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Teachers, Prophets and Exegetes: Jewish and Early Christian Intellectual History, 200 BCE – 200 CE

Lamm, Tzvi

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Teachers, Prophets and Exegetes: Jewish and Early Christian Intellectual History, 200 BCE – 200 CE

Tzvi A. Lamm

A DISSERTATION

PRESENTED TO THE FACULTY

OF PRINCETON UNIVERSITY

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OF DOCTOR OF PHILOSOPHY

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Adviser: Moulie Vidas

June 2020

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Abstract

Jewish thinkers operating in and around Palestine from roughly 200 BCE to 200 CE, thought the most important question for determining their respective worldviews was: *how do we know* the things we believe or the right way to behave? While they certainly thought right beliefs and behavior themselves were important, they saw those things as a natural outgrowth of adopting correct procedure. Moreover, these thinkers saw their opponents not necessarily as people with the wrong behavior or beliefs, but rather as people who adopted wrong procedures. Adhering to the correct procedure, in this view, would assure correct substantive conduct. To the extent that groups emerging from within the world of early Judaism engaged in the process of self-identification during these four centuries, they were just as likely, if not more so, to do this on the basis of procedure as they were on the basis of substantive behavior – on the question of "*How do we know* what to do or believe?", rather than "*What* should we do or believe?"

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Jewish thinkers operating in and around Palestine from roughly 200 BCE to 200 CE, thought the most important question for determining their respective worldviews was: *how do we know* the things we believe or the right way to behave? While they certainly thought right beliefs and behavior were important, they saw them as a natural outgrowth of adopting correct procedure. Moreover, these thinkers saw their opponents not necessarily as people who with the wrong behavior or beliefs, but rather as people who adopted wrong procedures. Adhering to the correct procedure, in this view, would assure correct substantive conduct. To the extent that groups emerging from within the world of early Judaism were engaged in the process of self-identification during these four centuries, they were just as likely, if not more so, to do this on the basis of procedure as they were on the basis of substantive behavior – on the question of "*How* do we know what to do or think?", rather than "*What* should we do or think?"

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Acknowledgements

שמע עצה וקבל מוסר למען תחכם באחריתך

— משלי יט:כ

ראוי לו לאדם שיכיר ויגמול חסד למי שעשה עמו טובה

— ספר החינוך מצוה לג

Those who have experienced a Yom Kippur davening will be familiar with that moment of sheer panic, just before Kol Nidre – just before you realize your inadequacy to the task ahead. It is with similar trepidation that I set about trying to thank all those whose love, support and friendship have made this dissertation a reality. I know I can never repay the care and kindness shown by all those mentioned below. Even worse, I fear I may have left people out. Nevertheless, I am deeply grateful for the opportunity to acknowledge as many as possible, even as I know my paltry words will be insufficient.

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i Thanks especially to Mr. Butler and my cousin, Dr. Jonathan Lamm, for their *chavrusaschaft*. We spent many wonderful hours together studying with my grandfather, Rabbi Norman Lamm.

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ii Jewish law forbids a person from referring to his teacher by name. When not in the teacher's presence, one may refer to the teacher with an honorific (see Rema, *Yoreh De'ah* 242.15, cf. Shakh ad loc.). This presented a conundrum, since I will have occasion below to refer to Rabbi Wieder's academic work, and standard academic convention is to omit any honorific a scholar may have. I sought Rabbi Wieder's guidance on this matter. He generously replied that he would relinquish (*mohel*) the claim that his honor as my teacher placed upon me in this instance. Accordingly, only with the greatest reluctance and trepidation and for lack of a better option, I will refer to him by his unadorned full name upon

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first reference, and by his last name upon future reference.

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At the outset of these acknowledgements I cited the *Sefer ha-Hinukh*'s exhortation to thank those who have treated you with solicitude. In context, this prescription actually serves specifically as the foundation for the commandment to honor one's mother and father. I am thus privileged beyond words to thank my parents, Mr. Shalom and Mrs. Tina Lamm. My parents are my heroes. They created a home premised on Torah, worship, and lovingkindness. They taught all of their children that ideas matter, but only if we are willing to use them to change the world. They not only encouraged us to be leaders for the good, but modeled – time and again – what this looked like in practice. There are, for instance, countless Jewish generations who will owe their existence entirely to my parents' unconquerable will to kindness. They are dazzling paragons of optimism and spiritual excellence, and in so many ways this dissertation belongs to them.

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The end of the matter, all has been heard: I thank Hashem.

הודו לה׳ כי טוב כי לעולם חסדו

ברוך שהחיינו וקיימנו והגיענו לזמן הזה

Ari Lamm

Teaneck, NJ

March 13th 2020 – 17 Adar 5780

Introduction

A Tale of Two Sages

The Roman official frowned at the elderly rabbi standing before him. Leaning forward from his seat upon the tribune, fingers steepled before his face, the official pronounced the charges.

"You have been denounced before me as a Christian! Do you deny it?"

The rabbi, Eliezer ben Hyrkanos, bowed his head. Eyes closed, he whispered aloud, "I acknowledge your authority, O Judge."

The official sat back in his chair, eyebrows raised. The reports he'd heard must have been false. The man had shown the proper deference towards the Roman authorities. Glancing towards the guards standing off to the side, he motioned that the man was free to go.

Rabbi Eliezer looked up in puzzlement. But as he backed away, realization dawned upon him that the official must have understood his words not as a prayer to the Almighty – the Judge of Truth – in anticipation of execution, but as a display of loyalty to Rome. He shook his head ruefully. Still shaken by the accusation, but grateful to be alive, the rabbi slowly began the trek home.

This narrative, told and retold in several rabbinic sources beginning sometime in the third century CE,[1] revolved around a peculiar incident involving a rabbinic sage, and a student of Jesus. As the story goes:

1 See *t.* Hul. 2.24; *b.* Avod. Zar. 16b-17a; Eccl Rab. 1.24.

the imperial authorities accused Rabbi Eliezer of consorting with Jesus-followers,[2] only for him to escape condemnation through what a casual observer might have mistaken for mere serendipity. Notwithstanding his good fortune, the great sage was distraught over the whole incident. His students attempted to comfort him, to no avail, until finally Rabbi Akiva suggested that perhaps Rabbi Eliezer was being punished by God for having enjoyed the teachings of a Jesus follower. As it turned out, that is precisely what happened. Having finally discovered the cause of his suffering, Rabbi Eliezer finds peace and comfort.

This story has captivated me ever since I first encountered it as a young teenager. How had a rabbi – not just any rabbi, but one of rabbinic literature's best known sages – ended up accused of being a Christian, I wondered? Since my youth, of course, I've been privileged to discover a variety of new insights that might be brought to bear on this text. I've learned that history and memory are very different matters;[3] that 'Christian' meant something very different in the third century than it did in either the first or twenty-first centuries;[4] that rabbinic texts can often be illuminated through being studied as poetry rather than prose;[5] and perhaps most importantly, that rabbinic disquisitions on Jesus and Christianity are about something other than merely preserving information about them.[6]

2 The term used in all the version is מינות, which early rabbinic literature uses as a catch-all term for 'subversives'; see Adiel Schremer, "Wayward Jews: Minim in Early Rabbinic Literature," *Journal of Jewish Studies* 64, no. 2 (2013): 242–63. Although the term is not by any means coextensive with Christianity, or even related to it in a terminological sense, rabbinic sources sometimes appropriated it to refer to followers of Jesus, as in this case.

3 See Yosef Hayim Yerushalmi, *Zakhor: Jewish History and Jewish Memory* (University of Washington Press, 1982).

4 On the first two centuries CE in particular see Philippa Townsend, "Who Were the First Christians? Jews, Gentiles, and the Christianoi," in *Heresy and Identity in Late Antiquity*, ed. Eduard Iricinschi and Holger M. Zellentin (Tübingen: Mohr Siebeck, 2008).

5 See Moshe Simon-Shoshan, *Stories of the Law: Narrative Discourse and the Construction of Authority in the Mishnah* (Oxford: Oxford University Press, 2012); Jeffrey L. Rubenstein, *Talmudic Stories - Narrative Art, Composition, and Culture* (Baltimore: The Johns Hopkins University Press, 1999).

6 See Peter Schäfer, *Jesus in the Talmud* (Princeton: Princeton University Press, 2007).

But even with these perspectives in mind, one element of the story has continued to nag at me, namely, Rabbi Eliezer's description of his interaction with one of Jesus's students. Consider the version found in the Babylonian Talmud:[7]

> פעם אחת הייתי מהלך בשוק העליון של צפורי ומצאני אד' אחד מתלמידי ישו הנוצרי ויעקב איש כפר-סכניא שמו. אמ' לי. כתו' בתורת' "לא תביא אתנן זונה ומחיר כלב בית יי'י אלהיך לכל נדר". מהו לעשות ממנו בית הכסא לכהן גדול. ולא אמרתי לו כלום. אמ' לי. כך לימדנו ישו הנוצרי. "כי מאתנן זונה קובצה ועד אתנן זונה ישובו". ממקום הטנופת באו ולמקום הטנופת ישובו. והנאני הדבר. ועל ידו נתפשתי למינות

> One time I was walking in the upper market of Sepphoris, when I found a man from among the students of Jesus the Nazarene, and Jacob of Kefar-Sekhanya[8] was his name. He said to me: it is written in your Law "You shall not bring the wages of a harlot or the price of a dog to the house of the Lord your God for any vowed offering." What is [the law if one wished] to make from it a toilet for the High Priest? I did say anything [in reply]. He said to me: thus did Jesus the Nazarene teach us, "for from the wages of a harlot it was gathered, and to the wages of a harlot it[9] shall return." From a filthy place it came, so to a filthy place let it return. And this saying pleased me. And on this account I was arrested as a Christian.[10] (*b.* Avod. Zar. 17a)

7 Here, and throughout this dissertation, I cite all rabbinic texts from *Ma'agarim*, the website of the Hebrew Language Historical Dictionary. All translations are my own unless otherwise noted. For relevant textual variants to this particular text, see the notes to Schäfer, 41–42.

8 Likely Sikhnin; see Stuart S. Miller, *Sages and Commoners in Late Antique 'Erez Israel: A Philological Inquiry Into Local Traditions in Talmud Yerushalmi* (Tübingen: Mohr Siebeck, 2006), 188 n. 135.

9 For the English translation in the singular see Schäfer, *Jesus in the Talmud*, 159 n. 12.

10 See above n. 2.

The passage's perspective on Christians is quite clear. They are non-Jews. Jacob even refers to the Hebrew Bible as "your Law." That Christianity is something to be strictly avoided is taken for granted.[11] The earlier, Palestinian source for the tale (*t.* Hul. 2.24) featured this general approach as well. And yet, even well into late antiquity, the Babylonian Talmud imagined a renowned rabbi in casual conversation with a Jesus-follower over Biblical law. In fact, the most remarkable thing about the conversation is how unremarkable it is. The Talmudic pericope's deliberate markers of outsiderness notwithstanding, Jacob talks exactly like a rabbi – and not merely in the rabbinized way that rabbinic literature sometimes imagines gentiles speaking. The passage not only describes Jacob as engaged in standard rabbinic hermeneutics, but even attributes to him a phrase (X לימדנו) that, in the entire rest of rabbinic literature up to, and including the Babylonian Talmud, only ever describes rabbis instructing their students. Of course, the Talmud itself made clear – as did the parallel versions in Tosefta and Ecclesiastes Rabbah – that Rabbi Eliezer should never have engaged with Jacob in the first place. But even so, the rabbis allowed themselves to imagine that a revered colleague could be engaged in a thoroughly 'rabbinic' conversation with a Christian and, at least in the moment, be completely indifferent to the assumed vast differences in practice between them. And in all versions of the story, what most impressed the rabbi about his interlocutor was not the similarity in behavior or belief, but rather the latter's ability to engage in the 'process' of rabbinic teaching – for the Talmud, reporting a scriptural interpretation in the name of one's teacher.

Such stories are actually more common in antiquity than one might assume. In the fourth century, John Chrysostom raged against his congregants for frequenting the synagogue.

11 On the Babylonian Talmud's perspective on Jesus as a teacher of idolatry, see Schäfer, *Jesus in the Talmud*, 106–11.

> Since there are some who think of the synagogue as a holy place, I must say a few words to them. Why do you reverence that place? Must you not despise it, hold it in abomination, run away from it? They answer that the Law and the books of the prophets are kept there. What is this? Will any place where these books are be a holy place? By no means! This is the reason above all others why I hate the synagogue and abhor it. They have the prophets but do not believe them; they read the sacred writings but reject their witness—and this is a mark of men guilty of the greatest outrage. (*Adv. Jud.* 1.5.2)[12]

Chrysostom's congregants apparently frequented the synagogue because the processes that occurred there – reading and interpreting scripture – felt familiar and appealing. Much like the Bavli, Chrysostom responded that the commonalities suggested by common process could not be reconciled with vast differences in belief and behavior.[13] The Jews may appeal to the same sources of authority as us, Chrysostom furiously contended, but the actual conclusions at which they arrive are unacceptable.

We can glimpse the reverse phenomenon in antiquity as well. Stuart Miller has highlighted the unusual case of a sage named Jacob of Kefar Nevoraya,[14] whom rabbinic texts alternately depict as either an exemplary teacher, or a deviant subversive.[15] What appears to explain this differentiated treatment is not Jacob's behavior – or the behavior he prescribes for others – but rather the particular *procedure* he

12 All translations from *Adv. Jud.*, unless otherwise noted, are from Paul W. Harkins, ed., *St. John Chrysostom: Discourses Against Judaizing Christians*, The Fathers of the Church 68 (Washington, D.C: The Catholic University of America Press, 2010).

13 In other instances, Chrysostom castigated his flock for adopting what he considered specifically Jewish *practice*; see Paula Fredriksen, "What 'Parting of the Ways'? Jews, Gentiles, and the Ancient Mediterranean City," in *The Ways That Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages*, ed. Adam H. Becker and Annette Yoshiko Reed (Minneapolis: Fortress Press, 2003), 51. Nevertheless, Chrysostom's appeal in our case to what we shall define below as the difference between procedure and substance is noteworthy.

14 I.e. Nabratein.

15 See Miller, *Sages and Commoners*, 192–95.

is portrayed as employing to arrive at a given ruling. When he utilized an approved procedure, he was treated as an insider; when he did not, he was treated as beyond the pale, even while adhering to what we might otherwise understand as right behavior.[16]

Historians typically think about early Judaism – and, eventually, Christianity – as structured by behavior or belief. In simplified form, the heuristic model historians employ is: if people behaved in similar ways or believed similar things, then they would naturally gravitate towards each other; if they behaved or believed differently they tended to grow apart.[17] But this heuristic has a significant blind spot, in that it diminishes, or even ignores the important role played by process. As the sources examined above suggest, in some cases social interactions could be guided by cues derived from shared (or divergent) processes.

16 See Ibid. 194-5.

17 A good example of this heuristic at work can be found in the historiography of Christianity's origins. In a certain sense, modern scholarship on this matter began in 1934 with James Parkes's publication of *The Conflict of the Church and the Synagogue: A Study in the Origins of Antisemitism* (Soncino Press, 1934). Parkes's scholarship produced the classical 'parting of the ways' model for understanding the emergence of 'Judaism' and 'Christianity' as distinct entities. He argued for a much later dating of a decisive split between Judaism and Christianity than was common at the time. He still believed that the *seeds* of Christianity's split from Judaism had already been sown by Jesus himself – and certainly by the time of Paul. But he believed that the actual divergence itself was delayed by the sociological phenomenon known to scholars as 'Jewish Christianity' (a term that does not actually appear in any ancient evidence whatsoever). These Jewish Christians were both followers of Jesus, but also Torah-observant. Both of these descriptors, of course, meant very specific things to Parkes, writing in the '30s. Whatever the case, however, Parkes believed it was their ability to live according to two different systems of practice and belief at once that prevented a final split. Once Jewish Christianity suffered a collapse—for Parkes, this was during the Bar Kokhba Revolt—the parting of the ways between Judaism and Christianity occurred and eventually accelerated. Parkes's basic model proved astonishingly robust, flourishing in one form of another over the course of the 20th century. It was not until the late 90s and early 2000s that a barrage of scholarly criticism dealt the 'parting of the ways' model a series of critical blow – culminating, in my view, with the publication of Adam H. Becker and Annette Yoshiko Reed, eds., *The Ways That Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages* (Minneapolis: Fortress Press, 2003). But even as scholars sought to find new models for thinking about the divergence between Judaism and Christianity, they could not help continuing to think almost entirely in terms of practice and belief. Take, for example, Daniel Boyarin's *Border Lines: The Partition of Judaeo-Christianity* (Philadelphia: University of Pennsylvania Press, 2010). This landmark study advanced our understanding of how Jews in antiquity – including Jesus-followers – constructed the socio-religious world around them. But even Boyarin, and those who followed in his wake, ultimately could not avoid retaining the old model's basic premises. They still understood the core factors around boundary-construction in the first few centuries and beyond in terms of belief or practice – especially the liminal status of Jesus-following. To the extent that process played a role in their thinking, it was only as a tool for enforcing right behavior or belief. The only important question left would then be when the 'border lines' crystallized between groups in late antiquity whose beliefs or behavior had begun radically to differ. For another critical perspective see Stuart S. Miller, "Roman Imperialism, Jewish Self-Definition, and Rabbinic Society: Belayche's Iudaea-Palaestina, Schwartz's Imperialism and Jewish Society, and Boyarin's Border Lines Reconsidered," *AJS Review* 31, no. 2 (2007): 329–62.

I contend, therefore, that the history of early Judaism and eventually early Christianity requires a reassessment – one that focuses not only on substance, but upon procedure. Through a new methodological focus we will be able to reveal some of the crucial forces structuring early Jewish society, help explain some of the most important developments that took place in Palestine over the course of 200 BCE to 200 CE, and answer some of the thorniest questions raised by both classical and more recent scholarship on the world of early Judaism and eventually Christianity. In studying this period, my proposed methodology will give primary attention to process – what I will call "procedural norms" – over, or in addition to behavior or belief – what I will call "substantive norms." Let us now define these terms.

Substantive Norms Vs. Procedural Norms

The methodological argument underlying this dissertation relies on a distinction normally employed in the context of legal theory between substance and procedure.[18] In a classic statement on the matter, John Salmond wrote:

18 Explicit conceptualization of this framework dates to the eighteenth century. There is some controversy as to its origin. Some trace it to Sir William Blackstone, see Thomas O. Main, "The Procedural Foundation of Substantive Law," *Washington University Law Review* 87 (2010 2009): 801–42. Others attribute it to Jeremy Bentham, see D. Michael Risinger, "Substance and Procedure Revisted with Some Afterthoughts on the Constitutional Problems of Irrebuttable Presumptions," *UCLA Law Review* 30 (1982): 189–216. The literature on the distinction and its implications – especially, in the context of American jurisprudence, with respect to *Erie* doctrine and its subsequent development – is enormous. Seminal works from the beginning of the last century include Walter Wheeler Cook, "'Substance' and 'Procedure' in the Conflict of Laws," *The Yale Law Journal* 42, no. 3 (1933): 333–58; Robert M. Cover, "For James Wm. Moore: Some Reflections on a Reading of the Rules," *The Yale Law Journal* 84, no. 4 (1975): 718–40; Albert Kocourek, "Substance and Procedure," *Fordham Law Review* 10 (1941): 157–86. Some of the recent treatments, which also contain useful bibliography, include Larry Alexander, "Are Procedural Rights Derivative Substantive Rights?," *Law and Philosophy* 17, no. 1 (1998): 19–42; David Dyzenhaus and Evan Fox-Decent, "Rethinking the Process/Substance Distinction: Baker V. Canada," *The University of Toronto Law Journal* 51, no. 3 (2001): 193–242; Karen Petroski, "Statutory Genres: Substance, Procedure, Jurisdiction," *Loyola University Chicago Law Journal* 44 (2012): 189–264; Main, "The Procedural Foundation of Substantive Law"; Main; Ofer Malcai and Ronit Levine-Schnur, "Which Came First, the Procedure or the Substance? Justificational Priority and the Substance–Procedure Distinction," *Oxford Journal of Legal Studies* 34, no. 1 (2014): 1–19.

> Substantive law is concerned with the ends which the administration of justice seeks; procedural law deals with the means and instruments by which those ends are to be attained.[19]

In this characterization, substance and procedure describe respectively the goals envisioned by law, and the manner by which those goals are actualized. The implicit emphasis here is on procedure as enforcement of preexisting substantive law, or the means by which substantive ends are carried out. According to Salmond, the demands of substance give rise to procedure. A subtly but seriously different formulation appears in a more recent essay by David Dyzenhaus and Evan Fox-Decent:

> The basic idea that animates the process/substance distinction is that there is a categorical difference between the outcome of a decision and the process undertaken to arrive at the decision.[20]

In this version, procedure is located logically prior to substance. Procedural law is what *produces* the substantive outcome. An additional nuance emerges from Robert Cover's statement of the distinction:

> The distinction I have in mind is the familiar one between that which controls the conduct of litigation and that which controls social conduct outside the courtroom.[21]

19 John Salmond, *Jurisprudence*, 5th edition, vol. 1 (London: Stevens & Haynes, 1913), 438, §172.
20 Dyzenhaus and Fox-Decent, "Rethinking the Process/Substance Distinction," 195.
21 Cover, "For James Wm. Moore," 722.

Cover recognizes the meta-legal character of substantive law, attributing to it a social or cultural flavor that distinguishes it from the specialized nature of procedure. Whether or not this is a theoretically robust statement of the distinction between substance and procedure, and Cover concedes that it might not be, the crucial point lies in Cover's awareness that substance and procedure, even as legal analytical tools, bleed into areas other than law narrowly defined.[22]

This insight ended up extending far further than even Cover anticipated. The distinction between substance and procedure has, in fact, been imported wholesale into other fields. Computer scientists have made use of the instrumental sense of procedure,[23] notably established by Albert Kocourek.[24] The distinction between substance and procedure is germane to discourse theory as well. Keith Dixon, for instance, distinguishes between "procedural norms" and "substantive norms." Procedural norms provide a framework of intelligibility with which to convey claims to an interlocutor, while substantive norms provide the content to the communication that may be either shared or not by the interlocutors.[25]

22 Another conceptual distinction that may be useful to consider in this context is the positivist scheme of primary and secondary rules introduced by perhaps the twentieth century's most famous legal theorist, H.L.A. Hart; see *The Concept of Law*, vol. 3rd edition, Clarendon Law Series (Oxford: Oxford University Press, 2012), 79–99. Primary rules refer to rules of obligation, which 1) compel patterns of conduct, 2) are the object of significant conformist pressure, 3) appear to support some element of the social order, and 4) the adherence to which may run contrary to the social subject's wishes. Secondary rules are introduced into societies governed by primary rules alone in order to accomplish three things: 1) reduce uncertainty, 2) prevent legal *stasis*, and 3) prevent inefficiency. These secondary rules are "purely formal and procedural, not substantive in nature," see Jeanne Lorraine Schroeder, *The Four Lacanian Discourses: Or Turning Law Inside Out* (Routledge, 2008), 46; see also Larry May, "International Criminal Law and the Inner Morality of Law," in *The Hart-Fuller Debate in the Twenty-First Century*, ed. Peter Cane (Portland: Hart, 2010), 91. For my purposes, the most important secondary rule – and the one most discussed in subsequent legal scholarship – is the so-called 'rule of recognition.' The rule of recognition "will specify some feature or features possession of which by a suggested rule is taken as a conclusive affirmative indication that it is a rule of the group to be supported by the social pressure it exerts," Hart, The Concept of Law, 3rd edition: 94. Notwithstanding its 'secondary' status, the rule of recognition serves as the foundation for the entire positivist legal system. As Hart concludes, "The rule of recognition providing the criteria by which the validity of other rules of the system is assessed is in an important sense...an *ultimate* rule" Hart, 3rd edition:105 (emphasis in original). Although Hart's distinction does not map perfectly on to that between substantive and procedural law, it nonetheless gets at a similar contrast between what the law is, and how one arrives as the law. See, for example, Michael Gagarin, *Early Greek Law* (London: University of California Press, 1986), 1–2.

23 Guido Boella and Leendert van der Torre, "Substantive and Procedural Norms in Normative Multiagent Systems," *Journal of Applied Logic*, Selected Papers from the 8th International Workshop on Deontic Logic in Computer Science, 6, no. 2 (2008): 152–71.

24 Kocourek, "Substance and Procedure."

25 See Keith Dixon, "Is Cultural Relativism Self-Refuting?," *The British Journal of Sociology* 28, no. 1 (1977): 81–83; It is not necessary to adopt Dixon's particular philosophical commitments in this context. See the critique in León Olivé,

I propose that the distinction between substance and procedure serves as a useful heuristic for examining the social and textual matrices in which early Jews, and eventually Christians operated.[26] According to this framework, substantive norms within the world of early Judaism refer to the values, beliefs and obligations that people within this world assumed for themselves. Substantive norms might include the preservation of ritual purity, a commitment to observing Biblical food laws, or belief in the advent of the messiah as announced by, or in the person of, Jesus of Nazareth, etc.. Procedural norms, by contrast, refer to the methods or processes that *gave rise* to those substantive norms, and on the basis of which those substantive norms manifest in the life of the individual or community. As we shall see, the procedural norms characteristic of early Judaism by the second century BCE can be broken down into three broad categories: 1) authoritative teaching, 2) divine inspiration, and 3) scriptural interpretation.

As noted above, scholars working on the world of early Judaism, and eventually Christianity, have tended to use substantive norms to classify the constituent parts of society. For instance, the scrolls from Qumran are generally put in conversation with the Pharisees and the rabbis because they share substantive concerns like purity, the details of Sabbath observance, and so forth. Those that see themselves in continuity with the legacy of Jesus are, in turn, usually kept in conversation with others who share who share the same substantive convictions. These groupings are thought to be self-evident.

Knowledge, Society and Reality: Problems of the Social Analysis of Knowledge and of Scientific Realism (Rodopi, 1993), 218-9;

26 For the distinction between Jewish Jesus-followers and Christians, see Townsend, "First Christians." Were we to take Townsend's case to its natural conclusion – which I believe we should – we would simply refer to Jews and Christians, without the need to qualify that in antiquity the former included some who attributed significance to Jesus of Nazareth, whether through believing that he was a divinely inspired teacher, or a prophet, or the anticipated messiah, or a divine being of some sort. I will only continue to employ this qualifier, if and when necessary, in deference to standard linguistic conventions (even among many post-'parting' scholars). Although by the end of this dissertation, I hope it will become even clearer why such conventions are misguided.

In fact, the boundaries of the very academic subfields that study early Jewish and Christian communities and texts more or less reflect these groupings.

Scholars working in ancient Judaism and Christianity generally do not justify their decision to adopt substantive norms as the basis for reconstructing communities. Usually the notion that substantive norms shape communities is simply assumed. Even when scholarship produced by such an assumption comes in for criticism, the assumption itself is usually left in place.[27] This should certainly give us pause. For instance, the authors of the Damascus Document, R. Akiva (or the view attributed to him in *m*. Sot. 5.3), and the anonymous view presented in *m.* Eruv. 4.8 all agree upon the existence of a boundary beyond which one may not walk on the Sabbath[28] and – if one is engaged in pasturing – even concur on its dimensions (two thousand cubits).[29] But notwithstanding this substantive agreement, the Damascus Code held this position on the basis of divinely revealed scriptural interpretation, R. Akiva is depicted as having derived this view from logical, non-inspired scriptural interpretation, while the anonymous tradent in Mishnah Eruvin regards the Sabbath boundary as an authoritative tradition with no connection to scripture at all. How relevant would this *complete* divergence on procedural grounds have been in antiquity? Would these groups have perceived themselves as having held an important conclusion in common, merely differing on how to arrive at said conclusion? Or is it possible that the procedural chasm separating them would have made the substantive commonality seem inconsequential?

27 For one instructive example, see Sacha Stern, "The 'Sectarian' Calendar of Qumran," in *Sects and Sectarianism in Jewish History*, ed. Sacha Stern, IJS Studies in Judaica 12 (Leiden: Brill, 2011), 54. In this excellent study, Stern questioned Shemaryahu Talmon's claim that divergent calendrical practices—substantive differences—naturally gave rise to sectarianism. But even Stern does not question the notion that communities were structured around, and by substantive norms. He just points out that this *particular* substantive norm did not generate Second Temple sectarian activity.

28 Although no such boundary is mentioned explicitly in scripture.

29 See Lawrence H. Schiffman, "Sabbath," in *Encyclopedia of the Dead Sea Scrolls*, ed. Lawrence H. Schiffman and James C. VanderKam (New York: Oxford University Press, 2000).

Phenomenologically speaking, we can glimpse the latter possibility all the time. Allow me to illustrate the basic point with a common example from everyday life. On occasion my wife will ask my opinion about something, and I'll give it. And typically she'll tell me that I'm completely wrong. She's a lot smarter than I am, of course, so that's not an unreasonable view. But sometimes, she'll then ask one of her parents for their opinion, and they'll say the same thing as I did. And then all of a sudden, that thing has gone from completely wrong to gospel truth. Again: in these cases, her parents and I completely agree. Yet she didn't credit it when I said it, but she did when her parents said it. While this seems humorous, the truth is that this is actually a very reasonable strategy. There's a reason why extraordinarily brilliant people like my wife think this way.

In fact, nearly all of us do this sort of thing all the time. If your horoscope in the paper says you'll get wet today, you may not think twice about it. But if the Weather Channel says there's a 90% chance of rain, you wouldn't step outside without an umbrella. In this case, too, your horoscope and the weatherman completely agree. They're saying the same thing, but in one case you don't care, and in the other you listen.

Now imagine a person who thinks the opposite; who regards the Weather Channel as a hoax – who perhaps thinks that scientists in general are all a bunch of egghead know-it-alls – but who takes the horoscope section very seriously. So on the very same day, both you and this imaginary person are going to walk out of your houses dressed identically, both expecting rain. To an outside observer, you would be indistinguishable. But the procedures you both used on the way to your matching outfits were completely different.

Now consider a further question. Take you – scientist-trusting, Weather Channel-watcher – and the imaginary other person – horoscope-reading, science-mocker. Which factor is more important for telling us something meaningful about your respective worldviews? The fact that you both behaved in exactly the same way, in response to exactly the same problem: rain? Or, the fact that you each used radically different – maybe even opposing – procedures for getting to your behavior? The answer is clear. At least in this case, procedure tells us much more about who you are as a person than your substantive behavior. In fact, your chosen procedure in this case is also more likely to help us predict what kind of friends you have, who you voted for, what kind of food you like, maybe even where you live. Procedure, in other words, is extremely important – often more so than actual behavior – for determining a person's self-identification, and relationships with others.

Or consider a non-hypothetical example. In early 2016, astrophysicist and public personality Neil deGrasse Tyson tweeted: "Earth needs a virtual country: #Rationalia, with a one-line Constitution: All policy shall be based on the weight of evidence."[30] Rationalia, in other words, would be a country defined entirely by procedural norms. And in turn, one need only read a couple of the 1.7 thousand replies to see that – even without any idea of, or interest in the substantive norms that would have governed Rationalia – Tyson's detractors principally objected to the particular procedural norm via which he proposed to govern. Of course, one might well object that in reality this was a battle over substance. In fact, Tyson is frequently accused of attempting to smuggle his preferred substantive goals under the cover of neutral procedure. But that's precisely the point. Whatever Tyson and his opponents alike may *really* be doing, the fact remains that what they *say* they are doing – what they are *performing* – is procedure. Moreover, the performance of these different procedural norms renders irrelevant, at least in practice, any substantive agreement Tyson may have shared with his critics.

30 Neil deGrasse Tyson, "Neil DeGrasse Tyson on Twitter, 1/29/2016, 10:12 AM," Twitter, accessed January 21, 2020, https://twitter.com/neiltyson/status/748157273789300736.

And yet, when it comes to analyzing the history of early Judaism and the rise of Christianity – one of the most consequential developments in the history of humanity – historians have traditionally acted as if the only factor that matters is behavior. We usually just assume that people who behaved the same way, or held the same beliefs, belong together in a single community or group. Thus, Jesus-followers must belong with other Jesus-followers; Sabbath and ritual-purity observers belong with other Sabbath and ritual-purity observers. In short: 'Jews' belong with other 'Jews' and 'Christians' belong with other 'Christians.'

But what if we have substantially overweighted the role of substance in history? Perhaps, at least for a while in antiquity, a Jesus-follower wouldn't necessarily identify with another Jesus-follower. Rather, a Jesus-follower would *first* ask: "How do I know the things that I know?"[31] And if the answer were, "I know these things because scripture, rightly understood, told me so," then that person might seek out, or feel an affinity for other scriptural interpreters, whether or not those interpreters held the same views about Jesus.

A procedural reading of history[32] will reveal that not only does this perspective explain much of our historical data from the first two centuries CE, regarding what we would now call Judaism and Christianity. It will also explain many of the most important developments in Jewish history from the first two centuries BCE as well. In fact, over the course of the approximately four hundred years surveyed in this dissertation, we will be able to examine and explain anew a plethora of critical phenomena – from the rise of scripturalization, to the Greek translation of Ben Sira, to the second century BCE context of the Pharisees, to the proliferation of prophets in the first century, to the

31 Including how to interpret Jesus's role in the world.
32 For a fuller elaboration on this technique, see the next section.

development of recognizably modern scriptural interpretation, to the peculiar formation of rabbinic literature. Procedural thinking will also help us see why it took so long for seemingly-obvious substantive categories like 'Judaism' as opposed to 'Christianity' to take purchase in people's minds – and why this confusion continued even after such boundaries had begun to harden, at least in the minds of many elites.

Of course, as many legal theorists have argued, in some sense procedural norms doe require some substantive choices.[33] An equivalent, but opposite objection may be found in the words of Sir Henry Maine just before the turn of the twentieth century: "substantive law has at first the look of being gradually secreted in the interstices of procedure."[34] Moreover, the distinction between substance and procedure emerged relatively recently in the history of law and legal theory.[35] How much stock, therefore, should we truly put in the difference between substance and procedure?

But while it may be true that at some level of abstraction substance and procedure converge, and granting as well that their theoretical divergence such as it is still remains quite young, there are still very good reasons to maintain the distinction. As Cover pointed out, it was actually Maine himself who regarded the evolving conceptual separation between substance and procedure in modern legal thought as a significant *advance* on earlier legal theory.[36] Walter Cook, well-known for downplaying the absolute divergence of procedure from substance, qualified his conclusions by re-asserting the distinction's utility: "Once again, however, all this does not diminish the usefulness or the good sense

33 Alexander, "Procedural Rights"; for a related argument, see Duncan Kennedy, "Form and Substance in Private Law Adjudication," *Harvard Law Review* 89, no. 8 (1976): 1685–1778.
34 Henry Sumner Maine, *On Early Law and Custom* (J. Murray, 1891), 389; see also Main, "The Procedural Foundation of Substantive Law."
35 See Main, "The Procedural Foundation of Substantive Law," 804–10.
36 Cover, "For James Wm. Moore," 719.

of the classification; it merely suggests its nature and its limitations."[37] Jennifer Hendricks points to a host of practical political arguments for maintaining the distinction.[38] But more importantly the distinction between substance and procedure, while perhaps not representing some ineluctable fact of nature, is most effective in pointing up a crucial distinction – certainly in law, but also in the study of Judaism and Christianity in antiquity – between the questions, "*What* should I do?" and "*How do I know* what to do?"

A further factor in delineating substance from procedure is the matter of neutral application. Substantive law is explicitly value-driven by definition, while procedural law is (or at least aspires to be) applied neutrally regardless of the outcome. For example, the law might establish substantively that it is permissible for a creditor to collect interest on a loan. The law in this case has taken an affirmative position on the question of whether or not collecting interest is proper. It has formalized a value judgement. The role of procedure then is to regulate that process – for instance, by specifying how and under what circumstances a loan may be said to exist – *irrespective* of whether it advantages the creditor or the debtor. Alternatively, we might say that procedure is necessary at an earlier stage – as in H.L.A. Hart's "rule of recognition"[39] – to legitimate the very existence of the substantive rule. In other words, how is society to know that the permissibility of collecting interest on a loan is *the law*? The answer might be through legislative deliberation by a democratically elected body, or through a royal command, or through observation of common practice, or through prophetic utterance. Whatever the case may be, here too identifying the procedure is neutral as to the values of the law itself. Of course, at least since the birth of legal realism in the United States some legal theorists have been skeptical of the

37 Cook, "Conflict of Laws," 356.
38 Jennifer S. Hendricks, "In Defense of the Substance-Procedure Dichotomy," *Washington University Law Review* 89 (2012 2011): 138–47.
39 See above, note 7.

ultimate neutrality of procedure. Nevertheless, even if this may be true at some level, given that these very same theorists saw themselves as exposing that sometimes substance 'masquerades' as procedure, then at the very least it may be conceded that procedural law *appears* to be neutral, while substance *appears* not to be. It will still be useful, therefore, to maintain the distinction.

A Procedural Reading of History

Having defined and defended the distinction between substantive and procedural norms, this dissertation will represent my effort to offer a procedural reading of early Jewish and eventually also early Christian history. This reading is grounded in both a structural functionalist commitment to the notion of society, and a post-'identity' theory of how actors within a society simultaneously understand and construct their place within it. Allow me to say a few words to unpack each.[40]

The study of Judaism and early Christianity during the centuries around the turn of the era has lately benefitted greatly from the insights of structural functionalism. Drawing upon the work of Émile Durkheim, Herbert Spencer, Robert Merton and their conceptual heirs, structural functionalist theorists see society as a complex system best understood by analyzing its constituent parts, and identifying how those parts operate upon participants in the system. Seth Schwartz's influential historical work is particularly noteworthy for leveraging these ideas.[41] I similarly believe that we can speak about society as a "complex, organism-like system,"[42] and am particularly interested in the formative role procedural

40 For the following section, and for its influence on the entire subsequent dissertation, I am indebted to Annette Yoshiko Reed for pushing me to think systematically and carefully about the theoretical underpinnings of this project. I am also grateful to her for graciously pointing me towards many of the readings that helped shape my thinking on this.

41 See Seth Schwartz, *Imperialism and Jewish Society, 200 B.C.E. to 640 C.E.* (Princeton: Princeton University Press, 2001), especially pp. 3-4; and idem. *Were the Jews a Mediterranean Society?: Reciprocity and Solidarity in Ancient Judaism* (Princeton: Princeton University Press, 2013).

42 Schwartz, *Imperialism and Jewish Society*, 3.

norms play in both forming and *trans*forming society and its participants. Of course, social-historical critics of structural functionalism have rightly criticized the structural functionalism chiefly for its reductive treatment of human interaction, and its suppression or denial of human agency.[43] Like Schwartz, I have attempted to incorporate these concerns into my work.[44] I center agency in my work as much as possible, highlighting the decisions – albeit usually, though not always, by elites and experts – that pushed forward the story I intend to tell.

This brings me to this dissertation's theory of how actors within a society simultaneously understood and constructed their place within it. Often, the study of early Judaism and eventually Christianity has focused heavily on questions of 'identity.' It has therefore been challenging for historians trying to tell large-scale stories about this period to avoid the pitfalls of 'groupism.'[45] Moreover, while the post-structuralist assumptions made in recent scholarship on Jewish and Christian identity in antiquity have been helpful in revealing the constructional work at play in so much of our textual evidence,[46] this has, in turn, made historians more reluctant to venture too far beyond textual discourse at the micro- or mezzo-level. The result is that *histories* are rarer and rarer.

I think the theoretical work by Rogers Brubaker can help point the way forward. In a critical essay articulating the limits of scholarship on identity, Brubaker and Frederick Cooper urged scholars to distinguish carefully among the various – often contradictory – tasks we assign to 'identity,' and ultimately to jettison the term in favor of more specified usages[47] Most useful for our purposes is Brubaker and Cooper's proposed terminology of "identification."

43 See, e.g., Harold Garfinkel, *Studies in Ethnomethodology* (Prentice-Hall, 1967).
44 See Schwartz, *Imperialism and Jewish Society*, 3.
45 See Rogers Brubaker, *Ethnicity Without Groups* (Cambridge: Harvard University Press, 2004), 11ff.
46 The best example of a recent work helpfully deploying such assumptions is, of course, Boyarin, *Border Lines*.
47 See Rogers Brubaker and Frederick Cooper, "Beyond 'Identity,'" *Theory and Society* 29, no. 1 (2000): 1–47; and see also Brubaker, *Ethnicity Without Groups*.

> As a processual, active term, derived from a verb, "identification" lacks the reifying connotations of "identity." It invites us to specify the agents that do the identifying. And it does not presuppose that such identifying (even by powerful agents, such as the state) will necessarily result in the internal sameness, the distinctiveness, the bounded groupness that political entrepreneurs may seek to achieve.[48]

"Identification" allows us to consider questions of self-presentation and construal of others without becoming beholden to "groupness." We can pare down our concerns even further by referring to *relational* identification, the way in which a person positions herself in a web of relationships to other people and entities (e.g. the relation between teacher-student, God-prophet, or scripture-interpreter).[49] To this end, and in line with my interest in structural functionalism, Brubaker and Cooper clarify:

> "Identification"...invites specification of the agents that do the identifying. Yet identification does not *require* a specifiable "identifier" it can be pervasive and influential without being accomplished by discrete, specified persons or institutions. Identification can be carried more or less anonymously by discourses or public narratives. Although close analysis of such discourses or narratives might well focus on their instantiations in particular discursive or narrative utterances, their force may depend not on any particular instantiation but on their anonymous, unnoticed permeation of our ways of thinking and talking and making sense of the social world.[50]

48 Brubaker and Cooper, "Beyond 'Identity,'" 14.
49 Ibid. 15.
50 Ibid. 16. Emphasis in original.

This allows us to think about larger social forces and discursive contexts as formative for participants in early Jewish society, while at the same time compelling us to highlight the agency exercised by the historical actors we will encounter.[51]

Ultimately, then, this work stands at the nexus of intellectual and social history. I aim to tell a story about both the ideas and people who shaped the world of early Judaism, and eventually Christianity. Through a confident commitment to the notion of society, qualified by both a sensitivity to human agency and a focus on relational identification, I hope to be able to write a large-scale history of the period under consideration that balances well between macro and micro perspectives.

Chapter Outlines

The Point

This dissertation will proceed in five chapters. To put my thesis succinctly at the outset: Jewish thinkers,[52] operating in and around Palestine from roughly 200 BCE to 200 CE, thought the most important question for determining their respective worldviews was: *how do we know* the things we believe or the right way to behave? While they certainly thought right beliefs and behavior were important, they saw them as a natural outgrowth of adopting correct procedure. Moreover, these thinkers saw their opponents not necessarily as people who with the wrong behavior or beliefs, but rather as people who adopted wrong procedures. Adhering to the correct procedure, in this view, would assure correct substantive conduct.

51 And forcing us to be aware of those people in antiquity whose voices we do not (or sometimes cannot) hear.
52 Mostly experts, but also so-called 'commoners' when we can glimpse them.

Jews, and eventually Christians who understood themselves in relation to (or sometimes against) Jewishness, were acutely aware both of the commonalities they shared with some fellow participants in society, and the stark divergences with others. From the dawn of the second century BCE, to the waning of the second century CE, the most important developments historians have longed glimpsed in the historical record can be traced back to deliberations and disputes over procedural norms. And as we venture further into the Common Era, we will see that the reason why our sources in so many ways fail to respect even rather rough boundaries between 'Judaism' and 'Christianity' is because those are substantive categories. They do not account for procedural norms, which were just as commonly used for relational self-identification. To the extent that groups emerging from within the world of early Judaism *were* engaged in the process of self-identification during the first few centuries BCE and CE, they were just as likely if not more so to do this on the basis of procedural norms as substantive norms – on the question of "*How* do we know what to do or think?", rather than "*What* should we do or think?"[53]

53 The discerning reader will recognize that notwithstanding my skepticism of the substantive delineation between 'Judaism' and 'Christianity,' at least for the first two centuries or so CE (and possibly longer), I still do see myself as writing on the history of early Judaism. The reader may then correctly point out that assuming a 'Judaism' that is antecedent to the Judaism and Christianity of the turn-of-the-era and late antiquity (roughly the period under discussion in this essay) itself requires the reification of substantive norms. 'Judaism,' after all, is a substantive category no less than 'Christianity'! I justify my decision on two grounds.

First of all, the very conceptual etiology of the substance-procedure distinction itself suggests that such reification of substance is indeed what we should eventually expect. In his formulation of the distinction between substantive and procedural law, Jeremy Bentham referred to procedural law as "adjectival" to substantive law; see Jeremy Bentham, *Principles of Judicial Procedure*, ed. Sir John Bowring, vol. 2, Works of Jeremy Bentham, Volume 2, Part 1 (W. Tait, 1839), 1.6; Gerald J. Postema, "A Similibus Ad Similia: Analogical Thinking in Law," in *Common Law Theory*, ed. Douglas E. Edlin, Cambridge Studies in Philosophy and Law (Cambridge: Cambridge University Press, 2007), 1393. Even while objecting to Bentham's grammatical metaphor, Kocourek reframed substantive and procedural law as "telic" and "instrumental" law; Kocourek, "Substance and Procedure," 164. Hart, in turn, deemed the procedural class of rules, including his rule of recognition, to be "secondary"; see Hart, The Concept of Law, 3rd edition: 94. All of these formulations cast procedure, in one way or another, as the handmaiden of substance. Whether or not this is correct as a matter of legal history or contemporary jurisprudence, it does furnish us with a model for thinking about the potential relationship in the realms of social and cultural history between substantive and procedural norms. We might therefore hypothesize that over time, substantive norms should come to dominate. Each time this occurs, the newly regnant substantive norms would then give rise to a *fresh* set of substantive and procedural norms. That is, the eventual dominance of substantive norms would be an iterative process. To the extent that this is true, it is reasonable to see some form of substantive identity as having crystallized out of post-exilic Judahite society. Perhaps we need not call that substantive identity "Judaism." But whatever the case may be, I posit that at least by the Hasmonean period, and

In sum, I am proposing a brand new overarching heuristic for thinking about roughly four centuries worth of data, from ca. 200 BCE, to ca. 200 CE.

The Scope

Before sketching the structure of my dissertation, I will say a brief word on the scope and limits of this dissertation. The time horizons I have chosen are, of course, arbitrary to a certain extent. As I mentioned in the previous section,[54] the interplay between substantive and procedural norms is iterative. In theory one could perform this very analysis at any point in time from, for example, the first emergence of the *apiru* in Transjordan to the rise of modern American *shteibl* culture. But I see my project as stretching from the emergence of "Judaism" until sometime before the rise of the substantive category, 'Christianity' became[55] widespread. Scholarship on the beginnings of "Judaism" – as opposed to "Judean-ness" – is infamously contentious, and even politically fraught.[56] Erring on the side of conservatism, however, would place the beginning of my investigation sometime during the first half of

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certainly by the end of the Second Temple period, it is justifiable to speak substantively of "Judaism." It will eventually become justifiable to speak substantively of Christianity as well. The questions I intend to engage relate, in fact, to *when* our evidence allows us to conclude that the substantive category of 'Christianity' had sufficiently crystallized, and *how* and *why* this process of crystallization occurs. While we will not address this matter specifically, the procedural framework of this dissertation will, I hope, lay the groundwork for answering this question through a study of the late second through early fourth centuries CE.

Second, it is important to remember that in highlighting the importance of procedural norms for crafting identity in the first two centuries CE in and around Palestine, I do not mean to eliminate the role of substance. Substantive norms are still important for understanding early Judaism, and later the crystallization of Christianity. My aim is merely to re-establish a sensible equilibrium between the two. Heretofore, historians have *only* considered substance. My hope is that moving forward they will consider both substance *and* procedure.

54 See previous note.

55 Even if not in a linear, uniform, or determinative sense.

56 See Shaye J. D. Cohen, *The Beginnings of Jewishness: Boundaries, Varieties, Uncertainties* (Berkeley: University of California Press, 2001); and Daniel R. Schwartz, *Judeans and Jews: Four Faces of Dichotomy in Ancient Jewish History*, Kenneth Michael Tanenbaum Series in Jewish Studies (Toronto: University of Toronto Press, 2014); and cf. Cynthia M. Baker, *Jew*, Keywords in Jewish Studies 8 (New Jersey: Rutgers University Press, 2017).

the second century BCE. I justify my other chronological limit on the grounds that, ultimately, discourses around Christianity as distinct from Judaism begin to become much more visible (although, again, not in a linear, uniform, or determinative sense) by the third century CE. I therefore conclude my investigation roughly by the end of the second century CE.

With respect to the textual evidence I will examine, I have tried to cast my net as broadly as possible. This entails, in turn, an extremely broad definition of Judaism, encompassing many texts – especially from the Nag Hammadi corpus – usually characterized uncontroversially as 'Christian.' In the interests of imposing helpful constraints, I will try to limit myself to texts (probably) composed, or individuals or groups located in Palestine. While I see this dissertation primarily as engaged in large-scale historical work, I do think that such work must be build on careful philological analysis to the extent feasible. I therefore present texts, when possible, in both original and translation.[57]

The Plan

In Chapter 1, I take a snapshot of the procedural landscape on the eve of the second century BCE. I show that Jews tended to present themselves in the context of two procedural frameworks. The first was the relationship between wise teacher and student, the contours of which were deeply influenced by earlier wisdom traditions. The second was through the discourse of inspired founder discourse, in which divinely inspired voices from the Israelite past were invoked to communicate right behavior in the present. These two frameworks were, and were *understood* to be in tension with each other. I then show how the rise of scripturalization supplied a new alternative to wise teachers – scriptural

57 The only exception is Coptic texts, due to technological limitations and lack of availability. But even in this case I have tried to present as much philologically relevant analysis on the original as possible.

interpretation. The latter's continuity with the earlier alternative to teachers – divinely inspired founder discourse – explains why for the following two centuries, interpretation was always bundled with claims for inspiration.

In Chapter 2, I turn our attention in detail to the first of the three procedural ingredients I delineated above: authoritative teaching. I show that authoritative teachers emerge out of the discourse around teachers from previous centuries, but also reveal important new developments that have taken place. I show how they eschew scriptural interpretation and claims for divine inspiration, both of which had begun to crystallize during this era. Also, of particular note, I identify and explain the emergence of a critical new procedural phenomenon: the chain of transmission motif. I also distinguish between two types of teachers: divinely inspired teachers, and mundane (i.e. non-inspired) teachers. I show that the latter comprise the majority of our evidence, even as the former will become more important in the first two centuries CE.

In Chapter 3, I shift our attention to the second and third primary procedural ingredients delineated above: scriptural interpretation and divine inspiration. I show how and why these two are consistently, without exception, bundled together during the first two centuries BCE. I analyze the strategies inspired interpreters employed for responding to the claimed authority of teachers. In some cases, inspired interpreters revised teacher works to conform to new procedural norms; in other cases, they polemicized against them directly.

In Chapter 4, I detail one of the most significant developments in early Jewish society: the unbundling of inspiration and interpretation. I show how and why some of the signature developments we first encounter in this era can be explained (in some cases exclusively) against the backdrop of procedural

norms. In particular, I document the rise in this period of inspiration-alone (prophecy), and interpretation-alone (mundane scriptural interpretation).

In Chapter 5, I explore change and continuity among authoritative teachers in the first two centuries CE. I find that inspired teaching – a relatively limited phenomenon in earlier eras – proliferated during this era. I discuss the impact that the 'great unbundling' of inspiration and interpretation had upon teachers during these centuries. In particular, I show that teachers saw themselves as having to choose between prophecy and mundane interpretation, and that in virtually all cases they chose the latter. Finally, I enumerate the strategies that teachers used to adapt to new forms of scriptural interpretation.

Ultimately, from the beginning of the second century BCE to the late second century CE, I show how both procedural *continuities* and *transformations* within the world of early Judaism explain our evidence regarding some of the most important issues we encounter in antiquity, from Ben Sira's place in the wisdom tradition, to the Pharisees' role in early Judaism; from remembering the careers of Jesus of Nazareth and his disciples, to explaining the peculiar character and rise of rabbinic literature.

Chapter 1: Setting the Stage for the Second Century BCE

Procedure in the Third and Fourth Centuries BCE

My focus in this dissertation is on the importance of procedural norms for society and self-identification from the second century BCE to the second century CE. But procedural norms had been important well before then. In order, therefore, to explain the important developments that take place during this period, we must understand the procedural situation at the end of the previous century.

The evidence from literary works that crystallize during the third and fourth centuries BCE emphasize two different procedures.[1] First, we encounter traditions about wise teachers conferring knowledge. Think of works like Ecclesiastes, or the early chapters of Proverbs,[2] works generally associated with wisdom traditions.[3] The opening passage of Proverbs will serve to illustrate the point:

1 As outlined in Chapter 1, the substance-procedure distinction can essentially be applied to every single era of Jewish and Israelite history, or, for that matter to other traditions as well. To the extent that, as I argue, the second century BCE inaugurates a new stage in this dynamic, it should be understood as one small sliver of a much larger, iterative process.

2 On probable dates for these works, see C.L. Seow, *Ecclesiastes: A New Translation with Introduction and Commentary*, The Anchor Bible 18C (New York: Doubleday, 1997), 36–38; Michael V. Fox, *Proverbs 1-9: A New Translation with Introduction and Commentary*, The Anchor Bible 18a (New York: Doubleday, 2000), 6.

3 For a useful bibliography on the history of scholarship related to wisdom, see Stuart Weeks, "Is Wisdom Literature a Useful Category?," in *Tracing Sapiential Traditions in Ancient Judaism*, ed. Hindy Najman, Jean-Sébastien Rey, and Eibert J. C. Tigchelaar, Supplements to the Journal for the Study of Judaism 174 (Leiden: Brill, 2016), 4 n. 2.
It has become increasingly clear in recent years that there is no form-critically obvious "Wisdom Tradition." Both close readings of the available Israelite data, as well as theoretical advances in the study of genre as whole, imply that a broader, more fluid approach is necessary. A consequence of this conclusion is that there appears to be little if any evidence for the "wisdom school" of older form-critical Biblical scholarship; see Stuart Weeks, *An Introduction to the Study of Wisdom Literature* (London: T & T Clark, 2010), 21–22. Some scholars have argued against identifying any ancient Israelite social setting for "wisdom" at all; see Will Kynes, "The Modern Scholarly Wisdom Tradition and the Threat of Pan-Sapientialism: A Case Report," in *Was There a Wisdom Tradition? New Prospects in Israelite Wisdom Studies*, ed. Mark R. Sneed, Society of Biblical Literature - Ancient Israel and Its Literature 23 (Atlanta: SBL Press, 2015), 11–38. Even scholars who tend to be skeptical of a formal, well-defined wisdom tradition recognize that this latter conclusion may go too far; see Mark R. Sneed, "Introduction," in *Was There a Wisdom Tradition? New Prospects in Israelite Wisdom Studies*, ed. Mark R. Sneed, Society of Biblical Literature - Ancient Israel and Its Literature 23 (Atlanta: SBL Press, 2015), 6. Nevertheless, a great deal more circumspection is necessary when discussing wisdom. There are a variety of models available for alternative views of wisdom, a few of which I will outline here.

ישמע חכם ויוסף לקח ונבון תחבלות יקנה. להבין משל ומליצה דברי חכמים וחידתם

> Let the wise also hear and gain in learning, and the discerning acquire skill, to understand a proverb and a figure, the words of the wise and their riddles. (Prov 1.5-6)

In this introductory passage, a preamble of sorts for the work, the pupil is expected to study diligently with a wise teacher, learning wisdom, instruction and hermeneutical faculties.[4] In general, the works emphasizing wise instructors suggest a procedural norm anchored in teachers conveying knowledge to

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First, we might think of 'wisdom literature' in terms of a diverse set of broad formal and thematic characteristics in which various texts can share to a greater or lesser extent; see James Crenshaw, *Old Testament Wisdom: An Introduction* (Atlanta: John Knox Press, 1981), 19. Alternatively, we might refer to a core of traditions and ideas that create family resemblances (see Katherine J. Dell, "Deciding the Boundaries of Wisdom: Applying the Concept of Family Resemblance," in Was There a Wisdom Tradition? New Prospects in Israelite Wisdom Studies, ed. Mark R. Sneed, Society of Biblical Literature - Ancient Israel and Its Literature 23 (Atlanta: SBL Press, 2015), 145–60, drawing conceptually on Wittgenstein); or a "loose designation of subject matter" (Weeks, *Wisdom Literature*, 1). Another possibility is to think about works within the so-called wisdom tradition as yielding a very general "focus on the concept of wisdom or a high frequency of sapiential vocabulary," a possibility raised in Mark R. Sneed, "'Grasping After the Wind': The Elusive Attempt to Define and Delimit Wisdom," in Was There a Wisdom Tradition? New Prospects in Israelite Wisdom Studies, ed. Mark R. Sneed, Society of Biblical Literature - Ancient Israel and Its Literature 23 (Atlanta: SBL Press, 2015), 62. Or we might prefer Sneed's overall view of wisdom traditions as the non-linear propagation of certain conventions relating to the acquisition of wisdom. Stuart Weeks himself argues for wisdom as the clustering of various "primary (simple) genres" like instruction literature or sentence literature such that we can detect allusions, resemblances or dependance between texts; see Weeks, "Useful Category."

All of these models, in my view, represent an improvement on the status quo. Over the course of this dissertation, therefore, I will not refer to the Wisdom Tradition, in any formal fashion, but rather to "wisdom traditions," in the more generic, fluid sense. In so doing I have in mind pieces of all the fluid models outlined above.

Finally, recall that the fluidity implied by these models means that thinking about wisdom as a genre can hurt just as often as it can help. Over the course of this dissertation we will encounter works that few if any scholars would classify as "wisdom" or part of "the wisdom tradition." And yet we will often find that the vocabulary and themes stemming from the wisdom traditions have profoundly influenced those works. Take, for example, the Testament of Qahat, a text that does not refer to wisdom, and that scholars do not include in discussions of wisdom. Yet, our examination of that work will show that the effects and legacy of earlier wisdom traditions are deeply embedded within it. See analysis below.

4 See Arthur Keefer, "A Shift in Perspective: The Intended Audience and a Coherent Reading of Proverbs 1:1-7," *Journal of Biblical Literature* 136, no. 1 (2017): 103–16. Scholars have often regarded Prov 1.1-7 as the work's prologue, and – at least in its current form – the latest part of the book. See Fox, *Proverbs 1-9*, 58, 72–78. For a different, less speculative re-assessment of the matter, see Timothy J. Sandoval, "Revisiting the Prologue of Proverbs," *Journal of Biblical Literature* 126, no. 3 (2007): 455–73. Either way, the argument above is unaffected.

their students. According to this model, the instructor should not only teach the student, but also serve as a personal model of right behavior to whom the student can look for inspiration.

Second, we find depiction of figures from the Israelite past with direct access to the word of God, whether by speaking to God directly or through an angelic mediator. Prominent examples include the Book of the Watchers, other discrete units of what scholars now designate as 1 Enoch, or parts of the Book of Daniel.[5] Consider an illustrative passage from the opening of the Book of the Watchers:

> Enoch, a righteous man whose eyes were opened by God, who had the vision of the Holy One and of heaven, which he showed me. From the words of the watchers and holy ones I heard everything; and as I heard everything from them, I also understood what I saw. (1 En. 1.2)[6]

Familiar from the narratives of Genesis, Enoch communicates directly with divine beings. He is granted visions, and then interprets what he sees. Traditions like this, premised upon some form of direct access to the word of God, dispense with the need for a wise teacher. They participate instead in what Hindy Najman has called "founder discourse."[7] In founder discourse, procedural authority is

5 On the scholarly idea of "1 Enoch" see the ongoing doctoral work by my brilliant colleague Elena Dugan, currently titled, "Fragmentary Compositions: A Non-Ethiopic Manuscript History of 1 Enoch" (Princeton University).
Although in its final, recognizable form the Book of Daniel dates to the Maccabean Revolt – see Shnayer Z. Leiman, The Canonization of Hebrew Scripture: The Talmudic and Midrashic Evidence (Hamden: Archon Books, 1991), 29–30 – it probably qualifies for this group as well, depending on when the various materials comprising the work are dated.

6 All translations from 1 Enoch are taken from George W.E. Nickelsburg and James C. VanderKam, *1 Enoch: The Hermeneia Translation* (Minneapolis: Fortress Press, 2012).

7 See Hindy Najman, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism*, Supplements to the Journal for the Study of Judaism (Leiden: Brill, 2003). Other scholars, especially in prior generations, tended to refer to traditions of this sort as pseudepigraphy. The term potentially carries with it a host of unwarranted assumptions about ancient compositional practices, and for that reason I will try to avoid it. But for a still very useful survey of various models of pseudepigraphic writing during the first two centuries BCE, see Moshe J. Bernstein, "Pseudepigraphy in the Qumran Scrolls: Categories and Functions," in *Pseudepigraphic Perspectives: The Apocrypha and Pseudepigrapha in Light of the Dead Sea Scrolls*, Studies on the Texts of the Desert of Judah 31 (Leiden: Brill, 1999).

vested in divinely-inspired figures from an early stage of Israelite history. In a sense, they respond to the contrasting demand for wise teachers by claiming instruction from the ultimate teachers: beings of the divine realm.

In sum, as the sun set on the third century, two major procedural trends had emerged: wise teachers vs. divinely-inspired, ancient Israelite ancestors. These two trends existed in some degree of tension with one another. While this period is not our focus here, it is likely that at least some thinkers and authors in this period understood them to be mutually exclusive.

This procedural landscape underwent an important shift in the second century. It is at this point that ancient Israel's traditions become scripturalized, with Jewish thinkers increasingly appealing to Mosaic law – and perhaps to a lesser, but still important extent the classical prophetic traditions – for authority. This would set the stage for the subsequent four centuries, at least, of procedural battles in early Judaism. But how do we know that scripturalization occurred at or around the turn of the second century BCE? And how did it reshape debates over procedural norms in the subsequent centuries?

The Rise of "Scripture"

"Scripture" and "scripturalization" are notoriously slippery concepts, which is especially concerning considering how much historical analysis has been built on them. Ever since Wilfred Cantwell Smith called attention to this problem,[8] scholars across a dizzying variety of disciplines have struggled to model these concepts in a way that is both rooted in the available evidence, and possesses sufficient

8 Wilfred Cantwell Smith, *What Is Scripture?: A Comparative Approach* (Minneapolis: Fortress Press, 1993).

explanatory power. To be sure, this is an exceedingly difficult task – and as dozens upon dozens of critical essays assessing such efforts suggest, often a thankless one. When all is said and done, there is no "right" answer, and the answers we *do* encounter often come laden with theoretical or confessional baggage.

My task in this dissertation is certainly not to adjudicate these issues. I wish merely to establish that something new begins to happen at the turn of the second century BCE. In particular, I argue that the process of scripturalization – such that Moses's law(s) become Mosaic Law – can be securely identified for the first time only in the late-third, or more likely early-second century BCE. That said, it is a mistake to view this development in 'revolutionary' terms. The origins of this process, in fact, stretch quite far back, at least to the fifth century BCE.

How, then, do we know when between the fifth and second centuries we have arrived at scripturalization? Moreover, what differentiates the fifth century from earlier periods? Hard answers, of course, will elude us. The best we can do is triangulate towards concrete differences between the different historical stages under discussion. With that caveat, I direct the reader to the Book of Nehemiah; specifically, to Ezra's public reading depicted in Nehemiah 8. This is a *locus classicus* for

discussions of scripturalization, or even canonization.[9] How should we measure the distance between this text and both earlier and later periods?

On one hand, Neh 8 certainly evinces a different procedural profile from works from earlier periods. For prior centuries, even *conceiving* of Mosaic law in textual, statutory terms is anachronistic. Writing from a legal perspective, Raymond Westbrook refers to early Israelite law as "customary."[10] Bernard Jackson has noted that Israelite legal narratives do not refer to sources at all, much less a written corpus.[11] In general, relatively early sources nowhere instruct judges to conform their judgments to authoritative statutes.[12] In the Book of Nehemiah, however, the situation has changed. Compare the invocation of Moses's authority in the Book of Joshua (זכור את הדבר אשר צוה אתכם משה),[13] for example, with a similar invocation in Neh 8 (ספר תורת משה אשר צוה יהוה את ישראל).[14] Joshua conceives of Mosaic authority in terms of instructions delivered by Moses the individual. But in Neh 8, Mosaic authority is "objectified," and treated as a source external to the leaders' authority.

9 See, e.g. Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Oxford University Press, 1985), 108–9.; William M. Schniedewind, How the Bible Became a Book - The Textualization of Ancient Israel (Cambridge: Cambridge University Press, 2004), 197; see also James W. Watts, "Using Ezra's Time as a Methodological Pivot for Understanding the Rhetoric and Functions of the Pentateuch," in *The Pentateuch - International Perspectives on Current Research*, ed. Thomas B. Dozeman, Konrad Schmid, and Baruch J. Schwartz (Tübingen: Mohr Siebeck, 2011), 495–98., and idem.James W. Watts, *Understanding the Pentateuch as a Scripture* (Hoboken: Wiley Blackwell, 2017), 252.

Regarding Neh 8 itself, scholars have proposed various theories for the redaction history of this passage. For bibliography see Elsie C. Stern, "Royal Letters and Torah Scrolls: The Place of Ezra-Nehemiah in Scholarly Narratives of Scripturalization," in *Contextualizing Israel's Sacred Writings - Ancient Literacy, Orality, and Literary Production*, ed. Brian B. Schmidt, Ancient Israel and Its Literature 22 (Atlanta: SBL Press, 2015), 248 n. 20.; I do not find any of them very convincing; but either way Tamara Eskenazi has demonstrated that Neh 8 as we have it possesses a clear literary integrity, see Tamara C. Eskenazi, In An Age of Prose: A Literary Approach to Ezra-Nehemiah, Society of Biblical Literature Monograph Series 36 (Atlanta: Scholars Press, 1988), 98–99. Whatever one's preferred view on this matter, the following argument is unaffected.

10 Raymond Westbrook, "Introduction: The Character of Ancient Near Eastern Law," in *A History of Ancient Near Eastern Law*, ed. Raymond Westbrook (Leiden: Brill, 2003), 26.

11 Bernard S. Jackson, *Wisdom-Laws: A Study of the Mishpatim of Exodus 21:1-22:16* (New York: Oxford University Press, 2006), 31.

12 See Joshua A Berman, "The History of Legal Theory and the Study of Biblical Law," *Catholic Biblical Quarterly* 76, no. 1 (2014): 25–26.

13 "Remember the word that Moses commanded you." (Josh 1.13)

14 "The book of the law of Moses that God commanded Israel." (Neh 8.1)

On the other hand, there are clear reasons to distinguish this external source, and the manner in which it is treated in Nehemiah, from the "scripture" I argue we find only in later centuries. The first reason relates to conceptualization. Let us for a moment disregard the question of content. In fact, I hold quite a maximalist view on the question of the *actual material in existence* at the time of Nehemiah's composition. So let us even assume that by "*torah*," Neh 8 has in mind the completed Pentateuch. That still would not tell us anything, *per se*, about how Neh 8 *conceived* of that material. For example, consider Vincent Wimbush's designation of "scripturalization" as "a social-psychological-political structure establishing its own reality."[15] The idea of a 'self-constituting' corpus is not present in Neh 8, or anywhere else in the work. In Nehemiah, *torah* is always a function of its teachers. As Elsie Stern summarizes in her treatment of the phrase cited above:

> [Neh 8.7-13] emphasizes the performative dimension of the scroll. It identifies the performers and the mode of performance and underscores the performers' *gravitas* and authority. [It] focuses on a group of named individuals and unnamed Levites, and their effective articulation of torah.[16]

In contrast, by the time of works like Ben Sira, Jubilees, or 4QMMT, the concept of *torah* – or the "Law of the Most High" – had taken on an identity independent of its interpreters. It is a self-constituting entity. A clear illustration of this appears in Greek Sirach[17] 24, which anthropomorphizes and personifies "the book of the Most High's covenant" (24.23) in the same way that it had previously

15 Vincent L. Wimbush, *White Men's Magic: Scripturalization As Slavery* (Oxford: Oxford University Press, 2012), 19.
16 Stern, "Royal Letters," 251. Cf. Leuchter's identification of "wisdom language" in Neh 8's description of the Ezra's and the Levites' activity; Mark Leuchter, *The Levites and the Boundaries of Israelite Identity* (Oxford: Oxford University Press, 2017), 239.
17 For this terminology, in contrast to "Hebrew Ben Sira," see below.

done for Wisdom. In fact, in the subsequent three verses, "the law" (or perhaps "the book") becomes the subject of all the active verbs.[18]

Another way of getting at this point is to contrast the bookishness of Ezra-Nehemiah, on one hand, and our second-first century BCE sources on the other. Recall that Neh 8 makes reference to "the book of the law of Moses that God commanded Israel." In this passage, "the book" (ספר) actually refers to a specific cultic object – a discrete, physical item that Ezra is asked "to bring" (להביא). Its significance, from here through Neh 13, is ultimately as an instrument to enhance the prestige of Ezra and his colleagues *as teachers*.[19] In this respect, Nehemiah's notion of *torah* is phenomenologically indebted to Deuteronomy's description of Moses descending Sinai with a distinct, ritual item that he then places in the ark.[20] In both contexts, the camera's focus is on the human actor privileged to be holding a sacred object. In stark contrast, when Greek Sirach refers to "the book" (βίβλος) in Sir 24.23, it does not have in mind a specific object at all. The reference to a book is completely abstract. It points not to a *discrete item available for use by other sources of authority* (like teachers or priests), but to *a self-constituting corpus, independent of interpreters*. What has changed in between Neh 8, and Sir 24? The answer, I believe, is "scripturalization."

18 It is helpful in this context to compare the passive constructions surrounding the scroll in Neh 13 (e.g. ...נקרא בספר משה ונמצא כתוב בו) with the method that Ishmaelian exegetical literature would eventually employ "*torah,*" and even the verb *katuv*, as active subjects in verbal clauses; on the latter phenomenon see Azzan Yadin, *Scripture as Logos: Rabbi Ishmael and the Origins of Midrash* (Philadelphia: University of Pennsylvania Press, 2004), 11–34.

19 Neh 13's reference to "Moses's scroll" must, in fact, be understood in the context of its initial appearance in Neh 8; see Armin Lange, "Authoritative Literature and Scripture in the Chronistic Corpus," in *"The Words of a Wise Man's Mouth Are Gracious" (Qoh 10,12): Festschrift for Günter Stemberger on the Occasion of His 65th Birthday*, ed. Mauro Perani (Berlin: Walter de Gruyter, 2012), 42.. Many thanks to my teacher Martha Himmelfarb for pressing me to think about Neh 8 in the context of Neh 13.

20 "So I turned and came down from the mountain, and put the tablets in the ark that I had made; and there they are, as the Lord commanded me." (Deut 10.5). Armin Lange is correct in discerning that an important shift has occurred between earlier works and the Book of Nehemiah. See Lange, "Authoritative Literature," 41-48. But he does not take account of the equally critical changes that occurred between Nehemiah and the second century BCE.

Alex Jassen's recent argument for identifying scripturalization already in the Persian period ends up providing confirmation for this theory. Even were one to grant Jassen's own definition of scripturalization, it is telling that *all* of the evidence he presents dates to the second or first century BCE.[21] Other than the material from Ezra-Nehemiah just discussed, the only exception is Demetrius the Chronographer's usage of the Septuagint in the third century BCE. Of course, it is possible that Demetrius's testimony should compel us to date scripturalization to the late third century BCE. This would not affect my overall argument. But it is still worth noting that Maren Niehoff has convincingly demonstrated that a third century BCE date for Demetrius is untenable, and he should instead be dated to the second century BCE.[22] In fact, while the current scholarly consensus is that the Greek biblical translations begin in the third century BCE, likely with the Pentateuch,[23] it is certainly noteworthy that we possess no positive evidence for these translations as a self-constituting corpus until the second century.[24] Moreover, in a penetrating study on the Library of Alexandria's construction, Steve Johnstone makes a compelling case for dating the Library itself – and bookishness throughout the eastern Mediterranean more generally – to the second century BCE, rather than earlier.[25]

21 See Alex P. Jassen, *Scripture and Law in the Dead Sea Scrolls* (Cambridge: Cambridge University Press, 2014), 51–54.. The same applies to Watts, "Ezra's Time," 496–97..

22 Maren R. Niehoff, *Jewish Exegesis and Homeric Scholarship in Alexandria* (Cambridge: Cambridge University Press, 2011), 54–56.

23 Siegfried Kreuzer, *The Bible in Greek: Translation, Transmission, and Theology of the Septuagint* (Atlanta: SBL Press, 2015), 20–22; Jassen, *Scripture and Law*, 51–54.

24 On the Egyptian sources see Niehoff, *Jewish Exegesis*, 20; and Naomi Janowitz, "The Rhetoric of Translation: Three Early Perspectives on Translating Torah," *The Harvard Theological Review* 84, no. 2 (1991): 129–40.. On evidence from Palestine see Watts "Ezra's Time," 496-497. On Ben Sira, see the evidence already discussed above, and the extended discussion below. Note, while this lack of evidence could support a case for pushing the Greek translations to the second century, it could *also* still prove consistent with a third century BCE translation. It may simply be that the discourse of "scripturalization" took some time to materialize.

25 See Steve Johnstone, "A New History of Libraries and Books in the Hellenistic Period," *Classical Antiquity* 33, no. 2 (2014): 347–93. Many thanks to Annette Reed for pointing me towards this important essay.

In light of the foregoing, it seems most reasonable to conclude that scripturalization of Mosaic law (and possibly parts of the Israelite prophetic tradition as well) occurred in earnest at approximately the beginning of the second century BCE.

Conclusions

We are now in a position to take a snapshot of the procedural landscape as the third century came to a close. Building on the vocabulary and motifs of various wisdom traditions, a procedural norm premised on the relationship between wise teacher and student had begun to develop. At roughly the same time, we have evidence for procedural interest in founder discourse that featured direct access to the word of God. Such traditions evinced no procedural reliance upon wise teachers.

Around the dawn of the second century BCE, the scripturalization of ancient Israel's traditions spurred the development of procedural alternatives to wise teachers. Instead of relying upon authoritative instructors, one could simply interpret these scriptures, thereby directly engaging God's words. But just as important as understanding this fundamental shift in the early Jewish thought-world is recognizing an important point of continuity. In the previous centuries, those who eschewed wise human teachers did so by appealing in some fashion to divine inspiration through founder discourse. By concretizing divine revelation into scripture – a self-constituting corpus – Jewish thinkers and authors did not so much replace the older strategy of founder discourse so much as co-opt it. This genealogy serves to explain why from the earliest days of scripturalization, interpreters claimed divine inspiration for their efforts. In this sense, the bundle of inspiration and interpretation represented a natural successor to traditions depicting Israel's ancestors gaining direct access to the word of God.

The second century BCE also marks a period of significant development for procedural norms centered upon wise teachers. The strategies and vocabulary of the wisdom traditions continued to exert a powerful influence upon authoritative teachers. But in addition, traditions about ancient Israel's ancestors end up profoundly influencing this procedural type as well. This process results in a major procedural innovation that would substantially impact the future of both Jewish and Christian thinking: the chain of transmission motif.

By the first century CE, new developments will again compel us to re-assess how the procedural landscape had changed. But for the second and first centuries BCE, the procedural battle centered around whether to rely upon authoritative teachers, or scriptural interpretation. We will see that during this period scriptural interpretation was always bundled together with claims for divine inspiration. We will, however, also see evidence for authoritative teachers claiming divine inspiration, albeit in a very different fashion from interpreters. Over the course of the next two chapters, we will substantiate this picture through close textual analyses of a wide variety of texts and traditions stemming from this period.

Chapter 2: Authoritative Teachers in the First Two Centuries BCE

Introduction

Wise teachers had been a feature of the early Jewish procedural landscape for some time prior to the turn of the second century BCE. The zenith of the wisdom traditions during the fourth century BCE in particular left a deep impact upon many Jewish elites in subsequent generations. At the same time, stories about Israel's ancient ancestors exerted a powerful influence upon Jewish procedural thinking. Over the next two hundred years, as we will explore in detail in this chapter, this background would yield one of the distinctive procedural norms recognizable from the first two centuries BCE: authoritative teaching.

Teachers during this period would draw from the earlier wisdom traditions a lexical and thematic vocabulary for portraying the relationship between wise teacher and student. They would develop anxieties rooted in the particularities of their chosen procedures, like the "threat of rupture." Eventually, under the influence of genealogical traditions about Israel's patriarchs and matriarchs, teachers would develop the a powerful, new technique for expressing and substantiating their procedural norms: the chain of transmission motif. The chain of transmission – well-known from much later phenomena like rabbinic literature or apostolic succession lists – made its first appearance in second and first century BCE texts and groups belonging to the authoritative teacher procedural type, including Aramaic Levi, the Testament of Qahat and the Pharisees. Finally, we will see some limited evidence for authoritative teachers who drew upon divine inspiration in assembling their procedural toolkit. We will identify a prime example of this in the text known as 4QInstruction. While inspired

teaching comprise only a small minority of our evidence from this period, it will become critical for understanding the ubiquity of inspired teachers in the first century or two CE.

Aramaic Levi Document and the Testament of Levi

Authoritative Teachers in Aramaic Levi

One of the earliest texts that sheds light on procedural norms at the close of the third century BCE, and dawning of the second, is the Aramaic Levi Document.[1] Composed in Aramaic, it serves as a

1 Scholars have suggested a relatively wide range of dates for Aramaic Levi; see Jonas C. Greenfield, Michael E. Stone, and Ester Eshel, *Aramaic Levi Document: Edition, Translation, Commentary* (Leiden: Brill, 2004), 19–22; Henryk Drawnel, *Aramaic Wisdom Text from Qumran: A New Interpretation of the Levi Document* (Leiden: Brill, 2004), 63–85. For several reasons I adopt the view that the Aramaic Levi Document in recognizable form originates sometimes at the end of the third or beginning of the second century BCE. First, the Qumran witnesses to Aramaic Levi provide us with a *terminus ad quem* of the mid-second century BCE; see Greenfield, Stone, and Eshel, *Aramaic Levi Document*, 19. Second, Jonas Greenfield made a reasonable case that the Damascus Document cites Aramaic Levi; see Jonas C. Greenfield, "The Words of Levi Son of Jacob in Damascus Document IV, 15-19," *Revue de Qumran* 13, no. 1/4 (49/52) (1988): 319–22. Third, Aramaic Levi features a chain of transmission. As we shall see, we have lots of evidence for this motif in sources from the second century BCE and onward, and no examples of this from any earlier source. Finally, Aramaic Levi clearly stands in some relatively close relationship with Jubilees, even if the nature of that relationship is far from clear; see Robert A. Kugler, The Testaments of the Twelve Patriarchs, Guides to Apocrypha and Pseudepigrapha (Sheffield: Sheffield Academic Press, 2001), 49, and cf. Greenfield, Stone, and Eshel, Aramaic Levi Document, 19 n. 60. While none of these arguments alone conclusively proves a specific date, cumulatively they suggest a date in the range proposed above. Both J.T. Milik and Henryk Drawnel have both proposed, albeit on very different grounds, an exceedingly early date for Aramaic Levi, namely, in the fourth or early third century BCE; see J.T. Milik, *The Books of Enoch: Aramaic Fragments of Qumran Cave 4* (Oxford: Clarendon Press, 1976), 24; Drawnel, *Aramaic Wisdom Text*, 66–71. Their arguments are highly speculative, however, and in the absence of further evidence I will set them aside for now. On Milik's argument in particular see Greenfield, Stone, and Eshel, *Aramaic Levi Document*, 19-20 n. 60.

Establishing a text for Aramaic Levi is notoriously difficult. The work was evidently quite popular at Qumran and survives in at least seven copies; see Andrew B. Perrin, "The Textual Forms of Aramaic Levi Document at Qumran," in *Reading the Bible in Ancient Traditions and Modern Editions - Studies in Memory of Peter W. Flint*, ed. Andrew B. Perrin, Kyung S. Baek, and Daniel K. Falk, Early Judaism and Its Literature 47 (Atlanta: Society of Biblical Literature, 2017), 432 n. 2. In addition to the Qumran fragments, witnesses to Aramaic Levi survive in Genizah sources (the primary manuscript usually designated MS A), additions in Greek to a manuscript held at the Koutloumos monastery on Mount Athos (usually designated MS E), and in a small Syriac fragment (usually designated MS B). On these witnesses see Greenfield, Stone, and Eshel, *Aramaic Levi Document*, 1–19; Drawnel, *Aramaic Wisdom Text*, 14–55. With respect to the relationship between the Greek translation and the Aramaic sources, scholars have characterized the Greek as a very literal translation of the Aramaic from the Genizah; see R. H. Charles and A. Cowley, "An Early Source of the Testaments of the Patriarchs," *Jewish Quarterly Review* 19, no. 3 (1907): 566–67; Drawnel, Aramaic Wisdom Text, 51. Comparison of one particular passage in MSS A and E suggest that they may not have been based on the same text type; see Drawnel, 52. Scholars nevertheless feel comfortable using MS E to reconstruct elements of the Aramaic – and the

particularly helpful bridge between two eras. On the one hand, its language and motifs indicate the continued influence of the wisdom traditions from prior generations. On the other, it points ahead towards the second century by introducing a key thematic innovation within the authoritative procedural type: the chain of transmission.

Aramaic Levi deals mostly with the life of Levi, including several passages characterized by first-person speech from Levi to his descendants. Its primary focus is upon Levi's elevation to the priesthood, and upon the teachings he must learn in order to prosecute his responsibilities. Scholars have noted Aramaic Levi's keen interest in the mechanisms by which Levi comes by his knowledge – what we would call procedural norms. Information on these mechanisms, in fact, bookend all of Aramaic Levi's substantive material.

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situation with our Greek and Aramaic evidence certainly does not compare to what we shall find for the witnesses to Ben Sira (see below). In Drawnel's concluding words, "The available evidence, however, confirms the antiquity and reliability of the Greek translation preserved in MS E" (Drawnel, 53). That said, it will do to exercise caution where we lack the Aramaic.

Even in the cases where we have Aramaic, it is not exactly clear how we should describe Aramaic Levi's textual situation. Greenfield, Stone and Eshel refer to both a long and short recension; see Greenfield, Stone, and Eshel, *Aramaic Levi Document*, 8–9; and cf. J.T. Milik, "Écrits préesséniens de Qumrân: D'Hénoch à Amram," in *Qumrân: Sa piété, se théologie et son milieu*, BETL 46 (Paris: Duculot, 1978), 91–106. Perrin points out that almost none of the manuscripts fit into these recensional categories, and are instead indicative of a state of textual fluidity throughout the first two centuries BCE (and beyond) characteristic of how we now relate to many texts and traditions from this period; see Perrin, "Textual Forms," 431–32, 449–50. That said, Perrin himself concedes that at least 4Q214b (4QLevi^{f}) does seem to consistently present the "long" version for the passages he examines, and that it is possible that it "attests to a longer form as a whole," see Perrin, 450. This manuscript happens to be the oldest witness to the work, and closely matches MS A where the so-called 'short' manuscripts do not. Therefore, even if we wish to follow Perrin in abandoning recensional theories and think more broadly about the "collaborative and conversive" compositional processes operative in antiquity (see Perrin, 431), it seems to me there are still grounds to draw general conclusions, with due caution, from the available Aramaic, Greek and Syriac evidence about a work that took recognizable shape more or less in the late third or early second century BCE.

