

Wissenschaftliche Untersuchungen  
zum Neuen Testament 54

E. Earle Ellis

The Old Testament  
in Early Christianity



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Begründet von Joachim Jeremias und Otto Michel  
Herausgegeben von  
Martin Hengel und Otfried Hofius



# The Old Testament in Early Christianity

Canon and Interpretation  
in the light of  
Modern Research

by

E. Earle Ellis



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*For*

*Jerry Hawthorne*

*Christian Brother*

*Valued Friend*

*Pleasant Sparring Partner*



# Contents

<i>Preface</i> . . . . .	IX
<i>Abbreviations</i> . . . . .	XI

## I. The Old Testament Canon in the Early Church

Introduction . . . . .	3
The Determination of the Canon . . . . .	6
<i>Witnesses: First Century and Earlier</i> . . . . .	6
<i>Witnesses: The Second and Third Centuries</i> . . . . .	10
<i>The Fourth Century: Custom Versus Judgement</i> . . . . .	19
<i>Conclusion</i> . . . . .	33
The Canon as a Hermeneutical Process . . . . .	36
<i>Introduction</i> . . . . .	36
<i>The Tripartite Division of the Old Testament</i> . . . . .	37
<i>The Growth of the Old Testament</i> . . . . .	46
Conclusion . . . . .	50

## II. Old Testament Quotations in the New: A Brief History of the Research

Introduction . . . . .	53
A Sketch of the History of the Research . . . . .	54
<i>From the Second through the Nineteenth Century</i> . . . . .	54
<i>The Twentieth Century: 1900–1950</i> . . . . .	58
<i>The Twentieth Century: 1950–1990</i> . . . . .	63
Conclusion . . . . .	74



## III. Biblical Interpretation in the New Testament Church

Introduction . . . . .	77
Exegetical Methods. . . . .	79
<i>General Form and Usage</i> . . . . .	79
<i>Midrash</i> . . . . .	91
Perspective and Presuppositions . . . . .	101
<i>Eschatology</i> . . . . .	101
<i>Typology</i> . . . . .	105
<i>Corporate Personality</i> . . . . .	110
<i>Charismatic Exegesis</i> . . . . .	116
Conclusion . . . . .	121

## Appendix I: Jesus and his Bible

What was the Bible of Jesus . . . . .	125
Jesus' Attitude Toward his Bible . . . . .	126
Jesus' Method of Interpretation . . . . .	130
<i>The Use of Hillel's Rules</i> . . . . .	130
<i>The Use of Commentary Patterns</i> . . . . .	132
Conclusion . . . . .	138

## Appendix II: Typological Interpretation – and its Rivals

Early Christianity and Judaism . . . . .	141
The Modern Church . . . . .	143
Criticisms of Typological Interpretation . . . . .	148
Typology and the Unity of the New Testament . . . . .	151
Indices . . . . .	158
<i>Index of References</i> . . . . .	159
<i>Index of Modern Authors</i> . . . . .	183

## Preface

The present volume is a revision and expansion of essays that have appeared separately in an earlier form.<sup>1</sup> To the editors and publishers of those volumes a word of deep appreciation is especially due and here gratefully given.

The chapters and appendices of the present book develop a theme that has had a continuing place in my thinking and writing since my doctoral dissertation at the University of Edinburgh.<sup>2</sup> While my mind has changed in some respects and, I hope, my understanding deepened, I remain convinced that the use of the Old Testament by the New Testament writers is the primary key to their theology and, thus, to the message of God that they taught the early church and that they continue to teach the church today.

I have dedicated this volume to a friend of almost forty years, who lives with his Bible and whose grace and integrity exemplify the best in Christian character.

I am most grateful to Professors Martin Hengel and Otfried Hofius and to the publisher, Georg Siebeck, for accepting the manuscript for the *WUNT* series. Also, I wish to express my appreciation to the many colleagues and students whose queries and comments have made this a better book. I want to thank especially my assistants, David Edwards, who prepared the indices, and Tom Hood; and my secretary, Mrs. Vicki Barrs, whose patience and commitment to the task have been more than any writer has a right to expect.

Southwestern Baptist Seminary, Lent 1990

E. Earle Ellis

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<sup>1</sup> Chapters 1 and 3 first appeared in *Compendia Rerum Judaicarum ad Novum Testamentum*, ed. S. Safrai et al., Assen: Van Gorkum Publishers, 1974–, II, 1 (*Mikra*, edd. M. J. Mulder and H. Sysling), 653–724. Chapter 2 was published in *International Standard Bible Encyclopedia*, 4 vols., ed. G. W. Bromiley, Grand Rapids: Eerdmans Publishing Co., <sup>2</sup>1979–88, IV, 18–25. Appendix I was published in the *Criswell Theological Review* 3.2 (1989), 341–351. Appendix II appeared as the Foreword to L. Goppelt, *TYPOS. The Typological Interpretation of the Old Testament in the New*, Grand Rapids: Eerdmans Publishing Co., 1982, ix–xx.

<sup>2</sup> E. E. Ellis, *Paul's Use of the Old Testament*, Grand Rapids <sup>5</sup>1991 (<sup>1</sup>1957).



## Abbreviations

ANF	<i>The Ante-Nicene Fathers</i> , 10 vols., edd. A. Roberts and J. Donaldson, Grand Rapids 1951 (c. 1885).
ARN	<i>Abot de Rabbi Nathan</i>
Ant.	Josephus, <i>Antiquities</i>
ATR	<i>Anglican Theological Review</i>
BASOR	<i>Bulletin of the American Society of Oriental Research</i>
Bib	<i>Biblica</i>
BJRL	<i>Bulletin of the John Rylands Library</i>
B. T.	<i>Babylonian Talmud</i>
BTB	<i>Biblical Theology Bulletin</i>
Bib Sac	<i>Bibliotheca Sacra</i>
BZ	<i>Biblische Zeitschrift</i>
c.	Circa = about; contra
CAH	<i>Cambridge Ancient History</i> , 12 vols., ed. S. A. Cook et al., Cambridge 1925–1939
CBQ	<i>Catholic Biblical Quarterly</i>
CJT	<i>Canadian Journal of Theology</i>
Compendia	<i>Compendia Rerum Judaicarum ad Novum Testamentum</i> edd. S. Safrai et al., Assen 1974–
DCB	<i>A Dictionary of Christian Biography</i> , 4 vols., edd. W. Smith and H. Wace, London 1877–87
DBS	<i>Dictionnaire de la Bible, Supplément</i> , ed. Louis Pirot, Paris 1928–
EB	<i>Encyclopedia Biblica</i> , 4 vols., ed. T. K. Cheyne, London 1899–1903
EJ	<i>Encyclopaedia Judaica</i> , 16 vols., ed. C. Roth, New York 1971
Est Bib	<i>Estudios Biblicos</i>
ET	English Text (Translation)
ET	<i>Expository Times</i>
GT	German Text (Translation)
GTJ	<i>Grace Theological Journal</i>
HDB	<i>Dictionary of the Bible</i> , 5 vols., ed. J. Hastings, Edinburgh 1898–1904
HE	Eusebius, <i>Historia Ecclesiastica</i>
HUCA	<i>Hebrew Union College Annual</i>
IDB	<i>Interpreters Dictionary of the Bible</i> , 4 vols., ed. G. A. Buttrick, New York 1962
IDBS	<i>Interpreters Dictionary of the Bible Supplement</i> , ed. K. Krim, Nashville 1976
IEJ	<i>Israel Exploration Journal</i>
IMJ	<i>The Israel Museum Journal</i>
Int	<i>Interpretation</i>
ISBE <sup>2</sup>	<i>International Standard Bible Encyclopedia</i> , 4 vols., ed. G. W. Bromiley, Grand Rapids <sup>2</sup> 1979–88

<i>JBL</i>	<i>Journal of Biblical Literature</i>
<i>JBR</i>	<i>Journal of Bible and Religion</i>
<i>JE</i>	<i>The Jewish Encyclopedia</i> , 12 vols., ed. I. Singer, New York 1901
<i>JETS</i>	<i>Journal of the Evangelical Theological Society</i>
<i>JNES</i>	<i>The Journal of Near Eastern Studies</i>
<i>JQR</i>	<i>Jewish Quarterly Review</i>
<i>JSJ</i>	<i>Journal for the Study of Judaism</i>
<i>JSS</i>	<i>Journal of Semitic Studies</i>
<i>JSNT</i>	<i>Journal for the Study of the New Testament</i>
<i>JSOT</i>	<i>Journal for the Study of the Old Testament</i>
<i>JTS</i>	<i>Journal of Theological Studies</i>
<i>JTSA</i>	<i>Journal of Theology for Southern Africa</i>
<i>JTVI</i>	<i>Journal of the Transactions of the Victoria Institute</i>
<i>KD</i>	<i>Kerygma und Dogma</i>
<i>LCL</i>	<i>Loeb Classical Library</i>
<i>LXX</i>	The Septuagint
<i>M.</i>	<i>Mishnah</i>
<i>MPG</i>	<i>Patrologia Graeca</i> , 162 vols., ed. J. P. Migne, Paris 1857–66
<i>MT</i>	Masoretic Text
<i>n</i>	note
<i>NKJV</i>	New King James Version
<i>NT</i>	<i>Novum Testamentum</i>
<i>NTS</i>	<i>New Testament Studies</i>
<i>Neot</i>	<i>Neotestamentica</i>
<i>PAAJR</i>	<i>Proceedings of the American Academy of Jewish Research</i>
<i>P. T.</i>	<i>Palestinian Talmud</i> (= <i>Jerusalem Talmud</i> )
<i>PTR</i>	<i>Princeton Theological Review</i>
<i>Q</i>	Non-Markan traditions common to Matthew and Luke
<i>RB</i>	<i>Revue Biblique</i>
<i>RGG</i> <sup>3</sup>	<i>Religion in Geschichte und Gegenwart</i> , 7 vols., ed. K. Galling, Tübingen 31957–65.
<i>RHE</i>	<i>Revue d'Histoire Ecclésiastique</i>
<i>RHPR</i>	<i>Revue d'Histoire et de Philosophie Religieuses</i>
<i>RQ</i>	<i>Revue de Qumran</i>
<i>RSV</i>	Revised Standard Version
<i>Sales</i>	<i>Salesianum</i>
<i>SJT</i>	<i>Scottish Journal of Theology</i>
<i>ST</i>	<i>Studia Theologica</i>
<i>SVT</i>	<i>Supplements to Vetus Testamentum</i>
<i>T.</i>	<i>Tosefta</i>
<i>TB</i>	<i>Tyndale Bulletin</i>
<i>TDNT</i>	<i>Theological Dictionary of the New Testament</i> , 10 vols., ed. G. Kittel, tr. G. W. Bromiley, Grand Rapids 1964–76
<i>TDOT</i>	<i>Theological Dictionary of the Old Testament</i> , ed. G. J. Botterweck, tr. J. T. Willis, Grand Rapids 1974–
<i>TLZ</i>	<i>Theologische Literaturzeitung</i>
<i>TU</i>	<i>Texte und Untersuchungen</i>
<i>VT</i>	<i>Vetus Testamentum</i>
<i>WTJ</i>	<i>Westminster Theological Journal</i>

<i>WUNT</i>	<i>Wissenschaftliche Untersuchungen zum Neuen Testament</i>
<i>WW</i>	<i>Wirkendes Wort</i>
<i>ZNTW</i>	<i>Zeitschrift für die neutestamentliche Wissenschaft</i>
<i>ZTK</i>	<i>Zeitschrift für Theologie und Kirche</i>
†	date of death



# I

## The Old Testament Canon in the Early Church





## Introduction

The term *κανών*, from which the English word ‘canon’ is derived, means ‘a measuring stick’ and is first used for biblical writings in the fourth or perhaps third century A.D.<sup>1</sup> Cognate forms<sup>2</sup> and similar terms such as ‘covenantal books’ (*ἐνδιαθήκοι βιβλίοι*)<sup>3</sup> also were employed. At the beginning of the church, however, other terminology was current: Scripture (*γραφή*),<sup>4</sup> the Law, the Law and the Prophets,<sup>5</sup> the Old Covenant,<sup>6</sup> Moses and all the Prophets,<sup>7</sup> the Law of Moses and the Prophets and Psalms.<sup>8</sup> Verbal formulas were also employed: God said, he says (or said; *λέγει, φησίν*), Scripture says, Isaiah says, Moses wrote, as it is written.<sup>9</sup> These expressions signified an appeal to divine authority and most, if not all, correspond to designations for the Old Testament that were current in the wider community of Judaism.

