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## Chapter 3

### A JEWISH CANON BEFORE 100 BCE

#### ISRAEL'S LAW IN THE *BOOK OF ARISTEAS*

Ian W. Scott

##### *Introduction: No Canon for Second Temple Jews?*

In recent discussions of Second Temple Judaism one often hears that there was no canon of Jewish Scripture before at least the third or fourth century CE. The suggestion is not that Jews were without any collection of authoritative writings. It is simply that the ideas of closure and exclusivity which are fundamental to the later notion of canon have not yet emerged in Second Temple Jewish thought. A close reading of the *Book of Aristeas*, however, seems to demonstrate quite the opposite – that some Alexandrian Jews had developed a full concept of ‘canon’ well before the Common Era. Although this work is often called the *Letter of Aristeas*, it is not really a letter at all. It is a fictionalized account (διήγησις) of the translation of the Pentateuch into Greek under Ptolemy II Philadelphus (285–246 BCE).<sup>1</sup> The writer adopts the persona of Aristeas, a gentile administrator in Ptolemy’s Alexandrian court. The actual author is most likely an Egyptian Jew who put pen to papyrus during the latter half of the second century BCE.<sup>2</sup> On a careful examination of this narrative

1 For recent surveys of *Aristeas* see J. M. G. Barclay, *Jews in the Mediterranean Diaspora from Alexander to Trajan (323 BCE–117 CE)* (Berkeley: University of California, 1996), pp. 138–50; G. Boccaccini, *Middle Judaism: Jewish Thought, 300 B.C.E. to 200 C.E.* (Minneapolis: Fortress Press, 1991), pp. 161–85; J. J. Collins, *Between Athens and Jerusalem: Jewish Identity in the Hellenistic Diaspora* (Grand Rapids, MI: Eerdmans, 2nd edn, 2000), pp. 97–103, 191–5. Throughout I will use the name Aristeas to refer to the fictive narrator of the story and the italicized *Aristeas* for the literary work as a whole. Although some writers find it convenient to call the author by the name Aristeas as well, I will avoid this practice for the sake of clarity.

2 The recent consensus places *Aristeas* some time in the second century BCE, with a preference (on grounds of language and the Ptolemaic procedures depicted) for the latter third of that century. See Barclay, *Mediterranean Diaspora*, p. 445; Collins, *Athens and Jerusalem*, pp. 98–101; M. Hadas, *Aristeas to Philocrates: Letter of Aristeas* (New York and

we find that the Pentateuch (and the Pentateuch alone) is depicted as a scriptural ‘canon’ in the strongest sense of the word. This ‘law’ is, for the author of *Aristeas*, a fixed collection of documents whose contents cannot be altered, the product of a considered decision to embrace only these books as the highest authority for the Jewish community.

### 1. *A Unified, Authoritative Collection*

It should be obvious at least that the writer of this Alexandrian work regards the Pentateuch as a single, unified collection of texts. It is identified in the narrative by singular terms such as ‘law’ (νόμος in 3, 45, 46, 122, etc.), ‘legislation’ (νομοθεσία in 5, 15, 31, 128, 129, 133, 147, 176, 313), or even ‘the writing’ (ἡ γραφή in 155, 168). At the same time, the plurality of these texts is recognized in plural designations such as ‘the books’ (βιβλία in 28, 31, 46, 176, 317) or ‘the parchments’ (τοὺς ὑμένας in 177).<sup>3</sup> In section 30 these ideas of unity and plurality are brought together in the expression ‘books of the law’ (τοῦ νόμου . . . βιβλία). Clearly this ‘law’ is understood by the author as a single collection consisting of distinct individual books.

