

# Septuagint, Sages, and Scripture

*Studies in Honour of Johann Cook*

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# Scholars and Officials in Early Judaism: The *Sôfer* of Jesus Ben Sira

*Arie van der Kooij*

## 1 Introduction

In this essay in honour of Johann Cook,<sup>1</sup> scholar and teacher of wisdom in Stellenbosch, I would like to present a picture of a colleague of him in antiquity – Jesus ben Sira,<sup>2</sup> scholar and teacher of wisdom in Jerusalem. The main focus will be on the issue of the position and function of Ben Sira, a “scribe” himself, and of the “scribe” he writes about, in the society of his days. Scholars have suggested that he might have been a member of priestly families residing in Jerusalem, or one of the “scribes of the temple,” or someone belonging to the lay nobility of the city. In dealing with this subject matter, I want to contribute to the discussion on the question of who were the “scribes” in Early Judaism. First, I shall describe the various proposals that have been made concerning the issue at stake, and secondly, I shall present my own ideas on the basis of a discussion of two passages in the Wisdom of Ben Sira – Sir 38:32–33 and 33:19.

## 2 Various Views

The passage to be found in Sir 38:24–39:11, which is commonly regarded part of the book in which Ben Sira “in fact describes *his own* activities and skills,”<sup>3</sup> offers a most interesting portrayal of the “scribe” (*sôfer*). Obviously, the *sôfer* is presented here as an intellectual, as someone belonging to the upper strata of the Jerusalemite society, but it is disputed whether the text offers clues for the question of whether he was a member of priestly families, or not.

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1 It is a great pleasure to dedicate this essay to Johann Cook, who has contributed so much to the study of wisdom literature in the Septuagint. I offer it with deep appreciation for his friendship.

2 His full name in Hebrew: Yeshua ben Eleasar ben Sira (cf. Sir 50:27).

3 Pancratius C. Beentjes, “Scripture and Scribe: Ben Sira 38:34c-39:11,” in *Happy the One who Meditates on Wisdom* (Sir. 14,20). *Collected Essays on the Book of Ben Sira* (CBET 43; Leuven: Peeters, 2006), 117.

It has been argued that this passage makes clear “how respected and influential” the “class” of *soferim* was “at the beginning of the second century BC.”<sup>4</sup> According to this view, in the earlier days the priests were at first the experts in the Torah (cf. the figure of Ezra who was himself both priest and *sôfer*), but increasingly “lay Israelites took over the study of the Torah, and side by side with the priests an independent order of ‘Torah scholars’ or scribes came into being.”<sup>5</sup> This development is explained thus: “In Hellenistic times some of the priests of higher rank turned to Gentile culture,” but “the scribes set a very different example.”<sup>6</sup> Hence, the priests were no longer the spiritual leaders, but it was the scribes “who were the zealous guardians of the Torah.”<sup>7</sup> Consequently, in the course of time the scribes were the real teachers of the people, a process that is thought to be complete in New Testament times, because here “the scribes are represented as the undisputed spiritual leaders of the people.”<sup>8</sup>

According to this theory, mainly to be found in scholarly literature of an earlier date,<sup>9</sup> the “scribes” are to be seen as a distinct group, which in the course of time “took over” the leading position of the priests as teachers of the people. This view, however, raises a number of questions. One wonders whether it does justice to the data available in the sources of the time, including those to be found in the Dead Sea Scrolls. The history of the relationship between priesthood and “scribes” is a complex and multifaceted one, and hardly a matter of rivalry only. In this regard, it is important to note that according to recent scholarship Sir does not offer a picture of any conflict between priests and scribes. On the contrary, as has been pointed out by a number of scholars, Ben Sira actually supports and defends the leading priesthood, and the office of the high priest in particular.<sup>10</sup>

4 Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ (175 BC–AD 135)* (A new English version revised and edited by Geza Vermes, Fergus Millar, and Matthew Black; Vol. II; Edinburgh: T. & T. Clark, 1979), 323.

5 Ibid.

6 Ibid.

7 Ibid.

8 Ibid., 324.

9 See also Victor Tcherikover, *Hellenistic Civilization and the Jews* (trans. Shimon Applebaum; New York: Atheneum, 1975), 124f.; Joachim Jeremias, *Jerusalem in the Time of Jesus: An Investigation into Economic and Social Conditions during the New Testament Period* (London: SCM Press, 1976), 237; Joseph L. Angel, *Otherworldly and Eschatological Priesthood in the Dead Sea Scrolls* (STDJ 86; Leiden: Brill, 2010), 211f.

10 See, e.g., Martin Hengel, *Judentum und Hellenismus: Studien zu ihrer Begegnung unter besonderer Berücksichtigung Palästinas bis zur Mitte des 2. Jh.s v. Chr.* (2. durchgesehene und ergänzte Auflage; WUNT 10; Tübingen: Mohr Siebeck, 1973), 244; Benjamin G. Wright, “‘Fear the Lord and Honour the Priest.’ Ben Sira as Defender of the Jerusalem Priesthood,”

Other issues involved concern the question of who the “scribes” were, as well as the idea of “scribes” as a distinct group. The latter idea, as well as the idea of “scribes” as the spiritual leaders of the people, seems to be based on the picture of “the scribes” as provided by the New Testament, and not on sources of an earlier date.<sup>11</sup> Moreover, the theory implies that the “scribes” were lay people only, but there is evidence that a priest could also be designated a “scribe” (cf. Ezra in Ezra 7:11). These and other issues, however, cannot be dealt with in this essay as its focus is on the “scribe” as depicted by Ben Sira.

