

The Christology of Hebrews

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Premises

THE TASK OF DEFINING the Christology of Hebrews is fascinating and complex due to the presence of three phenomena peculiar to the script.¹ (1) *Hebrews* is an act of hermeneutics: some founding texts of the Jewish messianism of the day are interpreted in the light of the Jesus event as known by its preaching. The Christian proclamation too was already structured in speeches or writings. Therefore, the author's purpose is almost always the interpretation of the texts in their literal meaning, and almost never that of the factual reality.² (2) *Hebrews* is the product of a "school" issuing from the Pauline preaching, which elaborates some of its characteristic theologoumena. The letter therefore also operates as a hermeneutic of Paul's thought. (3) It is my belief that *Hebrews* is the fruit of successive

¹ This article is the English translation of a transcript of my speech at a *two-day colloquium organized by the Thomistic Institute Angelicum*: "Theological Exegesis: Scriptural Theology." In the notes I will confine myself almost exclusively to the mention of my previous studies, in which the reader can find a broader discussion and a complete bibliography. For general problematics, see Paolo Garuti, *Alle origini dell'omiletica cristiana: La lettera agli Ebrei—Note di analisi retorica*, 2nd ed. (Jerusalem: FPP, 2002), and *Studi sulla Lettera agli Ebrei: Alcuni sviluppi dottrinali di scuola paolina riletti in prospettiva storico letteraria e storico antropologica* (Eb 1,1-2 - 4,12-13 - 9,1-5 - 9,14 -10,29) (Pendé, France: Gabalda, 2012).

² For this—among other things—it is often good to translate the verbal adjective *christos* with the more generic term "messiah," if it is a question *de iure*.

rewrites which led to the formulation of a “high” Christology (the heavenly aspect of the priesthood and the sacrifice of Messiah) after contemplating the more human and earthly aspects of the Christic mystery, as a journey toward heavenly fulfillment, passing through the painful ordeal of death.³

Since it is methodologically more relevant, let us start from the third point. To appreciate this phenomenon of rewriting it will be enough to bring two examples of Christological “correction” in verses otherwise very similar:⁴

2 :17–18	Therefore <i>he had to be made like his brothers in every respect</i>, so that he might become a merciful and faithful high priest in the service of God, to make propitiation for the sins of the people. For because <i>he himself has suffered when tempted</i>, he is able to help those who are being tempted.	4:15	For we do not have a high priest who is unable to sympathize with our weaknesses, but one who in every respect <i>has been tempted</i> as we are, yet without sin.
5:1, 7, 10	For every high priest chosen from among men is appointed to act on behalf of men in relation to God, <i>to offer gifts</i> and sacrifices for sins. . . . <i>In the days of his flesh</i>, Jesus offered up prayers and supplications, with loud cries and tears, to him who was able to	8:3–5	For every high priest is appointed to <i>offer</i> gifts and sacrifices; thus it is necessary for this priest also to have something to offer. Now <i>if he were on earth</i>, he would not be a priest at all, since there are priests who offer gifts according to the law. They serve a

³ See Paolo Garuti, “Due Cristologie nella Lettera agli Ebrei?,” *Liber Annuus* 49 (1999): 237–58.

⁴ Biblical quotations are normally from the English Standard Version.

save him from death,
and he was heard
because of his rever-
ence, . . . *being desig-
nated by God a high
priest* after the order of
Melchizedek.

copy and shadow of
the heavenly things.

In the first case, 2:17, the expression *kata panta* (“in every respect”) is attributed to the necessary assimilation of Christ to his human brethren, foreseen in the Scripture (Ps 22:23 and Isa 8:18 in Heb 2:12–13), and from which the solidarity in temptation originates. In 4:15, the *kata panta* is instead attributed, although not very logically, only to the temptation, and the similarity is further limited by the clarification *chōris hamartias* (“yet without sin”).

In the second parallel, in 8:3–4, after briefly resuming the generic definition of every high priest already given in 5:1–4, the description of the priestly offering of Jesus denies all earthly aspects of the priesthood (in both texts the verb *prospherō* is a technical term), correcting the perspective of 5:7–10.⁵ Thus, the offering of prayers and supplications is presented as an act preceding the real consecration. Curiously, in the tenth chapter, therefore *after* 8:3–4, Hebrews contemplates the offering of the “body” of Jesus in our very “world” (*kosmos*; 10:5). Commenting on the Septuagint (LXX) of Psalm 39:6 (“Sacrifice and offering thou wouldest not; but a body hast thou prepared me”) the author says: “And by that will we have been sanctified through the offering of the body of Jesus Christ once for all” (10 :10).

