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BABA BATHRA AND THE BIBLE

or

"I DON'T KNOW WHY EZEKIEL DIDN'T WRITE EZEKIEL"

D.R.G. Beattie

In this essay I am committing to paper some thoughts, which I have been turning over in my mind for some time, in the hope that some progress may be made towards drawing conclusions from them. It should be explained at the outset that the quotation in my title is taken from Rashi's commentary on Baba Bathra 15a in the Babylonian Talmud, where, in the course of the baraita on the proper order and authorship of the books of the Hebrew Bible, the book of Ezekiel, amongst others, is attributed to the Men of the Great Assembly. But of that more anon.

My interest is attracted to Baba Bathra 14b/15a because it probably represents the earliest known attempt to deal systematically with the question of the origin and authorship of the biblical books. In making this nomination I am not offering to date the baraita any more precisely than follows from its classification, i.e. its attribution to the tannaitic period, which is to say, the first two centuries C.E. I am, furthermore, ignoring as possible rival contenders those remarks in the New Testament which, while they may reflect first century attitudes to the authorship of certain biblical books, were not demonstrably intended as answers to questions of authorship or origin, and the passage in IV Ezra 14 which may have been intended to advocate, in its hagiological way, the notion (for which the earlier generations of modern biblical scholars there found support) that Ezra exercised an editorial hand in the whole of the Old Testament.

My interest in the baraita starts, as I was saying, with the fact of its age, but more than that, because, despite its age, it is relatively "advanced" in its thinking. It is far ahead of what many are pleased to call "traditional" attributions, which is to say, the assumption that where an Old Testament book is known by

the name of a male individual that individual should be presumed to be its author. This is where, for me, interest becomes fascination which is at the same time frustration. "Our teachers" who "taught" the contents of the baraita did not explain their conclusions, or, if they did, their explanations have not been preserved. Sometimes their reasoning may be guessed at with some degree of assurance, at other times it is quite unclear. To allude back to my title, for a moment, as an example of the latter: why should the book of Ezekiel be thought to have been written by anyone other than the prophet Ezekiel himself? But to get back to the job in hand, I propose first to examine the contents of the two pages of Talmud, with some comments and questions, and then to see what conclusions can be drawn.

Basically the baraita (the teaching of the tannaitic masters) is presented in three stages: 1) the order of the Prophets, 2) the order of the Writings, and 3) the question (and its answer), "Who wrote the books?" Each section is followed by discussion of a few points raised in the preceding section of baraita, the third discussion spinning off into a wide-ranging discussion on texts from Job.

The order of the Prophets (i.e. the order in which the books of the Prophets are to be placed when bound together) is said to be, first of all: Joshua, Judges, Samuel, Kings. So far this is the sensible historical sequence. Then, it is said, come Jeremiah, Ezekiel, Isaiah and the Twelve, and this sequence, which is not chronologically correct, gave rise to the discussion which follows. First it was suggested that Hosea should come first because Hos 1:1 says, "God spoke first to Hosea", but the explanation was offered that (a) "first" does not mean "first of all" and (b) the book of Hosea, being too small to stand alone and being therefore grouped with the other Minor Prophets in the collection which also incorporated the books of the latest prophets, the collection was placed at the end of the Prophets section with Hosea standing at the head of the collection. This seems a reasonably satisfactory

solution to the issue and, while one might feel inclined to join in the discussion with such questions as "But why do not Amos and Micah follow immediately after Hosea?", we may pass on to the second point raised in the talmudic discussion, which is that Isaiah should come before Jeremiah and Ezekiel.