Finally, a note on citation from Aramaic Levi. I found the editions by Greenfield, Stone, and Eshel, and by Drawnel to be of great use. The problem, however, is that they use completely different systems for dividing up the Aramaic Levi Document. In the interests of directing readers to both editions, I will cite from the Aramaic Levi Document by referring to "ALD [passage numbering according to Greenfield, et al.]/[passage numbering according to Drawnel]," e.g. ALD 13.1/90. I will cite the text and translation from Greenfield, Stone, and Eshel unless otherwise noted.

We first encounter procedural norms as an introduction to the substantive norms found in ALD 6-10/14-63. Aramaic Levi informs us that Levi, upon becoming elevated to the priesthood, receives instruction from his teacher and grandfather, Isaac.

ואזלנא מבית אל ושרינא בבירת אברהם אבונן לות יצחק אבונה <וחזא> יצחק אבונא לכולנא וברכנא וחדי
וכדי ידע די אנה כהין לאל עליון למארי שמיא שארי לפקדה יתי ולאלפא יתי דין כהונתא

> And we went from Bethel and we encamped at the residence of Abraham our father alongside Isaac our father. And Isaac our father <saw> all of us and blessed us and rejoiced. And when he learned that I was a priest of the Most High God, the Lord of heaven, he began to instruct me and to teach me the law of the priesthood. (ALD 5.6-8/12-13)

Aramaic Levi portrays Isaac as a wise teacher whose subsequent instruction contains no reference to any scriptures. This preferred procedure is highlighted by a false start of sorts. Immediately prior to this passage, Aramaic Levi records how Levi was divinely selected as a priest.

כען חזי לך הכין רבינך מן כולה והיך יהבנא לך רבות שלם עלמא *vacat* ונגדו שבעתון מן לותי

> "...Now, see how we made you greater than all and how we gave you the anointing (*or*: greatness) of eternal peace." And those seven [angels] departed from me. (ALD 4.11-12/6-7)

According to Aramaic Levi, the actual priestly election process is accomplished through revelation. The reader then expects to hear the angels dictate to Levi all the instructions to which he must now be made

privy. But then, suddenly, the angels depart (ונגדו...מן לותי), at which point Levi searches out Isaac. Levi thus relies for instruction upon a wise teacher, specifically as an alternative to relying on revelation.[2]

The Chain of Transmission Motif

The substantive norms that follow are also peppered with procedural material that provide further insight into Aramaic Levi's procedural character. When the text describes Isaac teaching Levi about the wood offering, the former concludes his instruction about the ritual itself by noting: ארי כדנה חזיתי לאברהם אבי מיזדהר, "for thus I [=Isaac] saw my father Abraham acting with care" (ALD 7.4/22). Isaac then describes the woods suitable for the offering as: אמר לי די חזין להסקה מינהון למדבחה, "[ones that] are fitting, he told me, to offer up on the altar" (ALD 7.5/23). Just prior to his final instructions, Isaac once again emphasizes: οὕτως γάρ μοι ἐνετείλατο ὁ πατὴρ Ἀβραὰμ ποιεῖν καὶ ἐντέλλεσθαι τοῖς υἱοῖς μου, "For my father Abraham commanded me to do thus and to command my sons" (ALD 10.3/50).[3]

2 Or divinely inspired scriptural interpretation if this had become an option at the time. We are missing some lines of text in the middle of the heavenly vision section (ALD 4.1-13/1b-7). It is possible that somewhere in these missing lines is a record of angelic instruction provided to Levi. This seems unlikely, however, given that the sections most damaged in our textual witnesses appear simply to be narrating events from earlier in Levi's life, namely the Shechem incident and the selling of Joseph. These would certainly be unexpected contexts for instruction related to Levi's priestly duties. As we shall see over the course of this dissertation, we would in fact have expected such instruction to occur either at the very beginning or end of the vision. Many thanks to my teacher Martha Himmelfarb for a very helpful discussion on this matter.

3 A few passages later, Aramaic Levi refers to teachings from a book: "For thus my father commanded me for thus he found in the writing of the book of Noah concerning the blood" (ALD 10.10/57). I agree with Moshe Bernstein's view that this, and other references to Noachic writings in sources found at Qumran, are unlikely to refer to any large scale work. They probably refer to expansions, circulating either orally, in writing, or both, on the early traditions about Noah. See Moshe J. Bernstein, *Reading and Re-Reading Scripture at Qumran*, vol. 2 (Leiden: Brill, 2013), 320–22. Nevertheless, does the presence of writing in Aramaic Levi point us, however slightly, towards the direction of scriptural interpretation?

I think the answer is: no. Consider that in Aramaic Levi, neither Isaac nor Levi ever instruct their progeny to read this book. In fact, Isaac himself does not even claim to have read it. The procedural norm that vests Isaac – and subsequently Levi – with authority is his position in a line of authoritative teachers and students. The fact that the book of Noah stands at the beginning of that tradition may, first of all, simply be a way to express how ancient the teaching is. It is instructive to compare Jubilees's version of this same motif. Abraham possesses ancient books according to Jubilees as well (see Jub. 12.27). But in Jubilees, Abraham's books are not described as Noah's books, but as *Terah's* books. They belong to Abraham's sinful father, who is incapable of serving as an authoritative teacher (see Jub. 12.1-8). As a consequence, Abraham is unable to read them until God has the Angel of the Presence interpret their contents for Abraham (Jub. 12.25-27). While it is possible that Aramaic Levi's own version also seeks to explain how Abraham came by ancient

In all of these cases, Isaac establishes a chain of transmission between teachers and their students: Levi learns from Isaac, and Isaac, in turn, learned from Abraham. This motif is without precedent in Israelite-Jewish literature from the proceeding centuries. More importantly and specifically, it does not appear at all in the wisdom tradition from which, as we shall see in a moment, Aramaic Levi emerges. In tracing teachings back across the generations, the chain of transmission is meant to authenticate the teacher's instructions to the student, and bolster the teacher's own credentials by depicting him as a faithful conveyor of those instructions. This particular strategy for authentication and credentialing is an innovation of the second century BCE, and will gain a great deal of popularity during this period among texts and groups belonging to the authoritative teacher procedural type. In subsequent sections we will find it within the Testament of Qahat, among the Pharisees, and gestured at in Hebrew Ben Sira. We will also see that Jubilees, one of the early exemplars of the inspired interpretation procedure, will repeatedly go out of its way to subvert this motif. In later centuries, the chain of transmission will become a signature feature of authoritative teacher traditions, found famously in the Mishnah, but also in Apocryphon of James, the Gospel of Mary, and elsewhere.

The chain of transmission's absence from the wisdom traditions in the prior centuries, its appearance for the first time in texts like the Aramaic Levi Document and Testament of Qahat, and its initial subversion in Jubilees, combine to suggest an origin for this extremely noteworthy tool in the teachers'

knowledge, it is noteworthy that only Jubilees emphasizes the theme of disjuncture. Aramaic Levi, by contrast, constantly reinforces the theme of transmission by authoritative teachers. For a full elaboration of this pericope in Jubilees, see the section on Jubilees below.

Finally, the fact that the teachings Abraham receives are in writing – in a book – is likely of secondary importance. Aramaic Levi's primary goal is to emphasize that its original authoritative teacher, Abraham, was literate. In the wisdom traditions, and certainly in works like Aramaic Levi, the Testament of Qahat, etc., the ability to read and write *in general* burnished the authoritative teacher's credentials as an accomplished person. See, for example ALD 13.6/88; as well as TQ, 4Q542.1.ii.9-13, in which writing helps demonstrate the skill of authoritative teachers. See as well Annette Yoshiko Reed, "Textuality Between Death and Memory: The Prehistory and Formation of the Parabiblical Testament," *Jewish Quarterly Review* 104, no. 3 (2014): 391–94., on the manner in which reading, writing and instruction are blurred together in Aramaic Levi into a process of intergeneration transmission.

procedural repertoire. As the second century gets underway, we find attestation for renewed interest in the biblical ancestors, familiar to us from Genesis. Aramaic Levi, Testament of Qahat, Visions of Amram, Genesis Apocryphon, Jubilees – to say nothing of the Book of the Watchers somewhat earlier – along with many other texts make extensive use of traditions about these ancestors. As those attracted to authoritative teacher procedural norms become interested in these traditions, it is likely that their genealogical context and setting influence the creation of transmission chains. Specifically, as authoritative teachers superimposed their own procedural assumptions upon the multi-generational narratives and traditions about the biblical ancestors, they began to perceive those ancestors as teachers who were passing down their teachings from one generation to the next.[4] This resulted in the notion of a chain of transmission – a significant conceptual development in the teacher-student relationship envisioned by the wisdom traditions.

Levi's Final Oration in Aramaic Levi

The procedural norms reiterated in Aramaic Levi's concluding section are noteworthy, both for how they add to our picture of Aramaic Levi itself, and for how they are reformulated in the later Testament

4 I am very grateful to my teacher Moulie Vidas for this insight.

of Levi.[5] As Aramaic Levi transitions into what we typically think of as its testamentary section – Levi's first person exhortation to his descendants – we once again encounter procedural norms.[6]

וכען בני ספר מוסר חוכמה אליפו לבניכון ותהוי חוכמתא עמכון ליקר עלם. די אליף חוכמתא ויקר היא בה ודי שאיט חוכמתא לבשרון מתיהב. חזו בני ליוסף אחי [ד]מאלפא ספר ומוסר חכמה [ליקר ולרבו ולמלכין על כורסיהון מתחד הוא אל תמחלו חכמתא למאלף ולארחתה ל]א תשב[קו] לב[עא די מאלף חכומ]ה גבר ד[י] אלף [חכמה כל י]ומוהי א[ריכין] וסגה ל[ה שמ]עה. לכל מא[ת] ומדינה[די] עלל לה אח או חבר הוי בה [ולא מ]תנכר הוא בה ולא דמ[ה בה ל]נכרי ולא דמה בה לכילא[י]מן די כולהון יהבין לה בה יקר [ב]די כולה צבין למאלף מן חוכמתא *vacat* רחמוה[י] סגיאין ושאלי שלמיה רברבין ועל כורסי ייקר מהותבין לה בדיל למשמע מילי חוכמתא עותר רב די יקר היא חוכמתה וסימא טאבא לכל קניהא[7]

And now, my sons, <teach> reading and writing and teaching <of> wisdom to your children and may wisdom be eternal glory for you. For he who learns wisdom will

5 Hereafter TPL. On the date and provenance of the Testaments of the Twelve Patriarchs in general, see Kugler, *Twelve Patriarchs*, 31–38; Harm W. Hollander and Marinus De Jonge, *The Testaments of the Twelve Patriarchs: A Commentary*, Studia in Veteris Testamenti Pseudepigrapha 8 (Leiden: Brill, 1985), 82–85. For bibliography on the development of scholarly thinking on this, and the question of the textual history of so-called testamentary texts like TPL, see Reed, "Death and Memory," 387 nn. 23 and 26. With respect to the relational identification assumed by TPL, the conventional wisdom was already articulated in 1953 by Marinus De Jonge who argued that the Testaments as a whole are a Christian composition dating from the second half of the second century CE. The refusal to reconstruct a Jewish, (read: non-Jesus-following) original is a point well-taken. The conclusion, however, that the works comprising the Testaments should be therefore regarded as having been composed by *non-Jewish* followers of Jesus does not follow from this. This recognition has practical consequences for De Jonge's attempt to date the Testaments. While De Jonge notes that Origen's reference to the Testaments provides a *terminus ad quem* for the work in the third century, he ends up dating the completed work to the second century specifically on the grounds of what he perceived to be its theology – i.e. an insistence that the Mosaic law has been replaced by Jesus's natural law of love. De Jonge associated this worldview with Justin, Irenaeus, etc. It is not at all apparent to me how De Jonge arrived at this evaluation of the Testament's outlook on Mosaic law. In many instances TPL explicitly adopts the opposite perspective. TPL, for example, envisions the priestly and levitical laws as in effect. TPL 14.6 identifies "the gentiles" as unclean outsiders. In fact, as we shall see, the very exhortation to follow the Mosaic law found in TPL (13.3) is one of the elements that we know TPL *did not* adopt from ALD! Of course, we need not make the mistake (see Kugler's references in Twelve Patriarchs, 32.) of claiming that the so-called "Jewish-Christian" elements of TPL (or the Testaments generally) should compel a date in the first century CE (i.e. sometime before the Jewish-Christians had supposedly died out, according to the old Parting of the Ways paradigm). But certainly we can reject De Jonge's *principal reasons* for dating the work to the second century CE, even a second century date is plausible.

6 Strikingly, substantive norms are entirely absent. For bibliography on "testament" literature, see Reed, "Death and Memory," 381 n. 1.

7 For clarity's sake, text cited according to the version in Drawnel, *Aramaic Wisdom Text*, 156–60.

> (attain) glory through it, but he who despises wisdom will become an object of disdain and scorn. Observe, my children, my brother Joseph [who] taught reading and writing and the teaching of wisdom, for glory and for majesty; and kings <he advised>. […] [and] do not be lax in the study of wisdom, [and do n]ot lea[ve her paths]. A man who studies wisdom, all [h]is days are l[ong] and hi[s reputa]tion grows great. To every la[nd] and country to which he will go, he has a brother and a friend therein, He is [not a]s a stranger in it, and he is not li[ke] a stranger therein, and not like a scoundr[el] in it […]. Since all of them will accord him honour (or: glory) because of it, [si]nce all wish to learn from his wisdom. [His] friends are many and his well-wishers are numerous. And they seat him on the seat <o>f honour in order to hear his wise words. Wisdom is a great wealth of honour (or glory) for those familiar with it and a fine treasure to all who acquire it. (ALD 13.4-10/88-94)

In this passage Aramaic Levi frames the process of instruction in terms familiar from the wisdom traditions. Levi specifically highlights the role of Joseph, a character of great importance to texts interested in wisdom and sages.[8] Whereas in the development of the chain of transmission procedural motif we detected the influence of the genealogical traditions about the Israelite's ancestors, we can glimpse in the procedural norms articulated here the impact of wisdom. Understanding the outsized

8 See Mark W. Hamilton, "Riddle and Parables, Traditions and Texts: Ezekielian Perspectives on Israelite Widom Traditions," in *Was There a Wisdom Tradition? New Prospects in Israelite Wisdom Studies*, ed. Mark R. Sneed, Society of Biblical Literature - Ancient Israel and Its Literature 23 (Atlanta: SBL Press, 2015), 255; cf. Harm W. Hollander, *Joseph as an Ethical Model in the Testaments of the Twelve Patriarchs*, Studia in Veteris Testamenti Pseudepigrapha 6 (Leiden: Brill, 1981), 62. David Penchansky's case for Joseph's role in the wisdom tradition seems to me significantly overdone, and more given to historical positivism than I would prefer, but the raw data he marshals is still of interest, see David Penchansky, *Understanding Wisdom Literature: Conflict and Dissonance in the Hebrew Text* (William B. Eerdman's Publishing Company, 2012), 18–20.

Although Joseph's appearance in this context might seem surprising given Aramaic Levi's interest in the priesthood, this only highlights the point that Aramaic Levi's primary concern is not for *substantive* matter of the priesthood, but for the *procedural* matter of authoritative teaching. Aramaic Levi is not coextensive with priestliness, and so it does not see any tension in presenting Joseph – an exemplary teacher, but also a non-priest – as a role model.

role played by wisdom as the authoritative teacher procedural type developed over the next several centuries – long after the classical texts of the so-called wisdom literature had been composed – helps explain the later re-appearance of wisdom in, for example, Mishnah Avot. It turns out that it is not a re-apperance at all. The influence of the wisdom traditions had been there all along, developing constantly beginning in the second century BCE and onward.[9]

It is also of note that the procedural norms in this passage appear just as Levi outlines his addressees civic responsibilities. We shall see in subsequent sections how common it is to place procedural norms in the context of civic interaction and social engagement. This further supports the idea that procedural norms were understood to be important for defining one's relationships with others, and thinking about how society should function.

Levi's Final Oration in the Testament of Levi

9 See Ishay Rosen-Zvi, "The Wisdom Tradition in Rabbinic Literature and Mishnah Avot," in *Tracing Sapiential Traditions in Ancient Judaism*, ed. Hindy Najman, Jean-Sébastien Rey, and Eibert J. C. Tigchelaar, Supplements to the Journal for the Study of Judaism 174 (Leiden: Brill, 2016), 190., who writes:

> But why use wisdom for this task [=portraying R. Yohanan ben Zakkai and his students as founders of the new world of torah]? It is clearly neither propaganda directed at the outside world, nor, as we have seen, a product of a competing school. The rabbis were notoriously reluctant to adopt other biblical genres–there is no rabbinic apocalyptic, prophecy and rewritten scripture...I have not found any answer to this question in scholarship, and so I offer my own simple one. The rabbis do so because they view themselves as part of the wisdom tradition.

As this answer is admittedly simply Rosen-Zvi's best guess, he does not elaborate further. But our interpretation of procedural norms and their evolution from the second century BCE to the second century CE allows us to be more precise in answering the question. True, the wisdom genre in the "biblical" forms familiar to us from works like Proverbs, Ecclesiastes and Job developed far earlier than the Mishnah. But the vocabulary and motifs common to those traditions deeply influenced the development of the authoritative teacher procedural norm beginning in the second century CE and onwards. They played an important role in shaping second century works, like Ben Sira or 4QInstruction, that bear a strong phenotypical resemblance to those earlier texts. But they also helped mold works like the Aramaic Levi Document, Testament of Qahat, and even – as we shall see in greater detail below – the Pharisees. By the time Mishnah Avot began to coalesce, it had inherited procedural norms not directly from the wisdom traditions themselves, but from much more proximate texts and traditions belonging to the authoritative teacher procedural type. Accordingly, while Rosen-Zvi is not wrong to say that the rabbis saw themselves "as part of the wisdom tradition," the process by which this came to be – and even what it *means* to be "part of the wisdom tradition" – is much more complex than Rosen-Zvi himself realized.

In teasing out the procedural norms in Aramaic Levi, it is instructive to compare the manner in which the passage above is reworked in the Testament of Levi. As early as 1981, Harm Hollander had recognized that a procedural shift had occurred between Aramaic Levi and the Testament of Levi.

> In contrast to [ALD 13/83-95], a passage which centres round truth and wisdom, the Greek T. Levi 13 emphasizes the role of God and makes wisdom evidently subordinate to it. Wisdom in itself is no loner the main theme, but the law of God, which should be read, taught and obeyed by Levi's sons. Thus Joseph's exemplary role as teacher 'of the writings and discipline of wisdom' was no longer appropriate to the new context of the Greek T. Levi 13, which stresses the function of the 'Levites' as teachers of the law.[10]

The key procedural transformation occurs at TPL 13.1-4. As in Aramaic Levi, the setting in TPL 13 is Levi's speech to his progeny; Joseph has just died; Levi stresses the importance of literacy; he is about to exhort them to go out into society. It is here that we read:

> διδάξατε δὲ καὶ ὑμεῖς τὰ τέκνα ὑμῶν γράμματα, ἵνα ἔχωσι σύνεσιν ἐν πάσῃ τῇ ζωῇ αὐτῶν, **ἀναγινώσκοντες ἀδιαλείπτως τὸν θεοῦ**. ὅτι πᾶσ ὃς γνώσεται νόμον θεοῦ, τιμηθήσεται, καὶ οὐκ ἔσται ξένους, ὅπου ὑπάγει
>
> And do you, too, teach your children letters that they may have understanding all their life, *reading unceasingly in the law of God*. For everyone who knows the law of God will be honoured, and he will not be a stranger wherever he goes. (TPL 13.2-3)[11]

10 Hollander, *Joseph as an Ethical Model*, 62.
11 Cited from Greenfield, Stone, and Eshel, *Aramaic Levi Document*, 107.

Whereas the parallel passage in Aramaic Levi had emphasized the role of teachers – "And now, my sons, teach reading and writing and teaching of wisdom to your children and may wisdom be eternal glory for you...To every land and country to which he will go...he is not as a stranger in it"[12] – the Testament of Levi reformulates this to reflect a procedural norm of scriptural interpretation – "reading unceasingly in the law of God." In an earlier passage, the Testament of Levi elaborates further on correct procedure, as Levi explains that "Isaac called me continually to put me in remembrance of the law of the Lord, *as the angel of God had shown me*" (TPL 9.6). Hollander and De Jonge claim that the italicized portion, absent in the parallel in Aramaic Levi, "is little more than a general reminder of the preceding visions, but serves to emphasize the divine authority behind Isaac's teaching."[13] This is too dismissive of the imperfect parallel to Aramaic Levi. Recall that in Aramaic Levi, the angels who elevate Levi to the priesthood quite conspicuously are not presented as Levi's teachers. They depart immediately after selecting him, leaving Levi's instruction to Isaac. The Testament of Levi, by contrast, subscribes – as we have seen – to a procedural norm of scriptural interpretation. The function of this passage in the Testament of Levi, therefore, is to underscore the divinely inspired aspect of the interpretations conveyed to Levi. We can therefore sharpen our understanding of the Testament of Levi's own procedural norm. It is committed to inspired interpretation. This procedural shift also further highlights the authoritative teacher procedural norm present in Aramaic Levi.[14]

Conclusions

12 ALD 13.4, 8/88, 91.

13 Hollander and De Jonge, *Testaments of the Twelve Patriarchs*, 157.

14 Of course, this procedural shift between Aramaic Levi and the Testament of Levi takes place over the course of approximately three hundred years. We will see below, in our analysis of Ben Sira, that such battles over procedure occurred across far shorter time frames – in some cases within a single generation.

At the turn of the second century BCE, Aramaic Levi signals the emergence of authoritative teachers against the backdrop of earlier wisdom traditions. It also features the innovation of new procedural tools – like the chain of transmission – as second century thinkers engaged the genealogical traditions of the Israelite ancestors. Its emphasis on the primary role of procedure in guiding civic engagement demonstrates the important role of procedural norms in structuring group interaction. The Testament of Levi's reworking of Aramaic Levi's procedural norms demonstrates the important role that procedure played over the course of the subsequent centuries. As we shall see especially in the next chapter, the centrality of procedural norms was such that it could result in a work's recasting not only quite some time later, as in this case, but even within one or two generations.

Testament of Qahat

Authoritative Teachers and the Threat of Rupture

Dating as well from the 2nd century BCE, the Testament of Qahat – purporting to be a speech from Qahat, Levi's son, to his progeny – provides a further example from this period of the phenomena we glimpsed in Aramaic Levi, as the authoritative teacher procedural type began to develop.[15] It reflects the influence of vocabulary from the wisdom tradition, and features the chain of transmission motif. In

15 Paleographically, Testament of Qahat (4Q452) is comparable to exempla from the end of the 2nd century BCE. The many corrections in the manuscript of Testament of Qahat that we do possess suggests that it is not the autograph copy. Accordingly, a date sometime earlier in the 2nd century BCE seems appropriate. See Emile Puech, *Qumran Grotte 4. XXII. Textes araméens: Première partie 4Q529-549*, Discoveries in the Judean Desert 31 (Oxford: Clarendon Press, 2001), 262–64; Henryk Drawnel, "The Literary Form and Didactic Content of the Admonitions (Testament) of Qahat," in *From 4QMMT to Resurrection - Mélanges Qumraniens En Hommage à Émile Puech*, ed. Florentino García Martínez, Annette Steudel, and Eibert Tigchelaar, Studies on the Texts of the Desert of Judah 61 (Leiden: Brill, 2006), 56–57. The fragmentary nature of the text should counsel circumspection as we attempt to extract information from Testament of Qahat. Exercising due caution, however, Testament of Qahat does seem a useful example of the authoritative teacher procedural type, especially in light of its points of contact with Aramaic Levi.

addition, it provides early evidence for the anxiety that would become characteristic of authoritative teachers: the "threat of rupture."

Although somewhat fragmentary, the text appears to begin with Qahat revealing to his descendants what will become of them. Immediately afterwards, the text transitions into an extended meditation on procedural norms.

וכען בני אזדהרו בירותתא די מהשלמא לכון 5 ודי יהבו לכון אבהתכון ואל תתנו ירותתכון **לנכראין** ואחסנותכון 6
לכילאין ותהון לשפלו{ת} ולנבלו בעיניהון ויבסרון עליכון די 7 להון תותבין לכון ולהון עליכון ראשין להן

> And now, my sons, be careful with the inheritance which has been transmitted to you 5 and which your fathers have given you, and do not give your inheritance to foreigners (לנכראין) or your heritage 6 to scoundrels (לכילאין)[16], so that you become humiliated and foolish in their eyes, for they will scorn you because 7 being residents among you they will become chiefs over you. (4Q542.1.i.4-7)

Qahat instructs his children to guard their traditional teachings, and keep them to themselves.[17] Failure to do so risks inviting scorn from the other nations, and will make the people of Israel susceptible to

16 DSSSE translates "half-breeds," which is accepted by Drawnel, see Drawnel, *Aramaic Wisdom Text*, 338. Whatever the translation, the reference is to the various other nations. Although my interpretation of the data is unaffected either way, I prefer the moral condemnation "scoundrel" to the more genealogical "half-breed" for two reasons. First, the word-pair of *kilai* and *naval* either refers to, or relates to the same semantic field as Is 32.5, where the moral condemnation translation is almost certainly correct. Second, the context in the parallel passage in Aramaic Levi (discussed below) relates to Joseph's career in Egypt, and how *he* risked appearing in the eyes of the Egyptians. It seems unlikely to me that Aramaic Levi contemplates that Joseph risked becoming a "half-breed" while in Egypt. At least in that text, then, "scoundrel" appears preferable. Neither of these reasons prove that "scoundrel" is correct for Testament of Qahat, but together they help establish a presumption in favor of that translation.

17 See Drawnel, "Form and Content," 58 who refers to "patriarchal tradition."

foreign dominion. Both at the lexical and thematic level this passage is illuminated by a parallel in Aramaic Levi:

> אל תמחלו חכמתא למאלף ולארחתה ל]א תשב[קו] גבר ד[י] אלף [חכמה כל י]ומוהי א[ריכין] וסגה ל[ה
> שמ]עה. לכל מא[ת] ומדינה[די] עלל לה אח או חבר הוי בה [ולא מ]תנכר הוא בה ולא דמ[ה בה **ל]נכרי**
> ולא דמה בה **לכילא[י**]מן די כולהון יהבין לה בה יקר [ב]די כולה צבין למאלף מן חוכמתא
>
> [And] do not be lax in the study of wisdom, [and do n]ot lea[ve her paths]. A man who studies wisdom, all [h]is days are l[ong] and hi[s reputa]tion grows great. To every la[nd] and country to which he will go, he has a brother and a friend therein, He is [not a]s a foreigner[18] in it, and he is not li[ke] a foreigner (לנכרי) therein, and not like a scoundr[el] (לכילאי) in it […]. Since all of them will accord him honour (or: glory) because of it, [si]nce all wish to learn from his wisdom. (ALD 13.7-9/90-91)

Note the common parallelism of "foreigner" (*nokhri*) and "scoundrel" (*kilai*).[19] This passage from Aramaic Levi is a positive mirror image of the Testament of Qahat's negative formulation. In Aramaic Levi the context for its extended meditation on the benefits the study of wisdom it confers upon those who venture out among the nations, is the story of Joseph. Joseph's wisdom and canny gained him the admiration of those around him while he sojourned in a foreign land. For Aramaic Levi, Joseph was able to successfully avoid the fate of seeming a "foreigner therein...and...a scoundrel in it." He achieved this through adhering to the proper, authoritative teacher procedural norms, which Aramaic Levi has the titular Levi explicitly recommend to his progeny. In a subsequent passage, Aramaic Levi extends

18 Greenfield, Stone and Eshel translate this word, and the reappearance of *n-k-r* several words later, as "stranger." I followed this translation above. I altered it in this context to "foreigner" to highlight the parallel to Testament of Qahat.

19 See the comments of Drawnel, *Aramaic Wisdom Text*, 337–38 and; Greenfield, Stone, and Eshel, *Aramaic Levi Document*, 211–12.

this insight to a national scale, arguing that Israel's wisdom and learning – unlike its material things – cannot be captured by foreign armies (ALD 13.11-14/95-96). Whether or not Testament of Qahat intends any allusion to Joseph, therefore, the parallel vocabulary and content in Aramaic Levi sheds light on Testament of Qahat's meaning.

To return, then, to our text: Qahat communicates to his children that if they do not properly safeguard the instruction they received from their ancestors, they risk the sort of intellectual conquest that Aramaic Levi believed was impossible. Testament of Qahat here exposes one of the authoritative teacher procedural type's core anxieties, namely, "the threat of rupture."[20] Authoritative teachers depend upon human communication across generations. This is a feature of the procedural norm, not a bug. An instructors' teachings are vouchsafed by the instructor's own virtue, righteousness and wisdom, which are apparent for pupils to observe and verify. But a potential pitfall of this procedure lies in the inevitability of human error, and the possibility that this might ruin the transmission process from teacher to student. Worry over rupture in the process of transmission becomes a characteristic concern for authoritative teachers, and would remain so for the next several centuries.

Like the chain of transmission motif, I believe that this phenomenon also originates in the second century BCE. Concern about forgetfulness, of course, can be found in much earlier eras. Consider, for example, the many injunctions in Deuteronomy against forgetfulness, nearly always signaled by the verb *š-k-ḥ*.[21] But this and related verbs function in Deuteronomy, as generally in Biblical Hebrew, to denote willful activity: either denial of sense perception or disobedience.[22] Fear over inadvertent (even

20 Reed, "Death and Memory," 395.
21 E.g. Deut 4.9, 23; 6.12; 8.11, 14, 19; 9.7.
22 See Moshe Weinfeld, *Deuteronomy 1-11: A New Translation with Introduction and Commentary*, The Anchor Bible 5 (New York: Doubleday, 1991), 203, 394; and cf. Ludwig Koehler et al., eds., *The Hebrew and Aramaic Lexicon of the Old Testament*, Study Edition, vol. Volume 2 (Leiden: Brill, 2001), 1489–90.

if negligent) rupture, whether in a pedagogical context or otherwise, is entirely absent from this context. Even the wisdom traditions that influenced the second century BCE teachers, which are obviously deeply invested in pedagogy, do not worry over rupture due to inadvertent failures.[23] They are concerned not with ruptures in transmission, but rather with a student relying on his own wits.[24]

Why does anxiety over the threat of rupture originate in the second century BCE, and grow in the subsequent three centuries? We can only speculate. But I suggest the most parsimonious explanation is that it emerged for the same reason as the chain of transmission motif: the influence in this period of ancient Israel's genealogical traditions. Specifically, once teachers began to conceive of the teacher-student relationship as a multi-generational affair, they became increasingly sensitive to the tactical challenge of preserving teachings across long periods of time. When teachers thought of the teacher-student relationship in atomistic terms – one teacher and one student[25] – the instructor could vouch for his student's reliability. But when teachers needed to account for a student's capacity to preserve the wisdom of his teacher's teacher – someone he had never met – the task seemed more daunting. This gave rise in the second century BCE to concern over the threat of rupture.

We will see that as the rival scriptural interpretation procedural type develops over the course of the second century BCE, anxiety over the threat of rupture becomes the polemical grounds for asserting the preferability of relying upon textual, rather than human memory. In light of the foregoing, it is no accident that such polemics also target the chain of transmission motif.

23 Michael Fox entertains the possibility that Proverbs does feature such a concern; see his comment to Prov 4.5 in Fox, *Proverbs 1-9*, 174. But he himself acknowledges earlier in his commentary that the very literary feature he used to support this interpretation – the immediately following intensifying noun – actually suggests the opposite conclusion; see his comment on Prov 3.1 in Ibid., 142.

24 See Christine Roy Yoder, "Forming 'Fearers of YHWH': Repetition and Contradiction as Pedagogy in Proverbs," in *Seeking Out the Wisdom of the Ancients: Essays Offered to Honor Michael V. Fox on the Occasion of His Sixty-Fifth Birthday*, ed. Ronald L. Troxel, Kelvin G. Friebel, and Dennis Robert Magary (Winona Lake: Eisenbrauns, 2005), 178–79.

25 Or one generation of students.

The Chain of Transmission in the Testament of Qahat

But in addition simply to recommending that right substance be passed down from teacher to student, Testament of Qahat also features a reference to what we have identified as a crucial innovation of the second century BCE: the chain of transmission:

אחדו בממר יעקו[ב 8 אבוכון ואתקפו בדיני אברהם ו]צדקת לוי ודילי והוא קד[י]שין ודכין 9 מן כול [ער]ברוב
ואחידין בקושטא ואזלין ביעירותא {כל}ולא בלבב ולבב 10 להן בלבב דכא וברוח קשיטא וטבה ותנתנון לי ביניכון
שם טב וחדוא 11 ללוי ושמח לי[ע]קוב ודיאץ לישחק ותשבוחא לאברהם די נטרתון 12 והילכתון ירות[תא]די שבקו
לכון אבהתכון קושטא וצדקתא וישירותא 13 ותמימותא ודכ[ותא וק]ודשא וכה[ו]נתא ככ[ו]ל די פקדת(כ)ון וככול די
1 אלפתכון בקושוט מן כען ועד כול[עלמין ...]

> Hold on to the word of Jacob, 8 your father, and hold fast to the judgements of Abraham and to the righteousness[26] of Levi and of me, and be ho[l]y and pure 9 from all [min]gling, holding on to the truth and walking in uprightness and not with a double heart, 10 but with a pure heart and with a truthful and good spirit. And you will give me among you a good name, and joy 11 to Levi and gladness to J[a]cob and rejoicing to Isaac and honour to Abraham, because you have kept 12 and carried on [the] inheritan[ce] which your fathers gave you, truth, and justice, and uprightness, 13 and perfection, and puri[ty, and ho]liness, and the priest[ho]od, according to a[l]l that I have commanded <you> and according to all that 1 I have taught you in truth from now and for all [the centuries …] (4Q542.1.i.7-ii.1)

26 DSSSE has "righteous deeds."

Testament of Qahat places a double emphasis on the chain of transmission implicated in the teachings he is passing down to the next generation. The instruction that Qahat conveys derives from Levi, Jacob and Abraham. When Qahat's descendants adhere to this instruction, it brings joy to those same teachers, this time including Isaac.[27] The appearance of the chain of transmission in this second early-mid century BCE text, lends support to the argument advanced above concerning the origins of this motif. Like in Aramaic Levi, this text is set in the genealogical context of the traditions regarding the biblical ancestors. As I argued earlier, it is probable that this this narrative background influenced the creation of the chain of transmission concept.

This passage is also important from a lexical standpoint. Many of the verbs used to describe the transmission process are typical of the authoritative teacher procedural lexicon: *n-t-r*, *h-l-k*, *š-b-q*, *p-q-d* and *ʾ-l-p*. We encountered both *p-q-d* and *ʾ-l-p* in particular in our analysis of Aramaic Levi.[28] The verb *h-l-k* in this context, bearing the meaning "carry on," is especially intriguing in light of trends we will encounter later in rabbinic literature.[29]

Also in similar fashion to Aramaic Levi, the Testament of Qahat mentions writing in the course of its procedural discussion.

וכען לכה עמרם ברי אנא מפק[ד …] 10 ו[לבנ]יכ{א}ה ולבניהון אנא מפקד […] 11 ויהבו ללוי אבי ולוי אבי לי

י[הב …] 12 כול כתבי בשהדו די תזדהרון בהון

27 As a matter of content, Drawnel writes, "the composer of [Testament of Qahat] conceived priestly education as a family business entrusted to the father," see "Form and Content," 65.

28 See, e.g., ALD 5.8/13; 13.4-10/88-94. And see Reed, "Death and Memory," 395.

29 See, e.g., the discussion of the Tosefta in in chapter 5.

> And now to you, Amram, my son, I comma[nd …] 10 and [to] your [son]s and to their sons I command […] 11 and they have given to Levi, my father, and which Levi, my father, has gi[ven] to me […] 12 all my writings as witness that you should take care of them. (4Q542.1.ii.9-13)

We saw in the case of Aramaic Levi (ALD 13.4-6/88-90) that writing served as the medium for aiding the process of intergeneration transmission via authoritative teachers. Thus, while procedural authority is located with the teacher, writing serves as the means by which the substantive content of that authority can be conveyed. This seems to be the case for Testament of Qahat as well. Moreover, our text goes out of its way in this context to re-emphasize the chain of transmission – both descendants ("to you, Amram, my son...and to your sons and to their sons") and ancestors ("they have given to Levi, my father, and which Levi, my father has given to me"). Procedural justification ultimately derives from the instruction passed down from Levi's ancestors, to Levi, to Qahat, to Amram and his children.[30]

Conclusions

The Testament of Qahat reinforces our emerging second century BCE picture authoritative teachers. Like Aramaic Levi, it asserted that teachings should be passed down through instruction by a wise teacher. It, too, employs the genealogically-generated motif of conveying tradition through a chain of transmission. While writing can figure as part of this process, its function is merely instrumental, as

30 Drawnel believes the transmission through books described here is somehow differentiated from the intergenerational chain of transmission by authoritative teachers outlined earlier in the text; see Drawnel, "Form and Content," 67. This is curious, for Drawnel himself concedes the fact that the same verb, *h-l-k*, is employed to describe both the process of transmission by authoritative-teachers (i.12) and the way in which the writings are to be used (ii.13). This suggests that the writings function as part and parcel of the earlier depicted process of passing on teachings from generation to generation – in this case from parent to child, and child to grandchild, etc.

opposed to the primary role it will take on in the contemporaneously evolving scriptural interpretation procedural type. Finally, Testament of Qahat supplies early evidence for anxiety over the "threat of rupture," that would be characteristic of authoritative teachers over the subsequent centuries.

The Pharisees

The Pharisees in the Second Century BCE

Thus far I have delineated the second century BCE profile of the authoritative teacher procedural type on the basis of the Aramaic Levi Document and the Testament of Qahat. I will further substantiate it in the next chapter as we examine Hebrew Ben Sira. I began with these texts – and will continue with Hebrew Ben Sira – because we can very securely date them to the period under discussion. We can be reasonably confident, therefore, in the second century BCE context for our findings. With these conclusions in hand we can now examine the data concerning one of the best known Jewish groups in antiquity: the Pharisees.

The existence of the Pharisees in the second century BCE has been taken for granted by generations of scholars.[31] But one of the important advances of scholarship on the Pharisees in the second half of the 20th century has been clarifying the extent and nature of our sources for the Pharisees. As Ellis Rivkin noted already in 1978, "Josephus, the New Testament, and the Tannaitic Literature are the only sources that can be legitimately drawn upon for the construction of an objective definition of the Pharisees.

31 See, for example, the bibliography in Steve Mason, *Flavius Josephus on the Pharisees: A Composition-Critical Study* (Leiden: Brill, 1991), 1 n. 2. For a more recent example, see the cursory mention of the second century in Anthony J. Saldarini, *Pharisees, Scribes and Sadducees in Palestinian Society*, Second edition (Grand Rapids: William B. Eerdman's Publishing Company, 2001), 4.

They are the only sources using the term *Pharisees* that derive from a time when the Pharisees flourished."[32] Even this statement could be pared down further. To which tannaitic sources, for example, does Rivkin refer? But the larger point is very well taken. Our earliest sources about the Pharisees, therefore, were compiled no earlier than the first century CE, while the latest stem potentially from the third century CE. Moreover, as Steve Mason notes, our historical sources all bring a multiplicity of perspectives and agendas to the table that must be heard on their own terms before the historian's reconstructive task can begin.[33]

Our evidence for the Pharisees therefore differs from the authoritative teacher sources we explored earlier in this chapter in that we do not have any direct and explicit attestations regarding the Pharisees from sources in the second century BCE itself.[34] While our sources on the Pharisees from the first century CE and onward[35] do place the Pharisees' origins firmly in the second century BCE, these sources also address the existence of Pharisees long afterwards, well into the first century CE, leaving open the question of whether this evidence can inform our understanding of the second century. The Pharisees therefore provide us with a very helpful test case in establishing the second century BCE character of the authoritative teacher type. Does any of our data on the Pharisees fit within a second century BCE context? Or to phrase the question more strongly: is there anything in our data on the Pharisees that can best (maybe even exclusively) be explained by a second century BCE context?

32 See Ellis Rivkin, A Hidden Revolution (Nashville: Abingdon, 1978), 31.
33 See Mason, *Flavius Josephus*, 10–17.
34 The Pharisees did not leave behind any written sources from the second century BCE. But this cannot be taken as evidence of absence from this era since the Pharisees did not leave written material *at all*, even from periods during which we can be certain they existed. As we shall see below, moreover, we should have no reason to expect *prima facie* that the Pharisees – given their procedural commitments – would have been inclined to leave any such evidence.
35 At least those that comment on the group's early history.

We shall see that our data on the Pharisees is markedly congruous with our current picture of authoritative teachers in the second century BCE. It features vocabulary characteristic of instruction by wise teachers. But even more strikingly, we shall see that a key element of this data can best be explained by reference to the evidence explored above that second century BCE authoritative teachers construed the ancient Israelite ancestors, particularly the figures in Genesis, as authoritative teachers themselves. This resulted in the second century innovation of the chain of transmission motif, which featured prominently in the Aramaic Levi Document and Testament of Qahat. Given the testamentary framing of those texts, we might still have concluded that their presence in those sources was simply an outgrowth of genre. But as we will explore below, we will find the chain of transmission motif associated with the ancient Israelite ancestors in our evidence for the Pharisees? By the first century CE, our evidence for this understanding of the chain of transmission had mostly disappeared.[36] We will therefore be in a position to ask what its appearance in our first century CE evidence for the Pharisees can tell us about procedural discourse in the second century BCE, and specifically about the character of the Pharisees as a specifically second century phenomenon.

The State of Our Sources

A significant challenge in dealing with the Pharisees is the nature of our sources, and the uses to which they have been put by previous scholarship. Earlier scholars tended to construe the Pharisees as 'mainstream' Judaism: "Without them no marriage was contracted, no child circumcised, no contract formulated, no judgment given, no matter of state performed."[37] But by the late-20th century,

36 Other than in our sources about the Pharisees.

37 Daniel R. Schwartz, "Introduction: Was 70 CE a Watershed in Jewish History? Three Stages of Modern Scholarhip, and a Renewed Effort," in Was 70 CE a Watershed in Jewish History?: On Jews and Judaism Before and After the Destruction of the Second Temple, ed. Daniel R. Schwartz and Zeev Weiss (Leiden: Brill, 2012), 7, citing Hausrath. Although a full bibliography is beyond the scope of this dissertation, for two influential early statements of Pharisaic

scholarship on the Pharisees had made considerable advances over some of the prior, simplistic treatments. Importantly, historians had begun to recognize the importance of disentangling discrete sources about the Pharisees from each other, rather than synthesizing date into a composite picture.[38] Thus, whereas Finkelstein organized his book about the Pharisees by topic, twenty years later Anthony Saldarini would organize his work on the Pharisees by source (e.g. "Josephus' Descriptions...," "The Pharisees...in Mark and Matthew," etc.).[39]

Also at this time, historians became increasingly sensitive to the possibility that the Pharisees and the rabbis of rabbinic literature might not be as closely related as classically assumed.[40] This occurred even as New Testament scholarship was beginning to see an upsurge of interest in rabbinic literature and "*halakhah*" as a tool for understanding the Jewish law background of material in the gospels, Paul's epistles, and so forth.[41] Now, even the most radical skeptics of the Pharisees-rabbis connection did not doubt that some relationship between (some) Pharisees and (some) rabbis probably existed.[42] What will become important for our purposes is the fact that all parties to this debate seem to have conceived of this relationship, or lack thereof, in either-or terms. Either one has confidence in the Pharisees-rabbis connection, in which case one will have more confidence in asserting a relationship between the

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dominance, in which such dominance is conceived of in substantive terms, see R. Travis Herford, The Pharisees, 2nd Edition (Boston: Beacon Press, 1962).

38 See above p. 58 n. 32

39 Anthony J. Saldarini, Pharisees, Scribes and Sadducees in Palestinian Society (Delaware: Michael Glazier, Inc., 1988).

40 See Shaye J. D. Cohen, "The Significance of Yavneh: Pharisees, Rabbis, and the End of Jewish Sectarianism," *Hebrew Union College Annual* 55 (1984): 27–53; For bibliography of and a review of Peter Schäfer's important contributions to this discussion, see the introductory comments and notes in Annette Yoshiko Reed, "When Did Rabbis Become Pharisees?: Reflections on Christian Evidence for Post-70 Judaism," in *Envisioning Judaism, Studies in Honor of Peter Schäfer On the Occasion of His Seventieth Birthday*, ed. Ra'anan Boustan et al., vol. 2, 2 vols. (Tübingen: Mohr Siebeck, 2013), 859–95.

41 See Peter J. Tomson, *Paul and the Jewish Law: Halakha in the Letters of the Apostle to the Gentiles*, Jewish Traditions in Early Christian Literature 1 (Minneapolis: Fortress Press, 1990)., and note that the term "Halakha" itself is taken directly from rabbinic literature and applied to all the legal discussions in the gospels that fit the putative model constructed for it. See especially John P. Meier, "Is There Halaka (The Noun) at Qumran?," *Journal of Biblical Literature* 122, no. 1 (2003): 150–55; and more recently Peter J. Tomson, "Halakhah in the New Testament: A Research Overview," in *The New Testament and Rabbinic Literature*, ed. Reimund Bieringer et al. (Leiden: Brill, 2010), 135–206.

42 See Cohen's considered statement on the matter in Cohen, "Significance of Yavneh," 40.

Pharisees and something found in early rabbinic literature, or one will have less confidence, in which case the opposite will be true. Whatever the case, in view is the idea that any relationship between Pharisees and rabbis will have to account for (early) rabbinic literature writ-large.

More recent scholarship has seen several significant advances. First is Martin Goodman's argument that Pharisaic influence among the populace of Palestine, described in Josephus, was not a function of their successful propagation of distinctly Pharisaic teachings. Instead, he contended that the Pharisees' influence stemmed from their endorsement of the traditions and practices that many Jews already kept.[43] As Goodman puts it, "[I]n any particular case it might be hard to know whether a custom was carried out by ordinary Jews because it was customary, or because it had the approval of the Pharisees, or for both reasons."[44] The crucial point here is the shift away from substantive norms. What characterizes Pharisaic influence, according to Goodman, is not necessary the practices of the Pharisees *per se*, but the procedural medium that structured those practices, namely, ancestral tradition – a term we will have occasion to discuss in much greater detail below.

A second important development is Adiel Schremer's discussion of the essentially non-existent role of explicit scriptural interpretation in early Jewish legal sources.[45] As Schremer himself writes, he is not the first to note the paucity of self-conscious references to scripture in early sources. His distinct contribution, however, is first of all to note the contrast between early rabbinic, and indeed Pharisaic, "tradition-based observance"[46] on the one hand, and the sources preserved at Qumran on the other,

43 Martin Goodman, "A Note on Josephus, the Pharisees and Ancestral Tradition," *Journal of Jewish Studies* 50, no. 1 (1999): 17–20.
44 Goodman, 19.
45 Adiel Schremer, "'[T]He[y] Did Not Read in the Sealed Book': Qumran Halakhic Revolution and the Emergence of Torah Study in Second Temple Judaism," in *Historical Perspectives: From the Hasmoneans to Bar Kokhba in Light of the Dead Sea Scrolls*, ed. David Goodblatt, Avital Pinnick, and Daniel R. Schwartz (Leiden: Brill, 2001), 105–26.
46 Schremer, 113.

which evince a tendency to appeal to scripture. Moreover, Schremer argues that the relatively straightforward relationship between claim and prooftext in the sources from Qumran suggest that appeals to scripture were, at this time, in a relative state of infancy.[47] He therefore regards appeal to the written text of the Torah as a source of authority for matters of contemporaneous Jewish practice as "a revolutionary innovation of first century BCE Judaism." Of course, we have already seen that inspired interpretation originates in the second century BCE, with the onset of scripturalization. Schremer's claim is therefore off by a century. It does not, for example, account for texts like Greek Sirach and Jubilees.[48] Nevertheless, Schremer's analysis puts procedural norms squarely in our sights. What is important is not only the substantive content of a practice or belief, but also *how* the content of a practice or belief is known and justified.

The final recent contribution to mark is Yair Furstenberg's excellent study of the Pharisees in light of criticisms directed at them in various early sources.[49] Although, as noted, earlier scholars had become increasingly careful to keep our ancient sources for the Pharisees separate, Furstenberg's article implicitly notes the overcorrection in some of this scholarship. By collating various sources critical of the Pharisees against each other, Furstenberg uncovers two general themes in attacks on the Pharisees: 1) they are too lenient, and 2) they manifest a disregard for scripture.[50] Furstenberg's study has

47 Schremer does not discuss scripturalization, *per se*, but his insight here is clearly relevant to our discussion of this phenomenon above all the same.

48 On Schremer's reasonable argument for dating the sectarian sources he cites to the first century BCE, as opposed to the more widely held view of the second century BCE, see Schremer, "Qumran Halakhic Revolution," 126 n. 63. It is likely that Schremer did not account for sources like Greek Sirach and Jubilees because of a combination of his heavy emphasis on the supposed sectarian nature of the scriptural interpretation revival (see, e.g. Schremer, 110, 126), as well as his apparent decision to rely for evidence of scriptural interpretation upon the presence of a *formula citandi* followed by prooftext. Both of these criteria point more towards the first century BCE than the second. But as we shall see in the next chapter, such a methodology is insufficient to capture the full breadth of scripturalization as it occurred in the second century.

49 Yair Furstenberg, "'We Protest Against You, Pharisees': The Shaping of the Pharisaic Worldview in the Mishnah," in *Halakhah: Explicit and Implicit Theoretical and Ideological Aspects*, ed. Avinoam Rosenak and Dafnah Schreiber (Jerusalem: Magnes Press and Van Leer Institute, 2012), 283–311.

50 Furstenberg, 285.

demonstrated, even if unconsciously, the explanatory power of synthetic studies of our sources for Pharisees in cases where such studies minimize substantive issues. Furstenberg's historical reconstruction *does not* uncover any particular shared substantive commitments on the part of the Pharisees' critics. Instead, he shows how criticism of the Pharisees was often rooted in a concern for procedure, such as in critiquing their disregard for scripture.

All of the aforementioned promising developments in recent scholarship on the Pharisees have begun to gesture towards procedural norms as an interpretative key to understanding this well-known group. My examination of sources on the Pharisees for information on their procedural character will build upon this recent trend, highlighting the procedural mechanisms by which the Pharisees defined themselves.

Authoritative Teachers in Sources on the Pharisees

Our most detailed account of the Pharisees, set in the second century BCE, comes from the works of Josephus.[51] Josephus first mentions the Pharisees in the context of introducing the rule of Salome Alexandra in *War*.

> Παραφύονται δὲ αὐτῆς εἰς τὴν ἐξουσίαν Φαρισαῖοι, σύνταγμά τι Ἰουδαίων δοκοῦν **εὐσεβέστερον** εἶναι τῶν ἄλλων καὶ **τοὺς νόμους ἀκριβέστερον ἀφηγεῖσθαι**
>
> Beside Alexandra, and growing as she grew, arose the Pharisees, a body of Jews with the reputation of excelling (εὐσεβέστερον) the rest of their nation in the observances of religion, and as exact exponents of the laws (τοὺς νόμους ἀκριβέστερον ἀφηγεῖσθαι). (*B.J.* 1.110)[52]

51 Albert Baumgarten, in his landmark work on the emergence of Second Temple sectarianism in the second century BCE, built his chronological case for viewing the Pharisees as originating in the second century BCE by noting that Josephus first mentions Pharisees (and other so-called sectarian groups) during the leadership tenure of Jonathan, the brother of Judas Maccabeus; see Albert I. Baumgarten, The Flourishing of Jewish Sects in the Maccabean Era: An Interpretation, 2nd Edition, Supplements to the Journal for the Study of Judaism 55 (Atlanta: Society of Biblical Literature, 2005), 20. Steve Mason, the scholar best associated with the minimalist case for Josephus's reliance upon earlier sources, has convincingly demonstrated the thoroughgoing Josephan character of all of Josephus's deliberate discussions of the Pharisees in his works. But even Mason concedes that Josephus's detailed account of the role that the Pharisees played in second century BCE Hasmonean politics almost certainly had "a traditional (non-Josephan) origin." See Mason, *Flavius Josephus*, 173. It is, in fact, quite difficult to imagine that Josephus simply invented the Pharisees in his second century narratives, for which he otherwise appears to be at least relatively informed. On these grounds alone, it seems fair to treat Pharisees as having emerged in the second century BCE. Of course, even for non-minimalists there is no way for Josephus to escape his location in the first century CE. The question we will need to ask is whether Josephus – either through his reliance on earlier sources or through historical memory, or via some other mechanism – nonetheless preserves anything that illuminates our understanding of the Pharisees in the context of the second century BCE.

What of our other sources for Pharisees? Neither Paul, nor the gospels relate any information about the origins of the Pharisees. This leaves us with rabbinic literature. While our rabbinic sources are less-than-explicit on this score, and therefore less help than Josephus in dating the emergence of the Pharisees, two facts are worthy of note. First, to the extent that rabbis, from the first century and onward, have some – admittedly ill-defined and poorly understood – connection to the Pharisees, it is interesting that the rabbis' memory of named tradents in Mishnah *Avot* extends back rather precisely to the turn of the second century BCE; see *m. Avot* 1.2-3, and cf. Amram Tropper, Simeon the Righteous in Rabbinic Literature: A Legend Reinvented (Leiden: Brill, 2013), and Amram Tropper, Wisdom, Politics, and Historiography: Tractate Avot in the Context of the Graeco-Roman Near East (Oxford: Oxford University Press, 2004). Intriguingly, a later tradition about this source found in *Avot de-Rabbi Natan B*, 10 locates the emergence of the Sadducees in the generation immediately following Antigonus of Sokho, which appears to be sometime in the second century BCE. We are dealing here with a substantially later source – on which, generally, see Menahem Kister, "Abot de-Rabbi Natan - Studies in Text, Redaction and Interpretation" (PhD Dissertation, Hebrew University of Jerusalem, 1994) [Hebrew]. – but it is nevertheless interesting for its basic congruence with the information we have in Josephus.

52 Translation taken from, H. ST J. Thackeray, ed., *Josephus: The Jewish War, Books I-III*, Reprint edition (Harvard University Press, 1976), 53 Unless otherwise noted, all translations of Josephus are taken from the Loeb Classical

In this cursory description, Josephus describes the Pharisees as being – or at least seeming – exceedingly pious (εὐσεβέστερον), as well as rather precise or exacting (ἀκριβέστερον) in relating (ἀφηγεῖσθαι) the laws. No criteria by which their piety may be measured are provided, so the reader is left to surmise that it is determined by, or at least related to their exactness in relating the laws. But what does this mean?[53] In his recent, landmark study on the trajectory of the Semitic root *d-r-š* in Jewish antiquity, Paul Mandel performed an exhaustive linguistic study of this and related passages on the Pharisees. He concluded unequivocally that the activity Josephus attributes to the Pharisees "has nothing to do with an explication of the text of the Bible."[54]

Mandel's case rests on his analysis of the verb *aphēgeomai*, which appears in this passage, as well as *exēgeomai*, and related terms. We may buttress it further through examining our passage's reference to "the laws" (τοὺς νόμους). Scholars have traditionally understood Josephus to mean "scripture."[55] But Steve Mason has shown the exceedingly broad semantic range the noun *nomos* possesses in Josephus's writing.[56] In the event that Josephus is relying on an earlier source, this semantic capaciousness is

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Library editions.

53 Steve Mason demonstrates that Josephus uses forms related to *akribeia* in order to describe the obligation incumbent upon all people to maintain fealty to their traditions:

> [S]crupulous adherence to one's traditional laws is, for Josephus, a universal responsibility, binding on all nations. The Jews, he maintains, take this task especially seriously. Since the original promulgation of their Law by Moses, they have sworn to study it and to obey its precepts with diligence. Although ἀκρίβεια with respect to the laws is the common goal of Jewish life, certain individuals and groups are reputed to excel in this area (e.g., the Pharisees, Eleazar, and certain Jerusalemites). In Josephus's own view, however, it is the priests who are the real adepts in accurate scriptural exegesis. He forthrightly and repeatedly makes his own claim to ἀκρίβεια on the basis of his priestly descent and training. (Mason, *Flavius Josephus*, 95–96.)

According to Mason, Josephus believes that there are genuine and illegitimate forms of *akribeia* in the Jewish laws. The passage at bar might, as Mason goes on to claim, help confirm whether or not Josephus believes the Pharisees' reputation is actually justified (see Mason, 112-113). But it does little to inform us about how the Pharisees *built* this reputation.

54 Paul D. Mandel, *The Origins of Midrash: From Teaching to Text*, Supplements to the Journal for the Study of Judaism 160 (Leiden: Brill, 2017), 159. See the similar conclusions in Jonathan Klawans, *Josephus and the Theologies of Ancient Judaisms* (Oxford: Oxford University Press, 2012), 144–45.

55 With the passage therefore indicating overall that the Pharisees were excellent scriptural interpreters; see the bibliography assembled by Mandel, Ibid., 148-150.

56 Mason, *Flavius Josephus*, 96–105.

characteristic of early Jewish writing in general.[57] Often, when Josephus wished to be more specific, he referred to "the law(s) *of Moses.*"[58] He does not do so here. We are left to wonder what exactly Josephus, or his source, had in mind here by the term "laws."

In the coda to his account of the schism between John Hyrcanus and the Pharisees, Josephus – one of the best known passages describing the Pharisees – provides information that will aid us in clarifying the matter:

> νῦν δὲ δηλῶσαι βούλομαι, **ὅτι νόμιμά τινα παρέδοσαν τῷ δήμῳ οἱ Φαρισαῖοι ἐκ πατέρων διαδοχῆς, ἅπερ οὐκ ἀναγέγραπται ἐν τοῖς Μωυσέως νόμοις**, καὶ διὰ τοῦτο ταῦτα τὸ Σαδδουκαίων γένος ἐκβάλλει, λέγον ἐκεῖνα δεῖν ἡγεῖσθαι νόμιμα τὰ γεγραμμένα, τὰ δ' ἐκ παραδόσεως τῶν πατέρων **μὴ τηρεῖν**. καὶ περὶ τούτων ζητήσεις αὐτοῖς καὶ διαφορὰς γίνεσθαι συνέβαινεν μεγάλας, τῶν μὲν Σαδδουκαίων τοὺς εὐπόρους μόνον πειθόντων τὸ δὲ δημοτικὸν οὐχ ἑπόμενον αὐτοῖς ἐχόντων, τῶν δὲ Φαρισαίων τὸ πλῆθος σύμμαχον ἐχόντων.
>
> I want to explain here that the Pharisees passed on to the people certain ordinances from a succession of fathers (ἐκ πατέρων διαδοχῆς), which are not written down in the laws of Moses (οὐκ ἀναγέγραπται ἐν τοῖς Μωυσέως νόμοις). For this reason the party of the Sadducees dismisses these ordinances, averring that one need only recognize the written

57 This is true both in earlier Hellenistic contexts, and in the first century, most notably in the writings of Paul. See Jack N. Lightstone, "Torah Is Nomos—Except When It Is Not: Prolegomena to the Study of the Law in Late Antique Judaism," *Studies in Religion* 13, no. 1 (1984): 29–37. On Paul see Lloyd Gaston, *Paul and the Torah* (Eugene: Wipf and Stock Publishers, 2006), 71–72. See also Michael Winger, *The Meaning of Nomos in the Letters of Paul* (Atlanta: Scholars Press, 1992); Brendan Byrne, "The Problem of Nomos and the Relationship with Judaism in Romans," *Catholic Biblical Quarterly* 62, no. 2 (2000): 294–309.

58 See Mason, Flavius Josephus, 97 n. 44.

> ordinances, whereas those from the tradition of the fathers need not be observed (τηρεῖν). Conflicts and major differences developed between the two groups over these matters. The Sadducees persuade only the wealthy, however, and have no popular following, whereas the Pharisees have the support of the populace. (*A.J.* 13.297-8)[59]

The most important piece of information that may be gleaned from this passage is that what marked off the Pharisees as a group was their commitment to certain ancestral traditions that are not to be found in the scriptures. Specifically, the "laws" for which the Pharisees were best known were *not* the "laws of Moses" (νόμιμά τινα...ἐκ πατέρων διαδοχῆς, ἅπερ οὐκ ἀναγέγραπται ἐν τοῖς Μωυσέως νόμοις). While scholars have increasingly tended to avoid the temptation to draw an equation between these ancestral laws, or traditions, and the rabbinic "Oral Torah,"[60] this only begs the question: how did these ancestral traditions develop, and how or why did they propagate among the people?

We can begin by emphasizing once again what these teachings are *not*. It is clear that the procedural norms undergirding these traditions are not related to scriptural interpretation. The two terms that scholars once held up as definitive for establishing the Pharisees' identity as exegetes – *aphēgeomai* and *nomos* – cannot bear the weight of this conclusion. Of course, it is still possible that scriptural interpretation served *in reality* as a source for Pharisaic teachings. For all we can tell it may have been the primary source! In fact, there is a growing trend in scholarship to uncover scriptural interpretation even in texts and traditions where such is not made explicit, or even marked at all.[61] But even were

59 Translation from, Mason, *Flavius Josephus*, 217–18. But see below.

60 Fraade categorically disputes any equation, while Werman is more inclined to see a generative relationship between the Pharisees' commitment to these ancestral traditions and the rabbinic claim of Sinaitic origins for its oral teachings. See Steven D. Fraade, "Literary Composition and Oral Performance in Early Midrashim," *Oral Tradition* 14, no. 1 (1999): 40–41; and Cana Werman and Aharon Shemesh, *Revealing the Hidden: Exegesis and Halakhah in the Qumran Scrolls* (Jerusalem: Bialik Institute, 2011), 83–100 (Hebrew); see also the summarizing comments in Tropper, *Simeon the Righteous*, 31–33.

61 See, for example, two very different works from the 1990s, both of which utilize this methodology, Hannah K. Harrington, The Impurity Systems of Qumran and the Rabbis: Biblical Foundations (Atlanta, Ga: Society of Biblical

some, many or all Pharisaic teachings to have been drawn in some way from scripture, the critical point is that they are not promulgated on the basis of scripture's authority. What distinguishes them instead is that they are specifically *not* written down in the laws of Moses (οὐκ ἀναγέγραπται ἐν τοῖς Μωυσέως νόμοις).[62] And as far as procedural norms are concerned, what is important is not what our sources *actually* did, but what they *say* they did.

The Chain of Transmission in Sources on the Pharisees

What, then, is the procedural norm that lies behind these teachings? The Pharisees justified their teachings by tracing them back through a chain of transmission (ἐκ...διαδοχῆς), authenticated by figures identified as "fathers" or "ancestors" (πατέρων). As we have seen, the chain of transmission concept is an innovation of the second century BCE, which we have already encountered in the Aramaic Levi Document and Testament of Qahat, and which Jubilees will subvert. In these sources we encountered for the first time authoritative teachers passing down traditions across multiple generations. At a minimum, then, we can assign the Pharisees to the authoritative teacher procedural type. But can we learn anything else about them from our wider understanding of the second century BCE?

Literature, 1993); James L. Kugel, In Potiphar's House: The Interpretive Life of Biblical Texts (Cambridge: Harvard University Press, 1994). This has been a prominent theme in Vered Noam's work; see Vered Noam, "The Dual Strategy of Rabbinic Purity Legislation," *Journal for the Study of Judaism* 39, no. 4 (2008): 471–512; Vered Noam, "'The Gentileness of the Gentiles': Two Approaches to the Impurity of Non-Jews," in *Halakhah in Light of Epigraphy*, ed. Albert I. Baumgarten et al. (Vandenhoeck & Ruprecht, 2011), 27–41. See as well the discussion of the Book of Revelation in the next chapter.

62 Cf. the argument in Paul Mandel, "Scriptural Exegesis and the Pharisees in Josephus," *Journal of Jewish Studies* 58, no. 1 (n.d.): 19–32. And see Mandel, *Origins of Midrash*, 158–60.

First, we can be more specific about the *pateres* to whom Josephus refers.[63] While scholarship on the Pharisees has located their origins in the second century BCE,[64] they are nearly always discussed in practice as either a precursor to the later rabbis or gospels, or as Hasmonean-era political players. The former takes us out of the second century BCE, and the latter – while at least justified by Josephus's narratives about them – gives us little information for solving the *pateres* riddle. The upshot of this narrow conception of the Pharisees is that the question of the identity of the *pateres* has turned almost entirely on its relationship to rabbinic "Oral Torah," and traditions like those found in *m. Avot* 1. On one side are scholars who are convinced that the Pharisees, whatever their relationship to the later rabbis, maintain a recognizable "Oral Torah" doctrine.[65] *Pateres*, for the Pharisees, would therefore refer to a series of figures originating, as evidenced by the supposedly Pharisaic tradition lying behind *m. Avot*, with Moses. On the other are scholars who question the link with rabbinic "Oral Torah," and who therefore assert that *pateres* is a reference to figures later than Moses, and should be perhaps be understood in an indefinite or abstract sense.[66] Either way, the entire discussion is pegged to rabbinic

63 Even Mason, who generally takes a maximalist view of Josephus's contributions to this and other passages regarding the Pharisees in his works, concedes that Josephus almost certainly has a preexisting association of the Pharisees with *pateres*; see Mason, *Flavius Josephus*, 231–33. See also Albert I. Baumgarten, "The Pharisaic Paradosis," Harvard Theological Review 80, no. 1 (1987): 74–76, in the context of his larger case for a similar preexisting association between the Pharisees and the term *paradosis*. See immediately below for a more complete discussion of Baumgarten's contributions on this issue.

64 Although see the idiosyncratic interpretation of Solomon Zeitlin, "The Origin of the Pharisees Reaffirmed," *Jewish Quarterly Review* 59, no. 4 (1969): 255–67. Zeitlin refers *inter alia* to the fact that Louis Finkelstein had revised his opinion of second century origins to a fourth century BCE date; see Louis Finkelstein, "The Origin of the Pharisees," *Conservative Judaism* 23, no. 2 (1969): 25–36. It is noteworthy that even in his earlier work on the Pharisees, Finkelstein had developed a theory by which the Pharisees were descended from "plebeian scholars, the so-called Scribes" already active in the Biblical period; see Louis Finkelstein, *The Pharisees: The Sociological Background of Their Faith*, vol. 1 (New York: Jewish Publication Society, 1962), 73–74, 261–70.

65 See, for example, M.D. Herr, "Continuum in the Chain of Torah Transmission," *Zion* 44 (1979): 43–56 (Hebrew); Joseph M. Baumgarten, "The Unwritten Law in the Pre-Rabbinic Period," *Journal for the Study of Judaism in the Persian, Hellenistic, and Roman Period* 3, no. 1 (1972): 7–29; Rivkin, *Revolution*; Louis H. Feldman, *Josephus and Modern Scholarship, 1937-1980* (New York: Walter de Gruyter, 1984), e.g. 564-565.

66 See Jacob Nahum Epstein, *Introduction to the Text of the Mishnah*, vol. 1 (Jerusalem, 1948), 697 (Hebrew); Jacob Neusner, *The Rabbinic Traditions About the Pharisees Before 70, Part III: Conclusions*, 2nd edition (Eugene: Wipf and Stock Publishers, 2005), 163–79; Jacob Neusner, "The Rabbinic Traditions About the Pharisees Before 70 CE: An Overview," in *In Quest of the Historical Pharisees*, ed. Jacob Neusner and Bruce Chilton (Waco: Baylor University Press, 2007), 297–311; Goodman, "Ancestral Tradition"; Steven D. Fraade, *Legal Fictions: Studies of Law and Narrative in the Discursive Worlds of Ancient Jewish Sectarians and Sages* (Leiden: Brill, 2010), 370–78; Martin S. Jaffee, *Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism, 200 BCE - 400 CE* (Oxford: Oxford University Press, 2001), 50–52; Klawans, *Josephus*, 142–47. Relevant to this tradition in scholarship is Bernd

literature. The only question debated is whether or not the Pharisees are making the same claim as later rabbis.

In a study on the appearance of *paradosis* and related terms in sources concerning the Pharisees, Albert Baumgarten hinted at an intriguing possibility for advancing the conversation.[67] Although firmly within the tradition of scholarship that read the Pharisees in light of, and as prelude to rabbinic literature, Baumgarten notes that a series of ancestors also appear in another second century context: Ben Sira. Can this source shed light on the identity of the *pateres*? Baumgarten writes, "Who were these *'abot* [i.e. the Pharisaic *pateres*]? Chapter 44 of Ben Sira...reveals their identity. They were great mean of the past and present, from Enoch to Abraham, to Moses, and to Simon the High Priest of Ben Sira's day."[68] Baumgarten himself did not further explore the significance of his argument, and in fact appears not to have considered the Pharisaic *pateres* as referring to any ancestors other than the ones in *m. Avot* 1 – Moses and those who came after him.[69] Moreover, as we will explore in the next chapter, the list in Ben Sira does not actually represent a chain of transmission, as envisioned in Josephus's report on the Pharisees in *A.J.* 13.[70] But Baumgarten has helpfully pointed us towards the second century BCE for

Schröder's extensive study on "ancestral laws" in Josephan usage; see Bernd Schroder, *Die "väterlichen Gesetze": Flavius Josephus als Vermittler von Halachah an Griechen und Römer*, Texte und Studien zum antiken Judentum 53 (Tübingen: Mohr Siebeck, 1996). Schröder's argument is that Josephus uses variants on *patrio nomoi* in a very wide, non-technical sense to refer to the mass of ancient traditions – whether from biblical or postbiblical times – according to which Jews lived their lives, and that would have made them distinct in a Greco-Roman setting. Schröder's range of "Jewish" comparanda for establishing the meaning of these terms is rather meager, and the scope of his analysis is accordingly limited. But even if he is correct on the whole, his conclusions do not apply to *A.J.* 13.297-298. This is because we have in this passage a confluence of linguistic elements – *diadochē*, *paradidōmi*, *patēr* – that is unique in the Josephan corpus, which predate Josephus; see Mason, *Flavius Josephus*, 235.

67 See Baumgarten, "Paradosis." He is agnostic on the question of the relationship between so-called Pharisaic *paradosis* and rabbinic "Oral Torah"; see p. 66 n. 11. On Baumgarten's premise, see the cautionary note in Goodman, "Ancestral Tradition," 17.

68 Baumgarten, "Paradosis," 74.

69 See the ensuing discussion in ibid. 75-76. As far as I can tell, no subsequent scholars have picked up on the implications of Baumgarten's usage of Ben Sira.

70 And see Maurice Gilbert, "Pirqé Avot and Wisdom Tradition," in *Tracing Sapiential Traditions in Ancient Judaism*, ed. Hindy Najman, Jean-Sébastien Rey, and Eibert J. C. Tigchelaar, Supplements to the Journal for the Study of Judaism 174 (Leiden: Brill, 2016), 157.. See also Ishay Rosen-Zvi, "The Wisdom Tradition in Rabbinic Literature and Mishnah Avot," in Tracing Sapiential Traditions in Ancient Judaism, ed. Hindy Najman, Jean-Sébastien Rey, and Eibert J. C. Tigchelaar, Supplements to the Journal for the Study of Judaism 174 (Leiden: Brill, 2016), 189–90, who notes a crucial difference between the lists in Ben Sira and *m. Avot* respectively.

identifying the *pateres*, specifically, to other sources in the authoritative teacher procedural type that feature chains of transmission. In those sources – and, as we shall see, in Jubilees, which consciously subverts this tradition – we also see a chain of transmission featuring Jewish ancestors, namely, figures from Genesis. According to these sources, the chain of authoritative teachers begins not with Moses, but with figures like Adam, Enoch, Noah, Abraham, Isaac, Rebecca, Rachel, Levi and beyond. The fact that these figures lived *before* the revelation of Mosaic Torah appears to be the whole point. The traditions dictating proper behavior, so the implicit argument in these sources goes, have been preserved by chains of teachers and students since long before Sinai.

With this in mind, we are now in a position to explain the reference to *pateres* (and related terms) in our sources on the Pharisees. Josephus tells us that the Pharisees passed down traditions *ek paterōn diadochēs*. In the Loeb Classical Library edition, Ralph Marcus translates this as "by former generations";[71] Mason renders, "from a succession of fathers";[72] Goodman has, "from the ancestors."[73] All of these translations reflect a generic or indefinite understanding of the genitive, *paterōn*. But if we take the wider second century BCE context into account, it is clear that this phrase should be translated with an implied definite article: "from *the* succession of ancestors," or perhaps "from *the* succession of *the* ancestors."[74] In other words, the Pharisees here claim to be heirs to traditions – whose authority is not rooted in scriptural interpretation – passed down beginning with the biblical ancestors of the Genesis traditions,[75] who are conceived as authoritative teachers in an intergeneration chain of

71 Ralph Marcus, ed., *Josephus: Jewish Antiquities, Books XII-XIII*, Loeb Classical Library 365 (Cambridge: Harvard University Press, 1943), 377.

72 Mason, *Flavius Josephus*, 217.

73 Goodman, "Ancestral Tradition," 17.

74 This is certainly syntactically permissible. This is a prepositional phrase, it refers to a relationship (i.e. fathers), and arguably the reference to "fathers" in this context could have been understood as sufficiently definite on its own; see Herbert Weir Smyth, *Greek Grammar*, ed. Gordon M. Messing, Revised edition (Harvard University Press, 1984), §. 1126, 1128, and 1140.. Any one of those factors on its own (except, perhaps, the third) would justify the lack of a Greek definite article. All of them together make an even more powerful case.

75 A quick note on my terminology. The Greek *patēr* found here in Josephus is a gendered term; Mason renders it as "father" (e.g. Mason, Flavius Josephus, 217), even as he notes that Josephus sometimes uses the term to refer to a

transmission. In this sense, the Pharisees can be seen taking part in a characteristically second century BCE discourse surrounding the authoritative teacher procedural norm.

Tēreō – "Observe" or "Preserve"?

Understanding Josephus's phrasing as referring to traditions of the early biblical ancestors not anchored in scriptural interpretation would also put a finer point on Josephus's description of the Sadducees's reaction to this claim: "one need only recognize the written ordinances, whereas those from the tradition of the fathers need not be observed (μὴ τηρεῖν)" (*A.J.* 13.297). According to this translation,[76] the point of contention was over whether or not to *behave* in a particular way. The Pharisees, because of their traditions, thought that a set of customs were incumbent upon Jews; the Sadducees, because they do not accept those traditions, disagreed. Even with procedure in the background, this is a substantive argument: should I do X or not?

But if we understand the *pateres* as a reference to (or that begins with) pre-Mosaic figures, then the Sadducean argument takes on a different character. Josephus's Sadducees are not denying that the pre-Mosaic ancestors passed down certain traditions (νόμιμά τινα). What they are arguing is that to the extent that they did so, *they are already written down in scripture*, which must now be properly interpreted as per the relevant scriptural interpretation procedural norm. This insight is suggested by the

multitude of people including non-males; Ibid. 232. It is possible (though not necessary) that Josephus, or the tradition of discourse upon which he draws, intended by employing a version of *patēr* to erase or deny the presence of women in the Pharisaic chain of transmission. A translation of "father" would acknowledge this. With due cognizance of this possibility, I am nevertheless choosing to render it with the gender neutral term "ancestor" in order to indicate that I see the origin of this term in discourses about the figures in Genesis, in the context of the authoritative teacher procedural type. In this discursive world, the relevant figures are often men (e.g. Noah, Abraham, etc.), but sometimes they are women (e.g. Rebecca, Rachel, etc.). I am grateful to my wonderful friends and colleagues, Alyssa Cady, Elena Dugan and Mark Letteney, for a valuable discussion on this matter.

76 Adopted both by the Loeb Classical Edition and Mason.

infinitive clause at the end of this passage. As we saw above, the standard translation of this clause, μὴ τηρεῖν, is "need not be observed." But in Josephan usage, "observe" is not the primary meaning of *tēreō*. In fact, Josephus normally employs forms of this verb to mean "preserve" or "retain the memory of."[77] Take, for example, the only other time in his *oeuvre* in which Josephus utilizes this specific construction. In describing the battle against the Amalekites, recorded in 1 Sam 15, Josephus refers to the Israelite's illicit appropriation of the spoils of war:

> συνεξήμαρτε δ᾽ αὐτῷ καὶ τὸ πλῆθος· καὶ γὰρ ἐκεῖνοι τῶν ὑποζυγίων καὶ τῶν βοσκημάτων ἐφείσαντο **καὶ διήρπασαν, μὴ τηρεῖν αὐτὰ τοῦ θεοῦ κελεύσαντος**, τά τε ἄλλα χρήματα καὶ τὸν πλοῦτον ἐξεφόρησαν, εἰ δέ τι μὴ σπουδῆς ἦν ἄξιον ὥστε κεκτῆσθαι διέφθειραν.
>
> The people too were his partners in sin; for they spared the beasts and the cattle **and took for their prey what God had forbidden to be preserved**, and carried off all the chattels and riches beside; but whatever was not worth coveting as a possession that did they destroy. (*A.J.* 6.139)

Just as in his passage on the Pharisees, Josephus here employs a complementary infinitive form of *tēreō* with a negative. In this case, the meaning "not to observe" is impossible. "Not to preserve," in the sense of *retaining* appears inescapably to be the sense of the clause.

77 In addition to the following example, see in the *Antiquities* alone see, e.g., *A.J.* 1.132, 2.144, 3.249, 4.298, and many more.

To return, then, to our original passage: the Sadducees are not making the substantive point that the Pharisees' patriarchal traditions should not be *observed*.[78] They are instead making the procedural point that the Pharisees's non-scriptural traditions from the pre-Mosaic ancestors should not be *preserved*; that is, the Pharisees should not continue to transmit them independently of scripture. This entire passage in Josephus, in other words, reflects an argument over procedural norms.

Conclusions

Let us now review our conclusions regarding the Pharisees, and set them within the context of our broader narrative about the transition from the third century BCE to the second century CE. Sources from the first century CE claim that the Pharisees emerge during the second century BCE. The Pharisees are invariably depicted adhering to procedural norms characteristic of the authoritative teacher procedural type in that period. In contrast to texts and traditions that participate in procedural norms rooted in scriptural interpretation, which began to crystallize with the contemporaneous onset of scripturalization, the Pharisees convey substantive norms through authoritative teachers, whose teachings are *not* depicted as anchored in scripture. In this respect, the Pharisees should be seen as sharing procedural norms with the Aramaic Levi Document, the Testament of Qahat, and Hebrew Ben Sira. More specifically, the Pharisees partake of an important innovation of the second century BCE: the chain of transmission. The wisdom traditions of the third century BCE and earlier feature single acts of transmission – a teacher to a student – but only in the second century BCE do we find multi-generational transmission chains.

78 Even granting the possibility that this is, in fact, what they thought.

I further argued that the particular manner in which the chain of transmission is formulated in our first century CE sources on the Pharisees[79] reflects a second century BCE context. As we saw above, the second century origin of the chain motif reflects the influence of genealogical stories about ancient Israel's ancestors on second century procedural discourse. This is the larger context for Josephus's claim that "the Pharisees passed on to the people certain ordinances from the succession of the ancestors" (*A.J.* 13.297).[80] According to my reconstruction, the Pharisees – like the Aramaic Levi Document and the Testament of Qahat – authenticated their teachings by ascribing their origins to a chain of transmission maintained by the patriarchs and matriarchs of the Genesis traditions. While, as we will see, Hebrew Ben Sira's ancestor list probably does not fulfill the same procedural function as I envision for these other traditions, it is still noteworthy that this second century BCE text presents an extended list of biblical figures as it builds to its coda. In any event, according to Josephus, the Sadducees – whom Josephus, among others, portrays as their primary opponents – argue with the Pharisees not necessarily about the substantive content of these ordinances (at least that is not their primary focus), but about the proper procedure by which substantive norms should be derived. Josephus's Sadducees asserted that substantive norms should be extracted from scripture, and that the traditions of the pre-Mosaic ancestors should not be preserved through authoritative teachers independent of scripture.

79 Specifically Josephus, but this extends to their portrayal in the gospels as well.

80 We will discuss Paul in the next chapter, but for now see Gal 1.14. Paul does not explicitly invoke the Pharisees in this source. Nonetheless, scholars often take references in Paul's writings to his past to refer to his experiences as a Pharisee. In the case of the following passage, Werman understands it in the context of Paul's origins as a Pharisee, see Werman and Shemesh, *Revealing the Hidden*, 87.. Note that Paul *does* explicitly self-identify as a Pharisee in Phil. 3:4. That does not necessarily give free reign to scholars in interpreting all descriptions of his origins, but in this case, the Pharisee-context may be further justified (albeit not confirmed), in light of Josephus, by the reference to ancestral traditions

4QInstruction

Procedural Norms in 4QInstruction

Thus far, we have found a fair degree of uniformity within the second century BCE authoritative teacher procedural type, as exemplified by the Aramaic Levi Document, the Testament of Qahat, and Josephus's depiction of the Pharisees' procedural norms. We will see this further confirmed in the next chapter when we explore Hebrew Ben Sira. The influence of earlier wisdom traditions were strongly felt among authoritative teachers, who passed on instruction from teacher to student, especially in the context of civic interactions. We also discussed the evolution during this period of the chain of transmission, and the importance of the genealogical narratives of the biblical ancestors for understanding this development. When we have encountered divine inspiration, however, it has only come bundled with a procedural commitment to scriptural interpretation. But much as the motif of biblical ancestors crosses procedural lines, as we will see in the next chapter, the same is true for divine inspiration. In addition, we will see some evidence – fleshed out further in the next chapter's discussion of Hebrew Ben Sira – for a new procedural norm: creation observation. Ultimately, while 4QInstruction will serve as our only example of inspired teaching in these two centuries BCE, this model will provide us with crucial explanatory power when we discuss authoritative teachers in the first two centuries CE, particularly those centered around memories of Jesus of Nazareth.

4QInstruction, sometimes known as Sapiential Work A or *Musar le-Mevin*, is the longest so-called sapiential text discovered at Qumran.[81] Officially published in 1999,[82] the multitude of surviving fragments seem to derive from seven, or maybe even eight copies. 4QInstruction has long been an object of special fascination for Qumran scholars for the light it can shed upon wisdom's influence on the library of the Dead Sea sect, the relationship between wisdom and apocalypticism, and its tantalizing yet enigmatic references to the "mystery of existence" (*raz nihyeh*).[83] The earliest manuscript of 4QInstruction can be placed sometime between 100-50 BCE, and scholars tend to date the composition such as it is to the second century BCE.[84] It therefore affords us an opportunity to expand our procedural narrative for this century.

Creation Observation and The "Mystery of Existence"

81 Matthew J. Goff, *4QInstruction*, Society of Biblical Literature - Wisdom Literature from the Ancient World 2 (Atlanta: SBL Press, 2013), 1.

82 John Strugnell, Daniel J. Harrington, and Torleif Elgvin, eds., *Qumran Cave 4, XXIV: Sapiential Texts, Part 2: 4QInstruction (Mûsār LeMēvîn): 4Q415ff; with a Re-Edition of 1Q26, and an Edition of 4Q423*, Discoveries in the Judean Desert 34 (Oxford: Clarendon Press, 1999).

