

Hillel Newman

Proximity to Power and Jewish Sectarian Groups of the Ancient Period

A Review of Lifestyle, Values,
and Halakhah in the Pharisees,
Sadducees, Essenes, and Qumran

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Groups of the Ancient Period

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Halakhah in the Pharisees, Sadducees,
Essenes, and Qumran

by

Hillel Newman

edited by

Ruth Ludlam



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This book is respectfully dedicated to four wonderful people: to Zelda Newman, the purest of soul and the noblest of spirit; to Lea and Otto Marchfeld, pioneers and creators in the Land of Israel; to Ayala Faust, for her close companionship and true friendship.

With thanks to Jacob Neusner, one of the most creative scholars of our time.

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INTRODUCTION

In 1993 we witnessed a tragedy in the heartland of the United States, when David Koresh's group was placed under siege, culminating in the burning of the compound and the death of many members of the Koresh group. No doubt this had not been the intention of the American security forces, but the circumstances led to this. The Koresh group is a classic example of a social minority group, with unique religious features, that decided to live its life independently of the surrounding society, and eventually found itself embroiled in a confrontation with the surrounding society. To understand this phenomenon, it does not matter whether the group initiated its withdrawal and the confrontation, or whether it was forced into withdrawal and confrontation due to the intolerance of the majority society around it. In every period and every society there is a normative core, representing the majority. Around this core, sometimes apart from it, there are minority groups that to a certain extent do not identify with the majority's opinions. Sometimes these groups withdraw and become sectarian groups, and sometimes they stay within the normative center and even compete over the foci of power in order to increase their influence from within. The difference between these two types is significant, and has far-reaching implications.

Ancient and modern Judaism are full of examples of social minority groups with unique religious features orbiting the normative center. Sometimes they agree, sometimes disagree, with the normative center. In the modern era we have witnessed demonstrations and physical confrontations. In recent years we have seen confrontations between Orthodox Jews and the secular normative center around issues such as the screening of movies on the Sabbath, the construction of modern roads over ancient burial grounds, public transport on the Sabbath, and military service in the IDF. These confrontations are not limited to the Orthodox sector. We have also witnessed demonstrations by more liberal circles, such as Reform and Conservative Jews, who initiated demonstrations around issues of concern to them, such as the recognition of their Rabbis, their relations with the Religious Council, the definition of a Jew, the praying of women at the Western Wall, and the inclusion of women in

positions of power. However, these confrontations remained protests of minority groups. One exception was the Uzi Meshulam group, which escalated to physical confrontation and bloodshed. While this group, too, arose over social issues, it was mainly interested in ethnic rather than religious matters, and was therefore beyond the scope of the current discussion. However, the Uzi Meshulam group, with its gunshots in a town center, illustrated the great risk and the short distance between a protest demonstration of a social minority group and an uncontrolled violent demonstration of a social minority group. This difference can be very slim. Today there are social minority groups in Israel that do not recognize the state's authority at all. A classic example of this is Neturei Carta. Over the years, we have seen some positive developments. Groups that did not recognize the state in the past have been integrated and have even become part of the regime and establishment. One example of this is Agudat Israel, which used to agonize over the question of recognizing Israel and legitimizing the secular Jewish state. Today this group is active as a party in the Israeli Knesset and participates in all the usual regime bodies.

The decisive question is whether one can, using certain actions or a particular approach, prevent destructive outcomes like that of the Koresh group. Whether it is possible to characterize minority groups and predict their actions and behavior accordingly. In addition, whether one can treat these groups as if they act logically and rationally, and accordingly formulate behavior patterns towards them. In other words, whether one can prevent the formation of a sectarian group using certain patterns of action.

On the basis of this study of four Jewish groups during the Second Temple period, we argue in this book that the axis of political involvement is central for determining the future development of a minority group and predicting its behavior, lifestyle and rules. We also find that minority groups behave in a consistent, systematic and rational way.

This book originated in a doctoral thesis entitled *Norm, Dissent and Secession in the Judaism of the Maccabean Era*, written in the Department of Jewish History at Bar Ilan University, under the supervision of Prof. Albert Baumgarten, in 1998. In the years since the completion of the dissertation, I have become acquainted with additional information and have reconsidered the presentation, the use of terminology and the validity of the findings for different societies and periods.

Although the topic under discussion here is Jewish social minority groups in the Ancient Era, it appears that the conclusions and the methodology are not limited to this specific subject. In the context of the Jewish social minority groups in the Ancient Era, we touch upon a range of subjects, including the importance of political involvement in the formation of a social group's way of life, the distinction between types of groups according to their political involvement, the way a social group's lifestyle develops, the ideology and social/religious rules, the terminology for describing these groups, the degree of consistency and rationality of these groups, and the ability to predict the development of a social group according to the axis and nature of its political involvement. We hope that just as this method has proved itself in the context described here, it will be applicable to various social groups in different societies and periods, so that others will benefit from the method presented here.

In this book, I intend to show that the degree of proximity to power has a decisive impact upon the life and development of the Jewish groups in the Second Temple period. The proximity to power influenced the lifestyle, ideology and Halakhah of the four groups discussed in the book. These four groups are the Pharisees, the Sadducees, the Essenes and the Qumran group. The first two competed for the power foci in the regime center, and as a result had a normative lifestyle within the social center. These two groups, the Pharisees and the Sadducees, sometimes had periods of power, including managing the main social institutions, controlling the rules of the Temple ritual, determining the Halakhah applying to the population, and setting social norms. Each group's ability to rule depended upon the authority it was granted by the ruler, and it was therefore largely dependent upon its proximity to the ruler. This situation demanded sophisticated political moves and maneuvers, exposure to the benefits of the regime, social and friendly contact with the representatives of the regime. In other words, they played the normal social game in order to conquer the foci of power, even if only temporarily. Due to their maneuvering, they had a more norm orientated tendency, and are called in this book "regime-powered dissenting groups."

In contrast, the other two groups, the Essenes and the Qumran group, managed their lives in a completely different context. They did not rely upon the normative power foci, did not become dependent upon the leaders of the period, and were not forced to conduct their social lives with them. They managed their lives independently,

developing the ideology, Halakhah and lifestyle that enabled them to maintain complete independence and avoided the benefits of the normative regime. Due to their type of maneuvering, they had a more value orientated tendency, and are called in this book “independent-powered seceding groups.”

The findings show that there is consistency between the type of group and all aspects of its life. A group with a normative tendency, which participates in the normal political game, has a behavior, Halakhah, ideology and lifestyle reflecting a normative tendency. In contrast, a group with a more value-orientated tendency, which ignores the normal foci of social power and develops independent means of satisfying its needs, has a behavior, Halakhah, ideology and lifestyle reflecting this tendency. Thus, we can attribute rationality and consistency to the behavior of groups in general, and the Jewish groups in the Ancient Era in particular.

Three chapters in the book are devoted to showing the differences between the types of groups regarding the various aspects of life. One chapter is devoted to lifestyle, another to Halakhah and the third to ideology. In each of these three areas, we shall describe the differences between the types of groups, using practical examples from the lives of the groups.

The first chapter is devoted to issues of methodology, and particularly to two issues of principle. First, the question of terminology. The terminology dictates, to a large extent, the way of thinking about and referring to the subject. We often approach a subject under significant influences resulting from the use of terms with conscious and unconscious associations. Thus, without noticing, we apply these loaded terms to the subject and bias it in various directions. The terms “sect” and “cult” are a good example of loaded terms. We have therefore avoided using these terms. Since the main issue under discussion here is directly linked to the proximity to the normative regime, and the impact of this aspect on the life of the groups, we have used terms, models and theories from the Social Sciences that express this aspect. We have used the models of Relative Deprivation, Greedy Institutions, and value orientated and norm orientated groups. On this basis, we have aimed to coin terms that seemed to us more efficient and accurate: independent-powered groups and regime-powered groups.

The second methodological issue discussed in the first chapter is the use of the sources. This issue is very important, since it determines

the ability to describe history. As in any historical study, and especially those with greater chronological distance from the events described, the events themselves do not exist to us, and must be reconstructed from the historical sources adopted in the description. Thus, the type and extent of sources used has a direct impact upon the description of history. What we consider a historical fact and what we do not is a direct result of the types of sources we use in research, and our method for using these sources. There are many literary sources here, from original writings of the groups, such as the Qumran literature, the literature of the Sages and the Christian literature, to literature by authors such as Josephus and Philo of Alexandria. A significant part of the first chapter is devoted to the presentation of the problems in this field and the method used in this book. The final chapter is dedicated to conclusions. As a result of this book, the four groups discussed receive a new historical description, from the viewpoint of their involvement in the normative center.

The entire book deals with the period of Hasmonean rule. The Hasmoneans ruled the land of Israel from the second century B.C. until the Roman invasion. Although the Jewish groups are not limited to this period, we have chosen to focus on it because the internal social developments are under discussion in the book. Since this was a period of Jewish rule, local resistance to a foreign regime does not complicate the discussion. In earlier and later periods, there were more Jewish groups around the normative center, but many of them were actively resisting foreign rule. The involvement of a foreign element would not help the current discussion, and so we have neutralized this issue by limiting the period under discussion.

I would like to extend my heart-felt gratitude to all those who have contributed to bringing this book to light. First and foremost, Prof. Jacob Neusner, who suggested publishing the book and has helped all along the way. Without his involvement, this book would never have come into existence. Secondly, Prof. Albert Baumgarten, who supervised my doctoral dissertation and continued to accompany me over the years with professional advice and dear personal friendship. I would like to thank my publisher, Brill, and especially the production editor, Michael J. Mozina; the editor, Michiel Klein Swormink; and the dedicated team of Brill Boston, who accompanied the process with exceptional professionalism, consideration and friendliness. Special thanks to Ruth Ludlam, who translated and edited the book.

LIST OF ABBREVIATIONS AND SOURCES

List of Abbreviations

Bible

The normal abbreviations of Biblical books.

Dead Sea Scrolls

MMT *Miqsat Ma'ase Hatorah*

Philo

QOP *Quod Omnis Probus Liber Sit*

De Vita *De Vita Contemplativa*

API *Apologia Pro Iudaeis—Hypothetica*

Josephus

War *Jewish War*

Ant. *Jewish Antiquities*

Vita *Life of Josephus*

CA *Contra Apion*

Journals

AJS *American Journal of Sociology*

AJS Review *Association for Jewish Studies*

ASR *American Sociological Review*

BA *The Biblical Archaeologist*

BAR *Biblical Archaeological Review*

BASOR *Bulletin of the American School of Oriental Research*

BiB *Biblica*

BJS *British Journal of Sociology*

BO *Bibliotheca Orientalis*

CBQ *The Catholic Biblical Quarterly*

DSD *Dead Sea Discoveries*

HTR *Harvard Theological Review*

HUCA *Hebrew Union College Annual*

<i>IEJ</i>	<i>Israel Oriental Studies</i>
<i>JBL</i>	<i>Journal of Biblical Literature</i>
<i>JJS</i>	<i>Journal of Jewish Studies</i>
<i>JQR</i>	<i>Jewish Quarterly Review</i>
<i>JSS</i>	<i>Journal of Semitic Studies</i>
<i>JSJ</i>	<i>Journal for the Study of Judaism in the Persian, Hellenistic and Roman Period</i>
<i>JSSR</i>	<i>Journal for the Scientific Study of Religion</i>
<i>JTS</i>	<i>Journal of Theological Studies</i>
<i>KL</i>	<i>Klio, Beiträge zur Alten Geschichte</i>
<i>PAAJR</i>	<i>Proceedings of the American Academy for Jewish Research</i>
<i>PEQ</i>	<i>Palestine Exploration Quarterly</i>
<i>RB</i>	<i>Revue Biblique</i>
<i>RdQ</i>	<i>Revue de Qumran</i>
<i>SR</i>	<i>Sociological Review</i>
<i>TZ</i>	<i>Theologische Zeitschrift</i>
<i>VT</i>	<i>Vetus Testamentum</i>
<i>ZAW</i>	<i>Zeitschrift für die Alttestamentliche Wissenschaft</i>

Talmudic Sources

<i>BB</i>	<i>Babba Bathara</i>
<i>BM</i>	<i>Baba Metzia</i>
<i>BT</i>	<i>Babylonian Talmud</i>
<i>JT</i>	<i>Jerusalem Talmud</i>
<i>M</i>	<i>Mishnah</i>

Scientific Editions

AB = *Anchor Bible*

ABD = D. N. Freedman (ed.), *The Anchor Bible Dictionary*, I–VI, New York 1992

Charlesworth 1994 = J. H. Charlesworth, *The Dead Sea Scrolls: Rule of the Community and Related Documents*, I, Tübingen & Louisville 1994

Charlesworth 1995 = J. H. Charlesworth, *The Dead Sea Scrolls: Damascus Document, War Scroll and Related Documents*, II, Tübingen & Louisville 1995

COJ = M. Poorthuis & C. Safrai (eds.), *The Centrality of Jerusalem: Historical Perspectives*, The Netherlands 1996

DJD = *Discoveries in the Judean Desert*

- DSS: Forty Years of Research* = D. Dimant & U. Rappaport (eds.), *The Dead Sea Scrolls: Forty Years of Research*, Jerusalem 1992
- ICC* = S. R. Driver et al. (eds.), *The International Critical Commentary on the Holy Scriptures of the Old and New Testaments*, Edinburgh 1916
- LCL* = *The Loeb Classical Library*
- Madrid Qumran Congress* = J. T. Barrera & L. V. Montamer (eds.), *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18–21 March 1991*, Leiden & New York & Köln 1992
- NIB* = L. E. Keck et al. (eds.), *The New Interpreter's Bible*, Nashville 1995
- NIV* = New International Version, in *NIB*
- NRSV* = New Revised Standard Version, in *NIB*
- OCD* = *Oxford Classical Dictionary*
- OLD* = *Oxford Latin Dictionary*
- SINRM* = B. Wilson (ed.), *The Sociological Impact of New Religious Movements*, New York 1981
- Sympotica* = O. Murray (ed.), *Sympotica: A Symposium on the Symposion*, Oxford 1990

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Tosefta

1. S. Lieberman, *Tosefta Kifshuta: Biur Arokh Latosefta*, I–XI, New York 1973 (Hebrew).
2. M. S. Zuckerman, *Tosefta*, Jerusalem 1970 (Hebrew).

Philo

- T. E. Page et al. (eds.), *Philo: Every Good Man is Free; On the Contemplative Life or Suppliants; Hypothetica (Apologia Pro Iudaeis)*, translated by F. H. Colson, in *LCL*, IX, London 1941.

Josephus

- T. E. Page et al. (eds.), *Josephus: The Life; Against Appion; The Jewish War I–VII; Jewish Antiquities I–IV*, translated by H. J. Thackeray, in *LCL*, I–IV, London (1926–1930)¹, 1961³.
- T. E. Page et al. (eds.), *Josephus: Jewish Antiquities V–VIII*, translated by H. J. Thackeray & R. Marcus, in *LCL*, V, London 1934, 1958⁴.
- T. E. Page et al. (eds.), *Josephus: Jewish Antiquities IX–XIV*, translated

- by R. Marcus, in *LCL*, VI–VII, London (1937–19434)¹, 1958³ (VI), 1966⁴ (VII).
- E. H. Warmington et al. (eds.), *Josephus: Jewish Antiquities XV–XVII*, translated by R. Marcus, in *LCL*, VII, London 1963, 1969².
- T. E. Page et al. (eds.), *Josephus: Jewish Antiquities XVIII–XX*, translated by L. H. Feldman, in *LCL*, IX, London 1965.

