1 En.* 7:1); 5.28.2 (*1 En.* 15:3; 99:7; 19:1); 5.5.1, plus 1.15.6 (*1 En.* 8:1; cf. 10:8); *Adv. Haer.* 4.36.4 draws on *1 Enoch* re: angelic rebellion. *Adv. Haer.* 4.16.2 (cf. *1 En.* 12.13, 6ff., 10). See also 4.36.4 where Irenaeus understood Gen 5:21–24 and 6:1–4 in light of *1 Enoch*.
9. Clement of Alexandria (ca. 150–215), *Eclogae prophetarum* 2.1, 53; 3.456 (*1 En.* 19:3); 3.474 (*1 En.* 8:2–3); Strom 3.9 (*1 En.* 8; 16:3).
10. Tertullian (ca. 160–225, Carthage), *Apol.* 22 (cf. *1 En.* 15:8, 9); *De cultu feminarum* 1.3.1 (*1 En.* 8:1, 3); 2.10 (*1 En.* 8:1); *De Idolatria* 4, 15 (*1 En.* 19:1; 99:6–7); 9 (*1 En.* 6; 14:5), 15; *De Virg. Veland.* 7 (*1 En.* 6; 14:5; see also *De Anima* 50).
11. Hippolytus (ca. 170–236, Rome), *De Christo et Antochristo* 43–47; *Or. adv. Graecos* (cf. *1 En.* 22:3; 21:1).

<sup>60</sup> See J. H. Charlesworth, “Odes of Solomon,” *OTP* 2:732–33, for a description of these parallels.

<sup>61</sup> Ibid. Charlesworth draws attention to four comparisons, namely, compare *Asc. Isa.* 4:6 with *Ode* 38:10 which focuses on the Deceiver imitating the Beloved; compare also *Asc. Isa.* 7:10 with *Ode* 34:4 in its cosmological perspective; compare *Asc. Isa.* 9:12–18 with *Ode* 22:1 on the identification of the “Beloved” and references to crowns and garments; and finally compare *Asc. Isa.* 11:2–5 with *Ode* 19:8f. on the lack of needing a mid-wife and the *Ascension of Isaiah* claiming that in the birth of Jesus, Mary had no pain.

<sup>62</sup> I owe this observation to George Nickelsburg, “Enoch,” *ABD* 2:516.

12. Zosimus of Panopolis (d. 418, bishop of Rome from 417) quoted in Syncellus (ca. 800 CE, *Chronography* 1, 1, 42 (cf. *1 En.* 6–8). *1 Enoch* is mentioned several times in the surviving fragments of this Western work.
13. *Gospel of Nicodemus* 25 (= *Acts of Pilate*, ca. fourth cent., though possibly rooted in second-cent. traditions instead of *1 Enoch*).
14. *History of Joseph the Carpenter* (fourth–fifth cent., Egypt), 30–32.<sup>63</sup>
15. Julius Africanus (ca. 237–40, Nicopolis, Edessa, Alexandria), *Chronographia* (*1 En.* 7:1; 8:1, 2, 3; 10:1ff.).
16. Origen (ca. 185–254, Alexandria and Caesarea), *Cels.* 5.52, 54–55; *De Principiis* 1.3.3; 4.4.8; 4:35 (cf. *1 En.* 21:1; see also *In Numeros homilia* 28.2; and *In Johannem* 6.42). Origen initially accepted *1 Enoch* as scripture (see *De Princ.* 1.3; 4.35), but later rejected the Enochic writings. The earlier acceptance implies that Enoch was regularly read in some churches. After his death, orthodox writers seldom referred to Enoch for more than two centuries, though Lactantius and Eusebius in the fourth century are the primary exceptions. It is not certain when the Enochic writings were specifically excluded as scriptural documents *by name*, but after Origen there are few *positive* citations of the Enochic literature in church literature, although *1 Enoch* has continued as Scripture in the Ethiopian biblical canon.
17. *Sixty Books*. *1 Enoch* is listed in the second place of some twenty-five apocryphal (rejected) writings in the *Catalogue of Sixty Canonical Books* (seventh cent. CE) and it stands first in the apocryphal (rejected) section in the *Stichometry of Nicephorus* (ca. mid-ninth century CE). The listing of this book as late as the seventh and ninth centuries, even in a rejected or apocryphal listing, suggests that the Enochic writings were still welcome in *some* Christian communities even at that late date. Why else would books be listed as rejected books if no one was still using them? We should note that the survival of the *Parables* only in the Ethiopian Ge'ez language and only partially or fragmentarily in Greek after the fourth century CE suggests that the document largely ceased functioning in the Greek-speaking Christian communities as a sacred or canonical text at the latest in the fourth century, and possibly in the third following Origen. On the other hand, the fact that *1 Enoch* is still listed in these late listings of sacred and apocryphal books suggests its continuing history in the ancient churches.
18. *Acta SS. Perpet. et Felic.* 7, 8, 12 (cf. *1 En.* 22:9; 14:8–17; see possibly also 24:3–4).
19. Commodian (ca. 250, Africa and Palestine), *Instructiones* 1.3 (*1 En.* 6.1, 2; 14:5; 1:9; 13:2; 10:4 ff.; 12; 7:2; 8:1; 19:1; 15:6; 19:1). His works were deemed apocryphal in the *Decretum Gelasianum* (ca. 492–96).
20. Cyprian (ca. 250, d. 258), *De Hab. Virg.* 14 (cf. *1 En.* 8:1ff.).

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<sup>63</sup> I owe this observation to Elliott, ed., *Apocryphal New Testament*, 111–17.

21. Pseudo-Cyprian (mid- to late third century, Carthage), *Ad Novatianum* (1 En. 1:9) which uses the scriptural designation: “*sicut scriptum est*” suggesting that 1 Enoch was on par with other canonical Scriptures.
22. *Clementine homilies* (fourth cent.) 8:12 (cf. 1 En. 6:1–19:1).
23. Lactantius (ca. 320), *Inst.* 2.14; 3.15 (cf. 1 En. 14:5–7; 69:4; 7:1; 54:6; 15:8–11; 16:1; 19:1); 4.27; 5.18 (1 En. 19:1); 7.7 (1 En. 22); 7.16 (1 En. 80:2); 7.19 (1 En. 90:19; 91:12; cf. 54 and 63); 7.24 (1 En. 10:17ff.); 7.26 (1 En. 48:9).
24. Anatolius (bishop of Laodicea, ca. 310, and teacher of Lactantius, d. ca. 282) referred to by Eusebius (*Hist. eccl.* 7:32.19) (cf. 1 En. 72:6–8, 31, 32); but in his *Disputations* 2.17 rejects the book of Enoch.<sup>64</sup>

By the fourth century CE, 1 Enoch is largely rejected as a scriptural book, but not completely. Even where it is rejected as scripture, the rejections suggest that some Christians were still reading the book. Beckwith's view of 1 Enoch does not appear reflective of the views of it in the early churches where many accepted it as *Scripture*, including Jude. Beckwith does not show familiarity with how 1 Enoch was used and cited in early Christianity for the first three centuries especially and in isolated places thereafter. If Jude only used 1 Enoch as illustrative material to make a point and not as sacred literature, it is remarkable that the early church fathers, including Irenaeus, Tertullian, and initially Origen did not realize it. Again, his comments were confusing since Jude appeals to 1 En. 1:9 as a *prophetic* text to establish his argument in Jude 14.<sup>65</sup>

Jude clearly cites 1 Enoch as a prophetic text stating that “Enoch...prophesied,” namely, he cited it as a Spirit-led text and as sacred Scripture. By most definitions of Scripture, this is a reference to sacred Scripture. If Jude thought the passage was spoken through prophecy, he also saw it as inspired and as Scripture. It is special pleading to suggest otherwise. If a widely accepted closed biblical canon of Scriptures had existed among Jews in the first century that looked like the current HB canon, namely a fixed twenty-two-book or twenty-four-book Hebrew biblical canon, why did the earliest Christians and early church fathers not recognize it? Even as late as the end of the second century CE, Tertullian cited 1 Enoch as *Scripture* – and based his doing so on Jude's acceptance of the book as *Scripture*. He is aware that some do not accept it as Scripture, but cites Jude as evidence that it is. He writes:

<sup>64</sup> These parallels and citations and several more are included in Lee Martin McDonald, “The Parables of Enoch in Early Christianity,” 357–61.

<sup>65</sup> Brevard S. Childs. *Biblical Theology of the Old and New Testaments: Theological Reflection on the Christian Bible* (Minneapolis: Fortress, 1993), 62, similarly dismisses this reference stating: “The New Testament does not cite as Scripture any book of the Apocrypha or Pseudepigrapha. (The reference to Enoch in Jude 14–15 is not an exception.)”

I am aware that the Scripture of Enoch, which has assigned this order (of action) to angels, is not received by some, because it is not admitted into the Jewish canon either. I suppose they did not think that, having been published before the deluge, it could have safely survived that world wide calamity [the flood], the abolisher of all things. If that is the reason (for rejecting it), let them recall to their memory that Noah, the survivor of the deluge, was the great grandson of Enoch himself...

But since Noah in the same Scripture has preached likewise concerning the Lord, nothing at all must be rejected by us that pertains to us; and we read that "every Scripture suitable for edification is divinely inspired [2 Tim 3:16]." By the Jews it may now seem to have been rejected for that (very) reason, just like all the other (portions) nearly which tell of Christ. Nor, of course, is this fact wonderful, that they did not receive some Scriptures that spoke of Him whom even in person, speaking in their presence, they were not to receive. *To these considerations is added the fact that Enoch possesses a testimony in the Apostle Jude. (On the Apparel of Women 1.3, adapted from ANF, emphasis added)*

Jerome in the early fifth century CE speaks of the problem that some had in accepting Jude as scripture because Jude cited *I Enoch* as scripture, but eventually the problem was overcome in the church. Jerome writes: "Jude, the brother of James, left a short epistle which is reckoned among the seven catholic epistles, and because in it he quotes from the apocryphal book of Enoch it is rejected by many. Nevertheless by age and use it has gained authority and is reckoned among the Holy Scriptures" (*Lives of Illustrious Men* 4, ANF). The issue here is not whether Jude cited *I Enoch*, but rather how he cited it, and from the perspective of the early church fathers, it appears that he cited it *as Scripture*. The arguments against Jude's use of *I Enoch* as scripture are special pleading and depend on preconceived notions of canon later imposed on the NT and early church fathers.

The Enoch tradition was also quite strong at Qumran and was likely accepted there in a scriptural manner. VanderKam shows that, in each of the five sections of *I Enoch*, Enoch saw visions, dreams, heavenly visions, heavenly tablets, and various other heavenly phenomena and claims that all such activity had divine origins. In *I Enoch*, God is the source of the revelations given to Enoch (*I En.* 10:1–11:2; 14:1, 24; 15:1–16:3; 37:4; 39:2; 45:3–6; 55:1–2; 62:1; 63:12; 67:1; 90:22; 105:1–2; 106:19) and the source for the heavenly tablets (*I En.* 81:1–2; 93:1; 103:2; 106:19; 107:1). VanderKam concludes that the Enochic compositions "were presented as the true record of divine or celestial disclosures made to the antediluvian sage" and he notes that *I Enoch* is a regular member of the canonical lists of the Abyssinian church.<sup>66</sup> It is clear that the positive opinions about *I Enoch* at Qumran were also shared by others in the early church, and this suggests a wider recognition of the work as scripture than what one isolated text in the NT might suggest.

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<sup>66</sup> VanderKam, *Revelation to Canon*, 24–26.



Leiman and Beckwith both produced fairly detailed and impressive discussions of the OT biblical canon and they included a significant body of relevant data for their investigations.<sup>67</sup> Both scholars are well informed and provide useful information on the origins of the biblical canons of Judaism and the earliest Christian community, but they have not given an adequate acknowledgment of how or why some Jews, namely the Essenes and those in the Diaspora, as well as many early Christians, made use of a larger body of noncanonical literature in their worship, apologetic, and instruction. Further, their evidence for a fixed biblical canon that looks like the current HB and Protestant OT canons prior to the time of Jesus is unconvincing. Their arguments, though plentiful, detailed, and multifaceted, are frequently based on no more than arguments from silence or later notions or perspectives imposed backwards on earlier texts and contexts. Beckwith seems unaware of references in early Christian literature to several books in the noncanonical literature and especially its significant place among the Dead Sea Scrolls.

VanderKam makes four specific criticisms of Beckwith's and Leiman's handling of canon issues: (1) their questionable use of sources, especially their interpretation of Nehemiah's founding of a library and Judas Maccabeus' collecting sacred books in 2 Macc 2:13–15; (2) Leiman's view that the prophetic section of the HB canon was closed in the fifth century BCE and that 1–2 Chronicles were placed in the Writings because the prophetic canon was closed then; (3) Beckwith's view that the number of sacred books was already fixed in the second century BCE; and (4) Beckwith's method of explaining away impressive evidence that at least some Jewish writers considered more than twenty-two books to be scriptural. Essentially, VanderKam concludes that Beckwith and sometimes Leiman tend to read their texts anachronistically and try to make what later obtained in Judaism and later in Protestant Christianity a reality *before* the time of Jesus.<sup>68</sup>

Even though there is evidence that many of the books that later formed the rabbinic HB canon were long recognized as Scripture in Jewish and Christian communities of faith, there is no evidence for a fixed tripartite canon among the Jews in the time of Jesus or before, or any time before the mid- to late second century CE. It is likely that what later obtained canonical status in Judaism and in Protestant Christianity was a reduced version of what was in place as sacred texts even earlier than the time of Jesus. It does appear that many other books besides these were present and appealed to both by Jews and the early Christians as scripture, but in time that collection was reduced in size rather than expanded.

Beckwith claims that the noncanonical writings at Qumran were merely interpretations of, or commentary on the canonical literature and not a part of the fixed Scriptures of Judaism at that time. He writes: "It is probably no coincidence that the revelations to which the Qumran community laid claim were revelations of

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<sup>67</sup> Leiman, *Canonization of the Hebrew Scripture*; Beckwith, *Old Testament Canon*.

<sup>68</sup> VanderKam, *Revelation to Canon*, 19–27.

the *true meaning* of the Mosaic Law.”<sup>69</sup> While a number of texts at Qumran can be identified as “Rewritten Scripture,” as noted above, still the evidence that all of these texts are simply commentary on the canonical texts is unconvincing, as VanderKam has shown in above comments.

Davies identifies four important factors that were common among the books accepted as sacred Scripture at Qumran: the presence of multiple copies, the citation of the contents of a writing as authoritative, the extent to which a text has been fixed (or not fixed), and the extent to which a writing generated interpretive literature (commentaries and interpretations of particular texts).<sup>70</sup> In the first instance, as we showed earlier, multiple copies of manuscripts of noncanonical writings often outnumber copies of several of the canonical books found at Qumran. For example, there are in the case of *1 Enoch* (twelve copies), *Jubilees* (fourteen), *Tobit* (five), *Sirach* (two), and *Epistle of Jeremiah* (one). On the other hand, examples from the canonical texts often are fewer in number. For example, *Joshua* (three copies), *Judges* (four), *1–2 Samuel* (four), *1–2 Kings* (three), *Proverbs* (one), *Ezra* (partial manuscript), *Nehemiah* (none), *Ecclesiastes* (two), *Esther* (none), and *1–2 Chronicles* (one). The so-called noncanonical texts are in several cases more plentiful than a number of the canonical texts.

What is needed to substantiate Beckwith’s claims for an early biblical canon, and what we do not have from the surviving ancient sources, is a clear statement from Jews in the time before or during the first century CE on the contents of their collection of sacred scriptures. The first identification of the Jewish Scriptures that comprise the HB is in the middle to late second century CE (*b. Baba Batra* 14b, discussed in Chapter 11 §III.A), and there we find no evidence that the same listing of sacred texts was also the view of the Diaspora Jews. The ancient *Christian* sources also never discuss the question of a closed biblical canon before the third and fourth centuries, though as we saw earlier, Melito of Sardis produced the first Christian list of the OT books (ca. 170–180), but it was not the same exactly in content or order. For the most part, Jews and Christians showed little interest in cataloging, numbering, or archiving their own sacred Scriptures before the end of the first century as we saw above in Josephus and the author of *4 Ezra*. Arguments for a fixed collection of Scriptures in the first centuries BCE and CE are inferential in nature and without specific demonstration.

Beckwith’s argument that there is no reference to an OT canon because it was already settled is unconvincing and also an argument from silence that flies in the face of allusions to, parallels with, and citations of noncanonical literature in Jewish and early Christian writings. Since there are no Jewish or Christian references to a biblical canon in the time of Jesus or before, it seems clear that

<sup>69</sup> Beckwith, *Old Testament Canon*, 360 (emphasis his), in his fuller discussion of the noncanonical literature at Qumran sees it as merely “interpretation” of the canonical literature (360–66).

<sup>70</sup> Davies, *Scribes and Schools*, 154. There is overlap here with Ulrich’s list noted earlier in Chapter 3 §II.

such matters were not of significant concern at that time. While the literary community likely had an idea of what writings they counted as scripture, and that included especially what later included the Law and a prophetic corpus, there are no lists that identify what books comprised the Prophets or statements that say “these books and no more” in any ancient documents. Because of this, there is no evidence that the books that eventually comprised Law, Prophets, and Writings were the only recognized sacred writings in the first centuries BCE and CE. We have seen that other religious texts were also circulating among Jews and Christians and occasionally they were cited in a scriptural fashion.

If the issue of deciding which religious books were sacred Scripture had been settled before the birth of Jesus, as some suppose, and if Jesus had given to his disciples a fixed collection or list of sacred Scriptures, as some contend, it seems reasonable that some evidence from the time of Jesus would have been left behind. However, there is no evidence that affirms the existence of a fixed collection of scriptures nor what books comprised it at that time, but if it did, the notion that the followers of Jesus somehow lost it also seems like special pleading since they nowhere mention such a canon anywhere in the NT or early Christianity.

In an old but enduring contribution to canonical studies, Reuss (1891) argued that the question of the biblical canon depends on a theory of inspiration that simply was not present or even an issue for the apostles and their immediate disciples.<sup>71</sup> By the middle of the second century CE, some Jews began to group their Scriptures into the three now common divisions: Law, Prophets, and Writings. The first known such listing is in the *b. Baba Batra* 14b text (see discussion in Chapter 11 §III). However, the contents of the Writings were apparently not fully settled for all Jews in the initial stages of the rabbinic period and the earliest rabbinic texts regularly identify their Scriptures as Law and Prophets and some of those texts reflect uncertainty about some books placed in the Writings. Before the second century CE all literature that was deemed sacred and inspired was also acknowledged as prophetic Scripture and identified either as Law or Prophets or among the Law and Prophets. There is evidence that writings eventually placed in the third division of the HB (e.g., Job, Daniel, and Psalms) were sometimes referred to as prophetic literature. The book of Acts, for example, acknowledges writings attributed to David as Scripture (1:16; 2:25–31, 34–36) and David is called a prophet. Qumran exhibits a similar sentiment:

And David, son of Jesse, was wise, a luminary like the light of the sun, learned, knowledgeable, and perfect in all his paths before God and men. And to him YHWH gave a wise and enlightened spirit. And he wrote psalms: ... The total was four thousand and fifty. *He composed them all through the spirit of prophecy which had been given to him from before the Most High.* (11QPs<sup>a</sup> 27.2–4, 10–11, García Martínez, *Dead Sea Scrolls Translated*, 309, emphasis added)

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<sup>71</sup> Reuss, *History of the Canon*, 9.

In a later rabbinic text, Job is called a prophet when Job and the time when he lived is identified:

*Seven prophets prophesied to the heathen, namely Balaam and his father, Job, Eliphaz the Temanite, Bildad the Shuhite, Zophar the Naamathite, and Elihu the son of Barachel the Buzite... So too Job [is included because] he prophesied to the heathen. But did not all the prophets prophesy to the heathen? – Their prophecies were addressed primarily to Israel, but these addressed themselves primarily to the heathen. (b. Baba Batra 15b, ed. Soncino, emphasis added)*

This fits well with 1 Chr 25:1 that claims that David *prophesied* through music. The collection of prophets was still vague throughout most of the first century CE and, as argued earlier, that collection appears to have included all of sacred literature except for the Law and as we see above this includes also Psalms and Job. In the second century CE, the term “prophets” was used occasionally for all of the OT Scriptures. Justin, for example, describes reading Scripture in early Christian worship when the people are gathered: “The *memoirs of the apostles or the writings of the prophets are read*, as long as time permits” (*1 Apol.* 67, ANF, emphasis added). No one suggests that Justin rejected the Law or the Writings in this statement since he often refers to texts in both.

Since both Jews and Christians believed that God inspired all Scripture, all of it therefore was *prophetic*. We should not, therefore, be surprised to see that books that were eventually placed among the Writings later were earlier referred to as prophetic books and classified among the Prophets. Because of the diversity of literature in the Writings, however, it appears, as noted earlier, to have been something of a “catch all” collection. Eventually, with the exception of Sirach, all of the disputed books in the rabbinic literature found their place in the third part of the tripartite Jewish biblical canon.<sup>72</sup>

## V. THE EMERGING SCRIPTURAL CANON

As we have seen, early Christianity had a larger collection of Scriptures than those adopted later in rabbinic Judaism and Protestant Christianity. Childs suggests that the evidence of a larger collection of sacred texts came when the early churches lost the scope of their sacred Scriptures, as it became more and more Gentile in its composition. When the early churches began using the Greek translation of the HB, he claims, they lost sight of the original contents of its Bible.<sup>73</sup> This memory loss, if there was such a loss, must have taken place rather early, since the NT writers themselves cite from so-called non-canonical writings in the Greek translation

<sup>72</sup> Jones, *Formation of the Book of the Twelve*, 64–68, also makes this argument about the prophetic nature of all sacred literature.

<sup>73</sup> Childs, *Biblical Theology*, 63.

of their Scriptures and this reflects a broader use of ancient religious texts than exist in the current biblical canons. Beckwith acknowledges that at a later time a distinction can be found between the Christian OT canon and the HB of Judaism, but this, he claims, took place only after the breach between the church and the synagogue when Christians *expanded* the OT canon because “their knowledge of the original Christian canon was becoming blurred.”<sup>74</sup> The evidence that he presents to support this claim, however, is unconvincing and lacks precision at critical points as we have seen. The likelihood that the biblical canon of the early Christians became “blurred” and that they somehow forgot the boundaries of their own holy Scripture, if it were known, is unthinkable and without support.

Given the high regard that the early churches had for their Scriptures, the thought that the identity those Scriptures, had the church known it, was lost is most unlikely. Would any generation of Christians, Jewish or Gentile, forget something that important that Jesus had handed on to them? If he had, one would think that somewhere in the NT writings, most of which are certainly first century CE, that someone would have said something about it. The teaching of Jesus was the most important authority for the church – he was and is the Lord of the church – and had he said something about the contours of a scripture canon it would be remarkably unusual for his disciples to forget it or lose sight of it. The burden of proof lies with Childs, Beckwith, Ellis, and others who say that Jesus left behind an endorsed biblical canon and the early Christians forgot it or lost it. Childs, of course, acknowledges that the OT Scriptures of the emerging second-century church is not the same as the HB biblical canon, but his explanation of how it happened is strange. That the followers of Jesus would have lost the list of canonical books that he handed on to his disciples is a surprising response to the fact the early Christians adopted a larger collection of Scriptures than the collection of their *later* Jewish siblings, the rabbis in the later first and second centuries. Given the high priority on the words of Jesus from the beginning of the church (1 Cor 7:10), if Jesus had given a list of sacred books to his disciples, it would be quite remarkable if no one remembered it. However, there is no evidence in the NT that suggests that Jesus handed on to his disciples such a list. As noted earlier, had Jesus passed on to his disciples a biblical canon, it is also remarkable that Melito, bishop of the church in Sardis did not know what was in it. How could he not have known something that important and yet be a bishop in a major church? Childs’ assumption that the rabbinic Scripture canon was the same in the first century before the Christians separated from their Jewish siblings cannot be demonstrated nor that the early Christians lost awareness of a fixed biblical canon that was circulating among them.

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<sup>74</sup> Beckwith, *Old Testament Canon*, 339–408.

A better explanation for the wider biblical canon in the early church is that the earliest Christians accepted a loosely defined collection of scriptures that they inherited from their Jewish siblings before their separation from the synagogue. That collection was not clearly defined at the time of the Christians' separation from Judaism beginning around 62–66 CE through to 132–135 CE. It was instead in the late first and second centuries when the rabbis narrowed their sacred collection to the books that are now in the HB, but at that time not all of the rabbis were in agreement. The biblical canon in the time of Jesus was not as sharply defined as it later became for the Jews. The other writings that informed the early Christians included several of the noncanonical writings discovered at Qumran that likely included some of the so-called seventy referred to by the author of *4 Ezra* 14:45–46.

The obvious suggestion from the above is that the biblical canon in the time of Jesus and before was not sharply defined, even though the Law and an imprecise collection of prophets were widely received as authoritative Scriptures in synagogues and early churches, including several other Jewish religious texts. But why were such matters of little concern or interest to the earliest Christians and the Jews in Late Second Temple Judaism? Is it because such matters had already been settled long before, as some contend, or could it be that such matters were simply not anyone's special concern or interest at that time?

All of the Jewish religious texts that enabled the churches to communicate effectively their faith in Jesus as the Christ were received and used in their formative stages.<sup>75</sup> Some of those writings were initially in a canon 1 stage of development and were eventually rejected (e.g., *1 Enoch*, *Testaments of the Twelve Patriarchs*, and for some *Wisdom of Solomon*, and *Sirach*), but not by all and obviously not soon. Some of the writings were later rejected because they did not continue to address the ever-new issues and changing social conditions facing the Jews or the churches.

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<sup>75</sup> David A. deSilva makes a convincing case that Jesus, his siblings, and early Christianity also learned from several extra-canonical religious texts. See his *Jewish Teachers of Jesus*.

## CHAPTER 11

# SCRIPTURE IN THE RABBINIC TRADITION (90–550 CE)

After the destruction of Jerusalem and its Temple in 70 CE, a new era began for the Jews from the rubble of their homeland. The Temple had been destroyed along with their sacrificial system and the high priesthood. All that was meaningful to the nation had been lost and the most important question among the surviving religious leaders was how could the nation and its religious heritage survive such devastation. The question was no longer “Why?” but rather, “What next?” How could Judaism survive without a temple, sacrifices, and priesthood? Of the major Jewish religious sects of the first century, namely Essenes, Sadducees, Pharisees, and followers of Jesus, the Pharisees and the synagogue had a greater influence on the subsequent religious heritage of the Jews following 70 CE (see discussion of these religious sects in Chapter 7 §IV). The Pharisees were more popular and influential among the people perhaps because of their significant involvement in the synagogues and commitment to the Jewish Scriptures, especially the Jewish Scriptures that gave them an edge in what survived the first-century disasters. Again, they were not the only members of religious sects to survive the devastation of 66–70 CE (technically after 73 with the fall of Masada), but they were in the majority who formed the meeting at Jamnia (Yavneh, also spelled Javneh, or Jabneh) to focus on the nation’s future and how its devotion to Yahweh would manifest itself. This surviving expression of the Pharisees was significantly informed by the Tannaitic<sup>1</sup> oral traditions that began in the early first century CE and were collected starting near the end of the second century and put into their final form by Judah the Prince in the early third centuries. Once the 63 tractates of the Mishnah were finished, almost immediately they began to be interpreted by the Amoraim<sup>2</sup> and those interpretations were

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<sup>1</sup> *Tannaim* is the plural noun from the Aramaic “*tanna*” meaning “one who teaches” or “repeats traditions.” This community began with Hillel and Shamm’ai (ca. 50 BC–30 CE) and possibly earlier. The last of the *Tannaim* is Judah ha Nasi in the early third century CE.

<sup>2</sup> As already noted above (p. 137), *amora’im* is a plural noun from the Aramaic “*amora*” meaning “speaker” or “interpreter,” and the name given to the rabbinic interpreters of the Mishnah, the collection of tannaitic traditions from roughly from 220 CE.

placed in two Talmudim, one from Babylon called the Bavli (siglum, *b.*) and the other from the Land of Israel called the Yerushalmi (siglum, *y.*). Traditions not included in the Mishnah were placed in the Tosefta.<sup>3</sup>

The relative silence about a well-defined collection of Scriptures among the Pharisees, Essenes, and Sadducees in the first century CE began to change in the early rabbinic period, namely in the late first and second centuries. The absence of interest in a closed biblical canon earlier appears to emerge by the middle to late of the second century CE for some rabbinic sages. There was never a time when the rabbinic sages formed a council to deliberate the scope of their biblical canon,<sup>4</sup> but what emerged was by tradition and regular practice of reading certain sacred texts in the synagogue. While there was no Jewish council to decide such matters, there was an initial debate among some rabbis over the sacredness of several books that eventually formed the HB. Over time debate declined and eventually was silenced before the end of the rabbinic period. There were exceptions to the rabbinic biblical canon, especially whether Esther, Song of Songs, Ecclesiastes, Ezekiel, and Sirach were among the Jewish sacred Scriptures. The later Karaite Jews rejected all of the additional books beyond the Torah and accepted only the laws of Moses, but their views did not eventually carry the day. It is not clear whether the rabbinic sages had much influence with the Diaspora Jews regarding the scope of their Scriptures until well into the eighth or ninth centuries (I will return to this topic below), but no later than the ninth century, the rabbinic HB canon held sway among the majority of Jews in antiquity.

It is not uncommon today for scholars to speak of the second-century CE and later canon developments as if they were also present in the early to middle first century CE. But the available evidence does not support that notion. Second-century rabbinic traditions did not emerge in the same multi-sectarian Jewish context in which the early church was born. First-century Judaism had a Temple, a sacrificial system, a priesthood, and a homeland that was at some peace until 66–70 CE despite Roman rule. That was not the case after 70 CE and in the following centuries. It is therefore regularly taken with some suspicion when biblical scholars assume that what was true in the second century and later was also true in the first. In the first century, there is no evidence that anyone was talking about the parameters of the Jewish Scriptures until the end of the first century and that was not a universal focus. The absence of considerable interest in a closed collection of Scriptures before the middle to late second century among the Jews suggests a significant rabbinic influence on the shape of the Jewish biblical canon. Earlier scholars argued that rabbinic Judaism and the Mishnaic tractates regularly reflect

<sup>3</sup> A more complete discussion of Mishnah and Tosefta are in §III.A and also §IV.A and B below.

<sup>4</sup> Zevit, “Second–Third Century Canonization,” 152, suggests that the canonization of the HB was not complete until *after* the formation of the Mishnah and Tosefta were accepted as closed texts by the followers of Judah the Prince (ca. 250–300 CE).



first-century CE Judaism, but that cannot be true for all such expressions since the times are significantly different as we saw above. This is especially true in regard to the emergence of a HB canon.

As we noted earlier, one well-known assumption that has largely been dispelled is that the religious leaders in Palestine who survived the destruction of the Jewish temple disaster in 70 CE gathered together at a place called Jamnia to determine the shape of their biblical canon, including the final part of their tripartite biblical canon. Since that view is no longer sustainable, scholars have tended to move earlier in their assessments of the formation of the HB or later. I will explore the evidence for both positions in the rabbinic tradition and explore some of the more relevant texts commonly cited for the various positions, but because of space, all of those texts cannot be included here, but only listed.<sup>5</sup>

## I. MYTH OF THE COUNCIL AT JAMNIA

Following the loss of the Jewish temple and its cultus, Rabbi Johanan ben Zakkai requested permission from the Romans to establish a religious academy at Jamnia. According to tradition (*b. Rosh HaShanah* 31a–b), this gathering of religious leaders (perhaps something like a Sanhedrin) met first at Jamnia in the last decades of the first century CE. Subsequently (ca. 135 CE) the gathering moved to Usha, then to Shefara'am, then to Beth She'arim, then to Sepphoris (where the Mishnah was put into its final form under the direction of Judah the Prince ca. 200–220), and finally to Tiberias, where most of the Palestinian Talmud (the *Yerushalmi*, *y.*) was finally formed.

For more than a century, biblical scholars taught that the Jews officially closed the third part of their biblical canon, the Writings, at a supposed Council at Jamnia, a small town located about thirty miles west and slightly north of Jerusalem (2 Chr 26:6; 1 Macc 5:58; Josephus, *Ant.* 12.308). At Jamnia, so the argument went, Jewish religious leaders met and determined the final shape of the HB. It is not the case, however, that those religious leaders who gathered together (there was no “council” as such) at Jamnia around 90 CE made a final or binding decision about the scope of their biblical canon.<sup>6</sup> Debate continued among the sages over the sacredness and scriptural status of some of their sacred books long after the

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<sup>5</sup> Readers are encouraged to consult the many cited rabbinic texts to sense the strength or weakness of the arguments presented here. I am mindful of Jacob Neusner's chiding of scholars who cite texts without including them in their arguments and so I will include several of these relevant texts, but it is not possible to include all of them in this limited format. See his *Rabbinic Literature and the New Testament: What We Cannot Show, We Do Not Know* (Valley Forge, PA: Trinity Press International, 1994), 10–15.

<sup>6</sup> The pivotally important work of Jack P. Lewis has largely changed scholarly views on this matter. See his “What Do We Mean by Jabneh?”; “Jamnia (Jabneh), Council of,” *ABD* 3:634–37; and “Jamnia Revisited.” Lewis' research on this matter effectively ended the Jamnia hypothesis.

gathering at Jamnia. Some sages questioned whether certain books did or did not “defile the hands.” The debates continued only in regard to a few of the books in the third part of the HB and there appears to have been no questions about the holiness and scriptural status of the books that comprised the Law and the Prophets.

It does not appear that there was any group of religious leaders speaking on behalf of all Jews regarding religious matters whether inside or outside of Palestine at the end of the first century CE, and likely even later. Without question, the majority of Jewish religious leaders who survived the devastations of the first century were Pharisees who held a majority position on the scope or parameters of the Jewish Scriptures. After the Jamnia hypothesis was abandoned, scholars had to rethink the time when such matters on the scope of the HB canon were made. Most rabbinic scholars today agree that there never was a council-like decision about the scope of their biblical canon, but eventually a decision was made that was welcomed by *most* Jews on the books that comprised their acknowledged Scriptures. Some scholars contend that decisions on the shape of the HB canon were made well before the Jamnia gathering, but others place them much later. Most agree now that the gathering at Jamnia appears to have settled little or nothing regarding the shape the Hebrew Scriptures, so the debate over when such matters were eventually settled continues.

The notion about a Jamnia council decision was especially attractive to scholars since no other prior time could be found in late Second Temple Judaism when a significant decision was made about the scope of the Hebrew biblical canon. Likewise, no known council after that made any decision about it either. No evidence supports that any formal action was taken on the scope of the HB Scriptures at Jamnia, and that conclusion is largely accepted today.<sup>7</sup> Nevertheless, the scope of the Hebrew biblical canon within Judaism appears to have been largely settled for some rabbis by the middle to late second century CE, and by the fourth century it was largely a settled matter for most Jews living under the influence of rabbinic Judaism in Palestine. This consensus came largely from widespread use and broad consensus rather than by council decisions. As we will see below, some Jewish scholars have concluded that the matter was not completely settled for all Jews, especially for those in the Diaspora, until well into the eighth or ninth centuries, and for Karaite Jews even later as we will see below.

It has been suggested that the Jamnia Hypothesis was “a myth of Christian scholarship,” but Aune has helpfully shown how the idea actually emerged instead in Jewish scholarship. He traces this view to an 1871 publication by Jewish historian Heinrich Graetz, who probably depended on Baruch Spinoza’s *Tractatus theologico-politicus* (1670). Both Spinoza and Graetz held that the Hebrew

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<sup>7</sup> For further discussion of the refutation of the Jamnia hypothesis, see Leiman, *Canonization of the Hebrew Scripture*, 120–24; Lewis, “Jamnia Revisited,” 159–62; and idem, “Jamnia (Jabneh), Council of.”

Scriptures were defined for the Jews late in the Second Temple period by the Pharisees who acted as a “council” that made the final decisions about their biblical canon.<sup>8</sup> It was then assumed, based on *m. Yadayim* 3:5<sup>9</sup> and other rabbinic texts (*t. Yadayim* 2:14; *b. Megillah* 7a; *b. Sanhedrin* 100a; and *b. Shabbat* 13b; 30a–b), that a gathering or college of the sages led by Rabbi Eleazar ben Azariah met at Jamnia and issued its decision about the Jewish biblical canon. Because it is now widely recognized that these and other passages cited from rabbinic literature do not support the Jamnia Hypothesis, scholars no longer find the hypothesis viable.

After the tragic events surrounding the destruction of the temple in Jerusalem (66–70 CE) and the Bar Kokhba rebellion (132–135 CE), the influence of messianic literature (i.e., literature that held out the hope of a coming messianic leader who would free Israel from foreign oppression) rapidly declined.<sup>10</sup> The Jewish religious teachers who met at Jamnia after the destruction of Jerusalem were largely asking how a religious faith that was once based on a temple and sacrificial cult could survive without these institutions.<sup>11</sup> At this time, some Jews began to focus on the holiness or scriptural status of some of their sacred books and their religious traditions more than on the earlier religious institutions. In addition, the emergence of Christianity within Judaism, with its strong focus upon apocalyptic and messianic literature, may have influenced the Jewish religious community in Palestine to reject apocalyptic literature and the Jewish Christian community altogether. Although that may have been a factor, more probably it was the apocalyptic fervor among the Jews that inspired the second-century messianic movement that resulted in a second national rebellion against Rome (ca. 132–135 CE) and the second national disaster that led to barring them from entering Jerusalem and to the renaming of Jerusalem, their holy city, as Aelia Capitolina. This most likely encouraged surviving rabbinic elements of Judaism to minimize or disregard most apocalyptic texts in their sacred Scripture collections. This is understandable and, interestingly, by the end of the second century this was also true of early Christianity. A few apocalyptic expressions survived in early Christianity, especially the book of Revelation, but earlier two other major Christian Apocalypses were also quite popular among the Christians, namely

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<sup>8</sup> D. E. Aune, “On the Origins of the ‘Council of Javneh’ Myth,” *JBL* 110 (1991): 491–93. For a helpful and more detailed discussion of this, see also the more recent examination of Shaye J. D. Cohen, *The Significance of Yavneh and Other Essays in Jewish Hellenism*, TSAJ 136 (Tübingen: Mohr Siebeck, 2010).

<sup>9</sup> This text and others from this tractate are included in Chapter 2 §II above.

<sup>10</sup> For further discussion of the disagreement, about the influence of messianic notions on Second Temple and rabbinic Judaism, see J. Neusner, *Messiah in Context: Israel’s History and Destiny in Formative Judaism* (Philadelphia: Fortress, 1984), and C. A. Evans, “Mishna and Messiah ‘in Context’: Some Comments on Jacob Neusner’s Proposals,” *JBL* 112 (1993): 267–89.

<sup>11</sup> James A. Sanders, *Canon and Community: A Guide to Canonical Criticism* (Philadelphia: Fortress, 1984), 9, claims that this was one of Judaism’s most important issues following the destruction of Jerusalem in 69–70 CE.

*Shepherd of Hermas* and the *Apocalypse of Peter*. Those fell into disfavor and were not included in the Christian biblical canon and Revelation itself had a rocky reception for several centuries.

During the period of self-definition and reassessment after 135 CE, a more conservative rabbinic biblical canon appears to have obtained widespread recognition in those communities with the strongest rabbinic influence, namely from Israel to Babylon. From that time on, there was a minimal apocalyptic focus in the nation (e.g., the book of Daniel and Isa 24–26). The Bar Kokhba rebellion and its consequences for the nation probably had the greatest impact on Jewish rejection of that literature. The messianic movement that led to the rebellion against Rome in 132–135 CE was almost certainly influenced by the apocryphal and pseudepigraphal literature current in Palestine in the first century CE. After the defeat of this second Jewish rebellion against Rome, apocalyptic literature was less likely viewed as inspired Scripture (see, for example, the relative absence of such literature or views about it in the Mishnah).<sup>12</sup> Some questions remain about Jewish abandonment of most apocalyptic and messianic literature and why more of it was not incorporated into the Jewish biblical canon given its earlier popularity in the first century, but, again, the disaster of 132–135 CE that ended the Bar Kokhba rebellion seems to be the most likely explanation. Sanders claims that following the destruction of the Temple in 70 CE, at the conference in Jamnia (ca. 70–90 CE) the new leaders, mostly Pharisaic, understood that Rabbinic Judaism was broad enough to include many expressions of Judaism “as long as the emphasis was on obedience to and living lives of Torah without resort to eschatological misadventures; it firmly believed that such divine interventions had ceased with the demise of prophecy in the Persian period.” He concludes: “what remained of early Jewish apocalyptic or eschatological vision was largely lodged in the early Christian movement.”<sup>13</sup> That minimizing of eschatological beliefs, with the occasional emergence of apocalyptic movements as in the Montanist movement in the late second century, was also generally true of second-century and later developing early Christianity.

<sup>12</sup> Christians were also heavily influenced by the apocalyptic and messianic fervor present in the land of Israel in the first century CE (see Mark 13; Matt 24; Acts 1:6–7; 1 Thess 4:13–5:11; and the book of Revelation). However, Christians who had focused on Jesus as the long-expected Messiah who would soon return, began to rethink this part of their earlier belief as time went on when Jesus had not returned and most or all of his disciples (apostles) had died, as we see the challenges to that earlier belief implied in 2 Pet 3:3 and 3:8–10. For helpful discussions of the presence and influence of apocalyptic messianic notions in Judaism and early Christianity, see J. J. Collins, ed., *Encyclopedia of Apocalypticism*, Vol. 1: *The Origins of Apocalypticism in Judaism and Christianity* (New York: Continuum, 1998), especially chapters by J. J. Collins (129–61), J. C. VanderKam (193–228), D. C. Allison (267–302), M. C. de Boer (345–83), and D. Frankfurter (415–53). See also VanderKam and Adler, eds., *Jewish Apocalyptic Heritage*; and A. Yarbro Collins, ed., *Early Christian Apocalypticism*.

<sup>13</sup> J. A. Sanders, “Judaism: Early Judaism 580 BCE–70 CE.” James Sanders forwarded this forthcoming article to me in draft form.

Again, the so-called Council of Jamnia did not stabilize or settle the shape of the HB canon as we see in several continuing debates throughout the rabbinic period about whether certain writings noted earlier “defiled the hands.”<sup>14</sup>

## II. THE WRITINGS AND THE TRIPARTITE HEBREW BIBLE CANON

The third part of the Jewish Scriptures that form the Tanak is collectively identified as the Writings (Heb., *כתובים*) or *Hagiographa* (Greek, “holy writings”) and includes some religious texts with a historical orientation (1–2 Chronicles, Ezra–Nehemiah, Ruth, Esther), some that are poetic and wisdom literature (Job, Proverbs, Ecclesiastes, Psalms, Song of Songs, Lamentations), and one that is prophetic, if not apocalyptic (Daniel). The Writings are often dated in post-exilic times, the claim being that they reflect on Israel’s earlier history and God’s divine activity in their nation with the offer of hope to the Jewish nation in their challenging times when they are no longer in control of their nation and are living under foreign control. However, as noted, some of the Writings may date much earlier as in the case of the Royal Psalms (Pss 2, 18, 20, 21, 45, 72, 101, 132, 144:1–11 and likely also Ps 89). The Royal Psalms focus on aspects or ideology of kingship and reflect Israel’s earlier history. Ruth, Job, and perhaps also several of the Proverbs, also are reflective of pre-exilic times (e.g., Prov 25:1 speaks of kings).

As a collection, the Writings appear to lack the cohesion in terms of genre found in the Law and Former Prophets or Latter Prophets and some scholars have posited that the Writings even appear to be something of a “hodgepodge” or “catch all” collection of sacred texts that do not fit easily together. Hancock, for example, suggests that in many cases the authors appear to believe that God is no longer acting as God did in pre-exilic times. She adds that Ezra–Nehemiah and Chronicles were not included among the Prophets because of their belief that God was no longer acting the same way as in pre-exilic times and subsequently, in the thinking of the scribes and leaders of the Jewish people, there was a perceived need to establish a new division of their Scriptures.<sup>15</sup>

Several scholars who argue for a more coherent pattern and order of the Writings challenge the above view and make arguments for a rationale for their order. For example, Steinberg and Stone reject the conclusion that there is no perceived order.<sup>16</sup> Stone also rejects this “catch-all” depiction contending for a coherent pattern in the *Ketubim*, but most scholars have concluded that what unites the

<sup>14</sup> For a discussion of the origin and the use of this term see Chapter 2 §II above and also *m. Kelim* 15:6 and *t. Yadayim* 2:19–20.

<sup>15</sup> Rebecca S. Hancock, “Canon, Hebrew Bible,” in Coogan, ed., *The Oxford Encyclopedia of the Books of the Bible*, 1:87–96, here 89.