Two Dimensions of Christ’s Sacrifice

It is therefore realistic to talk about two dimensions of Christ’s sacrifice in Hebrews. The first involves the sacrifice of consecration of Aaron and his sons according to Exodus 29 and Leviticus 8. This sacrifice is called in Hebrew, the “hands’ filling” (*milluim*), and in Greek “perfecting” (*teleiōsis*). A part of the *body* of a ram is placed in the hands of the priests as a sign of their right to participate in sacrifices. The Greek term reflects a consecration ritual taking place prior to the entrance into the space reserved for priests, imagined as a “goal, achievement” of an initiatory path (*telos*). From

⁵ See Paolo Garuti, “Per una definizione del sacerdozio del re messia nella Lettera agli Ebrei,” *Sacramentaria e Scienze religiose* 50 (2018): 154–69.

here comes the embarrassing statement of Hebrews that the Messiah was “made perfect.”

The second dimension of Christ’s sacrifice, characteristic of chapters 8 and 9 but announced the 4:14–16, is the development of the type of *kippur*, the annual sacrifice of atonement. This sacrifice’s apex is the entrance of the high priest into the holy of holies to sprinkle a few drops of the blood of a previously sacrificed goat. If the holy of holies represents the divine space, symbolic of the heavens (still the *telos*), the offering of the blood of the risen Jesus perfectly fulfills what was once only a symbol.⁶ This second perspective, strongly middle-Platonic, replaces an axiological relationship with a teleological one between the “first tent,” the earthly level, and the “second tent,” the heavenly one. It constitutes the basis of all of the Orthodox and Catholic sacramentary, which actualizes in the militant Church, in time, Christ’s offering fixed in eternity.

The final result of this internal growth of the Christology in Hebrews is, in fact, a priestly messianism in two times: The Passion constitutes both the final step in the way to the *telos* and the initial act of the celestial exercise of the definitive cult.

A Re-Elaboration of a Pauline *Locus Theologicus*

This is evidently a development, perhaps unexpected, of Paul’s statements about the sacrificial value of Jesus’s death and of the Eucharistic memory. If in Romans 3:25 the apostle says that Jesus was “exposed as (the slab of) the propitiatory” by God (*hilastērion*; see Exod 25:17), in all of Paul’s undisputed letters, in fact, he presents only two recurrences of the verb *thyō*, both of which are found in 1 Corinthians. In 5:7, he states, “Christ, our Passover (lamb), has been sacrificed,” and 10:20 says “I imply that what pagans sacrifice they offer to demons and not to God.” In Romans 12:11 and Philippians 2:17 and 4:18, the noun *thysia* identifies the spiritual sacrifice that the believer, or Paul himself, makes of his life. Only in 1 Corinthians 10:16–19, by contrast, is the Eucharistic context present:

The cup of blessing that we bless, is it not a participation in the blood of Christ? The bread that we break, is it not a participation in the body of Christ? Because there is one bread, we who are many are one body, for we all partake of the one bread. Consider Israel according to the flesh: are not those who eat the sacrifices [*tas thysias*] partici-

⁶ See Paolo Garuti, “Le lien entre mantique et téléstique dans le *Phèdre* de Platon et dans l’Épître aux Hébreux (en passant par Paul),” *Revue biblique* 124 (2017): 231–44.

pants in the altar? What do I imply then? That food offered to idols [*eidōlothyton*] is anything, or that an idol is anything?

Placed in tension between the idolatrous sacrifice and the blessing of the bread and the wine, the Israelite sacrifice maintains a certain value of “communion at the altar,” which Hebrews develops in a typological key, even if negative, in 13:9–10:

Do not be led away by diverse and strange teachings, for it is good for the heart to be strengthened by grace, not by foods, which have not benefited those devoted to them (on the road). We have an altar from which those who serve the tent have no right to eat.

This is the same argument that we met in Hebrews 8:5: if the tent of the desert constitutes the prototype of the temple, it is only the antitype of heavenly realities (9:24).

Already and Not Yet

A further extension of the Pauline theological principle concerns an exegesis of the text by combining two texts foundational to the neo-testamentary messianism.

In 1 Corinthians 15:21–27 we read an almost word-by-word exegesis of Psalm 8:

For as by a man came death, by a man has come also the resurrection of the dead. For as in Adam all die, so also in Christ shall all be made alive. But each in his own order: Christ the first fruits, then at his coming those who belong to Christ. Then comes the end, when he delivers the kingdom to God the Father after destroying every rule and every authority and power. For he must reign until he has put all his enemies under his feet. The last enemy to be destroyed is death.

