

PHILIP R. DAVIES, *Scribes and Schools: The Canonization of Hebrew Scriptures*. Louisville: Westminster John Knox Press, 1998. Pp. xi + 219.

Scribes and Schools: The Canonization of Hebrew Scriptures is an examination of the socio-historical factors that led to the canonization of Hebrew Scripture. “Led to” is crucial here, for Davies is not so much interested in the end product (i.e., a closed list of biblical books) as he is in the process that ultimately led to a variety of biblical canons at the end of Second Temple times. Davies argues that the biblical canon owes its origin to a “process of canonizing” that has affinities to ancient Mesopotamian and Egyptian scribal and archival practices.

After dismissing the biblical traditions about monarchic Israel and Judah as anachronistic, Davies turns instead to an investigation of scribal and archival practices in ancient Mesopotamia, Egypt, Greece, and the Hellenistic world. He concludes that the ancient scribes were the first to engage in archival activity. Whereas archives were primarily repositories of administrative records, the scribes themselves were trained in schools where literary works were studied and copied. Eventually, libraries emerged where literary works, as distinct from archives, were classified and stored. The scribes who had classified and stored archival records now applied the same cataloguing skills to literary documents. By selecting texts for preservation and cataloguing them, the ancient scribes were engaging in canonization. Their activity was bound up with authority, and thus all canonical activity is elitist in conception and authoritarian in implementation. All this takes place within a social setting, which needs to be delineated if one wishes to understand how and why the canonizing process took place (Chapters 1 and 2).

Davies then offers a review and critique of contemporary scholarly discussion of the canonization of Hebrew Scripture. This includes a critique of the notion that the formation of the biblical canon was due to conflict between the different “Judaisms” of Second Temple times (Brettler); or due to chance preservation rather than selection (Haran). A critique of canonical criticism (Sanders and Childs) sees it as focusing primarily on the aftermath of the biblical canon, with little or no interest in the canonical process (Chapter 3). The remaining chapters (4–11) provide a detailed analysis of Israelite and Judean history from the monarchic period through the rabbis of the Mishnah in an attempt to trace the history of the canonical process. Davies rejects the Wellhausenian notion that the canonization of Hebrew Scripture began in 621 BCE with the “discovery” of Deuteronomy. He does so largely because the social and political setting of the Josianic period cannot be squared with the contents of Deuteronomy. The canonization of portions

of the Torah and Prophets is assigned instead to the Persian period, for that period, argues Davies, provides the perfect social and political setting for the contents of Deuteronomy and other portions of the Torah. The process initiated in the Persian period culminated in the Hasmonean period. A canon of 22 or 24 books was established by the Hasmoneans “as a political act, intended to create consensus, counter deviance and establish authority.” In effect, the rabbis inherited a more or less closed biblical canon established by the Hasmoneans. The larger biblical canons, such as that of Qumran, reflect the state of the biblical canon in the Hellenistic and Roman periods among some of the non-Hasmonean Jewish groups.

Davies’ perspective is indeed welcome. His focus on the socio-political realities that drive the canonizing process underscores a dimension of canonization studies that has been neglected. Nonetheless, much of his argumentation fails to persuade:

1. The suggestion (p. 31), based on Hallo and Sarna, that Jewish canonization ultimately derives from a Mesopotamian precedent, i.e., the “cuneiform canon,” is fraught with loose definition and oversimplification. Whether the term “canon” as applied to cuneiform texts is applicable to biblical texts needs careful analysis and discussion; much more, in any event, than is provided by Davies.¹ Davies would have benefited from a careful reading of Halbertal, whose distinction between normative, formative, and exemplary canons is particularly useful in this context.²

2. Davies dates the formative period of the canonizing process to the Persian period (p. 70), and its culmination to the Hellenistic period (p. 72). In other words, for Davies canonization begins and concludes somewhere between 450–150 BCE. He specifically ascribes Jewish canonical activity to the scribal authorities in the Temple at Jerusalem, with the larger portion of their canonical activity assigned to the Hellenistic period. By then, however, Akkadian had long been replaced by Aramaic as the *lingua franca* in the Ancient Near East. One suspects, at least, that cuneiform scribal practices at that late date were largely irrelevant at Jerusalem. If scribal influence