83 See the meticulous review of scholarship in Matthew J. Goff, *The Worldly and Heavenly Wisdom of 4QInstruction*, Studies on the Texts of the Desert of Judah 50 (Leiden: Brill, 2003), 6–27. See also the introductory analysis in Goff, *4QInstruction*, 12–27. In translating *raz nihyeh* as "the mystery of existence," I follow the translation in The Dead Sea Scrolls Study Edition. The alternative, and admittedly more popular translation in scholarship is "the mystery to be/to come"; see e.g. Daniel J. Harrington, "The 'Râz Nihyeh' in a Qumran Wisdom Text (1Q26, 4Q415-418, 423)," *Revue de Qumran* 17 (1996): 549–53; Torleif Elgvin, "Wisdom and Apocalypticism in the Early Second Century BCE–The Evidence of 4QInstruction," in *The Dead Sea Scrolls Fifty Years After Their Discovery, Proceedings of the Jerusalem Congress, July 1997*, ed. Lawrence H. Schiffman, Emanuel Tov, and James C. VanderKam (Jerusalem: Israel Exploration Society, 2000), 226–47. What appears to be at issue is whether to render *raz nihyeh* in more static, metaphysical terms, or whether to infuse the translation with a more anticipatory flavor; see Harrington, "Raz Nihyeh," 551. I confess that I do not completely grasp the nuances of this distinction, nor what is at stake in choosing one or the other translation. But either way it does not matter for the subsequent analysis. I have therefore simply adopted the translation of the default source for Qumran translations in this dissertation. Mention should also be made, however, of Shane Berg's intriguing formulation, "the mystery that is unfolding," which in my view seems to account quite well for the concerns of both sides of this debate; see Shane Berg, "Religious Epistemologies in the Dead Sea Scrolls: The Heritage and Transformation of the Wisdom Tradition" (PhD Dissertation, Yale University, 2008), 46.

84 See Goff, *4QInstruction*, 27–29.

The text is quite fragmentary and it is unclear how much the order of material matters.[85] Looking for procedural norms near the beginning or end of the text is thus a difficult if not impossible task. But as with the earlier texts analyzed, we will still be able to find procedural norms in the context of civic interaction. By way of introduction, however, I will commence by citing what is presumably one of the earliest references in 4QInstruction to its signature procedural feature, the "mystery of existence."

אביון אתה אל תאמר רש אני ול[א] 13 אדרוש דעת בכל מוסר הבא שכמכה ובכל[…]. צרוף לבכה וברוב
בינה 14 מחשבותיכה רז נהיה דרוש והתבונן בכל דרכי אמת וכל שורשי עולה 15 תביט ואז תדע מה מר
לאיש ומה מתוק לגבר

> If you are poor, do not say: I am poor and (therefore) I canno[t] 13 seek knowledge. Bend your shoulder to all discipline, and with every […] refine your heart, and with much knowledge 14 your thoughts. Investigate the mystery of existence, and consider all paths of truth, and observe closely all the roots of injustice. 15 Then you will know what is bitter for a human being and what is sweet for a man. (4Q416.2.iii.12-15)

This passage is distinct for employing, twice in quick succession, the verb *d-r-š*.[86] Ideally, as far as 4QInstruction is concerned, the addressee should "seek knowledge," and "investigate the mystery of existence." It seems clear that these phrases denote procedural norms, expressed via a conditional phrase: if one investigates (דרוש) the "mystery of existence" (רז נהיה), considers (התבונן) the "paths of

85 It is similar in this respect to a work like Hebrew Ben Sira, as we will see in the next chapter. In any event, for whatever it is worth, the text's editors identified 4Q416.1 as preserving (part of) the beginning of the text; see Strugnell, Harrington, and Elgvin, *DJD 34*, 73.

86 We will see a similar verb, *p-r-š*, in the passage analyzed just below. In both cases, our text seems to fit quite straightforwardly into the range of meanings proposed in Mandel, *Origins of Midrash*, 93 nn. 16–18. See the potentially related conclusions regarding Late Biblical Hebrew usage of *d-r-š* in Ibid., 84. The meaning seems quite clearly unrelated to exegesis, especially given the absence of any *formulae citandi* or other invocation of scripture, etc. The burden of proof, at least, should be upon those who wish to argue otherwise. On all of this in the larger context of 4QInstruction, see below.

truth" (דרכי אמת), and observers closely (תביט) the "roots of injustice" (שורשי עולה), then knowledge will follow. But the meaning and mechanics of these procedures are not clear. Elsewhere, in the first column of 4Q417.2 we find a fuller, if still incomplete elaboration of this process.

6 [… יום ולילה הגה ברז נ]היה ודורש תמיד ואז תדע אמת ועול חכמה 7 […]הבן מעש[ה …] בכול
דרכיהם עם פקודתמה לכול קצי עולם ופקודת 8 עד ואז תדע בין [טו]ב ל[רע כ]מעש[יהמה] כיא אל הדעות
סוד אמת וברז נהיה 9 פרש את אושה מעשיה ...[לכל חכ]מה ולכל [ער]מה יצרה וממשלת מעשיה 10
לכ[ו]ל ...ה יתול[א]ת כ[ו]ל … בא.[פ]רש למ[ב]ינתם לכול מ[עש]ה להתהלך 11 ב[יצר] מבינתו ויפרש
לא.[…]… כול[…]...ריה ובכושר מבינות נוד[עו נס]תרי 12 מחשבתו עם התהלכו[ת]מי[ם בכול מ]עשיו
אלה שחר תמיד והתבונן[בכו]ל 13 תוצאותמה ואז תדע בכבוד ע[ולם ע]ם רזי פלאו וגבורות מעשיו ואתה
14 מבין רוש פעלתכה בזכרין ה.[… כ]י בא חרות חוק{כה} וחקוק כול הפקודה 15 כי חרות מחוקק לאל
על כול ע.[…] בני שית וספר זכרון כתוב לפניו 16 לשמרי דכרו והואה חזון ההגי וספר זכרון וינחילה
לאנוש עם עם רוח כ[י]א 17 כתבנית קדושים יצרו ועיד לוא נתן הגוי לרוח בשר כי לא ידע בין 18 [טו]ב
לרע כמשפט [ר]וחו *vacat* ואתה בן מבין הבט *vacat* ברז נהיה ודע 19 [...]ת כול חי והתהלכו הפקוד על
מעש[הו]ל[…] ועו[…] 20 […].ה בין רוב למעט ובסודכמה […] 21 [...]ציכה ברז נהיה[…] 22 [...]י
כול חזון דע ובכול[…] 23 ות[ת]חזק תמיד אל תיגע בעולה[… כי כו הנוגע] 24 בה לא ינקה כפי נחלתו
בה יר[… ואתה] 25 בן משכיל התבונן ברזיכה ובאוש[י …] 26 [ב]יסדו בכה .[…].יהן עם פעולת […]
27 לוא תתרו אחר[י] לבבכ[מה] ואחרי {ו}עי[נ]יכמה[...][87]

6 [… day and night meditate on the mystery of ex]istence, and seek continuously. And then you will know truth and injustice, wisdom 7 […] understand the wor[k of …] in all their paths together with their visitations for all eternal periods, and eternal visitation. 8

87 Parallels can be found in 4Q418.43-45 and 4Q418a.11. For critical notes on the text see Goff, *4QInstruction*, 140–42; John Kampen, *Wisdom Literature*, Eerdmans Commentaries on the Dead Sea Scrolls (Grand Rapids: William B. Eerdman's Publishing Company, 2010), 95–96.

And then you will know (the difference) between [goo]d and [evil in their] work[s,] for the God of knowledge is the foundation of truth, and through the mystery of existence 9 he expounded its basis. Its works … [with all wis]dom, and with all [intelli]gence he formed it, and the dominion of its deeds 10 according to a[l]l … […] a[l]l … [he ex]pounded to their mi[n]ds, to every cr[eatu]re to walk 11 in [the nature of] its understanding, and he expounded to […] … /all/ […] … and in the correctness of understanding are made kno[wn the sec[rets of 12 his thought, while one walks [per]fect[ly in al]l one's [d]eeds. Be constantly intent on these things, and understand [al]l 13 their effects. And then you will know et[ernal] glory [wi]th his wonderful mysteries and his mighty deeds. And you, 14 understanding one, inherit your reward in the remembrance of the [… f]or it comes. Engraved is /the/ {your} portion, and ordained is all the punishment, 15 for engraved is that which is ordained by God against all the … [… of] the sons of Seth, and a book of remembrance is written in his presence 16 for those who keep his word. And this is the vision of meditation and a book of remembrance. And he will give it as an inheritance to Enosh together with a spiritual /people/, f[o]]r 17 according to the pattern of the holy ones is his fashioning, but he did not give meditation (as) a witness to the spirit of flesh, for it does not know the difference between 18 [goo]d and evil according to the judgment of its [sp]irit. *Blank* And you, understanding son, consider *Blank* the mystery of existence, and know 19 [the …] of every living being, and its way of walking that is appointed for [its] deeds […] and … […] 20 […] … between much and little, and in your counsel […] 21 […] your … in the mystery of existence […] of each vision know, and in all […] 23 And be continuously st[ea]dfast. Do not get touched by injustice [… for all who touches] 24 it shall no be regarded innocent; according to his inheritance he will […] by it [… And

you,] 25 wise son, understand your mysteries, and the foundation[s ...[26 [when it is founded on you […] their … together with the reward of […] 27 you will not go astray afte[r] yo[ur] heart /and after/ your ey[e]s […] (4Q417.2.i.6-27)

This is a difficult passage to decipher, a task only made more so by its fragmentary state. But we can piece together some important points. First, we once again see the "mystery of existence" in a protasis, followed by an apodosis – expressed by "and then" (ואז) – in which crucial knowledge is attained (l. 6). In this case, the verb describing engagement with the mystery of existence is *h-g-y*. This conditional statement is paralleled in the immediately following lines, with the verbal root *b-w-n* appearing in the protasis (l. 7-9). In the subsequent lines (l. 9-10), the text describes God's creation of the world and the creatures within it. This connection between the "mystery of existence" and the created order is reiterated several lines later (l. 18-19). In l. 11, we find that knowledge gleaned from contemplation of creation has now crystallized into "the secrets of his[88] thought" (נסתרי מחשבתו). Contemplation of these things – via the verb *s-h-r* and the *hitpolel* form of *b-w-n* – results again in access to higher knowledge. The "mystery of existence" thus relates in some way to the procedure of studying or observing the created order.

Second, a few lines later (l. 14-15) mention is made of things that *will* be. Several other passages in 4QInstruction also make this connection between the "mystery of existence" and future events.[89] Torleif Elgvin therefore concluded quite reasonably that "*raz nihyeh* is a comprehensive word [*sic*] for God's mysterious plan for creation and history, His plan for man and for redemption of the elect. It is

88 Presumably God's.

89 See, for example, 4Q418.123.ii.2-4

2 למבוא שנים ומוצא קצים […] 3 כול הנהיה בה למה היה ומה יהיה בו[…] 4 קצו אשר גלה אל אוזן מבינים ברז נהיה [...]

2 concerning the entry of years and the exit of periods […] 3 everything which happened in it, why it was, and what will be in it […] 4 its period which God uncovered to the ear of those who understand the mystery of existence [...]

'salvation history' in a wider meaning."[90] In contrast with other texts drawing upon the wisdom tradition, Elgvin suggested, "*raz nihyeh* represents an *apocalyptic reinterpretation* of the concept of divine Wisdom that stresses the esoteric nature of God's revelation."[91]

But understanding what *kind* of knowledge the "mystery of existence" might convey is not the same as a description of the actual content of that knowledge. Nor, again, do we have much information about the mechanics of attaining the "mystery of existence." Creation observation is certainly procedurally important, but how is it supposed to take place? It is self-guided or intuited? Is it taught? These latter question are crucial for arriving at a full picture of 4QInstruction's procedural norms.

Is There Scriptural Interpretation in 4QInstruction?

Some scholars attempt to solve the problem by positing an identification in 4QInstruction between wisdom and law, actualized in "the mystery of existence." These efforts have been bound up with the appearance in our passage of "the vision of meditation," often referred to in scholarship as "the vision of Hagu."[92] Given the reference in other sources found at Qumran to a "Book of Hagu," the temptation has been strong to associate the "vision" referred to in 4QInstruction with textual study. Thus, Armin

90 Elgvin, "Wisdom and Apocalypticism," 235.
91 Ibid. 237 [emphasis mine].
92 In my view this transliteration-as-translation reflects an unfortunate tic in scholarship on the Dead Sea Scrolls – and, relatedly, on so-called gnostic texts – that leaves key nouns in texts like 4QInstruction untranslated (and often capitalized), thereby lending them a more exotic or sectarian flavor (e.g. "*pesher*" texts, or for gnosticism, "*Hypostasis* of the *Archons*"). For the Nag Hammadi texts, this probably reflects casual scholarly assumptions about gnosticism, on which see Michael Allen Williams, *Rethinking "Gnosticism" - An Argument for Dismantling a Dubious Category* (Princeton, N.J.: Princeton University Press, 1996), 52, 96–115. For the purposes of our discussion I will use "vision of Hagu" when discussing the views of other scholars on regarding its definition, but otherwise will use "vision of meditation"; see Cana Werman, "What Is the Book of Hagu?," in *Sapiential Perspectives: Wisdom Literature in Light of the Dead Sea Scrolls*, ed. John J. Collins, Gregory E. Sterling, and Ruth A. Clements, Studies on the Texts of the Desert of Judah 51 (Leiden: Brill, 2004), 138.

Lange proposed that the "mystery of existence" represented a primordial, heavenly Torah.[93] Elgvin thought that the vision of Hagu was "an apocalyptic, visionary book which reveals salvation history from creation to the last days," and is similar to the "mystery of existence."[94] Daniel Harrington has suggested that "the mystery of existence" refers to an extra-biblical book, proposing a variety of candidates including the Book of Hagu.[95] As many scholars have since noted, however, there is no evidence for any of these suggestions, or even for the minimal notion that the "vision of meditation" or "mystery of existence" is an actual text or document at all.[96] More broadly, 4QInstruction does not evince any awareness of scripturalization at all.[97] Benjamin Wold argues persuasively that while 4QInstruction may be aware of Mosaic Torah, it never invokes it.[98] We can thus be confident in claiming that 4QInstruction does *not* belong to the scriptural interpretation procedural type.

Divinely Inspired Authoritative Teachers

4QInstruction expects its addressees to draw knowledge about proper behavior from observing the created order, but to return to our earlier question: how should this process proceed? Is it self-guided or

93 See Armin Lange, *Weisheit und Prädestination: weisheitliche Urordnung und Prädestination in den Textfunden von Qumran*, Studies on the Texts of the Desert of Judah 18 (Leiden: Brill, 1995), 72–79, 80–85.. For his overall analysis of the *raz nihyeh* see pp. 45-120. Lange's conclusion was also rooted in our passage's reference to engraved tablets (l. 14-15). But there is no indication from the text that these engravings are to be studied.

94 Torleif Elgvin, "An Analysis of 4QInstruction" (PhD Dissertation, Hebrew University of Jerusalem, 1998), 94. Elgvin has clarified elsewhere, however, that he does not think *raz nihyeh* refers to a specific textual unit; see Elgvin, "Wisdom and Apocalypticism," 237–38 n. 39.

95 Daniel Harrington, S.J., *Wisdom Texts from Qumran* (London: Routledge, 1996), 49.

96 See Goff, *Worldly and Heavenly Wisdom*, 81; Kampen, *Wisdom Literature*, 49; Werman, "Book of Hagu," 125, 140.

97 Werman's statement that "in 4QInstruction there is no reference to writings other than scriptures" (Werman, "Book of Hagu," 140.) is puzzling, since there are not citations of, or explicit references to scriptures either. It is possible that she refers here to intertextual allusions rather than formal citations *per se*.

98 Benjamin G. Wold, *4QInstruction: Divisions and Hierarchies*, Studies on the Texts of the Desert of Judah 123 (Leiden: Brill, 2018), 146–95. Hi argument is particularly interesting in light of the several reference to material that others in the second century and beyond could have cited as Mosaic Torah. Take for example, the references in 4Q418.103.ii.7-8 to laws found in Deuteronomy. Whether scripturalization itself had occurred or not by the time of 4QInstruction depends substantially upon when it is dated. But if it is a second century BCE text, and stems from a time when scripturalization *had* occurred, its failure to engage this phenomenon only emphasizes further that this text does not belong to a scriptural interpretation procedural type.

intuited? Is it mediated by God or a teacher? While we have shown that 4QInstruction does not promote scriptural interpretation, we have also seen that it envisions some procedural role for divine inspiration, as in the "vision of meditation." According to Elgvin, 4QInstruction stands in line with Enochic traditions of divine secrets revealed to the biblical ancestors. But these ancestors do not appear in 4QInstruction, so even assuming a phenomenological similarity, how would these secrets be revealed?

Consider, for example, the formulation elsewhere in our text: "And since he[99] had opened your ears to (?) the mystery of existence (גלה אוזנכה ברז נהיה)" (4Q416.2.iii.17-18).[100] If 4QInstruction means for its addressees to experience direct revelations from God, it would be noteworthy that these are not situated in the past, as in founder discourse, but in the present. Could this make 4QInstruction the earliest piece of evidence for the re-emergence of prophecy after the early Persian period?

I do not find this interpretation convincing. Unlike the Enochic texts (earlier than 4QInstruction), or the Book of Revelation (later than 4QInstruction), our text tells us nothing whatsoever about either the mechanics or content of any such prophetic or revelatory experience.[101] Matthew Goff, by contrast, formulates an alternative interpretation for the role of divine inspiration in our text:

> There is no claim that [the *raz nihyeh*] was disclosed to [the addressee] in a vision filled with vivid and enigmatic images, in a manner akin to apocalypses such as Daniel or 4 Ezra. The

99 I.e. God. Daniel Harrington translates "they" because he understands this as a reference to addressees' parents mentioned in that context; see Harrington, "Raz Nihyeh," 549–53; idem. Wisdom Texts, 44, 47, 49. Elgvin rejects this interpretation; see Elgvin, "Wisdom and Apocalypticism," 236 n. 35; cf. Goff, 4QInstruction, 114, and Kampen, *Wisdom Literature*, 77.

100 On parallels to this text see Kampen, *Wisdom Literature*, 186.

101 See Kampen, *Wisdom Literature*, 49; Matthew Goff, "Gardens of Knowledge: Teachers in Ben Sira, 4Qinstruction, and the Hodayot," in Pedagogy in Ancient Judaism and Early Christianity, ed. Karina Martin Hogan and Emma Wasserman (Atlanta: SBL Press, 2017), 179; Berg, "Religious Epistemologies," 47; Wold, Divisions and Hierarchies, 12.

mevin may have received the *raz nihyeh* not from his own visionary experience but from a teacher who revealed the mystery to him.[102]

Goff points us in the right direction. Teachers do have an important procedural role to play in 4QInstruction. Consider in this context Wold's suggestion that 4QInstruction should be understood as describing the relationship between teachers and students at all levels of instruction – from the foolish (4Q418.69.ii.60), to one whom God "has appointed...as a most holy one [over all the] earth (לקדוש קודשים לכול תבל)" (4Q418.81.4).[103] These students are to be tutored in the process of living out divinely-revealed wisdom in their daily lives. Elsewhere, 4QInstruction seems explicitly to indicate this. In one of the fragments of 4Q418 we find instructions to advanced students[104] regarding their elevated status and its implications for interactions with others, including "adversaries" (יריבכה), "men of pleasure" (אנשי רצון), "your people" (עמכה), and "those who seek pleasure" (דורשי חפץ). As we have come to expect in the context of social interaction, we find here a key point about procedural norms: "And from all your teachers get more understanding (ומיד כל משכילכה הוסף לקח)" (4Q418.81.17).[105] It is clear from this passage that 4QInstruction prescribes that students study with authoritative teachers. As Goff puts it, "Line 17 expresses the pedagogical ethos of 4QInstruction. The addressee is to acquire understanding and to learn from his teachers."[106] The student's goal is to learn how to apply wisdom to real life, or "actualized wisdom" (חכמת ידים).[107] The appearance of the *hitpolel* form of *b-w-n* in the

102 Goff, "Gardens of Knowledge," 179.
103 See the thorough discussion in Wold, *Divisions and Hierarchies*, 72-85
104 On the addressees in this section of the text, and their significance for understanding 4QInstruction as a whole see Wold, *Divisions and Hierarchies*, 72-83.
105 See also Kampen, *Wisdom Literature*, 133, who incorporates the preceding two words (התבונן מודה) into the phrase and translates, "gain greatly in understanding and from the hand of every sage grasp even more." Either way, Kampen (Ibid. 55) classifies this passage as "evidence of the role of sage as teacher." The word for "sage" in this passage (*maskil*) is of particular significance in this text as a whole. As Wold establishes through a painstaking analysis of linguistic patterns throughout 4QInstruction, "the speaker of 4QInstruction is a *maskil* who teaches *mevinim* in the ways of a sage." Cf. Goff, *4QInstructio*n, 12-14; Kampen, *Wisdom Literature*, 55-59.
106 Goff, *4QInstruction*, 260; and see discussion there.
107 See Wold, *Divisions and Hierarchies*, 58–64, 93.

immediate context[108] – also used in connection with the "mystery of existence" in the passage discussed above (4Q417.2.ii) – likely indicates that our passage demonstrates how 4QInstruction's addressees should access the "mystery of existence," and thus experience the "vision of meditation." They are to do so through the tutelage of authoritative teachers.

Conclusions

We are therefore confronted with the following procedural features in 4QInstruction: creation observation, some form of divine inspiration, and the primary role of authoritative teachers. The interplay between these three elements leads me tentatively to suggest that 4QInstruction represents a new procedural type: divinely inspired authoritative teachers.[109] Inspired teachers differ from the teachers we have encountered thus far – let us call them "mundane teachers"[110] – primarily in their credentialing. Mundane teachers receive authorization solely from having studied with their own teachers. Inspired teachers, by contrast, are authorized either solely, or additionally by their access to divine inspiration. In 4QInstruction, inspired teachers are then expected to guide the next generation to similar achievements.

This difference might allow us grounds to speculate about the absence from 4QInstruction of what we have identified as a second century BCE innovation characteristic of the authoritative teacher procedural type: the chain of transmission. The procedural expectation that both teacher and student be recipients of unique divine inspiration would introduce a potential complication into the process of reproducing the same instructional content across multiple generations. Rather, each new student in

108 Or, in Kampen's view, as part of the actual phrase itself; see *Wisdom Literature*, 133.
109 For a related argument see Ibid., especially 196-201.
110 For example, Aramaic Levi, Testament of Qahat, the Pharisees, and – as we shall see – Hebrew Ben Sira.

each generation might need a specialized course of study in order to be selected by God as a candidate for divine inspiration.[111]

At the same time, inspired teachers differ starkly from divinely inspired scriptural interpreters. Of course, this is superficially true in the sense that inspired teachers do not invoke the authority of scriptures. But it is also true in a mechanical sense. In the case of inspired interpreters, divine inspiration occurs at the moment of interpretation. As we shall see in the next chapter in the case of prophets like John of Patmos, divine inspiration occurs at the moment of prophecy. But for inspired teachers this does not appear to be the case. Divine inspiration occurs at some earlier point, before one becomes a teacher. According to 4QInstruction, it appears to happen at some point during one's study as a pupil, as in the "vision of meditation." When the text describes the role of teachers, as in 4Q418.81.17, it does not mention divine inspiration. Rather, for inspired teachers, divine inspiration seems to function as a form of pre-authorization.

Ultimately, it is clear from our investigation of 4QInstruction that divine inspiration could be bundled not only with scriptural interpretation, but with authoritative teaching. While the vast majority of evidence we have for teachers in the second century BCE involves mundane teaching, the model of inspired teaching will be extremely important for understanding developments in the first century CE. It will especially aid us when we examine early memories of Jesus of Nazareth.

Conclusions

111 Phenomenologically speaking, similar reasoning regarding the mechanics of prophecy and corresponding limitations of instruction can be found in the Middle Ages in the writings of Maimonides; see Howard Kreisel, *Prophecy: The History of an Idea in Medieval Jewish Philosophy* (London: Kluwer Academic Publishers, 2012), 223–24.

Authoritative teachers in the first two centuries BCE drew upon earlier wisdom traditions in constructing a lexical and thematic repertoire for describing the all-important procedural relationship between teacher and student. We uncovered evidence for two types of teaching during this era: mundane teaching and inspired teaching.

The vast majority of our evidence attests the first type. Under the influence of genealogical traditions about Israel's patriarchs and matriarchs, mundane teachers would develop an important new technique for expressing and substantiating their procedural norms: the chain of transmission motif. The chain of transmission – well-known from much later phenomena like rabbinic literature or apostolic succession lists – first appeared in Jewish sources among teachers in the first two centuries BCE, including Aramaic Levi, the Testament of Qahat and likely the Pharisees. As we saw in the Testament of Qahat, mundane teachers also evinced anxieties rooted in the particularities of their chosen procedure, like the "threat of rupture" described in the Testament of Qahat.

In 4QInstruction, however, we encounter some limited evidence for the second type: teaching bundled together with divine inspiration. We speculated that perhaps it was this bundling that accounted for the absence of the chain of transmission motif among our second century BCE evidence for inspired teachers. In any case, while inspired teaching comprises only a small minority of our evidence from this period, it will become critical for understanding the ubiquity of inspired teachers in the first century or two CE.

Chapter 3: Scriptural Interpreters in the First Two Centuries BCE

Introduction

Around the dawn of the second century BCE, early Jews began to conceive of their ancient traditions as comprising a self-constituting corpus, and began to appeal to this corpus as an authorizing source of right behavior. This process of scripturalization spurred the development of a new procedural alternative to wise teachers. Instead of relying upon authoritative instructors, one could simply directly engage God's words through scriptural interpretation.

It is critical to recall, however, that scriptural interpretation emerged into a world not only of authoritative teachers, but also of founder discourse coupled with divine inspiration. The claim to inspiration in particular elided the need for wise, human instructors in mediating and communicating proper behavior. We shall see that as interpretation increasingly assumed the role of antagonist to teaching, it too adopted the procedural strategy of claiming inspiration. Over the course of the first two centuries BCE in and around Palestine, in fact, we shall see that interpretation and inspiration were always bundled together. This bundle presented a deep challenge to authoritative teachers in that it claimed direct access to the word of God in two ways: it combined engaging scripture with the claim to divine inspiration while doing so. This threatened to render human teachers doubly irrelevant.

Understanding the rise of inspired interpretation in its second century BCE context has great explanatory power. As we shall see, it will explain how the translation of Hebrew Ben Sira into Greek

Sirach hinged on the question of procedural norms.[1] It will also help us understand some of the peculiar features of Jubilees by demonstrating that one of the work's priorities was subverting second century teachers' employment of the chain of transmission motif. It will clarify the character of many of the best-known sectarian scrolls from Qumran. And it will set the stage for the fundamental procedural shifts that will characterize the first two centuries CE, which will alter the landscape of Judaism and eventually Christianity forever.

Ben Sira

The State of Our Sources

Ben Sira is a perfect place to begin our analysis of scriptural interpretation during the second century, because it serves as our earliest datable piece of evidence for the deliberate interplay between teachers and interpreters. In the last chapter we explored the deep influence of wisdom traditions upon second century teachers, and in this chapter we will explore the effects of scripturalization. It just so happens that both of these phenomena are implicated by one of the central debates surrounding Ben Sira.

An enormous amount of ink has been spilled on the relationship between wisdom and law – or Wisdom and Torah – in Ben Sira.[2] This discussion directly impacts our understanding of procedural norms, both

1 On this terminology see below.

2 See the extensive, albeit still only partial bibliography in Benjamin G. Wright III, "Torah and Sapiential Pedagogy in the Book of Ben Sira," in *Wisdom and Torah - The Reception of "Torah" in the Wisdom Literature of the Second Temple Period*, ed. Bernd U. Schipper and D. Andrew Teeter, Supplements to the Journal for the Study of Judaism 163 (Leiden: Brill, 2013), 156–58, nn. 3–6.; see as well the earlier bibliography and discussion in Friedrich Vincenz Reiterer, "Review of Recent Research on the Book of Ben Sira (1980-1996)," in *The Book of Ben Sira in Modern Research*, ed. Pancratius C. Beentjes, Beihefte Zur Zeitschrift Für Die Alttestamentliche Wissenschaft 255 (Berlin: De Gruyter, 1997),

in Ben Sira specifically and in the 2nd century BCE in general. Whatever one's conclusion about how Ben Sira regarded the relationship, what concerns us here is what Ben Sira *says* about how it regarded the relationship. To quote Gerhard von Rad, writing in 1970, "Die Normen des Handelns werden nun nicht mehr dem Rat der Lehrer oder dem Erfahrungsschatz der Alten entnommen, sondern der Tora? Der Bund zwischen Nomismus und Weisheit scheint fest geschlossen."[3] Whether or not one shares Von Rad's reading of the evidence, it is clear that at stake in this debate is this very question – the question of procedural norms.[4]

In adjudicating the question of Ben Sira's view on the relationship between wisdom and law/Torah – or, relatedly, Ben Sira's pedagogy – the most serious challenge facing scholars has been the work's remarkable textual history. Besides the fact that we have various witnesses to Ben Sira in several languages – a situation common to many other early Jewish texts that underwent translation at one point or another – what distinguishes Ben Sira is the fact that its earliest translator, the titular Ben Sira's grandson, has left us explicit, self-reflective testimony on how, where and why he translated the original Hebrew into Greek. Even more than usual, then, we are left to wonder about the relationship between the Greek version, which survives in two recensions known as GR I and GR II,[5] and the Hebrew witnesses.[6] In instances where we are missing the Hebrew, can we use our evidence for the grandson's Greek translation as a basis for reconstructing the grandfather's Hebrew project? Scholars have long debated the matter, but it is astonishing how little this philological and textual-evidentiary question has been allowed to impinge upon history.

48–51.

3 Gerhard Von Rad, *Weisheit in Israel* (Neukirchener Verlag, 1970), 314.

4 It is quite suggestive that Von Rad refers to "norms" when discussing substance, but does not take the next logical step – at the heart of this dissertation – of seeing procedure in normative terms as well

5 See Patrick W. Skehan and Alexander A. Di Lella, *The Wisdom of Ben Sira: A New Translation with Notes*, The Anchor Bible (New York: Doubleday, 1987), 55–56.

6 On the question of our evidence, or lack thereof, for multiple Hebrew recensions, see below.

The extensive scholarship on Ben Sira by Benjamin Wright III is illuminating and representative in this regard. On the one hand, in his *No Small Difference: Sirach's Relationship to Its Hebrew Parent Text* – a lightly revised version of his doctoral dissertation published in 1989 – Wright already had concluded that:

> [The] grandson was not usually concerned to give a word-for-word translation of the Hebrew, nor did he usually resort to using existing OG [biblical] translations as helps in his work. The recognition by the grandson of the differences between the Greek translations and Hebrew "originals" of the biblical books perhaps points in this direction. Here was a translator concerned to give a *translation* of his grandfather's wisdom, not a mechanical *reproduction* of his grandfather's Hebrew. Only by concerning himself with the message and intent of his grandfather could the grandson fulfill his grandfather's desire to make wisdom generally accessible, in order that those who so desired would be able "to live their lives according to the standards of the Law.[7]

In several subsequent studies Wright has considered the distance between the grandson's translation and the grandfather's Hebrew, as well as the grandson's self-conception as a translator.[8] Yet in his most recent statement on Ben Sira's pedagogy – in particular, on "what Ben Sira meant by Torah"[9] – Wright draws for evidence upon two passages that do not appear in any of the Hebrew witnesses. Most

7 See Wright, *No Small Difference*, 249; emphasis in original.

8 See Benjamin G. Wright III, "Access to the Source: Cicero, Ben Sira, the Septuagint and Their Audiences," Journal for the Study of Judaism in the Persian, Hellenistic and Roman Period 34 (2003): 1–27; idem., "Why a Prologue? Ben Sira's Grandson and His Greek Translation," in Emanuel - Studies in Hebrew Bible, Septuagint and Dead Sea Scrolls in Honor of Emanuel Tov, ed. Shalom M. Paul et al. (Leiden: Brill, 2003), 633–44; idem., "Translation Greek in Sirach in Light of the Grandson's Prologue," in The Texts and Versions of the Book of Ben Sira - Transmission and Interpretation, ed. Jean-Sebastien Rey and Jan Joosten, Supplements to the Journal for the Study of Judaism 150 (Leiden: Brill, 2011), 75–94.

9 Wright III, "Torah and Sapiential Pedagogy," 160.

significantly, this includes a well-known passage from Ben Sira 24 (Sir 24.23), the very chapter that Wright *himself* had used in his dissertation to prove the high degree of freedom and looseness exhibited by the grandson's translation![10] In a review of Wright's *No Small Difference*, Pancratius Beentjes had, in fact, wondered why "the author has not favoured the most obvious conclusion, i.e. that both the Hebrew text of Ben Sira and the Greek translation by his grandson must be considered as *literary entities of their own*, which cannot be exchanged at pleasure."[11]

Even as he wrote this review, Beentjes was already preparing a text edition of all the extant Hebrew manuscripts of Ben Sira, including a synoptic version of the parallel Hebrew texts, which he would finally publish in 1997.[12] Beentjes's work has now provided scholars with a tool of unparalleled importance for reflecting upon the relationship between the grandfather's Hebrew project and the grandson's Greek translation[13] and analyzing them as distinct literary entities.[14] I will refer to these

10 Wright's methodology in his essays investigating Ben Sira's pedagogy is entirely representative of the discipline as a whole, even as scholars come to a variety of very different conclusions. For another recent example, see Goff, "Gardens of Knowledge."

11 Pancratius C. Beentjes, "Review of Benjamin G. Wright, No Small Difference: Sirach's Relationship to Its Hebrew Parent Text," *Journal for the Study of Judaism in the Persian, Hellenistic and Roman Period* 21, no. 2 (1990): 304.; This example from Wright's work could be multiplied dozens of times over using the work of other scholars. To take one more proximate example, Greg Goering – upon whose book, Wisdom's Root Revealed: Ben Sira and the Election of Israel, Supplements to the Journal for the Study of Judaism 139 (Leiden: Brill, 2009), Wright draws extensively in "Torah and Sapiential Pedagogy" – offers serious cautionary remarks on the difficulties attending the textual relationship between the Hebrew, and the various other witnesses (*Wisdom's Root*, 15), but then proceeds on the following page to make crucial assertions about how "Ben Sira" conceives of law/Torah on the basis of a close reading of chapter 24 (*Wisdom's Root*, 16, and see at greater length pp. 177-179). As noted, this chapter does not appear at all in the extant Hebrew witnesses, and was identified by Wright as an example *par excellence* of the grandson's translational looseness.

12 Pancratius Cornelis Beentjes, The Book of Ben Sira in Hebrew: A Text Edition of All Extant Hebrew Manuscripts and a Synopsis of All Parallel Hebrew Ben Sira Texts (Leiden: Brill, 1997); see also Pancratius C. Beentjes, "Reconstructions and Retroversions: Chances and Challenges to the Hebrew Ben Sira Text," in The Texts and Versions of the Book of Ben Sira - Transmission and Interpretation, ed. Jean-Sebastien Rey and Jan Joosten, Supplements to the Journal for the Study of Judaism 150 (Leiden: Brill, 2011), 23–36. Note as well that J.K. Aitken has shown that the grandson's translation is much freer than even Wright realized; see J.K. Aitken, "The Literary Attainment of the Translator of Greek Sirach," in *The Texts and Versions of the Book of Ben Sira - Transmission and Interpretation*, ed. Jean-Sebastien Rey and Jan Joosten, Supplements to the Journal for the Study of Judaism 150 (Leiden: Brill, 2011), 95–126.

13 Henceforth, Hebrew Ben Sira and Greek Sirach respectively.

14 For a description and discussion of the various versions of Ben Sira see Skehan and Di Lella, Wisdom of Ben Sira, 51–62; Wido Th. Van Peursen, "The Alleged Retroversions from Syriac in the Hebrew Text of Ben Sira Revisited: Linguistic Perspectives," in Kleine Untersuchungen Zur Sprache Des Alten Testaments Und Seiner Umwelt, ed. R.G. Lehmann, vol. 2 (Waltrop: Hartmut Spenner, 2001), 50–53. On the Hebrew MSS specifically, see Beentjes, *Book of Ben Sira in Hebrew*, 5-6. For the recently discovered fragments of Hebrew MS C, see Shulamit Elitsur, "A New Hebrew

entities, respectively, as "Hebrew Ben Sira," and "Greek Sirach."[15] On the basis of new insights rooted in comparison of the two, I intend to show that a major procedural shift has occurred between the grandfather's Hebrew and the grandson's Greek translation.

Hebrew Ben Sira

Defining the Terms

Before proceeding, we must define our terms, beginning with "Hebrew Ben Sira." Traditionally, scholars working on Ben Sira have designated two recensions of Ben Sira, variously known as HT I and HT II, or Heb1 and Heb2. HT 1/Heb1 has often been taken to represent the original work as produced by the author.[16] Conleth Kearns referred to "the Hebrew text as it left the hand of Ben Sira";[17]

Fragment of Ben Sira (Ecclesiasticus)," *Tarbiz* 76, no. 1/2 (2006): 17–28 [Hebrew]. On the character of the Syriac evidence see Wido Th. Van Peursen, *Language and Interpretation in the Syriac Text of Ben Sira: A Comparative Linguistic and Literary Study* (Leiden: Brill, 2007). When I rely on evidence from the Syriac or Latin versions I will indicate this in the footnotes. I will cite the Greek evidence from Alfred Rahlfs and Robert Hanhart, eds., Septuaginta - Id Est Vetus Testamentum Graece Iuxta LXX Interpretes, Revised edition (Deutsche Bibelgesellschaft, 2006), and any relevant variants will be found in the footnotes.

15 Henceforth, parenthetical references specifically to Hebrew Ben Sira will refer to "HBS," and references specifically to Greek Sirach will refer to "Sir."

16 For the potentially problematic assumptions embedded in this conception of Ben Sira as an authored work, see Mroczek, *Literary Imagination*, 86-93; while her points are very well taken, and in fact have important bearing on my analysis of procedural norms in the Ben Sira, I should add that I am not fully convinced by her claim that "project" is a better descriptor of Ben Sira than "book." It is telling that in the end even Mroczek has a difficult time escaping the language of authorship, eventually settling upon "the author-compiler of Ben Sira" (p. 112). In discussing Hebrew Ben Sira, or Greek Sirach as a work, I instead adopt the position of Nicholas Wolterstorff in "Resurrecting the Author." Wolterstorff rejects the strong notion of authorship implied by New Critical, authorial-intention interpretation (p. 6ff.). After engaging with various deconstructionist modes of interpretation, Wolterstorff ultimately argues for retaining the notion – softened and more fluid, to be sure – of authorship, "My contention is that none of us practices performance interpretation most of the time. There is nothing incoherent about such interpretation, either in its theory or its practice. Probably all of us employ such interpretation now and then; some of us employ it rather often. But nobody employs it most of the time...The mode of interpretation that most of us practice most of the time is...*authorial-discourse interpretation*. In authorial-discourse interpretation, one seeks to identify and grasp the illocutionary acts that the authorizer of the text performed by inscribing, or in some other way authorizing, these words. Not the illocutionary acts that the author *intended* to perform; the ones he *did* perform" (p. 22; italics in original).

17 Conleth Kearns, "Ecclesiasticus, or the Wisdom of Jesus the Son of Sirach," in *A New Catholic Commentary on Holy Scripture*, ed. Reginald C. Fuller, Leonard Johnston, and Conleth Kearns (London: Nelson, 1969), 537.

Skehan and DiLella referred to "the Hebrew original of Ben Sira."[18] As Wido Th. Van Peursen notes, such a thing "has not been preserved and hence any claim about the original text is based on a scholarly reconstruction."[19] Jan Liesen, while not dispensing with the notion of an "original" production of Ben Sira, conceives of Heb1 as a text-form. "Whereas a text is what we actually find in a manuscript," Liesen writes, "a text-form is rather a certain form of the text that can be deduced from the existence of a distinct group of manuscripts."[20]

In my view, the Hebrew manuscripts that we possess – especially the finds from Masada and Qumran, but the Genizah texts as well – witness to this Heb1 text-form. Scholars have often argued for the existence of a later Hebrew recension – HT II/Heb2 – that served as the *Vorlage* for the many, extensive additions found in some of the Greek, Latin and Syriac manuscripts.[21] But as Jason Gile has shown, there is virtually no evidence from the extant Hebrew versions, including the Genizah texts, for this hypothesis.[22] Significantly, Aloys Fuchs demonstrated over a century ago that while the Hebrew manuscripts themselves certainly feature variant readings, orthography, etc., they attest very few editorial additions.[23] Therefore, judging on the basis of the Hebrew manuscripts alone, there is no justification for speaking of a second recension.[24] Moreover, while it is certainly possible, as several scholars have suggested, that some of the material in the Genizah witnesses is the result of

18 Skehan and Di Lella, *Wisdom of Ben Sira*, 55.
19 Van Peursen, *Language and Interpretation*, 14.
20 Jan Liesen, Full of Praise: An Exegetical Study of Sir 39, 12-35 (Leiden: Brill, 2000), 6.
21 On HT II/Heb2 see Skehan and Di Lella, Wisdom of Ben Sira, 57–59; see generally the extensive bibliography in Jason Gile, "The Additions to Ben Sira and the Book's Multiform Textual Witness," in *The Texts and Versions of the Book of Ben Sira - Transmission and Interpretation*, ed. Jean-Sebastien Rey and Jan Joosten, Supplements to the Journal for the Study of Judaism 150 (Leiden: Brill, 2011), 2–3, n. 2.
22 Gile, "Additions to Ben Sira."
23 Aloys Fuchs, *Textkritische Untersuchungen zum Hebräischen Ekklesiastikus, das Plus des Hebräischen Textes des Ekklesiastikus gegenüber der griechischen Ubersetzung* (Freiburg im Breisgau: Herder, 1907), 115.
24 Gile, "Additions to Ben Sira," 48–249.

retroversions from Syriac, it is noteworthy that there is essentially no affirmative evidence for this theory.[25]

In light of the foregoing, it seems reasonable to speak of the extant Hebrew manuscripts of Ben Sira as constituting evidence for a second century BCE "Hebrew Ben Sira." We must, however, add the following important caveats: 1) We should prefer material that is attested in multiple manuscripts. 2) In case of disagreement, more weight should be given to the finds from Qumran and Masada than to the later Genizah witnesses; 3) We should be wary of placing too much weight on specific Hebrew phraseology or orthography; 4) We should be alert for evidence of retroversions from Syriac, and accordingly not make use of material that scholars have reasonably identified as possible candidates for retroversion; and 5) Even having satisfied all of the above, we should prefer to establish the presence of a given phenomenon in Hebrew Ben Sira on the basis of multiple pieces of evidence throughout the work, rather than evidence from a single passage, however well-attested.

With this prolegomenon in mind, I will make the case that Hebrew Ben Sira adheres to an authoritative-teacher procedural norm, which is then fundamentally reshaped by Greek Sirach – no more than two generations later – into a divinely-inspired scriptural interpretation procedural norm. I will further suggest that the new set of procedural norms appearing in Greek Sirach fit well against the backdrop of scripturalization in the late 3rd, and especially the 2nd century BCE. Moreover, they comport especially well with the procedural milieu in the grandson's likely new home in Egypt, and contribute substantially to an emerging picture of the procedural landscape in the 2nd century BCE.

25 See Van Peursen, "Alleged Retroversions."

Hebrew Ben Sira's consistent refrain relates to listening to wise teachers:

לב חכם יבין משלי / חכמים ואזן מקשבת לחכמה תשמח

> The wise mind appreciates the proverbs of the wise[26]; to the attentive ear, wisdom is a joy. (HBS 3.29)

Throughout Ben Sira one finds these themes and vocabulary. The text's addressee is constantly exhorted to seek out wise teachers and heed them. Auditory verbs like *š-m-ʿ*, "listen," appear often in these cases, and references to wisdom and wise people abound.[27] One further example will suffice to illustrate the point.

אם / תחפוץ בני תתחכם ואם תשים לבך תערם

אם תובא / **לשמע** והט אזנך תוסר

כל שיחה חפוץ **לשמע** ומשל / בינה אל יצאך

> If you wish, my son, you can become learned; if you apply yourself you will be wise.
>
> If you are willing to listen you will gain[28]; if you give ear, you will be instructed.

26 The translation of this clause is my own. Cf. Skehan and Di Lella, *Wisdom of Ben Sira*, 162.

27 See Israel Yeivin, *The Book of Ben Sira: Text, Concordance and an Analysis of Vocabulary* (Jerusalem: The Academy of the Hebrew Language, 1973), 140–41, 293.

28 MS A appears to be missing an apodosis, almost certainly on account of homoioteleuton from 6.35a. See the proposed reconstructions in Skehan and Di Lella, *Wisdom of Ben Sira*, 192, n. 33; Moshe Zvi Segal, Sefer Ben Sira Ha-Shalem, 4th edition (Jerusalem: Bialik Institute, 1997), 42 (Hebrew). I have followed Skehan and Di Lella.

Be eager to hear every discourse, let no wise saying escape you. (HBS 6.32-33, 35[29])

All the same elements are present in this passage. The successful student is one who diligently searches out wise teachers. The relevant verbs all concern the addressee's ears, including *š-m-ʿ*. The goal is to achieve wisdom by cleaving to wise people, and listening to their conversations and teachings.[30]

Throughout Hebrew Ben Sira, in fact, it is established that the teacher's instruction shapes the student *qua* student. But if Hebrew Ben Sira merely imagines a schoolhouse setting,[31] what happens when the student has completed his study with the teacher and ventures out on his[32] own? Hebrew Ben Sira accounts for this scenario, and in so doing helps expand our procedural picture. Take, for example, 8.8-9:

אל תטש / שיחת חכמים ובחידתיהם התרטש

כי ממנו תלמ[.]ד לקח / **להתיצב לפני שרים**

אל תמאס **בשמיעת שבים** / **אשר שמעו מאבתם**

כי ממנו תקח שכל בעת צ[..] להשיב / פתגם

Spurn not the discourse of the wise, but busy yourself with their veiled maxims;

In this way you will acquire the training to stand in the presence of princes.

Reject not the tradition of the elders which they have learned from their fathers

29 This is continuous text in our Hebrew witness to this passage (MS A).

30 See below for Greek Sirach's recontextualization of this passage.

31 See Eva Mroczek, *The Literary Imagination in Jewish Antiquity* (New York: Oxford University Press, 2016), 100–103. for a compelling critique of the assumption, popular among scholars, that sees in Ben Sira himself opened a school in Jerusalem. See also Menahem Kister, "A Contribution to the Interpretation of Ben Sira," *Tarbiz* 59, no. 3/4 (1990): 303–78 (Hebrew).

32 I will use the masculine pronoun to refer to the student and teacher in Hebrew Ben Sira and Greek Sirach. This seems the most responsible option in light of the text's assumptions about the gender of its speaker and addressee; see Skehan and Di Lella, *Wisdom of Ben Sira*, 90-92.

From it you will obtain the knowledge how to answer when the need arises. (HBS 8.8-9)

Even when the student has attained the ability to interact with the societal elite, his teacher's authority remains in force, and still directs his actions.[33] We are already primed to expect the appearance of auditory verbs in this context,[34] as well as sapiential vocabulary.[35] Hebrew Ben Sira does, however, reveal two important new features of its procedural repertoire. First, we observe that Hebrew Ben Sira, like Aramaic Levi and Testament of Qahat, places procedural norms in the context of civic interaction. Right procedure prepares the student to become a teacher, displaying proper behavior in the company of social elites (להתיצב לפני שרים).[36]

Second, Hebrew Ben Sira authenticates the student's ability to serve as an effective teacher by reference to a chain of transmission: do not reject the tradition of the elders, namely, your teachers (שמיעת שבים), which they, in turn, heard from their fathers (אשר שמעו מאבתם). Skehan and Di Lella cite half a dozen parallels to this passage from earlier Israelite works, but not a single one contains a chain of transmission. This is to be expected since, as we established, this motif is an innovation of the authoritative teacher procedural type in the second century BCE. Although Hebrew Ben Sira is not set in the sort of genealogical context that, I argued above, gave rise to the chain of transmission concept, it

33 See Elisa Uusimäki, "Spiritual Formation in Hellenistic Jewish Wisdom Teaching," in *Tracing Sapiential Traditions in Ancient Judaism*, ed. Hindy Najman, Jean-Sébastien Rey, and Eibert J. C. Tigchelaar, Supplements to the Journal for the Study of Judaism 174 (Leiden: Brill, 2016), 65. Cf. Goering, *Wisdom's Root*, 103–4.

34 The reference to tradition learned from one's teachers as a שמיעה, "a heard thing," is intriguing in light of later rabbinic usage. Skehan and Di Lella already note the thematic connection between the chain of transmission referenced in this passage and that found in *m. Avot*; see Skehan and Di Lella, *Wisdom of Ben Sira*, 213.

35 See Skehan and Di Lella, *Wisdom of Ben Sira*, 212-13; for the parallels they cite, cf. Avraham Even-Shoshan, *A New Concordance to the Torah, Prophets and Writings* (Jerusalem, 1977), 1149, s.v. מאס.

36 Benjamin G. Wright III, *Praise Israel for Wisdom and Instruction - Essays on Ben Sira and Wisdom, the Letter of Aristeas and the Septuagint*, Supplements to the Journal for the Study of Judaism 131 (Leiden: Brill, 2008), 131.

is noteworthy that Hebrew Ben Sira integrates a paean to a long line of biblical ancestors in its concluding chapters.[37]

A final passage of interest can be found at 41.14-15.[38]

[ח]כמה[39] **טמונה** ושימה[40] מסותרת

מה תעלה[41] ב{ש}תיהם

[ט]וב איש מטמ[..]ולתו[42]

מאיש[43] [.]צפן[44] **חכמתו**

Concealed wisdom and hidden treasures

Of what value is either?

Better the person who hides his folly

37 Even if this list does not constitute a chain of transmission by which teaching is passed down – see Goering, *Wisdom's Root*, 104-07; Gilbert, "Avot," 157. – its presence in Hebrew Ben Sira to begin with is highly suggestive given the appearance in our passage of the chain of transmission motif.

38 The two available Hebrew witnesses to this passage are MS M and MS B. Note, however, that HBS 20.30-31 replicates this unit verbatim; see Pancratius C. Beentjes, "The Reliability of Text-Editions in Ben Sira 41,14-16: A Case Study in Repercussions on Structure and Interpretation," *Bijdragen* 49 (1988): 192. Neither when Beentjes published this article, nor when he prepared his edition of the Hebrew Ben Sira MSS, did he have access a Hebrew witness to this parallel passage. But now we have Shulamit Elitsur's newly published fragments from MS C, which contains HBS 20.30-31; see Elitsur, "New Hebrew Fragment." In presenting 41.14-15, therefore, I will cite from MS M, but will be able to make use not only of MS B, but also MS C to HBS 20.30-31 for textual analysis; see the notes below.

39 I have restored the *het* on the basis of MS B.

40 ושימה מסותרת | MS B's text has ואוצר מוסתר. In the margins, however, we find וסימה מסותרת. Scholars have long noted the importance of the marginal readings in MS B; see Segal, *Sefer Ben Sira*, 51–52; see generally, Beentjes, *Book of Ben Sira in Hebrew*, 8–10. Yigael Yadin noted that over 50 marginal readings in MS B agree with the text of MS M; see Yigael Yadin, *The Ben Sira Scroll From Masada* (Jerusalem, 1965), 9. MS C to 20.30 has ואוצר, followed by a *mem* before the fragment breaks off.

41 תעלה | MS B has the nominal תועלה (although depending on how MS M is vocalized, it is possible that it evinces the same nominal form). In the margins, MS B has תעלה. MS C to 20.30 has תולעת, which Elitsur argued was a mistake for תועלת; see Elitsur, "New Hebrew Fragment," 24. But it could also be a mistake for תועלה, which is the form we find in MS B.

42 It should be possible to restore מטמין אולתו. This would be similar to MS B's מצפין אולתו. MS B's marginal scribe corrects מצפין in the following phrase to יטמין. MS C to 20.31 has מצפין in both this line and the following one.

43 מאיש | The same reading appears in MS C to 20.31. In the margins, MS B has מאדון.

44 It should be possible to restore מצפן; cf. MS B's text (MS B often features plene spellings with *yod*; see Segal*, Sefer Ben Sira*, 51). In the margins, MS B has יטמין. MS C to 20.31 has מצפין.

Than the person who hides his wisdom.

This passage reinforces two prior observations about Hebrew Ben Sira's procedural character, and adds a third. First, it makes clear that procedural authority is vested in people, specifically, the figure of the wise teacher. This passage presumes that right substance stems from the person (מאיש) who is willing to share his wisdom (חכמתו). Second, Hebrew Ben Sira's deliberate re-articulation of procedural norms in this context is to be expected, given that the following section of text deals with a variety of social interactions, whether within the family unit, in the public square, or in front of civil officials.[45] We have already encountered several times, both in Hebrew Ben Sira and elsewhere, the presence of procedural norms in proximity to discussions of civic engagement. This passage is further support for the association of these two phenomena. Third, we find here opposition to esoteric instruction (חכמה טמונה). Although it is certainly possible that Hebrew Ben Sira is opposed to particular esoteric teachings,[46] the text does not reference them here. Instead it makes a procedural argument: given the importance of teachers as a source of right procedure, they should share their teachings widely. This reading is, in fact, reinforced by the many passages throughout Ben Sira that outline proper conduct in front of parents, princes, employers, assemblies, friends, and so forth.[47] It is also possible, given our analysis of 4QInstruction, that Hebrew Ben Sira's opposition to esotericism points to important distinctions among texts and traditions within the authoritative teacher procedural type itself.

45 See HBS 41.17-18.

46 See, for example, Yair Furstenberg, "The Rabbinic Ban on Maaseh Bereshit: Sources, Contexts and Concerns," in *Jewish and Christian Cosmogony in Late Antiquity*, ed. Sarit Katan-Gribetz and Lance Jenott (Tübingen: Mohr Siebeck, 2013), 39–63. While Furstenberg's argument is very interesting, it suffers my view from taking virtually no account of sources far more chronologically proximate to the ones he is investigating. I have in mind, particularly, texts from Nag Hammadi, like Dialogue of the Savior, that share many more features with the rabbinic sources at bar than Ben Sira. This topic must await further investigation.

47 See, for instance, the data mentioned in Skehan and Di Lella, *Wisdom of Ben Sira*, 487.

I have thus far identified Hebrew Ben Sira as adhering to the teaching procedural norm. Hebrew Ben Sira locates proper procedure with wise teachers, whose students are expected to study diligently and then, in turn, become teachers themselves. The text's language and themes in describing the teacher-student relationship are heavily influenced by the various wisdom traditions from prior centuries, and are especially characterized by auditory verbs. Given its origins in the second century BCE, it is unsurprising that we also find in Hebrew Ben Sira both the motif of the chain of transmission, and references to the genealogical narratives of the Israelite ancestors, even if the latter are not utilized directly to *establish* a chain of transmission.

Torah in Hebrew Ben Sira

But if all this is true, what are we to make of Ben Sira's many mentions of scripture and its interpretation, which have captured scholarly attention for decades? In our analysis of Greek Sirach, I will demonstrate that every single explicit reference to scriptural interpretation appears, in fact, *only* in Greek Sirach. That said, defenders of the status quo in Ben Sira studies may point to the appearance of the word *torah* in our Hebrew witnesses. Should we not understand this term as indicating the presence of scripture in the world of Ben Sira? I will show, presently, that *torah* in Hebrew Ben Sira has been the victim of overdetermined translation. It will further become clear, when we encounter Greek Sirach, that the understanding of *torah* in Hebrew Ben Sira as "scripture" has been heavily influenced by explicit references that appear only in the grandson's translation.

Significantly, in the entirety of our Hebrew witnesses to Ben Sira, the word *torah* appears only twelve times. Notably, in six of those cases (15.1, 32.17,18, 24, 33.2, 3) there is no indication whatsoever that

the reference is to Scripture, or even scripture, but rather to God's law(s) in a generic sense.[48] The usage is so non-specific, in fact, that in one of these cases (32.18) the word is attested only in a single MS (MS B); MSS E and F both feature the reading יקח מצוה instead of MS B's ישמר תורה.[49] In a seventh case (32.15), the only reason to even suspect that we may be dealing with scriptural interpretation is due to the presence of the verb *d-r-š*. The verse reads: דורש תורה יפיקנה ומתהלהלה יוקש בה [preserved in MS B]. This case is suspect, first of all, because this line is absent not only in the Syriac and Greek, but also in MS F.[50] But even accounting for MS B's reading, the term *doresh* here does not mean "one who interprets [scripture]."[51] This verse, and the one prior to it, utilize the root *d-r-š* three times in quick succession.[52] In the other two instances, it is clear that the meaning of this verb is not "interpretation,"

48 Of all these cases, perhaps only 15.1 deserves special discussion. For the Hebrew text see Beentjes, *Book of Ben Sira in Hebrew*, 141. MS A reads:

כי ירא י׳י יעשה זאת
ותופש תורה ידריכנה

MS B, which is slightly damaged here, attests:

כי ירא ייי יעשה זאת
ותופש תורה י[.....]ה

Skehan and Di Lella translate, "He who fears the Lord will do this; he who is practiced in the Law will come to it [i.e. Wisdom]"; on the orthography and graphic elements of God's name employed in these manuscripts, see Beit Arié, *Hebrew Codicology*, 392-393. The phrase that Skehan and DiLella translate as "practiced in the Law" is תופש תורה. They take this as a reference to scriptural interpretation (see their comment, *Wisdom of Ben Sira*, 264). This seems clearly incorrect to me, and the very parallel with *Jer*. 2.8 to which they point seems neatly to demonstrate this. The verse in the Jeremianic context speaks of people who transgress even though they should know better. Hence, "the priest did not ask 'where is the Lord?'" (i.e. as he should have), or "the prophets prophesied by Baal" (i.e. as they should not have). This being the case, the most likely meaning for *tofes torah* is either "law-abiding citizen," in a non-professional sense (see Orlinsky, "Biblical Topes"), or "keeper of the law," in a professional-instructional sense, rather than "scriptural interpreter." Certainly in the context of Ben Sira, in which the term is paralleled simply with "one who fears God" (ירא ייי), the non-professional meaning appears to make the most sense. Cf. NRSV's translation for Sir 15.1: "Whoever fears the Lord will do this, and whoever holds to the law will obtain wisdom."

49 See Beentjes, *Book of Ben Sira in Hebrew*, 150

50 Segal, *Sefer Ben Sira*, 207, n. 22 claims that the Syriac omits the last two lines through haplography. But Segal, who wrote his commentary in 1953, did not have the evidence of MS F, which was first published in 1982. Even then, it was only identified as an independent manuscript witness in 1987 (Skehan and Di Lella, *Wisdom of Ben Sira*, 52; and more fully, Di Lella, "Sixth Manuscript").

51 As it probably does in various sources from Qumran when the phrase includes the definite article: *doresh* ***ha****-torah*; *pace* Paul D. Mandel, The Origins of Midrash: From Teaching to Text, Supplements to the Journal for the Study of Judaism 160 (Leiden: Brill, 2017); and cf. Yitz Landes, "Book Note: The Origins of Midrash," Ancient Jew Review, accessed April 2, 2019, http://www.ancientjewreview.com/articles/2019/2/11/book-note-the-origins-of-midrash.

52 In MS B:

דורש אל יקח מוסר
ומשחררהו ישיג מענה
דורש חפצי אל יקח לקח
ויענהו בתפלתו
דורש תורה יפיקנה
ומתלהלה יוקש בה

but rather "seek" or "desire."[53] *Torah*, therefore, carries the meaning of a traditional law in the general sense. The translation should thus be as follows: "one who seeks the law will be filled with it,[54] but the reckless[55] will stumble at it[56]." The word *torah* here thus has nothing to do with scripture or its interpretation. In the eighth case (45.5), the only reason one might suspect a possible reference to scripture is because the broader context is the revelation to Moses. But this meaning is highly unlikely since *torah* is merely once of several synonyms used here to describe what Moses received (*mitsvah, hoq, ʿedut, mishpat*), so the meaning of *torah* here is simply "[traditional] law."

The ninth, tenth, eleventh and twelfth cases are potentially more complicated because they feature the noun phrase *torat ʿelyon*. In the first two of those cases (41.4, 49.4), the noun-phrase is attested only in MS B.[57] In the third of them it is attested only in MS M (41.8).[58] In all three of these cases, however, the verse refers to rejecting *torat ʿelyon* (*m-ʾ-s* once, and *ʿ-z-b* twice). There is no reference – here, or anywhere else in Hebrew Ben Sira – to study, contemplation, reading, writing, or any other action that might indicate scriptural interpretation. It is highly likely in these cases as well that the reference is

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53 See Segal, *Sefer Ben Sira*, 207.

54 Per NRSV.

55 Per Skehan and Di Lella, *Wisdom of Ben Sira*.

56 Per NRSV again. My eclectic use of the English translations here ensures the proper nuances in the Hebrew are maintained.

57 For 41.4, see Beentjes, *Book of Ben Sira in Hebrew*, 161. In MS B:

ומה תמאס בתורת עלי[..]

MS M attests:

[..]עלי[.....……]

It is impossible to reconstruct MS M's text. The word *ʿelyon* appears in construct with other words besides *torah* in MS M itself – e.g. ליון[.] מעשי (in 43.2); it appears in MS A as well, e.g. in a passage unattested in MS M – ביראת עליון (in 6.37); and in a passage only attested in MS B – מצות עליון (in 44.20). In fact, the latter case is instructive in that the Greek reads ἐν τοῖς προστάγμασιν κυρίου ("...in the commands of the lord," likely =במצות עליון). The version in MS A should be either be considered representative of a different (Hebrew) recension than the Greek, or else considered a case of *lectio difficilior*. In any event, there is no justification at present for reconstructing some version of *torat ʿelyon* in MS M to 41.4

For 49.4, see Beentjes, *Book of Ben Sira in Hebrew*, 87: ויעזבו תורת עליון.

58 See Beentjes, *Book of Ben Sira in Hebrew*, 162. In MS M:

עזבי תורת עליון

MS B only attests *yod-waw-final nun* at the end of the phrase. For reasons enumerated in the previous note, it is impossible to reconstruct MS B's text.

merely to the "law of the Most High" in a non-scripturalized and maybe even non-textualized sense. In only one case (42.2) do we find a reference to *torat ʿelyon* in two MSS (B and M).[59] But in this case as well, the generic nature of the reference is indicated most clearly by our oldest manuscript from Masada, MS M, which surrounds the noun *torah* with the two other synonyms, *hoq* and *mishpat*. This case, then, is nearly identical to 45.5, discussed above. In sum, we find no evidence here, or anywhere else in Hebrew Ben Sira, of scriptural interpretation.

How does this relate to the evidence – however slight – of bookishness in Hebrew Ben Sira? In our available evidence, writing, or the ability to produce books, appears as a mark of authority or skill (e.g. 44.4, 5). This is similar to the way it appears in the Aramaic Levi Document and Testament of Qahat. In terms of Hebrew Ben Sira's self-conception *as a book*, Mroczek points out the difference between the Greek witness to the work's conclusion – which characterizes the foregoing as "a book"[60] – and the Hebrew witness – which refers instead to: מוסר שכל ומושל אופנים לשמעון בן ישוע בן אלעזר בן סירא, "training in wise conduct and smooth running proverbs of Yeshua ben Eleazar ben Sira" (50.27).[61] Mroczek compellingly surmises that the protagonist of Hebrew Ben Sira neither understood nor conceptualized his own work in "bookish" terms.

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59 See Beentjes, *Book of Ben Sira in Hebrew*, 166. In MS B:

על תורת עליון וחוק
ועל מצדיק להצדיק רשע

In MS M:

על תורת עליון וחק
ועל משפט להצדיק רשע

The various English translations offered to this verse are indicative of a bias towards seeing reference here to a scriptural corpus. For example, Skehan and DiLella have "Of the Law of the Most High and his precepts, and of justice to acquit the ungodly" (p. 477). The plural "precepts" makes the word seem subordinate to "Law of the Most High," and obscures the Hebrew *hoq*, which is in fact a singular and appears simply to be a synonym for *torah* and *mishpat*, all of which are modified by *ʿelyon*. NRSV reads, "of the law of the Most High and his covenant, and of rendering judgment to acquit the ungodly." The word "covenant," which in this context implies a complex of obligations, rather than the more generic sense of "law" (as would be appropriate for Hebrew *hoq*), has crept in under the influence of the Greek usage here: διαθήκη.

60 Mroczek, *Literary Imagination*, 97. The Syriac refers to "a book" as well; see Skehan and Di Lella, Wisdom of Ben Sira, 557; Segal, *Sefer Ben Sira*, 350.

61 For translation see Skehan and DiLella, *Wisdom of Ben Sira*, 556, especially n. 27a; and see Segal, *Sefer Ben Sira*, 350, n. 39.

Even if Mroczek is correct, it does not follow that Ben Sira is unaware of ancient Israel's traditions as written down. It is at least possible that he knew a textualized version of these traditions[62] as indicated in 48.10, in reference to Elijah: הכתוב נכון לעת, "You are destined, as written, in time to come."[63] If Hebrew Ben Sira engaged with textualized, or even scripturalized traditions, but nevertheless does not cite them directly nor give any hint that he conceives of them collectively as a corpus, nor talk about interpreting or studying scripture in any way, this would certainly underscore Hebrew Ben Sira's own procedural commitment to authoritative teachers, over and against scriptural interpretation. This would be especially noteworthy when contrasted with Greek Sirach, which, as we shall see, does repeatedly reference study and interpretation of scriptures. Benjamin Wright, however, points to compelling evidence that *ha-katuv* in this context is not actually a citation formula. It is an adjective describing Elijah. In context the relevant phrase means "who was surely appointed for the time."[64]

Greek Sirach

Divinely Inspired Scriptural Interpretation in Greek Sirach

62 Catherine Bell sees textualization as an important precursor to scripturalization; see Catherine Bell, "Scriptures - Text and Then Some," in *Theorizing Scriptures: New Critical Orientations to a Cultural Phenomenon*, ed. Vincent L. Wimbush (New Brunswick: Rutgers University Press, 2008).

63 Attested only in MS B, see Beentjes, *Book of Ben Sira in Hebrew*, 86. The Syriac to this verse either does not have the word *ha-katuv* in its Vorlage, or else does not translate it; on this, see also Robert J. Owens, "Christian Features in the Peshitta Text of Ben Sira: The Question of Dependency on the Syriac New Testament," in *The Texts and Versions of the Book of Ben Sira - Transmission and Interpretation*, ed. Jean-Sebastien Rey and Jan Joosten, Supplements to the Journal for the Study of Judaism 150 (Leiden: Brill, 2011), 192–93. If this is, in fact, a reference to scripture, then Mroczek's claim that "the concept of a book is barely, if at all, present in the Hebrew Ben Sira, and certainly not in the sense of textual stability and containment" (*Literary Imagination*, 89) should be nuanced. She may still be correct, but this passage, not mentioned in her monograph, at least requires discussion

64 Benjamin G. Wright III, *No Small Difference: Sirach's Relationship to Its Hebrew Parent Text*, Septuagint and Cognate Studies Series 26 (Atlanta: Scholars Press, 1989), 210.

In stark contradistinction to Hebrew Ben Sira, then, Greek Sirach sets forth a new set of procedural norms, which fundamentally reshape the grandfather's work.[65] Whereas the grandfather's work belongs to the authoritative teacher procedural type, the grandson completely reframes his grandfather's project (and his grandfather's biography), placing it among the inspired interpretation procedural type. This observation enables us to see how, over the course of only two generations, the entire legacy of Ben Sira was reshaped in order to accord with a new perspective on proper procedural norms. Significantly, this shift occurs at a time – from the early to late second century BCE – when, as suggested above, the procedural battle lines between teachers and inspired interpreters had been freshly drawn. The grandson's reformulation of his grandfather's work over the course of the second century BCE is dramatic evidence for the importance of procedural norms in framing behavior, knowledge, and even self-conception and identification during this period. I will also suggest that the grandson's transmutation of procedural norms may have been motivated by his transplantation to Egypt – where the dominant procedural norm was scriptural interpretation, and where we find no evidence for authoritative teacher procedural norms.

The most important piece of evidence for this transition between Hebrew Ben Sira and Greek Sirach also happens to be our best evidence for Ben Sira's reception history: the grandson's prologue.[66] In his introduction to the work the grandson writes:

65 The two studies that most clearly take up the project already implied by Beentjes's work – grappling with Hebrew Ben Sira and Greek Sirach as distinct literary entities – are Mroczek, *Literary Imagination*, and Judith H. Newman, *Before the Bible - The Liturgical Body and the Formation of Scriptures in Early Judaism* (Oxford: Oxford University Press, 2018).. Interestingly, while both Mroczek and Newman discuss several of the sources below, especially 24.23 – and Mroczek even notes that it has not survived in any Hebrew manuscript (*Literary Imagination*, 88) – neither connected the broader insight regarding the distance between Hebrew Ben Sira and Greek Sirach to the appearance of scriptural interpretation *only* in Greek Sirach.

66 Here it is worth noting Paul Mandel's recent conclusion in *Origins of Midrash*, 68 that "Ben Sira's *sofer* is not one who is involved with texts." It is not clear how Mandel arrived at this conclusion on the basis of his cited evidence, and arguably the opposite conclusion seems warranted. On the whole I believe that Mandel is correct regarding Hebrew Ben Sira. But since Mandel does not distinguish between Hebrew Ben Sira and Greek Sirach, it is quite perplexing that he does not at least consider the evidence of the grandson's prologue, in which reference to study of "books" of the law, prophets, and others is explicit.

Πολλῶν καὶ μεγάλων ἡμῖν διὰ τοῦ νόμου καὶ τῶν προφητῶν καὶ τῶν ἄλλων τῶν κατ᾽ αὐτοὺς ἠκολουθηκότων δεδομένων, ὑπὲρ ὧν δέον ἐστὶν ἐπαινεῖν τὸν Ισραηλ **παιδείας καὶ σοφίας**, καὶ ὡς οὐ μόνον αὐτοὺς τοὺς ἀναγινώσκοντας δέον ἐστὶν ἐπιστήμονας γίνεσθαι, ἀλλὰ καὶ τοῖς ἐκτὸς δύνασθαι τοὺς φιλομαθοῦντας χρησίμους εἶναι καὶ λέγοντας καὶ γράφοντας, ὁ πάππος μου Ἰησοῦς ἐπὶ πλεῖον ἑαυτὸν δοὺς εἵς τε τὴν τοῦ νόμου καὶ τῶν προφητῶν **καὶ τῶν ἄλλων πατρίων βιβλίων** ἀνάγνωσιν καὶ ἐν τούτοις ἱκανὴν ἕξιν περιποιησάμενος προήχθη καὶ αὐτὸς συγγράψαι τι τῶν εἰς **παιδείαν καὶ σοφίαν** ἀνηκόντων, ὅπως οἱ φιλομαθεῖς καὶ τούτων ἔνοχοι γενόμενοι πολλῷ μᾶλλον ἐπιπροσθῶσιν διὰ τῆς ἐννόμου βιώσεως.

Many notable truths have been given us through the Law, the Prophets, and the others that followed after them[67]; and for these we should praise Israel for instruction and wisdom (παιδείας καὶ σοφίας).[68] Now, those who know them well[69] must not only themselves understand them; they must also, as lovers of wisdom, be able in speech and in writing to help those who are without them. And so my grandfather Jesus, who had devoted himself for a long time to the study of the Law, the Prophets, and the other books of our ancestors (καὶ τῶν ἄλλων πατρίων βιβλίων), and developed a familiarity with them, was prompted to write something himself in the nature of instruction and wisdom (παιδείαν καὶ σοφίαν). This he did so that those who love wisdom might, by acquainting themselves with what he too had written, make even greater progress, living in conformity with the Divine Law. (Prologue 1-4)[70]

67 The last clause reflects my own translation.

68 For this first line I have adapted the translation of NRSV, which I believe gives the sense of Skehan and Di Lella's commentary to this verse – see *Wisdom of Ben Sira*, 133 – better than their own translation.

69 This is my translation. I tried to come as close to the literal Greek as possible. NRSV translates "those who read the scriptures"; Skehan and Di Lella render "those who are familiar with these truths." While NRSV's translation does seem to me to be the closest to the sense of the passage, it is important to note that the word "scriptures" does not translate an actual word in the Greek.

70 For the prologue I use the numbering in Skehan and Di Lella's translation. In NRSV, this passage is the first (unnumbered) paragraph of the Prologue.

The grandson immediately sets the translation to follow in the context of "the Law, the Prophets, and the later authors." The capitalization of "Law" and "Prophets" in both NRSV and Skehan and Di Lella is rooted in the assumption that scripturalization had taken place by this time. I demonstrated above that this assumption is correct.[71] Importantly, scripturalization provided the raw material for the grandson's biographical framing of his grandfather's oeuvre. Mroczek has shown how the grandson is the first to historicize the first person speaker of Ben Sira.[72] Without the grandson, all we would know is Ben Sira's name. As she memorably summarizes, "In our reception of the prologue, Ben Sira is more than just a personality: he is somebody's grandfather."[73] But the grandson does not merely inform us that the Hebrew work's author is his grandfather; he also tells his audience why this matters. Specifically, he depicts his grandfather not merely as a wise teacher – like the teacher of Ecclesiastes or Proverbs, or even as the doting grandfather of the Aramaic Levi Document passing down instruction to his grandchildren – but as a diligent student of scripture, of the books of Moses, the prophets, and more.

The grandson also redefines his grandfather's broader pedagogical endeavor. The reader of the Hebrew version might think that the grandfather is imparting wisdom of the sort conveyed in Ecclesiastes or Proverbs: experience derived from a long life, well and piously lived. To the extent that the grandfather is a devoted reader of scripture, this reader might assume, that would merely enhance his reputation or skill *as an authoritative teacher*. This conclusion, asserts the grandson, would be a mistake. In fact,

71 See also Mroczek, *Literary Imagination*, 12. Mroczek concedes this point even if, as she points out, "the reference is too vague to map clearly *onto the tripartite division of the Jewish canon* [emphasis mine]." Mroczek is certainly correct that we have no idea what precisely should be included among Ben Sira's scriptures. Even Wright, who certainly sees scripturalization as having occurred by the time of Ben Sira [or at least, as I would put it, Greek Sirach], similarly cautions that we do not "really know what made up the Israelite literary heritage (or even sacred tradition) for Ben Sira" ("Torah and Sapiential Pedagogy," 165). But we need not argue for a well-defined tripartite canon, or even a "pentateuch-ized" Mosaic Torah, in order to argue for scripturalization.

72 See *Literary Imagination*, 96-100.

73 Ibid. 97.

Ben Sira is *a scriptural interpreter*. The grandson indicates this via a double rhetorical move. First he identifies the scriptures as "instruction and wisdom" (παιδείας καὶ σοφίας).[74] Then, a few sentences later, he describes his grandfather's teaching with the identical phrase (παιδείαν καὶ σοφίαν), and claims that the grandfather was only able to produce this work because of his "study of the Law, the Prophets, and the other books of our ancestors" (Prologue 3). Of course, it is also possible that the grandson intends to position his grandfather's work as part of a fluid and developing scriptural corpus; or perhaps to place his own translational work on par with the Greek biblical translations.[75] Either way, the grandson clearly construes his grandfather's work as scriptural interpretation.[76] In fact, this construal – this reframing – is *the entire point of the prologue*. Given this evidence and that to follow, it is no overstatement to say that the grandson's project is motivated by the concern for right procedure. His goal – as he states explicitly in the prologue's closing lines (Prologue 8-10) – is precisely to found communal boundaries in Egypt on the correct procedural foundations.

The evidence of the prologue is particularly crucial because it supplies a definite and explicit reference to scripture and its interpretation that certainly was not present in Hebrew Ben Sira. Our second piece of evidence is similarly useful. Consider the case of 9.14-15, for which we possess witnesses both in Hebrew and the Greek translation. Let us begin with Hebrew Ben Sira. MS A reads:

74 Skehan and Di Lella rightly see here an allusion to *Deut*. 4.6, 8; see *Wisdom of Ben Sira*, 133

75 So Wright III, "Grandson's Prologue," 93–94.

76 It is interesting to note as well the *kind* of scriptural interpretation the grandson has in mind. When he characterizes the corpus that his grandfather has studied, he refers to "the Law, the Prophets, and the other books of our ancestors (καὶ τῶν ἄλλων πατρίων βιβλίων)" (Prologue, 3). The referent of "ancestors" is not immediately certain. Is this expression equivalent to the earlier employed "later authors" (Prologue 1)? Why not simply say that? Moreover, it is unclear if the grandson means to include the Law and the Prophets within the category of "books of our ancestors." One tantalizing possibility, however, is to set this expression in the larger context of the second century BCE. Across procedural types – from Aramaic Levi Document and Testament of Qahat, to the Pharisees and Jubilees – the patriarchs and matriarchs of Genesis play a major role in discussions about procedural norms. Indeed, Jubilees refers frequently to books written by the ancestors of Genesis – mention is made of them in Testament of Qahat and Vision of Amram, and several other sources as well. Does Greek Sirach refer to this tradition, or perhaps simply to Genesis? There are solid reasons to suspect this is not the case, including the fact that if this were the case one would assume it would be first on the list, not last. But the suggestion is certainly tempting.

ככחך[77] ענה רעך ועם חכמים הסתייד

עם נבון יהי חשבונך וכל סודך בינותם

According to your strength answer your fellow, and consult with the wise

Let your discussion be with the knowledgeable, and all your conversation be among them[78]

The Greek for this passage is as follows:

κατὰ τὴν ἰσχύν σου στόχασαι τοὺς πλησίον καὶ μετὰ σοφῶν συμβουλεύου. μετὰ συνετῶν ἔστω ὁ διαλογισμός σου καὶ πᾶσα διήγησίς σου ἐν νόμῳ ὑψίστου.[79]

According to your strength take stock of your fellow and consult with the wise. Let your discussion be with intelligent people, and all your exposition in the law of the Most High.[80]

As we have already seen, Hebrew Ben Sira quite clearly and neatly articulates an authoritative teacher procedural norm. You will know how to behave by consulting with the wise. Be sure, therefore, to converse with them as much as possible. Greek Sirach, however, reframes the content of these discussions, so that it is clear that he advocates instead the study of scripture. The grandson thus *subordinates* the role of the sage to the importance of scriptural examination. Recall Jason Maston's words cited earlier: "The sages, then, do not represent authority in themselves, but their authority

77 Segal, *Sefer Ben Sira*, 58 has בכחך. This should be corrected; see Beentjes, *Book of Ben Sira in Hebrew* 34.
78 The translation is my own.
79 Cf. the Syriac, which appears to feature a homeoteleuton.
80 This is the NETS translation, prepared by Benjamin Wright. Of the available translations for this passage, it most closely reflects the Greek.

comes through the source of their discussions. The instruction to seek wisdom through the sages' reflections on the Torah summarises the very task that Ben Sira has set for himself, as his grandson recognized."[81] As noted earlier, Maston is half correct. This may not be the task that *Ben Sira* set for himself, but it certainly represents the grandson's repositioning of his grandfather's procedural norms.

While we cannot know for sure, we may speculate for a moment about the process by which the grandson proceeded. Possibly, of course, he arbitrarily substituted ἐν νόμῳ ὑψίστου for בינותם in order to make his point. But we can imagine an alternative scenario. The Greek's Hebrew *Vorlage* here may not have been the plene spelling, בינותם, but the defective spelling, בינתם. An alternate possibility for translating 9.15, then, might have been, "Let your discussion be with the knowledgeable, and your conversation be about their[82] wisdom."[83] "The law of the Most High," would thus represent a gloss of "wisdom." If this were the case, then we have an even clearer picture of the process by which Greek Sirach sought to rehsape Hebrew Ben Sira's procedural norms. What Hebrew Ben Sira refers to merely as "wisdom," Greek Sirach (re)defines as scripture.

Now that we have in hand two clear-cut cases in which Greek Sirach features an emphasis on scriptural interpretation that we know was *not* present in Hebrew Ben Sira – whether undoubtedly, in the case of the prologue, or with a very high degree of certainty in the case of 9.14-15 – we are in a better position to assess the remainder of our evidence for Greek Sirach, including passages for which we possess only the Greek.

81 Maston, *Divine and Human Agency*, 34.
82 Either taking נבון as a collective reference, or referring back to חכמים in the previous line; cf. Segal, *Sefer Ben Sira*, 59.
83 Cf. the usage of בינתם in 4Q403.1.II.23.

This brings us to our third piece of evidence for Greek Sirach's procedural shift: chapter 24. This chapter is attested in Greek, but as of yet not in any of our Hebrew witnesses.[84] The relevant passage reads as follows:

> Ταῦτα πάντα **βίβλος διαθήκης θεοῦ ὑψίστου**, νόμον ὃν ἐνετείλατο ἡμῖν Μωυσῆς κληρονομίαν συναγωγαῖς Ιακωβ, ὁ πιμπλῶν ὡς Φισων **σοφίαν** καὶ ὡς Τίγρις ἐν ἡμέραις νέων, ὁ ἀναπληρῶν ὡς Εὐφράτης **σύνεσιν** καὶ ὡς Ιορδάνης ἐν ἡμέραις θερισμοῦ, ὁ ἐκφαίνων ὡς φῶς παιδείαν, ὡς Γηων ἐν ἡμέραις τρυγήτου. οὐ συνετέλεσεν ὁ πρῶτος γνῶναι αὐτήν, καὶ οὕτως ὁ ἔσχατος οὐκ ἐξιχνίασεν αὐτήν·ἀπὸ γὰρ θαλάσσης ἐπληθύνθη διανόημα αὐτῆς καὶ ἡ βουλὴ αὐτῆς ἀπὸ ἀβύσσου μεγάλης. Κἀγὼ ὡς διῶρυξ ἀπὸ ποταμοῦ καὶ ὡς ὑδραγωγὸς ἐξῆλθον εἰς παράδεισον· εἶπα Ποτιῶ μου τὸν κῆπον εἶπα Ποτιῶ μου τὸν κῆπον καὶ μεθύσω μου τὴν πρασιάν· καὶ ἰδοὺ ἐγένετό μοι ἡ διῶρυξ εἰς ποταμόν, καὶ ὁ ποταμός μου ἐγένετο εἰς θάλασσαν. ἔτι παιδείαν ὡς ὄρθρον φωτιῶ καὶ ἐκφανῶ αὐτὰ ἕως εἰς μακράν· ἔτι διδασκαλίαν **ὡς προφητείαν** ἐκχεῶ καὶ καταλείψω αὐτὴν εἰς γενεὰς αἰώνων.
>
> All this[85] is the book of the covenant of the Most High God (βίβλος διαθήκης θεοῦ ὑψίστου), the law that Moses commanded us as an inheritance for the congregations of Jacob.[86] It is

84 Shulamit Elitsur recently published newly discovered fragments from MS C; see Elitsur, "New Hebrew Fragment." Unlike the other Hebrew MSS of Ben Sira, MS C appears to be an anthology of verses from Ben Sira. MS C's peculiarities have been noted from the earliest stages of its publication; see the bibliography in Ibid., 18 n.6-9, and Pancratius C. Beentjes, "Hermeneutics in the Book of Ben Sira: Some Observations on the Hebrew MS. C," *Estudios Bíblicos* 46 (1988): 45–60. Nevertheless, the anthology does appear to assume the traditional order found in the other MSS; see Elitsur, "New Hebrew Fragment," 19, and 20 n. 18. The second page of the MS C fragments published by Elitsur contains a selection of verses from chapters 20-25 (all of which represent verses now attested for the first time in Hebrew). Interestingly, verses appear from every chapter in this range *except* chapter 24, which is not attested at all. Elitsur, however, explains this as follows: "it appears that the anthologist prioritized proverbs of wisdom and instruction more narrowly, and skipped the sections of general praise, like the paean to wisdom in chapter 24" (Ibid., 20; my translation).