<sup>16</sup> See a collection of scholars who hold to this view in Steinberg and Stone, eds., *The Shape of the Writings*.

collection most is its focus on the earlier activity of God and the earlier divinely inspired writings, especially Torah.<sup>17</sup> Seitz also rejects the “catch all” depiction of the Writings, but acknowledges that as it stands the Writings “derive their logic, canonically, from being external to, independent of, but in loose association with, not one another, but the individual books or mature arrangements of the Law and the Prophets. Any association they have with one another within the Writings... is a much weaker form of relationship.”<sup>18</sup> He acknowledges that the Writings “are a diverse collection” yet concludes that “the internal logic of the Writings is not associative but serial” and later acknowledges the “haphazard character” of the Writings that lends them to “migration” to other locations in the OT Scriptures, such as we see in their varied locations in the LXX or Christian OT Scriptures and in the MT tradition.<sup>19</sup>

Seitz’s subsequent attempt to make the collection of Writings more coherent appears to be special pleading, but he defends the location of Daniel among wisdom literature and acknowledges how Ruth, the Chronicles, Ezra–Nehemiah, and Esther could be relocated among the historical section that we see in the Christian OT canon. Nevertheless, he still claims that their function is best understood in the current Tanak sequence. He acknowledges that the *Ketubim* have migrated in the *Christian* Bibles, and concludes that this “does not deny that there is stability, but this stability does not preclude shuffling and migrating.” Oddly, the diversity among the Writings makes it unnecessary for the NT to “refer to them as a distinct canonical unit in order for them to be fully a part of a stable ‘OT,’ albeit in shifting orders.”<sup>20</sup> This assumes, of course, the unity of the Writings during the time of the production of the NT writings, but, as we have shown earlier, presently that cannot be established. The First Scriptures of the NT are simply “Law and the Prophets” and there is no attempt to “migrate” works from an established order of *Ketubim* to a new order in the Christian OT. The same is true for the majority of the early rabbinic sages with only one exception, namely *b. Baba Batra* 14b that we will examine below. It appears that the rationale for the order of the Writings is a modern invention that is not prominent or even present in antiquity. With the large variety of orders in the Writings from antiquity, it is difficult to press the logic of one particular order and moreover why it only becomes an important factor in modern scholarship.

This raises the question for Seitz of whether the Christian fourfold or quadripartite order of the OT is inappropriate and he answers that it is not, but maintains that the full meaning of the Writings are best understood within the tripartite Tanak “when the fundamental logic and grammar of the tripartite structure has

<sup>17</sup> Stone, *Compilational History of the Megilloth*. For a similar view, see also Christopher R. Seitz, *The Goodly Fellowship of the Prophets: The Achievement of Association in Canon Formation*, Acadia Studies in Bible and Theology (Grand Rapids: Baker Academic, 2009).

<sup>18</sup> Seitz, *The Goodly Fellowship of the Prophets*, 99–100.

<sup>19</sup> Ibid., 106–9.

<sup>20</sup> Ibid., 109–19, the final quote is on 119.

been grasped...<sup>21</sup> This, like the arguments posited by Stone, fails to explain why no one in antiquity came up with his argument for the current order of the tripartite canon of the HB, and especially the particular order advanced by Seitz and Stone. Their view does not reflect the fact that the history of the transmission of the Writings has numerous arrangements of the *Ketubim*, that they admit are present in the surviving manuscripts, including one that places the *megilloth* immediately after Torah.<sup>22</sup> It remains unclear why the arrangement or order of the Writings makes so much sense to modern scholars when their arrangement varied so much in antiquity and the majority of ancient rabbis did not make a coherent argument for their order. No ancient writer makes the claims that some moderns make about the arrangement of the books in the Writings, certainly not the authors of the Writings. Such arguments only appear in modern scholarship but are absent in both the ancient rabbinic sages and the early church fathers who are also silent about the rationale for either a tripartite or quadripartite division of the HB or OT Scriptures. Brandt acknowledges correctly “the books attributed to the ‘Writings’ in the Jewish Bibles seldom appear in a unified collection. A historical reason for this may be that the ‘Writings’ were not yet considered a fixed canonical concept in those circles propagating the reception of the Jewish Bible in early Christianity.”<sup>23</sup> He concludes that the order of the Writings was not established prior to the separation of the church from the synagogue (ca. 62–135 CE). As noted already, it makes little sense for the church to adopt all of the Jewish Scriptures in the present Tanak, but not its order if that order was circulating among the Jews in Palestine before the Jewish and Christian separation. Steinberg and Stone try to make their case for a tripartite Jewish biblical canon based on their interpretation of the Prologue to Ben Sira (Sirach), the Dead Sea Scrolls, the New Testament (especially Luke 11:49–51 and 24:44), Josephus (*Ag. Apion* 1.37–43), 4 Ezra 14, *b. Baba Batra* 14b, and the order in the Leningrad Codex. These texts, however, as we have already seen, do not in themselves (except *b. Baba Batra* 14b) argue for the formation of a tripartite Jewish biblical canon as they suppose and those texts do not support the classical current form or order of the Tanak or the order of the Writings.<sup>24</sup>

Some scholars conclude that what characterizes the Writings is its focus on the earlier activity of God and earlier divinely inspired writings, especially Torah. Perhaps, the Writings were isolated as later books that simply did not fit the earlier

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<sup>21</sup> Ibid., 123.

<sup>22</sup> Peter Brandt draws attention to this divergence in surviving manuscripts and Jewish traditions in his “Final Forms of Writings: The Jewish and Christian Traditions,” in Steinberg and Stone, eds., *Shape of the Writings*, 59–85, especially 61–67. He correctly observes and acknowledges that especially within the Christian OT, but also in the rabbinic tradition within the Writings that Ruth and Song of Songs can be interchanged, and so can Job and Proverbs, as well as Ecclesiastes and Lamentations. He also notes correctly the variable locations of the Chronicles.

<sup>23</sup> Ibid., 83.

<sup>24</sup> See Steinberg and Stone, “The Historical Formation of the Writings,” here 3–4.

two categories and formed something of a “different” collection, but it may also be that they formed a bridge between the Law and the Prophets on the one hand and the later rabbinic sacred texts on the other, especially the Mishnah and its *gemara* (the two Talmudim) that explained the significance of the earlier collections.<sup>25</sup> By themselves, the Writings collectively, however, do not have a coherent historical or sequential pattern like the books that form the Torah (or books of the Tetrateuch), or the Former Prophets and somewhat in the Latter Prophets.

The third part of the tripartite Hebrew Bible canon (Tanak) is complex without a simple explanation for its formation in antiquity. As noted, the Writings tend to encourage faithfulness to Yahweh for a devastated people who have lost control of their country and their temple with its sacrifices, and the Jews who survived the devastation and were living in the diaspora under foreign powers. The people who survived the devastation of the collapse of all of their securities can in the Writings find hope for those who faithfully return to Yahweh, e.g., Daniel and implied in Esther. The emphasis in the Writings is placed on the past activities of God as affirmation that God will care for his people in their times of distress. The focus on the past emphasizes that faithful obedience to Yahweh and to their sacred Scriptures (Ps 119) will provide guidelines for divine favor and hope for deliverance. It further does not follow, as Steinberg and Stone claim, that those who oppose their arguments for the order of the Writings argue that the Writings were *not* recognized as scriptural texts before they were put into their current order in the Tanak. This notion does not appear to see how many of the Writings functioned as scriptural texts and were cited as Scripture before they were separated from the prophetic corpus and placed in the *Ketubim* in the Tanak. They were unquestionably welcomed as “prophetic” scriptural texts before the formation of a tripartite HB canon. The following examples will illustrate this point.

At Qumran, the Essene Jews viewed both Daniel and Psalms as prophetic literature. This is also true in the NT, as we saw earlier. Daniel, Psalms, and also Esther underscore the Divine presence and activity among the Jewish people even after they earlier had failed to obey God’s divine commandments and consequently suffered great loss. The Writings offer commentary on the Law and the earlier prophetic texts and bring encouragement and hope to the Jewish people as they face their present post-exilic circumstances. Because of their focus on the earlier acts of God and earlier prophetic admonitions, the Writings may anticipate later notions that prophecy had ceased in Israel and the hope that the Spirit would one day return. Some exilic texts suggest that because of Israel’s failure the activity of God is no longer present as in the past and a new day lies before them if there is a renewal of obedience to God (Jer 31:31–34; Ezek 36:26–27; 37:1–14). This notion of the cessation of prophetic activity is first presented to the people during the Hasmonean Dynasty (ca. 165–160 BCE; cf. 1 Macc 4:45–46; 9:27; 14:41). See the earlier discussion of this in Chapter 5 §V above.

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<sup>25</sup> Morgan makes this argument in his *Between Text and Community*.



Daniel, a Jewish story with prophetic and apocalyptic visions, was later placed among the Writings, but it was understood as one of the prophets in the first centuries BCE and CE, especially at Qumran, in the New Testament, Josephus, and the early church fathers who regularly place Daniel among the Major Prophets (Isaiah, Jeremiah, and Ezekiel) with the exception of Jerome.

At Qumran, Daniel is clearly acknowledged as a prophet. For example: “it is [...] as is written in the book of Daniel, the prophet” (Martinez and Tigchelaar trans., 1:355), referring to Dan 12:10 and 11:32 (4Q174 1–3.ii.3). Anderson and Barton have shown that at Qumran the phrase “as it is written in the book of the prophet Daniel” appears multiple times.<sup>26</sup> In the NT, Jesus refers to Dan 11:31 and 12:11 with the words, “as was spoken by the prophet Daniel” (Matt 24:15). Josephus also regularly referred to Daniel as a prophet who prophesied (Josephus, *Ant.* 10:245–46, 249) and even claimed that he was “one of the greatest of the prophets” (*Ant.* 10:266) who authored several books and “was wont to prophesy future things, as did the other prophets” (10:267). Josephus may be referring also to the later additions to Daniel now in the LXX.

Even in the second century CE, when introducing Dan 7:24 and subsequently 7:7–8, the author of the *Epistle of Barnabas* (4:4) begins: “For also the prophet says...” Later in the rabbinic tradition Daniel was designated a prophet among the prophets Haggai, Zechariah, and Malachi.

“Moreover, he spoke thus even of Daniel, who was greater than he. And whence do we know that Daniel was greater than he? From the verse, And I Daniel alone saw the vision: for the men that were with me saw not the vision; but a great quaking fell upon them, so that they fled to hide themselves. ‘For the men that were with me saw not the vision’: now who were these men? – R. Jeremiah – others say R. Hiyya b. Abba – said: Haggai, Zecharia and Malachi.” (*b. Sanhedrin* 93b, Soncino trans.)

Similarly, in *y. Megillah* 2:2a Daniel is placed alongside of Jeremiah and praised among the prophets. That text reads: “And may mortal men [such as Jeremiah and Daniel] cut these [titles of praise] out of the prayer to God? Said R. Isaac bar Eleazar, ‘The prophets knew full well that their God is honest, and they were not going to flatter him’” (*y. Megillah* 2:2a, Levy and Neusner trans.).<sup>27</sup> It appears that Daniel was placed among the Writings for the first time in the mid- to late second-century *baraita* text *b. Baba Batra* 14b (ca. 150–180 CE), but the residents of Qumran, the NT writers, Josephus, most early church fathers, and even some rabbinic sages regularly placed Daniel among the Prophets.

If the Prophets were closed before Daniel was written, it is not clear why first- and second-century Jews and Christians referred to Daniel as a prophet and included or associated that book with prophetic literature. Collins observes that Daniel and the Psalms were both viewed as prophetic literature in the Qumran

<sup>26</sup> See Anderson, “Canonical and Non-Canonical,” 151. See also Barton, *Oracles of God*, 40–42.

<sup>27</sup> Barton, *Oracles of God*, 36.

*pesharim* (commentaries) and apart from them, none of the other *Ketubim* had *pesharim* written to interpret them.<sup>28</sup> Flint concludes that Daniel and Psalms were viewed as prophetic texts at Qumran and observes that Daniel was often introduced with the words: “As it is written in the book of Daniel the Prophet” (4Q174 2:3), and he cites 11QPsa 27:2–11 noting that after numbering David’s composition the author concludes “All these he composed through prophecy which was given him from before the Most High.”<sup>29</sup>

This all raises the question of when Daniel and the Psalms were separated from the prophetic corpus and included in the Writings and more importantly whether the Writings as such were a fixed collection before the second century CE. The notion that prophecy had ceased was apparently a later dogma read back into the earlier period after Rabbinic Judaism gained a leading place in Judaism at the end of the first century or at the beginning of the second. According to Sanders, this tradition did not appear to take widespread hold until the late first and second centuries CE.<sup>30</sup> The *Ketubim* reflect little awareness of God’s intrusion into history after the beginning of the Persian Period, and this can be seen in later Jewish interpretations of Daniel. It is likely and coincidental that the *Ketubim* were not stabilized into a fixed collection separated from the Prophets until well into the second century CE. It appears that a belief emerged that God had departed from acting in history in ways that God had acted earlier and so Jews withdrew from political and cultural history until relatively recently. They began to live in closed communities by themselves – until the Jüdische Wissenschaft period in mid-nineteenth century.<sup>31</sup>

Perhaps, as suggested earlier, due to the catastrophic disaster that happened in the Bar Kochba rebellion, an apocalyptic and messianic movement that rebelled against Roman occupation of the Land of Israel, Jews turned away from their earlier focus on apocalyptic. The book of Daniel is the only exception among many apocalyptic texts circulating in Palestine that was finally included in the HB. It may be, as some have suggested, that instead of the apocalyptic aspects of the book (chs. 7–12), the later rabbinic focus on the book was on Dan 1–6 that was welcomed as edifying stories that encouraged those going through the challenges from foreign empires dominating and controlling the life of their people whether in their homeland or in the diaspora. In other words, Daniel was welcomed in the rabbinic tradition because of its message that God would see the Jewish people through their persecutions and oppression. This is similar to the rest of the *Ketubim*, the majority of which focus on a strong belief in God’s earlier activity in the nation that offers hope in the future for those oppressed. References to the

<sup>28</sup> Collins, *Seers, Sybils and Sages*, 14.

<sup>29</sup> Peter Flint, “Noncanonical Writings in the Dead Sea Scrolls: Apocrypha, Other Previously Known Writings, Pseudepigrapha,” in Flint, ed., *The Bible at Qumran*, 80–123, here 116–17.

<sup>30</sup> J. A. Sanders, “Issue of Closure in the Canonical Process,” 258.

<sup>31</sup> Ibid.

cessation of prophecy were known among the second century BCE Jews, as we saw above, but not all Jews of that period believed that prophecy and the presence of the Spirit were absent from the Jewish people, as we saw in the Qumran and early Jewish Christian writings (Chapter 5 §VI).

The books whose sacred status was most questioned by some late first-, second-, and third-century rabbinic sages include Song of Songs, Ecclesiastes, Esther, and Sirach, all of which are or would have been placed among the Writings. Ezekiel, as we will see below, was also challenged because of the difficulty of harmonizing it with the Pentateuch. Sirach was quite popular among the Jews and early Christians, but was finally not included in the Jewish Scriptures and debates over its sacredness continued among the rabbinic sages well into the fourth century CE. Because of such debates, it is difficult to determine the stabilization of the third part of the Tanak before the second century CE at the earliest. The divisions or categories of Josephus' sacred Scriptures in *Ag. Apion* 1.37–43 do not parallel any other known collection of Jewish Scriptures, but, along with *4 Ezra* 14:44–47, they point to a fixed collection for some Jews by the end of the first century. However, the specific books in Josephus' collection are not disclosed at that time nor do we know whether *only* the books in his collection were widely accepted at that time. While the number of books in those collections appear fixed, namely twenty-two or twenty-four, in neither case do those numbers reflect the actual number of sacred books in the HB canon. It is not certain whether the inclusion of Sirach would have changed either of the special numbers, twenty-two or twenty-four, since in all cases those numbers were only possible by combining books. That question is not addressed in rabbinic discussions of the number twenty-four, though the use and citation of Sirach as scripture continued among them for more than 200 years after the divine number (24) was selected. Those numbers were chosen because of their significance in identifying the sacredness of the Scriptures by using the letters of the Hebrew or Greek alphabets, but not because of the specific books in them until after the emergence of the *b. Baba Batra* 14b text for some Jews. The later debates over the sacred status of some of the disputed books without reference to the sacred number demonstrate this point.

As we saw earlier, evidence of the inclusion of the Writings among the Prophets before the second century CE can be seen in *4 Maccabees* (ca. 40–54 CE).<sup>32</sup> Its author tells the story of a mother informing her children about their father (18:10) who “taught you the law and the prophets” after which she refers to incidents or texts in the Pentateuch, Daniel, Isaiah, David (“he sang to you songs of the psalmist David” 18:15), Proverbs, and Ezekiel, and in that order. This suggests, of course, that Daniel, David (“the psalmist”), and Proverbs were all viewed as prophetic literature and not separated from the Prophets by the author of *4 Maccabees*.

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<sup>32</sup> It is difficult to date *4 Maccabees*, but that a Diaspora Jew wrote it during the mid-first century CE is likely. For a rationale for this dating see Hugh Anderson, “*Fourth Maccabees*,” *ABD* 4:452–54.

Throughout the first century CE there was no distinction between the Writings and the Prophets for most Jews. That separation appears to have *begun* later in the second century. Likewise, it is not clear whether in the first century CE all of the books in the *Ketubim* were acknowledged as Scripture. Later rabbinic disputes about some of the Writings (Song of Songs, Ecclesiastes, and Esther) appear to reflect uncertainty about their status. Some of the rabbinic debates about the status of Song of Songs, Ecclesiastes, and Esther are also reflected in some of the early church canonical lists that exclude them (see examples in Appendix A below).

Another important question about the Writings has to do with their place and order of books. Since the LXX, which was followed by the Christians, does not follow the sequence or division of books of the Tanak, we must ask whether the Christians invented the sequence of Law, history, poetry and wisdom, and prophets or whether they inherited it. Since we have no evidence of the tripartite divisions in the HB canon before the middle to late second century CE, and since the Christians adopted the Jewish Scriptures circulating among the Jews in the first century before their separation from their Jewish siblings, it is not clear when the four-fold division of those Scriptures adopted by the Christians first appears. The Christians produced the primary Septuagint or LXX manuscripts that have survived antiquity and they did not adopt the HB tripartite order or divisions. For the most part, the early Christians did not follow the tripartite division of the Jewish Scriptures. Did the Christians, who accepted the Scriptures of their Jewish siblings, choose to accept the same sacred books circulating among the Jews in the first century before their separation but not the tripartite division or did they simply inherit the collections in the order that is reflected in the surviving manuscripts and canon catalogues? The most important and most complete LXX manuscripts, primarily Codices Vaticanus, Sinaiticus, and Alexandrinus, do not follow the HB tripartite order and divisions. Although the codices Sinaiticus and Alexandrinus do end with some of the Writings, the sequence is not exactly like the Tanak. For example, Daniel follows Ezekiel in Alexandrinus and both Ezekiel and Daniel are missing (fragmented gap in the manuscript) in Sinaiticus,<sup>33</sup> but both are missing among the Prophets and are not among the Writings. Jerome, who was heavily influenced by Jewish interpreters, offers the closest parallel to the Tanak order, but even there it is not exactly the same order. Ruth is combined with Judges and Lamentations with Jeremiah (Preface to the Books of Samuel and Kings), but in his other listing, Jerome places Daniel among the prophets and follows Ezekiel. Ruth also follows Judges (see Jerome, *Ep.* 53.8). Again, while the order in most Christian catalogues and manuscripts follows a modified quadripartite order, this does not necessarily indicate that the manuscripts and catalogues follow a *Christian* division, but that the order in the Christian manuscripts may have been inherited from earlier Jewish scribes, probably from the Diaspora.

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<sup>33</sup> Most of the Pentateuch, Former Prophets, and Ezekiel and Daniel are missing in this manuscript, but Daniel is not among the Writings in it.

The order and sequences of the books in the Tanak vary in the history of the reception and identification of the Writings. In the lists and manuscripts that have survived antiquity, the *Ketubim* are in different sequences in the lists of Christian OT Scriptures. Isidore, Bishop of Seville (ca. 600), for example, includes the Writings among the Former Prophets and Latter Prophets. No Christian list of the LXX OT Scriptures replicates exactly the HB Tanak listing or ordering of the Writings. Although Origen, Jerome, and Codex Sinaiticus and also Codex Alexandrinus have some overlap with the *Ketubim* in terms of the placement of these books, namely putting *some* of the *Ketubim* toward the end of their lists, none have exactly the same order that we find in the Writings. The order in the Jewish lists of Scriptures (see Appendix §A.1) also varies and Jerome reflects the closest parallel to the order in the HB Scriptures.

There is nothing inappropriate in the Tanak divisions or the sequence of books in it, though unlike in the Law and Prophets, there is little rationale for the common sequence in the Writings. If the popular understanding is correct that the Prophets are commentary on the Law and that the Writings are reflective of the activity of God in the Law and Prophets, why would the Christians object to this pattern or sequence of books if they had known of it when they separated from their Jewish siblings? There is little in it that challenges the Christian proclamation and tradition even though the quadripartite order is more conducive to the Christian's two Testaments. It is interesting that many, if not most, Christian seminaries teach the Old Testament using the Tanak divisions as a model to follow in their study of the Old Testament. However, if the early Christians inherited the order of their OT Scriptures from the LXX, how did the authors of the LXX arrive at the order or sequence commonly adopted in Christian Bibles? It may be that the Christians reordered their OT Scriptures, namely ending with the Twelve and Malachi at the end to allow for the anticipation of a fulfillment motif that points to the coming of Elijah (Mal 4:5–6). In Matthew, the next book in the Christian Bible, the role of Elijah is fulfilled in John the Baptist (Matt 11:7–15), who announces Jesus' special role in the plan of God. However, that order of the HB Scriptures would not be inappropriate for first-century BCE and CE Diaspora Jews, who were looking for a coming messianic figure, as well as for Jewish Christians, if both were concerned about the future kingdom and activity of God and messianic activity. Sanders has shown that the two different orders in the HB and Christian OT reflect an important theological difference in how the collection can be interpreted,<sup>34</sup> but does the logic of the sequence of the books in the LXX derive from a *Christian* theological perspective or from an earlier perspective of Diaspora Jews who may have had a similar theological perspective?

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<sup>34</sup> J. A. Sanders, "'Spinning' the Bible." He argues that the difference in the divisions and sequence is not accidental, but makes an important statement about the distinctions between Jewish and Christian orders of the same Scriptures. See also idem, "Stabilization of the Tanak."

F. F. Bruce may be right in suggesting that the order in the Septuagint may not have been something created by the Christians, but rather one of several arrangements among Jews in the Diaspora before and during early Christianity. The transmitters of the LXX themselves may have tried to order the historical books in the Writings within the historical order of the Former and Latter Prophets. He reminds us that the current order in English Bibles derives from the Latin Vulgate that is closer to the LXX than the HB.<sup>35</sup> Modern publications of the LXX generally follow the order of books in Codex Vaticanus, but several LXX codices differ from that order suggesting that the sequence was not a major concern in the Christian communities and that the sequence varied in different locations and historical contexts.

In the Christian OT, Ruth follows Judges and is followed by the Samuels. The Chronicles, Ezra–Nehemiah, and Esther generally follow the Former Prophets, and Daniel, which was viewed as prophetic literature at Qumran and in the NT, generally follows Isaiah, Jeremiah, and Ezekiel and comes before the Twelve, but sometimes the Twelve come before the Major Three or Four with Daniel at the end of the Four. The Poetic and Wisdom literature generally follows the historical books and the OT collection concludes with the Latter prophets. Diaspora Jews may have adopted a different and earlier sequence in their LXX translation than the order followed in the Tanak. The early Christians, who adopted the LXX as their first collection of Scriptures, may have inherited an earlier order and sequence of books that was present in the LXX that they adopted. This, of course, is speculation, but the lack of primary evidence to the contrary leaves that possibility open. Since the emphasis on apocalyptic literature was minimized in Rabbinic Judaism following the two Jewish rebellions against Rome (66–73 and 132–135 CE), it is possible that the change in the divisions from Law and Prophets to Law, Prophets, and Writings was a result of those two national disasters. The notion of the cessation of prophecy that was emphasized in rabbinic Judaism was not as uniformly pronounced in the various Jewish sects in the first centuries BCE and CE.

Since several of the Writings are cited as Torah or Law or included among the “prophets” in the NT, and since the tripartite Tanak distinctions are not found in Jewish literature before the middle to end of the second century CE (*b. Baba Batra* 14b) and the Tanak divisions are not obvious in Qumran literature, NT literature, or in Josephus, it seems obvious that those distinctions were not functional in the first century CE. Again, since the Jewish Scriptures were all transmitted in individual rolls or scrolls, it is difficult to find consistency in order or sequence until the rabbis begin to make use of the codex centuries later.

There is insufficient evidence available that allows scholars to trace the acceptance of all of the documents later included in the Writings, but that is not evidence that they were not welcomed among the Jewish Scriptures at an earlier

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<sup>35</sup> See F. F. Bruce, *Books and the Parchments*, 81–82.

time. Although copies of some of the *Ketubim* are among the Dead Sea Scrolls, apart from Daniel and Psalms, the rest are fewer in number and several of the others are not cited as Scripture in the Qumran literature, in Philo, in the NT literature, or in Josephus (e.g., Ezra–Nehemiah and Esther). Among the most commonly recognized and cited texts among the Writings are Psalms, Daniel, the Chronicles, and Proverbs, but, if the Dead Sea Scrolls are suggestive of a sacred status, all of the Writings except Esther were discovered there and probably recognized as Scripture as well.

The formation of the third part of the tripartite Hebrew Bible canon is complex and an explanation for its existence is missing in antiquity. As noted above, most of the Writings are post-exilic, but not all. Ruth is likely pre-exilic since the circumstances in it reflect a time when there was no problem for Israelite men taking Moabite wives. The commands against intermarriage (Num 25:1–9) are either ignored or reflect a later period in Israel's history. Ruth does not have a polemical tone that defends the marriage of foreign women or that espouses such practices that were later condemned in the post-exilic period (Ezra 10:6–17; Neh 13:23–27).<sup>36</sup>

Returning now to the origin of the tripartite biblical canon, since the Christians adopted the Septuagint (LXX) as their first Scriptures and the surviving copies of it do not follow the divisions or sequence of books in the Tanak, we ask again whether the Christians invented the sequence now in the Christian OT or whether they inherited it? The sequence of Law, history, poetry and wisdom, and prophets is certainly the order of most Christian manuscripts and lists or catalogues of the Christian OT, but where did that order come from? The LXX manuscripts that contain all or the majority of the OT books have survived in *Christian* manuscripts that also contain NT books, as in the cases of Codices Vaticanus, Sinaiticus, and Alexandrinus from the fourth and fifth centuries. Codices Sinaiticus and Alexandrinus end with *some* of the Writings (not all), but in neither case is the sequence the same as the Tanak. In these manuscripts, Daniel follows Ezekiel in Alexandrinus and both Ezekiel and Daniel are missing in Sinaiticus, but the gap where they would fit is among the Latter Prophets, not among the Writings. But again, this does not indicate that either of these manuscripts is necessarily following a *Christian* sequence. In Sinaiticus, Chronicles, 2 Esdras, and Esther are located in the same place as they are in most Christian lists, and Lamentations follows Jeremiah. In Codex Alexandrinus, Daniel follows Ezekiel and Esther follows Daniel. The point here is that no known LXX collection replicates exactly the Tanak order, but the books that comprise the Writings are all included and scattered throughout the LXX OT books, though the poetic and wisdom books are generally grouped together.

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<sup>36</sup> I am following here the arguments in Collins, *Introduction to the Hebrew Bible* (2nd ed.), 550–51.

In the NT, the vast majority of the citations of the Scriptures are from the LXX, though citations attributed to Paul may come equally from the Hebrew or the Greek.<sup>37</sup> He was certainly familiar with the LXX and also the Hebrew Scriptures, but the majority of the early Christians chose to adopt as their Scriptures the LXX.

After the inclusion of all of the OT books in one codex collection it was possible from the fourth century CE onward to have more uniformity in the order of the OT canon, though later for the HB which began to make use of the codex in the eighth or ninth century. The factors related to order and sequence would likely be considerably more significant later than earlier. This does not detract from the fact that there was a widespread (not unanimous) agreement on the order of the Torah or Pentateuch before the invention and use of the codex. This is also likely in regard to the Former Prophets (Joshua to Kings) due to the obvious chronological development manifest in it. While the Major Prophets generally follow in the manuscripts with Isaiah, Jeremiah, Ezekiel, that is not always the case nor is their place before the Minor Prophets (the Twelve) which sometimes appear before the Major Prophets (does this reflect some chronological priority of Amos and Hosea being written before Isaiah?). Although the collection of the Twelve was settled much earlier (by the early second century BCE at the latest; cf. Sir 49:9–10), the other HB books were not collected in a single volume or codex until much later and the chronological or logical order is not as apparent as in the above-mentioned books. The lack of stabilization here is reflected in the numerous variations in the order of the Writings in the surviving manuscripts and history of transmission. Because there may have been “seams” that brought the earlier collections together in some order, this is not apparent in the Writings despite arguments that jump from one collection (Torah) to another (Writings).<sup>38</sup> Such attempts regularly prove to be modern attempts to impose on ancient documents an order that is not apparent either in the documents or books themselves or argued by others from that era. In other words, this appears to be anachronistic thinking that attempts to find a more logical argument for a particular formation of the *Ketubim*.

<sup>37</sup> Lim makes a good case for this in his *Formation of the Jewish Canon*, 165–66. He observes that Paul’s citations of the Jewish Scriptures both are consistent with the LXX (58 times) and the MT (41 times). He correctly observes that Paul does not always use the usual introductory scriptural formulae and also observes, “but when he does use them, he is almost invariably citing texts that would later be included in the canon” (171).

<sup>38</sup> Steinberg and Stone, “Historical Formation of the Writings,” 36–52. The appeal to *b. Baba Batra* 14b to order the books that comprised the Jewish Scriptures is not convincing or reflective of the rest of the rabbinic tradition in the second through the fourth centuries. They acknowledge the considerable lack of uniformity in the order in the Writings but contend that there is a logical order that predates the Masoretes, and include with that assessment many instances of “probably,” “may,” “possibly,” and others that reflect the uncertainty of their position.



Returning to the point here, it not at all clear that the quadripartite order in the Christians' OT canon is later than that of the current tripartite HB canon or that the Christians themselves made decisions about how their first Scriptures were ordered, or whether the grouping and sequence they followed in some modified ways was something they inherited. There is no evidence that any of the early church fathers made a case for their particular ordering of the books in their OT as opposed to the books in the HB. If the order in the surviving LXX manuscripts were a Christian invention that was opposed to the order in the Tanak, one would think that some church father would have made a point of acknowledging this difference, but no one does. Given how the Scriptures were transmitted by the Jews, namely in rolls generally containing one or two books per roll, whether in Palestine or in the Diaspora, it is not surprising that different sequences in the books can be found in antiquity. Therefore, it should not be surprising if various Diaspora communities that read the LXX Scriptures also had different orders in their books.

### III. THE BIBLE IN THE RABBINIC TRADITION

#### A. *b. Baba Batra* 14b

One of the most important ancient Jewish texts that lists for the first time the books that comprise the HB canon is *b. Baba Batra* 14b, a *baraita*, an early tannaitic tradition (written sometime before 200 CE, perhaps as early as 150–180 CE) that is preserved in the Talmudim, but not in the Mishnah. A *baraita* (or *baraiyta*) is a tannaitic text that appears in the later Talmud, but written earlier. This *baraita* was not included in the Mishnah, and may have been excluded from it, but it gained recognition and was later included in the Babylonian Talmud (the Bavli). For our purposes, this highly significant *baraita* that may have originated in Babylon perhaps also circulated in Palestine in the second century CE. The ending of this text in *b. Baba Batra* 14b and the beginning of 15a identifies the specific books and their order or sequence that comprise the Jewish Scriptures in the second century CE. Because this text lists for the first time the identity of the books that came to comprise the Jewish Scriptures it is obviously quite significant.

Regardless of the place of origin of this tannaitic text, it clearly identifies the books that comprised what some *tanna* believed was the scope of the Jewish Scriptures – in other words, this is clearly a biblical canon! Its purpose was not to make a formal statement on the formation of a biblical canon, but rather to address the order or sequence of books in the Jewish Scriptures as well as matters of authorship. Nevertheless it lists all of the books that were included in the Tanak (the Pentateuch is listed as the Law or books of Moses in 14a and 15a). It is doubtful whether all rabbis at this time (ca. 150–200 CE) accepted all of the books in this list, as we see in some challenges in the Mishnah, Tosefta, and

two Talmudim,<sup>39</sup> but for the one(s) who comprised this list, it was obviously a complete listing of the books that comprise the Jewish Scriptures.

Although Timothy Stone suggests that I have misread the *b. Baba Batra* 14b text and assume that it was an early canonical list instead of a delineation of the sequence and placement of the books in the HB,<sup>40</sup> this text is both. It is the first listing of the books in the Prophets and Writings, but also in the context of 14a and with 15a where the Law of Moses is identified, the missing first part of the Tanak in 14b would be quite surprising if it were not assumed by this text's author. There was no time in the history of the Jews from the fifth century BCE and following where the Law of Moses was not in the place of priority and prominence among the sacred writings of the Jews, as we have already seen. The 14b passage obviously assumes the Law (see the context where it is placed in 14a and 15a), but here it only identifies the books that were acknowledged as sacred Scriptures in the Prophets and Writings, as well as their order and authors. The Pentateuch was already long established and recognized. If this is not a biblical canon in the sense of a fixed collection of recognized sacred Scriptures, then not much else in antiquity is, and nothing else in the rabbinic tradition comes as close as this to identifying the specific books that comprised its Scriptures. Were these books acknowledged as Scripture earlier? Yes, of course, but there are no lists of sacred Scriptures earlier than this one. Stone cannot show in earlier texts which books were so identified, or where or when such recognition took place, but he agrees that eventually such recognition took place.

We must be clear that what one rabbinic sage wrote does not necessarily imply that all Jewish sages of the same period agreed with what was said. There was considerable agreement in the rabbinic literature on the majority of books that comprise the HB canon, but also disagreement. What is characteristic of much of the rabbinic literature is its openness to a debate of most of the important issues facing the Jewish religious leaders at that time. Not unusually in those texts, when one rabbi makes an argument in favor of something another takes an opposing view. It is refreshing to see that not all religious leaders agreed on every point or argument in antiquity.

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<sup>39</sup> Lim, *Formation of the Jewish Canon*, 181, concludes that this source shows that the Rabbinic Scripture canon was already closed when it was written, but I think it important to qualify this and say rather that the Rabbinic Scripture canon was closed for those who produced this list. At that point, it is not clear that all or even most rabbis accepted all of the books in this list, but it does reflect the view of its author(s) and certainly of later rabbis. The fact that this *baraita* was not included in the Mishnah suggests, at least, that it was not as popular *yet* among the framers of the Mishnah. The continuing fluidity of views on the scope or shape of the Rabbinic canon can certainly be seen in the sequence of the books in various surviving manuscripts as well as in debates over the sacredness of several of the books in it. That took much longer.

<sup>40</sup> See his Timothy Stone "The Biblical Canon According to Lee McDonald," *EuroJTh* 18, no. 1 (2009): 55–64, here 57.

Their tent was intentionally large enough to include many expressions of Judaism. The focus was less on right belief than on right living and activity. Their sacred literature, however, was restricted to Law, Prophets, and Writings, but not in the same way that Christians later acknowledged them. For Jews a broader notion of Torah emerged that included the *Oral Torah*, namely, those oral traditions passed on in the Jewish communities in the first and second centuries, as a way of life more than a way of faith.<sup>41</sup> The focus in this text is strangely on a rationale for the order of books within the Jewish Scripture canon, but also to some extent on the authorship and identity of the sacred books especially in 15a, but also in 14b names are mentioned not so much as authors but as the identity of the books that are recognized as Jewish Scripture. For the first time also the now common tripartite HB canon is specifically identified and the books that comprise each part are also identified. The book or books of Moses are assumed at the beginning of this text (see 14a) and at the end (14b and 15a where Joshua writes the last eight verses of the Pentateuch). The text reads as follows:

Our Rabbis taught: The order of the Prophets is, Joshua, Judges, Samuel, Kings, Jeremiah, Ezekiel, Isaiah, and the Twelve Minor Prophets. Let us examine this. Hosea came first, as it is written, God spake first to Hosea. But did God speak first to Hosea? Were there not many prophets between Moses and Hosea? R. Johanan, however, has explained that [what it means is that] he was the first of the four prophets who prophesied at that period, namely, Hosea, Isaiah, Amos and Micah. Should not then Hosea come first? – Since his prophecy is written along with those of Haggai, Zechariah and Malachi, and Haggai, Zechariah and Malachi came at the end of the prophets, he is reckoned with them. But why should he not be written separately and placed first? – Since his book is so small, it might be lost [if copied separately]. Let us see again. Isaiah was prior to Jeremiah and Ezekiel. Then why should not Isaiah be placed first? – Because the Book of Kings ends with a record of destruction and Jeremiah speaks throughout of destruction and Ezekiel commences with destruction and ends with consolation and Isaiah is full of consolation; therefore we put destruction next to destruction and consolation next to consolation.

The order of the Hagiographa is Ruth, the Book of Psalms, Job, Prophets [Proverbs?], Ecclesiastes, Song of Songs, Lamentations, Daniel and the Scroll of Esther, Ezra and Chronicles. Now on the view that Job lived in the days of Moses, should not the book of Job come first? – We do not begin with a record of suffering. But Ruth also is a record of suffering? – It is a suffering with a sequel [of happiness], as R. Johanan said: Why was her name called Ruth? – Because there issued from her David who replenished the Holy One, blessed be He, with hymns and praises.

Who wrote the Scriptures? – Moses wrote his own book and the portion of Balaam and Job. Joshua wrote the book which bears his name and [the last] eight verses of the Pentateuch. Samuel wrote the book which bears his name and the Book of Judges and Ruth. David wrote the Book of Psalms, including in it the work of the elders, namely, Adam, Melchizedek, Abraham, Moses, Heman, Yeduthun, Asaph,

[The first part of Folio 15a continues the previous sentence from 14b]

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<sup>41</sup> Sanders, "Judaism." I will say more about this below.

and the three sons of Korah. Jeremiah wrote the book which bears his name, the Book of Kings, and Lamentations. Hezekiah and his colleagues wrote...Isaiah, Proverbs, the Song of Songs and Ecclesiastes. The Men of the Great Assembly wrote...Ezekiel, the Twelve Minor Prophets, Daniel and the Scroll of Esther. Ezra wrote the book that bears his name and the genealogies of the Book of Chronicles up to his own time. This confirms the opinion of Rab, since Rab Judah has said in the name of Rab: Ezra did not leave Babylon to go up to Eretz Yisrael until he had written his own genealogy. Who then finished it [the Book of Chronicles]? – Nehemiah the son of Hachaliah.

The Master has said: Joshua wrote the book which bears his name and the last eight verses of the Pentateuch. This statement is in agreement with the authority who says that eight verses in the Torah were written by Joshua, as it has been taught: [It is written], So Moses the servant of the Lord died there. (*b. Baba Batra* 14b–15a, trans. Soncino)

This collection of books is the same that finally obtained canonical status in rabbinic Judaism, though the sequence found here is different from others and this is the only place where Chronicles is in last place and attributed to both Ezra and Nehemiah.<sup>42</sup> Even after the writing of this text there was considerable debate and discussion over the books on the fringes of the biblical canon, that is, some of the *Ketubim* or Writings. Since this tradition is classified as a *baraita* dating from the late Tannaitic period and was not included in the Mishnah, it is suggestive to conclude that the text was not as popular among the rabbis when it was produced (ca. 150–180 CE) and it had not yet received widespread rabbinic approval by the time of the closure and codification of the Mishnah around 200–220 CE.<sup>43</sup> Hence it is difficult to argue that this text reflects a popular view among rabbinic Jews in the second century CE, but was not included in the Mishnah. This accords with the second century CE story about Bishop Melito of Sardis who traveled to the East to learn which books belonged in the OT. What he discovered (from the Jews or fellow Christians?) is not exactly the same as the books in the current HB biblical canon or in this *baraita*.

Although it may not have been a popular view at the time the author of *b. Baba Batra* 14b–5a wrote it, this text is very important for canonical research since it is the first listing of the *twenty-four* books that eventually formed the contents

<sup>42</sup> The only exception is that 1–2 Chronicles comes at the end of the Jewish collection instead of preceding the book of Ezra, as in the Protestant and Catholic Old Testament canon and this is true in the Orthodox OT canons but Chronicles and the Esdras are separated by the Prayer of Manasseh. The repetition of 2 Chr 36:22–23 = Ezra 1:1–4 is not really necessary since these two passages are sequential in Christian Bibles. If, however, 1–2 Chronicles originally fell at the end or even the first place in the biblical canon, such repetition would serve to link these books with Ezra, which was some distance away. The current form of the Protestant biblical canon brought them together (cf. a similar link in Prov 25:1, which identifies those who copied and presumably circulated the proverbs of Solomon).

<sup>43</sup> A still helpful discussion of the primary texts that reflect the rabbinic tradition about the doubted books in the rabbinic literature is Wildeboer, *Origin of the Canon of the Old Testament*, especially 5–46 and 114–52. See also a useful collection of Dead Sea Scrolls references and rabbinic sources cited in Talmon, *Text and Canon of the Hebrew Bible*, especially 424–42.

and groupings of the HB and how they were combined to form that number (the number itself is not mentioned here). F. M. Cross, as noted earlier, suggests that this tradition came from Babylon by Hillel who introduced it to the Pharisees who heavily influenced the scope of the biblical canon.<sup>44</sup> The books in this rabbinic biblical canon were also welcomed among the early Christians, but the rabbinic division and order of the sacred Scriptures in a tripartite biblical canon was not followed in *most* of the Scripture collections in early Christianity or in subsequent Jewish orders of Scriptures either.<sup>45</sup> There is no evidence that the early Christians knew the tripartite division that characterized later rabbinic Judaism, but there is evidence that later church fathers were aware of it, especially Jerome. They were aware of the twenty-two books that comprise the Jewish Scriptures, but the earliest Christians appear unaware of the tripartite divisions in the HB canon. It appears that the Christians eventually acknowledged as Scripture all of the books that were included in the HB canon, but most of them also included other books as well. As in rabbinic Judaism, there were also questions among the church fathers over the status of Song of Songs, Esther, and Ecclesiastes for several centuries. Because this rabbinic text reflects the views that eventually obtained acceptance in rabbinic Judaism, it cannot be easily dismissed. While it does not reflect *how* the early Christians appropriated the books that formed their OT Scriptures, most Christians eventually accepted all of the books in the tripartite HB canon, but many of them also accepted more than that. This list is significant because it is the earliest record of the books that were accepted as sacred Scripture among the Jews and most early Christians.

## B. *Torah*

More than 40 percent of the citations of biblical texts discovered at Qumran were of various portions of the Torah. The Law had the place of priority in the Scriptures of Second Temple Judaism, whether in Philo, Qumran (4QMMT), early Christianity, or later in rabbinic Judaism. According to the Talmud, only Torah scrolls could *not* be divided for inheritance purposes, though scrolls of other holy books could be divided at an appropriate seam and under certain conditions.<sup>46</sup> Torah scrolls were kept separate from scrolls of the Prophets and Writings. Initially, they were

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<sup>44</sup> Cross, *From Epic to Canon*, 205–29.

<sup>45</sup> As we saw above, Jerome is the primary exception and he largely followed the HB order, but did not identify his Scriptures by the names Law, Prophets, and Writings. He simply listed the books in the *broad* sequence found in the tripartite HB canon. This suggests that the separation of Christians from Judaism came *before* the HB canon was formed into the three distinct parts. However, some early church fathers from the East and two prominent Uncial manuscripts from the fourth and fifth centuries (Codices Sinaiticus and Alexandrinus) *generally* followed the order of a tripartite biblical canon, but not completely.

<sup>46</sup> Silver, *Story of Scripture*, 162.

placed in a *tevah* (“chest”),<sup>47</sup> but by the fifth century CE, Torah scrolls were kept separately inside an ark in the prayer room behind a curtain (*parochet*), which recalled the curtain in front of the holy of holies in the temple.<sup>48</sup> A rabbi could not lay any other scroll on top of the Torah. Only the five scrolls of Moses were read completely each year in the synagogue.<sup>49</sup> Eventually the *Megilloth* (Song of Songs, Lamentations, Ruth, Ecclesiastes, Esther) were also read on special occasions, but that was not true for the other books of the Tanak. Torah clearly had priority among the Scriptures in the rabbinic tradition and was acknowledged as the most authoritative of the Jewish Scriptures. All Scriptures after the Torah received their authority from the Torah and were viewed in relation to it. The rabbis believed that the Prophets, for example, interpreted the implications of the Torah for the people. As we will see below, even the Mishnah tractates were called the “Oral Torah.”