In the narrative of *Aristeas* this collection also functions as the one authoritative basis for Jewish life. In general the members of the Ptolemaic court treat the law as the legal constitution of the Jewish people, and the high priest’s own repeated references to Moses as ‘the lawgiver’ (139, 144) seem to set him alongside such Greek legislators as Solon and Lycurgus. When Eleazar describes the Jews’ moral distinctiveness he presumes that his people all live by the prescriptions of this legal code. After all, his speech is framed as an apology for the odd practices which gentile Alexandrians actually observe in the lives of their Jewish neighbours, practices dictated by the Jews’ unusual law (144). Through this legislation, for example, Moses ‘constrains’ (ἀναγκάζει) the Jewish people to avoid eating animals without a cloven hoof (151). On the other hand, it is because the Jews actually submit to such rules that they are ‘separated from all other people’ and so are saved from the corrupting influence of the gentiles’ wicked behaviour (151–152). Because the Jews accept the law’s authority, its requirements form ‘unbreakable barriers

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London: Harper, 1951), pp. 3–54; G. W. E. Nickelsburg, *Jewish Literature between the Bible and the Mishnah: A Literary and Historical Introduction* (Minneapolis: Fortress, 2nd edn, 2005), p. 198.

<sup>3</sup> See also ‘lawbooks’ (νόμιμα) in 10 (cf. Eleazar in 127). All quotations from the Greek text are taken from the Thackeray edition, as re-published in ‘Letter of Aristeas’, edition 1.0, in *The Online Critical Pseudepigrapha* (ed. K. M. Penner, D. M. Miller and I. W. Scott; Atlanta: SBL, 2006), <<http://www.purl.org/net/ocp/Aristeas.html>>. This text has been compared against Pelletier’s more reliable edition. English translations are my own.

and iron walls' (ἀδιακόποις χάραξι καὶ σιδηροῖς τείχεσιν) which defend Israel's monotheistic piety and righteousness (139). The Jews' actual devotion to these practices is further attested by the Egyptian priests who acknowledge them as 'people of God' (140–141) because of their uniquely pious lifestyle.

## 2. Closed, Fixed and Permanent

Eugene Ulrich has rightly emphasized that even an authoritative collection of texts is not yet a 'canon' in the sense made popular by fourth-century Christian writers. Ulrich offers a stronger definition of 'canon':

The final, fixed, and closed list of the books of scripture that are officially and permanently accepted as supremely authoritative by a faith tradition, in conscious contradistinction from those books that are not accepted.<sup>4</sup>

In particular, Ulrich emphasizes that in order for a collection of authoritative writings to be considered a 'canon' it must be the product of 'reflective judgement' which produces a 'closed list' of texts.<sup>5</sup> Does the author of *Aristeas* really have such a robust view of the Pentateuch?

Certainly the narrative presumes that the law is 'closed'. Even the wording of the collection is regarded as fixed and unchangeable. Hence there is great concern in *Aristeas* for verbatim accuracy in the copying and translation of the law (30–31). Once a precise translation has been made, the Alexandrian Jewish leaders declare that 'this should remain exactly so' (διαμείνη ταῦθ' οὕτως ἔχοντα) and that 'it should never be revised' (μὴ γένηται μηδεμία διασκευή) (310). They even add a curse on 'anyone who might alter [διασκευάσει] any of what was written by adding or changing anything [προστιθεῖς ἢ μεταφέρων τι], or by making a deletion [ποιούμενος ἀφαίρεσιν]' (311). Aristeas, the fictive narrator, adds that the curse was pronounced 'as was their custom' (καθὼς ἔθος αὐτοῖς ἐστίν) (311). In other words, the Jewish community has for some time viewed the Hebrew text of Torah as fixed, and this notion is now simply extended to the new translation. This ideal of fixity is no temporary

4 E. Ulrich, 'The Notion and Definition of Canon', in L. M. McDonald and J. A. Sanders (eds), *The Canon Debate* (Peabody, Mass.: Hendrickson, 2002), pp. 21–35 (31).

