

The Fossil Texts and the God of Israel: Recovering an Ancient Christology from the Strata of Scripture

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With Appropriate Apologies to the Council of Nicaea

Abstract

This paper proposes a reading of New Testament Christology — in particular the Gospel of John — that does not begin with the Nicene settlement but with the cosmological framework native to the Ancient Near East. Drawing on the so-called *Divine Council* traditions preserved in Deuteronomy 32:8-9 (Dead Sea Scrolls text), Psalm 82, and related passages, it argues that a coherent and textually grounded account of Jesus's identity is available which understands him as YHWH — the God of Israel — incarnate, in genuine filial relationship with El Elyon, the Most High God and Father of the divine council. The key claim is that many Psalms and other passages that appear to equate YHWH with El Elyon represent a later theological harmonisation of an originally hierarchical cosmology — what this paper terms *Fossil Texts* being the residual evidence of that older stratum. This framework is then applied to the Gospel of John, with particular attention to the high Christological passages typically marshalled in favour of Nicene Trinitarianism, and found to produce readings of considerable explanatory economy. The paper concludes by assessing how this model compares to standard Trinitarian exegesis on the criterion of accessibility to a theologically informed reader of the Ancient Near Eastern world.

I. Introduction: The Problem of the Overlay

Christian theology has a long memory, and not all of it is useful. When a modern reader opens the Gospel of John and encounters the words "*In the beginning was the Word, and the Word was with God, and the Word was God*" (John 1:1), they

almost inevitably hear those words through seventeen centuries of accumulated interpretation — the Council of Nicaea (325 CE), the Athanasian Creed, the homoousion controversy, and the vast scholastic tradition that followed. This is understandable. It is also, this paper will argue, a significant obstacle to reading the text.

The writers of the New Testament were not Nicene theologians. They were, by and large, Second Temple Jews operating within a cosmological framework shaped by the Hebrew scriptures, the traditions of the Ancient Near East, and the specific theological inheritance of post-exilic Judaism. To read their texts well — to hear what they were actually saying, rather than what later councils decided they must have meant — requires an act of deliberate defamiliarisation. We must attempt, however imperfectly, to read as their first audience would have read.

This paper undertakes that attempt by taking seriously a body of Old Testament material that standard Christian theology has consistently underweighted: the divine council traditions, most clearly expressed in Deuteronomy 32:8-9 (in the Dead Sea Scrolls version), Psalm 82, and the divine name theology of the Psalter. From this material, a coherent cosmological framework emerges — one in which El Elyon (God Most High) presides over a council of divine beings, of whom YHWH, the God of Israel, is one. It is within this framework that this paper proposes to read the Christology of the Gospels, particularly John.

The result is not a lower Christology but a different one — and in some respects a more radical one. A Jesus who is genuinely YHWH incarnate, in genuine dependent relationship with El Elyon his Father, is not a diminished figure. He is the God of the Exodus, the God of Sinai, the God of the Psalms, walking in sandals in first-century Galilee. What changes is the philosophical architecture — and with it, a number of exegetical difficulties that have troubled careful readers for centuries.

II. The Divine Council: A Cosmological Primer

The existence of a divine council — a gathering of heavenly beings presided over by a supreme deity — is not a peripheral feature of Ancient Near Eastern religion. It is structural. The Ugaritic texts from Ras Shamra, discovered in 1929, present El as the head of a pantheon of divine beings (*bene elim*, sons of God) who assemble in council to deliberate over cosmic affairs. YHWH, as scholars including Frank

Moore Cross and Mark S. Smith have argued in detail, appears in the earliest strata of Israelite religion as a figure who entered this framework from outside — probably a storm and warrior deity associated with the Sinai region — and was progressively identified with El over centuries of theological development.

The crucial text for this paper is Deuteronomy 32:8-9, which in the Masoretic Text reads:

When the Most High (Elyon) gave to the nations their inheritance, when he divided mankind, he fixed the borders of the peoples according to the number of the sons of Israel.

The Dead Sea Scrolls version, supported also by the Septuagint, reads instead "*according to the number of the sons of God (bene elohim)*" — a reading that the majority of textual scholars now consider original, the Masoretic reading being a later scribal alteration to avoid the theological implication. In this earlier text, El Elyon divides the nations and assigns each to a divine being; YHWH's portion is Israel.