The famous psalm, in fact, says in verses 2–6:

Out of the mouth of babies and infants, you have established strength because of your foes, *to still the enemy and the avenger*. When I look at your heavens, the work of your fingers, the moon and the stars, which you have set in place, what is man that you are mindful of him, and the son of man [Heb. *ben ādām*] that you care

for him? Yet you have made him a little lower than the heavenly beings [Heb. *’ēlōhīm*; LXX *angeloi*] and crowned him with glory and honor. You have given him dominion over the works of your hands; you have put all things under his feet

In his messianic reading of Psalm 8, Paul already employs a chronological displacement: what the poetic text says was realized at the act of creation for the *enos / ben adam*, for the human being as such the commentary applies to the future eschatological annihilation (*katargeō*) of angelic enemies (*pasan archēn kai pasan exousian kai dynamin* [every rule and every authority and power]), until the victory over death. This displacement, known as the logic of “already and not yet” is not arbitrary, but rather justified, by the parallel reading of another psalm which incorporates the terms “enemies” and “under your feet” but inserts an “until” which opens an indefinite but providential lapse of time between the crowning and the fulfillment of the promise. It is indeed the first verse of Psalm 110 (LXX 109):

The Lord says to my lord: “Sit at my right hand, until I make your enemies your footstool.”

So, Paul quotes Psalm 110:1 in 1 Corinthians because it inserts an intermediate time between Christ’s ascension to the right hand of the Father and the definitive victory over God’s enemies. The same verse is used by the early believers in Jesus as the Messiah to affirm that, with the ascension to heaven, Christ fulfills his grasp of power.⁷ Paul sees the continuation of the battle realized in the kingdom. Hebrews builds on these bases, applying the fourth verse of the same psalm to his reflection on the priestly role of the Messiah, and so comments:

Now in putting everything in subjection to him, he left nothing outside his control. At present, we do not yet see everything in subjection to him. But we see him who for a little while was made lower than the angels, namely Jesus, crowned with glory and honor because of the suffering of death, so that by the grace of God he might taste death for everyone. For it was fitting that he, for whom and by whom all things exist, in bringing many sons to glory, should

⁷ See Paolo Garuti, *Avant que se lève l’étoile du matin: L’imaginaire dynastique du Psaume 110 entre judaïsme, hellénisme et culture romaine* (Pendé, France: Gabalda, 2010).

make the founder of their salvation perfect through suffering. (1 Cor 2:8–10).

It is appropriate in this context to translate the Greek *to pathēma tou thanatou* as “the painful ordeal of death.” The term *pathēma*, common to the mystery language,⁸ indicates the act founding a memory or a cult where the hero or a god lived a painful and salvific vicissitude which can be vitally communicated to the believer. In this sense the Messiah is *archēgos tēs sōtērias*, the leader of salvation, brought to the *telos* for the benefit of his brothers.

The Priesthood and the *Telos*

In Hebrews, the notion of being “crowned with glory and honor” coincides with the proclamation to the priest, according to another passage in which Psalm 8 is clarified by recourse to Psalm 110 and another fundamental messianic text: Psalm 2. In Hebrews 5:4–6 we read:

And no one takes this *honor* for himself, but only when called by God, just as Aaron was. So also Christ did not *exalt* himself to be made a high priest, but was appointed by him who said to him, “You are my Son, today I have begotten you”; as he says also in another place, “You are a priest forever, after the order of Melchizedek.”

Hebrews 5:1–10 is composed of two panels. One describes the condition of every high priest, while the second applies the description to the Messiah.⁹ The verses quoted above act as a hinge between the two panels, with multiple functions. First of all, they constitute an exegesis of Psalm 8:6b “You have . . . crowned him with *glory and honor*.” This exegesis is accomplished on the basis of a clear recourse to the knowledge of the audience. Our hinge extends to the priestly condition of the expression “glory and honor,” perhaps in reference to the priestly vestments, of which Exodus 28:2 says: “You shall make holy garments for Aaron your brother, for glory and for beauty [LXX *eis timēn kai doxan*].”

To move from a regal messianism to a priestly perspective, Hebrews makes use of a combination of two texts. The move is rendered possible by the presence, in Greek, of a similar oracle.

⁸ See Paolo Garuti, “Le lacrime di Cristo in alcune recenti monografie sulla Lettera agli Ebrei,” *Angelicum* 90 (2013): 609–16.

⁹ See Paolo Garuti, “La coerenza des images de Hb 5,1–10 et le concept de εὐλάβεια en Platon, Plutarque et Porphyre,” *Revue biblique* 123 (2016): 217–29.

Hebrew of Psalm 2

(Yhwh speaks:) “As for me, I have set my King on Zion, my holy hill.”

I will tell of the decree: Yhwh said to me, “You are my Son; today I have begotten you.”

**LXX of Psalm 110
(translation mine)**

The Lord shall send out a rod of power for you out of Zion: rule in the midst of your enemies.

With you is dominion in the day of your power, in the splendors of your saints: I have begotten you from the womb before the morning.

The Lord swore, and will not repent,
You are a priest forever, after the order of Melchizedek.