¹ For some important distinctions between the cuneiform and biblical “canons,” see F. Rochberg-Halton, “Canonicity in Cuneiform Texts,” *JCS* 36 (1984) 127–144. Sarna suggested that cataloguing and shelving techniques originally instituted for cuneiform texts in Mesopotamia were applied to biblical scrolls in Jerusalem. Davies, who endorses Sarna’s suggestion, makes no mention of Sarna’s critics. See, e.g., S. R. Brunswick, “The Order of the Books,” in *Jewish Tradition in the Diaspora: Studies in Memory of Walter J. Fischel*, ed. M. M. Caspi (Berkeley, 1981), p. 91; and M. Haran, “Archives, Libraries, and the Order of the Biblical Books,” *JANES* 22 (1993) 51–61.

² M. Halbertal, *People of the Book: Canon, Meaning, and Authority* (Cambridge, 1997).

on Jewish practice in Second Temple times is sought, it is to Greek and Hellenistic models, and not Mesopotamian ones, that one must turn.³

3. For Davies, the first canonical book, Deuteronomy, was authored in the 5th century BCE (pp. 93–99). According to Davies, the account of its discovery, ascribed by the books of Kings and Chronicles to the Josianic era, is fictitious. Davies knows this because the political realities depicted in Deuteronomy, such as the central role played by the levitical priests, fit the 5th, and not the 7th, century BCE. One wonders how well the monarchy passage (Deut 17:15ff.) fits the 5th century BCE? Why is Deuteronomy seemingly unaware of key issues affecting the fledgling Judean community in Jerusalem, such as the destruction of the First Temple, the construction of the Second Temple, the end of the Davidic monarchy, the role of Persia in world affairs, and the like? Not many will be persuaded that the books of Ezra, Nehemiah, Chronicles, and Deuteronomy are really describing the same social and political setting in Jerusalem of Second-Temple times.

4. Davies asks (p. 102), “If Deuteronomy itself, and thus the origins of the torah canon, cannot be earlier than the Persian period, what is the *terminus a quo*?” In context, this can only refer to an attempt on Davies’ part to further narrow the approximate date after which the “torah canon” originated. The answer is striking. Davies adduces a passage from the writings of Hecataeus of Abdera, a pagan historian who wrote in Greek at the beginning of the Hellenistic period (ca. 300 BCE). The passage, summarized by Davies, reads in part:

When a serious pestilence arose in ancient Egypt, the populace attributed the cause of the difficulties to the divinity. Inasmuch as many different groups of foreign aliens were living there and following practices with respect to the temple and sacrifices, the result was that traditional worship of the gods had been neglected. Thus the natives supposed that unless they removed the foreigners there would be no end of their difficulties. After the foreigners had been banished, the most outstanding and active of them banded together and were cast, as some say, into Greece and certain other regions. . . . The largest group, however, went into what is now called Judaea, which is located not far from Egypt and in those days was entirely desolate. A man called Moses, highly distinguished in both practical wisdom and courage, led the migration. He took possession of the region and founded a number of cities, among them the one named Jerusalem which is now the most famous. He also dedicated the temple most honored by them, introduced the ritual and worship of the deity, and legislated and regulated the political affairs. He divided the people

³ For a nuanced treatment of Jewish scribes and schools in the Persian and Hellenistic periods, see C. Schams, *Jewish Scribes in the Second-Temple Period* (Sheffield, 1998).

into twelve tribes because it corresponded to the number of months in the year. . . . He selected those who were the most accomplished and capable of governing the entire people and appointed them as priests; he assigned them to be responsible for the temple as well as the sacrifices to and worship of the deity. He appointed the same men as judges of the most important cases and handed over to them the preservation of the laws and customs. There was to never be a king of the Jews, but the rule of the people was forever to be passed on to that priest who was held to be the most outstanding in practical wisdom and excellence.