5 Ulrich, 'Notion and Definition', pp. 32–3. In the same volume, Philip Davies makes some excellent observations about the oddness of this definition, since 'canon' language has long been used to describe a much more diverse activity common to most literate cultures ('The Jewish Scriptural Canon in Cultural Perspective', in McDonald and Sanders (eds), *The Canon Debate*, pp. 36–52). Still, since in biblical studies it is usually the later theological notions of canon which lie in the background of our discussions, it is appropriate for us to use the term with particular care.

expedient. The Jewish leaders enact their curse to ensure that the translation ‘would be guarded forever, everlasting and permanent’ (διὰ παντὸς ἀένναα καὶ μένοντα φυλάσσηται) (311). Even though the realities of textual transmission never lived up to this concern for stability, the author of *Aristeas* understands every detail of the documents to be set and unchangeable for all time.

If the very wording of the law is to be fixed, then the Alexandrian Jewish community which makes the declaration must be operating (at least in this depiction) with a ‘closed list’ of books. Nothing may be ‘added’ or ‘deleted’, certainly not entire works. Notice the close similarity between the elders’ declaration in *Aristeas* 311 and Athanasius’ declaration in his 39th festal letter: ‘Let no one add to these; let nothing be taken away from them’ (μηδεὶς τούτοις ἐπιβαλλέτω, μηδὲ τούτων ἀφαιρέσθω τι).<sup>6</sup> This is the passage quoted by Ulrich himself in order to illustrate the key idea of closure in his definition of canon.<sup>7</sup> It is striking, then, that the Jewish author of *Aristeas*, writing prior to 100 BCE, can have the Alexandrian elders make such a similar declaration. The two statements even use cognate terms (ἀφαίρεσις and ἀφαιρέω) for the forbidden act of ‘omitting’ or ‘removing’ anything from their respective scriptural collections. Granted, the ‘things’ which are fixed in *Aristeas* are primarily the words and sentences, while Athanasius is more concerned with the addition or subtraction of whole books. It would seem to require special pleading, however, to argue that the statement in *Aristeas* means *less* than the later Christian declaration. Rather, it would seem that the Alexandrian Jews in the account are so familiar with the law as a fixed list of books that it does not occur to them to ban such gross changes to its contents.

### 3. *The Product of ‘Reflective Judgement’*

Is there evidence, though, for Ulrich’s other key feature of a ‘canon’? Does a ‘reflective judgement’ lie behind this closed collection of writings? Within the narrative of *Aristeas*, the formal acceptance of the new translation in 308–311 seems to reflect just this kind of judgement. For it is not merely the reception of one more ‘version’ of Torah. Rather, this scene re-enacts Israel’s original reception of the law in the book of Exodus. Harry Orlinsky has pointed out the ritual and verbal parallels between the Alexandrian elders’ ratification of the new translation and

6 Athanasius, *Ep. fest.* xxxix, in *Fonti. Fasciolo ix. Discipline générale antique (ii-ix s.)*. *Les canons des pères grecs, vol. II* (ed. P.-P. Joannou; Rome: Tipographia Italo-Orientale S. Nilo, 1963), pp. 71–6 (75, lines 5–6). The English translation follows A. Robertson in *NPNF*<sup>2</sup> 4.552.

7 Ulrich, ‘Notion and Definition’, p. 31 n. 31.

Israel's acceptance of the original Torah in Exod. 24.3-7.<sup>8</sup> There the nation was gathered and Moses 'read aloud to the people' (יִקְרָא בְּאָזְנוֹתָם הַדְּבָרִים הַלְלוֹתֵיךָ הַזֵּה) the words of the law (Exod. 24.7).<sup>9</sup> The assembled Israelites then responded by committing themselves to obey the divine commands (Exod. 24.7). In *Aristeas* 308, likewise, we are told that Demetrius 'gathered the assembly of the Jews', took the newly completed translation, and 'read it aloud to them all' (παρὰνέγνω πᾶσι). As in Exodus, the assembled Jewish community responds with affirmation, this time heaping accolades on Demetrius and asking that he have copies made 'to be passed on to their leaders' (μεταδοῦναι τοῖς ἡγουμένοις αὐτῶν) (309). In Exodus the ceremony of ratification takes place at the site where the Torah was received, Mt Sinai. In *Aristeas* 308, likewise, the author is at pains to emphasize that the community gathers to approve the new text at 'the site where the work of translation had been completed' (τὸν τόπον οὗ καὶ τὰ τῆς ἐρμηνείας ἐτελέσθη).<sup>10</sup> Notice, too, that the group of 72 translators who stand with the gathered throng seems calculated to correspond to the 70 elders who went with Moses up the mountain to receive the Hebrew original (Exod. 24.9).<sup>11</sup> After all, the account of their selection in *Aristeas* 46-50 identifies the translators as 'elders' (πρεσβυτέροι) and the author even resurrects the full 12 tribes so that each can be represented in the delegation.<sup>12</sup> In this context the assembly gathered to hear the new translation is not merely one particular 'community' of Jews. As Orlinsky emphasizes, the presence of the translators allows all 12 tribes to be