As to Ben Sira himself, some scholars have argued that he was a priest, and not a lay person as implied in the theory outlined above. So first of all Stadelmann, who argued that since the study of the Torah was a priestly task, Ben Sira, as expert of the Law, is to be seen as a priest.<sup>12</sup> Scholars who share this view include Mack, Schnabel, Olyan, Di Lella, Gammie, and Blenkinsopp (“Ben Sira was a scribe, perhaps also an inactive priest, to judge by his uncritical reverence for everything priestly”).<sup>13</sup>

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in *The Book of Ben Sira in Modern Research: Proceedings of the First International Ben Sira Conference 28–31 July 1996 Soesterberg, Netherlands* (ed. Pancratius C. Beentjes; BZAW 255; Berlin: de Gruyter, 1997), 189–222; Jeremy Corley, “A Numerical Structure in Sirach 44:1–50:24,” *CBQ* 69 (2007): 43–63; Otto Mulder, *Simon the High Priest in Sirach 50: An Exegetical Study of the Significance of Simon the High Priest as Climax to the Praise of the Fathers in Ben Sira’s Concept of the History of Israel* (JSJSup 78; Leiden: Brill, 2004), 354–73 (Ben Sira *sofer* and counsellor of the High Priest); Richard A. Horsley and Patrick Tiller, “Ben Sira and the Sociology of the Second Temple,” in *Second Temple Studies III: Studies in Politics, Class, and Material Culture* (ed. Philip R. Davies and John M. Halligan; JSJSup 340; London: Continuum, 2002), 74–107 (scribal supporter of priestly aristocracy).

- 11 For critical comments on the “scribes” as class or distinct group, see Angel, *Priesthood*, 211f. n 11; Martin Goodman, “Texts, Scribes and Power in Roman Judaea,” in *Literacy and Power in the Ancient World* (ed. Alan K. Bowman and Greg Woolf; Cambridge: Cambridge University Press, 1994), 108 (“perhaps there never existed a *class* of scribes [...] cf. silence of Philo and Josephus about such a class”); Christine Schams, *Jewish Scribes in the Second Temple Period* (JSOTSup 291; Sheffield: Sheffield Academic Press, 1998), 101 n. 223; William M. Schniedewind, *How the Bible Became a Book: The Textualization of Ancient Israel* (Cambridge: CUP, 2004), 201.
- 12 Helge Stadelmann, *Ben Sira als Schriftgelehrter* (WUNT 2/6; Tübingen: Mohr Siebeck, 1980), 222. Other features, which in, his view, support this idea are: the “Kultfreudigkeit” in Sir (ibid., 54f.), and the (alleged) agreement between 38:33 (scribe as teacher) and 45:17 (Aaron, the priest, as teacher) (ibid., 230).
- 13 Burton L. Mack, *Wisdom and the Hebrew Epic: Ben Sira’s Hymn in Praise of the Fathers* (Chicago / London: University of Chicago Press, 1985), 105f.; Eckhard J. Schnabel, *Law and Wisdom from Ben Sira to Paul* (WUNT 2/16; Tübingen: Mohr Siebeck, 1985), 65; Saul M. Olyan, “Ben Sira’s Relationship to Priesthood,” *HTR* 80 (1987): 261–86 (262); Patrick W.

Others, however, have advanced the view that Ben Sira may have been one of the “scribes of the temple,” a group of people referred to in a non-Jewish document, the Letter of Antiochus III (see Josephus, *Ant* 12, 142). Scholars who favour this option are Middendorp, Marböck, and, more recently, Horsley.<sup>14</sup>

Yet others have claimed that Ben Sira was not a priest but a lay person. So for example Schürer (above); Beentjes, Schrader, Gilbert, and van der Kooij.<sup>15</sup> One of the arguments is that the passage in Sir 38–39 does not contain any indication for the thesis that the “scribe” of Ben Sira was a priest.<sup>16</sup> To quote a few other scholars: as to the question of whether Ben Sira was a priest, Himmelfarb states, “In my view holding the priesthood in high regard is not enough to indicate priestly heredity”; and on the basis of a detailed analysis of Sir 45:6–22, Reiterer drew the following conclusion: “In important references time and again we encounter expressions and formulations which are not in use in cultic and priestly contexts (45:8b–9a). These observations disprove the presumption that Ben Sira was himself a priest.”<sup>17</sup>

In sum, the “scribe” of Ben Sira, or Ben Sira the “scribe,” could have been a priest, a scribe of the temple, or a layman. There are also scholars who hesitate to make a choice. So for example Hengel:

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- Skehan and Alexander A. di Lella, *The Wisdom of Ben Sira* (AB 39; New York: Doubleday, 1987), 12 n. 6 (he “may have been a priestly scribe”); John G. Gammie, “The Sage in Sirach,” in *The Sage in Israel and the Ancient Near East* (ed. John G. Gammie and Leo G. Perdue; Winona Lake: Eisenbrauns, 1990), 364f.; Joseph Blenkinsopp, *Sage, Priest, Prophet: Religious and Intellectual Leadership in Ancient Israel* (Louisville: Westminster John Knox Press, 1995), 15. See also Wright, “Fear the Lord,” 219 (“perhaps even a priest”).
- 14 Johann Marböck, *Weisheit im Wandel: Untersuchungen zur Weisheitstheologie bei Ben Sira* (BBB 37; Bonn: Hanstein, 1971), 96; Theophil Middendorp, *Die Stellung Jesu ben Siras zwischen Judentum und Hellenismus* (Leiden: Brill, 1973), 84; Richard A. Horsley, *Scribes, Visionaries, and the Politics of Second Temple Judea* (Louisville / London: Westminster John Knox Press, 2007), 64.
- 15 Pancratius C. Beentjes, “Recent Publications on the Wisdom of Jesus Ben Sira (Ecclesiasticus),” *Bijdragen, Tijdschrift voor filosofie en theologie*, 43 (1982): 191–93; Lutz Schrader, *Leiden und Gerechtigkeit: Studien zu Theologie und Textgeschichte des Sirachbuchs* (BET 27; Frankfurt am Main: Peter Lang, 1994), 303; Maurice Gilbert, “Siracide,” *DBS up* 12:1405; Arie van der Kooij, “Authoritative Scriptures and Scribal Culture,” in *Authoritative Scriptures in Ancient Judaism* (ed. Mladen Popovic; JSJSup 141; Leiden: Brill, 2010), 68.
- 16 Cf. also Hans-Friedrich Weiss, “Schriftgelehrte: I. Judentum,” *TRE* 30:512.
- 17 Martha Himmelfarb, *A Kingdom of Priests: Ancestry and Merit in Ancient Judaism* (Jewish Culture and Contexts; Philadelphia: University of Pennsylvania Press, 2006), 30; Friedrich V. Reiterer, “Aaron’s Polyvalent Role according to Ben Sira,” in *Rewriting Biblical History: Essays on Chronicles and Ben Sira in Honor of Pancratius C. Beentjes* (ed. Jeremy Corley and Harm van Grol; DCLS 7; Berlin: de Gruyter, 2011), 52.

Da er mehrfach auf das Auftreten des Weisen im Rat und der Volksversammlung zu sprechen kommt, möchte man annehmen, dass er zeitweise auch öffentliche Funktionen innehatte, vielleicht war er Richter oder Ratgeber und Mitglied der Gerusie, möglicherweise gehörte er auch zu den im Erlass des Antiochos III. erwähnten "Schriftgelehrten des Tempels."<sup>18</sup>

Hengel thus holds that Sir contains indications (e.g., Sir 38:33) that the "scribe" may have been a judge and member of the *gerousia*, while, as he adds, the "scribe" might also have belonged to the group called the "scribes of the temple."

Finally, in a detailed discussion of the subject under discussion, Horsley and Tiller also focus on indications of social structure and roles in Sir.<sup>19</sup> They rightly argue that these indications may help us understand the position and function of "scribes" in the society at the time of Ben Sira. In their view, passages like 38:24–39:11 indicate that the position of the "scribe" (in the sense of sage) is "somewhere between, that is, above the plowmen and artisans [...] but below and in service to those who rule."<sup>20</sup> As to the latter category, several references to rulers in Sir are discussed, the various terms employed by Ben Sira being understood as referring to local rulers of the Jewish temple-state.<sup>21</sup> They then state: "Assuming that Judea was a temple-state with the high priest as political ruler, then these chiefs, rulers, judges and nobles must have been members of the priestly aristocracy of Jerusalem."<sup>22</sup> The primary role of the scribe was "to serve the chiefs" (Sir 8:8), which is taken in the sense of serving the "superiors in the ruling priestly aristocracy of Jerusalem."<sup>23</sup> Thus, the "scribes" are seen as holding an office in service of the high-priestly regime. As to the question whether the scribe was a priest or a lay it is argued that both could be the case ("scribes from non-priestly or ordinary priestly families"),<sup>24</sup> but a few years

18 Hengel, *Judentum und Hellenismus*, 244. See also Oda Wischmeyer, *Die Kultur des Buches Jesus Sirach* (BZAW 77; Berlin: de Gruyter, 1995), 179; Heinz-Josef Fabry, "Jesus Sirach und das Priestertum," in *Auf den Spuren der schriftgelehrten Weisen: Festschrift für Johannes Marböck anlässlich seiner Emeritierung* (ed. Imtraud Fischer, U. Rapp und J. Schiller; BZAW 331; Berlin: de Gruyter, 2003), 272f.

19 Horsley and Tiller, "Ben Sira," 74–107.

20 Ibid., 80.

21 Ibid., 80–84.

22 Ibid., 82f.

23 Ibid., 85. In line with the sociological work of Gerhard Lenski he identifies the "scribes" as "retainers," i.e., a social class which supports the ruling class.

24 Ibid., 100. See also Benjamin G. Wright III, "Conflicting Boundaries: Ben Sira, Sage and Seer," in *Congress Volume Helsinki 2010* (ed. Martti Nissinen; VTSup 148; Leiden: Brill, 2012), 250.



later, Horsley opts for the view that Ben Sira, the sage, was one of the “scribes of the temple.”<sup>25</sup>