The Torah in its broadest sense prevails in all such discussions of authority within Judaism and, according to Sanders and Johnson,<sup>50</sup> also in early Christianity. A change took place regarding the formation of the Torah for the rabbis when they included not only the written Torah, but also the “Oral Torah,” that is, the tradition that accompanied it. Sanders explains that eventually not only the Pentateuch was Torah, but also the whole of divine revelation whether written or oral:

The unifying factor among them [Jews in the Rabbinic period] was a concept called Torah, God’s will for their lives. “Torah is Judaism and Judaism is Torah.” That equation has to be understood not only for Early Judaism but also for Rabbinic Judaism. Even so, its interpretations have always adapted to the needs of on-going communities of Jews that find their identity and life-style in recital of the Pentateuch and its rabbinic derivatives. Torah is usually meant in its broad sense, not just Law [Pentateuch] or even just Scripture, but the whole development of traditions that grew out of the need to adapt to ever-changing circumstances and problems in continuing attempts to live lives of Torah wherever they settled.<sup>51</sup>

Sanders adds that in Rabbinic Judaism, “living a life of Torah was a Jew’s vocation, and the focus was on Torah as law or lifestyle.” He adds that the “Oral Torah was the brilliant, necessary adaptation of the concept of Torah as obedience (not faith) to how to live in closed communities, in but not of the Greco-Roman world.” He contrasts this expression of Judaism with the other surviving expression of Judaism, namely Christianity that saw Jesus the Christ as the “New Torah” – the incarnate authority of God. According to Sanders, the Christians rearranged their “First Testament” in their copies of the Septuagint by putting the prophetic corpus

<sup>47</sup> The *tevah* is also called a *bimah* (“platform or pulpit,” derived from Gk. βῆμα), which sat in the center of the synagogue and had a desk for reading the Torah scroll. A platform for reading the Torah is mentioned in Neh 8:4.

<sup>48</sup> Silver, *Story of Scripture*, 162.

<sup>49</sup> Ibid., 160–72

<sup>50</sup> J. A. Sanders, *Torah and Canon*, 121; and L. T. Johnson, *The Writings of the New Testament: An Interpretation*, rev. ed. (Philadelphia: Fortress, 1999), 612–13.

<sup>51</sup> J. A. Sanders, “Judaism: 580 BCE–70 CE.”

at the end of that collection because they believed that it foretold and anticipated the Christ and formed a bridge to their new collection of Scriptures, the New (or Second) Testament. The prophets connected the divine story that began in Genesis and through the history of their First Testament to the “Torah incarnate” even Jesus the Christ.<sup>52</sup> As noted above, it is difficult to find evidence that the Christians themselves arranged the order of their OT, but certainly the current order of the Christian OT is conducive to a useful connection between the two Testaments.

In contrast to the Qumran and Sadducean forms of Early Judaism, which developed application of Torah to new problems through re-reading and re-interpreting Scripture,<sup>53</sup> Rabbinic Judaism developed a second Torah called *Halachah* or “Oral Torah,” which in effect was to replace written Torah in Scripture. Oral Torah was also viewed as part of the revelation to Moses on Mt. Sinai, but kept in oral form rather than written down like Scripture. It was eventually codified in writing as Mishnah (200 CE) and Talmud Bavli (sixth cent. CE). Torah, whether written or oral, includes *haggadah* (stories) as well as *halachah* (laws) in many forms.<sup>54</sup> Schiffman concludes that “in Tannaitic texts, the fixed Torah is a fundamental assumption, as is the idea of two Torahs – oral and written...”<sup>55</sup> Torah, as that which encompasses all of Jewish sacred literature and its oral traditions initiated by the Tannaitic community, is not clear in the findings at Qumran, nor that all Jews in late Second Temple Judaism agreed either on the scope of the HB or that the oral traditions of the Tannaitic community were included in Torah. Schiffman makes a defensible claim that by 200 CE Torah began to include all sacred Jewish traditions, namely the whole of the HB, the Mishnah, and eventually its interpretation in the Amoraic literature.<sup>56</sup>

## C. Noncanonical Books

In regard to the noncanonical and heretical books, Sid Leiman has supplied several Rabbinic sources that refer to the books that “defile the hands” (i.e., those that are inspired by God) and those that do not, as well as what to do with the latter. I cite two of them here that are helpful in understanding later views toward writings that were not included in the HB.

But the following have no share in the world to come: he who maintains that the resurrection is not intimated in the Torah, or that the Torah was not divinely revealed, and an Epicurean. (*m. Sanh.* 10:1)

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<sup>52</sup> Ibid.

<sup>53</sup> J. A. Sanders, *ibid.* cites here Lawrence Schiffman, *The Halachah at Qumran* (Leiden: Brill, 1975).

<sup>54</sup> J. A. Sanders, “Judaism.”

<sup>55</sup> Lawrence T. Schiffman, “The Term and Concept of Torah,” in Finsterbusch and Lange, *What Is Bible?*, 173–91.

<sup>56</sup> Ibid., 183.

R. Akiba (110–135) adds: one who reads the outside books such as the books of Ben Sira [Sirach] and the books of Ben La'aga. But he who reads the books of Homer and all other books that were written from then on, is considered like the one who is reading a secular document, for it is written: And furthermore, my son, beware of making many books, and much study of them is a weariness of flesh (Eccl. 12:12). Hence, casual reading is permissible but intensive study is forbidden. (y. *Sanh.* 28a)

R. Akiba (110–135) adds: one who reads the outside books etc. A Tanna taught: This means the books of the heretics [literally, Sadducees<sup>57</sup>]. R. Joseph (290–320) said: It is also forbidden to read the book of Ben Sira.... (b. *Sanhedrin* 100b)

If the issue of the canonicity of the HB was settled before the time of Jesus, we must ask why debate about which books could be read in public (i.e., during worship) continued during the formation of the Talmud?<sup>58</sup> Since the reading of Scripture in worship and catechetical instruction in the synagogue implies its sacredness and authority for a believing community, any action restricting public reading of a document also suggests that the restricted document was not viewed as sacred. The primary exception to this, of course, is the reference in 4 *Ezra* 14:46–47 to the “seventy” books that were reserved for the wise and not to be read in public (this text was discussed earlier in Chapter 10 §II). Examples of the biblical books excluded by some rabbis from public reading include the following:<sup>59</sup>

Ecclesiastes (m. *Yadayim* 3:5; b. *Berakhot* 48a; b. *Shabbat* 100a; *Ecclesiastes Rabbah* 1:3; 11:9; *Leviticus Rabbah* 23; *Avot of Rabbi Nathan* 1; cf. Jerome on Eccl. 12:14)  
 Esther (m. *Megillah* 4:1; b. *Megillah* 7a; b. *Sanhedrin* 100a; cf. t. *Megillah* 2:1a; 2 Macc 15:36; Josephus, *Ant.* 11.184–296)<sup>60</sup>  
 Ezekiel (b. *Shabbat* 13b; b. *Hagigah* 13a; b. *Menahot* 45a; cf. Jerome, *Epistle* 53.8,<sup>61</sup> and Sir 49:8)  
 Proverbs (b. *Shabbat* 30b)  
 Ruth (b. *Megillah* 7a)  
 Song of Songs (m. *Yadayim* 3:5; m. *Eduyyot* 5:3; t. *Sanhedrin* 12:10; t. *Yadayim* 2:14; b. *Sanhedrin* 101a; b. *Megillah* 7a)

<sup>57</sup> Since the Sadducees likely did not survive the destruction of Jerusalem and its Temple in large numbers, “Sadducees” here may be a designation that refers to Judeo-Christians and possibly also the writings of Gentile Christians and their New Testament writings (cited from Soncino trans. of b. *Sanh.* 100b, note 6).

<sup>58</sup> E. Oikonomos, “The Significance of the Deuterocanonical Writings in the Orthodox Church,” in Meurer, ed., *The Apocrypha in Ecumenical Perspective*, 19, raises this point.

<sup>59</sup> For other examples, see Lewis, “Jamnia Revisited,” 154–57.

<sup>60</sup> As we saw earlier, some of the early Christians also questioned the authority of Esther and some would not read it in their worship services. A helpful listing of those early church fathers who rejected or minimized the use of Esther can be found in Dunne, *Esther and Her Elusive God*, 96–100. He also includes rabbinic references to its absence or rejection in synagogal use. I have noted some of these exceptions in the canonical lists in Appendix A.

<sup>61</sup> The Jerome reference is noted in Dunne, *Esther and Her Elusive God*, 155.



The difference between the biblical canons of Jews and Christians may be seen in their religious debates. When Christians were in dialogue with Jews, they regularly cited only the Jewish Scriptures (HB books); but when they were involved in their own worship services and teaching ministries, Christians used a larger collection of OT Scriptures. Origen, for example, justified his use of deuterocanonical/apocryphal literature by appealing to early figures who did the same: Jesus (Matt 23:29–36), Stephen (Acts 7:52), and Paul (whom Origen thought *might* have written Heb 11:37). On the other hand, he also followed the narrower Jewish biblical canon when in discussion with Jews. He explained: “We follow the practice of not ignoring the books which they [i.e., the Jews] accept as genuine. In discussion with the Jews, we do not bring forward what is not contained in their copies, but use in common with them the [books] which they recognize, even when they are not recognized in our books.”<sup>62</sup> Silver concludes from this that “even as late as the early Talmudic period, there were still debates about whether certain scrolls should be included or excluded from a collection that had not yet been named or defined.”<sup>63</sup> The Qumran sect, for example, had no clearly defined Psalter – at least not one like what eventually obtained canonical status as we see in its many variations (e.g., the added refrain in Ps 145 and the inclusion of Pss 151A, 151B, 152, 153, 154, and 155).

It is not clear whether the majority of Jews in Palestine accepted the Scriptures (and the theology) of the Pharisees in the first centuries BCE and CE. A Judaism that was “defined by holy texts” was only beginning to emerge during this period,<sup>64</sup> and the precise boundaries of that collection were not yet established. We cannot maintain, therefore, that the sacred writings at Qumran were the same as those of most other Jews in Palestine in the first century CE. The same could be said of the list in *b. Baba Batra* 14b. It was what eventually obtained canonical status, but it is not certain that it reflected a majority view when it was written. Finally, while such questions are of particular interest to scholars today, the Jewish sages of the first and second centuries CE apparently were not interested in those matters at that time.

## D. Sirach and the Rabbinic Canon

Sirach is a concrete example of fluidity in the rabbinic Scriptures. It is quoted or cited *as Scripture* many times in rabbinic literature (*b. Hagigah* 13a; *y. Hagigah* 77c; *b. Yebamot* 63b;<sup>65</sup> *Genesis Rabbah* 8:2b; *b. Baba Qamma* 92b),<sup>66</sup> but

<sup>62</sup> Quotation is of Jerome from Oikonomos, “Significance of the Deuterocanonical Writings,” 20.

<sup>63</sup> Silver, *Story of Scripture*, 135.

<sup>64</sup> *Ibid.*, 136.

<sup>65</sup> This text cites Sirach by name and quotes Sir 26:1–3 with the introduction, “*It is written* in the book of Ben Sira...” (emphasis added).

<sup>66</sup> M. H. Segal, *Sefer Ben-Sirah ha-Shalem* (Jerusalem: Bialik, 1953), lists some eighty-five citations of Sirach in rabbinic literature through the tenth century CE. For instance, in the last of these texts, *Baba Qamma* (or *Kamma*) 13a, has a series of scriptural citations including one from Sirach

eventually it was rejected within rabbinic Judaism. What these examples suggest, of course, is that the Scripture canon of the rabbinic tradition was not as firmly settled during or at the end of the first century CE as some have argued. Sirach may be “the exception that proves the point,” as is sometimes argued to establish an early date for the fixing of the HB canon, but that is not necessarily the case for some rabbinic sages. There is no question that Sirach was a popular text for centuries among the Jews and its status was likely not finally settled for all rabbis in the first three or four centuries of the common era, though broad agreement on its status was reached toward the end of the rabbinic period. The number of sacred books, twenty-four, was likely settled earlier through various combinations of books and much sooner than the scope or parameters of the books in the HB. It is true that few exceptions to the twenty-four books that now make up the HB can be cited in the rabbinic tradition, but the frequent citation of Sirach still suggests that the contours of the HB were not as firmly fixed as some scholars have suggested.

Fragments of Sirach were found at Qumran (Sir 6:20–31; 51:13–19, 30) and at Masada (Sir 39:27–32; 40:10–44:17), which raises the obvious question of whether Sirach was a part of the Scriptures of these communities. It is difficult to draw firm conclusions about the scriptural status of Sirach at that time and one scholar questions whether Sirach was simply a liturgical text used in worship or actually included in a recognized canon of Scriptures that validated points of worship and practice in daily living.<sup>67</sup> However, the debate over its status in the rabbinic period suggests that some Jews welcomed it as a scriptural book early on. Whatever the case, some Jews in Late Antiquity, especially in the first few centuries of the rabbinic period, cited Sirach *as Scripture* and it is difficult to separate this book from other scriptural collections at that time.

Regardless of its later canonical status, Sirach appears to have functioned as Scripture among some Jews and later among the Christians who read it and afforded it a special scriptural status. Leiman maintains strangely that although the Tannaim and the Amoraim venerated Sirach, they did not receive it as a canonical book. He adds that when sectarian Jews (Christians?) included Sirach in their biblical canons, Rabbi Akiba banned the book from being read. Leiman acknowledges that the later Amoraim rabbis cited the book as Scripture, but added that this may be either because Akiba gave only his own private opinion on the status of the book. He adds that because the portions of Sirach were quoted as Scripture those texts did not come from Sirach, but were quotations cited from memory that

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which the author places in the Hagiographa (Writings): “*It is stated in the Pentateuch as written, So Esau went unto Ishmael; repeated in the prophets, as written, And there gathered themselves to Jephthah idle men and they went out with him; mentioned a third time in the Hagiographa, as written: Every fowl dwells near its kind and man near his equal...*” (Sir 13:5, Soncino trans., emphasis added). The passage cites a series of scriptural texts and includes the Sirach text among the *Hagiographa* (Writings).

<sup>67</sup> See Gilbert, “The Book of Ben Sira,” 85–87.

were formulated before the Akiba ban.<sup>68</sup> This is, of course, unconvincing. Leiman acknowledges that Sirach was cited as Scripture, and he gives twelve examples of this in rabbinic literature. For example: “Simeon b. Shetah from the (first century BC) answered him: *It is written* in the book of ben Sira” (see *y. Berakhot* 11b; *y. Nazir* 54b; *Genesis Rabbah* 91:3; *Ecclesiastes Rabbah* 7:11; and *b. Berakhot* 48a; emphasis added); and “*As it is written* in the book of Ben Sira” (*Tanhuma*, tractate *Hukkat* 1, emphasis added).<sup>69</sup> That the continued use of Sirach as Scripture in rabbinic Judaism continued well into the fourth century points to its significant influence within the Jewish community despite Akiba’s rejection of it in the early second century. After him it is clear that others recognized Sirach as sacred Scripture before it was finally withdrawn.

## E. The Use of Scripture in Rabbinic Judaism

The Mishnah tractates’ use of Scripture has been described by David Kraemer as highly complex, especially “assertive, even aggressive, and sometimes radical.” By aggressive, he means that the rabbis were willing to override the intention of the biblical text in favor of their own.<sup>70</sup> This approach often led rabbis to adopt not the simple or obvious meaning of a text of Scripture, but instead make the text support their own agenda and reflect their own social contexts. They seldom focused on extended passages of Scripture or on a broad range of Scriptures, but instead interpreted mostly only a few words here and there.<sup>71</sup> The rabbis’ willingness to change the obvious meaning of the text to something other than the text’s normal meaning is not without parallel in antiquity and, as we saw earlier, it has parallels in the NT itself (e.g., Eph 4:8 citing Ps 68:18).

Of the Mishnah’s sixty-three tractates *Avot* has more references to specific Scripture texts than the others, but there is little detail in those references. This is considerably different from the Jews at Qumran who regularly cited the Law to support their various practices and also provided *pesharim* commentaries on several of their prophetic Scriptures, including Psalms and Daniel. Philo and Josephus regularly make reference to their sacred Scriptures, but often in ways unlike what we find in the Mishnah. The NT writers also make frequent use of Scripture texts, citing the OT regularly in support of various teachings and practices in the early church. The Christians inherited this practice of “writing with Scripture”<sup>72</sup> from

<sup>68</sup> Leiman, *Canonization of the Hebrew Scripture*, 92–102.

<sup>69</sup> *Ibid.*, 92–97, 100. See also 185 notes 441–52 for Leiman’s list of twelve examples of references to Sirach in a scriptural manner.

<sup>70</sup> David Kraemer, “The Reception of the Bible in Rabbinic Judaism: A Study in Complexity,” *Journal of the Bible and Its Reception* 1, no. 1 (2014): 29–46, here 37.

<sup>71</sup> *Ibid.*, 29 and 30–38.

<sup>72</sup> This phrase comes from Neusner and Green, *Writing with Scripture*, 1–2, in which Neusner claims that the early Christians and Jews in the same period did not write *about* Scripture so much as they wrote *with* Scripture to express their thoughts.

late Second Temple Jewish practices. The rabbis accepted the authority of their Scriptures and even defined their boundaries, but nonetheless they had an unusual approach to them and often appear to have given priority to the oral tradition (“Oral Torah”) reflecting Tannaitic interpretations of the Scriptures. There appears to have developed within the rabbinic tradition, especially among the writers of the Mishnah, a new understanding of their Scriptures. Kraemer observes that the reading of Scripture was significantly different in the early Christian and rabbinic communities and these differences led to the profound differences in subsequent expressions of Judaism and Christianity.<sup>73</sup>

The two Talmudim (Yerushalmi and Bavli) not only support the interpretations and claims of the Mishnah, but also frequently add Scripture references in a manner that is more familiar to those who write *with* Scripture.<sup>74</sup> If the rabbinic sages wrote prescriptions for living without the significant aid of or reference to their Scriptures, one cannot help but wonder about the notion of Scripture in the period of the Tannaim (i.e., the first two centuries CE). Lightstone raises an important question about how the very circle of leaders, supposedly those responsible for fixing the final boundaries of the Hebrew biblical canon, was also responsible for the Mishnah that had so very little to do with those Scriptures. He observes that the Jewish scriptural canon and the Mishnah both reflect the social institutions and experiences of the second century CE.<sup>75</sup> What kind of cultural context took place that could not only define the boundaries of the Jewish Scriptures, but also then largely (not completely) ignore them when producing the writings in the Mishnah that would be used for ordering daily living?

Among the most significant assumptions of the rabbinic sages was the recognition of the inspired status of their written Scriptures, but they also concluded that the *written* Torah was not the only revelation from God. Their actions suggest that they concluded that divine revelation came in the form of an Oral Torah that not infrequently *in practice* was superior to the written Torah. This can be seen in the late classical rabbinic period, as we see in the *Bavli*, when the Oral Torah sometimes took priority over the written Torah. For example, in the following *Bavli* text we see not only the brevity of the portions of a text cited from Scripture, but also the priority given to the Oral Torah:

<sup>73</sup> Ibid., 30 n. 1.

<sup>74</sup> J. Neusner, “Rabbinic Judaism in Late Antiquity,” in *Judaism: A People and Its History*, ed. R. M. Seltzer (New York: Macmillan, 1989), 75–76. In regard to the religious texts that we will examine, there remains some debate about the dating of the rabbinic period and also final formation of the Talmud. Most scholars date the completion of the Babylonian Talmud at around 550 CE, but David Weiss Halivni, *The Formation of the Babylonian Talmud*, trans. by Jeffrey L. Rubenstein (New York: Oxford University Press, 2013), contends that a collection of ancient rabbinic scribes that he calls “*Stammaim*” (Heb., “anonymous ones”) were redacted with additions to the Talmudic texts from the late sixth to the late eighth century CE. He argues that these *Stammaim* (they are actually later called *Saboraim* (“reasoners”) regularly supplemented and reorganized the proto-Talmudic oral traditions finally committing them to writing in the Babylonian Talmud around 770 CE.

<sup>75</sup> Lightstone, *Society, the Sacred, and Scripture*, 68.

R. Eleazar said: The greater portion of the Torah is contained in the written Law and only the smaller portion was transmitted orally, as it says, Though I wrote for him the major portion of [the precepts of] my law, they were counted a strange thing [Hosea 7:12]. R. Johanan on the other hand, said that the greater part was transmitted orally and only the smaller part is contained in the written law, as it says, For by the mouth of these words [Exod 24:27]. But what does he make of the words, “Though I write for him the major portion of my law”? – This is a rhetorical question: Should I have written for him the major portion of my law? [Even now] is it not accounted a strange thing for him? And what does the other make of the words, “For by the mouth of these words”? – That implies that they are difficult to master. R. Judah b. Nahmani the public orator of R. Simeon b. Lakish discoursed as follows: It is written, Write thou these words [Exod 24:27], and it is written, For according to the mouth of these words [Exod 24:27]. “What are we to make of this?” – It means: The words which are written thou art not at liberty to say by heart, and the words transmitted orally thou art not at liberty to recite from writing. A Tanna of the school of R. Ishmael taught: [It is written] These: [Exod 24:27] these thou mayest write, but thou mayest not write halachoth. R. Johanan said: God made a covenant with Israel only for the sake of that which was transmitted orally, as it says, For by the mouth of these words I have made a covenant with thee and with Israel [Exod 24:27]. (*b. Gittin* 60b, Epstein trans.)<sup>76</sup>

When the rabbis focus on their written Scripture, they regularly do so, as noted above, in small bits and pieces, as in their interpretation of a few words of a verse, a word, or even part of a word.<sup>77</sup> More importantly, it appears that the rabbis consciously decided against the obvious reading of a Scripture text in favor of their own traditions. In *m. Hagigah*, the rabbis show awareness that some of their laws were based on a weak scriptural foundation. They explain it thusly:

[The rules about] release from vows hover in the air and have naught to support them; the rules about the Sabbath, Festal-offerings, and Sacrilege are as mountains hanging by a hair, for [teaching of] Scripture [thereon] is scanty and the rules many; the [rules about] cases [concerning property] and the [Temple-] Service, and the rules about what is clean and unclean and the forbidden degrees, they have that which supports them, and it is they that are the essentials of the Law. (*m. Hagigah* 1:8, Danby trans., 212–13)

Kraemer cites *m. Baba Metzia* 3:1 that overturns the teaching of Exod 22:6–12 as evidence of the Mishnah authors’ willingness to overrule the Torah’s distinction in favor of their own, which appears to contradict the clear meaning of the written Torah.<sup>78</sup> See for example:

R. Kahana objected to Mar son of R. Huna: But this refers to the words of the Torah? – A verse cannot depart from its plain meaning, he replied. R. Kahana said: By the time I was eighteen years old I had studied the whole Shas, yet I did not know that a verse cannot depart from its plain meaning until to-day. What does he inform us? – That a man should study and subsequently understand. (*b. Shabbat* 63a, Soncino trans.)

<sup>76</sup> I have included the Scripture texts referred to in the text in brackets since they are not in the translator’s notes.

<sup>77</sup> Kraemer, “Reception of the Bible in Rabbinic Judaism,” 32–33 offers several examples of this in rabbinic writings, including a text from *Leviticus Rabbah* 2:2.

<sup>78</sup> *Ibid.*, 35–38. He offers further examples of this in the Talmud, e.g., *b. Shabbat* 63a; *b. Yebamoth* 11b; and *b. Yebamoth* 24a.

Similarly, see the reference to Deut 24:4 and how the rabbis dealt with the question of a woman remarrying after divorce:

The question, however, arises on the view of the Rabbis: Does the Scriptural text, despite the fact that the Rabbis had applied the expression “uncleanness” to the *sotah*,<sup>79</sup> also bear its ordinary meaning, or since it was once torn away [from its ordinary meaning] it must in all respects so remain? Others say: According to the Rabbis no question arises, for since the text has once been torn away [from its ordinary meaning] it must in all respects so remain. (*b. Yebamoth* 11b, Soncino trans.)

Finally, when dealing with teaching about levirate marriage (cf. Gen 48:6; Deut 25:5–6), we read:

The question, however, arises on the view of the Rabbis: Does the Scriptural text [Gen 48:6], despite the fact that the Rabbis had applied the expression “uncleanness” to the *sotah*, also bear its ordinary meaning, or since it was once torn away [from its ordinary meaning] it must in all respects so remain? Others say: According to the Rabbis no question arises, for since the text has once been torn away [from its ordinary meaning] it must in all respects so remain. (*b. Yebamoth* 24a, Soncino trans.)

Kramer cites David Halivni’s conclusion that “rabbinic deviation from simple meaning is a historical fact.”<sup>80</sup> Kraemer prefers instead to say that rabbinic readings of Scripture “may contradict the simple [literal] meaning entirely, but context matters, so context will determine one meaning even when other readings may ignore it.” This practice, he claims, allowed the rabbis to “have their cake and eat it too.”<sup>81</sup> Later in the *midrashim* (interpretations) of the Hebrew Scriptures, we do not find straight forward and simple interpretations of the intent of Scripture, but rather the rabbis’ attempt to write “with Scripture,” often to expand on Scripture’s original intent. Kraemer concludes that almost none of the *midrashim* are “bona fide interpretations, for the rabbis are rarely interested in asking what Scripture actually means.” He offers examples from the *midrashim* to illustrate this point, one from *Sifri Deuteronomy* (ch. 34), then *Genesis Rabbah* and *Leviticus Rabbah*.<sup>82</sup> The rabbis through the sixth century were willing to read *against* Scripture and give priority to their own agendas. Kraemer concludes that throughout Rabbinic Judaism the authority of Scripture was in name only and the authority always rested with the interpreter. While scriptural authority was always recognized *in principle*, it was the rabbis who had authority relative to Scripture.<sup>83</sup> A well-known exception to this practice was the later Maimonides (1135–1204),

<sup>79</sup> *Sotah* is the Mishnah tractate dealing with a woman caught or taken in adultery.

<sup>80</sup> *Ibid.*, 37; cf. David W. Halivni, *Peshat and Derash: Plain and Applied Meaning in Rabbinic Exegesis* (New York: Oxford University Press, 1991), 8.

<sup>81</sup> Kraemer, “Reception of the Bible in Rabbinic Judaism,” 37–38.

<sup>82</sup> *Ibid.*, 39–42.

<sup>83</sup> *Ibid.*, 45.

born in Spain but who lived most of his life in Egypt, and who generally preferred the literal or plain meaning of the scriptural texts (*Hilkhot Ned.* 12:1).

By contrast with this free departure from what was believed to be the original intent of Scripture, the early Christians had a different view of the authority of the written text. If Scripture (or Jesus) said it, that settled the matter (Matt 5:17–19; 1 Cor 7:10, 25; 11:23; cf. 2 Thess 3:6, 12; 2 Tim 3:16–17), and the goal of Christian living was to please the Lord (1 Cor 7:32; Col 3:15–17). All Christian beliefs and practices were rooted in their Scriptures (e.g., Matt 21:5, 16; 1 Cor 15:3–4, 54–55; 1 Pet 2:6–8; 3:6, 10–12). However, as we have seen, there are parallels with the Qumran and Rabbinic traditions that show changes in the biblical text from their original meaning (e.g., Matt 2:15, cf. Hos 11:1). Given this context, which is not unlike what we see in 4QMMT and Philo, *Life* 3.25, and elsewhere among the Jews of late Second Temple Judaism, how could there have been a time in Judaism when a rabbi could simply say, “Here is the way I see it” – with the obvious implication, “And so should you”? How could there be any rabbinic “writing without Scripture” as Neusner describes it?<sup>84</sup> I conclude from the rabbinic practice of changing the text to meet and face contemporary circumstances that notions of the interpretation of Scripture were not as clearly defined in the Tannaitic period as they were in the later Amoraic period. However, even then when the rabbis set out to support much of the Mishnah’s teachings with scriptural references it is generally not what those wanting a plain meaning of the biblical text might want. Both of the Talmuds added scriptural support from a recognized canon of Scripture for the teachings in the Mishnah. The primary exception to how this canon turned out appears to be their use of Sirach.

## F. Outside Books and Christian Gospels

One cannot speak of “outside books” without first having some idea of what is acknowledged as Scripture and included in a fairly well-defined and stable collection. Such references begin to appear around 130 CE. An example of this is in the following text:

But the following have no share in the world to come: he who maintains that the resurrection is not intimated in the Torah, or that the Torah was not divinely revealed, and an Epicurean. R. Akiba (110–135) adds: one who reads the outside books, and one who whispers a charm over a wound and recites: I will not bring upon you any of the diseases that I brought upon the Egyptians, for I the Lord am your healer (Ex. 15:26). (*m. Sanh.* 10:1)<sup>85</sup>

<sup>84</sup> Neusner and Green, *Writing with Scripture*, 24–42.

<sup>85</sup> Leiman, *Canonization of the Hebrew Scripture*, 86, gives several other examples of the exclusion and rejection of “outside” books.

The practice of excluding certain books from being read or brought into one's home for study assumes some notion of a closed canon of Scriptures, at least for the one who speaks of "outside books." What is not certain is whether all Jews at this same time acknowledged the same books for inclusion or exclusion. The practice merely suggests that there were no fixed canons of books in Judaism during the first century CE.

Another factor emerged when some rabbis were defining the scope of their Scriptures, and it may have influenced decisions about the scope of the Rabbinic Scripture canon, namely, the popularity of the Christian Gospels. George Foot Moore suggested long ago that during the Judeo-Christian conflicts in the second and third centuries CE, some rabbis forbid fellow Jews from reading the Christian Gospels. Moore contends that a decision about the extent of the Jewish biblical canon was made in part due to the rise of "Christian heresy and the circulation of Christian writings" in the Jewish community in Palestine.<sup>86</sup> The Jewish polemic against the Christians and their writings continued vigorously well into the second and third centuries, but when Christianity became less of a threat to Judaism hostilities toward Christians diminished. Rabbinic concern about the influence of the Gospels on Jewish people appears to have subsided considerably in the effective separation of the Jewish Christians from the synagogue.<sup>87</sup>

Some Jews (many?) viewed the early Christians' lack of participation in the Bar Kokhba rebellion against Rome (132–135) as treason, and the influence of the Jewish-Christians and their participation in synagogues declined rapidly in Palestine after that. In the quest to determine which books were sacred among the Jews, after the separation of the Christians from the synagogues, Christians no longer had a voice in the matter.

During this time of hostility, Moore argues "the attempt authoritatively to define the Jewish canon of the Hagiographa begins with the exclusion by name of Christian Scriptures."<sup>88</sup> Citing two Tosefta texts he claimed that rabbinic references to the Gospels suggest the influence of the Christian Gospels in the forming of the rabbinic biblical canon. The Gospels were included among heretical texts that are to be burned.<sup>89</sup> These texts are as follows:

The books of the Evangelists [הגליונים] and the books of the *minim* [heretics] they do not save from a fire. But they are allowed to burn where they are, they and the references to the Divine Names which are in them. R. Yosé the Galilean says, "On ordinary days, one cuts out the references to the Divine Name which are in them and stores them away, and the rest burns." Said R.

<sup>86</sup> G. F. Moore, "The Definition of the Jewish Canon and the Repudiation of Christian Scriptures," in Leiman, ed., *Canon and Masorah of the Hebrew Bible*, 101–2. See also in the same volume J. Bloch, "Outside Books," in Leiman, ed., *Canon and Masorah of the Hebrew Bible*, 202–23.

<sup>87</sup> Moore, "Definition of the Jewish Canon," 122–23. See examples of these early hostilities between Jews and Christians in McDonald, "Anti-Judaism in the Early Church Fathers."

<sup>88</sup> Moore, "Definition of the Jewish Canon," 125.

<sup>89</sup> Ibid., 99–125. I will return to this issue in the summary in Chapter 13.



Tarfon, “May I bury my sons, if such things come into my hands and I do not burn them, and even the references to the Divine Name which are in them. And if someone was running after me, I should go into a temple of idolatry, but I should not go into their houses [of worship]. For idolaters do not recognize the Divinity in denying him, but these [Christians] recognize the Divinity and deny him.” (*t. Shabbat* 13:5 A–F, Neusner, *Tosefta*, 405)

See also:

The Gospels [הגליונים] and heretical books do not defile the hands. The books of Ben Sira and all other books written *from then on*, do not defile the hands. (*t. Yadayim* 2:13, emphasis added)<sup>90</sup>

Moore’s reasoning is that it was not until the rabbinic sages began to declare Christian books as heretical that they also began the delimitation processes that led to their fixed list of sacred books. Notions about the outside and heretical books, he suggests, began at that time. His views have not gone uncontested,<sup>91</sup> but Moore’s observations still deserve consideration since it is difficult otherwise to pinpoint a time when rabbis deliberated which books actually “defile the hands” and which are heretical and do not defile the hands.

## G. The Cairo Genizah

In 882 CE, King Ahmed Ibn Tulun of Egypt demanded from Michael, the 56th Coptic Patriarch, a large sum of money to pay for the king’s military adventures. In order to raise the money, the patriarch had to sell some land and a church in Cairo. The church was sold to some Jews, who transformed it into a synagogue. Over the centuries, the Jews stored a large number of worn out manuscripts and printed books in a back room of the synagogue called a *genizah*.<sup>92</sup> The room and the manuscripts in it were discovered by accident following a renovation in 1890. In this storage room, or *genizah*, a large host of valuable manuscripts was

<sup>90</sup> Leiman, *Canonization of Hebrew Scripture*, 47, 86, 87, 93, 109. He offers several other instances of books that “defile the hands,” a reference to sacred texts, and other rabbinic texts that reflect the sacredness or lack thereof of various ancient texts, whether Sirach, Eldad and Medad (or Modad), Esther, Ezekiel and others (86–124). Also, the emphasis may be a reference to the time of the believed cessation of prophecy, namely after ca. 180 BCE.

<sup>91</sup> See, for example, Leiman, *Canonization of the Hebrew Scripture*, 190–91 n. 511; and Childs, *Biblical Theology*, 61.

<sup>92</sup> The term *genizah* comes from a Hebrew and Aramaic term meaning “to store, or “to hide” and by extension it was used in reference to a special storage place in synagogues for old books or manuscripts that contained the sacred name of God. The oldest text to speak of the *genizah* is found in *m. Shabbath* 16:1, which says: “In no matter what language they [the Holy Scriptures] are written [if they become unfit for use] they require to be hidden away... Whither should they be taken for safety? To an alley-way that is no thoroughfare” (Danby trans.). This follows a Jewish custom of depositing in a special place literature that contained the name of God lest the name of God be profaned when the writings were worn out or discarded. From time to time, Jews would also consecrate a place and bury these documents in the ground.

discovered that show which texts informed that Jewish community's faith and order. Fortunately for modern scholarship's sake, the documents in the Cairo Genizah were undiscovered for many centuries and some of those texts are fairly well preserved.

This collection of well over 200,000 fragments discovered in this *genizah* contains various ancient books, including texts now identified as biblical and non-biblical texts. Many of these documents are now located in the Bodleian Library at Oxford University and many also are stored at Cambridge University, but some of the fragments are in Leningrad and the Jewish Theological Seminary in New York. Smaller collections of some of the fragments are located in London, Paris, Manchester, Geneva, Vienna, Budapest, St. Petersburg, New York, Philadelphia, Washington, Jerusalem, and in a few private collections besides.

More importantly, among the manuscripts found in the Cairo Genizah were fragments of the *Damascus Document* (sometimes also called the *Zadokite Document* or CD) that was also found at Qumran among the Dead Sea Scrolls. The *genizah* contained multiple copies of the Hebrew text of Sirach, along with Aquila's Greek translation of the Bible. The date for many of the documents in the Cairo Genizah is uncertain since the Jews brought an undetermined number of those manuscripts into their newly acquired synagogue in 882 CE. In the dry arid climate of Egypt, manuscripts could have endured for hundreds of years and some of the manuscripts discovered in the Cairo Genizah date earlier than the acquisition of their new synagogue. Some of the side benefits from the collection included acquiring a large number of historical and geographical details that had previously gone unnoticed.

A significant attempt to digitize these manuscripts is currently under way by the Friedberg Genizah Project (<http://www.genizah.org/TheCairoGenizah.aspx>),<sup>93</sup> which is publishing all of the fragments and documents found in this collection along with catalogue entries and bibliographic references. Along with versions of the Bible in Aramaic, Hebrew, and Arabic, copies of some apocryphal, pseudepigraphal, and Talmudic writings, some biblical and extra-biblical writings were also found in the *genizah*. Many of these manuscripts and fragments have yet to be fully edited, documented, and made available to the public, but significant work on them continues.

Much of this often fragmented literature was not included in the HB. It is difficult to know from what has been found which texts were believed to have a recognized scriptural status. Multiple copies of some of the so-called noncanonical books may reflect their acceptance as sacred books by the Jews in Cairo. Much more study is needed here, but it is not possible to conclude from the *genizah* findings that the Cairo Jews accepted only the sacred writings that were earlier recognized by the rabbis in the second and later centuries CE. In Talmudic literature, there are many

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<sup>93</sup> See also the following websites: <http://www.jewishvirtuallibrary.org/jsource/History/Genizah.html>; <http://www.bbc.co.uk/dna/h2g2/A10358868>; <http://www.ifla.org/IV/ifla66/papers/058-145e.htm>.

references to both canonical and heretical literature being withdrawn, but that which was preserved in the *genizah* also included the holy names that had been cut out of the so-called heretical literature. Writings put into a *genizah* were not necessarily those that were withdrawn from among books of a canonical status, with perhaps one exception that we see in *b. Shabbath* 13b where Ezekiel was spoken of as “hidden” or “withdrawn.”

Rab Judah said in Rab’s name: In truth, that man, Hananiah son of Hezekiah by name, is to be remembered for blessing: but for him, the Book of Ezekiel would have been hidden [withdrawn], for its words contradicted the Torah [Ezek 44:31; 45:20]. What did he do? Three hundred barrels of oil were taken up to him and he sat in an upper chamber and reconciled them.<sup>94</sup>

It appears that heretical books were typically burned after cutting out the divine names or sacred material (texts) found in those documents. This helps explain why there were so many fragments in the Cairo Genizah, but what about the canonical status of the documents found within it? We cannot say for sure whether some of the apocryphal and pseudepigraphal texts in the collection were considered inspired and canonical, but some were apparently highly prized, especially in the case of Sirach since multiple fragments of this book were found there. For certain there were sacred and holy books placed there by the Qara’ites,<sup>95</sup> the Jews in whose synagogue the documents were found, but what was the scope of their biblical canon? It is difficult to say with certainty, although the later and highly influential Maimonides, noted above, generally followed the rabbinic tradition and apparently held to the same fixed collection of books in the HB, but he came to Cairo considerably later after some earlier manuscripts were placed in the Cairo Genizah. Maimonides may not necessarily reflect what was affirmed as Scripture in Egypt centuries earlier.

## IV. RABBINIC WRITINGS

### A. Mishnah and Related Writings

We noted earlier that the primary schools of biblical interpretation that flourished in the first century CE were those of Hillel, a Jewish lawyer from Babylonia (ca. 50 BCE–10 CE), and Shammai, his contemporary from Palestine. Shammai and his teachings were more popular in Israel before the destruction of Jerusalem in

<sup>94</sup> See also *b. Shabbat* 13b, *b. Hagigah* 13a, and *b. Menahot* 45a that tell this same story.

<sup>95</sup> The Qara’ites, or Karaites, date from roughly the eighth century CE and remain to this day. They were a small group in the land of Israel until ca. 1099 during the Crusade period. They did not support many of the views of the Rabbinic Jews regarding marriage and divorce, and on calendar issues or how they celebrate Sabbath. Other issues continue to separate them as well such as the removal of shoes during prayer and not wearing the *tefillin*.

70 CE, but after that Hillel's interpretation prevailed and became foundational for surviving Judaism of the late first and second centuries CE. Those who followed Shammai's teachings after 70 CE tended to be strict and elitist, while Hillel's teachings were generally more liberal, patient, and popular with the people.<sup>96</sup>

Many of the teachings of Hillel were passed on to his best-known pupil in the first century CE, Rabban Gamaliel, the teacher of the Apostle Paul (Acts 22:3; cf. 5:34–35), and of whom it was said, in typical rabbinic praise for a well-known teacher, that when he died “the glory of the Law ceased and purity and abstinence died” (*m. Sotah* 9:15, Danby, 306). After Gamaliel, and following the destruction of Jerusalem and the temple, Johanan ben Zakkai took the lead in the reorganization of Judaism. He and other religious leaders had to deal with the major problems facing Judaism, especially how Judaism, which had previously been inextricably bound to the temple cultus before 70 CE, could continue when the Temple was destroyed and its sacrificial cultus was no longer possible. How could the Jews maintain their identity and survive without the Temple and its sacrificial system? Zakkai was instrumental in the reorganization of Israel's religious life through a rabbinic assembly that met at Jamnia (Yavneh) around 90 CE. After Zakkai, rabbis Eliezer and Gamaliel II were prominent, but the latter had a less tolerant attitude toward the Christian community than did his grandfather (Gamaliel mentioned in Acts 5:33–39). In the twelfth of his “Eighteen Benedictions” Gamaliel II introduced a curse on all heretics, including Christians:

For the apostates let there be no hope, and the dominion of arrogance [Rome] do Thou speedily root out in our days; and let the Nazarenes [Christians] and the heretics perish as in a moment, let them be blotted out of the book of the living and let them not be written with the righteous. Blessed art Thou, O Lord, who humblest the arrogant!<sup>97</sup>

Rabbi Akiba was the leading rabbinic figure around 120–140 CE, and he recognized and had supported the claims of Simeon ben Kosibah (also known as Simon bar-Kokhba) to be the king and messiah. Kosibah led an uprising against Rome in 132–135 CE, seeking to make the Jewish state independent from Roman rule, but the result was an overwhelming defeat of the Jews and the death of Kosibah. Following Kosibah's death, Hadrian evicted the Jews from Jerusalem and renamed the city *Aeolia Capitolina*. After that, the Jews saw Kosibah as a liar who had committed sins worthy of death. He was later called “ben Kozeba” (son of a “lie”), a play on words speaking of his deceit of the people.<sup>98</sup>

<sup>96</sup> Koester, *Introduction to the New Testament*, 1:227–29, 383–85, 390.

<sup>97</sup> Ferguson, *Backgrounds of Early Christianity*, 543–44. Ferguson notes that the words “and let the Nazarenes” is contested as an original part of the Benedictions, but it is not out of keeping with the kinds of comments said about early Christians by the Jews on other occasions. See McDonald, “Anti-Judaism in the Early Church Fathers,” 245–49.

<sup>98</sup> See *y. Ta'anit* 4:68d–69b; *Lamentations Rabbah* 2:4; and *b. Gittin* 57a–58a. Christian sources call Kosibah a bandit and murderer but also a worker of miracles. See also Eusebius, *Hist. eccl.*

After the death of Rabbi Akiba, Rabbi Meir (ca. 140 CE) began the process of codifying the oral traditions that were viewed as a “hedge” around the law (cf. *m. Avot* 1:1) and guarded its proper implementation in the lives of the Jews in Palestine (it does not deal with Diaspora Jewry). That codification was completed under the direction of Judah the Prince around the end of the second century, around 220 CE, and called the Mishnah. The Mishnah was essentially the codification of the *Halakah* (from Heb. הלך, “to walk”) that focused on how to conduct oneself (i.e., walk), according to the law with its various legal implications. It focused primarily on the legal aspects of keeping the law. As the Christians needed another Testament to complete the sense of their OT, the Jews also sensed a need for the Mishnah and its interpretations to complete their understanding of how to live the Torah. The Mishnah became in practice the second canon of the Jews and was so important that whole traditions of interpreting it developed. When a rabbi commented on the Mishnah, his commentary was called “Gemara” (from Heb. גמר, “to complete”). Mishnah and Gemara were combined to create the two Talmuds: the Palestinian (or Jerusalem/Yerushalmi) Talmud and the Babylonian (or Bavli) Talmud. The latter was more extensive and more conservative than the one produced in Galilee. Even though the Babylonian Talmud comments on fewer Mishnaic tractates than does the Palestinian Talmud (36½ versus 39), the Babylonian Talmud (*b.* or *Bavli*) is almost four times as long as the Palestine version (*y.* or *Yerushalmi*). Another major rabbinic document is the *Tosefta* (“supplement”), a collection of interpretations much of which is contemporary with the Mishnah but excluded from it; it is sometimes called *baraita* (“external”) and does not have the status of the Mishnah. Finally, *midrashim* are rabbinic commentaries on Scripture.