8 Harry Orlinsky, 'Septuagint as Holy Writ and the Philosophy of the Translators', *HUCA* 46 (1975): 89-114 (94-5).

9 Orlinsky ('Holy Writ', pp. 94-5) points out two closely parallel rituals in other biblical books. In 2 Kings (4 Kdms) 23.2 the people gather in the temple and Josiah 'read aloud to them' (יִקְרָא בְּאָזְנוֹתָם הַדְּבָרִים הַלְלוֹתֵיךָ הַזֵּה) the text of the rediscovered 'Book of the Law'. Again, in Neh. 8.3 (2 Esdr. 18.3) the post-exilic community gathers in Jerusalem to hear the law once more. We are told that Ezra 'read from it' (יִקְרָא בּוֹ) and that the words were heard by 'the ears of all the people' (אָזְנוֹת כָּל-הָעָם). Orlinsky also notes a partial parallel to this ritual in Jer. 36.1-10.

10 See also Sylvie Honigman, *Septuagint and Homeric Scholarship in Alexandria: A Study in the Narrative of the Letter of Aristeas* (New York: Routledge, 2003), pp. 53-9. Honigman has noted that *Aristeas* seems in fact to be structured around three episodes which parallel the events of the book of Exodus. First, we find that the Jews have been taken to Egypt as slaves and we witness their liberation (12-27, 33-37). Second, we see the selection of elders from all the 12 tribes of Israel (46-50). *Aristeas* 308-311 then constitutes the third episode in this triptych of intertextual connections with Exodus.

11 Honigman (*Septuagint*, p. 58) is likely right that the author of *Aristeas* is forced to the number 72 (instead of the biblical 70) by his desire to have the Jewish delegation fit Hellenistic civic practice, in which each tribe would be represented by an equal number of delegates. The figure of six delegates from each tribe, unusual in Hellenistic political assemblies, is evidence of the writer's attempt to come as close as possible to a parallel for the 70 elders of Exodus.

12 So Orlinsky, 'Holy Writ', p. 98; Honigman, *Septuagint*, p. 57.

represented in a formal gathering of the whole ‘Jewish people’ (τὸ πλῆθος τῶν Ἰουδαίων) (308).<sup>13</sup>

All of this would seem to confirm the suggestion made by Orlinsky, and echoed by both Sylvie Honigman and Benjamin Wright, that this ceremony amounts to the Jewish people’s formal acceptance of the Greek law as authoritative Scripture in its own right.<sup>14</sup> The echo of Deuteronomy in the curses which follow simply underlines the fact that the people are here re-affirming these texts as the basis of their relationship with their God.<sup>15</sup> One could ask for no clearer example of ‘reflective judgement’ than this. For the author of *Aristeas*, the Alexandrian community has enacted once again Israel’s ritual of commitment to the authority of the law, now in its Greek manifestation.