85 I.e. all that has been said above concerning wisdom personified; see Segal, *Sefer Ben Sira*, 150 n. 25; cf. Skehan and Di Lella's translation: "All this is true of the book of the Most High's covenant" [p. 329]; although NRSV's translation is somewhat less clear, I have used it because it more accurately gives a sense of the Greek syntax used here.

86 Skehan and Di Lella put 24.23b in quotation marks because they see this as a reference to *Deut*. 33.4; see p. 336. Even if they are correct, however, there is no *formula citandi* present that would justify this translational choice.

brimful, like the Pishon, with wisdom (σοφίαν) – like the Tigris at the time of the new crops. It runs over, like the Euphrates, with understanding (σύνεσιν); like the Jordan at harvesttime. It shines forth instruction, like the Light; like the Gihon at vintage time.[87] The first human never knew wisdom fully, nor will the last succeed in fathoming her. Deeper than the sea are her thoughts; her counsels, than the great abyss. Now I, like a rivulet from her stream, channeling

87 This is my translation. NETS has: "It shines forth education like light." Skehan and Di Lella render: "It floods, like the Nile, with knowledge" (p. 329).

We can identify five rivers in this passage with certainty: Pishon (Φισων), Tigris (Τίγρις), Euphrates (Εὐφράτης), Jordan (Ιορδάνης), and Gihon (Γηων). Four of these (Pishon, Tigris, Euphrates, Gihon) are the rivers said to flow out of the Garden of Eden in Genesis 2. The fifth (Jordan) is a famous river in Palestine, which various scholars have suggested was included in the original Hebrew for the benefit of a Palestinian audience; see, e.g., Yutaka Ikeda, "A Geographical Horizon in the Textual Transmission of Pentateuch - Searching for Further Points of Contact Between East and West," in *Pentateuchal Traditions in the Late Second Temple Period: Proceedings of the International Workshop in Tokyo, August 28-31, 2007*, ed. Akio Moriya and Gohei Hata, Supplements to the Journal for the Study of Judaism 158 (Leiden: Brill, 2012), 262.The regularities of poetic parallelism, however, require that this passage list six rivers, each preceded by the relative particular ὡς. If this is correct, then the sixth river is: φῶς (lit. "light). Skehan and Di Lella point to the Syriac version of the passage, which refers specifically to the Nile (*Wisdom of Ben Sira*, 330). Their translation is based on the Syriac. See also Jeremy Corley, "Joseph as Exemplar of Wisdom: A Hidden Allusion in Sirach 21.11-21," in *The Temple in Text and Tradition: A Festschrift in Honour of Robert Hayward*, ed. R. Timothy McLay (London: Bloomsbury Publishing, 2015), 167. Skehan and Di Lella explain the Greek as follows: "The Gr of this colon is based on a false reading in (or of) the Heb, combining the verb used in 32b with *'or*, "light"; the Nile is, in Heb, *ye'or*" (p. 330). They appear to entertain two, distinct possibilities: either GR I's Hebrew *vorlage* had יאר/יאור, which the Greek translator mistook for אור; or the Hebrew *vorlage* already featured that same mistake. But their phrasing is ambiguous, which led subsequent scholars into conflicting reports about their position. Compare, for example, Nathalie LaCoste, *Waters of the Exodus: Jewish Experiences With Water in Ptolemaic and Roman Egypt* (Leiden: Brill, 2018), 130; Goering, *Wisdom's Root*, 177; Corley, "Exemplar of Wisdom," 167.

In support of the possibility that the mistake already occurred in the Hebrew *vorlage* one might point to the MT of Amos 8.8. Commentators have long claimed that כאֹר in that verse is a mistake for כיאֹר, as in the parallel verse in 9.5; see Rudolf Kittel, Wilhelm Elliger, and Wilhelm Rudolph, *Biblia Hebraica Stuttgartensia* (Deutsche Bibelstiftung, 1984), n. 8a. But that case itself is instructive, for it seems clear that MT's reading is, in fact, not a mistake at all. It rather reflects a Masoretic argument for a play on words, especially given the reference to light and darkness (including ביום אור) in verse 8.9; see Tchavdar S. Hadjiev, *The Composition and Redaction of the Book of Amos* (Berlin: Walter de Gruyter, 2009), 100. It seems likely to me that the same dynamic occurs in the Greek to Sir 24.27. After all, while Biblical Hebrew used a variety of terms to refer to the Nile, the LXX – unlike other roughly contemporaneous Jewish sources from Egypt – employs a single term: ποταμός. See LaCoste, *Waters of the Exodus*, 89. We find this usage in Greek Sirach as well; see, e.g., 39.22. The appearance of relative ὡς (or even just relative כ in a Hebrew *vorlage* that had "כאור") would have made it obvious to a Greek translator that a river's name must appear here. Moreover, the immediate poetic proximity to Gihon (Sir 24.27b) would have presented the Greek translator with a potential redundancy, since Jewish sources in Greek regularly identified the Gihon *as the Nile*; see e.g. LXX to Jer 2.18; and see Ikeda, "Geographical Horizon," 263; LaCoste, *Waters of the Exodus*, 89 n. 3. This redundancy would have made the standard Greek ποταμός awkward in this context. The translational solution lay in a play on words. Given the light imagery that concludes this passage (24.33), and the אור/יאור similarity, the translator decided to render Hebrew יאור as φῶς, while also using the verb ἐκφαίνω (i.e. "shine") to complete the wordplay. As noted, it is of course possible that the wordplay originated in the Hebrew. In my view, however, this is unlikely in light of the Syriac. If my reconstruction here is correct, then, it would provide further support for Wright's case that the Greek represents a relatively loose translation of the Hebrew, and furthermore that chapter 24 is a good illustration of this point; see above p. 92 n. 7. In view of the foregoing, I have chosen to translate Sir 24.27 as "It shines forth instruction, like the Light." This preserves the literal meaning of the Greek, while also indicating the play on words through the definite article and capital-L. Many thanks to my teacher Martha Himmelfarb for a very helpful discussion on this matter.

> the waters forth into a garden, said to myself, "I will water my plants, my flower bed I will drench"; and suddenly this rivulet of mine became a river, then this stream of mine, a sea. Again will I send my teachings forth shining like the dawn, to spread their brightness afar off; Again will I pour out instruction like prophecy (ὡς προφητείαν), and bequeath it to generations yet to come. (Sir 24.23-33)

In the midst of a paean to personified wisdom, Greek Sirach pivots to the following observation, "All this is the book of the covenant of the Most High God, the law that Moses commanded us as an inheritance for the congregations of Jacob" (24.23).[88] In my discussion of this verse above I noted that this pericope bears the marks of scripturalization, especially in this reference to "the book of the covenant of the Most High God" (βίβλος διαθήκης θεοῦ ὑψίστου). This is perhaps the most-cited source for Ben Sira's equation, or correlation between wisdom and law.[89] The point of this identification is not merely to link wisdom to scripture and its interpretation, but to articulate a procedural context for the teaching of wisdom, described several verses later (24.32-3).

This context is extended as Greek Sirach elucidates the relationship that "the book of the Most High's covenant" develops with those who study it (v. 25-27). It pours forth wisdom (σοφίαν) and understanding (σύνεσιν) upon those who engage it. Later, in 39.6, these exact terms will be used to describe the gifts that God grants the one who "studies the law of the Most High" (διανοουμένου ἐν νόμῳ ὑψίστου) [39.1]. Inasmuch as the relationship between *sofia* and *paideia* is meaningful for the grandson's translation, as we saw earlier in our analysis of the prologue, it is also noteworthy that the

88 A verse to which Wright refers as "all-important," see Wright, "Torah and Sapiential Pedagogy," 163

89 Among many others see Von Rad, *Weisheit*, 316., especially n. 14; Segal, *Sefer Ben Sira*, 150; Skehan and Di Lella, *Wisdom of Ben Sira*, 336-337; Goering, *Wisdom's Root*, 9, 94.; Wright, "Torah and Sapiential Pedagogy," 163-165; for the language of "correlation," see Goering, *Wisdom's Root*, 4, 8-9 who argues from 24.23's asyndetic syntax that "identification" is too strong a term

grandson uses *sunesis* along with *paideia* to translate the work's characterization of itself: Παιδείαν συνέσεως (50.27).[90] We thus find direct procedural linkage between this passage and the grandson's prologue on the one hand, and the Greek rendering of the coda on the other. The upshot is that one who studies the "book of the Most High's covenant" under the right conditions will be divinely aided. This finds further confirmation in 24.33, where we are told that the one who studies wisdom-*cum*-scripture "will pour out instruction like prophecy." The reference to prophecy suggests a degree of divine inspiration, even if, to be sure, there is no *equation* with prophecy.[91] In short, so far in chapter 24, Greek Sirach endorses scriptural interpretation as a procedural norm, and describes such interpretation as undergirded by divine inspiration. This fits well into the context of the second century BCE in which divine inspiration and scriptural interpretation are intertwined.

In the rest of the passage, Greek Sirach shifts to an authorial first person,[92] presumably describing the role of a teacher. Scholars have struggled mightily to situate this description in the context of the immediately preceding reference to divinely-inspired scriptural interpretation, as well as within the larger context of Ben Sira as a whole.[93] Benjamin Wright III, relying in large part upon Sir 24, makes several key observations on this point.[94] He notes that for Ben Sira, law (*torah* in his phrasing) has come to mean Mosaic Torah, a development that is quite recent in Jewish history.[95] Even though Ben Sira appears quite clearly familiar with the traditions, Wright takes Ben Sira's lack of explicit scriptural citation as an indication that the move towards scripturalization is still ongoing. Finally, he characterizes scripture as a source of authority for Ben Sira that is in the process of being integrated

90 In MS B: מוסר שכל.
91 The instruction is only "*like* prophecy" (ὡς προφητείαν).
92 Skehan and Di Lella, *Wisdom of Ben Sira*, 337
93 Nearly always without distinguishing between Hebrew Ben Sira and Greek Sirach as literary entities. Mroczek is, in a certain sense, an exception, but see below.
94 See Wright, "Torah and Sapiential Pedagogy."
95 As ancient Israel's early traditions had only recently "become objectified in a 'book,'" see Ibid. p. 169, and the discussion of scripturalization above.

into the wider, preexisting sapiential tradition. These conclusions are especially bolstered by his analysis of Sir 24.23.[96] Wright then goes on to conclude that despite the importance of scripture for Ben Sira, his pedagogical focus is ultimately upon the sage, and the teacher-student relationship. Elsewhere, Wright has supported *this* conclusion from the subsequent verses in the passage we are analyzing: 24.25-33.[97] In particular, he sees the water metaphors and overflow imagery as an argument for continuity between the sage's teaching and Wisdom.

But what of scripture? Hasn't Sir 24.23 clarified that the sage is no ordinary teacher of wisdom, but an interpreter of "the book of the covenant of the Most High God"? As Jason Maston argues, while Ben Sira may generally highlight the role of sages and elders,

> ...the content of the elders' discussion is the Torah itself...The sages, then, do not represent authority in themselves, but their authority comes through the source of their discussions. The instruction to seek wisdom through the sages' reflections on the Torah summarises the very task that Ben Sira has set for himself, as his grandson recognized.[98]

Maston's point is reinforced by the larger context of Sir 24. The sage is definitely expected to look to wisdom, but Ben Sira makes the explicit claim that wisdom either means, or correlates with "the book of the covenant of the Most High God." Moreover, as we have seen, the language of overflow is rooted in the immediately following description of divinely granted understanding of this book. The evidence

96 Ibid. 163-165.

97 See Benjamin G. Wright III, Praise Israel for Wisdom and Instruction - Essays on Ben Sira and Wisdom, the Letter of Aristeas and the Septuagint, Supplements to the Journal for the Study of Judaism 131 (Leiden: Brill, 2008), 171–73; see also Elisa Uusimäki, "The Formation of a Sage According to Ben Sira," in *Second Temple Jewish Paideia in Context*, ed. Jason M. Zurawski and Gabriele Boccaccini, Beihefte Zur Zeitschrift Für Die Neutestamentliche Wissenschaft 228 (Berlin: De Gruyter, 2017), 61.

98 Jason Maston, *Divine and Human Agency in Second Temple Judaism and Paul: A Comparative Study* (Tübingen: Mohr Siebeck, 2010), 34.

appears overwhelming that Sir 24 emphasizes divinely inspired scriptural interpretation procedural norms. But then again, what of the many places in Ben Sira that depict the sage independent of scripture?

The resolution of this conundrum lies in appreciating that Hebrew Ben Sira and Greek Sirach are distinct literary entities. Both Wright's and Maston's conclusions regarding "Ben Sira's" pedagogy reflect a composite of the two. Once we recognize this, we can affirm that the data from chapter 24 cannot tell us very much, if anything, about procedural norms in *Hebrew Ben Sira*. As I have shown, the Hebrew work is shot through with authoritative teacher procedural norms. Were we to possess a Hebrew witness to chapter 24 that endorsed scriptural interpretation as a procedural norm, we would have to revise our assessment of Hebrew Ben Sira. But as things stand, we have no such witness, and the conclusions drawn from the Greek are fundamentally incongruous with the extant Hebrew evidence. But Sir 24 certainly *can* tell us about procedural norms in Greek Sirach. And what it tells us – very much in line with the grandson's prologue – is that Greek Sirach adheres to inspired interpretation.[99]

99 In her discussion of chapter 24, Mroczek makes use of the argument that material in this chapter appears only in the Greek but not the Hebrew. Surprisingly, however, she only extends this insight to a single word in the chapter ("book," in 24.23). She then uses the rest of the chapter to build an argument about metaphors of overflow in the Hebrew *Vorlage*; see *Literary Imagination*, 93-96. I am not sure why her insight regarding 24.23 should not extend to the rest of her analysis.

A final note on chapter 24: It seems to me that it would not be very difficult to change one or two phrases in Greek Sirach 24 such that it would instead reflect the same authoritative teacher procedural norms as Hebrew Ben Sira. One way to do this would be simply to remove 24.23, or even just take out the word "book," and maybe assume a Hebrew *Vorlage* for "law" that is not *torah*. Von Rad appears to have suspected something like this; he writes, "Der Stoff des Lehrgedichtes zeigt eine Unebenheit, die möglicherweise auf einen komplizierten überlieferungsgeschichtlichen Werdeprozeß hinweist. In v 22 endet die Ichrede der Weisheit, und der Übergang in v 23 'das alles ist das (gilt von dem) Gesetz, das Mose gab' is sehr hart" (*Weisheit*, 316 n. 14). To be clear, I do not think there are any grounds whatsoever for making any such assumptions in attempting a retroversion of Hebrew Ben Sira 24. I see this line of reasoning more as a thought experiment in what the grandson might have done in translating his grandfather's work. One way of thinking about this is to see the grandson making small, but important translational choices that serve to reframe the grandfather's authoritative teacher procedural norms, but still leave a lot of the original vocabulary in place. This would leave us with a Greek Sirach in which lots of authoritative teacher procedural language and motifs remains, but which have been redefined by the grandson's own, different procedural norms. Such a process would be quite similar to what we will see occurs in *Jubilees*. In fact, Wright already intuited a connection between the two works along these lines in *Praise Israel*, 173.

Perhaps even more explicitly than chapter 24, chapter 39 confirms this conclusion. The latter third of chapter 38 sets the stage by outlining vocational purposes for various types of workers. Chapter 39 then contrasts these with the purpose of one who devotes himself to the study of scripture.[100] The passage I am interested in 38.24b-39.11, attested in the Greek. We possess Hebrew witnesses for the material shortly before and after this section, but not for this section itself.[101]

> Πλὴν τοῦ ἐπιδιδόντος τὴν ψυχὴν αὐτοῦ καὶ **διανοουμένου ἐν νόμῳ ὑψίστου**, σοφίαν πάντων ἀρχαίων ἐκζητήσει καὶ ἐν προφητείαις ἀσχοληθήσεται, διήγησιν ἀνδρῶν ὀνομαστῶν συντηρήσει καὶ ἐν στροφαῖς παραβολῶν συνεισελεύσεται, ἀπόκρυφα παροιμιῶν ἐκζητήσει καὶ ἐν αἰνίγμασι παραβολῶν ἀναστραφήσεται. ἀνὰ μέσον μεγιστάνων ὑπηρετήσει καὶ ἔναντι ἡγουμένων ὀφθήσεται· ἐν γῇ ἀλλοτρίων ἐθνῶν διελεύσεται, ἀγαθὰ γὰρ καὶ κακὰ ἐν ἀνθρώποις ἐπείρασεν. τὴν καρδίαν αὐτοῦ ἐπιδώσει ὀρθρίσαι πρὸς κύριον τὸν ποιήσαντα αὐτὸν καὶ ἔναντι ὑψίστου δεηθήσεται· καὶ ἀνοίξει στόμα αὐτοῦ ἐν προσευχῇ καὶ περὶ τῶν ἁμαρτιῶν αὐτοῦ δεηθήσεται. ἐὰν κύριος ὁ μέγας θελήσῃ, πνεύματι συνέσεως ἐμπλησθήσεται· αὐτὸς ἀνομβρήσει ῥήματα σοφίας αὐτοῦ καὶ ἐν προσευχῇ ἐξομολογήσεται κυρίῳ· αὐτὸς κατευθυνεῖ βουλὴν αὐτοῦ καὶ ἐπιστήμην καὶ ἐν τοῖς ἀποκρύφοις αὐτοῦ διανοηθήσεται· **αὐτὸς ἐκφανεῖ παιδείαν διδασκαλίας αὐτοῦ καὶ ἐν νόμῳ διαθήκης κυρίου καυχήσεται**. αἰνέσουσιν τὴν σύνεσιν αὐτοῦ πολλοί, καὶ ἕως τοῦ αἰῶνος οὐκ ἐξαλειφθήσεται· οὐκ ἀποστήσεται τὸ μνημόσυνον αὐτοῦ, οὐκ ἀποστήσεται τὸ μνημόσυνον αὐτοῦ, καὶ τὸ ὄνομα αὐτοῦ ζήσεται εἰς

100 On the roots of the genre to which this pericope belongs, see the comment in Skehan and Di Lella, *Wisdom of Ben Sira*, 449.

101 The Hebrew attests: 38.1 (MSS B and D), 38.2-27 (MS B), and resumes again at 39.15 (in MS B). The middle of verse 38.27 is certainly a strange place for the text to cut off. It is not only in the middle of a thought, but also in the middle of an extended set of comparisons. It seems likely that a leaf is missing from the manuscript. But given the number of verses the Greek records between 38.27 and 39.15, it also seems likely that Greek records material that is not present in, or in some way expands upon the Hebrew.

γενεὰς γενεῶν· τὴν σοφίαν αὐτοῦ **διηγήσονται** ἔθνη, καὶ τὸν ἔπαινον αὐτοῦ ἐξαγγελεῖ ἐκκλησία· ἐὰν ἐμμείνῃ, ὄνομα καταλείψει ἢ χίλιοι, καὶ ἐὰν ἀναπαύσηται, ἐκποιεῖ αὐτῷ.

How different the person who devotes himself to the study of the Law of the Most High (διανοουμένου ἐν νόμῳ ὑψίστου)![102] He studies the wisdom of all the ancients and occupies himself with the prophecies; he treasures the discourses of the famous, and goes to the heart of involved sayings; he studies the hidden meaning of proverbs, and is busied with the enigmas found in parables. He is in attendance on the great, and has entrance to the ruler. He travels among the peoples of foreign lands to test what is good and evil among people. His care is to rise early to seek the Lord, his Maker, to petition the Most High, to open his lips in prayer, to ask pardon for his sins. Then, if it pleases the Lord Almighty, he will be filled with the spirit of understanding; he will pour forth his words of wisdom and in prayer give praise to the Lord. He will direct his counsel and knowledge aright, as he meditates upon God's mysteries. He will show the wisdom of what he has learned and glory in the Law of the Lord's covenant (αὐτὸς ἐκφανεῖ παιδείαν διδασκαλίας αὐτοῦ καὶ ἐν νόμῳ διαθήκης κυρίου καυχήσεται). Many will praise his understanding; his fame can never be effaced; unfading will be his memory, through all generations his name will live. Nations will speak (διηγήσονται) of his wisdom, and the congregation will proclaim his praise.[103] While he lives he is one out of a thousand, and when he dies he leaves a good name.

The larger context for this passage in Hebrew Ben Sira appears in 38.24. The focus is upon "the scribe" (סופר).[104] His goal is to "become wise" ([?כם]יתח). Those who tarry in other professions cannot attain

102 Translation of this verse from NRSV. Skehan and Di Lella attempt a retroversion from the Syriac, see *Wisdom of Ben Sira*, 446.
103 Translation of this verse from NRSV. Skehan and Di Lella rely on 45.15 in MS B; see *Wisdom of Ben Sira*, 448.
104 In MS B. See Beentjes, *Book of Ben Sira in Hebrew*, 67.

this goal. The Hebrew evidence we have for the preceding material would not lead us to expect the appearance of scriptural interpretation later on in the passage. But sure enough, in 38.34 workers in other vocations are contrasted with "the person who devotes himself to the study of the Law of the Most High," a passage we already encountered earlier. The procedural norm Greek Sirach endorses is not study with a teacher – within a succession of teachers – but rather the study of scripture. This study is restated in 39.1-3 as involving contemplation of "wisdom of the ancients," "the prophecies," "discourses of the famous," "involved sayings," "proverbs," and "parables." The framing in 38.34 proves crucial, for without it, we would not necessarily have identified or correlated these terms with scripture. In 39.6 – another verse we encountered earlier – Greek Sirach continues by explaining that such study is divinely inspired, before emphasizing once more that the student "will show the wisdom of what he has learned and glory in the Law of the Lord's covenant" (αὐτὸς ἐκφανεῖ παιδείαν διδασκαλίας αὐτοῦ καὶ ἐν νόμῳ διαθήκης κυρίου καυχήσεται).

Notably, the result of this process is not a chain of transmission, or even necessarily a student teacher relationship, but fame for the individual sage – "the congregation will speak (διηγήσονται)[105] of his wisdom" – encouraging others to achieve such fame as well. This is but one example of many that we will see in which procedural norms are articulated directly in the context of an imagined public, social role. The translator of Greek Sirach makes this point while commenting on the scribe's political and social influence (39.4, 9-11) – passages that bear a striking resemblance to similar sections from ALD 13/90ff. (especially when juxtaposed with TPL 13).[106] This makes the sharp divergence between the Aramaic Levi Document's authoritative teaching, and Greek Sirach 38.34-39.11's inspired

105 See note in Segal, *Sefer Ben Sira*, 260, especially the comparison to *Jud*. 5.11. Segal also notes the support from the Syriac evidence, see ad loc.

106 See Michael E. Stone, "Ideal Figures and Social Context: Priest and Sage in the Early Second Temple Age," in *Ancient Israelite Religion: Essays in Honor of Frank Moore Cross*, ed. Patrick D. Miller, Paul D. Hanson, and S. Dean McBride (Philadelphia: Fortress Press, 1987), 575–86.

interpretation all the more noteworthy. In general, while the Aramaic Levi Document emphasizes the authoritative teacher's role in passing down traditions of wisdom to students, Greek Sirach emphasizes the texts to be studied and interpreted, with divine aid.

Greek Sirach's reformulation of Hebrew Ben Sira's procedural norms is significant in three respects. First of all, it helps crystallize our picture of rival procedural norms during this period. While earlier we saw the emergence of scriptural interpretation through the Testament of Levi's refashioning of the traditions in Aramaic Levi, that development dates to a much later era. Greek Sirach, by contrast, offers our first chronologically relevant glimpse into the shift towards inspired scriptural interpretation during the second century BCE. Second, Greek Sirach highlights how important procedural norms were for constructing group boundaries.

In light of the prologue, it appears that the grandson's impetus for translating his grandfather's work was *precisely* to re-position it within a new procedural framework. Our ability to observe this process in real time, over the course of a generation or two, is remarkable. Finally, thought, we may ask how and why this re-conceptualization occurred. While we cannot enter into the grandson's mind – and certainly the effectiveness of any psychoanalysis we might nevertheless have attempted is anyway greatly reduced by the intervening two millennia – the most notable variable between the grandfather's and grandson's respective contexts is geographical. While Hebrew Ben Sira was composed in Palestine, the grandson's translation was made in Egypt. What does the new procedural picture in Greek Sirach suggest about procedural norms in Egypt?

While this question remains beyond the scope of this dissertation, we may at least indicate how trends in Egypt relate to our discussion. The arrival of Ben Sira's grandson in Egypt – and the procedural shift

this heralded – affords us an excellent opportunity for a brief excursus on procedural norms among Egyptian Jews.

Greek Sirach and Procedural Norms Among Jews in Egypt

Integrating the Egyptian scene into our analysis of trends in and around Palestine is reasonable first and foremost on grounds of channels of transmission. We have considerable evidence of travel between Palestine and Egypt from the second century BCE to the first century CE. Furthermore, during these centuries it would have been obvious to many Jews in Palestine to speak of Egypt as the other great center of Jewish life.[107] Besides Ben Sira's grandson, travelers between the two centers – whether real or imagined – include at least: the Septuagint translators (*Let. Aris.* 172-173), the priest Onias IV who founded a temple in Egypt (*A.J.* 12.387-388), Dositheos and his son Ptolemy who supposedly bring a Greek translation of Esther from Jerusalem to Egypt (Add Esth F 11),[108] Philo (*De Prov.* 2.64), the high priest, Simon son of Boethus (*A.J.* 15.320) and possibly also his predecessor Jesus son of Phabes,[109] Matthew's Jesus (Matt 2.13-15), and potentially a high priest to whom the Mishnah refers as "Hanamel the Egyptian" (*m. Par.* 3.5).[110] 2 Maccabees features a letter purporting to represent a correspondence between the Jews of Jerusalem and the Jews of Egypt (2 Macc 1.1-2.18).[111]

Yet some scholars tend to overstate the evidence for such travel. Maren Niehoff, and much more extensively, Yakir Paz, have sought to establish the influence of Alexandrian Homeric text-critical

107 This is especially important to note in light of the prominence earned by Babylonia over the subsequent course of Jewish history.
108 And see Joseph Modrzejewski, *The Jews of Egypt: From Rameses II to Emperor Hadrian*, 1st English edition (Philadelphia: Jewish Publication Society, 1995), 123.
109 See Peter Richardson, *Building Jewish in the Roman East* (Waco: Baylor University Press, 2004), 290.
110 But see Ibid., 290-291.
111 See Daniel R. Schwartz, *2 Maccabees*, Commentaries on Early Jewish Literature (Berlin: De Gruyter, 2008), 14.

methods upon techniques later employed in Palestinian midrashic literature.[112] Pieter Hartog has sought to locate the influence of Alexandrian Homeric commentaries upon the so-called *pesher* texts found at Qumran.[113] Niehoff and Paz offer surprisingly scant explanation for how this influence might have been transmitted.[114] Hartog, at least, attempts to offer a sustained explanation.[115] Paz might be forgiven his brief comments given that the evidence he musters for influence is so impressive. My own arguments here, and especially later regarding developments in the first and second centuries CE, are not mutually exclusive with his; in fact, in many ways they are complementary. Yet the case for these particular streams of influence has scarcely been made. Consider, for example, that in regard to rabbinic literature, essentially all of the explicit evidence we possess for actual intellectual exchange between Palestine and Egypt – or the general spread of Alexandrian methods and scholars to Palestine – either significantly pre-dates, or significantly post-dates the period typically associated with the first flourishing of *midrash*, the second century CE.[116] Moreover, while some rabbinic sources preserve an admiration for the Jewish community in Alexandria (*t. Suk.* 4.6), others regard it as a community

112 See Niehoff, *Jewish Exegesis*; Yakir Paz, "From Scribes to Scholars - Rabbinic Biblical Exegesis in Light of the Homeric Commentaries" (PhD Dissertation, Hebrew University of Jerusalem, 2014) (Hebrew); Yakir Paz, "Re-Scripturizing Traditions: Designating Dependence in Rabbinic Halakhic Midrashim and Homeric Scholarship," in *Homer and the Bible in the Eyes of Ancient Interpreters*, ed. Maren Niehoff, Jerusalem Studies in Religion and Culture 16 (Leiden: Brill, 2012), 269–98.

113 See Pieter B. Hartog, *Pesher and Hypomnema: A Comparison of Two Commentary Traditions from the Hellenistic-Roman Period* (Leiden: Brill, 2017).

114 See, for example, the abbreviated comments by Paz, *Scribes to Scholars* (Hebrew), 26-27. Cf. Joseph Geiger, "Greek Orators in Palestine," *Cathedra* 66 (1992): 47–56 (Hebrew).

115 Hartog, *Pesher and Hypomnema*, 21-26.

116 For the evidence pre-dating, see the examples above concerning travelers, the latest of which refers to the early first century CE. For the evidence post-dating, see Burton L. Vizotzky, "Midrash, Christian Exegesis, and Hellenistic Hermeneutics," in *Current Trends in the Study of Midrash*, ed. Carol Bakhos, Supplements to the Journal for the Study of Judaism 106 (Leiden: Brill, 2006), 111–32. Paz relies upon Visotzky in "Re-Scripturizing Traditions," 269-270 n. 3, to establish general "Hellenistic" influence within Palestine, but the sources Visotzky musters are nearly all later than those Paz is discussing. One potential exception is Visotzky's reference to Saul Lieberman's discussion of Rabban Shimeon ben Gamaliel in *b. Sot.* 49b and parallels, which Visotzky uses to contextualize his citation of the correspondence between the Jewish Patriarch – "Among [Rabban Shimeon's] late fourth-century offspring" – and the Antiochan teacher of rhetoric, Libanius (see "Hellenistic Hermeneutics," 120). But as Sacha Stern has demonstrated, there is no reliable evidence whatsoever for asserting any connection between the family of Gamaliel and the Galilean Patriarchs; see Stern, "Origins of the Patriarchate." Thus, the likelier conclusion is that Lieberman's identification of *b. Sot.* 49b as tannaitic is incorrect, and Visotzky's fourth century CE evidence can tell us little about the situation two hundred years prior.

conceived in sin (*Mek*[117] *Beshallah*, 2). When the Mishnah imagines a past in which a Jewish center in Palestine was able to communicate freely with communities in the Diaspora, it only imagines communications oriented towards the north and east (*m. RH* 2.2-4); any thought about Egypt is entirely absent.

Hartog, whose case for influence must overcome much greater obstacles than Niehoff's or Paz's, makes the argument that regular pilgrimage from the Diaspora to the Temple would have greatly enhanced cultural and intellectual exchange. If the gospel traditions about Jesus are any indication, the Temple around the holidays offered teachers and preachers an attractive pulpit of sorts. But notwithstanding the crowds that apparently gathered in Jerusalem around the various annual festivals, pilgrimage appears to have been a very rare experience for individual people – if they travelled at all. Hartog's own analysis points in this direction. He notes that while Philo mentions only a single journey to the Temple, he probably went more regularly.[118] But Philo himself never says anything to indicate this. The assumption that Philo went on pilgrimage to the Temple only once in his life correlates well with our data on Jewish pilgrimage to Jerusalem during this period in general. As early as 1965, Shmuel Safrai had noticed that we have no evidence for Diaspora pilgrimage prior to Herod's reign in the late 1st century BCE. Martin Goodman suggested that Herod's expansion of the Temple and reinvigoration of the Land of Israel's economy were in fact what prompted the phenomenon of Diaspora pilgrimage.[119] Safrai further suspected that Second Temple era Jews understood the thrice-annual pilgrimage described in the Bible as aspirational.[120] David Henshke has since greatly substantiated this view within the context of

117 All references to *Mek* are to *Mekhilta de-Rabbi Ishmael*. References to *Mekhilta de-Rabbi Shimon b. Yohai* will cited as *Mek de-RSBY*.
118 Hartog, *Pesher and Hypomnema*, 22.
119 See Shmuel Safrai, *Pilgrimage at the Time of the Second Temple Period* (Tel Aviv: Am Hasefer, 1965), 55 (Hebrew). See also Martin Goodman, "The Pilgrimage Economy of Jerusalem in the Second Temple Period," in *Jerusalem: Its Sanctity and Centrality to Judaism, Christianity and Islam*, ed. Lee I. Levine (New York: Continuum, 1999), 69–76.
120 Safrai, *Pilgrimage*, 27-38.

rabbinic literature, noting that the rabbis regarded the pilgrimage festivals as conferring a communal obligation to hold thrice-annual celebrations in the Temple, rather than an individual obligation to go on pilgrimage. The rabbis regarded individual pilgrimage as exceedingly rare.[121] In all likelihood, therefore, Philo went on pilgrimage to the Temple just once, and even that was exceptional. One can see, then, how easy it is to overstate the impact of gatherings in the Temple during pilgrimage festivals upon cultural and intellectual exchange between Palestine and Egypt.

Nevertheless, in combination with the evidence marshaled above, these studies – especially Paz's – convincingly suggest that some substantial interchange between Egypt and Palestine did occur. As we will see later in our discussion of *midrash*, Alexandrian influence upon the repertoire of scholastic rabbinic techniques is palpable. Of course, we will need to explain why this influence manifests when it does, and not earlier or later – a question Paz wonders about, but does not ultimately explain. For the moment, I will briefly explore the procedural landscape of Egypt during the second century BCE, when Ben Sira's grandson purportedly translated his grandfather's work.

Scriptural Interpretation in Egypt

In the evidence from the Ptolemaic-era papyri, we find tantalizing references to legal relationships authorized "[κατὰ τὸν νόμον π]ολιτικὸν τῶν [Ἰου]δαίων," as well as court proceedings rooted in an "ancestral oath" (*horkos patrios*).[122] But these sources are ultimately too incomplete – and our knowledge of the communities behind them too uncertain – to be of much help. The translation of the Septuagint, probably beginning in the third century BCE, and the subsequent efforts by some Egyptian

121 David Henshke, *Festival Joy in Tannaitic Discourse* (Jerusalem: The Hebrew University Magnes Press, 2007), 125–48.
122 See the discussion in Stewart Moore, *Jewish Ethnic Identity and Relations in Hellenistic Egypt - With Walls of Iron?*, Supplements to the Journal for the Study of Judaism 171 (Leiden: Brill, 2015), 72, 91–94.

Jews to cast the Greek translation *itself* as scriptural – not merely as a translation of a scripture[123] – suggest that scriptural study was considered important in Egypt.[124] Maren Niehoff's work has pointed to the rising emphasis in the second century BCE on scriptural interpretation in Alexandrian circles, influenced directly by the Homeric scholarship developed at the Museum in Alexandria.[125] If Niehoff is correct, the procedural character of those who used these methods is mostly unclear, since so little of their work survives, and even then only in second or third hand quotations, sometimes by people like Philo who opposed them. Greek Sirach, as we have seen, adheres to a procedural norm requiring (or assuming) that scriptural interpretation should be divinely inspired. What of our other Egyptian scriptural interpreters? Philo speaks several times in exegetical contexts of his own access to divine inspiration.[126] Our limited evidence seems to indicate that the bundle of inspiration and scriptural interpretation holds in Egypt as well. Niehoff, in contrast, argues for a culture of non-divinely inspired scriptural interpretation in Alexandria.[127] This scenario would be even more attractive for my case, although as noted I am not sure that it can bear the weight of the evidence. But if this *is* the case, Greek Sirach's insistence specifically on *inspired* interpretation takes on added significance. Moreover, it is certainly interesting that this putative development – described as well by Paz – does not appear to make its way to Palestine until the first or second century CE. As we shall see, this is neatly explained

123 See Wright, *Praise Israel*, 297-314.

124 See Aitken, "Literary Attainment," 98-100, who points out that the scholarly tendency to locate this phenomenon mostly, or sometimes even exclusively in Alexandria is unwarranted.

125 See Niehoff, *Jewish Exegesis*.

126 See *Cher*. 27, 49; *Somn*. 2.252, *Spec*. 3.6, *Her*. 69-70; see also David M. Hay, "Philo's View of Himself as an Exegete: Inspired, But Not Authoritative," in *The Studia Philonica Annual - Studies in Hellenistic Judaism*, ed. David T. Runia, vol. 3 (Atlanta: Scholars Press, 1991), 40–52; Niehoff, *Jewish Exegesis*, 183. John Levison claims that Philo equates himself with Moses, and thus constitutes evidence for the perpetuation of classical prophecy in the Second Temple period; see John R. Levison, "Philo's Personal Experience and the Persistence of Prophecy," in *Prophets, Prophecy, and Prophetic Texts in Second Temple Judaism*, Library of Hebrew Bible/Old Testament Studies 427 (New York: T & T Clark, 2006), 194–209. Note, however, that Levison does not consider the fact that Philo's divine inspiration is tagged to his exegetical efforts as an interpreter of scripture. In considering Levison's claim, Cook judges that "his comments along this line are over-reaching" (see L. Stephen Cook, On the Question of the Cessation of Prophecy in Ancient Judaism, Texts and Studies in Ancient Judaism 145 (Tübingen: Mohr Siebeck, 2011), 192 n. 44).

127 See Niehoff, *Jewish Exegesis*, 186-187; idem., Philo of Alexandria: An Intellectual Biography, The Anchor Yale Bible Reference Library (New Haven: Yale University Press, 2018), 177.. I confess that I am uncomfortable with Niehoff's polemical juxtaposition of "rigorous," "critical," Alexandrian Jews who anticipate modern biblical scholarship(!), with "conservative," "apologetic" ones.

by the unbundling of inspiration and interpretation that occurs for the first time in first century CE Palestine.

Greek Sirach's deliberate refashioning of Hebrew Ben Sira's authoritative teacher procedural norms against the backdrop of widespread evidence for scriptural interpretation procedural norms in Egypt, allows us to speak with greater precision about developments in Jewish knowledge. In a series of studies, Guy Stroumsa called attention to what he saw as the reorganization of Jewish and early Christian thought around text.[128] He located this restructuring in the second century CE, with the development of "secondary canons" for interpreting scripture.[129] In an important essay, Adiel Schremer dated this "revolution" much earlier, to the first century BCE, and identified its origins at Qumran.[130] Both of these scholars,[131] were attempting to offer a much-needed corrective to earlier scholarship that assumed scriptural interpretation to lie at the procedural heart of Jewish knowledge *in toto*. For Schremer and Stroumsa, reliance on, or even employment of scriptural interpretation cannot simply be assumed when our early sources do not claim to be engaging in it. Granting, therefore, that scriptural interpretation did not simply *exist*, but rather *emerged*, the question became when to date that emergence.[132] Our analysis of Greek Sirach in its Egyptian context allows us to make several observations on this score. First, the case of Greek Sirach confirms – and, as we shall see below, it is

128 See Guy G. Stroumsa, "Early Christianity - A Religion of the Book?," in *Homer, the Bible, and Beyond: Literary and Religious Canons in the Ancient World*, ed. Margalit Finkelberg and Guy G. Stroumsa, Jerusalem Studies in Religion and Culture 2 (Leiden: Brill, 2003), 153–74; Guy G. Stroumsa, "Scripture and Paideia in Late Antiquity," in *Homer and the Bible in the Eyes of Ancient Interpreters*, ed. Maren R. Niehoff, Jerusalem Studies in Religion and Culture 16 (Leiden: Brill, 2012), 29–42; Guy G. Stroumsa, *Hidden Wisdom: Esoteric Traditions and the Roots of Christian Mysticism*, 2nd ed. (Leiden: Brill, 2005), 79–91; Guy G. Stroumsa, *The Scriptural Universe of Ancient Christianity* (Cambridge: Harvard University Press, 2016).

129 Stroumsa, "Scripture and Paideia," 36; Cf. Stroumsa, *Hidden Wisdom*, 88–91.

130 Schremer, "Qumran Halakhic Revolution," 123. Schremer's only reference to Ben Sira in his essay is to deny – correctly, to be sure – that Ben Sira contains a reference to a so-called study hall (i.e. the *beit midrash* known from rabbinic literature); see Ibid. 123, n. 64.

131 Schremer explicitly, Stroumsa implicitly.

132 This question is related to, but very much distinct from the question examined above of when "scripturalization" occurred.

not alone in this respect – that scriptural interpretation should be seen as a relatively new development in Jewish history. Second, however, Greek Sirach indicates that scriptural interpretation was vested with procedural authority in the second century BCE, earlier than either Stroumsa or Schremer realized. To the extent that Greek Sirach's procedural profile can be explained by its Egyptian milieu, the case for a first century BCE (or later) development of scriptural interpretation becomes even weaker. Moreover, this innovation was initiated neither in partnership with early Christianity,[133] nor exclusively in sectarian sources. Finally, I note that the emergence of the scriptural interpretation procedural type in the second century BCE was understood, from the start, to be an alternative to the authoritative teacher procedural norm. It also was very consciously bound up, at least in Palestine, with the phenomenon of divine inspiration.

Creation Observation in Egypt

But in addition to scriptural interpretation – divinely inspired or otherwise – yet another procedural norm appears in our sources from Egypt, namely, creation observation. As we saw earlier, there are instances of this in both Hebrew Ben Sira and Greek Sirach as well, although its relationship to the authoritative teacher procedural norm is still unclear.[134] Philo extensively develops a theory of the importance of God's creation of the world. He sees nature as standing in direct relationship with the biblical laws, such that one who adheres to the laws also follows nature.[135] According to Niehoff, Philo's focus on creation and nature reflects his thought during the latest stage of his career, after he

133 This formulation reflects Stroumsa's understanding of the boundaries between Judaism and Christianity in the second century CE. I do not, however, share his understanding.

134 Although beyond the scope of this dissertation, an investigation of this question should probably begin with an examination of Proverbs.

135 See Niehoff, *Philo of Alexandria*, 93-108; Christine Hayes, *What's Divine About Divine Law? Early Perspectives* (Oxford: Princeton University Press, 2015), 113–15.

had been to Rome and been more thoroughly influenced by Stoicism.[136] While Niehoff is compelling in pointing out the connections between Philo's thought and Stoic sources, the continuities with Hebrew Ben Sira and Greek Sirach somewhat undermine the case for specifically – and certainly exclusively – Stoic influence. Christine Hayes, contrastingly, sets both Philo and Ben Sira within the context of a larger discourse concerning Greek universal divine law, and Hebrew Biblical particular divine law.[137] Hayes's presentation accentuates what would have been at stake in arguments over procedural norms during the second and first centuries BCE, both in Palestine and Egypt. Whether the preferred procedural norms were some variety of scriptural interpretation, instruction by authoritative teachers, or perhaps creation observation, the wider Hellenistic and Roman worlds would inevitably shape these conversations and give them even greater cultural significance.[138]

Conclusions

Greek Sirach reflects a deliberate reshaping of Hebrew Ben Sira's procedural character. In fact, as the prologue indicates, an emphasis on right procedure appears to be the impetus for the grandson's entire project. This shift gives us a window into how the battle over procedural norms developed in real time over the course of the second century BCE. Furthermore, Greek Sirach's decision to reframe Hebrew Ben Sira's authoritative teacher procedural norms, as inspired scriptural interpretation both illuminates, and is illuminated by the procedural landscape in second and first century BCE Egypt. Our evidence suggests that the dominant procedural norm in Egypt was scriptural interpretation – probably divinely

136 Niehoff, *Philo of Alexandria*, 96-102. Cf. Daryn Lehoux's summation of his chapter on Cicero's *De div*, "Thus careful observation of higher-order aspects of nature (its beauty, its order) leads inevitably to proper ethical behavior, both between people, and between people and gods"; see Daryn Lehoux, *What Did the Romans Know? An Inquiry Into Science and Worldmaking* (Chicago: University Of Chicago Press, 2012), 45. Lehoux is concerned specifically with epistemology, which we have explained as different in crucial respects from procedural norms.

137 Hayes, *Divine Law*, 94-139.

138 Exploring the way in which Hellenistic, Roman, etc. procedural discourses might have shaped (or been shaped by) Jewish procedural battles is an important task, which unfortunately goes beyond the scope of this dissertation.

inspired, but possibly not. We do not, conversely, have evidence for the presence of authoritative teacher procedural norms there. Although we are now in the realm of speculation, I submit that the grandson's reframing of his grandfather's work so that it reflects a procedural norm of inspired interpretation was motivated by his transplantation to an Egyptian milieu in which such a procedural norm was strongly favored. A second suggestion I make with less confidence is that the grandson's Egyptian context would further explain Greek Sirach's retention of the creation observation elements, as this procedural norm was employed in Egypt as well.

Jubilees

Divinely Inspired Scriptural Interpretation in Jubilees

The Book of Jubilees is the earliest text – probably earlier than Greek Sirach, and certainly earlier than the Testament of Levi – that affords us an opportunity to investigate second century BCE scriptural interpretation. As I will show, Jubilees adheres to the inspired interpretation procedure, and is particularly noteworthy for its creative and sustained opposition to the alternative procedural norms of authoritative teachers and creation observation. Emerging in the early days of scripturalization,[139] I will demonstrate that Jubilees is especially creative in engaging and subverting some of the key second

139 Eva Mroczek's questioning of whether it is appropriate to describe what Jubilees is doing as scriptural interpretation is well-taken, and we will have occasion to return to it below. In the meantime, however, it is important to note that while Mroczek understands that Jubilees develops against the backdrop of scripturalization, she limits her observations to sussing out the relationship between Jubilees and its precursors (*Literary Imagination*, 140-142). In her view, whatever Jubilees is doing should not be seen as "rewritten Bible," nor confused with exegetical commentary as found, for example, in rabbinic *midrash* (see Ibid., 118-122). But if Jubilees emerged at a time when the processes of scripturalization had only recently begun – which Mroczek herself appears to assume; see, e.g., Ibid., 48-49 – then surely we should be interested in whether or not Jubilees is aware of this shift, and if so how it responds to it. For this reason, it seems to me that perhaps Mroczek's very valuable points can be accommodated simply through a somewhat broader understanding of "interpretation." See the discussion below.

century BCE developments within the authoritative teacher procedural type, including chains of transmission and the role of the biblical ancestors from Genesis.[140] Finally, I will provide historical context for Jubilee's polemical tone. While this feature of the work is well-known in the history of scholarship, it is generally assumed *solely* to concern substantive statements.[141] We will see, however, that Jubilees repeatedly and strenuously asserts that right substance is actually the natural *outcome* of right procedure. Jubilees's procedural norms therefore deserve far more attention than they have received to date.

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140 Before discussing Jubilees directly, I will lay out my core methodological assumption about whether to regard Jubilees as a unity. The bibliography on this subject is vast. Relatively recent works positing redactional and authorial theories of varying complexity for Jubilees include, Christopher Berner, *Jahre, Jarhwochen und Jubiläen: Heptadische Geschichtskonzeptionen im Antiken Judentum*, Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft 363 (Berlin: De Gruyter, 2006); Michael Segal, *The Book of Jubilees - Rewritten Bible, Redaction, Ideology and Theology*, Supplements to the Journal for the Study of Judaism 117 (Leiden: Brill, 2007); Michael Segal, "The Dynamics of Composition and Rewriting in Jubilees and Pseudo-Jubilees," *Revue de Qumran* 26, no. 4 (104) (2014): 555–77; James L. Kugel, "On the Interpolations in the Book of Jubilees," *Revue de Qumran* 24, no. 2 (94) (2009): 215–72; James L. Kugel, *A Walk Through Jubilees - Studies in the Book of Jubilees and the World of Its Creation*, Supplements to the Journal for the Study of Judaism 156 (Leiden: Brill, 2012). An extensive discussion in favor of viewing Jubilees as a unity can be found in James C. VanderKam, *Jubilees 1 - A Commentary on the Book of Jubilees, Chapters 1-21*, ed. Sidnie White Crawford, Hermeneia - A Critical and Historical Commentary on the Bible (Minneapolis: Fortress Press, 2018), 25–28; see also James C. VanderKam, "Jubilees as the Composition of One Author?," *Revue de Qumran* 26, no. 4 (104) (2014): 501–16; Martha Himmelfarb, *Between Temple and Torah: Essays on Priests, Scribes, and Visionaries in the Second Temple Period and Beyond* (Tübingen: Mohr Siebeck, 2013), 49ff. Generally, I find the arguments for unity much more compelling than the alternatives, and accordingly take Jubilees's unity as a baseline presumption. But this presumption is rebuttable given sufficient evidence. See, for example, the very convincing case for an interpolation into Jub. 1 in Matthew P. Monger, "The Development of Jubilees 1 in the Late Second Temple Period," *Journal for the Study of the Pseudepigrapha* 27, no. 2 (2017): 83–112. It should go without saying, however, that Monger's relatively limited argument – resting on the secure foundation of material evidence – does not imply the much more comprehensive, wide-ranging, literary-based theories of Berner, Kugel, Segal, etc. Moreover, even if we could securely identify interpolations into Jubilees, there is no reason to assume that such interpolations occurred after the text had become relatively "closed," to borrow a term from Chaim Milikowsky, "The Status Quaestionis of Research in Rabbinic Literature," in *Rabbinic Texts and the History of Late-Roman Palestine*, ed. Martin Goodman and Philip Alexander, Proceedings of the British Academy 165 (Oxford: The British Academy, 2010), 70. It is just as likely that interpolated material could be contemporaneous with, or even predate Jubilees in its relatively closed form; see Shani Tzoref, "Covenantal Election in 4Q252 and Jubilees' Heavenly Tablets," *Dead Sea Discoveries* 18, no. 1 (2011): 75 n. 3; contra Kugel, "Interpolations." Therefore, unless and until further evidence like Monger's comes to light, I will cautiously read the material in Jubilees as a basically unified work that dates to the early-late second century BCE. On the time of Jubilees's composition see VanderKam, *Jubilees 1*, 28–38.

With respect to the theories of Berner, Segal, Kugel, etc. as they apply to specific passages, since this dissertation is not the place to hash out the larger issues in the study of Jubilees, I will tend not to engage with them unless they have a major bearing on my argument. In his just-published commentary for *Hermeneia*, James VanderKam does an excellent and exhaustive job of tackling these issues on a case by case basis, and for the most part I agree with his analyses. In cases where I do not, and the matter impacts my broader argument, I will indicate as much in the footnotes.

141 See for example Sacha Stern's discussion of Jubilee's polemical approach to calendrical issues in "Sectarian Calendar," 52–54. Interestingly, he contrasts Jubilees's attitude with those found among the so-called sectarian sources at Qumran that do not evince such an attitude.

Founder's Discourse and Procedural Norms

In her landmark work, *Seconding Sinai*, Hindy Najman reads ancient Jewish literature and the traditions of ancient Israel in light of "discourses that are inextricably linked to their founders."[142] A participant in founder's discourse understands herself to possess a genuine grasp of the founder's meaning. When applied to the teachings of Moses, the result is that "to rework an earlier text is to update, interpret and develop the content of that text in a way that one claims to be an authentic expression of the law already accepted as authoritatively Mosaic."[143] The interpretative work of what Najman calls Mosaic discourse was thus regarded by its practitioners not as exegesis, but as a direct expression of the founder's will as authorized by the founder, Moses, himself. Crucially, Najman regards Jubilees as a banner example of Mosaic discourse.[144] This is why the context for the entire work is a description of the Sinai theophany; Jubilees presents itself an authentic account of what transpired at Sinai.

This is not to say that Jubilees makes no distinctions between itself and the text that it understood Moses to have brought down from Sinai, upon which Jubilees itself implicitly draws. On the contrary, Jubilees begins with God summoning Moses up Mount Sinai to convey to him "the two stone tablets, the law and the commandment" (Jub. 1.1),[145] which appears to be a reference to the scriptures Jubilees

142 Najman, *Seconding Sinai*, 12. And see the discussion of this matter above in Chapter 1 in the context of scripturalization.
143 Ibid. 13.
144 See Ibid. 41-69.
145 Unless otherwise noted, text from Jubilees will be cited from VanderKam, *Jubilees 1* and *Jubilees 2*. I will refer to VanderKam's textual apparatus when it bears upon my argument. Manuscript numbering follows VanderKam, *Jubilees 1*, 14-16.

itself seeks to explain.[146] But Jub. 1 concludes with God instructing the Angel of the Presence[147] to dictate to Moses from "the tablets (that told) of the divisions of the years from the time the law and the testimony were created..." (Jub. 1.29). This is a reference to the teachings that will follow in Jubilees, with the result that Jubilees is situated squarely within the context of the Mosaic revelation itself. Jubilees is Mosaic discourse *par excellence*.

Najman's theoretical approach to Jubilees brightly highlights the extent to which teachers are excised from Jubilees's procedural framework. Jubilees's introduction calls for understanding the ancient Mosaic teachings through direct engagement with them; that is, through direct engagement with Jubilees. This engagement takes place on two levels. First, Jubilees itself is an act of scriptural interpretation broadly conceived, unmediated by authoritative teachers. Second, the new work itself, by absorbing the authority of Moses himself through participating in founder's discourse, becomes a source of influence and a potential object of engagement unmediated by authoritative teachers. Jubilees – the law as revealed to Moses – is to be read, taught, interpreted and obeyed. It is therefore appropriate to characterize Jubilees as engaging in scriptural interpretation:[148] it sees proper behavior as emanating directly from engagement with scripture, i.e. Jubilees. While it is perhaps wrong to describe Jubilees as engaged in, or calling for *exegesis*, à la midrashic sources,[149] there is no reason to regard scriptural exegesis as coextensive with scriptural interpretation. Jubilees lionizes its protagonists for learning, and in fact expects its contemporary audience to learn correct behavior by reading it out of a textualized set of teachings progressively revealed via divine inspiration, without the mediation of human teachers.[150]

146 See Cana Werman, "The Torah and the Te'udah on the Tablets," *Tarbiz* 68, no. 4 (1999): 474–75 (Hebrew); VanderKam, *Jubilees 1*, 138–39. This is in contradistinction to Najman who seems to interpret this phrase as a reference to Jubilees itself; see *Seconding Sinai*, 61-62, and n. 51; cf. Mroczek, *Literary Imagination*, 141-142.

147 On this figure see James C. Vanderkam, "The Angel of the Presence in the Book of Jubilees," Dead Sea Discoveries 7, no. 3 (2000): 378–93, and the discussion below.

148 More precisely, divinely inspired scriptural interpretation; see the discussion below.

149 Although this may indeed be appropriate. See below p. 151 n. 191.

150 And see below on Jub. 23.

As noted, this set of teachings represents the proper way of understanding the laws that Moses brought down from Sinai.[151]

The Heavenly Tablets

Jubilees' procedural character is amply demonstrated by the central literary device in Jubilees: the heavenly tablets. There is extensive debate over the identity of the heavenly tablets and their relationship to Jubilees as a whole.[152] But at minimum, they are the source the Angel of the Presence has in hand when he dictates to Moses the teachings that will become Jubilees (Jub. 1.29). Whatever the case, the heavenly tablets motif serves throughout Jubilees to establish that the offenses committed by others stems from improper procedure.[153]

Take, for example, Jub. 15, in which Abraham receives the command to perform circumcision on himself and his household. Here Jubilees first establishes the procedural norm undergirding the commandment: "The law is (valid) for all history forever. There is no circumcising of days,[154] nor omitting any day of the eight days because it is an eternal ordinance ordained and written on the heavenly tablets" (Jub. 15.25). Shortly thereafter, Abraham is warned that his descendants will fail in their duties:

151 See above p. 134 n. 146.

152 See, for example, the bibliography in Tzoref, "Covenantal Election," n. 1. See also the discussion and sources in VanderKam, *Jubilees 1*, 68-71. On the heavenly book motif in ancient Judaism see Leslie Baynes, *The Heavenly Book Motif in Judeo-Christian Apocalypses 200 BCE-200 CE*, Supplements to the Journal for the Study of Judaism 152 (Leiden: Brill, 2011). See also the work of the scholar who wrote, "Heavenly Tablets and the Book of the Law," *Journal of the Ancient Near Eastern Society* 5–6 (74 1973): 345–53.

153 See Werman, "Torah and Te'udah" 476-477; see as well her discussion of how the traditions in Scholion O to *Megillat Ta'anit* may shed light on Jubilees's procedural norms, pp. 488-490.

154 On this peculiar phrasing see VanderKam, *Jubilees 1*, 519.

> I am now telling you that the Israelites will prove false to this ordinance. They will not circumcise their sons **in accord with this entire law**[155] because they will leave some of the flesh of their circumcision when they circumcise their sons. All the people of Belial will leave their sons uncircumcised just as they were born. (Jub 15.33)

The first line of the passage makes it seem as if "the Israelites" will refuse to circumcise their children. As far as Jubilees was concerned, that may as well have been the case. But it is also apparent from Jubilees's presentation that the Israelites *will* attempt to circumcise their children, they will just fail to do so properly, "in accord with this entire law."[156] The substantive violation stems from a failure to adhere to the correct procedure recommended by Jubilees, namely, to follow precisely what Moses – as per Jubilees – was told.[157]

The heavenly tablets serve not only to reinforce Jubilees's preferred procedural norm, but also to undermine rival procedural norms. For instance, Jubilees's narrative framing, discussed above, describes a rather complex process for the work's transmission to Moses:

155 law | omitted in MSS 9, 25.

156 For an extensive summary of modern scholarship on Jubilees's specialized legal terminology, especially "law(s)" and "testimony," see VanderKam, *Jubilees 1*, 68-83.

157 See Najman, *Seconding Sinai*, 349. Menahem Kister and Michael Segal both note that the two clauses in this passage – "leave some of the flesh" and "leave...uncircumcised"– refer to two distinct legal practices regarding circumcision: delaying circumcision for the health of the baby (advocated in *m. Shab* 19.5), and leaving behind shreds of skin considered peripheral to the circumcision practice (referenced in *m. Shab* 19.6). See Menahem Kister, "Concerning the History of the Essenes," *Tarbiz* 56, no. 1 (1986): 242, especially n. 30. VanderKam, however, assumes that the phrase "leave...uncircumcised," actually refers to a failure to attempt a circumcision altogether, which he thinks makes more sense in an anti-Hellenistic context; see discussion at *Jubilees 1*, 524-526. It is surprising, however, that VanderKam cites Kister in concluding that the polemic against uncircumcision need not be set in the context of the Maccabean-era conflicts. After all, as noted, Kister's conclusion relies precisely on a reading of this passage with which VanderKam disagrees. Either way, even if VanderKam is correct, note that the second clause - "leave...uncircumcised" - makes reference to Belial, and the consequences of his influence. As Monger has demonstrated ("Development of Jubilees 1"), the reference to Belial in Jub. 1 is part of an indisputable case of interpolation. Monger, in fact, thinks references to Belial in general reflect the influence of a later stage of Jubilees's textual development. Perhaps, then, this Belial passage in Jub. 15 should be assigned to a later interpolator as well.

In any case, the procedural element of Jubilees's pronouncement in this passage is highlighted by the parallel phrasing in the Mishnah. The *mishnah* in *Shabbat* (19.6) states that if certain types or amounts of shreds are left behind during the circumcision process, "it is as if one is uncircumcised" (9.6). But it does not references, as Jubilees does ("in accord with this entire law"), the procedural source for this substantive behavior.

> [The Lord said to Moses] "Now you write all these words that I tell you on this mountain: what is first and what is last and what is to come during all the divisions of the times that are for the law and for the testimony and for the weeks of their jubilees until eternity – until the time when I descend and live with them throughout all the ages of eternity." Then he [i.e. God] told the Angel of the Presence **to dictate to Moses**[158] (starting) from the beginning of the creation until the time when my temple is built among them throughout the ages of eternity...The Angel of the Presence, who was going along in front of the Israelite camp, took the tablets (that told) of the divisions of the years from the time the law and the testimony were created… (Jub. 1.26-29)

First, God converses directly with Moses. The reader is led to assume that God will reveal the subsequent teachings to Moses. But then as the passage continues, God orders the Angel of the Presence "to dictate to Moses" what he needs to write down. The rest of Jubilees is framed as direct speech by the Angel of the Presence: "On the Lord's orders the Angel of the Presence said to Moses..." (Jub. 2.1). The introduction of an angelic mediator into the direct communication process between God and Moses at Sinai is remarkable, and has actually led to no small amount of textual confusion, especially in the Ethiopic versions.[159] The peculiar framing of the angel's role serves the purpose of creating a "chain of disclosure...from God through an Angel of the Presence, who reads from the heavenly tablets and dictates their contents to Moses."[160] Jubilees, in other words, sets up a chain of transmission from God, to the Angel of the Presence, to Moses. By utilizing this device, which I have

158 4Q216 reads להכתיב. This corroborates the reconstruction supposed in James C. Vanderkam, "The Putative Author of the Book of Jubilees," Journal of Semitic Studies 26, no. 2 (1981): 209–17; *pace* Gene L. Davenport, *The Eschatology of the Book of Jubilees*, Studia Post-Biblica 20 (Leiden: Brill, 1971), 15. See also VanderKam *Jubilees 1*, 136, n. 27a.
159 See VanderKam, *Jubilees 1*, 163.
160 Ibid. 1.

shown to be a second century BCE innovation of the authoritative teacher procedural type, Jubilees not only establishes its own procedural commitment – presenting the Mosaic laws as inspired, and ripe for direct engagement by readers and adherents – but also sets up a clever contrast with the authoritative-teacher procedural norm. Jubilees itself utilizes the concept of a chain of transmission, but implicitly critiques the ideas as found in the authoritative teacher procedural type. After all, the figures featured in Jubilees's *own* series of "teachers" consist entirely of divine beings not subject to the foibles of human authoritative teachers.[161]

The divine tradents that authorize the teachings recorded by Moses in Jubilees indicate that Jubilees imagined engagement with scripture as divinely inspired. We can therefore conclude that Jubilees belongs more specifically to the inspired interpretation procedural type. This is further suggested by the likelihood that Jubilees also subscribes to a theory of progressive revelation of the law.[162] Take, for example, the pericope relating Reuben's assault on Bilhah. Jubilees explains that notwithstanding Reuben's culpability in a case that should have made him liable for the death penalty, he evaded punishment because "the statute, the punishment, and the law had not been completely revealed to all but (only) in your time as a law of its particular time and as an eternal law for the history of eternity"

161 In further support of this point, note that the role filled in Jubilees by the Angel of the Presence is usually classified as angelic mediation. On this phenomenon see, for example, Benjamin E. Reynolds, "The Otherworldly Mediators in 4 Ezra and 2 Baruch: A Comparison with Angelic Mediators in Ascent Apocalypses and in Daniel, Ezekiel, and Zechariah," in *Fourth Ezra and Second Baruch - Reconstruction After the Fall*, ed. Matthias Henze and Gabriele Boccaccini, Supplements to the Journal for the Study of Judaism 164 (Leiden: Brill, 2013), 175–93. In Reynolds's survey of angelic mediators in literature from approximately the 3rd century BCE to the 1st or 2nd century CE, we do not encounter angels who operate in the way that Jub. 1-2 imagines. We find angels as tour guides (e.g. in the ascent apocalypses); interpreters of visions and divine speech (e.g. in the latter half of Daniel, 4 Ezra and 2 Baruch); speaking as a mouthpiece for God (e.g. in 4 Ezra; and compare how the "Angel of the Lord" is depicted in earlier Israelite traditions, see Camilla Hélena von Heijne, The Messenger of the Lord in Early Jewish Interpretations of Genesis (Berlin: De Gruyter, 2010), chap. 3). In all of these cases an angel, or angels play active roles, whether to greater or lesser degrees. In Jubilees, by contrast – at least in the opening sections and throughout most of the work – the angel's task is solely to serve as a conduit for transmitting God's words to Moses. The angel is almost never a *mediator* in the sense found in these other traditions, apocalyptic or otherwise. The angel is a transmitter. This may suggest as well that part of the angel's function – and the chain of transmission from God to Moses of which it is a part – is a play on the authoritative-teacher procedural norm.

162 See Mroczek, *Literary Imagination*, 135–54.

(Jub 33.16). As Michael Segal points out in his commentary on this passage, "according to both *Jubilees* and the sectarian corpus, knowledge of the laws was limited to specific people or groups at different stages of history. In *Jubilees*, Judah and Joseph know the law while Reuben does not."[163] He compares this to the situation found in many of the so-called sectarian writings from Qumran, in which only the sect is aware of the correct interpretation of the law. James VanderKam describes the comment in Jub. 33.16 as a "progressive view of revelation," in which a correct understanding of scripture only becomes revealed at certain points in history.[164] Of course, since Jubilees's self-conceit is as a revelation received by Moses, this would not necessarily be an instance of *post-Mosaic* progressive revelation.[165] Nevertheless, the language used in this passage is suggestive, lending weight to the notion that Jubilees belongs to the inspired interpretation procedural type.

Opposition to Rival Procedural Norms in Jubilees

Much more than most texts, Jubilees uses procedure for building self-identification, punctuating its emphasis on right procedure with polemics against those who utilize incorrect procedural norms. We have already seen one instance in which Jubilees subverts a standard motif from the authoritative teacher procedural repertoire. But it seeks to exclude other procedural norms as well. An illustrative example can be drawn from one of the better-known passages in the work, in the context of discussing calendrical matters:

163 Segal, *Book of Jubilees*, 81 n. 27.

164 James C. VanderKam, "Exegesis of Pentateuchal Legislation in Jubilees and Related Texts Found at Qumran," in *Pentateuchal Traditions in the Late Second Temple Period: Proceedings of the International Workshop in Tokyo, August 28-31, 2007*, ed. Akio Moriya and Gohei Hata, Supplements to the Journal for the Study of Judaism 158 (Leiden: Brill, 2012), 184. See also VanderKam, *Jubilees 2*, 911 n. 44, where VanderKam, like Segal, notes the similar notion found in sources from Qumran.

165 But see below.

> All the Israelites will forget and will not find the way of the years. They will forget the first of the month, the season, and the Sabbath; they will err with respect to the entire prescribed pattern of the years. For I know and from now on will inform you – not from my own mind because this is the way the book is written in front of me, and the divisions of times are ordained on the heavenly tablets, lest they forget the covenantal festivals and walk in the festivals of the nations, after their error and after their ignorance. There will be people who carefully observe the moon with lunar observations because it is corrupt (with respect to) the seasons and is early from year to year by ten days. (Jub. 6.34-36)

In this passage, Jubilees opposes alternatives to the calendrical practice it prescribes. It specifically emphasizes that the core distinguishing feature between its own prescription and the incorrect ones lies in procedural norms. In particular, improper calendrical reckoning will be the result of "people who carefully observe" the celestial phenomena.

According to Jubilees, it is folly to rely on one's own wisdom and cleverness to arrive at right practice. In this case, Jubilees opposes the creation-observation procedural norm. The correct procedure advocated by Jubilees, in contrast, is transcription from the heavenly tablets, allowing adherents access to the unmediated word of God, without the need for authoritative teachers.[166]

166 In the history of scholarship, this passage has often been regarded as important for establishing the importance of calendar polemics in Second Temple Jewish sectarianism. Moshe Bernstein, for example, sees Jubilees here as featuring "the style" of the Hosea *pesher*, and accordingly reads a polemic regarding calendar reckoning into 4Q166 (4QpHosea[a]) as well; see "'Walking in the Festivals of the Gentiles' - 4QpHosea-a 2.15-17 and Jubilees 6.34-38," *Journal for the Study of the Pseudepigrapha* 5, no. 9 (1991): 21–34. Sacha Stern, however, has called this reading into question; see Stern, "Sectarian Calendar," 53–54, and n. 33.

Subversion of the Chain of Transmission Motif in Jubilees

By far the most common – and procedurally revealing – tactic adopted by Jubilees is reformulation of the chain of transmission motif, according to which the biblical ancestors from Genesis served as authoritative teachers. We have seen how this motif is characteristic of the authoritative teacher procedural type, from the Aramaic Levi Document, to the Testament of Qahat, to the Pharisees, and at least echoed in Hebrew Ben Sira. We have also explored how traditions about the biblical ancestors gave rise to the innovation of teacher-student transmission chains in the second century BCE, among texts belonging to the authoritative teacher procedural type. We can now supplement this second century picture even further by showing how Jubilees pushes back against these developments.

The key strategy that Jubilees employs in this regard relates to the role of writing. Texts within the authoritative teacher procedural type often prize the ability to read and write, but tend not to see texts and textual interpretation as important in and of themselves. Rather, as we encountered in our discussion of the Aramaic Levi Document, Testament of Qahat and Hebrew Ben Sira, writing is just another characteristic by which a person can be recognized as a wise teacher worthy of emulation and devotion. Jubilees, by contrast, evinces a much greater self-consciousness about writing.[167] By contrast, especially in the context of traditions about transmission of knowledge by the Biblical ancestors, Jubilees goes to great lengths to locate procedural authority directly in books, which reflect the correct interpretation of God's will as eventually revealed to Moses. Then, having established the importance

167 See Hindy Najman, "Interpretation as Primordial Writing: Jubilees and Its Authority Conferring Strategies," Journal for the Study of Judaism in the Persian, Hellenistic, and Roman Period 30, no. 4 (1999): 379–410, esp. 381-388. Najman writes, "Lurking beneath every aspect of the book of Jubilees is its fascination with the importance and authorizing power of sacred writing. Each of Jubilees' authority conferring strategies assumes that the authority already assigned to sacred authoritative writing must be recreated in order to justify and authorize the Book of Jubilees itself" (p. 381). See also Paul D. Mandel, The Origins of Midrash: From Teaching to Text, Supplements to the Journal for the Study of Judaism 160 (Leiden: Brill, 2017), 69–70, who specifically contrasts Jubilees's bookishness with the instrumental role assigned to writing in the Aramaic Levi Document.

of divinely inspired engagement with texts, Jubilees also goes out of its way to subvert alternative procedures, especially the motif of the chain of transmission by biblical ancestors. We will examine two examples of this. The first concerns Jubilees's multiple descriptions of Noah's teachings to his progeny. We begin with a passage in the middle of Jub. 7, in which Noah commences instructing his descendants.

> During the twenty-eighth jubilee Noah began to prescribe for his grandsons[168] the ordinances and the commandments – every statute that he knew. He testified to his sons that they should do what is right, cover the shame of their bodies, bless the one who had created them, honor father and mother, love one another, and keep themselves from fornication, impurity, and from all injustice. (Jub. 7.20)

Jubilees begins with an exemplary articulation of the authoritative teacher procedure in action. A few verses later, Noah observes that his descendants had failed to follow proper *substantive* norms (Jub. 26-27). This results in waywardness, brought on by demonic influence, which threatens to cause a second flood (Jub. 27).[169] Noah then closes his remarks with a restatement of his procedural commitments:

> ...For this is how Enoch, the ancestor of your father, commanded his son Methuselah; that his fathers had commanded him. Now I am commanding you, my children, as

168 for his grandsons| MS 12 has "for his sons and grandsons." This 'correction' of the text is to be expected, since it resolves what appears to be an obvious narrative desideratum, namely, Noah's missing children. But what it may also highlight is the literary phenomenon of a grandparent teaching grandchildren, which we found prominently in Aramaic Levi Document. As Greenfield, et al. note with respect to the latter, the motif of a grandparent teaching a grandchild is constructed to underscore that the teacher is very old, and thus has presumably acquired a great deal of wisdom; see Greenfield, Stone, and Eshel, *Aramaic Levi Document*, 41–42. Of course, there are many examples throughout Jubilees of parents transmitting teachers directly to their children. But the motif of grandparent-grandchild transmission is nevertheless noteworthy.

169 For "obliterated from the surface of the earth," as a reference to a second flood, see the previous usage of this language in, e.g., Jub 5.4.

> Enoch commanded his son in the first jubilees, while he was living in its seventh generation.' He commanded and testified to his children and grandchildren until the day of his death. (Jub. 7.38-39)

Here we find not only authoritative teacher norms, but the characteristic chain of transmission motif as well. Given that, as we have repeatedly seen, Jewish texts and groups in this era see right substance as *proceeding* from right procedure, it is no surprise to see Jubilees's Noah frame his children's burgeoning iniquity as a procedural failure through the bookends of Jub. 7.20 and 7.38-39. These bookends lead the audience to expect that Jubilees plans to make the case for authoritative teacher procedural norms. But Jubilees then proceeds thoroughly to subvert them.

Jubilees returns directly to Noah's concern about demonic influence and the threat of a second flood in Jub. 10.[170] The text explains that despite Noah's explicit, personal attempts to prevent it[171] "impure demons began to mislead Noah's grandchildren, to make them act foolishly and to destroy them" (Jub. 10.1). As it turns out, Noah's authoritative instruction had been insufficient. Jubilees further highlights the inadequacy of Noah's personal teaching by having Noah's grandchildren confess their sins by *speaking directly to Noah* (Jub. 10.2). Jubilees here takes full advantage of authoritative teachers' fears over the "threat of rupture."

170 As VanderKam notes (*Jubilees 1*, 347), the introduction of these themes earlier in Jub. 7 is quite literarily abrupt. Their implications are only fully explained here in Jub. 10. Scholars as early as R.H. Charles have, in fact, interpreted Jub. 7 in light of Jub. 10. See Robert H. Charles, The Book of Jubilees or the Little Genesis (London: A&C Black, 1902), 63; see also Segal, *Book of Jubilees*, 150–51. I believe this approach is mistaken and will attempt to correct it below.

171 i.e. in Jub. 7.

Noah then prays for divine intervention to remove the demons. This is followed by an extended dialogue from Mastema, "the leader of the spirits,"[172] which VanderKam characterizes as "one of the most bizarre in Second Temple literature."[173] He argues that if *all* the evil spirits are imprisoned, he will not be able to do the work with which he has been charged, namely, "destroying and misleading" humanity (Jub. 10.8). Surprisingly, God grants Mastema's request, thus leaving Noah and his descendants in the same predicament as before. With no other procedural options available that would be safe from demonic interference, Noah finally decides to write down in a book the teachings dictated to him by the 'good' angels – a striking thematic parallel with the opening of Jubilees itself.[174] Jubilees then informs us: "He gave all the books [i.e. the angelic teachings about laws and medicines][175] that he had written to his oldest son Shem because he loved him much more than all his sons." The result of this re-telling of Noah's instructions to his descendants is that Noah's personal teaching role, portrayed earlier in Jub. 7, becomes neutered. He is instead transformed into a receptacle for the passing down of textualized – perhaps we might even say *scripturalized* – knowledge. Right substance having now been stabilized by right procedure, Jubilees's historical narrative can now continue for the time being.

Many scholars have already noted that the pericopes in Jub. 7 and 10 form a doublet. Some have pointed to apparent contradictions between the two passages as grounds for asserting that they must

172 Segal notes that Mastema himself should not actually be classed as one of the "spirits," but rather as a senior angel at the top of the demonic hierarchy; Segal, *Book of Jubilees*, 176. On Mastema's singular role in Jubilees see Segal, *Book of Jubilees*, 176-178; VanderKam, *Jubilees 1*, 50-52, 404-406. In general see Devorah Dimant, "'The Fallen Angels' in the Dead Sea Scrolls and in the Apocryphal and Pseudepigraphic Books Related to Them" (PhD Dissertation, Hebrew University of Jerusalem, 1974) (Hebrew); James C. VanderKam, "The Demons in the Book of Jubilees," in *Die Dämonen: Die Dämonologie Der Israelitisch-Jüdischen Und Frühchristlichen Literatur Im Kontext Ihrer Umwelt*, ed. Armin Lange, Hermann Lichtenberger, and Diethard Römheld (Tübingen: Mohr Siebeck, 2003), 339–62; Annette Yoshiko Reed, *Fallen Angels and the History of Judaism and Christianity: The Reception of Enochic Literature* (Cambridge: Cambridge University Press, 2005).

173 *Jubilees 1*, 404.

174 I.e. Moses transcribing the Heavenly Tablets.

175 See Segal, *Book of Jubilees*, 173.

stem from different sources.[176] Viewing Jubilees through a procedural lens, however, serves to clarify that these scholars' complex, redactional reconstructions are unnecessary. Jub. 10 purposely duplicates the scenario in Jub. 7 *specifically for the purpose* of illustrating the procedural shift that occurs. The authoritative teacher procedural norm outlined in Jub. 7 was insufficient to the task. Instead, Noah's descendants are saved by the divinely inspired scripturalization of ancestral traditions, and their entrusting to future generations for interpretation.

This reading finds further support in the genealogical interlude of Jub. 8, which commences with discovery of ancient inscriptions that preserve astrological knowledge (Jub 8.1-4).

> [Kainan, son of Arpachshad, and grandson of Shem] found an inscription that the ancients had incised in a rock. He read what was in it, copied it, and sinned on the basis

176 See for example Dimant*, The Fallen Angels,* 101-102. Segal would later attempt to extend Dimant's argument even further; see *Book of Jubilees*, 146-163. The extent to which supposed contradictions within Jubilees actually testify to the kind of significant editorial editorial and redactional activity that Segal proposes for the work as a whole is questionable; see VanderKam, *Jubilees 1*, 28. But even if Segal were generally correct, his case for internal contradictions between these two particular pericopes – Jub. 7 and 10 – is not especially strong (see Segal's concise statement of his two-pronged argument at Segal, *Book of Jubilees*, 163). Segal relies, first of all, upon a very fine slicing of traditions found in the *Book of the Watchers*, and subsequently in Jubilees. For example, the very complex analysis underlying his (and, earlier, Dimant's) identification of two different traditions regarding the Watchers' offspring – either they were giants or evil spirits – seems unnecessary in light of Nickelsburg's much more economical explanation that "the giants and the spirits that proceed from their dead bodies are spoken of as the same entities" (see George Nickelsburg, 1 Enoch 1 - A Commentary on the Book of 1 Enoch, Chapters 1-36; 81-108, Hermeneia - A Critical and Historical Commentary on the Bible (Minneapolis: Fortress Press, 2001), 272; see also VanderKam, *Jubilees 1*, 402-404).

Segal's second argument is stronger. He claims that Noah's instructions to his children in Jub. 7 appears to be out of place. If the instructions in this chapter constitute a "testament," as Lambert claimed (see David Lambert, "Last Testaments in the Book of Jubilees," Dead Sea Discoveries 11, no. 1 (2004): 98), then we should expect them to appear just prior to Noah's death notice (see Segal, *The Book of Jubilees*, 159-163, and 93-94). Instead, according to Jubilees's chronology, they appear about 300 years – and several chapters – beforehand. Segal thus concludes that "it is therefore difficult to accept that *Jub.* 7 and 10 both come from the same source" (*Book of Jubilees* 163). VanderKam attempts to head off Segal's claim at the pass simply by arguing that Jub. 7 is not a testament. Accordingly, we need not expect it to appear only later in Jub. 10 (see VanderKam, *Jubilees 1*, 357). But even presuming that VanderKam is right, Segal is still correct to point out that we must explain the duplication of the demonic threat in both Jub. 7 and 10 – a point with which VanderKam, curiously, does not reckon. In other words, why do we need to be told *twice* that: Noah's descendants were misled by the angels; a second deluge loomed; and Noah needed to intervene directly in order to save the day? Even if one rejects – as I do – Segal's editorial and redactional solutions, any alternative explanation needs to account for this doubling.

> of what was in it, since in it was the Watchers' teaching by which they used to observe the omens of the sun, moon, and stars and every heavenly sign. He wrote (it) down but told it to no one because he was afraid to tell Noah about it lest he become angry at him for it. (Jub. 8.3-4)

This passage serves two functions. First, it anticipates the critique of authoritative teachers found in Jub. 10. As the text goes out of its way to note, Noah's presence and availability as a teacher were of no help in forestalling Kainan's mistake. As we shall see, one of the charges that the scriptural interpretation procedural type levels against authoritative teachers – and, in subsequent centuries, one of the core anxieties of the authoritative teacher procedural type itself – is the teacher-student relationship's susceptibility to human error. Relying upon authoritative teachers is precarious because students are free simply to ignore their teachers.

Second, it foreshadows the correct procedure shortly to be revealed in Jub. 10 – divinely inspired scriptural interpretation – by emphasizing that Kainan's mistake was simply in reading the wrong text.[177] In so doing, Jubilees exposes one of the fundamental anxieties of the scriptural interpretation procedural type. In the previous chapter we saw that authoritative teachers were concerned about the "threat of rupture." Scriptural interpreters, by contrast, were worried that a person would either read the wrong text, or misinterpret the correct one.

The procedural polemics and anxieties embedded in this passage are accentuated by comparing the Kainan pericope in Jub. 8 to Josephus's deployment of this same exegetical tradition, or at least a very similar one:

177 See Najman, "Primordial Writing," 383–84., who makes precisely this point in her interpretation of the Kainan pericope.

οἱ δὲ πάντες ἀγαθοὶ φύντες γῆν τε τὴν αὐτὴν ἀστασίαστοι κατῴκησαν εὐδαιμονήσαντες, μηδενὸς αὐτοῖς ἄχρι καὶ τελευτῆς δυσκόλου προσπεσόντος, σοφίαν τε τὴν περὶ τὰ οὐράνια καὶ τὴν τούτων διακόσμησιν ἐπενόησαν. ὑπὲρ δὲ τοῦ μὴ διαφυγεῖν τοὺς ἀνθρώπους τὰ εὑρημένα μηδὲ πρὶν εἰς γνῶσιν ἐλθεῖν φθαρῆναι, προειρηκότος ἀφανισμὸν Ἀδάμου τῶν ὅλων ἔσεσθαι, τὸν μὲν κατ᾽ ἰσχὺν πυρὸς τὸν ἕτερον δὲ κατὰ βίαν καὶ πλῆθος ὕδατος, στήλας δύο ποιησάμενοι τὴν μὲν ἐκ πλίνθου τὴν ἑτέραν δὲ ἐκ λίθων ἀμφοτέραις ἐνέγραψαν τὰ εὑρημένα, ἵνα καὶ τῆς πλινθίνης ἀφανισθείσης ὑπὸ τῆς ἐπομβρίας ἡ λιθίνη μείνασα παράσχῃ μαθεῖν τοῖς ἀνθρώποις τὰ ἐγγεγραμμένα δηλοῦσα καὶ πλινθίνην ὑπ᾽ αὐτῶν ἀνατεθῆναι. μένει δ᾽ ἄχρι δεῦρο κατὰ γῆν τὴν Σειρίδα

These [the descendants of Seth], being all of virtuous character, inhabited the same country without dissension and in prosperity, meeting with no untoward incident to the day of their death; they also discovered their astronomical discoveries, the science of the heavenly bodies and their orderly array. Moreover, to prevent their discoveries from being lost to mankind and perishing before they became known—Adam having predicted a destruction of the universe, at one time by a violent fire and at another by a mighty deluge of water—they erected two pillars, one of brick and the other of stone, and inscribed these discoveries on both; so that, if the pillar of brick disappeared in the deluge, that of stone would remain to teach men what was graven thereon and to inform them that they had also erected one of brick. It exists to this day in the land of Seiris. (*A.J.* 1.69-71)

As in Jubilees, Josephus describes the recording of ancient astrological knowledge by the descendants of Seth, along with preservation in epigraphic form.[178] Unlike Jubilees, however, Josephus describes this phenomenon in wholly positive terms.[179]

The second example of Jubilees's promotion of inspired interpretation, and subversion of authoritative teachers can be found in Jubilees's account of Abraham's life. Jubilees concludes its account of Abraham's first encounter with God as follows:

> Then the Lord God said to me [=Abram] "Open his mouth and his ears to hear and speak with his tongue in the revealed language." For from the day of the Collapse[180] it had disappeared from the mouth(s) of all humanity. I [=the angel] opened his mouth, ears, and lips and began to speak Hebrew with him – in the language of the creation. He took his fathers'[181] books – they were written in Hebrew – and copied them. From that time he began to study them, while I was telling him everything that he was unable (to understand). He studied them throughout the six rainy months. (Jub. 12.25-27)

The tradition that Abraham gleaned knowledge from a book appears outside of Jubilees as well. Importantly, we saw earlier that it can be found in the Aramaic Levi Document (ALD 10.10/57). In that passage, as I established, Aramaic Levi Document clearly promotes authoritative teaching.[182] This contrasts strikingly with how Jubilees deploys the motif.