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<sup>1</sup> Amphilocius, *Iambi ad Seleucum* 319 (*MPG* 37, 1598A); Eusebius *HE* 6, 25, 3; Athanasius, *de decretis nicaenae* 18 (*MPG* 25, 456A). The expression, *ὁ λόγος τοῦ προφητικῶς*, often translated ‘the doctrine of the prophetic rule,’ may in the third century (?) Clementine Homilies (2, 15, end = *MPG* 2, 85C) refer to Scripture as such.

<sup>2</sup> Origen, *Prol. in Cant.* 36, end (*canonicus*); *Comm. in Mt* on Mt 23:37–39 (*canonizo*) and on Mt 24:23–28 (*canonicus*). On the term cf. T. Zahn, *Grundriß der Geschichte des neutestamentlichen Kanons*, Leipzig <sup>2</sup>1904, 1–14; B. F. Westcott, *A General Survey of the History of the Canon of the New Testament*, London <sup>7</sup>1896, 512–519. In the New Testament *κανών* is used of a prescribed standard of conduct (II Cor 10:13, 15f.; cf. Phil 3:16) or belief (Gal 6:16).

<sup>3</sup> Origen, *Comm. in Pss* 1 (Introduction); in Eusebius *HE* 6, 25, 1; cf. 3, 3, 1.

<sup>4</sup> E.g. Jn 13:18; Gal 3:8. B. B. Warfield (‘Scripture,’ *A Dictionary of Christ and the Gospels*, 2 vols., ed. J. Hastings, Edinburgh 1924, II, 585) considered the anarthrous use to refer to a known, ‘unitary written authority,’ i. e. the Scripture as a whole. Cf. II Tim 3:16; II Pet 1:20.

<sup>5</sup> E.g. I Cor 14:21 (Isa 28:11f.); Jn 10:34 (Ps 82:6); Mt 7:12.

<sup>6</sup> II Cor 3:14f; cf. I Macc 1:56f.: ‘the books of the law... [and] a book of the covenant.’

<sup>7</sup> Lk 24:27; cf. Jn 1:45; Acts 26:22.

<sup>8</sup> Lk 24:44.

<sup>9</sup> E.g. II Cor 6:2, 16; Heb 1:5; 8:5, 8; Rom 11:2; 10:20; Mk 12:19; II Cor 8:15. On the formulas introducing scriptural citations in the New Testament cf. E. E. Ellis, *Paul’s Use of the Old Testament*, Grand Rapids <sup>5</sup>1991, 22–25, 48f.; J. A. Fitzmyer, ‘... Quotations in Qumran and the New Testament,’ *NTS* 7 (1960–61), 299–305.

New Testament writers reflect their viewpoint not only by their formulas of quotation but also by their understanding of prophecy. They consider the prophet to be ‘a man of the Spirit’ (Hos 9:7; cf. I Cor 14:37) and the Holy Spirit to be the spirit of prophecy (Acts 2:17).<sup>10</sup> Thus, they equate the Scriptures, even those specifically classified as ‘the Law’ or ‘the Writings’, with ‘the Prophets’ (Acts 26:27) or with the teaching of prophets and, consequently, regard the canonical books as inspired by God. Their attitude toward the prophetic and, therefore, the divine origin of Scripture is nowhere better summarized than in II Tim 3:16 and II Pet 1:21:

‘All Scripture is inspired by God (γραφή θεόπνευστος) and profitable for teaching...’

‘No prophecy was ever produced (ῥητέχθη) by the will of man but, being carried along by the Holy Spirit, men spoke from God.’

With variations in nuance other writers express the same conviction about the prophetic character of Scripture, and they all reflect the attitude of Judaism as a whole. Josephus, for example, limits the canon of Scripture not only to prophets but to a particular succession of prophets, and Philo describes the Scripture virtually as an emanation of the prophetic spirit. Similarly, rabbinic writings state that the departure of the Holy Spirit, presumably the spirit of prophecy, brought the giving of canonical prophecy to an end.<sup>11</sup>

Nevertheless, not all prophetic words or writings were included in the received Scriptures. This is recognized in the Old Testament, in Josephus, and in the New Testament. In I Sam 10:10 certain prophecies remain unrecorded. For Josephus prophecy is a continuing phenomenon and a number of first-century figures are identified as prophets even though, on principle, any writings of such persons would be excluded from canonical Scripture.<sup>12</sup> In early Christianity there were also writing prophets, some of whose ‘scriptures’ illumined the church (Rom 16:26) and were some-

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<sup>10</sup> Cf. (H.L. Strack and) P. Billerbeck, *Kommentar zum Neuen Testament*, 4 vols., München 1922–28, II, 127–134. For a theory of uninspired ‘canonical’ books in rabbinic Judaism cf. S. Z. Leiman, *The Canonization of Hebrew Scripture*, Hamden CT 1976, 127–131.

<sup>11</sup> E.g. *B. T. Sota* 48b; cf. Billerbeck (note 10), I, 127; IV, 435–450; cf. Philo, *Vita Mos.* 2, 188–191. See R. T. Beckwith, *The Old Testament Canon of the New Testament Church*, London 1986, 63–71; Leiman (note 10), 30–34, 66, 129ff.

<sup>12</sup> Josephus, *Ant.* 13, 311 ff.; 15, 373–379; *idem.*, *War* 6, 286; 6, 300–309.

times incorporated into the New Testament canon.<sup>13</sup> For the most part these inspired writings, including some writings of apostles (I Cor 5:9), apparently did not enjoy a continuing authoritative use and were allowed to perish. That is, while canonical Scripture was regarded as prophetic, prophetic writing did not necessarily become canonical. This was true both for the prophetic word in ancient Israel and for that in the apostolic church.<sup>14</sup>

The writings to which Jesus and his messianic community appeal as a divine sanction for their message were well-known and were evidently recognized by them and their Jewish hearers not only as *divinely inspired* but also as the *continuing, normative authority* for the faith and life of the people of God. It is with this twofold attribution that these writings can be said to constitute a *canonical authority*.<sup>15</sup> At the same time the NT writers, and Jesus as he is represented by them, not only alter the texts of these canonical books when they cite them<sup>16</sup> but also occasionally quote in the same manner other Jewish writings<sup>17</sup> that were never recognized by the church or the synagogue to have a fixed and abiding, i.e. canonical authority.<sup>18</sup> Thus is posed the problem of the canon in the early church. To address it one must examine (1) the canon of the church in its relationship to the canon of Judaism and (2) the rationale by which canonical and non-canonical writings could be similarly used but nevertheless distinguished.

<sup>13</sup> E.g. I Cor 14:33–36, 37; Eph 5:14; II Tim 3:1–5; Jas 4:5. Cf. E.E. Ellis, 'Traditions in the Pastoral Epistles,' *Early Jewish and Christian Exegesis*, ed. C.A. Evans, Atlanta GA 1987, 237–253 = *The Making of the New Testament Documents*, Tübingen 1992, forthcoming.

<sup>14</sup> The same attitude was present in the patristic church. See below, 33f.

<sup>15</sup> J.A. Sanders (*Torah and Canon*, Philadelphia 1972, 91; in *Magnalia Dei*, ed. F.M. Cross, Garden City NY 1976, 551) somewhat similarly notes the threefold requirement in Judaism for the canonical status of a writing: divine authority, a fixed and invariable acceptance and adaptability. *Pace* Sanders, an 'adapted' scripture continued to have authority only if the adaptor was also recognized to have prophetic gifts and status. Cf. also G.W. Anderson, 'Canonical and Non-Canonical,' *The Cambridge History of the Bible, Vol. I*, ed. P.R. Ackroyd and C.F. Evans, Cambridge 1970, 117f.; Beckwith (note 11), 63–71.

<sup>16</sup> E.g. Matt 2:23; John 7:38; I Cor 2:9; 15:45; Gal 4:22. The citations in Luke 11:49–51, Eph 5:14 and Jas 4:5 (γραφή) appear to be from Christian prophetic writings.

<sup>17</sup> E.g. in Jude 9, 14f. Regarding the number of apocryphal quotations A. Oepke ('ἀπόκρυφα,' *TDNT*. 3 [1965/1938], 987–992) concludes that 'in the New Testament [they] prove to be very small, though one can hardly deny them altogether' (992).

<sup>18</sup> For the same practices among Jewish and patristic writers see below.

## The Determination of the Canon

### *Witnesses: The First Century and Earlier*

With its recognition of the books of the New Testament alongside those of the Old Testament, the church departed decisively from the canon of Judaism.<sup>19</sup> But with regard to the Old Testament it appears to have remained in conscious and intentional accord with the Jewish community.

1. Early Christian writings reveal no trace of friction with other Jewish groups about which books carried divine authority. This remains the case in the second century even in Justin's *Dialogue with Trypho the Jew*, where any such divergence might be expected to surface.<sup>20</sup>

2. When the later Diaspora, now mainly gentile, church was uncertain about the precise extent of the Old Testament books, it sought an answer from Jewish or Jewish-Christian communities in Palestine.<sup>21</sup>

3. In what has been termed 'the crisis of the Old Testament canon,'<sup>22</sup> the second-century church raised questions, in fact, not about the authority of the Old Testament but about its interpretation and

4. the heretic Marcion, who rejected the Old Testament, represented an aberration in Christian practice that was uncharacteristic even of the heretical movements.<sup>23</sup>

<sup>19</sup> Although dated, Westcott (note 2) and T. Zahn, *Geschichte des neutestamentlichen Kanons*, 2 vols., Erlangen 1888–92, remain the best and most comprehensive studies. More recently, cf. B. M. Metzger, *The Canon of the New Testament*, Oxford 1987, and from a Lutheran perspective, cf. H. von Campenhausen, *The Formation of the Christian Bible*, London 1972. Zahn has much information on the Old Testament canon as well, as does the excellent survey of B. F. Westcott, *The Bible in the Church*, Grand Rapids 1979 (1864).

<sup>20</sup> The only differences cited are certain passages in the books of the Septuagint said to have been deleted from the Hebrew texts by the rabbis. Cf. Justin, *Dial.* 71–73.

<sup>21</sup> E.g. Melito in the second century, Origen in the third and Jerome in the fourth. See below, 10f., 16f., 31 ff.