Pliny

- T. E. Page et al. (eds.), *Pliny: Natural History II*, translated by H. Rackham, in *LCL*, II, London 1942.

Old & New Testament

1. L. E. Keck et al. (eds.), *The New Interpreter's Bible*, Nashville 1995
2. S. R. Driver & A. Plummer & C. A. Briggs (eds.), *The International Critical Commentary: On the Holy Scriptures of the Old and New Testaments*, Edinburgh 1916.
3. Authorized King James Version.

Dead Sea Scrolls

Thanksgiving Scroll

- J. Licht, *Megilat Hahodayot Memegilot Midbar Yehuda*, Jerusalem 1957 (Hebrew).

Community Rule

1. J. Licht, *Megilat Hasearakhim Memegilot Midbar Yehuda*, *Serekh Hayachad*, *Serekh Haeda*, *Serekh Habrakhot*, Jerusalem 1965, 1996² (Hebrew).
2. J. H. Charlesworth 1994

Damascus Document

1. J. H. Charlesworth 1995
2. P. R. Davies, *The Damascus Covenant: An Interpretation of the "Damascus Document"*, Sheffield 1983

War Scroll

1. Y. Yadin, *Megilat Milchemet Beni Or Bevnei Choshekh: Memegilot Midbar Yehuda*, Jerusalem 1957 (Hebrew).
2. J. H. Charlesworth 1995

Pesher Habakkuk

- B. Nitzan, *Megilat Pesher Habakkuk Memegilot Midbar Yehuda (1QpHab)*, Jerusalem 1986 (Hebrew).

Miqsat Ma'ase Hatorah

- E. Qimron & J. Strugnell, *DJD X: Qumran Cave 4: Miqsat Ma'ase Hatorah*, "The Composite Text," Oxford 1994, 44–63.

General

1. F. G. Martinez, *The Dead Sea Scrolls Translated: The Qumran Texts in English*, Leiden 1994
2. J. H. Charlesworth, 1994
3. J. H. Charlesworth, 1995

CHAPTER ONE

TERMINOLOGY AND METHODOLOGY

1.1 *Terminology*

The first part of this chapter presents the terms we shall use in this book. The accurate usage of terms with a detailed description of their application is no mere semantic issue. In this type of research in particular, a change in terms or an inaccurate definition could distort the comprehension of the data themselves, since this study is naturally connected to many fields, and each field has its own special usages, its own terms.

The research literature dealing with social groups is full of various terms. Among them: sect, cult, denomination, center vs. periphery, normativity, religious movement, faction, social movement, and inter-group relations. What all of these terms, and many others, have in common is that they are all loaded with many meanings. The process of their formation is related to the study of religions and social and economic processes, so that they carry with them characteristics and emphases from these fields that are not always relevant to the groups, and in some cases can even cause problems. Therefore, anyone attempting a study of sects would do well to use ‘clean’ terms. This is our aim. First we present our approach and terminology, and then relate it to previous approaches to the study of sects, especially those most relevant to the approach adopted in this book. We attempt to show that in the context of sects during the Second Temple period, it is preferable to use the terms we shall present.

The Terminology and Approach in this Book

In this study we distinguish between groups within the center, close to the centers of power and control, and groups distant from the center and from the focus of authority and rule. The first type of groups is termed “regime-powered dissenting groups,” since they obtain their power, legitimacy and lifestyle from their involvement in the social center and political regime, despite some disagreements with it. The second type is termed “independent-powered seceding groups,” since

these groups find their strength in their own voluntary membership and their unique ideology and lifestyle, and secede from mainstream society.

In every human society there is a framework, regarded as normative society, and those that disagree with this framework. Throughout history, there have been groups within the population that have disputed the accepted way of life. Both normative society and the groups that disapprove of the norms have always been the components of society. The limits of tolerance of the society towards the minority groups, and vice versa, change from case to case, from society to society.

We are not concerned here with the reasons for the existence of such groups, but with describing their nature. The nature of groups that can live within the existing social framework, despite some disagreements, is compared with groups that cannot coexist with the majority's social norms. We shall investigate whether there is a pattern of a "tolerant" type (which is also "tolerated"), compared with the "intolerant" (and "untolerated") type of group. What is the character of a group that allows itself to express its criticism publicly, and to participate in the existing social order, compared with a group that feels compelled to split away and leave the society considered as normative?

Different models have been suggested to characterize and explain the appearance of groups in the context of their relations with the surroundings. Of these models, we will discuss those most relevant to the approach we adopt in this book, showing in which way they are relevant to our terminology.

Brief Historical Survey

The study of sects has its origins in the immense work of Max Weber. Weber's greatest contribution to this subject is probably in the Church-Sect distinction.¹ This distinction indicates a significant

¹ Some claim that the main source of the distinction between Church and Sect is Ernst Troeltsch, mainly because the Church-Sect distinction was developed and expanded by Troeltsch. Among the relevant sources are Max Weber's famous work first published in 1904/5, titled in translation: "The Protestant Ethic and the Spirit of Capitalism" (the full publication in translation: M. Weber, *The Protestant Ethic and the Spirit of Capitalism*, London 1930). Various articles and writings on "Sects" were published from 1906 onwards (for example, in *Frankfurter Zeitung* in 1906, issues 102

division between “general society” (the institutional, majority society), here termed “church,” and minority groups that disagree to various extents with the majority opinions, here termed “sects.” Weber’s church-sect distinction is clearly expressed in the following lines, translated by Philippa Hurd:

A *church* is a corporation which organizes grace and administers religious gifts of grace like an endowed foundation. *Affiliation with the church is, in principle, obligatory* and hence proves nothing with regard to the members’ qualities.

A *sect*, however, is a *voluntary association* of only those who, according to the principle, are religiously and morally qualified. If one finds voluntary reception of his membership, by virtue of religious probation, he joins the sect voluntarily.²

The main development of this distinction was made by Max Weber’s contemporary, Ernst Troeltsch.³ In his monumental *The Social Teaching of the Christian Churches*,⁴ Troeltsch develops the typology of three terms: mysticism, church, sect. The two central elements in terms of practical group organization are of course “church” and “sect.” The development of these concepts would constitute the basis for the “Church and Sect” school of thought for the coming generations.

and 104, under the title “Kirchen und Sekten”). For Weber’s main work on this subject and relevant topics in translation, see: M. Weber, *Economy and Society: An Outline of Interpretive Sociology*, G. Royh & C. Wittich (eds.), Translated by E. Fischhoff, New York 1968; *ibid.*, *The Sociology of Religion*, Boston 1963; *ibid.*, *Basic Concepts in Sociology*, Translated by H. P. Secher, New York 1962. Troeltsch’s publication on this subject first came out in 1911, and is called in translation: E. Troeltsch, *The Social Teaching of the Christian Churches*, translated by O. Wyon, New York 1911, 1931,² 1956.⁴ Troeltsch himself testified in a letter after Weber’s death that he knew all of Weber’s writings (according to: E. Troeltsch, *Religion in History*, translated by J. L. Adams, Minneapolis 1991, 19). Presumably, Weber’s writings came after reading Troeltsch and as a reaction to his work, as stated by Käsler: D. Käsler, *Max Weber: An Introduction to His Life and Work*, translated by P. Hurd, Cambridge 1988,² 75, 90. In any case, it is clear that they both influenced and were influenced by each other.

² In: D. Käsler, *ibid.*, 91 (the underlines are mine, H.N.).

³ Experts on Weber have argued that Troeltsch’s writings on this subject encouraged Weber to write about it and expand it himself (see: D. Käsler, *Max Weber*, 90, and note 1 above). Troeltsch’s importance to this subject is not relevant to this book. However, here is one quotation that demonstrates his importance: “The monumental work of E. Troeltsch stands as the twentieth century’s most thorough and systematic attempt to come to terms with the historical character of culture, knowledge and religion” (in E. Troeltsch, *Religion in History*, VII).

⁴ See E. Troeltsch, *The Social Teaching of the Christian Churches*, 993. See also: B. Johnson, “On Church and Sect,” *ASR* 28 (1963), 540–42.

However, within two decades this system received many criticisms.⁵ One of the greatest contributors to destabilizing the Weber-Troeltsch typology was H. R. Niebuhr. His criticism is very important, mainly because it indicates one of the most serious flaws of the theory. In his book *The Social Sources of Denominationalism*, Niebuhr argues that a “sect” tends to become a “denomination” over time.⁶ Regarding the term “denominations,” Niebuhr emphasizes two principles: 1. The importance of the second generation. 2. The turning of the movement into a “church.”

As a result of the various criticisms, the typological methodology was abandoned,⁷ and a tendency developed to define various social phenomena according to some sort of central principle.⁸

Various scholars have discussed the distinctions between groups on the basis of internal-organizational structure,⁹ ideology and lifestyle,¹⁰ and the relationship with mainstream society.¹¹ This last principle is especially important to our study, as it is related to our distinction between groups according to proximity to the social center.

⁵ For detailed summaries on the criticism of the church-sect school, see: B. Johnson, “A Critical Appraisal of the Church Sect Typology,” *ASR* 22 (1957), 88–92; *ibid.*, “On Church and Sect,” 539–49; *ibid.*, “Church and Sect Revisited,” *JSSR* 10 (1970/1971), 124–37; R. Stark & W. S. Bainbridge, *The Future of Religion*, 21. For criticism and another suggestion, see also: P. Gustafson, “UO-US-PS-PO: A Restatement of Troeltsch’s Church-Sect Typology,” *JSSR* 6 (1967), 64–68. Compare also: A. Eister, “Toward a Radical Critique of Church Sect Typology,” *JSSR* 6 (1967), 85–90; J. E. Ditties, “Typing the Typologies: Some Parallels in the Career of Church Sect and Extrinsic-Intrinsic,” *JSSR* 10 (1971), 375–83. For further bibliography on this subject, see: R. Stark & W. S. Bainbridge, *The Future of Religion*, 21.

⁶ H. R. Niebuhr, *The Social Sources of Denominationalism*, New York 1929.

⁷ Erich Goode, for example, described typology thus: “A dead concept, obsolete, sterile and archaic,” in his article: E. Goode, “Some Critical Observations on the Church Sect Dimension,” *JSSR* 6 (1967), 77.

⁸ Thus, for example, Benton Johnson distinguished between “church” and “sect.” He focused only on one factor—the degree of acceptance by the social environment. For references, see next page and footnote 12 below.

⁹ B. Wilson, *Religious Sects: A Sociological Study*, New York 1970.

¹⁰ M. Marty, “Sects and Cults”; T. Robbins & D. Anthony, “The Sociology of Contemporary Religious Movements,” *Annual Review of Sociology* 5 (1979), 75–89; *ibid.*, “New Religions and Cults in the U.S.A.,” in *The Encyclopedia of Religion*, M. Eliade (ed.), New York 1987, 394–405; B. Campbell, “A Typology of Cults,” *Sociological Analysis* 39 (1978), 228–40.

¹¹ R. Stark & W. S. Bainbridge, *The Future of Religion*; E. P. Sanders, *Jewish Law from Jesus to the Mishnah: Five Studies*, London & Philadelphia 1990. Sanders reached the conclusion that the Pharisees, one of the groups discussed in this book, were not a “sect” according to his distinction.

The attitude of the group towards its surrounding society has become a model in itself, especially following the work of Benton Johnson, who proposed the aspect of “tension with the surroundings” as a defining characteristic of sects. As he put it:

A church is a religious group that accepts the social environment in which it exists. A sect is a religious group that rejects the social environment in which it exists.¹²

Theories of Particular Relevance to this Study

The preferred term in our study is the sociological term “group,” defined by a series of characteristics. The term “group” describes a group of people constituting a minority in the general society around them. The “group” is characterized thus: the group usually exists in its own organizational framework with its own leadership separated from the leadership in the center, has an ideology justifying its own existence, and is usually “dissatisfied” with the situation in the surrounding society. Both types of groups we discuss in this book, the regime-powered dissenting groups and the independent-powered seceding groups, fit this explanation of the term “group” much better than the older terminology, such as “sect” or “cult.”

We shall also borrow the term “center” (“normative center”), according to Shils’s definition:

Society has a center. There is a central zone in the structure of society . . . membership in the society in more than the ecological sense of being located in a bounded territory and of adapting to an environment affected or made up by other persons located in the same territory, is constituted by relationship to this central zone . . . The Center, or the central zone, is a phenomenon of the realm of values and beliefs. It is the center of the order of symbols, of values and beliefs which govern the society.¹³

Thus, the center denotes that social entity that possesses the focus of power and control, and that represents the “majority opinion.” In our case, this refers to Jerusalem with its Temple. It is in relation to this center that the groups under discussion in this book express their proximity and distance, their dissent or secession.

¹² B. Johnson, “On Church and Sect,” 542.

¹³ E. Shils, *Center and Periphery: Essays in Macrosociology*, Chicago and London 1975, 3. For a general description, see esp. 3–16.

One scholar who places the degree of proximity to or distance from normative society at the heart of the distinction between groups, and who links this distinction to the nature of various groups, is N. J. Smelser.¹⁴ Smelser differentiates between norm-orientated movements and value-orientated movements.¹⁵ Clearly this distinction depends on the definitions of “value” and “norm.” Obviously both types of groups have both values and norms. The difference, however, is in the emphasis they place on these elements. As Smelser says, “Values state in general terms the desirable end states, which act as a guide to human Endeavour,”¹⁶ while “The definition of normative regulation involves general conformity to social norms, no matter what the content.”¹⁷

The basic differentiation between groups is based on their proximity to the general “society,” and on their access to power centers within this society. Norm-orientated groups are those that live within “general society,” and (sometimes) hold positions of power. Their aim is to preserve the norms. Even in cases where they wish to change the norms, they are able to do this because they have effective influence on the sources of power. This sort of group is similar to what we term regime-powered groups. Value-orientated groups are distant, physically and ideologically, from the centers of power and the regime of the “general society.” They are similar to what we term independent-powered groups.

Norm-orientated movements aim *to establish norms of behavior*. Sometimes they aim to change the existing norms and to create

¹⁴ The distinction between value-orientated and norm-orientated groups appears in his book: N. J. Smelser, *Theory of Collective Behavior*, 109–381. It is worth mentioning another scholar, Bryan Wilson, who defined and classified various groups. Some of his observations fit Smelser’s distinctions, but using different terminology. Thus we can see similarities between the extrovert type and the norm-orientated type, and between the introvert type and the value-orientated type. We have chosen to focus on Smelser’s terminology and distinctions since they better fit the Jewish groups in the Second Temple period, as shall be clarified in the following chapters. On Wilson’s distinctions and conclusions, see: B. Wilson, *Religious Sects: A Sociological Study*, New York 1970.

¹⁵ N. J. Smelser, *Theory of Collective Behavior*, 109–11, 270–312, 120–29, 313–81. The descriptions in the following section are based on these pages, unless otherwise indicated. On the term “value,” its definitions and characteristics, see: C. Klockhohn, “Values and Value Orientations in the Theory of Action,” in *Toward a General Theory of Action: Theoretical Foundations for the Social Sciences*, T. Parsons & E. A. Shils (eds.), New York 1951, New York 1962,² 388–433.