The implications of this are considerable. El Elyon is structurally above YHWH. YHWH is Israel's divine patron — a being of unmistakable power and unique covenant relationship — but he operates within a hierarchy that has El Elyon at its apex. This is not polytheism in any crude sense; even within this framework, Israel is called to worship YHWH exclusively. But it is also not the monotheism of later theological definition.

Psalm 82 reinforces and extends this picture. The psalm opens: "*God (Elohim) stands in the council of El; he judges among the elohim.*" The divine beings of the council are then condemned for corrupt governance of their nations, and told: "*You are gods, sons of the Most High (Elyon), all of you; nevertheless, like men you shall die.*" The structure is clear: Elyon is the head; the elohim are his sons; they have been given authority over the nations (recalling Deuteronomy 32) and have abused it.

These two texts together constitute what this paper calls the *divine council cosmology*. It is the native theological world of the Ancient Near East and, crucially, it is present in the Hebrew scriptures. The question that drives the rest of this paper is simple: what happens when we read the Gospels inside this framework rather than inside the Nicene one?

III. The Fossil Texts: Evidence of a Flattened Hierarchy

A reader of the Psalter will notice a striking phenomenon. In the majority of psalms where El Elyon appears, he is treated as simply another name for YHWH — the two terms used in synonymous parallelism or directly combined (e.g., *"YHWH Elyon"* in Psalm 47:2, *"You, YHWH, are Elyon over all the earth"* in Psalm 97:9). Yet in Psalm 82, as we have seen, and in the Deuteronomy 32 text, Elyon and YHWH are structurally distinct — Elyon above, YHWH as one of his sons.

How do we account for this discrepancy? Several explanations present themselves, and they are not mutually exclusive.

The first and most significant is **deliberate theological harmonisation**. The Psalter reached its final canonical form in the post-exilic period, a time when Israelite theology was moving decisively toward the strict monotheism that would characterise Second Temple Judaism. Editors who understood YHWH and El Elyon to be identical — or who wished their audience to understand this — would naturally write, and revise, in ways that fused the two. The psalms that equate them are not necessarily false; they represent a genuine theological trajectory that had, by the time of final compilation, substantially completed the merger.

The second explanation is **the mechanics of religious syncretism**. The identification of YHWH with El appears to have occurred gradually over centuries of Israelite religious history, as the cult of YHWH absorbed and reinterpreted the existing El traditions. Once the identification was complete, texts that had originally distinguished the two were read through the new lens. The original distinction became invisible — except in precisely those texts where the narrative or legal drama required it to be preserved, as in Psalm 82.

This leads to the third and most evocative explanation: **the fossil text phenomenon**. Just as geological strata preserve organisms from earlier epochs that the surrounding rock has long since transformed, certain biblical texts preserve cosmological assumptions from an earlier stratum of Israelite religion that the surrounding canon has otherwise smoothed away. Psalm 82 and Deuteronomy 32:8-9 are fossil texts — not because they are primitive or erroneous, but because they record a structural reality that later theological development obscured rather than replaced.

This is not a radical or heterodox claim in the context of modern biblical scholarship. It is essentially the position of scholars such as Michael S. Heiser,

whose work on the divine council has demonstrated the pervasive presence of this cosmology in the Hebrew Bible, and John Day, whose research on Yahweh and the gods of Canaan traces the historical process by which the older hierarchical traditions were progressively reinterpreted. What this paper adds is the suggestion that the fossil texts are not merely of antiquarian interest — they are exegetically active in the New Testament, particularly in the Gospel of John.

IV. YHWH Incarnate: The Framework Applied

With the divine council cosmology in view, we can now state the Christological proposal directly. This paper suggests that the most economical reading of the Gospel evidence is as follows: Jesus of Nazareth understood himself to be — and was understood by his earliest followers to be — YHWH, the God of Israel, incarnate in human flesh. His Father, to whom he consistently prays and whom he consistently distinguishes from himself, is El Elyon, the Most High God, head of the divine council, whose son YHWH eternally is.