Yet the ‘reflective judgement’ for which Ulrich looks in the birth of a canon seems to be more than a positive decision that a certain list of texts is authoritative. He seems to require that this ‘reflection’ include the conscious and deliberate exclusion of other texts which might have been included.<sup>16</sup> Here we must admit that *Aristeas* lacks any hint of such a polemic against other documents.<sup>17</sup> In fact, there is no clear reference or allusion to a single Jewish text aside from the books of Moses themselves. Yet the overt disputes surrounding the canon lists of fourth-century Christian writers are not the only kind of evidence which can point to a considered rejection of other documents as ‘non-canonical’. On the contrary, the silence in *Aristeas* about any competing documents may simply indicate that the Jewish community in the narrative is settled and unanimous in their decision. Where there are no competing judgements, there is no need for polemics. One might argue, of course, that the ‘judgement’ in favour of a canon cannot really be ‘reflective’ unless the community in question has entertained alternative opinions as ‘live

13 Orlinsky, ‘Holy Writ’, pp. 96, 98; so Honigman, *Septuagint*, p. 57; H. G. Meecham, *The Letter of Aristeas: A Linguistic Study with Special Reference to the Greek Bible* (Manchester: Manchester University Press, 1935), p. 305. All of these writers point also to the similar, formal use of πλῆθος in 1 Macc., 2 Macc., and Acts.

14 See Orlinsky, ‘Holy Writ’, pp. 96–100; Honigman, *Septuagint*, p. 53; See also B. G. Wright III, ‘Translation as Scripture’ in W. Kraus and R. G. Wooden (eds), *Septuagint Research* (Atlanta: SBL, 2006), pp. 47–61.

15 Orlinsky (‘Holy Writ’, pp. 95–6) points out Moses’ instruction in Deut. 4.1-2: ‘You must neither add (οὐ προσθήσετε) anything to what I command you nor take away anything from it (οὐκ ἀφελείτε ἀπ’ αὐτοῦ)’. Cf. Honigman, *Septuagint*, p. 59; A. Paul, ‘Traductions grecques de la Bible avant la Septante?’ in M. M. Mactoux and E. Geny (eds), *Mélanges P. Lévêque, IV, Religion* (Paris: Les Belles Lettres, 1990), pp. 315–28 (323).

16 See Ulrich, ‘Notion and Definition’, pp. 30–3.

17 See, e.g., S. Jellicoe, ‘The Occasion and Purpose of the Book of Aristeas: A Re-Examination’, *NTS* 12 (1966): 144–50. It seems more probable, however, that the book is arguing for the full, independent authority of the Greek translation, over against a secondary status dependent on the Hebrew original.

options'. Yet this requirement would seem suspiciously 'modern' and European in its bias toward diversity of opinion as a prerequisite for 'reflection'. Moreover, if one were to require evidence of diverse opinions in order to recognize the existence of a canon, one would be in the odd position of affirming that a collection is 'canonical' where its communal authority is comparatively weak, but denying that same collection the title 'canon' when it succeeds in establishing its hegemony! Provided that a community is at least aware of other writings, or of other communities which look to different authoritative texts, the affirmation of a closed collection is always implicitly a rejection of those other possibilities. To the extent, then, that an authoritative collection is closed, and is deliberately affirmed in its authority by the community in question, this ought to suffice as the 'reflective judgement' necessary to establish a fully fledged scriptural canon.

What we can say in the case of *Aristeas* is that the Jewish community of the narrative, though it knows other writings, gives no other text the same authority it grants to the law. Eleazar and the Jewish translators realize that other peoples live by other laws (e.g., 239–240). They are quite clear, however, that the only law they will recognize is the code handed down from Moses. It is precisely the distinctiveness of this law that has kept the Jews pure, as a nation, from the idolatry of other peoples (139–141). Even more significant is the complete silence in the narrative about the 'prophets' or other Jewish works outside the Pentateuch. The author of *Aristeas* certainly knew of other Jewish writings, many of which were already being afforded some measure of authority by Jewish communities.<sup>18</sup> Even if the Alexandrian author is intent on reflecting the situation at the time of Ptolemy Philadelphus (the early to mid-third century BCE) it is difficult to imagine that he thought Eleazar and the translators were ignorant of other Jewish writings. The Hebrew original of Ben Sira's wisdom, written between 196 and 175 BCE, already reflects an extensive knowledge of the 'prophetic' corpus and seems to presume a similar familiarity in his audience (see Sir. 50.1–21).<sup>19</sup> Would the author of *Aristeas*, writing at least a generation later, imagine that these other