¹⁶ Smelser, *ibid.*, 25.

¹⁷ *Ibid.*, 37.

norms that society does not yet support. These movements have access to the power centers in the society, and therefore have effective influence. If they lack power and influence, in other words, if they are blocked, they naturally become value-orientated movements.¹⁸ Value-orientated groups aim at *redefining* the norms according to the values they wish to establish. They usually lack authority in the society's power centers; either because those in power are not flexible enough to make room for these movements (this inflexibility has sometimes led to persecution), or because the groups for their part have not compromised and not accepted the power holders.

The advantage of Smelser's terminology and approach is in his establishing clear criteria for distinguishing the groups: according to their access to power centers, their aims and the means they use to realize these aims. Smelser unfortunately does not define the essential issue that makes one group into a value-orientated movement, and another group into a norm-orientated group. Nor does he differentiate between types of groups according to their external everyday behavior: the lifestyle and ideology typical to each group.

Another theory that focuses on the relations between the group and the surroundings, and also attempts to explain the varieties of the phenomenon, is the Relative Deprivation theory (RD). This theory includes social, psychological and historical elements. The first development of this theory was published in 1964.¹⁹ T. R. Gurr defined RD thus: "Actors' perception of discrepancy between their value expectations and their value capabilities."²⁰

As the name of the theory and this definition indicate, the emphasis here is on the *feeling and perception of deprivation*.²¹ Perhaps a better

¹⁸ See Smelser on this issue, *ibid.*, 284. On the lack of influence of value-orientated movements, see *ibid.*, 324–27.

¹⁹ Glock's article was first published in 1964, and reprinted in the book Glock edited: C. Y. Glock, "On the Origin and Evolution of Religious Groups," in *Religion in Sociological Perspective: Essays in the Empirical Study of Religion*, C. Y. Glock (ed.), New York 1973, 207–10. Hereafter, all references to Glock's article will be to the 1973 version.

²⁰ T. R. Gurr, *Why Men Rebel*, California 1970, 24.

²¹ The theory stresses a feeling of deprivation that can be true or false, and which is related to an inter-group comparison. Therefore it is *relative* deprivation. Some scholars have already referred to this concept in the Jewish context and used this terminology. Thus, U. Rappaport used relative deprivation as one of the "psychohistorical" causes for the great rebellion of the Jews against Rome. He listed

name would be “feeling of relative deprivation,” since the *feeling* of deprivation is what dominates.²² Relative deprivation can exist in any situation where a group compares itself to another group (for the purposes of our discussion, this means a larger group), and finds itself in an inferior situation compared to the other group. C. Y. Glock defines deprivation thus:

Deprivation refers to any and all of the ways that an individual or group may be, or feel disadvantaged in comparison to other individuals or groups or to an internalized set of standards.²³

As he says, the “position of inferiority” or “relative deprivation” can be real or imagined. The important element here is not factual reality but the “feeling of deprivation” that exists in the minority group. This theory is related to both social and psychological elements. While the feeling constitutes a main element, it is clear that usually this feeling is related to objective conditions causing a real deprivation. Glock himself described five possible types of “deprivation”:²⁴ Economic deprivation,²⁵ Social deprivation,²⁶ Organism deprivation,²⁷ Ethical deprivation, and Psychic deprivation.²⁸

According to this approach, a feeling that there is some “gap,” real or imaginary, between the minority group and the surrounding

the main causes for the formation of a feeling of “relative deprivation”: “This feeling is the result of the relative deterioration in the circumstances of the Jews after the ‘happy’ period of the rule of Agrippas I. This feeling is termed ‘relative deprivation.’ It can prepare the way for the outbreak of a violent reaction, such as a rebellion. This feeling is in the background of various revolutions and rebellions, and it explains how the temporary improvement in the condition of the Jews actually contributed to the rebellion and the collapse of the system of Jewish existence in Israel in this period.” (U. Rappaport, “Hearot al Sibotav shel Hamered Hagadol BeRomi,” in *Hamered Hagadol: Hasibot Vehanesibot Lepritzato*, A. Kasher (ed.), Jerusalem 1983, 417, 419–20 (Hebrew). See especially *ibid.*, 420 note 11.

²² However, since the deprivation can be real, adding the word “feeling” could be misleading.

²³ C. Y. Glock, “On the Origin and Evolution . . .,” 210.

²⁴ See Glock, *ibid.*, 210–12. For explanations of Glock’s five types, see: J. Duhaime, “Relative Deprivation . . . and the Qumran Community,” 266–67. Before the appearance of Glock’s five types, people referred mainly to one aspect, the economic aspect.

²⁵ See Glock, *ibid.*, 210, and Duhaime, *ibid.*, 266.

²⁶ See Glock, *ibid.*, 210–11, and Duhaime, *ibid.*, 266.

²⁷ See Glock, *ibid.*, 211, and Duhaime, *ibid.*, 266–67.

²⁸ It appears that this type does not characterize the Jewish groups in the Second Temple period, and sometimes they seem to have had a “surplus of values.” For more on this type, see Glock, *ibid.*, 212–13, Duhaime, *ibid.*, 267.

society, is a central explanation for the phenomenon of sectarianism, transcending different periods and cultures. Glock stresses that there is a link between the group's degree of involvement in the life of the social center and the type of the group. For example, a minority group that for any reason lacks social status compensates for this situation by setting up alternative social systems.²⁹ He also distinguishes in this way between groups that are "church-like" and groups that are "sect-like."³⁰ Although Glock did advance the understanding, his theory still suffers many disadvantages.³¹

Stark and Bainbridge expanded and developed additional layers to the theory of relative deprivation. These scholars used an approach based on the relations between the group and its surroundings, in an attempt to provide a theory for the phenomenon of sectarianism that transcends periods and societies.³² Stark and Bainbridge's theory is guided by several premises.³³

Based on the premise that people seek "rewards" and avoid "costs,"³⁴ that inequality leads to the seek of alternatives as "compensators" which leads to an element of "tension," the theory claims that a group with a high level of tension with the surrounding society will deviate from the cultural norms in searching for suitable compensators. These compensators can exist outside the usual commercial framework, within their ideological world. In principle we can say that the higher the tension with the surroundings, the more extreme the compensators, and the farther from the normal system of barter. This tension and

²⁹ Glock, *ibid.*, 214.

³⁰ Glock, *ibid.*, *ibid.*

³¹ Glock himself states that his theory is not properly formulated, and is not based on thorough and extensive research. See C. Y. Glock, "On the Origin and Evolution . . .," 219–20. See also Duhaime's discussion of empirical findings from the publication of Glock's theory until Duhaime's time, J. Duhaime, "Relative Deprivation . . . and the Qumran Community," 267–69.

³² This is their own opinion and that of other scholars of this theory. See for example: J. H. Simpson, "The Stark-Bainbridge Theory of Religion," *JSSR* 29 (1990), 370.

³³ See their "preliminary" article on the subject: R. Stark & W. S. Bainbridge, "Of Churches, Sects and Cults: Preliminary Concepts for a Theory of Religious Movements," *JSSR* 18 (1979), 117–33. The development of their theory can be seen in their later book: R. Stark & W. S. Bainbridge, *The Future of Religion* (1985). The premises listed here are based on this book (1985).

³⁴ This can be viewed as a modern development of the well-known ancient theory that people seek pleasure and avoid pain (from Hellenistic philosophy, through Freud, up to Stark & Bainbridge).

the unique compensators are the basis for the physical and spiritual separation from “normative society,” from the majority of the population. This is how sects and cults form.³⁵

The fact that one movement has access to the centers of social power while another movement lacks such access creates an objective situation, and probably also a subjective perception, of relative deprivation. Therefore, there is a connection between this theory and Smelser’s. Just as Smelser predicted that value orientation forms in a group lacking access to power centers, so in the relative deprivation theory, a more extreme movement forms when searching for a suitable compensator for the relative deprivation.³⁶

Since the formulation of the relative deprivation theory, scholars have examined its validity and its applicability to specific groups in different periods.³⁷ Some scholars have already applied this theory to ancient groups, and thus have justified the claim that the theory transcends time.³⁸ In the context of this study, dealing with Jewish groups, we must mention that several studies have already examined the theory in the context of Second Temple period Jewish groups. Rappaport mentioned this theory as one of the explanations of the Great Rebellion of the Jews against Rome.³⁹ He even linked the theory to violent reactions, claiming that the feeling of deprivation can constitute the background for revolutions, rebellions, violent reactions and the collapse of entire systems.⁴⁰ Another example of the

³⁵ The difference between “sects” and “cults” is also explained by Stark and Bainbridge.

³⁶ According to Glock’s division and Stark and Bainbridge’s expansion, relative deprivation causes the formation of a “sect” searching for compensators as an alternative to the rewards denied them.

³⁷ See for example: D. E. Morrison, “Some Notes Towards Theory on Relative Deprivation: Social Movements and Social Change,” *American Behavioral Scientist*, 14 (1970/1971), 675–90. For an examination of the theory on well-known groups, for example, the Hare Krishna group, see: J. S. Judah, *Hare Krishna and the Counter-Culture*, New York 1974; *ibid.*, “The Hare Krishna Movement,” in *Religious Movements in Contemporary America*, J. I. Zaretsky & M. P. Leone, (eds.), New Jersey 1974, 463–478. Another example is Duhaime’s study of the Qumran group. For many additional studies, see: J. Duhaime, “Relative Deprivation . . . and the Qumran Community,” 268–269.

³⁸ See for example the studies of K. Burrige on Millenarian groups in the context of relative deprivation, or of D. Aberle on certain minorities: K. Burrige, *New Heaven, New Earth: A Study of Millenarian Activities*, New York 1969; D. Aberle, *The Peyote Religion Among the Navaho*, Chicago 1966.

³⁹ U. Rappaport, “Hearot al Sibotav shel Hamered Hagadol,” 417, 419–20 (Hebrew).

⁴⁰ *Ibid.*, *ibid.*

application of the theory of relative deprivation to the Jewish groups in the ancient era is the classic study of J. Duhaime on the Qumran group.⁴¹ However, Duhaime applied the relative deprivation theory only to one Jewish group, and his study has certain disadvantages.⁴² In conclusion, the findings showed that this theory is not applicable in all situations, and there have even been some negative findings when examining this theory on various groups.⁴³ Some scholars have raised theoretical and methodical doubts about the applicability of the theory, and have indicated many disadvantages.⁴⁴ Some argued that the theory is not applicable at all, since one could attribute to any group in the world some sort of deprivation, and “a theory that explains everything explains nothing.”⁴⁵ Others argued that the theory could be used, in combination with other approaches.⁴⁶ In addition, the subjective nature of the theory, stressing the “feeling of deprivation,” does not provide sufficient tools for distinguishing between groups and predicting their behavior. For this reason, we shall discuss another theory that distinguishes between different groups according to their relations with the surroundings and even predict their behavior to some extent.

One approach that did focus on behavioral elements was Coser’s theory of “greedy institutions.”⁴⁷ Coser proposes this term to indicate

⁴¹ J. Duhaime, “Relative Deprivation . . . and the Qumran Community,” 265–76.

⁴² The main disadvantage of Duhaime’s study is that his research is based on external evidence and less on the original writings of the group. Thus he uses texts about the Essenes as sources about Qumran.

⁴³ See for example the study of Gussner and Berkowitz, which found negative results in examining the RD theory on various groups: R. E. Gussner & S. D. Berkowitz, “Scholars, Sects and Sanghas, I: Recruitment to Asian-Based Meditation Groups in North America,” *Sociological Analysis* 49 (1988), 136–70.

⁴⁴ For example: A. I. Baumgarten, *The Flourishing of Jewish Sects in the Maccabean Era: An Interpretation*, Leiden 1997, 158–60; J. N. Gurney & K. J. Tierney, “Relative Deprivation and Social Movements: A Critical Look at Twenty Years of Theory and Research,” *The Sociological Quarterly* 23 (1982), 33–47; R. Wallis, “Relative Deprivation and Social Movements: A Cautionary Note,” *British Journal of Sociology* 26 (1975), 360–63; J. Duhaime, “Relative Deprivation . . .,” 267–69. On the dismissal of the RD theory in millenarian groups, see A. I. Baumgarten, *ibid.*, and his notes, *ibid.*

⁴⁵ See the quotations in A. I. Baumgarten, *ibid.*, *ibid.*

⁴⁶ As Gurney and Tierney say: “writers are beginning to conceptually refine RD and to synthesize it with other approaches” (J. N. Gurney & K. J. Tierney, “Relative Deprivation and Social Movements . . .,” 45). For a summary of the various approaches, see J. Duhaime, “Relative Deprivation . . .,” 269.

⁴⁷ The main source for his terminology and system is his book: L. A. Coser, *Greedy Institutions: Patterns of Undivided Commitment*, New York & London 1974.

groups and organizations that require or demand excessive commitment to the organization (or group), to the point of complete identification and commitment to the group, and the group alone. His approach is based on the premise that a person's time and energy are limited.⁴⁸ Therefore, he must divide, by conscious choice, his time and energy among various interests. Thus, in a normative society, the division of attention among various interests is taken for granted. In other words, normative society⁴⁹ does not require total and exclusive commitment to a particular thing. Accordingly, people in normative society "distribute" their attention among various factors. The main ones are: personal needs, family life, the surrounding society, various interest groups and reference groups.

In contrast to this normative society, there are groups and organizations that are unwilling to accept partial and divided commitment from their members. They demand total attention to the reference group, at the expense of all other things. They sometimes require members to give up their family life, their normal social life and interests outside the group. In other words, they demand undivided commitment to the group. Coser calls such groups "Greedy Institutions."

The features typical of a "prototype" of a greedy institutions are the following:⁵⁰ Undivided commitment to the group, loss of individual identity, non-distribution of attention to areas that do not interest the group, complete involvement in the actions of the group (wholeness of social involvement), and to some extent, isolation from the rest of the world (exclusivity and limited social intercourse). In accordance with this aim of complete commitment to the group, they usually conduct a lifestyle typical of a greedy institution and develop an ideology enabling the achievement of this aim. Coser also lists the behavior and actions (external ones, that can be observed and measured) typical of members of a greedy institution, which enable their total commitment to the group. The behaviors typical of such a group are:

⁴⁸ Coser's introduction, *ibid.*, 1-2.

⁴⁹ The use of the terms norm and normative to indicate the general society that is not part of the greedy institutions is Coser's own. See for example *ibid.*, 1-18, esp. 1-2.

⁵⁰ These characteristics are collated from his book, *ibid.*, esp. 1-18.

- A. Establishing very clear social boundaries between group members and the rest of the world. As Coser mentions, the boundaries can be geographical (territorial separation from the rest of the world),⁵¹ physical (building fences or other means of physical separation),⁵² and non-physical⁵³ (principles or ideologies of separation).
- B. A lifestyle of commitment to the group at the expense of private life, reflected in behaviors such as: abstinence from contact with partners (including sexual abstinence),⁵⁴ avoiding family life, preferring the group over the biological family,⁵⁵ uniform clothing,⁵⁶ communal eating,⁵⁷ special purification rituals,⁵⁸ and the conducting of communal life (which causes total dependence on the group).
- C. The intrusion of group life into all aspects of life. When society intrudes into the three main areas of a person's life, i.e., work, leisure and sleep,⁵⁹ this is a greedy institution.⁶⁰
- D. Principles of fraternity and uniformity among group members,⁶¹

⁵¹ Coser stresses that geographical distance can sometimes serve to achieve total loyalty to the group. See *ibid.*, 119, and esp., *ibid.*, 122, where he says: "... all members live together and are physically and geographically removed from outside influence and temptation."