178 See Betsy Halpern-Amaru, "Flavius Josephus and 'The Book of Jubilees': A Question of Source," *Hebrew Union College Annual* 72 (2001): 13. Halpern-Amaru notes that this is only one of dozens of instances of shared traditions between Jubilees and Josephus, some of which are exclusive to the two corpuses.

179 See VanderKam, *Jubilees 1*, 364.

180 The day of the Colapse| MS 12 has "the holy day." The Collapse is a reference to the breakdown of the tower of Babel project; see VanderKam *Jubilees 1*, 457.

181 fathers'| MS 12 has "father's" in the singular. MS 38 has "his mouth's."

182 See above chapter 2.

First, in Jub. 12, the text takes pains to emphasize that while Abraham's father Terah taught him to write (Jub. 11.16), he was an extraordinarily poor role model for Abraham, and the source of potentially destructive influence (Jub. 12.1-8, 12-15). With Terah established as a plainly unsuitable teacher, the futility of the authoritative teacher procedural norm is prominently on display. And while Terah apparently possessed writings containing the ancestral traditions, "those ancient teachings, recorded in Hebrew, would have remained inaccessible had the angel not endowed Abram with the ability to understand the language of revelation."[183] Abram's ability to read and interpret scripture is essential. While Najman describes this passage as demonstrating that "continuous written tradition" is "essential for the authority of teaching,"[184] my reading suggests the opposite. In fact, what is noteworthy about this passage is the extent to which it emphasizes how how Abraham's books represent a *disjunction* in the ancestral tradition.[185] True, this disjunction illustrates a revival, in this case of the Hebrew language.[186] But our passage casts Abraham *not* as a student at the end of a chain of transmission by authoritative teachers. The chain of transmission had failed Abraham. Rather Jubilees positions him as an inspired interpreter. Crucially, Jub. 12 presents these as mutually exclusive options. In the end, much like Noah, the description of Abraham's divinely inspired writings is parallel to Jubilees's opening description of Moses transcribing the Heavenly Tablets.[187]

The Abraham material also polemicizes against the authoritative teacher norm's use of transmission by biblical ancestors. Jubilees concludes its narration of Abraham's life with a double testament. The first is presented to his descendants as a whole, including the progeny of Ishmael and Keturah (Jub. 20).

183 VanderKam, *Jubilees 1*, 457.
184 Najman, "Primordial Writing," 386.
185 See Mroczek, *Literary Imagination*, 150-151.
186 See Kugel, *Walk Through Jubilees*, 91.
187 See above p. 144 n. 174.

This pericope represents a standard testament, with themes and language typical of the authoritative procedural type. Abraham instructs his descendants in proper behavior, and no references to divinely inspired revealed material appear. But in the following chapter (Jub. 21), Abraham repeats the testament process, this time for Isaac alone. This testament is distinct not merely for its substantive content,[188] but also for the fact that it adds a procedural element. Abraham declares, "this is the way I found (it) written in the book of my ancestors, in the words of Enoch and the words of Noah" (Jub 21.10). Martha Himmelfarb has convincingly argued that Jubilees's concern in this passage is to account for the gap in time between Abraham and the authoritative priestly figures of old, Enoch and Noah.[189] After all, as demonstrated earlier, Abraham's very possession of these books (Jub. 12) was itself the product of revelation of divinely inspired writings. The revelation of these writings to Abraham was designed precisely to compensate for the failure of the authoritative teacher procedural norm. The reappearance of Abraham's divinely inspired books specifically in Abraham's *second* testament – the legacy left not to the rest of his descendants, but to his heir, Isaac – is suggestive of Jubilees's commitment to an inspired interpretation procedural norm.[190] Again, just as with Noah, Jubilees preserves two scenes in which Abraham conveys teachings to the next generation; in the first, he utilizes the inferior authoritative teacher norm, and in the second he utilizes the superior divinely inspired scriptural interpretation norm.

Finally, in its coda to Abraham's death notice, Jubilees anticipates that:

188 While much of the material relates to priestly-cultic duties, this is not true for the material as a whole. All in all it is a rather eclectic collection. See VanderKam, *Jubilees 1*, 624.

189 See Martha Himmelfarb, *A Kingdom of Priests: Ancestry and Merit in Ancient Judaism* (Philadelphia: University of Pennsylvania Press, 2006), 57.

190 It is possible to argue that Jubilees's introduction of Abraham's books is only meant to apply to its immediate context, namely, leftover sacrificial material. But even were that the case, the reappearance of these books in this particular context is noteworthy.

> ...during the days of that evil generation...the children will find fault with their fathers and elders because of sin and injustice, because of what they say and the great evils that they commit, and because of their abandoning the covenant that the Lord had made between them and himself so that they should observe and perform all his commands, ordinances, and all his laws without deviating to the left or right. (Jub. 23.15-16)

Consequently this generation will bring destruction upon the world, characterized especially by agricultural and economic catastrophe. The root cause of this calamity – i.e. the iniquity of this generation – will manifest particularly as social conflict, with corrosive results:

> One group will struggle with another – the young with the old, the old with the young; the poor with the rich, the lowly with the great; and the needy with the ruler – regarding the law and the covenant. For they have forgotten commandment, covenant, festival, month, Sabbath, jubilee, and every verdict. They will stand up with swords and warfare in order to bring them back to the way; but they will not be brought back until much blood is shed on the earth by each group. (Jub 23.19-20)

This infighting, followed by continued recalcitrance, will in turn rouse God's anger and usher in persecution by the surrounding nations. How will Israel survive this era, and learn to correct its behavior? Jubilees's answer is, "In those days the children will begin to study[191] the laws,[192] to seek out the commands, and to return to the right way" (Jub. 23.26). The passage then closes with a further

191 On this verb in the Ethiopic see James C. VanderKam, *Jubilees 2: A Commentary on the Book of Jubilees, Chapters 22-50*, ed. Sidnie White Crawford, Hermeneia - A Critical and Historical Commentary on the Bible (Minneapolis: Fortress Press, 2018), 675, n. 26a.

192 the laws| MSS 20, 24 have "law."

emphasis on a Mosaic act of writing, "Now you, Moses, write down these words because this is how it is written and entered in the testimony of the heavenly tablets for the history of eternity" (Jub 23.32).

First of all, this pericope is important in that it looks forward to the post-Mosaic period. Given the literary conceit of Jubilees as taking place on Mount Sinai, we may wonder whether or how its consistent invocation of progressive revelation extended to the post-Mosaic period.[193] Jonathan Klawans assumed that Jubilees did not imagine inspired interpretation occurring after Moses.[194] It is difficult to imagine, however, how else Jubilees expected the younger generration to contend with their predecessors over the correct interpretation of the laws (since that is precisely what Jubilees imagines is at stake; see Jub. 23.19). Jubilees certainly doesn't detail any rules or strategies of persuasive interpretation like those we will find in the case of *mundane* scriptural interpreters like Justin Martyr or the midrashic sources.[195] It is certainly intriguing to consider that Jubilees here may provide early evidence for the line of thinking that will eventually produce mundane scriptural interpretation. But more likely is VanderKam's suggestion that the vocabulary used to describe how the 'children' will eventually return to right behavior is identical to that found in the sectarian scrolls denoting inspired interpretation.[196]

Second, this passage provides yet more evidence for Jubilees' subversion of authoritative teachers. At a minimum this passage demonstrates that iniquity and internecine strife will make it impossible for the

193 We have seen several examples so far of progressively occurring inspired interpretation in Jubilees. On the phenomenon in Jubilees in general see Mroczek, *Literary Imagination*, 135–54. See also Shani Tzoref, "The 'Hidden' and 'Revealed': Esotericism, Election, and Culpability in Qumran and Related Literature," in *The Dead Sea Scrolls At 60: Scholarly Contributions of New York University Faculty and Alumni*, ed. Lawrence H. Schiffman and Shani Tzoref, Studies on the Texts of the Desert of Judah 89 (Leiden: Brill, 2010); Tzoref had developed this thesis earlier in "The 'Hidden' and the 'Revealed': Progressive Revelation of Law and Esoterica," *Meghillot* 7 (2009): 157–90 (Hebrew).

194 Jonathan Klawans, *Heresy, Forgery, Novelty: Condemning, Denying, and Asserting Innovation in Ancient Judaism* (Oxford: Oxford University Press, 2019), 101; cf. James Kugel, "The Jubilees Apocalypse," *Dead Sea Discoveries* 1, no. 2 (1994): 333 n. 13.

195 See the following chapter on mundane scriptural interpretation.

196 VanderKam, *Jubilees 2*, 695. And compare our analysis below of the sectarian scrolls from Qumran.

new generation to learn from its elders. The authoritative teacher procedural norm will have failed. The way out is to embrace the proper procedural norm: "to study the laws" (23.26). Fittingly, it is Moses, the law's great transmitter, who records this very prescription at the passage's conclusion (23.32).[197]

197 As to the purpose of Jubilees's focus on the importance of studying pre-Mosaic writings, and placing these in conversation with the Sinaitic scriptures, I have suggested that the purpose is to make a point about proper procedural norms. Other scholars, however, point to a political motive. Some in particular have read the traditions about pre-Sinaitic law against the backdrop of 1 Macc 1.11, even using this reference to date Jubilees. See Najman, "Primordial Writing," 394–95.

The argument runs as follows: In 1 Macc. 1.11, the antinomian "renegades" (υἱοὶ παράνομοι) exhort their fellows, "Let us go and make a covenant with the Gentiles around us, for since we separated from them many disasters have come upon us." The accusative of extent of time plus aorist employed in this passage (ἀφ' ἧς ἐχωρίσθημεν ἀπ' αὐτῶν) is taken to refer to the distant, pre-Sinai past, or perhaps the pre-Abrahamic past. According to this reading, Sinai, or the covenant with Abraham, represents the moment when "we separated from [the gentiles]." The "renegades" thus regard Sinai, or the covenant with Abraham, as a negative turning point in Israel's history. This is supposed to explain the reference to circumcision-reversal in the subsequent passage (1 Macc 1.15).

This reading suffers from several problems. First of all, if 1 Maccabees's reference to separation is to Sinai, then circumcision-reversal would be a strange fit in context, since the practice of universal circumcision among Israelite males is situated *before* Sinai (although it would still fit if the reference were to Abraham's covenant). Second, 1 Macc recounts that the first initiative undertake in assent to the renegades' argument is actually the construction of a gymnasium in Jerusalem. The text marks this as a gentile social convention – a specifically Hellenistic one (see the parallel passage in 2 Macc 7.7-17). This suggests that perhaps we might look for a more proximate historical referent for the separation from the "gentiles." One candidate might be the following note in Josephus regarding Antiochus III's grant of special privileges to the Jews newly incorporated into the Seleucid Empire:

> And all the members of the nation shall have a form of government in accordance with the laws of their country, and the senate, the priests, the scribes of the temple and the temple-singers shall be relieved from the poll-tax and the crown-tax and the salt-tax which they pay. (*A.J.* 12.142)

This is part of a larger section in the *Antiquities* in which Josephus records instances in which various foreign rulers treated their Jewish subjects with respect. According to Josephus, Antiochus III granted Jews a measure of autonomy according to their presumed traditional and cultic laws. This account of Seleucid regional policy accords well with the provincial policy of the Achaemenids in the 6th-4th centuries BCE; see Joseph Blenkinsopp, "The Mission of Udjahorresnet and Those of Ezra and Nehemiah," *Journal of Biblical Literature* 106, no. 3 (1987): 409–21; Reinhard G. Kratz, "Judean Ambassadors and the Making of Jewish Identity: The Case of Hananiah, Ezra, and Nehemiah," in *Judah and the Judeans in the Achaemenid Period - Negotiating Identity in an International Context* (Winona Lake: Eisenbrauns, 2011), 421–44. It also roughly mirrors the operation of the 3rd century *politeumata* in Egypt under Ptolemaic rule, especially in light of new evidence from the Herakleopolis papyri; see John J. Collins, The Invention of Judaism: Torah and Jewish Identity From Deuteronomy to Paul, The Taubman Lectures in Jewish Studies 7 (Oakland: University of California Press, 2017), 142–49. Political arrangements of these sorts often marked out the various descendants of ancient Israel, whether in Palestine or Egypt, as separate from those peoples and communities surrounding them. Is it to the granting of such privileges under Antiochus III that the "renegades" refer when they lament what has happened "since we separated from [the gentiles]"? While certainty, of course, eludes us, support for this suggestion comes from the parallel passage in 2 Macc 4.11-12. Therein, the construction of the gymnasium is described precisely as undoing the guarantee of distinctiveness vouchsafed to the Jews by Antiochus III:

Indeed, abrogating the benevolent royal privileges which had been fixed for the Jews [by Antiochus III] through the agency of Johanan (father of the Eupolemus who participated in the embassy concerning friendship and alliance with the Romans), and abolishing the regular civic usages, he innovated lawless practices. With relish he laid the foundations for a gymnasium directly beneath the acropolis... (Translation from Schwartz, 2 Maccabees, ad loc., and see the commentary on p. 220).

But I suspect that this passage goes even further. It implies that not only will the new generation be unable to learn from its ancestors for technical reasons – e.g. societal breakdown, etc. – but that, in fact, in the "evil generation," children will actually be *unable to trust their own parents and elders*.[198] This directly upends the logic of the authoritative teacher norm, and specifically undermines the ancestral chain of transmission motif. It is this mistrust that leads the children to turn directly to the study of the law – to scriptural interpretation.[199]

Conclusions

As the second century dawned, the procedural battles that would shape the following generations began to take shape. Texts, traditions and groups that embraced authoritative teachers flourished as they both drew on vocabulary and concepts from the previous century, and developed new tools for their procedural repertoire. Particularly important for this procedural type was the motif of biblical ancestors conveying instruction across chains of transmission. With the onset of scripturalization, scriptural

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If my suggestion is correct, then the "renegades," even in the derogatory presentation of 1 Maccabees, are not making an argument about Sinai at all. 1 Maccabees would therefore provide no context for Jubilees's interest in establishing a pre-Sinaitic origin for the Mosaic law. That said, it may of course still be true that Jubilees sees part of its task as pushing back against contemporaneous acts of what it perceived as lawbreaking. Certainly Jubilees appears to worry over improper circumcision practices by contemporary actors (see e.g., Jub 15.33-34). Nevertheless, the case for Jubilees's emphasis on primordial writings as an anti-Hellenizing polemic is much weaker than typically acknowledged.

198 Scholars generally interpret this passage as referring to the author's own day, whether in a specific, socio-political sense (see the references and discussion in Segal, *Book of Jubilees*, 37-38, 320-321), or in a more general theological sense (see Kugel, *Walk Through Jubilees*, 130-133). I find the latter much more compelling.

199 I adopt here the view of Kugel (*Walk Through Jubilees*, 131) and VanderKam (*Jubilees 2*, 686-688) who understand Jubilees as praising the children who mistrust their parents. In fact, Michel Testuz ingeniously notes that the children's mistrust in their elders is meant to mirror Abraham's inability to learn from his own father. See Michel Testuz, *Les idées religieuses du Livre des Jubilés* (Paris: Librairie Minard, 1960), 166. This would certainly explain this pericope's placement immediately after Abraham's death notice.

Todd Hanneken, however, thinks that Jubilees takes "a plague o'both your houses" approach to the children and their parents and elders. See Todd Russell Hanneken, *The Subversion of the Apocalypses in the Book of Jubilees*, Early Judaism and Its Literature 34 (Atlanta: SBL Press, 2012), 101. For Hanneken, intergenerational mistrust can only be a negative thing for Jubilees. But as Hanneken himself concedes, this reading is difficult to sustain in light of the fact that when next the children appear in this passage, they are the heroes who "will begin to study the laws" (23.26). He therefore argues, un-persuasively in my view, that the children who mistrust their parents and the children who study the laws are two different groups. Whatever the case may be, in the end, it is those who engage in divinely-inspired scriptural interpretation who save the day.

interpretation emerged as the major procedural alternative to authoritative teachers. The earliest scriptural interpreters understood divine inspiration as a necessary component of their activity. We have already seen this dynamic in Greek Sirach, and have now found it in Jubilees as well. What distinguishes Jubilees in particular, however, is its awareness of the chain of transmission motif. This is easily explicable given Jubilees's interest in the biblical ancestors, the traditions about whom served as the genesis for this motif in the first place. Jubilees goes repeatedly out of its way to subvert this procedural strategy through extolling the virtues of written traditions and their interpretation. While an isolated example of this subversion might have been incidental, its appearance in at least half a dozen instances throughout Jubilees makes it highly likely to have been a conscious procedural polemic. In any case, Jubilees's second century emphasis on divinely inspired scriptural interpretation, and its polemics against authoritative teachers, is shared as well by several of the sectarian sources found at Qumran, to which we now turn our attention.

Sectarian Scrolls From Qumran

Inspired Interpretation in the Sectarian Scrolls From Qumran

Scholars have long recognized the centrality of sacred writings for the community behind the sectarian scrolls preserved at Qumran, even if disagreement exists as to what exactly constituted those writings. Michael Fishbane writes, "For the communities in and around Qumran, the Mikra of ancient Israel was a cherished inheritance."[200] As we have seen, such an attachment to scriptural interpretation cannot be

200 Michael Fishbane, "Use, Authority and Interpretation of Mikra at Qumran," in *Mikra: Text, Translation, Reading, and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity*, ed. Martin J. Mulder and Harry Sysling, CRINT (Philadelphia: Fortress Press, 1988), 340.

taken for granted. We have even encountered Schremer's argument for scriptural interpretation *originating* in sectarian sources at Qumran.[201] While we rejected some of his conclusions, his larger point regarding enthusiasm for scriptural interpretation in these texts is well-taken. But what was the nature of this affinity, and how does it fit with our emerging picture of trends in the second and first centuries BCE?[202]

The Damascus Document

In the Damascus Document, the text's procedural norms, which serve to structure its imagined community, are framed in etiological terms.

ויזכר אל ברית ראשנים ויקם מאהרן נבונים ומישראל 3 חכמים וישמיעם ויחפורו את הבאר באר חפרוה שרים כרוה 4 נדיבי העם במחוקק הבאר היא התורה וחופריה הם 5 שבי ישראל היוצאים מארץ יהודה ויגורו בארץ דמשק 6 אשר קרא אל את כולם שרים כי דרשוהו ולא הושבה 7 פארתם בפי אחד והמחוקק הוא **דורש התורה** אשר 8 אמר ישעיה מוציא כלי למעשיהו ונדיבי העם הם 9 הבאים לכרות את הבאר **במחוקקות** אשר חקק המחוקק 10 להתהלך במה בכל קץ הרשיע וזולתם לא ישיגו עד עמד 11 יורה הצדק באחרית הימים

But God remembered the covenant of the forefathers. *Blank* And he raised from Aaron men of knowledge and from Israel *3* wise men, and made them listen. And they dug the

201 See above, section on "Scriptural Interpretation in Egypt," and see p. 128 n. 130.

202 The generally accepted dates for all the texts discussed in this section range from the late second to first centuries BCE. See Joseph M. Baumgarten, "Damascus Document," in *Encyclopedia of the Dead Sea Scrolls*, ed. Lawrence H. Schiffman and James C. Vanderkam (New York: Oxford University Press, 2000); Michael A. Knibb, "Rule of the Community," in *Encyclopedia of the Dead Sea Scrolls*, ed. Lawrence H. Schiffman and James C. VanderKam (New York: Oxford University Press, 2000); Moshe J. Bernstein, "Pesher Habakkuk," in *Encyclopedia of the Dead Sea Scrolls*, ed. Lawrence H. Schiffman and James C. VanderKam (New York: Oxford University Press, 2000).

well: A well which the princes dug, which *4* the nobles of the people delved with the staff. The well is the law. And those who dug it *Blank* are *5* the converts of Israel, who left the land of Judah and lived in the land of Damascus, *6* all of whom God called princes, for they sought him, and their renown has not been repudiated *7* in anyone's mouth. *Blank* And the staff is the interpreter of the law, of whom *8* Isaiah said: He produces a tool for his labour. *Blank* And the nobles of the people are *9* those who came to dig the well with the staves that the sceptre decreed, *10* to walk in them throughout the whole age of wickedness, and without which they will not obtain it, until there arises *11* he who teaches justice at the end of days. (CD 6.2-11)

The community of the Damascus Document consists of priests, and lay adherents. While the priests are the founding members, the entire community is charged with 'digging the well,' namely, observing the laws (במחוקקות)[203] prescribed by the (or a) "interpreter of the law" (דורש התורה). The verbiage used to describe the procedural activity in this passage is rather cryptic, since it is derived directly from the passage undergoing interpretation.[204] But we do encounter the *doresh ha-torah*, whose role, of course, is to *d-r-š*. As we have seen, this verb is absent from the lexicon of the authoritative teacher procedural type.[205] Its frequent appearance in this text, and throughout many of the sectarian sources found at Qumran is suggestive of an alternative procedural norm. The object of the *doresh*'s action is *ha-torah*. The presence of the definite article appears to me to allow for two possibilities alone would seem to

203 For the play on words involving the Biblical Hebrew word for "scepter," see, Fraade, *Legal Fictions*, 56.

204 The fact that the text itself, in this passage and many others, seems straightforwardly to be interpreting scriptural passages is itself telling.

205 We have encountered two possible exceptions. The first, in Hebrew Ben Sira, is the term *doresh torah*. But as we saw above, it is likely that this term is not original as it is missing in most of our textual witnesses. Also, it is clear from the surrounding context that the term does not refer to interpretation. Finally, it differs from this case in that it lacks a definite article. See above p. 103 n. 51.
The second appears in 4QInstruction. See above p. 78 n. 86. It is likely, as we saw, that the employment of this verb is influenced by 4QInstruction's insistence on the procedural importance of divine inspiration. This may be relevant to the Damascus Document as well.

indicate that we are dealing here with scripture. Accordingly, the Damascus Document here recommends a scriptural interpretation procedural norm.[206]

The interpreter's role is necessitated by the very nature of the sort of scriptural interpretation to which the group subscribed. Specifically, without interpretation, the laws revealed to the group imagined by the Damascus Document were thought to be inaccessible. As the text explains earlier, in the context of prohibiting a man from marrying multiple wives:

ועל הנשיא כתוב 2 לא ירבה לו נשים ודויד לא קרא **בספר התורה החתום אשר** 3 **היה בארון** כי לא {נפ.}
נפתח בישראל מיום מות אלעזר 4 ויהושע ויוש[ע][207] והזקנים אשר עבדו את העשתרת ויטמון 5 **נגלה** עד
עמוד צדוק

> And regarding the Prince it is written: *2* "He shall not have many wives," but David had not read the sealed Book of the Law, which *3* was in the ark, which (viz. the ark) had not been opened in Israel from the day of the death of Eleazar and *4* Joshua and the elders.

206 Paul Mandel discusses this passage at length. See Mandel, *Origins of Midrash*, 107–11. Mandel's emphasis on the authority of the interpreter is well-taken. Ultimately, however, I am not convinced that his reading absolves us from seeing textual interpretation in this context. I am not alone in this judgment; see Landes, "Book Note: The Origins of Midrash." In my earlier discussion of scripturalization (see above, "Scripturalization – A Detour"), I pointed to the conceptual distance between Nehemiah and, for example, Greek Sirach. Mandel seems to me to be trying to apply the model we sketched out for Neh 8 to the Damascus Document. But he does not reckon sufficiently with the fact that a major change has occurred between the fifth century and the second century: the re-conceptualization of ancient Israel's traditions as a self-constituting, abstract corpus. I have already pointed out that Mandel generally does not even *mention* much of the abundant evidence for scriptural interpretation in the second century BCE. See above p. 107 n. 66. Thus, while I certainly do not deny the important role played by a textual interpret*er* in the process of textual interpret*ation*, I argue that we can distinguish this figures from 'authoritative teachers' on the grounds of primary authority. For the authoritative teacher procedural type, primary authority rests with the authoritative teacher. But for scriptural interpretation procedural types, primary authority rests with the self-constituting, abstract corpus that the teacher seeks to explain.

207 The second appearance of the name, "Joshua" represents either a clarification added by a later scribe or else is the result of dittography; see Lawrence H. Schiffman, *The Halakhah at Qumran* (Brill Archive, 1975), 30 n. 55; It should not be re-translated as in Florentino Garcia Martinez and Eibert J. C. Tigchelaar, eds., *The Dead Sea Scrolls, Study Edition*, vol. 1 (Leiden: Brill, 1997), 557.

> Since they (Israel) worshipped Ashtoret, that which is revealed *5* was hidden until the arising of Zadok. (CD 5.1-5)[208]

The community of the Damascus Document saw itself as in possession of a "sealed book of the law...in the ark" to which not even King David had access. In our earlier analysis of scripturalization, we discussed the early tradition concerning the tablets' placement in the ark, to which this text refers.[209] We saw how it envisioned an actual, physical item, and how this meaning was remained in Neh 8 as well. The Damascus Document, by contrast, has completely reformulated this tradition so that it refers instead to an abstract corpus, which the community must expound[210] and to which it must adhere "throughout the whole age of wickedness." The juxtaposition of this passage and the previous one, however, manifests a certain tension: on the one hand, the scriptures' meaning is made plain – the well is dug – through adherence to the Damascus Document's laws; on the other, the Damascus Document's laws must stem from the scriptures' true meaning. Steven Fraade explains this seemingly circular process as follows:

> This seeming circularity may be understood in terms of the *ongoing* revelatory quality of the community's life and self-understanding. The community conceives of its origins in terms of its acceptance of a divinely ordained set of "first rules," revealed to their founders (and them) alone. Once so established as a "community of holiness," study both of Torah and communal laws constitutes a central *practice* of their religious life. Through such ongoing study, the Torah is more fully disclosed to them and new laws are revealed to them to suit their changing circumstances. But even as such ongoing

208 Translation taken from, Schiffman, *The Halakhah at Qumran*, 30. The translation of "*nigleh*," however, is my own; Schiffman left it untranslated and accompanied by a gloss: "(i.e. the Torah)."
209 See above note p. 33 n. 20.
210 Note the explicit act of textual interpretation referenced in this context (ועל הנשיא כתוב).

> revelation, here represented by the image of digging a well by means of a divinely authorized tool (or set of tools), characterizes the life of the community as a whole, it is instituted among them by certain elite functionaries, here represented as the Interpreter of the Torah. Just as their disciplined life according to the divine rules laid down by this figure links them to the originary teacher and observers of the "first rules" and vouchsafes their expected redemption, so too their collective study in the context of that life is both a continuation of the study which marked the community's original going into exile and the medium for continuous revelation in anticipation of the final teacher. In short, not only does their collective study provide a justification for their laws, but their common life in accord with those laws justifies their study as a medium of revelation.[211]

This is a crucial point that, as we shall see, is reflected as well in other sectarian sources from Qumran. It is insufficient simply to cast scripture as a constitutive force for the community of the Damascus Document. The scriptures must be filtered through the lens of divinely inspired interpretation that is revealed (נגלה) to those who are part of the Damascus Document's community.[212] The Damascus Document thus conforms to our picture of second and first century BCE scriptural interpretation being bundled together with divine inspiration.

The Community Rule

211 Fraade, *Legal Fictions*, 56–57 (emphasis in original); For the notion of ongoing revelation in sectarian sources from Qumran see, Fishbane, "Mikra at Qumran," 364–66.

212 And see Tzoref, "Hidden and Revealed."

Several other sectarian texts from Qumran appeal to inspired interpretation as well. Like the Damascus Document, the Community Rule sees its relationship to Scripture as intimately bound up with its own etiology:[213]

ובהיות אלה ליחד בישראל 13 בתכונים האלה יבדלו מתוך מושב הנשי (אנשי) העול ללכת למדבר לפנות
שם את דרך הואהא 14 כאשר כתוב במדבר פנו דרך **** ישרו בערבה מסלה לאלוהינו 15 היאה מדרש
התורה א[ש]ר צוה ביד מושה לעשות ככול הנגלה עת בעת 16 וכאשר גלו הנביאים ברוח קודשו

> And when these have become /a community/ in Israel 13 /in compliance with these arrangements/ they are to be segregated from within the dwelling of the men of sin to walk to the desert in order to open there His path. 14 As it is written: "In the desert, prepare the way of ****, straighten in the steppe a roadway for our God" 15 This is the study of the law wh[i]ch he commanded through the hand of Moses, in order to act in compliance with all that has been revealed from age to age, 16 and according to what the prophets have revealed through his holy spirit. (1QS VIII.12-16)

The Community Rule casts the study, or investigation of scripture (מדרש התורה)[214] as its community's central purpose. But, again, like the Damascus Document, the Torah's teachings are not accessible to all. In fact, they are "revealed from age to age" (נגלה עת בעת), in accordance with "his holy spirit" (רוח קודשו) that characterizes the messages of the prophets. The availability of divinely inspired Torah in the

213 Although scholars often assume some sort of relationship between the Damascus Document and the Community Rule - see Knibb, "Rule of the Community," 796. - the details (or existence) of that relationship have no bearing on my analysis.

214 Mandel discusses this passage in *Origins of Midrash*, 99-103. In this context as well, for the reasons enumerated above, I am unconvinced by his overall argument.

course of time, through study, suggests that the community envisioned by the Community Rule relies as well on divinely inspired scriptural interpretation.[215]

Pesher Habakuk

Perhaps the most explicit formulation of the divinely inspired scriptural interpretation procedural norm is found in several places in Pesher Habakuk.[216]

> ואשר אמר למען ירוץ הקורא בו 4 פשרו על מורה הצדק אשר הודיעו אל את 5 כול רזי דברי עבדיו הנבאים
>
> And as for what he says: "So that /may run/ the one who reads it." 4 Its interpretation concerns the Teacher of Righteousness, to whom God has made known 5 all the mysteries of the words of his servants, the prophets. (1QHab 7.2-5)

Here, the teachings that define the community of Pesher Habakuk are known via the divine inspiration granted to the Teacher of Righteousness.[217] These teachings constitute "mysteries" or "secrets" (רזים), and seem even more directly than in the Damascus Document or Community Rule to represent esoteric interpretations. In any case, the interpretative capacity alluded to here is made explicit elsewhere in

215 See Fishbane, "Mikra at Qumran," 365.

216 I have saved my analysis of the texts in Pesher Habakuk for last because they contain the most extensive and intriguing references to the Teacher of Righteousness. There is a tendency to extrapolate from these texts to many of the other sectarian writings, thereby greatly exaggerating – at least in light of the evidence at present – the role of the Teacher. By examining these texts after having already discussed the Damascus Document and Community Rule, I hope to make clear that my argument is not premised on this tendency; see Fraade, *Legal Fictions*, 42–43 especially n. 15.

217 See Alex P. Jassen, *Mediating the Divine: Prophecy and Revelation in the Dead Sea Scrolls and Second Temple Judaism*, Studies on the Texts of the Desert of Judah 68 (Leiden: Brill, 2007), 353; and Hanna Tervanotko, "Reading God's Will? Function and Status of Oracle Interpreters in Ancient Jewish and Greek Texts," *Dead Sea Discoveries* 24, no. 3 (2017): 434–35.

Pesher Habakuk, in reference to "the priest" (הכוהן), who is to be identified with the Teacher of Righteousness.[218]

> המה עריצ[י הבר]ית אשר לוא יאמינוא 7 בשומעם את כול הבא[ות ע]ל הדור האחרון מפי 8 הכוהן אשר נתן אל ב[תוך העד]ה לפשור את כול 9 דברי עבדיו הנביאים[אשר]בידם ספר אל את 10 כול הבאות על עמו יש[ראל
>
> They are violator[s of the coven]ant who will not believe 7 when they hear all that is going [to hap- pen t]o the final generation, from the mouth of 8 the Priest whom God has placed wi[thin the Commun]ity, to foretell the fulfilment of all 9 the words of his servants, the prophets, [by] means of whom God has declared 10 all that is going to happen to his people Is[rael]. (1QHab 2.6-10)

The role of the Teacher of Righteousness is to interpret the words of the prophets, and thereby to order correctly the conduct of those in "the final generation" (הדור האחרון). This passage constitutes yet another example in which procedural norms appear in the context of civic interaction. Those to whom the text is opposed are despised precisely because they fail to heed the priest's scriptural interpretation (לפשור את כול דברי עבדיו הנביאים). In this case, the substantive norms around which the community of Pesher Habakuk is structured, are justified in a procedural sense by the divinely inspired scriptural interpretation undertaken by one of its leading figures.

218 Fraade, *Legal Fictions*, 42 n. 13.

Conclusions

At the turn of the second century BCE, early Jewish thinkers began to conceive of ancient Israel's traditions as a self-constituting corpus containing God's word. In the past, those who preferred an alternative to reliance upon authoritative teachers had claimed some form of divine inspiration for their efforts. But now they began to point to the study of this corpus. Within the constellation of procedural norms in the first two centuries BCE, scriptural interpretation offered important advantages. Instead of depending upon the uncertainties of chains of transmission, or the vagaries of creation observation, scriptural interpretation vouchsafed a more secure access to God's word. Interpreters reinforced their position by relying on continuity with previous alternatives to teachers: they claimed access to divine inspiration. This is why interpretation and inspiration are always bundled together during this period, whether in Greek Sirach, Jubilees, or the sectarian sources found at Qumran. Jewish thinkers would not undo the bundle until the first two centuries CE.

All the texts and groups we have examined in the last two chapters understood keenly how important procedural norms were to relational self-identification and the formation of society, and developed literary and rhetorical strategies accordingly. Among the evidence marshaled above, three examples stand out. First, some texts and groups – such as Aramaic Levi, the Testament of Qahat, 4QInstruction, the Pharisees, Pesher Habakuk, and more – situated procedural norms directly in the context of civic participation, thus emphasizing the social importance of such norms. Second, other texts and groups go to great lengths to subvert rival procedural norms. Jubilees, for instance, takes special aim at the chain of transmission motif. Third, we have seen how later texts or traditions will completely reformulate earlier ones in order to "correct" the procedural norms. Take, for example, the manner in which the

incremental process of scripturalization set the stage for the complete reformulation of earlier authoritative teacher traditions. This could take a long time, as in the case of the Testament of Levi's reframing of Aramaic Levi, but in other cases could occur quite rapidly. In the transition from Hebrew Ben Sira to Greek Sirach, we were able to glimpse in real time the grandson's procedural reworking of his grandfather's oeuvre.

As the first century CE unfolded, several factors would influence further shifts in the procedural landscape. In the intellectual realm, the presence of scripture became increasingly difficult to ignore, even for authoritative teachers. New procedural strategies would need to develop in order to account for it. In the political arena, the pressurized environment in first century CE Palestine would herald the rise of prophets. Unlike claimants to divine inspiration for the past few centuries, these prophets would clearly identify themselves as such, abstain from founder discourse, and forego reliance upon scriptural interpretation. The latter development would become particularly important in the unbundling of divine inspiration from scriptural interpretation. Prophets claimed only the former, not necessarily the latter: inspiration without interpretation. During the following century this process would then yield its logical counterpart in the work, for example, of Justin Martyr and rabbinic *midrash*: interpretation without inspiration.

Through all of this ferment, as we shall see, procedural norms – and the vocabulary and motifs surrounding them – would continue to unite texts and thinkers across the substantive boundaries that historians would later seek to impose perhaps too firmly upon Jewish (and eventually Christian) history.

Chapter 4: The Great Unbundling

Introduction

With the dawn of scripturalization around the beginning of the second century BCE, scriptural interpreters arose as the main procedural rivals for authoritative teachers. I have already demonstrated that, from its inception, scriptural interpretation was bundled together with divine inspiration. For around two hundred years, in fact, scriptural interpretation never appeared without inspiration, and inspiration almost never appeared absent interpretation.[1]

But in the first century CE, we begin to encounter a new phenomenon: the rise of prophets who eschewed founder's discourse. Rather than speaking as 'voices from the past' they spoke as 'voices from the present.' Crucially, unlike those who claimed divine inspiration in the first two centuries BCE, these self-identified prophets do not present themselves as scriptural interpreters. Instead, they lay procedural claim to inspiration *without* interpretation. We will see in this chapter that this unbundling of inspiration from interpretation had a major impact on scriptural interpreters as well, who in turn contributed to furthering the process. Some interpreters – like the gospel according to Luke – continued to appeal to divine inspiration as part and parcel of interpretation. In this respect we can glimpse continuity with the previous two centuries. But, at least by second century CE, other scriptural interpreters – like Justin Martyr and the protagonists of midrashic literature – further advanced the unbundling of interpretation from inspiration. They began to claim that interpretation was possible *on*

1 The exception to the latter claim is the so-called pseudepigraphic material set in the distant Israelite past. Critically, however, these traditions by their very nature do not claim to date from the centuries during which they were actually composed. See in greater detail below.

its own, without inspiration. But in the absence of divine inspiration, scriptural interpreters needed new procedural techniques to authorize their endeavors. This led to the rise of "rules" for interpretation, which do not appear in Palestine any earlier than this period.

Divine Inspiration in the First Century CE

John of Patmos

An important development in the history of early Jewish procedural norms can be found in the opening words of the Book of Revelation.

> Ἀποκάλυψις Ἰησοῦ Χριστοῦ, ἣν ἔδωκεν αὐτῷ ὁ θεὸς δεῖξαι τοῖς δούλοις αὐτοῦ, ἃ δεῖ γενέσθαι ἐν τάχει, καὶ ἐσήμανεν ἀποστείλας διὰ τοῦ ἀγγέλου αὐτοῦ τῷ δούλῳ αὐτοῦ Ἰωάννῃ, ὃς ἐμαρτύρησεν τὸν λόγον τοῦ θεοῦ καὶ τὴν μαρτυρίαν Ἰησοῦ Χριστοῦ, ὅσα εἶδεν. μακάριος ὁ ἀναγινώσκων καὶ οἱ ἀκούοντες **τοὺς λόγους τῆς προφητείας** καὶ τηροῦντες τὰ ἐν αὐτῇ γεγραμμένα, ὁ γὰρ καιρὸς ἐγγύς.
>
> The revelation[2] of Jesus Christ, which God gave him to show his servants what must soon take place; he made it known by sending his angel to his servant, John, who testified to the word of God and to the testimony of Jesus Christ, even to all that he saw.

2 Left untranslated, this would be "apocalypse," on which generally see Adela Yarbro Collins, "The Early Christian Apocalypses," *Semeia* 14 (1979): 61–121. and more specifically, David E. Aune, *Revelation 1-5*, Word Biblical Commentary 52 (Nelson Reference & Electronic, 1997), lxxvii–xc.

> Blessed is the one who reads aloud *the words of the prophecy*, and blessed are those who hear and who keep what is written in it; for the time is near. (Rev 1.1-3)

Perhaps the most notable thing about John of Patmos, the Apocalypse's putative author, is that he explicitly identifies his own work as prophecy (τοὺς λόγους τῆς προφητείας). He doesn't use a pseudonym from the ancient Israelite past – a tool that Hindy Najman describes as "discourse tied to a founder."[3] Instead he appears to place *himself* on equal footing with the classical Israelite prophets.[4] This remarkable claim actually bookends the Apocalypse. From its denouement:

> Καὶ εἶπέν μοι, Οὗτοι οἱ λόγοι πιστοὶ καὶ ἀληθινοί, καὶ ὁ κύριος, **ὁ θεὸς τῶν πνευμάτων τῶν προφητῶν**, ἀπέστειλεν τὸν ἄγγελον αὐτοῦ δεῖξαι τοῖς δούλοις αὐτοῦ ἃ δεῖ γενέσθαι ἐν τάχει. καὶ ἰδοὺ ἔρχομαι ταχύ. μακάριος ὁ τηρῶν τοὺς λόγους τῆς προφητείας τοῦ βιβλίου τούτου. Κἀγὼ Ἰωάννης ὁ ἀκούων καὶ βλέπων ταῦτα. καὶ ὅτε ἤκουσα καὶ ἔβλεψα, ἔπεσα προσκυνῆσαι ἔμπροσθεν τῶν ποδῶν τοῦ ἀγγέλου τοῦ δεικνύοντός μοι ταῦτα. καὶ λέγει μοι, Ὅρα μή· σύνδουλός σού εἰμι καὶ **τῶν ἀδελφῶν σου τῶν προφητῶν** καὶ τῶν τηρούντων τοὺς λόγους τοῦ βιβλίου τούτου· τῷ θεῷ προσκύνησον. καὶ λέγει μοι, Μὴ σφραγίσῃς **τοὺς λόγους τῆς προφητείας** τοῦ βιβλίου τούτου, ὁ καιρὸς γὰρ ἐγγύς ἐστιν.

> And he said to me, 'These words are trustworthy and true, for the Lord, *the God of the spirits of the prophets*, has sent his angel to show his servants what must soon take place.' 'See, I am coming soon! Blessed is the one who keeps the words of the prophecy of this book.' I, John, am the one who heard and saw these things. And when I heard and

3 See Najman, *Seconding Sinai*, 13.
4 Rev 1.3. For the status John claimed for his work, see Aune, *Revelation 1-5*, 23.; and see below.

> saw them, I fell down to worship at the feet of the angel who showed them to me; But he said to me, 'You must not do that! I am a fellow-servant with you *and your comrades the prophets*, and with those who keep the words of this book. Worship God!' And he said to me, 'Do not seal up *the words of the prophecy* of this book, for the time is near. (Rev 22.6-10)

The Apocalypse's coda thrice emphasizes the work's prophetic character and imagined social setting. It refers to itself as prophecy, repeating verbatim the self-description in the work's introduction (τοὺς λόγους τῆς προφητείας). It construes God via his relationship to prophecy (ὁ θεὸς τῶν πνευμάτων τῶν προφητῶν). And it likely describes an entire group of contemporary prophets associated with John (τῶν ἀδελφῶν σου τῶν προφητῶν).[5]

Apart from eschewing founder's discourse, John is also noteworthy in that while he seems obviously to have read and intentionally alluded to a great many scriptural sources, he does not ever *say* that he is doing so. As Elisabeth Schüssler Fiorenza observed, "Rev does not even once *quote* the OT."[6] It may allude, it may hint, it may draw upon, but the operative word here is "quote." In this respect, John of Patmos seems to have modeled himself on the 'literary' prophets of the First and early Second Temple periods. Figures like Jeremiah, Ezekiel or Malachi seem clearly to have absorbed and even referred to the work of their predecessors.[7] But they did not *quote* this material. They spoke only as prophets

5 See David E. Aune, *Apocalypticism, Prophecy and Magic in Early Christianity: Collected Essays*, Wissenschaftliche Untersuchungen Zum Neuen Testament 199 (Tübingen: Mohr Siebeck, 2006), 257–59.

6 Elisabeth Schüssler Fiorenza, *The Book of Revelation: Justice and Judgment*, Second edition (Minneapolis: Fortress Press, 1998), 135. Emphasis mine.

7 On Jeremiah's use of earlier material see Jack R. Lundbom, *Jeremiah 1-20: A New Translation with Introduction and Commentary*, The Anchor Bible 21A (New York: Doubleday, 1999), 142–43; on Ezekiel, see Jeremiah Unterman, *From Repentance to Redemption: Jeremiah's Thought in Transition*, Journal for the Study of the Old Testament Supplement Series 54 (Sheffield Academic Press, 1987), 167ff.; on Malachi, see Andrew E. Hill, *Malachi: A New Translation with Introduction and Commentary*, The Anchor Bible 25D (New York: Doubleday, 1998), 49. Many thanks to my teacher Martha Himmelfarb for pushing me on this point, as well as on my readings of 'the Egyptian' and Theudas in Josephus.

receiving a direct communication from God. This, of course, only highlights the lack of any claim in these sources – or in Revelation – to be engaged in scriptural interpretation.

Our discussion of the preceding two hundred years allows us to see how remarkable it is to encounter this phenomenon in the first century CE. While in the first two centuries BCE, inspiration went hand in hand with interpretation, here in Revelation inspiration appears on its own. Nor is this phenomenon confined to the works introduction and conclusion. When the Apocalypse turns its attention to polemical matters – exhorting various Jesus-following communities in Asia Minor to behave properly – we find the same phenomenon over and over again.[8] In its proclamation to the congregation in Ephesus, the Apocalypse supplies the following framework:

> Τῷ ἀγγέλῳ τῆς ἐν Ἐφέσῳ ἐκκλησίας γράψον· **Τάδε λέγει** ὁ κρατῶν τοὺς ἑπτὰ ἀστέρας ἐν τῇ δεξιᾷ αὐτοῦ, ὁ περιπατῶν ἐν μέσῳ τῶν ἑπτὰ λυχνιῶν τῶν χρυσῶν... **ὁ ἔχων οὖς ἀκουσάτω τί τὸ πνεῦμα λέγει ταῖς ἐκκλησίαις**
>
> To the messenger[9] of the congregation[10] in Ephesus write: *These are the words* of him who holds the seven stars in his right hand, who walks among the seven golden

8 The question of who Revelation has in mind when describing its audience and opponents has long vexed scholars. Traditionally, Revelation's interpreters have understood John as a Jesus-follower polemicizing against Jews who *do not* follow Jesus. See Aune, *Revelation 1-5*, 164–65; and Paul Duff, *Who Rides the Beast? Prophetic Rivalry and the Rhetoric of Crisis in the Churches of the Apocalypse* (Oxford: Oxford University Press, 2001), 49–51. In recent years, however, a cadre of scholars has convincingly challenged this view, instead reading John as opposing non-Jews who *do* follow Jesus, but who are – in John's view – insufficiently loyal to Jewish law. See David Frankfurter, "Jews or Not? Reconstructing the 'Other' in Rev 2:9 and 3:9," *The Harvard Theological Review* 94, no. 4 (2001): 403–25; Elaine H. Pagels, "The Social History of Satan, Part Three: John of Patmos and Ignatius of Antioch: Contrasting Visions of 'God's People,'" *Harvard Theological Review* 99, no. 4 (2006): 487–505; see also the view of John W. Marshall, *Parables of War: Reading John's Jewish Apocalypse*, Studies in Christianity and Judaism 10 (Waterloo: Wilfrid Laurier University Press, 2001), 133–34. I find the views of this cadre convincing, and generally follow their approach in my reading of Revelation.

9 NRSV has "angel."

10 NRSV consistently translates ἐκκλησία as "church."

> lampstands... *Let anyone who has an ear listen to what the Spirit is saying to the congregations*. (Rev 2.1, 7)

Revelation explicitly frames not only itself, but also its expectations for other communities in terms of a procedural commitment to prophecy. Our analysis in the previous chapters has primed us to expect this. Given their social importance, procedural norms usually appear in literary contexts at the beginning or end of a work, or when the work is describing civic interaction. We have already seen procedural norms at the opening and close of the Apocalypse, and now we have seen them in the context of the Apocalypse's *own* engagement with the seven congregations in Asia Minor. Its communication, real or imagined, with the Ephesus community is of course full of substantive material. But it is all framed by procedural norms because, as we have seen, Jews in this period saw right procedure as the prerequisite for right behavior. In this instance, Revelation begins its exhortation to the people of Ephesus by emphasizing that what follows is premised on God's authority, as the one who revealed these teachings to John of Patmos (Τάδε λέγει). This section concludes by once again emphasizing the prophetic procedural norm from which the preceding material is derived.[11] The Apocalypse replicates this pattern – procedural introduction, substantive material, procedural conclusion – for all seven proclamations in Rev 2-3. The concluding formula highlighting the importance of prophecy (ὁ ἔχων οὖς ἀκουσάτω τί τὸ πνεῦμα λέγει ταῖς ἐκκλησίαις) is repeated verbatim all seven times.

11 This conclusion may be further buttressed by verse 7's syntax. As K.L. McKay notes, Rev 2.7 employs the aorist (ἀκουσάτω) to indicate that what is most important is simply hearing the words the prophet says, rather than trying to be attentive to its meaning. The verse focuses solely on the procedural point that *it its relaying prophecy*, rather than on the interpretative matter of what it might mean. See K. L. McKay, "Aspect in Imperatival Constructions in New Testament Greek," *Novum Testamentum* 27, no. 3 (1985): 215–16.

Matters get even more interesting in John's message to Thyatira. In adjuring the community regarding proper conduct and urging repentance, he mentions a specific opponent, a woman whom the text identifies as "Jezebel."[12] Jezebel, we are told, is guilty of promoting or at least tolerating all manner of sins.[13] But John's tirade against her begins, interestingly, with a procedural criticism: "[she] calls herself a prophet" (ἡ λέγουσα ἑαυτὴν προφῆτιν). Why is this a problem? For Revelation, the answer is: she is a *false* prophet (καὶ διδάσκει καὶ πλανᾷ τοὺς ἐμοὺς δούλους).[14] This particular anxiety is characteristic of the prophecy procedural type. It is distinct from three other charges that could conceivably have been leveled against Jezebel: 1) Jezebel could not possibly be a prophet because prophecy no longer exists,[15] 2) Jezebel may be a prophet, but prophecy is too difficult to interpret so alternative sources of authority are *per force* necessary,[16] or 3) Jezebel may be a prophet but she is exceeding her authority because prophets do not possess prescriptive powers, only predictive ones.[17] These three criticisms, as we shall see in greater detail in chapter 5, reflect the perspective of other procedural types, especially teachers, who seek to polemicize against prophets in general. But for adherents to the prophecy procedural type, the problem is with *prophets* not *prophecy*.

12 Rev 2.20-23.

13 See Elaine H. Pagels, *Revelations: Visions, Prophecy, and Politics in the Book of Revelation* (New York: Viking, 2012), 48–51; Duff, *Who Rides the Beast?*, 55–58.

14 NRSV renders "and is teaching and beguiling my servants [to practice fornication…]." This translation understands the verbs διδάσκω and πλανάω as transitive verbs, which are then followed by complementary infinitives that detail what was taught ("to practice fornication," etc.). Cf. Aune's translation, "and who teaches and misleads my servants [to fornicate…]," and his subsequent notes on this verse's confusing syntax (Aune, Revelation 1-5, 196 and nn. 20.f-g). This sort of verbal hendiadys (teaching and beguiling = beguilingly teaching) comprising two coordinated indicatives may be a semiticism; see, for example, Bill T. Arnold and John H. Choi, A Guide to Biblical Hebrew Syntax (Cambridge: Cambridge University Press, 2003), 148–49; cf. Wilhelm Gesenius, *Gesenius' Hebrew Grammar*, ed. Emil Kautzsch and Arthur Ernest Cowley, Second English Edition (Oxford: Clarendon Press, 1963), 386, §120.d. But in all of those cases the principal idea is introduced by the second verb, while the first verb functions adverbially. The opposite appears to be the case here. Either way, as Aune concludes, "while the syntax of this sentence is problematic, the essential meaning is clear" (*Revelation 1-5*, 204).
On the term *porneia* and its afterlives, see generally Kyle Harper, "Porneia: The Making of a Christian Sexual Norm," *Journal of Biblical Literature* 131, no. 2 (2012): 363–83.

15 The view of the Apocryphon of James and a critical passage in the Tosefta (see chapter 5 below).

16 The view of Paul, and echoed in the Tosefta (see chapter 5).

17 The view of Josephus (see chapter 5).

Finally, note an additional feature of Revelation's exhortation to the congregations. Until now we have discussed the procedural tactics that Revelation uses. But just as important are the procedural tactics that Revelation *does not* use. Specifically, Revelation does not anchor its teachings to the congregations in scripture, nor as we noted earlier does scripture make an explicit appearance anywhere else in John's Apocalypse.

In sum, we appear to have unearthed, here in the first century CE, a new procedural norm: prophecy. Or, to put the matter in terms familiar from previous chapters: we have found divine revelation *without* scriptural interpretation.

First Century Prophets

John of Patmos is not the only self-proclaimed prophet we encounter in the first century CE. In assessing Josephus's outlook on prophecy, Martin Goodman explains that Josephus assumed the recipients of divine inspiration in his own day "did not quite reach the standard of those whose inspired sayings were preserved in the Bible."[18] But he continues, "There do seem to have been individuals who gathered followers in first-century Judaea by *presenting themselves as prophets*, but Josephus criticizes them as false prophets..."[19] One such fellow was known simply as "the Egyptian."[20] In Josephus's description:

18 Martin Goodman, *Rome and Jerusalem: The Clash of Ancient Civilizations* (Allen Lane, 2007), 367.
19 Ibid. 368. Emphasis mine. On Josephus's specific critique of the prophets in his own day, which I argue is subtly but critically different from Goodman's characterization here, see below.
20 Probably the same person for whom Paul is nearly confused in Acts 21.38. See Louis H. Feldman, *Josephus: Jewish Antiquities, Book XX, General Index*, n.d., 93 n. b.

ἀφικνεῖται δέ τις ἐξ Αἰγύπτου κατὰ τοῦτον τὸν καιρὸν εἰς Ἱεροσόλυμα **προφήτης εἶναι λέγων** καὶ συμβουλεύων τῷ δημοτικῷ πλήθει σὺν αὐτῷ πρὸς ὄρος τὸ προσαγορευόμενον Ἐλαιῶν, ὃ τῆς πόλεως ἄντικρυς κείμενον ἀπέχει στάδια πέντε· θέλειν γὰρ ἔφασκεν αὐτοῖς ἐκεῖθεν ἐπιδεῖξαι, ὡς κελεύσαντος αὐτοῦ πίπτοι τὰ τῶν Ἱεροσολυμιτῶν τείχη, δι᾽ ὧν καὶ τὴν εἴσοδον αὐτοῖς παρέξειν ἐπηγγέλλετο.

At this time there came to Jerusalem from Egypt *a man who declared that he was a prophet* and advised the masses of the common people to go out with him to the mountain called the Mount of Olives, which lies opposite the city at a distance of five furlongs. For he asserted that he wished to demonstrate from there that at his command Jerusalem's walls would fall down, through which he promised to provide them an entrance into the city. (*A.J.* 20.169-170)

Josephus describes a figure who shares at least one key similarity with John of Patmos. He is a self-proclaimed prophet who eschews founder's discourse. Josephus does not provide us with enough information to know whether or not this Egyptian made appeals to scripture, but the lack of any reference to such is certainly interesting.[21] In any case, this was not the only such figure with whom Josephus was familiar:

Φάδου δὲ τῆς Ἰουδαίας ἐπιτροπεύοντος γόης τις ἀνὴρ Θευδᾶς ὀνόματι πείθει τὸν πλεῖστον ὄχλον ἀναλαβόντα τὰς κτήσεις ἔπεσθαι πρὸς τὸν Ἰορδάνην ποταμὸν αὐτῷ·

21 The idea of bringing down Jerusalem's walls seems intended to invoke Joshua and the fall of Jericho; see David E. Aune, *Prophecy in Early Christianity and the Ancient Mediterranean World* (Grand Rapids: William B. Eerdman's Publishing Company, 1983), 128. But again, as with John of Patmos, 'the Egyptian's' apparent awareness of scripture only makes more remarkable that we find no hint of scriptural interpretation, or any claim to be fulfilling scripture.

προφήτης γὰρ ἔλεγεν εἶναι, καὶ προστάγματι τὸν ποταμὸν σχίσας δίοδον ἔχειν ἔφη παρέξειν αὐτοῖς ῥᾳδίαν

During the period when Fadus was procurator of Judaea, a certain impostor[22] named Theudas persuaded the majority of the masses to take up their possessions and to follow him to the Jordan River. *He stated that he was a prophet* and that at his command the river would be parted and would provide them an easy passage. (*A.J.* 20.97)

Here we see another self-identifying prophet in the first century CE. Unlike 'the Egyptian,' in this case we even know the man's name. He certainly does not employ founder discourse. Josephus's characterization of Theudas's method indicates that he attempted to inspire his audience through signs and miracles, rather than scriptural interpretation.[23] Josephus indicates elsewhere that self-styled prophets were ubiquitous in his day (*B.J.* 6.286, 288). What are we to make of this proliferation of "voice from the present" prophecy in the first century CE? Why does it appear in our data specifically at this time?

Prophecy in Anthropological Perspective

22 Josephus accuses Theudas of being an impostor, a similar criticism to the one Revelation levels at "Jezebel." As we will see below, however, Josephus's critique of the self-proclaimed prophets of the first century CE is subtly but significantly different from Revelation's. And see above p. 173 n. 19.

23 Like 'the Egyptian,' Theudas clearly appears to be drawing upon scripture, specifically Joshua's parting of the Jordan River as a sign that God would drive out the nations of the Canaan; see Aune, *Prophecy in Early Christianity*, 127–28. But just as in the case of 'the Egyptian' and John of Patmos, Theudas's awareness of scripture only highlights the fact that he did not explicitly claim to interpret or fulfill it. These contemporary prophets all claimed to speak as messengers bearing divine communications and signs, rather than as scriptural interpreters.

In his work on radical social organization, David G. Bromley examines how religious groups cope with crisis.[24] He begins by identifying two strategies that such groups typically employ to authorize their activities, 'priestly' and 'prophetic.'

The priestly method is predicated on continuity, whether between reality and transcendence, or between past and present.[25] It is best suited for settled periods, in which the existing social structure is sufficient to accommodate any tensions.[26] The prophetic method, by contrast, asserts discontinuity between these same phenomena such that intervention – human or divine – is required to bring them into accord.[27] Prophetic strategies are best suited to times and places in which the existing social structure is unable to manage rising tensions.[28] As a crisis becomes more severe, groups tend to perceive increasingly unresolvable contradictions within the prevailing social order. In response, they imagine, or even attempt to bring about alternative models. Moments of crisis thus easily reinforce, and benefit from the "prophetic method."[29] Unsurprisingly, the prophetic method often relies upon claims of divine

24 See David G. Bromley, "Remembering the Future: A Sociological Narrative of Crisis Episodes, Collective Action, Culture Workers, and Countermovements -1994 Presidential Address," *Sociology of Religion* 58, no. 2 (1997): 105–40; and David G. Bromley, "Constructing Apocalypticism: Social and Cultural Elements of Radical Organization," in *Millennium, Messiahs, and Mayhem*, ed. Thomas Robbins and Susan J. Palmer (New York: Routledge, 1997), 31–45. For Bromley, a crisis occurs when members of society perceive major structural forces in their lives as in conflict, and take action to address this disorder. In Bromley's formulation, "Crisis episodes may be defined as historical moments when individuals/groups experience major elements of a structure of social relations, which are accorded a high level of moral priority and generate institutionally central lines of action, as standing in opposition to one another and therefore yielding contradictory behavioral imperatives"; see Bromley, "Constructing Apocalypticism," 34. In an earlier article he had added that during crisis episodes, "coordinated efforts are undertaken involving symbolic interpretations of the situation and organized mobilization to shape and address the dis-order"; see Bromley, "Remembering the Future," 111.

25 In Bromley's words, "The priestly method involves constructing a basic concordance between the phenomenal world and transcendent realm such that there is a continuity of order and purpose between the two domains" ("Constructing Apocalypticism," 36), and "In the priestly tradition the present is linked to and legitimated through the past, which adds temporal to spatial stability" (Ibid.).

26 Bromley, "Remembering the Future," 113.

27 Again Bromley, "The prophetic method involves a changing relationship between the [phenomenal world and transcendental realm[with greater initiative and intervention occurring from the transcendent domain" ("Constructing Apocalypticism," 35), and "in the prophetic tradition the present is linked to and legitimated by a predicated future, and so the values of the past as a guide to behavior is depreciated" (Ibid. 36).

28 Bromley, "Remembering the Future," 115.

29 Bromley, "Constructing Apocalypticism," 37.

revelation.[30] It is thus to be expected that particularly intense crises would yield claims for direct access to the divine.

The situation in first century CE Palestine, in the years leading up to and including the revolt against Rome in 66-70 CE, represented just such a crisis. As we will presently examine, it yielded precisely the results that Bromley's model would suggest.

Prophecy and the Revolt

The history of scholarship on the revolt and its causes is voluminous.[31] Recent perspectives have tended to emphasize both the contingent nature of the revolt, and the extremely rapid deterioration of relations with imperial Roman rule that preceded it. These twin factors would only have heightened the sense of crisis for Jews in Palestine at this time.

The following brief summary of current scholarship on the revolt will illustrate the point. While the preconditions for rebellion, or perhaps even full-scale revolution,[32] may have been present, the outbreak of significant and sustained violence in 66 CE represented a serious escalation that might have been

30 Ibid. 37-38. Bromley is specifically interested in inspired textual interpretation, but his insight applies just as, if not more easily to direct revelation, unmediated by text.

31 Relatively recent resources for bibliography can be found in: Martin Goodman's introduction to Martin Hammond, trans., *Josephus: The Jewish War* (Oxford: Oxford University Press, 2017), xiii–xxxvii; Steve Mason, *A History of the Jewish War, A.D. 66-74* (Cambridge: Cambridge University Press, 2016), 201–8; Steve Mason, "Why Did Judaeans Go to War with Rome in 66-67 CE? Realist-Regional Perspectives," in *Jews and Christians in the First and Second Centuries: How to Write Their History*, ed. Peter J. Tomson and Joshua Schwartz, Compendia Rerum Iudaicarum Ad Novum Testamentum 13 (Leiden: Brill, 2014), 126–206; Andrea M. Berlin and J. Andrew Overman, "Introduction," in *The First Jewish Revolt: Archaeology, History and Ideology*, ed. Andrea M. Berlin and J. Andrew Overman (Abingdon: Routledge, 2002), 1–15; Martin Goodman, "Current Scholarship on the First Revolt," in *The First Jewish Revolt: Archaeology, History and Ideology*, ed. Andrea M. Berlin and J. Andrew Overman (Abingdon: Routledge, 2002), 15–24.

32 See James S. McLaren and Martin Goodman, "The Importance of Perspective: The Jewish-Roman Conflict of 66-70 CE as a Revolution," in *Revolt and Resistance in the Ancient Classical World and the Near East: In the Crucible of Empire*, ed. John J. Collins and J. G. Manning (Leiden: Brill, 2016), 205–18.

avoided. In his influential statement of this thesis, Martin Goodman proposed that the default Roman tolerance towards Jews in Palestine "came under stress when revolt broke out in Jerusalem in 66 CE, sparked not by Jewish revulsion against Roman imperialism as a whole but in reaction to maladministration by an individual low-grade governor."[33] Roman leadership insisted on responding to the Jews with force. But Cestius Gallus, the legate tasked with enforcing Rome's imperial authority, bungled things,[34] which resulted in the massacre of his troops by increasingly outraged Jews. Rome now felt itself doubly challenged and resolved to punish the provocateurs. But "the punitive action planned in 66 escalated much further in 70, into an intensive siege of Jerusalem and the eventual destruction of the city."

How did the situation get so out of hand? Goodman explains:

> The cause was less the strength of Jewish resistance than a series of *coups d'état* in Rome which culminated in the decision of Vespasian to seek supreme power for himself. The total defeat of the Jews was needed to provide him with the aura of a victorious general which might justify his rise to power.[35]

Defeating the Jews had thus transformed from a Roman priority, to a specifically Flavian concern. Vespasian and Titus were, moreover, incentivized to subdue the revolt as conspicuously as possible, and keep their triumph over the Jews in the public eye. Whatever the motivations and aims of the Jewish rebels may have been,[36] therefore, the result was not only an easily explicable immediate-term

33 Goodman, *Rome and Jerusalem*, 580.
34 Although compare the analysis and perspective in Mason, *History of the Jewish War*, 281–334.
35 Goodman, *Rome and Jerusalem*, 580. In Mason's formulation, "From here onward it is easy to see how things could have spiraled out of control, contrary to anyone's original intention" (Mason, "War With Rome," 202.).
36 Scholars have long puzzled over this question. Much of the confusion, in my view, stems from the curse of knowledge. Historians are well positioned to see that the revolt was likely already doomed from the start. They have the further

catastrophe for the Jews, but seemingly inexplicable long-term repercussions that continued to reverberate throughout the Flavian period and beyond. The Jews of Palestine understood that the failed revolt would cost them. What they did not understand was why the consequences accrued for such an unusually long time.[37] Understanding the long-lasting sociopolitical effects of the revolt is critical for appreciating why more or less the entire first century CE should be seen as ground zero for the crisis conditions that incentivized the rise of prophets. It is no surprise, in other words, that first century Jews would begin to evince signs of the prophetic method during this period, including new claims for direct access to divine revelation. But what sort of form would such new claims take?

Neoclassical Prophecy

This brings us back to the question of prophecy in the first century CE. Prophets during this period – from John of Patmos, to Theudas and 'the Egyptian' – distinguish themselves from earlier wielders of the inspiration procedure by speaking as a "voice from the present." No Jewish figures had done this since the middle of the Persian period.[38] Something changed in the first century, and it resulted in

hindsight benefit of knowing that this is in fact what happened. Scholars have therefore long been tempted to wonder: what could the rebels possibly have hoped to accomplish? But it seems to me that James McLaren's explanation is the most straightforward: the rebels sought nothing less than to rid themselves of foreign rule, along with all those who oversaw and abetted it, and to establish in its place an independent state. How could the rebels have thought this was at all possible? McLaren's answer is deceptively simple. The rebels, including or perhaps especially the Jewish elites, embarked upon this course because – without the benefit of Josephan hindsight – they actually thought they could win. See James S. McLaren, "Going to War Against Rome: The Motivation of the Jewish Rebels," in *The Jewish Revolt Againt Rome - Interdisciplinary Perspectives*, ed. Mladen Popović, Supplements to the Journal for the Study of Judaism 154 (Leiden: Brill, 2011), 129–53; and see also McLaren and Goodman, "Importance of Perspective." As evidenced by the latter article, this argument appears now also to have convinced Martin Goodman.

37 See Goodman, *Rome and Jerusalem*, 445–511.

38 See Ephraim E. Urbach, "Halacha and Prophecy," *Tarbiz* 18, no. 1 (1946): 1–27 (Hebrew). Urbach argued that as far as early Jews were concerned, prophets thought to be on par with the Hebrew Biblical figures ceased to exist after the Persian period. He conceded, however, that belief in attenuated versions of prophecy continued to persist throughout the Second Temple period and beyond. But he does not detail the difference between full-blown prophecy and so-called attenuated prophecy. It seems to me that the easiest way to distinguish between the Persian period and first century CE figures, on one hand, and the divine inspiration sources we have examined from the third-first centuries BCE, on the other, is by measuring whether or not a source speaks as a "voice from the past," or a "voice from the present." However one decided what is, or isn't, 'real' prophecy, the past-present difference can be empirically measured, and speaks directly to the question of procedural norms.

renewed claims for access to prophecy similar to that found in the classical prophetic literature. We will therefore refer to the first century CE figures we have examined as "neoclassical prophets."[39]

But what changed during the first century that prompted the rise of neoclassical prophets? The theoretical tools from anthropological work on how religious groups cope with severe crisis episodes supply us with an answer. During the first century BCE, and into the following one, imperial Rome's relationship with Judea had achieved a relatively stable equilibrium. The *status quo ante* supported 'priestly' strategies for coping with any tensions that might have arisen between Rome and the Jews it ruled in Palestine. But as a series of extremely rapid escalations pushed the relationship into crisis, and as the fallout from this crisis became more severe than anticipated, many Jews began to pursue 'prophetic' strategies for addressing their place in a Roman world. In light of the anthropological literature, it is unsurprising that one of these strategies consisted of new claims to divine inspiration. This included, most significantly, a new willingness on the part of those who utilized inspiration as a procedure to speak with a "voice from the present," and characterize themselves as "prophets."

39 My conclusion here supplies a caveat for the recent trend in scholarship downplaying the significance of the Temple's destruction as a catalyst for massive change in first century Judaism and beyond. In general, see the essays in Daniel R. Schwartz and Zeev Weiss, eds., Was 70 CE a Watershed in Jewish History?: On Jews and Judaism Before and After the Destruction of the Second Temple (Leiden: Brill, 2012). See also Jonathan Klawans's argument for continuity in Jewish theology, essentially uninterrupted by the destruction; Klawans, *Josephus*. A consistent theme in David Henshke's recent work has been that far from inducing an immediate rupture, the impact of the Temple's destruction mostly began to manifest in rabbinic literature only after several generations at the very least; see, e.g., David Henshke, Festival Joy in Tannaitic Discourse (Jerusalem: The Hebrew University Magnes Press, 2007), (Hebrew). This turn in the scholarship represents a necessary corrective to earlier historians who generally tended to overrate the importance of the Temple's destruction as a source of both immediate and far-reaching change in Jewish life; see Daniel R. Schwartz, "Introduction: Was 70 CE a Watershed in Jewish History? Three Stages of Modern Scholarhip, and a Renewed Effort," in Was 70 CE a Watershed in Jewish History?: On Jews and Judaism Before and After the Destruction of the Second Temple, ed. Daniel R. Schwartz and Zeev Weiss (Leiden: Brill, 2012), 1–19. Nevertheless, we need not go too far in the other direction. It is clear that the first century CE crisis did prompt some important, relatively rapid changes. The reappearance of self-proclaimed prophets is one of them. Of course, as I discuss at length below, we must recall even here the strands of continuity tying the first century to the previous ones. I leave it to the reader to determine if I have struck the proper balance between emphasizing continuity and change.

We can now pinpoint the first century CE, in the run-up to the revolt, as the setting for reappearance in Jewish sources of divine inspiration in "voice from the present" sources. Insofar as inspiration over the previous two centuries had been bound up with scriptural interpretation, we are now well positioned to see both the continuity and disjunction represented by neoclassical prophecy. Early Jews had asserted access to divine inspiration throughout the first two centuries BCE. What distinguished the first century CE prophets was that they claimed inspiration for themselves without tying it to interpretation.

This is a perfect place to pick up our story. How did the prophets' efforts at unbundling inspiration and interpretation affect scriptural interpreters? What impact did the unbundling of inspiration and interpretation have upon the perspective of authoritative teachers in this period and beyond? Did they recognize that this unbundling had occurred? Did authoritative teachers end up developing strategies for confronting divine revelation and scriptural interpretation as separate phenomena? The answers to these questions would end up fundamentally shaping the subsequent intellectual history of Judaism, and eventually Christianity as well.

The Persistence of Inspired Interpretation in the First-Second Centuries CE

We have seen how, in some cases, divine inspiration could exist on its own, untethered to scriptural interpretation, during the first century CE. This initial stage of unbundling resulted from the first century's pressurized political context. Over the course of the following century, a second stage of unbundling would occur, transforming the enterprise of scriptural interpretation. We will explore these

changes in due course, but even as they emerged we can still identify substantial signs of continuity with the previous centuries. The gospel according to Luke provides us with a useful example.

The Gospel According to Luke

Let us begin with Luke's prologue.

> Ἐπειδήπερ πολλοὶ ἐπεχείρησαν ἀνατάξασθαι διήγησιν περὶ **τῶν πεπληροφορημένων ἐν ἡμῖν πραγμάτων**, καθὼς **παρέδοσαν ἡμῖν** οἱ ἀπ᾽ ἀρχῆς **αὐτόπται** καὶ ὑπηρέται γενόμενοι τοῦ λόγου, **ἔδοξε κἀμοὶ παρηκολουθηκότι ἄνωθεν πᾶσιν ἀκριβῶς καθεξῆς σοι γράψαι**, κράτιστε Θεόφιλε, ἵνα ἐπιγνῷς περὶ ὧν κατηχήθης λόγων τὴν ἀσφάλειαν.
>
> Since many have attempted to set in order the story[40] of *the events that have been fulfilled among us*, just as *it*[41] *was handed on to us* by those who from the beginning were *eyewitnesses* and servants of the word, *I too decided, after investigating everything carefully from the very first, to write an orderly account for you*, most excellent Theophilus, so that you may know the truth concerning the things about which you have been instructed. (Luke 1.1-4)

40 This translation is from Matthew D. C. Larsen, *Gospels Before the Book* (Oxford: Oxford University Press, 2018), 84. It reflects his convincing view that the prologue here refers to previous accounts with which Theophilus was dissatisfied. NRSV has: "Since many have undertaken to set down an orderly account..." See in further detail below.

41 NRSV reads "just as *they were*..." taking the verb to refer to the "events." My translation takes the verb to refer to the "story." Cf. Larsen, Gospels, 84.

The prologue's author begins by claiming that all the material that follows was shaped according to certain deliberate editorial principles.[42] This is important in light of recent developments in scholarship on the gospels. Matthew Larsen has presented a compelling argument for viewing the early gospel materials as constituting fluid, unfinished notes (*hypomnēmata*) recalling the life and times of Jesus. Their earliest readers would not have conceived the texts we now call Mark or Matthew as different books, published by different authors, that happen to treat the same subject. They likely would have seen them as common parts of a developing effort to remember Jesus's life and death.[43] Shortly after the publication of Larsen's book, he and Mark Letteney went on to show that understanding the early gospel versions in this manner can even explain the material form in which these gospels were always preserved: the codex.[44] Luke's gospel, however, is potentially different. On one hand, its prologue supports Larsen's view of the unfinished, less-ordered character of the gospel according to Mark. But on the other, the prologue also claims that the gospel account to follow represents a more careful,

42 For the view that the prologue represents a later accretion to the textual tradition of Luke's gospel see Joseph B. Tyson, *Marcion and Luke-Acts: A Defining Struggle* (Columbia: University of South Carolina Press, 2006), 109–16. Tyson notes as well the key affinities between the prologue and the conclusion of the gospel according to Luke (24.44-47); see also Richard J. Dillon, *From Eye-Witnesses to Ministers of the Word: Tradition and Composition in Luke 24* (Biblical Institute Press, 1978), 270–72; Richard J. Dillon, "Previewing Luke's Project from His Prologue (Luke 1:1-4)," *Catholic Biblical Quarterly* 43, no. 2 (1981): 212–14. Other highly influential treatments of Luke's prologue include Henry J. Cadbury, "Commentary on the Preface of Luke," in The Beginnings of Christianity, ed. F. J. (Frederick John) Foakes-Jackson and Kirsopp Lake, Reprint, vol. 2 (Grand Rapids: Baker Book House, 1979), 489–510; idem., The Making of Luke-Acts (London: MacMillan and Co., Limited, 1927), 344–50; Günter Klein, "Lukas 1,1-4 Als Theologisches Programm," in Zeit Und Geschichte: Festschrift Rudolf Bultmann (Tübingen: Mohr Siebeck, 1964), 193–216; I. I. Du Plessis, "Once More: The Purpose of Luke's Prologue (Lk I 1-4)," Novum Testamentum 16, no. 4 (1974): 259–71; Loveday Alexander, The Preface to Luke's Gospel: Literary Convention and Social Context in Luke I.1-4 and Acts I.1, Society for New Testament Studies Monograph Series 78 (Cambridge: Cambridge University Press, 2005). For a critique of the latter see David E. Aune, Jesus, Gospel Tradition and Paul in the Context of Jewish and Greco-Roman Antiquity: Collected Essays II (Tübingen: Mohr Siebeck, 2013), 107–15.

43 Larsen, *Gospels*, 79–99. "To that end," writes Larsen, "when referring to textual traditions extending back to the first and second centuries, I do not refer simply to the names of 'Mark,' 'Matthew,' 'Luke,' but to the Gospel according to Mark, the Gospel according to Matthew, and the Gospel according to Luke" (p. 83). Cf. Matthew D. C. Larsen, "Correcting the Gospel: Putting the Titles of the Gospels in Historical Context," in *Rethinking 'Authority' in Late Antiquity: Authorship, Law, and Transmission in Jewish and Christian Tradition*, ed. A. J. Berkovitz and Mark Letteney (London: Routledge, 2018), 78–103.

44 See Matthew D. C. Larsen and Mark Letteney, "Christians and the Codex: Generic Materiality and Early Gospel Traditions," *Journal of Early Christian Studies* 27, no. 3 (2019): 383–415. Larsen and Letteney present a particularly helpful analogy (p. 386): "Just as a contemporary reader would be surprised to see her newspaper delivered either in looseleaf or in bound codex form rather than in the standard broadsheet or increasingly popular online format, the ancient Christian reader of 'gospel' would expect the text, based on its genre, to be transmitted as a codex, either in the older wooden or the increasingly popular papyrus format."

structured effort (ἔδοξε κἀμοὶ παρηκολουθηκότι ἄνωθεν πᾶσιν ἀκριβῶς καθεξῆς σοι γράψαι).[45] If, therefore, we can identify features in Luke's gospel that read coherently with each other, we can fairly argue that they represent how Luke's compiler intended this material to be read.[46]

Unsurprisingly for us, given the analysis in my previous chapters, Luke's prologue begins by outlining procedural norms. Scholars universally recognize that it makes some argument for how to understand the subsequent material, whether by listing the author's credentials, his methodology, or his purpose.[47] But what argument in particular does it make? Verse 1 employs a difficult verb, *plērophoreō*, which appears very rarely in prior Greek literature,[48] and whose function we must clarify in order to sort out the prologue's procedural commitment. But first we must attend to some of the wording in verse 2, which we have encountered before.

In verse 2 we find the verbs *paradidōmi* and *parakoloutheō*. The former we saw in our examination of the Pharisees, signaling the handing down of traditions. The latter is another verb that belongs to the authoritative teachers' procedural vocabulary, indicating close attendance to the teaching of a master.[49] Does Luke's prologue endorse an authoritative teacher procedural norm? The answer may emerge by comparing Luke's prologue with the ouevre of Papias of Hierapolis.[50]

45 See Larsen, *Gospels*, 83–87. Larsen and Letteney do note, however, that later writers would even regard the gospel according to Luke as belonging to the genre of unfinished notes; see Larsen and Letteney, "Christians and the Codex," 403–7.

46 Cf. Bovon on "κἀμοὶ" (François Bovon, Luke 1: A Commentary on the Gospel of Luke 1:1-9:50, trans. Christine M. Thomas, Hermeneia - A Critical and Historical Commentary on the Bible (Minneapolis: Fortress Press, 2002), 21). I adopt this approach in contradistinction to how I will treat material from, e.g., Mark, from which I have no expectation of a well-structured, unified perspective.

47 Bovon, Luke 1, 16.; and see above p. 183 n. 42.

48 Du Plessis, "Luke's Prologue," 263.

49 See Azzan Yadin-Israel, "'For Mark Was Peter's Tanna'": Tradition and Transmission in Papias and the Early Rabbis,'" *Journal of Early Christian Studies* 23, no. 3 (2015): 348–51.

50 Many have suggested reading Luke's prologue in conversation with the fragments from Papias. See Larsen, *Gospels*, 87–94; Richard Bauckham, *Jesus and the Eyewitnesses: The Gospels as Eyewitness Testimony* (Grand Rapids: Wm. B. Eerdmans Publishing, 2008), 29–30. But as Larsen notes, "Papias is always cited as a source and made to do work in someone else's argument" (p. 87), although in fairness Larsen does this too since he is interested not in Papias, but in the textual tradition of the gospel according to Mark. Yadin-Israel has recently studied Papias on his own terms – paying

Papias flourished contemporaneously, in all likelihood, with the prologue's author. It is noteworthy therefore that among the citations from Papias that Eusebius preserved in the *Ecclesiastical History* we find the following:

> εἰ δέ που καὶ **παρηκολουθηκώς** τις τοῖς πρεσβυτέροιςἔλθοι, τοὺς τῶν πρεσβυτέρων ἀνέκρινον λόγους·τί Ἀνδρέας ἢ τί Πέτρος εἶπεν ἢ τί Φίλιππος ἢ τίΘωμᾶς ἢ Ἰάκωβος ἢ τί Ἰωάννης ἢ Ματθαῖος ἤτις ἕτερος τῶν τοῦ κυρίου μαθητῶν, ἅ τε Ἀριστίωνκαὶ ὁ πρεσβύτερος Ἰωάννης, τοῦ κυρίουμαθηταί, λέγουσιν. **οὐ γὰρ τὰ ἐκ τῶν βιβλίωντοσοῦτόν με ὠφελεῖν ὑπελάμβανον, ὅσον τὰπαρὰ ζώσης φωνῆς καὶ μενούσης**
>
> But whenever someone arrived *who had been a companion* of one of the elders, I would carefully inquire after their words, what Andrew or Peter had said, or what Philip or what Thomas had said, or James or John or Matthew or any of the other disciples of the Lord, and what things Aristion and the elder John, disciples of the Lord, were saying. *For I did not suppose that what came out of books would benefit me as much as that which came from a living and abiding voice*. (*Papias* 3.4)[51]

special attention to the vocabulary under discussion – but, other than citing Bauckham, does not discuss Papias in light of Luke's preface; see Yadin-Israel, "Peter's Tanna."

51 Cited according to Bart Ehrman's edition in Bart D. Ehrman, *The Apostolic Fathers, Volume II: Epistle of Barnabas. Papias and Quadratus. Epistle to Diognetus. The Shepherd of Hermas*, Loeb Classical Library 25 (Cambridge: Harvard University Press, 2003). In Eusebius this material is found at *Hist. eccl.* 3.39.

Eusebius then comments:

> καὶ ὁ νῦν δὲ ἡμῖν δηλούμενος Παπίας τοὺς μὲν τῶν ἀποστόλων λόγους παρὰ **τῶν αὐτοῖς παρηκολουθηκότων** ὁμολογεῖ παρειληφέναι, Ἀριστίωνος δὲ καὶ τοῦ πρεσβυτέρου Ἰωάννου αὐτήκοον ἑαυτόν φησι γενέσθαι. ὀνομαστὶ γοῦν πολλάκις αὐτῶν μνημονεύσας, ἐν τοῖς αὐτοῦ συγγράμμασιν τίθησιν **αὐτῶν παραδόσεις**.
>
> This Papias, whom we have just been discussing, acknowledges that he received the words of the apostles from *those who had been their followers*, and he indicates that he himself had listened to Aristion and the elder John. And so he often recalls them by name, and in his books he sets forth *the traditions that they passed along*. (*Papias* 3.7)

We encounter in these passages the same two verbs we found in Luke's prologue. As noted, these belong to the same procedural vocabulary we associated with accounts of the Pharisees and other authoritative teachers. In the context of Papias, they establish that Papias's project is to seek out authoritative teachers who can recount faithfully the instructions and inspiring behavior of *their own* teacher, Jesus. The best teachers, of course, are the ones who attended their own teacher faithfully (*parakoloutheō*),[52] and pass down what they learned to their students (*paradidōmi*). Papias clearly endorses authoritative teacher procedural norms. Shall we say the same for Luke's prologue?