In addition to its presence in the historical experience of the Hasmonean dynasty and in some current perspectives in Jewish apocalyptic literature, the double priestly and regal role was commonly admitted in Roman imperial ideology.

The Son, the Holder of the Inheritance, Is the Founder of a City

Already in the beginning of the letter, the author of Hebrews recalls the traditional datum: the old texts reveal the divine intention to establish as universal heir that son who will then manifest himself as the Messiah. In Hebrews 1:4, it is stated logically, with a reference to Psalm 110:1, that the son “sat down at the right hand of the Majesty on high, having become as much superior to angels as the name he has inherited [*keklēronomēken onoma*] is more excellent than theirs.” A few verses later, in a *catena* of seven Old Testament quotations intended to affirm the superiority of the Son with respect to the angels and perhaps due to compilation work, Hebrews gives to the son the Pauline title *prōtotokos*, “firstborn.” The verse is not easily interpreted, especially because the exact provenance of the quotation is uncertain: “And again [*palin*], when he brings the firstborn into the world [*eis tēn oikoumenēn*], he says, ‘Let all God’s angels worship him.’” In the peculiar language of Hebrews, *oikoumenē* is the heavenly homeland, which, in the medio-Platonic perspective of the letter, coexists with our material world, called instead *kosmos* (10:5).

Introducing the text and the explanation of Psalm 8, which we have already seen rooted in the authentic thought of Paul, Hebrews 2:5 states as a known datum: “For it was not to angels that God subjected the world

to come [*hypetaxen tēn oikoumenēn tēn mellousan*], of which we are speaking.” It is in this *oikoumenē* that the Son is presented “again” to receive the *proskynēsis* owed to him as a firstborn. In chapter 12 we read that, in the heavenly Jerusalem, where the angels and the elect celebrate their *panēgyresis*, sits a council of the firstborn.

(You did not approach the Horeb) but you have come to Mount Zion and to the city of the living God, the heavenly Jerusalem, and to innumerable angels in festal gathering [*panēgyresis*] and to the assembly of the firstborn who are enrolled [*prōtotokōn apogegrammenōn*] in heaven, and to God, the judge of all, and to the spirits of the righteous made perfect [*dikaiōn teteleiōmenōn*], and to Jesus, the mediator of a new covenant, and to the sprinkled blood that speaks a better word than the blood of Abel. (Heb 12:22–24)

In this idealization, the town assembly is made up of firstborn: those regularly enrolled in the *Album* of the City (*apogegrammenōn*). The identification of these characters is disputed, but it is evident that Hebrews thinks that this exquisitely messianic title is in some way participated by other people.

This idealized description is another loan from Paul. In Galatians 4:22–26 he wrote:

For it is written that Abraham had two sons, one by a slave woman and one by a free woman. But the son of the slave was born according to the flesh, while the son of the free woman was born through promise. Now this may be interpreted allegorically: these women are two covenants. One is from Mount Sinai, bearing children for slavery; she is Hagar. Now Hagar is Mount Sinai [Horeb] in Arabia; she corresponds to the present Jerusalem, for she is in slavery with her children. But the Jerusalem above is free, and she is our mother.

However, in Hebrews, the contrast is not between the earthly and the heavenly Jerusalem. It is rather an opposition between the terrifying theophany of Sinai, which occurred in the wild with the unleashing of natural forces in an environment hostile to human life, and the *civitas Dei* gathered around an unwritten law (*diathēkēs*; covenant and testament)¹⁰

¹⁰ See Paolo Garuti, “L’aujourd’hui de l’écoute entre passé et futur (He 3 – 4),” in *Perceptions bibliques du temps*, ed. M. Staszak and M. Leroy (Leuven, Belgium: Peeters, 2019), 364–76.

that bound the citizens to a common world of customs, with their descendants accepting the legacy.

The Covenant/Testament

It is a common opinion that Hebrews extends the polysemy of the noun *diathēkē* and the verb *diatithēmi* (that is found in LXX Jer 38:33, and explicitly cited in Heb 8:10 and 10:16), both to the legal role (messiah; *christos*) and to the concrete person of Jesus of Nazareth, attributing to him the seemingly irreconcilable titles of *engyos*, “guarantor, bondsman” (Heb 7:22; a hapax legomenon in the NT, appearing only here), *mesitēs*, “mediator, intermediary” (Heb 8:6; 9:15; 12:24), and *diathemenos*, “testator” (Heb 9:16–17). Given the composite character of the script, and other manifest cases of internal mutation in meaning of some lexemes, even of a certain weight, there would be no reason to be surprised if such a mutation occurs within the same pericope.

For that reason, Hebrews 9:15–17 has always been a true *crux interpretum*. I present it here according to the 2011 English Standard Version, which translates *diathēkē* alternatively with “covenant” or “testament,” depending on the immediate context.