⁵² On physical separation see esp. *ibid.*, 6. See also previous footnote.

⁵³ Coser claims that in most cases the groups use non-physical means of separation. See *ibid.*, 6. Among the non-physical boundaries he includes sexual abstinence. See *ibid.*

⁵⁴ The issue of not having a family life and sexual abstinence is one of the central themes of Coser's book. Whole chapters of his book examine this aspect. See for example, *ibid.*, 6, about eunuchs, *ibid.*, 21–31, especially chapter 9 (about Ethiopia), *ibid.*, 136–49, and chapter 10.

⁵⁵ This is also a theme in Coser's book. The most explicit example is a quotation from the Jesuit constitution: "Everyone who enters the Society must follow the injunction of Christ and must forsake father, mother, brothers, sisters, and all that he has in the world..." (quoted *ibid.*, 125).

⁵⁶ The issue of uniform clothing is mentioned in the context of various greedy institutions. See *ibid.*, 78, 82, 119–20.

⁵⁷ Communal eating is mainly discussed *ibid.*, 119–20.

⁵⁸ *Ibid.*, 108.

⁵⁹ Coser quotes E. Goffman, saying that a feature of modern normative society is the separation between the places of sleeping, play and work. *Ibid.*, 6.

⁶⁰ However, he does distinguish between degrees of intrusion. He differentiates between "total institutions" according to Goffman and greedy institutions. *Ibid.*, 5–6.

⁶¹ As he says: "But not only does the sect require uniformity among its members, it also desires an undifferentiated character structure" (*ibid.*, 107). Later he says:

and at the same time non-compromise (and non-conformism and non-accommodation) with the surrounding normative society.⁶² As Coser says, the sect is never tolerant at all,⁶³ and especially not regarding tendencies towards compromise. Such tendencies are perceived as weakness and disloyalty to the group.⁶⁴ As Coser says, only by removing the “social boundaries” and becoming open to social influences, something that is contrary to their way of life, could processes of accommodation and conformity take place.⁶⁵

In his book, Coser presents three main types of greedy institutions.⁶⁶ From his division and examples we can see clearly that Coser claims this is a phenomenon that transcends cultures and periods, and that this model can be applied to different societies in different eras. He does not try to provide a comprehensive explanation for the origin of this phenomenon, and thus he does not answer the question why a particular group becomes a greedy institution while another remains normative. Perhaps in an attempt to provide such an explanation, he mentions several general facts that characterize all greedy institutions. They are voluntary associations, and the members join of their own free will, not through coercion.

He also notes that members of greedy institutions are usually people who “lack power,”⁶⁷ or who lack access to power⁶⁸ or of low

“The sect attempts to achieve uniformity and homogeneity through de-individualization” (ibid., 112).

⁶² Coser stresses that the group prefers to remove people who tend towards compromise, even if this reduces their numbers, rather than compromise. Ibid., 105–6. He also notes that a greedy institution sees compromise as a sign of weakness and disloyalty to the group (ibid., 107).

⁶³ Ibid., 107.

⁶⁴ Ibid., *ibid.*

⁶⁵ Based on *ibid.*, 135.

⁶⁶ The three types appear in the basic division of his book. See *ibid.*, 19–162.

⁶⁷ A term Coser often uses to indicate people who are members of greedy institutions is “alien,” not in the sense of a migrant, but of a person cut off from his roots (for example, without a family), or a person denied high status in a class-based society (such as Jews and women in various societies at various times), or else outsiders and people without an individual identity. See for example *ibid.*, 9: “The use of aliens as instruments of rule has been extremely widespread in history.” See also *ibid.*, 33, 46.

⁶⁸ Thus, for example, he notes three groups belonging to greedy institutions: “Like eunuchs and Jews, women are deprived of access to power” (*ibid.*, 48). Elsewhere: “Just because of their social incapacity to participate normally in the political game

social status.⁶⁹ He does not state which is the decisive one of these three elements. The most frequent element in his theory is that of low social class.⁷⁰ It seems that these elements of lack of access to power and low social status are particularly reminiscent of the relative deprivation theory, which places special emphasis on these aspects as elements in forming a group and as a motivation to violence.⁷¹

In any case, Coser seems to attach great importance to the matter of low status, and perhaps sees this as a main motive in the formation of a greedy institution. Here we should note that his approach linking the greedy institutions as voluntary associations to low status is in complete contrast with the approach of S. N. Mason to voluntary associations. When Mason discussed the Jewish groups in the Second Temple period in the context of voluntary associations, he stressed that they came from the upper social class. As he said: "Avoiding extravagance, of course, was only a concern for the privileged classes, so this observation indicates the status of the philosopher's clientele."⁷² We shall return to the issue of the social class of group members after examining the findings and data regarding the Jewish groups in the Second Temple period.

In addition to the type of members characteristic of a greedy institution, Coser also notes the typical "social conditions" for the appearance of a greedy institution. He says that in conditions of social unrest or social changes the need for a greedy institution increases.⁷³

as autonomous actors, such persons could be especially valuable instruments of powerful men . . ." (ibid., 47).

⁶⁹ For example, he says this about the Jews: "because of his birth and religion, which caused him to be isolated from all classes of society . . ." (ibid., 37). Later he directly links low social status with belonging to a greedy institution, since people from low social classes decide to become members of a greedy institution in order to gain a new personal identity and to rank themselves according to the group's leader. See ibid., 78, on masters and servants. See also his analysis by social class (ibid., 62).

⁷⁰ This element recurs in almost all the examples he mentions. He notes low social status in the context of Jews, women, slaves, courtesans and others (see ibid., and references in the previous footnotes).

⁷¹ See above, the section on the relative deprivation theory and its influence.

⁷² S. N. Mason, "'Philosophai': Graeco-Roman, Judean and Christian," in *Voluntary Associations in the Graeco-Roman World*, J. S. Kloppenborg & S. G. Wilson (eds.), London & New York 1996, 34.

⁷³ See for example his discussion of the circumstances that led to the appointment of Jews and rebelling Christians to serve in the courts: "Reliable servants of power become especially useful in periods of social transformation" (L. A. Coser, *Greedy Institutions . . .*, 33).

Coser's approach will accompany this study in the differentiation of groups and in predicting the differences between the Jewish groups in the Second Temple period. The advantage of Coser's system is in linking the types of group to the concrete behaviors of group members, and also the explicit link between greedy institutions and lack of access to power. However, Coser did not complete the task. He did not define a central element for understanding the origin of greedy institutions. Also, although Coser hinted that groups could be classified according to the degree of their greed, he did not do this. Smelser dealt more extensively with the distinction between norm-orientated and value-orientated groups according to their characteristics. Coser, in contrast, does not classify groups according to their degree of greed. Thus, when he examines behavioral issues typical of greedy institutions, the issues he studied were quite limited. In the area of lifestyle, the main behavior Coser studied was sexual abstinence.⁷⁴ Although he hints at other behavioral characteristics (such as uniform clothing and communality), they are not extensively examined. Other areas, such as ideology, are not investigated beyond a few mentions.⁷⁵

Having discussed the most relevant theories, it will be shown in the later chapters how the terminology we have chosen to use has benefited from these theories, and how it can be applied to the Jewish groups in the Second Temple Era.

Our approach in this study is first to establish the distinction between the groups according to their proximity to power, which determines whether they are dissenting groups or seceding groups. The dissenting groups are equivalent to norm-orientated groups or non-greedy groups, which remain within the social center. They do not require total and exclusive loyalty to the group. The dissenting groups are equivalent to the value-orientated groups or demanding groups, that are more distant from the power centers and normative society of their period, and they demand absolute loyalty to the group.

We shall develop our understanding of this issue by discussing the distinguishing contents of the two types of groups, and so be able

⁷⁴ This element appears throughout Coser's book, and whole chapters are devoted to this issue. See *ibid.*

⁷⁵ On the importance of ideological aspects, see: L. A. Coser, *Greedy Institutions . . .*, 81 (on the ideological justification of the slave class); *ibid.*, 85 (on the ideological principles of slavery); *ibid.*, 104 (on the moral and ideological principles of a sect); *ibid.*, 115 (on redemption theology).

to distinguish them according to the system of arguments, their lifestyle and ideology.

According to Smelser and Coser, we should expect a significant difference between the two types of groups in all areas. We shall emphasize here the fields of lifestyle and ideology. In lifestyle, we expect the seceding groups to be like the value-orientated and greedy groups—stressing the principle of separatism, non-compromise, uniform clothing, communal eating and so on. We should also expect an impact on personal family life, in terms of preferring the group to the biological family, and perhaps complete abstinence from normative family life and sexual intercourse. The most prominent value in this context is separatism, implying that such a group creates a barrier between itself and the rest of the world. This can be a physical barrier (through geographical distance) and a non-physical barrier (in ideological principles). In the ideological context we expect the seceding group to be like the value-orientated group and the greedy institution in stressing metaphysical elements, denouncing material pleasures and creating a value system that does not depend on social values but rather on values lacking social context (divine and natural values).

We should also note that the relative deprivation theory should predict such differences between the two types of groups in the various areas of life. While this approach is not at the center of our study due to its relativity and the criticisms mentioned earlier, we may say that it also predicts significant differences between the types of groups. The very fact that one group has access to the power centers (is less deprived both objectively and subjectively), while another group is distant from the center (experiences greater socio-economic deprivation), creates, according to the RD theory, ideological and behavioral differences between the two types of group. The deprived (seceding) group will search for immaterial compensators and metaphysical interests.

In the case of the Jewish groups in the Second Temple period, there is a unique aspect in addition to lifestyle and values. This aspect, unique to the Jewish groups, is the emphasis on the Halakhic system.⁷⁶ The Halakhic system is the legal and religious system of

⁷⁶ For a fuller definition of Halakhah, in contrast with the other factors (such as lifestyle), see the beginning of Chapter Four.

the Jewish groups in the ancient world. An examination of the distinctions in this area will express the unique character of the Jewish groups discussed in this study. Due to this unique character, the area of Halakhah may sometimes be the main means of understanding the legal system and behavior of the Jewish group. The Halakhah also served as an instrument of the regime in relation to the Jewish groups.⁷⁷

To summarize the distinction between the two types of group, we can now state some practical rules for characterizing a seceding independent-powered group versus a dissenting regime-powered group:⁷⁸

1. Aims and means: the seceding group aims at bringing about a revolutionary change in normative society, and will even use controversial means to achieve this change (based mainly on Smelser's model).
2. Attitude towards the group: the seceding group demands absolute loyalty and commitment to the group and its needs. Therefore, the group is characterized by high internal cohesion, physical and non-physical separation from non-members, and an uncompromising attitude (according to Smelser and Coser).
3. Lifestyle: in a seceding group we expect to see practical expressions of its value-orientated approach in all areas of lifestyle. This can be expressed in all types of behavior: clothing, eating, place of residence, family life, etc. Due to its isolationist and uncompromising nature, such a group creates a barrier between itself and the rest of the world, which is also expressed in lifestyle. To create the internal cohesion, we expect a range of unifying factors within the group, such as uniform clothing, communal eating and dwelling, etc. Following their distancing from normative life, we expect them to conduct a simple lifestyle

⁷⁷ We can note two examples of the regime's use of the Halakhah, the first in relation to the Jews themselves and the second in relation to other nations. John Hyrcanus used the Halakhah as an instrument of strengthening his rule over the Jews, and following some disputes regarding his rule, he moved from the Pharisees to the Sadducees and annulled the leadership of the Pharisees (see Josephus, *Ant.* 13, 293 ff., esp. 296). The use of the Halakhah towards non-Jews is exemplified again by John Hyrcanus, when he forced the Edomites to follow "the Jewish laws" (see Josephus, *ibid.*, 257).

⁷⁸ We shall list here the characteristics of the seceding group, from which we may deduce those of the dissenting group.

- (simple food and clothing), stemming from the principle of avoiding material pleasures. Due to their loyalty to the group, we expect them to prefer the group over the biological family, sometimes to the point of complete abstinence from family life and sex, and even to the point of losing their individual identities (mainly according to Coser).
4. The values system (ideology and theology): the seceding group distances itself from the social center, with its benefits, and thus we should expect a value system supporting this distancing. It should have principles of separatism, frugality (opposition to earthly pleasures and benefits) and metaphysical interests (searching for compensators). The values of a seceding group are perceived as not being socially dependent, but dependent on “permanent” aspects such as natural and divine values. Thus we should expect the leadership to claim direct contact with God (prophecy), in contrast to an institutional leadership based on social rules.
 5. Halakhah: As in other fields, in the area of Halakhah, so characteristic of the Jewish groups under discussion, we expect significant differences between seceding groups and dissenting groups in their Halakhic system and willingness to compromise on Halakhah. A seceding group will have an uncompromising, value-orientated Halakhic (legal) system. It will not necessarily accept the laws of normative society and may treat them with contempt. Its Halakhic system will not depend on social factors.

These rules are supposed to distinguish between a seceding independent-powered (value-orientated, greedy) group and a dissenting regime-powered (norm-orientated) group in the Jewish world of that period. The existence of these features should support the classification of a group as a seceding group. Their non-existence, or the existence of contradictory features, should support the classification of a group as a dissenting group. However, as mentioned earlier, all social groups have values, just as all groups have norms of behavior.

We should note that the rules we have just defined deviate to a large extent from the theories of Smelser and Coser. Smelser avoided defining the essence of value-orientated groups versus norm-orientated groups, and did not detail the practical expressions of this distinction, as we have done, and this probably reflects a different approach. Coser too restricted his discussion to very particular aspects,

and here we have expanded the distinction to many areas he did not examine. Also, neither Smelser nor Coser dealt with the Halakhic area. For this reason, we employ a different terminology and methodology than theirs, although our approach is influenced by their theories. The most important principles distinguishing a value-orientated group from a norm-orientated group are non-involvement in the regime and its benefits, the existence of independent (not socially dependent) values, and non-compromise. We believe all these aspects can be understood in our terms, independent-powered seceding group versus regime-powered dissenting group.

A dissenting group is one that despite its opinions stays within the normative center. Its disagreement with the majority does not lead it to withdraw from general society and the power centers. A dissenting group is like any political party that sometimes disagrees with the center's opinion (what we call, in the present political context, an "opposition"), and at other times controls the center (participation in a "coalition"). As we shall discuss later, Sanders and others have already referred to the Jewish groups (apart from Qumran) as "parties,"⁷⁹ and Smelser included all "parties" within the category of norm-orientated groups.⁸⁰

In the next chapter we shall test these distinctions on the Jewish groups in the Second Temple period. As dissenting groups in the Second Temple period we shall examine the groups that stay within the normative center and cooperate with the regime. Despite disagreements over Halakhah, ideology and lifestyle, they still play by the rules of the accepted social game. The groups that match this description are the Pharisees and the Jerusalem Sadducees. There are more sources regarding the Pharisees, and therefore they shall be the representative group among the dissenting groups. Among the Second Temple seceding groups, we shall note two groups not involved in the regime and its benefits, retiring from the normative center. There is no clearer testimony to such a secession than their physical existence outside the center and declared non-involvement. The Qumran group, the Essenes and the Halakhic Sadducees meet these criteria of seceding groups. The representative group among

⁷⁹ See later in this chapter, section 1.2.