### 3 The Sôfer of Ben Sira as Scholar and Official

#### 3.1 *Scholar-Scribe*

As noted above, Sir 38:24–39:11 is a key passage in Sir about the “scribe.” Although, unfortunately, the Hebrew of this passage has not been preserved, one can be certain that the word used in 38:24 (γραμματεύς) mirrors Hebrew *sôfer*. As scholars have observed, in sources dating to the late Persian and Hellenistic periods the term *sôfer* often denotes someone who is to be regarded a sage or scholar rather than a secretary or copyist. This not only applies to the way the “scribe” is depicted in Sir 38–39, but also to Ezra, as presented in Ezra 7, to Ahiqar, wise counsellor at the court of a king (*Ahiqar* 1.1), or to David in 11QPs<sup>a</sup> 27:2–3. Both in Sir 38:24 (“the wisdom of the scribe”) and 11QPs<sup>a</sup> (“wise and scribe”) the “scribe” is portrayed as a “wise” (man), a sage. It therefore is justified to state with Schnabel that the “scribe” of Sir 38–39 is “an intellectual, not a scribe in the old sense, a scholar, not a copyist, a sage, not a secretary.”<sup>26</sup> The scholar(-scribe)<sup>27</sup> is a man of wisdom, which in Sir 39 implies first of all the “study” of books, primarily of books belonging to the literary heritage of Israel, but presumably also of literary works produced by “ancients” outside Judaism.<sup>28</sup> He is someone who had the ability and authority to interpret texts. Hence, he was the appropriate person to teach others (cf. Sir 38:34). In addition, scholar-teachers were also able to produce literary works (as did Ben Sira himself), but this was presumably not the first and foremost thing to do. Be that as it may, it is important to note that the production of literary texts required a great deal of study (“reading”), as the grandson of Ben Sira explains to us in the Prologue to his translation of the work of his grandfather. It therefore makes sense to distinguish between “scribes” as scholars and “scribes” as copyists.<sup>29</sup>

25 Horsley, *Scribes, Visionaries*, 147.

26 Schnabel, *Law and Wisdom*, 66. Cf. Johann Marböck, “Der schriftgelehrte Weise. Ein Beitrag zu Gestalt und Werk Ben Siras,” in *La Sagesse de l’Ancient Testament* (ed. Maurice Gilbert; BETL 51; Leuven: Peeters, 1990), 311 (“der schriftgelehrte Weise”); Schams, *Jewish Scribes*, 125 (*sôfer* in Sir 38 and 11QPs<sup>a</sup> “more than a professional writer or secretary”); Horsley, *Scribes, Visionaries*, 67 (“scribe-sage”).

27 I prefer the general term “scholar” to the more specific “sage,” as the latter is not usual in the literature on literacy and scholarship in antiquity at large.

28 Cf. Skehan and Di Lella, *Wisdom of Ben Sira*, 452.

29 Cf. also Johannes Unsok Ro, “Socio-Economic Context of Post-Exilic Community and Literacy,” *ZAW* 120 (2008): 602; Henryk Drawnel, “Some Notes on Scribal Craft and the

It is important to note in this regard that *sôfer* is not the only term used. A number of sources do refer to literate people and interpreters of Scripture by employing other, less ambiguous terms: so e.g. the book of Daniel, the *Letter of Aristeas*, and the Dead Sea Scrolls.<sup>30</sup>

### 3.2 *Sir* 38:32–33

In dealing with the issue of the function and position of the scholar-scribe, I shall now discuss in what follows two passages from *Sir*, the first one being *Sir* 38:32–33. It reads:

But they are not sought after for the council of the people (εἰς βουλὴν λαοῦ),<sup>31</sup> nor do they win a prominent position in the assembly (ἐν ἐκκλησίᾳ).  
On the judge's seat (ἐπὶ δίφρον δικαστοῦ) they will not sit,  
nor can they understand law and justice.

Excepting Hengel and Horsley, in contrast to 39:1–11, scholars hardly pay attention to this passage when dealing with the profile of the “scribe” as portrayed by Ben Sira. Di Lella is quite brief about 38:32–33, noting that unlike the scribes, the skilled workers are “not trained for civic or religious leadership in general.”<sup>32</sup> It is of interest that he uses the term “civic,” but he does not touch on the question what the terminology employed in this passage, “the council of the people” or “the assembly,” may convey.

#### 3.2.1 The “Council of the People” and the “Assembly”

As noted above, according to Hengel, this and related passages may indicate that the “scribe” was a member of “the council” in the sense of the *gerousia*. Goodblatt wonders though whether the Greek βουλὴ λαοῦ should be rendered as “the council of the people.” In his view, the context rather supports the idea of a council. “The sense of the passage is that the craftman’s opinion is not

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Origins of the Enochic Literature,” *Henoch* 31 (2009): 66–72. For the distinction between two types of scribes 2 Chr 34 is of interest as it refers to Shaphan as “scribe” in the sense of a scholar and royal official, on the one hand (v. 18), and to “scribes” of the Levites, on the other (v. 13). The latter being of a lower rank are likely to be scribe-copyists. See also note 62 on the “scribes of the temple.”

30 On this, see van der Kooij, “Authoritative Scriptures,” 66. For the terminology used in the Dead Sea Scrolls, see Armin Lange, “Sages and Scribes in the Qumran Literature,” in *Scribes, Sages, and Seers: The Sage in the Eastern Mediterranean World* (ed. Leo G. Perdue; FRLANT 219; Göttingen: Vandenhoeck & Ruprecht, 2008), 271–93.

31 This colon is attested by a small number of Mss only; see ed. Ziegler, ad locum.

32 Skehan and Di Lella, *Wisdom of Ben Sira*, 451.

solicited in the deliberations at public assemblies.”<sup>33</sup> He is sceptical about the idea that Sir might refer here to a council like the *gerousia*, since “there is no other evidence in Ben Sirá” for such an institution. In the same vein, Horsley and Tiller argue that the phrase “the people’s council,” being used in parallelism with “assembly,” “probably does not refer to any legally constituted senate, which in any case would not be referred to as a people’s council.”<sup>34</sup> In their view, “scribes were sought as advisers, if not members, of the collective leadership of Jerusalem,” the latter being understood in a more global sense.