Therefore, he is the mediator of a new covenant, so that those who are called may receive the promised eternal inheritance, since a death has occurred that redeems them from the transgressions committed under the first covenant. For where a will is involved, the death of the one who made it must be established. For a will takes effect only at death, since it is not in force as long as the one who made it is alive.

A recent study¹¹ summarizes the dilemma that this pericope presents to the interpreters:

In Hebrews 9:15, the context seems to demand the sense of “covenant,” since only a covenant has a mediator (μεσίτης) and reference is made to the first διαθήκη, which the author clearly regards as a covenant. However, in Hebrews 9:16, the requirement for the “death of the one who made it” would seem to suggest the translation “will” or “testament,” since covenants did not require the death

¹¹ See Scott W. Hahn, “A Broken Covenant and the Curse of Death: A Study of Hebrews 9:15–22,” *Catholic Biblical Quarterly* 66, no. 3 (2004): 416–36.

of their makers. Likewise, in Hebrews 9:17, the statement that a διαθήκη takes effect only at death and is not in force while the maker is alive seems to apply only to a testament.

I believe that, even in this case, recourse to Paul may be useful.

In Romans 8:23 we read that the Spirit is *aparchē*, “firstfruit.” That term is known, in the idiomatic sense, as a document attesting to the payment of a fee for the recognition of a child, who is subsequently credited with the legitimate claim to an inheritance. In fact, in 8:23–24, Paul describes the faithful who “await to be recognized as children” (*huiosthesian apekdechomenoi*) following the payment of a “ransom” (*apolytrōsis*). But right now, they have the attestation of the Spirit: *aparchē tou pneumatos*.¹²

And not only the creation, but we ourselves, who have the firstfruits [*aparchē*] of the Spirit, groan inwardly as we wait eagerly for adoption as sons, the redemption of our bodies. For in this hope we were saved. Now hope that is seen is not hope. For who hopes for what he sees?

The complex reasoning about the inheritance of believers in Christ starts in Romans 8:14–17.

For all who are led by the Spirit of God are sons of God [*huiioi Theou*]. For you did not receive the spirit of slavery [*pneuma douleias*] to fall back into fear, but you have received the Spirit of [adoption as] sons [*pneuma huiiothesias*], by whom we cry, “Abba! Father!” The Spirit himself bears witness with our spirit that we are children [*tekna*] of God, and if children, then heirs—heirs of God and fellow heirs with Christ, provided we suffer with him in order that we may also be glorified with him.

The *sententia* which opens the reasoning, for its generic nature, could be translated “who are led by the spirit of a god, they are children of a god.” The role of the *pneuma* in the transmission of life is evident to such an

¹² See Paolo Garuti, “Gesù ‘testatore’ della nuova alleanza nella Lettera agli Ebrei: l’apporto delle testimonianze romane per la comprensione di un punto fondante del pensiero di Paolo e della sua scuola (Rm 8; Eb 9; Gaio 2,102–103),” in *Philobiblos: Scritti in onore di Giovanni Geraci*, ed. A. Bencivenni, A. Cristofori, F. Muccioli, and C. Salvaterra (Sesto San Giovanni [Milan]: Jouvence, 2019), 359–422.

extent in the Hellenistic-Roman culture and in some texts of the Old Testament to allow me a simple reference to my previous studies.¹³

The distinction between *huiioi* and *tekna*, “sons” and “children,” seems to be essential in this passage. Far from being mere synonyms, they define respectively the entire process and the first stage of it (*pneuma huiiothesias: tekna* → *aparchē* → *klēronomoi*). The apostle imagines this process as opposite (also if following: *palin*) to the generation of the slave (*pneuma douleias*).

The link between these premises and Romans 8:23 can focus only on the word *eleutheria*, the “condition of being free,” connected with the term childhood (Rom 8.21):

That the creation itself will be set free [*eleuthepōthēsetai*] from its bondage [slavery] to corruption and obtain the freedom [*eis tēn eleutherian*] of the glory of the children [*tōn teknōn*] of God.

In Galatians 4:4–6), a text that seems taken up almost literally in Romans 8, Paul makes acquiring the condition of a child dependent on a ransom:

But when the fullness of time had come, God sent forth his Son, born of woman, born under the law, to redeem [*hina . . . exagorasē*] those who were under the law, so that we might receive adoption as sons [“the sonship”: *tēn huiiothesian*]. And because you are sons, God has sent the Spirit of his Son into our hearts, crying, “Abba! Father!”

The parallel of Galatians 3:13 seems to give a sacrificial or apotropaic meaning to the verb *exagorazō*, which elsewhere in the New Testament simply means “profit.” For the slaves in 1 Corinthians 7, Paul uses the simple verb *agorazō* (7:23).