This literature, most of which was produced long after the time of Jesus and the origins of early Christianity, has significance for understanding early Christianity and its sacred literature. Because the Mishnah is the codification of an oral tannaitic tradition that partially overlapped the time of Jesus, in some instances traditions in the Mishnah may be prior to his ministry. A discerning eye can sometimes see in the Mishnah background material for understanding Jesus’ teachings on, for example, the Sabbath (see tractate *Shabbat*), vows (*Nedarim*), and oaths (*Shevu’ot*). Other Mishnaic parallels provide background on Jesus’ teachings on marriage and divorce and the two greatest commandments.<sup>99</sup>

All Rabbinic literature *in its current form* dates from the end of the second century CE to the beginning of the Middle Ages (550–600). It may, in many instances, reflect traditions from the time of Jesus and before, but caution must be exercised in using it. The reader could be easily misled by thinking that the

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4.6.1–4, who describes this second rebellion against Rome led by “a certain Bar Chochebas” (literally, son of a star”) who is the same as Kosibah or Kokhba, and describes his death as “the penalty he deserved” (4.6.3).

<sup>99</sup> See E. Ferguson, *Backgrounds of Early Christianity*, 3rd ed. (Grand Rapids: Eerdmans, 2003), 461–69, for a more complete discussion of this topic.

circumstances described in the Mishnah, and especially in the later Talmudim, were present much earlier in late Second Temple Judaism, but that is seldom a reasonable conclusion.<sup>100</sup>

The Mishnah was written in Hebrew and has six orders (*sedarim*) that include sixty-three tractates (*massekhot*).<sup>101</sup>

1. Zeraim (“seeds”)
  - Berakhot (“benedictions”)
  - Pe’ah (“gleanings”)
  - Demai (“produce not certainly tithed”)
  - Kil’ayim (“diverse kinds”)
  - Shevi’it (“seventh year”)
  - Terumot (“heave offerings”)
  - Ma’aserot (“tithes”)
  - Ma’aser Sheni (“second tithe”)
  - Hallah (“dough offering”)
  - Orlah (“fruit of young trees”)
  - Bikkurim (“firstfruits”)
2. Mo’ed (“set feasts”)
  - Shabbat (“Sabbath”)
  - Eruvin (“Sabbath limits”)
  - Pesahim (“Passover”) S
  - Heqalim (“shekel dues”)
  - Yoma (“Day of Atonement”)
  - Sukkah (“tabernacles”)
  - Yom Tov or Betzah (“festivals”)
  - Rosh HaShanah (“new year”)
  - Ta’anit (“days of fasting”)
  - Megillah (“scroll of Esther”)
  - Mo’ed Qatan (“midfestival days”)
  - Hagigah (“festival offering”)
3. Nashim (“women”)
  - Yevamoth (“sisters-in-law”)
  - Ketubbot (“marriage deeds”)
  - Nedarim (“vows”)
  - Nazir (“Nazirite vow”)
  - Sotah (“suspected adulteress”)
  - Gittin (“bills of divorce”)
  - Qiddushin (“betrothals”)

<sup>100</sup> For helpful discussions of rabbinic literature, see C. A. Evans, *Noncanonical Writings and New Testament Interpretation* (Peabody, MA: Hendrickson, 1992), 97–148; J. Neusner, *The Rabbinic Tradition About the Pharisees Before 70*, 3 vols. (Leiden: Brill, 1971); idem, “The Formation of Rabbinic Judaism: Yavneh (Jamnia) from A.D. 70–100,” in *Aufstieg und Niedergang der römischen Welt: Geschichte und Kultur Roms im Spiegel der Neueren Forschung, Principat*, ed. W. Haase (Berlin: de Gruyter, 1979), 2:3–42.

<sup>101</sup> For useful abbreviations of this and other rabbinic writings, see Leaney, *Jewish and Christian World*, 230–36; and Alexander et al., *SBL Handbook of Style*, 79–81.

4. Neziqin (“damages”)
  - Baba Qamma (“first gate”)
  - Baba Metzi’a (“middle gate”)
  - Baba Batra (“last gate”)
  - Sanhedrin (“Sanhedrin”)
  - Makkot (“stripes”)
  - Shevu’ot (“oaths”)
  - Eduyyot (“testimonies”)
  - Avodah Zarah (“idolatry”)
  - Avot (“fathers”)
  - Horayot (“instructions”)
5. Qodashim (“hallowed things”)
  - Zevahim (“animal offerings”)
  - Menahot (“meal offerings”)
  - Hullin (“animals killed for food”)
  - Bekhorot (“firstlings”)
  - Arakhin (“vows of valuation”)
  - Temurah (“substituted offering”)
  - Keritot (“extirpation”)
  - Me’ilah (“sacrilege”)
  - Tamid (“daily whole offering”)
  - Middot (“measurements”)
  - Qinnim (“bird offerings”)
6. Teharot (“cleanliness”)
  - Kelim (“vessels”)
  - Ohalot (“tents”)
  - Nega’im (“leprosy signs”)
  - Parah (“red heifer”)
  - Teharot (“cleannesses”)
  - Mikwa’ot (“immersion pools”)
  - Niddah (“menstruant”)
  - Makhshirin (“predisposers”)
  - Zavim (“they that suffer a flux”)
  - Tevul Yom (“he that immersed himself that day”)
  - Yadayim (“hands”)
  - Uqtzin (“stalks”)

## B. Targums (pl. = *Targumim*)

Targums are important resources of information for interpreting and establishing the text of the HB Scriptures. The Aramaic word *Targum* (Heb. תרגום) roughly means “to translate” and, by extension, “to interpret.” These writings are loose or free translations, and even extended paraphrases, of the Hebrew Scriptures into Aramaic, the language of the Jewish people following their return from exile in Babylon. As we saw earlier, when the Jews returned from Babylon under the leadership of Ezra and Nehemiah (ca. 450–400 BCE), the language they spoke

was Aramaic, but their sacred Scriptures were in Hebrew. When the Law of Moses was read to them, it needed to be translated from Hebrew into Aramaic to make its meaning clear: “So they read from the book, from the law of God, *with interpretation*. They gave the sense, so that the people understood the reading” (Neh 8:8, emphasis added).

At first the *targums* were performed orally by a *meturgeman* (“translator”), but eventually a written Aramaic translation was produced (see *y. Megillah* 1:11) and in the synagogues the Hebrew text was read twice and the Aramaic read once (*b. Berakhot* 8a). The Jewish Targums range from careful Aramaic translations of the Hebrew Scriptures (*Targum Onkelos*) to interpretive paraphrases and even commentary as in the Targum on the Song of Songs. They date as early as the first century BCE. In fact, three or four of them were found at Qumran and date to the first century BCE or early first century CE,<sup>102</sup> but most of them are from the rabbinic period (second century CE to late sixth century CE). Targums were prepared for all of the books of the Hebrew Bible with the exceptions of Ezra–Nehemiah and Daniel, but since large portions of those texts are already in Aramaic, it may not have been deemed necessary to translate them. Most of the Targums were produced after the separation of the Christians from the Jews in the early second century CE. Scholars are divided over the relevance of these works for understanding the New Testament, but there is a growing interest in them and the tide may be shifting in terms of their relevance for biblical research.<sup>103</sup>

There are four primary *targumim* on the Hebrew Scriptures and a fragmented *targum* on the Pentateuch: (1) *Targum Onkelos* (or possibly Aquila, second century CE, possibly from Babylon) that is the official *targum* of the Pentateuch; (2) *Targum Yerushalmi*, a translation of the Torah (also known as *Targum Pseudo-Jonathan*); (3) *Targum Jonathan* on the Torah (attributed to Yonatan ben ‘Uzzi’el; *b. Megillah* 3a) that also covers the Prophets and part of the Writings or Hagiographa; and (4) *Targum Neophyti 1* that covers part of the Torah. There is also a fifth fragmentary *targum* on the Pentateuch. There are also targums on the five scrolls (the so-called *Megillot* = Song of Songs, Ruth, Lamentations, Ecclesiastes, and Esther) and Targum *Sheni* on Esther. Most of the Palestinian targums are periphrastic and include homiletical interpretations. Those from Babylon (*Onkelos*) are more literal.<sup>104</sup>

<sup>102</sup> More specifically, 4Q156 (= 4Q<sub>156</sub>Lev) preserves Lev 16:12–15, 18–21; 4Q157 (= 4Q<sub>157</sub>Job) preserves Job 3:5–9(?); 4:16–5:4; and 11Q10 (= 11Q<sub>10</sub>Job) preserves Job 17:14–42:11. A fourth possible Targum is 6Q19 (= 6Q<sub>19</sub>Gen?), which preserves Gen 10:20. These texts are completely independent of the later Targums and were brought to my attention by C. A. Evans in personal correspondence.

<sup>103</sup> C. A. Evans, *Ancient Texts for New Testament Studies*, 185–215, has a useful listing and summary of the various *targumim* and the recent debates about their relevance for New Testament studies.

<sup>104</sup> Daniel Sperber, “Targum,” in Werblowsky and Wigoder, eds., *Oxford Dictionary of the Jewish Religion*, 675–76.



The targums have different styles of translation and most of them, especially the targums on the Writings, date from the Middle Ages and probably after the time that *Onkelos* became the dominant Targum on the Pentateuch. The targums provide little help in establishing the text or the books that comprise the HB Scriptures because they emerge for the most part after the establishment of the Masoretic Text and because they are so free in their translations that they are generally not useful in pointing to a Hebrew *Vorlage*.

For our purposes, however, although all but three books are translated and interpreted in the targums, there is no single Targum that translates all of the Scriptures in the Hebrew Bible. *Onkelos* covers the Pentateuch, but no Targum covers all of the books of the HB, including the Hagiographa or Writings. This cannot be accounted for by arguing that the various attempts at producing targums were coordinated somehow and each covered a designated portion of the Hebrew Scriptures. It is not clear what this information says about the status of the biblical canon among the Jews during this period, but they do reflect Torah's priority in Jewish notions of sacred Scripture during the rabbinic period.

Even though most Targums are paraphrastic (*Targum Onkelos* is the most literal), they provide valuable information about the early Jewish understanding of their Scriptures and occasionally reflect remarkable parallels with the NT Gospels and some letters. Neusner suggests that the earliest Targums may even be used to reconstruct the Aramaic dialect that Jesus spoke,<sup>105</sup> and observes that the Targums and the Gospels avoid anthropomorphic (i.e., representing God in human form) and anthropopathic (i.e., ascribing human emotions to God) language. They also share similar views about this world and the world to come, resurrection, the Son of Man, a coming day of judgment, a Father in heaven, and heaven (paradise) itself. They also frequently offer similar interpretations of the Hebrew Scriptures and, as a result, scholars often use both to interpret each other.<sup>106</sup>

The dating of the Targums is disputed, but Jewish tradition claims that some of them go back to the time of the Jews returning from Babylon under the leadership of Ezra (Neh 8:8, see *b. Megillah* 18b and *Genesis Rabbah* 36:8). Most of the known Targums date from the second to fifth centuries CE. The tradition that they started with Ezra is probably legendary, but as noted above some Targums do predate Christian times.

There are no Targums on noncanonical books, but since they date for the most part from the second century CE and later, when some rabbis had stabilized their biblical canon, this is understandable. Most of the Targums are of the Pentateuch (Neofiti I, Pseudo-Jonathan, Onkelos, Fragmentary Targum, Cairo Genizah Fragments, and the Toseftot), but there is one on the Prophets, traditionally called

<sup>105</sup> See Jacob Neusner, "Targums in the New Testament," in *Dictionary of Judaism in the Biblical Period: 450 BC to 600 CE*, ed. Jacob Neusner (New York: Macmillan, 1996), 2:616.

<sup>106</sup> Ibid.

Targum Jonathan. There is no official Targum on the Writings, but Targums were prepared for all of these books except, as noted earlier, for Daniel, Ezra, and Nehemiah perhaps because they are written partially in Aramaic.

Since most of the Targums date mostly after the establishment of the Masoretic Text of the Hebrew Scriptures, their value for establishing the canon of the HB is marginal. By the time most of them were produced, the rabbis had already made decisions about the scope of their HB. However, the lateness of a Targum on the Writings may indicate a late development in the universal acceptance of their sacredness, or in the lateness of their being placed on an equal canonical footing with the Prophets. This is all speculative, of course, but suggestive.

## V. CONCLUSION

The notion of a biblical canon was not current in the time of Jesus or before though there were at that time some recognized, closed, and stable collections of Hebrew Scriptures welcomed as Scripture, certainly the Pentateuch and the Twelve, but possibly others. Further, it is likely also that most of the books that now comprise the HB collection of Prophets were welcomed as sacred Scripture by the early first century, by many Jews as well as Christians, but it was not until the mid-second century CE when these books were specifically identified. As we have seen, in the first century CE all scriptures that were not in the Law or Pentateuch were understood as part of a prophetic corpus commonly known as “prophets.” Books earlier classified in that prophetic collection were later separated in the second century into Prophets and Writings. We saw that Daniel, which was initially welcomed as a prophetic book despite its being the last written book to be included in the HB, was later placed among the Writings in the rabbinic tradition, but not in the Christian tradition.

Leiman has listed a number of rabbinic references to the Jewish Scriptures including those that refer to the whole of the Scriptures by the designation Law or Torah (תורה), those that refer only to Torah and the Prophets/*Nebi'im* (נביאים), and those that refer only to *Nebi'im* and *Ketubim* (כתובים) that suggests that the two are equal in sanctity. References to the HB books that include all three designations, namely Law or Torah (תורה), *Nebi'im* (נביאים), and *Ketubim* (כתובים), are rarer, but do exist. This, of course, suggests that Law or Law and the Prophets were the most common designations throughout the rabbinic tradition. Leiman also refers to the other familiar designations for the Jewish Scriptures that include *Homashin* (חומשין), *Mikra* (מקרא), *Kabbalah* (קבלה), *Sepherim* (ספרים), and others.<sup>107</sup>

<sup>107</sup> Leiman, *Canonization of the Hebrew Scripture*, 56–67.

The primary evidence for a closed biblical canon of HB Scriptures among the Jews comes first in the Rabbinic traditions from the second century CE (*b. Baba Batra* 14b–15a) and later, though the specific *number* of sacred books is found earlier at the end of the first century CE in Josephus (twenty-two) and the author of *4 Ezra* (twenty-four). Because those numbers in both instances are arrived at by combinations of books, it is best to see that they represent sacred numbers that represent that which is complete and perfect as well as divine rather than the specific books involved until the second century CE. It is best also to be cautious about attributing later conclusions of the rabbis to the first century BCE and CE. There is no evidence that either the late Second Temple Jews or the early first-century Christians were concerned about the scope of their biblical canons. Had canon formation been an important issue then, one would think that evidence would have been left behind indicating that interest.

In terms of how the biblical canon emerged for Judaism, I find Barton's reference to T. S. Eliot's analogy to English literature helpful. Eliot observes that a canon of English literature was acknowledged by all to "constitute the essential corpus of classics." However, as new books with a demonstrated stature were written, they were immediately placed in relationship to the existing canon. Barton adds that if the new books were really classic pieces, they had the power to change the canon, "altering the relationships between the existing works and creating a new equilibrium in which every previous work takes on a new tinge of meaning."<sup>108</sup> This is not unlike what happened with the classics in the Alexandrian *pinakes* discussed earlier. Also, this sort of ever-new inclusion seems to have occurred as the prophetic collection gradually increased in size and new books were recognized and added to the well-established "classics" of the Torah. Likewise for the early Christians, the NT writings caused a new sense of canon to emerge in which the older "classics" (their OT) were no longer read in the same way; the earlier books were still canon, but viewed in a different manner (eschatologically and christologically) and because new "classics" (e.g., Gospels and Paul especially) were now being seen as highly important to the early churches, they too were added to the earlier sacred collection.

This parallel has certain limitations, but what seems apparent is that Torah was always at the core or heart of Jewish sacred Scripture, and everything else formed around it, either by clarifying it or fulfilling it, but always in close proximity to it. Whenever other literature was added to the collections of sacred texts, the older canonical books were viewed in a new way. As the Torah thus expanded beyond the Law of Moses to include the prophetic writings that were later divided into Prophets and Writings, each new expansion brought a redefinition of Torah and indeed canon. Early Christianity emerged as this redefinition process was

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<sup>108</sup> Barton, *People of the Book?*, 32.

taking place in which certain books of the Writings were considered sacred and holy and some were simply not as useful in worship and teaching (e.g., perhaps Ecclesiastes, Song of Songs, and Esther).

The early church's canonical processes began with their recognition of most of the books that now comprise the HB canon and the Protestant OT canon, but other books besides (the apocryphal or deuterocanonical writings). This collection began to expand when they recognized the value of some of their own writings in their instruction and mission (the Gospels and Paul's letters especially). During the early Christians' separation from Judaism, the collection of recognized scriptures in the first century CE are unclear around the edges or fringes of their scriptural collections, but not on the majority of the writings that they accepted. The early Christians, like some of the rabbinic sages, had questions, doubts, and some ambiguity over some books in their scriptural collections. Their lack of interest in a fixed biblical canon in the first century CE and before can be seen in the emergence of a new collection of sacred texts that began to be recognized as Scripture in the mid- to late second century. Also, there are no known discussions of a formal recognition of a fixed collection of sacred books (HB or NT) in any of the surviving literature of that period or in the early centuries of the church.

This is similar to their Jewish siblings who showed little interest in a fixed collection of sacred Scriptures until the second century CE. If the early church was born with a fixed biblical canon in its hands, it nowhere identifies it, but does show considerable allegiance to the Law and the not so clear collection of "prophets." It has been suggested that the early Christians' lack of reporting such a collection of sacred books was because it was so well known that it was unnecessary for Jews or Christians to list its contents in the first century CE.<sup>109</sup> This, of course, is an argument from silence and there is no evidence that such a biblical canon was well known at that time.

It is preferable to say that the notion of a fixed Jewish biblical canon only begins to emerge at the end of the first century CE for the Jews and much later for the Christians and that the process was completed later for both. The rabbis who shaped the Mishnah and the two Talmudim are the same ones who gave shape to final form of the HB canon. These rabbis included in their sacred Scripture collections the books that they believed were written before, during, or shortly after the time of Ezra and Nehemiah or with the deaths of the last classical prophets. According to Lightstone, "the shape and character of the rabbinic canon bears a homological relationship with the shape and character of sacred space on earth, the 'Restored Jerusalem' of the returnees, and with sacred time, from Creation to 'Restoration.' So Scripture begins with the 'Torah of Moses' and ends with its

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<sup>109</sup> So argue Ellis, *Old Testament in Early Christianity*, 50, 125–38 and Beckwith, *Old Testament Canon*, 22–25.

realization under Ezra and Nehemiah.”<sup>110</sup> Although this understanding does not fit all of the facts “on the ground,” namely how the Jews appropriated the rest of its Scriptures, it is especially appropriate to the social context and experience of rabbinic Judaism during and after the late second century CE.

As noted earlier, had there been a clearly defined biblical canon earlier, one would think that at least some statement saying so would have survived from that time whether Jewish or Christian. The listing of such books in the late second century CE came either because of the concern over apocalyptic literature that led to the downfall of their nation or, as we saw above, some Jews were influenced by reading some of the Christian books, especially the Gospels, as Moore noted above. If a biblical canon had existed before then, it is doubtful that it could have been lost or blurred *both* in Judaism of Late Antiquity and also in early Christianity at the same time. It is highly unlikely that the two primary surviving religious sects of Judaism, rabbinic Judaism and early Christianity, could have appealed to its sacred literature in support of the foundation of their life and ministries, and yet both lost the scope or boundaries of those Scriptures had they been known in the first centuries BCE and CE.

In regard to the rabbinic tradition, the processes leading up to canonization allowed for variance of opinion about the makeup of the sacred collection and about which books defiled or did not defile the hands. Scholars arguing for an early closure of the Jewish biblical canon generally minimize rabbinic texts that cast doubts on the sacredness of some books that were eventually included in the HB canon. However, such discussions and debates among the rabbis are hardly understandable if all canonical issues had been settled earlier. Interestingly, no early traditions are appealed to by rabbinic sages when they begin to list the contents of their Scriptures in the second century CE and later.

In sum, the evidence in support of a clearly defined biblical canon in the first centuries BCE and CE is not convincing. The theory of an early tripartite HB canon leaves unresolved the differences over the twenty-two or twenty-four books in its canon, the origin of the third part of the Tanak, the influence of a larger Greek Bible, and the relevance that the Dead Sea Scrolls bring to this discussion.

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<sup>110</sup> Lightstone, *Society, the Sacred, and Scripture*, 63. Lightstone’s larger discussion deals with the notion of Scripture in Judaism as a closed system (59–70), especially the social context in which Judaism defined its Scriptures (67–70). See also idem, “Formation of the Biblical Canon.”

## CHAPTER 12

# ANCIENT ARTIFACTS AND THE STABILIZATION OF THE JEWISH SCRIPTURES\*

Without question, the most commonly gathered evidence for the canonization processes are the ancient lists or catalogues dating from the second century CE well into modern times, but also from various testimonies whether Jewish or Christian. There are other important witnesses as well that include what books were actually in the surviving ancient biblical manuscripts, what books are in the oldest translations of the Jewish and Christian Scriptures, and what texts of those books, along with the numerous variants in them, were employed in establishing a widely accepted text of the biblical books. In this chapter I will examine several ancient artifacts and their relevance for our understanding of the formation of the biblical canon. We begin here with the contents of the manuscripts.

### I. HEBREW BIBLE AND OLD TESTAMENT MANUSCRIPTS: WHAT IS IN THEM?

The number of surviving ancient biblical manuscripts is estimated to be less than one percent of all the ancient documents that were produced,<sup>1</sup> but the ones that have survived have an important story to tell and may well be among the most important and influential sources. The manuscripts often tell an important story unnoticed in canon studies, namely, what books they include or do not include and the text in them. The surviving manuscripts reflect important canonical formation data that allow us to make decisions about significant junctures in the canonical

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\* Portions of the contents of this chapter were earlier published in Lee M. McDonald, *Forgotten Scriptures: The Selection and Rejection of Early Religious Writings* (Louisville, KY: Westminster John Knox, 2009). I have abbreviated much of the earlier publication and updated it here with permission from Westminster John Knox.

<sup>1</sup> Larry Hurtado, *The Earliest Christian Artifacts: Manuscripts and Christian Origins* (Grand Rapids: Eerdmans, 2006), makes this observation, namely, about 1% of over 500,000 manuscripts produced in antiquity in the early Christian centuries (pp. 24–25).

processes, including the fluidity in the ancient biblical canons in regard to which books functioned as Scripture in which locations. This should not be surprising since we have already observed that Jews in the Late Second Temple period and the earlier followers of Jesus (through the third century CE) made use of a variety of Jewish religious texts that were eventually omitted from the later fixed biblical canons of both Rabbinic Judaism and Christianity. Some of the less familiar books among the ancient manuscripts that have survived mostly in the dry deserts of Egypt or the Jordan valley, include books that are now designated apocryphal or pseudepigraphal literature. Most of these ancient books survive in single volumes, but some of them, especially the books of the Law of Moses and the Twelve, were often placed in one volume or scroll, though not always in the same sequence that is now well established. We begin here with the text of the HB Scriptures.

## A. Witnesses to the Hebrew Text of the HB

The following are among most important manuscripts that have survived antiquity and are used in producing the *Biblica Hebraica* editions of the Hebrew Bible, especially the Nash Papyrus, Ben Asher Aleppo Codex, and the Leningrad Codex. The manuscripts that deserve special attention here include:<sup>2</sup>

1. *The DJD Texts*. Biblical and so-called non-biblical manuscripts discovered in the Judean Desert at Qumran, Masada, Naḥal Ḥever, and Murabba'at in 1947 and following are among the most important finds for establishing the earliest text of the Hebrew Bible. Chief among these manuscripts are the Isaiah Scroll from Cave 1 (1QIs<sup>a</sup>), the *Habakkuk Commentary* from Cave 1 (1QpHab), and the Psalms Scroll from Cave 11 (11QPs<sup>a</sup>), but these are only a few of the highly significant manuscripts for establishing the earliest text of the HB in other HB books. Most of these finds and their significance were discussed above in Chapters 7, 8 and 10 above.
2. *Nash Papyrus* (Pap. Nash; pl. 6). This is a papyrus sheet that contains a damaged copy of the Decalogue (Exod 20:2–17) and partly Deut 5:6–21 with the *Shema* from Deut 6:4–9 appended. It dates probably from the Maccabean period, possibly middle to late second century BCE. It may be the earliest known HB manuscript.
3. *The Cairo Genizah Fragments*. This collection is discussed above (Chapter 11, §2.G). Of the over 200,000 fragments of sacred texts that were stored in this *genizah*<sup>3</sup> in the Ben Ezra Synagogue in Cairo, Egypt, there are biblical and non-biblical fragments written in Hebrew, Aramaic, Greek, Samaritan, and Arabic that most apparently date from the fifth century CE and later.

<sup>2</sup> I am largely following here the texts listed by Würthwein, *Text of the Old Testament*, 2nd ed., 30–38; and Emanuel Tov, *Textual Criticism of the Hebrew Bible*, 3rd ed., rev. and exp. (Minneapolis: Fortress, 2012), 23–115.

<sup>3</sup> See Chapter 11 n. 89 above for its meaning.

They contain not only fragments of the biblical books, but other texts as well, including several copies of the Hebrew and Aramaic texts of Tobit and Sirach and the *Damascus Rule* (similar to the *Damascus Document* discovered at Qumran). Many of these fragments have not yet been studied or published, but besides their value for textual criticism, it appears that the presence of multiple copies of nonbiblical books in this collection suggests that earlier there may have been a broader scripture collection for Jews in Cairo than what we see in the Rabbinic Scripture canon.

4. *Ben Asher Manuscripts*. These manuscripts date from the mid- to late eighth century to the mid-tenth century. The Ben Asher family produced their biblical manuscripts with vowel pointing and accents following what is now known as the Masoretic Text of the HB. The most important of these manuscripts are the Aleppo and Leningrad Codices. Codex Cairensis (C), according to its colophon,<sup>4</sup> contains the Former and Latter Prophets and was produced by Moses ben Asher in 895 CE. It came into the possession of the Karaite Jewish community in Cairo. The Aleppo Codex (pl. 21) originally contained the complete HB, but it is now missing Gen 1:1–Deut 28:26 and from Song 3:12 to the end (it omits Ecclesiastes, Lamentations, Esther, Daniel, Ezra, and Nehemiah). Subsequently, photographs of Deut 4:38–6:3, Gen 26:37–27:30 and 2 Chr 37:7–36:19 have been found in different volumes and are stored in a folio at the Hebrew University Library in Jerusalem.
5. Codex Leningradensis (or Leningrad Codex; L; pl. 24) is a witness to the oldest surviving Ben Asher text (the Aleppo text) and, according to its colophon was copied in 1008 CE from the exemplars of Aaron ben Moses ben Asher. This is the oldest *complete* codex of the books that comprise the Hebrew Bible and it is a representative of the Masoretic Text (MT) containing all of the textual and marginal notations that enable scholars to reconstruct the history of the textual transmission of the HB. Both of these manuscripts have the vowel pointing and accents that follow the Tiberian school of Masoretes. In 1998 a beautiful facsimile of this codex was published<sup>5</sup> and the codex remains one of the most important witnesses to the MT of the HB.
6. *The Petersburg Codex of the Prophets* (V<sup>p</sup>). This manuscript, dates to 915–16 CE and shows better than any other manuscript the Babylonian pointing system. It contains Isaiah, Jeremiah, Ezekiel, and the Minor

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<sup>4</sup> A colophon (Greek *kolophon* = “finish” or “end”) is usually a note at the end of a book indicating the date and location of the production, and sometimes the identity of the scribe who produced the manuscript with details that the scribe thought important to communicate to readers. Many ancient manuscripts have them.

<sup>5</sup> *The Leningrad Codex: A Facsimile Edition*, D. N. Freedman, gen. ed. (Grand Rapids: Eerdmans; Leiden: Brill, 1998).



Prophets (the Twelve). It used the Eastern (Babylonian) signs, but followed the Western tradition in its consonantal text and pointing. The absence of Daniel suggests that the codex is following the Tanak order of the HB books.

7. *The Erfurt Codices*. These three codices were used in the BHK (or BH for *Biblica Hebraica*) edition of the HB and are known as the *Erfurtensis* 1, 2, and 3. They were housed in the Prussian State Library in Berlin (Ms Orient. 1210/11, 1212, 1213), but are now in the national Library of Prussian Cultural Properties. E1 (*Erfurtensis* 1) contains the HB Scriptures, Targums, and the large and small *Masora* (Masoretic notes). E2, dating from the thirteenth century CE, contains the Hebrew HB Scriptures, Targum Onkelos, and the large and small *Masora*. E3, the most important of these codices, dates before 1100 CE and contains the HB Scriptures, large and small *Masora*, and two extracts from *Okhla w'Okhla*.<sup>6</sup>
8. *Lost Codices*. A number of codices have been lost, but were referred to in earlier notes. These include Codex Severi (Sev), Codex Hillel (Hill), Codex Muga (cited in Ms. 4445 and in the Petersburg Codex), Codex Jericho, and Codex Yerushalmi. Aside from the earlier notes in the BH nothing is known about these codices.

These textual witnesses to the MT are frequently different from the texts of the biblical books at Qumran. Emanuel Tov has aptly said of them, "There are many differences in reading between the individual Qumran texts, or, phrased differently, these texts reflect many variants vis-à-vis M [Masoretic Text]."<sup>7</sup> These numerous variants are mostly minor, easily corrected, and often involve spelling errors. They did not go unnoticed by the ancient rabbis who set about ways to fix them, even though they were often unsuccessful in their many attempts. Some changes in the text, however, were obviously intentional and those are more challenging to fix and may not have been noticed by copiers if there were no errors in spelling and the text made sense to the copier. The well-known post-Talmudic tractate, *Soferim*, set a precedent for correcting errant scriptural texts by following the testimony of the majority of manuscripts. This tradition is attributed to a third-century rabbi, but it may ultimately derive from a Late Second Temple (pre-70 CE) era. The text is as follows:

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<sup>6</sup> In the famous Rabbinic Bible of 1524/25 CE published by Rabbi Jacob ben Chayyim, the rabbi used a medieval collection of notes called *Okhla w'Okhla* that begins with an alphabetical list of words occurring only one time in the Scriptures. It derives its name from the Hebrew letters in 1 Sam 1:9 and Gen 27:19.

<sup>7</sup> Tov, *Textual Criticism of the Hebrew Bible*, 111. In personal communication with me, following a comment I made in a lecture about there being between 200,000 to 400,000 variants in the New Testament manuscripts, Emanuel Tov shared with me that there were some 900,000 variants in the surviving Hebrew manuscripts!

Said Rabbi Shimon ben Laqish: Three scrolls were located in the Temple court, Sefer “*M’wn*,” Sefer “*Z’twty*,” [and] Sefer “*Hy’*.”

In one they found written *m’wn lhy qdm*, “the dwelling place of the ancient God,” and in two they found written *m’wnh lhy qdm* (Deut 33:27); and they established [the reading in the] two and invalidated [the reading in the] one.

In one they found written *wyslh l z’twty bny ysr’l*, “and he sent the youths of the Israelites,” and in two they found written *wyslh l n’ry bny ysr’l* (Exod 24:5); and they established [the reading in the] two and invalidated [the reading in the] one.

In one they found “she” spelled *hy’* eleven times, and in two they found it spelled *hw’* eleven times; they established [the reading in the] two and invalidated [the reading in the] one (*Soferim* 6:4: *Three Scrolls in the Temple Court*).<sup>8</sup>

More than fifty years ago, M. H. Segal proposed that the origins of the Masoretic Text (MT) began following the cleansing and dedication of the Temple during the reign of Judas Maccabee (1 Macc 2:23–41). Segal observes that because of Antiochus IV’s destruction of copies of the Jewish Law (1 Macc 1:56–57), a need for more copies of the law was necessary and Judas Maccabees employed scribes to produce them (see earlier discussion of 2 Macc 2:13–15). He claims that this was the logical time when the scribes would be more likely to initiate some consistency in the text when they copied new scrolls.<sup>9</sup> This, he argues, can be seen in the differences between two different copies of the Isaiah Scroll discovered at Qumran, namely 1QIsa<sup>a</sup> and 1QIsa<sup>b</sup>.<sup>10</sup> The first of these texts is earlier and has several corrections in it that are reflected in the later MT text. From this Segal deduces that 1QIsa<sup>a</sup> is the older text – which he concludes was rescued by the Jews during the Seleucid Dynasty’s destruction of Jewish sacred books. The more recent text, he claims, parallels the later MT text adopted by the rabbis in the second century CE. Later, he argues, the correctors of biblical scrolls during the Talmudic period, harmonized them with the MT.<sup>11</sup> A Talmudic text refers to the numbering of the letters and words of the Torah and Psalms and this appears to support a stabilized text of the Hebrew Scriptures since to count the letters of words in the scriptures implies a relatively fine fixed text. The text in question reads:

<sup>8</sup> This translation is from Levy, *Fixing God’s Torah*, 6. Of notable interest is his quote on p. 97 of a certain Rabbi Joel Sirkes (1561–1640) who says of this procedure, “In regard to an error in the word *ha-hi’* that is written with a *yod* in place of the *waw* [i.e., which should be spelled *hhw’* but is spelled *hhy’* and modifies a feminine noun], not one person in the world who has a brain in his head would agree to take out another [scroll] because of an error of this sort”!

<sup>9</sup> M. H. Segal, “The Promulgation of the Authoritative Text of the Hebrew Bible,” *JBL* 72 (1953): 35–47.

<sup>10</sup> Segal actually uses the earlier DSS identification of DSIa and DSIIb. I have changed them here to conform to the current references.

<sup>11</sup> Segal, “The Promulgation of the Authoritative Text of the Hebrew Bible,” 38. He cites evidence of such correctors in the following Talmudic text: “Rabba bar Hanah reported in the name of R. Hohanah that the correctors of biblical books in Jerusalem received their wages out of the apportionment from the fund of the shekel-chamber in the Temple” (*b. Ketuboth* 106a, trans. Segal).

For this reason were the ancients called *sopherim* [= scribes], because they used to number all the letters of the Torah. For they used to say the *waw*... (Lev 11:42) marks the end of half the words of the Torah... (Lev 13:33) marks the end of half the verses of the Torah the '*ayin*... (Ps 80:14) marks the end of half the Psalms in respect of the letters; ... (Ps 78:38) marks its half in verses. (*b. Qiddushin* 30a, trans. Segal)

This source assumes a letter-perfect text of the Torah available to the scribes and also an exact replica of the original Torah. According to Levy, the rabbis believed that copies of the Torah were made from a single correct copy, but this is nowhere to be seen or substantiated in the actual copies that have survived.<sup>12</sup> However, Segal acknowledges that no complete stabilization of the text of the Hebrew Bible ever existed stating “[W]e have conclusive evidence, both internal and external, that for a long time in the age of the *sopherim* the text was in a fluid condition, and that scribes were not tied to a standard text.”<sup>13</sup> Aware of the fluidity of the text during this time, he posits that the stabilizing of the biblical texts that began following Judas Maccabees became more stable in the second century CE and later under the direction of the rabbis. He supports this with a further Talmudic text that appears to refer to an official text of the Torah known as “The Book of the Temple Court” copied by the king of Israel (*y. Sanhedrin* 2:6).<sup>14</sup>

Finally, Segal suggests that during the destruction of the Temple in Jerusalem an official copy of the Torah was taken to Rome and that this is likely the copy that was returned to the Jews by Alexander Severus (222–235 CE) who also was responsible for the building of a synagogue for the Jews in Rome. In support of this, he cites an Aramaic *midrash* (interpretation) that states: “This is one of the words which were written in the Torah which came out of Jerusalem in captivity, and went up to Rome and was stored in the synagogue of Severus.”<sup>15</sup> He also cites the testimony of Josephus who claims that the Roman Emperor had such a copy of the Jewish Law and that when the Temple was destroyed, Vespasian and Titus took the Law of the Jews among their spoils of the war. “After these, and last of all the spoils, was carried a copy of the Jewish Law” (Josephus, *War* 7.150, LCL). Later Josephus states that Vespasian “laid up the vessels of gold from the temple of the Jews, on which he prided himself; but their Law and the purple hangings of the sanctuary he ordered to be deposited and kept in the palace” (*War* 7.161–62, LCL).<sup>16</sup>

<sup>12</sup> Levy, *Fixing God's Torah*, 8.

<sup>13</sup> Segal, “The Promulgation of the Authoritative Text of the Hebrew Bible,” 39.

<sup>14</sup> *Ibid.*, 43–44. That text reads: “And he writes for himself a scroll of the Torah (Deut. 17:18) – for his own use, that he not have to make use of the one of his fathers, but rather of his own [T. San. 4:7]. And they correct his scroll by comparing it to the *scroll of the Temple courtyard*, on the authority of the Sanhedrin of seventy-one members” (trans. Jacob Neusner, *The Jerusalem Talmud*, emphasis added).

<sup>15</sup> *Ibid.*, 45–46.

<sup>16</sup> A useful listing and description of the relevant manuscripts and codices, along with their contents, are in Paul D. Wegner, *The Journey from Texts to Translations: The Origin and Development of the*

## B. Early Christian Old Testament Manuscripts

The most valuable Christian biblical manuscripts for establishing the earliest form of a Christian biblical *text* (see a discussion of the biblical text in §III below) are the Greek papyrus manuscripts that date from the second to roughly the seventh centuries CE. These texts often inform us about the social context of the time they were produced, including the theological and apologetic challenges facing the churches. These texts also regularly reflect the early forms of NT texts circulating in the Christian churches, but in regard to the Old Testament, besides the Jewish HB manuscripts and the extra-biblical manuscripts mentioned above, there are almost no Greek OT manuscripts before the fourth century and those are Christian OT manuscripts. However, we can discern from the quotations and citations of some OT texts in them the form and text of the biblical text at early stages, as we see in the NT manuscripts but also in OT quotes from the LXX in the early church fathers who also followed the LXX text.

For knowing what books were in the ancient manuscripts, the papyrus manuscripts are of less value since they often contain only one book or seldom more than a few, but the later parchment uncial manuscripts (fourth–ninth century CE) that have survived regularly contain multiple books in one codex. There are occasionally multiple books in the papyrus codices, indeed, of the currently 128 NT papyrus manuscripts that have survived antiquity, all are fragmented and only 14 have more than one book in them. This changes with the parchment manuscripts, that is, the majuscules or uncial manuscripts of the fourth century and later. These manuscripts were produced at a time when it was possible to include all of the books of the Christian Bible in one volume of some 1500 or more pages and consequently they allow us to determine with more certainty which books informed the faith of the churches *at that time*. Occasionally they include not only books in the HB canon, but others as well. When we examine these manuscripts canonically, we look first to see what books or “other books” are in them, what the books say in matters of interest to canon formation, and then to the text of biblical books they employ. Was the biblical text accidentally or deliberately changed and can we determine why? Why are additional books added or some deleted in these collections? Some of the manuscripts have several of the so-called apocryphal books in them. Some of the best-preserved uncial manuscripts from the fourth century and later include both the OT and NT books in them, but sometimes not exactly the books that we have in Christian Bibles today. The papyrus manuscripts are much more valuable in establishing an earlier form of the biblical text than in

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*Bible* (Grand Rapids: Baker Academic, 1999), 185–205. He also includes not only the Samaritan Pentateuch, but also the LXX and the major Christian OT manuscripts. The above manuscripts are Jewish and give a glimpse of the status of the biblical and nonbiblical texts in their earliest recoverable condition.

which books were included in the biblical canon, but in a few cases, the papyrus manuscripts even offer valuable early evidence for identifying the books that informed the faith of the early Christian churches. We will now look briefly at the contents of some of these manuscripts.

1. *Early Papyrus Manuscripts.* Bastian van Elderen has listed and summarized several early collections of Christian scriptures that included Christian Old Testament Scriptures.<sup>17</sup> Their value is tempered by the fact that these collections are quite fragmentary and do not tell the whole story from their generation. The first of these collections that includes both OT and NT books is the famous Chester Beatty papyri that were found in the Nile Valley and purchased by Chester Beatty in the 1930s. Most of this collection is housed in Dublin at the Chester Beatty Library and Museum of Oriental Art in Dublin, but some pages of the collection are located at the Hatcher Library of the University of Michigan in Ann Arbor, Michigan. They were found in the vicinity of At'fih (ancient Aphroditopolis) on the east side of the Nile near Fayyum.

Van Elderen lists the various books in the Chester Beatty collection of OT books as follows: Genesis, Numbers, Deuteronomy, Isaiah, Jeremiah, Ezekiel and Esther, Daniel, Ecclesiasticus (Sirach), Enoch, and a homily by Melito.<sup>18</sup> He added that these various manuscripts are combined in a single codex dating from around 200 CE to the fifth century and several of them predate by almost 150 years the earliest known uncial parchment biblical manuscripts of the middle to late fourth century.<sup>19</sup> The NT books will be listed and discussed in Chapter 20 §III.

The other more significant collection of ancient Christian OT manuscripts is the Bodmer Papyri Collection. In the early 1950s a large and impressive collection of Greek and Coptic manuscripts was discovered in Upper Egypt that was acquired by Martin Bodmer. They are included in the Bodmer Library which published some of these texts in 1954, namely two rolls (scrolls) containing the *Iliad* (Books 5 and 6), then the rest were published periodically over a number of years. They are now housed in six locations (the Chester Beatty Library in Dublin, the Palau-Ribes Collection in Barcelona, Duke University, the Vatican Library, the University of Mississippi, and the University of Cologne, Germany). It is not clear that all of these papyri are from the same collection since they include many non-Christian and non-Jewish ancient texts. Among the OT books, or fragments of books, in this collection are: Genesis (Coptic), Exodus (Coptic), Deuteronomy (Coptic), Joshua (Coptic), Psalms (several manuscripts in Greek), Proverbs (Coptic), Song of Songs (Greek), Isaiah (Coptic), Jeremiah (Coptic) including Lamentations

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<sup>17</sup> Bastiaan van Elderen, "Early Christian Libraries," in *The Bible as Book: The Manuscript Tradition*, ed. John Sharpe and Kimberly Van Kampen (London: The British Library; Newcastle, DE: Oak Knoll, 1998), 45–59, here 46–47.

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*, 47.

(Coptic), Epistle of Jeremiah (Coptic), Baruch 1–5 (Coptic), Daniel (Coptic), Daniel (Greek), Jonah (Coptic), Susanna (Greek), Tobit (Coptic), 2 Maccabees (Coptic), and the 11th *Ode of Solomon* (Greek).<sup>20</sup> These manuscripts were produced from the beginning of the fourth century CE to around the seventh century by members of the Pachomian monastery and they were buried in the vicinity of Jebel Abu Mana in the seventh century during their decline.

2. *Uncial Biblical Manuscripts*. The most important Christian OT manuscripts were produced in the fourth and fifth centuries, namely codices Vaticanus (B, 02), Sinaiticus (Ⲱ, 01), and Alexandrinus (A, 03).<sup>21</sup> What makes them highly significant is that for the first time in the fourth and fifth centuries the technology for producing books or codices had advanced sufficiently to make it possible to include more than 1600 pages in one parchment volume. This allowed the church to include for the first time all of its OT and NT Scriptures in one volume. While the precise date, place of origin, and function of these manuscripts are not known, they remain the oldest witnesses to the state of the LXX biblical text in the fourth and fifth centuries CE and they were produced professionally with considerable care. They not only contain the so-called biblical books, but also some of the so-called apocryphal books that served as sacred scriptures in the communities that had them. These manuscripts are important resources for reconstructing the earliest biblical text of the LXX dating from the fourth and fifth centuries. The OT books in each of these major manuscripts are as follows:

*Codex Vaticanus* (ca. 350 CE): Genesis, Exodus, Leviticus, Numbers, Deuteronomy, Joshua, Judges, Ruth, 1–4 Kingdoms, 1–2 Chronicles, 1–2 Esdras, Psalms, Proverbs, Ecclesiastes, Song of Solomon, Job, Wisdom, Sirach, Esther, Judith, Tobit, the Twelve (Hosea–Amos–Micah–Joel–Obadiah–Jonah–Nahum–Habakkuk–Zephaniah–Haggai–Zechariah–Malachi), Isaiah, Jeremiah, Baruch, Lamentations, Epistle of Jeremiah, Ezekiel, Daniel. [Note also the order of these books.]

*Codex Sinaiticus* (ca. 350–400 CE): Genesis...<sup>22</sup> Numbers...1 Chronicles, 2 Esdras, Esther, Tobit, Judith, 1 Maccabees, 4 Maccabees, Isaiah, Jeremiah, Lamentations..., Joel–Obadiah–Jonah–Nahum–Habakkuk–Zephaniah–Malachi, Psalms, Proverbs, Ecclesiastes, Song of Songs, Wisdom of Solomon, Prologue to Sirach, Wisdom of ben Sirach, Job.

<sup>20</sup> I will survey the NT books in this collection in Chapter 20 §IV.