The reason given in explanation of the order in the baraita - that destruction (which is described in Jeremiah and the beginning of Ezekiel) is placed next to destruction (at the end of Kings), and consolation (in Isaiah) next to consolation (in the latter part of Ezekiel) - has to be recognized as a defence from a later period of the statement of the Tannaim. It is not a part of that statement but an attempt to justify the order described there, and not, perhaps, a particularly satisfactory one at that, as is implicitly acknowledged by the translator of the Soncino edition.¹

Now, a substantive question arises here. Why did the Tannaim assert that the order should be Jeremiah, Ezekiel, Isaiah? If we cannot accept the talmud's answer, and I do not think we can, we must look for another. But what? Clearly the order is not chronological, since Isaiah lived before both Jeremiah and Ezekiel. Nor is it based on the size of the books: in terms of chapters, and reckoning from largest to smallest, the order would be Isaiah, Jeremiah, Ezekiel. Counting in verses, the order would be Jeremiah, Isaiah, Ezekiel.

Could it be something to do with ideas about the origin of the books? We may recall the position of the book of the Twelve Prophets in the list. The inclusion in the collection of the words of the latest Prophets means that the completion of the collection must be late, and so it stands last of all. Is it possible that the order Jeremiah, Ezekiel, Isaiah, is based on an opinion that the book of Isaiah was completed later than that of Ezekiel? Otto Eissfeldt² thought so, but this thesis breaks down if the statement on authorship, which follows in the baraita, is brought into consideration, for Isaiah

is attributed to Hezekiah and his colleagues, while Ezekiel is attributed to the Men of the Great Assembly, and this would seem to require the placing of Isaiah before Ezekiel (if not even before Jeremiah) on grounds not only of chronology but of keeping together the two works (Ezekiel and the Twelve) attributed to the Men of the Great Assembly.

We may, of course, ask whether it is right to import these notions of authorship at this point. Perhaps we ought at least to make allowance for the possibility that the "order" section and the "authorship" section were originally distinct from one another and, perhaps, reflect different opinions. In any case, the attribution of Isaiah to Hezekiah's men raises a question which will be aired later. However, before moving on, I would like to make one suggestion about the order Jeremiah, Ezekiel, Isaiah, the Twelve. Jeremiah, it might be said, follows naturally after Kings, even without postulating common authorship, because Jeremiah's activities belong to the period at the end of the book of Kings, and Ezekiel follows Jeremiah, on chronological grounds. But the book of Isaiah has a very wide range, chronologically speaking. Where precisely, it might be asked, ought it to go in the sequence? In this respect it displays some similarity to the book of the Twelve. Could this be the reason why the two are placed side by side? Could it be, in other words, that Isaiah is not so much "after" Ezekiel as "before" the Twelve?

Moving on to the order of the Writings,³ the sequence here could be chronological according to authorship, but if the authors were envisaged as those named in the following section there is a problem about Job, a problem which is, indeed, aired in the talmudic discussion. (To digress briefly, Slotki's note⁴ says "with the exception of Job the order is meant to be chronological" and he invites the reader to see Rashi. If the invitation is accepted it will be found that Rashi doesn't quite agree. He sees the whole arrangement as chronological, including Job. Rashi thought Job lived in

the time of the Queen of Sheba. He may have reasoned further that his life overlapped with that of David and Solomon but, in any case, the position of Job between Psalms and Proverbs was satisfactory to him.) But if we treat the talmudic explanation⁵ for the position of Job as a post-tannaitic⁶ rationalization of the sequence which had been handed down, then we may look for another reason for the order.

Two possibilities occur to me: EITHER Mosaic authorship of Job was not envisaged (we may note the diversity of opinion voiced later on (15b) about the date of Job's life - most tannaitic opinion put Job after Moses' time and this would seem to conflict with Mosaic authorship) OR authorship was not a primary issue and the arrangement is basically thematic, although still having some chronological element: the Wisdom books - Job, Proverbs, Ecclesiastes, stand together as the nucleus of the collection of poetic books, preceded by the Psalms, which perhaps merit an early position in their own right, even without associating them with David, and with Ruth standing at the head since that story belongs chronologically in a early position. The Song of Songs follows the Wisdom literature,⁷ perhaps for want of any better place to put it, and Lamentations,⁸ which clearly relates to the destruction of Jerusalem, stands last in the poetic section. Then the two books (Daniel and Esther) which relate to the Exile and, finally, Ezra and Chronicles (although, of course, the reverse order would be better here).