This is not a low Christology. It is, if anything, a more shattering claim than standard Trinitarianism in certain respects — because it means that the specific God who spoke from Sinai, who parted the Red Sea, who wrestled with Jacob, who commissioned the prophets, has entered his own creation in human form. The shock of the Incarnation is not softened by philosophical abstraction; it is intensified by historical particularity.

What changes is the relationship between Jesus and the Father. In Trinitarian theology, the Father and Son are co-equal persons within one divine being, distinguished by relation rather than by rank. The Son's expressions of dependence on the Father — *"the Father is greater than I"* (John 14:28), *"the Son can do nothing of himself"* (John 5:19), *"my God and your God"* (John 20:17) — must be carefully managed to avoid subordinationism, typically by attributing them to the Son's human nature or to his kenotic self-limitation. This requires considerable exegetical effort and still leaves a residue of awkwardness.

In the El Elyon framework, these texts require no management. YHWH incarnate is genuinely dependent on El Elyon because YHWH has always been in that relationship. The Incarnation does not change the fundamental filial structure — it enacts it within creation. When Jesus prays, he is doing what YHWH always

did: addressing his Father, the Most High, in genuine relationship. The subordination is not an embarrassment to be explained; it is the point.

V. The Gospel of John: A Case Study

The Prologue (John 1:1-18)

The opening verse of John's Gospel has been the primary battleground of Christological debate since the second century. "*In the beginning was the Word (Logos), and the Word was with God (pros ton theon), and the Word was God (theos).*" The standard Trinitarian reading takes this as an assertion of the Son's co-equality with the Father, qualified immediately by their distinction.

In the El Elyon framework, the verse reads with notable naturalness. "*The Word was with God*" — the Logos, who is YHWH, exists in relationship with El Elyon (here *theos*, the God). "*The Word was God*" — YHWH is genuinely divine, a God in the full sense, not a lesser being. The distinction in the Greek — *ton theon* (the God, with the definite article, indicating El Elyon) versus *theos* (divine, without the article, indicating the Logos's own divine nature) — maps precisely onto the divine council's structure: El Elyon the head, YHWH the divine son. John is not straining to make a philosophical point about co-equal persons within one substance; he is describing, in Greek vocabulary, a relationship that any reader of the Hebrew scriptures would have recognised.

The I AM Sayings

The great *ego eimi* declarations of John's Gospel — culminating in "*before Abraham was, I AM*" (John 8:58), which provokes an immediate attempt at stoning — are often presented as the strongest evidence for a Trinitarian Christology. If Jesus is claiming the divine name of Exodus 3:14, the argument goes, he must be identifying himself with God in the fullest sense.

This is correct — but it is equally consistent with the El Elyon framework. Jesus is claiming to be YHWH. He is not claiming to be El Elyon. The crowd's violent reaction confirms that they understood the claim as a claim to the covenant name of Israel's God — which is precisely what the framework predicts. Nothing in the I AM sayings requires the specific Trinitarian architecture of co-equal persons

within one substance; they require only that Jesus is YHWH, which the framework fully affirms.

The Father is Greater (John 14:28)

In the Farewell Discourse, Jesus says plainly: *"You heard me say to you, 'I am going away, and I will come to you.' If you loved me, you would have rejoiced, because I am going to the Father, for the Father is greater than I."* This verse has exercised Trinitarian commentators considerably. The standard response — that Jesus speaks here in his human nature, or in his state of kenotic self-limitation — is not without merit, but it requires importing categories the text does not supply.

In the El Elyon framework, the verse is simply true and requires no qualification. YHWH is going to El Elyon, his Father, who is greater than he is. The relational hierarchy is the permanent structure of their relationship, not a temporary accommodation to the Incarnation. Jesus states it as a fact that should cause his disciples to rejoice on his behalf — he is returning to his Father's presence. There is no awkwardness here; there is only the natural expression of a son's relationship to his Father.

My God and Your God (John 20:17)

The post-resurrection appearance to Mary Magdalene contains what may be the single most exegetically challenging verse for Trinitarian Christology. Jesus says: *"Do not cling to me, for I have not yet ascended to the Father; but go to my brothers and say to them, 'I am ascending to my Father and your Father, to my God and your God.'"*

Jesus, the risen Christ, calls the Father *his God*. Not merely the God of his human nature, or the God he acknowledges in his creaturely capacity, but simply *my God* — using the same relational possessive that the disciples use. Trinitarian theology, committed to the co-equality of Father and Son, must explain why the second person of the Trinity has a God in apparently the same sense that a human disciple does.