<sup>21</sup> The numbers attached to these manuscripts do not suggest their date, but rather the order of their discovery or what was perceived as their significance. Most of the uncial manuscripts do not contain all of the books of the Bible and most are fragmentary containing only a few books and sometimes only one. These first three manuscripts are considered the most important biblical manuscripts from the fourth and fifth centuries because all were produced to include all of the received sacred texts at that time.

<sup>22</sup> The elliptical dots reflect the places where the manuscript is fragmentary or missing.

*Codex Alexandrinus* (fifth century CE): Genesis, Exodus, Leviticus, Numbers, Deuteronomy, Joshua, Judges, Ruth, 1–4 Kingdoms, 1–2 Chronicles, Hosea–Amos–Micah–Joel–Obadiah–Jonah–Nahum–Habakkuk–Zephaniah–Haggai–Zechariah–Malachi, Isaiah, Jeremiah, Baruch, Lamentations, Epistle of Jeremiah, Ezekiel, Daniel, Esther, Tobit, Judith, 1–2 Esdras, 1–4 Maccabees, Psalms, Odes of Solomon, Job, Proverbs, Ecclesiastes, Song of Solomon, Wisdom of Solomon Wisdom of ben Sirach.<sup>23</sup>

There is value in the papyrus manuscripts of OT texts, but it is limited because, although they are often earlier than the later uncial parchment biblical manuscripts, they are all fragmentary and seldom contain more than one or two books. They do not tell us the larger story that the later uncial or majuscule manuscripts tell, namely all of the other books that informed the faith of the earliest Christian communities in the fourth and fifth centuries, but they do reflect some of them. The papyrus manuscripts are more valuable in establishing an earlier form of the biblical text than in showing which sacred books informed the early Christian churches. Few OT manuscripts predate the fourth century CE, despite the fact that the Jewish Scriptures formed the core scriptures of the earliest Christian churches.

## II. THE MASORETES AND THE SURVIVING HEBREW BIBLE TEXT

It is well known that as the rabbinic tradition began to emphasize the stabilization of the biblical text, a group of scribes adopted a text of the HB Scriptures that they believed was the earliest text of their Scriptures, but before them, there was little attention or emphasis given to the accuracy of the text of those Scriptures. It is helpful that these early transmitters and copiers of the HB Scriptures made use of various signs and notes that enable them to preserve a careful transmission and sounding of the text of the Hebrew Scriptures.

Their name comes from the Hebrew *masoret*, which means “that which is handed down” or “tradition.” Their name is likely a reference to “those who hand down” the sacred texts. In the technical sense, the *Masorah* refers to the apparatus for the writing and reading of the biblical text. The Masoretic Text (MT) is based on the

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<sup>23</sup> Observe the order or sequence of these books in these three major manuscripts. The variety shows that at this time (fourth and fifth centuries CE) the order of the biblical books had not yet been settled in the churches. *Codex Sinaiticus* broadly follows the Tanak sequence of books, but nevertheless has several of the *Ketubim* earlier than the prophets, namely the Chronicles, 2 Esdras, and Esther. Presumably Daniel was placed after Lamentations. Such a popular book would not have been omitted on purpose. The same is true of Ezekiel. After 1 Chronicles and after Lamentations there is fragmentation of the manuscript and it is likely that Daniel was placed after Lamentations following Ezekiel. Daniel was regularly included among the prophets in Christian Bibles as we see in the other two Christian OT manuscripts. Similarly, much is made of the parallels between *Codex Alexandrinus* and the Tanak, but as in *Codex Sinaiticus*, several books in the HB Writings are in the usual *Christian* order and all of the Writings are not at the end. We will say more about this below.

biblical text that was “handed down” over the centuries by the various schools of the Masoretes. However, there appears to be no consensus on the full meaning of Masorah. Some suggest that the term, which is used in *Aboth* 3.14, comes from the famous Rabbi Aqiva who spoke of “The tradition is a fence around the Law” (Danby trans., 452). Some witnesses translate this text “*masoret seyag la-tora*,” meaning, “masoret is a fence around the Torah.”<sup>24</sup> The Masoretes may have begun their work as early as ca. 500 CE, but more likely around 700–800. Of the three Masoretic communities – the Palestinian, the Babylonian, and the Tiberian – the latter had the greatest impact on the preservation of the text of the Hebrew Bible. Their pointing of the Hebrew Bible itself probably does not date much before 650–750 CE, since nothing is said about pointing the Hebrew text of scripture in the Babylonian Talmud (completed ca. 550–600 CE). The Masoretes preserved the consonantal proto-Masoretic text which has its origins perhaps in the first century BCE, but they added the vowel points and accents in the text. The most important texts that survived from their work are the Aleppo (900–950 CE) and the Leningrad (1008 CE) manuscripts – that are highly significant in establishing the earliest possible text of the Hebrew Bible.<sup>25</sup> Their work will be referred to often in what follows.

While the primary focus on canonization in antiquity had to do with which *books* comprise the sacred Scriptures, it became obvious to the rabbinic sages that stabilization of the biblical *text* was also an important factor in their preservation of their biblical canon. At least four scriptural text-types were discovered among the Dead Sea Scrolls and later the necessity of a “canonical” text was seen as critically important so the rabbis adopted various steps or procedures to insure the accuracy of their sacred texts and generally followed the MT. The later emphasis on the stabilization of the text was long considered important (e.g., Deut 4:2), but there was little attention given to it until the later Rabbinic Era. The Greek version of Jeremiah, for example, lacks some 2700 words that are in the HB text of Jeremiah. It is probable that the shorter LXX text is based on an earlier antecedent text (*Vorlage*) of the Hebrew Scriptures that is closer to an original text than the later longer MT of Jeremiah. In another example of textual fluidity, the text in 1 Sam 10:27 was often confusing in regard to the identity of Nahash since nothing was said about him earlier in 1 Samuel, but recently because of a text of 1 Samuel discovered at Qumran, the identity of Nahash has been established and four sentences were added in the NRSV at the end of v. 27. The NIV translation has placed them partly at the beginning of 11:1 and in a footnote at the bottom of that page.

<sup>24</sup> For this explanation, see Levy, *Fixing God's Torah*, 14.

<sup>25</sup> For a more detailed description of the Masoretes and the manuscripts they produced, see Würthwein, *Text of the Old Testament*, trans. E. F. Rhodes, 2nd ed. (Grand Rapids: Eerdmans, 1995), 28–38.



Several such examples reflect developments in the textual history of the HB and textual scholars generally recognize the instability and fluidity in the HB text until the invention of the printing press, despite numerous Masoretic attempts at textual stabilization. The text of the HB varies considerably from the LXX and this is regularly noticed by students who compare the NT's quotations of the LXX with the Hebrew or even English translations from the MT. Würthwein has noted that Daniel and Job are among the freer or less literal texts and translations in the HB and also that the text and the order or sequence of the HB books varied for centuries. Likewise, he observes that the LXX is not so much a single version, but rather a "collection of versions made by various writers who regularly differed greatly in their translation methods, their knowledge of Hebrew, their styles, and in other ways."<sup>26</sup> While the collections of scriptures among the Jews and Christians overlap considerably, they often differ in terms of book titles, number of books, arrangement or order, and in their text. There is often overlap in the text of the books themselves in the HB and LXX, but there are also significant differences as well.

Wegner summarizes several well-known steps involved in copying the HB manuscripts in later Rabbinic tradition noting the meticulous care with which the rabbis handled and copied their Scriptures. These include:

1. Only parchments made from clean [i.e., kosher] animals were allowed; these were to be joined together with thread from clean animals.
2. Each written column of the scroll was to have no fewer than forty-eight and no more than sixty lines whose breadth must consist of thirty letters.
3. The page was first to be lined, from which the letters were to be suspended.
4. The ink was to be black, prepared according to a specific recipe.
5. No word or letter was to be written from memory.
6. There was to be the space of a hair between each consonant and the space of a small consonant between each word, as well as several other spacing rules.
7. The scribe must wash himself entirely and be in full Jewish dress before beginning to copy the scroll.
8. He could not write the name Yahweh with a newly dipped brush, nor even take notice of anyone, even a king, while writing this sacred name.<sup>27</sup>

Obviously, numerous variants continued in the HB manuscripts, perhaps over 900,000 as noted earlier, until they were reproduced by the printing press, even as we saw with conscious and diligent efforts to preserve the most accurate text possible. It is very difficult to avoid simple unintentional errors that crop up in the transmission of any handwritten text and that was the case in copying the

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<sup>26</sup> Ibid., 53–54.

<sup>27</sup> Wegner, *Journey from Texts to Translations*, 172. He largely depends here on F. G. Kenyon, *Our Bible and the Ancient Manuscripts*, rev. A. V. Adams (New York: Harper & Brothers, 1958), 78–79.

text of the HB Scriptures. Rabbinic efforts at producing a consistent biblical text, however, were generally better than similar attempts in the early Christian manuscripts, but none of them, Jewish or Christian, were perfect and countless variants continued in both traditions of copying sacred texts until the invention of moveable type and the printing press. Most are easily identified and often were corrected in the production of subsequent copies.

No HB or LXX text is completely stable or consistent in its transmission, but the LXX text of the *Pentateuch* is generally considered more reliable and consistent than in other parts of the LXX. It also appears that each book in the Pentateuch was translated by a different translator, or group of translators.<sup>28</sup> The study of the variants in the texts often allow scholars to see the textual history of the HB and the LXX, and often also the social context in which the variants emerged, especially in the intentional variants. Textual scholars generally acknowledge the instability in the HB and OT texts, despite careful Masoretic attempts at stabilization. The church's OT manuscripts were not initially as carefully prepared as later in the fourth century when more professional copiers were employed when the church had greater financial resources to afford professional copiers. While variants continued after that, they were fewer in number but never gone completely.

As we have seen earlier, the Amoraim rabbis established a tripartite biblical canon, the Tanak (Law, Prophets, and Writings), but the majority of Christians followed a four or five part OT canon (Pentateuch, History, Poetry and Wisdom, and Prophets). The Protestants who recognize the value of the Apocrypha, generally include these books *between* the OT and NT books in a separate collection in their English translations, as in the first *King James Bible*. The Revised Standard Version and the New Revised Standard Version are unlike the Roman Catholic and Eastern Orthodox versions that include the Apocryphal/Deuterocanonical books among and throughout their other OT books (see Appendix B). This inclusion of the apocryphal/deuterocanonical books among the other OT books can be seen also in the oldest uncial manuscripts of the Greek Old Testament (the LXX), namely Codex Vaticanus, Codex Sinaiticus, and Codex Alexandrinus.

### III. THE SEARCH FOR THE EARLIEST TEXT

The search for the original text of the Hebrew Scriptures involves a careful investigation of a number of ancient sources including what can be found in the "Proto-Masoretic Texts," Masoretic Text (MT), Septuagint (LXX), Samaritan Pentateuch (SP), the Aramaic Targums, Old Latin (L), Latin Vulgate (V), Syriac Peshitta (S), and the Dead Sea Scrolls (DSS). Add to this the other biblical and

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<sup>28</sup> Würthwein, *Text of the Old Testament*, 53–54, supports this view and suggests that the rest of the LXX is something of a Greek Targum of the Hebrew Scriptures. It is often a very loose translation, but occasionally it is more precise and more literal.

nonbiblical texts discovered in the Judean Desert, and several other ancient translations, especially Coptic, Ethiopic, Armenian, and Arabic Versions.<sup>29</sup> Our focus on the text of Scripture begins with an old and likely impossible task, namely establishing an “original” text of the books of the HB. Establishing the earliest and most reliable text of the Hebrew Scriptures is a significant challenge that only a few scholars have the expertise to accomplish. Fortunately, these capable scholars have labored diligently and long to produce an earlier and more reliable text of the HB and LXX than was possible before and this allows for more reliable and often more readable translations.

The most important text editions of the HB include the *Biblica Hebraica*, edited by Rudolf Kittel (known as the BH or the BHK), and first published in 1905–1906, then subsequent editions were produced in 1912 and 1937. Subsequently that text has been revised and published as the *Biblica Hebraica Stuttgartensia* (BHS, 1969–77 with subsequent editions and printings through 1997). The BHS reflects the last hand of the Leningrad Codex (1008 CE), the oldest HB manuscript fashioned after the Aleppo Codex (see comments about this Codex below). The BHS is currently the most complete Hebrew biblical text available, although additional work is well underway to produce another HB text that reflects not only the Aleppo and Leningrad texts, but is also informed by the text-critical work of several Dead Sea Scrolls scholars and the LXX and other sources. The new text being prepared in Israel by the Hebrew University is called the *Hebrew University Bible* (HUB)<sup>30</sup> or *Hebrew University Bible Project* (HUBP), which is still a work in progress, though some books have already been published, namely Isaiah, Jeremiah, and Ezekiel,<sup>31</sup> and more are on the way that will likely be published by the time this volume is published.

This new text is based partially on what is left of the earlier Aleppo Codex. The Hebrew script of that manuscript was produced in 930 CE by Shlomo Ben Boya’a and the vowel pointing, cantillation marks, and the Masoretic textual notes were supplied by the famed Aharon Ben Asher. He was not the first Masorete, but was universally acknowledged by the Jews as the best expert on the Hebrew text, and the recognized “Master”! The Ben Asher family produced biblical texts that included the vowel pointing and various scribal notes. The best known of these texts are the Cairensis Codex, the Aleppo (A) Codex, and the Leningrad Codex (*Codex Leningradensis*, L; pl. 24). The Aleppo Codex, however, the most important of all Hebrew manuscripts, was seriously damaged in Aleppo,

<sup>29</sup> The value and content of these texts and translations are described in Würthwein, *Text of the Old Testament* (2nd ed.), 10–106.

<sup>30</sup> The goal of this edition and what sources inform it are described and summarized helpfully in Tov, *Textual Criticism of the Hebrew Bible*, 357–59.

<sup>31</sup> The work on this work has begun but it is not yet finished. The earliest portions already completed include *The Hebrew University Bible: The Book of Isaiah*, ed. Moshe H. Goshen-Gottstein and *The Hebrew University Bible: The Book of Jeremiah*, ed. C. Rabin and S. Talmon (Jerusalem: Magnes, 1995, 1997); and now also Ezekiel.

Syria during an anti-Jewish riot on November 29, 1947 in reaction to the United Nation's decision to partition Palestine and form the Jewish state. The Aleppo synagogue was destroyed along with numerous sacred manuscripts that were seriously damaged or destroyed, including the partial destruction of the famous Aleppo Codex, the most cherished and celebrated manuscript of the Hebrew Bible produced in Tiberias in Israel in 930 CE. It contained invaluable notes on the text of the books in the HB. This text is also known as the "Crown of Aleppo" and was equivalent to the New Testament *textus receptus* (the standard "received text") for the Hebrew Bible. The manuscript was initially feared completely lost, but it was partially recovered and 294 pages of the original codex have survived and those pages are now in Jerusalem.<sup>32</sup> It is currently missing Gen 1:1–Deut 28:26 (only the last eleven pages of the Pentateuch remain) along with the books from Song of Songs 3:12 to the end, including Ecclesiastes, Lamentation, Esther, Daniel, Ezra, and Nehemiah. Most of it was not available to the editors of the BHS, but what remains is now being used in the emerging HUB edition, along with the Leningrad Codex, the DSS, variants of the LXX, rabbinic literature, medieval manuscripts, pointing, accents, and other helps for those wanting an accurate and up-to-date biblical text.<sup>33</sup>

#### IV. THE TEXT OF THE HEBREW SCRIPTURES

We have already observed that of the thousands of biblical manuscripts that have survived antiquity, no two are exactly alike. The majority of variants are simple errors that can be easily corrected, but some of the variants were intentional. The scribes who made intentional changes in the texts likely thought in most cases that they had clarified the meaning of the biblical text for their generation or subsequent generations of Jews. After the stabilization of the *books* that were included in the HB, it appears that there was no significant focus on *textual* stabilization for several centuries. That began to change first of all in the concerted efforts of the rabbinic tradition carried on by the Masoretes and only subsequently later in the churches. In the third century, as noted earlier Origen made an attempt at stabilization of the HB/OT text, but it apparently did not have as much influence initially as he would have hoped. Text critical scholars continue to work even now on establishing the earliest and most reliable text of the HB Scriptures.<sup>34</sup>

<sup>32</sup> The text and the history of this manuscript and its description are now available online at [www.aleppocodex.org](http://www.aleppocodex.org).

<sup>33</sup> For a brief history of this famous text, see the recent article by Yosef Ofer, "The Shattered Crown: The Aleppo Codex 60 Years After the Riots," *BAR* 34, no. 5 (2008): 39–49, and the summarizing description in Würthwein, *The Text of the Old Testament*, 42–44.

<sup>34</sup> As noted above, the work on this entirely new project has begun but is not yet finished. The earliest portions already completed include Goshen-Gottstein, ed., *The Hebrew University Bible: The Book of Isaiah*, in Rabin and Talmon, eds., *The Hebrew University Bible*.

Regarding the many changes in the HB texts, Reinhard Müller (et al.) recently suggested that successive scribes “updated the texts to accord with the changed historical and social circumstance and with new religious concepts.”<sup>35</sup> After producing a number of examples of expansion or changes that were made to the text in various transmissions of the HB Scriptures, these scholars conclude that: “In many cases the text was so substantially changed by the later editors that the original meaning was greatly altered. This undermines any attempt to use the final texts for historical purposes.” Using the book of Ezra as an example, he and his colleagues claimed that “it is very probable that several editors made changes to Ezra’s profession, and some of this editorial activity is preserved in the textual witnesses...”<sup>36</sup> As we will see below, the same thing is true in regard to the NT manuscripts. Ehrman is probably correct when he concludes that at times the scribes or transmitters of the biblical texts took the text before them and put it “in other words” in order to make it clear or changed it in order to support prevailing views at a later date.<sup>37</sup>

## A. The Biblical Texts and the Discoveries at Qumran

Eugene Ulrich has raised several important questions that need answering before firm conclusions can be made about the fixing or stabilizing of the biblical text in its modern canonical sense. While these questions focus on the standardizing of the biblical text, his questions are also suitable for the books that go into the biblical canon as well. As noted earlier (p. 246) Ulrich asks:

1. What are the available data for determining the nature and characteristics of the scriptural texts in the first century BCE and first century CE?
2. Even if we have the proper data, are we looking at them through the correct interpretive lenses?
3. Since “standard biblical text” normally refers to the MT, what was the MT? What would be an adequate description of it? Was there such a thing as “a/ the standard text”? If so, was the MT the standard text?
4. Was there an identifiable group of leaders in the first century BCE and the first century CE who knew the variety of texts, and were those leaders [scribes?] concerned about the diversity of textual forms, selected a single form, had the authority to declare a single form to be the standard text, and succeeded in having that standard text acknowledged by a majority of Jews?<sup>38</sup>

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<sup>35</sup> Reinhard Müller, Juha Pakkala, and Bas ter Haar Romeny, eds., *Evidence of Editing: Growth and Change of Texts in the Hebrew Bible* (Atlanta: Society of Biblical Literature, 2014), 1.

<sup>36</sup> Ibid., 220.

<sup>37</sup> Ehrman, *Orthodox Corruption of Scripture*, 274–80.

<sup>38</sup> Ulrich, “The Qumran Biblical Scrolls,” 70.

Ulrich also asks whether at the turn of the era, there was sufficient cohesion in Judaism and sufficiently acknowledged leadership to make it conceivable that a majority of Jews recognized and used a standard text?<sup>39</sup> That seems doubtful and there is nothing thus far to suggest it.

Further evidence for the lack of a fixed or stabilized biblical text in the Late Second Temple period can be seen in the so-called Rewritten Scriptures at Qumran, e.g., the *Rewritten* (or *Reworked*) *Pentateuch* (4QRP<sup>a-c</sup> [4Q158; 4Q364–7]).<sup>40</sup> As we noted briefly in Chapter 7, this designation began with Vermes' "Rewritten Bible," that has been replaced with "Rewritten Scripture," since there was no known Bible at Qumran if we mean by it that there was a fixed collection of Jewish Scriptures at that time. The designation, "rewritten Scripture," refers to the act of "rewriting" a biblical text. It also acknowledges the value of an antecedent text and that there was no fixed biblical text during the last two centuries BCE and the first century CE when a group of Essenes lived at Qumran. Other designations such as "reworked Bible"<sup>41</sup> and "parabiblical texts"<sup>42</sup> are still used by some scholars to address the same practice at Qumran of "extending" the sacred scriptures to more recent and relevant texts through their re-writing or re-working. Kristin De Troyer has shown that the rewriting of sacred texts extended not only to what we now call non-biblical books, but also to the biblical books such as Esther, Joshua, and 1 Esdras where extensive rewriting took place.<sup>43</sup>

Yigael Yadin argues convincingly that the *Temple Scroll* was venerated as the Torah of the Essenes who held it to be equal in importance to the traditional Torah.<sup>44</sup> He observes that the so-called *Tetragrammaton*, the four letters Y-H-W-H that form the unpronounced name of God (Yahweh) in the Hebrew Scriptures, is replaced in the *Temple Scroll* with the personal pronouns "I" or "me." For example, Num 30:3 in the *Temple Scroll* states: "When a woman vows a vow to me," replaces the traditional Torah: "When a woman vows a vow to the LORD."<sup>45</sup> Yadin's point is that the author presents the law as if it came directly from God

<sup>39</sup> Ibid.

<sup>40</sup> For a careful discussion of the use of rewritten or reworked biblical texts, see the recent Crawford, *Rewriting Scripture in Second Temple Times*; and also George J. Brooke, "Rewritten Bible," *EDSS* 2:777–81 and see also his "The Rewritten Law, Prophets, and Psalms"; and Deborah Dimant and Reinhard G. Kratz, eds., *Rewriting and Interpreting the Hebrew Bible: The Biblical Patriarchs in the Light of the Dead Sea Scrolls*, BZAW 439 (Berlin: de Gruyter, 2013).

<sup>41</sup> See Esther G. Chazon, Deborah Dimant, and Ruth A. Clements, eds., *Reworking the Bible: Apocryphal and Related Texts at Qumran*, STDJ 58 (Leiden: Brill, 2005).

<sup>42</sup> See Daniel K. Falk, *The Parabiblical Texts: Strategies for Extending the Scriptures Among the Dead Sea Scrolls*, LSTS 63 (London: T&T Clark, 2007). See my review of this volume in *RBL* 07/2008.

<sup>43</sup> See her *Rewriting the Sacred Text: What the Old Greek Texts Tell Us About the Literary Growth of the Bible*, Text-Critical Studies 4 (Leiden: Brill, 2003).

<sup>44</sup> Yadin, "Temple Scroll." See also his most extensive work that remains the standard resource on the book, *The Temple Scroll*.

<sup>45</sup> Yadin, "Temple Scroll," 168.

rather than through Moses. The author(s) of the *Temple Scroll* rewrote or reworked the original text of the Torah and the result is the production of another sacred text apparently equal in its sacredness status with the earlier Torah. Yadin has observed that the square Aramaic script is also used in the *Temple Scroll* to write the name of God, just as it is in the other biblical books. This is probably a further indication that the people at Qumran viewed this scroll as Scripture. Again, this lengthy scroll was copied at Qumran more times than Isaiah. This led Yadin to the conclusion that “the Temple Scroll was, for the Essenes, a holy canonical book on par, for them, with the other books of the Bible.”<sup>46</sup> As noted earlier, there also existed at Qumran a common practice of altering and changing the biblical text, that did not seem to violate the Essenes’ understanding of the sacredness of the texts they were examining, copying, or editing. It appears that at Qumran, the sacred texts were “on the way” to being perfected and it was not deemed inappropriate to alter or clarify their meaning to bring them more into harmony with what was believed in the Essene community. As we observed in Chapter 11, this is similar to the way that later rabbis felt free to modify the biblical texts.

The Mosaic command that forbids adding to or taking from the sacred texts in Deut 4:2 was repeated later in Deut 12:32, and this prohibition became the standard for how Jews and later Christians acknowledged the sacredness and inviolability of sacred literature and the necessity of maintaining its inviolability (cf. *Arist.* §311; cf. Rev 22:18–19). However, the Essene community and later Rabbinic Jews, as well as later Christian scribes, changed or altered their sacred texts to make them more relevant to their hearers or readers. This re-working or re-writing of sacred texts is evidence that the process of the *formation* of Scripture (textual stabilization) was underway at Qumran.

Those who were involved in this process were likely unaware that they were doing anything inappropriate, but rather they were anxious to clarify the message of their Scriptures and make them more clear and relevant to their communities. They obviously did not view this practice as something that took away from the holiness of the text.<sup>47</sup> The fact that the *formation* of scriptural texts was still in process at Qumran, makes an examination of the dating of a fixed text of the Scriptures more complicated. Falk provides a useful introduction to the variety of ways that scholars have identified the multiple texts at Qumran and the difficulty of finding appropriate terminology to describe them. After explaining them, he opts for the more generalistic term, “Parabiblical,” to describe what was taking place.

It is not always clear whether there was a fine distinction between the sacredness recognized in the manuscripts of biblical writings and those now referred to as “rewritten scriptures.” The transcribers of both show at times considerable

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<sup>46</sup> Ibid., 172.

<sup>47</sup> Falk, *Parabiblical Texts*, 152–53.

freedom in changing sacred texts. Scholars continue to debate this matter,<sup>48</sup> and Brooke recognizes the growing discomfort over using such categories to describe the literature and textual productions at Qumran.<sup>49</sup> Snyder has divided these re-written texts into three categories, namely those that *lightly* rework the Pentateuch (4QReworked Pentateuch or 4QRP); the *more profoundly altered* works (*Genesis Apocryphon* and *Jubilees*); and finally, those books that *have substantial debt to the biblical idiom and are loosely related to the sequence of biblical narrative* (*Temple Scroll* and *Hymns or Hodayot*).<sup>50</sup>

Similarly, Silver draws attention to the remarkable freedom that scribes at Qumran exercised in altering the order and wording of the Psalms, even to the point of adding the refrain “Praised be the LORD and praised be his name forever and ever” after each verse of Ps 145. They also changed the script, spelling, grammar, and content of the two scrolls of Isaiah found in Cave 1. He posits that at the time of the writing of the Qumran scrolls, there were no agreed formal methods for the presentation of sacred writings, and so the practice of changing the text extended to books that eventually were not accepted into the HB canon as well as those that were. Silver shows how the Essenes at Qumran deleted or added sentences and words within the texts and made many other changes as well and claims that matters such as word division, syntax, and spelling appear to have been of little concern to the scribes at Qumran. Silver concludes that in pre-rabbinic times the Law, Prophets, and Psalms carried a large degree of authority in the Qumran community, but they had not yet attained the same status given to Scripture by the later rabbinic schools that copied every letter and word as accurately as possible.<sup>51</sup> The notion of an inviolable Scripture was neither uniformly understood nor followed by the Essenes in the first century CE.

There is no evidence that the Qumran Covenanters handled their sacred texts differently than other Jewish sects, including the early Christians, in the first centuries CE. Tov, whose work supports and advances Silver’s conclusions, observes that the scribes at Qumran often incorporated their thoughts about the biblical text into the new version of the text that they produced. He contends that: “in the newly created text scribes and readers inserted sundry changes, which are recognizable because the limitations of the ancient materials and the rigid form

<sup>48</sup> Again, see Falk’s useful discussion of these categories in the introduction to his work in *ibid.*, 1–25.

<sup>49</sup> For a more substantial discussion of this topic, see Brooke, “Rewritten Law, Prophets, and Psalms”; more recently, Brooke, “Between Authority and Canon: The Significance of Reworking the Bible for Understanding the Canonical Process,” in Chazon, Dimant, and Clements, eds., *Reworking the Bible*, 85–104; Jozsef Zsengeller, ed., *Rewritten Bible After Fifty Years: Texts, Terms, or Techniques? A Last Dialogue with Geza Vermes* (Leiden: Brill, 2014); and Dimant and Kratz, eds., *Rewriting and Interpreting the Hebrew Bible*.

<sup>50</sup> H. Gregory Snyder, *Teachers and Texts in the Ancient World: Philosophers, Jews and Christians*, Religion in the First Christian Centuries (London: Routledge, 2000), 151–89.

<sup>51</sup> Silver, *Story of Scripture*, 136–41.



of the manuscript did not allow them to hide the intervention.”<sup>52</sup> Levy adds to this that the notion of establishing the original text of the Hebrew Bible is flawed from the beginning because there was *no established text at that time*. He explains that “the popular assumption that no changes were ever introduced into copies of the Bible during rabbinic times or under rabbinic auspices simply does not accord with the facts” and adds that during the time of the rabbinic period “no single, authorized, and officially registered Bible text (or Torah text) existed, and therefore it is meaningless to claim that Jews either did or did not alter it.”<sup>53</sup>

While there is considerable stability in some aspects of the ancient text of the HB, there was still no stable authorized text of the Torah in place in the first centuries BCE and CE. The biblical text was hardly more stable earlier, even if there are common characteristics in many of the DSS manuscripts, which are sometimes referred to as the “proto-Masoretic” text, that support the later MT. Levy calls this the accepted scholarly notion of a fixed consonantal text by the first or second century CE. Emanuel Tov adds that notations and changes in the various texts had little to do with whether they were biblical or non-biblical texts:

Very little distinction, if any, was made between the writing of biblical and non-biblical texts. For example, the scribe who wrote 1QS, 1QSa and 1QSB, as well as the biblical 4QSam<sup>c</sup> and some of the corrections in 1QIsa<sup>a</sup> (e.g., at col. 33:7), employed the same system and notations throughout all five texts (including the use of four dots for the Tetragrammaton). In addition, 1QS and 1QIsa<sup>a</sup> also share three unusual marginal signs, which were probably inserted by the same scribe.<sup>54</sup>

Tov goes on to say that in some cases scribes appear to distinguish the biblical texts from the non-biblical texts by writing on only one side of the parchment for biblical texts and on both sides for non-biblical texts. He adds that the biblical texts were almost exclusively written on parchment and only a few on papyrus, and those on papyrus sheets were probably for personal use. Finally, Tov notes that a special arrangement was devised for writing poetical sections in only the biblical books – *and this included Sirach*.<sup>55</sup> The implication that Sirach was recognized as a scriptural text is not inconsequential and fits with early Christianity’s acceptance of it as Scripture and several of the initial rabbinic sages doing the same, as we have seen above.

The text of the Jewish Scriptures existed for centuries only in a consonantal text, but later (between 650–750 CE, and perhaps by no later than 700 CE) the Masoretic scribes, or Masoretes, noted earlier developed a system of preserving the text of the Hebrew Bible. This included preserving the consonantal text of the

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<sup>52</sup> E. Tov, “Scribal Practices and Physical Aspects of the Dead Sea Scrolls,” in *The Bible as a Book*, ed. J. L. Sharpe and K. Van Kampen (London: Oak Knoll, 1998), 424.

<sup>53</sup> Levy, *Fixing God’s Torah*, 4.

<sup>54</sup> Tov, “Scribal Practices and Physical Aspects,” 425.

<sup>55</sup> *Ibid.*, 426.

Scriptures with the now familiar vowel points and accents in the text to insure correct sounding of the words and to preserve as carefully as possible the textual tradition that they had received. There were three Masoretic textual systems that developed over time, namely the Palestinian, Babylonian, and Tiberian systems. By the sixteenth century, the Tiberian system came to be accepted as the most authoritative.<sup>56</sup> While the *Sopherim* (or scribes) wrote out the consonantal text of the Hebrew Scriptures, the *Nakdanim* (the “pointers”) added the vowel points to the text, and the *Masoretes* added the marginal and final notes to the text. Sometimes the same person added the points, marginal and endnotes, as in the case of the Leningrad Codex where one person (Samuel ben Jacob) performed all three functions. The most famous of the Masoretes were Ben Naphtali and Ben Asher. Before the discovery of the Dead Sea Scrolls, modern biblical scholars knew the text of the Hebrew Bible/Old Testament *primarily* through the Masoretic Text (MT), the Samaritan Pentateuch (SP), and the often-supposed Hebrew “*Vorlage*” of the Septuagint translation,<sup>57</sup> though the latter was generally discounted in terms of its importance.

As a result of new discoveries in the Judean Desert (especially the DSS at Qumran) and elsewhere, such as the Cairo Genizah, the textual history of the HB has become much more complex and attempting to discern the earliest text of the biblical manuscripts is more challenging than before when the MT had little credible competition. Widespread appeal was made to the MT of the Hebrew Bible which today is largely based on two major Hebrew manuscripts, the Aleppo and Leningrad codices.

Tov explains that it is not altogether clear why the MT text was adopted and others fell to the wayside, but over time it simply became the most popular Hebrew text of the Tanak. However, as a result of the discovery of the Dead Sea Scrolls and several important Christian manuscripts of the Old Testament writings, modern textual critics’ of the HB have begun to shift their focus from the singular authority of the MT to three ancient witnesses to the text of the Hebrew Scriptures, namely the proto-Masoretic text (P-MT), the Old Greek (Septuagint/LXX), and the Samaritan Pentateuch (SP), as well as the Dead Sea Scrolls (DSS). These texts are now employed eclectically to establish the earliest and most reliable text of the HB. As we saw earlier, Tov has suggested that at times the LXX and the SP likely depend on an earlier form of the Hebrew text than does the MT. This does not suggest in any way that the MT has been abandoned, but only that in some cases the LXX and the SP may be based on an earlier form of the text, an earlier *Vorlage*. Because the LXX and SP are at times significantly different from the MT

<sup>56</sup> Jacob Neusner, “Masorah,” in Neusner, ed., *Dictionary of Judaism in the Biblical Period: 450 BCE to 600 CE*, 2:415.

<sup>57</sup> *Vorlage* (German term = an antecedent, model, or proto-type). Here and throughout this chapter *Vorlage* is a technical term that refers to the earlier Hebrew text that the translators of the LXX used to produce their translation of the Torah/Pentateuch.

text of the HB and are often in harmony with one another, the question naturally emerges which text is more reliable, the MT or the SP and LXX? This raises the important question for laity today, namely which text is “canonical” for both synagogue and church? The answer may lie in an eclectic text that occasionally prefers the SP when it lines up with the LXX against the MT, but more often the MT is the likely choice.

Some, of the scrolls discovered at Qumran – not all – have close affinities to the MT and are commonly called “proto-Masoretic” manuscripts. According to Scanlin, the DSS generally confirm the stability of the MT and thereby advance the antiquity of the Hebrew text by around 1000 years, but these discoveries in the Dead Sea region also confirm that the LXX along with the SP are at times a significant textual base for recovering the earliest text of the HB. The DSS also show that the scrolls are a reliable source for early textual variant readings of the biblical texts.<sup>58</sup> Tov, after noting the wide variety of textual variants in the DSS, cautions scholars about putting too much trust in them. It is unclear why the MT received such high priority in the later rabbinic tradition and also what each of the books discovered at Qumran meant to the Essene sect that resided there. The collection could be called a library if that simply means a collection of religious books, but Tov reminds us that there is no clear statement on their role in that community for over two hundred years and how difficult it is to characterize the collections of manuscripts found in the caves.<sup>59</sup>

## B. Early Stages of Textual Stabilization of the HB/OT

We have noted earlier that of the thousands of biblical manuscripts that have survived antiquity *no two are exactly alike*. While some in the rabbinic tradition observed the problem of multiple variants in their sacred texts, initially they found no consistent means of controlling the growth of textual variants. Knowledge of these errors or variants in the biblical texts, and rabbinic concerns about them, can be seen in the following:

According to *b. Eruvin* 13a: “R[abbi] Meir said: When I came to R. Ishmael [to study Torah], he asked me, ‘My son, what is your occupation?’ I replied, ‘I am a scribe.’ He said, ‘My son, be careful in your work, for your work is sacred. Should you omit or add a single letter, you will find yourself destroying the entire world, all of it.’”

According to *Genesis Rabbah* 9:5, 20:2, and 94:9: “In the Torah scroll of R. Meir there was found written not ‘And behold, it was very (*meod*) good’ (Gen 1:31), but ‘And behold, death (*mot*) was good’; not ‘And He made for Adam and for his wife garments of skin (‘*or*)’ (Gen 3:21), but ‘Garments of light (*or*)’; not ‘The sons of Dan: Hushim’ (Gen 46:23), but ‘The son of Dan: Hushim’.”

<sup>58</sup> Harold P. Scanlin, “Text, Truth and Tradition: The Public’s View of the Bible in Light of the Dead Sea Scrolls,” in Herbert and Tov, eds., *Bible as Book*, 295–96.

<sup>59</sup> Tov, *Textual Criticism of the Hebrew Bible*, 94–97, and 100–102.

According to *y. Taanit* 1:64a: “In the scroll of R. Meir they found written, instead of ‘The burden of Dumah’ (Isa 21:11), ‘The burden of Roma [Rome]’.”

Again, according to *b. Ketubbot* 19b, “A scroll of a book of Scripture that has not been corrected, R. Ammi said, may be kept for thirty days. From then on, it is forbidden to keep it, for Scripture says, ‘Let not wrong dwell in thy tents’.”<sup>60</sup>

Further, the care with which rabbis *intended* the Torah to be copied can be seen in the following admonition from a post-Talmudic tractate:

Books may not be thrown about from one place to another, nor may they be treated disrespectfully. A man is required to have a scroll of Torah written with good ink, a good quill, by competent scribes, on good sheets of parchment made out of the hides of deer. He is then to wrap it in beautiful silks, in keeping with “This is my God, and I will glorify Him” (Exod. 15:2; see *Soferim* 3).

There was obviously a rabbinic awareness of the many variants in the biblical texts otherwise no admonitions would have been written on how to transmit the biblical texts without considerable awareness of the problems in the transmission of them. Again, however, no consistent implementation of textual stabilization of the biblical texts took place among the Jews of the Second Temple period or in Judaism of Late Antiquity for several centuries until around 500–550 CE.

We cannot be certain when early attempts at a stabilized text of the consonants in the Jewish Scriptures *began*, but they appear to have begun with the broad recognition of the problem of multiple variants in Scripture texts during the rabbinic tradition of the second or third century CE. Even after awareness of the problem, the variants continued. I should note that even after the invention of the printing press textual variants continued even in printed Bibles, but there were much fewer of them when multiple identical copies were made.

The early Christians did not initially recognize or deal with the problem of textual variants in their OT Scriptures. The first church father to address this issue in a significant way, as noted above, was Origen in the third century who acknowledged the difficulty that multiple textual traditions in the church’s sacred scriptures posed for the churches. His response was to prepare his famous *Hexapla* to address the textual variants in the Hebrew HB and the church’s Greek OT. He prepared an edition of the HB/OT Scriptures with six parallel columns, each containing one of the textual traditions circulating in the churches and among the Jews at that time. The first column was a Hebrew text of the Jewish Scriptures, the second was a transliterated Hebrew text in Greek script, the third was the Greek translation of Aquila, the fourth was Symmachus’ Greek translation of the Hebrew text, the fifth was likely Origen’s own Greek translation – or possibly one of the various surviving texts of the LXX circulating in the area where he lived. The sixth column contained mostly the Greek translation of Theodotion,

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<sup>60</sup> These examples are taken from the translations of Bialik and Ravnitzky, *Book of Legends*, 448.

with the exception of the Psalms, and possibly another translation for the Minor Prophets.<sup>61</sup> The *Hexapla* was Origen's attempt to bring some stabilization to the text of the church's scriptures. It highlights the variety of textual traditions of the HB/OT books circulating among Jews and Christians in the mid-third century. Unfortunately, there were not many after Origen who could carry on his legacy and bring greater consistency in the transmission of the biblical text.

### C. The Masoretic (MT) Tradition

The Masoretes described above produced a biblical text that was finalized in the Middle Ages and is easily identified by its inclusion of vowel points in the Hebrew text and the notes in the margins, but their consonantal text has roots in the so-called earlier "proto-Masoretic" text that dates back to the first century BCE and possibly earlier, perhaps to the Maccabean period (ca. 150 BCE). The consonantal Hebrew text that the Masorah (or Masoretes) of the Middle Ages pointed enabled subsequent generations to sound out the words of the text as well as provide safeguards for preserving the text of the Hebrew Bible. The earlier rabbinic sages were anxious to preserve the consonantal text of the Jewish scriptures, but they provided no written tradition of symbols to indicate the pronunciation of the Hebrew text and nothing about the later pointing of the text is mentioned in either of the two Talmuds (pl., *Talmudim*), namely, the *Yerushalmi* (Jerusalem/Tiberias, completed ca. 400 CE) or *Bavli* (Babylonian, completed ca. 550–600 BCE). This suggests that the pointing of the Hebrew text originated with the later Masoretes sometime between 600 and 750 CE, perhaps around 700 CE. The text that the Masoretes preserved has many antecedents and the best-known antecedent is, of course, the "proto-Masoretic" text found hidden in caves near Qumran.

Before the discovery of the Dead Sea Scrolls between 1947 and 1956, and their subsequent publication, knowledge of the text of the Hebrew Bible was dependent almost completely upon the Masoretic textual tradition or text. The DSS discovery brought textual scholars 1000 years closer to the Jewish Scriptures than was possible before and what was found there reflected both greater stability especially in the text of the Pentateuch, but also instability and fluidity in the early texts of the Hebrew Scriptures. Biblical scholars recognized long ago the many differences between the texts of the MT and the LXX, but they regularly favored the MT text of the Jewish Scriptures. That began to change, however, after several years of careful analysis of the DSS. Several scholars now suggest that in a number of instances the LXX may be dependent upon an earlier antecedent (*Vorlage*) of the text of the Hebrew Scriptures than the MT.<sup>62</sup> Scholars now commonly speak of a "proto-Masoretic" text among the DSS that reflects considerable consistency with

<sup>61</sup> Schürer, *History of the Jewish People in the Age of Jesus Christ*, 3.1: 480–81.

<sup>62</sup> Emanuel Tov discusses this carefully and convincingly in his "Status of the Masoretic Text."

the later MT, but at times, however, some Qumran texts are often similar to the SP and LXX and occasionally they may reflect an earlier text than the MT.

An examination of multiple copies of the same books at Qumran demonstrates the high degree of textual fluidity in the sacred scriptures at that time which is also true in regard to the “proto-Masoretic” texts at Qumran. The DSS documents are an invaluable resource in textual criticism’s aim of establishing the earliest and most reliable text of the Hebrew Bible, but given the complex history of the text of the Jewish Scriptures that reflects several traditions of textual transmission, few scholars think now that they can establish an “original” text of the HB. Nevertheless, because of the discoveries at Qumran and elsewhere in the Judean Desert, they are much closer now than was possible earlier.

Besides the DSS, other major resources for establishing the earliest text of the books of the Hebrew Scriptures include the LXX, Samaritan Pentateuch, the Aramaic Targums, as well as the Syriac Peshitta, Old Latin, and Latin Vulgate translations. The major manuscripts that have been most influential in establishing the HB text to the present have been the Aleppo and the Leningrad Codices, the Targums, plus the earliest major Greek uncial manuscripts produced by the Christians, especially Codices Vaticanus, Sinaiticus, and Alexandrinus. A number of other manuscripts are also helpful in various places in both the OT and HB. While none of these sources have the same text, and sometimes do not have the same books, they are nevertheless invaluable resources for establishing the text of the HB and OT.

Emanuel Tov has recently challenged the priority given to the MT and contends that it does “*not* reflect the ‘original text’ of the biblical books.” He adds:

One thing is clear, it should not be postulated that M [Masoretic Text] better or more frequently reflects the original text of the biblical books than any other text. Furthermore, even were we to surmise that M reflects the “original” form of Scripture, we still have to decide which form of M reflects this “original text,” since M itself is represented by many witnesses that differ in small details.<sup>63</sup>

Tov acknowledges the value of the LXX because it likely derives from and preserves an earlier text of the Hebrew Bible, albeit in Greek. Unambiguously, he concludes: “when comparing the LXX evidence with that of the other sources, we found that beyond the MT, the LXX is the single most important source preserving redactionally different material relevant to the literary analysis of the Bible, often earlier than MT.”<sup>64</sup>

Because of the rather early date of the Greek translation of the Hebrew Scriptures (Tov dates the LXX to ca. 275–150 BCE), he argues that its translators likely made

<sup>63</sup> Tov, *Textual Criticism of the Hebrew Bible*, 9–12 with many examples on pp. 12–17. His argument is based on the mistakes, changes, and corrections in the various textual witnesses to the MT. He concludes that if one chooses the MT, one should also ask which form of the MT and why.