<sup>22</sup> By von Campenhausen (note 19), 62–102: 'Before Marcion there were hardly any "anti-biblical gnostics" in the strict sense. The view which dominated earlier scholarship, that "the gnosis" had more or less rejected the Old Testament from the start, is no longer tenable...' (75). 'In general what [the ecclesiastical polemicists] condemn in the gnostics is not the rejection but the arbitrary exegesis of holy scripture...' (76).

<sup>23</sup> On Marcion's rejection of the Old Testament cf. Irenaeus, (*adv. Haer.* 1, 29, 1; 1,

5. Admittedly, parts of the church later gave canonical status to certain Jewish apocryphal books. But this appears to have been the outgrowth of a popular and unreflective use of these writings, a case of custom triumphing over judgement.

These observations must now be supported by a more detailed consideration of the historical witnesses<sup>24</sup> to the canon in the early church and in the Judaism that gave it birth.

### Josephus

Witnesses to the biblical canon at the beginning of the present era appear in Jewish and Christian sources. Most explicit is the Jewish historian Josephus:<sup>25</sup>

‘Our books, that are justly accredited (τὰ δικαίως πεπιστευμένα), are but two and twenty, and contain the record of all time... Five are of Moses [and] thirteen [of] the Prophets... who wrote the history of the events of their own times... The remaining four (αἱ λοιπαὶ τέσσαρες) contain hymns to God and precepts for the conduct of human life. After Artaxerxes (c. 400 B.C.)... the [writings] have not been deemed worthy of equal credit... because of the failure of the exact succession of the prophets... Although a long time has passed no one has ventured to

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27, 2) and Tertullian (*adv. Marc.* 1, 2; 4, 1). For the Gnostics’ use of the Old Testament cf. R. M. Wilson, ‘The Gnostics and the Old Testament,’ *International Colloquium on Gnosticism*, ed. G. Widengren, Stockholm 1977, 164–168; the index of passages in W. Foerster ed., *Die Gnosis*, 2 vols., Zurich 1971 (ET: Oxford 1972–1974, II, 350–352): Of some 300 Old Testament citations about forty percent are from Gen 1–6.

<sup>24</sup> See also R. T. Beckwith, ‘The Formation of the Hebrew Bible,’ *Compendia*, II, 1 (1988), 51–58.

<sup>25</sup> Probably the books of our present Old Testament: the Pentateuch (5); Joshua, Judges-Ruth, Samuel, Kings, Chronicles, Ezra-Nehemiah, Esther, Isaiah, Jeremiah-Lamentations, Ezekiel, Daniel, the Twelve Minor Prophets, Job (13); Psalms Proverbs, Ecclesiastes, Song of Songs (4). A couple of passages in Josephus support this reconstruction. In *Ant.* 5, 318–337 the story of Ruth follows Judges and is dated on the basis of that combination; in *Ant.* 10, 78 Lamentations is regarded as Jeremiah’s book; in *Ant.* 10, 267f. Daniel is identified as one of the prophets. The same order of the books (5 + 13 + 4) is given by the fourth-century Father, Rufinus († 410), in *Exposito Symboli* 35f. Cf. H. E. Ryle, *The Canon of the Old Testament*, London <sup>2</sup>1909, 229; see note 88. It is uncertain whether Josephus is referring to Artaxerxes I († 425 B.C.), Artaxerxes II († 359 B.C.), or to Xerxes († 465 B.C.). Like the Septuagint, he also used the name Artaxerxes for Ahasuerus (*Ant.* 11, 184; cf. Esther 1:1). For IV Ezra (14:45f.; c. A. D. 100), as for Josephus, writings after the time of Ezra are not placed in the canonical Scriptures. Cf. also *T. Sota* 13:3.

add, to remove or to alter by one syllable<sup>26</sup> [those Scriptures]. Rather every Jew . . . regards them as the decrees of God (θεοῦ δόγματα) . . . and is willing if need be to die for them.<sup>27</sup>

Such is the view of Josephus. As we hope to show, it represents not just the views of his own religious party, the Pharisees, but the attitude of first-century Judaism as a whole.

### *Philo*

A second Jewish witness, who wrote in the early part of the first century, is the Alexandrian philosopher Philo. Although he is less specific than Josephus, he is in substantial agreement with him. Of the books of Moses Philo states,

‘[The Jews] have not altered even a single word of what had been written by him [who gave them their laws] but would rather endure to die ten thousand times than yield to any persuasion contrary to his laws and customs.’<sup>28</sup>

To underscore the Bible-centered character of the Therapeutae, an Essene-like Jewish community in Egypt, Philo comments:

‘[They take into their study rooms nothing] but the laws, the oracles uttered by the prophets, and hymns and the other [books] (ἀλλὰ νόμους καὶ λόγια θεοπισθέντα διὰ προφητῶν καὶ ὕμνους καὶ τὰ ἄλλα) that foster and perfect knowledge and piety.’

That the reference is to the sacred writings commonly received in Judaism and excludes the books of the sect seems to be clear from Philo’s following words:

In addition to the Holy Scriptures (τοῖς ἱεροῖς γράμμασι), i. e. the ancestral philoso-

<sup>26</sup> Cf. Deut 4:2; Matt 5:17ff.; Rev. 22:18f.; I QS 1:1–3; 8:22. Like the biblical writers, Josephus is speaking of the divine authority and inviolability of the books and not of the Jewish use of other writings nor of translation variants or midrashic elaborations upon or within the received books. Of the latter practices he was not uninformed or disapproving as the proem to his *Antiquities* and his use of I Esdras (*Ant.* 10, 68–80; 11, 33–158) and of Greek additions to Esther show (*Ant.* 11, 216–83). But see H. B. Swete, *An Introduction to the Old Testament in Greek*, Cambridge<sup>2</sup>1914, 266f.

<sup>27</sup> Josephus, *c. Apion.* 1, 38–42, also cited in Eusebius, *HE* 3, 10, 1–5; cf. Josephus, *Ant.* 10, 35 where Isaiah and twelve other prophets appear to refer to the thirteen ‘prophetic’ books.

<sup>28</sup> A fragment from Philo’s *Hypothetica* (6, 9) preserved in Eusebius, *Praep. Evang.* 8, 6f.; 8, 11. As is the case with Josephus, the statement is hyperbolic and should not be literally pressed. Nevertheless, it accurately witnesses to the sanctity accorded the Scriptures in first-century Judaism.

phy (πάτριον φιλοσοφίαν), 'they have writings of men of old, the founders of their way of thinking...'<sup>29</sup>

The remarkably similar descriptions of the Scripture in Philo and Josephus are significant. They show that, as far as those two scholars represent them, Jewish communities in Palestine, Rome and Alexandria agreed in identifying their sacred writings with a definite number of books, ordered sequentially into three (or four) divisions: laws, prophecies or oracles, hymns and the rest. A tripartite division of Scripture, not unlike that of Josephus and Philo, is also attributed to Jesus in Luke 24:44: 'the law of Moses and the prophets and psalms.'<sup>30</sup>

### *Ben Sira (Sirach)*

This tripartite division of the Bible was not the creation of first-century Judaism, for it has a precedent at Qumran and in the prologue attached in Alexandria to the Greek translation (c. 132 B.C.) of Ben Sira, a Hebrew work originating in Palestine in the early second century B.C. The translator observes that

'My grandfather Jesus [devoted himself] to the law and the prophets and the other ancestral books (τοῦ νόμου καὶ τῶν προφητῶν καὶ τῶν ἄλλων πατρῶν βιβλίων). [In Greek translation] not only this work but even the law itself and the prophecies and the rest of the books (αὐτὸς ὁ νόμος καὶ αἱ προφητεῖαι καὶ τὰ λοιπὰ τῶν βιβλίων) differ not a little [from the original].'

As the prologue shows, already in the late second century B.C., and probably two generations earlier, certain sacred books had a canonical status. That is, they constituted a definite and identifiable collection with a continuing, normative authority distinguished from that of other religious writings. They had already been translated into Greek and, like the Holy Scriptures known to Philo and Josephus, they were divided into three parts: the law, the prophets and the other books. It is possible that,

<sup>29</sup> Philo, *De Vita Contemplativa* 1f., 25, 28f. Here there seem to be four divisions of canonical books: laws, oracles, hymns and the rest. But since Josephus subdivides his third division into 'hymns and precepts', the difference may be more apparent than real. But see F.H. Colson et al., *Philo (LCL)*, 12 vols., London 1929–53, IX, 520; Beckwith (note 11), 117.

<sup>30</sup> Since the Psalms stand at the beginning of the Hagiographa in some Hebrew manuscripts and are a part of the title (ὑμνους καὶ τὰ ἄλλα) of the Hagiographa in Philo, they may represent the third division of the Old Testament canon in Luke. Cf. also Luke 24:27. For a somewhat similar division in a Jewish writing cf. II Macc 2:13.



since the individual books are not named, those in the canon of one writer were not identical with those of the others. However, they are designated by very similar expressions and are apparently well-known works requiring no enumeration. In the absence of contrary historical evidence the twenty-two books mentioned by Josephus and perhaps earlier in Jub 2:23 may, with some probability, be presumed to be the sacred books of Philo and Ben Sira as well.

### *Qumran*

In an epistle from Qumran dated c. 150 B. C. the Scriptures also appear to be classified in three (or four) divisions:<sup>31</sup>

‘For on account of [these things] we have [written] for you that you may perceive in the book of Moses [and in the words of the pro]phets and in Davi[d and in the words of the days (= Chronicles)] from generation to generation.’

Only in the second century A. D., when uncertainty existed about their number or order, are the books of the Old Testament listed by name. We may now turn to these later testimonies.

## *Witnesses: The Second and Third Centuries*

### *Melito*

The two principal witnesses to the state of the Old Testament canon in the second century are the Babylonian Talmud tractate Baba Batra and Melito, bishop of Sardis. Melito, answering an inquiry concerning the ‘number’ and the ‘order’ of ‘the old books’ (τῶν παλαιῶν βιβλίων), writes the following words (c. A. D. 170):

... When I came to the East and reached the place where these things were preached and done, and learned accurately the books of the Old Testament (τὰ τῆς παλαιᾶς διαθήκης βιβλία), I set down the facts... These are their names: Of Moses five, Genesis, Exodus, Numbers, Leviticus, Deuteronomy; Joshua son of

<sup>31</sup> 4Q MMT (*Miqsat Ma’ase haTorah*) B, II, 9ff. The piece will be published by E. Qimron and J. Strugnell. Cf. E. Qimron and J. Strugnell, ‘An Unpublished Halachic Letter from Qumran,’ *IMJ* 4 (Spring 1985), 9–12. Otherwise: N. Golb, ‘Khirbet Qumran and the Manuscripts of the Judean Wilderness,’ *JNES* 49 (1990), 103–114, who dates MMT to c. A. D. 70 (111) and rejects the sectarian origin of the Dead Sea Scrolls generally (113n).