They are thus sceptical whether Sir 38:32–33 might testify to any specific official body in Jerusalem. It is true that the term *gerousia* does not occur in Sir, but this does not exclude the possibility that Ben Sirá could have referred to this or other official bodies by using alternative words or phrases. The issue at stake here is the terminology employed in Sir 38:32–33 and related passages elsewhere, on the one hand, and the constitution of the Jews in the late Second Temple period, on the other. It is of course unfortunate that we do not have the Hebrew version of Sir 38:32–33, but, as we will see, we do have a Hebrew text of other relevant passages in Sir.

Greek scholars of the time, particularly Aristotle and his successors, showed a great interest in constitutions and laws of several people. For example, Aristotle informs his readers that the constitution of Carthage was composed thus:

the kings (βασιλεῖς κύριοι),  
the council of Elders (γερουσία, γερόντες),  
and the popular assembly (δῆμος) (*Pol.* II, 8, 2–3).

Polybius, the well-known historian from the second century B.C.E., offers the same picture for Carthage, employing though a slightly different vocabulary: kings, the council of Elders (τὸ γερόντιον), and the multitude (τὸ πλῆθος), i.e., the popular assembly (*Hist.* 6, 51, 1). If Aristotle had also written about the Jews in Jerusalem and Judea, the information would have been quite similar: (a) the body of leading priests (i.e., the high priest together with the chief priests), (b) the council of elders, and (c) the “people,” i.e., the popular assembly of the Jews in Jerusalem.<sup>35</sup>

33 David Goodblatt, *The Monarchic Principle: Studies in Jewish Self-Government in Antiquity* (TSAJ 38; Tübingen: Mohr Siebeck, 1994), 92.

34 Horsley and Tiller, “Ben Sirá,” 84.

35 For this, see Johann Cook and Arie van der Kooij, *Law, Prophets, and Wisdom. On the Provenance of Translators and their Books in the Septuagint Version* (CBET 68; Leuven: Peeters, 2012), 51–53.

The first part of the passage in Sir 38 is marked by the expressions the “council of the people” (βουλή λαοῦ), and the “assembly” (ἐκκλησία), and the question arises whether they refer to particular bodies within the polity of the Jews in Jerusalem. It is to be noted, first of all, that both expressions convey the notion of being civic institutions. The “council” (βουλή)<sup>36</sup> is said to be “of the people” (λαοῦ).<sup>37</sup> Within the constitution of the time, the “people” is the lay people as is clear from passages where it occurs in distinction with “the priests” of the temple: 1 Macc 7:33; 14:28, 44; 1 Esdr 1:47 (cf. 2 Chr 36:14). This usage of “the people” is also attested in the Hebrew Bible, in passages such as 2 Kgs 23:3 // 2 Chr 34:30. Hence, the “council of the people” is plausibly to be considered a council composed of lay people.

And what about the “assembly”? The ἐκκλησία of our text is also best understood as denoting a civic body, in line with its usage in Greek. As a number of texts indicate, it refers to the “assembly” of the “people”, i.e., the lay people that met in the great, or second, courtyard of the temple; see, e.g., Sir 50:13, 20 (להק / ἐκκλησία), and 11QT<sup>a</sup> 39:4–5 (“the assembly [להק] of the community of [Israel]”).<sup>38</sup> An interesting passage in this regard is also found in 1 Esdr 9:6 – “the whole multitude (πᾶν τὸ πλῆθος) sat together in the spacious place of the temple” (cf. Ezra 10:9). The phrase τὸ πλῆθος, for “the people” (עַם) in the Hebrew text, is used here in the sense of the popular assembly, in line with the usage of this term in non-Jewish authors like Polybius (for an example, see above). The multitude (“people”) referred to in 1 Esdr 9 (Ezra 10) are “all the men of Judah and Benjamin,” who assembled for a meeting in the temple of Jerusalem.

The next question that arises concerns the relationship between the “council of the people” and the “assembly” in Sir 38:32–33. As to this issue it is of note that the two cola where both expressions occur are running parallel to each other:

But they are not sought after for the council of the people,  
nor do they win a prominent position in the assembly

The parallelism implies that a position in the council of the people equals a prominent one (cf. ὑπεραλοῦνται) in the assembly. Before dealing with the

36 The term βουλή in the sense of “council” occurs in the LXX, in a few instances: see Num 16:2 (MT מועד) and Ps 1:5 (MT הַדָּע); 111(110):1 (MT דָּס).

37 Cf. GELS, 121 (“civic”).

38 For the phrase “the great court”, the court where the Israelites were allowed to enter, see 2 Chr 4:9. Cf. the “outer court” in Ezek 44:19. Since 11QT<sup>a</sup> distinguishes between three courts of the temple, instead of two, the court where the people could meet could be called the “middle” one.

relationship between these two bodies, a note on the verb in the first colon may be in order. The verb in case (ζητηθήσονται) is sometimes interpreted in a way different from the translation provided here. Scholars like Goodblatt and Horsley think of a position of being asked or solicited to give advice.<sup>39</sup> The Greek expression (ζητέω εἰς βουλήν λαοῦ), however, carries the meaning of “seeking after” someone who is qualified to become a member of the council rather than of seeking someone for advice.<sup>40</sup>

Regarding the parallelism between the council of the people and a prominent position in the assembly, the following passages in 1 Macc are of interest:

- Jonathan, the high priest, the *gerousia* of the *ethnos*,  
the priests, and the rest of the *demos* of the Jews (1 Macc 12:6)
- Simon, the high priest, the elders,  
the priests, and the rest of the *demos* of the Jews (1 Macc 14:20)

These two passages, which obviously run parallel to each other, clearly indicate that the people called “the *gerousia* of the *ethnos*” can also be designated “the elders.”<sup>41</sup> True, the term “elders” as such cannot be regarded synonym of the *gerousia*,<sup>42</sup> but in these two instances both expressions obviously allude to the same institution. In both passages as a whole the two groups constituting the polity of the Jews are envisaged, (a) that of “the priests” (i.e., the high priest together with the chief priests),<sup>43</sup> and (b) that of the “people,” the lay people (the *gerousia* / “the elders” and “the rest of the *demos*”).<sup>44</sup> The *gerousia* / the elders and the *demos* belong to each other, as both constitute the civic part of the constitution. This is also clear from 1QS 6:8–9 where it

39 Goodblatt, *Monarchic Principle*, 92; Horsley and Tiller, “Ben Sira,” 85. Cf. also Stadelmann, *Ben Sira*, 230.

40 Cf. GELS, 314; Skehan and Di Lella, *Wisdom of Ben Sira*, 446. See also Sir 21:17; 39:16.

41 Cf. Maria Brutti, “The Council of Elders during the Pre-Hasmonean Period,” *European Journal of Jewish Studies* 3 (2009): 180f.

42 Cf. Goodblatt, *Monarchic Principle*, 88f. For example, in 1 Macc 14:28, the “elders” of the *chora* are not the people making up the *gerousia*.

43 On this group, see also below (sub 3.4).

44 Both passages in 1 Macc, however, mark a shift within the constitution because in pre-Hasmonean times the high priest would not have been mentioned separate from his colleagues, the (leading) priests. See for instance the text (letter) dating to the late Persian period, which reads “to Johanan the high priest and his colleagues, the priests who are in Jerusalem, and to Anani, and the nobles of the Jews” (CAP 30,18). The mention of the elders, *gerousia*, immediately after the high priest indicates that the former had become more important.

reads: “(the priests,) *the elders, and the rest of the people.*”<sup>45</sup> The body of elders, the *gerousia*,<sup>46</sup> thus turns out to be part of the *demos*, or “the people.”

So far so good, but this does not yet answer the question why members of the “council of the people” are considered holding a *prominent* position in the “assembly” of “the people.”<sup>47</sup> A prominent position evokes the idea that the members of “the council of the people” held a leading position within the “assembly (of the people).” This fits in with the just noted picture of the *gerousia* / “the elders” as being part of the *demos* because this picture too evokes the idea of the former as being the leaders of the latter. Jdt 4:8 offers a phrase that conveys the same idea: “the *gerousia* of the whole *demos* of Israel.”

Here we touch on a specific aspect of the polity of the Jews, namely, the members of the council as leaders of the assembly. There is another passage in the work of Ben Sira which is of interest in this regard – Sir 33:19, the second passage I want to discuss.

### 3.3 Sir 33:19

Unlike Sir 38:32–33, in the case of this passage we also have a Hebrew version of the passage (Ms E), which reads (in translation) thus:

Listen to me, leaders of the numerous people (שרי עם רב),  
rulers of the assembly (משלי קהל), give ear!

In these two lines, the phrase “leaders of the numerous people” runs parallel to the expression “rulers of the assembly.” The latter is easily understood as referring to the leaders of the popular assembly, i.e., the “assembly” of 38:33, discussed above. In view of the parallelism of the text, this then would also apply to the first colon. In the Greek text both expressions have been rendered thus, *μεγιστᾶνες λαοῦ* and *οἱ ἡγούμενοι ἐκακλησίας*, presumably attesting to the same idea (cf. *λαός* and *ἐκακλησία* in Sir 38:32–33!). The wording in Hebrew, שרי עם, has a parallel in 2 Chr 36:14 if this passage speaks of the “leaders (שרי) of the priests” and “[those of] the people” (העם), which at least is the way the text has been interpreted, albeit with a different word order, in 1 Esdr 1:47 (*οἱ ἡγούμενοι δὲ τοῦ λαοῦ καὶ τῶν ἱερέων*). Another instance where the term שר is used in

45 Italics mine. For this passage, see Arie van der Kooij, “The *Yahad* – What is in a Name?” *DSD* 18 (2011): 117.

46 On *gerousia* in Jewish sources, see further below (at the end of this essay). For a discussion of the term *gerousia* in the Septuagint (Pentateuch and Joshua), see Goodblatt, *Monarchic Principle*, 92–4, and Brutti, “Council of Elders,” 178.

47 For the phrase “the council of the people” a similar expression is found in 1 Macc 7:33 and 12:35 (“the elders of the people”).

a similar way, is to be found in Ezra 10:14.<sup>48</sup> It offers the phrase “our leaders (שׂרֵינוּ) of the whole assembly (לְכָל הַקְּהָל),” which has been rendered in 1 Esdras 9:12 as οἱ προηγούμενοι τοῦ πλήθους.<sup>49</sup> The Greek πλήθος, for לְהַק in Ezra 10:14, is employed here as referring to the popular assembly. As to the “leaders”, 1 Esdras offers yet another expression conveying the same notion: τῶν προκαθημένων πρεσβυτέρων, “the presiding elders” (9:4)!