<sup>64</sup> Tov, “The Nature of the Large-Scale Differences,” 121.

use of a text of the HB not shared by those who later embraced the MT. He adds that the MT may have its roots in the Maccabean period, but that is difficult to prove and still debatable. Tov concludes that the data in the LXX is an integral part of the transmission of the Bible as a whole and, therefore, “in the literary analysis of the biblical books, equal attention should be paid to Hebrew and Greek evidence, as well as to any other ancient source. This analysis thus involves the Qumran biblical texts in Hebrew, and possibly even evidence relating to rewritten biblical compositions dating to the Second Temple period.”<sup>65</sup> He cites four instances where the Hebrew *Vorlage* of the LXX is shorter than the MT and likely is earlier in origin. These include the book of Jeremiah, which is some fifteen percent shorter both in the LXX and in 4QJer<sup>b,d</sup> in its number of words, verses, and pericopes, and the material is sometimes arranged differently. Tov calls this likely an earlier edition of Jeremiah. Secondly, he cites the LXX of Ezekiel which is between four and five percent shorter than the MT, the Syria Peshitta, the Targums, and the Latin Vulgate. His third example is the LXX of 1 Sam 16–18 which is forty-five percent shorter than the MT and other editions of the HB, and notes further that the inhabitants of Jerusalem in the LXX of Nehemiah 11 (2 Esd 21) is much shorter than the MT, S T V in vv. 25–35 and that list is different from the parallel in 1 Chr 9. He cites also a number of other differences between the LXX and the MT with other versions that are not always shorter, but simply different and possibly earlier.<sup>66</sup> Tov concludes from this that his own intuition tells him “that more often than not the LXX reflects an earlier stage than MT both in the literary shape of the biblical books and in small details.”<sup>67</sup> Elsewhere Tov concludes that there was no standardization of the text of the Hebrew Bible in Second Temple Judaism and that the likely reason the MT triumphed over other texts from that period is that the only organized group of Jews who survived the destruction of the Second Temple, the Pharisees, adopted it.<sup>68</sup> Ronald Hendel, writing as editor in chief of the *Oxford*

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<sup>65</sup> Ibid., 121–22, 142.

<sup>66</sup> Ibid., 127–39. Tov makes it clear that those who produced the LXX used none of the MT manuscripts and he shows how at times the DSS manuscripts are sometimes closer to the text of the LXX than to the MT.

<sup>67</sup> Ibid., 143 n. 64. Natalio Fernandez Marcos agrees substantially on the variations in the texts of the Hebrew Bible present in Second Temple times. He states that many of the LXX variants with the MT may go back to the Hebrew *Vorlage* of the LXX which Marcos claims “is earlier than the standardization of the consonantal text” which, he suggests, began in the second century with the rabbis. See his useful discussions in *Septuagint in Context*, 76, and also his discussion of the transmission and textual history of the LXX on 191–236.

<sup>68</sup> Tov, *Textual Criticism of the Hebrew Bible*, 195. See also his collection of comparisons between the LXX and the MT in his, *The Greek and Hebrew Bible: Collected Essays on the Septuagint* (Leiden: Brill, 1999), 31–40; and also in his later discussion of how the Qumran Scrolls contribute to a greater understanding of the LXX on 285–300. He observes that less than five percent of the biblical texts discovered at Qumran reflect the *Vorlage* of the LXX and that the Hebrew scrolls from which the LXX was translated in Egypt have not been found at Qumran, despite some of the similarities here and there in a few of the manuscripts. He adds, “since many, if not most, of the biblical

*Hebrew Bible* project (OHB), is similar in that the OHB project's aim was not to establish a definitive text of the HB, but rather "to approximate in its critical text the textual 'archetype,' by which I mean the 'earliest inferable textual state'"<sup>69</sup> and he later concludes that "in the case of the Hebrew Bible I find it difficult to define what the 'original' means, since each book is the product of a complicated and often unrecoverable history of composition and redaction."<sup>70</sup> As we will see in the New Testament section below, the goal of recovering the "original" biblical text still has some advocates, but many text-critical scholars have largely abandoned that as a goal of their discipline and instead are seeking the earliest recoverable text and how to account for the many variants in the surviving texts. The same appears true for the HB and LXX original texts.

Of the more than 900 to 1000 documents discovered at Qumran, all of the biblical books are represented except Esther, but, as we saw earlier, many other sectarian and non-sectarian religious books were also discovered in the caves near Qumran. It is difficult to distinguish between the biblical and non-biblical books there since biblical and nonbiblical texts were placed side by side and generally with no obvious distinguishing marks or comments that set one collection of books (biblical) apart from the others. In some cases, as noted by Tov above, some biblical books were copied only on one side and in the wider Aramaic script, but that was not always true. Indeed, our use of the words "biblical" and "non-biblical" to identify Qumran writings is anachronistic, and those terms were later imposed on ancient religious texts, but it is not easy to distinguish differences in their initial use or function in antiquity.

We do not have anything like a Bible at Qumran and there are no indications that there was a fixed sacred collection at that time. Emanuel Tov correctly concludes, I think, that "the texts from the Judean Desert show that very little distinction, if any, was made between the writing of biblical and non-biblical texts and more generally, of sacred and non-sacred texts."<sup>71</sup> Similarly, Talmon claims that "the Covenanters [at Qumran] did not consider their assemblage of biblical writings a closed canon of Holy Writ..." and he goes on to note the weakness of all such arguments that depend on anachronistic assumptions about the threefold categorization (Tanak) of the Holy Scriptures at that time. He concludes that "Qumran literature evinces not only an 'open-ended biblical canon', as is argued, but rather gives witness to what I have termed a 'living Bible', still in *status nascendi*."<sup>72</sup> Talmon argues that the evidence at Qumran points to the fact that there was an

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texts of the third and second centuries BCE were unique, they should be sought only in Egypt itself, even though they were originally imported to Egypt from Palestine" (300).

<sup>69</sup> Ronald Hendel, "The Oxford Hebrew Bible: Prologue to a New Critical Edition," *VT* 58 (2008): 324–51, here 330.

<sup>70</sup> *Ibid.*, 332.

<sup>71</sup> Tov, "The Biblical Texts from the Judean Desert," 143.

<sup>72</sup> Shemaryahu Talmon, "The Crystallization of the 'Canon of Hebrew Scriptures'," in Herbert and Tov, eds., *Bible as Book*, 5–20, here 11.



“open-ended biblical canon” that evidences a “living Bible” that he argues is true not only in regard to the books, but also in regard to the text of the literature discovered there.

The Jews at Qumran did not consider that their collections of writings comprised a form of a closed biblical canon. Talmon contends that while the fall of Judah to the Romans and the destruction of the Temple led to a fixation of the Scriptures of *some* Jews, those events had no effect upon the Covenanters at Qumran since they ceased to be a community before these events occurred. Those writings nevertheless led to a better understanding of the crystallization of the canon of the Jewish scriptures. While some of Talmon’s conclusions may be challenged, he is doubtless correct that there was no fixed biblical canon at Qumran. His conclusion is significant: “the Qumran biblical scrolls and documents do not offer any decisive new evidence pertaining to the crystallization of a closed canon of Hebrew Scriptures, worded in a fixed or essentially standardized text.”<sup>73</sup>

Some scholars try to distinguish between biblical and nonbiblical books in the DSS books, even suggesting, as we saw earlier, that the non-canonical writings were essentially nothing more than commentary on the biblical writings,<sup>74</sup> but VanderKam has shown the weakness of that position when he asks what *biblical* books address the issue of the calendar, an essential feature at Qumran and reflected in *1 Enoch*?<sup>75</sup> *1 Enoch* is clearly not a commentary on other biblical books, despite overlap in subject matter from time to time.

Scholars are becoming more aware that notions of canon were simply not present before or during the time of Jesus, including at Qumran, even though there were various collections of sacred books circulating among the Jews that were recognized as sacred texts and eventually included in what later became the HB. VanderKam agrees but also emphasizes that these collections were not fixed or closed sacred collections and also that other religious texts at that time were indistinguishable from the biblical books in early Judaism.<sup>76</sup>

The LXX was Scripture for the earliest Christians and also for many Second Temple and Late Antiquity Jews living both in Palestine and in the Diaspora, but, like the HB, the LXX was still in a fluid state well into the first century CE and later. Whatever initially comprised the sacred writings of Jews in the first centuries BCE and CE, the texts of those writings were quite fluid along with the books that comprised those collections.

<sup>73</sup> Talmon, “Crystallization,” 10–12, and 15. See also his *Text and Canon of the Hebrew Bible*, 419–42.

<sup>74</sup> Beckwith, *The Old Testament Canon*, 274–77.

<sup>75</sup> James VanderKam offers a careful critique of Beckwith, as well as Leiman, *Canonization of the Hebrew Scripture*, 120–24, in his *From Revelation to Canon*, 11–30.

<sup>76</sup> VanderKam, *From Revelation to Canon*, 17.

It took several more centuries for the Jews of the diaspora to accept the Rabbinic sages' boundaries on their scriptural collection.<sup>77</sup> After the canonization process of recognizing sacred books was essentially over for most Jews, there was a significant focus on the specific text of the sacred books. The witness from the surviving Jewish and Christian biblical manuscripts suggests that a wider collection of sacred texts was circulating among Jews and Christians with considerable fluidity in late Second Temple Judaism and in early Christianity.

## D. The Sequence of Biblical Books

The history of the instability and fluidity of the text and books in the Hebrew Scriptures in the centuries before, during, and after the first century CE is matched by the instability in the sequence of books. We can see this in a comparison of the MT sequence of the Twelve with the sequence of those books in the LXX and 4QII<sup>a</sup>. Jonah is in the last position in that collection, but not in the MT or the later HB. The difference in sequence of the Twelve in the MT and the LXX suggests that the collection and its sequence was not fixed much earlier than the end of the first century CE, but it also implies redactional activity involved in the formation of the collection that extended from the time when the earliest documents were gathered into a collection sometime around 225 BCE.<sup>78</sup> J. K. Elliott, in reference to this variance in the order of the Twelve Minor Prophets in the HB and LXX, notes that the Latin and English translations generally follow the Hebrew order. He adds that the Greek Esther and Hebrew Esther vary considerably in their texts, that Job is one sixth shorter in the LXX than in the Hebrew, and that there are considerable differences between the Hebrew texts and the Greek texts of Joshua, 1 Samuel, 1 Kings, Proverbs, and Jeremiah.<sup>79</sup>

These variations in the sequence of books, coupled with the fluidity of the text and variations in the books that comprise the HB, point to the fluidity of the canonization processes of the HB books in the first century CE and later. The development of the codex that eventually allowed for the inclusion of all of the books of the OT in one volume contributed to greater stability in the sequence of the biblical books after the fourth century CE. This was especially true in the order of Genesis through the Kings in the manuscript traditions, but after that the order

<sup>77</sup> Edrei and Mendels argue this case in their "A Split Jewish Diaspora."

<sup>78</sup> Various views on the formation of the Twelve Books or Minor Prophets are discussed in Jones, *Formation of the Book of the Twelve*, 1–42. See also the more recent collection of studies on this topic in Albertz, Nogalski, and Wöhrle, eds., *Perspectives on the Formation of the Book of the Twelve*. In the latter volume, see especially for our purposes the articles by Roy E. Garton, Martin Hallaschka, Mark Leuchter, and Russell Fuller.

<sup>79</sup> J. Keith Elliott, "Manuscripts, the Codex, and the Canon," *JSNT* 63 (1996): 117–19.

varies considerably in both Jewish and Christian manuscripts.<sup>80</sup> For example, in the cases of Job and Daniel, the following sequences in the ancient Christian sources reflect considerable instability. See, for instance, the following locations of Job:

1. In the HB: Psalms, Job, Proverbs.
2. This is the same as the *baraita*, *b. Baba Batra* 14b, which offers an explanation for putting Job, believed to be written by a person in the days of Moses, after Psalms (namely, you do not begin a section “with a record of suffering”).
3. In Codex Leningrad (L), in the Writings the sequence is Psalms, Proverbs, Job (different from Christian Bibles). This is the same in the current HB.
4. In the Aleppo manuscript, the sequence is: Psalms, Proverbs, Job (no Song of Songs in this ms).
5. In the LXX, the sequence is Psalms, Ps 151, *Ode* 12 (or *Prayer of Manasseh*), Proverbs, Ecclesiastes, Canticles, Job (with the additional books inserted, the sequence is still Psalms, Proverbs, and Job).
6. The Roman Catholic Bible has the sequence of Job, Psalms, Proverbs
7. The Protestant Bible has Job, Psalms, Proverbs
8. The Eastern Orthodox: Psalms, Job, Proverbs
9. Codex Vaticanus: Psalms, Proverbs...Job (“...” = other books between the books)
10. Codex Sinaiticus: Psalms, Proverbs...Job
11. Codex Alexandrinus: Psalms, Proverbs...Job
12. Melito of Sardis: Psalms, Proverbs...Job
13. Origen: Psalms, Proverbs...Job
14. Athanasius: Psalms, Proverbs...Job
15. Cyril of Jerusalem: Job, Psalms, Proverbs<sup>81</sup>

In regard to the book of Daniel, despite its later date, its place, as we saw earlier, was among the prophetic corpus initially, as was the Psalms, including all sacred writings except the Torah. This, as we saw earlier, changed in the second century CE when the prophetic Scriptures were separated into Prophets and the Writings in the HB. The following sequences can be seen in Jewish and Christian sources:

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<sup>80</sup> See Swete, *Introduction to the Old Testament in Greek*, 200–214. Check for lists of Greek OT books. See also H. P. Rüger, “The Extent of the Old Testament Canon,” *Bible Translator* 40 (1989): 301–8 for lists of OT books. See also, H. St. J. Thackeray, *The Septuagint and Jewish Worship*, 2nd ed. (London: Oxford University Press, 1923).

<sup>81</sup> See the various locations of Job in the collections or catalogues in the OT lists in Appendixes A and C below.

1. In the HB: Esther, Daniel, Ezra–Neh, 1–2 Chronicles
2. LXX: Ezekiel, Epistle of Jeremiah, Susanna, Daniel, Bel and the Dragon
3. In *b. Baba Batra* 14b, Daniel is near the end of the Writings: Daniel, Esther, Ezra–Nehemiah, and 1–2 Chronicles
4. Orthodox: Epistle of Jeremiah, Ezekiel, Daniel + Prayer of Azariah, Song of Three Young Men, Susanna, Bel and the Dragon.
5. Roman Catholic Bible: in the middle of the final part of the OT (Prophetic collection), the sequence = Baruch (includes Epistle of Jeremiah), Ezekiel, Daniel + Prayer of Azariah, Song of Three Young Men, Susanna, Bel and the Dragon
6. Protestant Bible: Isaiah, Jeremiah, Lamentations, Ezekiel, Daniel (in the Major Prophets section)
7. Codex Aleppo: Esther, Daniel, Ezra/Nehemiah
8. Codex Leningrad: Daniel, Ezra, Nehemiah, 1–2 Chronicles
9. Codex Vaticanus: Jeremiah, Baruch, Lamentations, Epistle of Jeremiah, Ezekiel, Daniel
10. Codex Sinaiticus: Daniel is missing in the fragmented text, but it probably came after Lamentations and Ezekiel and somewhere before Joel.
11. Codex Alexandrinus: (not at end) Epistle of Jeremiah, Ezekiel, Daniel, Esther
12. Melito of Sardis: Daniel, Ezekiel, Esdras
13. Origen: Daniel, Ezekiel, Job, Esther
14. Athanasius: Jeremiah, Baruch, Lamentations, Epistle of Jeremiah, Ezekiel, Daniel
15. Cyril of Jerusalem: Jeremiah/Baruch/Lamentations/Epistle of Jeremiah, Ezekiel, Daniel

The location of Daniel is in various places in the manuscripts, but Daniel is often near Ezekiel and in the proximity of the Epistle of Jeremiah. Its multiple locations in the earliest traditions illustrate the variable sequences in the Hebrew Scriptures, the Christian OT manuscripts, and the church fathers. This may be due to Daniel's earlier history of circulating in a single scroll or in a scroll with a smaller number of books, especially Ezekiel, though probably others as well.

The stabilization of the text and the development of the codex appear to have begun some developing agreement in the sequence of the books in the Christian OT. The books, their sequence, as well as the text of the Clementine Latin OT were fixed as the official Vulgate of the Roman Catholic Church in 1592. Throughout the long history of the canonization of the biblical books, however, the sequence of books and their text varied until advances were made in book technology, including the introduction of the printing press.

## E. The Greek Translation of the HB Scriptures

I have discussed this translation in several places previously, especially in Chapter 6, but I will only summarize here the relevant elements for our focus on the text of the LXX. The practice of diaspora Jews<sup>82</sup> who, for the most part, read their Scriptures *in Greek* is important for understanding the text of the HB and the OT. The Jewish religious books that were translated into Greek were generally received as sacred scripture by Jews in the diaspora, and subsequently also by Christians. As we saw earlier, various Greek translations of the Jewish scriptures besides the LXX were also used in Jewish worship from the second century CE in the diaspora, and possibly before the LXX as we saw in the *Letter of Aristeas*, and eventually the LXX contained more books than those that were later included in the Hebrew Bible.<sup>83</sup>

According to Edrei and Mendels, a case can be advanced that diaspora Jews included in their sacred Scriptures books that are now called apocryphal and pseudepigraphal writings. They add that the “Bible” of Jews living in the diaspora during Second Temple Judaism, especially in the west, was generally the LXX or the Old Greek Scriptures and that it took several centuries longer for Jews in the diaspora to accept the scriptural text and canon constructed by the rabbinic Jews.<sup>84</sup>

While most Jews from Palestine and those in the east as far as Babylon generally accepted the later Rabbinic traditions that limited the sacred collection to the books that now comprise the HB and the Protestant OT canon in a different sequence, this was not the case for Jews in the western part of the Roman Empire until several centuries later. It appears that there was something like a “continental divide” between the Jews in the east and those in the west. Jews living in Palestine and eastward to Babylon were different from those living in the western diaspora (west of Palestine) with the possible exception of Jews living in Egypt. We cannot demonstrate that Jews living in the western part of the Roman Empire even knew of the rabbinic traditions, whether the Mishnah, various Midrashim, or either of the two Talmudim which were all in Hebrew or Aramaic, languages foreign to the Jews in the west. Those works were not translated for them, so they could not have had much effect on them. There was no known rabbinic school (*yeshiva*) in the west until centuries later also and the rabbinic traditions that were produced in Hebrew and Aramaic were not translated into Greek or Latin, the languages of the majority of Jews in the west.

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<sup>82</sup> The term *diaspora* (Greek = “dispersion” or “scattered abroad”) was first used as a reference to Jews living in exile in Babylon (Jer 28:6; 2 Chr 36:20), but eventually was used in reference to Jews who lived outside of the Land of Israel. Among the rabbis, the Hebrew term *galut* (exiles) was used often with theological implications and also in a negative sense of those exiles living in captivity outside of the Israel, but more generally, it was simply a reference to Jews living outside of the Land of Israel (see, e.g., Jas 1:1 and 1 Pet 1:1).

<sup>83</sup> Schürer, *The History of the Jewish People in the Age of Jesus Christ*, 3.1: 478–79.

<sup>84</sup> For a helpful discussion of this, see Arye and Mendels, “A Split Jewish Diaspora.”

Jews in the western diaspora generally regarded respectfully the decisions of the Patriarchs in leadership over the Jews in Palestine following the destruction of the Temple in 70 CE, but again, there were no Jewish schools or *yeshivot* in the west that taught the traditions of the Rabbinic Sages and there is little evidence that the leaders from the east made more than sporadic and infrequent trips to visit Jews in the west. Those in the east were committed to the oral traditions (or “Oral Torah”) and those in the west were committed to the biblical traditions that they derived from the LXX Scriptures that contained not only the books of the HB, but also several apocryphal books that had been rejected by the rabbinic Jews in the east, especially in Babylon. According to Edrei and Mendels, it took several centuries longer for Jews in the western diaspora to accept the scriptural text and canon constructed by the rabbinic Jews.<sup>85</sup>

Occasionally, well-known Christian teachers such as Jerome of Bethlehem and Cyril of Jerusalem were influenced by their Jewish neighbors and opted for the narrower parameters of the HB, but that was not the case for the majority of the early Christians. As we have shown, the textual witnesses from the surviving Christian biblical manuscripts suggest that a broader collection of sacred scriptures was circulating among the Jews before the narrower emergence of the rabbinic HB.

There are many Greek manuscripts that support much of the text of the OT Greek Scriptures, but the most important of these are the great codices, Vaticanus (ca. 350–75), Sinaiticus (ca. 375–400), and Alexandrinus (ca. 450–500). These manuscripts, as we see in Appendices A and B, included the full collection of the Christian OT and NT Scriptures in one volume. The advance in codex technology, along with the fact that more professional scribes were producing the manuscripts in the fourth century and later, doubtless contributed to a greater stability of the text and the order or sequence of the books in the OT and NT for Christians, though both order and sequence varied after that.

The Hebrew manuscripts show considerable textual fluidity well into the era of the Masoretes and some even later. Most of the textual variants are simple spelling errors, accidental omissions, or occasional sloppy copying, but occasionally the earlier manuscripts also contain intentional changes that reflect a scribe’s attempt to make the biblical text more relevant or understandable to a later generation and to clarify the meaning of some words that may have not been understood by contemporary readers or hearers. This was also true in the so-called extended rewritten texts at Qumran discussed earlier.

It is likely that no “original” scriptural texts were available to Jews or Christians as they later produced multiple copies of their scriptures. Text-critical scholars continue to sort through these variants in order to establish the best and most reliable texts of the Jewish and Christian scriptures. The rabbinic choice to adopt the MT text of the Jewish Scriptures and the later editorial work by the Masoretic

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<sup>85</sup> Ibid.

scribes on the MT biblical manuscripts brought considerable stability to the HB text, but the matter of establishing an “original” text of the Scriptures will likely never be settled given the oral transmission of much of the biblical traditions in their earlier stages and the fluidity of the text from its earliest to later stages.<sup>86</sup>

As a result of the renewed interest in the textual history of the LXX, important advances in our understanding of the development of the HB text have also been made. This has already resulted in new translations of the LXX as well as in increased attention given to the LXX by commentators on HB and OT Scriptures.<sup>87</sup> The most frequently cited text of the Septuagint today is the Rahlfs-Hanhart Septuagint,<sup>88</sup> which is based largely on the uncial manuscripts of Vaticanus, Sinaiticus, and Alexandrinus, but also on a few other uncial and minuscule manuscripts from the fifth to the tenth centuries,<sup>89</sup> including ten ancient versions of the Greek text.

Among the surviving manuscripts and various versions, we mentioned the two libraries, Chester Beatty and Bodmer collections above, that date from roughly the late second to the seventh centuries CE. These libraries or collections of Christian Scriptures advance considerably our understanding of the text of the OT in an earlier period and they also include several apocryphal and pseudepigraphal texts that informed the faith and life of some early Egyptian churches. These manuscripts have been assigned identity numbers in the Rahlfs register of Greek Old Testament manuscripts.<sup>90</sup>

All of this raises the question, “Which text of the Scriptures is the final authority for synagogues and churches today?” Most biblical scholars continue to appeal to the MT as the most stable text of the HB that is also the foundation for the OT part of Christian Bibles today, though not of the Greek OT Scriptures that were “the Bible” for the earliest Christians and cited more than 90% of the time in the NT citations of the Jewish Scriptures. However, as we have seen, text critics have shown that textual stability was not present in the first centuries BCE and CE whether in manuscripts at Qumran, the Samaritan Pentateuch, the MT, or the LXX. The surviving biblical manuscripts reflect considerable textual fluidity in the books that were recognized as sacred scripture.

<sup>86</sup> See, for example, Carr, *Formation of the Hebrew Bible*; idem, *Writing on the Tablet of the Heart*; and Veltri, *Libraries, Translations, and “Canonic” Texts*.

<sup>87</sup> See the recently published *A New English Translation of the Septuagint*, ed. Albert Pietersma and Benjamin G. Wright (New York: Oxford University Press, 2007).

<sup>88</sup> Alfred Rahlfs and Robert Hanhart, eds., *Septuaginta*, rev. ed./*Editio altera* (Stuttgart: Deutsche Bibelgesellschaft, 2006). Robert Hanhart revised slightly the 1935 edition prepared by Alfred Rahlfs that was initially published by the Privileged Württemberg Bible Society in Stuttgart, Germany.

<sup>89</sup> The uncial manuscripts include the Ephraemi Rescriptus (C), Cottonianus (D), Ambrosianus (F), Colberto-Sarravianus (G), Purpureus Vindobonensis (L), Coislinianus (M), Marchalianus, Vat. Gr. 2125 (Q), Veronensis (R), Turicensis (T), Venetus (V), Freer Mss (W). The minuscule manuscripts most frequently appealed to include 393, 911, 1098, and 2013.

<sup>90</sup> Van Elderen has a helpful summary of this collection of manuscripts in his “Early Christian Libraries.”

## V. OTHER TRANSLATIONS OF HEBREW AND OLD TESTAMENT SCRIPTURES<sup>91</sup>

Besides the Greek translations discussed earlier in Chapter 6 §§I and II, and the Targums that frequently were more like expanded paraphrases of the HB Scriptures, there were other translations of the Jewish HB books and Christian OT books that emerged in the second century CE. These translations often tell us what books were circulating among Jews and Christians in the Diaspora as well as their fidelity to the texts of the HB and Greek OT Scriptures. Some of the earliest translations include the following:

### A. Syriac Versions

The Greek translations of the HB Scriptures initiated other translations of the Jewish Scriptures for Diaspora Jews that were subsequently also adopted by Christians. Among these translations that were prepared initially by Jews and subsequently welcomed by the Christians, the Syriac versions were popular in communities close to Palestine. The Syriac version of the HB scriptures was probably begun by the Jews for their communities in Syria, but in time those translations were taken over by the Christians. Some of the Jews who prepared the initial translation eventually became Christians and their work became the first Scriptures of the Christians in the region of Syria and subsequently in surrounding areas. Antioch, Syria, possibly the third largest city in the Greco-Roman world, had a very large Jewish population and eventually a fairly substantial Christian population. In time the number of Jews there became a minority as the church increased in size mostly through Gentile conversions.

In the second century CE, and possibly earlier, some Jews translated the Hebrew Scriptures into Syriac and these scriptures became known as the Syriac Peshitta.<sup>92</sup> Eventually some of the Jews who began this project were converted to Christianity and later (by ca. 200 CE) many of the Christian Scriptures were also added to the earlier Jewish collection of translated HB Scriptures. The conversion of some Jews to Christianity may have come as a result of the rift between the Jews in Syria and the leaders in rabbinic Judaism in the second and third centuries, but that is uncertain. After their conversion to the Christian faith, the Jews brought their Peshitta translation of the Hebrew Scriptures with them into their new faith and the Christians welcomed it and added to it also their Christian Scriptures.<sup>93</sup>

<sup>91</sup> I am especially indebted here to Bruce M. Metzger, *The Bible in Translation: Ancient and English Versions* (Grand Rapids: Baker, 2001).

<sup>92</sup> The word *Peshitta* (Syriac = “simple” or “common”) is the term given to the collection of Jewish and Christian scriptures in the Syriac language.

<sup>93</sup> This view was advocated by M. P. Weitzman, *The Syriac Version of the Old Testament: An Introduction* (Cambridge: Cambridge University Press, 1999), 1. Metzger also makes a similar observation in his *The Bible in Translation*, 26–29.



Subsequently the Christians largely oversaw the continuing transmission and preservation of these scriptures. The whole of the Peshitta for both the OT and NT was not completed much before the fourth or fifth century.

Metzger adds that while the origin of the Syriac Bible is “shrouded in uncertainty,” the affinities to the Aramaic Targums suggest a strong Jewish influence on the translation of the Pentateuch.<sup>94</sup> The surviving Syriac manuscripts show considerable variety in the books included in the OT portion of the Syriac Bible, as well as in their order or sequence. In some manuscripts, after the Pentateuch, the order of the books is Joshua, Judges, Job, Samuels, Kings, Proverbs, Ecclesiasticus (Sirach), Ecclesiastes, Ruth, and Song of Songs. In other Syriac biblical manuscripts Ruth, Esther, Judith, and Susanna are placed together in the *Book of Women*. We will discuss the New Testament books in the Syriac translation later. At the beginning of the sixth century, the Philoxenian version, named after bishop Philoxenus from Mabbug (Hierapolis), included the NT books.<sup>95</sup>

In 616 CE, Thomas of Harkel significantly revised the Philoxenian version. At roughly the same time, Paul, the Jacobite bishop of Tella in Mesopotamia, made a translation of the Septuagint from Origen’s fifth column which is also important because it is both a fairly accurate translation and preserves, unlike other translations copied from the *Hexapla*, the critical editorial symbols mentioned earlier that had their origin in Alexandria.<sup>96</sup> In time, some six versions of the Syriac Bible were translated from the LXX following the “fifth column” in Origen’s *Hexapla*. Subsequently, another version of the Syriac Bible emerged that was called the Christian Palestinian Aramaic version using the Aramaic language similar to the language used in Palestine in the early Christian centuries.<sup>97</sup>

## B. Latin Versions

Around the end of the second century CE, Latin versions of the OT and some NT writings began to emerge especially in North Africa. It is well known that Tertullian, at the end of the second century, quoted from some OT and NT writings in Latin. As Metzger observes, various early Latin translations were not merely translations of the Greek into Latin, but often they provided opportunities for considerable expansion of the biblical texts.<sup>98</sup>

The early Latin versions were translated from the Greek LXX, but in the fifth century Jerome translated the Old Testament Scriptures from the Hebrew text into Latin and, although personally he rejected the apocryphal books in the

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<sup>94</sup> Metzger, *The Bible in Translation*, 26.

<sup>95</sup> Ibid., 28. Their NT included initially included only twenty-two books (until ca. 500–510 CE). They regularly omitted 2 Peter, 2–3 John, Jude, and Revelation.

<sup>96</sup> Ibid., 28–29.

<sup>97</sup> Ibid., 25–29.

<sup>98</sup> Ibid., 30.

LXX, he nevertheless bowed to pressure and included them in his translation, but without giving careful attention to them. The translations of the apocryphal books are inferior to the others. The earlier expansionist tendencies and the multiple variants in translations are highlighted and disparagingly discussed in Augustine's comments about the diversity of texts in the Latin Bible. At the close of the fourth century, he wrote:

Those who translated the Scriptures from Hebrew into Greek can be counted, but the Latin translators are out of all number. For in the early days of the faith, everyone who happened to gain possession of a Greek manuscript [of the New Testament] and thought he had any facility in both languages, however slight that might have been, attempted to make a translation. (Augustine, *On Christian Doctrine* 2.16)

Scholars today have discovered some three families of Latin translations represented by Cyprian (the African text), Irenaeus (the European/Gaul text), and Augustine (the Italian text). As a result of a confusion in Latin texts, Pope Damasus asked Jerome (Hieronymus) in 383 CE to produce a uniform Latin text of the Scriptures. He was reluctant at first but then proceeded to translate from the *Hebrew* text of the HB for the OT and the Greek for the NT. This work took fourteen years to produce (390–404 CE) and most or perhaps all of it was translated in Bethlehem and with the linguistic (Hebrew) aid of a converted Jew from Syria and later a Jewish Rabbi in Bethlehem. Jerome's translation, as he had expected, met initially with considerable opposition in the churches and it took several centuries before it became the standard text for all Latin churches and it remained that way with several recensions for nearly a thousand years. He largely ignored or rushed through the translation of the apocryphal books (especially Tobit and Judith) since he was not interested in them and he did not give them the same careful attention or time that he gave to the books in the Hebrew Bible.

### C. Coptic Versions

In the continuing progression in the development of the Egyptian language, Coptic emerged with a strong dependence upon the letters of the Greek alphabet. The Egyptian Christians wrote this native language using the twenty-four letters in the Greek alphabet, as well as seven additional signs taken over from the Egyptian language, to express sounds that were not present in the Greek language. The literature that emerged in Coptic is almost exclusively religious and includes versions of the Bible as well as the apocryphal books of the OT and NT, including legends of the apostles, lives and martyrdoms of saints, and other so-called non-canonical texts. These additional texts were not put in a separate collection, but were mixed among the rest of the sacred scriptures of the Egyptian churches.

Around the beginning of the fourth century, possibly sooner, Coptic translations began that eventually included some six dialects (Sahidic,<sup>99</sup> Boharic, Achmimic, sub-Achmimic, Middle Egyptian or Oxyrhynchite dialect, and Fayyumic). It appears that most, if not all, of the Old Testament books were included in these translations, but also other non-canonical books including Ps 151. Occasionally the Coptic versions show a preference for the Latin versions, but that is not unusual since the Greek scriptures were first translated into Latin in the North African churches.

## D. Armenian Versions

The Armenian people are known for their pride in being the first “Christian nation,” that is, when Christianity was brought to Armenia near the end of the third century by Gregory the Illuminator (257–331), who was of royal lineage, he was able to convert Tirides I, king of Armenia, who subsequently sent out a herald to all of his subjects to adopt the Christian faith and be baptized. The call was successful and the Armenian people converted to the Christian faith, and by the early fifth century, the Christian OT and NT Scriptures were translated from the Syriac into the newly established Armenian language. Mesrop (ca. 361–439 CE) created the thirty-six-letter Armenian alphabet around the year 405–406 and he used some twenty Greek letters. He set out to translate the Scriptures with the help of others that he recruited for the task and the first OT book translated was the book of Proverbs. The NT and subsequently the rest of the OT books were finished between 410 and 414 CE. The earliest dated surviving Armenian biblical manuscript is from 887 CE and from a survey of the other surviving manuscripts, it appears clear that the Armenians included in their OT Scriptures also the *History of Joseph and Aseneth*, *Testaments of the Twelve Patriarchs*, *The Book of Adam*, *The History of Moses*, *The Deaths of the Prophets*, *Concerning King Solomon*, *A Short History of the Prophet Elias*, *Concerning the Prophet Jeremiah*, *the Vision of Enoch the Just*, and *The Third Book of Esdras* (= chs. 3–14 of Second Esdras). Their New Testament also included the *Epistle of the Corinthians to Paul* and the *Third Epistle of Paul to the Corinthians*, which is similar to the early Syriac biblical canon.<sup>100</sup> I will say more about 3 *Corinthians*

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<sup>99</sup> Some of the most important manuscript finds in Egypt, such as the Chester Beatty collection now in Dublin and the Martin Bodmer collection now in Cologny-Geneva, are in the Sahidic Coptic dialect.

<sup>100</sup> A helpful history and survey of the books that were included in the Armenian Bibles is the collection of articles in Vahan S. Hovhannessian, ed., *The Canon of the Bible and the Apocrypha in the Churches of the East*, Bible in the Christian Orthodox Tradition (New York: Lang, 2012). See also my September 27, 2013 review of this book in RBL (<http://www.bookreviews.org/bookdetail.asp?TitleId=8951>).

in the New Testament in Chapter 20 §IV. Metzger has observed that the Armenian manuscripts also include many colophons with notes on a broad range of topics that are especially interesting to biblical and text-critical scholars.<sup>101</sup>

## E. Ethiopic Version

The Ethiopian translation of the Bible is one of the more fascinating if not puzzling translations. It includes some “81 books,” but it is not always clear which “81” are intended since the surviving manuscripts vary in their contents. The notion of a biblical canon, that is, a fixed collection of sacred books, was more fluid in the Ethiopian churches than elsewhere and they have the largest Christian biblical canon known today.

In his *Ecclesiastical History* (1.9), Rufinus (ca. 345–410), church historian and translator as well as monk, claims that the mission to Ethiopia began during the reign of Constantine (ca. 330 CE) with two young men, Frumentius and AEdesius, who preached the Gospel in Aksum, the capital then of Ethiopia. The principal works in the Ethiopian canon are the *Sinodos* and *Fetha Nägäst*. *Sinodos* is a collection of material attributed to the apostles and early church councils and it contains lists of its sacred scriptures. *Fetha Fägäst* is the canon law of the churches and it cites *Sinodos* as its primary source. Both sources have lists of their scriptural books.

There are two main lists of sacred scriptures in the *Sinodos*. Their Old Testament includes, besides the books in the Protestant OT canon, Judith, Tobit, 1–2 Maccabees, Wisdom of Solomon, Ecclesiasticus, and Pseudo-Josephus. There appear to be two primary Old Testament canons in this translation:

The *Broader* OT canon includes: Octateuch – besides the Pentateuch, Joshua, Judges, and Ruth (8 books), Judith (1), Samuel and Kings (4), Chronicles (2), 1 Esdras and the Ezra Apocalypse (2), Esther (1), Tobit (1), Maccabees (2), Job (1), Psalms (1), books of Solomon (5), Prophets (16), Ecclesiasticus (1), Pseudo-Josephus (1); Jubilees and Enoch are to be included in the number (by counting Samuel and Kings as only 2 books). This comes to a total of 46 books in the Old Testament collection.

The *Narrower* OT canon is listed in the *Prayers of the Church* and is the list printed in the large Ge‘ez and Amharic diglots and it includes the widely accepted Protestant OT books and separates into two books the Proverbs 1–24 (Messale) from Proverbs 25–31 (Tägsas), so the number here is forty and then it adds fourteen other books that include: Enoch, Jubilees, Wisdom, 1 Esdras, Ezra Apocalypse, Judith, Tobit, Ecclesiasticus, Baruch, “the rest of Jeremiah,” book of Susanna, “the rest of Daniel,” and 1 and 2 Maccabees. This comes to a total of 54 books.<sup>102</sup>

<sup>101</sup> Metzger, *The Bible in Translation*, 42.

<sup>102</sup> This data comes from R. W. Cowley, “The Biblical Canon of the Ethiopian Church Today,” *Ostkirchliche Studien* 23 (1974): 318–23.

The earliest Ethiopian biblical manuscripts that have survived are from the fourteenth century. The Ethiopian Christians were separated from the rest of the Christian world for almost 1000 years following the triumph of the Moslem religion in their part of the world. If what they have now had been received before the separation from other Christians – and there is no certainty here – then they have a fair claim to an early Christian collection of sacred books and their collection should be taken seriously if we are interested in the formation of the ancient church's scriptures.

Besides these versions, Metzger goes on to discuss the Gothic version that rejected Samuel and Kings. He also discusses the Georgian, Arabic, Old Slavonic, and Nubian Versions, but for our purposes, the ones described above already make the point that the various books included in the ancient biblical canons and translations varied for several centuries, though the core books, Law and the Prophets, were generally included, though the sequence in them often varied.<sup>103</sup>

## VI. CONCLUSION

We have looked briefly at the importance of the ancient biblical manuscripts, their text, and the early translations of them. No examination of the processes of canonization is complete without some understanding of the importance and relevance of these ancient artifacts. The text of the Jewish and Christian scriptures throughout the history of transmission of the biblical texts was fluid. This is especially so in the early centuries when scribes not only made simple blunders in transmitting the sacred texts, but they also edited and occasionally intentionally changed the scriptural texts to make them more relevant to current and later readers. Scribes, copiers, and translators of various levels of competence made accidental and often intentional changes in the biblical texts and their intentional changes often reflect the historical and social contexts of the communities that produced and used them. The manuscripts with intentional changes in them regularly became the models for subsequent transmissions and so subsequent scribes passed on those changes and likewise made their own changes in their copies of the sacred texts. Long after a limited number of sacred books were acknowledged as sacred scripture, and listed in fixed collections of biblical books (canons), the texts of those books remained fluid. There were some parameters, however, and completely false statements about the biblical stories could not have survived if they did not cohere with the core traditions handed on in the synagogues and churches. Scribes and copiers did not take unusual liberties to make fanciful changes in their sacred texts, nor did they change who did or said what or the results of such activities. No one would have said that Moses had five, eight, or thirteen commandments. The Ten Commandments were pretty well settled and no changes would have occurred that made the biblical stories unrecognizable.

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<sup>103</sup> Metzger, *The Bible in Translation*, 38–51.

With the technological developments in the codex by the fourth century, the possibility of including all of the biblical books in one volume made it easier to see what books comprised the various biblical canons emerging in that era. Before then, there was little stability of the text, or sequence of the books that comprised the OT. Most of the catalogues of Christian scriptures occur during and after the fourth century when churches could see more clearly what was included in their sacred collections. Although some identification of the books in the HB scriptures began to emerge in the second century CE (see lists in the Bryrennios catalogue and in Melito of Sardis in Appendix A), but especially in the third, fourth, and fifth centuries CE. In practice, both Diaspora Jews and Christians continued to read other books alongside the HB books for centuries. There would have been no need to have the stated prohibitions against reading those additional books later if no one had been reading them!

The surviving manuscripts reflect several other books that informed early Christian faith besides those in the HB. Despite this, the majority of books that now comprise the HB and OT collections were fairly stable early on (by the second century CE) and those books in the HB and in the Christian OT codices comprised the majority of books in both Jewish and Christian sacred collections. Most of the books in the HB were fairly well recognized and were forming a stable collection before the end of the first century CE, yet some others were still read in Jewish and Christian services of worship. That may explain why some of them were the latest collection to find a separate and stable place in the HB. There was never any doubt about the Psalms, but there was some doubt expressed about some of the books in the third part of the HB, especially Song of Songs, Esther, Ecclesiastes, Ezekiel, and Sirach as we have shown earlier.

The fluidity of the text of the biblical literature was not weighed as heavily as which books were included as sacred Scripture. The stabilization of the text took much longer than the recognition of which books comprised sacred Scripture. Chapman has a valid point when he chides those who argue from a fluid text to the conclusion that a biblical canon did not *yet* exist. He believes that the canon of Moses and the Prophets preceded the textual stability, and I agree, but I am not convinced with his related arguments. He correctly concludes that “canonicity is not necessarily dependent upon the stabilization of a particular text, although these two processes are clearly joined in some way.”<sup>104</sup> He is also correct to say that there were connections between the stability of the scriptural texts and canon formation, but it is not always clear what that connection is!

Again, there is no doubt that fixed collections of Scriptures existed well before the first century CE (especially the Pentateuch and the Twelve Minor Prophets, and perhaps the Former Prophets), but the exact parameters of the rest of the

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<sup>104</sup> See Chapman, “How the Biblical Canon Began,” 48–49. Although I agree with his conclusion, I am not convinced that he has clarified the matter much since he leaves the relationship between canon and text open (49). He correctly sees, however, that at Qumran and in much of the first century CE there was no fixed text or a fixed list of canonical books. *Ibid.*

Prophets cannot be determined before the second century CE when the books that comprise it are for the first time listed. We cannot show, however, that this first list was precisely the same collection that was operative in the first century CE or before. The early church separated from Judaism before there was a widespread agreement on the scope of the HB and that best explains the differences between the *later* collection HB books and the more expanded Christian OT books. Jerome provides the primary example of a Christian canon following the general pattern of the HB tripartite biblical canon, but it is not exactly the same as we have shown since some of those books appear earlier in the historical section (Ruth follows Judges and Lamentations is placed after Jeremiah) and he does not use the Tanak names for those three parts in his listing of the Christian OT books.<sup>105</sup>

Today biblical scholars of all persuasions regularly find value in studying the so called nonbiblical texts since they often aid considerably in our understanding of the earliest known biblical texts. They also shed light on the context and development of both Jewish and Christian traditions and the Bibles that informed their faith then and even now.

More books than those in the current Jewish and Christian Bibles initially informed the faith and religious life of the ancient Jewish and Christian communities. This was especially true in the eastern churches that never had a Council of Trent, that is, a council to determine the scope of their sacred scriptures. Some canon scholars assume that what took place in the western churches was also true in the eastern churches, but that was not the case. There was considerable overlap, but never complete agreement on canon decisions made in the Catholic and Orthodox churches, though Catholics, Orthodox and Protestant Christians all agree on their acceptance of all of the HB books, though not their order as we have seen. The ancient manuscripts and lists of sacred scriptures from the East reflect both agreement and disagreement on the scope of their churches' OT biblical canon. Many Eastern churches, for example, continued to offer a rationale for continuing to use the *Prayer of Manasseh* because, according to the *Didascalia*, it implies that repentance opens "the doors of salvation"<sup>106</sup> and this suggests a parallel in David's failure in 2 Sam 12:1–13. Though there we do not

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<sup>105</sup> Chapman, "How the Biblical Canon Began," 29–52, seems to be saying that the biblical texts were acknowledged as canonical – which apparently means religiously authoritative scripture – before they were placed into their various divisions. That appears likely, though the recognition of the Torah always had the place of priority throughout Second Temple Judaism in any of the collections that survived antiquity.

<sup>106</sup> See Daniel A. Ayuch, "The Prayer of Manasses," in Hovhanessian, ed., *Canon of the Bible*, 7–20, here 12. Similarly, Slavomir Caplo in the same volume (21–28) defends the use of the *Testament of Solomon* (*TSol*) in the pseudepigraphal collection in the *Judgment of Solomon* (*JSol*) in the Eastern churches. His conclusion suggests that the presence of the *JSol* among canonical writings in the Paris and Vatican manuscripts indicates that *JSol*, which includes *TSol*, was once considered a biblical book. This book illumines an often untold story of the formation of biblical canons in Eastern churches. It clarifies how and sometimes why some non-canonical books continued to circulate in

see the word repentance, the notion is there and it is subsequently seen in Ps 51 that is traditionally attributed to David. Christians have never fully agreed on the scope of their OT scriptures, so a debate will continue over the parameters of the OT canons as well as on the elusive scriptural texts of the books that comprise the Christian OT canons. There is, however, far more that overlaps in the OT canons of Catholic, Protestant and Orthodox churches than what does not.