18 Around this same time Ben Sira's grandson, another Jew staying in Alexandria, tells us that wisdom and instruction are found in 'the Law and the Prophets and the other books of the fathers' (τοῦ νόμου καὶ τῶν προφητῶν καὶ τῶν ἄλλων πατρῴων βιβλίων) (Sir., prologue 8–10; cf. 1). Even if this description of Israel's literature cannot be read as the translator's own reference to a scriptural 'canon', it clearly illustrates the breadth of Jewish literature with which the author of *Aristeas* would have been familiar. On the date of the Greek version of Ben Sira, see Nickelsburg, *Jewish Literature*, pp. 62–3.

19 For Ben Sira's date see Nickelsburg, *Jewish Literature*, p. 62. One can easily point to other evidence of the prophets' popularity throughout the second century BCE. Some time around 164 BCE, for example, the author of Daniel knows Jeremiah as a prophet of God and can quote from some form of his book (Dan. 9.2; cf. Jer. 25.12; 29.10).

ancient writings had been unknown in the previous century? After all, most of those prophetic writings purport to be centuries older than the Ptolemaic dynasty itself. Under these circumstances the silence in *Aristeas* about any other Jewish texts is highly significant. The law of Moses is simply presumed to be the one and only authoritative basis for Jewish life. These works alone are chosen to be translated because they alone are credited with founding and maintaining the Jews' distinctive piety and wisdom.<sup>20</sup> So when the Jewish people gather (in representative form) and embrace the Greek law as their fixed and foundational authority, we must understand this as an exclusive decision which, however implicitly, refuses the same status to any other documents.

This is not to say that the Jewish community in *Aristeas* rejects other Jewish books outright. In no period of Jewish or Christian life has the recognition of some books as a 'canon' implied that nothing else had value in shaping the community's faith and practice. Returning to the 39th Festal Letter of Athanasius, we find that his list of canonical books is followed immediately by another list of writings 'appointed by the Fathers to be read by those who newly join us, and who wish for instruction in the word of godliness'.<sup>21</sup> These other books are edifying and are even afforded a crucial role in the formation of catechumens. They simply do not play the same kind of authoritative role for Athanasius that the 'canonical' documents do. Likewise, the Jewish closing of the Tanakh did not require the abandonment of the Mishnah or the other Rabbinic writings. In the same way, the writer of *Aristeas* may not mean to imply that his third-century-BCE forebears rejected the authority of the prophets entirely. In the narrative of *Aristeas*, however, only the law of Moses is judged fit by the Jewish community to stand as their central, unchangeable, unquestionable authority. Whatever other texts they might accept are clearly subordinated to the primary authority of the law. In this sense, the people's decision is deliberately exclusive.

#### 4. *The Language of 'Canon'*

Finally, it should not go unnoticed that *Aristeas* actually calls the law a 'canon'. Ulrich is representative of the recent discussion when he writes

<sup>20</sup> It is certainly not the case that Ptolemy or his courtiers have an exclusive interest in legal codes. The legal genre of Moses' works seems incidental to the interest they generate for *Aristeas* and Demetrius, who are driven by a much broader interest in 'divine matters' (τὸ θεῖον) (3). One would think that such an interest would draw them as much toward the oracles of Jeremiah or Isaiah as to the Mosaic collection. Throughout the account, however, these gentile students of Jewish wisdom seem unaware that these other documents even exist.