The Hebrew רב after עמ in Sir 33:19 is often considered superfluous,<sup>50</sup> but it actually makes perfect sense if read from the perspective of the popular assembly. The latter was composed of a large number of people, all representatives of Israel, the lay people. Hence, the term πλήθος in Greek, or which is even more interesting, the designation to be found in 1QS 5:22 – the “multitude (רוב) of Israel,” which in my view envisages the same group of people.<sup>51</sup>

In light of these data the “rulers of the assembly” are likely to be considered the leaders of the popular assembly. If so, Sir 33:19 provides us with expressions in Hebrew denoting the officials making up the “council of the people” (*gerousia*), as proposed above.<sup>52</sup>

### 3.4 The “Seat of the Judge”

In addition to his position in the council referred to above, the scholar(-scribe) is also someone who, according to Sir 38:33, will “sit on the seat of the judge.” How to explain this part of the picture within the frame of the polity of the Jews?

The scholar-scribe as “judge,” in Jerusalem: this leads us to another institution of the time – the High Court in Jerusalem. In 11Q<sup>T</sup><sup>a</sup> 57:11–14 this Court is described thus,

And twelve princes (leaders) of his people shall be with him (i.e., the king), and twelve priests and twelve Levites who shall sit with him together for judgment and for the law.<sup>53</sup>

According to this source, the High, or Central Court, was composed of three groups, (12) priests, (12) Levites, and (12) princes (plus the king). It is of note that 1QM 2:1–3 offers a piece of information which actually has the same (three)

48 For this term, see also Ezra 8:29.

49 Cf. Josephus, *Vita* 194: τοῦ πλήθους προεστῶτας.

50 See, e.g., Skehan and Di Lella, *Wisdom of Ben Sira*, 403.

51 See van der Kooij, “The *Yahad*,” 122f.

52 Cf. Hengel, *Judentum und Hellenismus*, 49 n. 173.

53 See van der Kooij, “The *Yahad*,” 112. Usually, the council described here is called the “royal” council, but this is misleading as it suggests a major role of the king within a body in which “the (12) priests” are the highest authorities.



groups of officials in view, and which moreover is more precise: the (12) chief priests behind the High Priest, the (12) chiefs of the Levites, and the (12) chiefs of the tribes, fathers of the congregation of Israel. Of each of these groups it is stated in 1QM 2 that they served “continually” (i.e., for the time being elected) in the temple. Hence, it makes perfect sense to assume that they were the ones who made up the Central Court. Yet another passage of interest is 2 Chr 19:8, which is about the appointment of certain priests, Levites, and, “heads of families of Israel” “to give judgment for the Lord and to decide disputed cases.”<sup>54</sup>

As we know from later sources (e.g., Josephus), the heads of influential families of Jerusalem were those who were also called the “elders” in the Sanhedrin.<sup>55</sup> Alternatively, rewriting the text, which lies at the basis of the Central Court (Deut 17:9; see also 19:17), Josephus employed the term *gerousia* for the lay members of the High Court of Jerusalem (*Ant.* 4, 218).<sup>56</sup>

The above sheds light on the second position referred to in Sir 38:33 (sitting on the seat of the judge). The lay people referred to as princes, and heads of families, making up one of the three groups of the High Court, presumably is the same group as the “council of the people,” the *gerousia*, dealt with above. If so, it makes sense that the scholar being member of this “council” was also someone who acted as one of the lay judges in the High Court.<sup>57</sup>

#### 4 Concluding Remarks

“Whether or not he himself was an (Aaronide) priest, he works in a world where priests enjoy a godlike centrality (7:29–31) and can be plausibly depicted as the original and primary Torah-teachers of Israel (45:17).”<sup>58</sup> Indeed, “he himself,” i.e., Ben Sira, could have been a priest because the sources testify to a close link between priesthood and scholarship. Priests, in particular the leading ones among them, carried not only authority because of their position, but also because of their wisdom. For example, according to Jubilees, the office

54 This passage suggests that they were elected for a period of time; cf. Jeremias, *Jerusalem*, 222. For the three groups, see also Ezra 8:29 (the chief priests, the Levites, and the heads of fathers’ houses in Israel at Jerusalem), and Neh 8:13.

55 Cf. Jeremias, *Jerusalem*, 223f.

56 For a detailed discussion of passages relating to the High Court (Deut 17:9 [MT and LXX], 2 Chr 19:8; 11QT<sup>a</sup> 57:11–14; and Josephus), see Sarah J. K. Pearce, *The Words of Moses: Studies in the Reception of Deuteronomy in the Second Temple Period* (TSAJ 152; Tübingen: Mohr Siebeck, 2013). She does not refer to 1QM 2:1–3.

57 I leave aside the aspect of the scholar-scribe as teacher (cf. Sir 38:34).

58 David M. Carr, *Writing on the Tablet of the Heart: Origins of Scripture and Literature* (New York: Oxford University Press, 2005), 211.



of priest is not only relating to the cult, but he is also engaged with scholarship: "In Jubilees, the priestly line [...] is the keeper of a scribal tradition that emphasizes the study and observance of the law and the preservation of the tradition in written form."<sup>59</sup> Other documents such as Aramaic Levi, also emphasize the role of priest as a learned person.<sup>60</sup> This is also true of the work of Ben Sira, which presents the figure of Aaron as someone who was vested with the authority of ruler and judge. And of primary teacher of the law as well: "He (i.e., Aaron) taught his people the statute and ordinance" (Sir 45:17).<sup>61</sup>

However, it is my conclusion that the *sôfer* of Ben Sira is not a member of the priestly aristocracy, nor one of "the scribes of the temple,"<sup>62</sup> but rather someone belonging to the lay nobility living in Jerusalem. The passages dealt with above (Sir 38:32–33 and 33:19) indicate that he was a scholar who as a lay official could be an elected member of the council of the people, i.e., one of the presiding elders (*gerousia*), holding in this way a *prominent* position within the popular assembly. In addition, by virtue of being a member of the council, he also "sat on the seat of the judge," i.e., also acted as one of the lay judges of the High Court.