Turning now to the section on authorship, I would first of all offer the passage in my own translation, which differs slightly from that in the Soncino Talmud.

Moses wrote his book and the portion of Balaam and Job. Joshua wrote his book and eight verses which are in the Torah. Samuel wrote his book and Judges and Ruth. David wrote the book of Psalms by (sic) Adam, Melchizedek, Abraham, Moses, Heman, Yeduthun, Asaph, and the three sons of Korah. Jeremiah

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wrote his book, the book of Kings, and Lamentations. Hezekiah and his colleagues wrote Isaiah, Proverbs, the Song of Songs and Ecclesiastes. The Men of the Great Assembly wrote Ezekiel, the Twelve, Daniel and the Scroll of Esther. Ezra wrote his book and the genealogies of Chronicles up to his own time.

Here the various authors are enumerated in a kind of mixed historical and canonical order. That it is neither wholly the one nor the other is shown by the fact that Hezekiah belongs chronologically before Jeremiah and David belongs canonically last except for Ezra. The sequence Moses, Joshua, Samuel could be either chronological or canonical. The intrusion of David immediately after Samuel is clearly chronological: he belongs historically close to Samuel. Then we jump to Jeremiah, presumably because one of his books, Kings, stands next to Samuel in the canon, and the other two books attributed to him are mentioned at the same time, his "own" book being named first as a logical opening (similarly, Samuel's other books - Judges and Ruth - are mentioned after his "own" book). Then we have Hezekiah and his men, as authors of Isaiah (the Prophetic book being named first, before the Writings), Proverbs, the Song of Songs and Ecclesiastes, with the Men of the Great Assembly and Ezra bringing up the rear: here the order is again historical, or is it? It depends whether the Men of the Great Assembly are viewed as contemporaries of Ezra, or identified with the last of the prophets.

Four or five points are queried in the talmudic discussion: 1) Whether it was Moses or Joshua who wrote the last eight verses of Deuteronomy. The dispute is attributed to second century Tannaim. R. Judah (or R. Nehemiah) said Joshua wrote them, but R. Simeon thought Moses had written them at divine dictation because already in Deut 31:26 he refers to "the book of the law". An attempt was made to resolve the question by appeal to a principle of Rab, that in synagogue reading these last verses are to be read by one person alone, but this, it

seems, could be construed as supporting either side (I must confess that I don't see why), and so the matter was allowed to rest there. It may, however, be worthy of note that the oldest opinion is that Joshua wrote these eight verses.

2) and 3) In contrast to 1), there was no suggestion that either Joshua or Samuel recorded their own deaths. That the books of Joshua and Samuel should have been reckoned to have been completed by, respectively, Eleazar and Phineas, and Gad and Nathan (these latter names having been found in I Chr 29:29) is a concession to commonsense of a kind, though we may regret the lack of an tannaitic (or amoraic) William of Ockham to apply his razor to the unnecessary hypothesis of involving either Joshua or Samuel at all. Perhaps here we may comment on the apparent difference in attitude towards the Pentateuch and Former Prophets, on the one hand, and the Latter Prophets and Writings on the other. In the former case there is the "conservative" tendency to attribute authorship to the person named in the title (at least in the cases of Joshua and Samuel), while in the latter case attributions are relatively "radical" with few books (only Jeremiah and Ezra, really) ascribed to the "obvious" candidates.

4) At the fourth stage of the discussion two questions were raised: (i) Why is not Ethan the Ezrahite, who is named in the title of Ps 89, not mentioned among the "ten"? The answer is given that he is really Abraham. Perhaps we should turn the question on its head and ask why Abraham is named in the first place. Why should it be thought that he had a hand, in any sense, in composing the Psalms? It must be because the identification had already been made. (ii) Why are Moses and Heman both named if, as Rab said, Moses is Heman? The answer given is that there were two Hemans; in other words, the Heman named in the title of Ps 88 is not Moses. Presumably this answer is in direct conflict with the opinion of Rab just cited.