Recognition of the Child as Heir

The *huiiothesia* is not an act of adoption, but rather the recognition of the quality of the child entitled to the inheritance. This is made evident from another passage in the Letter to the Romans: “They are Israelites, and to them belong the adoption [“sonship”; *huiiothesia*], the glory, the covenants, the giving of the law, the worship, and the promises.” We observe an accumulation of terms characteristic of the foundational mythology, in partic-

¹³ See Paolo Garuti, “Polisemia culturale e linguaggio religioso: lo ‘spirito eterno’ e lo ‘spirito della grazia’ nella Lettera agli Ebrei (Eb 9,14 e 10,29),” *Angelicum* 89 (2012): 279–315.

ular the events of the exodus, in reference to texts such as 4:22: "Then you (Moses) shall say to Pharaoh: Thus says the Lord, Israel is my firstborn son [Heb. *bənî bakōrî yišrā'ēl*; LXX *huios prōtotokos mou Israēl*]." We have, so I think, a conceptual paraphernalia sufficient to address Hebrews 9:15–17.

As mentioned above, Hebrews plays on the double meaning of *diathēkē* in the Septuagint: the usual translation of *berît* as "alliance," in preference to *synthēkē*. The popular etymology, accepted by the Bible, binds *berît*, "covenant," to the verb *kārat*, "to cut." A double etiology refers to Abraham's alliance of Genesis 15 and to that of Moses in Exodus 24. This derivation is very close to the well-known conceptual Latin complex *foedus ferio*, *foedus icio*. In fact, the above-mentioned passage is followed by a quotation about the inauguration ceremony of the mosaic alliance in Hebrews 9:18–20.

Therefore, not even the first covenant was inaugurated [*enkekainistai*] without blood. For when every commandment of the law had been declared by Moses to all the people, he took the blood of calves and goats, with water and scarlet wool and hyssop, and sprinkled both the book itself and all the people, saying, "This is the blood of the covenant that God commanded [*eneteilato*] for you."

Hebrews changes the solemn declaration of Moses in Exodus 24:8, already interpreted by the LXX: the Hebrew "[the blood of] the alliance that the Lord has 'cut' with you" becomes the Greek "of the covenant which the Lord has set for you." In a similar nomistic perspective, the book takes the place of the altar in a rite which is originally intended to establish a sort of magic consanguinity between God and his people.

If the LXX chooses *idou to haima diathēkē hēs dietheto kyrios pros . . .*, it is evidently because the phrase describes provisions between unequals. More problematic is the perfect tense of *enkekainistai* in Hebrews 9:18, which can be interpreted as "was inaugurated" or "has been renewed several times." In the second case, the obvious reference is the sprinkling of blood in the holy of holies on the *kippur*, aimed to *expiare* for the sins of the people, renewing the pact yearly. Hebrews 9:22–23, on the other hand, recalls the rite using the verb *katharizō* and extends the action to the "purification" of the celestial realities of which the objects of the Mosaic cult are earthly copies. Given the sacrificial context and the traditional cultic language of covenant, the shift to the legal and testamentary vocabulary in Hebrews 9:15–17 is even more strange.

The Emptor Familiae

Even in this case, we do not understand the role of a *mesitēs*. If the deity has commanded (*eneteilato*) the terms of the pact and now calls for a death “in ransom of transgressions,” the *mesitēs* can be a kind of “medium,” an instrument, but cannot perform an active role, which is especially true regarding the disposition-maker. It is true that, in a certain sense, the *ex-piatio* (making one pious again) changes the will of God, but it is not up to the disposition-maker to affect the terms of the pact.

Ambrose, a consummate jurist, knows the problem of assigning an active role to the *mesitēs*, at least as for the interpretation of Hebrews:

And although the Apostle himself told the Hebrews that a testament is of no force, until the death of the testator happen, that is to say, a testament is of no strength while the testator liveth, but is established by his death, yet as in Jeremiah the Lord, speaking of the Jews, has said, *Mine heritage is unto Me as a lion*, he would not deny that they were heirs. But there are heirs without possessions, there are heirs also with them; and while the testator lives those whose names are written in the will are called heirs, though without possessions.¹⁴

The Jews of his time should, he continues, break free from the slavery of the letter to be truly free; they are *scripti* in the will, but they are *sine re*, for they do not acknowledge that the one who is dead is the testator. It is to say that his death unlocks a suspended situation:

For how can he say “Our Father” who denies the true Son of God, Him by Whom our adoptive sonship is obtained for us? How can he rehearse the will who denies the death of the testator? How can he obtain liberty, who denies the Blood whereby he has been redeemed?¹⁵

Beyond the polemical terms adopted by Ambrose, the same situation affects the faithful of any origin. They are destined by “disposition” to be children, but by that same “disposition” made needy of a ransom, because being offenders (*apolytrōsin tōn . . . parabaseōn*), and as such reduced to servitude, they must be able to receive the inheritance which was, at an

¹⁴ Ambrose of Milan, Epistle 66 [to Romulus], no. 3, in *St. Ambrose of Milan, Letters*, trans. H. Walford (Oxford: James Parker, 1881), 401–3.