⁸⁰ See earlier in this chapter.

the seceding groups is the Qumran group, whose primary sources have survived (the Dead Sea Scrolls).

We shall test this distinction into two types of groups in the three main areas noted above: lifestyle, Halakhic principles and ideology. A separate chapter is devoted to each area, where we shall test the expected differences between the two types of groups on the basis of the historical sources describing these groups.

1.2 *Methodology*

The second section of this chapter deals with the historical sources used in this study, and various methodological issues arising from the use of these sources.

The first problem in examining the Jewish groups during the Hasmonean period is the lateness of the sources. Almost all the sources serving us in this discussion were composed or edited later than the events they describe.⁸¹ Philo, one of the earliest of the authors, lived decades after the end of the Hasmonean period. Josephus, who describes the Hasmonean period in detail, wrote after the destruction of the Temple. This is also true of the editing of the literature of the Sages and the Christian literature and other sources, all of which are decades or centuries later than the events themselves.

Thus, most of the sources regarding the Jewish groups during the Hasmonean period are later than the period under discussion, and this may undermine the validity of the sources' descriptions of the earlier period. In addition, the sources differ in their nature and attitudes. Josephus, as a historical source, is characterized by having a continuous historical narrative. His declared aim is historical documentary. In contrast, the literature of the Sages contains mainly laws and interpretations of Scripture, and does not aim at documenting history, but rather at education. The Christian literature is a collection of stories that have been edited, but their subject matter is not the history of the Jewish people, but the life and teachings of Jesus, with history serving as a mere backdrop to this purpose.⁸²

⁸¹ Only part of the Qumran literature can be argued to be contemporary to the events it describes. This may also be disputed, but at least this claim can be made.

⁸² Part of this last paragraph is a rephrasing (with additions) of what Neusner said in his book. See J. Neusner, *From Politics to Piety*, 1–2.

There are reasons requiring the use of these sources despite the chronological lateness. They make explicit references to chronological distinctions, and they describe the historical developments of these groups, noting the changes over time. The use of separate names and distinct ideological principles implies that the authors differentiated between the groups and were careful not to make inaccurate generalizations. Thus, Josephus describes “three philosophical approaches” distinct from each other,⁸³ with separate names and lifestyles and ideologies attributed to each. Further support for this is the addition of the “fourth philosophy,” which is differentiated in opinions and actions, despite its similarity to the Pharisees.⁸⁴ Even if he is not accurate in describing the groups, at least he shows that we can rely on the description being consistent and differentiated.

Philo and Pliny support this in their descriptions of the Essenes, in distinguishing their name, ideology and lifestyle.

The authors use the names of the groups consistently throughout the period described, and they argue, by the very act of writing about these groups, that despite the changes they experienced, the groups had consistency and continuity. They saw no reason to distinguish between the groups described during the Hasmonean period and the groups called by the same names active in later periods.

Thus, the sources themselves imply that there was historical continuity in the groups, a continuity that could be followed. A proof of this is that when a dramatic change took place in the life of the Jewish groups, namely, the destruction of the Temple, some of the groups disappeared or changed, and the sources reflect these changes and alter their historical description accordingly. Even before the destruction of the Temple, Josephus referred to changes in their lives, and at one point he states explicitly that the sicarii,⁸⁵ for example,

⁸³ *War* 2, 119.

⁸⁴ Josephus himself refers to this group as a “fourth philosophy”: τῆ δὲ τετάρτῃ τῶν φιλοσοφῶν, attributed to Judah of Galilee (*Ant.* 18, 23). He notes that although the group of Judah of Galilee is like the Pharisees, they are still different in their aim for freedom. This difference makes them into a fourth group, differentiated from the Pharisees.

⁸⁵ One of the groups described by Josephus, in Greek: σικάρτιοι (described in several places in Josephus, see for example *War* 2, 254–57, *ibid.*, 425). See later on (*ibid.*, 258 ff.) when Josephus differentiates again between them and another group (the false prophets). All these distinctions show that Josephus was careful in his description of the groups.

no longer functioned as a group, and as a result, they no longer appear as a group in his writings. So also Philo and Pliny, who follow the Essene group, identify them by realistic criteria such as clothing, location and lifestyle.

To conclude, although the sources do not always distinguish between the early and later periods (the Hasmonean period and later), they do define specific attributes of the different groups, and they are aware of changes over time. Moreover, the sources do support each other on several issues.

Despite disagreements among scholars, even the scholars who are “strictest” in their use of sources agree that in principle one can use the Christian sources, Josephus, the Greek authors and the Sages literature. They disagree over the correct method for selecting the passages that are more or less reliable, more or less biased (especially regarding Josephus and the Christian sources). They disagree over the relevant passages from the literature of the Sages, but do not dispute the very use of these sources. Thus, Neusner, Rivkin and Mason all agree that in principle these sources can be used.⁸⁶ The most reliable historical testaments in each source are those that do not serve the aim of the source, which are “telling it like it is,” and whose accuracy or historical age can be verified, to whatever degree. Now we turn to the various sources in the context of the different groups.

Josephus

The main source for all three groups is, undoubtedly, Josephus. Josephus presents clear distinctions between the groups, as we shall see in the next chapter. One distinction is related to their being clear philosophical schools of thought, and another is a distinction according to ideological-theological aspects and class aspects. These distinctions are the focus of sectarianism during the Second Temple period according to Josephus. This is how we can understand his treatment of them as “three philosophical streams” (τρία γὰρ παρὰ Ἰουδαίοις εἶδη φιλοσοφεῖται)⁸⁷ or as “schools” (ἀίρετισταί).⁸⁸ In light

⁸⁶ For a summary of the opinions of the scholars mentioned, see: S. N. Mason, *Flavius Josephus on the Pharisees*, 9–17.

⁸⁷ Josephus, War 2, 119.

⁸⁸ *Ibid.*, *ibid.*

of these distinctions, two main difficulties undermine his reliability. First, the fear that he presented things in Hellenistic clothing to make them closer and more comprehensible to the Hellenistic readers.⁸⁹ Second, internal contradictions between his various works. As a result of these contradictions, there are many different opinions among the researchers, and contradictory opinions regarding the reliability of Josephus' books. Thus, for example, Rasp claims that *Antiquities* is more reliable than *Jewish War*, and Smith claims the complete opposite.⁹⁰

Some tried to attribute the differences in Josephus' accounts to one of the following possibilities:⁹¹ 1. Josephus was using different sources, without paying too much attention to the source, so contradictions occurred. Also, it may be possible to attribute the differences to the many scribes under his supervision.⁹² 2. The Christians changed the text. 3. Josephus himself changed and developed under various influences.

There is probably some truth in the first possibility. However, it appears that Josephus himself amalgamated all the material he used. If so, Josephus has sole responsibility for the entire text, and consistency should be sought in Josephus himself. Even if "many scribes worked under his supervision," this still leaves the work of editing and combining to Josephus himself. The second option is possible. Our approach here shall be that no passage should be considered an interpolation unless this is proven and agreed upon by all scholars. In principle, we shall accept the third possibility, according to which all the texts should be attributed to Josephus, while being aware that Josephus himself and his objects underwent changes. The changes and contradictions in Josephus' writings should be attributed to changes he himself experienced over time, to the objects of

⁸⁹ On this issue, see Schürer: "... we have at least to deal with a strongly Hellenized presentation of Jewish views" (E. Schürer, *The History of...*, 393).

⁹⁰ H. Rasp, "Flavius Josephus und die jüdischen Religionsparteien," *ZNW* 23 (1924), 27–47; M. Smith, "Palestinian Judaism in the First Century," 1956, 67–81. For a summary and analysis of the two opinions, see: S. N. Mason, *Flavius Josephus on the Pharisees*, 25–36.

⁹¹ For a discussion of the different approaches to Josephus, see Mason, *ibid.*, 40–53.

⁹² Mason saw these as two different approaches, but we see them as one approach claiming that the differences result from different writers, and from Josephus not taking care with the consistency of the text.

his descriptions (that changed over time), or to “carelessness” by Josephus as an author.⁹³ Despite the “carelessness,” Josephus can still be considered a reliable source with reservations and unless otherwise proven on any particular issue. This approach stems mainly from validation of his historical description from archaeological sources, and the view that Josephus would not have written on a matter with which he was familiar from personal experience (such as the Jewish groups in the ancient period) without reviewing and studying what he wrote. In any case, the description of the groups according to the texts should take into account possible changes over time.

Literature of the Sages and the Historical Pharisees

Further problems arise from the usage of the literature of the Sages, especially since some consider the Sages to be descendants of the historical Pharisees. The question of the identification of the Pharisees with the Sages is particularly linked to the use of the literature of the Sages as a source for the Pharisees’ period.

As Rivkin, Neusner and others have shown, there is a central difficulty in defining the relevant sources from the literature of the Sages, without encountering anachronism or other problems.⁹⁴

⁹³ Several scholars have referred to Josephus’ “carelessness,” especially regarding stylistic, linguistic and grammatical matters. Regarding the contents, there are many positive descriptions. When discussing the stylistic, linguistic and grammatical aspects, they differentiate between *Jewish War*, considered his most careful work, and his other books. Feldman sums up Rydbeck’s conclusions as follows: “Rydbeck concludes that Josephus’ work is motley in language and style” (L. H. Feldman, *Josephus and Modern Scholarship (1937–1980)*, Berlin & New York 1984, 831). Schalit describes Josephus’ style as revealed in *Jewish Antiquities*: “According to his own testimony his accent was defective, and his insufficient command of literary Greek is attested by his large work *Jewish Antiquities*, the language of which is poor, sometimes even laboured, largely artificial, and inferior to the clear, flowing style of *The Jewish War*” (A. Schalit, “Josephus Flavius,” in *The Encyclopedia Judaica*, X, Jerusalem 1971, 257). One of the most comprehensive criticisms is the one by Shaye Cohen (in his book: S. J. D. Cohen, *Josephus in Galilee and Rome: His Vita and Development as a Historian*, Leiden 1979), where he claims there is inconsistency in Josephus’ stylistic and linguistic method in many cases (ibid., 47, 66). Thus he notes that Josephus sometimes rewrites and sometimes does not do so (ibid., 47), sometimes changes the language of the original source and sometimes does not (ibid., ibid.), and even changes names and numbers for literary purposes (ibid., 34), and concludes: “Josephus was not a meticulous and attentive craftsman” (ibid., 47). He states explicitly that in the book *Vita Josephii* Josephus was “sloppy”: “If *Bj* is Josephus’ most polished work, *V* is his roughest. It is confused and sloppy” (ibid., 110).

⁹⁴ For an extensive discussion of the use of the literature of the Sages regarding

Furthermore, regarding both the Sadducees and the Pharisees, there are internal contradictions in the descriptions in the literature of the Sages.⁹⁵ After defining the relevant sources, the researcher must deal with the description in the literature of the Sages, both about the Sadducees and about the Pharisees, that does not match the descriptions of Josephus.

The literature of the Sages is inconsistent in using the term “Pharisees,” mainly due to the use of the same term to name groups that are clearly not identical. In several places, the Sages identify themselves as Pharisees,⁹⁶ and in other places the term “Pharisees” is identified with marginal groups they condemn.⁹⁷ While some scholars try to explain that this is the same group with differences appearing over time,⁹⁸ the result is that the use of the term is unclear. Flusser summarizes:

So we have no choice but to touch, at least briefly, upon the term “Pharisees,” which has been attached to the Sages of Israel. The truth is that the term itself is ambivalent: the term “Pharisees” can be a derogatory term from the opposing side (retirer), or a term used by members of the sect themselves.⁹⁹

the Pharisees and Sadducees, see: E. Rivkin, “Defining the Pharisees . . .,” 204–9; *ibid.*, *A Hidden Revolution*, 125–79. For Neusner’s more “extreme” approach, see: J. Neusner, *The Rabbinic Traditions about the Pharisees before 70*, III, esp. 320–68. See also: A. I. Baumgarten, “Rivkin and Neusner on the Pharisees,” 109–126; C. Wassen, “Sadducees and *Halakah*,” 127–46.

⁹⁵ The “double” representation of the Sadducees will be detailed later in the next chapter (see the division into two types of Sadducees).

⁹⁶ See Chapter Two, where we discuss the identification of the Pharisees with the “Sages,” the “Sages of Israel,” the “scribes” and other groups.

⁹⁷ See for example on the Pharisees who abstained from sex and drinking wine, and Rabbi Yehoshua confronted them. In this place it is clear that Rabbi Yehoshua represents the majority of the population that observes the normative rule: “no edict should be imposed upon the community unless the majority can endure it.” Guttman inferred that this was a group of Pharisees, but he argued that they underwent a significant change after the destruction of the Temple. The sources: Tos. Sota 15, 11–12; BT BB 60b. See: A. Guttman, “Pharisaism in Transition,” in *Essays in Honor of Solomon B. Freehof*, Pittsburgh 1964, 202–19. For a review of opinions on this issue, see: E. Rivkin, “Defining the Pharisees . . .,” 234–36. A place that clearly shows that the term “Pharisee” does not refer to the group of Pharisees under discussion is BT Pesahim 60b. For a mention of the term “Pharisees” as a synonym of “heretics,” see Tos. Berachot 3, 25. As Rivkin notes (*ibid.*, 237–38), in that place “Pharisees” refers to groups opposed to the Pharisees discussed here. For more negative connotations, see M. Sota 3, 4; BT Sota 22b; JT 5, 7.

⁹⁸ See for example Cohen’s article arguing that both cases refer to the Pharisees, first before the destruction of the Temple and Yavneh, and later after the destruction and the setting up of Yavneh: S. J. D. Cohen, “The Significance of Yavneh . . .,” 49.

⁹⁹ D. Flusser, “‘Miqsat Ma’ase Hatorah,’ Uberachat Haminim,” *Tarbiz* 61 (1992), 357–58 (Hebrew).

Apart from the question of terminology, there is also the question of identity. Many have argued that the “Sages” are a direct historical continuation of the Pharisees, and therefore it is possible to rely on the literature of the Sages to understand the historical reality and Halakhic system of the Pharisees. This has far-reaching implications, since the entire Halakhic and literary wealth of the literature of the Sages becomes a tool to understanding the historical Pharisees. This argument stems from sources where it appears that the Pharisees have opinions identical to those of the authors of the Mishnah and the Talmud. In particular, the debates between the Sadducees and the Pharisees, where we see how the Pharisees reflect the opinions of the Sages in contrast to the Sadducees and the Boethusians. This is expressed in the opinion that the opinion of “any mishnah” is sometimes identical to the opinion of the Pharisees and opposed to the opinion of the Sadducees and the Boethusians. In addition, persons known as belonging to the world of the Sages and the Pharisees (such as Rabbi Johanan ben Zakkai) confront the Sadducees or the Boethusians and support the Pharisees.¹⁰⁰ As a result of all these factors, many scholars have analyzed the social and Halakhic reality of the Pharisees on the basis of later Mishnah and Talmud sources. Recently, Rivkin and others have justified the use of Talmudic sources for historical inference, stating their methodological rules.

Conversely, a school of “skeptics,”¹⁰¹ has formed recently. These are contemporary researchers who tend to distinguish between the historical Pharisees and Talmudic literature, using scientific arguments of textual criticism.¹⁰²

¹⁰⁰ All these identifications appear in Rivkin’s book and article. We accept these arguments. See: E. Rivkin, “Defining the Pharisees . . .” 205–49; *ibid.*, *A Hidden Revolution*, 131–79.