In the El Elyon framework, this presents no difficulty whatsoever. YHWH's God is El Elyon. This has always been true. The Resurrection does not alter the relationship; it gloriously enacts its fulfilment — YHWH returning in triumph to the Father who sent him, inviting the disciples into that same filial relationship. The parallelism of *"my Father and your Father, my God and your God"* is precisely designed to show that the disciples are being drawn into the relationship that

YHWH himself has with El Elyon. That is the theological content of salvation in this framework: not merely forgiveness, but incorporation into the divine council's family.

John 6: The Bread of Heaven

John 6 is among the richest chapters in the Gospel for the framework under consideration. Jesus feeds a multitude and is subsequently challenged by a crowd that invokes the manna of the Exodus: *"Our fathers ate manna in the wilderness; as it is written, 'He gave them bread from heaven to eat.'"* The implicit claim is that Moses — or YHWH working through Moses — provided the foundational sustenance of Israel.

Jesus's response is carefully constructed: *"It was not Moses who gave you bread from heaven, but my Father gives you the true bread from heaven."* He then identifies himself as that bread. The typological movement here is important. In the Exodus, YHWH provided manna. In John 6, the Father provides the true bread — which is Jesus himself. The framework that makes this coherent is precisely the El Elyon / YHWH relationship: El Elyon, the Father, is now giving YHWH incarnate as the true sustenance of Israel and of the world.

The chapter also contains one of John's most insistent statements of the Son's dependence on the Father: *"I have come down from heaven, not to do my own will but the will of him who sent me"* (6:38). The sender/sent dynamic, repeated throughout the chapter, is the dynamic of the divine council's commission — a divine being dispatched on the Father's authority, doing the Father's work, answerable to the Father's purpose. Far from being an awkward concession to the Son's human nature, it is the structural description of YHWH's mission.

Psalm 82 in John 10: The Smoking Gun

Perhaps the most significant single piece of evidence for the framework proposed in this paper is Jesus's quotation of Psalm 82 in John 10:34-36. When the Jewish leaders attempt to stone him for blasphemy — *"because you, being a man, make yourself God"* — Jesus responds:

"Is it not written in your Law, 'I said, you are gods'? If he called them gods to whom the word of God came — and Scripture cannot be broken — do you say of him whom the Father has consecrated and sent into the world, 'You are blaspheming,' because I said, 'I am the Son of God'?"

Jesus is quoting Psalm 82:6 — *"You are gods, sons of the Most High (Elyon), all of you"* — as a *defence* against the charge of making himself God. The logic of the defence is only coherent if the divine-son category of Psalm 82 is being invoked as a legitimate and recognised category. Jesus is saying, in effect: your own scriptures acknowledge that certain beings can bear the title of divinity as sons of Elyon; how much more is it appropriate for the one whom the Father consecrated and sent?

This is not Jesus reducing his claims; it is Jesus grounding his claims in precisely the cosmological framework this paper has been describing. He is a son of Elyon — not merely in the attenuated sense available to human judges in Psalm 82, but in the fullest sense: the one consecrated and sent by the Father, whose divine identity is uniquely grounded in that filial relationship. The passage is not, as some commentators have suggested, a rhetorical deflection. It is a cosmological argument. And the cosmology it invokes is the divine council.

VI. The Psalter Revisited: Harmonisation and Its Discontents

Having established the framework through the Gospel texts, we can return to the Psalter with fresh eyes. The majority of Psalms in which El Elyon appears treat the name as a straightforward title for YHWH — and this paper has no quarrel with those texts as texts. They represent the genuine theological conviction of those who wrote and compiled them. The identification of YHWH with El Elyon was not a fraud; it was a theological conclusion drawn over centuries of reflection, worship, and historical experience.