<sup>21</sup> Athanasius, *Ep. fest.* XXXIX.

that the term ‘as used in relation to the Bible arose in Christian circles’.<sup>22</sup> Similarly, Julio Treballe Barrera claims that ‘the Greek term “canon” comes from New Testament studies’ and that it ‘belongs to a very late period in the history of the formation of the NT canon’. Hence it is ‘quite unsuitable’ to use the term ‘canon’ in reference to Jewish collections prior to the common era.<sup>23</sup> Yet the writer of *Aristeas* constitutes a clear, and very early, example of what these scholars deny. This second-century-BCE Alexandrian writer refers to the law using the same Greek word, κανών, which was used by later Christian writers in describing their larger biblical collection. In section 2 Aristeas describes the intellectual and educational ideal which he and Philocrates share. He reminds his audience that ‘if it is inclined toward piety, the greatest of all goals, [the soul] obtains a rule which will not deceive when one consults it [ἀπλανεῖ κεχρημένη κανόνι]’ (2). It is not immediately clear that the κανών under discussion is the Jewish law. The nature of this ‘rule’ is left unspecified, a generic reward toward which Aristeas’ pious life will lead. Aristeas goes on to explain, however, that this piety, this devotion to ‘divine things’, led him to join the embassy to Eleazar in Jerusalem (3). What did Aristeas hope to gain from his journey? What is this ‘greatest benefit’ (μεγίστην ὠφέλειαν) which the high priest offers? It is his ability to ‘interpret the divine law’ (τὴν ἑρμηνείαν τοῦ θείου νόμου), that is, the Torah which is written ‘in Hebrew characters’ (ἑβραϊκοῖς γράμμασιν) (3). This legislation is the prize he gained in his pious quest. It would seem, then, that the ‘rule’ (κανών) which Aristeas has hoped to attain is embodied in the Jewish law. This identification of the law as a reliable κανών is then reinforced when Eleazar describes Torah’s function in Jewish life using the cognate verb κανονίζω, ‘measure or judge by rule’.<sup>24</sup> ‘Everything’, says the high priest, ‘is judged according to this standard [κεκανόνισται] so that righteousness will result’ (168).

Taken together, these two passages make it clear that the author of *Aristeas* understands the law to be a κανών, a rule or standard according to which Jews ought to measure all of their life and behaviour. True, the thrust of the term ‘canon’ here is not first and foremost the closed and fixed nature of the Mosaic books. By calling the law a canon the author is instead highlighting its function in the Jewish community. Yet even the fourth-century Christian polemicists seem to use this term as much more than a mere signal that their list of authoritative books is closed. When

22 Ulrich, ‘Notion and Definition’, p. 22. Ulrich goes on to claim that ‘no similar term is attested in Jewish writings, including the Septuagint . . . until comparatively late’ (*ibid.*, p. 22). By ‘comparatively late’ Ulrich clearly means later than the first century CE, perhaps as late as the fourth century CE (*ibid.*, p. 31).

23 J. Treballe Barrera, *The Jewish Bible and the Christian Bible* (trans. W. G. E. Watson; Leiden: Brill, 1998), p. 14.

24 LSJ, 875 (I.1).

Athanasius introduces his list of the books which ought to serve as a *κανών*, he is concerned above all with the pastoral impact of other books on ‘the ignorant and simple’ who are ‘led astray’.<sup>25</sup> The books authorized in the bishop’s letter are the ones he believes to be ‘fountains of salvation’ where ‘they who thirst may be satisfied with the living words they contain’.<sup>26</sup> This concern seems very close to the interest in *Aristeas* on finding a *κανών* which can be an unerring guide in life (*Aristeas* 2). Our discussions of canon must thus accommodate the fact that the author of *Aristeas* can already refer to a closed, exclusive list of authoritative books as a ‘canon’ more than a century before the dawn of Christianity.

### *Conclusions: The Idea of Canon among Second Temple Jews*

All of this works together to show that the *Book of Aristeas* depicts the law of Moses as a canon in the full sense of the word. A strong sense of canon – including the ideas of closure, permanence and deliberate exclusivity – did not have to wait for the emergence of the Christian canon in the fourth century CE. At the very least we can say that this *idea* of canon was already present in some Jewish circles more than four centuries earlier. We can likely go further and speculate that the author of *Aristeas* embraced this concept of canon himself as he reflected on Torah. Indeed, it is difficult to avoid the likelihood that if we see such a view depicted (with no polemical edge) in a popular text of the time, then it would have been espoused by some whole Jewish communities.