In our next chapter I will offer not only some summaries of the arguments thus far on the formation of the HB and OT, but also some possibilities for future inquiry.

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churches for centuries after church councils fixed the boundaries of the biblical canon. It also makes clear that western council decisions about the scope of the biblical canon had little influence in the east. I will return to this important contribution later when I focus on the formation of the NT canon.



## CHAPTER 13

# THE FORMATION OF THE HEBREW BIBLE AND OLD TESTAMENT: A SUMMARY

Understanding the complex issues surrounding the origins and formation of the HB and OT canons continues to be challenging, as we have seen, and several issues remain unresolved due to a lack of adequate ancient sources that clarify those issues. I will focus here on some of the areas yet to be resolved including the definition of canon and the appropriate criteria involved in the selection processes, including how best to approach canon formation. Finally, for the sake of completeness, I will include a summary and discussion of D. N. Freedman's twenty-three-book HB canon with its arguments and weaknesses.

### I. THE HEBREW BIBLE AND OLD TESTAMENT CANON

We have seen that Jews of late Second Temple Judaism and the earliest Christians were not focused on the notion of a biblical canon. Both communities were significantly informed and influenced by a broad collection of Jewish Scriptures, but there was no concerted effort to establish the boundaries of their Scripture collections before the second century CE for the Jews and even later for the Christians. It is highly unlikely that Jesus held to a biblical canon that looked like the later rabbinic canon and even more unlikely that he passed it on to his disciples who subsequently lost sight of it. He more than likely recognized many if not most of the books that currently comprise the HB canon, but probably also more. Melito of Sardis was the first Christian who became interested in the specific books that formed what was beginning to be called an Old Testament. Subsequently some church fathers showed an interest in such matters, especially Origen in the third century, but generally it was not a topic of interest for most church fathers until the fourth century CE. Origen, as we saw, was also open to citing as Scripture more than the HB books.

The examples shown earlier demonstrate the Jewish interest in identifying the number of books in their biblical canon initially with the number of letters in the Hebrew alphabet, to reflect their completion and divine origin, but later adopted the number twenty-four instead that reflected the letters of the Greek alphabet following the model of Homer's writings. The ordering of the HB canon into a tripartite collection influenced some church fathers, as in the cases of Jerome and Cyril who opted more for the Jewish biblical canon than other church fathers, but this did not reflect the opinion at that time of the majority. That Melito, a leading bishop at the end of the second century, had to travel from Sardis to resolve questions regarding the scope of the church's Old Testament Scriptures, suggests that the matter had not yet been settled in the churches and evidently not in synagogues in the diaspora since the synagogue was quite large in Sardis. Some in the rabbinic Jewish community at that time had lingering doubts about the scope of their biblical canon and some rabbis questioned the sacredness of a few books, especially Ezekiel, Song of Songs, Esther, Ecclesiastes, and Sirach. Such debates continued for centuries among some rabbis and church fathers.

Because of the lack of definition in the scope of the HB and OT biblical canons in the first centuries BCE and CE that we saw from an examination of the DSS at Qumran, the frequent use of or parallels to noncanonical writings in the NT and the early church fathers, and disputes among second-century and later rabbis, there was no obvious fixed biblical canon in late Second Temple Judaism or in early Christianity. That some canonical and noncanonical writings were disputed both by Jews and Christians for centuries suggests that the biblical canon was understood differently initially from how it was understood in subsequent periods.

There is little doubt that the core books in the HB and Christian OT scriptures were cited as scriptural texts in most Jewish and Christian communities. Disputes over some books (canonical and noncanonical) continued for centuries, but that did not seem to have been the case in regard to the traditions and theology in early Christianity.<sup>1</sup> Silver concludes essentially the same thing in the Jewish communities of Late Antiquity, but since the Jews read through the Torah once a year in the synagogue, there was never any doubt in the minds of the faithful about what was at the core of Judaism – it was Torah. He explains:

The ordinary Jew probably knew that the Exodus story was central, and the story of Samson and Delilah less so, since he rehearsed the Exodus deliverance every Passover, and heard about Samson only on the occasional visit of a wandering storyteller or professional reader. If he thought about it, as he probably did not, he might have sensed that there must be some gradations of authority among the scrolls. But he probably never saw all the scrolls finally included in the Hebrew Scriptures, and certainly never in one place, bound together, and designated as scripture.<sup>2</sup>

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<sup>1</sup> See Barton, *People of the Book?*, 30–31.

<sup>2</sup> Silver, *Story of Scripture*, 132.

Satlow is also correct in saying that few Jews before 100 CE would have considered fixing their scriptures into a biblical canon of sorts, though the average among them would be broadly familiar with texts read to them in synagogues. He writes: “I doubt that most Jews would have given much thought to whether particular texts were ‘really’ scripture or not. If you heard the public recitation from a scroll of oracles or stories that were ascribed to a revered prophet whose name you recognized, as long as the contents did not overtly challenge your preconceptions of what should be in such a text, why doubt its authenticity?”<sup>3</sup> He concludes: “This is why prior to the second century CE, nobody thought to create a ‘closed canon,’ a definitive list of specific books that should be considered ‘scripture’.”<sup>4</sup>

## II. CONCERNS ABOUT AN AMBIGUOUS BIBLICAL CANON

Whether Jewish religious leaders in antiquity accepted or rejected or were at least informed by apocryphal writings does not appear to have been an issue during Second Temple Judaism. During that time, however, the Law of Moses/Torah formed that scriptural core of sacred literature for the Jews along with a corpus of prophetic books that were later divided into the now traditional Prophets and Writings, and other books were also read, studied, and cited as sacred texts well into the first century CE. Not everyone agreed on the whole collection of the Writings, but there was little doubt about a wide acceptance of the core books in that collection, namely Ruth, Psalms, Daniel, Proverbs, 1–2 Chronicles, Job, Proverbs, and Ezra–Nehemiah. However, as we saw, some rabbis and early church leaders expressed doubts about the sanctity of some books in that collection, especially Song of Songs, Ecclesiastes, and Esther. These perhaps may be considered “fringe” books in the early Scripture collections.<sup>5</sup>

The HB and Greek OT, including some apocryphal and pseudepigraphal literature, informed the faith and theology of some Jewish sects in the late Second Temple period as well as also several NT and early church writers. Whether other ancient religious books should be included in a Jewish or Christian biblical canon was not at all a consuming question until the late first century CE for *some* Jews, and later for others. There is no evidence of a precisely defined collection of sacred books until the end of the first century CE for some Jews (Josephus and the author of *4 Ezra*) and no evidence of such interest until the end of the second century CE for the Christians (Melito). Such issues only began to be important questions for *some* Christians in the late second and third centuries, mostly in

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<sup>3</sup> Satlow, *How the Bible Became Holy*, 244.

<sup>4</sup> Ibid.

<sup>5</sup> Barton speaks of this “fringe” in *People of the Book?*, 30–31.

reference to the NT writings, but it became a more important matter in the fourth and fifth centuries when all of the church's scriptures (OT and NT) could be included in one codex volume. It does not appear initially that questions about which books could be read in churches or synagogues were discussed at all or were important in those communities. It is unlikely, as we saw earlier, that most church leaders would have known enough about the shape or scope of their Scriptures in the early centuries to know how to answer questions about the canonization of those Scriptures. Scholars *now* consider many ancient religious texts and the way they elucidate the historical and social contexts of the period when the biblical canon was formed, but it is not clear how many church leaders or rabbinic sages would have been sufficiently informed to know how to respond to questions about such matters or questions. Few would have access to read or know all of the books that later became their biblical canon. It appears that Jesus was familiar with many later disputed texts (*1 Enoch*, Wisdom of Solomon, Sirach, and others), but cites mostly books in the undisputed Law and Prophets. Because of this, the ancient "noncanonical" religious texts should likely merit more attention than has been given to them in the past.

The authoritative Scriptures of several first-century Jewish sects doubtless had an impact on which Scriptures the earliest followers of Jesus adopted as their own. They also stayed within the broad pale of first-century Judaism until they were no longer welcomed in that community (initially 62–66, but no later than 135 CE). The Scriptures that the early Christians inherited from their first-century Jewish siblings were more refined in *later* rabbinic contexts and those subsequent definitions had little impact on the emerging churches in the second century and later. Interestingly, Childs suggests that the Christian canon was necessarily different from that of Judaism of Late Antiquity because:

At the outset, it is crucial to recognize that the Christian understanding of canon functions theologically in a very different way from Judaism. Although the church adopted from the synagogue a concept of scripture as an authoritative collection of sacred writings, its Christology shaped its basic stance toward its canon. The authority assigned to the apostolic witnesses derived from their unique testimony to the life, death, and resurrection of Jesus Christ. Similarly, the Old Testament functioned as Christian scripture because it bore witness to Jesus Christ.<sup>6</sup>

I agree, but would also add that the collection of Scriptures that the early Christians adopted came from first-century Jewish sects from which they emerged. This is surely correct and similar to James Sanders' distinction between the Christian OT (or FT) that is rooted in a different hermeneutic (see Chapter 1 §IX, "Excursus on 'First Testament' or Old Testament," above). However, the criteria employed by the rabbinic sages to define their sacred Scriptures are not clear, since the date of composition (no later than the Persian period), no books after the absence of the

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<sup>6</sup> Childs, *Biblical Theology*, 64.

prophetic gift and the Holy Spirit among them, or no books not written in Hebrew or Aramaic, do not answer all of the questions raised by the books that were included. There is no doubt, however, that the early Christian community anchored its new faith in Jesus the Christ in their Old Testament Scriptures, but, as Childs noted above, they accomplished this through their christological interpretation of the Scriptures that had already been a recognized authority among them. However, as we have stressed above and below, their interpretation of those Scriptures *did not occur before their encounter with Jesus*. Paul, for instance, knew his scriptures well, but did not conclude that Jesus was the Messiah until *after* his experience with the risen Christ on the Damascus Road. Like his fellow Jewish believers who followed Jesus, they began their Christian faith in their encounter with the risen Christ after the event of Easter and subsequently anchored their faith in their new interpretation of their Jewish Scriptures. In the words of Lee Barrett:

There is no obvious inference from the Old Testament that Jesus was the Messiah, for the pattern of Jesus' life, death, and resurrection was a break with all pre-Christian messianic expectations. The ability to construe the ancient Hebrew texts christologically is a leap of hermeneutical imagination possible only after the interpreter has already come to faith in Christ.<sup>7</sup>

Barrett adds, "Paul's unanticipated encounter with Christ led him to reinterpret his religious history."<sup>8</sup> I agree with this and would add that Paul also reinterpreted his sacred Scriptures. This new christological interpretation of the Hebrew Scriptures began with their encounter/experience with Jesus, and not with the traditional Jewish interpretations of those Scriptures. That does not lead to a weak Christology, as I will argue below, but it clarifies how that Christology first emerged and was subsequently interpreted in light of the church's Old Testament Scriptures.

The various combinations of HB books employed to stay within the limits of a twenty-two-book or twenty-four-book canon apparently did not make much sense to the church, so they did not follow it, though in the NT we do see a reference to the Greek alphabet in the reference to God and Jesus as the "alpha and omega" (Rev 1:8; 22:13). Karl Rahner correctly observes that the HB canon was not complete when the early Christians separated from Judaism and concludes that it should not be surprising "that the Church also completed the definition of the OT canon, and did not take over from the synagogue a ready-made and as such binding canon."<sup>9</sup> The independence of the early Christians in their understanding of Jesus and their scriptures was in part present from their beginning, namely they approached them with a christological hermeneutic. The earliest Christians

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<sup>7</sup> Lee C. Barrett, Review of David Crump, *Encountering Jesus, Encountering Scripture, Interpretation* 69, no. 1 (2015): 105–6.

<sup>8</sup> Ibid.

<sup>9</sup> Quoted from Stendebach, "Old Testament Canon," 37.

generally accepted all of the books in the present HB canon, but others also. As we have seen, some early church fathers questioned the inclusion of Ecclesiastes and Esther, but many of them also accepted as scriptural texts books that were not later included in the HB or in the later Protestant biblical canon. Before their separation from Judaism, some early Christians had also welcomed as Scripture some of the apocryphal and pseudepigraphal literature that rabbinic Jews and later Christians rejected. It appears that the second- to the fourth- and fifth-century churches appear to have made independent decisions on the scope of the sacred literature that informed their faith. Later church council attempts to bring unity on such matters was not fully successful, though subsequently independent larger communities eventually did agree on the shape of their biblical canons as we see in the Catholic, Eastern and Russian Orthodox, Protestant, and Ethiopian OT canons, even if they were not exactly the same OT canons.

### III. CRITERIA FOR ESTABLISHING A HEBREW BIBLICAL CANON

We asked earlier what criteria were employed first by the Jews and subsequently by the Christians to establish their HB and OT canons? As noted, it is not clear whether the matter was settled by date (i.e., no document written after the time of Ezra) or by language (i.e., no document not written first in Hebrew and Aramaic), by location (i.e., no document written outside of the land of Israel),<sup>10</sup> or how significant the anonymity of authorship was in determining the final conclusions.<sup>11</sup> Is it possible that a book's canonicity was more specifically related to its theological conformity to Torah, or to its usefulness in Jewish liturgy, or even to its perceived moral content? Perhaps, as Silver has suggested, the matter was settled in some cases on the basis of size. He explains: "the decision to include or exclude [was] sometimes made for reasons as superficial as a scribe finding empty space available at the end of a scroll he had just copied, and filling it with something he liked."<sup>12</sup> It is not clear, however, what arguments he has to support this suggestion.

The criteria that some scholars have suggested in regard to the writings discovered at Qumran may not be far from the reality of some of the criteria that were eventually employed in the final selection of the books that comprised the Hebrew Bible. While there was obviously a collection of Scriptures circulating

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<sup>10</sup> See S. Z. Leiman, "Inspiration and Canonicity: Reflections on the Formation of the Biblical Canon," in *Jewish and Christian Self-Definition*, Vol. 2: *Aspects of Judaism in the Graeco-Roman Period*, ed. E. P. Sanders, A. I. Baumgarten, and A. Mendelson (Philadelphia: Fortress, 1981), 61–63, for specific citations of Jewish consideration of these matters.

<sup>11</sup> For a discussion of authorship and anonymity in the canonization process, see Wyrick, *Ascension of Authorship*.

<sup>12</sup> Silver, *Story of Scripture*, 134.

at Qumran, identifying which texts among the larger collection were viewed as Scripture is challenging and a final answer cannot at present be given. It is likely, based on citations and multiple copies of manuscripts found among the Dead Sea Scrolls, that *at the very least* Torah, Isaiah, the Twelve, Psalms, Isaiah, and Daniel were all viewed as sacred Scripture, but, as we saw, there were also multiple copies of other books that were not later included in the HB canon. Ulrich's six criteria listed earlier in regard to the Qumran scrolls may be helpful in understanding why some books were included in the HB canon. He suggested in sum the following conditions: (a) whether a document is listed or identified in a collection of Scriptures, namely in a canonical listing of books; (b) whether a book is identified in a stated part of a collection as in the Law and the Prophets (c) whether a book is explicitly quoted as Scripture, that is, whether scriptural citation formulae are used in citing a particular book, such as "as the scripture says," or "it is written;" (d) whether multiple copies were made of a book; (e) whether a commentary was written on a book; and (f) whether a book was translated into vernacular languages.<sup>13</sup> His criteria are helpful in suggesting a broader recognition than what later was accepted in the HB, and he posits that if most of these conditions were true of a document that its scriptural status at Qumran was most likely. There is no clear means of applying these criteria to all of the books that were finally included in the HB, but some of them are suggestive.

Canon scholars often make use of these kinds of criteria, but, as Ulrich acknowledges, they are only suggestive and not determinative of the scriptural status of the Qumran writings. He goes on to show that criterion (a) is not applicable to all of the documents at Qumran, but that (b) is obviously in place since all books identified as among the Law and the Prophets are recognized as sacred Scripture. In regard to item (c), he also states that Isaiah and the Minor Prophets are quoted nine times, Pentateuchal books without Genesis and Ezekiel are cited 1 to 5 times, Psalms and Daniel are cited 2 times, and Jeremiah, Proverbs, and Jubilees are cited one time each. He adds that the Former Prophets and the rest of the *Ketubim* are never *cited* except for one time in the prophetic oracle in 2 Sam 7. Item (d) is also illustrative, namely that among the books with multiple copies are Psalms (36), Deuteronomy (30), Isaiah (21), Genesis (20), Exodus (17), Jubilees (14), Leviticus (13), *1 Enoch* (12 or 20?), Minor Prophets (8), Daniel (8), Numbers (7), Jeremiah and Ezekiel (6), Tobit (5), Former Prophets and the Writings (four or fewer copies, which are fewer in number than the *Temple Scroll*, *Community Rule*, the *Damascus Document*, the *Hodayot*, and the *War Scroll*). For (e), Ulrich notes that only the Torah and the Prophets (specifically, Isaiah, the Minor Prophets, and Psalms) have commentaries written on them. Finally in regard to translations (f), only Torah and possibly *1 Enoch* were translated into Greek and only Leviticus and Job were translated into Aramaic (Targums). A Greek translation of the Minor

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<sup>13</sup> Ulrich, "The Jewish Scriptures," 116.

Prophets was discovered at Naḥal Ḥever. Ulrich concludes from all of this and the translated texts that it is clear that Torah and Prophets, including Psalms and Daniel, were recognized as Scripture. He adds that Job and Proverbs might also qualify and that the rest of the books were “known” to the Qumran covenanters, but may or may not have been acknowledged as Scripture.<sup>14</sup> Apart from the Psalms and Daniel, however, there is little evidence that the residents of Qumran recognized the rest of the Writings as Scripture with the likely exception of the *Temple Scroll*. Again, while these criteria were discussed in regard to the literature discovered at Qumran, we cannot be certain that the later rabbis employed them in order to determine the precise scope of the Hebrew Bible.

As others have recognized, in some cases there appears to be no qualitative difference between books that made it into the Jewish biblical canon and those that did not. For example, based on content alone, a better case could be made for including Sirach and the Wisdom of Solomon instead of Ecclesiastes or Song of Songs. By similar reasoning, why Esther, that never mentions the name of God, was included while *Jubilees* and various *Testaments of the Patriarchs* were excluded is unknown. Ultimately, the books finally included were found by the Jewish community to be useful in defining and shaping its faith, life, and identity *at a given period of time*. It is difficult to be more precise than that.

In regard to the canonical *text* of the HB Scriptures, Sanders has observed that while there were always limits on how much change in the text could take place without objection, the sacred texts in subsequent generations often took on new meanings that the original authors never intended.<sup>15</sup> A text could hardly continue as an authoritative document if it was not perceived to have some relevance to the people. To bridge the gap between the text and succeeding generations, methodologies or hermeneutics were employed to make the biblical texts relevant to contemporary believers who were facing ever-new circumstances, for whom it was believed that the Scriptures would continue to be relevant for succeeding generations. In this regard, Sanders speaks of the “hermeneutic triangle” that allows for the continuing relevance of the sacred texts, namely, “the tradition or text being cited, the new situation being addressed, and the hermeneutic by which the old was adapted to speak to the new.”<sup>16</sup> Hermeneutics played a significant role in allowing the ancient texts to have a continuing relevance for both Jews and Christians. Before those hermeneutics were developed, some texts simply could not continue to meet the test of relevance and so they fell into disuse and were no longer copied for church use (e.g., *Eldad and Modad*). The continuing adaptability and relevance of the biblical literature in new and changing contexts demonstrated its usefulness, but some texts ceased having a relevant function and no longer contributed to the

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<sup>14</sup> Ibid., 116–17.

<sup>15</sup> J. A. Sanders, “Scrolls and the Canonical Process,” 17–19.

<sup>16</sup> Ibid., 12.



religious life of the nation, as in the case of the “lost books” mentioned earlier (Chapter 4 §II). Some of the apocryphal and pseudepigrapha books were useful for a while and cited in several contexts, but eventually and perhaps for various reasons were no longer copied or transmitted. Some were even denounced in the later church catalogues of scriptural and rejected texts.

One of the common ways of continuing the relevance of a text was to employ allegory to focus not on the text’s plain or obvious meaning, but rather to seek in it a more spiritual meaning that symbolized different aspects of the text and reflected the community’s sacred traditions. The book of Esther, that never mentions God, appears to be essentially a historical reflection of the time when Jews were in captivity in Babylon. The book has regularly been allegorized in antiquity and even today to make it relevant. Perhaps the best-known example of allegorical or spiritual interpretation in the HB has to do with traditional interpretations of the Song of Songs, which, contrary to its most obvious meaning, is regularly allegorized to make the text relevant to current situations. The book was originally produced as a non-theological volume that closely parallels Near Eastern poetry celebrating human love. This understanding of the book led to voiced questions about its acceptance in both Jewish and Christian biblical canons and some communities of faith today simply ignore the book altogether. It was not referred to or cited in the NT or in Josephus’ writings and Jews and Christians seldom referred to it in antiquity except in arguments for its sanctity as we saw earlier. When the romance and sexual aspects of the book (e.g., 7:7–9) are no longer spiritualized to represent the love between Yahweh and Israel (or church),<sup>17</sup> the text is generally ignored. The rabbis were prone to allegorize the book early on and make the female in the book represent either the house of Torah study, Moses, Joshua, an individual woman, a local court, the Sanhedrin, a group of righteous Jews, the Jewish community in the Diaspora in Syria, or more commonly the community of Israel as a whole. According to the Mishnah, during a celebration on the Day of Atonement the daughters of Jerusalem wore white raiment that had been immersed (i.e., to make them ceremonially clean), and they went forth to dance in the vineyards. The rabbis then cited Song 3:11 as follows:

Likewise it saith, Go forth ye daughters of Sion, and behold king Solomon with the crown wherewith his mother hath crowned him in the day of his espousals and in the day of the gladness of his heart. In the day of his espousals – this is the giving of the Law; and in the day of the gladness of his heart – this is the building of the Temple. May it be built speedily, in our days! Amen. (*m. Ta’anit* 4:8, Danby, *Mishnah*, 201)

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<sup>17</sup> Rabbi Akiba in the second century CE is reportedly the first to spiritualize the message of the Song of Songs based on a Talmudic interpretation (*y. Sheqalim* 6:1) of perhaps *m. Yadayim* 3:5. Hananiah nephew of Joshua is said to relate the praise of the man’s body in Song 5:14 to the Ten Commandments and their interpretation in rabbinic discussion; see Carr, “Song of Songs as a Microcosm,” 175 n. 5.

Likewise, in the Tosefta we see:

Similarly you say: Under the apple tree I awakened you (Song 8:5), said the Holy Spirit. Set me as a seal upon your heart (Song 8:6), said the congregation of Israel. For love is strong as death, jealousy is cruel as the grave (Song 8:6), said the nations of the world. (*t. Sotah* 9:8, Neusner, *Tosefta*, 875)<sup>18</sup>

The early church fathers Hippolytus and Origen reinterpreted Song of Songs to refer to the love between Christ and the church and also the love between God and an individual person. For example, in Origen's commentary on Song of Songs 2:5, we read:

If there is anyone anywhere who has at some time burned with this faithful love of the Word of God; if there is anyone who has at some time received the sweet wound of him who is the chosen dart, as the prophet says: if there is anyone who has been pierced with the love-worthy spear of his knowledge, so that he yearns and longs for him by day and night, can speak of naught but him, would hear of naught but him, can think of nothing else, and is disposed to no desire nor longing nor yet hope, except for him alone, if such there be, that soul then says in truth: "I have been wounded by charity."<sup>19</sup>

Allegorizing this and other books allowed for their continued acceptance in both the synagogue and the church, but careful historical-critical approaches to it have led some clergy to ignore it altogether. Since open discussions of sexuality, which a literal rendering of the text suggests, is often viewed as out of place in Jewish synagogues and Christian churches, the book is frequently ignored. Carr concludes that because of the allegorizing of Song of Songs both the synagogue and church have functionally decanonized it and seldom refer to it.<sup>20</sup>

It is not clear why Sirach and Wisdom of Solomon were excluded but Esther, Ecclesiastes, and Song of Songs included. Their continued use and ability to be reinterpreted in relevant ways for succeeding generations must have had some influence on what finally comprised the HB. There were, as we have seen, questions and even debates among the rabbis about the sanctity of some of the books, mostly from Sirach, Song of Songs, Ecclesiastes, Esther, Ruth, and Ezekiel.

Most of the Jewish religious leaders who survived the destruction of the Temple were Pharisees and consequently they had a more significant role in influencing the decisions made about the parameters of the HB/Tanak. For them, these issues were largely settled by the middle to the end of the second century CE, though

<sup>18</sup> Carr also shows others examples of allegorizing of the Song of Songs in *b. Shabbat* 88; *b. Yoma* 75a; *b. Sukkah* 49b; and *b. Ta'anit* 4a. See a complete list in *ibid.*, 175–76.

<sup>19</sup> Translation from R. P. Lawson, *The Song of Songs: Commentaries and Homilies* (Westminster: Newman, 1957), 198; cited by Carr, "Song of Songs as a Microcosm," 178.

<sup>20</sup> Carr, "Song of Songs as a Microcosm," 184–85. He goes on to speak of the "recanonicalization" of the book in the postmodern and post-critical world in which each interpreter reads the text for himself or herself and in which the stigma formerly attached to discussions of sexuality no longer exists (185–88).

occasionally discussions of the sanctity of some of the *Ketubim* continued. The most commonly posited criteria for the canonization of the books in the HB summarized earlier include the following:

1. *Date*. As we saw earlier, during the Hasmonean period the issue of antiquity became an important factor in determining the scope of the Jewish scriptures and it was believed that the time of prophecy within the nation had ended. The date for this cessation of prophecy and Spirit activity in the nation varies in Jewish tradition, but most agreed that at some point it stopped. Often it was thought that prophecy ceased sometime shortly after the middle of the fifth century BCE, or even the middle of the fourth century BCE,<sup>21</sup> but there was more agreement on the view that prophecy had stopped than on when it stopped.
2. *Authorship*. The importance of anonymity for determining a books' canonicity. Anonymity appears to be a late addition to the criteria for acceptance.<sup>22</sup>
3. *Language*. A canonical book had to have been written in Hebrew, though it was acceptable if parts were written in Aramaic (e.g., Daniel, Isaiah). This became an important criterion for approval among the rabbis. Translations of texts that originated in Hebrew (1 Maccabees) were often not acknowledged as sacred by the rabbis and some rejected the LXX translation altogether.
4. *Adaptability*. More than any others, James Sanders has made the case for the ability of a religious text to be adaptable to ever changing circumstances. When a text was no longer considered relevant, it ceased being read and was either rejected or ignored.
5. *Stability and flexibility*. Like the previous criterion, some level of standardization and stability of a book was essential, but it also had to have sufficient flexibility to have new applications to ever new and changing circumstances.

Unlike the contracting Jewish canon of Scriptures, the Christian collection of OT books appeared to stay largely the way it was received before the separation of the early Christians from Judaism. By the end of the fourth century, nothing more was added, but before that widespread use, as in the case of the Deuterocanonical or Apocryphal writings, was a key factor in continuing church acceptance (see a discussion of this below in Chapter 22 §II). By the middle of the fourth century it was clear that a majority of churches were rejecting writings believed to be pseudonymous (*I Enoch*), but such writings continued to be read in some churches much later than the council decisions. The early Christian OT canon with its inclusion of several apocryphal books better represents what writings were viewed as Scripture in late Second Temple Judaism and in the early churches. The church's collection of sacred scriptural texts was probably also the same or similar

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<sup>21</sup> See the earlier discussion on the cessation of prophecy.

<sup>22</sup> Wyrick, *Ascension of Authorship*.

for many of its Jewish siblings (the Essenes and Pharisees especially) before the later more restricted canon of rabbinic Judaism. Unlike *some* adherents of Judaism in the first centuries BCE and CE, the early Christians did not believe that the age of prophecy had ceased, but rather it had just begun anew in the outpouring of the Spirit in John the Baptist's ministry, Jesus' ministry, and on the Day of Pentecost. This belief made it easier for the Christians to acknowledge some of the apocryphal and pseudepigraphal literature as inspired Scripture along with at a later time also several *Christian* religious texts (the NT and others).

The process of canonization for some rabbinic Jews may have been *largely* finished by the end of the first century to the middle of the second century CE, but the Jewish Scriptures that the Christians began to call their "Old Testament" Scriptures were still a loosely formed collection by 170–180 CE which we see in Melito of Sardis who traveled to the East to gain an understanding of the scope of the church's OT books. However, there is no evidence at that time of a formal council decision made within Judaism or the churches about the scope of their scriptures at that time. The disputes about some of the books in the Writings in Judaism of Late Antiquity and in early Christianity were not settled in the second century. In Melito's list, for example, Esther and the Twelve are omitted. The Twelve are probably absent by accidental omission, but that is not likely the case in regard to Esther that was disputed among second-century rabbis and not included in several early church catalogues.

Melito's sequence or order of books also does not follow the later and now more usual Tanak order and neither does an earlier antecedent, namely the Bryennios list (see Appendix A) that is clearly a Jewish catalogue. The presence of three different orders of the Jewish Scriptures in the second century (Tanak, Bryennios, and Melito) suggests that the Scriptures of rabbinic Judaism and their order was not yet a settled matter for most Jews and Christians in the second century. It is also not clear how normative any list and its order were for the majority of Jews in the second century, especially those in the Diaspora. The Tanak canon, as Sundberg showed earlier, had an impact on some in the Christian church *after* the third century, especially Jerome who wrongly considered it to be the canon of Jesus and of the apostles.<sup>23</sup> It appears that only in the last decades of the second century was the question of acknowledging the scope of the OT canon beginning to emerge in some Christian communities. This inquiry into the specific First Scriptures of the church may have come as a response to Marcion who rejected the Jewish Scriptures altogether, but that is not clear, and perhaps also because they were rejected by *some* gnostic Christians, but there is uncertainty about that. Robert Grant suggests that this development of rejecting the Jewish Scriptures probably led the orthodox churches to evaluate not only their acceptance of the OT Scriptures, but also their NT Scriptures as well.<sup>24</sup> There is no question that the

<sup>23</sup> Sundberg, *Old Testament of the Early Church*, 154.

<sup>24</sup> Grant, "New Testament Canon," 300.

second-century churches were using the Scriptures that they inherited from their Jewish siblings, but the specific scope and order of those Scriptures were not a settled issue in the second century either by all Jews or Christians.

Long ago, Samuel Sandmel perceptively noted that public acclaim was an essential feature in the canonical processes and concluded that: “canon (is) a logical development, but also determined by fortuitous circumstances...canon only reflects sanctity which a given era chanced to assign to a given number of books. The books themselves are in part much more important and in part much less important than the act of canonization.”<sup>25</sup>

Jerome’s and Cyril’s (of Jerusalem) preference for the books in the Jewish biblical canon alone for their OT Scriptures, that is, the HB Tanak, appears to have been a minority position in the church in their time except in Palestine where both men lived. Jerome clearly adopted not only the books in the Jewish canon, but also the tripartite order as we see in his *Prologus in libro Regnum*;<sup>26</sup> however, Jerome’s list is not exactly like it since he counted Ruth with Judges and was not consistent on where to place Lamentations. The acceptance of only the books in the Hebrew Bible did not prevail until later in the Protestant OT canon.<sup>27</sup> However, the Apostolic Fathers, those Christian authors closest to the time of the NT, often quote and refer or allude to several noncanonical books, including 2 Maccabees, Judith, Tobit, Sirach, Wisdom of Solomon, 2 Esdras, and *1 Enoch* – but not generally the canonical books of Ruth, Ezra, Nehemiah, Lamentations, Obadiah, Micah, or Haggai.<sup>28</sup> We could add to that also Ecclesiastes, Esther, and Song of Songs. It appears that more writings than those included in the later and current HB canon informed the second-century churches, and this raises the question of whether today Christians should at least be informed by the same literature that informed the first generations of Christians, even if they do not include them in their Bibles or liturgical readings in churches.

As we will see below (Appendices A and C), few of the Christian canon lists are identical.<sup>29</sup> There is certainly widespread approval and reception of the majority of the HB books, but often others also. This points to the diversity of opinion about such matters in the early Christian communities. The citation and presence of noncanonical literature in early Christian communities, as well as in the early stages of rabbinic Judaism (Sirach), leads to the conclusion that canonical issues were not firmly settled by the time of the separation of Christianity from Judaism

<sup>25</sup> Samuel Sandmel, “On Canon,” *CBQ* 28 (1966): 189–207, here 206. I found this quote in S. Talmon, *Text and Canon of the Hebrew Bible*, 431.

<sup>26</sup> The English translation is *Preface to the Books of Samuel and Kings*.

<sup>27</sup> Athanasius’s *Thirty-ninth Festal Letter* lists for the first time the twenty-seven books of the NT, but he also lists a larger OT canon than Protestants accept, i.e., he adds Baruch and the Epistle of Jeremiah. We can only wonder why Protestants generally ignore Athanasius’ OT canon but assume the validity of his NT canon!

<sup>28</sup> This observation is from Jeffery, “Canon of the Old Testament,” 40.

<sup>29</sup> See also Sundberg, *Old Testament of the Early Church*, 58–59.

or well into the second century CE. The use of the alphabetic numbers twenty-two (Hebrew) or twenty-four (Greek) to identify the Jewish Scriptures seen in various combinations of books, as noted above, appears to focus more on their sacredness than on the specific identity and number of the books. It is interesting that when some of the Writings were disputed among the rabbis later, no one mentioned how the presence or absence of those disputed books would affect the sacred number of the collection. Neither the twenty-two or twenty-four book canons have exactly those numbers of books in them.

Lightstone perceptively argues that several traditional assumptions about the formation of the Hebrew biblical canon are untenable, interfere with an advance in our understanding of canon formation, and are incapable of proof, namely: (1) the equation of the Law of Moses or Torah with the Pentateuch;<sup>30</sup> (2) the linear model of the growth of the canon in three separate phases; (3) that there was a universal normative Judaism in Late Antiquity that essentially paralleled Pharisaic Judaism of the pre-70 CE days in the land of Israel; (4) that there was a normative first-century CE biblical canon similar to the canon of Late Antiquity; and (5) that there was a so-called Council of Jamnia similar to later church councils in which bishops supposedly decided the scope of a biblical canon.<sup>31</sup> I agree with Lightstone that only when these traditional assumptions have been set aside can there be an open avenue for a needed reassessment of the canon issues and questions.<sup>32</sup>

Dulles also rightly concludes that “if the apostles ever certified a list of biblical books (a most unlikely hypothesis), their testimony was not appealed to or apparently not remembered during the disputes about the canon in subsequent centuries.”<sup>33</sup> It is much easier to believe that such a tradition was not passed on in the church than to believe that it was lost or not remembered or so well known that it did not have to be stated as some scholars contend. There is no trace of such a canon in the first century CE similar to Melito’s list in the East in the late second century.

#### IV. ISSUES OF CANON, CHRISTOLOGY, AND BIBLICAL INTERPRETATION

I will clarify here some misunderstood descriptions of my understanding of the formation of the biblical canon and how the early church approached their understanding of Jesus. First, nearly all scholars agree that there came a time when there was no more debate about the scope or contents of the HB canon or

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<sup>30</sup> Lightstone here follows the conclusions of J. A. Sanders in *Torah and Canon*.

<sup>31</sup> Lightstone, “Formation of the Biblical Canon.”

<sup>32</sup> Ibid., 142–43.

<sup>33</sup> A. Dulles, “The Authority of Scripture: A Catholic Perspective,” in *Scripture in the Jewish and Christian Traditions*, ed. F. E. Greenspahn (Nashville: Abingdon, 1982), 35.

in separate communities of the church over the scope of their OT canon. At some point that was a finished issue among Jews and also among the Christians, even if the Christians as a whole have never fully agreed among themselves on the scope of their OT. It was settled, however, in their separate communities, namely Roman Catholic, Protestant, Orthodox, and Ethiopian, but they all agreed on the acceptance eventually of all of the HB books. Although Jews and Christians in their respective communities of faith came to a conclusion on this matter, they did not do so all at the same time or in the same way! I have addressed the latter issue at length above, but precisely when the matter was settled is not clear. It was not settled by council decisions since as we have and will see in Part 3, even when council decisions were made on the scope of the Christian Bible, some Christians essentially ignored their decisions or they did not know the council decisions and continued to read some rejected books in their worship (*1 Enoch*, *Shepherd of Hermas*, the *Diatessaron*, and so on). Scholars also generally agree that the matter was not settled for the Jews at some representative council decision at Jamnia or at any subsequent council deliberations such as we find in the Christian community. There was never a Jewish council that decided the issue of the scope of the HB.

Three primary questions that biblical canon scholars have to answer or examine today have to do with *when* this recognition of the scriptural status of a text took place, by whom, and what were the circumstances that led to it. There came a time when a majority of Jewish religious leaders agreed on the scope of their sacred Scriptures and the same was true among Christians largely as a result of widespread use and broad acceptance rather than something imposed downward from church councils. Generally, by the fourth and fifth centuries CE, there was *broad* but never complete agreement on the closure and scope of the OT canon. My focus has been on when the matter was settled in those communities of faith, not so much on when some writings that later formed a closed or fixed collection were first functioning as authoritative religious texts in those communities.

In a recent article, Chapman also agrees that there came a time when there was a closure to the HB, that is, when sacred books were no longer added or taken away (decanonized). However, he suggests that somehow I think that *everyone* in antiquity had to agree on the *full* scope of the HB before a standard or fixed biblical canon could be recognized. I do not know of anyone who holds that view, and universal agreement never took place among all the Jews, whether among the Diaspora Jews, those living in Palestine, or later among the Karaite Jews. Of course, we have already observed, all churches have never fully agreed on the scope of their OT canon. That only means that various elements of the church at large, that is a majority, agreed on the scope of their OT Scriptures even though I acknowledge that the church universal has never in principle or in practice agreed on all of the same books. As we will see later, that is true among the early Christians and for many centuries in regard to their NT canon. Chapman acknowledges this lack of universal agreement, but nonetheless suggests that by the canonization of the HB by those who hold to my view somehow they all had to

agree on all the contours of the HB biblical canon.<sup>34</sup> I have dated the canonization of the HB for *some* rabbinic Jews around the middle of the second century CE, which is where we see specifically the books that comprise the first identified HB canon. Although there was likely a move toward a fixed collection by the end of the first century, as we saw in Josephus and the author of *4 Ezra*, for others this took place even later during the rabbinic period when we see some debate among the rabbinic sages over some of the books that now comprise the HB canon. This recognition of the limits of the OT canon took place among *most* Christians in the fourth and fifth centuries, but there was never complete agreement by all, even though the three major expressions of Christianity today have at least agreed on the books that now comprise the HB biblical canon.

Again, complete agreement is seldom ever the case in any decisions from antiquity or the present in regard to major issues facing the churches, but, nevertheless, there came a time when a majority of Jewish leaders agreed on the scope of the present HB and there was a time when Catholics, Protestant, and Orthodox Christians each agreed on their respective OT collections as well. The evidence I have presented suggests that there never was complete agreement in antiquity. Most people recognize that the leaders of any religious community seldom speak for all of the members of that community, and that is certainly the case in regard to canon formation.

More interesting is Chapman's challenge that somehow I put the biblical canon at odds with the church's commitment to Jesus as the Christ. After affirming that the Old Testament was from its earliest years the church's Bible, he says: "Precisely for this reason, it is a grave mistake when McDonald and others attempt to portray the biblical canon as somehow in competition with the church's commitment to Jesus."<sup>35</sup> I have no idea how he arrived at this conclusion nor how he saw in my or others' work a "competition" between the church's beliefs and its biblical canon. While Chapman and I disagree over whether the HB, as we now have it, was completed before the church began, more importantly I regularly acknowledge that the transformative experience of the early church did not start with an exegesis of the biblical texts that the church inherited from their Jewish siblings, but rather with their encounter with Jesus and later with the risen Christ in the church's proclamation. Christian faith historically came before there was a "Bible" and it did not come as an exegesis of the ancient scriptures, but first it began with an encounter with Jesus or later the risen Jesus. Subsequently they anchored their beliefs about him in their interpretations of their sacred Scriptures. The early followers of Jesus did not *begin* their relationship with Jesus as the Christ based upon their scriptural investigations, as we saw in the example of Paul who had earlier already examined the Scriptures and had not yet come to faith in

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<sup>34</sup> See Chapman, "Second Temple Jewish Hermeneutics"; "Canon, Old Testament"; and "The Canon Debate."

<sup>35</sup> Chapman, "What Are We Reading?," 346–47.



Jesus as the Christ, but rather on the basis first of all of Jesus' deeds and words. Their understanding of him as the one who fulfilled their Scriptures came later, not before. It was only *after* their encounter with Jesus that they acknowledged him as the one who fulfilled all of the scriptural prophecies about a coming Messiah. Jesus himself had to explain to his disciples *from the Scriptures* his identity and mission (again Luke 24:27 and 44). They did not come to this conclusion during an exegesis of their scriptures *before* their encounter with him or before his later explanation of his identity and mission to them. That is not unlike today. Few people who follow Jesus came to their faith in him as a result of their study of the Old Testament Scriptures, but rather through the proclamation about him that later was anchored in the church's scriptures.

After the resurrection of Jesus, many of the scriptures that his disciples had learned from him, and even perhaps before learned in their synagogue training about a messianic figure, supported their belief in him. Paul claims that the identity of Jesus as the Son of God was declared in his resurrection (Rom 1:3–4). Jesus' identity was not arrived at through the disciples' independent study of the HB Scriptures before they met Jesus. As noted above, Paul's journey in the Christian faith did not come from his earlier exegesis of Scripture that he learned from one of the most respected rabbis of that day, but rather it began on the Damascus Road encounter with the risen Christ. Understandably, the early Christians wanted to support every aspect of their faith about Jesus with their authoritative sacred scriptures. Using the popular hermeneutical methodologies current in their time (*peshet* exegesis described earlier), they interpreted their scriptures in keeping with *what they had experienced* in Jesus' life, ministry, death, and resurrection.

This is neither a weak Christology nor an escape from the authority vested in the church's earliest scriptures. I think the problem here lies in Chapman putting the cart before the horse. Paul did not conclude from his earlier studies of the scriptures under Gamaliel that Jesus was the Christ. This simply did not happen, as Paul himself says, before his overwhelming encounter with the risen Christ. After that, and not before, it all came together for him and he then brought the Scriptures he had learned earlier to bear on his proclamation of Jesus as the Christ and in his understanding what had happened to him. Chapman's analysis of my or others' position here does not represent either my understanding of Christology and Scripture or that of others with similar views who claim that Christology began with an encounter with Jesus and subsequently this encounter was rooted in his followers' understanding of their sacred scriptures.

In the NT the early followers of Jesus had both a christological and an eschatological understanding of the sacred scriptures. There can be no doubt that NT Christology began with an encounter with Jesus who remarkably impacted his early hearers and they subsequently, at his encouragement (John 5:39), searched their sacred scriptures for clarification of his identity and mission. Because the OT books were significantly important both to Jesus and his followers, and because

of his life-changing impact on his followers, they were driven to their sacred scriptures to interpret their impressions of him through a Jewish interpretation of their sacred texts. There is no way to make the case that the NT's view of Jesus is *first* of all derived from an exegesis of the OT texts. Christian faith and its christological understanding were *finally* rooted in an exegesis of the Scriptures, but they did not *begin* there. Jesus was a notable charismatic preacher and teacher, as well as a healer, and people were drawn to him not first from their understanding of their scriptures, but rather from what they heard about him and from him and from what they saw in his deeds. Chapman's understanding of the NT's teaching about Jesus from an Old Testament perspective is difficult to sustain from historical-critical or exegetical investigations of the Hebrew Scriptures themselves. His own awareness of the variety of Jewish interpretations of HB texts that are significantly different from the interpretations of the early Christians of the same texts should make that clear. I am unaware of how this can constitute for Chapman a flawed or failed NT Christology. Whatever was believed to be true about Jesus was also believed to have biblical support and hence the often-creative exegesis (*peshet*) interpretations about him are found in the NT (Matt 2:15; cf. Hos 11:1; or Matthew's citation of Isa 7:14, in the LXX and not the HB) that are not easily derived from a careful exegesis of those HB/OT texts.