What this paper proposes is that the identification is not original — that it represents a later stage in a trajectory that began with the divine council cosmology of Deuteronomy 32 and Psalm 82. The Psalms that equate the two are like sedimentary rock that has metamorphosed under pressure: the original material is still there, but it has been transformed. Psalm 82 and the DSS Deuteronomy 32 are the fossils — preserved because their dramatic and legal content made them too valuable to revise, even when their cosmological implications became theologically inconvenient.

This is not a merely academic observation. It matters for reading the New Testament because Jesus and his first followers read the Psalter — all of it, including Psalm 82. They would have had access to both layers: the official

merged theology of Second Temple Judaism, in which YHWH and El Elyon are one God, and the older stratum still visible in the fossil texts, in which the divine council structure is preserved. The fact that Jesus quotes Psalm 82 in a moment of intense theological pressure strongly suggests he was aware of both layers and knew how to use them.

VII. Objections and Responses

Objection 1: Does this not undermine monotheism?

The most immediate objection to the framework proposed here is that it introduces plurality into the divine, threatening the strict monotheism that is fundamental to both Judaism and Christianity. If El Elyon and YHWH are genuinely distinct beings, is this not simply paganism with better public relations?

The objection has force, but it misses the texture of the original tradition. The divine council cosmology is not polytheism in the Olympian sense — a collection of competing deities with divided loyalties and incompatible interests. El Elyon is unambiguously supreme; the divine beings of his council are his sons and servants, exercising delegated authority within a single ordered reality. The appropriate term for Israel's practice within this framework is monolatry — the exclusive worship of one God — rather than monotheism in the ontological sense. This is, in fact, exactly what the Hebrew scriptures consistently demand: not *"there are no other gods"* but *"you shall have no other gods before me"* (Exodus 20:3). The existence of other divine beings is assumed; their worship is forbidden.

Whether this is theologically adequate is a legitimate question — but it is a question for systematic theology, not exegesis. The exegetical claim of this paper is simply that the divine council cosmology is present in the text, and that reading the New Testament within it produces more economical and coherent interpretations than reading it within the Nicene framework.

Objection 2: What becomes of the Holy Spirit?

The El Elyon framework as presented here handles the relationship between Jesus (YHWH) and the Father (El Elyon) with considerable explanatory power. It handles the Holy Spirit less well. The Spirit appears in the Gospels at the baptism

of Jesus, is promised extensively in John's Farewell Discourse, and is clearly a significant theological category for the Gospel writers. A complete Christological framework must account for the Spirit, and this paper acknowledges that the divine council model as outlined here does not do so with the same elegance it brings to the Father-Son relationship.

The most natural move within the framework would be to understand the Spirit as the presence and activity of YHWH — the same breath/wind (*ruach*) that moved over the waters in Genesis 1, the same presence that filled the tabernacle — now understood as operating independently in the world following the Ascension. This is functionally similar to the Binitarian Christology of some early Jewish Christian traditions and would not require a third distinct divine being. It remains, however, an area where further development of the framework is needed.

Objection 3: Is this not just Arianism?

The charge of Arianism — the fourth-century teaching condemned at Nicaea that the Son was a created being, lesser than the Father — is predictable and must be addressed directly. The framework proposed here is not Arianism.

Arius taught that the Son was the first and greatest of God's creatures — that there was a time when he was not. The El Elyon framework proposed here makes no such claim. YHWH as a son of El Elyon within the divine council is not a creature; he is genuinely divine — eternal, uncreated, the God of Israel in the fullest sense. The relationship between YHWH and El Elyon is a relationship of genuine divine sonship within an eternal divine order, not a relationship between Creator and creature. The subordination is relational and hierarchical, not ontological in the Arian sense.

The distinction matters. Arius wanted to protect the absolute transcendence of the Father by making the Son less than fully divine. This paper wants to preserve the full divinity of the Son — Jesus genuinely is YHWH — while also taking seriously the texts in which his relationship to the Father is one of genuine dependence and distinction. These are not the same project.

VIII. A Man of Abraham's Time

This paper concludes by returning to the evaluative criterion proposed in its introduction: how would a literate man of Abraham's time — familiar with the divine council, the cosmology of the Ancient Near East, and the theological inheritance of the Hebrew patriarchs — receive these two frameworks?