Some other questions which we might ask here are:

why should "ten elders" be involved at all, or why these ten (given that Solomom, named in the title of Ps 72, is not included - although we could perhaps mention that the tosafists seem to have substituted his name for that of Asaph - and that there seems to be no particular reason for restricting the sons of Korah to three)? What exactly was meant by "by" (or "wrote", for that matter)? Perhaps, even, why was David credited with the general editorship (if that was the intention), and not, say, Hezekiah and his men, or the Men of the Great Assembly? And who did they think had written Ps 137, for example? Was it David speaking prophetically? (It may be worth mentioning that Rashi, commenting on the phrase "by ten elders", thought that they all either preceded or were contemporary with David.)

5) Finally the talmudic discussion turned to the Mosaic literature, with attention focussed on Job because the statement that Moses wrote Job was held to support the opinion of R. Levi b. Lahma (a 3rd century Palestinian Amora) that Job and Moses were contemporaries, although by implication it is at odds with many of the other opinions cited.

The diversity of opinion as to the date of Job's lifetime (which continues overleaf on to 15b) must, since many of the dates proposed are after the time of Moses, raise the question of how seriously the idea of Mosaic authorship of Job can ever have been held, or even of why it ever was proposed. This is especially so since the earliest authorities named⁹ and "the Sages" (presumably indicating the generality of tannaim) all dated Job to times after Moses; it was only "some" who said Job lived in the time of Jacob and married his daughter Dinah.

The other remarks about the Mosaic literature are no less interesting. "Moses wrote his book": this statement, while corresponding in form to similar statements made about Joshua, Samuel, Jeremiah and Ezra, seems an odd way of saying Moses wrote the Pentateuch, which is clearly what it means, although it is unlikely that the Pentateuch ever bore the title *Mosheh*. Or

again, what sense is there in saying "Moses wrote his book and the portion Balaam" when the portion Balaam¹⁰ forms part of that book? It could probably be argued that the book which Moses is said in the first place to have written must be something other than the Pentateuch, just as some people have in fact argued that *parashat Balaam* is not a part of the Pentateuch but a separate work no longer extant. But both of these attitudes are/would be wrong, I think. I cannot explain why the baraita treats the Pentateuch as though it were called "Moses", but I can, I think, explain the reference to the section about Balaam.

The statement that Moses wrote the part of the Pentateuch which deals with Balaam is, I think, like the statement that Joshua wrote eight verses of the Pentateuch, a response to a critical observation which has not been preserved: "How could Moses, who was with the Israelites in the plain while Balaam was pronouncing his blessings on them from the heights above, have known the details of these contemporary events in which he had no part?" The challenge to the idea of Mosaic authorship of this part of the Pentateuch is turned aside by the assertion that he wrote it. If I am right, it means that Mosaic authorship of the Pentateuch had been challenged, on two points, by the first century or so of the Common Era.

From here we could perhaps attempt a summary. Two things can clearly be said about biblical criticism in the tannaitic period: 1) No more was known in that period than at any subsequent time about the origin of the biblical books, and 2) the quest for answers to questions on this topic had already begun and had moved beyond the simplest stages. The tannaim, unlike many who lived many centuries, even millennia, later, were not content to assign authorship of a book purely on the basis of its title. Although they did so occasionally - there can hardly be any other reason for assigning Joshua, Samuel and Ezra to Joshua, Samuel and Ezra, respectively, although it must be noted that the first two attributions were not allowed to stand unquestioned -

it is surely worthy of note that amongst the Latter Prophets, where the presumption of authorship by the person named in the title is easiest to make, only one volume, Jeremiah, is attributed to the prophet himself.