¹⁵ Ambrose, Epistle 66, no. 6.

intermediate stage, in the hands (*engyos*) of only one (*mesitēs*). But, since the same “disposition” provided for the death of the testator, the inheritance can now pass to them. The text’s laborious recourse to the sacrifice of inauguration of the first covenant in Exodus 24 and to the typology of the *kippur* have precisely the function of demonstrating that the testamentary dispositions provided for such death.

In a recent study, without having the pretense to attribute to Hebrews or even to Ambrose a direct reference to the Roman testamentary costumes in the first empire, I registered the curious consonance of vocabulary between the passage of Hebrews, which is the object of our investigation, and a text of Gaius’s *Institutiones* 2.102–3:

[102] Afterwards, a third kind of will was introduced, which was executed by bronze and balance. Where a man who had not made a will at the *Comitia Calata* or in the face of the enemy was apprehensive of sudden death, he usually transferred his estate by sale to a friend, and requested him to distribute it to whomever he desired to have it after his death. This kind of testamentary disposition is styled a will by bronze and balance, because it is effected by the ceremony of mancipation. [103] The two kinds of wills above mentioned have, however, fallen into disuse; and only the one effected by bronze and balance has been retained, but it is now changed from what it was in ancient times. For formerly the purchaser of the estate, that is to say the party who received it by a sale from the testator, occupied the place of the heir, and for this reason the testator directed him with reference to what he desired to be given to anyone after his death. Now, however, another person is appointed heir under the will who is charged with the distribution of legacies, and differs from the one who, as a matter of form and in imitation of the ancient law, represents the purchaser of the estate.¹⁶

In the seventh chapter, Hebrews states that, by virtue of the divine oath, Jesus “became a guarantor of a better disposition” (Heb 7:22; *kreittonos diathēkēs gegonen engyos*). As a hapax legomenon in the New Testament, if *engyos* is translated as “guarantor,” we remain in the ambiguity above: for whom does Jesus offer a guarantee? The context suggests that, being instituted a priest by virtue of an oath (7:21; *horkōmosia*; see Ps 110:4a), he can better guarantee the truthfulness of the divine promises. But Hebrews, in

¹⁶ *The Institutes of Gaius, Parts One and Two*, text with critical notes and trans., ed. Francis de Zulueta, 2 vols. (Oxford: Clarendon, 1946).

6:13,17, definitely denies that God needs this kind of mediation.

For when God made a promise to Abraham, since he had no one greater by whom to swear, he swore by himself. . . . So, when God desired to show more convincingly to the heirs of the promise the unchangeable character of his purpose, he guaranteed it with an oath [*emesiteusen horkō*].

The use of *mesiteuō* here, also a hapax legomenon in the whole of the Bible, suggests that those who produced Hebrews considered the presence of a third party as needed in oaths, which is generally God himself (cf. Heb 6:16). Only God is exempt from this necessity. In Hebrews 7, the divine oath “makes” Jesus “priest forever, after the order of Melchizedek,” *engyos* of the best disposition. We are not given to know whether, to the writer, the noun sounded closer to *engys*, “near,” or to *gyē*, “palm of the hand.” The Pauline parallel of Galatians 3:19 would suggest that the second meaning prevails in the communities marked by the thought of the apostle.

Why then the law? It was added because of transgressions, until the offspring should come to whom the promise had been made [*to sperma hō epēngeltai*], and it was put in place through angels by an intermediary [*diatageis di’ angelōn en cheri mesitou*].

With an argument analogous to that of the oath in Hebrews 6, Paul’s Letter to the Galatians goes on to say that God, being one alone, does not need mediators. The text of Gaius describes, in the first instance, an intermediate character between the principal testator and the heirs, the *familiae emptor*. A friend of the owner is buying the whole *familia* (persons and goods) for a real price in the form of *mancipio*, and thereby “held the place of an heir” (*heredis locum optinebat*). By virtue of this mancipation, he acts as executor.