52 Yadin-Israel makes the ingenious claim that παρακολουθέω is cognate with ש–מ–ש in rabbinic Hebrew; see Yadin-Israel, "Peter's Tanna," 350–51. As we will see below, there is much more evidence to substantiate this suggestion. However, given my analysis in the previous chapters of authoritative teacher procedural norms since the early second century BCE, Yadin-Israel's claim that "Papias [is] the single most important precursor for the literary corpus that would come to define rabbinic Judaism" (p. 362), must be amended. This claim, moreover, does not take into account the important role that mundane scriptural interpretation will end up playing in the history of rabbinic Judaism – a role that suggests a whole other suite of procedural precursors..

Not so fast. As Yadin-Israel points out, the type of witnesses to Jesus's career in which Papias was interested were "ear-witnesses" (*autēkooi*). This is because Papias wished to record and understand the instructions of an authoritative teacher, Jesus. As far as Papias was concerned, the only reliable way to undertake this task was to trace these instructions through an authenticated chain of transmission consisting of Jesus's faithful students (and their students in turn). Papias's conception of Jesus as a wise teacher who gathered disciples around him was not remarkable. It was reflected in many early memories of Jesus's career. Josephus, for example, relates the following:[53]

> Γίνεται δὲ κατὰ τοῦτον τὸν χρόνον Ἰησοῦς **σοφὸς ἀνήρ**, εἴγε ἄνδρα αὐτὸν λέγειν χρή· ἦν γὰρ παραδόξων ἔργων ποιητής, **διδάσκαλος** ἀνθρώπων τῶν ἡδονῇ ἡδονῇ τἀληθῆ δεχομένων

53 What follows is part of the so-called *Testimonium Flavianum*, in which Josephus describes Jesus. Beginning in the late sixteenth century, scholars began to question its authenticity, noting in particular its improbably christological language. The voluminous bibliography on this matter, with its attendant proliferation of scholarly opinion, has lately been helpfully summarized in Alice Wheatley, "The Testimonium Flavianum," in *A Companion to Josephus*, ed. Honora Howell Chapman and Zuleika Rodgers, Blackwell Companions to the Ancient World (Oxford: Wiley Blackwell, 2016), 345–55. Most scholars at present regard the passage as at least partially authentic, and the christological language as an interpolation. The late Louis Feldman succinctly summarized the majority position as follows, "The most probable view seems to be that our text represents substantially what Josephus wrote, but that some alterations have been made by a Christian interpolator"; see Louis H. Feldman, ed., *Josephus: Jewish Antiquities, Books XVIII-XIX*, Loeb Classical Library 433 (Cambridge: Harvard University Press, 1965), 49 note b. See also Paula Fredriksen, *Jesus of Nazareth, King of the Jews: A Jewish Life and the Emergence of Christianity* (New York: Alfred A. Knopf, 1999), 249.

Ken Olson has devised perhaps the most convincing argument leveled against the passage's authenticity. He argues on linguistic and literary grounds that it was composed by Eusebius, to substantiate his claims about Jesus's dual nature. See Ken Olson, "A Eusebian Reading of the Testimonium Flavianum," in *Eusebius of Caesarea: Tradition and Innovations*, ed. Aaron Johnson and Jeremy Schott (Cambridge: Harvard University Press, 2013), 97–114. Many thanks to my wonderful colleague Mark Letteney for bringing this article to my attention. Olson's argument is tempting, especially his points about Josephan usage, but for now I remain unconvinced. A key plank in Olson's case relies on the passage fitting much better into a Eusebian context than a Josephan one. But the passage actually fits perfectly into Josephus's narrative in Book 18. It forms part of a litany of examples testifying to Pilate's mismanagement of Judea. In particular, it illustrates the many Rome-inflicted indignities the Jews bore peacefully. Josephus presents this as being in stark contrast to the Samaritans, described in the immediately following section, whose tensions with Rome deteriorated into violence.

> About this time there lived Jesus, *a wise man*, if indeed one ought to call him a man. For he was one who wrought surprising feats and was *a teacher* of such people as accept the truth gladly. (*A.J.* 18.63)

Josephus characterizes Jesus as a wise man (σοφὸς ἀνήρ) and a teacher (διδάσκαλος). Note that neither here nor anywhere else does Josephus describe Jesus as a scriptural interpreter. Although brief, the procedural picture we encounter in Josephus is similar to the one in Papias: Jesus is an authoritative teacher whose authority proceeds from his wisdom and awe-inducing deeds.[54] A passage in the gospel according to Mark similarly describes Jesus's activity: "And he went throughout Galilee, proclaiming the message (κηρύσσων) in their synagogues and casting out demons."[55] Here, too, Jesus is remembered as a wonder-working authoritative teacher. Finally, note the introduction to the Gospel of Thomas:[56]

> οἵτοι οἱ {οι} λόγοι οἱ [ἀπόκρυφοι οὓς ἐλά]λησεν Ἰη(σοῦ)ς ὁ ζῶν κ[αὶ ἔγραψεν Ἰούδα ὁ] καὶ Θωμᾶ

54 See Fredriksen, *Jesus of Nazareth*, 247–49. Fredriksen further claims that Josephus's characterization of Jesus "conforms strongly to the picture in the Synoptics" (p. 248). Her interest is in establishing whether or not Jesus had claimed for himself the title of messiah. But as we shall see, at least with respect to procedural norms, there are important differences between Josephus's characterization and that found in the gospel according to Luke.

55 Mark 1.39. As should be clear from the context in which I cite this passage, I am not claiming any particular authorial ideology for the gospel of Mark as a whole. I am merely arguing that the above represents a reasonable interpretation of this passage that fits well with other early memories of Jesus. Many thanks to Mark Letteney for an enormously helpful conversation on using material in the gospel according to Mark. Any mistakes on the matter are, of course, my own.

56 Identifying a date for Thomas has been notoriously difficult. See the dozens of views represented in the table prepared by Simon J. Gathercole, *The Gospel of Thomas: Introduction and Commentary* (Leiden: Brill, 2014), 125. Barring any new evidence, the most appropriate conclusion regarding Thomas's date seems to be: sometime in the first two centuries CE. I tend to prefer a date around the very early second century, by my argument here is unaffected by that tentative conclusion.

> These are the [secret] sayings [which] the living Jesus [spo]ke, [as Judas] Thomas w[rote them down]. (Gos. Thom. Prologue)[57]

We again encounter Jesus as a wise teacher whose sayings bear passing down and contemplation.[58] Significantly, the entire subsequent Gospel of Thomas features not a single

57 The Greek is cited from *P. Oxy.* 654.1-5. See April DeConick, *The Original Gospel of Thomas in Translation* (New York: T & T Clark, 2006), 44. Unless otherwise noted, I cite English translations of Gos. Thom. from Gathercole, *Gospel of Thomas*. DeConick renders: "These are the [secret] words that the Living Jesus spoke and that [Judas] Thomas [wrote down]" (DeConick, *Gospel of Thomas*, 44.). With respect to characterizing the gospel's opening line, Gathercole rightly notes "These opening words are more a prologue than an incipit, the latter suggesting a superscript title in the manuscript ('here begins the *Gospel of Thomas*')," (Gathercole, Gospel of Thomas, 191) [italics in original]. Cf. DeConick, *Gospel of Thomas*, 44–46.

58 Richard Valantasis argues that three voices are present in the prologue: Jesus, Thomas, and "the narrator" (Richard Valantasis, *The Gospel of Thomas* (New York: Routledge, 2008), 38.). In his view, the narrator displaces Thomas a mere scribal repository, otherwise unimportant to the subsequent text. Gathercole correctly demurs, arguing "the function of Thomas here is to guarantee the authenticity of these 'words': his modest role as a mere scribe does not detracts from this" (Gathercole, *Gospel of Thomas*, 194. But then Gathercole proceeds to claim that Thomas's role as scribe, as opposed to a student relaying his teacher's words, is meant to "guarantee a pure and uncontaminated voice of Jesus" (Ibid.). He contrasts the scribal Thomas with Papias's characterization of Mark as *hermēneutēs*, which Gathercole takes to signal a more interventionist form of preservation. Leaving aside the fact that the immediately following *logion* in Thomas (Gos. Thom. 1) actually specifically calls for *hermēneia* of Jesus's teachings (see textual note in *DeConick, Gospel of Thomas*, 46–47.), I suspect that underlying these dueling interpretations of Valantasis and Gathercole is a faulty set of assumptions regarding the relationship between textuality and orality in antiquity. Cf., e.g., *David Brakke,* "Parables and Plain Speech in the Fourth Gospel and the 'Apocryphon of James,'" *Journal of Early Christian Studies* 7, no. 2 (1999): 216. In Brakke's analysis of the *Apocryphon of James*, on which see in much greater detail below, he sets "written scriptures" in opposition to "oral culture." Cases like this highlight how unfortunate it is that the study of rabbinic literature and early Christian literature have been siloed off from one another. Rabbinicists have long studied the relationship between orality and textuality, with recent years seeing important progress, both theoretically (see, e.g., Martin S. Jaffee, Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism, 200 BCE - 400 CE [Oxford: Oxford University Press, 2001]) and empirically (see, e.g., Yaakov Sussman, "'The Oral Torah': Meant Literally - The Power of the Point of a Yod," in Mehqerei Talmud: Talmud Studies Dedicated to the Memory of Ephraim E. Urbach, vol. 3 (Jerusalem: Magnes Press, 2005), 209–394 [Hebrew]). See a review of the literature in Ishay Rosen-Zvi, "Orality, Narrative, Rhetoric: New Directions in Mishnah Research," *AJS Review* 32, no. 2 (2008): 236–42.

To the extent that rabbinic literature bears signs of both textuality and orality, it can help demonstrate that those two phenomena are not necessarily opposed in late antiquity; see Martin S. Jaffee, "What Difference Does the 'Orality' of Rabbinic Writing Make for the Interpretation of Rabbinic Writings," in *How Should Rabbinic Literature Be Read in the Modern World?*, ed. Matthew Kraus (Piscataway, N.J.: Gorgias Press, 2006), 17–18. Moreover, rabbinic literature can also help correct (or at least problematize) the assumption that an anonymous preserver of older teachings – like Valantasis's "narrator" – must have been utilizing anonymity for ideological reasons. Compare, e.g., Moulie Vidas's comments on the Babylonian Talmud: "In an oral performance, it would be clear which scholar presented the [pericope recited for discussion]. It is hard to imagine that the audience of Talmudic *sugyot* – who were exposed to numerous Talmudic discussions that speculate about the authors of anonymous teachings and that frequently read teachings in light of their putative authors – would not have been sensitive to the identity of those presenting these *sugyot* to them" (Tradition and the Formation of the Talmud [Princeton and Oxford: Princeton University Press, 2014], 75).

Finally, putting the study of rabbinic literature in conversation with the study of early Christian literature can supply mutually beneficial empirical controls. To take one example: when Brakke argues that written traditions developed as a solution to the problem of no longer being able to speak directly with Jesus (Brakke, "Parables and Plain Speech," 216), rabbinic literature can serve as a check on this theory. After all, rabbinic literature responds to this very same challenge – transmitting individual teachings across long stretches of time – specifically by *ideologically embracing* orality. It is

instance of explicit scriptural interpretation, nor any reference to such activity. Whether the Gospel of Thomas should be regarded as a coherent text, a 'rolling corpus', or *hypomnēmata*, is an open question.[59] Regardless, the impression one gets from the Jesus constructed in Thomas is as an authoritative teacher, whose teachings should be transmitted by and to faithful students. To return to Papias's imagery, the procedural context in these sources calls for "ear-witnesses" (*autēkooi*) to Jesus's teachings.

Divinely Inspired Scriptural Interpretation in Luke

In the Gospel according to Luke, however, we find something else entirely. The prologue's author, as we have seen, was interested not in ear-witnesses, but "eye-witnesses" (*autoptai*)[60] – in what Jesus's followers saw, not merely in what they heard. The prologue's author, in fact, is explicitly unsatisfied with the transmission efforts of his predecessors. Luke's gospel, at least from the perspective of the preface, is actually an attempt to correct those earlier efforts.[61] Understanding this dissatisfaction helps explain the strange use of *autoptai* in this context. After all, the noun implies seeing, and yet is here accompanied by verbs keyed to hearing (*paradidōmi*, and then *parakoloutheō*). Exegetes have long attempted to account for the fact that verse 2 seems to refer at once to both ocular and auditory

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important to note, of course, that this rabbinic phenomenon requires explanation just as much as the early Christian one. Rosen-Zvi, for example, correctly notes that Sussman's impressive empirical case for thoroughgoing rabbinic orality is still very much undertheorized (Rosen-Zvi, "New Directions," 241 n. 48). It is here that the foregoing analysis in this dissertation can help: the authoritative teacher procedural type emphasized the importance of wise instructors of exemplary ability in vouchsafing the tradition for the next generation. To the extent that rabbinic literature bears the influence, at least in part, of this procedural type, it is readily understandable that pervasive orality would become a strategy for preserving authenticity. The point is not the orality per se, but its suggestion of *the teacher* as a locus of authority. But, just as importantly, authoritative-teachers are not *incompatible* with textuality either. This is suggested by rabbinic literature itself (*contra* Sussman; see Rosen-Zvi, Ibid.), and appears to be suggested by texts like the Gospel of Thomas as well.

59 See Gathercole, Gospel of Thomas, 24–29.

60 As were others, like Josephus; see Bauckham, *Jesus and the Eyewitnesses*, 25ff.

61 Larsen, *Gospels*, 84–86.

experience.[62] But in fact, Luke's preface is the earliest attested instance in Greek literature in which *autoptai* engage in activity described via *paradidōmi* (or, for that matter, *parakoloutheō*).[63] Luke's prologue therefore does not describe a standard course of events.

Rather, just as Larsen perceived in the preface a *literary* critique of previous attempts to record the gospel, its use of *autoptai* to describe Luke's legitimating sources serves as a *procedural* critique of those prior attempts as well. The argument in verses 1-2 of the prologue is that prior efforts relied on procedural norms (e.g. exemplified by *paradidōmi*) appropriate for earwitnesses, when what is really needed are procedural norms appropriate for eyewitnesses (*autoptai*).[64]

This subtle procedural polemic is our first clue that the prologue's author endorses something other than the authoritative teacher norm. But what procedure does he prefer instead? The answer lies in the peculiar verb in verse 1 that we noted earlier: *plērophoreō*. The prologue's author conceives of his project as narrating "the events that have been fulfilled (πεπληροφορημένων) among us." The purpose of the gospel according to Luke is to record and explain this "fulfillment." This verb is exceedingly rare, and appears rarely, if ever, prior to the gospel traditions.[65] It is no surprise, therefore, that its precise nuances are still hotly contested. Earlier scholars were convinced that *plērophoreō* was simply

62 See Cadbury, *Luke-Acts*, 346–47; Michael Wolter, *The Gospel According to Luke: Volume I (Luke 1-9:50)*, trans. Wayne Coppins and Christoph Heilig, Baylor-Mohr Siebeck Studies in Early Christianity (Tübingen: Mohr Siebeck, 2016), 47–48; Bovon, *Luke 1*, 20–21; Dillon, *From Eye-Witnesses*, 270–72, and see note 115; on "seeing" versus "hearing" see Bauckham, *Jesus and the Eyewitnesses*, 406.

63 According to the *Thesaurus Linguae Graecae: A Digital Library of Greek Literature* (Irvine, Calif., TLG, 2001), accessed online on November 10, 2019 (henceforth, TLG).

64 The prologue's author then describes his own work via the verb *parakoloutheō*. The meaning of this verb has been hotly contested, both in this context (see Bovon, Luke 1, 21–22), and in material attributed to Papias (see Yadin-Israel, "Peter's Tanna," 348–51). But note that the prologue's author does not actually claim to have *parakoloutheō*-ed anyone in particular (*contra* Bauckham, Jesus and the Eyewitnesses, 123), which is what we should correctly have expected, as per Yadin-Israel, in the context of authoritative-teacher procedural vocabulary. The result, as a century of modern scholarship on Luke's preface demonstrates, is a highly ambiguous sentence. The prologue's author mimics the language of someone learning from a teacher, but does not actually describe this process, other than to claim in his first clause that others have done an unsatisfactory job of this. My argument is simply that that this ambiguity – even awkwardness – is a deliberate effect of the passage's procedural critique.

65 Cadbury, "Preface of Luke," 495; Du Plessis, "Luke's Prologue," 263.

the author's unwieldy word for 'happen.'[66] More compelling, in my view, is the preponderance of scholarship construing *plērophoreō* 'come to fruition' or 'come to fulfillment." In this context, it refers to events conforming to God's purpose as outlined in the Hebrew scriptures.[67] Understood this way, the prologue finds an important echo in the passage that closes the gospel according to Luke.

> Εἶπεν δὲ πρὸς αὐτούς· Οὗτοι οἱ λόγοι μου οὓς ἐλάλησα πρὸς ὑμᾶς ἔτι ὢν σὺν ὑμῖν, **ὅτι δεῖ πληρωθῆναι πάντα τὰ γεγραμμένα ἐν τῷ νόμῳ Μωϋσέως καὶ προφήταις καὶ ψαλμοῖς περὶ ἐμοῦ**. τότε **διήνοιξεν αὐτῶν τὸν νοῦν τοῦ συνιέναι τὰς γραφάς**, καὶ εἶπεν αὐτοῖς ὅτι οὕτως γέγραπται παθεῖν τὸν χριστὸν καὶ ἀναστῆναι ἐκ νεκρῶν τῇ τρίτῃ ἡμέρᾳ, καὶ κηρυχθῆναι ἐπὶ τῷ ὀνόματι αὐτοῦ μετάνοιαν καὶ ἄφεσιν ἁμαρτιῶν εἰς πάντα τὰ ἔθνη—ἀρξάμενοι ἀπὸ Ἰερουσαλήμ· ὑμεῖς ἐστε μάρτυρες τούτων.
>
> Then he said to them, "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*." Then *he opened their minds to understand the scriptures*, and he said to them, "Thus it is written, that the Messiah is to suffer and to rise from the dead on the third day, and that repentance and forgiveness of sins is to be proclaimed in his name to all nations, beginning from Jerusalem. You are witnesses of these things. (Luke 24.44-48)

66 See Cadbury, "Preface of Luke," 495–96; Klein, "Programm," 198. Strangely, while Cadbury dismissed (without argument) alternative interpretations as unserious, he simultaneously criticized the preface's author for his word choice: "Luke has chosen a longer and more sonorous word when a simple [one] would have served his purpose" (p. 496). For a more recent opinion along the lines of Cadbury and Klein, see Wolter, *Gospel According to Luke I*, 46–47.

67 See the views surveyed in Joel B. Green, *The Gospel of Luke*, New International Commentary (Grand Rapids: Wm. B. Eerdmans Publishing, 1997), 39; and Bovon, *Luke 1*, 20. See also Dillon, From Eye-Witnesses, 270–72; idem., "Luke's Project," 213; Tyson, Marcion and Luke-Acts, 113; Susan J. Wendel, Scriptural Interpretation and Community Self-Definition in Luke-Acts and the Writings of Justin Martyr, Supplements to Novum Testamentum 139 (Leiden: Brill, 2011), 91–93.

Richard Dillon has forcefully called attention to the coherence between Luke's prologue and this passage. He notes the presence of the verb *plēreo* (πληρωθῆναι), echoing the prologue's *plērophoreō*, by which the Jesus of the gospel according to Luke interprets his resurrection. In this telling of the gospel, it is precisely and only at this moment that the disciples finally understand Jesus's teachings. How do they understand? Through Jesus revealing to them the true meaning of "the law of Moses, the prophets, and the psalms" (τῷ νόμῳ Μωϋσέως καὶ προφήταις καὶ ψαλμοῖς), that is, "the scriptures" (τὰς γραφάς). Of course, Jesus had taught the disciples before, including the relevant scriptural material:

> Παραλαβὼν δὲ τοὺς δώδεκα εἶπεν πρὸς αὐτούς· Ἰδοὺ ἀναβαίνομεν εἰς Ἰερουσαλήμ, καὶ **τελεσθήσεται πάντα τὰ γεγραμμένα διὰ τῶν προφητῶν τῷ υἱῷ τοῦ ἀνθρώπου**· παραδοθήσεται γὰρ τοῖς ἔθνεσιν καὶ ἐμπαιχθήσεται καὶ ὑβρισθήσεται καὶ ἐμπτυσθήσεται, καὶ μαστιγώσαντες ἀποκτενοῦσιν αὐτόν, καὶ τῇ ἡμέρᾳ τῇ τρίτῃ ἀναστήσεται. **καὶ αὐτοὶ οὐδὲν τούτων συνῆκαν, καὶ ἦν τὸ ῥῆμα τοῦτο κεκρυμμένον ἀπ' αὐτῶν, καὶ οὐκ ἐγίνωσκον τὰ λεγόμενα**.
>
> Then he took the twelve aside and said to them, "See, we are going up to Jerusalem, and *everything that is written about the Son of Man by the prophets will be accomplished*. For he will be handed over to the Gentiles; and he will be mocked and insulted and spat upon. After they have flogged him, they will kill him, and on the third day he will rise again." *But they understood nothing about all these things; in fact, what he said was hidden from them, and they did not grasp what was said*. (Luke 10.31-34)

Jesus endeavors to interpret the scriptures for his disciples, but without success.[68] The problem, of course, is that we are dealing here with *mundane* scriptural interpretation. The disciples are therefore unable to "understand" (συνῆκαν) the prophets' words. It is only once Jesus, with his post-resurrection powers and status, "opened their minds" (διήνοιξεν αὐτῶν τὸν νοῦν) that they could finally "understand" (συνιέναι). This passage straightforwardly describes inspired scriptural interpretation. Only now, having implemented the correct procedural norm, can Luke's Jesus speak of the "fulfillment" we were promised in the prologue.[69] Similarly, this passage refers to correct procedure in the context of past procedural failures.

The gospel according to Luke thus begins and ends with a subtle but crucial revision of the procedural assumptions embedded in early memories of Jesus and his disciples as attested in Josephus, the gospel according to Mark, Thomas, and Papias. Those prior memories had been shaped by a procedural commitment to inspired authoritative teachers.[70] But here the memories of Jesus are recalled in the context of inspired scriptural interpretation. And much as we discovered in our analysis of Greek Sirach's prologue to the translation of Hebrew Ben Sira, it seems that the entire point of Luke's

68 See Wendel, *Scriptural Interpretation*, 92; Joshua L. Mann, "What Is Opened in Luke 24:45, the Mind or the Scriptures?," *Journal of Biblical Literature* 135, no. 4 (2016): 805.

69 Kenneth Litwak has argued that this passage refers to mundane scriptural interpretation. He claimed that "this may be analogous to the way in which a proper grasp of the historical background of a biblical text enables a better understanding of it"; see Kenneth Duncan Litwak, *Echoes of Scripture in Luke-Acts: Telling the History of God's People Intertextually*, Journal for the Study of the New Testament Supplement Series 282 (London: T & T Clark International, 2005), 119. Litwak's argument rests on the presumption that the verb *dianoigō* describes interpretation *simpliciter*. But what is the evidence for this in the context of Jewish scriptural interpretation prior to the gospel according to Luke? We have identified any examples of mundane interpretation prior to this period, and have found many counterexamples, so the burden of evidence must be on Litwak. Moreover, as Susan Wendel notes, what then distinguishes Luke 24.44 from 18.31-34? See *Wendel, Scriptural Interpretation*, 92–93 n. 28. Matthew Bates mounted a more substantial challenge by attempting to retranslate this passage. He proposed νοῦν, instead of γραφάς, as the direct object of συνιέναι; thus: "Then Jesus exposited the Scriptures so that the disciples could understand their meaning." See *Matthew W. Bates,* "Closed-Minded Hermeneutics? A Proposed Alternative Translation," *Journal of Biblical Literature* 129 (2010): 537–57. Joshua Mann, however, has ably shown that Bates' proposal is untenable; see Mann, "What Is Opened."

70 See in much greater detail below, in the following chapter, especially concerning Paul.

prologue is to signal this procedural revision – a further indication of procedural norms' continuing centrality around the turn of the second century CE.

Acts continues the effort to revise early memories of Jesus and his followers by shifting the procedural context from authoritative teachers[71] to inspired scriptural interpretation. One example will suffice:[72]

> καὶ παρήγγειλεν ἡμῖν κηρύξαι τῷ λαῷ καὶ **διαμαρτύρασθαι**[73] ὅτι οὗτός ἐστιν ὁ ὡρισμένος ὑπὸ τοῦ θεοῦ κριτὴς ζώντων καὶ νεκρῶν. τούτῳ πάντες **οἱ προφῆται μαρτυροῦσιν**, ἄφεσιν ἁμαρτιῶν λαβεῖν διὰ τοῦ ὀνόματος αὐτοῦ πάντα τὸν πιστεύοντα εἰς αὐτόν. Ἔτι λαλοῦντος τοῦ Πέτρου τὰ ῥήματα ταῦτα **ἐπέπεσε τὸ πνεῦμα τὸ ἅγιον** ἐπὶ πάντας τοὺς ἀκούοντας τὸν λόγον.
>
> He commanded us to preach to the people and *to testify* that he is the one ordained by God as judge of the living and the dead. *All the prophets testify* about him that everyone who believes in him receives forgiveness of sins through his name." While Peter was still speaking, *the holy spirit*[74] *fell* upon all who heard the word. (Acts 10.42-44)

Richard Pervo described this passage as "[proposing] two types of proof: eyewitness testimony to the fact that Jesus returned to life after the crucifixion and the inartistic witness of Scripture to his status as

71 Albeit inspired ones; I will explicate this phenomenon in much greater detail below. For now, however, recall the stark difference outlined above between 4QInstruction, on the one hand, and Greek Sirach, Jubilees or Pesher Habakkuk on the other.

72 Although it can be replicated several times; see below on the interpretation of Paul found in Acts.

73 τῷ λαῷ καὶ διαμαρτύρασθαι | Some witnesses rearrange these words. But διαμαρτύρασθαι is still present in all of them. See Barbara Aland et al., eds., *Novum Testamentum Graece: Based on the Work of Eberhard and Erwin Nestle*, 28th Revised Edition (Münster: Deutsche Bibelgesellschaft, 2012), 414.

74 Capitalized in NRSV.

judge."[75] That's as may be, but are they meant, as Pervo assumed, to complement one another? Or should we adopt Richard Dillon's view that Luke-Acts narrates a shift from the apostles as recipients of inspired interpretation, to the apostles as authoritative teachers?[76] Neither of these seem attractive options in light of the fact that verse 43 seems to obviate verse 42. Consider the literary sequence. First, Peter tells those he is teaching in Caesarea that he and his colleagues are the ones authorizing those teachings. He describes this process through a form of the verb *diamarturomai* (διαμαρτύρασθαι). But in the next verse, the passage has Peter further claim that the prophetic writings themselves perform the exact same function, using a form of the functionally identical verb *marturomai* (μαρτυροῦσιν).[77] Immediately following Peter's reference to scriptures, the gathered crowd receives divine inspiration (τὸ πνεῦμα τὸ ἅγιον). Moreover, they access the spirit on their own (ἐπέπεσε), unmediated by Peter. The heady effects of the holy spirit – speaking in tongues, etc. – notwithstanding, the apparent result is that now the crowd has gained the same inspired interpretation of the prophetic writings as Jesus's original disciples,[78] thereby deftly undermining the disciples' role as authoritative teachers.

Here, as above, we have seen the compiler of Luke-Acts retell a story about authoritative teachers in such a way as to undermine that procedural norm in favor of another: inspired scriptural interpretation. This tactic is very close to the one we saw in the last chapter through our investigation of Jubilees. Recall that Jubilees would retell stories in order to undermine the authoritative teacher norm featured in the first telling. Only the inspired interpretation norm featured in the second telling was sufficient.

75 Richard I. Pervo, *Acts: A Commentary*, Hermeneia - A Critical and Historical Commentary on the Bible (Minneapolis: Fortress Press, 2009), 281.
76 Dillon, *From Eye-Witnesses*, 271–72. Cf. Tyson, *Marcion and Luke-Acts*, 113.
77 These verbs, and related forms built upon *martus*, play an important role in Acts; see David W. Pao, *Acts and the Isaianic New Exodus* (Eugene: Wipf and Stock Publishers, 2016), 170. Pao, however, assumed that this verb in Acts always implied the same procedural norm.
78 As Acts has Peter confirm in 10.47

Here, similarly, Luke-Acts revises earlier memories about Jesus of Nazareth that assumed authoritative teacher norms in order to highlight superior inspired interpretation norms.

But in addition to further confirming foundational concern for procedural norms in early Judaism, our analysis of the text we know as Luke-Acts indicates that divinely inspired scriptural interpretation was still alive and well at this time.

Conclusions

The first century CE unbundling of inspiration from interpretation did not *necessarily* mean that anything needed to change for scriptural interpreters. Inspired interpretation continued apace as it had for the first two centuries BCE, and it continued to react specifically against teacher procedural norms. But just over the horizon, at least by the early second century CE, lay a crucial shift in the procedure of scriptural interpretation that would fundamentally change early Judaism as we know it, and give shape to an eventually dominant discourse among followers of Jesus, Jewish or otherwise.

Mundane Scriptural Interpretation in the Second Century CE

Justin Martyr

We will begin our exploration of the changing Jewish procedural landscape at the turn of the second century CE Palestine with Justin Martyr. This might seem an odd place to begin, given the widespread

perception of Justin as a key figure in the so-called "parting of the ways" and a chief architect of a proto-orthodox gentile Christianity that rejects all ethnic reasoning. But recent studies have significantly complicated this one-sided portrayal.[79] Of course, Justin's entire worldview is incomprehensible *sans* Judaism, and it is no mistake that he structured one of his major works around a conversation, real or imagined, with a Jew. For all that Justin sought throughout the *Dialogue* and elsewhere to partition Jews and their way of life from the rest of civilization, in the end he could not carry off this task. He famously – for many scholars, puzzlingly – refused to excise from within his imagined community even those *gentiles* who apparently wholly rejected his arguments against Judaism as the right way of life.[80] In so many different ways, Judaism was completely inescapable for Justin.

79 In her solo contribution to the seminal volume she edited along with Adam Becker reassessing the parting of the ways, Annette Reed already noted the complexities in Justin's views about how to categorize Jews and Judaizers; see Annette Yoshiko Reed, "'Jewish Christianity' after the 'Parting of the Ways': Approaches to Historiography and Self-Definition in the Pseudo-Clementine Literature," in *The Ways That Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages*, ed. Adam H. Becker and Annette Yoshiko Reed (Minneapolis: Fortress Press, 2003), 193. Daniel Boyarin has highlighted the very fluidity and hybridity to which Justin's efforts testify, and upon which they seem to be built; see Daniel Boyarin, Border Lines: The Partition of Judaeo-Christianity (Philadelphia: University of Pennsylvania Press, 2010), 37–44. Denise Kimber Buell convincingly demonstrated that reports of Justin's eschewal of ethnic reasoning have been greatly exaggerated. In fact, "Justin does not reject but rather redefines the concept of ethnoracial membership for Christians in the *Dialogue*"; see Denise Kimber Buell, *Why This New Race? Ethnic Reasoning in Early Christianity* (New York: Columbia University Press, 2005), 98, and see in general 94-115. And Benjamin White has noted Justin's apparent inability to sustain consistently the boundaries he wished to erect, most notably with respect to gentiles who adopt Judaism, including circumcision, along with Christ-belief, which presumably they saw as part and parcel of Judaism; see Benjamin L. White, "Justin between Paul and the Heretics: The Salvation of Christian Judaizers in the Dialogue with Trypho," Journal of Early Christian Studies 26, no. 2 (2018): 163–89. White's exemplary article is both interesting, and indicative that we are likely misunderstanding Justin's project of identity-construction. Examining it anew seems to me a scholarly desideratum, although methodological caution is urgently required; see Brubaker and Cooper, "Beyond 'Identity.'"

80 For Justin, Judaism was more or less just the husk from which Christ had emerged; subsequently, they were doomed to suffer. And yet Justin is not only aware of (former!) gentiles who seem entirely to have rejected this view, but even admits them within the boundaries of his 'groupness,' or self understanding; for 'groupness' see Brubaker and Cooper, "Beyond 'Identity,'" 19–21. For Justin's ultimate assessment of gentiles who adopted the Jewish way of life, including circumcision, along with Christ-belief – which presumably they saw as part and parcel of Judaism, see *Dial.* 47.4, and White, "Christian Judaizers." Even if White's argument from Justin's concerns about Marcion are correct, this does not change the fact that Justin did not, in fact, draw the same red line around Judaism he is so often characterized as drawing.

An additional element supporting Justin's inclusion in our discussion is his understudied and oft-ignored personal background. With due caution for the pitfalls of relying on self-presentation, Justin's life can, to a certain extent, be reconstructed from his writings.[81] He identifies himself as "Justin, son of Priscus and grandson of Bacchios who both come from Flavia Neapolis in Syria Palaestina" (*1 Apol.* 1.1). Vespasian had established Neapolis on the site of the village of Mamortha, near ancient Shechem, in Samaritan territory. Justin, in fact, refers to himself as a Samaritan: "For I gave no thought to any of my people, that is, the Samaritans (Σαμαρέων), when I had a communication in writing with Caesar" (*Dial.* 120.6). The simple meaning is that Justin was a Samaritan. Scholars, however, have been reluctant to embrace this rather straightforward conclusion. Craig Allert speculated that Justin called himself a Samaritan merely because he grew up in Samaritan territory.[82] Reinhard Pummer has not detected any indisputable Samaritan influence on Justin's thought that cannot also be explained through the larger context of polemics by and among followers of Jesus.[83] I confess that I am not sure why the burden of proof is upon "Samaritan-ness" to prove itself over against Jesus-following in Justin's case. In fact, attempting to guess whether or not Justin may have been a Samaritan seems quite beside the point to me, since Justin explicitly tells us that he was. Likely at the root of all this hesitancy are wider biases regarding Samaritans in historical scholarship on early Judaism and Christianity. The last several

81 In citing Justin's work, I have used the Greek from the TLG database, taken from E.J. Goodspeed, *Die Ältesten Apologeten* (Göttingen: Vandenhoeck & Ruprecht, 1915), 90–265. Translations of the *Dialogue* are from Michael Slusser, ed., St. Justin Martyr: Dialogue with Trypho, trans. Thomas B. Falls, Selections from the Fathers of the Church 3 (Washington, D.C: The Catholic University of America Press, 2003); translations of both *Apologies* from Denis Minns and Paul Parvis, eds., *Justin, Philosopher and Martyr: Apologies*, Oxford Early Christian Texts (Oxford: Oxford University Press, 2009).

On Justin's life, see generally L.W. Barnard, *Justin Martyr: His Life and Thought* (Cambridge: Cambridge University Press, 1967), 1–13; Craig D. Allert, *Revelation, Truth, Canon and Interpretation: Studies in Justin Martyr's Dialogue With Trypho*, Supplements to Vigiliae Christianae 64 (Leiden: Brill, 2002), 27–31.

82 Allert, *Dialogue With Trypho*, 28 n. 119.

83 See Reinhard Pummer, *Early Christian Authors on Samaritans and Samaritanism: Texts, Translations and Commentary* (Tübingen: Mohr Siebeck, 2002), 14–30. Barnard concedes that Justin was a Samaritan "by birth," but concludes, albeit without any of Pummer's extensive analysis, that "nothing in his writings suggests that he was familiar with Samaritan tradition or religion" (Barnard, Justin Martyr, 5). See also Reinhard Pummer, "New Evidence for Samaritan Christianity?," *Catholic Biblical Quarterly* 41, no. 1 (1979): 99.

years, happily, have seen a new flowering of interest in Samaritans for their own sake.[84] While this scholarly turn is still relatively recent, this much is clear: Samaritans participate in the discourse of Israelite-ness along with Jews. Whether or not Justin was sufficiently 'Samaritan' for modern historians, Justin most certainly belongs in this discourse as well.

In light of all the above, Justin's entire life and worldview require Jews and Judaism. His self-identification, theology, and even vocabulary have been shaped by and against a world that Judaism constructed. It is certainly no mistake that he structured his *magnum opus* around a conversation, real or imagined, with a Jew. Perhaps more importantly, as Benjamin White has noted, Justin's supposedly overriding *substantive* commitment to a gentile, specifically non-Jewish, Christ-centered community does not actually hold throughout his works.[85] We will see that what allows for this peculiarity is actually Justin's conviction that right *procedure* is sufficient for holding his imagined community together. Justin therefore certainly belongs in a conversation about Jewish procedural norms in and around second century CE Palestine.

Mundane Scriptural Interpretation in Justin Martyr

84 See the survey Ingrid Hjelm, "Mt. Gerizim and Samaritans in Recent Research," in *Samaritans' Past and Present: Current Studies*, ed. Menachem Mor, Friedrich V. Reiterer, and Waltraud Winkler (Berlin: De Gruyter, 2010), 25–41. See also the many other helpful essays in that volume. Understandably, this shift in Samaritan Studies has produced, in my view, some substantial overcorrecting. Compare Hjelm's perspective, for example, with the conclusions in Gary N. Knoppers, *Jews and Samaritans: The Origins and History of Their Early Relations* (Oxford: Oxford University Press, 2013), 18–44. Even Knoppers' more measured approach raises questions. Given advances our application of the insights of literary analysis and narratology to ancient Israelite traditions, why assume that 2 Kings 17 is *only* consistent with the so-called 'myth of the empty land," such that it becomes merely a foil for the new Samaritan scholarship? See also Menachem Mor, "Who Is a Samaritan?," in *Who Is a Jew? Reflections on History, Religion, and Culture*, ed. Leonard J. Greenspoon, Studies in Jewish Civilization (West Lafayette: Indiana University Press, 2014), 153–68; Reinhard Pummer, "Was There an Altar or a Temple in the Sacred Precinct on Mt. Gerizim?," *Journal for the Study of Judaism in the Persian, Hellenistic and Roman Period* 47, no. 1 (2016): 1–21. Most recently, see now Matthew Chalmers, "Representations of Samaritans in Late Antique Jewish and Christian Texts" (PhD Dissertation, University of Pennsylvania, 2019).

85 White, "Christian Judaizers." White's conclusion about *why* this is so does not affect my argument here.

Unsurprisingly, Justin begins his *Dialogue* with an extended discourse on right procedure. When Justin first meets his likely-imagined Jewish interlocutor, Trypho, the two of them immediately settle upon a mutual appreciation for philosophy (*Dial.* 1.3-4).[86] The problem, they both further agree, is not with philosoph*y*, but philosoph*ers*. For while philosophers ask some of the right questions, and come up with some of the right answers, they also hold lots of wrong ideas. These, of course, are substantive concerns. Trypho asks Justin how he would resolve this problem. Justin responds by presenting an extended narration of his intellectual journey, and eventual arrival at Christ-belief. Justin begins his tale by describing a systemic flaw in contemporary philosophical inquiry:

> συνέβη τοῖς πρώτοις ἁψαμένοις αὐτῆς καὶ διὰ τοῦτο ἐνδόξοις γενομένοις ἀκολουθῆσαι τοὺς ἔπειτα μηδὲν ἐξετάσαντας ἀληθείας πέρι, καταπλαγέντας δὲ μόνον τὴν καρτερίαν αὐτῶν καὶ τὴν ἐγκράτειαν καὶ τὸ ξένον τῶν λόγων **ταῦτα ἀληθῆ νομίσαι ἃ παρὰ τοῦ διδασκάλου ἕκαστος ἔμαθεν, εἶτα καὶ αὐτούς, τοῖς ἔπειτα παραδόντας τοιαῦτα ἄττα καὶ ἄλλα τούτοις προσεοικότα**, τοῦτο κληθῆναι τοὔνομα, ὅπερ ἐκαλεῖτο ὁ πατὴρ τοῦ λόγου
>
> They who first turned to philosophy, and, as a result, were deemed illustrious men were succeeded by men who gave no time to the investigation of truth, but, amazed at the courage and self-control of their teachers as well as with the novelty of their teachings, *held that to be the truth which each had learned from his own teacher. And they in turn transmitted to their successors such opinions, and others like them*, and so they became known by the name of him who was considered the father of the doctrine. (*Dial.* 2.2)

86 See below for further discussion of just what Justin means by "philosophy."

While Justin reserves his judgment of the first and, to his mind, greatest philosophers for later, he make clear the trouble with contemporary philosophy: its procedural commitment to authoritative teachers is killing the discipline. All they do is believe their teachers (ἃ παρὰ τοῦ διδασκάλου ἕκαστος ἔμαθεν), and subsequently pass on (παραδόντας) those teachings to their own students. This does not mean that philosophers cannot arrive at substantive truths. We shall see that Justin thought the giants of the field, so to speak, had gotten some things right. Justin himself, as he cycled through teachers during his young adulthood (*Dial.* 2.3-6), claims that at a certain point "I forged ahead in philosophy and day by day improved." But even with the greatest philosophers, as we shall see, a procedural flaw prevents their full intellectual and behavioral flourishing.[87]

Eventually, Justin meets an old man "of meek and venerable appearance" (πρᾶον καὶ σεμνὸν ἦθος ἐμφαίνων), but otherwise unremarkable, who gradually leads Justin down the path towards Christ-belief.[88] The old man probes for substantive weaknesses in the philosophers' opinions, and identifies several. But in other cases Justin is able to parry the old man's arguments. Eventually Justin responds to the old man's latest riposte incredulously, "Do you think...that these things escaped the notice of Plato and Pythagoras?" (*Dial.* 5.6). The old man replies that whether the great philosophers may have arrived at some right substantive conclusions is immaterial since they "do not know the truth" (*Dial.* 7.1). In narrating his response to the old man, Justin reveals the fundamental question at stake: "If these philosophers," I asked, "do not know the truth, what teacher or method shall one follow?" (Ibid.). The

87 My colleague Mark Letteney suggests the intriguing possibility that Justin actually conceived of "philosophy" in substantive terms, using it as a circumlocution Platonic monotheism; email communication, Tuesday January 7th, 2020.

88 Suggestions about the old man's identity are manifold, some more fanciful than others. See Slusser, *Dialogue with Trypho*, 7 n. 7; Oskar Skarsaune, *The Proof From Prophecy - A Study in Justin Martyr's Proof-Text Tradition: Text-Type, Provenance, Theological Profile*, Supplements to Novum Testamentum 56 (Leiden: Brill, 1987), 246. The cleanest answer in my view seems to be that "the old man is simply a respected Christian" [or, perhaps more cautiously, follower of Jesus]; Graham Stanton, *Studies in Matthew and Early Christianity*, ed. Marcus Bockmuehl and David Lincicum (Tübingen: Mohr Siebeck, 2013), 379.

crux of the matter, Justin tells us, is procedure. The old man obliges by supplying Justin with a new procedural norm:

> Ἐγένοντό τινες πρὸ πολλοῦ χρόνου πάντων τούτων τῶν νομιζομένων φιλοσόφων παλαιότεροι, μακάριοι καὶ δίκαιοι καὶ θεοφιλεῖς, θείῳ πνεύματι λαλήσαντες καὶ τὰ μέλλοντα θεσπίσαντες, ἃ δὴ νῦν γίνεται· προφήτας δὲ αὐτοὺς καλοῦσιν. **οὗτοι μόνοι τὸ ἀληθὲς καὶ εἶδον** καὶ ἐξεῖπον ἀνθρώποις, μήτ' εὐλαβηθέντες μήτε δυσωπηθέντες τινά, μὴ ἠττημένοι δόξης, ἀλλὰ μόνα ταῦτα εἰπόντες ἃ ἤκουσαν καὶ ἃ εἶδον ἁγίῳ πληρωθέντες πνεύματι. **συγγράμματα δὲ αὐτῶν ἔτι καὶ νῦν διαμένει, καὶ ἔστιν ἐντυχόντα τούτοις πλεῖστον ὠφεληθῆναι καὶ περὶ ἀρχῶν καὶ περὶ τέλους καὶ ὧν χρὴ εἰδέναι τὸν φιλόσοφον, πιστεύσαντα ἐκείνοις**.
>
> "A long time ago," he replied, "long before the time of those so-called philosophers, there lived blessed men who were just and loved by God, men who spoke through the inspiration of the Holy Spirit and predicted events that would take place in the future, which events are now taking place. We call these men prophets. *They alone knew the truth* and communicated it to men, whom they neither deferred to nor feared. With no desire for personal glory, they reiterated only what they heard and saw when inspired by a holy spirit. *Their writings still now remain,*[89] *and the one reading them is greatly aided concerning the beginning and end of all things, and that which the philosopher needs to know, believing these things*.[90]" (*Dial* 7.1-2)

89 This translation is from Wendel, *Scriptural Interpretation*, 99. See following note.

90 For this last sentence I have adopted the translation in Allert, *Dialogue With Trypho*, 96. Falls, by contrast, attempts to force the issue of Justin's procedural norms by translating, "Their writings are still extant, *and whoever reads them with the proper faith* will profit greatly in his knowledge of the origin and end of things, and of any other matter that a philosopher should know"; see Slusser, *Dialogue with Trypho*, 14. In this translation, it's not enough merely to read the prophets' writings; a *certain type* of reading is required. This is a somewhat forced parsing of πιστεύσαντα, and it is

The old man refers Justin to a cadre of truly spectacular people, the Hebrew prophets, who "alone knew the truth" (οὗτοι μόνοι τὸ ἀληθὲς καὶ εἶδον), and were thus distinct from the philosophers Justin and the old man had been discussing. Literarily, the reader is set up for the expectation that Justin will need to go and learn from these prophets, much as he had from his various other teachers. The problem, of course, is that the prophets are long gone. But never fear, Justin's old man reassures us, there is still a way to access their teachings: through their extant writings (συγγράμματα δὲ αὐτῶν ἔτι καὶ νῦν διαμένει). This presents us, however, with a familiar problem. How should one interpret these writings? In fact, as we saw in our analysis of the first two centuries BCE, this question was the crux of the authoritative teachers' critique of scriptural interpreters. What guarantee do you have of precision and rightness in your study if your source is not a living being whose wisdom, virtue and trustworthiness can readily be ascertained? The scriptural interpreters – again, as we saw – responded by appeal to divine inspiration. Who, after all, could be more trustworthy than God? Accordingly, scriptural interpreters of the previous three centuries, as we uncovered, all claimed to be *inspired* interpreters. What about Justin?

One influential recent view among scholars, most prominently Susan Wendel, is that Justin, too, insisted on inspired interpretation. In a study earlier this decade, Wendel attempted to trace a through-line from inspired interpreters in the first two centuries BCE, to Luke-Acts, to Justin.[91] Our analysis above of Luke-Acts aligned with this characterization, in particular the way in which Jesus's post-

worth noting that when Justin uses that word elsewhere in the *Dialogue* (26.1), he is describing the things people believe about Jesus, similar to the function the aorist participle plays in Allert's translation. Even Wendel, who adopts – erroneously, as I shall argue – the view that Justin advocates *inspired* interpretation translates, "Their writings still now remain, and the one who reads and believes them..."; *Wendel, Scriptural Interpretation*, 99.

91 See Wendel, *Scriptural Interpretation*. Although note that Wendel perceived inspired interpretation – or, drawing on Michael Fishbane's work, "exegetical illumination" – as just one of several types of scriptural interpretation during this period. See Ibid. 2; and see Michael Fishbane, "From Scribalism to Rabbinism: Perspectives on the Emergence of Classical Judaism," in *The Sage in Israel and the Ancient Near East*, ed. John C. Gammie and Leo G. Perdue (Winona Lake: Eisenbrauns, 1990), 45; and cf. Fishbane, "Mikra at Qumran."

resurrection activity is described in the gospel according to Luke. Wendel claimed that Luke-Acts and Justin share common peculiarities not found in other first or second century memories of Jesus.[92] But while it is true that Justin, in the *Dialogue*, participates in a common discourse with Luke-Acts about Jesus's post-resurrection interpretation of the scriptures, Justin's description bears important *dis*similarities to the one in the gospel according to Luke we examined earlier (Luke 24).

Here is Justin:

> ἀλλὰ καὶ διὰ τοῦ προφήτου Ζαχαρίου, ὅτι παταχθήσεται αὐτὸς οὗτος ὁ Χριστὸς καὶ διασκορπισθήσονται οἱ μαθηταὶ αὐτοῦ, προεφητεύθη· ὅπερ καὶ γέγονε. μετὰ γὰρ τὸ σταυρωθῆναι αὐτὸν οἱ σὺν αὐτῷ ὄντες μαθηταὶ αὐτοῦ διεσκεδάσθησαν, μέχρις ὅτου ἀνέστη ἐκ νεκρῶν **καὶ πέπεικεν αὐτοὺς** ὅτι οὕτως προεπεφήτευτο περὶ αὐτοῦ παθεῖν αὐτόν· **καὶ οὕτω πεισθέντες** καὶ εἰς τὴν πᾶσαν οἰκουμένην ἐξελθόντες ταῦτα ἐδίδαξαν
>
> But also through the prophet Zechariah it was foretold that this same Christ would be struck, and his disciples would be scattered, which also has happened. For, after he was crucified, his disciples, who were with him, were dispersed until he arose from the dead, *and had persuaded them* that it had been predicted about him that he would suffer in this way. *And when they were persuaded thus*, they went out into all the world and taught these things. (*Dial.* 53.5)[93]

92 Wendel, *Scriptural Interpretation*, 89.

93 This is Wendel's translation; Ibid. 98. Falls translates the bolded passages above as "and proved to them," and "When they were convinced of this"; Slusser, *Dialogue with Trypho*, 80.

Wendel teases out the implication of this passage as follows: "In a manner very similar to Luke, Justin highlights the authoritative status of the exegesis of the apostles by showing it to be a disclosure that only the risen Christ could provide."[94] But notice the gap between Justin's description of the risen Christ and the depiction in the gospel according to Luke. Luke 24 explicitly portrays the disciples as the recipients of inspired interpretation: "then he opened their minds to understand the scriptures" (διήνοιξεν αὐτῶν τὸν νοῦν τοῦ συνιέναι τὰς γραφάς).[95] Not so in the *Dialogue*. Justin instead describes Jesus as 'persuading' the disciples of his reading of the scriptures (καὶ πέπεικεν αὐτοὺς), after which the disciples were, in fact, persuaded (καὶ οὕτω πεισθέντες). Later in the *Dialogue* Justin again uses the verb *peithō* to describe *how* Jesus taught his disciples: "It [i.e. the predictions of the prophets] was therefore indeed impossible to understood by anyone until he himself convinced (ἔπεισε) the apostles that these things had been announced expressly in the scriptures" (*Dial.* 76.7).[96] Wendel appears to acknowledge that Justin here is *not* describing inspired interpretation, because she only claims to have located that claim in Justin elsewhere in the *Dialogue*, namely, at the very conclusion of the old man's conversation with Justin. Just before parting, the old man offers the following exhortation to the young philosopher:

> εὔχου δέ σοι πρὸ πάντων φωτὸς ἀνοιχθῆναι πύλας· οὐ γὰρ συνοπτὰ οὐδὲ συννοητὰ πᾶσίν ἐστιν, εἰ μή τῳ θεὸς δῷ συνιέναι καὶ ὁ Χριστὸς αὐτοῦ
>
> But above all, pray that the gates of light be opened for you; for <these things> (i.e., the writings of the prophets) are neither perceived nor understood by all, except for the one to whom God and his Christ might give understanding. (*Dial.* 7.3)

94 Wendel, *Scriptural Interpretation*, 99.
95 Luke 24.45.
96 Wendel's translation; *Scriptural Interpretation*, 98.

Prior to Wendel, Andrew Hofer argued for reading this passage together with the description of Jesus's post-resurrection teaching in Luke 24, with both describing divinely inspired scriptural interpretation.[97] Certainly, as in Luke, we find both a verb for opening – here *anoignumi* – and the verb *suniēmi* (understand). But again, note the subtle but important difference. In the gospel according to Luke, Jesus opens the disciples minds, whereas in Justin it is instead "the gates of light"[98] that are opened with no indication what exactly happens to Justin himself. Even Wendel concedes that Justin does not clarify exactly what he means here. She is nevertheless convinced that Justin believed that understanding the scriptures required "inspired revelation" and "revelatory ability."[99] But there are several reasons why this cannot be Justin's meaning.

First, at least suggestive is the fact that Justin may just as easily be describing the divine inspiration granted to *the prophets*, rather than the ones *reading* the prophets' writings.[100] But more important, and decisively, Justin believed not only that he could convince Trypho of his understanding of the scriptures, but that in fact he had provided sufficient argument to do so. Moreover, it is critical to note that Justin's description of Jesus 'persuading' the disciples, rather than granting them revelatory interpretations, is echoed directly elsewhere in the *Dialogue*: it is exactly how Justin describes Trypho's current shortcomings, and his own attempt to win Trypho over. Trypho's problem, Justin argues, is that "you have been persuaded (πειθόμενος)[101] by teachers who are ignorant of the meaning of the Scriptures"; Justin resolves, therefore, methodically to prove his case to Trypho (*Dial.* 9.1). The verb *peithō* in this context does not indicate a revelatory experience. Not once does Justin ever attribute such

97 See Andrew Hofer, "The Old Man as Christ in Justin's Dialogue With Trypho," *Vigiliae Christianae* 57, no. 1 (2003): 8. And see Wendel, *Scriptural Interpretation*, 99-100.
98 An enigmatic phrase; see Slusser, *Dialogue with Trypho*, 14 n. 19.
99 Wendel, *Scriptural Interpretation*, 100-1.
100 See Allert, *Dialogue With Trypho*, 152–53.
101 Falls translates "instructed," but the Greek features a participial form of *peithō*; *Slusser, Dialogue with Trypho*, 17.

inspiration to Trypho. It refers, rather, to mundane, reasoned interpretation. Justin plans to *convince* Trypho, much as Justin himself was convinced of the proper way to read scripture. Justin thus uses the verb *peithō* in his portrayal of Jesus's post-resurrection teaching to link Jesus's scriptural interpretation with the disciples to his own interpretative work with Trypho. Whereas the gospel according to Luke depicted inspired interpretation of scripture, Justin described *mundane* interpretation of scripture.[102] Justin certainly thought divine inspiration was involved in this process, it's just that he believed it to be located not at the moment of interpretation, but rather at the moment the prophets' originally uttered their words.[103] Subsequent generations are then able to interpret the texts without any additional inspiration, although in Justin's view this only became fully possible after Jesus had lived and died, at which point the meaning of the scriptures can now be plainly known.

Throughout his work, including the *Apologies*, Justin remained consistent in insisting on the procedural priority of scriptural interpretation. In Justin's view, the only way to the whole truth is through the Hebrew scriptures. This is because the prophets who produced the Hebrew scriptures were directly inspired by God through his rational power (*logos*)[104] But until this power became incarnate, it was only the prophets who had full access to it. To be sure, all human beings have access to a "seed"

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102 By "mundane," here and below, I mean just "non-divinely-inspired," i.e. in contrast to the inspired interpretation we explored in the first two centuries BCE.

103 This is how Craig Allert interprets Justin's characterization of the old man's epistemological argument. The old man asks, "how the mind may ever see God if it is unadorned by the Holy Spirit." The old man's answer, constructed by Justin, is "the Prophet's are stated to express the words of God and to speak for God...Therefore, any statement of David, Isaiah, Moses, or any other Prophet foretelling by the Spirit of prophecy, or the Spirit of prophecy speaking from the person of Christ is viewed as coming ultimately form God because it was all done through the Spirit of prophecy." See Allert, *Dialogue With Trypho*, 152–53. Jesus's role in scriptural interpretation for Justin is not as subject – the source of inspiration, or teaching – but as object. His life, for Justin, is a sort of cipher that makes the prophetic writings intelligible to people. This is precisely the view, as well, advanced in Skarsaune, *Proof From Prophecy*, 12.

104 I must once again lament the unfortunate practice throughout scholarship on early Judaism and Christianity to leave certain terms untranslated, whether in an attempt to mystify them, sanctify them, make them seem hokey, or conspicuously signal the importance of specialized scholarly expertise in understanding them. See above p. 82 n. 92. "*Pesher,*" "*pleroma*," "*hypostasis* of the *archons*," "*sugya*" are all salient examples. Another is "*logos*." Scholarship on Justin has been greatly afflicted by this tendency, with perhaps the most prominent example being the second half of Boyarin, *Border Lines*. I have chosen here to translate it as God's rational power, in line with Allert's discussion in *Dialogue With Trypho*, 102–10.

(σπέρμα) of God's rational power, which is how philosophers are sometimes able to arrive at truth. But without examining and interpreting the prophetic writings, human can access no more than that. This is why philosophers, for instance, can only make progress inefficiently, and even then will fail to arrive at the whole truth (*2 Apol.* 10.2-4). Justin reinforces this point by claiming often that the philosophers took all of their correct conclusions directly from the prophetic writings:

> καὶ πάντα ὅσα περὶ ἀθανασίας ψυχῆς ἢ τιμωριῶν τῶν μετὰ θάνατον ἢ θεωρίας οὐρανίων ἢ τῶν ὁμοίων δογμάτων καὶ φιλόσοφοι καὶ ποιηταὶ ἔφασαν, παρὰ τῶν προφητῶν τὰς ἀφορμὰς λαβόντες καὶ νοῆσαι δεδύνηνται καὶ ἐξηγήσαντο.
>
> And everything whatever both the philosophers and poets said concerning the immortality of the soul or punishments after death or contemplation of heavenly things or similar teachings they were enabled to understand and they explained because they took their starting-points from the prophets (*1 Apol*. 44.9).

Justin repeats this argument dozens of times, even claiming that Plato had read the writings of Moses, sometimes using his very words.[105] In assigning to the philosophers a lower status than the prophets and their writings, Justin re-asserts the primacy of scriptural interpretation over other forms of inquiry. At the same time, however, the fact that Justin sees interpretation of the prophetic writings as a proper –

105 See *1 Apol.* 23.1, and the extended demonstration of this point in 59-60. Arthur Droge pointed out that Justin is building on a long-standing Jewish tradition that the heroes of Greek philosophy and myth got their knowledge from Moses; see Arthur J. Droge, *Homer Or Moses?: Early Christian Interpretations of the History of Culture*, Hermeneutische Untersuchungen Zur Theologie (Tübingen: Mohr Siebeck, 1989), 32–33, 59–64; Arthur J. Droge, "Justin Martyr and the Restoration of Philosophy," *Church History* 56, no. 3 (1987): 307–12. See also L.W. Barnard, ed., *St. Justin Martyr: The First and Second Apologies* (New York: Paulist Press, 1997), 157 n. 280. But note that the examples Droge and Barnard cite, like Aristobulus, Artapanus and Eupolemus, claim that the Greeks *learned* from Moses. Justin, however, claims that they – especially Plato – had *read* Moses, and sometimes even quoted his exact language. The earlier figures do not actually make this claim, *pace* Allert, *Dialogue With Trypho*, 144. Needless to say, the procedural distance between these two claims is considerable, although – to borrow a rabbinic phrase – this is not the place to expand upon this topic.

actually *the* proper – vocation for philosophical inquiry, further demonstrates that what Justin has in mind is scriptural interpretation carried out through mundane reasoning.[106]

This analysis reveals three critical points. First, we seem to have uncovered a new procedural norm: mundane scriptural interpretation.[107] The method of scriptural interpretation that Justin employs, unaccompanied as it is by divine inspiration, is not attested in the previous three centuries.

Second, we can see here the important role that procedure played in framing the question of relational self-identification. While Justin and his likely-imagined interlocutor are separated by wide gaps on matters of substance, it was procedure that could keep them talking together. Justin has Trypho say as much, "we would not have listened to you thus far, had you not constantly cited the Scriptures in your attempts to prove your point, and had you not stated that there is no God superior to the Creator of the world" (*Dial*. 56.16). When Justin sought to place himself in the same discourse as someone like Trypho, the two criteria he has Trypho outline for Justin are: 1) you are not literally an idolator, and 2) you utilize the correct procedural norm.

106 Justin's appeal to mundane reasoning integrates particularly well with the renewed emphasis in contemporary scholarship on demons and demonology in late antiquity. Thus, for instance, Annette Reed shows that Justin – drawing upon early Jewish traditions centered on Gen 6 – celebrates the "role of reason" in freeing people from demonic enslavement of human minds; see Annette Yoshiko Reed, "The Trickery of the Fallen Angels and the Demonic Mimesis of the Divine: Aetiology, Demonology, and Polemics in the Writings of Justin Martyr," *Journal of Early Christian Studies* 12, no. 2 (2004): 141–71.

107 Justin goes to great lengths throughout his oeuvre to emphasize the procedural primacy of scriptural interpretation over studying with authoritative teachers. We have already seen Justin critique the teacher procedure for producing students who adhere slavishly to their master's teachings without bothering with whether those teachings are wholly correct (*Dial.* 2.2). We have also seen that Justin's solution to this problem is for people to learn directly from scriptural writings. It is possible that for this reason Justin describes the person who recruits him as a follower of Jesus as an anonymous old man. His identity is simply unimportant relative to the writings he hopes Justin will properly interpret. Similarly, Justin writes in the *First Apology*, "Among us, therefore, it is possible to hear and learn these things from those who do not even know the formation of letters, being simple and uncouth in speech, but wise and trustworthy in mind" (*1 Apol.* 60.11).

Third, and finally: not only is Justin utilizing a seemingly new procedural norm, and not only does procedure allow Justin and Trypho to participate in the same conversation, but Justin believed it would be plausible to depict someone like Trypho, in the second century CE, as finding mundane scriptural interpretation an acceptable procedural norm. Given our analysis so far of the history of scriptural interpretation, with its long-standing inseparability from divine inspiration, how was this possible?

The answer lies in the rise of neoclassical prophecy in the first century CE, which we identified earlier. Rapidly deteriorating with Roman imperial rule represented an endongenous shock to the early Jewish procedural landscape. We have already identified one outcome from the shock: the rise of self-style prophets from Theudas and 'the Egyptian' to John of Patmos and beyond. These figures, comprising what I have called neoclassical prophecy, represented a new development in the world of procedure: divine inspiration *without* scriptural interpretation. But neoclassical prophets were but one new procedural development during this period. In a wider sense, the whole idea of neoclassical prophecy meant that the traditional bundle of inspiration and interpretation from the first two centuries BCE had now come undone. Inspiration had ventured off on its own. What this appears also to have done is license interpretation to do the same.

Midrash as Mundane Scriptural Interpretation

The idea that humans can interpret scripture on their own, unaided by inspiration, seems self-evident. But this is mostly a case of the winners writing the history books. In light of the procedural battles of the first two centuries BCE, by contrast, it is easy to see that mundane interpretation had to fight an uphill battle. In a world deeply influenced by authoritative teachers, the idea that a person could derive

right behavior from a text on one's own was difficult to comprehend. How would you know that your interpretation was correct? How could you even offer an interpretation to begin with absent the benefit of tradition as a guide? An authoritative teacher, from this perspective, was a much more intuitive source of right behavior. People could observe their teachers' virtue, and the esteem in which they were held by others, and thereby be assured that their teachings were themselves virtuous and estimable. And they in turn, no doubt, could similarly vouch for the virtue and goodness of *their own* teachers, and so on. Anyone without a teacher, in this view, would merely be twisting in the wind. Accordingly, perhaps the most critical function served by bundling scriptural interpretation with divine inspiration seems to have been responding to this challenge. The early scriptural interpreters didn't need teachers because, they claimed, they had the best teacher of all: God himself (or his angels). Claiming divine inspiration was no small matter, however, and it is understandable that it was restricted to interpreting scripture. After all, the scriptures represented divine communications to the Israelites, so it stood to reason that God should be involved in their continued relevance in the present day. But even this claim was audacious. Contemporary divine inspiration represented a serious challenge to the procedural logic and social role of authoritative teachers. In the context of the first century CE and onward, as prophets began to proliferate, this challenge became even more acute. We shall see in greater detail below that this development prompted a sustained response from authoritative teacher types. But in the meantime we can understand that scriptural interpreters were willing to perpetuate the unbundling process and go their own way.

But this left interpreters open to the very same charge that teachers had leveled for centuries: how can you possibly authenticate your conclusions?

It is therefore unsurprising that we begin to see hermeneutical rules appear within rabbinic works of scriptural interpretation of the second-third centuries CE. Take, for example, the early works of rabbinic legal exegetical literature (*midrash halakha*). These works were edited in the third century, and the sages mentioned in them flourished mostly in the second century CE.[108] We will explore them in greater detail in the next chapter. For the present context, it is noteworthy that at the very beginning of the Sifra – an exegetical work focused on the Book of Leviticus attributed to Rabbi Aqiva and his students[109]– the text begins with a lengthy procedural discussion on the stylistic nature of scripture (תורה) and how to interpret it:

> דרש הלל שבע מידות לפני זקני בתירה. קל וחומר. וגזירה שוה. [ובנין אב וכתב אחד][110] וביניין אב ושני כתובין. ופרט וכלל. וכ(ש)יוצא[111] בו ממקום אחר. ודבר למד מעינינו. אלו שבע מידות שדרש הלל הזקן לפני זקני בתירה

> Hillel expounded seven principles before the elders of Bathyra: [a law] less stringent and [a law] more stringent [and their relationship], and analogy [based on a similar word or expression], and prototype, and two verses [that contradict each other], and a specific [formulation] accompanied by a general [formulation], and [a difficult term that is

108 Though some figures mentioned therein come from earlier centuries as well. On these works – pl. *midreshei halakha* – see generally Menahem I. Kahana, "The Halakhic Midrashim," in *The Literature of the Sages - Second Part: Midrash and Targum, Liturgy, Poetry, Mysticism, Contracts, Inscriptions, Ancient Science and the Languages of Rabbinic Literature*, ed. Shmuel Safrai et al., Rerum Iudaicarum Ad Novum Testamentum (Philadelphia: Fortress Press, 2007), 4–67.

109 On the history of attributing the midrashic literature to the two "schools" of Rabbi Ishmael and Rabbi, see the discussion in Kahana, *Halakhic Midrashim*, 17ff. For helpful bibliography see the concise treatment and notes in Assaf Rosen-Zvi, "Text, Redaction and Hermeneutic in Mekhilta de-Rabbi Ishmael, Tractate Kaspa" (PhD Dissertation, Hebrew University of Jerusalem, 2016), 5–6 (Hebrew). And see below p. 281 n. 181. Many thanks to my friend and colleague Yitz Landes for bringing this wonderful dissertation to my attention.

110 Kahana observes correctly that this phrase is to be regarded as an interpolation resulting from a misunderstanding of the following phrase; see *Halakhic Midrashim*, 13 n. 49.

111 Kahana notes that the correct reading, as per most Sifra manuscripts, is וכיוצא; see ibid., 14 n. 51.

> explicable on the basis of] a similar one from another place, and a matter understood by virtue of context. These are the seven principles that Hillel expounded before the elders of Bathyra. (*Sifra*, *Beraita de-R. Yishmael* 1.8)[112]

This is a list of seven principles for interpreting scripture. It is attributed to Hillel, a first century BCE sage, but almost certainly dates from a much later period.[113] It is preceded by a longer list comprising thirteen principles, as well an appendix to that longer list providing actual examples of the principles at work. Since this expanded material dates from the end of the tannaitic period (mid-late third century CE), and since the list attributed to Hillel is an earlier version, it is likely that the tradition about Hillel dates from the mid-late second century CE.[114] If so, we have another clear example of mundane scriptural interpretation from this period, in addition to Justin.[115] After all, this source does not require any particular form of divine inspiration for interpreting scripture. We shall see in the next chapter that there is ample additional evidence for rabbinic mundane interpretation in the second century, albeit in different procedural contexts.

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112 See Louis Finkelstein, ed., *Sifra or Torat Kohanim According to Codex Assemani LXVI*, vol. 1 (New York: Jewish Theological Seminary of America, 1956), 9. As noted below, Sifra begins with a different list of thirteen hermeneutical principles, attributed to Rabbi Ishmael, as a well as an appended source providing examples of the principles in action. These sources are of uncertain date, although they are certainly tannaitic; see Kahana, *Halakhic Midrashim*, 16. I have cited the list of Hillel's principles instead because the general consensus is that this list is from earlier in the Tannaitic period, and represents the embryonic form, so to speak, of the larger list and its appendix; see Menahem I. Kahana, "The Development of the Hermeneutical Principle of Kelal u-Ferat in the Tannaitic Period," in *Studies in Talmudic and Midrashic Literature in Memory of Tirzah Lifshitz*, ed. Moshe Bar-Asher, Joshua Levinson, and Berachyahu Lifshitz (Jerusalem: Bialik Institute, 2005), 173–216 (Hebrew).

113 See Mandel, *Origins of Midrash*, 164–65, especially n. 55. Mandel notes that the sole source (*t. Pes.* 4.13-14) that is supposed to attest to Hillel explicitly employing (one!) of these principles has clearly been reworked so as to feature that one principle. Without the later addition of that principle to the Toseftan story, Hillel simply appeals to the traditions of his teachers. This is exactly what we would expect from nearly every other depiction of Hillel; see Mandel's note.

114 Its presence in a source associated with the school of Rabbi Akiva comports well with a common memory of Rabbi Akiva himself preserved in rabbinic literature: the arch-scriptural interpreter, who expounded "every section of the Torah"; see, on this phrase, Shlomo Naeh, "The Script of the Torah in Rabbinic Thought (B): Transcriptions and Thorns," *Leshonenu* 72, no. 1/2 (2010): 113–17 (Hebrew). And cf. Henshke, *Festival Joy*, 7–8, especially n. 38.

115 Although it would be beyond the scope of this dissertation, it would be interesting to explore whether Hillel's procedural legacy has been reworked from authoritative teaching to scriptural interpretation – a later parallel to the case of Ben Sira and Greek Sirach, or Aramaic Levi and the Testament of Levi. The perils of rabbinic 'biography' might make this difficult, but I imagine that this fertile ground for scholarly investigation.

Rabbis and Alexandrian Scholastic Methods

Understanding the second century CE as the date when mundane scriptural interpretation became popular in and around Palestine also helps us solve an important conundrum in contemporary scholarship. Recently, Yakir Paz has demonstrated the remarkable correspondence between rabbinic scriptural hermeneutics and Greek scholastic techniques in Homeric study.[116] While he establishes his case, in my view, beyond a reasonable doubt, it is still puzzling how the Greek scholastic methods made their way to the rabbis in Palestine. Even while some of these methods date from similar periods to the midrashic literature, much of Paz's material is of a much earlier date, from the second century BCE and perhaps earlier. He theorizes that perhaps the rabbis absorbed these methods from Jewish-Hellenistic thinkers. But even if this were a reasonable explanation, it is not at all clear how to explain the chronological gap between the development of these techniques, and the time by which they make their way to the rabbis in Palestine. Moreover, Paz himself notes that many of the core assumptions uniting Homeric and rabbinic scholarship *are not* shared by earlier Jewish scriptural interpretation.[117] Why, then, did it take several centuries for the Alexandrian scholastic methods to make their way to Palestine?

Given our evolving picture of the second century CE, however, we are now in a position to supply an answer. Prior to the second century, scriptural interpretation and divine inspiration had been bundled together. As we have seen, this bundling served an important function: it responded to the challenge of

116 See Paz, "Scribes to Scholars" (Hebrew); and see also Paz, "Re-Scripturizing Traditions: Designating Dependence in Rabbinic Halakhic Midrashim and Homeric Scholarship." I will return to the important arguments in this latter article in the next chapter.

117 Paz, "Scribes to Scholars," 47.

the authoritative teachers. But in the first century CE, due to the rapidly worsening situation with Rome, the bundle came undone. Inspiration as a procedure had found a life of its own without interpretation. At least by the second century, then, interpretation had done the same. Justin, his imagined interlocutor Trypho, and the midrashic sages all bear witness to the rise of mundane scriptural interpretation. But without divine inspiration, how could interpreters authenticate their conclusions? One possible answer would be to devise set rules for *how* scripture should be interpreted. However the rabbis encountered them, the Greek scholastic techniques must have come in handy for this purpose. But it was only by the first or second century CE that these techniques became important for Jewish scriptural interpreters, which is why we do not see them in Palestine at an earlier date.

Why Mundane Interpretation?

By now we have seen that during the first two centuries CE, inspired interpretation continued as it had for the last few centuries. But we glimpsed, in this same period, the rise of a new procedural norm: mudane interpretation. We also are able to establish a clear, historical setting for the emergence of this new procedural norm. We can answer the questions of "how?" and "why now?" What is less clear, however, is *why* exactly some interpreters – like Justin, and others as we shall see – decide to exit the traditional bundle of inspiration-interpretation at all? What did mundane interpreters hope to gain by eschewing the benefits (certainly vis-a-vis authoritative teachers) of claiming divine inspiration?

Unfortunately our sources themselves don't tell us much of anything on this score. We are therefore relegated quite firmly to the realm of guesswork. That said, my own best sense is that ever since the advent of scripturalization, scriptural interpretation had been a subversive activity. It allowed the

interpreter to effectively excise the role of contemporary authorities, like teachers. Inspiration, in turn, was the armor that protected interpreters from the charge of flouting the authority of teachers. Who, after all, was more authoritative than God? But at the same time, divine inspiration served as its own restraint on the power of interpreters. It was another box that interpreters needed to check. And as prophets began to dismantle the interpretation-inspiration bundle during the first century CE, interpreters gradually began to realize that just as prophets could succeed without necessarily appealing to the procedural authority of scripture, scriptural interpreters might succeed as well without appealing to the procedural authority of divine inspiration.

A further possibility, which we will explore in more detail in the next chapter, is to look at mundane interpretation from the perspective of authoritative teachers. In the second century BCE, the idea of scriptural interpretation – of a self-constituting corpus projecting authority over and above any contemporary teacher – was quite new. Teachers objected, as we saw, to the entire enterprise. While interpreters initially defended themselves by claiming the mantle of divine inspiration, the unbundling of inspiration and interpretation provided an alternative avenue for responding to the teachers' objections. After all, by the first century CE, it had probably become impossible simply to ignore the influence of scripturalization. By eschewing claims to divine inspiration and presenting scriptural interpretation as a mundane affair, interpreters were potentially making interpretation hospitable for people who might otherwise be attracted to the teacher procedural norm. After all, in the absence of divine inspiration, *someone* needed to interpret scriptures. Could teachers fill this role?

Conclusions

Whatever the case, this much is clear: in much the same way that neoclassical prophets in the first century CE were employing divine inspiration without interpretation, at least by the second century CE figures like Justin began to engage in the reverse: scriptural interpretation without inspiration. The rise of mundane interpretation development highlighted the importance of having rules or strategies for interpretation. The rabbis of the Sifra serve as an example from this era of early Jewish thinkers attempting to meet this challenge.

Conclusions

In this chapter we have seen subtle but crucial changes underway in the Jewish procedural landscape during the first two centuries CE. The most significant development during this period was the unbundling of scriptural interpretation and divine inspiration. The proximate cause of this unbundling was the deteriorating relationship with Roman imperial rule, which prompted the rise of self-identified prophets – inspiration without interpretation. In some cases, as in Luke-Acts, scriptural interpreters continued as they always had – claiming divine inspiration for their work. But in other cases, scriptural interpreters drove this unbundling as well. By the second century CE, or possibly sometime in the first century, interpreters begin to assert the ability to explain the scriptures without recourse to divine inspiration. This development, however, left interpreters open to the accusation that they had no way to authenticate their conclusions. It is for this reason that we begin to see evidence for interpreters devising rules or strategies to standardize scriptural interpretation.

But how did the authoritative teachers react to these ongoing processes? Did they continue to object to both inspiration and interpretation, albeit separately? We shall see that many did not. They ended up

choosing to make their peace with one. But which, and why? We will explore these questions in the next chapter.

Chapter 5: Authoritative Teachers in a World of Interpreters and Prophets

Introduction

Authoritative teachers in the first two centuries BCE were heirs to an earlier procedural tradition privileging the role of wise instructors. They drew in particular upon earlier wisdom traditions in describing the critical relationship between teacher and student. As in the earlier wisdom sources, the teacher's aim was to prepare the student for a life of virtue and civic influence. Beginning in the second century BCE commenced, teachers developed new strategies for articulating their procedural norms, which in turn reshaped how teachers conceptualized their role. Under the influence of genealogical traditions about Israel's ancient ancestors, for example, teachers began to utilize the chain of transmission motif. The chain of transmission – which authorizes instruction by tracing it back across several generations' worth of exemplary teachers – first appeared in Jewish sources during this period. As teachers increasingly saw themselves as participating in a multi-generational process, they began to pay more attention to the tactical difficulties of preserving wisdom across long stretches of time. This gave rise to fear over the "threat of rupture," characteristic of authoritative teacher sources.

Around the turn of the second century BCE, some early Jews began to conceive of their ancient traditions in scripturalized terms, and authorized their behavior by appealing to inspired interpretation of those traditions. The rise of scriptural interpretation provided a procedural alternative to authoritative teachers, as interpreters began to polemicize against teachers,[1] or completely revise traditions about

1 E.g. Jubilees.

them.[2] Teachers, by contrast, completely eschewed reliance upon scriptural interpretation, or even explicit invocation of scripture at all. Most of them deliberately refused an appeal to divine inspiration.[3] But we did see one case – 4QInstruction – in which teachers explicitly relied upon it.

In the first century CE, rapidly deteriorating relations with imperial Roman rule prompted the rise of neoclassical prophets – figures who eschewed founder discourse for a "voice from the present" perspective. Their appeal to direct, unmediated revelation began the process of unbundling divine inspiration and scriptural interpretation. In so doing, they added a new element to our procedural repertoire: prophecy, or, inspiration alone. How did the prophets' activity affect scriptural interpreters? Some interpreters continued to appeal to divine inspiration as part and parcel of the interpretative project.[4] In this respect we see continuity with the procedural norms of the previous two centuries. But in other cases, scriptural interpreters drove this unbundling as well. Some interpreters began to claim that an interpreter could actually *persuade* another person of the correct understanding of God's words. Interpretation was possible *on its own*, without inspiration. But in the absence of divine inspiration, scriptural interpreters needed new procedural techniques to authorize their endeavors. This led to the rise of "rules" for interpretation, which do not appear in Palestine before this period.

How did all of this procedural ferment affect authoritative teachers? Much as with procedural norms involving inspiration and interpretation, authoritative teaching in the first two centuries CE maintained important continuities with the previous two centuries. In some cases continuity and change converge, with one example being the evidence in the first century CE for inspired teaching. Although we did see

2 E.g. Greek Sirach's revision of Hebrew Ben Sira.
3 E.g. Aramaic Levi.
4 E.g. the gospel according to Luke.

some limited evidence for this phenomenon in the second century BCE, it became much more ubiquitous in the centuries we will presently examine.

Most interesting, however, is the evidence for significant shifts among authoritative teachers. Specifically, authoritative teachers during the first two centuries CE found it increasingly difficult to ignore the impact of scripturalization upon the world of early Judaism. They began to seek strategies for accommodating scripture within their procedural worldview. The parting of prophets and mundane interpreters helped facilitate a solution. Recall that prior to scripturalization, wise teachers' primary opponents had claimed divine inspiration (in the context of founder discourse). The assertion of divine inspiration allowed people to circumvent contemporary teachers. As scriptural interpretation took off among early Jews as a new alternative to teaching, interpreters continued the earlier tradition of claiming divine inspiration. They simply bundled it together with interpretation. But once Jews in the first two centuries CE undid the bundle, authoritative teachers were confronted for the first time in several centuries with an alternative procedural norm that did *not* involve any claim to divine inspiration. As we shall see, authoritative teachers gradually came to see this as an opportunity to experiment with procedures related to scripture and its interpretation.

Continuity and Change In the Tosefta

Authoritative Teachers in a Toseftan Passage

We can take a snapshot of authoritative teachers during the second century CE and see that to a certain extent much remained the same. Many of the features we identified in second and first century BCE

teacher texts and traditions are still present, from vocabulary to thematic elements. The procedural focus remained squarely on teachers as source of authority, to the exclusion of other possibilities like scriptural interpretation. But we will also be able to glimpse a new feature among authoritative teachers: the presence of disagreement and discussion *among* authoritative teachers, as opposed to claiming simple, straightforward preservation of tradition. We will see that this new development is certainly *prompted* by phenomena we identified in earlier centuries. But its widespread appearance only beginning in the second century CE will have important historical consequences.

Let us first consider a much-discussed passage in Tosefta Sanhedrin[5] that purports to describe rabbinic prehistory.[6]

5 The text of *t.* Sanh. is cited from M.S. Zuckermandel, *Tosephta - Based on the Erfurt and Vienna Codices, With Parallels and Variants* (Jerusalem: Wahrmann Books, 1970). This edition, while suffering from many technical flaws including its sometimes confusing or inaccurate use of MSS Erfurt and Vienna, will suffice for our purposes. For this source, and all others cited from rabbinic literature, I will list only variants of particular significance to our discussion. To readers I say: you are welcome in advance.

6 Previous generations of scholars – primary among them Eliezer Shimshon Rosenthal, "Tradition and Innovation in the Halakha of the Sages," Tarbiz 63, no. 3 (1994): 335 (Hebrew) – saw the larger portion of tSan 7 of which this passage serves as the introduction as constituting a coherent, unified set of regulations dictating proper protocol in a putative "academy" at Yavneh. In an exhaustive article on the topic, Ishay Rosen-Zvi demonstrates that, in fact, this portion of tSan 7 consists of several originally independent, and conceptually distinct sources that have been redacted together in a thematically consistent way by later editors. But notwithstanding this later editorial process, to which Rosen-Zvi does not assign a definite date (the *terminus ad quem* therefore being mid-late third century CE), Rosen-Zvi does conclude that the individual sources at root likely do date to the early second century CE, in the generation after Rabbi Akiva and his colleagues; see Ishay Rosen-Zvi, "A Protocol of the Yavnean Academy? Rereading 'Tosefta Sanhedrin' Chapter 7," *Tarbiz* 78, no. 4 (2009): especially p. 468 and n. 122 (Hebrew).

א"ר יוסי בראשנה לא היו מחלוקות ביש' אלא בבית[7] דין של שבעים[8] בלשכת הגזית ושאר בתי דינין של עשרים ושלשה היו בעיירות של ארץ ישר' ושאר בתי דינין של שלשה שלשה היו בירושלם אחד בהר הבית ואחד בחיל נצרך אחד מהן הלכה הולך לבית דין שבעירו אין בית דין בעירו הולך לבית דין הסמוך לעירו אם שמעו אמרו לו אם לאו הוא ומופלא שבהם באין לבית דין שבהר הבית אם שמעו אמרו להן ואם לאו הן ומופלא שבהן באין לבית דין שבחיל אם שמעו אמרו להן ואם לאו אילו ואילו הולכין לבית דין הגדול

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7 אלא בבית | MS Vienna and the printed edition, both here and in the parallel in *t.* Hag. 2.9, simply read בית, such that בית דין is the beginning of a new clause rather than the second half of an exception clause. All MSS for the Babylonian Talmud (hereafter BT) parallel (*b.* Sanh. 88b) agree with this alternative reading, that is, that בית דין forms a separate clause. Albeit with lexical variations, the MSS for the Palestinian Talmud (hereafter PT) parallel (ySan 1.4, 19c) agree as well. According to the exception-clause reading, the passage translates: "R. Yose said: Originally there were no disputes in Israel, *except in* the court of seventy [one] in the Chamber of Hewn Stone." According to the new-clause reading, the passage translates: "R. Yose said: Originally there were no disputes in Israel. There was the court of seventy [one] in the Chamber of Hewn Stone..." The difference appears to be that in the former translation, the passage claims that although disagreement existed even in the idealized rabbinic past, it was confined to the high court. The translation will reflect the latter, new-clause reading, both because the weight of the manuscript evidence makes it more likely to be correct, and for the perceptive reasons given in Rosen-Zvi, "Yavnean Academy," 473 n. 141.