Thus, the *sôfer* as depicted by Ben Sira is both a scholar and an official, thus illustrating the very close relationship between the intellectual elite and the ruling elite in Jewish society of the time. A telling case in this respect is the figure of the High Priest who as head of the Jewish nation was also considered the primary interpreter of the law (cf., e.g., Hecataeus of Abdera; Letter of Aristeas).<sup>63</sup> Hence, the term *sôfer*, as employed by Ben Sira, is not to be taken in the sense of a particular profession, but rather as denoting a quality (of literacy) of people who belonged to aristocratic circles, and who could be elected member of a ruling body.

59 Sidnie White Crawford, *Rewriting Scripture in Second Temple Times* (Grand Rapids: Eerdmans, 2008), 78. Cf. Jub 45:16: "Jacob gave all the books and the books of his fathers to his son Levi, so that he could preserve them and renew them for his sons until today."

60 See, e.g., Robert A. Kugler, *From Patriarch to Priest: The Levi-Priestly Tradition from Aramaic Levi to Testament of Levi* (SBLJL, 9; Atlanta: Scholars Press, 1996), 118–29.

61 For this translation, see Reiterer, "Aaron's Polyvalent Role," 49.

62 The "scribes of the temple" are likely to be considered scribes of the Levites who acted as writers and copyists in the temple. See Elias Bickermann, *Gott der Makkabäer: Untersuchungen über Sinn und Ursprung der Makkabäischen Erhebung* (Berlin: Schocken Verlag / Jüdischer Buchverlag, 1937), 56; Ephraim E. Urbach, *The Sages – Their Concepts and Beliefs*, Vol. I (trans. Israel Abrahams; Jerusalem: Magnes Press, 1975), 568. The expression "the scribes of the temple" (in the Letter of Antiochus 111) is not found in any Jewish source, but it has a parallel in an Egyptian document of the time, the decree of Canopus (in Greek).

63 On this, see Cook and van der Kooij, *Law, Prophets, and Wisdom*, 39–41.

Regarding Ben Sira himself, the first colon of Sir 33:19 (“Listen to me, leaders of the numerous people”) suggests that he had the authority to address the leaders of the popular assembly. This would be fully understandable if, as Sir 38:32–33 indicates, he himself had been member of the body of leaders of the assembly.

For Horsley and Tiller, Sir 8:8 is most important as it indicates, in their view, that the primary role of the scribe was “to serve the chiefs,” which is understood as serving the “superiors in the ruling priestly aristocracy of Jerusalem.”<sup>64</sup> This passage refers to scholars who have the abilities “to take their position before” princes, or rulers. The wording in Hebrew (להתיצב לפני) is also found in Sir 38:3 where it is stated that the medical knowledge makes the doctor distinguished so that he can “stand before princes.”<sup>65</sup> It is possible that Sir 8:8 alludes to the position of a lay scholar vis-à-vis higher ranking people within the polity of the Jews,<sup>66</sup> but on the basis of Sir 38:3 it is also possible to think of scholars taking up positions at a court, like Ahiqar and Daniel.<sup>67</sup>

Finally, a note on the term *gerousia* may be in order. The fact that the term *gerousia* occurs only a few times in Jewish sources<sup>68</sup> has been interpreted as an indication that there was no formal council like the *gerousia* elsewhere, but rather “a non-institutionalized oligarchy of elders.”<sup>69</sup> It is true that the term “elders” outnumbers by far the occurrences of *gerousia*, but this does not mean that in cases like 1 Macc 14:20 “the elders” should be considered a rather vague term. The issue at stake here is a matter of vocabulary. The term *gerousia* reflects constitutional terminology typical of Greek, non-Jewish literature, whereas the phrase “the elders” is scarcely ever used in non-Jewish texts for high officials because in Greek the term *πρεσβύτερος* normally refers to old people only.<sup>70</sup> The latter however is typical of Jewish sources as term for officials (cf. *zaqen* in Hebrew: “elder” as official). Hence, it is appropriate that the term *gerousia* is employed in 1 Macc 12:6, in a letter to the Spartans, whereas on the other hand, the term “the elders” is found in a letter addressed to the Jewish people (1 Macc 14:20).

64 Horsley and Tiller, “Ben Sira,” 85.

65 See Skehan and Di Lella, *Wisdom of Ben Sira*, 441. For another passage, see Sir 47:1.

66 That is to say, vis-à-vis the High Priest, and his colleagues, the chief priests.

67 Cf. Skehan and Di Lella, *Wisdom of Ben Sira*, 212; see also Prov 22:29; Sir 39:4b.

68 Only once in 1 Macc (12:6), and only twice in 2 Macc (1:10; 11:27).

69 Goodblatt, *Monarchic Principle*, 99. Horsley, on the other hand, advanced a quite different idea, namely, that the *gerousia* (in the Letter of Antiochus III) refers to “the aristocracy of the temple-state,” first of all to wealthy priestly families (*Scribes, Visionaries*, 44). However, it is unlikely that the term *gerousia* would be used for a body of priests.

70 Cf. Brutti, “Council of Elders,” 175.