¹⁰¹ As Shaye Cohen used this term in his review of Rivkin’s book: S. J. D. Cohen, “Review of Rivkin’s *Hidden Revolution*,” 628. Shaye Cohen later regretted the severe tone he employed in his review (see his later article: *ibid.*, “The Significance of Yavneh . . .,” 30, n. 60), but did not retract the term “skeptics,” which we also adopt.

¹⁰² Neusner, Lightstone and Cohen are the leading scholars adopting the approach that restricts the use of Talmudic literature for understanding the historical Pharisees. They separate between the historical Pharisees and the Sages, authors of the Mishnah and the Talmud. Lightstone rejects almost any use of the Talmudic literature for understanding the nature of the Pharisees. While he does agree that the disputes between the Pharisees and Sadducees described in Talmudic Literature have historical credibility, his main criticism is that we cannot see the “Halakhic system”

Neusner, the leader of scientific criticism on this issue, accepts collections of sources as reflecting the historical Pharisees even when there is no mention of the Pharisees in these sources. Neusner accepts that the first layers are of the Pharisees, and that the Talmudic literature developed out of them. He performs a historical “section,” according to which the Pharisees were those who came before the destruction of the Temple (up to 70 A.D.), and the generation after the Pharisees were the class of the Sages from the Yavneh generation onwards. He accepts that individuals can be identified as Pharisees as follows: the pairs, Hillel and Shamai, the House of Hillel and the House of Shamai, Rabbi Johanan ben Zakkai, Rabbi Shimon Ben Gamaliel, and the Yavneh people themselves, who did not try to change anything in their Pharisee world view. He accepts the assumption that the significant change occurred from the generation of Osha onwards. Despite all the above reservations, he believes that Talmudic literature does not represent the historical Pharisees, apart from a few quotations from the time of the Pairs (up to the destruction of the Temple at the latest).

Neusner, as a pioneer in this field, sets some rules: he accepts sources about the Pairs, the House of Hillel and the House of Shamai, even though there is no evidence anywhere that they were Pharisees. He also agrees that Rabbi Johanan ben Zakkai was a direct heir of the Pharisees, but rejects the students of Rabbi Johanan ben Zakkai and the whole Yavneh generation as representing the Pharisees.¹⁰³

As we can see, the “skeptical” scholars have different conclusions resulting from opposite arguments. Some of them claim that any Talmudic source, except where Pharisees are mentioned explicitly as

of the two groups in this source. Cohen reaches an identical conclusion using completely opposite arguments. He claims that after the establishment of Yavneh, the “Sages” tried to blur their connection with the Pharisees using an “anti sectarian” tendency, and this is the source of the negative terms applied to the Pharisees. Cohen agrees that the Sages (the generation of Yavneh and the Tannaites at least) were a historical continuation of the Pharisees, and that only after Yavneh was there a deliberate, revolutionary change. We should note that it was Rivkin who saw this as a “revolution.” For details of the above see J. Lightstone, “Sadducees versus Pharisees: The Tannaitic Sources,” in *Christianity, Judaism & Other Graeco-Roman Cults: Studies for M. Smith at Sixty*, J. Neusner (ed.), Leiden 1975, III, 217; E. Rivkin, *A Hidden Revolution*, 130–79; J. Neusner, *The Pharisees: Rabbinic Perspectives*, 239–54.

¹⁰³ For a summary containing most of the conclusions mentioned here, see: J. Neusner, *The Pharisees: Rabbinic Perspectives*, 239–54. See also: E. Rivkin, *A Hidden Revolution*, 130–79.

the opponents of the Sadducees, should be rejected. Others argue that the distinction is not based on these criteria, and they accept collections of sources that do not mention the Pharisees at all. Some argue that the Yavneh generation tried to link itself to the Pharisees by force, while others claim that this generation tried to avoid any connection with the Pharisees. In view of all these opinions, we wish to present our approach in this book regarding the “historical Pharisees.”

It appears that we cannot deny the claim of the skeptics (of “textual criticism”) that not every Talmudic, or even earlier, source can be accepted as reflecting the opinion of the historical Pharisees. It is clear that without filtering the sources, we may encounter unacceptable anachronisms. There were indeed changes in perception and in essence, and scholars have concluded that the later sources do not reflect the historical Pharisees. It seems that one must adopt one of the two approaches. The first option is to take the strict approach, claiming that only sources explicitly mentioning the Pharisees (where it is clear that they mean the Pharisees group) are reliable (Lightstone’s method). Such an approach should also reject the sources on the House of Hillel and the House of Shammai, and other sources, some of which are used by Neusner. While this method may be scientifically “strict,” it does not reflect historical reality. If Shimon Ben Gamaliel (according to Josephus) and even Rabbi Johanan ben Zakkai (according to the literature of the Sages) are still recognized as Pharisees,¹⁰⁴ then it is clear that the period of the Pharisees extends into the Yavneh period and beyond. Also, the period of the Sages does not begin *ex nihilo*. The other alternative is to decide upon some clear methodological rules (as Rivkin does) for using the literature of the Sages, and to redefine the transition period from the thinking of the Pharisees to the thinking of the “Sages.” This is more a development of opinions than a development of texts. Most researchers (even those termed “skeptics”) accept the premise that the transition was no earlier than Yavneh. It is also clear that the change is a development of opinions, and so does not depend on any particular person, or occur in any particular year. This was a revolutionary change that took place in a revolutionary generation. We should

¹⁰⁴ This is the opinion of both the skeptical Neusner and the more moderate Rivkin.

also beware of later sources written to appear as earlier sources. We shall choose the second option in our approach to the thinking of the Pharisees and the literature of the Sages.

The approach in this book regarding the “historical Pharisees” will be as follows: The sources where the Pharisees and Sadducees appear as rivals regarding Halakhic matters are accepted as reliable in this study. We accept the claim that one should distinguish the various uses of the term “Pharisees,” and that sources where the term can be understood as referring to those who deviate from the norm (instead of the familiar group of Pharisees we are discussing) are rejected from the point of view of our study. We also accept that there is identity between the “Sages,” “any Mishnah,” Rabbi Johanan ben Zakkai and the Pharisees, within chronological boundaries. We find it necessary to distinguish between sources reflecting the earlier generation—the closest to the opinions of the Pharisees—and Talmudic sources reflecting the later generation.

In accordance with the identification with Rabbi Johanan ben Zakkai and “any Mishnah,” we see the transition point in the early generations of the Tannaites and up to the Yavneh generation (inclusive). We also accept all the sources constituting the primary layer in the formulation of the Halakhah and its method such as *midrashei hahalakhah*, the Mishnah, Rabbi Johanan ben Zakkai and his students, the first generations of the Tannaites and up to the Yavneh generation (inclusive), sources including characters known to us as historical Pharisees or Sadducees,¹⁰⁵ sources containing descriptions of the historical Pharisees or Sadducees or sources that have external evidence that they still reflect the generation of the historical Pharisees. All these we shall consider as still reflecting the opinions and Halakhic system of the Pharisees. However, we reject the layers later than this period, i.e., the later generations of the Tannaites from the generation of Osha onwards, the Amoraim, the later Midrashim, etc. Accordingly, and in accordance with textual criticism, even when a source discusses the earlier period, we must be aware of the possibility that this is a later source attributing itself to an earlier period. Accordingly, we will make circumspect use of the “Scroll of Fasts” (henceforth: Megilath Ta’anith) as such, due to the fact that it could

¹⁰⁵ For identification, we shall adopt Neusner’s “strict” criteria.

be attributed to the late Tannaitic period (or early Ammoraic period) and is suspect of being a late Aggadic source.¹⁰⁶

Let us sum up briefly the sources we consider as reflecting the generation of historical Pharisees and Sadducees:

- A. Sources where the Pharisees and Sadducees are mentioned as historical groups.
- B. Sources that mention persons known to us from the early period (up to and including the generation of Yavneh), where there is no reason to doubt this testimony.
- C. Sources concerning which there is external evidence, such as evidence from Qumran, that the contents can be applied to a the Yavneh period.
- D. Sources within the chronological/literary framework—i.e., all the first layer of the Halakhah, from *midrashei hahalakhah* to the Mishnah (the first generations of Tannaites) that meet one of the three previous criteria.

In addition to the general system, we should clarify another matter affecting the historical description of the Pharisees, namely, the degree of identity between “haverim” and “Pharisees” in M. Damai 2, 3. The Mishnah places the group of the “haverim” versus the “ordinary people” (“amme ha-aretz”), and what distinguishes them is their degree of strictness regarding the tithes. It is clear that the “haverim” are a coherent group that takes care to observe the tithes, while the “ordinary people” are not so careful. The “haverim” are not clearly identified as the Pharisees, and the dispute here is not with the Sadducees. Therefore, Rivkin concluded that they were not Pharisees at all.¹⁰⁷

Oppenheimer, in his doctoral dissertation, discussed the issue of the distinction between the Pharisees and the “haverim” in detail,¹⁰⁸

¹⁰⁶ Regarding Megilath Ta’anith see the different scholarly works of Vered Noam, especially her book from 2003: V. Noam, *Megilath Ta’anith: Hanusachim-Psharam-Toldoteihem*, Yad Yitzchak Ben Zvi, Jerusalem 2003 (Hebrew). See also: S. Z. Leiman, ‘The Scroll of Fasts,’ *JQR* 74 (1984), p. 174, n. 2; Y. Sussman, ‘Heker Toldoth Hahalakhah,’ *Tarbiz* 59 (1990), p. 43, n. 139 (Hebrew); E. Regev, *Hazdokim Vehilchatam*, Jerusalem 2005, p. 21 (Hebrew).

¹⁰⁷ E. Rivkin, “Defining the Pharisees: The Tannaitic Sources,” 246. But, Rivkin is consistent with his view, that even in instances when the Pharisees are mentioned by name, in the disputes with amme ha’aretz for instance, they do not always represent the Pharisee group as we know it.

¹⁰⁸ See: A. Oppenheimer, *Am Haaretz: Perek Betoldot Hachevra Hayehudit Meyemei*

and concludes there that even if the “haverim” and the Pharisees are not identical, they are similar in character and can be compared. Sanders refers to this issue several times in his book and concludes that although he still does not consider them as identical, he sees a “connection” and a “significant parallel” between the “haverim” and the Pharisees.¹⁰⁹

Since the area the “haverim” here are dealing with is known to be an area the Pharisee group dealt with (according to Neusner as explained above), since the “haverim” mentioned here are positive (in contrast with the “ordinary people”) and in light of the fact that they are contrasted with the “ordinary people” (just as the Pharisees are contrasted with them), we believe we should accept the fact that there is some similarity between the Pharisees and the “haverim,” even if they were not identical groups. Perhaps many of the Pharisees were “haverim,” and many of the “haverim” were Pharisees. This does not imply that all Pharisees were “haverim” or that all “haverim” were Pharisees. The practical aspect of this is the attribution of the sources about the “retirement” of the “haverim” to the historical Pharisees. If we accept this group identification, the result is that there are some distinctions between the Pharisees and other classes in the population based on the strictness of laws of purity and tithes. We can already conclude that even if these sources about the “haverim” reflect to some extent the reality of the historical Pharisees, they do not indicate social isolation or “retirement” from the social center.¹¹⁰

Christian Literature and the Historical Pharisees

Christian literature is also problematic. The Christian sources are late, biased and of a polemic character against the very groups we are discussing. Moreover, the derogatory terms (such as “hypocrites”) do not make the Christian literature seem more honorable and reli-

Hitatzmuta shel Mamlechet Hachashmonaim vead sof Tekufat Hatanaim, Dissertation for the Degree of Doctor of Philosophy, Submitted to the Hebrew University, Jerusalem 1973, esp. 125–27. Sanders later further modified the approach, see E. P. Sanders, *Jewish Law from Jesus to the Mishnah*, 131–33, 152–54.

¹⁰⁹ On the basis of contrasts between “haverim” and “amme ha’aretz,” between Pharisees and the “amme ha’aretz” and due to a connection between the followers of Rabbinic law and the “haverim.” See E. P. Sanders, *Jewish Law From Jesus to the Mishnah*, 131–33, 152–54. *Ibid.*, especially 154.

¹¹⁰ For further references to the social aspects of the Pharisees and the haverim, see esp. Chapter Three.

able as a historical source. Neusner, in his critical approach, refers to this issue extensively, and reaches the conclusion that the Christian sources can be of use.¹¹¹ In principle, we shall adopt the following guidelines:

- A. We shall not use derogatory references or any judgmental/moralizing statement as a reliable historical testimony.
- B. We shall not use the direct historical accusations, where there is a risk of a clear, personal bias.
- C. We shall use historical testimonies, preferring sources containing the following elements: saying things innocently (when the historical datum is not the central subject and is mentioned by the way), a polemic on worship (not personal historical), a historical description that is not polemic and does not result from the general bias.

Accordingly, the Christian sources we shall use will be classified by these elements. We should note that our main usage of the Christian sources is for historical evidence on the behavior and everyday life of the Pharisees and Sadducees. For example, their clothing, social surroundings, and other things that can be described by the way.

The Sources and the Historical Sadducees

As we have found with the Pharisees, it is not possible to say anything about the historical Sadducees without making some advance decisions about the sources. In their description and characterization of the Sadducees, the sources show internal inconsistency and overt contradictions. Therefore, we must decide which sources we shall consider reliable and which are less reliable.

There are still scholars who believe that the characteristics of the Sadducees also include proximity to Hellenism and the upper class.¹¹² As we shall see later, there is much confusion in the use of the term "Sadducee," and in the definition of the essence of this group.

¹¹¹ J. Neusner, *From Politics to Piety*, 67–80. See there how Neusner distinguishes between five types of historical testimony in the Christian literature (esp. pg. 68).

¹¹² Although this matter has undergone many incarnations, from describing the Sadducees as belonging to the upper classes, to completely disproving this idea, some scholars still support this description. For example, Levine in 1981: L. I. Levine, "Hamaavak Hapoliti . . ." 67–69 (Hebrew).

Therefore, this subject cannot be concluded until we discuss the sources and present our opinion on their interpretation. Many descriptions of the historical Sadducees assumed that the Qumran group was identified with the Sadducees (mainly as a result of the discovery and deciphering of the scroll 4QMMT, known as *Miqsat Ma'ase Hatorah*),¹¹³ and as a result they used Qumran sources to describe the Sadducees. We do not intend to do this.

Baumbach writes extensively on the unreliability of Josephus as a source regarding the Sadducees.¹¹⁴ His main reason for doubting the reliability of Josephus on this issue is the difference between the descriptions of the Sadducees in *Jewish War*, where the Sadducees are described in a derogatory fashion, and in *Jewish Antiquities*, where they are described more “objectively.”¹¹⁵ Moreover, the very fact that Josephus identifies himself as a Pharisee (as Baumbach understands it)¹¹⁶ raises doubts about his objectivity on the whole issue of the Sadducees.¹¹⁷ Despite these doubts regarding his reliability, Baumbach himself relies on Josephus’ descriptions to form a basic historical picture of the Sadducees.¹¹⁸

The literature of the Sages is very problematic in the context of the Sadducees. Not only does it not accord with Josephus, but it also contradicts itself internally. On the one hand, the Sadducees appear in the literature of the Sages as the disputants of the Pharisees on Halakhic matters.¹¹⁹ They appear in the Mishnah and Tosefta as having strong Halakhic opinions, and sometimes even the Pharisees have difficulty in refuting their claims.¹²⁰ This shows that the Sadducees

¹¹³ Henceforth to be mentioned as MMT or *Miqsat Ma'ase Hatorah*. On this scroll see: E. Qimron & J. Strugnell, *Qumran Cave 4, V, Miqsat Ma'ase Hatorah (DJ D 10)*, Oxford 1994.