Davies suggests that Hecataeus probably derived his information from Judeans. More importantly, relying in part on an earlier study by Mendels, Davies believes that this is a more or less accurate report that captures the essence of biblical teaching around 300 BCE. Since the Torah in its present form was not yet canonized, Hecataeus could only have known about an incipient form of the Torah (and Bible) which did not include Joshua, Judges, Samuel, Kings, Ezra, Nehemiah, Chronicles, and Genesis. And so for Hecataeus, Judea was “entirely desolate” when the Israelites entered it. There were no Canaanites that had to be expelled or destroyed. Moses led the entry into Canaan, not Joshua. It was Moses who founded Jerusalem and established the Temple. There never was a king in Israel. Nothing appears to have been known about a covenant with Abraham, Isaac, and Jacob. Since this is what biblical teaching looked like in 300 BCE, it establishes the *terminus a quo* for the radically different “torah canon” familiar to us today.

It should be noted that we know almost nothing about Hecataeus of Abdera. There is no contemporary record of him. None of his works are extant. The passage cited above is preserved in the *Bibliotheca* of Photius, a 9th-century Byzantine scholar who, in turn, cited it from a (now) lost section of Diodorus Siculus’ *Bibliotheca Historica*. Even assuming that the passage was authored by Hecataeus, we cannot be certain that it has been transmitted properly through the ages. It has been noted that the passage derives, in part, from Egyptian sources, and that its form and content are colored by Greek ethnography and idealizing tendencies. There is no evidence that Hecataeus could read Hebrew or that he ever set foot in Judea. His informants were probably Greek-speaking Jews in Egypt, not Judeans. Whether they were ignorant or informed Jews, or Jews who deliberately misled him for apologetic purposes, we cannot tell. It also needs to be noted that no Jewish or Christian literary source—whether a documentary source (e.g., J, E, P, or D), a tradition embedded in a biblical book, intertestamental literature, or rabbinic literature—knows that Moses entered Canaan, let alone founded Jerusalem, and dedicated its Temple. In the light of the above, it is mind-boggling that anyone would consider the Hecataeus

passage as evidence against which the antiquity and/or authenticity of biblical traditions are to be weighed. Surely, this is a case of the tail wagging the dog, if there ever was one. Using such a methodology, Davies may well have to revise downward his Hasmonean dating for the closing of the biblical canon. Strabo of Amaseia (d. ca 21 CE), a Greco-Roman pagan author, writes:

For a certain Moses, who was one of the Egyptian priests, held a section of what is called the lower region. But he became dissatisfied with the way of life and departed thence to Jerusalem, in the company of many who worshipped the deity. For he said and taught that the Egyptians as the Libyans, were deluded in likening the deity to wild animals and cattle. . . . In so speaking, Moses persuaded not a few reasonable men and led them to the place where the settlement of Jerusalem is now located. . . . At the same time he put forward as a defense the cult and the deity instead of arms, thinking it more worthwhile to seek a sanctuary for the deity and promising to set up a ritual and a cult which would not burden the adherents with expenses, divine ecstasies or other foolish practices.⁴

Clearly, the biblical traditions about Moses dying in Moab and never entering Canaan, Joshua leading the Israelites into the Promised Land, and Solomon's dedication of the Temple in Jerusalem were not yet in place in Roman times. Davies, who is never at a loss in explaining away evidence, may well conclude that the Dead Sea scrolls (and portions of the Apocrypha) will have to be dated later than the present consensus. Doubtless, he will remind us that it is no secret that radio-carbon dating is notoriously imprecise. And, perhaps, as a distinguished former editor of this journal once suggested, he will claim that the Dead Sea scrolls are medieval forgeries after all.

5. Noticeably absent from Davies' account is any discussion of Biblical Hebrew. Nor is there any attempt to link the Hebrew (and Aramaic) of the biblical books to the numerous Hebrew and Aramaic inscriptions recovered by modern archeology. Davies argues that none of the biblical books was authored prior to the Persian period. Most, in fact, were authored in the Hellenistic period and emanate from the same Temple-based scribal schools in Jerusalem. We would expect a more or less monolithic "Biblical" Hebrew, heavily influenced by Aramaic, with a standardized orthography, morphology, vocabulary, and syntax. (Indeed, the texts copied at Qumran,

⁴ See J. G. Gager, *Moses in Greco-Roman Paganism* (Nashville, 1972), pp. 38–47. Cf. M. Stern, *Greek and Latin Authors on Jews and Judaism* (Jerusalem, 1974), 1:261–315. Strabo's account of Moses is often ascribed to Poseidonius of Apamea (d. ca. 50 BCE), which would place it somewhat earlier in the Roman period. See the full discussion in Gager and Stern.