# Index of References

## *I. Old Testament*

<i>Genesis</i>		2:15	93
1-3	108	3:6	98, 131
1-6	7, 99	3:9f.	92
1:2	73	3:14f.	89
1:11f.	89	3:15	131
1:26	47, 73, 108	4:19	93
1:27	90, 97, 107, 126, 130, 132	4:24ff.	66
1:28	108	6:7	96
2:2	90, 110	7:27	92
2:7	104, 108	8:2	92
2:24	90, 97, 110f., 126, 130, 132	8:4	92
3	82	8:8	92
3:16	119	8:18-25	92
3:22	73	8:22-29	92
5:3	108	12:1	88, 91
12:3	78, 90f.	12:16	87
14:17-20	89, 99	12:21	107
15:5	99	12:40	90
15:5f.	89	13-17	99
15:6	89ff., 99	16	104
16:11	93	16:4	98
17:5	99	16:12-15	94
17:10f.	90	17:11	86
18-19	113	18:21	94
18:10	84	19:5f.	90
18:18	78, 91	20:5f.	66
19:24	109	20:10	98, 131
21	99	20:12	88, 97, 136f.
21:10	99	20:12-16	95
21:12	84	20:13	85, 142
22:9-19	89f.	20:13-17	90
22:16f.	99	20:15	88
22:18	90	21:11	87
41:38f.	119	21:17	97, 136f.
		21:24	88
		21:26	85
		21:26f.	88
		21:27	85, 88
<i>Exodus</i>		21:29f.	88
1-12	92	23:5	89

32:6	99	6:5	91, 98, 108
34:21	98	7:1	107
34:30	89	13:1-5	133
34:34	115	18:1-18	90
		18:15	94
		18:18	70
		23:21	137
<i>Leviticus</i>		24:1	90, 97, 128
2:14	96	24:1-4	107, 132
15:11	136	24:3	128
16	89	25:4	90
18:5	98	25:5f.	98
18:20	90	30:4	86
18:21	92	30:10	133
19:3	88	30:12f.	104
19:11	90	34:9	119
19:18	90f., 98, 108		
20:9	136		
22:6f.	136	<i>Joshua</i>	
24:9	131	1:13ff.	90
24:19	88	2:1-16	90
24:20	88	6:5	86
26:9-12	90	6:26	93
26:12	96	10:13	34
		22:4	90
<i>Numbers</i>			
6:24ff.	67	<i>Judges</i>	
9:2	88	6:11-23	113
12:6ff.	69, 83	13:5	93
14:21-30	90		
14:22f.	110	<i>I Samuel</i>	
14:29	99, 110	2:1-10	93
15:31	127	10:10	4
19	89	13:14	107
21:17f.	94	15:28	89, 131
21:28	66	21:1-6	131
24:14	102	21:6	89
24:15f.	119	21:7	98
24:17	93		
24:24	66	<i>II Samuel</i>	
28:2	88	1:18	34
28:9	88	5:2	93
28:10	88	7	49, 65, 93
30:2	137	7:6-16	47, 100, 107
		7:8	81
<i>Deuteronomy</i>		7:12-16	93
4:2	8	7:14	57, 70, 81, 84
4:34-38	107	15:30	85
5:16	136		

<i>I Kings</i>		50:19	71
17:10	94	51:6	99
17:17–24	94	68	47
17:23	94	68:19	115
		68:28	94
		69	73
<i>II Chronicles</i>		78	66
13:22	91	78:2	86, 117
24:27	91	82:6	3, 131
		89:21	107
<i>Ezra</i>		90:4	99
6–7	45	94:11	99
7:6	46	95	109
7:10	91	95:7–11	90
		97:7	115
<i>Nehemiah</i>		98	73
8–10	37, 46	102:25	115
		105–106	66
		106	47
<i>Esther</i>		110:1	70, 100, 104
1:1	7	110:4	89, 99
		118:22	95, 111, 135
<i>Job</i>		118:22 f.	98, 135
5:13	99	118:25	98
		119:75	85
		132	49
		136	46
<i>Psalms</i>		138:9	24
1:1	84	147:9	130
2:7	47, 70, 99f., 107, 131		
3:1	85	<i>Proverbs</i>	
5:10	99	3:11 f.	57
8	47, 73, 100, 104, 108	4:8	18
8:2	98	8:22 f.	114
8:4 ff.	47	11:31	87
8:4–8	108		
14:1 ff.	99	<i>Ecclesiastes</i>	
16:8–11	100	7:20	99
16:10	107	12:14	127
21:5	108		
24:1	115	<i>Isaiah</i>	
32:1 f.	89, 99	2:2 ff.	47, 102
40:6	96	5	135
40:7 ff.	107	5:1 f.	98, 135
41:10	85	5:2	98, 135
44:2	110	6:3	73
45:3 f.	108	7	93
45:7 f.	65		
49:5	117		

7:13	93	61:1 f.	91, 107, 117
7:14	55, 93	61:2b	103
8:14	91	61:9	96
8:14f.	111	62:2	96
9:2f.	94	62:11	91, 94
9:6f.	93	64:4	119
9:8	113	65:1-5	67
9:11	48, 93	65:16	119
9:12	66	65:17	47, 99
9:14f.	69, 83	66:1 f.	81
11:1	47, 93f.	66:22	47
11:4	103		
11:6-9	47		
11:15f.	47	<i>Jeremiah</i>	
13:6	104	4:3	67
19:19-22	92	7:21 f.	66
19:20	92	16:14f.	47
19:20ff.	92	23:5	93f.
22:18	108	31:15	93
25:8	91	31:31	77
26:20	91, 107	31:31 f.	47
28:11f.	3	31:31 ff.	89
28:16	71, 91, 95, 111	31:31-34	90, 107
29:13	97, 136 f.	31:33f.	98
29:18f.	117	32:18	66
40-66	105	48:45	66
40:3	91, 114		
40:9	91	<i>Ezekiel</i>	
41:8	89, 91	1:26 ff.	114
42	65	5:5	83
43:16-21	47	16	49
45:21	91	17:2	117
48:20f.	47	28:2	103
49:6	93	34:11	67
51:3	47	34:11 f.	101
51:9ff.	47	36:8	47
52:5	110	36:35	47
52:11	57	37:24	47
52:13	93	40-48	47
53	65	47:7-12	47
54:1	99	47:13	47
54:10	47		
54:11 f.	47	<i>Daniel</i>	
54:13	98	1-6	43
55:3	107	1:17	119f.
55:10f.	113	2	69, 135
56-66	102	2:4b-7:28	41
58:6	91, 107	2:21 f.	119
59:7f.	99		

2:34f.	98, 135	<i>Amos</i>	
2:44	147	5:18–27	102
2:44f.	98, 135	5:25ff.	67
2:47	120	5:27	95
4	69	9:11	47, 70, 84
4:24	83	9:11f.	91
5	69		
5:12	120	<i>Jonah</i>	
5:25f.	83	3:4	55
6:22	41		
7	43, 65, 108	<i>Micah</i>	
7–9	41, 67	4:1ff.	102
7–12	43, 103	5:1	93
7:13	86, 100, 107f.	5:2	47, 94
7:13f.	47, 89, 131	5:3	93
7:14	93		
7:16	69	<i>Habakkuk</i>	
7:27	108	1:5	107
8:21	41	1:6	84
9:2	120	2:3f.	91, 107
9:22f.	120	2:4	99
10:14	102	2:5	93
11	43	2:6	117
11–12	67	2:17	83, 110
11:30	66		
11:31	41	<i>Zephaniah</i>	
11:32	42	1:18	109
11:36	103	3:8	109
12:9f.	120	3:13ff.	91
12:10	42		
<i>Hosea</i>		<i>Zechariah</i>	
2:18	47	1:10	83
3:4f.	102	1:19	83
3:5	47	4:10	114
6:6	86, 98	4:14	114
9:7	4, 119	5:1	83
11:1	93	5:3	83
12	66	5:6	83
12:3ff.	66	6:5	114
12:12f.	66	9:9	91, 94, 96
13:14	91	10–11	101
<i>Joel</i>		11	104
1:15	104	12:12	86
2:28–32	100	13	104
3:1	82, 84	13:7	101
3:5	115	14	102

<i>Malachi</i>		3:2	97
2:10–17	66	3:10	95
3:1	91, 97, 114	4:1	109
		4:5	97

## II. New Testament

<i>Matthew</i>		11:2–15	102
1–12	55	11:3	114
1:22	80	11:4ff.	103
2:1–23	93	11:5	117
2:6	94	11:7–15	86, 97, 136
2:15	57, 78, 80	11:10	84, 95
2:23	5, 57, 73, 80, 93f.	11:10–14	117
3:1–12	102	11:15	82, 87, 118
3:2	102	11:25	117
3:3	84	11:25ff.	151
4:1–11	96	11:27	86, 113, 115
4:2–11	116	11:29	86
4:4–10	82	12:1–8	98, 136f.
4:8ff.	143	12:3	80
4:14	80, 149	12:5	80
4:14–17	70	12:5f.	145
4:15	94	12:7	116
4:17	104	12:11f.	89
5:12	104	12:17	80
5:17	45	12:22–30	98
5:17f.	126, 129	12:28	143
5:17ff.	8	13	101
5:17–48	109	13:9	118
5:21	127	13:11	86, 117, 151
5:21f.	85, 128	13:16	118
5:22	113	13:20	101
5:23f.	109, 137	13:22f.	101
5:27	127	13:35	80, 86
5:31	127f.	13:38	101
5:31f.	128, 134	13:40–43	102
5:33	127	13:43	118
5:38	127	14:13–21	94
5:43	127, 129	14:22–33	113
6:2ff.	109	15:1–9	97, 116f., 136f.
6:19f.	104	15:1–20	116, 137, 142
7:12	3, 45	15:2	18
7:29	117, 133	15:6	81, 116, 129, 137
8:17	80	15:7ff.	137
9:9–13	98	15:9	137
9:13	86f.	15:10–20	137



15:12	117	26:20–29	94
15:15–20	117	26:27f.	111
15:17–20	142	26:51f.	143
15:18ff.	137	26:52ff.	103
16:16f.	117	26:63f.	131
16:17	151	27:9	91
19:3–9	97, 128, 133, 136	28:8f.	105
19:4	80		
19:4f.	126f.		
19:5	110		
19:4–8	90, 132	<i>Mark</i>	
19:8	85	1:2	91, 114f.
19:8f.	107	1:2f.	72
19:9	107	1:4–7	102
19:21	104	1:11	70
21:4	80	1:22	117
21:4f.	54, 81, 94	2:5	113
21:5	91	2:23–28	136
21:9	98	3:22	113, 133
21:10–17	94	4:1–22	67
21:15f.	98	4:9	118
21:16	80	4:10–12	134
21:33	86	4:11	117
21:33–44	101, 137	4:11f.	86
21:33–46	86, 98, 134	4:12	118
21:42	80, 111	4:33f.	117
22:23–33	98, 127	4:35–41	112
22:28	104	4:41	118
22:29	39, 81, 127	5	67
22:30f.	104	5:1–20	67
22:31	80	5:21–42	113
22:33	133	6:4	116
22:34–40	138	6:15	116
22:37–40	89	6:32–44	113
22:40	108	7:5–13	136
23:2f.	137	7:8	137
23:37ff.	3, 17	7:13	81, 129
23:34	115	7:14–23	137
24	86	7:17f.	86
24:4–31	103	7:18f.	142
24:23–28	3	7:19	137
24:15	42	7:21ff.	137
24:30	104	8:11	116, 133
24:30ff.	86	8:15–18	117
24:32	86	8:28	116
24:37ff.	109	9:1f.	103
25:31	102	9:2f.	114
25:31f.	103	10:11	107
25:31–46	86	10:19f.	95