¹¹⁴ G. Baumbach, “The Sadducees in Josephus . . .,” 173–95.

¹¹⁵ *Ibid.*, 174–76.

¹¹⁶ *Ibid.*, *ibid.* Baumbach relies on the well-known passage from *Vita* 12, which Mason said should not be understood as showing that Josephus considered himself a Pharisee (see: S. N. Mason, *Flavius Josephus on the Pharisees*, 374).

¹¹⁷ Baumbach, *ibid.*, 173–75.

¹¹⁸ *Ibid.*, 174–88.

¹¹⁹ For a comprehensive description of the Halakhic disputes between Pharisees and Sadducees in the literature of the Sages, see Chapter Four.

¹²⁰ See for instance BT *Menachot* 65a where the Pharisees battle with claims by the Sadducees, on the basis of texts from the Scroll of Fasts. See there also the Talmudic versions of the scroll (especially the one offered by Rashi). Both sides seem to have study methods and exegetical approaches. See also V. Noam, *Megilath Ta'anith: Hanusachim-Psharam-Toldoteihem*, Yad Yitzchak Ben Zvi, Jerusalem 2003 (Hebrew), p. 43 n. 8, and pp. 165–79.

were interested in the Bible and its interpretation, and that they were an important enough body to constitute a disputant to the Pharisees. If we accept this description, the result is that the Halakhah was at the center of the Sadducees' world.

On the other hand, in several places in the literature of the Sages, the Sadducees are described as rejecting the interpretative tradition of the Torah, and are sometimes treated as not believing in the Jewish articles of faith, or even as non-Jews. There are also phrases that are derogatory and contemptuous towards the Sadducees.¹²¹ These words of contempt are understandable since the Sadducees were the competitors of the Pharisees. But where we find positive descriptions, some clarifications are required. This raises some queries about the identity of the Sadducees in the literature of the Sages. Are they Halakhic experts, who are interested in the written Bible and its interpretation, or are they "heretics" who are disrespectful toward the written Bible and its interpretation?

It seems that this ambivalent attitude supports our earlier claim that the Sadducees had an interpretative tradition of the written Torah, and that this was the background for the disputes between the two groups. From this we may conclude that the Sadducees accepted the written Torah and even believed in an interpretative tradition to the Torah. This is the background to the Halakhic disputes between Pharisees and Sadducees in the literature of the Sages. There is also ambivalence regarding the role of the Sadducees in the leadership of the Temple. In some places in the Tannaitic literature, the Sadducees are described as a marginal group with no control over the Temple. However, there are many sources where the Sadducees had clear influence in the Temple.¹²²

¹²¹ Such as: "דבר שהצדוקים מודים בו" meaning that the Sadducees only accepted the written Torah and things known to "every child" (on this issue, see for example: BT Sanhedrin 33b; Horayoth 4, 1). For a classic example of the use of contemptuous language, see the discussion on the daughter's inheritance at: BT BB 115b–117a. The term "זקן המפפפט כננדר" appears there. Similarly, Rabbi Johanan ben Zakkai addresses them contemptuously: "שושים," and later "ולא זהא שיהא אהרז" "שלנו כשיחה בטלה שלכם." The style is of outright rejection, without an answer, followed by an argued answer. All these stylistic elements show deliberate editing to express contempt. We should note that Josephus too showed contempt for their scholarship, and so the descriptions showing contempt for the Sadducees beliefs and Halakhic positions match the descriptions of Josephus (more than those emphasizing their scholastic skills).

¹²² On the involvement of the Sadducees in the leadership and in politics, see Chapter Two, section 2.3.

Another difficulty with using the literature of the Sages on the Sadducees is the mention of synonyms for the Sadducees, such as the Boethusians. In several sources and alternate versions, the Boethusians appear as the rivals of the Pharisees, instead of the Sadducees. Many scholars have deduced that the name “Boethusians” is indeed a synonym for “Sadducees.”¹²³

There is no doubt that these descriptions in the Tannaitic literature, concerning the nature of the historical Sadducees, do not fit the descriptions in Josephus, as described above. The proximity to the wealthy or Hellenism is not as clear in the literature of the Sages as in Josephus. Until recently, scholars tended to prefer Josephus’ description to that of the Sages, especially in the context of Halakhic disputes. In our opinion, when there is a discrepancy between two sources, let the third source decide. The third source here is the Qumran literature.

Despite all the difficulties in identifying the Qumran group and deciphering its writings, it is now clear to scholars that several Halakhot that appear in the Qumran literature match the Halakhot attributed to the Sadducees in the literature of the Sages.¹²⁴ From this comparison, we have learned not only that the Sadducees taught

¹²³ Although the description of the split between “Zadok and Boethus” in the period of Antigonus of Sucho in Avoth DeRabbi Nathan (see: S. Z. Schechter, *Masechet Avot DeRabbi Nathan Bishtei Girsat*, New York 1967, 26 (Hebrew)) appears to refer to two different groups, many sources in the literature of the Sages show that these groups are identical. Since Avoth DeRabbi Nathan is relatively late, this may be attributed to a later opinion. On this issue, see: E. Schürer, *The History of the Jewish . . .*, 406, n. 16. For additional references, see the following: For the most recent discussion on the relation between the Sadducees and the Boethusians see Eyal Regev, *Hezdokim Vehilkhatam*, Jerusalem 2005, pp. 41–50; A. J. Saldarini, *The Fathers according to Rabbi Nathan: A Translation and Commentary*, Leiden 1975, 85–86; J. Le Moyne, *Les Sadduceens*, Paris 1972, 113–15, 160–62; E. Rivkin, “Defining the Pharisees: The Tannaitic Sources,” 210 ff. Rivkin says there explicitly: “. . . the Tosefta employs this formula, but substitutes the Boethusians for the Sadducees. The term may nonetheless be considered synonymous . . .” (Ibid., 210, 217; my italics, H.N.). Baumbach too states that the terms in the literature of the Sages were synonymous, but that in reality they were two different groups: G. Baumbach, “The Sadducees in Josephus,” 184. We do attribute more validity to the source in Avoth D’Rabbi Nathan.

¹²⁴ Especially the following writings: Community Rule, Miqsat Ma’ase Ha-torah (MMT), the Temple Scroll, the Damascus Document. See: Y. Sussman, “Cheker Toldot Hahalakhah Umegilot Midbar Yehuda—Hirhurim Talmudiyim Rishoniyim Leor Megilat “Miqsat Ma’ase Hatorah,” *Tarbiz* 59 (1990), 11–76 (Hebrew). See also: L. H. Schiffman, *Halakhah, Halikha Umeshichiut Bekat Midbar Yehuda*, Trans. & ed. Tal Ilan, Jerusalem 1993. (Hebrew).

the Scripture and studied the Halakhah, but that they were even stricter than the Pharisees in certain Halakhic aspects.¹²⁵ From this we may draw several conclusions: whether or not we identify the Qumran group as a group of Sadducees, there is some similarity between certain Sadducee Halakhot and the Qumran Halakhot in several areas; there were Sadducee groups that were similar to the Qumran group in their serious attitude towards the Halakhah, who had an interpretative tradition of the written Torah, and who applied a developed Halakhic system; these Sadducees had a different Halakhic approach to the Pharisees, and dared to dispute the Pharisee Halakhic decisions (such as on the matter of daily bathing, burning incense on Yom Kippur, etc.). In this case, the Halakhic disputes described in the literature of the Sages are very reliable, and this is what several scholars have concluded recently.¹²⁶

As for Qumran sources and their relation to the historical Sadducees, they, too, contain a certain discrepancy. On the one hand, the Qumran Halakhot match the Sadducee Halakhot in the literature of the Sages, which indicates the proximity of the two groups (of even identity, in some scholars' opinion). On the other hand, other Qumran writings refer negatively to the Sadducees, and do not show any proximity at all.¹²⁷

The difficulty regarding the literature of the Sages has not been fully solved, either. Even if we consider the literature of the Sages as reliable on Halakhic contexts, this does not solve the places in this source where the Sadducees are treated with disrespect. We discover that according to the sources, there are two different historical descriptions of the Sadducees: one, according to Josephus, the New Testament and some parts of the Tannaitic literature, which describes

¹²⁵ For a description and analysis of the Sadducees' Halakhic system, see Chapter Four, dealing with the Halakhic aspects of the groups. The issue of strictness as a method will be examined there.

¹²⁶ For further details, see Chapter Four.

¹²⁷ The "distancing" sources are those where the epithet "Menashe" is identified as referring to the Sadducees, according to Flusser: D. Flusser, "Prushim, Zedokim VeIssiyim BePeshet Nahum," 133–68 (Hebrew). Thus we can find additional hints at anti-Sadducee arguments in the Qumran writings, such as in the matter of depriving the various authorities of authority over the Qumran group. See: A. I. Baumgarten, "Mi Hayu HaZedokim—HaZedokim BeYerushalayim UbeQumran," in *HaYehudim BaOlam HaHellenisti VebaRomim: Mechkaram LeZichro shel Menachem Stern*, A. Oppenheimer et al. (eds.), Jerusalem 1996, 393–411, esp. 408 (Hebrew).

the Sadducees as uninterested in Halakhic affairs, and as identified only by their priestly class identity and their theological positions. According to this description, they were very active in the social arena in Jerusalem. The other description, from other parts of the literature of the Sages and some of the Qumran sources, places the Halakhah at the center of the Sadducees' world and likens them to the Qumran secessionists.

In light of these difficulties, one option is to accept the opinion of those scholars who see fit to distinguish two types of Sadducees. Just as earlier we distinguished between the different uses of the term "Pharisees," in the same way the term "Sadducees" could have been applied to different groups. Baumbach already saw the need to differentiate between two types of Sadducees:

Accordingly, the "Sadducees" mentioned in A XIII, 296, cannot be the Sadoqids who emigrated to Leontopolis and Qumran but only the priestly majority who remained in the Temple of Jerusalem, that is, those who adopted the honorary title Sadoqis/Sadducees, ostensibly in order to validate their legal claim: for they controlled the administration of sacred justice and made use of the priestly Sadoqid halakhah. Consequently, it follows that we must reckon with two flanks of the Sadoqid-Sadducean movement: (1) the "pure Sadoqids," who emphasized the legitimacy of their origin, validated their claims without compromise and therefore emigrated from Jerusalem to Leontopolis and Qumran; and (2) the "priestly majority," who remained in the Temple of Jerusalem.¹²⁸

Baumbach distinguished two types of Sadducees, and termed them "pure Sadoqids" and "priestly majority." The pure Sadducees, as he says, refused to compromise and eventually had to retire from the center at Jerusalem. The other group remained in the Jerusalem center, served as High Priests in the Temple (in various periods), and disputed with the Pharisees. Joseph Baumgarten proposed two suggestions, phrased differently. We shall adopt the first.¹²⁹

¹²⁸ G. Baumbach, "The Sadducees in Josephus," 180. He continues to argue there that this distinction existed already during the period of John the Hasmonean.

¹²⁹ Joseph Baumgarten, as quoted by Albert Baumgarten, in the latter's article from 1991. He proposed the following two options: "There are two alternatives as Baumgarten sees it, for understanding the data: (1) either the Tannaitic sources used 'Sadducees' in a vague and unspecific way, as a general term for various groups, identifying them at times with the priestly Jerusalem Sadducees known from Josephus and the New Testament, at other times with the sons of Sadoq known

According to this alternative, the term Sadducees referred to different and even opposite groups, but there were agreements on points of law. Sometimes the term applied to the priests in Jerusalem (known from Josephus and the New Testament), while at other times it referred to the “sons of Sadoq” who retired from the Jerusalem center and stressed their Halakhic tradition (similar to the Qumran group). These two types of Sadducees have already received names: “Jerusalem Sadducees” and “Qumran Sadducees.”¹³⁰ We prefer to distinguish between “Jerusalem Sadducees” and “Halakhic Sadducees.”

In any case, the “Halakhic Sadducees” are those who dispute with the Pharisees on Halakhic issues, who were interested in the written Torah and its interpretation, and the group some of whose Halakhot matched those of Qumran. Regarding this group, we should disregard the opinion of those scholars who claimed that the Sadducees rejected an interpretative tradition of the written Torah, and that they were not serious about the Bible and its interpretation. In addition, they were not close to the wealthy or to Hellenism. We shall accept the approach of the scholars who attribute to them respect for the Bible and its interpretation, deep understanding of the Bible, and study methods no less good and complex than those of the Pharisees.¹³¹ The Halakhah was a central part of their lives and opinions. In this light, we do not accept the derogatory terms in the literature of the Sages or Josephus’ words about the Sadducees as reflecting the true reality of the Halakhic Sadducees. They could derive from the animosity or competition between the groups. The “Halakhic Sadducees” were similar to the Qumran group in some of their Halakhot.

It seems that this division into two groups with identical names is essential to understand the historical sources in this context. This division also affects the understanding of the whole historical reality.

from Qumran . . . ; or (2) there were in fact agreements on specific points of law between the Sadducees known from Rabbinic sources and the Qumran covenanters. It is difficult, as Baumgarten recognizes, to choose between these alternatives with certainty. He, nevertheless, prefers the second alternative.” (A. I. Baumgarten, “Rivkin and Neusner . . .,” 112).

¹³⁰ A. Baumgarten, “Mi Hayu Hazedokim—Hazedokim BeYerushalayim Ube-Qumran,” 394 (Hebrew).

¹³¹ For the second approach, that sees the Sadducees in this light, see: D. Daube, “Texts and Interpretation in Roman & Jewish Law,” *The Jewish Journal of Sociology* 3 (1969), 3–28; J. Lightstone, “Sadducees versus Pharisees,” 206–17.

Notwithstanding this, both types of Sadducees were involved in the Jerusalem center.

Regarding the Essenes, there are also some differences between the sources in their descriptions of the group. However, since this is not a methodological issue, we shall describe these differences in Chapter Two, section 2.4.

Qumran—The Historical Sources

There are many methodological issues in the study of the Qumran group. We shall discuss here the main difficulties, while leaving the description of the conclusions we reach regarding the Qumran group to the next chapter.

Any description depends on the interpretation of the historical sources at our disposal. We have to define the sources that are relevant to this group, and then decide upon the precise ratio between them. Some scholars have disputed the very existence of the “Qumran community,” while others described different factions of Qumran groups. Thus, we shall present here our approach to the relevant sources.

We can roughly divide the possible sources of information for describing the Qumran group into three. Each of these proposed sources can be disputed, as certain scholars have done, but that should not detract from those who accept them all as authentic and legitimate sources of information. At least in principle, we can argue that these sources exist:

1. The Qumran site—the archaeological findings from the excavations.
2. The Qumran texts—the writings known as the Dead Sea Scrolls, discovered in caves near the archaeological site.
3. Authors’ descriptions—the descriptions of Philo, Josephus and Pliny are a possible source for describing the Qumran group, providing one identifies the Qumran group with one of the groups they describe: the Essenes or the Sadducees or the Pharisees.