for example, exhibit a distinctive orthographic unity that sets them apart from earlier and later Hebrew texts and inscriptions.) Instead, we find a wide variety of Hebrew dialects ranging from an archaic poetic dialect, to Standard Biblical Hebrew (pre-500 BCE), to Late Biblical Hebrew (post-500 BCE).⁵ Even in the same genre of biblical literature, e.g., historical texts, the books of Joshua, Judges, Samuel, and Kings share a distinctive vocabulary, syntax, and orthography that sets them apart from the books of Ezra, Nehemiah, and Chronicles. Yet Davies would compress this heterogeneous literature into a period of two and a half centuries (or less), and claim that all of it was authored in Jerusalem, then almost immediately canonized, with no one doubting its alleged antiquity or authenticity.

6. As often occurs when scholars focus on larger issues, textual and philological details tend to be ignored or treated with a lack of precision. Such imprecisions need not necessarily influence the larger issues raised by the author. But their cumulative effect is such that they undermine the reader's confidence in the author's claims—even when he may be right. Thus;

On p. 170: "Except in a codex, after all, order has little meaning, and there is enough evidence in the rabbinic literature and in medieval manuscripts to show that an absolutely fixed order of prophets and writings was not in place."

Davies' formulation suggests that a fixed order of biblical books was meaningful only for communities using a codex, and not for the talmudic rabbis. In fact, for the talmudic rabbis, who wrote their biblical books exclusively on scrolls, order had much meaning. They sometimes copied two or more biblical books on one scroll (see, e.g. mBB 1.6 and bBB 13b), a practice also attested at Qumran. They therefore regulated the proper ordering of biblical books (see e.g. bBB 14b). This ordering was codified by the medieval and later rabbinic authorities (e.g., Maimonides' *Code*; R. Jacob b. Asher, *Tur*; R. Joseph Karo, *Shulhan 'Arukh*) exactly as it appears in the Talmud. The evidence for deviation comes from the Masoretic Bibles, in manuscript and in print. This should not be confused with "rabbinic literature."⁶

On p. 171: "Those scrolls whose 'holiness' was questioned (Ruth, Song of Songs, Esther) do not contain the divine name." Nowhere in rabbinic

⁵ See R. C. Steiner, "Ancient Hebrew," in *The Semitic Languages*, ed. R. Hetzron (London, 1997), pp. 145–173. Cf. A. Hurvitz, *The Transition Period in Biblical Hebrew* [in Hebrew] (Jerusalem, 1972); idem, *A Linguistic Study of the Relationship Between the Priestly Source and the Book of Ezekiel* (Paris, 1982); and I. Young, *Diversity in Pre-Exilic Hebrew* (Tübingen, 1993).

⁶ See S. Z. Leiman, "Masorah and Halakhah: A Study in Conflict," in *Tehillah le-Moshe: Biblical and Judaic Studies in Honor of Moshe Greenberg*, eds. M. Cogan, B. L. Eichler, and J. H. Tigay (Winona Lake, 1997), pp. 291–306.

literature was the “holiness” of Ruth questioned. Ruth contains the divine name in abundance.

On p. 172: “The attraction of this suggestion . . . is that it simultaneously explains the division between ‘former’ and ‘latter’ prophets, since parts of only the ‘latter’ prophets are read out in the synagogue.” Parts of the Former Prophets were and are regularly read out in the synagogue.⁷

In sum, Davies’ *Scribes and Schools* raises significant issues and offers provocative, if not always persuasive, discussion.⁸

Brooklyn College

SID Z. LEIMAN

⁷ Already in the tannaitic period, parts of the Former Prophets were read in the synagogue. See, e.g., J. Mann, *The Bible as Read and Preached in the Old Synagogue* (reprinted: New York, 1971), especially the evidence gathered together in the prolegomenon by B. Z. Wacholder. The annual cycle of readings presently in use in most traditional synagogues includes some 28 readings from the Former Prophets. See, e.g., *The Snaithe Bible* (London, 1965), pp. 1363–1366.

⁸ I am indebted to Richard C. Steiner of Yeshiva University for his careful reading of an earlier draft of this review.