11:1-10	94	4:18	107, 117
11:1-11	94	4:18f.	91, 117
11:3	54	4:18-21	103
11:17	85	4:21	117
12:1-12	117, 134	4:24	117
12:10	80	4:25f.	117
12:12	117	5:8	114
12:18-27	116, 127, 134	6:1-5	89, 130, 136
12:19	3	6:3ff.	89
12:24	116, 126f.	7:11-17	94
12:26	89	7:18-28	102
12:28-34	134	7:19	114
12:32	102	7:22f.	117
12:35ff.	134	7:35	117
12:36	70	7:9	116
12:36f.	117	9-10	135
13	67, 86, 100	9:19	94
13:5-27	103	9:45	117, 151
13:5-29	96	9:54	54
13:26f.	108	9:54f.	103
13:32	103	10:5f.	117
14:28f.	85	10:9	103, 117
14:36	113	10:18	117
14:47	103	10:20	104
14:49	81	10:21f.	117
14:58	111, 117	10:25-37	98, 101, 109, 136, 138
14:61f.	131	10:26	80
14:62	100, 108	10:27	91
14:65	116	11:20	103
15:29	111	11:49	81, 115
		11:49ff.	5
		12:24	130
		12:28	89
		12:33f.	104
		12:39f.	104
		13:10-17	98
		13:33	116
		15	101
		15:3-6	67
		15:3-7	101
		16:16	70
		16:19	86
		17:28ff.	109
		19:9	112
		19:31	54
		19:42	117
		20:9-19	134
		20:27-40	127
		20:37f.	85, 131
<i>Luke</i>			
1-2	34, 68, 93		
1:1	153		
1:16f.	114		
1:26-38	93		
1:30-35	93		
1:35	115		
1:46-55	93		
1:68-79	93		
1:76-79	67		
2:11	114f.		
3:1-20	102		
3:22	100, 106		
3:38	106		
4:3-12	126		
4:16	45		
4:16-30	92, 96		

21:8–28	103	10:6	86
21:24	151	10:34	3
21:29	86	10:34ff.	131
21:31	102f.	10:35	126, 129
22:15	111	11:24f.	103
22:18	103	11:25f.	105
22:18ff.	103	12:14f.	91
22:19	111	12:15	94
22:19f.	109	12:32ff.	117
22:20	77, 107	12:38	80
22:29	107	13:18	3, 80, 85, 149
22:32	117	14:12	103
22:45	117	15:25	39, 80
22:50f.	103	16:11	102
23:43	106	16:25	86, 117
24:25–27	104	16:29	86
24:26	105	17:12	80
24:27	3, 9, 39	18:9	80
24:31	151	18:32	80
24:32	118	18:36	102, 143
24:36–40	105	19:24	80
24:44	3, 9	19:35	114
		19:36	57, 80
		20:26f.	105
		20:28f.	114
		21:24	114
<i>John</i>			
1:1	114		
1:1–18	98		
1:14	114		
1:14–18	64	<i>Acts</i>	
1:18	114	1:6ff.	102
1:29	107	1:8	103
1:45	3	1:16	81
2:17	94	2	100
2:19ff.	111, 113, 117	2:10	35
4:13f.	117	2:14–36	100
4:44	116	2:15f.	85
5:25–29	103	2:16f.	70, 84, 103
6:1–15	113	2:17	4, 81, 102
6:15	142f.	2:34	70, 104
6:31f.	84, 85	2:46	109
6:31–58	67, 98, 104	3:1	109
6:35	111	3:20ff.	70
6:49–56	111	3:21	104
6:50	84	3:22f.	112
6:53f.	109	3:24	70
7:38	5, 34	4:2	105
7:38f.	117	4:11	84, 95, 111
10	67	5:36f.	142

6:1	80, 142	2:28f.	145
7	95	3:8	155f.
7:7	103	3:10–18	91, 95, 99, 130
7:42f.	102	3:19	130
7:43	95	3:20–31	155
7:47f.	85	3:21	130
7:49	81	3:28	154
7:49f.	112	4:1–22	67
7:55	104	4:1–25	90, 98f.
8:32	107	4:3	39, 89
9:3ff.	114	4:3ff.	154
9:20	114	4:7	89, 130
10:45	142	4:9ff.	71
11:2	142	4:10f.	90
13:15	45	5:12	111
13:16–41	92, 100, 107	5:12–21	108
13:27	39, 45, 130, 149	5:14	63, 106
13:33	70, 107	5:15	89
15:14–17	112	5:17	89
15:14–21	98	5:19	111
15:15	82	6:6	112
15:16	70, 111f.	6:22	155
15:16f.	81	7:22	112
15:16ff.	91	7:24	112
15:21	45	8:3	115
15:23–29	53	8:4	155
15:28f.	50	8:9	115
16:3	109	8:21ff.	106
17:31	102	8:36	110
18:18	109	8:37	85
18:27	153	9:5f.	114
20:16	109	9:6f.	112
21:11	81	9:6–29	98
21:20–26	109	9:7	85
21:38	142	9:7ff.	84
22:3	92	9:12	128
22:14	114	9:24	89
26:19	114	9:25	60
26:22	3	9:32f.	111
26:23	105	9:33	60, 91
26:27	4, 130	10:4	107, 109
		10:4–11:12	104
		10:6	104
		10:6ff.	79, 84
		10:11	95
		10:12f.	96
		10:13	115
		10:15f.	85
		10:16	96
<i>Romans</i>			
1:18	104		
1:17–4:25	99		
2:5f.	104		
2:6ff.	155		
2:24	78, 110		

10:17	151	5-6	155
10:18	96	5:1-6	156
10:18f.	85	5:7	107, 111
10:20	3	5:7f.	109
11:2	3	5:9	5
11:2ff.	85	5:11	155
11:8ff.	91	6:2f.	89
11:12	89	6:15-20	111
11:25-32	151	6:16f.	110f.
12:1	109	7:1	153
12:19	81	7:10	120
12:20	85	7:29ff.	102
13:8	108	8:13	137
13:8ff.	154f., 138	9:1	114
13:9f.	90	9:5	154
13:13	156	9:9	89f.
14	109, 137	9:13	90
14:3ff.	145	9:14	120
14:11	81	9:19-23	109
14:17	103	9:20	137
15:4	70, 82, 107, 149	10:1-4	108
15:9-12	91	10:1-11	77
15:18f.	103	10:1-13	65
15:21	85	10:1-22	65, 99
16:25f.	118, 151	10:1-31	99
16:26	4, 50, 118, 153	10:2	111
		10:4	94
		10:4f.	85
		10:6	107, 109
		10:11	70, 107, 149
		10:16f.	111
		10:19f.	142
		10:26	115
		11:1	137
		11:23	120
		11:23-26	109
		12:1-14:40	119
		12:12f.	111
		14:21	3, 81, 130
		14:33-36	5
		14:34f.	119
		14:37	5, 119
		15	108
		15:3	120
		15:4	105
		15:8	114
		15:12-18	105
		15:12-22	105
		15:20	105
<i>I Corinthians</i>			
1:9	82		
1:18-31	98		
1:18-3:20	99		
1:24	115		
2:4	156		
2:6-16	65, 98, 119, 154		
2:8f.	85		
2:9	5, 34, 91, 95		
2:9f.	151		
2:10	85		
2:13	156		
2:16	85		
3:3	104, 156		
3:9	112		
3:13ff.	109		
3:16	112		
3:19f.	91		
3:22	81		
3:22-4:1	154		
4:4	155		

15:20–28	108
15:21f.	106, 108
15:22	111
15:22f.	104
15:27	100
15:32	78
15:33	53
15:44	104f., 112
15:44–49	104
15:45	5
15:45f.	85, 106
15:45–49	108
15:50	102
15:54f.	91
<i>II Corinthians</i>	
3	67, 118
3:1	153
3:7–11	89, 108
3:7–18	65, 115, 118
3:14f.	3
3:14ff.	118
3:16	67, 115
3:16ff.	115
4:3	119
4:4	102, 115
4:16	112
5:1	111f.
5:1–10	111
5:6	112
5:6ff.	111
5:8	112
5:10	112, 155
5:17	107
6:2	3
6:16	3, 81
6:16ff.	34, 91, 95
6:17	57, 81
6:18	70, 81, 100, 112
8:15	3
10:13	3
10:15f.	3
11:13f.	142
11:22	142
12:20	156
12:21	155

<i>Galatians</i>	
1:4f.	102
1:12	114
1:14	137
1:16	114
1:18f.	154
2:1	154
2:9	154
2:12	81, 142
2:14	142, 145
2:16	155
3:6–14	98
3:6–29	65, 67, 112
3:8	3, 78, 90f.
3:10	89
3:12	85
3:16	91, 112
3:17	57, 90
3:24	109
3:29	112
4:10	145
4:21–5:1	86, 98, 110
4:22	5
4:22f.	85
4:24ff.	149
4:25	108
4:26	104
4:28	110
4:30	85
5:2	109
5:6	138
5:14	81, 108, 138
6:2	138
6:15	138
6:16	3, 122

<i>Ephesians</i>	
1:20	100
1:20ff.	108
1:21	102
1:22	100
2:2	102
2:8ff.	155
2:10	155
2:20ff.	111
3:2f.	118
3:3	118
3:3ff.	50, 119

3:5	118	2:2	153
3:5f.	118	2:7	83
3:9f.	118	2:8	103
3:16	112	2:15	50
4:8	78, 115	3:3	82
4:22	112	3:17	153
4:24	112		
5:14	5, 34, 153	<i>I Timothy</i>	
5:30	111	1:8ff.	155
5:31	110	1:9f.	95
		1:15	82
<i>Philippians</i>		2:11–15	82
1:6–11	155	3:1	82
3:2f.	142	4:1	82
3:3	109, 112	4:6	82
3:16	3	4:9	82
3:19	155	4:13	119
3:21	104f.	5:18	120
4:18	109		
		<i>II Timothy</i>	
<i>Colossians</i>		1:9f.	118
1:12f.	103	1:11	118
1:15	115	2:11	82
1:15–18	115	3:1	102
1:24	109	3:1–5	5
1:25ff.	118	3:4ff.	155
1:28	118	3:16	3f.
2:8	137	4:6	109
2:11	109, 112		
2:13	109	<i>Titus</i>	
2:16	145	1:2f.	118
2:16f.	107, 109	1:9	82
2:17	109	1:10	142
3:9f.	112	1:10–16	155
4:11	142	1:14	82
4:16	50	2:13	114
		3:5f.	82
<i>I Thessalonians</i>		3:8	82
2:13	50		
5:10	104	<i>Hebrews</i>	
5:21	17	1:1–14	96
5:22	17	1:1–2:18	96, 102, 104, 108
		1:1f.	102
<i>II Thessalonians</i>		1:2	115
1:5–10	103	1:3	115
1:7–10	109	1:3–14	102, 104
2:1–7	103	1:5	3, 70, 100, 112

1:5-13	91	10:28f.	89
1:6	102, 115	10:30	81
1:10	115	10:37	103f.
1:13	70, 104	10:37f.	91
2	108	10:37ff.	85
2:1-5	102	10:38	96
2:2ff.	89	11:13-16	90
2:5	102	11:35-40	90
2:6ff.	102, 108	12:6	57
2:6-9	100, 108	12:14f.	78
2:8b-11	102	12:24f.	89
2:9	104	12:26f.	85
2:10	105	12:26ff.	102f.
2:12f.	102	12:29	109
2:14-18	102	13:9	109
2:16	85	13:10	109
3:2-6	108	13:15	109
3:3-6	111		
3:6	112	<i>James</i>	
3:7-4:16	109f.	2:5	102
4:7ff.	90	2:8	138, 154
4:9	112	2:14-21	155
4:9f.	90	2:20	154
4:11	109	2:21ff.	89
4:14	104	2:22-26	90
5:1-7:28	99f.	2:22	155
6:5	102	2:23	91
7:1-28	89	2:24	154
7:5	84	3:13-18	154
7:9f.	111	3:14f.	156
8:1	104	4:5	5, 34, 153
8:1-10:39	107	4:16	156
8:5	3, 107, 149	5:7f.	104
8:7-13	90	5:11	79
8:8	3	5:16ff.	89
8:8ff.	81	5:17f.	79
8:8-13	77		
9:9	86	<i>I Peter</i>	
9:9f.	109	1:1	81
9:11	112	1:4f.	104
9:13f.	89	1:7	109
9:15	107	1:10ff.	151
9:27f.	103f.	1:11f.	118
10:1	107, 109, 149	1:13f.	112
10:5-39	99, 107	1:18	118
10:6	96	1:18-21	118
10:9f.	107	1:19	107, 111
10:16	81	1:20	118
10:23	82		