The implications of this evidence for the current conversation around canon development are profound and far-reaching. The ideas found in *Aristeas* suggest that it is only partly true to say that the Jewish canon remained ‘open’ in the late Second Temple period. For some Jews, the Pentateuch was likely viewed as a fixed, closed and exclusive canon for Israel from at least the early second century BCE onward. The fact that other collections could then be added alongside the law need not have detracted from the canonical nature of that Mosaic collection. After all, many Jews seem not to have added any further books to the law itself. There is also considerable evidence that many Jews continued to regard Torah as Israel’s primary authority, even after they came to embrace other writings as part of a wider scriptural heritage.<sup>27</sup> In fact, *Aristeas* seems to confirm Philip Davies’ suggestion that the later Tanakh was not

<sup>25</sup> Athanasius, *Ep. fest.* XXXIX.

<sup>26</sup> *Ibid.*

<sup>27</sup> One may detect, for example, the lingering priority of the law in the prologue of Sirach, which ends with the hope that the translated wisdom will benefit those who ‘are

one canon, but rather a composite collection of canons.<sup>28</sup> The supplementary collections which later emerged alongside the law may not at first have been afforded the depth of authority granted to Torah.

On the other hand, the existence of the *idea* of canon at this early stage requires that we re-think our interpretation of the evidence for diversity or openness in the scriptural collections of some Jewish groups. The popularity of *Jubilees* and the Temple Scroll at Qumran does not necessarily mean that the list of Moses' books was understood to be 'open' by Jews on the ground. It may be that the Qumran sectarians worked with an alternate canon of the law which was still as closed and fixed for that community's members as the Pentateuch is for the author of *Aristeas*. On the other hand, if some Jewish groups did have a less rigid understanding of their Scriptures, *Aristeas* reminds us that others could at the same time have thought more in terms of a fixed and exclusive 'canon'. Finally, once the ideas of closure, permanence and exclusivity are an established part of the Jewish intellectual repertoire, it can become both meaningful and accurate to speak of 'pre-canonical' literature. This need not involve an anachronistic projection of the final Tanakh back into the Second Temple period, as if that particular end were an inevitable historical necessity. Rather, once a true canon of the law was established in some Jewish groups, it would be natural for questions to arise as to whether other inchoate groups of documents might some day be 'closed' in the same way. In other words, it becomes plausible to think that some Jews anticipated the closure of, for example, the collection of the prophets, long before that closure was a common reality. The emphasis on a fixed text of Torah in *Aristeas* even suggests that we should be more cautious in claiming that Second Temple Jews always accepted the pluriformity of their scriptural books.<sup>29</sup>

The evidence presented by the *Book of Aristeas* does not somehow license a return to the simplistic, overconfident models of canonization of an earlier generation. The work of Eugene Ulrich and others has forced us now to recognize that the canon's development was a far messier, and far later, process than we had imagined before. We cannot even say whether the author of *Aristeas* shared the completely Torah-centric outlook of the

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disposed to live according to the law (ἐννόμως βιοτεύειν) (prologue 35–36). This is the same writer who, earlier on in the prologue, identifies a collection of 'prophets' alongside the 'law' as another source of instruction.

28 Davies, 'Jewish Scriptural Canon', p. 48. On the other hand, I would suggest that the evidence of *Aristeas* does not fit well with Davies' suggestion on the same page (and throughout much of the article) that the Hebrew canons represented 'more or less all that there was' (*ibid.*, 48). Aside from anything else, this impression may be the result of other Hebrew literature having been forgotten. The canon of the law, however, was clearly closed for the author of *Aristeas* despite an abundance of other Hebrew writings in existence.

29 See, e.g., Ulrich, 'Notion and Definition', pp. 31–2.

Jews in his narrative, or whether he allowed a significant role for Israel's prophets which is simply obscured by his subject matter. What *Aristeas* does show, however, is that we cannot correct earlier maximal readings of the evidence for canon development simply by rushing to the opposite extreme of minimalism.