This attribution was presumably based on the statement in Jer 36 that a book of Jeremiah's oracles was written - and re-written in an expanded form after its destruction - by Baruch at Jeremiah's dictation. So, if we say that for one group of books (Joshua, Samuel, Ezra) the question of authorship was decided simply on the basis of titles, we must say that for a second group the decision was based on statements made in the books in question. In this group we may include with Jeremiah, the Pentateuch (Mosaic authorship being based presumably on a simple-minded reading of Deut 31:9, "Moses wrote this Torah"), Psalms (where David and the others feature in titles or texts in individual psalms), and Proverbs (where Hezekiah and his colleagues are mentioned at the beginning of chapter 25.).

But there is a third group, larger than either of the first two (equivalent in size to the first two groups put together), where attribution of authorship can be described only as the result of an historical-critical approach. Such an approach, it must be noted, is not entirely absent from the first two groups. It emerges in the denial to Joshua, Samuel and Moses, respectively, of the totality of the books of Joshua, Samuel and the Pentateuch. But in the third group the only discernible basis for attributing authorship is the identification of some notable figure who lived at the earliest time a particular book could have been written. Thus Judges and Ruth are ascribed to Samuel, Kings and Lamentations to Jeremiah, Chronicles to Ezra, and Esther and the Twelve to the Men of the Great Assembly.

Perhaps Isaiah, Ezekiel and Daniel should be included in this group, but I'm inclined to distinguish these three as a separate group where something more than an elementary historical perspective was involved. It is easy for us to surmise that Isaiah could have been seen

as a composite work and that this is the reason why it was not assigned to the prophet himself (although the question, to which I alluded earlier in the discussion, could be raised of why it should have been attributed to Hezekiah and his colleagues. Rashi recognized a chronological problem in the attribution which he solved by postulating that the literary college (or whatever we may call it) founded by Hezekiah continued to function after his death); it might even be supposed that the same consideration applied in the case of Daniel - i.e. it was seen as a composite work and therefore assigned to a period some time after Daniel's life, and so to the Men of the Great Assembly; but what about Ezekiel?

Rashi also recognized this problem - hence the statement which appears in my title - and the only suggestion he could make was that prophecy was not allowed to be written outside Palestine, and so Ezekiel's prophecies could not be written down until after the return. The same explanation could be made to cover Daniel, and Rashi did this, but, while it is not impossible that the notion should have been in the minds of the tannaim, there is no evidence that it is anything other than Rashi's own conjecture and therefore no older than the Middle Ages. On the other hand, an objection to this theory was seen by the Tosafists - Rashi's own disciples - who pointed out that since we are told in Jeremiah of Jeremiah's migration to Egypt but not of his return it must follow that he did not return and therefore must have completed his book in Egypt.

Finally there is a small group of three books where the attribution of authorship is quite mysterious: why Ecclesiastes and the Song of Songs should have been attributed to Hezekiah and his men I cannot imagine, unless the intention was to say that they were in the first place composed by Solomon and revised or edited, like Proverbs, by Hezekiah's men. The third book in this group is Job. The attribution of Job to Moses could presumably stem from the presentation of Job as a patriarchal figure, but the attribution is strange at a time when, as Baba Bathra 15b suggests, majority opinion

held that Job lived long after Moses.

When I began to commit my thoughts to paper I imagined that I would stop at about this point, having aired all my thoughts on the matter, but I shall continue a little longer for two reasons. One is the feeling that an Ockhamist razor needs to be applied to the perhaps unnecessarily multiplied groups of books in the preceding analysis, the other is the unexpected arrival of a new thought on the matter of Ezekiel, which I had been tending to see as a quite insoluble problem. I would start here with the suggestion that I have been asking the wrong question. The question to ask is not "Why did the tannaim not attribute Ezekiel to Ezekiel?" but "Why should they have attributed it to him?"