1:25	84	8ff.	85
2:5	109, 111 f.	9	5
2:6ff.	60, 111	14f.	5, 34, 53
2:6–10	60	18f.	102
2:7f.	91		
3:20f.	106	<i>Revelation</i>	
3:22	104	1:3	86
4:13	104	1:7	108
4:17f.	87	1:8	81
<i>II Peter</i>		2:1	81
1:20	3	2:7	106
1:20f.	151	2:8	81
1:21	4	2:9	112, 142
1:10f.	102	2:12	81
2:5f.	109	2:14	142
2:6–10	109	2:18	81
3:3	102	3:1	81
3:3–13	99, 104	3:7	81
3:5ff.	109	3:9	112
3:6f.	102	4:4	25, 32
3:7	109	5:12	107
3:8–13	104	6:11	109
3:10f.	109	11:8	108, 110
3:12f.	85	11:15–18	102
3:13	106	13:9	86
3:15	154	14:14ff.	108
3:15f.	50	19:9	82
<i>I John</i>		20:9–15	109
2:18	70, 102	20:15	104
2:28	104	21:1 f.	104
5:20	114	21:5	82
<i>Jude</i>		21:6	102
4–23	96	21:25	102
7	109	22:1	102
		22:2	106
		22:6	82
		22:17	102
		22:18f.	8

### *III. Apocrypha and Pseudepigrapha*

#### Apocrypha

##### *I Esdras*

4:38–40	24
6–7	24

#### *IV Esra (= II Esdras 3–14)*

4:12–22	86
7:3–14	86
8:41	86
14:38–48	46

14:44ff. 12  
 14:45f. 18, 119

*Judith*

5:6 24

*Wisdom of Solomon*

1:5 29  
 4:9 32  
 4:11–14 32  
 7:21–27 114  
 7:26 23  
 18:15 113

*Sirach (= Ben Sira = Ecclesiasticus)*

3:21 32  
 3:30 32  
 11:1 18  
 13:15 18  
 24:3 114  
 27:5 32  
 47:17 117  
 48–50 42  
 51:23 68, 86, 91  
 51:26 86

*Baruch*

1:1–3:8 14  
 5:5 32

*I Maccabees*

1:54 41  
 1:56f. 3, 44  
 2:52 156  
 2:60 41

*II Maccabees*

2:13 9, 45  
 2:14 44  
 2:14f. 44  
 7:7–29 104

## Pseudepigrapha

*II Baruch*

50:2–51:3 104

*I Enoch*

1:2f. 86  
 1:3–6 109  
 1:9 53  
 16:5 24  
 37:5 86  
 43:4 86  
 68:1 117  
 89:56 24

*III Enoch*

12:5 116

*Jubilees*

2:23 10, 33  
 16:5f. 109

*Psalms of Solomon*

17:36 (32) 114f.

*Sibylline Oracles*

4,181–192 104

*Testaments of the Twelve Patriarchs**Asher*

7:3 114

*Judah*

22:2 114  
 23:5 72  
 24:1–6 143

*Levi*

2:11 114  
 5:2 114  
 8:11 114  
 15:1f. 72  
 17:8f. 72

<i>Naphtali</i>		<i>Simeon</i>	
8:3	114	6:5	114

IV. Dead Sea Scrolls

*1QS (Manual of Discipline)*

1:1-3	8
1:3 f.	129
1:10	129
2:21 f.	94
8:4-10	112
8:15	91
8:22	8
8:26	91
9:12	120
9:17 ff.	120

*1QSa (Rule of the Congregation)*

1:14 f.	94
2:1	94

*1Q Sb (Benedictions)*

5:20-28	143
---------	-----

*CD (Damascus Document)*

1:12	70
3:18-4:4	110
4:10 f.	72
4:20 f.	107
7:15 f.	84
7:16 f.	70
7:19 ff.	143
12:2 f.	133
19:33 f.	110
20:6	68, 91

*1QH (Hymns of Thanksgiving)*

3:28-36	109
12:12 f.	120
12:13 f.	120

*1QM (War of the Sons of Light with the Sons of Darkness)*

5:1	142
11:6 f.	143

*1Q22 Moses*

1:3 f.	69, 83
--------	--------

*1Q27*

1:2	83
1:8	83

*1QpHabakkuk*

2:7	70, 102
3:1-4	84
3:2	69
7:1-8	86
7:1-13	70
7:2	102
7:4 f.	120
8:3	93
12:1-3	110
12:3 ff.	83
12:6 f.	83

*4QFlorilegium*

1:2 f.	69
1:10	70
1:11 f.	69
1:11-14	84
1:12 f.	70
1:14	68 f.
1:15	42
2:3	42

*4QMMT*

B, II, 99 ff.	10
---------------	----

<i>4QTestimonia</i>		2:10	83
7f.	70		
9–13	143	<i>4QpNah</i>	
22	93	1:11	83
<i>4QpIsa<sup>b</sup></i>		<i>11QTemple</i>	
2:6f.	83	54:8–18	133

### V. Early Jewish Writings

#### *Josephus*

##### Against Apion

1,35f.	44
1,38–42	8, 125
1,183–195	41
2,175	45

##### Antiquities

5,318–337	7
10,35	8
10,68–80	8
10,78	7
10,267f.	7
11,33–158	8
11,184	7
11,216–83	8
11,337	41
12	18
13	18
13,311 ff.	4
14,45f.	7
15,373–379	4
18,63f.	113
20,97 ff.	142
20,167–172	142

##### The Jewish War

6,286	4
6,300–309	4

##### Vita

75	56
----	----

#### *Philo*

##### De Sacrif. Abel.

76–87	96
-------	----

##### De Somn.

II,127	45
--------	----

##### De Spec. Leg.

I,78	35
II,60–64	92

##### De Vita Contemplativa

1f.	9
25	9
28f.	9

##### Hypothetica

6,9	8
7,11–13	92

##### Leg. Alleg.

I,65	113
II,86	113
III, 162–168	67

##### Questions on Genesis (QGen)

II, 62	113
--------	-----

##### Vita Mos.

II,188–191	4
------------	---

*VI. Apostolic Fathers*

<i>II Clement</i>		6:8	81
11:6	82	6:10	117
		6:13	63
<i>Ignatius</i>		6:14	81
To the Smyrnaeans		9:1	81
1:1	80	12:1	71
		16:5	34
		17:2	117
To the Trallians			
13:3	82		
<i>Barnabas</i>			
3:1	81		
4:3	24		
6:2 ff.	71		
		<i>Shepherd of Hermas</i>	
		Mandates	
		1,1	24
		Visions	
		2,3,4	24

*VII. Ancient Christian Writings*

<i>Amphilocius</i>		18,42 ff.	55
Iambi ad Seleucum		18,43	25, 50
319	3	19,4	148
<i>Apostolic Constitutions</i>			
2,25	146		
2,57,2	23		
5,20	14 f.		
<i>Athanasius</i>			
De Decretis Nicaenae			
18	3		
Easter Letter			
39	21		
<i>Augustine</i>			
De Civ. Dei			
15,23	29		
17,20	29		
18,36	29		
		De Doct. Christ.	
		2,12	29
		2,12 f.	23
		2,13	29
		Letters (= Epistulae)	
		71,5	25
		82,35	30, 32
		On the Soul	
		3,2	29
		<i>Clement of Alexandria</i>	
		Stromata	
		1,21	24
		3,4,34 f.	142

<i>Clementine Homilies</i>		<i>Eusebius</i>	
2,15,end	3	Demonstration of the Gospel	
		8,6f.	8
<i>Cyprian</i>		8,11	8
<i>Epistulae</i>		<i>Ecclesiastical History</i>	
73,9	24	3,3,1	3
To Quirinus: Testimonies Against the Jews		3,10,1–5	8
II,16,28ff.		4,22,9	11
	71	4,26,13f.	11, 126
<i>Cyril</i>		6,16,1	15
<i>Catechetical Lectures</i>		6,24,2	13
4,33–36	20	6,25,1	3
4,34	20	6,25,1f.	13
4,35	20	6,25,3	3
4,36	20	10,1,2	19
6,4	20	Preparation for the Gospel (= Praep. Evang.)	
9,2	20	8,14,64	35
9,16	20	<i>Gospel of Thomas</i>	
11,19	20	52	12
22,8	20	<i>Gregory Nazianzus</i>	
33	20	Carmen	
34f.	20	1,12	21
36	20	2,8,264–288	21
<i>Decretum Gelasianum</i>		Orat.	
2	26	29,16f.	23
<i>Epiphanius</i>		45,15	23
De Mensuris et Ponderibus		<i>Hilary</i>	
4	22f., 25	Comm. in Pss.	
4f.	22	Prol. in Libr. Pss.	
5	14f., 22		26
22f.	22		15,25
22ff.	22	<i>Hippolytus</i>	
23	22f.	Refutatio	
Haereses (= Panarion)		6,14 (9)	
8,6	14, 22, 33		84
76,1	23		

<i>Irenaeus</i>		Prologus in Libr. Sal.	32
Against Heresies (= Haer.)			
1,27,2	7, 142		
1,29,1	6		
3,21,3	54		
3,21,4	55		
4,17,1-5	71		
4,20,2	24		
Against Marcion			
1,2	7		
4,1	7		
<i>Jerome</i>			
Against Jovianus			
2,3	32		
Against the Pelagians			
1,33	32		
Apologia contra Rufinum			
2,25	39		
2,34	54		
Book on Hebrew Questions	30		
Comm. on Daniel	43		
Comm. in Eccl.			
12:13f.	40		
Comm. in Ezek.			
2,5,12	30		
Epistulae (= Letters)			
5,2	27		
18,10	30		
53,8	32		
58,1	32		
66,5	32		
75,2	32		
77,4	32		
125,12	30		
Prologus Galeatus	14, 16, 25		
Prologus in Libr. Regum	31		
		<i>Justin Martyr</i>	
		Dialogue with Trypho	
		11,3	80
		71-73	6, 16
		29,2	80
		69	133
		113,1	80
		136,2	81
		<i>Origen</i>	
		Ad Africanum	
		2	15
		3f.	15
		5	15
		9	16
		13	17f.
		Contra Celsum	
		5,54	17
		Comm. in Mt.	
		23:37ff.	3, 17
		24:23-28	3
		27:3-10	17
		Comm. in Pss.	
		1	3
		De Principiis	
		4,35	17
		Luke: Homily	
		3	24
		Prol. in Cant.	
		36	3
		<i>Philaster</i>	
		Treatise on Heresies	
		88	26

*Ps-Tertullian (= ?Commodian)*

Poem against Marcion

4,251–265      25

*Rufinus*

Apologia in Hieron.

2,9              30

2,35             27

## Exposito Symboli

34                27

35f.              7, 27

*Tertullian*

De Cult Faem.