With respect to the footnote just cited from Rosen-Zvi's article: while, as noted, Rosen-Zvi's textual arguments are compelling, I tentatively disagree with the conceptual impetus for the note. That is, Rosen-Zvi claims that what I have called the exception-clause reading would have supported the view that the "dispute" (מחלוקת) referenced in this passage refers to mere disagreement, or proliferation of differing viewpoints among the sages (ריבוי דעות), rather than to schism, or sectarianism (פילוג). For this conceptual-terminological distinction see Shlomo Naeh, "Make Your Heart of Many Rooms: Another Look at Rabbinic Statements on Dispute," in *Renewing Jewish Commitment: The Work and Thought of David Hartman*, ed. Avi Sagi and Zvi Zohar, vol. 2 (Tel Aviv: Hakibbutz Hameuchad, 2001), 855–56 (Hebrew). As it is, Rosen-Zvi argues that our passage (attributed to R. Yose, and henceforth called the "R. Yose passage"), in truth, uses מחלוקת in the schismatic sense. The exception-clause reading, which cuts against this reading, should therefore be rejected. Preserving the schismatic reading in the R. Yose passage is important for Rosen-Zvi because it forms the basis for his claim that the immediately subsequent passage in this excerpt – concerning the students of Hillel and Shammai, who are held responsible for increasing מחלוקת within Israel (henceforth called "the Hillel-Shammai passage") – existed originally as a source separate from the R. Yose passage. See Rosen-Zvi, "Yavnean Academy," 471 n. 135. Rosen-Zvi argues – utilizing Naeh's typology – that the R. Yose passage, and the Hillel-Shammai passage use the term מחלוקת in two different ways: the former indicating schism, the latter indicating mere disagreement. For this reason, Rosen-Zvi proposes that the Hillel-Shammai passage initially was the immediate continuation of the passage that *precedes* the R. Yose passage in its parallel version in *t.* Hag. 2.9, namely, the passage (*t.* Hag. 2.8) that documents the ancient dispute over "laying hands [on a sacrifice]" (סמיכה). While, as I shall explain, I am not persuaded by Rosen-Zvi's *process* for arriving at this conclusion, I do indeed find the conclusion itself to be quite convincing for at least two reasons (both of which, in fairness, Rosen-Zvi presents). First, on literary grounds, *t.* Hag. 2.8's narrative concludes with the era of Hillel and Shammai, which is precisely where the Hillel-Shammai passage picks up. Second, on textual grounds, the parallel passage in PT (*y.* Hag. 2.2 77d) presents the passage in *t.* Hag. 2.8 and the Hillel-Shammai passage consecutively, just as Rosen-Zvi's reconstruction would predict, without the R. Yose passage that intervenes in *t.* Hag. 2.9/*t.* Sanh. 7.1.

That said, I disagree with Rosen-Zvi's claim that the R. Yose passage and the Hillel-Shammai passage differ conceptually in their respective usage of "מחלוקת." Rosen-Zvi is right to ascribe the schismatic meaning to the R. Yose passage, but it is clear to me that the schismatic meaning should be ascribed to the Hillel-Shammai passage as well. The very parallel from PT upon which Rosen-Zvi relies as evidence for his reconstruction should have indicated this to him. The passage [cited, as always from the Academy for Hebrew Language version, and accompanied, as always, by my own translation] reads:

> בראשונה לא היתה מחלוקת בישראל אלא על הסמיכה בלבד. ועמדו שמי והלל ועשו אותן ארבע. משרבו תלמידי בית שמי ותלמידי בית הלל ולא שימשו את רביהן כל צורכן. ורבו המחלוקות ביש' **ונחלקו לשתי כיתות**. אילו מטמאין ואילו מטהרין.

שבלשכת הגזית... נשאלה שאילה אם שמעו אמרו להם ואם לאו עומדין למינין רבו המטמאין טימאו רבו המטהרין טהרו משם היה יוצאת הלכה ורווחת בישר' משרבו תלמידי שמאי והילל שלא שימשו כל צורכן הרבו מחלוקות בישראל

R. Yose said: Originally there were no disputes in Israel. There was a court of seventy one [judges] in the Chamber of Hewn Stone, courts of twenty three throughout the towns[9] of the Land of Israel, and courts of three in Jerusalem – one on the Temple Mount, and one in the rampart [of the Temple]. Should anyone require a ruling,[10] he

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Originally there was no dispute in Israel except concerning leaning of the hands [upon a sacrifice]. Then arose Shammai and Hillel and made them four. When the students of the House of Shammai and the students of the House of Hillel began to proliferate, and they did not attend their teachers as they should have, then, too, disputes began to proliferate in Israel, **and they became divided into two associations** – these judging impure, and these judging pure.

The version in PT spells out clearly that the issue at stake in this passage is nothing less than schism. See Henshke, *Festival Joy*, 133–34 (Hebrew). In fact, while Rosen-Zvi is correct to cite Naeh's characterization of this passage in PT as reflecting the "disagreement" usage – see Naeh, "Make Your Heart of Many Rooms," 856 n. 25, whose argument in this case I admit I do not follow – Naeh himself unequivocally characterizes our *Toseftan* version of the Hillel-Shammai passage as reflecting the "schism" usage! See Ibid.

The fact that both the R. Yose and Hillel-Shammai passages use the term מחלוקת in consistent fashion explains the textual variant in several MSS of the BT parallel to the R. Yose passage: מתחילה לא היו מרבין מחלוקות, "Originally, disputes did not proliferate." See Rosen-Zvi, "Yavnean Academy," 473 n. 134. Rosen-Zvi believes this variant highlights the fact that in the Toseftan version of the R. Yose passage, the claim is that disputes did not, in fact, even *exist* prior to the advent of Hillel and Shammai. He sees this as in tension with the preceding passage (*t.* Hag. 2.8) concerning the dispute over סמיכה, which is explicitly said to predate Hillel and Shammai. Rather than seeing BT's version as in tension with the Toseftan version, however, I propose simply to read the use of מחלוקת across all these passages – in order: *t.* Hag. 2.8, the R. Yose passage, and the Hillel-Shammai passage – as consistent. That is, the sustained argument across these passages (which, I concede, have been artificially redacted together; recall that redactors can be just as capable readers as anyone else) is that while *disagreement* may have existed in the idealized rabbinic past, no *schismatic* disputes were allowed to persist with the sole, notable exception of the dispute over סמיכה. This appears to be Henshke's understanding, cited above. But in truth, this argument is already to be found in the nineteenth century; see Zevi Hirsch Chajes, *Ateret Zevi*, The Collected Works of Maharits Chajes 1 (Jerusalem: Hotsaat Sefarim Divrei Hakhamim, 1958), 363 (Hebrew).

8 שבעים | MS Vienna, as well as the printed edition, both here and in *t.* Hag. 2.8 – in addition to the MSS in the BT and PT parallels – instead read שבעים ואחד, "seventy one." The translation will reflect this version.

9 On the broad semantic range of the rabbinic usage of "עיירות" (parallel to Biblical "ערים") – attested as well in the epigraphic evidence – see Miller, *Sages and Commoners*, 178–85.

10 The Hebrew word this translates (*halakha*) refers to the traditional rulings or decisions preserved by rabbis. This passage describes a person seeking a *halakhah*, and successive levels of courts needing to determine whether one pertains to the situation at bar. A helpful model for the process described here is the analogical reasoning employed in the English common-law tradition; see Postema, "Analogical Thinking." Rabbinic *halakha*'s does not depend for its authorization on scripture or scriptural interpretation, even if scriptural interpretation is what 'really' produced it; see David Henshke, "Two Subjects Typifying the Tannaitic Halakhic Midrash," *Tarbiz* 65, no. 3 (1996): 427–34, especially 428 (Hebrew). Note that the term *halakha* is found only in rabbinic literature, and until further evidence to the contrary appears, it should be understood as a particular rabbinic term; *pace* Tomson, "Halakhah in the New Testament."

would go to the court in his town. If there were no court in his town, he would go to the court nearest his town. If they had heard [a ruling pertaining to his query],[11] they would tell him. If not, he and the most remarkable among them would go to the court that was on the Temple Mount. If they had heard, they would tell them. And if not, both they and the most remarkable among them would go to the court on the rampart. If they had heard, they would tell them. And if not, these and these would go to the high court that was in the Chamber of Hewn Stone... A question would be asked. If they had heard, they would tell them. And if not, they would stand for a vote. If the ones [voting for] contamination dominated, they would [pronounce] contamination. If the ones [voting for] purity dominated, they would [pronounce] purity. From there did the ruling[12] emerge and spread throughout Israel. When the students of Shammai and Hillel proliferated – who did not serve [their teachers] as they should have – disputes [too] began to proliferate in Israel. (*t.* Sanh. 7.1)

Immediately conspicuous is the passage's glaring lack of any reference to scriptural interpretation. In this idyllic portrait of the rabbinic past – a golden age free of contentiousness – the one feature earlier

Regarding the terms origins, Saul Lieberman suggested that the term derived, ultimately, from an Akkadian term meaning "tax," and preserved in the Aramaic emphatic הלכא. It supplies the sense of 'fixed ruling.' See Saul Lieberman, *Hellenism in Jewish Palestine*, Texts and Studies of the Jewish Theological Seminary of America 18 (New York: The Jewish Theological Seminary of America, 1962), 83 n. 3; Shmuel Safrai, "Halakha," in *The Literature of the Sages: Part One*, ed. Shmuel Safrai (Philadelphia: Fortress Press, 1987), 121; and cf. Tomson, "Halakhah in the New Testament," 138–39, and see the notes ad loc. Tomson, who adopted this argument, nevertheless noted that Menahem Kister and Jan Joosten thought it very unlikely; see Tomson, 138 n. 11. He does not elucidate their objections, but at any rate I concur that this derivation is not compelling. What distinguishes a *halakha* is not its regularity or fixity, but rather the process through which it has been preserved. Although Safrai preferred Lieberman's solution, he also cited the *Arukh*, who proposed a derivation from Hebrew *h-l-k*, i.e. "that in which Israel goes"; see Safrai, "Halakha," 121. Although certainty will of course elude us, I think it is also worth considering the Aramaic usage of verb *h-l-k* we examined above in the context of Testament of Qahat (והילכתון). The term in that context meant 'to carry on a traditional teaching'; see above n. p. 55 n. 29

11 On the root *š-m-ʿ* (hear) in this context, elsewhere throughout Tannaitic literature as a technical term for being in reception of a tradition, see Tzvi Novick, "Tradition and Truth: The Ethics of Lawmaking in Tannaitic Literature," *Jewish Quarterly Review* 100, no. 2 (2010): 226–28, and especially the discussion at 241-3. See also Yadin-Israel, "Peter's Tanna," 340–43; Rosen-Zvi, "Yavnean Academy," 452, n.36, and page 468.

12 Or, more probably, "the collective endeavor of traditional jurisprudence described in this pericope."

scholars most closely associated with rabbinic literature is absent.[13] The questioner arriving at court did not seek scriptural insight; he instead sought a ruling from a group of sages. The passage's description of the process by which the sages provide an answer is couched in terminology we have now seen many times in authoritative teacher sources. The reply the questioner anticipated is "a heard thing" (שמועה). The courts arrived at their decision by either "speaking" a pertinent traditional teaching (אמרו לו), or else initiating an appeal. In the case of the highest court, the sages took a vote. There is no indication in this source, either literarily or lexically, that the vote depended on any sort of scriptural consideration. Moreover, this system reportedly resulted in the proliferation of this non-scriptural, traditional *halakha* throughout Israel.[14] Set against a juridical backdrop, the Tosefta construed the ideal

13 For a statement broadly representative of much 20th century scholarship on the matter, see Emil Schürer, The History of the Jewish People in the Age of Jesus Christ (175 B.C. - A.D. 135), ed. Geza Vermes and Fergus Millar, Revised English Edition, vol. 1 (Edinburgh: T & T Clark, 1973), 1: "The legalistic orientation initiated by Ezra had slowly developed into a religio-social system in which it was no longer sufficient to fulfill the commandments of the written Torah; the generalities of biblical law were resolved into an immense number of detailed precepts, the performance of which was imposed as a most sacred duty. Though never universally followed, and never completely divorced from truly spiritual and even charismatic tendencies, this concern with the punctilious observance of the minutiae of religion became the hall mark of mainstream Judaism."

Among scholars working at mid-century, J.N. Epstein advanced a more nuanced view. See Jacob Nahum Epstein, *An Introduction to Tanaitic Literature: Mishnah, Tosefta and Halakhic Midrashim*, ed. Ezra Zion Melamed (Jerusalem: Magnes Press, 1957), 501–15, 521 (Hebrew). Epstein, on the one hand, understood that rabbinic Biblical interpretation (*midrash*) begins to accumulate only in the early 2nd century CE – what he called, "the period of the blossoming of *midrash*." He explains this as a response to "the Sadducees, the *minim* and their complaints"; see Epstein, 521. In this respect he anticipated some of the perceptive arguments later put forth by Adiel Schremer, whose position we examined above in chapter 2 in our analysis of the Pharisees. See Schremer, "Qumran Halakhic Revolution." However, Epstein did identify the progenitors of rabbinic Judaism – including but not limited to the expounders of *midrash* – as the "Scribes" (*soferim*), who pursued Biblical exegesis, and who should be traced straightforwardly back to Ezra. In this respect, Epstein's account – for all its commendable nuance – nevertheless ends up at a destination similar to Schürer's. It is instructive, as well, that in compiling his case, Epstein relied to a great extent on later sources, especially from the Babylonian Talmud.

14 Compare this line in the Tosefta –משם היה יוצאת **הלכה** ורווחת בישר׳ – with the nearly identical construction in *m.* Sanh. 11.2 (3 in MS Kaufmann) – שמשם **תורה** יוצָא לכל ישרא׳, "For from there did the **Torah** emerge to all of Israel." Elsewhere in Tannaitic sources Torah and *halakha* are set in opposition, with the former referring to a scriptural command, and the latter to a non-scriptural law; see for example *m.* Or. 3.9 (10 in MS Kaufmann): החדש אסור מן התורה בכל מקום והערלה הלכה... "New produce is prohibited by the Torah in all locales [both inside and outside the Land of Israel], and produce of the first three years [is prohibited] by *halakha*." Rosen-Zvi sees a literary relationship between our Tosefta and *m.* Sanh. 11.2, and observes that it is likely that this *mishna* is, in fact, drawing upon our Toseftan passage (rather than the other way around); see Rosen-Zvi, "Yavnean Academy," 474.

On a grammatical note: With respect to *m.* Sanh. 11.2, nearly all MSS of the Mishna, as well as its witnesses in PT and the Vilna printed edition of BT, agree on the form יוצא for the III-a *qal* feminine form of the verb. MS Parma B (2596), as well as MS Yad Harav Herzog 1 to the BT and the Barko printed edition (1497) of BT, have the form יוצאה. This is simply an alternate spelling of the יוצא-form, and the *aleph* is not pronounced. Only in the printed edition of the *mishna* does one find the alternate form יוצֵאת. See Gabriel Birnbaum, *The Language of the Mishna in the Cairo Geniza - Phonology and Morphology*, The Academy of the Hebrew Language Sources and Studies 10 (Jerusalem: The Academy of the Hebrew Language, 2008), 244 (Hebrew).

society as forming around authoritative teachers who instructed their students in the traditions that they, in turn, heard from their own teachers. In this respect we can see a great deal of continuity with authoritative teacher sources as far back as the early second century BCE.

Contested Tradition in the Tosefta

At the same time, we can glimpse a crucial procedural shift that occurred by the second century CE. Consider the manner in which the Tosefta described the period of decline following the golden age.[15] During this stage, the students failed to heed their teachers as they should, resulting in communal breakdown. Our passage exhibits anxiety not over, say, the perceived tenuousness of rabbinic exegesis, a feature common later in rabbinic literature,[16] but over the difficulty of maintaining proper teacher-student relationships to facilitate transmission. Hearing, and face-to-face interaction, takes on epochal

15 Note that even if Rosen-Zvi is correct – as is likely – that the passage concerning decline (the Hillel-Shammai passage) was originally separate from the passage detailing the golden age (the R. Yose passage) and should instead be seen as a continuation of *t.* Hag. 2.8 (see above, note 13), my conclusions here remain unaffected.

16 For a random, but both clear and oft-cited example from later rabbinic literature, see the pericope at *b.* Men. 29b. There, the text depicts God showing Moses a vision of Rabbi Akiva's classroom. After listening in, Moses became flummoxed by R. Akiva's hermeneutical acrobatics that – as Moses heard R. Akiva explain to his students – were supposed to have actually originated with Moses himself! Scholars have traditionally understood this pericope as exhibiting anxiety over the authenticity of increasingly intricate rabbinic exegetical techniques, especially of the sort exemplified – at least in the later rabbinic view – by R. Akiva's treatment of scripture. For a modern, erudite articulation of this view, see Daniel Boyarin, *Socrates and the Fat Rabbis* (Chicago: University of Chicago Press, 2009), 232–34.
In a recent article, Azzan Yadin-Israel challenged this interpretation. See Azzan Yadin-Israel, "Bavli Menaḥot 29b and the Diminution of the Prophets," *Journal of Ancient Judaism* 5, no. 1 (2014): 88–105. Yadin-Israel argued that rather than literarily deploying Moses as an example of someone who should certainly have understood R. Akiva's scriptural interpretations (were they truly authentic), the passage in *b.* Men. conceives of Moses as *less* likely than others to have understood scripture's teachings. Yadin-Israel's interpretation is rooted in his claim that a strain of rabbinic sources depict Moses as intellectually deficient. He cites Tanhuma Shemini 11 (paralleled at Mekhilta de-Rabbi Yishmael, Pisha 1) to this effect, in which Moses manifests difficulty in comprehending how to build the candelabrum for the Tabernacle.
But as many scholars have pointed out, the scene in that text (and parallels) is generated by the presence of the demonstrative "זה" (this) in the verse(s) under discussion, rather than by any antipathy towards Moses. See, for example, David Rosenthal, "On Abbreviation and Its Completion - A Chapter in the Redaction of the Babylonian Talmud," in *Mehqerei Talmud - Talmudic Studies Dedicated to the Memory of Professor Ephraim E. Urbach*, vol. 3, part 2 (Jerusalem: The Hebrew University Magnes Press, 2005), 794, and n. 20; Daniel Boyarin, *Intertextuality and the Reading of Midrash* (Indianapolis: Indiana University Press, 1994), 120. Indeed, the simpler reading of Tanhuma is that the lengths to which God goes to instruct Moses in constructing the candelabrum indicates not Moses' incompetence, but rather the complexity inherent in crafting the Tabernacle's candelabrum.

importance in this context. Whereas the earlier, non-contentious generation exemplified a society that "heard" perfectly, our passage characterized the post-Hillel and Shammai generation as failing to make this hearing possible. So far, this appears simply to be second century CE evidence for teachers' anxiety over the "threat of rupture." We first saw evidence for this in the Testament of Qahat. In fact, we identified the concern that students may become insufficiently attentive to their teachers, and so inadvertently misconstrue or lose earlier teachings, as a new development of the second century BCE. This Toseftan passage, however, does not merely exhibit fear of rupture. It adds a new element to the authoritative teacher procedure: dispute over tradition.

Earlier sources had construed the teacher-student relationship in exclusive terms. The student will either succeed in preserving his instructor's teachings, or he will not. True, sources from the fourth century BCE entertained only one possible reason for failure (disobedience) while second century BCE sources considered an additional one (negligence). But all agreed that the only possible outcome other than failure is uncontested tradition.[17] Our Toseftan passage concurred that consensus represented the ideal. The alternative that it presented, however, is that "disputes began to proliferate" (הרבו מחלוקות) in the generation after Shammai and Hillel. While our pericope lamented this state of affairs, it also served as an etiological explanation for perhaps the defining literary feature of rabbinic discourse: 'Rabbi A says X; Rabbi B says Y.'

17 This form of preservation is found in rabbinic literature as well, e.g. in Mishnah Avot. See Yair Furstenberg, "From Tradition to Controversy: New Modes of Transmission in the Teachings of Early Rabbis," *Tarbiz* 85, no. 4 (2018): 587–88 (Hebrew). *M.* Avot 5.17 is often marshaled as counter-evidence for Avot's emphasis on contested tradition. Shlomo Naeh, however, has demonstrated that this *mishnah* actually indicates the opposite; see "Many Rooms," 855–56. A note on terminology: Furstenberg contrasts "tradition" (מסירה) with "disagreement" (מחלוקת). I have instead chosen "uncontested tradition" and "contested tradition." Aside from the fact that the alliteration of Furstenberg's nomenclature disappears in English, the term "disagreement" obscures the fact that the rabbinic disputants are not *opposed* to tradition. In fact, among tannaitic literature, the texts that employ this apodictic format are almost always authoritative teacher sources. Rather, the disputants are arguing over the most accurate way to formulate the tradition. The difference between authoritative teachers in the second century CE and prior centuries, then, is not whether they accept tradition, but what that tradition actually is.

We can thus see a shift among authoritative teachers during the second century CE from the exclusive possibility of uncontested tradition to the possibility of contested tradition. In fact, not only does the Tosefta's etiology of contested tradition likely date to this period,[18] but Yair Furstenberg's study of Mishnah Eduyot's composition history has revealed that the practice itself seems to date to this period as well.[19] This observation prompts several questions: What motivated the emergence of this possibility, and what need did it address? Can we find evidence for it among other authoritative teacher sources in this period? If so, why did it emerge in the second century CE?

In one of the earliest programmatic attempts to address the emergence of contested tradition in rabbinic literature, Shaye Cohen contended that it reflected the rabbis' ideological commitment to pluralism. Whereas the Pharisees, in Cohen's view, saw disagreement as a mark of disobedience, the rabbis of the generation of Yavneh "agreed to disagree."[20] Daniel Boyarin challenged Cohen's claim by suggesting that his case for rabbinic pluralism was both overstated, and possibly an anachronistic imposition of later sensibilities from the Babylonian Talmud.[21] And while subsequent scholars disputed Boyarin's characterization of the evidence,[22] it still seems clear that Cohen overstated his case.[23] The most critical

18 See above p. 223 n. 6.

19 Furstenberg, "Tradition to Controversy," 604–40. He demonstrates compellingly that in the first chapter of Mishnah Eduyot, disagreements were not initially preserved side by side for the sake of showcasing disagreement. Rather the compiler identified a correct view and a rejected view. For an extremely exhaustive demonstration of Mishnah Eduyot's early redaction history relative to the rest of the Mishnah, see Kenneth Jeremy Wieder, "Mishnah Eduyot: A Literary History of a Unique Tractate" (PhD Dissertation, New York University, 2005). Wieder stops short of endorsing Chanoch Albeck's claim that Eduyot was the first redacted tractate; see Chanoch Albeck, *Untersuchungen Fiber Die Redaktion Der Mischna* (Berlin: C.A. Schwetschke & Sohn / Verlagsbuchhandlung, 1923), 112. But his data does at least point in this direction; see especially Wieder, "Mishnah Eduyot," 386–92.

20 Cohen, "Significance of Yavneh," 29. Prior to Cohen, several scholars had noted the contrast between uncontested and contested tradition, albeit without Cohen's comprehensive approach. One noteworthy predecessor to Cohen, however, is Ephraim E. Urbach, "The Derasha as a Basis of the Halakha and the Problem of the Soferim," *Tarbiz* 27, no. 2–3 (1958): 166–82. Urbach argued that this illustrated a larger shift in rabbinic self-conception, from legislators or administrators, to exegetes (Ibid., 169-70).

21 See Boyarin, *Border Lines*, 151–201.

22 See e.g. Steven D. Fraade, "Rabbinic Polysemy and Pluralism Revisited: Between Praxis and Thematization," *AJS Review* 31, no. 1 (2007): 1–40.

23 See Ibid., 1-2

flaw in Cohen's argument, however, is that he presented no textual evidence whatsoever in its support.[24]

In a recent study, Yair Furstenberg demonstrated convincingly that, in fact, contested tradition emerged in response to procedural anxieties. The process of transmission had grown highly complex. With every new generation, new students became teachers in their own right, and teachings began exponentially to accumulate.[25] Rabbinic teachers began to fear that without some organizing principle to cut through the clutter, rabbinic tradition would become impossible to navigate, and consequently disintegrate altogether. But by organizing the traditions of each tradent, and marking any disagreements between them, rabbinic teachers could preserve their traditions in organized and coherent fashion. As Furstenberg wrote:

> Paradoxically, given the complexity of the various different traditions – the relationship between which is vague and unclear, even if not directly contradictory – it is precisely the marking of disagreements that transforms the mass of traditions into a neat and understandable whole. In other words, the need to make the Torah consistent and uniform includes, among other things, marking the disagreements contained therein.[26]

In Furstenberg's view, contested tradition arose as a solution to the "threat of rupture." Recall that we identified the threat of rupture as emerging in the first place on account of the new self-conception

24 See Furstenberg, "Tradition to Controversy," 590 n. 13. Cf. Shlomo Naeh, "The Art of Memory, Structures of Memory, and Forms of Text in Rabbinic Literature," in *Mehqerei Talmud: Talmudic Studies*, ed. Yaakov Sussman and David Rosenthal, vol. 2.3 (Jerusalem: Magnes Press, 2005), 563–86 (Hebrew).

25 In attempting to explain a similar phenomenon, Naeh emphasized the accumulation of *teachings*; Naeh, "Art of Memory," 565. Furstenberg, by contrast, emphasized the accumulation of *tradents*; Furstenberg, "Tradition to Controversy," 596–97. I think it is helpful to combine the two views; see further below. For utility's sake, I will refer to this bundle of rabbinic teachings and tradents as "rabbinic tradition."

26 Ibid., 598 (translation mine).

teachers developed beginning in the second century BCE. As teachers began to conceive of themselves as part of a multi-generational process – which they began to mark with the chain of transmission motif – the prospect of preserving traditions became increasingly daunting. One teacher instructing a single generation of students was one thing. Attempting to do so across multiple generations, especially when the 'original' teacher would never meet the later generations of students and so could not vouch for their worthiness, was quite another. Hence anxiety over the threat of rupture.[27] And as we saw in earlier chapters, scriptural interpreters during the first two centuries BCE were not bashful about using this anxiety to critique authoritative teachers.[28] Here in the second century CE, then, we encounter a response. Marking disagreement was a strategy for allowing students to claim the legacy of teachers without becoming overwhelmed by the multi-generational task at hand. But as our Toseftan passage demonstrated, authoritative teachers were well aware that a significant procedural shift had taken place.

Conclusions

In sum, we have seen how our Toseftan passage manifests continuity with prior authoritative teacher sources. It eschewed scriptural interpretation, and emphasized characteristic vocabulary related to 'hearing' and 'speaking.' At the same time, it evinced awareness of an important procedural shift: the rise of contested tradition. Having now explained both its emergence and the need it fulfilled, we can turn our attention to the question of whether or not we find evidence for contested tradition in other sources. Having performed this task, we will be in a better position to contextualize this phenomenon within the second century CE.

27 On the appearance of this anxiety in rabbinic literature see the sources collected in Sussman, "Oral Torah," 255–58 (Hebrew).
28 E.g. Jubilees.

Continuity and Change in the Gospel of Mary

Gospel of Mary as Jewish Text

Let us continue our investigation of the second century CE by examining the Gospel of Mary. Dated to the second century text,[29] the Gospel of Mary survives in three manuscripts. Although these witnesses preserve a good deal of text, enough is missing as to render moot, *ab initio*, early theories about the work's composite nature based on literary arguments.[30] In fact, as we shall see there are good literary reasons to see the work as unity.

Does the Gospel of Mary belong in a conversation about early Jewish procedural norms? Of course, the indeterminacy of communal categorization or 'groupness'[31] during this era makes any simple assignment of "Jewish" or "Christian" to followers of Jesus a fraught matter.[32] But in the case of the Gospel of Mary, I believe the evidence tends strongly towards the conclusion that it was produced by a Jewish author.[33] First, the text attributed to Jesus the following admonition:

29 Christopher Tuckett, *The Gospel of Mary*, Oxford Early Christian Texts (Oxford: Oxford University Press, 2007), 11–12; Karen L. King, *The Gospel of Mary of Magdala - Jesus and the First Woman Apostle* (Santa Rosa: Polebridge Press, 2003), 3; Cf. R. Mcl. Wilson and G.W. MacRae, "The Gospel of Mary," in *Nag Hammadi Codices V,2-5 and VI with Papyrus Berolinensis 8502, 1 and 4*, ed. D.M. Parrott, Coptic Gnostic Library (Leiden: Brill, 1979), 454.

30 Tuckett, *Gospel of Mary*, 27–28.

31 See Brubaker and Cooper, "Beyond 'Identity,'" 19–21.

32 See generally Adam H. Becker and Annette Yoshiko Reed, "Introduction: Traditional Models and New Directions," in *The Ways That Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages*, ed. Adam H. Becker and Annette Yoshiko Reed (Minneapolis: Fortress Press, 2003), 1–33.

33 Pace King, *Mary of Magdala*, 53–54. Elsewhere King writes that "it is impossible to imagine a Jewish author for this gospel"; see Karen L. King, "The Gospel of Mary With the Greek Gospel of Mary," in *The Nag Hammadi Scriptures*, ed. Marvin Meyer, International Edition (New York: Harper One, 2007), 739. This attitude is emblematic of an unfortunate tendency to divorce Nag Hammadi (and Nag Hammadi-adjacent) scholarship from Jewish Studies and vice-versa. In this case, although Gospel of Mary is replete with clear references to Jewish sources, questions and concerns, King has missed virtually all of them. Many sources from Nag Hammadi, in fact, would benefit from fresh engagement by historians of early Judaism. Elaine Pagels has already shown the profit in this approach; see Elaine H. Pagels, "Exegesis of Genesis 1 in the Gospels of Thomas and John," *Journal of Biblical Literature* 118, no. 3 (1999): 477–96. As we shall see below, the reverse is true as well: the study of early Judaism can be greatly illuminated by engagement with Nag Hammadi and related sources.

> Do not lay down any rules beyond what I appointed for you, and do not give a law like the lawgiver, lest you be constrained by it. (Gos. Mary 8.22-9.4)[34]

Not even Karen King, who has argued for gentile Christian authorship, denied the clear reference to the authority of the lawgiver (νομοθέτης), Moses. She noted, in response, that Jesus did not warn his disciples to obey Jewish law (Biblical or otherwise); rather, he cautioned them against adding their own laws. She took this as a clear indication that Jesus's command "belongs to intra-Christian debate about the source of authority for Christian life and salvation."[35]

But this ignores the fact that Jesus's words here are modeled directly on a verse from Deuteronomy.[36] The injunction against adding to the Mosaic laws is discussed throughout rabbinic literature, including the Mishnah and midrashic texts.[37] The Gospel of Mary, of course, applied the concept behind this injunction to Jesus's *own* commands. But here, too, the parallel to rabbinic literature is striking. Sifre Deuteronomy, for example, also adduced divine support for the rabbis' own teachings.[38] Moreover, the warning "do not give a law...lest you be constrained by it" reflects a specific tradition with deep roots in Jewish intellectual history, namely, intertextually coordinating Deut 13.1's injunction against adding

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In any event, while this discussion relates, of course, to substantive norms, we shall see that Gospel of Mary is preoccupied first and foremost – like so many of the sources we have examined so far – with procedural norms. See below.

34 The text survives in a Coptic version and in two additional Greek fragments, on all of which see King, "Gospel of Mary," 739. I will cite the text in translation, but refer to the Greek when it is available. All translations are taken from Wilson and MacRae, "Gospel of Mary."

35 King, *Mary of Magdala*, 54.

36 Deut 13.1. The fact that Gospel of Mary does not cite the verse is due, of course, to its authoritative teacher procedural character. See below.

37 To cite just two examples: mZev 8.10, and Sifre Deut 265.

38 See Sifre Deut 154: "even if before your very eyes [the sages] show you that right is left, and left is right, obey them." And see Aharon Shemesh, *Halakhah in the Making: The Development of Jewish Law from Qumran to the Rabbis* (Berkeley: University of California Press, 2009), 46–49.

laws with Num 30.3-17's regulations concerning vows.[39] In fact, Jewish sources from the Temple Scroll, to Sifre Deuteronomy, to the Babylonian Talmud, all feature this tradition, and consequently maintain that a person should not constrain himself with oaths, lest he violate them.[40] At least from a substantive standpoint, then, the setting for Jesus's introductory teaching is clearly the world of early Judaism. And since in any case King must still resort, ultimately, to claiming that "[t]he reference to the 'lawgiver' appears to be merely a remnant carried over from another setting where the relationship to Jewish law was an issue,"[41] it seems vastly more parsimonious simply to posit a Jewish author – or at least a Jewish milieu – for the Gospel of Mary.[42]

Finally, note the immediately following lines:

> When [Jesus] had [concluded], he departed. But they [the disciples] were grieved. They wept greatly saying: "How shall we go to the gentiles and preach the gospel of the kingdom of the son of man? If they did not spare him, how will they spare us? (Gos. Mary 9.5-13)

King pointed out that the charge to preach to the gentiles finds its echo in many other sources.[43] But tellingly, in none of those sources is the charge phrased as a rhetorical question premised on hostility between Jews – adherents of the lawgiver – and "the gentiles" (ⲛϩⲉⲑⲛⲟⲥ).[44] This represents further

39 This intertextual tradition appears as early as Eccl 5.4-5, although again in the context of authoritative teachers. It also appears in both sectarian sources from Qumran, which adhere to inspired interpretation, and rabbinic literature; see Lawrence H. Schiffman, "The Laws of Vows and Oaths (Num. 30, 3-16) in the 'Zadokite Fragments' and the 'Temple Scroll,'" *Revue de Qumran* 15, no. 1/2 (1991): 199–214.

40 Schiffman, "Vows and Oaths," 207-8.

41 King, *Mary of Magdala*, 54.

42 See Tuckett's review of the literature on this question; Tuckett, *Gospel of Mary*, 157–60.

43 King, *Mary of Magdala*, 116.

44 ⲛϩⲉⲑⲛⲟⲥ | POxy 3525 has τὰ ἔθνη. Note that Ignatius of Antioch – a "Christian," by his own account – uses τό ἔθνος, and does not see it in binary opposition to "Jew" (see Ign. *Trall.* 8). However, he *does* see it as denoting the out-group. The only reason not to take it as meaning "gentile" as opposed to "Jew" is because Ignatius *explicitly* eschewed Jewish

support for presuming Gospel of Mary, in a substantive sense, to be a "Jewish" text until proven otherwise.

Authoritative Teachers in the Gospel of Mary

Having established that the Gospel of Mary fits within the parameters of our discussion, let us turn attention to its procedural character. Scholars have noted that the Gospel of Mary begins as a so-called dialogue gospel between "the savior" (presumably Jesus) and his disciples. The second half of the Gospel of Mary deals with the aftermath of this discussion, including the disciples' debates over traditions imparted through and by Mary.[45] King is certainly right to note that:

> For the *Gospel of Mary*, communion with God was formed in dialogue with the Savior; the relationship between teacher and student cultivated an accurate understanding of divine reality and a pattern for ethical behavior. The message of the dialogue form is that relationship is fundamental to salvation, both that between teacher and student and that formed among the disciples in the community of faith and in their mission.[46]

King directly emphasized the authoritative teacher procedural norm guiding the Gospel of Mary. It may nominally constitute a revelatory text in that Jesus seems to arrive and then leave sometime after his crucifixion, but there are no indications that the text is preoccupied with this at all. The moment of

identity. Since that is not the case in Gospel of Mary, we have no similar license to interpret *ethnos* against the grain. On the meaning of this term in Gos. Mary as denoting "gentile" as opposed to "Jew," see Sarah Parkhouse, *Eschatology and the Saviour: The "Gospel of Mary" Among Early Christian Dialogue Gospels* (Cambridge: Cambridge University Press, 2019), 133 n. 10.

45 Tuckett, *Gospel of Mary*, 39–40; King, *Mary of Magdala*, 30–31.

46 King, *Mary of Magdala*, 31–32.

Jesus' departure is narrated in one or two words.[47] We encounter no apocalyptic imagery. Nor do any of the disciples, including Mary, classify their interactions with Jesus as "prophecy." In fact, Mary does not even describe her 'vision' in real time. She only (re-)describes it in response to questioning from fellow students. The vision thus takes on a didactic character: it is just another teaching that she, as a student, must relate to others.

The Gospel of Mary was not only interested in Mary's role as student (to the savior); it was equally interested in her role as teacher (to the disciples). The vocabulary the text used to describe Mary's role will be very familiar to us from authoritative teacher sources we have analyzed so far. Peter asks Mary to "remember" what Jesus told her, since neither he nor his colleagues have "heard" these teachings. Mary then "says" these teachings to the disciples.[48] And, of course, the Gospel of Mary does not refer to scriptural interpretation, or texts at all.

In sum, the text's procedural commitment is to the relationship between a teacher and students, and its core concern is for the accurate and authentic transmission of those teachings. It makes the most sense, then, to see the Gospel of Mary as belonging to the inspired teacher procedural type.

Contested Tradition in the Gospel of Mary

In this vein, the text's best-known passage bears re-examination. Directly following Mary's account of what Jesus privately taught her, we hear her conclusion:

47 The moment of his arrival is missing from all textual witnesses.

48 Note that all of these verbs have appeared (often in cognate form) in authoritative teacher sources examined earlier; two of them – "hear" and "say" – appeared as crucial procedural markers in the Toseftan passage analyzed above. Additionally, the text employs "believe" in identical fashion to that which we will encounter later in the Apocryphon of James, namely, to indicate whether or not one credits the report of a traditional teaching. See below.

> When Mary had said this, she fell silent, since it was to this point that the Savior had spoken with her. But Andrew answered and said to the brethren: "Say what you (wish to) say about what she has said. I at least do not believe that the Savior said this. For certainly these teachings are strange ideas."[49] Peter answered and spoke concerning these same things. He questioned them about the Savior: "Did he really speak with a woman without our knowledge (and) not openly? Are we to turn about and all listen to her? Did he prefer her to us?" Then Mary wept and said to Peter: "My brother Peter, what do you think? Do you think that I thought this up myself in my heart, or that I am lying about the Savior?" Levi answered and said to Peter: "Peter, you have always been hot-tempered. Now I see you contending against the woman like the adversaries. But if the Savior made her worthy, who are you indeed to reject her? Surely the Savior knows her very well. That is why he loved her more than us. Rather let us be ashamed and put on the perfect man and acquire him for ourselves as he commanded us, and preach the gospel, not laying down any other rule or other law beyond what the Savior said." (Gos. Mary 17.7-18.21)

Commentators note the shift in tone at this point in the narrative: Mary seems suddenly to find herself the target of significant antagonism.[50] This is especially odd given the disciples' earlier earnest solicitation of Mary's opinion, positioning her as a teacher or senior colleague in her own right:

49 P. Ryl 463 has "Brethren, what do you think about what has been said? For I at least do not believe that <the> Savior said this, for she seems to have views that differ from his thought."

50 Tuckett, *Gospel of Mary*, 187; King, *Mary of Magdala*, 84, and n. 4.

> Peter said to Mary: "Sister, we know that the Savior loved you more than the rest of women. Tell us the words of the Savior which you remember – which you know (but) we do not, nor have we heard them." Mary answered and said: "What is hidden from you I will proclaim to you." And she began to speak to them these words... (Gos. Mary 10.1-10)

After this prompting, why would the disciples turn on her? The beginnings of an answer appear in a passage just prior to this. After the departure of the savior, the disciples began to fret over their charge to preach to the nations. After much hemming and hawing on their part, Mary quelled their fears by reassuring them, and diverting their attention:

> When Mary said this, she turned their hearts to the Good, and they began to debate the words of the Savior. (Gos. Mary 9.20-4)

The word translated here as "debate"[51] is γυμνάζεσθαι.[52] Its valence in this passage is wholly positive. It is used to depict the disciples wrestling over the accurate preservation of their teachers' instructions. To us our terminology, it represents yet another case from the second century CE of contested tradition among the teacher procedural type.

With this observation in hand, we can return to our analysis of Gos. Mary 17.7-18.21. The same word, "debate," appeared there as well in Levi's reply to Andrew and Peter: he portrayed Peter as "γυμνάζεσθαι against the woman like the adversaries."[53] Scholars have often rendered this word as

51 See King, *Mary of Magdala*, 15.
52 From Greek verb *gumnazō*. In the Coptic version: ⲛ̅ⲣ̅ⲅⲩⲙⲛⲁⲍⲉ.
53 Gos. Mary 18.9.

"contending," since they correctly perceived the negative context – Levi is rebuking Peter. But note that the meaning of γυμνάζεσθαι has not changed. Rather, its flavor has only been altered by the qualification of "like the adversaries." In other words, "debate" is what students are *supposed* to do, as in 9.23. It is important for students to test their respective recollections of what their teacher said. Peter's only failure is that his manner of disagreement had become too adversarial – possibly through attacking Mary's character. The Gospel of Mary exhibits an awareness that disagreement can be a double-edged sword. When employed for the sake of accurately preserving a teacher's instruction – contested tradition – then it can be acceptable. But it can also be used to signify opposition to "adversaries." Like our Toseftan passage above, the Gospel of Mary recognized the downsides of disagreement.[54]

The Gospel of Mary thus further supports Furstenberg's case for both the timing and circumstances of the transition from uncontested to contested tradition. First of all, the text uses a single verb (*gumnazō*) in seemingly contradictory contexts in order to mark that while disagreement can be appropriate, it is normally how one treats an adversary. Such usage suggests that the positive valence of the activity marked by *gumnazō* was still controversial. This would certainly fit with a second century CE date for the transition from uncontested to contested tradition. Moreover, between the first and second centuries, we can see a procedural shift in how Jesus is remembered that is similar to the situation Furstenberg describes in rabbinic literature. We saw in the previous chapter that early memories of Jesus dating to the first century CE remembered him as an inspired teacher. In those traditions, we see no disagreement about Jesus's teachings. They were preserved as uncontested tradition. But here in the second century CE we encounter evidence for contested tradition.

54 The two sources differ, however, in that the Toseftan passage regards the advent of disagreement as wholly negative; see Naeh, "Many Rooms," 853–54. The Gospel of Mary, however, is more ambivalent.

Even the circumstances for the emergence of uncontested tradition in the Gospel of Mary parallel Furstenberg's assessment of the Mishnah. Furstenberg had argued that disagreement arose in order to address the "threat of rupture."[55] The Gospel of Mary supports this explanation. In its narrative, Mary convened the disciples to engage in debate precisely as a response to their anxiety over having lost their teacher, and whether they will be able to carry out his instructions.

Contested Tradition in its Second Century CE Context

We have seen that the strategy of contested tradition arose in the second century CE as a response to the "threat of rupture." All we have left to ask is: why then? Concerns about rupture developed in authoritative teacher sources in the second century BCE, and inspired interpretation sources pointed to it as a weakness inherent in the teacher procedure.[56] Why do we not encounter contested tradition earlier than the second century CE?[57] While we can only speculate, the following will hopefully inspire further study of the matter.

I suggest that the emergence of contested tradition is best understood in the context of socio-political conditions in the early second century. To set the background, let us return to the analysis in chapter 4, above. There, I argued that deteriorating tensions with Roman imperial rule explained the rise of neoclassical prophecy. The rapidity and severity of the conflict in the run-up to the revolt during the first century CE encouraged what anthropologists refer to as 'prophetic' strategies for coping with

55 *Pace* Cohen's argument for disagreement as representing a rabbinic commitment to pluralism; see "Significance of Yavneh."

56 See my analysis above of Testament of Qahat and Jubilees respectively.

57 In answering this question, recall, we must account for *both* rabbinic traditions and the Gospel of Mary. An explanation that only explains one or the other will not do.

crisis.[58] One such strategy was the claim to direct access to divine revelation, resulting in the reappearance of prophets within the procedural world of early Judaism. It is likely that another such strategy was for authoritative teachers to claim divine inspiration. While we saw at least some evidence for inspired teaching in prior centuries,[59] they begin to proliferate widely and quickly beginning in the first century CE. This is especially true for early recollections of Jesus of Nazareth, and would come to be how many of his followers would characterize themselves.[60] Take, for example, an early memory of Jesus from the gospel according to Mark.[61]

> Καὶ ἐγένετο ἐν ἐκείναις ταῖς ἡμέραις ἦλθεν Ἰησοῦς ἀπὸ Ναζαρὲτ τῆς Γαλιλαίας καὶ ἐβαπτίσθη εἰς τὸν Ἰορδάνην ὑπὸ Ἰωάννου. καὶ εὐθὺς ἀναβαίνων ἐκ τοῦ ὕδατος εἶδεν σχιζομένους τοὺς οὐρανοὺς καὶ τὸ πνεῦμα ὡς περιστερὰν καταβαῖνον[62] εἰς αὐτόν· καὶ φωνὴ ἐγένετο ἐκ τῶν οὐρανῶν· σὺ εἶ ὁ υἱός μου ὁ ἀγαπητός, ἐν σοὶ εὐδόκησα.
>
> In those days Jesus came from Nazareth of Galilee and was baptized by John in the Jordan. And just as he was coming up out of the water, he saw the heavens torn apart and the spirit descending like a dove on him. And a voice came from heaven, "You are my beloved son[63]; with you I am well pleased." (Mark 1.9-11)

58 See above p. 176 n. 24.

59 E.g. 4QInstruction.

60 E.g. Paul, on whom see in greater detail below.

61 I am not claiming any particular authorial ideology for the gospel according to Mark as a whole. I am merely arguing that the above represents a reasonable interpretation of this passage that fits well with other early memories of Jesus. On the great care required in using material from what we now call "the Gospel of Mark," see above p. 188 n. 55.

62 καταβαῖνον | Some witnesses add here καὶ μένον. But it is possible this addition was motivated by procedural concerns. As we saw in our discussion of 4QInstruction (see above chapter 2), the authorizing power of divine inspiration functions differently for prophets than for inspired teachers. For prophets, authorization derives from what a person says while in direct communication with the divine. For inspired teachers, by contrast, divine inspiration serves as a sort of pre-authorization: once a teacher has been directly selected by the divine, anything that teacher does is subsequently authorized. The distinction between prophets and inspired teachers is critical, but subtle. Although this passage portrays Jesus as an inspired teacher rather than a prophet, later figures may have found it strange that the divine spirit should only descend upon Jesus at the outset of his career. They therefore added καὶ μένον – perhaps under the influence of John 1.33; see Aland et al., *Novum Testamentum*, 103.

63 NRSV has "my Son, the Beloved" in the main text, but lists the translation I have chosen instead as an alternative.

According to this memory, the divine spirit marked Jesus as a source of authority. It did not communicate any particular message to him, it merely singled him out as special. This passage thus imagines Jesus as an inspired teacher. This would become a common way for early followers to remember Jesus. In addition, we shall see below that many of his followers adhered to similar procedural norms. It is likely that the same impulses that drove the rise of neoclassical prophecy in the first century CE also drove the proliferation of inspired teachers beginning in this period as well.

But if "prophetic" strategies in the first century CE can clarify the spread of inspired teaching, it seems less likely that they served as the impetus for the subsequent emergence of contested tradition.[64] It does suggest, however, that we might profitably look to broader social conditions in the second century CE for an explanation. In fact, as historians of early Judaism have long noted, rabbinic tradition as a whole experiences an enormous shift in the early-mid second century CE. In the generation after the Bar Kokhba revolt, the rabbinic center of gravity shifted north, from Judea to Galilee.[65] This can be glimpsed, for example, in the generational distribution of sages in the Mishnah. Whereas in the generation preceding the Bar Kokhba revolt, it made sense to refer to a tannaitic sage as "Rabbi Yose the Galilean," in the generation after the revolt this would have been nonsensical, given that the vast majority of sages we encounter from this period resided in Galilee. This indisputable fact, however, led historians to infer that a *population migration* had occurred. In light of the devastation wrought in

64 It is, of course, possible that fear of persecution drove the rise of contested tradition. While there is no evidence, textual or otherwise, for this claim, it is worth noting that later figures – from the geonic sages to Maimonides – cast persecution as the inciting event behind the decision to compose the Mishnah. On the geonic sources see Robert Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven: Yale University Press, 1998), 278ff; on Maimonides see Moshe Halbertal, "What Is the Mishneh Torah? On Codification and Ambivalence," in *Maimonides After 800 Years: Essays on Maimonides and His Influence* (Cambridge: Harvard University Press, 2007), 83–87, 98–99. But even in the case of the Mishnah's composition there is scant, if any, textual evidence within rabbinic literature itself that political persecution – let alone in either the first or second century CE – played a role in this process.

65 See Ben Zion Rosenfeld, *Torah Centers and Rabbinic Activity in Palestine, 70-400 CE: History and Geographic Distribution* (Leiden: Brill, 2010), 32–33.

Judea during the Bar Kokhba revolt, and the fact that rabbinic tradition appeared to have somehow migrated to Galilee, historians assumed that a massive group of refugees – including the rabbis – made their way north in the revolt's aftermath.[66] In this view, rabbinic culture didn't so much *shift* as quite literally *move*.

But historians and archaeologists alike have subsequently raised a series of difficulties with this theory. In his survey of the number and character of settlements in Galilee from ca. 135-250 CE, Uzi Leibner concluded: "The data thus leave a question mark concerning the extent of immigration from Judea to the Galilee and, on the face of it, this appears to have been a rather limited phenomenon with no significant effect on demography or settlement in the rural region."[67] In an excellent study on the origins of the patriarchate, Sacha Stern demonstrated that Rabbi Judah the Prince[68] did not inherit the title of patriarch from the Judean R. Shimon b. Gamaliel II. In fact, contrary to conventional wisdom, he was not even related to him.[69] He was instead part of a local aristocratic family in Galilee, and the very first patriarch.[70] Rather than a Judean institution that moved north, then, the patriarchate originated in Galilee. Stern saw this as part and parcel of the broader question regarding rabbinic transition from Judea to Galilee. While the conventional wisdom of a major population shift presumed that the post-

66 See, e.g., Martin Goodman, *State and Society in Roman Galilee, AD 132–212*, Second Edition (London: Valentine Mitchell, 2000), 23, 32–33, 177–78; Ze'ev Safrai, *The Galilee in the Time of the Mishnah and Talmud* (Ma'alot, 1985), 10–12 (Hebrew); Mark A. Chancey, *The Myth of a Gentile Galilee*, Society for New Testament Studies Monograph Series 118 (Cambridge: Cambridge University Press, 2002), 60–61.

67 Uzi Leibner, *Settlement and History in Hellenistic, Roman, and Byzantine Galilee: An Archaeological Survey of the Eastern Galilee*, Texts and Studies in Ancient Judaism 127 (Tübingen: Mohr Siebeck, 2009), 348.

68 Typically known in rabbinic literature simply by the sobriquet "Rabbi."

69 The notion that they were related originates in much later Babylonian sources. Not only is there no source for this from the Land of Israel, but several sources actively assume that R. Shimon b. Gamaliel II could not have been Rabbi's father. Stern's strongest – in my view, dispositive – proof is the pericope at *t.* Ma'as 2.5; see Sacha Stern, "Rabbi and the Origins of the Patriarchate," *Journal of Jewish Studies* 54, no. 2 (2003): 205–6.

70 Stern, 194–212.

Bar Kokhba generation were recent immigrants to Galilee, Stern pointed out that rabbinic texts reflecting on this period actually presume that the leading figures post-Revolt were local Galileans.[71]

The development of rabbinic Galilee in the second century CE reflected not a simple population transplantation, but rather the rise of a mostly home-grown class of rabbinic sages as the southern strongholds declined. For the first time, those responsible for preserving and perpetuating rabbinic traditions came from outside those traditions' point of origin. Of course, the Galilean sages were deeply influenced by Judean teachers, especially Rabbi Akiva and his colleagues. But this only underscored the difficulty they faced. They not only confronted the responsibility of remembering an accruing mass of rabbinic tradition, but had to do so in a new geographical, social and cultural milieu.

This, in turn, clarifies Furstenberg's observation concerning rabbinic sources that describe the emergence of contested tradition.[72] As he noted, they emphasized that the growth of rabbinic tradition had threatened to become overwhelming. Accordingly, in the generation after Rabbi Akiva, rabbinic teachers adopted the strategy of contested tradition as a solution.[73] But Furstenberg did not explain why this would have become an issue for rabbis – or, we should say, teachers in general – specifically at this time. We are now in a position to supply an answer. The strategy of contested tradition in rabbinic sources arose among a generation contemplating the challenge of maintaining traditional continuity in a new context. The Galilean sages were influenced by their Judean teachers, but came from outside the

71 Those sources (principally, Gen. Rab. 97.13) that assume the wholesale northward move of the rabbis reflect, in Stern's judgment, an idealized portrait of continuity across geography – similar to the medieval rabbinic legend of the "four captives." See Stern, 212. On the "four captives" see now Marina Rustow, *Heresy and the Politics of Community the Jews of the Fatimid Caliphate*, Conjunctions of Religion and Power in the Medieval Past (Ithaca: Cornell University Press, 2008), 134–36.

72 See above p. 231 n. 25.

73 Menahem Kahana made the case that traditions about Rabbi Akiva in the Mishnah represent a transition among rabbis from decision-making based on tradition *passed down* by teachers, to decision-making based on argumentation *among* teachers; see "On the Fashioning and Aims of the Mishnaic Controversy," *Tarbiz* 73, no. 1 (2003): 51–81 (Hebrew).

initial heartland of rabbinic learning. As we have seen, rabbis in the second century CE responded to this unusual rupture by employing contested tradition, while also lamenting the need to do so.[74]

The virtue of this explanation for the emergence of contested tradition among rabbinic teachers is that it can also explain the contemporaneous phenomenon we found in the Gospel of Mary. Much as rabbinic teachers in second century CE Galilee were outsiders relative to their tradition's point of origin, followers of Jesus at the turn of this century were proliferating far beyond the boundaries of Jesus's Palestine. Paul's letters testify that this was an early feature of the Jesus movement. But he himself was a Palestinian teacher, and close colleague of Jesus's initial disciples. As followers of Jesus far-removed from this original circle began to contemplate the prospect of preserving their traditions themselves, they faced a challenge quite similar to the ones faced by the second century rabbis. Both teachings attributed to Jesus and tradents recording Jesus's words were becoming increasingly numerous, and followers of Jesus began to reflect on the rupture from their original context. As in the case of rabbinic literature, contested tradition represented a developing strategy for preserving their tradition's coherence.[75] The Gospel of Mary serves as one of our earliest examples of Jewish followers of Jesus grappling with this strategy.

Conclusions

74 On the relationship between rabbinic teachers and scriptural interpreters, see in greater detail below. We shall see that the popularization of mundane interpretation among rabbis occurs during this same period as well, as an alternative procedural solution to the very same challenge.

75 There were, of course, other strategies available, especially for those who did not concede the authority of very many teachers. One could double down on a chain of transmission, which limited authorization only to one or two figures in each generation. We can find one example of this in Mishnah Avot, and others in claims among turn of the second century followers of Jesus regarding apostolic succession; see Tropper, *Wisdom*, 208–41; Amram Tropper, "Tractate Avot and Early Christian Succession Lists," in *The Ways That Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages*, ed. Adam H. Becker and Annette Yoshiko Reed (Minneapolis: Fortress Press, 2003), 159–88.

In sum, the Gospel of Mary demonstrates both continuity and change among authoritative teachers in the first two centuries CE. In certain respects, teachers in this era closely resembled those from earlier periods. The Gospel of Mary emphasized now-familiar vocabulary and motifs related to 'hearing,' 'saying,' and 'remembering,' ultimately drawn from much earlier wisdom traditions. It eschewed explicit interpretation of scripture, which is especially noteworthy in light of its seemingly clear awareness of some of the classical discussions in early Jewish scriptural interpretation. And it exhibited the teachers' characteristic anxiety: fear over the "threat of rupture."

But we also saw evidence in the Gospel of Mary, parallel to what we found in Tosefta and Mishnah Eduyot, for a crucial shift among teachers in the second century CE. Earlier teachers saw the teacher-student relationship in exclusive terms – either you preserved the correct tradition, or you did not. Such sources promoted 'uncontested tradition.' By contrast, the Gospel of Mary defended the practice of "debate" among dedicated students.[76] Such 'contested tradition' appears to have arisen in the second century CE. In attempting to explain why, I suggested that teachers, whether rabbis or followers of Jesus, experienced unusual upheavals during the early-mid second century CE. One strategic response to the various upheavals was to adopt a strategy of contested tradition. That sources from Tosefta to the Gospel of Mary devised such similar solutions helps demonstrate that teachers during this period could be united by procedural norms and tactics, notwithstanding their sometimes divergent substantive norms.

76 Even while acknowledging that attacking a colleague "like an adversary" would cross the line.

Authoritative Teachers and Prophets in the First Two Centuries CE

Introduction

Common to all forms of teaching was the conviction that the human teachers served as the most trustworthy source of right behavior. Mundane teachers thought that students should be authorized by their own teachers, and were deeply suspicious of those who claimed divine inspiration. Inspired teachers agreed on the critical, primary role played by the human teacher. At the same time, in contrast to their colleagues, they also attempted to harness the procedural power of divine inspiration. But inspired teachers, too, were suspicious of those who claimed to speak not only on behalf of God, but *as* God – namely, prophets. This meant that during the first two centuries BCE, when interpretation and inspiration were bundled together, teachers eschewed the whole package.

By sometime during the first century CE, and certainly by the second, the situation had changed substantially. Once early Jewish thinkers began to undo the bundle, teachers could consider the procedures of interpretation and inspiration separately from each other. This development had seismic implications. For the first time in at least three or four centuries Jewish teachers were confronted with an alternative procedural norm that did *not* rely on divine inspiration. Moreover, it is precisely at this time – the turn of the era – that we can detect the increasing influence of scripture on Jewish life near the turn of the era. By the end of the first century BCE, and into the first century CE, we start to encounter literary and archaeological evidence that at least some Jews would gather together in synagogues on the Sabbath and read from the scriptures.[77] Given the opportunity presented by a

77 See Lee I. Levine, *The Ancient Synagogue: The First Thousand Years* (New Haven: Yale University Press, 2000), 133–45, 504–6; Chad S. Spigel, *Ancient Synagogue Seating Capacities: Methodology, Analysis and Limits.* (Tübingen: Mohr

procedural norm potentially free of the problems that teachers associated with contemporary claims for divine revelation, and the practical fact of scripture's growing influence among Jews, could teachers make their peace with mundane scriptural interpretation? Could they perhaps even see a role for themselves in the interpretative endeavor?

We shall see that the answer to both of these questions is 'yes.' Teachers react to the unbundling of interpretation and inspiration with a double move. First, they double down on criticism of divine inspiration by polemicizing directly against prophets and prophecy. Second, teachers begin to experiment gradually – in three stages, or at least via three different types of strategies – with mundane interpretation. Before examining the latter, let us first consider how teachers confronted the rise of neoclassical prophecy.

Authoritative Teachers and Prophets in a Toseftan Passage

A passage in the Tosefta makes the following claim:[78]

Siebeck, 2012), 32; and cf. David Henshke, "The Direction of Prayer: Towards the Temple Or Towards Other Directions?," *Jewish Studies, an Internet Journal* 12 (n.d.): 5–6 (Hebrew). For a very different perspective on much of this evidence that nevertheless leaves my basic point here unaffected, see the analysis in Mandel, *Origins of Midrash*, 160–63, especially n. 51.

78 All citations from Tosefta rely on Saul Lieberman's edition where it is available, in this case Saul Lieberman, *The Tosefta, According to Codex Vienna, with variants from Codices Erfurt, Genizah MSS, and Editio Princeps (Venice, 1521), Together with Reference to Parallel Passages in Talmudic Literature and a Brief Commentary*, vol. The Order of Nashim II (New York: The Jewish Theological Seminary of America, 1973), (Hebrew). As noted above in the case of *t.* Sanh. 7.1, where Lieberman's edition is not available I cite from Zuckermandel, *Tosephta*. For textual notes on this passage see Chaim Milikowsky, "The End of Prophecy and the Closure of the Bible in Judaism of Late Antiquity," *Sidra* 10 (1994): 85 (Hebrew).

משמתו נביאים האחרונים חגי זכריה ומלאכי פסקה רוח הקודש מישראל ואע"פ כן היו משמיעין להן[79] על בת קול מעשה שנתכנסו חכמים לעליית בית גוריה ביריחו ויצתה בת קול ואמרה להן יש כן אדם ביניכם שראוי לרוח הקדש אלא שאין דורו זכיי לכך נתנו עיניהם בהלל הזקן וכשמת אמרו עליו הא עניו הא חסיד תלמידו של עזרא

When the latter prophets – Haggai, Zechariah and Malachi – died, the holy spirit ceased from Israel. However, they (He?) still communicated with them via the sound of a voice.[80] An incident occurred in which the sages gathered into the upper chamber of the house of Guriah in Jericho, and the sound of a voice emerged and said to them: "There is here a person among you who is suitable [to receive] the holy spirit [but will not] because the current generation is unworthy of this." [The sages] cast their eyes upon Hillel the Elder, and when he died, they said of him: "Behold this humble and kind person, a disciple of Ezra." (*t.* Sot. 13.3)

On the basis of this passage, traditional Jewish commentators since the Middle Ages asserted unanimously that prophecy had terminated with the death of Malachi.[81] With the qualification that prophecy resumed with the figures mentioned in the New Testament, Christian theologians in the pre-modern period agreed. As John Calvin put it in the sixteenth century, "We know that the last of the true and lawful prophets was Malachi."[82] In the second half of the 20th century, however, scholars began to debate in earnest the historicity, as well as the theoretical and ideological assumptions baked into the

79 For a valuable insight into the confusing syntax here, see Jay Rovner, "Hillel and the Bat Qol: A Toseftan Discourse on Prophecy in the Second Temple and Tannaitic Periods," *Oqimta* 2 (2014): 168–69, n. 10.

80 "*Bat qol*" is a notoriously difficult term to translate. "Sound of a voice" reflects the extensive analysis I offered in an unpublished paper, "The *Bat Qol* in Rabbinic Sources: A Diachronic Analysis," (The Palestinian Talmud, Graduate Seminar by Moulie Vidas, Princeton University, Spring 2016).

81 See Abraham J. Heschel, *Prophetic Inspiration After the Prophets* (Hoboken: Ktav, 1996), 1., and the extensive bibliography at pp. 1-2, note 1.

82 John Calvin, *Commentary on a Harmony of the Evangelists: Matthew, Mark and Luke*, vol. volume 1 (The Calvin Translation Society, 1844), 173.

idea of a "cessation of prophecy."[83] The details of this debate need not detain us here. Whatever early Judaism as a whole did or did not think about the so-called cessation of prophecy,[84] this text is certainly important for what it can tell us about how some rabbinic teachers in the mid-second century CE had come to think about prophets and prophecy.[85]

The passage begins by stating outright that prophets can no longer exist among Israel. It does seem, however, to leave open the possibility of some other form of divine communication: the sound of a divine voice. What is the nature of this form of inspiration? The passage clarifies the matter via a narrative. The scene is set in the upper chamber of a house in Jericho. In early Jewish literature, from some of the earliest gospel traditions to rabbinic literature, an upper chamber in a private house or inn serves as a setting for a teacher to instruct his students, or for colleagues to gather together in discussion.[86] Before the teaching can commence, the sages hear a divine voice. Note, at this point, the presence of the characteristic authoritative teacher verb, *š-m-ʿ* (hear).[87] Instead of listening to a

83 The history of scholarship on this topic is extensive. For an excellent and thorough review, see Cook, *Cessation of Prophecy*, 10–45. To Cook's material should now be added Alex P. Jassen, "Prophecy After 'The Prophets': The Dead Sea Scrolls and the History of Prophecy in Judaism," in *The Dead Sea Scrolls in Context: Integrating the Dead Sea Scrolls in the Study of Ancient Texts, Languages, and Cultures*, ed. Armin Lange, Emanuel Tov, and Matthias Weigold, vol. 2 (Leiden: Brill, 2011), 577–93; Hindy Najman, *Losing the Temple and Recovering the Future: An Analysis of 4 Ezra* (Cambridge: Cambridge University Press, 2014); Rovner, "Hillel and the Bat Qol"; Tervanotko, "Oracle Interpreters"; and see Jae Hee Han, "Rethinking Prophecy in Late Antique Syria" (PhD Dissertation, University of Pennsylvania, 2018), 1–4.

84 Or whether the framing implied by the very term "cessation of prophecy" is a helpful one.

85 Jacob Neusner conjectured that this pericope was compiled sometime before 150 CE; see *The Rabbinic Traditions About the Pharisees Before 70, Part I: The Masters*, 2nd edition (Eugene: Wipf and Stock Publishers, 2005), 239. After a thorough philological and literary analysis, especially focusing on the "*ben ḥamsan*" narrative recorded therein, Stuart Miller concurred; see *Studies in the History and Traditions of Sepphoris*, Studies in Judaism in Late Antiquity 37 (Leiden: Brill, 1984), 88–102, especially p. 100. But cf. Rovner, "Hillel and the Bat Qol," 186–87. Note, however, that Rovner's suggestion is extremely tentative.

86 See Catherine Hezser, *The Social Structure of the Rabbinic Movement in Roman Palestine* (Tübingen: Mohr Siebeck, 1997), 209–12; Catherine Hezser, *Jewish Travel in Antiquity* (Tübingen: Mohr Siebeck, 2011), 237–39. But *pace* Hezser, it is clear – certainly in the tannaitic period – that the 'study house' (*bet midrash*) and 'upper room' are not identical, nor does the former even describe a building *per se*; see Chaim Shapira, "'Beit Hamidrash' — Concept and Institution in the Period of the Mishna and Talmud," *Proceedings of the World Congress of Jewish Studies* 12 (1997): 48–49 (Hebrew).

87 For the importance of this verb in teacher traditions within tannaitic literature see above p. 226 n. 11.

teaching, the gathered sages listen to a divine voice. At first glance the voice appears as a form of divine inspiration guiding the gathered sages.

But a closer look reveals that this is not the case at all. Even though the sages are privy here to a pronouncement by the sound of a divine voice – a form of divine inspiration – the pronouncement is fundamentally indeterminate. The voice does not actually identify Hillel as its target, and the gathered sages are simply left to guess, and eventually assume.[88] In fact, their suspicions are left unconfirmed, and the passage posthumously described Hillel as a student of Ezra, the legendary biblical figure who, famously, was a teacher but not a prophet.[89] In the end, not only does our passage deny the continued existence of prophets and prophecy, but it even problematized the very notion of continued divine inspiration. At best, such inspiration is vague and indeterminate. Better, the passage stresses, to become a student diligently attending your teacher.

We thus have our first piece of evidence for how teachers might have adapted to the unbundling of interpretation and inspiration. In this case, the response was explicitly to attack the procedure of inspiration-alone, namely, prophecy. Should we see this strategy as unique to rabbinic teachers, or perhaps mundane teachers? Or can we identify this strategy in other second-century teacher sources as well?

88 The parallel amoraic sources make this even clearer. In those cases, the *bat qol* posits that *two* people are suitable to receive the holy spirit, but only identifies one of them. See the references in Saul Lieberman, Tosefta Kifshutah VIII: Seder Nashim (New York: Jewish Theological Seminary of America, 1973), 737 (Hebrew). This point appears even to have escaped Rovner's notice in the course of his illuminating analysis; see Rovner, "Hillel and the Bat Qol," 184–92. Interestingly, this is the only tannaitic text that portrays a divine *bat qol* interacting with humans. Nowhere else in tannaitic literature is it clear that human beings can hear a divine *bat qol*.

89 Rovner speculated that our passage connected Hillel to Ezra to highlight the former's exegetical abilities; see "Hillel and the Bat Qol," 185. But at no point in this passage does Hillel ever engage in any scriptural interpretation, nor do the sages in the immediately following parallel passages. Rather, it seems that our passage uses Ezra as an exemplary teacher. See Tropper, *Simeon the Righteous*, 59–65, especially p. 63; and cf. Rovner, "Hillel and the Bat Qol," 185 n. 42.

The Apocryphon of James is another source that will inform our perspective on how teachers viewed prophecy. First published in 1968, the Apocryphon of James[90] is Coptic translation of a likely Greek original dating from the first half of the second century. It remains like many of the Nag Hammadi texts, severely understudied.[91] As we saw in the case of the Gospel of Mary, scholars have typically ignored the possibility of an *interpretatio Judaica* for the Nag Hammadi material.[92] The same is true for the Apocryphon of James. Nevertheless, scholars have pointed to Jewish elements throughout the text.[93] While this evidence is meager, there is no suggestion within the text whatsoever that it was composed by a *non*-Jew. In any event, without adjudicating the matter, it will still be helpful to consider the Apocryphon of James within the context of first and second century CE Jewish thinking. Since, as we shall see, the text belongs to the teacher procedural type, we will need to ask: how does it regard contemporary prophets?

90 "Apocryphon of James" is the text's standard title in scholarly literature. I much prefer the title employed in the translation found in Willis Barnstone and Marvin Meyer, eds., The Gnostic Bible, Revised Edition (Boston; London: Shambala, 2009): "Secret Book of James." The title "*Apocryphon* of James" reflects, in my view, an unfortunate tic in scholarship on gnosticism – and, relatedly, on the Dead Sea Scrolls – that leaves key nouns in texts like Apocryphon of James untranslated, thereby lending them a more exotic or sectarian flavor; see above p. 82 n. 92. In the case of Nag Hammadi texts, this probably reflects, at least in part, casual acceptance of some of the cliches about gnosticism identified in Williams, *Rethinking "Gnosticism,"* 52, and in particular 96-115. However, in deference to common practice, I will retain the standard title in this essay.

On the text's date see Barnstone and Meyer, *Gnostic Bible*, 360; cf. Ron Cameron, *Sayings Traditions in the Apocryphon of James*, Second Edition, Harvard Theological Studies 34 (Cambridge: Harvard University Press, n.d.), 123; Brakke, "Parables and Plain Speech," 203; Francis E. Williams, "The Apocryphon of James," in *Nag Hammadi Codex I (The Jung Codex): Introductions, Texts, Translations, Indices*, ed. Harold W. Attridge, Coptic Gnostic Library (Leiden: Brill, 1985), 26–27.

91 For bibliography on Apocryphon of James through the mid-1980s see Cameron, *Sayings Traditions*, 2 n. 7. For bibliography covering the mid-1990s through the mid-2000s, see David M. Scholer, *Nag Hammadi Bibliography: 1995-2006*, Nag Hammadi and Manichaean Studies 65 (Leiden; Boston: Brill, 2009), 142–44. In addition to the foregoing, note J. Van Der Vliet, "Spirit and Prophecy in the Epistula Iacobi Apocrypha (NHC I,2)," *Vigiliae Christianae* 44, no. 1 (1990): 25–53.

92 Or, in the case of the Gospel of Mary, Nag Hammadi-adjacent.

93 See, e.g., Madeleine Scopello, "The Secret Book of James, Introduction," in *The Nag Hammadi Scriptures*, ed. Marvin Meyer, International Edition (New York: Harper One, 2007), 21.

Before we move forward, however, let us establish the text's procedural character. The Apocryphon of James centrally features a series of discourses between Jesus and two of the twelve disciples: James and Peter.[94] The discourses are set after the crucifixion, and Jesus is said to "appear" (12.17). But the text does not describe Jesus in ecstatic terms, nor utilize the themes, language or motifs of texts generally classed by scholars as apocalyptic.[95] While the Apocryphon of James is nominally a revelatory text, in that Jesus claims he has come from heaven (2.23-4) and that he will return there (14.30-4),[96] the text does not dwell at all on either of these phenomena, described – in sum total – as follows: "the savior appeared" (2.17), "he left" (15.7).[97] These discourses, instead, emphasize Jesus' role as teacher to the disciples, preparing them, in turn, to teach others. Thus, when Jesus arrives, he happens upon the following scene:[98]

> Now, the twelve students were all sitting together, **remembering** what the savior had said to each of them, whether in a hidden or an open manner, and organizing it in books. I was writing what is in my book. (Ap. Jas. 2.8-19)

94 James appears to be the text's primary hero, as it were, at Peter's expense. See Williams, "Apocryphon of James," 20–21. This is of a piece with Peter's treatment in many other Nag Hammadi texts; see Tobias Nicklas, "'Gnostic' Perspectives on Peter," in *Peter in Early Christianity*, ed. Helen K. Bond and Larry W. Hurtado (Grand Rapids: William B. Eerdman's Publishing Company, 2015), 196–221.

95 There is, of course, a worryingly arbitrary element to this sort of argument, given the heavy redactional hand, as it were, of scholars in constructing this genre. See John J. Collins, *The Apocalyptic Imagination: An Introduction to Jewish Apocalyptic Literature*, Third edition (Grand Rapids: William B. Eerdman's Publishing Company, 2016), 1–42; Adela Yarbro Collins, "The Early Christian Apocalypses," ed. John J. Collins, *Semeia* 14 (1979): 61–121. In any event, the Semeia volume on apocalyptic texts treated many of the Nag Hammadi texts separately, since a large number of them are missing several or all of the elements identified in the previously cited studies. See Francis T Fallon, "The Gnostic Apocalypses," *Semeia* 14 (1979): 123–58 especially 145-6, on Ap Jas. Fallon's definition of "apocalypse" for the so-called "gnostic apocalypses" appears extremely broad, and it is unclear to me exactly what is supposed to make Apocryphon of James an apocalypse, other than the mere narrative fact that Jesus is still around after his crucifixion, and an oblique reference to Jesus being sent from heaven (for further discussion, see below). At any rate, traditional apocalyptic themes – as found ubiquitously outside the Nag Hammadi texts, as well as in some of the other Nag Hammadi texts themselves – find almost no mention in the Apocryphon of James, and certainly appear not to have been the text's primary concern, if they were a concern at all.

96 Cf. Barnstone and Meyer, *Gnostic Bible*, 369 n. 34.

97 While the text contains an epilogue of sorts featuring an otherworldly journey, it is notable that this journey takes place *after* Jesus has already unceremoniously departed (15.6-28), and does not appear to involve him at all. The relationship between this section of the text and the preceding one still needs to be clarified.

98 All translations of Apocryphon of James taken from Barnstone and Meyer, *Gnostic Bible*.

Ron Cameron has highlighted the word "remembering" (ϵγϵιρϵ ⲙⲡⲙϵϵγϵ) in this passage, arguing for its technical usage among early Christians to refer to "the process of creating, collecting, and transmitting sayings of Jesus."[99] For Cameron, then, Apocryphon of James represented the disciples as studying at the feet of an inspired teacher, which is only highlighted by the text's distinction inclusion in their studies of both revealed and hidden teachings.[100]

The text's emphasis on the teacher-student relationship, moreover, was not limited to a single generation. Further teaching vocbaulary – including 'remembering' – appears in several passages in Apocryphon of James. Consider the following passage.

> And as long as I am with you, *pay attention* to me and trust in me, but when I am far from you, remember me. And *remember* me because I was with you and you did not know me. Blessings will be on those who have known me. Shame on those who have heard and have not believed. *Blessings will be on those who have not seen but yet have believed*. (Ap. Jas. 12.39–13.1)

This passage clarifies that when actually in the company of their teacher, James and Peter (and perhaps the rest of the disciples) are to "pay attention" (ⲡⲣⲟⲥϵϫϵ) to him. This verb serves the same function as the equivalent Greek verb *prosexō*.[101] In Greek texts – as far back as Demonsthenes' orations, and for

99 Cameron, *Sayings Traditions*, 92.
100 Cameron, 129.
101 For just one example, see the Coptic rendering of 1 Tim 4.13; George William Horner, ed., *The Coptic Version of the New Testament in the Southern Dialect: Otherwise Called Sahidic and Thebaic; With Critical Apparatus, Literal English Translation, Register of Fragments and Estimate of the Version*, vol. 5 (Oxford: Clarendon Press, 1911), 464–65.

many centuries subsequently – this verb is paired directly, or paralleled with the semantically similar verb 'to attend' (*parakoloutheō*).[102]

Azzan Yadin-Israel has demonstrated that *parakoloutheō* functions technically in Papias' writings "in the sense of 'to attend upon one's master,' specifically with regard to the reception of traditions."[103] He further views this usage as semantically identical with *š-m-š* (attend) in Tannaitic texts,[104] which we encountered above as part of the procedural vocabulary of *t.* Sanh. 7.1. Recall that according to that Toseftan passage, 'attending' is necessary for 'hearing' – another technical term in the Authoritative-Teacher procedural sources found in Tannaitic literature. I content that Apocryphon of James's usage of 'attending' functions in similar fashion.

Unsurprisingly, then, the same dynamic between 'attending' and 'hearing,' found in both Papias's writings and *t.* Sanh. 7.1, appears in our passage in Apocryphon of James, concerning 'paying attention' and 'hearing.' James and Peter were expected to 'pay attention' to Jesus while he is still present. If they did not, then they – and those who listen to them[105] – would be subject to the woe pronounced thereafter, "Shame on those who have heard and have not believed."[106] And when Jesus has

102 For just one of many examples, see Dem. 43, *Against Macartatus* 2; A.T. Murray, ed., *Demosthenes - Private Orations*, vol. 2, Loeb Classical Library 346 (Cambridge: Harvard University Press, 1939).

103 Yadin-Israel, "Peter's Tanna," 350.

104 See the discussion at Yadin-Israel, 348–51. For further discussion, see below.

105 See Apocryphon of James 16.3-4.

106 See Cameron, *Sayings Traditions*, 44–54. On form-critical grounds, Cameron (re-)interpreted this line, and the passage to which it belongs, as a farewell dialogue by Wisdom. I readily concede that I do not understand how his conclusion follows from his arguments. However, it is worth confronting those arguments on their own. For instance, Cameron pointed out that elements of our passage – or possibly the entire passage – has been stitched together out of floating traditions, particularly John 20.29 and Shep. Herm. 4.2.6. Notably, neither of these sources belong within the authoritative teacher procedural type. We should not be surprised, therefore, to find crucial differences in how this tradition is framed and deployed in each of these sources. Thus, in John, this tradition refers not to 'hearing' – for our purposes, the relevant activity – but to 'seeing.' As we saw in the previous chapter in the case of the gospel of Luke, and as Yadin-Israel demonstrates in a separate but related context, this distinction makes all the difference; see Yadin-Israel, "Peter's Tanna," 351–53. In the case of Shepherd of Hermas, note the conceptual difference: "Woe to those who hear these words [of the vision predicting the coming tribulation] and *disobey* (παρακούσασιν)." (Translation from Carolyn Osiek, *Shepherd of Hermas: A Commentary*, Hermeneia - A Critical and Historical Commentary on the Bible (Minneapolis: Fortress Press, 1999), 90.). 'Hearing' here refers to being given a (prophetic) command. The response to

gone – and his students can no longer attend, and pay attention to, their teacher – would future 'hearers' credit what they have 'heard'? The text hoped fervently that they will: "Blessings will be on those who have *not seen but yet have believed*;"[107] or more fully expressed: Blessings will be on you who have not seen him, or associated with him, or spoken with him, but nevertheless accept as authentic the teachings transmitted in his name.

I have established that the Apocryphon of James adopted an inspired teacher procedural norm, and that it fits within the wider second century CE world of teachers populated by *t.* Sanh. 7.1, the Gospel of Mary, and Papias. We are now better positioned to appreciate its attack on prophecy. In striking fashion, especially for a text that has been (erroneously, in my view) characterized as an "apocalypse,"[108] Apocryphon of James directly dismissed the continuing possibility of prophetic revelation:

> Then I [James] asked him, "Master, can we prophesy to those who ask us to prophesy to them? There are many who bring a request to us and look to us to hear our pronouncement." The master answered and said, "Do you not know that the head of prophecy was cut off with John?" (Ap. Jas. 6.21-31)

James's question is framed in procedural terms: how should we construe our relationship with you to the outside world? Many times before, we have seen procedural norms appear in the context of interaction with the public. This is yet another example. But James's question also mad a polemical

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this 'hearing' is either assent or disobedience (cf. Osiek, 95–96.). But in Apocryphon of James the formulation is "Shame on those who have heard and not *believed* (ⲡⲓⲥⲧⲉⲩⲉ)." In this case, 'hearing' refers to receiving a report that someone else has said something. The response to this cannot be assent or disobedience, but is rather belief or disbelief; that is, crediting the report or discrediting it. This form of 'hearing' – unlike that in Shepherd of Hermas – aligns perfectly, in a conceptual sense, with what we have seen in Papias, several rabbinic texts, and the Gospel of Mary.

107 On the parallel in John 20.29, see previous note.

108 Fallon, "Gnostic Apocalypses," 145–46.

point. His question implied that some people – perhaps Jesus-followers, or Jews in general – confused inspired teachers for prophets. Both, after all, made use of inspiration in some way. As we have seen, however, the procedural differences between inspired teachers and prophets are critical. This was certainly true from this text's perspective.

Jesus replied by seeming to categorically deny the possibility of prophecy. James then asked incredulously: "Lord, is it not impossible to remove the head of prophecy?" (Ap. Jas. 6.32-34).[109] Jesus responded by re-emphasizing his allusion to John the Baptist.[110] He explained that prophecy is not impossible, but rather simply no longer available: "When you[111] realize what 'head' means, and that prophecy comes from the head, then understand the meaning of 'its head was removed.'" (Ap. Jas. 6.34-7.1). Accordingly, those who claimed to be prophets in the present day are charlatans, and "those who ask us to prophesy to them" are requesting the impossible. The disciples – and, in turn, their own students – had no choice, then, but to rely on authoritative teachers.

Apocryphon of James, in sum, assumed the procedure of authoritative teaching. Students are expected to 'pay attention' to their teacher in the interests of 'hearing' and 'remembering' their instruction. The text also went out of its way to polemicize against a rival procedural norm: prophecy.

Conclusions

109 Cf. "But I said, 'Lord, can it be possible to remove the head of prophecy?'" in Williams, "Apocryphon of James," 39.
110 See Marvin Meyer, "The Secret Book of James, Translation," in *The Nag Hammadi Scriptures*, ed. Marvin Meyer, International Edition (New York: Harper One, 2007), 26 n. 20.
111 Here in the second person plural, see Williams, "Apocryphon of James," 39.

Teachers in the second century CE confronted the unbundling of interpretation and inspiration. This afforded them the opportunity to consider mundane interpretation and neoclassical prophecy as separate phenomena. With regard to prophecy, we saw that teachers – from the rabbis of *t.* Sot. 13.3, to the teachers who compiled the Apocryphon of James – responded by attacking it. Although this scenario was only made possibly by a dramatic shift in the procedural landscape beginning at the turn of the era, we should note that, in an important sense, the tendency to oppose inspiration-alone signaled continuity with teachers past. Recall that prior to scripturalization, wise teachers like those found in the wisdom traditions, eschewed inspiration as a procedural tool.