The *familiae emptor* originally covered in this institute an active role, being in all effects part of the *negotium*. If it concerns us here, it is, in addition to mere reasons of vocabulary, due to the different duties that the *familiae emptor* assumes, being both the guarantee of minors and being responsible for the eventual freeing of slaves by payment of the fee due. But the role is even more important because it witnesses the process created to transfer the inheritance to those who had no immediate right to it. This universal fictitious acquisition is not necessarily synonymous with fraud or unlawfulness, even if it should not be overlooked that the legal custom was originally born in circumvention of the law, to transfer property to benefi-

ciaries otherwise unable to receive *mortis causa*. It was the case of women, of the *latini iuniani*, the slaves tampered with in a non-solemn form, of celibates and orphans, pilgrims or public institutions, like the *ciuitates*, the *municipia* or the corporations.¹⁷

Conclusions

For the author of Hebrews, the reason remains to be explained, by recourse to the covenant ceremony described in Exodus 24, why we should wait for the death of the *emptor familiae* to give full application to *his* testament.

An obvious first consequence of this vision is that the term *redemptio* does not refer to the purchase, at the price of blood, of anything from God or from the devil, but it describes the role by which the new testator was in real possession of the *familia*. Death is felt as necessary for the execution of the new will, not for the acquisition of the right to make a testament. Chrysostom has unfortunately taught the idea of a mutation of the Father's heart:

And for this cause (he says) *He is the Mediator of the New Testament*. What is a *Mediator*? A mediator is not lord of the thing of which he is mediator, but the thing belongs to one person, and the mediator is another: as for instance, the mediator of a marriage is not the bridegroom, but one who aids him who is about to be married. So then also here: The Son became Mediator between the Father and us. The Father willed not to leave us this inheritance, but was angry against us, and was displeased [with us] as being estranged [from Him]; He accordingly became Mediator between us and Him, and prevailed with Him. And what then? How did He become Mediator? He brought words from [Him] and brought [them to us], conveying over what came from the Father to us, and adding His own death thereto. We had offended: we ought to have died: He died for us and made us worthy of the Testament. By this is the Testament secure, in that henceforward it is not made for the unworthy. At the beginning indeed, He made His dispositions as a father for sons; but after we had become unworthy, there was no longer need of a testament, but of punishment.¹⁸

¹⁷ List given by F. Bertoldi, "L'heres *fiduciarius* in una prospettiva storico-comparatistica," *Studi Urbinati* 83 (2015): 157–235.

¹⁸ John Chrysostom, *Homilies on Hebrews*, homily 16, no. 2, Oxford trans., rev. Frederic Gardiner, in *Nicene and Post-Nicene Fathers*, ed. Philip Schaff, series, 1, vol. 14, (Peabody, MA: Hendrickson, 2004 [4th printing; original American ed.

A second consequence is that, in Hebrews, the Messiah, as the bearer of the promises, expands the range of the beneficiaries without excluding the first heirs. To use the terms of Ambrose, now they too can become heirs with possessions (*heredes cum re*). Asterius the Sophist, if he is the author of the homilies on the Psalms that bear his name, and with him fathers like Chrysostom, will use these texts to exclude from the testament the first heirs.

A Testament is made towards the last day, [the day] of death. And a testament is of this character: It makes some heirs, and some disinherited. So in this case also: *I will that where I am*, Christ says, *they also may be* (John 17:24). And again of the disinherited, hear Him saying, *I pray not for all, but for them that believe in Me through their word* (John 17:20). Again, a testament has relation both to the testator, and to the legatees; so that they have some things to receive, and some to do. So also in this case. For after having made promises innumerable, He demands also something from them, saying, *a new commandment I give unto you* (John 13:34). Again, a testament ought to have witnesses. Hear Him again saying, *I am one that bear witness of Myself, and He that sent Me bears witness of Me* (John 8:18) And again, *He shall testify of Me* (John 15:26), speaking of the Comforter. The twelve Apostles too He sent, saying, *Bear ye witness before God*.¹⁹

The greater consequence, for us, however, is that the priestly prerogatives, first reserved for an aristocracy internal to a determined ethnicity, are now transmitted to all the faithful, who in the Jerusalem of heaven are already spirits *dikaiōn teteleiōmenōn*, “of the righteous led to the *telos*.” On the other hand, Hebrews 11:39–40 says of the Old Testament heroes:

And all these, though commended through their faith, did not receive what was promised, since God had provided something better for us, that apart from us they should not be made perfect [*teleiōthōsin; be brought by the telos*].

The priestly people are created, therefore, by the transmission of the Christic prerogatives, passed from the testator to the co-heirs: this is the novelty of Hebrews. In the perspective of the oldest layer of its composition,

by Christian Liberty Publishers, 1889]).

¹⁹ John Chrysostom, *Homilies on Hebrews*, homily 16.

focused on the concept of *telos*, the texts we have considered develop, in a priestly key, our participation in the inheritance not only formerly belonging exclusively to the children of Abraham, but also to the sons of Aaron, with whom God had established a *diathēkē hierateias aiōnia*, a “covenant of eternal priesthood” (LXX Num 25:13). N.V