1,3                25

*Victorinus of Pettau*

Comm. on Apcl.

4:6                25

4:8                25

*VIII. Mishnah, Tosefta, and Babylonian and Palestinian Talmuds*

## Mishnah

Abot

1:1f.             46

1:2f.             38

3:5                86

Berakot

2:2                86

Eduyot

5:3                40

Hagigah

2:1                119

Megillah

3:4                45

4:4                60

4:10              119

Nedarim

9:1                137

Rosh Hashanah

3:2                86

3:8                86

## Sanhedrin

7:4                133

10:1              18, 127

Shabbat

1:4                37

Yadayim

3:5                40

4:6                37

Tosefta

Eduyot

2:7                40

Hagigah

2:1                119

2:7                119

Pesahim

4:1f.              88

Sanhedrin

7:11              87, 130



<b>Sota</b>		<b>Sanhedrin</b>	
13:2	38, 49	11a	49
13:3	7	21b	119
		21b–22a	46
<b>Sukka</b>		43a	113, 133
3:11 ff.	94	86a	88
		100a	11, 126
<b>Yadayim</b>		100b	18
2:13	18	107b	113
		<b>Shabbat</b>	
<b>Babylonian Talmud</b>		31a	18
<b>Baba Batra</b>		<b>Sota</b>	
14b	12, 14, 16, 42, 44	36b–37a	94
15a	46	48b	4
<b>Baba Kamma</b>		<b>Yoma</b>	
82a	46	35b	91
92b	18		
<b>Berakot</b>		<b>Yebamot</b>	
6a	91	63a	18
48a	18		
<b>Erubim</b>		<b>Palestinian Talmud</b>	
54a	18	<b>Megillah</b>	
		3:1 (73d)	92
<b>Hagigah</b>		<b>Pesahim</b>	
13a	18	6:1 (33a)	88
<b>Megillah</b>		<b>Sanhedrin</b>	
7a	40, 126	10:1 (28a)	18
<b>Pesahim</b>		<b>Taanit</b>	
66a	88	4:5	143
119a	119		
<b>Rosh Hashanah</b>			
17a	127		

*IX. Other Rabbinic Writings*

Abot de Rabbi Nathan		Midrash Tehillim 119,26 on Ps 119:75	85
37:10	87, 130		
<i>Mekilta</i>		Pesikta Rabbati	
Bahodesh 8 on Exod 29:15	88	34:1	96
Nezikin 3 on Exod 21:11	87	Sifre on Numbers	
Nezikin 8 on Exod 21:24	88	Section 112 on Num. 15:31	127
Nezikin 9 on Exod 21:26f.	85, 88	Seder Olam Rabba	
Pisha 9 on Exod 12:16	87	30	49
Pisha 1 on Exod 12:1	88, 91		

*X. Greco-Roman Writings**Martial*

## Epigrams

1,2,2f.	35
---------	----

## Index of Modern Authors

- Abel, F. M. 13  
Abramowski, L. 64  
Ackroyd, P. R. 5, 48, 66  
Aland, K. 53  
Albertz, M. 59  
Albright, W. F. 12, 41, 149  
Aletti, J. N. 115  
Alexander, P. 116  
Allen, L. C. 65  
Alon, M. 13  
Alsup, J. E. 105  
Alting, J. 55  
Anderson, B. W. 144  
Anderson, G. W. 5, 44, 61  
Archer, G. L. 43, 53  
Armstrong, A. H. 103  
Ashcraft, M. 62  
Atkinson, B. F. C. 59  
Attridge, H. W. 13  
Audet, J. P. 22, 33, 42, 71
- Bacher, W. 46, 68, 87f., 91  
Baker, D. L. 72f., 141  
Baldwin, J. G. 43  
Baltensweiler, H. 115  
Balz, H. 156  
Bammel, E. 143  
Barnard, L. W. 71  
Barr, J. 39  
Barrett, C. K. 64f., 72, 129, 145, 156  
Barth, G. 136  
Barth, K. 152  
Barth, M. 59, 65, 72  
Bate, H. N. 41  
Bauckham, R. 65  
Baur, F. C. 142, 149, 154, 156  
Beale, G. K. 65  
Beckwith, R. T. 4f., 7, 9, 12, 18, 33ff., 37, 40, 42, 44, 125  
Beecher, W. J. 37  
Benoît, A. 71
- Bentzen, A. 108, 113  
Betz, H. D. 145  
Betz, O. 39, 63ff., 68, 70, 78, 108, 119f., 143  
Billrbeck, P. 4, 12, 87, 92, 102, 104, 127, 129, 133, 136  
Birt, T. 35  
Black, M. 63  
Blass, F. 117  
Blenkinsopp, J. 48  
Bloch, R. 49, 66f., 81, 92  
Bock, D. L. 64  
Böhl, E. 58  
Bonsirven, J. 84, 88  
Borgen, P. 35, 65, 67, 96, 98f., 112  
Bornkamm, G. 136  
Bousset, W. 144  
Bowker, J. W. 67, 80, 96, 98, 136  
Box, G. H. 116  
Braaten, C. E. 144, 152  
Brandon, S. G. F. 143  
Branick, V. P. 68  
Braude, W. G. 85, 96, 134, 136  
Braun, H. 72  
Bréhier, E. 103, 113  
Brodie, T. L. 94  
Bromiley, G. W. ix  
Brooke, G. J. 69  
Brown, R. E. 67, 73, 120  
Brownlee, W. H. 68f.  
Bruce, F. F. 44, 64, 68, 104, 120  
Brunner, A. de 117  
Buhl, F. 37  
Bultmann, R. 63, 79, 132, 144f.  
Burney, C. F. 115
- Cadbury, H. J. 146f.  
Caird, G. B. 72  
Campenhausen, H. von 6  
Cantera, J. 24  
Capes, D. B. 115

- Cappellus, L. 55  
 Carpzov, J. G. 56  
 Carroll, R. P. 49  
 Carson, D. A. 59, 63ff., 73, 115  
 Cauthen, K. 146  
 Cerfaux, L. 59, 71, 86  
 Chadwick, O. 151  
 Charles, R. H. 33, 65  
 Charlesworth, J. H. 116, 153  
 Childs, B. S. 37, 40, 44, 47f., 143  
 Chirichigno, G. 53  
 Clarke, W. K. L. 53, 59  
 Clemen, A. 58  
 Coe, G. A. 146  
 Cohen, A. 87  
 Cohn-Sherbok, D. 89  
 Cole, A. 111  
 Collins, J. J. 69  
 Colson, F. H. 9  
 Combrink, H. J. B. 65  
 Cosgrove, C. H. 155  
 Cosin, J. 38  
 Cranfield, C. E. B. 109, 114  
 Cross, F. L. 71  
 Cross, F. M. 5, 12, 16, 41, 44, 48, 61, 110  
 Crouzel, H. 141  
 Cullmann, O. 59, 102f., 105, 115, 148  
  
 Dahl, N. A. 85, 152  
 Danby, H. 85, 87  
 Danielou, J. 71  
 Daube, D. 79f., 87, 90, 98, 105, 110, 116,  
 128f., 133, 137  
 Davids, P. 155  
 Davies, W. D. 39, 72, 86, 109, 129  
 Delcor, M. 68  
 Didier, M. 64  
 Diéz Macho, A. 60  
 DiLella, A. A. 41  
 Dimant, D. 83, 120  
 Dirksen, P. B. 23  
 Dittmar, W. 53  
 Dobschütz, E. von 26  
 Dodd, C. H. 60, 72  
 Doeve, J. W. 64, 66f., 71, 88f., 100, 133  
 Donaldson, J. 16  
 Donfried, K. P. 155  
 Driver, S. R. 25, 48  
 Drusus, J. 55  
  
 Dugmore, C. W. 152  
 Dumbrell, W. J. 65  
 Dungan, D. 120  
 Dunn, J. D. G. 113  
  
 Edwards, O. C. 144  
 Eichrodt, W. 141  
 Elbogen, I. 46  
 Elliger, K. 69  
 Ellis, E. E. ix, 3, 5, 34, 47, 50, 53, 59, 61f.,  
 64f., 67–70, 72, 78–82, 86, 88f.,  
 91–100, 102–105, 107, 110–115,  
 117–121, 130, 132, 134ff., 138, 141f.,  
 146, 148f., 151, 153–156  
 Emerton, J. A. 49  
 Epp, E. J. 67, 119  
 Evans, C. A. 5, 64, 82  
 Evans, C. F. 5  
 Eybers, I. H. 40  
  
 Farmer, W. R. 136  
 Farrar, F. W. 54, 141  
 Farris, S. 67  
 Fairbairn, P. 57  
 Feldmann, L. H. 35  
 Ferrari, J. De 148  
 Feuillet, A. 70, 115  
 Fischer, B. 14, 32  
 Fishbane, M. 69, 92, 105  
 Fitzmyer, J. A. 3, 60, 63, 68, 79f.  
 Florovsky, G. 150  
 Foerster, W. 7  
 Foul, S. 49  
 Fraine, J. de 110  
 France, R. T. 63, 78, 101, 104, 141  
 Freed, E. D. 53, 70, 80  
 Freedman, D. N. 44  
 Freedman, H. 96  
 Fremantle, W. H. 30  
 Frör, K. 144  
 Funk, R. W. 117  
  
 Gabler, J. P. 61  
 Gafni, I. M. 80  
 Gardiner, F. 57  
 Gärtner, B. 72  
 Gasque, W. W. 73, 114  
 Gay, P. 151  
 Genebrard, G. 38

- Gertner, M. 66f.  
 Gerhardsson, B. 67, 89, 96, 134  
 Gerwig, M. 79  
 Gese, H. 38, 64f.  
 Gilbert, M. 18, 86  
 Ginsburg, C. D. 12, 42, 45  
 Golb, N. 10  
 Gooding, D. W. 48  
 Goodman, M. 143  
 Goppelt, L. ix, 47, 62f., 78, 106, 112,  
 141ff., 148, 150f., 154, 156  
 Gordon, R. P. 48  
 Graetz, H. 37f.  
 Grant, R. M. 53, 113, 141  
 Grässer, E. 64  
 Green, W. H. 37  
 Green, W. S. 66, 82  
 Greenwood, T. 145f.  
 Grelot, P. 70, 72  
 Grimm, W. 63, 65, 78, 108  
 Grant, R. M. 141  
 Guelich, R. A. 128  
 Gundry, R. H. 64, 80, 94  
 Gutierrez, G. 147f.
- Halivni, D. W. 71, 100  
 Hamerton-Kelly, R. 64, 87, 89  
 Hanson, A. T. 63ff., 72, 94, 108  
 Hanson, P. 102  
 Hanson, R. P. C. 141f.  
 Haran, M. 18  
 Harder, G. 59  
 Harnack, A. von 78, 144  
 Harris, H. 142, 149, 151, 156  
 Harris, J. R. 59f., 71  
 Hartman, L. 64, 67, 103  
 Hartman, L. F. 41  
 Hartmann, A. T. 57  
 Harvey, A. E. 113  
 Hastings, J. 3  
 Hatch, E. 58, 60, 145f.  
 Hawthorne, G. F. 64f., 119, 142, 145, 155  
 Haupt, E. 58  
 Hay, D. M. 66  
 Hays, R. B. 64, 106  
 Hegel, G. 149, 152  
 Heitmüller, W. 144  
 Held, H. J. 136  
 Hengel, M. 43, 113–117, 127, 143, 155
- Hickling, J. A. 65  
 Hill, D. 137  
 Hillyer, N. 65, 104  
 Hodgson, R. 71  
 Hoekstra, H. T. 147  
 Hofmann, J. C. K. von 61f., 150  
 Hölscher, G. 33  
 Holtz, T. 64, 78  
 Hommes, N. J. 59  
 Hooker, M. D. 64, 108  
 Horgan, M. P. 69  
 Howard, G. 59, 65  
 Howorth, H. H. 26  
 Hübner, H. 64, 89, 155  
 Hughes, G. 65  
 Hurst, L. D. 129  
 Hurtado, L. W. 115  
 Hutchison, W. R. 146
- Jackson, F. J. F. 53  
 Jellicoe, S. 15, 23f., 34, 61  
 Jepsen, A. 43  
 Jeremias, G. 120  
 Jeremias, J. 86, 89, 113, 117, 119, 135  
 Jervell, J. 64, 109f., 112  
 Johnson, A. R. 110, 113  
 Johnson, F. 57f., 79  
 Jonge, M. de 113  
 Juell, D. 65
- Kahle, P. 59, 61, 100  
 Kähler, M. 59  
 Kaiser, O. 38  
 Kapstein, I. J. 134  
 Kasher, R. 79, 87  
 Katz, P. 33, 42, 61  
 Kautzsch, E. 58  
 Kedar, B. 24  
 Kee, H. C. 64, 70  
 Kelly, J. N. D. 27, 30  
 Kierkegaard, S. 149  
 Kim, S. 65, 98, 108, 113ff., 131  
 Kirk, J. A. 147  
 Kistemacher, S. J. 65  
 Kitchen, K. A. 41, 44  
 Kittel, G. 102  
 Klassen, W. 59, 65  
 Klausner, J. 116  
 Klein, G. 67, 145