We may now turn our attention to the question of mundane interpretation. How did second-century teachers react to the idea of a rival procedural norm *not* premised on divine inspiration?

Authoritative Teachers and Scriptural Interpretation in the First Two Centuries CE

Introduction

By the early first century CE, authoritative teachers in and around Palestine began to conclude that scripture had become impossible to ignore. Of course, for nearly another two centuries – just as in the two centuries prior – we will continue to see teachers who eschewed scriptural interpretation as a procedure.[112] But by the turn of the era, the influence of scripturalization had extended beyond the experts we examined in chapter 3. We begin to see evidence for scriptural reading and interpretation in the archaeological data from this period, as well as in literary sources that purport to describe common

112 E.g. *t.* Sanh. 7.1, *m.* Ed. (and, as we shall see, *m.* Avot), the Gospel of Mary, and the Apocryphon of James.

practice.[113] Moreover, sometime during the first two centuries, we first begin to see evidence for prophets – inspiration without interpretation – and mundane scriptural interpreters – interpretation without inspiration. Since prior to the second century BCE, teachers had contended with procedural rivals who claimed access to divine inspiration. They would continue to do so well into the second century CE, with many teachers claiming that prophecy was no longer possible.[114] But the unbundling of interpretation from inspiration presented teachers with a form of scriptural interpretation they could potentially embrace as part of the teacher's toolkit. From the mid-first to the second century CE, then, we find evidence that authoritative teachers, both mundane and inspired, began to experiment with interpretation. This process occurred in three stages, which I will presently outline by reference to Paul, Josephus, and the Mishnah.[115]

Authoritative Teaching and Scriptural Interpretation in Paul's Writings

Paul's perspective on scriptural interpretation will shed light on how first and second century CE teachers adapted to mundane interpretation. But in order to uncover Paul's position on interpretation, we will first need to establish his procedural commitment to authoritative teaching – as we shall see, inspired teaching. It will also be helpful to uncover his attitude towards prophets, analyzing whether it comports with similar perspectives explored above in teacher sources from this period.

113 See above p. 248 n. 77.

114 Others teachers addressed the proliferation of prophets in the first century CE by signaling their inferiority to teachers, sharply circumscribing the prophets' role, and requiring them to submit to testing by others; see further below. And see, for example, Cook's conclusion regarding early prophets among early Jesus followers: "[they] are important but lower-ranking functionaries"; Cook, *Cessation of Prophecy*, 119.

115 In what follows I will make a *chronological* argument for how teachers adapt to scriptural interpretation. But it is also possible that what we actually encounter here are three different *strategies* for adapting to interpretation that develop coterminously. Either way my argument that teachers adapt to interpretation beginning in the first-second centuries CE is unaffected, but I will at least *attempt* to advance the more ambitious chronological theory.

In his letter to the congregations of Galatia, Paul introduced himself as having been commissioned by Jesus, and ultimately by God, rather than by humans (οὐκ ἀπ' ἀνθρώπων οὐδὲ δι' ἀνθρώπου).[116] Paul had procedural concerns directly in mind, as he immediately connects his commission to unrest among his audience. He proclaimed his dismay at the influence of "certain people" who are "unsettling" his addressees, apparently by offering different teachings than Paul (Gal 1.7). He stated that "if anyone preach the gospel to you in opposition to what you have received (παρελάβετε)—may there be a curse [on that one] (Gal 1.19). In the LXX, the verb *paralambanō* nearly always translates Hebrew *l-q-ḥ*,[117] which is cognate with – and in Biblical Hebrew even replaced – the Hebrew verb *q-b-l*.[118] Noting the Hebrew equivalent, commentators on Galatians correctly understood that Paul used the Greek cognate in order to depict his audience as in receipt of traditional instruction.[119] The Hebrew verb *q-b-l* to denote reception of authoritative teaching also appears in Mishnah Avot, the oldest identifiable material in which is likely contemporary with Paul.[120]

116 Gal 1.1, "neither by human commission nor from human authorities" (NRSV). Cf. Lloyd Gaston's translation, "not from human beings and not through an individual." All citations to Gaston's translation are from Gaston, *Paul and Torah*. In translating Galatians and Romans I will cite from Gaston unless otherwise noted (although I will remove English archaisms, e.g. "ye"). I will indicate in the notes, however, if Gaston's translation is meaningfully different from NRSV.

117 Josephus routinely uses the verb this way as well in his paraphrases in the *Antiquities*. For just one example see *A.J.* 9.184, and cf. 2 Kgs 13.25.

118 See Koehler et al., *HALOT II*, Volume 2:1061.

119 See David A. DeSilva, *Galatians: A Handbook on the Greek Text*, Baylor Handbook on the Greek New Testament (Baylor University Press, 2015), 10. Betz connected *paralambanō* to *q-b-l*, as did Fung; see Hans Dieter Betz, *Galatians: A Commentary on Paul's Letter to the Churches in Galatia*, Hermeneia - A Critical and Historical Commentary on the Bible (Philadelphia: Fortress Press, 1979), 54 n. 97; Ronald Y. K. Fung, *The Epistle to the Galatians* (Wm. B. Eerdmans Publishing, 1988), 53.

120 On early material in *m.* Avot see Shimon Sharvit, *Tractate Avoth Through the Ages: A Critical Edition, Prolegomena and Appendices* (Jerusalem: Bialik Institute, 2004), 268 (Hebrew). Although he does not explicitly note the connection to *m.* Avot, Betz nevertheless highlighted Paul's frequent technical usage of *paralambanō* in parallel with *paradidōmi*, which he rightly pointed out corresponds to the Hebrew verbs *q-b-l* and *m-s-r* respectively. Both of these verbs serve as the procedural structuring principle for the opening section of *m.* Avot. On Paul's use of *paradidōmi* and its relevance for authoritative teacher procedural norms, see Baumgarten, "Paradosis," 66.

Paul thus portrayed himself as an authoritative teacher, and uses the vocabulary of a teacher. But we have already seen that important differences existed in antiquity between different kinds of teachers. In particular, I distinguished between mundane and inspired teachers.[121] This should prompt us to ask: what kind of teacher was Paul? He reveals his self-conception in the immediately following passage in Galatians:

> Γνωρίζω δὲ ὑμῖν, ἀδελφοί, τὸ εὐαγγέλιον τὸ εὐαγγελισθὲν ὑπ' ἐμοῦ ὅτι οὐκ ἔστιν κατὰ ἄνθρωπον· οὐδὲ γὰρ ἐγὼ παρὰ ἀνθρώπου παρέλαβον αὐτό, οὔτε ἐδιδάχθην, ἀλλὰ δι' ἀποκαλύψεως Ἰησοῦ Χριστοῦ. Ἠκούσατε γὰρ τὴν ἐμὴν ἀναστροφήν ποτε ἐν τῷ Ἰουδαϊσμῷ, ὅτι καθ' ὑπερβολὴν ἐδίωκον τὴν ἐκκλησίαν τοῦ θεοῦ καὶ ἐπόρθουν αὐτήν, καὶ προέκοπτον ἐν τῷ Ἰουδαϊσμῷ ὑπὲρ πολλοὺς συνηλικιώτας ἐν τῷ γένει μου, περισσοτέρως ζηλωτὴς ὑπάρχων **τῶν πατρικῶν μου παραδόσεων**.
>
> I declare to you, brothers and sisters, that the gospel which is preached by me is not a human message; for I too did not receive it from a human being, nor was I taught it, but [I received it] through a revelation of Jesus Christ. For you have heard of my lifestyle then in Judaism: that I was persecuting the congregation[122] of God exceedingly and trying to destroy it, and that I was making progress in Judaism more than many contemporaries in my people, being to a greater degree zealous for *the traditions of my ancestors*.[123] (Gal. 1.11-4)

121 A distinction that – unlike the parallel one for scriptural interpreters – can actually be found in our evidence for teachers in Palestine as far back as the second century BCE.

122 Gaston translates "church." I am not sure why, especially given that he translates the same word in Gal 1.2 as "congregation."

123 "Traditions of my ancestors" is NRSV's rendering. Gaston has "[oral] traditions of the sages [of my people]." His intentional emphasis on language that makes sense in the context of early Judaism is appreciated, and well taken. But in this case there is no evidence in the text itself that Paul's traditions were transmitted oral. Moreover, *patrikos* is a

Paul stressed for the third time that his teaching is of divine, rather than human origin. We might have wondered on this basis whether Paul considered himself a prophet, like so many of his first century CE contemporaries. Famously, of course, Paul never claimed the title "prophet." He did not use prophetic citation formulas.[124] In his own writings, at least, he did not describe any visionary events he may have experienced.[125] This element is even missing in Paul's supposed 'call narrative,' which would make it the only such call-narrative for which we have evidence.[126] Nevertheless, Paul's insistence on his divine authorization is unmistakable. This has led many scholars to the conclusion that "Paul never calls himself a prophet, but a convincing case can be made that Paul regarded himself as such."[127]

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strange adjective to use for "of the sages." Gaston himself, earlier in his study, translates the verse simply "traditions of my fathers"; *Paul and Torah*, 28. Moreover, the sort of reading for which Gaston aims is easily accomplished without over-translating this phrase; see, e.g., John G. Gager, *Reinventing Paul* (Oxford: Oxford University Press, 2002), 83ff. Finally, note that in light of our analysis of the chain of transmission motif in chapter 2 above, it is not clear that "sages" is even the closest 'Jewish' referent. It is just as likely to mean "ancestors" in the sense of early Israelite ancestors.

124 Cf. Acts 21.11.

125 For a full treatment of potential prophetic activity by Paul, see Aune, *Prophecy in Early Christianity*, 248-62. Aune's presentation is too enthusiastic in seeing prophecy in Paul's pronouncements, without making any distinctions between prophets and inspired teachers; see further below.

126 Beker notes the non-visionary character of Paul's "call narrative," but for reasons that are unclear takes this as a sign of continuity between Paul and the "prophetic heritage of the Old Testament"; see Johan Christiaan Beker, *Paul the Apostle: The Triumph of God in Life and Thought* (Philadelphia: Fortress Press, 1984), 116; On the importance of the "initial divine confrontation" for Biblical call narratives, see Norman Habel, "The Form and Significance of the Call Narratives," *Zeitschrift Für Die Alttestamentliche Wissenschaft* 77, no. 3 (1965): 298, 317; it is noteworthy that while several of the call narratives collected by Habel are missing one or another of the typical "call narrative" components, every one has the initial divine confrontation. The only exception is the call narrative he identifies for Second Isaiah, although in my opinion this identification is dubious to begin with. Even if we are willing to associate the phenomena in Second Isaiah to which Habel points with the other texts exhibiting the distinctive features uniting call narratives, it is easy to imagine why Second Isaiah would have ended up without an "initial divine confrontation." After all, in the form Second Isaiah eventually took, an "initial" confrontation would be redundant. Of course, we should be wary of imposing too firm a set of limits upon a genre that is in any event a scholarly construct, especially if in doing so we risk excluding from the conversation texts that should certainly be included. See in particular the concerns expressed in Rolf Knierim, "Old Testament Form Criticism Reconsidered," *Interpretation* 27, no. 4 (1973): 454; It is noteworthy, however, that even the narratives that Shalom-Guy worries may be excluded by too myopic an application of Habel's criteria possess the initial divine confrontation component; see Hava Shalom-Guy, "The Call Narratives of Gideon and Moses: Literary Convention or More?," *Journal of Hebrew Scriptures* 11 (2011): 3 n. 5.

127 Cook, *Cessation of Prophecy*, 117.

A detailed understanding of early Jewish procedural norms, however, allows us to spot the false dichotomy. We needn't choose between prophet or non-prophet. Jewish thinkers, especially beginning in the first century, made procedural use of divine inspiration in a variety of ways. Some believed that God directly inspired human beings to interpret scripture: inspired interpreters.[128] Others believed that God or other divine entities spoke directly through human beings: prophets.[129] But still others believed that a human could be authorized by God or other divine beings to teach on their behalf: inspired teachers. In our surviving evidence, Paul presented himself as an inspired teacher who had been commissioned by God and his anointed to spread right teachings to the nations of the world.[130]

Scholars have identified this self-presentation throughout Paul's writings, with procedural emphasis on inspired teaching always found in his letters' respective introductions. In the opening passages of 1 Thessalonians he stressed his role as inspired teacher to the congregation.[131] He further exhorted his audience to emulate their teacher. They should become "imitators" of Paul, and ultimately of Jesus, for "for in spite of persecution you received the word with joy inspired by the holy spirit" (1 Thess 1.6). He framed his first letter to the Corinthians in terms of a procedural dispute: what kind of teacher should his audience follow? Although seeming, on the surface, to downplay the differences between himself and a rival named Apollos, Apollos and his partisans appear to have been one of Paul's main targets in the letter.[132] Immediately after introducing Apollos, Paul stated that "the message about the

128 E.g. in the Gospel of Luke.

129 E.g. John of Patmos, or Theudas.

130 On the methodological caution required in drawing conclusions about the 'historical Paul,' even when confronted with authentically Pauline evidence, see Benjamin L. White, *Remembering Paul: Ancient and Modern Contests over the Image of the Apostle* (Oxford: Oxford University Press, 2014), especially 179-181.

131 See Gene L. Green, *The Letters to the Thessalonians* (Wm. B. Eerdmans Publishing, 2002), 96–97; and see Adam G. White, *Where Is the Wise Man?: Graeco-Roman Education as a Background to the Divisions in 1 Corinthians 1-4* (Bloomsbury Publishing, 2015), sec. 11.3.4.

132 See Joop F. M. Smit, "'What Is Apollos? What Is Paul?' In Search for the Coherence of First Corinthians 1:10-4:21," *Novum Testamentum* 44, no. 3 (2002): 231–51; and cf. L.L. Welborn, *Paul, the Fool of Christ: A Study of 1 Corinthians 1-4 in the Comic-Philosophic Tradition*, Journal for the Study of the New Testament Supplement Series 293 (London: T & T Clark International, 2005), 104–12; Craig S. Keener, *1-2 Corinthians*, New Cambridge Bible Commentary

cross is foolishness to those who are perishing (ἀπολλυμένοις)" (1 Cor 1.18). He criticized those who seek worldly instruction in wisdom, citing a verse from Isaiah proclaiming that God will "destroy (Ἀπολῶ) the wisdom of the wise" (1 Cor 1.19). As in 1 Thessalonians, the Paul of 1 Corinthians is a teacher divinely authorized by God. And Paul's rivals, as in Galatians, are mundane teachers. Recall that in Galatians, Paul contrasted his current procedural norms with his former commitment to "the traditions of my ancestors" (τῶν πατρικῶν μου παραδόσεων). As Al Baumgarten pointed out, this is language Jews typically used to describe the traditions of the Pharisees. He therefore sought to explain Galatians 1.11-14 as a description of Paul's early days as a Pharisaic persecutor of Jesus's followers.[133] While it is possible that Baumgarten is correct, Paul actually did not mention the Pharisees in Galatians.[134] It is rather more accurate to say that whether the Pharisees or some other group in Galatians, the wise teacher Apollos in Corinthians, or unnamed rivals in 1 Thessalonians, Paul simply sought to distinguish himself from mundane teachers in general.

Having established Paul's procedural commitment to inspired teaching, we can probe his writings for insight on the two matters that have occupied us in this chapter: how did first century teachers react to prophets – inspiration alone? And how did they react to the groundbreaking advent of interpretation-*sans*-inspiration? With regard to the first question, Paul did share in common with other teachers of all stripes a low opinion of prophets. Paul conceded the possibility of prophecy, but sought tightly to circumscribe their role and influence. Paul's suspicion of prophets can be glimpsed in his warning: "Do not quench the spirit, do not despise prophesying,[135] but test (δοκιμάζετε) everything" (1 Thess 5.19-

(Cambridge: Cambridge University Press, 2005), 24.

133 Baumgarten, "Paradosis," 66. This reading is adopted as well by DeSilva, *Galatians*, 16; Gaston, *Paul and Torah*, 28, 78, 136; Werman and Shemesh, *Revealing the Hidden*, 87 (Hebrew).

134 He only refers to his connection with the Pharisees in Phil 3.5, but even there it is not exactly clear what sort of relationship Paul intends to describe.

135 On this translation see Aune, *Prophecy in Early Christianity*, 219 n. 182.

21). Paul reiterated the importance of engaging critically with prophetic pronouncements in 1 Corinthians, "Let two or three prophets speak, and let the others weigh (διακρινέτωσαν) what is said" (14.29). The idea of forcing prophets to undergo a form of peer-review reflects a very different attitude towards the procedure of divine inspiration than that found among prophets themselves. According to Revelation, for example, 'Jezebel' in Thyatira was a liar. Were she not a liar, then she would be the highest source of procedural authority. In contrast, teachers – both mundane and inspired, as we have seen, tended to dismiss the possibility of contemporary prophecy entirely. They were not concerned with false *prophets*, so much as false *prophecy*. Paul's suggestion that audiences critically screen prophets reflects a similar perspective. Just as the rabbinic sages in *t.* Sot 13.3 technically hear a divine communication, but do not know what it means and so cannot rely on it, Paul saw prophets as technically in existence, but their pronouncements too vague and their influence therefore too unstable to be fully reliable.[136] They certainly cannot rank at the same level as apostles (1 Cor 12.27-9).[137]

With regard to the second matter, Paul is one of our earliest sources illustrating the procedural shift among teachers towards scriptural interpretation. Specifically, notwithstanding his commitment to inspired teaching, Paul did not eschew explicit scriptural interpretation. Paul interpreted scripture many times in his letters, including in all of the letters analyzed above. Unlike teachers in the first two centuries BCE, Paul could not – and appears not to have wished to – avoid interpretation. But neither was it his only tactic. Rather, interpretation was simply one of the tools in his repertoire as an authoritative teacher. As Matthew Malcom has shown in his study of rhetoric in 1 Corinthians, the first several chapters are structured carefully so as to make clear that Paul has several procedural tools in his

136 On Paul's prophetic peer review see Keener, *Corinthians*, 116–17.
137 I believe that "apostle" is Paul's world for "inspired teacher." This, however, will require more complete analysis.

toolkit, just one of which, albeit an important one, is scriptural interpretation.[138] Similar to how authoritative teacher sources in the previous two centuries portrayed the capacity to read and write well,[139] Paul's letters depicted scriptural interpretation as just one other ability that testifies to the teacher's wisdom and skill. This sets up the teacher as the authorizing force for a given act of scriptural interpretation, rather than scripture as the authorizing force force for its interpreter.

Adapting to scriptural interpretation by positioning it as one among a teacher's many skills was not necessarily the earliest strategy that teachers adopted vis-a-vis interpretation. It is certainly possible that other strategies existed in the first century – including those we will examine momentarily – but this is the only one that survived in our evidence. There is no way to be certain one way or another. I would, however, like to defend the possibility that this strategy actually represents the earliest (or at least an early) stage in teachers adapting to interpretation. Specifically, I think that Paul's strategy is what we would *expect* an early development in this process to look like; namely, one in which any explicit remarks on procedural norms seem fully continuous with prior sources from authoritative teachers. Within this standard framework, Paul still explicitly engaged in non-standard procedural activity – i.e. interpretation – but without any explicit articulation of a procedural role for scripture.

Thus, note that the only procedural discourse we find in Paul relates to his self-identification as an inspired teacher. He never articulated any procedural commitment to scriptural interpretation. While

138 See Matthew R. Malcolm, *Paul and the Rhetoric of Reversal in 1 Corinthians: The Impact of Paul's Gospel on His Macro-Rhetoric*, Society for New Testament Studies Monograph Series 155 (Cambridge: Cambridge University Press, 2013), 5–57, and 166–67. On rhetorical analyses of Pauline material see in general Peter Lampe, "Rhetorical Analysis of Pauline Texts - Quo Vadit?," in *Paul and Rhetoric*, ed. J. Paul Sampley and Peter Lampe, T & T Clark Biblical Studies (New York: T & T Clark, 2010), 3–21.

139 E.g. in the Aramaic Levi Document or Testament of Qahat. And see Annette Yoshiko Reed, *Demons, Angels, and Writing in Ancient Judaism* (Cambridge: Cambridge University Press, 2020), 107–8.

Paul often castigated rivals, or enemies, and sometimes even used scriptural interpretation to make his point, he never accused others of being deficient scriptural interpreters. He only ever worked within the parameters of inspired teaching. If his rivals were wrong, it was because they were either deficient teachers (like Apollos or the Pharisees), or deficient in their use of divine inspiration (like prophets). Moreover, we have seen that Paul used the opening portion of his letters to list his credentials and introduce his procedural commitments.[140] In these sections he only ever invokes the authorizing force of inspired teaching, rather than scriptural interpretation. He certainly did not attribute any active verbs to scripture as we saw in the case of scriptural interpreters from previous centuries.[141]

Ultimately, scriptural interpretation was not an independent procedure for Paul. It is simply something he does as an inspired teacher. While, again, we can only speculate, this is what we would expect an early strategy for teachers accommodating interpretation to look like. Without explicitly acknowledging its procedural importance, teachers begin to engage in interpreting scripture.

Authoritative Teaching and Scriptural Interpretation in Josephus's Writings

By the time Josephus wrote his major works, shortly after Paul, we encounter a different strategy for teachers adapting to scriptural interpretation. Although, as I will argue shortly, Josephus was committed

140 We have seen many times already that texts written by Jews in and around Palestine very often prioritized procedural norms in their opening and closing passages. Paul is no exception. Scholars have interpreted Paul's invocation of his credentials, and thus his procedural norms, in the introductions to his various epistles against the backdrop of Greek rhetorical conventions; see, e.g., Gager, *Reinventing Paul*, 81–83; and cf. Lampe, "Quo Vadit." This is certainly plausible. Consider, however, that Paul's epistles might also be profitably compared to other Jewish letters like 4QMMT; see James D. G. Dunn, "4QMMT and Galatians," *New Testament Studies* 43, no. 1 (1997): 147–53. While 4QMMT's opening has been lost, it certainly *concludes* by emphasizing procedural norms; see the detailed study of Hanne von Weissenberg, *4QMMT: Reevaluating the Text, the Function, and the Meaning of the Epilogue*, Studies on the Texts of the Desert of Judah 82 (Leiden: Brill, 2009).

141 E.g. Greek Sirach's description of scripture in Sir 23.

to authoritative teaching, it is striking to read Josephus's proclamation in his introduction to the *Antiquities*:

> ταύτην δὲ τὴν ἐνεστῶσαν ἐγκεχείρισμαι πραγματείαν νομίζων ἅπασι φανεῖσθαι τοῖς Ἕλλησιν ἀξίαν σπουδῆς· μέλλει γὰρ περιέξειν ἅπασαν τὴν παρ᾽ ἡμῖν ἀρχαιολογίαν καὶ [τὴν] διάταξιν τοῦ πολιτεύματος ἐκ τῶν Ἑβραϊκῶν **μεθηρμηνευμένην γραμμάτων**.
>
> And now I have undertaken this present work in the belief that the whole Greek-speaking world will find it worthy of attention; for it will embrace our entire ancient history and political constitution, *translated from the Hebrew records*. (*A.J.* 1.5)

Much like Paul, Josephus opens his *Antiquities* with a statement about procedure, and his expectation that right substantive behavior flows from it. In particular, Josephus makes undeniably clear at the outset that he sees the scriptures as the straightforward source for the Jewish story and way of life writ large.[142] Shortly thereafter, Josephus frames his subsequent work as a record of Moses's words as he found it "recorded in the sacred books" (*A.J.* 1.26). He later frames the Mosaic laws in overarching terms as "the code of those laws of ours which touch our political constitution (πολιτείαν)" (*A.J.* 4.197). Unlike Paul a few decades earlier, Josephus portrayed not teachers, but scripture as the procedural foundation correct behavior. Scripture certainly played an important role in Josephus's thought, as his biblical paraphrases make abundantly clear.

142 See also *A.J.* 1.17, and many other places.

But this does not necessarily close the matter of Josephus's procedural norms. Elsewhere, Josephus articulated very different procedural commitments. Several times in his work Josephus argued that Jewish tradition regards "aristocracy" as the best form of government, reflective of how God wished his people to conduct their affairs.[143] Most notably, Josephus makes such a comment to introduce his recounting of the Mosaic code, once again placing right procedure as the source and guarantor of right behavior (*A.J.* 4.223). Regarding procedural details, Josephus defined 'aristrocracy' government by councils of wise elders.[144] Whenever Josephus described such councils in action, we hear no hint of scriptural interpretation, or even citation of scripture at all. Take, for example, Josephus's description of Herod's trial before a council of Jewish elders.[145] The council accused Herod of violating Jewish law, that is, "our law" (ἡμέτερον νόμον).[146] But the council cited no scriptural support for its contention, and scholars have noted that its accusation is rather unclear.[147] Moreover, when one of the elders, Samaias, took Herod to task for attempting to evade justice – and his own colleagues for allowing it – he does not cite scripture either. It is instructive to compare the Josephan version with its parallel in the Babylonian Talmud (*b.* Sanh. 19a-b). The parallel also describes an initial accusation, and likewise depicted one of the elders haranguing the king. But in both scenes, we find *explicit* citations of scripture. In light of this, we can well concur with Jonathan Klawans's summation of Josephus's

143 See *A.J.* 4.223, 6.36, 84, and see 11.111, 14.91, and *B.J.* 1.170. See also, Christopher Begg, ed., *Judean Antiquities Books 5-7*, Flavius Josephus: Translation and Commentary 4 (Leiden: Brill, 2005), 106 n. 136; Daniel R. Schwartz, "Josephus on the Jewish Constitutions and Community," *Scripta Classica Israelica* 7 (1984 1983): 33–34.

144 Schwartz, "Jewish Constitutions," 33; Nadav Sharon, *Judea Under Roman Domination: The First Generation of Statelesssness and Its Legacy*, Early Judaism and Its Literature 46 (SBL Press, 2017), 289.

145 Josephus records the story in two places: *B.J.* 1.204-215 and *A.J.* 14.163-184. The latter in particular describes Herod as standing trial before a council of elders (*sunedrion*). In one, or both of these accounts Josephus draws upon earlier sources. While many earlier scholars sought to use form criticism to uncover a historical kernel in these stories, lately scholars have preferred a redaction critical approach in explaining what these stories can tell us about Josephus's own view. See, e.g., Ari Finkelstein, "Taking Herod to Task: Source Critical and New Historical Methods of Reading Herod's Trial," *Journal for the Study of Judaism in the Persian, Hellenistic and Roman Period* 50, no. 3 (2019): 403–22; and cf. Sharon, *Roman Domination*, 379–89. These accounts also find a striking parallel in the rabbinic story about the trial of King Yannai [Alexander Jannaeus] (*b.* Sanh. 19a-b); on which see most recently Tal Ilan, "The Trial of Herod/Jannaeus," in *Josephus and the Rabbis*, ed. Tal Ilan and Vered Noam (Jerusalem: Yad Ben Zvi, 2017), 349–72 (Hebrew).

146 *A.J.* 14.167.

147 See Finkelstein, "Taking Herod to Task," 407; Klawans, *Josephus*, 288 n. 120.

tendency to describe Herod as habitually violating Jewish law: "Josephus makes no effort to provide scriptural explanations or justifications"; instead, he generally charged Herod with breaking with traditions and national customs of the Jewish people, maintained and taught by Israel's elders.[148] When Josephus says that the Jews should ideally be governed by an aristocracy, therefore, he has in mind a society founded on the instructions and decisions of wise elders.[149]

Josephus's explicit procedural commitment to teachers, both in theory and practice, pervaded his descriptions of Jewish leaders making decisions about right behavior in 'real life.' Consider, for instance, his discussion of warfare on the Sabbath. 1 Maccabees recounts that during the revolt, some of the Jewish rebels allowed themselves to be massacred by Seleucid troops rather than conduct war in violation of the Sabbath. Mattathias and his followers therefore decide to permit Sabbath warfare (2.29-41). 1 Maccabees presents this decision as a collective conclusion reached on the battlefield.[150] Josephus, however, rendered the scene as follows:

> ὁ δὲ καὶ σαββάτοις αὐτοὺς **ἐδίδασκε** μάχεσθαι, λέγων ὡς εἰ μὴ ποιήσουσι τοῦτο, φυλαττόμενοι τὸ νόμιμον, αὐτοῖς ἔσονται πολέμιοι, τῶν μὲν ἐχθρῶν κατ᾽ ἐκείνην τὴν ἡμέραν αὐτοῖς προσβαλλόντων, αὐτῶν δ᾽ οὐκ ἀμυνομένων, κωλύσειν τε μηδὲν οὕτως ἀμαχητὶ πάντας ἀπολέσθαι.

148 Klawans, *Josephus*, 166.

149 To the extent that Josephus expected these elders to conform to the law, as embodied in scripture, Josephus does not have in mind the statutory sense of scriptural interpretation, but rather the customary sense we typically encounter in common law traditions. See in detail below; and see above p. 31 n. 12.

150 "They said to one another..." [καὶ εἶπεν ἀνὴρ τῷ πλησίον αὐτοῦ] (1 Macc 2.40); see Jonathan A. Goldstein, *I Maccabees: A New Translation with Introduction and Commentary*, The Anchor Bible (New York: Doubleday, 1976), 234.

> And *he instructed* them to fight even on the Sabbath, saying that if for the sake of observing the law they failed to do so, they would be their own enemies, for their foes would attack them on that day, and unless they resisted, nothing would prevent them from all perishing without striking a blow. (*A.J.* 12.277)

Josephus transforms 1 Maccabees' collectively-agreed upon tactical decision into an act of instruction (ἐδίδασκε) by a wise leader.[151] And even though Mattathias neither interprets, nor even cites scripture in support of his instruction, his teaching nevertheless becomes part of "the law" of the Jews (*A.J.* 14.63).[152] Here, too, comparison with other early Jewish sources on the same issue is instructive. The Book of Jubilees' insistence that warfare is prohibited on the Sabbath is described as a teaching that God provided to Moses on Mount Sinai (Jub. 50.12).[153] Meanwhile, rabbinic sources described Shammai the Elder's ruling about offensive warfare on the Sabbath as anchored in exegesis of Deut 20.20 (כך היה...דורש).[154] The scriptural interpretation – whether inspired or mundane – in these sources only highlights the commitment to authoritative teachers on display in Josephus's account.

151 Josephus frequently uses forms of *didaskō* to describe a leader instructing his followers how to act justly or properly. Take, for example, Josephus's addition to the scriptural narrative of David's contretemps with Nabal. David instructs his followers not to damage any of Nabal's animals. According to Josephus, David does this out of a sense of justice (*A.J.* 6.295). Josephus then *didaskō* to portray David as a wise and just teacher instructing his followers in proper behavior (ταῦτα δ' **ἐδίδασκεν** αὐτοὺς), in contrast to the base thinker, Nabal, "who conformed his manner of life to Cynic practice" (*A.J.* 6.296). Yet another example is Josephus's characterization of David as organizing the Levites' liturgical musical activities (*A.J.* 7.305). Josephus here drew upon scriptural descriptions of David doing precisely this; see Begg, *Judean Antiquities 5-7*, 289 n. 1133. But whereas the various scriptural passages Begg adduces portray David performing a bureaucratic or administrative task, Josephus casts David's command as instruction (**ἐδίδαξε** πρὸς αὐτὰ τοὺς Ληουίτας) rooted in his expertise in music and poetic composition.

152 See Klawans, *Josephus*, 158.

153 And see VanderKam, *Jubilees 2*, 1209–10.

154 *T.* Eruv. 3(4).7. Even Mandel identifies this as an instance of scriptural exegesis; see Mandel, *Origins of Midrash*, 253. Interestingly, Herr demonstrates that the tradition about Shammai (Hillel in the Tosefta's MS Erfurt) initially circulated without any reference to scripture; see "The Problem of War on the Sabbath in the Second Temple and the Talmudic Periods" 30, no. 3 (1961): 250 (Hebrew).

Furthermore, like other authoritative teachers in the first two centuries CE, Josephus was extremely suspicious of prophets and sought to constrain their procedural authority.[155] Klawans has conclusively demonstrated that Josephus denied any legislative function to prophets. This is not only true for Josephus's description of contemporary prophets, but even of Biblical ones.[156] Their sole function is to predict the future. Understanding that Josephus approached prophets from the perspective of an authoritative teacher explains the clear distinction between how he and John of Patmos relate to the problem of false prophets. In Revelation, John of Patmos conveys the divine worry that a false prophet would "teach and mislead my servants" (καὶ διδάσκει καὶ πλανᾷ τοὺς ἐμοὺς δούλους).[157] In this view, the false prophet's crime lies precisely in the fact that prophecy *should* be the source of correct instruction. When Josephus, however, referred to false prophets as "charlatans and pretended messengers of the deity," he referred not to their aberrant teaching, but rather to their *inability to predict the future*.[158]

We can now return to Josephus's references to the procedural importance of scripture. How do we explain these against the backdrop of his simultaneous explicit emphasis on authoritative teaching, and the fact that in practice, Josephus positioned teachers, rather than scripture and its interpreters, as the source of right procedure? On one hand, we can readily explain Josephus's use of scripture the same way we explained Paul's. By the first century CE, the influence of scripturalization and Jews who

155 Much like Paul, Josephus never refers to himself as a prophet, and yet clearly believed himself to be divinely inspired; see Cook, *Cessation of Prophecy*, 140ff. Yet, unlike Paul, Josephus should not be assigned to the inspired teaching type. This is because while Paul saw divine inspiration as the most important factor in right teaching, Josephus denied any prescriptive power to prophets. He saw their role as strictly oracular, and in fact portrayed himself as particularly adept in this regard. See in detail just below.

156 See Klawans, *Josephus*, 159–61, 177–78. This is actually not true, strictly speaking, as Klawans himself recognized – but the exception certainly proves the rule. Josephus claimed that the prophet should serve on the high court hearing the most difficult cases, which consisted of priest, prophet, and council of elders (*A.J.* 4.218); see Klawans, 160 n. 103; and see Louis H. Feldman, *Flavius Josephus: Judean Antiquities 1-4* (Leiden: Brill, 2004), 410–11 n. 668. What Josephus seems to be doing here is positioning the prophet as an authority figure *outside* the context of his divine inspiration.

157 Rev 2.20.

158 See *B.J.* 6.288.

appealed to scripture for procedural authority had permeated Palestinian Judaism. Whereas teachers in the second century BCE could ignore scripture and its interpretation, teachers in the first century CE likely could not, and may not have wished to do so. On the other hand, Josephus's approach to interpretation is substantially different from Paul's. While Paul simply engaged in interpretation without voicing any explicit commitment to scriptural interpretation as a procedural norm, Josephus did explicitly articulate the procedural importance of scripture. I therefore suggest viewing Josephus's approach, in a chronological sense, as the second stage of teachers' adaptation to scriptural interpretation – occurring during the second half of the first century CE.[159] Paul had entirely subsumed interpretation under the vocation of teacher, while Josephus actually made procedural room for scripture.

Additionally, the evidence from Josephus provides a clearer picture than the Pauline material regarding what might have facilitated teachers' adaptation to interpretation. Recall that even as Josephus extolled the virtues of scripture and its study, he tightly cordoned off divine inspiration from any contemporary prescriptive function. He flat-out denied the claims of contemporary prophets, and even described his own divine inspiration in purely oracular terms. And with respect to scripture itself, Josephus seems to have regarded its study and interpretation as a mundane affair. Its formation was divinely guided, of course, which made the Jewish scriptures superior (*C. Ap.* 1.37-41). But he does not claim divine inspiration in using it. This suggests that Josephus's assimilation of scripture into his procedural worldview as a teacher was made possible by the unbundling of interpretation from inspiration that took place sometime during the late first and early second centuries CE. Jewish thinkers' newfound

159 Although, again, it is entirely possible that this strategy – like the third strategy we will encounter momentarily – developed simultaneously with the one found in Paul's writings. What I am advancing in the main text, by contrast, is an admittedly more ambitious bit of speculation that I believe is nevertheless justifiable on theoretical and historical grounds.

readiness to separate inspiration from interpretation allowed Josephus to adapt to mundane interpretation while abjuring divine inspiration.

Even in this second stage, however, we do not see evidence for teachers fully embracing interpretation as a procedure. Josephus certainly saw scripture as an overall source of truth and law for the Jews – in fact, as the foundation for the Jewish 'constitution.'[160] But when it came to making actual, discrete decisions, neither scripture, nor its explicit interpretation played a role at all. For this development we will need to turn to rabbinic literature in the mid-second century CE.

Authoritative Teaching and Scriptural Interpretation in the Mishnah

Notoriously, rabbinic compilations tended not to feature self-reflexive meditations on how they, or the knowledge they deem authoritative, came to be.[161] The Mishnah is no exception. It famously begins, in fact, in what seems to be the middle of a discussion.[162] But even while the Mishnah lacks a metapoetic

160 See Schwartz, "Jewish Constitutions."

161 The concept of literary self-reflexivity became popular in the studies of fiction and poetry. Alfred Weber defined the genre of self-reflexive poetry as dealing "with the poet (his position and function in the culture and society of his time), with the writing of poetry (the creative process and the problems of language), and/or with the poem (the work of art, its structure and its quality)"; see Alfred Weber, "Toward a Definition of Self-Reflexive Poetry," in *Poetics in the Poem: Critical Essays on AMerican Self-Reflexive Poetry*, ed. Dorothy Z. Baker (New York: Peter Lang Publishing, 1997), 10. Daniella Jancsó incorporated self-reflexivity into theoretical discussions of "metapoetics"; see Daniella Jancsó, *Twentieth-Century Metapoetry and the Lyric Tradition*, Anglia Book Series 64 (Berlin: De Gruyter, 2019), 8. Dina Stein has adopted self-reflexivity into research on rabbinics, defining it as "an aspect of any text that comments on itself as a text and as language, or on its own precesses of production and reception"; see Dina Stein, *Textual Mirrors: Reflexivity, Midrash, and the Rabbinic-Sefl*, Divinations: Rereading Late Ancient Religion (Philadelphia: University of Pennsylvania Press, 2012), 3. And see David Stern for an argument that Leviticus Rabbah features a metapoetic introduction; *Midrash and Theory: Ancient Jewish Exegesis and Contemporary Literary Studies*, Rethinking Theory (Evanston: Northwestern University Press, 1996), 55–71. I will refer to self-reflexivity and metapoetics interchangeably, and take them to refer to self-conscious reflections within a text about its own production, or about the genesis of knowledge its deems authoritative.

162 The Mishnah is similar in this respect to earlier teacher sources – most notably, Hebrew Ben Sira – in that we do not know nearly enough about the principles underlying its organization. It might be tempting to argue, as some scholars have in the case of Hebrew Ben Sira, that looking for organizing principles in the Mishnah reflects a 'bookish' category

introduction, it certain contains moments of self-reflexivity, if not about its own redaction then certainly about the genesis of rabbinic knowledge. The banner example is the Mishnah Avot's opening passage.[163]

> משה קיבל תורה מסיני ומסרה ליהושע ויהושע לזקנים וזקנים לנביאים ונביאים מסרוה לאנשי כנסת הגדולה
> הם אמרו שלשה דברים...שמעון הצדיק היה משירי אנשי כנסת הגדולה הוא היה או'...אנטיגנס איש סוכו
> קיבל משמעון הצדיק הוא היה אומר...

> Moses received the Torah from Sinai and conveyed it to Joshua, and Joshua to the elders, and the elders to the prophets, and the prophets conveyed it to the men of the great assembly. They said three things... Simon the Righteous was among the remnants of the men of the great assembly. He used to say... Antigonus of Sokho received [it] from him. He used to say... (*m.* Avot 1.1-3)

This introduction serves as an important reflection within the Mishnah on the rabbinic enterprise.[164] Unsurprisingly, it positions the rabbinic endeavor as driven by correct procedure. The pronouncements attributed to the sages featured in at least the first two chapters of the tractate were authorized by virtue

error; on Ben Sira, see Mroczek, *Literary Imagination*, 103–10. But I think it is wise to resist this temptation. Menahem Kahana's recent study of the Mishnah's ordering, while certainly illuminating, als demonstrated to me how little we really knew about the Mishnah's organization, and how much more there is yet to find out; see Menahem Kahana, "The Arrangement of the Orders of the Mishnah," *Tarbiz* 76, no. 1/2 (2006): 29–40 (Hebrew).

163 All citations from *m.* Avot are from the critical edition in Sharvit, *Tractate Avoth*. See there for a full textual apparatus. I will note variants when they are relevant to my argument.

164 See Rosen-Zvi, "WIsdom Tradition," 188–90. According to Amram Tropper, Mishnah Avot as a whole "legitimates the authority of the rabbis in general and of the patriarchate in particular"; see Tropper, *Wisdom*, 233. Tropper elsewhere notes that the particular chain featured in this passage appears elsewhere in the Mishnah as well as an authorizing mechanism; see Tropper, "Tractate Avot," 164.

of each sage's place within a chain of transmission from teacher to student dating back to Sinai.[165] Avot's invocation of the chain of transmission motif drew upon a long procedural tradition for authoritative teachers dating back to the second century BCE.[166] Its clear indebtedness to earlier wisdom traditions similarly situates Avot in continuity with earlier authoritative teachers in Palestine.[167] There is no doubt that Avot grounds itself, and likely the Mishnah writ large, in the procedural norms of authoritative teachers. It is interesting to note, in this context, that explicit scriptural interpretation plays no role whatsoever in Avot's introduction. It is completely absent not only from the framing passage in

165 On the chain of transmission as the structuring principle for at least the tractate's first two chapters see Tropper, "Tractate Avot," 161.

166 Scholars have tended to treat the chain of transmission in Mishnah Avot as a peculiar phenomenon in need of explanation. We have seen that it fits squarely into the procedural history of authoritative teachers since the second century BCE. But it is worthwhile at this point to review alternative explanations. Louis Finkelstein suggested that Avot's chain was modeled on a similar chain of High Priestly succession; Louis Finkelstein, *Introduction to the Treatises Abot and Abot of Rabbi Nathan* (New York: Jewish Theological Seminary of America, 1950), 9–11 (Hebrew). Tropper correctly countered, however, that Finkelstein stitched a priestly list together from several different sources, and we have no evidence that it actually existed; see Tropper, "Tractate Avot," 165 n. 16. Bickerman raised a different objection – more germane to our purposes – namely, that Avot's list cannot be compared to Finkelstein's (hypothetical) priestly genealogy because Avot's list is not hereditary. It merely lists un-related teachers and students; see Elias Bickerman, "La Chaîne de La Tradition Pharisienne," *Revue Biblique* 59, no. 14 (1952): 48. But this is not, strictly speaking, true. Avot's chain *does* feature a family list: the Patriarch's line (Rabbi Judah the Prince, et al.). Tropper, in line with earlier scholars, is probably correct to view this as an interpolation into Avot's structure; see Tropper, *Wisdom*, 101 ff. But there is no reason, *prima facie*, to follow Tropper in regarding the incorporation of a genealogical feature into a chain of teachers and students as "striking" ("Tractate Avot," 169). Nevertheless, on this basis Bickerman proposed that Avot's chain should be seen in the context of Hellenistic philosophical succession lists. Tropper concurred, adding the additional comparison of Avot's chain with various apostolic succession lists in early Christian sources.

It is, of course, possible that Avot drew inspiration from the Greco-Roman context. But if we're counting up distinctions, it is fair to note that Avot differs from the Hellenistic comparanda in being written in a completely different language, being composed in an entirely different milieu, and belonging to a genre – the wisdom traditions – that had flourished in Palestine for centuries prior. We would do well, in this context, to recall Seth Schwartz's claim that rabbinic literature's "alienation or self-alienation from the classical tradition is nearly absolute"; see Schwartz, *Mediterranean Society*, 113. This may be an overstatement, and certainly shouldn't preclude looking to the Hellenistic succession lists for influence. But it certainly provides grounds for caution in jumping to Bickerman's conclusion. More fundamentally, I dispute Bickerman's (and Tropper's) contention that the Avot's chain must be compared only to other non-familial chains. After all, as we explored extensively in previous chapters, the chain of transmission motif originated in the second century BCE precisely *because* Jewish thinkers had begun to blur the lines between the parent-child and teacher-student relationships. While Tropper, therefore, may be correct that Rabbi Judah the Prince inserted his family line into the structure of Avot, we should assume – *pace* Tropper – that he regarded this insertion as a *natural* intervention, given the blurred distinctions between familiar and teacher-student relationships. This conclusion does not diminish the utility of Tropper's comparison between Avot and early apostolic succession lists. It merely urges us to see more continuity among teachers in and around Paletsine between 200 BCE and the first few centuries CE.

167 This insight helps answer Ishay Rosen-Zvi's question as to why the Mishnah uses the genre of wisdom to anchor the rabbinic enterprise; see Rosen-Zvi, "WIsdom Tradition," 189–90. The procedural norms of authoritative teachers emerged out of the wisdom traditions from earlier centuries. Their influence is felt throughout the first two centuries CE. So it is no surprise to find it as well in Mishnah Avot, especially the more we take seriously the possible proximity of its earliest material to the turn of the era; see Sharvit, *Tractate Avoth*, 266ff.

1.1, but from the entirety of the chain of transmission spread out across the tractate's first two chapters.[168] Note as well that, similar to Josephus, Avot construes the procedural role of the prophets strictly in terms of teaching, just like other figures responsible for instruction.[169]

The impression we receive from Avot is reinforced by Mishnah Eduyot, which is structured around traditional teachings attributed to some of the early generations featured in rabbinic literature. Like Avot,[170] Eduyot has long been regarded as constituting an early collection of material within the context of the Mishnah. Chanoch Albeck claimed that it was the first redacted tractate in the Mishnah.[171] Wieder exhaustively analyzed the many instances in which sections from Mishnah Eduyot appear in parallel elsewhere in the Mishnah. He demonstrated that in nearly ever instance the version in Eduyot is prior, and concluded that Mishnah Eduyot was very likely used in the formation of the other tractates in which material from Eduyot appears.[172] Moreover, note that Mishnah Avot is a rare example in rabbinic literature of uncontested tradition. We should therefore recall Furstenberg's conclusion that Mishnah Eduyot in its earliest stage represents yet another example. Finally, note that just as Avot appears to serve as procedural grounding for the Mishnah, some of Eduyot's earliest readers (*t.* Ed 1.1) understood it as an introduction to the rabbinic endeavor.[173] It is therefore noteworthy that Mishnah Eduyot, like Avot, adheres to authoritative teacher procedural norms.

168 The verse that appears in some editions at the conclusion of *m.* Avot 1.18 is absent from nearly every MS, including nine Genizah witnesses; see Sharvit, *Tractate Avoth*, 292. Some surviving MSS testify to the appearance of scriptural verses in subsequent chapters, although in several instances the sum total of our textual evidence demonstrates that they were interpolated much later. Interestingly, Sharvit notes that the major medieval commentators were well aware of the tendency of later scribes to insert scriptural verses into Avot.

169 This feature of Avot's chain of transmission appears in other rabbinic sources as well; see Tropper, *Simeon the Righteous*, chapter 2.

170 Excluding the Patriarchal interpolation.

171 Albeck, *Untersuchungen*, 112.

172 See Wieder, "Mishnah Eduyot," 386ff.

173 Or at least its *m.* Ed.'s opening passages regarding Shammai and Hillel; see Ibid. 4-5, 371. Note that *t.* Ed. 1.1 specifically justifies its reading by virtue of the *unavailability* of prophecy.

But Avot and Eduyot not only testify to the importance of teachers for earlier rabbis in the generations prior to the. They continued to serve this function in later periods as well, probably through the redaction of the Mishnah in the early third century CE. After all, we have seen that Mishnah Avot experienced an editorial hand sometime after Rabbi Judah the Prince. As discussed above, an earlier stage of material in Eduyot underwent editing at some point in the mid-second century CE. Avot and Eduyot are thus useful for informing us about procedural commitment to teaching both among earlier rabbis, and among the rabbis who compiled the Mishnah.

So far, the picture we have of the Mishnaic rabbis is that, like Paul and Josephus, they belong to the teacher procedural type.[174] But also like Josephus – and diverging from Paul – the Mishnah reflected explicitly on the procedural importance of scripture and its interpretation. Take, for example, another reflection on the rabbinic endeavor found in the Mishnah:

> התר נדרים פורחים באויר ואין להם על מה שיסמכו. הלכות שבת וחגיגות ומעילות כהררים תלוים בסערה. **מקרא ממועט והלכות [מרובות]**[175]. הדינים והעבדות והטהרות והטמאות והעריות יש להם על מה שייסמכו. **הן הן גופי תורה**

> [The laws regarding] release from vows float in the air and have nothing upon which they can rely. The laws of the Sabbath, festival offerings, and sacrilege are like mountains suspended by a hair – *[they possess] scant [anchor in] scripture, but [many] laws*. [The laws regarding] civil matters, and sacrifies, and purities and impurities, and

174 And they endorse, like Josephus, mundane teaching.
175 מרובות |This word is in the margins of MS Kaufmann, but featured in all other witnesses.

sexual relations – they have upon what to rely. *These [latter] are indeed the essentials*[176] *of the law*. (*m.* Hag. 1.8)

This passage assesses the spectrum of topics within Jewish law according to how closely each one can be tied to scriptural interpretation. The essential ones (גופי תורה) are those with the firmest anchor in scripture.[177] Scriptural interpretation is thus of great procedural importance. But this passage also points to the manner in which the rabbis differ even from Josephus. It is concerned, in particular, that traditional teachings (הלכות) will not have sufficient support within the law-abiding public unless they are supported by scripture (מקרא).[178] The editor of this passage was not satisfied with teachers whose instructions could be procedurally rooted in scripture in an abstract sense. Scripture rather needed to play a key procedural role in actual case law. Accordingly, unlike in Josephus, we can see rabbinic scriptural interpretation – explicitly marked as such – playing an important role in justifying specific practice.[179]

Yakir Paz has termed this process re-scripturizing, which he defined as follows:

> By the term re-scripturizing I refer to the concrete and transparent exegetical effort of a commentator or editor to show that a certain word, verse or passage in the Scripture is the source of a later self-standing tradition (whether oral or written). This could be seen

176 Although it is difficult to render the plural גופי literally into colloquial English (bodies?), it is likely that the literal sense is intended here, for metaphorical purposes; see Henshke, *Festival Joy*, 10–11.

177 See Michal Bar-Asher Siegal, "On the Meaning of the Expression 'Mountains Hanging by a Strand' (Mishnah Hagigah 1:8)," *Leshonenu* 76, no. 1/2 (2014): 147–48 (Hebrew); and cf. Henshke, *Festival Joy*, 7–9.

178 As David Henshke has shown, the version of our passage in this *mishnah* is late relative to its parallel in *t.* Eruv. 8.23 (=*t.* Hag. 1.9). The parallel version, according to Henshke, does not feature this anxiety; see Henshke, *Festival Joy*, 7–9.

179 See the data collected in Menahem Kahana, "The Relations between Exegeses in the Mishnah and Halakhot in the Midrash," *Tarbiz* 84, no. 1/2 (2015): 17–76 (Hebrew).

> as an attempt to 'return' the tradition to the Scripture in order to reaffirm its centrality and primacy.[180]

Re-scripturization lies at the nexus between the procedural concerns of teachers ('we would prefer tradition, but worry that it will be lost'), and those of scriptural interpreters ('scripture is the ideal and proper source of right behavior'). This represents the third stage of teachers adapting to scriptural interpretation. Within the context of a work like the Mishnah that clearly roots itself in the discourse of authoritative teachers, scriptural interpretation has come to play a crucial role for authoritative teachers in an explicit (*contra* Paul) and specific (*contra* Josephus) sense.

Teaching in the Midrashic School of Rabbi Ishmael

We can see rabbinic teachers accommodating themselves to scriptural interpretation in midrashic literature as well. In the previous chapter, we saw that the midrashic texts attributed to the school of Rabbi Akiva[181] heralded the rise of mundane scriptural interpretation among rabbis. They supply some of our earliest evidence in Palestine for devising rules to interpret scripture – a development that only made sense after inspiration and interpretation had become unbundled.[182]

180 Paz, "Re-Scripturizing Traditions: Designating Dependence in Rabbinic Halakhic Midrashim and Homeric Scholarship," 271.

181 One of the signal early accomplishments in the critical study of rabbinic literature was the discovery that 'halakhic midrash' could be sorted into two types, each with its characteristic methods and terminology, and assigned to two 'schools' associated, respectively, with the third-generation tannaitic sages, Rabbi Ishmael and Rabbi Akiva; see David Zvi Hoffman, *Zur Einleitung in Die Halachischen Midraschim* (Berlin, 1888); Epstein, *Tannaitic Literature*, 521ff.; Kahana, "Halakhic Midrashim," 17ff.

182 We have already seen – and will explore further below – that the Mishnah, also associated with the students of Rabbi Akiva, features a different procedural character than Akivan works like Sifra.

In contrast to the straightforward procedural embrace of interpretation we found in Sifra, the perspective found in Ishmaelian sources is somewhat different. In his study on the techniques of the school associated with Rabbi Ishmael, Azzan Yadin-Israel compellingly demonstrated the manner in which this school cast scripture[183] as a "dynamic interpreter and teacher of halakhah" serving as an instructor to the sages.[184] As Yadin-Israel has shown, the terminology characteristic of this school relates to activity a teacher would expect of a student, particularly 'hearing,' which we have seen has a long history in authoritative teacher sources.[185] In chapter 3, we encountered a second century BCE text, Jubilees, that – like Ishmaelian midrash – was explicitly committed to the procedural importance of scripture, but also frequently used authoritative teacher language and tropes. In that case, we established that Jubilees' purpose was polemical; it wished to subvert authoritative teachers by demonstrating that their techniques were deficient. Should we say the same of the school of Rabbi Ishmael? Let us consider the following passage recording a discussion attributed to two mid-second century CE students of Rabbi Ishmael:

"ונקרב בעל הבית אל האל'ים" וג'. והרי אחד. "עד האל'ים יבא דבר שניהם". הרי שנים. "אשר ירשיעון אל'ים". הרי שלשה. מכאן **אמרו**. דיני ממונות בשלשה דברי ר' יאשיה. ר' יונת' אומ'. הראשון תחלה נאמ'.

183 Specifically the entity Yadin-Israel identifies as "*Ha-Katuv*."

184 See Yadin, *Scripture as Logos*, chapter 1; for the quote, see p. 32. Yadin-Israel's work has invited strong disagreement from scholars, particularly those in the Israeli academy; see e.g. Henshke, *Festival Joy*, 8 n. 38; Mandel, *Origins of Midrash*, 279–80 n. 144; Kahana, "Mishnah and Midrash," 26–27; Rosen-Zvi, "Text, Redaction and Hermeneutic," 121 nn. 128, 138–139 13 (Hebrew). While most of their criticisms are quite fair, none of them successfully rebut Yadin-Israel's basic insight that rabbinic literature's construal of "*Ha-Katuv*" as a grammatical actor is a significant development; cf. Rosen-Zvi, 5 n. 44. Mandel is correct that this posture is not unprecedented in Jewish literature (although its clearest antecedent is in Greek Sirach 23, which Mandel did not consider in his own study of Ben Sira; see above p. 107 n. 66). But it is nonetheless important in pointing towards the school of Rabbi Ishmael's procedural norms. That said, as will become clear below, I do side with Yadin-Israel's critics in my characterization of the *overall aims* of the school of Rabbi Ishmael.

185 Ibid. 36-46. And cf. Ishay Rosen-Zvi, "Structure and Reflectivity in Tannaitic Legal Homilies, Or: How to Read Midrashic Terminology," *Prooftexts* 34, no. 3 (2014): 271–301.

ואין דורשי' תחילו'. "עד האלהי' יבא דבר שניה'". הרי אחד. "אשר ירשיעון אלהי'". הרי שלשה[186] אין בית דין שקול. **מוסיפין עליהן עוד אחד**.

"The owner of the house shall be brought before the judges[187]..." [Exod 20.8], behold: one. "the case of both parties shall come before the judges" [Exod 20.9], behold: two. "The one whom the judges condemn" [Exod 20.9], behold: three. From here *they said*:[188] monetary cases [are judged] by [a panel of] three. [These are] the words of Rabbi Josiah. Rabbi Jonathan says: the first [passage] is said as the initial [statement on this subject in scripture], *and we do not interpret initial [statements]*. "The case of both parties shall come before the judges," behold: one. "The one whom the judges condemn," behold: two. [But since] a judicial panel cannot be evenly balanced, *we add one more to their number*. (Mek. Neziqin 15)

The legislation in Exodus requires that "judges" should preside over claims regarding damages. But how many judges should sit on such a panel? Rabbi Josaiah derived the answer directly from scripture, marking its threefold repetition of the word "judges." Accordingly, the panel should consist of three judges. An anonymous voice[189] then interjects to inform us that this interpretation of scripture underlies the teaching already propounded by the rabbis to the effect that three judges sit on a civil law tribunal. We have here a signpost of re-scripturization.

186 שלשה | This is clearly a mistake due to homoioteleuton. MS Munich 117 has שנים, and I have translated accordingly; and see the critical notes in Haim S. Horovitz and Israel A. Rabin, eds., *Mechilta D'Rabbi Ismael Cum Variis Lectionibus et Adnotationibus* (Frankfurt am Main: 1931, n.d.), 302; Jacob Z. Lauterbach, ed., *Mekhilta De-Rabbi Ishmael: A Critical Edition on the Basis of the Manuscripts and Early Editions with an English Translation, Introduction and Notes*, The Schiff Library of Jewish Classics (Philadelphia: The Jewish Publication Society of America, 1949), 119.

187 NRSV renders this word (אלהים) in its Biblical translation as "God," which is certainly possible. But since in this context the rabbis involved assume the meaning "judges" I have translated accordingly.

188 On the usage of this phrase, and the different relationship to the Mishnah assumed in Ishmaelian and Akivan sources respectively, see Kahana, "Mishnah and Midrash."

189 Although it is, of course, possible that these words as well are meant to be attributed to Rabbi Yoshiyah. My argument is unaffected either way.

But then, Rabbi Jonathan arrives in the text to dispute Rabbi Josaiah's interpretation. He demonstrates that Rabbi Josaiah's attempt to anchor the three-person court in scripture cannot proceed, because there are clear limits to what rabbis can derive from scripture (ואין דורשין תחלות). And yet, Rabbi Jonathan still took for granted that there must be a court of three! After all, this is what rabbinic tradition already proclaimed (אמרו). He therefore asserts the need for a three-person court independently from interpretation, via mundane teaching. In fact, note who the grammatical actors are in making up the ground between what scripture can teach, and what the rabbis have already taught: it is the rabbis themselves (מוסיפין עליהן).[190] Mekhilta leaves Rabbi Jonathan's challenge unanswered, and the three-person court ultimately un-derivable *in toto* from scripture.[191]

In this instance, as in many others, Yadin-Israel is correct that Ishmaelian midrashic sources position scripture as a teacher. But unlike Jubilees, which does so in order to demonstrate that human teachers are either superfluous or in some cases detrimental, the school of Rabbi Ishmael conceived of scripture as a teacher *alongside* other, human teachers, namely, the rabbis. Perhaps even more than in the Mishnah, midrashic cases like this allow us to see just how far rabbinic teachers had gone in accommodating the procedure norm of interpretation. But at the same time, the school of Rabbi Ishmael did maintain its core identity as teachers. Thus, in cases where interpretation and traditional teachings actually came into irreconcilable conflict, Ishmaelian sources maintained that traditional teaching wins out.[192]

190 It is strange that Yadin-Israel reads this passage only for how it informs our understanding of what scripture *can* teach for the school of Rabbi Ishmael. As we have seen, it is just as important for showing us what it *cannot* teach; see Yadin, *Scripture as Logos*, 57–59. Since Yadin-Israel's convincing theory of scripture-as-teacher is rooted in a sensitivity to the role of grammatical actor in Ishmaelian sources, he should have recognized that in this particular case it is another party ("*we* add...") that assumes the role of subject.

191 It only continues by presenting an argument attributed to Rabbi that is similar to Rabbi Jonathan's.

192 See Sif. Deut 122; on the witnesses see Amit Gvaryahu, "Twisting Words: Does Halakhah Really Circumvent Scripture?," *Journal of Jewish Studies* 68, no. 2 (2017): 261–62, and notes ad loc. See also Mek. Neziqin 2, in MS Munich 117; cf. Horovitz and Rabin, Mechilta D'Rabbi Ismael, 253; *y.* Kid. 1.1 59d; *b.* Sot. 16a. And cf. Abraham Liss,

Synthesizing our analysis so far, we have found that at an earlier stage rabbinic circles manifested teacher procedural norms. We encountered wise teachers instructing students in the context of a chain of transmission. The teacher-student relationship was conceived in the by-now traditional terms of uncontested tradition. We saw little to no scriptural interpretation. But at some point we begin to perceive a critical shift in rabbinic procedural commitments. By the early third century CE, by the time the Mishnah is compiled, we find reaffirmation of teacher norms through the redaction and utilization of tractates like Avot and Eduyot. But we also find programmatic statements on the importance, and even necessity of scriptural interpretation. Tactics like re-scripturization proliferated throughout the Mishnah. They found their apotheosis in midrashic texts, even as those texts continued to maintain authoritative teacher norms. From a synchronic perspective, we can confidently state that the Mishnah, for example, presented itself as committed to teaching, while also fully embracing interpretation both in theory and applied practice. But from a diachronic perspective, is it possible to determine when the procedural shift within rabbinic circles took place?

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ed., *The Complete "Dikdukei Soferim": Sotah*, vol. 1 (Jerusalem: Yad Harav Herzog - Institute for the Complete Israeli Talmud, 1977), 332.

Gvaryahu advanced an ingenious reading of this Ishmaelian tradition, focusing on the version in Sifre. He claimed that its intent is not that tradition *trumps* scriptural interpretation, but rather that it *determines* scriptural interpretation. To my mind, however, Gvaryahu's case rests on too many uncertain variables. In addition to proposing a meaning for the verb *ʾ-q-p* that is not attested in Hebrew, it also requires the correct version of the tradition to read עוקפת על מקרא, which is a minority reading in our witnesses. While some of the variants could be described as a corruption of that original reading, others are better explained as corruptions of עוק׳ את מקרא, or simply עוק׳ מקרא, which would support interpretations other than Gvaryahu's. See also Rosen-Zvi, "Text, Redaction and Hermeneutic," 117–18 n. 111. That said, his conclusions certainly bear further consideration and investigation.

Scholars have tended to take for granted that rabbis engaged in scriptural exegesis prior to this period, perhaps as far back as the era of the Second Temple.[193] But these scholars also tended not to differentiate between what rabbis may *actually* have done, and what they *say* they did (i.e. procedural norms).[194] One of the earliest voices to begin distinguishing the two was Ephraim Urbach, who noted that no ruling in rabbinic literature attributed to any sage prior to Hillel and Shammai ever referenced scripture.[195] Daniel Schwartz pushed the scripture-less window forward one generation further by noting that in sayings attributed to Hillel the Elder, scripture rarely makes an appearance.[196] And even when it does, Hillel is depicted not as an interpreter, but rather an authoritative teacher, one of whose tools is the simple ability to read the scriptures.[197] More recent research has now convincingly demonstrated that a major turn towards interpretation took place during the early-mid second century CE, with the rise of midrashic techniques associated with Rabbi Ishmael and particularly Rabbi Akiva.[198] Ishay Rosen-Zvi has now identified a key block of material in Mishnah Sotah as designed to promote Rabbi Akiva's midrashic techniques, and tie the Mishnah's authority more closely to scripture.[199] These conclusions, in turn, fit nicely with the well-established finding that the major

193 See, e.g., Epstein, *Tannaitic Literature*, 501ff.

194 To take just one example relevant to our earlier analysis, Epstein attributed an act of scriptural interpretation to Yose ben Yoezer, far back into the Second Temple period. But no tannaitic source actually claims that Yose ben Yoezer actually proposed the interpretation Epstein ascribed to him. Instead, Epstein noted that a position attributed to this sage in *m.* Ed. 8.4 is identical to one which, in a completely separate source, is derived from scriptural interpretation; see Epstein, 506. While it is, of course, possible that Yose ben Yoezer – or the editor(s) of *m.* Ed. 8.4 – actually did derive his position from scripture, it is crucial to note that the text does not *say* that he did this. In other words, what is missing in *m.* Ed. 8.4 is any *procedural norm* of scriptural interpretation. And since procedural norms were of deep and abiding concern to early Jewish thinkers, this absence is exceedingly noteworthy.

195 See Urbach, "The Derasha."

196 See Daniel R. Schwartz, "Hillel and Scripture: From Authority to Exegesis," in *Hillel and Jesus: Comparative Studies of Two Major Religious Leaders*, ed. James H. Charlesworth and Loren L. Johns (Minneapolis: Fortress Press, 1997), 335–62.

197 Ibid. 360. This is similar to the 'first stage' we proposed earlier to explain Paul's approach to scripture. Of course, the further back one pushes into the rabbinic material, the more precarious becomes our ability to use rabbinic sources for information about the personalities who appear therein. It is at the very least difficult to determine what rabbinic sources can and can't tell us about the 'historical' Hillel. It is probably accurate, however, to speak of earlier and later readers, or rememberers of Hillel within rabbinic literature; cf. the approach to Pauline material in White, *Remembering Paul*. But as far as determining a more precise date for these memories of Hillel, I cannot say.

198 See, e.g., Mandel, *Origins of Midrash*, 280–82.

199 See Ishay Rosen-Zvi, "'Who Will Uncover the Dust From Your Eyes?': Mishnah Sotah 5 and R. Akiva's Midrash," *Tarbiz* 75, no. 1/2 (2005): 95–127 (Hebrew). And cf. Siegal, "Mountains," 147–48.

tannaitic sources, including the Mishnah, should all be seen as the products of either Rabbi Akiva's or Rabbi Ishmael's students.[200] All in all, the rise of scriptural interpretation as an explicit, applied procedural commitment among rabbis occurred sometime in the mid second century CE, between the third and fourth tannaitic generations. This explicit bundling of teachers and interpretation – unprecedented among Jewish thinkers in previous centuries[201] – is the signature feature we identify with rabbinic literature to this very day. The question remains, however, why did this new bundling occur at this time, during the second century CE?

Our analysis thus far has positioned us well to provide an answer. First, it helps to take a procedural view of early Judaism. The rabbis, especially at an early stage, participated in a wider procedural discourse of authoritative teachers, including Paul, Josephus, the Gospel of Mary, the Apocryphon of James and more. We should therefore expect them to act in similar ways, and employees strategies similar to other teachers. It is therefore critical to observe that the scriptural interpretation we find among rabbis was exclusively *mundane* interpretation. Moreover, we have seen evidence that at around the same time when rabbis increasingly began to engage in explicit interpretation, rabbinic texts also begin to feature pushback against contemporary prophecy. This points to the 'great unbundling' of interpretation and inspiration during the first and early second century CE as an important factor in explaining rabbinic literature's second century CE turn towards interpretation and its rejection of prophecy. Rabbinic teachers in the second century CE were moving in similar directions to other early Jewish teachers, including some who were followers of Jesus.

200 See Kahana, "Halakhic Midrashim," 17ff.

201 Unprecedented in degree, with respect to the first century CE; unprecedented in kind, with respect to the first two centuries BCE.

In addition, recall that we have already encountered the early-mid second century CE as a transition point in rabbinic circles from uncontested to contested tradition. I explained this phenomenon by pointing to the ruptures in rabbinic culture – and among other teachers as well – brought on by the challenge of maintaining traditional continuity in a new geographical and cultural context. The Galilean sages of the fourth tannaitic generation were influenced by their third generation teachers from Judea, but at the same time came from outside the original heartland of rabbinic study. The extraordinary rupture introduced during this period caused several procedural anxieties. One centered upon the prospect of remembering an accumulating mass of rabbinic tradition especially in a new geographical, social and cultural milieu. We saw that rabbinic teachers in the second century – particularly the students of Rabbi Akiva and his colleagues – responded to this anxiety through the strategy of contested tradition.

But what if contested tradition was not the only second century response? Consider Furstenberg's argument, explored above, that the problem the contested tradition was meant to solve was not how to cope with a growing number of rabbinic *teachings*, but rather with a growing number of rabbinic *tradents*.[202] One solution to such a problem would be to more methodically organize teachings according to their teachers. But another might be to explore other ways of securing those teachings. By the third tannaitic generation, sages like Rabbi Akiva and Rabbi Ishmael had – in the wake of the 'great unbundling', and in line with other teachers like Paul and Josephus – already begun explicitly to experiment with adapting teaching to interpretation. This opened up for their students (and students' students) in the mid-second to early-third centuries CE the possibility of new procedural vistas. In this respect, for example, it may be helpful to think of works like the Mishnah and Sifra as struggling with

202 See Furstenberg, "Tradition to Controversy," 596–97.

the procedural legacy of Rabbi Akiva.[203] Should his successors maintain themselves as authoritative teachers adapting to scripture? Or should they position scriptural interpretation as the primary procedural force behind their community? It was the push and pull – the *shakla ve-tarya*, if you will – between these two procedural poles that would help define rabbinic literature for the next several centuries.

Conclusions

Authoritative teaching in the first two centuries CE maintained important continuities with the previous two centuries. We saw the continued influence of vocabulary and themes drawn ultimately from earlier wisdom traditions, glimpsed the continuation and expansion of the chain of transmission motif, and encountered characteristic procedural anxieties. Procedural norms continued to serve as the strategy of choice for communal- and self-definition, and a primary basis for identifying and attacking rivals. Teachers, like prophets and interpreters, continued to see right substantive conduct as flowing from right procedure.

203 The question of how to think about the 'historical' Rabbi Akiva is a popular one. The latest, quite helpful entry into this field can be found in Azzan Yadin-Israel, ed., *Scripture and Tradition - Rabbi Akiva and the Triumph of Midrash* (Philadelphia: University of Pennsylvania Press, 2015), chapters 5 and 7. Yadin-Israel's conclusions are not without their problems; see Amit Gvaryahu, "A. Gvaryahu on A. Yadin-Israel 'Scripture and Tradition: Rabbi Akiva and the Triumph of Midrash,'" *The Talmud Blog* (blog), February 23, 2015, https://thetalmud.blog/2015/02/23/a-gvaryahu-on-a-yadin-israel-scripture-and-tradition-rabbi-akiva-and-the-triumph-of-midrash/. I am, for example, unconvinced by the arguments in chapter 7. I do agree with Yadin-Israel's case in chapter 5 that Rabbi Akiva, as he appears in Sifra, is more "Ishmaelian" than one would expect. However, as noted above, I understand the rabbinic memories of Rabbi Ishmael oppositely from Yadin-Israel. All that said, a valuable avenue for future rabbinics research would be to investigate the many different ways in which, and the many different reasons *for* which later rabbis remembered Rabbi Akiva. Cf. White's similar work in Pauline studies; White, *Remembering Paul*.

But we also saw a great deal of change. In some cases the changes we identified were merely in relative ubiquity. For example, while we saw some limited evidence for inspired teaching in the first two centuries BCE, we see this phenomenon become widespread in the first two centuries CE. It is possible, however, that this 'change' is the product of our access to evidence.

In other cases, however, we found evidence for significant shifts among authoritative teachers. Specifically, authoritative teachers during the first two centuries CE found it increasingly difficult to ignore the influence of scripture and its interpretation upon the world of early Judaism. They began seeking ways to accommodate scripture within their procedural worldview. The 'great unbundling' of inspiration and interpretation – the proliferation of prophets and mundane interpreters – provided opportunities for teachers to adapt. In particular, once Jewish thinkers in the first two centuries CE began appealing to inspiration and interpretation *separately*, authoritative teachers were confronted for the first time in several centuries with an alternative procedural norm that did *not* involve any claim to divine inspiration. Authoritative teachers eventually saw this as an opportunity to experiment with procedures related to scripture and its interpretation, and reserve their opposition for contemporary prophecy.

Over the course of the late second and early-mid second centuries, we saw striking (tactical and chronological) coherence in the strategies that teachers with very different substantive norms from each other adopted in the aftermath of the 'great unbundling.' These included: explicitly making the claim that prophecy was no longer possible; legitimizing the idea of contested tradition in response to the possibility of loss; and adapting a more congenial stance towards mundane interpretation – this latter proceeding in three stages that we associated with Paul, Josephus, and rabbinic sources respectively.

Finally, we identified approximately the mid-second century CE, with its unusual ruptures in social and religious life in Palestine, as the setting for particularly significant shifts that occurred among a wide variety of teachers in and around Palestine.

Conclusions

Teaching, Interpretation and Inspiration, 200 BCE-200 CE

Over the course of the next few centuries, our sources would continue to afford us a view of the procedural scaffolding underlying the world of antiquity. We can see that even as people began privileging substantive questions – 'what should we do?' – Jews, and eventually Christians in antiquity continued to pay outsize attention to procedural questions – 'how do we know?' We can glimpse the memory[1] of a rabbi and a student of Jesus sharing self-identification on the grounds of procedure. Underneath John Chrysostom's episcopal harangues we can hear people with very different beliefs and behavior nevertheless connect over shared convictions about the sources authority behind belief and behavior. As we have now seen, these procedural flies in the late antique substantive ointment can be traced back to the first two centuries CE – to figures like Paul, Josephus, the Mishnah, John of Patmos, the Gospel of Mary, and the Sifra. From there we can track them all the way back into the first two centuries BCE – to the Pharisees, Jubilees, the sectarian scrolls from Qumran, the Aramaic Levi Document, and more. We can even trace them in and out of Palestine and across the generations of a single family, as in the case of Ben Sira and his grandson.

Let us now review some of our conclusions. We saw that wise teachers had been a feature of the early Jewish procedural landscape for some time prior to the turn of the second century BCE. The zenith of the wisdom traditions during the fourth century BCE in particular left a deep impact upon many Jewish elites in subsequent generations. At the same time, stories about Israel's ancient ancestors exerted a powerful influence upon Jewish procedural thinking. Over the next two hundred years, this background

1 Perhaps historical, perhaps not at all.

would yield one of the distinctive procedural norms recognizable from the first two centuries BCE: authoritative teaching.

Beginning in the second century BCE, teachers drew from the earlier wisdom traditions a lexical and thematic vocabulary for portraying the relationship between wise teacher and student. They would develop anxieties rooted in the particularities of their chosen procedures, like the "threat of rupture." Eventually, under the influence of genealogical traditions about Israel's patriarchs and matriarchs, teachers would develop the a powerful, new technique for expressing and substantiating their procedural norms: the chain of transmission motif. The chain of transmission – well-known from much later phenomena like rabbinic literature or apostolic succession lists – made its first appearance in second and first century BCE texts and groups belonging to the authoritative teacher procedural type, including Aramaic Levi, the Testament of Qahat and the Pharisees. Finally, we saw some limited evidence for authoritative teachers who drew upon divine inspiration in assembling their procedural toolkit. We identified a prime example of this in the text known as 4QInstruction.

Around the dawn of the second century BCE, early Jews began to conceive of their ancient traditions as comprising a self-constituting corpus, and began to appeal to this corpus as an authorizing source of right behavior. This process of scripturalization spurred the development of a new procedural alternative to wise teachers. Instead of relying upon authoritative instructors, one could simply directly engage God's words through scriptural interpretation.

It is critical to recall, however, that scriptural interpretation emerged into a world not only of authoritative teachers, but also of founder discourse coupled with divine inspiration. The claim to inspiration in particular elided the need for wise, human instructors in mediating and communicating

proper behavior. We saw that as interpretation increasingly assumed the role of antagonist to teaching, it too adopted the procedural strategy of claiming inspiration. Over the course of the first two centuries BCE in and around Palestine, in fact, we saw that interpretation and inspiration were always bundled together. This bundle presented a deep challenge to authoritative teachers in that it claimed direct access to the word of God in two ways: it combined engaging scripture with the claim to divine inspiration while doing so. This threatened to render human teachers doubly irrelevant.

Understanding the rise of inspired interpretation in its second century BCE context has great explanatory power. It explained how the translation of Hebrew Ben Sira into Greek Sirach hinged on the question of procedural norms. It also helped us understand some of the peculiar features of Jubilees by demonstrating that one of the work's priorities was subverting second century teachers' employment of the chain of transmission motif. It also clarified the character of many of the best-known sectarian scrolls from Qumran. And it set the stage for the fundamental procedural shifts that characterized the first two centuries CE, and which altered the landscape of Judaism and eventually Christianity forever.

Thus, in the first century CE, we began to encounter a new phenomenon: the rise of prophets who eschewed founder's discourse. Rather than speaking as 'voices from the past' they spoke as 'voices from the present.' Crucially, unlike those who claimed divine inspiration in the first two centuries BCE, these self-identified prophets do not present themselves as scriptural interpreters. Instead, they lay procedural claim to inspiration *without* interpretation. This unbundling of inspiration from interpretation had a major impact on scriptural interpreters as well, who in turn contributed to furthering the process. Some interpreters – like the gospel according to Luke – continued to appeal to divine inspiration as part and parcel of interpretation. In this respect we can glimpse continuity with the previous two centuries. But, at least by second century CE, other scriptural interpreters – like Justin

Martyr and the protagonists of midrashic literature – further advanced the unbundling of interpretation from inspiration. They began to claim that interpretation was possible *on its own*, without inspiration. But in the absence of divine inspiration, scriptural interpreters needed new procedural techniques to authorize their endeavors. This led to the rise of "rules" for interpretation, which do not appear in Palestine any earlier than this period.

How did all of this procedural ferment affect authoritative teachers? Much as with procedural norms involving inspiration and interpretation, authoritative teaching in the first two centuries CE maintained important continuities with the previous two centuries. In some cases continuity and change converge, with one example being the evidence in the first century CE for inspired teaching. Although we did see some limited evidence for this phenomenon in the second century BCE, it became much more ubiquitous in the centuries we will presently examine.

Most interesting, however, was the evidence for significant shifts among authoritative teachers. Specifically, authoritative teachers during the first two centuries CE found it increasingly difficult to ignore the impact of scripturalization upon the world of early Judaism. They began to seek strategies for accommodating scripture within their procedural worldview. The parting of prophets and mundane interpreters helped facilitate a solution. Recall that prior to scripturalization, wise teachers' primary opponents had claimed divine inspiration (in the context of founder discourse). The assertion of divine inspiration allowed people to circumvent contemporary teachers. As scriptural interpretation took off among early Jews as a new alternative to teaching, interpreters continued the earlier tradition of claiming divine inspiration. They simply bundled it together with interpretation. But once Jews in the first two centuries CE undid the bundle, authoritative teachers were confronted for the first time in several centuries with an alternative procedural norm that did *not* involve any claim to divine

inspiration. Authoritative teachers gradually came to see this as an opportunity. They began to polemicize directly and explicitly against *prophets*, but began to experiment with procedures related to scripture and its interpretation. We saw this experimentation develop in three stages. We saw Paul place interpretation within the toolkit of authoritative teachers, but without explicitly articulating a procedural theory of interpretation. Josephus, by contrast, did articulate such a theory, but in practice adhered to classical authoritative teacher norms. In rabbinic literature, however, we saw evidence for a gradual, but eventually full adaptation of authoritative teachers to scriptural interpretation.

Looking Forward

As the second century CE came to a close, we can begin to see how the past several centuries worth of procedural history come to a head in several developments characteristic of this period. First of all, we have seen how and why the peculiar intellectual and formal character of rabbinic literature came to be. It was the result in part of mundane teachers – utilizing chain of transmission motifs, the vocabulary of wise instruction, and eventually strategies of contested tradition – adapting to the procedural norms of mundane interpretation. It also involved some rabbis in the second century choosing to embrace scriptural interpretation as a primary procedural norm. The subsequent development of Talmudic literature in many ways represented the attempt of later rabbis to grapple with the procedural fallout of these decisions by earlier experts.

Followers of Jesus, by contrast, were more likely to invoke the procedural norms of inspired teaching. But we can also find among inspired teachers – just as among mundane teachers – a propensity to deny contemporary prophecy outright, or else tightly circumscribe it. And some inspired teachers eschewed

reference to scripture, just as we found among early rabbis. And just as among Josephus and rabbis in the second century, we find inspired teachers among Jesus-followers adapting to interpretation. This development would become important in understanding how followers of Jesus in the latter half of the second century CE reacted to adherents of 'new prophecy,' in Phrygia, Rome and North Africa. Harry Gamble theorized that controversies over scriptural interpretation played a relatively limited role in the so-called Montanist controversy.[2] Ronald Heine disagreed, pointing out that new prophecy's opponents appear to have emphasized scripture and its authority in addition to ecclesial authority.[3] A procedural reading of history allows us to see that Heine's evidence can tell us a lot about the new prophets' opponents – teachers adapting to interpretation. But it needn't impact Gamble's observations at all. Prophets in the second century, like those in the first century, eschewed interpretation. The bundle of inspiration and interpretation had come decisively undone.

As we look ahead to the coming centuries, we will eventually see substantive norms play a greater role in Palestinian society, and the world developing out of and around it, ultimately serving as the basis for distinguishing 'Judaism' and 'Christianity.' This is as we would expect. Recall Jeremy Bentham's theory that gradually, over time, procedural norms become "adjectival" to substantive norms.[4] We can still wonder, however, why it was that *Jesus-following*, specifically, emerged as the substantive 'winner' from Jewish antiquity. Subsequent research will be necessary to answer this question. I suspect, however, that the roots of a solution can be found in Constantine's influence. In searching for a force to unify his empire, Constantine grafted the substantive category of *Romanitas* onto the followers

2 See Harry Y. Gamble, *The New Testament Canon: Its Making and Meaning* (Wipf and Stock Publishers, 2002), 62–64.
3 See Ronald E. Heine, "The Role of the Gospel of John in the Montanist Controversy," *The Second Century: A Journal of Early Christian Studies* 6, no. 1 (1987): 1–20; Cf. Nicola Denzey, "What Did the Montanists Read?," *Harvard Theological Review* 94, no. 4 (2001): 427–448.
4 Bentham, *Principles of Judicial Procedure*, 2:1.6.

of Jesus.[5] This cast non-Jesus-following Jews as cultural and civic outsiders. Constantine's influence was extraordinarily powerful in the Roman empire itself, and it reverberated beyond his borders as well, into Sassanian Persia.[6] Although Constantine may not have been the Christianizing emperor that writers like Eusebius wished us to see, he likely did meaningfully shift the conversation within the Roman world in a substantive direction. This would eventually have important, if indirect effects on emerging differentiation between 'Judaism' and 'Christianity.'

But even as the substantive ground was shifting, procedural norms would continue to play a critical, formative role in antiquity. And even as 'Jewish' and 'Christian' thinkers sought ever more intentionally to construct boundaries between each other, we can still – as in memories of Rabbi Eliezer and Jacob of Kefar Sekhanya, or in the homilies of Chrysostom – see procedural norms at work.

5 See Maura K. Lafferty, "Translating Faith from Greek to Latin: Romanitas and Christianitas in Late Fourth-Century Rome and Milan," *Journal of Early Christian Studies* 11, no. 1 (2003): 21–62.

6 See most recently Kyle Smith's compelling revision of Constantine's reception in both Roman and Sassanian antiquity, *Constantine and the Captive Christians of Persia: Martyrdom and Religious Identity in Late Antiquity* (Oakland: University of California Press, 2016), especially chapter 1. Note that even, or perhaps *especially* in Smith's revisionist perspective, Constantine would have perceived himself – and been perceived by the Iranian court – as substantively different from his imperial predecessors.

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