What I mean to say is this: it is wrong to start with the assumption that, in setting out to look for authors for biblical books, the natural choice should first be those named in the titles. This seems to us the natural starting-place because, I suggest, of the New Testament headings which were clearly intended to indicate authorship, but the tannaitic rabbis did not have this heritage. I suggest it never occurred to them to assign authorship on such grounds, and the one argument I can offer in support of this suggestion rests on the case of Jeremiah. The one book amongst the Latter Prophets which is attributed to the prophet himself is the one which contains the information that the prophet himself supervised the preparation of a collection of his oracles. Without such information, the natural assumption of the tannaim was that the book was produced by someone (actually, always in the case of the Prophets it was some group) who lived at a later time.

The more one thinks about this the more rational it becomes. The prophet himself (any particular prophet) is the last person to be judged the author of a book of his oracles. Having spoken his word at the proper time his job was done. It would be for others to decide that the word was worthy of preservation.

I would now go on from here to revise my earlier opinion and deny that any attribution was decided solely on the basis of titles. Earlier I suggested that in the case of the books of Joshua, Samuel and Ezra there is no apparent reason other than the titles of the books for proposing authorship by those three men, but perhaps there is. Granted that Moses is apparently said in the Pentateuch to have written it, denial of the last eight verses of Deuteronomy to Moses requires a successor of Moses to have written these verses, and Joshua is the obvious candidate. Once he is viewed as a writer of even a small section it is easy to propose that he continued the work by writing the book of Joshua - and indeed who else could we expect to be nominated, given that the tannaim did not assign any book to an unnecessarily late date? - with the proviso that he did not complete the book, because of his own death. Similarly, Samuel is perhaps already on the scene, so to speak, as the author of Judges and Ruth, before he is credited with writing the first part of Samuel, and Ezra is the author of Chronicles, as well as Ezra.

On this approach I am able, I think, to reduce the five groups of my previous analysis to two. There are those where authorship is decided on the basis of something said in the book, and those where it depends on historical considerations, or perhaps it would be better, since the Pentateuch falls into both camps, to say merely that there were two principles employed. Either way it must be said that the tannaim had rational bases for their conclusions and nothing was simply "traditional".

There still remain some areas of uncertainty, e.g. why Job was attributed to Moses and why Hezekiah was credited with so much, but I have got further than I hoped I would when I started out on my path and will rest there for the moment.

NOTES

- 1 On the phrase "Isaiah is full of consolation", R. Slotki comments, "Strictly speaking, this applies only to the latter half of Isaiah, ch. XL-LXVI, though strains of consolation are interspersed throughout the first part also." (Soncino translation, note 7.)
- 2 O. Eissfeldt, *The Old Testament. An Introduction*, (Oxford, 1965) p.570.
- 3 "The order of the Hagiographa is Ruth, the Book of Psalms, Job, Proverbs, Ecclesiastes, Song of Songs, Lamentations, Daniel and the Scroll of Esther, Ezra and Chronicles." (Soncino translation.)
- 4 Soncino translation, note 1.
- 5 "Now on the view that Job lived in the days of Moses, should not the book of Job come first? We do not begin with a record of suffering." (Soncino translation.)
- 6 It may be noted that R. Yohanan, who lived in the third century, is cited in this passage, as an authority in the past.
- 7 The order of the books attributed to Hezekiah (Proverbs, Ecclesiastes, Song of Songs) is not the same as in the authorship section (Proverbs, Song of Songs, Ecclesiastes). This may support the suspicion voiced above that the two sections were originally distinct.
- 8 The title given to Lamentations here is *qinoth*, (i.e. laments) and not that which has become traditional in the Hebrew Bible, *ekah*, (lit. "how", the first word of the text).
- 9 The early authorities named in 15b are: R. Eliezer (1st - 2nd century), who said "the time of the Judges"; R. Joshua b. Korhah (2nd century), "Ahasuerus"; R. Nathan (2nd century), "Sheba"; the Sages, "Chaldaeans".
- 10 Num 22 - 24. The title of the *parashah*, in Hebrew Bibles is "Balak".