Such a man would have known El Elyon. He met Melchizedek, priest of El Elyon, in Genesis 14 — and it is notable that Abraham, upon meeting this figure, immediately identifies El Elyon with "*maker of heaven and earth*", the supreme deity. He would have inhabited a world in which divine beings were real, in which a supreme God presided over lesser divine beings, in which the specific deity of a people was that people's divine patron. He would have understood what it meant for a divine being to be *sent*, to speak on behalf of a higher power, to act in a divine council's name.

For such a man, the El Elyon / YHWH Christological framework would be, not easy — the claim that YHWH had entered human flesh would have been astonishing in any cosmological framework — but *intelligible*. The structural relationships it assumes are the structural relationships of his world. The language it employs is his language. The God it describes is, at the level of cosmological architecture, the God he already knows.

The Nicene Trinitarian framework, for all its grandeur, would have been largely opaque to him. Not because it is false, but because it is expressed in categories — *ousia*, *hypostasis*, *consubstantiality*, *eternal generation* — that belong to a Greek philosophical tradition centuries after his time. Before he could assess the Nicene claim, he would have needed an introduction to Platonic ontology. That is a significant barrier.

This is not an argument that the Nicene settlement is wrong. It is an argument that it is not the only way to read the evidence, and that the way proposed here has the considerable advantage of being native to the world in which the scriptural evidence was produced. A framework that makes the texts breathe naturally is not automatically correct — but it deserves serious attention.

IX. Conclusion

This paper has argued for the following positions, in sequence. First, the divine council cosmology preserved in Deuteronomy 32:8-9 (DSS) and Psalm 82 represents an early stratum of Israelite theological tradition in which El Elyon and YHWH are structurally distinct — Elyon as the supreme head of the divine council, YHWH as Israel's divine patron and Elyon's son. Second, the majority of Psalms that appear to equate YHWH and El Elyon represent a later theological harmonisation of this tradition — the result of the progressive identification of YHWH with El across centuries of religious development. Third, the texts that resist this harmonisation — Psalm 82, Deuteronomy 32:8-9 — are fossil texts, preserved because their content was too theologically or narratively valuable to revise. Fourth, the Gospels — and John in particular — read with striking coherence within the divine council framework: Jesus as YHWH incarnate, genuinely subordinate to El Elyon as a son to his Father, yet fully and unambiguously the God of Israel. Fifth, this framework resolves a series of longstanding exegetical difficulties in the Johannine text without requiring the philosophical apparatus of Nicene Trinitarianism.

None of this requires the abandonment of orthodox Christian faith. It requires something more modest and, in its way, more demanding: a willingness to read the texts on their own terms, in their own world, before reaching for the theological categories that centuries of tradition have made second nature. The fossil texts are there. The divine council is there. The Jesus of John's Gospel prays upward, defers to the Father, calls the Father his God, and quotes Psalm 82 in his own defence. These are not problems to be managed. They are invitations to read more carefully.

If the framework proposed here is even partially correct, it suggests that the most ancient Christology available to us — older than Paul, older than the creeds, native to the theological world of the Hebrew scriptures themselves — is not a low one. It is the claim that the God who spoke to Abraham, who wrestled with Jacob, who burned in the bush, who thundered on Sinai, has come in person. Not as a philosophical abstraction. Not as a carefully defined hypostasis within a consubstantial Trinity. But as a man, in a specific place, at a specific time, doing the will of his Father — who is greater than he is, and to whom he is going home.

The church audience to whom this paper is addressed is encouraged to be as horrified as it finds necessary. The texts will still be there in the morning.

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Deuteronomy 32:8-9 (DSS): The Dead Sea Scrolls reading (4QDeutj) has *bene elohim* ('sons of God') where the Masoretic Text has *bene yisrael* ('sons of Israel'). The LXX supports the DSS reading with *angelon theou* ('angels of God'). The scholarly consensus now regards the DSS/LXX reading as original.

On John 10:34-36 and Psalm 82: The literature on this passage is extensive. For the divine council reading, see Heiser (2015) ch. 23, and Jerome Neyrey, 'I Said: You Are Gods: Psalm 82:6 and John 10', *Journal of Biblical Literature* 108/4 (1989), 647-663.