In their *broader* collection of sacred scriptures, the early Christians sometimes had more similarities with the Qumran Covenanters than with those of the Pharisaic rabbinic tradition, but the latter eventually won the day in Judaism of Late Antiquity. However, when Christianity emerged it had significant parallels with both Jewish sects in Palestine in the first century CE, especially in regard to the books they adopted or recognized as Scripture. Some of the similarities the early Christians had with the Essenes may be nothing more than that both communities shared many widespread aspects of Judaism in Palestine in their day, but some of the parallels with the residents of Qumran may have come from Essenes who later became followers of Jesus. They may well have brought their understanding of Scripture with them into the Christian church and influenced some of the early Christians. However, following the death of James, the brother of Jesus, the early Christians *began* separating themselves from their Jewish siblings in 62 CE. This took place before the shape of the scriptural canon was settled for the Jews. At that time there was more fluidity on the edges of the Jewish Scriptures and also in the collections of the earliest Christians. Both the Essenes and the early Christians appear to have acknowledged a broader collection of sacred scriptures than what the later rabbinic sages recognized. Although some Jewish Christians remained in their Jewish communities and continued to attend Jewish synagogues long after 62 CE, that largely ceased following the Bar Kokhba rebellion of 132–135 CE because the Jewish Christians did not support that rebellion, which was a messianic movement, since doing so would have undermined their acknowledgment of Jesus as Messiah.

From approximately 90–150 CE, a sharper definition of the scope of the HB became more significant to some Jews. Earlier the highly influential teacher among the Pharisees, Hillel, who came to Palestine from Babylon, may have introduced the notion of a limited collection of HB books that eventually obtained canonical status. F. M. Cross, as we saw earlier, makes the suggestion that the books that Hillel recognized as scripture were fewer in number than those recognized by the Essenes and that before Hillel the Pharisees in Palestine may have had a larger canon of scriptures, but that Hillel's influence led them to limit their books to the twenty-two books, the number of letters in the Hebrew alphabet that Josephus listed by category or genre.<sup>36</sup>

After the destruction of the Temple in 70 CE, the religious leaders gathered together at Jamnia (Yavneh) to discuss first and foremost how Judaism could survive without its Temple and sacrifices. Some of the early discussions focused on the holiness of some of the sacred books, namely Song of Songs and Ecclesiastes (*m. Yad.* 3.5), but there was no official decision made on the whole scope of the HB then or there. This dialogue and debate continued among later rabbis and included questions about several other books that are now in the HB, especially Esther, Ezekiel, and Ecclesiastes, but also about a book that was not finally included, namely Sirach. Eventually and without any council decision, the rabbinic Jews agreed on the full scope of the Scriptures, but not immediately. Soon, however, they also accepted what came to be called the Oral Torah, which was the oral teachings circulating among the Jews in the first and second centuries CE that were codified in the Mishnah and subsequently interpreted by the *gemara* that resulted in the two Talmudim. These traditions also functioned as sacred writings among the Jews, much like the New Testament eventually functioned as Scripture among the early Christians.

## V. A TWENTY-THREE-BOOK BIBLICAL CANON

David Noel Freedman has argued that the major components of the Hebrew Scriptures, the “Primary History” made up of the Pentateuch and the books of Joshua through 2 Kings, were completed (canonized?) in Babylon before the return from exile in 538 BCE.<sup>37</sup> The rest of the HB, he contends, was completed by the time of Ezra and Nehemiah, with the exception of the book of Daniel that he places in the second century BCE (165).<sup>38</sup> He also proposes that the original Hebrew biblical canon was a twenty-three-book collection (i.e., without the book of Daniel). That canon, he claims, was consciously determined along symmetrical

<sup>36</sup> Cross, *From Epic to Canon*, 217–18. The Jews in Babylon were evidently more conservative in their recognition of their sacred scriptures.

<sup>37</sup> Freedman, “Earliest Bible,” 29. See also *idem*, “Symmetry of the Hebrew Bible.”

<sup>38</sup> “Symmetry of the Hebrew Bible,” 86.

lines in the late fifth or early fourth century BCE (he is not dogmatic about the date).<sup>39</sup> Because there is a rather evenly balanced symmetry in the two major parts of the HB, he concludes that the editor/collector put these parts together with such a balance in mind. More specifically, the Torah (79,983 words) and Former Prophets (69,658 words) together have roughly 150,000 words (actually precisely 149,641) compared to a similar number in the combined Latter Prophets (71,852 words) and Writings (78,085 words, precisely 149,937). Without the book of Daniel, Freedman claims that the two parts of the Hebrew Scriptures are quite balanced, which demonstrates for him that the specific intention of scribes in the time of Ezra–Nehemiah was to develop a well-balanced collection of Scriptures.<sup>40</sup>

Freedman acknowledges that certain other books may have been late (Esther and Ecclesiastes), but this does not alter his picture by much or his conclusions at all. He is convinced that “without Daniel, the rest of the Hebrew Bible as we have it reflects a symmetry that is astonishingly exact” and he goes on to say that this balance is “as exact as is likely in literary productions rather than mathematical ones.”<sup>41</sup> He adds that “if we consider numerical symmetry an important factor, then there is really no choice: there was only one moment when the Bible and the Hebrew alphabet [when it included twenty-three letters] coincided and all the editorial factors were present. It was precisely in this period (post-exilic, Babylonian and Persian).”<sup>42</sup>

The symmetry extends, he claims, to various collections within the Bible as well. The five books of the Torah are in balance with the five major Writings (*Ketubim*) – Chronicles (which comes first in the Writings in both the Aleppo Codex and Leningrad Codex), Psalms, Job, Proverbs, and Ezra–Nehemiah – and the five Megilloth (Ruth, Song of Songs, Ecclesiastes, Lamentations, and Esther). The four books of the Former Prophets (Joshua, Judges, 1–2 Samuel and 1–2 Kings) are balanced by the four books of the Latter Prophets (Isaiah, Jeremiah, Ezekiel, and the Twelve [the Minor Prophets were always counted as a single book by Jews in antiquity]).

This symmetrical collection of twenty-three books, Freedman claims, was possible during only one period of Israel’s history: the postexilic Persian era when the Hebrew alphabet was augmented to twenty-three characters because *sin* and *shin*, two forms of the Hebrew letter ש, for a time were believed to be separate characters. Freedman claims in support for his proposal the somewhat mangled

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<sup>39</sup> Freedman, “Symmetry of the Hebrew Bible.” I am grateful to the late Professor Freedman for his several letters of correspondence with me in which he clarified his position. We did not agree on his proposal and I have yet to resolve some of the problems that his proposal presents, but his suggestions are bold, interesting, and worth exploring, even if at the end of consideration they are not convincing.

<sup>40</sup> Freedman believes that the final editors of the Hebrew biblical canon, without the addition of Daniel, were probably Ezra and Nehemiah. *Ibid.*, 105–6.

<sup>41</sup> *Ibid.*, 94.

<sup>42</sup> *Ibid.*, 104.

acrostics in Pss 25 and 34 that attempt to align their twenty-three lines with the twenty-two letters of the Hebrew alphabet. By contrast, each section of Ps 119 begins with a successive letter of the twenty-two-character Hebrew alphabet.

According to Freedman, the near-perfect symmetry of the twenty-three-book HB canon and the twenty-three-character alphabet coincided only between 450 BCE and 350 BCE. Later attempts to establish a twenty-two-book canon based on the twenty-two-letter Hebrew alphabet resulted in Ruth being moved from the Writings to the Former Prophets and Lamentations being moved from the Writings to the Latter Prophets. On the other hand, he claims that the HB contains twenty-four books only when the book of Daniel is included.<sup>43</sup>

Although Freedman offers a unique suggestion and supplies some helpful information on the development of the Hebrew alphabet, the difficulties with his proposals are several and obvious. First, it is interesting that this amazing symmetry, which Freedman found with the aid of a computer, was not noticed earlier within the rabbinic tradition. If the symmetry of the Bible was intended to teach something about the Bible, no tradition of antiquity tells of this remarkable feature. If it was important to the scribes and priests in the early stages of the formation of the Hebrew Bible to categorize the HB books in terms of size and balance in proportions, this notion never appears in any ancient rabbis or early church fathers. Why is this twenty-three-book biblical canon never mentioned anywhere in antiquity and only discovered in the twentieth century? This silence is puzzling if the ancient scribes intended this balanced symmetry. Why did it take some 2,400 years to discover this phenomenon? Second, where is the evidence for the addition of the book of Daniel to an already fixed form of the HB in the second century BCE? Third, if the matter of the scope of the Jewish Scriptures was settled sometime between 450 and 350 BCE, how could the first-century CE Jewish sects, including Jesus and his followers, have lost sight of its already firmly fixed biblical canon if the matter had been settled in the intertestamental period? They are familiar with and cite other non-HB books and so do the Essenes at Qumran. Fourth, for those who contend that the church was born with a fixed biblical canon in its possession and that the early Christians either lost or disregarded it, why is there no evidence for the existence of this Scripture canon anywhere in the time of Jesus? Fifth, if the books that comprised the HB canon were fixed in the fifth or fourth century BCE, how is it that only the Torah was translated into Greek when the LXX was produced in the third century BCE in Egypt? Why did it take *at least* another hundred years to have a complete Greek translation that included the Prophets and Writings? Finally, why is there no obvious attempt to correlate the books of the HB with the alphabet until the end of the first century CE (as in Josephus and possibly an early edition of *Jubilees*) if that canon already existed centuries earlier?

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<sup>43</sup> Ibid., 103–4.

Freedman's proposal is new and intricately detailed in argumentation, but since no evidence from Second Temple Judaism or later Rabbinic Judaism supports it, its credibility is difficult to affirm. Freedman's unique approach to this subject is nevertheless valuable because it provokes critical thinking about the origins of the Bible, even if his overall thesis falls short of demonstration and widespread recognition. If his dating of the emergence of such a collection were not so early, one might concede some of his point that an individual (or individuals) formed the Hebrew Scriptures into a finely tuned symmetrical pattern, but the date – no later than 350 BCE – is a major part of his thesis. Although focus on the Hebrew alphabet is important in the early development of the HB canon in the end of the first century CE and later, this interest is difficult to date before Josephus. Some Christians in the East picked up on this association with the alphabet, but a twenty-three-book canon is never mentioned in Judaism of Late Antiquity or in the patristic era among the church fathers and no one mentions a twenty-three-letter alphabet in conjunction with a biblical canon.

## VI. SUMMARY

From the late first century to the middle of the second century CE, the beginning of the stabilization of a biblical canon was beginning to emerge for some Jews. Most of the books themselves had already gained widespread acceptance as sacred texts before that, but a stabilized collection found widespread acceptance in the ensuing centuries. Much of this stabilization for the second century and later rabbis had to do for some with the elimination of some popular religious books (e.g., Sirach and Wisdom of Solomon) and the acceptance of some disputed books (Ecclesiastes, Song of Songs, Esther, and Ezekiel) that had circulated widely in Palestine in the first centuries BCE and CE and subsequently also among the early Christians.

The Jews in late Second Temple Judaism, including the Christians who were a small Jewish sect at the time, all had authoritative scriptures that influenced their lives, identity, and mission, but this collection of scriptures was not yet a complete collection. They generally called that collection the Law and the Prophets. The Law and the Prophets (and whatever was included in the latter category at that time) were certainly the sacred scriptures for the early Christians and their Jewish contemporaries. We simply do not know the boundaries of the Prophets until much later when those scriptures start to be identified by name in the second century and the books that later formed the Writings were separated from the prophetic corpus and were identified in *b. Baba Batra* 14b. At roughly the same time Melito of Sardis (ca. 170 CE) identified a similar, but different collection of books that he called OT books.

This understanding of the emergence of a HB canon toward the end of the first century became clearer for rabbinic Jews in the second century and subsequently for Christians in the second and third centuries. This is also more reflective of the social context of rabbinic Judaism during and after the second century CE. Had there been a clearly defined biblical canon in the third or second century BCE, or earlier as some have argued, one would think that at least somewhere a statement to that effect would have been found, but it has not. Only well-known names of collections, such as the Law or the Law and the Prophets, the Twelve (Minor Prophets), and David or “psalms” are mentioned, but the listing of the books in those collections is first seen in the late second century CE when there was an emerging concern over defining precisely the limits of Scripture in rabbinic Judaism.

There are no references to the limits or contents of a fixed HB canon until the end of the first century CE in the literature that has survived antiquity and there only the odd categories are mentioned in Josephus or the number of the books in Josephus and *4 Ezra*. It is difficult to be precise about what comprised the prophetic corpus in the first century BCE and CE, though that collection probably included all or most of the books that now comprise the Prophets and Writings, but possibly also others as well, including some of what we now call noncanonical writings (especially Sirach and possibly also Wisdom of Solomon). Again, if we assume that such a definitive list of Scripture had been known in the time of Jesus or before, we are at a loss to know what led to its loss in Late Second Temple Judaism and in early Christianity. On the other hand, when such lists began to appear in rabbinic Judaism and in early Christianity in the second century CE, we see many parallels in content, but also some differences both in their order and in some of their contents. Later in the fourth and fifth centuries, the contents in the surviving catalogues of sacred scriptures overlap considerably, but seldom are there exact parallels in the books included or in their order.

There are too many unanswered questions if we assume that a fixed biblical canon existed in the third or second century BCE, as many scholars continue to argue. In fact, the later debates among the rabbis over the sacredness of some books now in the HB is not understandable if the issue had clearly been settled long before for the Jews. How could such a presumed collection be passed on generation after generation with no one specifying its contents if specific contents and their order were important to the Jews and Christians of that period? Interestingly, the rabbinic sages do not appeal to any early traditions about the contents of a fixed list of sacred Scriptures. Similarly, none of the early church fathers report or claim that Jesus handed over to his disciples a fixed collection of sacred Scriptures, as some modern scholars contend.

In sum, the evidence supporting a well-defined biblical canon of the HB books in the first centuries BCE and CE is not convincing. The theory of an early Hebrew canon leaves too many issues unresolved. What do we say about the many other religious and non-sectarian writings circulating in Palestine in the first century

CE that were cited as Scripture by the early church fathers, or even in the NT itself (e.g., Jude citing *1 Enoch* as Scripture)? Some noncanonical books were cited *as scripture* by several early church fathers, and it appears, as we have seen, that some of them also informed the teachings of Jesus and several NT and early church writers as well.

There was clearly considerable use of the Pentateuch, several of the Former and Latter Prophets, and some (not all) of the Writings throughout Second Temple Judaism and in the NT and early Christianity. Recognition of the sacred status of these writings appears clear. In late Second Temple Judaism, especially from the third century BCE to the middle of the first century CE other religious texts were also produced and were highly valued by some Jews and later by some Christians.

Although the matter of which books comprised their sacred scriptures was largely settled for many rabbinic sages by the middle to end of the second century CE, this was not necessarily the case for all or most Jews living inside or outside of Palestine. The early Christians, as we saw, never fully agreed on the scope of their OT scriptures, but they eventually welcomed all of the scriptures that now comprise the HB, and many accepted other religious texts as well that were not included in the HB. While most in the Protestant tradition accept as Scripture only the HB books in their OT though not in the same order or sequence, some in the Protestant churches do read the Deuterocanonical/Apocryphal books and some of the Protestant Bibles now include them between the OT and NT Scriptures. Roman Catholic and Orthodox Christians also acknowledge the sacredness of the HB books, but also include several so-called apocryphal or deuterocanonical books as well in their OT Scriptures.





# APPENDICES



# APPENDIX A:

## ANCIENT LISTS OF HEBREW BIBLE AND OLD TESTAMENT SCRIPTURES

### INTRODUCTION

The following collection of Scripture lists or catalogues reflects the status of the canonization of the Bible in various periods in antiquity. These HB and OT lists are the best known examples of catalogues and codices that identify the books in the HB/OT canons in antiquity. They suggest considerable agreement but not completely on the scope of the books that comprise the Jewish Scriptures and the Christian OT into the Patristic period and later. Some of the lists of the Old Testament of the Christians follow broadly but not completely the order of the books of the Hebrew Bible (Tanak). The usual ending of current OT canons is with the Twelve Minor Prophets that end with Malachi, but that model is rare well beyond the Patristic period. The variations in order suggest that the sequence of the books, aside from the priority given to the Pentateuch, was not a major concern in the church fathers who passed on the tradition of the transmission of their First Scriptures. Readers will see that for the purpose of getting all of the lists and footnote comments on the same page that the books are listed not on separate lines as usual, but together separated by a comma.

Both the Old and New Testament collections in the major majuscule or uncial manuscripts show greater stability in sequence or order, but for centuries there was considerable variability in the books, though in the Old Testament the Pentateuch is almost always in first place and in the New Testament the Gospels regularly have the place of priority.<sup>1</sup> In the Old Testament lists, the most common Apocryphal/Deuterocanonical writings included are Wisdom of Solomon and

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<sup>1</sup> Additional lists of OT scriptures can be found in Swete, *Introduction to the Old Testament in Greek*, 198–214; Wildeboer, *The Origin of the Canon of the Old Testament*; Ryle, *The Canon of the Old Testament*, 129–77; Reuss, *History of the Canon of the Holy Scriptures*; A. Sundberg, *The Old Testament of the Early Church*. For the New Testament lists, see Souter, *The Text and Canon of the New Testament*, 147–220; D. J. Theron, *Evidence of Tradition* (Grand Rapids: Baker, 1957); and F. F. Bruce, *The Canon of Scripture*; Metzger, *The Canon of the New Testament*, 305–15; Hahneman, *The Muratorian Fragment*, 132–35; and Holladay, *Critical Introduction to the New Testament*, 871–80 in the expanded CD attached. Additional lists are found in these sources, but the ones I have listed are illustrative of the point I want readers to see, namely the significant parallels in the lists as well as the differences and occasional additional books.

Wisdom of Jesus ben Sirach followed by Baruch, Epistle of Jeremiah, and 1–2 Esdras. After the fourth century we also see Tobias, Judith, 1–2 Maccabees and sometimes 4 Maccabees or 1–4 Maccabees. Also, although in modern Bibles the Twelve (Minor Prophets) are regularly placed *after* Isaiah, Jeremiah, Ezekiel, and Daniel, in most of the ancient lists from the fourth to the sixth century they appear before the larger prophetic books. This may suggest that the Twelve were fixed earlier than the other prophetic books. As we saw earlier (Chapter 5 §II), Sirach mentions the Twelve as a fixed collection quite early. This notwithstanding, the vast majority of books in the Christian OT canon are those in the Hebrew Bible, but not exclusively. Initially, most of the OT lists include the HB books, but often add Baruch and Epistle of Jeremiah, but later (fifth century and following) others, such as Tobit, Judith, 1–2 Esdras (taking the place of Ezra–Nehemiah), 1–2 Maccabees and Wisdom of Solomon and Sirach are added. By the Council of Trent, all of these are included. Esther is missing from several earlier canon lists, but later it is included in all of them.<sup>2</sup>

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<sup>2</sup> I have appreciated the help of Edmond L. Gallagher in this revision of the following canon catalogs. I have benefited from his and John Meade's forthcoming work *The Biblical Canon Lists from Early Christianity: Texts and Analysis* (Oxford: Oxford University Press [scheduled 2017]).

# 1. Jewish Lists of Sacred Books or Reflections of Jewish Lists in Christian Texts

Bryennios <sup>3</sup>	Epiphanius <sup>4</sup>	<i>b. Baba Batra</i> 14b <sup>5</sup>	Origen <sup>6</sup>	Jerome <sup>9</sup>
Jerusalem MS, Gen, Exod, Lev, Josh, Deut, Num, Ruth, Job, Judg, Pss, 1–2 Sam, 1–2 Kgs, 1–2 Chr, Prov, Eccl, Song, Jer (+Lam), The Twelve, Isa, Ezek, Dan, 1–2 Esd, Esth	Gen, Exod, Lev, Num, Deut, Josh, Job, Judg, Ruth, Pss, 1–2 Chr, 1–4 Kgs, Prov, Eccl, Song, The Twelve, Isa, Jer, Ezek, Dan, 1–2 Esd, Esth	(Pentateuch assumed in 15a) Prophets: Josh, Judg, Sam, 1–2 Kgs, Jer, Ezek, Isa The Twelve: Hos, Amos, Mic, Hag, Zech, Mal (rest not listed) Ruth, Pss, Job, Eccl, Song, Lam, Dan, Esth, Ezra, 1–2 Chr	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Esd, Pss, Prov, Eccl, Song, (The Twelve omitted) <sup>7</sup> Isa, Jer/ Lam/Ep Jer, Dan, Ezek, Job, Esth (outside of these are the Maccabees) <sup>7</sup>	<i>1<sup>st</sup> order</i> Gen, Exod, Lev, Num, Deut <i>2<sup>nd</sup> order</i> Josh, Judg, Ruth, 1–4 Kgs, Isa, Jer, Ezek, The Twelve <i>3<sup>rd</sup> order</i> Job, Pss, Prov, Eccl, Song, Dan, 1–2 Chr, 1–2 Esd, Esth

<sup>3</sup> This list likely dates ca. 100–150 CE. It was discovered in Jerusalem (MS 54 fol. 76<sup>ro</sup>) and dates from 1056 CE. Its uniqueness of order and number of books (27) has parallels with *b. Baba Batra* 14b regarding the books listed, but its order and number of books are unique among the ancient lists. See especially the strange order of the Pentateuch and the placement of Ruth and Job before Judges, and Psalms before 1–2 Samuel.

<sup>4</sup> *On Weights and Measures* 22–23 (ca. 374–77, Salamis, Cyprus). There are several parallels between this list and the Bryennios list. Epiphanius apparently modified this Jewish catalogue with longer titles. Epiphanius indicates that the twenty-seven books are counted as twenty-two reflecting the Jewish accounting of Scripture books by combinations to read the holy number.

<sup>5</sup> This early Jewish list comes from a *baraita* (ca. 150–180 CE) that was not included in the Mishnah.

<sup>6</sup> Eusebius, *Hist. eccl.* 6.25.2 (ca. 320–25, Caesarea, Palestine). This is not Origen's catalogue, but a Jewish list he learned in Palestine. Since he has earlier mentioned the 22 books of the Hebrews, absence of the Twelve here is either Origen's or Eusebius' error. The order does not follow the Tanak order (Law, Prophets, Writings) which is instructive for a third-century list.

<sup>7</sup> Books in parentheses are omitted from this source, but most agree this omission was accidental and the Twelve were most likely intended.

<sup>8</sup> The Greek here is ἐξω δὲ τούτων ἐστὶ τὰ Μακκαβαῖα (= "but outside of these are the Maccabees").

<sup>9</sup> Jerome, *Preface to the Books of Samuel and Kings* (ca. 394, Bethlehem, Palestine) or *Prologus in libro Regnum*. His list is similar to the Tanak order that places Daniel and Lamentations among the Writings, but Ruth is combined with Judges instead of placed in the 3rd order (Writings) and Lamentations is combined with Jeremiah.

## 2. Second- to Fourth-Century Old Testament Lists

Melito <sup>10</sup>	Mommsen List <sup>13</sup>	Hilary <sup>14</sup>	Athanasius <sup>16</sup>	Laodicea Council, Canon 60 <sup>17</sup>	Cyri <sup>18</sup>
Gen, Exod, Num, Lev, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, Pss, Prov, Wis, <sup>11</sup> Eccl, Song, Job, Isa, Jer, The Twelve, Dan, Ezek, Ezra (Esdras) (Esther is omitted) <sup>12</sup>	Gen, Exod, Num, Lev, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Macc, Job, Tobit, Esth, Jud, Pss (+Ps 151), Isa, Jer, Dan, Ezek, The Twelve	Five Books of Moses Josh, Judg/Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Esd, Pss, Prov, Eccl, Song, The Twelve, Isa, Jer/ Lam/Ep Jer, Dan, Ezek, Job, Esth, [Tobit], [Judith] <sup>15</sup>	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Esd, Pss, Prov, Eccl, Song, Job, The Twelve, Isa, Jer/ Bar/Lam/ Ep Jer, Ezek, Dan (Esther omitted)	Gen, Exod, Num, Lev, Deut, Josh, Judg, Ruth, Esth, 1–4 Kgs, 1–2 Chr, 1–2 Esd, Pss, Prov, Eccl, Song, Job, The Twelve, Isa, Jer, Bar, Lam, Ep Jer, Ezek, Dan	Gen, Exod, Lev, Num, Deut, Josh, Judg/Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Esd, Esth, Job, Pss, Prov, Eccl, Song, The Twelve, Isa, Jer/ Lam/Ep Jer/ Bar, Ezek, Dan

<sup>10</sup> Eusebius, *Ecclesiastical History* 4.26.14 (ca. 320–25, Caesarea, Palestine).

<sup>11</sup> Scholars debate whether “wisdom” here is an alternate for “Proverbs” but others contend that it is a reference to Wisdom of Solomon. The Greek is Σολομώντος Παροιμίαι ἢ καὶ Σοφία. The popularity of Wisdom of Solomon (Wisdom) among some early Christians suggests this refers to Wisdom of Solomon and not to Proverbs.

<sup>12</sup> Books in parentheses are omitted from this source.

<sup>13</sup> The Mommsen list (ca. 359), sometimes called the Cheltenham catalogue.

<sup>14</sup> Hilary, *Prolog. in Lib.* Ps. 15 (ca. 350–65, Poitiers).

<sup>15</sup> Hillary adds that some include Tobit and Judith in order to reach the number 24.

<sup>16</sup> Athanasius, *Festal Letter* 39.4 (ca. 367, Alexandria, Egypt).

<sup>17</sup> Canon 60 of the Laodicean Council is generally considered a late attachment to the Council record that originally ended with canon 59. This list in canon 60 was probably added *after* Athanasius (ca. 367) or even following the councils at Hippo and Carthage since it parallels them closely except for the absence of Revelation. It is preserved in Swete, *Introduction to the Old Testament in Greek*, 209.

<sup>18</sup> Cyril of Jerusalem, *Catech.* 4.35 (ca. 394, Bethlehem, Palestine).

## 3. Fourth- to Fifth-Century Old Testament Lists

Epiphanius <sup>19</sup>	Epiphanius <sup>20</sup>	Gregory <sup>22</sup>	Amphilochius <sup>24</sup>	Jerome <sup>25</sup>
Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, Job, Pss, Prov, Eccl, Song, 1–4 Kgs, 1–2 Chr, The Twelve Isa, Jer/Lam/ Ep Jer/Bar, Ezek, Dan, 1–2 Esd, Esth	Gen, Exod, Lev, Num, Deut, Job, Pss, Prov, Eccl, Song, Josh, Judg/ Ruth, 1–2 Chr, 1–4 Kgs, The Twelve, Isa, Jer, Ezek, Dan, 1–2 Esd, Esth [Wisdom] [Sirach] <sup>21</sup>	Gen, Exod, Lev, Num, Deut, Josh, Judg/Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Esd, Job, David (Pss), Eccl, Song, Prov, The Twelve, Isa, Jer, Ezek, Dan (Esther omitted) <sup>23</sup>	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Esd, Job Pss, Prov, Eccl, Song, The Twelve, Isa, Jer, Ezek, Dan, Esth	Gen, Exod, Lev, Num, Deut, Job, Josh, Judg, Ruth, 1–2 Sam, 3–4 Kgs, The Twelve, Isa, Jer, Ezek, Dan, Pss, Song, Proverbs?, <sup>26</sup> Esth, 1–2 Chr, Ezra–Neh

<sup>19</sup> *Against Heresy* 1.1.6–8 (ca. 374–77 [Migne *P.G.* xli, 213], Salamis, Western Syria).

<sup>20</sup> *On Weights and Measures* 4 (ca. 374–77 [Migne *P.G.* xliii, 244], Salamis, Western Syria).

<sup>21</sup> Uncertainty remains about Wisdom and Sirach, but they are listed separately from the others.

<sup>22</sup> Gregory of Nazianzus, *Carm.* 1.12.5 (ca. 390, Cappadocia, Asia Minor).

<sup>23</sup> He indicates that some include Esther, Tobit, and Judith.

<sup>24</sup> Bishop Amphilochius of Iconium, *Iambi ad Seleucum* 2.51–88 (ca. 396), published in Gregory of Nazianzus, *Carm.* 2.7 (*P.G.* 37.1593).

<sup>25</sup> Jerome, *Ep.* 53.8 (ca. 394 Bethlehem, Palestine). Notice again that Jerome follows somewhat, but not precisely the HB/Tanak order, but here places Daniel after Ezekiel.

<sup>26</sup> Although he does not mention Proverbs and Ecclesiastes by name, he likely included them since he states: “Solomon, a lover of peace and of the Lord, corrects morals, teaches nature, unites Christ and the church, and sings a sweet marriage song to celebrate that holy bridal.”



4. Fourth- to Sixth-Century Old Testament Lists<sup>27</sup>

Augustine <sup>28</sup>	Carthage <sup>29</sup>	Rufinus <sup>30</sup>	Pseudo-Chrysostom <sup>31</sup>	Pseudo-Chrysostom <sup>32</sup>
Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, Job, Tobit, Esth, Jud, 1–2 Macc, 1–2 Esd, Pss, Prov, Song, Eccl, Wis, Sir, The Twelve, Isa, Jer, Dan, Ezek	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, Job, Pss, 1–5 Sol, The Twelve, Isa, Jer, Ezek, Dan, Tobit, Jud, Esth, 1–2 Esd, 1–2 Macc	Gen, Exod, Lev, Num, Deut, Josh, Judg/Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Esd, Esth, Isa, Jer, Ezek, Dan, The Twelve, Job, Pss, Prov, Eccl, Song	Gen, Exod, Lev, Numm Deut, Josh, Judg, Ruth, 1–4 Kgs, Esdr, Prov, Sir, Eccl, Song, Ten Prophets(?), Ruth(?), David (Pss) (Esther omitted)	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1 Kgs (1 Sam), 2 Kgs (2 Sam), 1–2 Kgs, 1–2 Chr, 1–2 Esd, Esth, Tobit, Jud, Job, Wis, Prov, Sir, Isa, Jer, Ezek, Dan, The Twelve (to Nahum) (Psalms absent) <sup>33</sup>

<sup>27</sup> Note: “Pseudo-” in the names below does not refer to a pseudonymous text purposefully written in another’s name, but rather to works mistakenly attributed to well-known figures and later found not to be that person’s work. The authors of such documents are unknown.

<sup>28</sup> Augustine, *De Doct. Christ.* 2.13 (ca. 395, Hippo Regius, North Africa). 1–4 Kgs = 1–2 Sam and 1–2 Kgs

<sup>29</sup> Council of Carthage (397 CE), canon 26; it is likely that its “five books of Solomon” (noted here as “1–5 Sol.”) = Prov, Eccl, Song, Sirach, and Wisdom of Solomon, or possibly Psalms of Solomon, but this is uncertain.

<sup>30</sup> Rufinus, *Comm. in Symb. Apost.* 35 (ca. 404, Rome).

<sup>31</sup> This text comes from ca. 500 and is cited in *Syn. script. sacr. praef.* in Migne, *P.G.* lvi.513ff. Cited in Swete, *Introduction to the Old Testament in Greek*, 205.

<sup>32</sup> Ca. 500–550, cited in *Syn. script. sacr. praef.* in Migne, *P.G.* lvi.317–86.

<sup>33</sup> Leaving Psalms out here was very likely an error.

## 5. Sixth- and Seventh-Century Old Testament Lists

Pseudo-Athanasius <sup>34</sup>	Cassiodorus <sup>35</sup>	Isidore <sup>36</sup>	Isidore <sup>37</sup>	Isidore <sup>38</sup>
Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Esd Pss of David, Prov, Eccl, Song, Job, Twelve Prophets: Hos, Amos, Mic, Joel, Obad, Jonah, Nah, Hab, Zeph, Hag, Zech, Mal, Isa, Jer, Ezek, Dan, Maccabees: (4) <i>Ptolemaika</i> Psalms and Odes of Solomon (Esther omitted)	Gen, Exod, Lev, Num, Deut, Josh, 1–4 Kgs, 1–2 Chr, Pss, Prov, Wis, Sir, Eccl, Song, Prophets: Isa, Jer, Ezek, Dan, The Twelve Job, Tobit, Esth, Jud, 1–2 Esd, 1–2 Macc	Five books of Moses <i>History</i> Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, Tob, Esth, Jud, 1–2 Esd, 1–2 Macc <i>16 prophets:</i> Isa, Jer, Ezek, Dan, The Twelve	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, Job, Pss, Prov, Eccl, Song, Isa, Jer, Ezek, Dan, The Twelve Ezra/Neh, Wis, Sir, Jud, Tobit, 1–2 Macc	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Esd, Tob, Esth Jud, 1–2 Macc, Isa, Jer, Ezek, Dan, The Twelve, Job, Pss, Prov, Eccl, Song, Wis, Sir, Lam Jer

<sup>34</sup> Ca. 500. Cited from *Syn. scr. sacr.* (Migne, *P.G.* xxviii.283ff.).

<sup>35</sup> Flavius Cassiodorus (ca. 551–554), *De inst. Div. litt.* 14. He presents three lists. The first two are from Jerome and Augustine lists and then he presents his own that is similar to theirs but not exactly.

<sup>36</sup> Isidore, Bishop of Seville, *In Libros Veteris ac Novi Testamenti Prohoemia* (ca. 600) and *De ord. libr. s. scr.* See Swete, *Introduction to the Old Testament in Greek*, 212.

<sup>37</sup> Isidore's *Etymologiae* 6.1.6 in which he identifies the Hebrews' list in the Tanak order, but then adds that the church also accepts Wisdom, Sirach, Judith, Tobit, and 1–2 Maccabees. See his similar list though in a different order in 6.2.1–36.

<sup>38</sup> Isidore's *De ecclesiasticis officiis* 1.11, namely, after Genesis to Chronicles, the order is 1–2 Esdras, Tobit, Esther, Judith, 1–2 Maccabees, Isaiah, Jeremiah, Ezekiel, Daniel, The Twelve, Job, Psalms, Proverbs, Ecclesiastes, Song of Songs, Wisdom, Sirach, Lamentations of Jeremiah.

6. Fourth- to Ninth-, and Sixteenth-Century Old Testament Collections<sup>39</sup>

Council of Rome (382)/ <i>Decretum Gelasianum</i> <sup>40</sup>	Council of Carthage (419)	Apostolic Canons (canon 85) <sup>41</sup>	Stichometry of Nicephorus <sup>42</sup>	Council of Trent (1546)
Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr Pss (150), Prov, Eccl, Song, Wis, Sir, Isa, Jer/Lam, Ezek, Dan, Hos, Amos, Mic, Joel, Obad, Jonah, Nah, Hab, Zeph, Hag, Zech, Mal, Job, Tobias, 1–2 Esd, Esth, Jud, 1–2 Macc	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, Job, Pss, Five books of Solomon (Prov, Eccl, Song, Wis, Pss. Sol.) The Twelve, Isa, Jer, Ezek, Dan, Tob, Jud, Esth, Ezra/Neh 1–2 Macc	Gen, Exod, Lev, Num, Deut, Josh, Ruth, 1–4 Kgs 1–2 Chr, 1–2 Esd, Esth, 1–3 Macc, Job, Pss, Prov, Eccl, Song, Twelve Prophets, Isa, Jer, Ezek, Dan, (Outside: Sirach)	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–2 Sam, 1–2 Kgs, 1–2 Chr, 1–2 Esd, Pss, Prov, Eccl, Song, Job, Wis, Sir, Esth, Jud, Tob, Hos, Amos, Mic, Joel, Obad, Jonah, Nah, Hab, Zeph, Hag, Zech, Mal, Isa, Jer, Ezek, Dan, 1 Macc  <i>Antilegomena and Apocrypha</i> <sup>43</sup>	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–2 Sam, 1–2 Kgs, 1–2 Chr, 1–2 Esd, Tobias, Jud, Esth, Job, Pss, Prov, Eccl, Song, Wis, Ecclus (Sir), Isa, Jer, Bar, Ezek, Dan, The Twelve: Hos, Joel, Amos, Obad, Jonah, Mic, Nah, Hab, Zeph, Hag, Zech, Mal, 1–2 Macc

<sup>39</sup> The lists shown thus far are illustrative of the similarities in the OT canon as well as some diversity in books and their order. Other such lists are in Swete, *Introduction to the Old Testament in Greek*, 201–14.

<sup>40</sup> This listing is found essentially in two places, namely the one attributed to Damasus at the Council of Rome in 382 and the other in the *Decretum Gelasianum*, attributed to Gelasius I (d. 19 November 496).

<sup>41</sup> Canon 84–85. Ca. 600.

<sup>42</sup> Ca. 850. Listed in Swete, *Introduction to the Old Testament in Greek*, 208–9, 346–47.

<sup>43</sup> Books listed as *Antilegomena* (= not canonical include): 1–3 Maccabees, Wisdom, Sirach, Psalms and Odes of Solomon, Esther, Judith, Susanna, Tobias. *Apocrypha*: Enoch, Testaments of the Patriarchs, Prayer of Joseph, Testament of Moses, Assumption of Moses, Abraham, Eldad and Modad, Book of the Prophet Elias, Book of the Prophet Zephaniah, Book of Zacharias, father of John, *Pseudepigrapha* of Baruch, Habakkuk, Ezekiel, and Daniel.

7. Important Biblical Manuscripts with Old Testament Collections<sup>44</sup>

Vaticanus (B) Fourth cent. <sup>45</sup>	Sinaiticus (ⲁ) Fourth cent. <sup>46</sup>	Alexandrinus (A) Fifth cent.	Claromontanus (D), Fifth–sixth cent. <sup>50</sup>
Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, 1–2 Esd, Pss ... Prov, Eccl, Song, Job, Wis, Sir, Esth, Jud, Tob, The Twelve: Hos, Amos, Mic, Joel, Obad, Jonah, Nah, Hab, Zeph, Hag, Zech, Mal Isa, Jer, Bar, Lam, Ep Jer, Ezek, Dan	... Gen ... Num ... 1 Chr ... 2 Esd, Esth, Tob, Jud, 1, 4 Macc, Isa, Jer, Lam, ... Joel, Obad, Jon, Nah, Hab, Zeph, Hag, Zech, Mal, Pss, Prov, Eccl, Song, Wis, Prologue to Sir, Sir, Job (most of the Pentateuch, Former Prophets, Ezekiel and Daniel are missing) <sup>47</sup>	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, 1–2 Chr, The Twelve: Hos, Amos, Mic, Joel, Obad, Jonah, Nah, Hab, Zeph, Hag, Zech, Mal Isa, Jer, Bar, Lam, Ep Jer, Ezek, Dan, Esth, Tob, Jud, 1–2 Esd, 1–4 Macc, Pss, <sup>48</sup> Ps 151, <sup>49</sup> Job, Prov, Song, Wis, Sir	Gen, Exod, Lev, Num, Deut, Josh, Judg, Ruth, 1–4 Kgs, Pss of David, Prov, Eccl, Cant, Wis, Sir, The Twelve: Hos, Amos, Mic, Joel, Obad, Jonah, Nah, Hab, Zeph, Hag, Zech, Mal Isa, Jer, Ezek, Dan, 1–3 Macc, Jud, Esd, Esth, Job, Tobias

<sup>44</sup> Besides the above, a collection known as the *Sixty Books*, which refers to the canonical books, lists besides the usual OT books several apocryphal and pseudepigraphal books without the *stichoi* (or lines) as follows: *Adam, Enoch, Lamech, Patriarchs, Prayer of Joseph, Eldad and Modad, Testament of Moses, Psalms of Solomon, Apocalypse of Elias (Elijah), Vision of Esaias (Isaiah), Apocalypse of Sophonias, Apocalypse of Zacharias, Apocalypse of Esdras*.

<sup>45</sup> The elliptical marks (“...”) indicate losses or omissions in the manuscripts.

<sup>46</sup> Notice that Codices Sinaiticus and Alexandrinus and also Rufinus’ list above broadly follow the Jewish order in the Tanak (Law, Prophets, Writings), possibly reflecting a Palestinian origin, while Vaticanus and Claromontanus follow the usual Christian order of Law, History, Poetry and Wisdom, and Latter Prophets. Both Codex Sinaiticus and Alexandrinus follow only *roughly* the HB/Tanak sequence. In Sinaiticus, Chronicles, 2 Esdras, and Esther (plus Tobit, Judith, and 1 and 4 Maccabees) are *before* the Latter Prophets and the rest of books in the Writings are listed last. Similarly, Codex Alexandrinus has the books in the Hebrew Writings earlier as in the listing of Daniel after Ezekiel and Ruth and the Chronicles in the usual places in Christian Bibles.

<sup>47</sup> The absence of these books is only because of the fragmentation of the manuscript, not because they were purposefully excluded.

<sup>48</sup> Inserted before the Psalms is a letter of Athanasius to Marcellinus about the Psalter and a summary of the contents of the Psalms by Eusebius.

<sup>49</sup> After the Psalms, there are a number of canticles extracted from other parts of the Bible and outside of the Bible.

<sup>50</sup> This codex does not contain all of these books, but only a manuscript of Paul’s letters. This list is inserted between Philemon and Hebrews.

# APPENDIX B:

## CURRENT LISTS OF HEBREW BIBLE AND CHRISTIAN OLD TESTAMENT SCRIPTURES

### 1. Modern Scriptures – Hebrew Bible and Old Testament Biblical Canons<sup>51</sup>

Jewish	Protestant	Roman Catholic
<i>Torah/Law</i> Gen, Exod, Num, Lev, Deut	<i>Pentateuch</i> Gen, Exod, Num, Lev, Deut	<i>Pentateuch</i> Gen, Exod, Num, Lev, Deut
<i>Prophets: Former</i> Josh, Judg, 1–2 Sam, 1–2 Kgs	<i>History</i> Josh, Judg, Ruth, 1–2 Sam, 1–2 Kgs, 1–2 Chr, Ezra, Neh, Esth	<i>History</i> Josh, Judg, Ruth, 1–2 Sam, 1–2 Kgs, 1–2 Chr, Ezra Neh, Tobit, Jud, Esth (with additions), 1–2 Macc
<i>Prophets: Latter</i> Isa, Jer, Ezek,	<i>Poetry/Wisdom</i> Job, Pss, Prov, Eccl, Song	<i>Poetry/Wisdom</i> Job, Pss, Prov, Eccl, Song, Wis, Sir
<i>The Twelve</i> Hos, Joel, Amos, Obad, Jonah, Mic, Nah, Hab, Zeph, Hag, Zech, Mal	<i>Prophets</i> Isa, Jer, Lam, Ezek, Dan, Hos, Joel, Amos, Obad, Jonah, Mic, Nah, Hab, Zeph, Hag, Zech, Mal	<i>Prophets</i> Isa, Jer, Lam, Bar + Ep Jer, Ezek, Dan + additions, Hos, Joel, Amos, Obad, Jonah, Mic, Nah, Hab, Zeph, Hag, Zech, Mal
<i>Writings</i> Pss, Prov, Job		
<i>The Five Scrolls</i> Song, Ruth, Lam, Eccl, Esth Dan, Ezra, Neh, 1–2 Chr		

<sup>51</sup> The following lists are modified from those provided in Coogan, ed., *The Oxford Encyclopedia of the Books of the Bible*, 1:xii–xv.

Greek Orthodox	Russian Orthodox	Ethiopian
<i>Pentateuch</i> Gen, Exod, Num, Lev, Deut	<i>Pentateuch</i> Gen, Exod, Num, Lev, Deut	<i>Octateuch</i> Gen, Exod, Num, Lev, Deut, Josh, Judg, Ruth
<i>History</i> Josh, Judg, Ruth, 1–2 Kgs (= 1–2 Sam), 3–4 Kgs (= 1–2 Kgs), 1–2 Par (1–2 Chr), Pr. Man., 1 Esd, 2 Esd (= Ezra–Neh), Tobit, Jud, Esth (with additions), 1–2–3 Macc	<i>History</i> Josh, Judg, Ruth, 1–2 Kgs (= 1–2 Sam), 3–4 Kgs (= 1–2 Kgs), 1–2 Par (1–2 Chr), Pr. Man, 2 Esd (= 1 Esd), 3 Esd (= 2 Esd), Neh, Tob, Jud, Esth (with additions), 1–2–3 Macc	<i>History</i> 1–2 Sam, 1–2 Kgs, 1–2 Chr, Pr. Man., Jub, Enoch, Ezra–Neh 1–2, 2 Ezra and Ezra Sutuel (= 1 Esd and 2 Esd 3–14), Tob, Esth (with additions), 1–2–3 Macc, Job, Pss + Ps 151
<i>Poetry/Wisdom</i> Pss + Ps 151, Job, Prov, Eccl, Song, Wis, Sir	<i>Poetry/Wisdom</i> Pss + Ps 151, Job, Prov, Eccl, Song, Wis, Sir	<i>Books of Solomon</i> Messalë (Prov 1–24), Täagas (Prov 25–31), Wis
<i>Prophets</i> Hos, Joel, Amos, Obad, Jonah, Mic, Nah, Hab, Zeph, Hag, Zech, Mal, Isa, Jer, Bar, Lam, Ep. Jer., Ezek, Dan + additions	<i>Prophets</i> Hos, Joel, Amos, Obad, Jonah, Mic, Nah, Hab, Zeph, Hag, Zech, Mal, Isa, Jer, Bar, Lam, Ep. Jer., Ezek, Dan (with additions)	<i>Prophets</i> Isa, Jer, Bar, Ep. Jer., Lam, Ezek, Dan + additions, Hos, Amos, Mic, Joel, Obad, Jonah, Nah, Hab, Zeph, Hag, Zech, Mal  Sir Pseudo-Josephus

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