- Klein, R. W. 46  
 Kleinknecht, H. 113  
 Knight, D. A. 92  
 Knight, G. W. 82  
 Kobelski, P. J. 115  
 Koch, D. A. 53, 64, 72  
 Kohler, K. 91  
 Kraus, H. J. 145, 149f.  
 Kremer, J. 64  
 Kuenen, A. 46  
 Kuhn, H. G. 105  
 Kuhn, K. G. 127  
 Kümmel, W. G. 63, 103, 106, 141, 149  
 Kutscher, E. Y. 44
- Lake, K. 19, 53  
 Lampe, G. W. H. 72  
 Lane, W. L. 133  
 Lange, N. R. M. de 17  
 LaSor, W. S. 73  
 Lategan, B. C. 144  
 Lauterbach, J. Z. 85, 100  
 Le Déaut, R. 68, 79, 87, 92  
 Leiman, S. Z. 4, 11–14, 40ff., 49, 125f.  
 Lewis, C. S. 150  
 Lewis, J. P. 40, 125  
 Lightfoot, J. 136  
 Lightfoot, J. B. 22, 154, 156  
 Lim, T. H. 93  
 Lindars, B. 70f.  
 Lodge, J. G. 155  
 Lonergan, B. J. F. 149  
 Longenecker, R. 63, 145  
 Lüdemann, G. 156  
 Luther, M. 150, 152  
 Luz, U. 64, 80, 106, 108
- Machen, J. G. 146  
 Major, J. 56  
 MacRae, A. A. 45  
 Mann, J. 96  
 Manson, T. W. 59, 60, 63, 151f.  
 Mansoor, M. 120  
 Marshall, I. H. 63, 113  
 Marx, K. 149  
 Maybaum, S. 67, 134  
 Mayor, J. B. 138, 154  
 Massebieau, E. 58  
 McCullough, J. C. 65
- McDonald, L. M. 38  
 McIntire, C. T. 150  
 McKelvey, R. J. 111  
 McKenzie, J. L. 73  
 McNamara, M. 60  
 Meeks, W. A. 65, 99, 133  
 Metzger, B. M. 6, 79  
 Meyer, R. 39, 103  
 Meyer, H. A. W. 136  
 Michel, O. 59, 64, 109  
 Mielziner, M. 88, 130  
 Miller, M. P. 63  
 Miranda, J. P. 147  
 Moo, D. J. 64, 70, 73  
 Morgan, R. 144  
 Moule, C. F. D. 111, 113, 115, 143, 155  
 Movers, F. C. 38  
 Mulder, M. J. ix  
 Murphy-O'Connor, J. 120
- Nestle, E. 53  
 Neusner, J. 69, 87, 92, 117, 127, 130  
 Newman, R. C. 40, 126  
 Nickelsburg, G. W. E. 49  
 Nock, A. D. 11, 146  
 Nöldeke, T. 126  
 Norman, E. R. 147  
 Noth, M. 43
- O'Brien, P. T. 65  
 Odeberg, H. 116  
 Oepke, A. 5, 59  
 Oesterley, W. O. E. 116  
 Orlinksy, H. M. 12, 42, 45  
 Oss, D. S. 73  
 Osborne, G. R. 141  
 Östborn, G. 46  
 Osten-Sacken, P. von der 102  
 Owen, D. R. G. 103  
 Owen, H. 56
- Packer, J. I. 150  
 Pastor, F. 65  
 Patte, D. 69, 105  
 Paoli, U. E. 35  
 Pedersen, J. 110  
 Perlan, P. 103  
 Perrot, C. 45f.  
 Ploeg, J. van der 59

- Plummer, A. 136  
 Popper, K. R. 149f., 152  
 Prabhu, G. M. S. 64  
 Prigent, P. 71  
 Puyvelde, C. van 23  
  
 Qimron, E. 10  
  
 Rabinowitz, I. 83  
 Rad, G. von 47, 102, 104, 119, 149  
 Randolph, T. 56  
 Rauschenbusch, W. 146  
 Reicke, B. 143  
 Reim, G. 64, 78  
 Rese, M. 64  
 Reu, M. 152  
 Reumann, J. H. 48, 64f.  
 Richard, E. 65  
 Richardson, A. 149  
 Richardson, P. 110, 112  
 Riesner, R. 134  
 Ringgren, H. 102, 112  
 Robert, A. 66, 70, 72  
 Roberts, A. 16  
 Roberts, C. H. 35  
 Robertson, A. 111  
 Robinson, H. W. 24, 110  
 Robinson, J. A. T. 111, 115, 153f.  
 Robinson, J. M. 73  
 Ropes, J. H. 156  
 Rowden, H. H. 65  
 Rowland, C. 102  
 Russell, D. S. 102f.  
 Ryle, H. E. 7, 11f., 14, 37f., 45, 79  
  
 Safrai, S. ix, 91, 100, 117  
 Sahlin, H. 67, 115  
 Saldarini, A. J. 67  
 Sanday, W. 25  
 Sanders, E. P. 80, 89, 110, 155  
 Sanders, J. A. 5, 47f., 64f., 109  
 Schäfer, P. 38  
 Schaff, P. 14  
 Schmid, J. 73  
 Schmidt, W. H. 113  
 Schmithals, W. 80, 136  
 Schmitt, J. 68  
 Schnackenburg, R. 115  
 Schrage, W. 156  
  
 Schröger, F. 65  
 Schultz, S. 65  
 Schürer, E. 127  
 Schutter, W. L. 65  
 Schwartz, E. 26  
 Schweizer, E. 86  
 Scott, J. 58  
 Scroggs, R. 64  
 Sebaeck, T. A. 44  
 Segal, A. F. 116  
 Segal, M. H. 44  
 Shedd, R. P. 110  
 Sherlock, T. 57  
 Shires, H. M. 63  
 Sigal, P. 64, 80  
 Silberman, L. H. 69, 83  
 Silva, M. 59  
 Skeat, T. C. 35  
 Skilton, J. H. 43  
 Smalley, B. 54, 141  
 Smith, D. M. 64  
 Smith, M. 113  
 Smith, W. R. 37  
 Smits, C. 72  
 Sowers, S. G. 72  
 Sparks, H. F. D. 24  
 Stancil, B. 144  
 Stanton, G. N. 64  
 Stein, E. 97  
 Stegner, W. R. 64  
 Stendahl, K. 64, 70, 80  
 Strack, H. L. 4, 87f., 116, 127,  
     130  
 Strecker, G. 134  
 Strobel, A. 133  
 Strousma, G. G. 116  
 Strugnell, J. 10  
 Stuhlmacher, P. 97, 113, 119, 134, 142,  
     144, 155f.  
 Sturdy, J. V. M. 49  
 Sundberg, A. C. 14, 19, 26, 38  
 Suhl, A. 64, 72  
 Surenhusius, G. 56  
 Sweet, J. P. M. 143  
 Swete, H. B. 8, 14f., 17, 19, 21, 24, 30, 32,  
     34, 45, 55, 58f., 78, 141  
 Swetnam, J. 65  
 Sykes, A. A. 56f.  
 Sysling, H. ix

- Talmon, S. 44, 46, 48, 61  
 Tcherikover, V. 41  
 Thackeray, H. St. J. 39  
 Thiede, C. P. 109  
 Thielicke, H. 150  
 Thistleton, A. C. 144  
 Tholuck, A. 57  
 Thomas, K. J. 59, 65  
 Thrall, M. 114  
 Thulstrup, N. 149  
 Tov, E. 14, 16, 68  
 Toy, C. H. 53, 58  
 Toynbee, A. J. 147  
 Tracy, D. 54  
 Traub, H. 104  
 Tuckett, C. 153  
 Turner, C. H. 26  
 Turner, H. E. W. 113  
 Turpie, D. M. 53  
  
 Ulrich, E. 63  
 Unnik, W. C. van 92, 118  
 Urbach, E. E. 116  
  
 Vawter, B. 73  
 Venard, L. 53  
 Vermes, G. 66, 68, 92, 127  
 Vicent, R. 64  
 Vielhauer, P. 64  
  
 Wace, H. 14  
 Wacholder, B. Z. 50  
 Walter, N. 120  
 Warfield, B. B. 3, 81, 150  
 Weima, J. 155  
 Weingreen, J. 94  
 Weir, J. E. 147  
  
 Weiss, J. 144  
 Wellhausen, J. 149  
 Westcott, B. F. 3, 6, 17, 20, 24, 29, 33,  
 37, 141  
 Westerholm, S. 155  
 Westermann, C. 141  
 Whiston, W. 55f.  
 Widengren, G. 7  
 Wifall, C. 108  
 Wilckens, U. 115  
 Wilcox, M. 89, 120  
 Wildeboer, G. 14, 37  
 Wiles, M. F. 17  
 Willi, T. 48  
 Williamson, H. G. M. 41  
 Wilson, R. M. 7  
 Wilson, R. D. 45  
 Wingren, G. 141  
 Wiseman, D. J. 41  
 Wolff, H. W. 59, 66  
 Wolfson, H. A. 113  
 Woods, F. H. 58  
 Woods, L. 57  
 Woolcombe, K. J. 72  
 Wrede, W. 144  
 Wright, A. G. 68, 70  
 Wright, C. H. H. 43  
 Wright, J. S. 46  
 Wright, N. T. 129  
  
 Yadin, Y. 50  
 Yamauchi, E. 153  
  
 Zahn, T. 3, 6, 16, 19–23, 25–28, 33,  
 134, 136  
 Zeitlin, S. 37



# Wissenschaftliche Untersuchungen zum Neuen Testament

## Alphabetical index of the first and the second series

- APPOLD, MARK L.: The Oneness Motif in the Fourth Gospel. 1976. *Volume II/1*.
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