This paper began as a detail in the composition of a commentary on 2 Maccabees. At 2:13, in the course of what purports to be a Jerusalemite epistle to the Jews of Egypt inviting them to celebrate the Hanukkah festival, it is reported that Nehemiah gathered the “books about kings and prophets and also those of David and letters from kings concerning dedications” (i.e., to the Temple of Jerusalem—a major theme in this book). What are “those (books) of David”? Do these words refer only to the different books of Psalms? But why collect only Psalms, and not other sacred writings? Given the fact that the Book of Psalms is the first and also the largest book of the Hagiographa, should we rather suppose that the term is used as a *pars pro toto* for the entire third division of the Bible? And should we then understand that Nehemiah collected all the books of the Bible, or at least all of its last two divisions (since the Torah is not mentioned)?

I would state, first of all, that I see no basis for the assumption that the author of 2 Maccabees expected his readers to understand that, apart from Psalms, Nehemiah ignored all of the Hagiographa. Beyond that, support for the assumption that the “books of David” are indeed to be understood as comprising more than the Psalms comes from two or three other texts. First, it is easy to document, for the second century BCE, the assumption that the corpus of books a Jew should study falls into three divisions. In the Prologue to Ben Sira, the translator writes that his grandfather, the book’s author, had devoted himself to “the reading of the law and of the prophets and of the other ancestral books” (εἰς τὸν τοῦ νόμου καὶ τῶν προφητῶν καὶ τῶν ἄλλων πατρίων βιβλίων ἀνάγνωσιν). While we don’t know exactly what books composed the second and third divisions, the notion of a tripartite corpus is certainly here, so it is easy to imagine this notion being assumed in 2 Macc 2:13 as well.

Second, at Luke 24:44, Jesus reminds his disciples of his teaching that everything written about him “in the law of Moses, and in the
prophets, and in the psalms” had to be fulfilled. In this passage, reading as we must from the perspective of the “New” Testament looking at the “Old” one, we naturally understand the reference to be to the entire Hebrew Bible, so “psalms,” it is often argued, is a way of referring to all of the Hagiographa. This understanding is especially plausible insofar as the Jerusalem scene described in Luke 24:44 is the second such scene in this chapter; and in the first one, where Jesus explains more or less the same things, Luke says he did so on the basis of “all the scriptures beginning with Moses and with all the prophets” (24:27). Since speaking about “all the scriptures” only “begins” with discussion of Moses and the prophets, it is evident that there are other scriptures too. Thus, since the scene at v. 44 is referring back to the one at v. 27, it seems that the reference in v. 44 to “the psalms” is another way to say “in all the other scriptures,” that is, it means either “in all the other scriptures apart from Moses and the prophets” or, as we might say, “in all the Hagiographa, alongside the writings of Moses and the Prophets.” As noted, given the fact that Psalms is the first and largest book of the Hagiographa, such usage would not be surprising.1

The third text to discuss in this context will bring us back to the second century BCE, and also to Qumran. Namely, in the third section of Miqṣat Ma’ase Ha-Torah, nearing his conclusion, the author states at C 9–11 that he has composed the letter so that the addressee may consider (that which is written) “in the book of Moses, and in the books of the prophets and in David”—

This certainly sounds like a reference to a tripartite Bible, and so it has been taken by many. Although we cannot be sure

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1 So, for example: A. Plummer, A Critical and Exegetical Commentary on the Gospel According to S. Luke (4th ed.; ICC; Edinburgh: T&T Clark, 1901), 562: “This is the only place in N.T. in which the tripartite division of the Hebrew Canon of Scripture is clearly made.… Of that [third] division of the Jewish Scriptures the Psalter was the best known and most influential book… hence it is singled out as representative of the group.” This notion was rejected out of hand by J. A. Fitzmyer, who wrote simply, “but the psalms scarcely stand for all the ketubim” (The Gospel According to Luke (X–XXIV) [AB 28A; New York: Doubleday, 1985], 1583). But then what about the obvious parallelism between v. 27 and v. 44? Fitzmyer avoids it by turning the third item mentioned in v. 27 into an inclusive category: “in every part of Scripture” (p. 1553). But this requires turning “all” into “every,” adding “part,” and turning “writings” (lower-case and plural) into Scripture. That’s a lot of changes in four simple words (ἐν πάσαις τάξις γράφεις).

2 For some doubts about this text, see E. Ulrich, “The Non-Attestation of a Tripartite Canon in 4QMMT,” CBQ 65 (2003): 202–14, esp. 208–11. His doubts apply mainly to “David” and do not affect our major argument, for which “book of Moses” and “the prophets” are enough.