The archaeological findings at the Qumran site and their implications for the understanding of the Qumran group are discussed in the next chapter. We shall focus here on the methodological issues resulting from the second type of source, the Dead Sea Scrolls, and

later explain our position regarding the use of the Greek authors as sources for the Qumran group.

The Question of the Qumran Library Many scholars argued that the writings discovered in the region should not be viewed as a homogeneous, organic unit, especially for the following reasons: some writings have been found also in other areas; their contents show that they dealt with a different place or time; there are hints that the texts may have been composed by other groups and only later brought to the site; the inconsistency (in style, language or contents) between the texts, implying a "book collection" rather than an "organized library." As a result of these claims, the approach that each text should be discussed separately has gained strength.¹³² It has also been argued that the contradictions between the various writings do not permit us to attribute them to one homogeneous library. Another pretext for classifying the books according to their degree of belonging to the group and their popularity in the group's opinion is the number of copies of each work and their distribution among the caves. Thus an argument was proposed that any work appearing with a small number of copies was less "acceptable" to the group. The distribution among the caves has also been considered a factor in the book's degree of belonging to the group. For example, scholars have agreed that works discovered in cave four, which were also widely distributed among the rest of the caves, were undoubtedly "Qumran" works. In contrast, those texts less widely distributed, such as works from cave three or cave eleven, were considered "less acceptable" to the group. This question arose particularly regarding the

¹³² For a collection of arguments disputing the Qumran literature and the very existence of a Qumran group, see: P. R. Davies, "Was there Really a Qumran Community?," *Currents in Research (Biblical Studies)*, 3 (1995), 9–35. Other scholars did not dispute the very existence of the Qumran group, but argued that parts of the library are unreliable since they were written by other Jews, not members of the Qumran group, and were brought to the site. For opinions on both sides of this argument, see: N. Golb, "The Problem of the Origin and Identification of the Dead Sea Scrolls," *Proceedings of the American Philosophical Society* 124 (1980), 1–24; *ibid.*, "Who Hid the Dead Sea Scrolls," *Biblical Archaeologist* 48 (1985), 68–82; B. Nitzan, *Biblical Influence in Qumran Prayers and Religious Poetry*, Dissertation Submitted for Ph.D., Tel Aviv University 1989; L. H. Schiffman, "The Dead Sea Scrolls and the Early History of Jewish Liturgy," in *The Synagogue in Late Antiquity*, L. I. Levine (ed.), Philadelphia 1987, 33–48.

Temple Scroll.¹³³ The premise behind this argument is that the distribution and concealing of the Qumran writings was very deliberate and precise, as Dimant said: “One cannot, then, escape the conclusion that the collection was intentional and not a haphazard assemblage of disparate works.”¹³⁴

This argument contrasts with others, described below, supporting a “random archive” that may not even be related to the site at all. Unlike the “intentional” argument, some scholars claimed that there was no connection between the writings and the archaeological site. They argued that the books may have been brought to the site by others, and stored in a kind of random archive. Some even disputed the very existence of the Qumran group.¹³⁵

In this study we shall present a clear approach to this question. Our position here shall be that the intentionality argument should be preferred to the randomness argument, and that the writings discovered in Qumran should be seen as an organic and deliberate library. It makes no difference if the books were composed or copied on the site or brought to the site in stages. The main reason for this approach is the fact that the scrolls were discovered at the Qumran site, and their very existence there implies that they were accepted in theory and practice by the group members, since they were not destroyed. It does not matter where they came from. Our only concern is of the archiving of scrolls at the site by other people in later periods. This concern is reduced in light of the paleographical examinations. Both paleography and carbon 14 tests have proven that the writings discovered in Qumran were written up to the year that the group disappeared from the site, and most of them are very early.¹³⁶ Despite this concern, we may assume that most of the works

¹³³ This is what Brooke says about the Temple Scroll: “we can deduce that the Temple Scroll was not one of the favored books of the Qumran community, but only known to some of its members and perhaps used for some specific purposes.” G. J. Brooke (ed.), *Temple Scroll Studies: International Symposium on the Temple Scroll*, Sheffield 1987, 126. For additional references regarding the problematic nature of the Temple Scroll, see: D. Dimant, “The Qumran Manuscripts: Contents and Significance,” 34, note 26. On the distribution of the books, see *ibid.*, 31.

¹³⁴ Dimant, *ibid.*, 32–33.

¹³⁵ See for instance P. R. Davies, “Was there really a Qumran Community?,” 9. On the opinions of scholars who dispute the existence of the Qumran community for various reasons, see Davies’s article and references there. We, clearly, do not accept this line of thought, for reasons to be brought below.

¹³⁶ For details of the periods and the tests, see: L. H. Schiffman, *Reclaiming . . .*, 32–35.

discussed here can be dated using various means to the period of the group's occupation.

According to our approach, apart from works that may be late (perhaps later additions to the site), any differences between the Qumran writings (in ideology, theology or social life) may be attributed to developments over time within the Qumran group, rather than to an imminent inconsistency.¹³⁷ We also believe there is a direct connection between the writings in the caves and the community settlement in the Qumran site, and they should be attributed to the same group. Thus, we accept the premises of the Groningen hypothesis (rather than the hypothesis itself), which can be summarized as follows: The texts found in the caves are not a disparate collection of loose elements without any connection: on the contrary, they are part of a whole and form a unity that we can describe as a religious library, and that this library belongs to and reflects the interests of the group of Qumran, which amounts to saying that it is a sectarian library.¹³⁸

The acceptance of this approach is based mainly on the fact that the group that lived in the site did not destroy these documents, and probably even carefully preserved them. This indicates that this literature was acceptable to the group. Further support for our approach comes from the correlation between the archaeological findings at the site and the descriptions in the works (mainly the Community Rule). This matching of contents supports the opinion that the writings belong to the site and reflect an organized group living a collective lifestyle. The archaeological findings, including inkwells and desks, also support the connection between the scrolls and the site. The geographical proximity does not enable a logical separation between them, especially since there is no proven reason to dispute the connection. Therefore, we do accept that the site and building complex of Qumran, immediately below the cliffs, were linked with

¹³⁷ As the new edition of Schürer says: "These writings are not all of the same age and can betray, from one document to the next, a certain evolution in institutions and beliefs. . . ." E. Schürer, *The History of the Jewish . . .*, II, 584.

¹³⁸ F. G. Martínez & A. S. Van Der Woude, "A 'Groningen' Hypothesis of Qumran Origins," *RdQ* 14 [56] (1990), 522. For proofs of this hypothesis, see *ibid.*, 522–26. See also the summary by Dimant in D. Dimant, "The Qumran Manuscripts . . .," 35–36.

the caves and the scrolls found within them.¹³⁹ Thus, we do treat the Qumran scrolls as one organic library. At least those that were found at the site, whose contents match the original manuscripts and about which there is no reason to assume they did not come from the site. Also, we are convinced that this literature can be regarded as reflecting the historical group. Accordingly, the number of copies and extent of distribution of a work indicate its importance to the group. Thus, books discovered in cave four, for example,¹⁴⁰ that includes most copies of the sectarian (“Qumran”) literature shall be considered as the most reliable for understanding the features of the Qumran group. However, the reliability of other works should not be denied, if it can be shown in other ways. Thus, for example, we accept the Temple Scroll as a Qumran scroll, although it was not discovered in cave four. The reason is that various scholars of the Temple Scroll have demonstrated that the language of the scroll is identical to the Qumran language,¹⁴¹ and other scholars have shown a connection between the Damascus Document and the Temple Scroll.¹⁴² Similarly, Stegemann concludes that although he believes the Qumran group did not write the scroll, they accepted and used it.¹⁴³ Thus, we shall use mainly the works found in cave four, especially those with many copies and wide distribution, and also those works that have some other evidence of being Qumran. Accordingly, the works we consider most reliable are: the Community Rule (ten copies),¹⁴⁴ the Damascus Document (eight copies),¹⁴⁵ the War scroll

¹³⁹ In a paraphrase of Schiffman’s conclusion. See L. H. Schiffman, *Reclaiming . . .*, 37.

¹⁴⁰ On cave four, see: D. Dimant, “The Qumran Manuscripts . . .,” 30–33.

¹⁴¹ Shown by Maier, see: J. Maier, *The Temple Scroll: An Introduction, Translation & Commentary*, Sheffield 1985.

¹⁴² P. R. Davies, “The Temple Scroll and the Damascus Document,” in *Temple Scroll Studies*, G. J. Brooke (ed.), Sheffield 1989, 201–10.

¹⁴³ H. Stegemann, “The Literary Composition of the Temple Scroll and its Status at Qumran,” in *Temple Scroll Studies*, G. J. Brooke (ed.), Sheffield 1989, 123–48, esp. 143–45.

¹⁴⁴ All the numbers of copies mentioned here are the copies of the same work found in cave four (!). The figures are taken from: D. Dimant, “The Qumran Manuscripts,” 37–58. For additional justification for using the Community Rule, see: L. H. Schiffman, *Halakhah, Halikha Umeshichit . . .*, 17–21, esp. 20 (Hebrew).

¹⁴⁵ For additional justification for using the Damascus Document as a Qumran group document, see also L. H. Schiffman, *ibid.*, 21–29, esp. 22–23. His conclusion: “So there is no doubt that the ideas and Halakhot appearing in the Damascus Document in manuscripts from the Cairo Genizah are part of the sect’s writings and reflect its lifestyle and views.” *Ibid.*, 22 (Hebrew).

(seven copies),¹⁴⁶ the Temple Scroll,¹⁴⁷ Miqsat Ma'ase Ha-torah (six copies),¹⁴⁸ the Thanksgiving Scroll (six copies),¹⁴⁹ and others according to the criteria above.¹⁵⁰ Thus, even scrolls like the Temple Scroll, despite having a small distribution and not being found in the main caves, will serve us in this study, if they have additional support.

The Question of Identity—Qumran and the Other Groups

In this book, we will promote the understanding that the descriptions of the Essenes and the other groups (in Philo, Pliny and Josephus) should not be applied to the Qumran group.

¹⁴⁶ This is what Schiffman says about this scroll: "The War scroll matches in style, language and character the sect's main beliefs . . . as known from other works." L. H. Schiffman, *ibid.*, 29 (Hebrew).

¹⁴⁷ Despite Schiffman's opinion: "We suggest that despite the scroll's origin in the Qumran caves, and despite the great similarity in many areas between it and the Qumran texts, the Temple Scroll should be separated in some way from the scrolls composed by the Qumran sect" (L. H. Schiffman, *ibid.*, 31), he later concludes: "the other possibility, that currently seems more likely . . . in light of the discovery of the work Miqsat Ma'ase Ha-torah, discussed below, is that the Temple Scroll was composed by a sect member or members, based on pre-sectarian sources" (*ibid.*, 33). If so, he concludes that this is a Qumran work (at least in its editing, and perhaps even in its composition), though from an earlier period in the group's history. Another justification for using this scroll is provided by Yadin: "I believe the first question [of the scroll's belonging to the Qumran group] can be answered positively." Y. Yadin, *Megilat Hamikdash*, I, Jerusalem 1977, 304 (Hebrew).

¹⁴⁸ Schiffman compares the Temple Scroll with this scroll, and concludes: "If so, it appears that the origins of the Temple Scroll and of Miqsat Ma'ase Ha-torah reflect, to a large extent, an earlier stage in the history of the Judean Desert sect than that discussed in this book. At this early stage the sect members had not yet reached the extremism and isolationism known from the other sectarian scrolls." L. H. Schiffman, *ibid.*, 34 (Hebrew). As far as we are concerned, in our study of the degree of the group's isolation, even at the early stage, the fact that this source "plays down" the degree of the group's isolation compared with later stages only supports us in using it as a legitimate source. In any case, there is every justification for seeing this source as a Qumran source. See also the opinions of Qimron and Strugnell, who see this scroll as a Qumran work, in *DJD X*, 121.

¹⁴⁹ For further justifications of the use of the Thanksgiving Scroll as a Qumran source, see Licht, who wrote about the identity of the group with the scroll's author: J. Licht, *Megilat Hahodayot Memegilot Midbar Yehuda*, Jerusalem 1957, 24–26, esp. 24 (Hebrew). The argument there is that the scroll's author is the Teacher of Righteousness, identified as one of the group's leaders (also in the group's other writings). Even if the author is not the Teacher of Righteousness, he is identified as one of the Qumran group's leaders. See Licht, *ibid.*

¹⁵⁰ On the other works, see: D. Dimant, "The Qumran Manuscripts . . .," 23–58.

The historical description of the Qumran group can change completely if one also refers to the descriptions of Greek authors about the Sadducees, Pharisees and Essenes. Therefore, we shall state our position regarding the relevance of these sources to the Qumran group.

Since the Greek authors described the main Jewish groups of the period, and the Qumran group is not identified in their works, some scholars have tried to identify the Qumran group with one of the described groups. When a similarity or overlap was found between one of the described groups and the Qumran group, some scholars immediately assumed that they were identical. The immediate outcome of this identification is the attribution of the rest of the author's description of the identified group to the Qumran group, although there is no internal proof of this.

Many scholars have identified the Essenes and the Qumran group¹⁵¹ based on geographical proximity,¹⁵² on similar activity (during the Hasmonean period), and especially on typical lifestyle (isolation, equality, high internal cohesion, etc.) and similar Halakhot. Following this identification, they interpreted the Qumran sources in light of what is known of the Essenes, and even concluded that the Qumran group was within normative society.¹⁵³ Those who identify the Qumran group with the Essenes ignore some serious difficulties with this identification. We have found several areas where there are differences between the groups.

¹⁵¹ We shall note just a few of those who identify the Qumran group with the Essenes: Y. Yadin, *Megilat Hamikdash*, I, 304–05 (Hebrew); A. L. Sukenik, *Megilat Genuzot: Skira Rishonit*, Tel Aviv 1948, 17 (Hebrew); Beall in both his dissertation and his book, see: T. S. Beall, *Josephus's Description of the Essenes Illustrated by the Dead Sea Scrolls*, Dissertation for Ph.D. submitted to the Catholic University of America, Washington 1984, esp. 254–64. For Davies's critique of Beall's approach, especially regarding the identification of the Essenes with Qumran, see: P. R. Davies, "Review of *Josephus's Description of the Essenes* by T.S. Beall," *JTS* 41 (1990), 164–69. For an extensive discussion of the identification with the Essenes, see: F. M. Cross, "The Early History of the Qumran Community," 70–75. Compare: W. H. Brownlee, "A Comparison of the Covenanters of the Dead Sea Scrolls . . .," 50–72. For a list of identical features, see: E. Schürer, *The History of the Jewish . . .*, II, 583–84.

¹⁵² The geographical proximity depends on the interpretation of the authors' descriptions, such as Pliny's location of the Essenes "infra hos Engada," and Josephus' descriptions of the social life of Jewish groups in the Judean desert.

¹⁵³ For example, the position of Stegemann, in a later development of the "Groningen hypothesis," in the Late Second Temple Times," in *Madrid Qumran Congress*, 83–166.

The Essenes were said to live at the edges of most towns, but no Qumran-like site has been found near normative residential areas. The Essenes are described in two literary sources as avoiding marriage and contact with women, while in Qumran several burials of women and children were found, and there is a positive attitude towards marriage in their writings. Regarding private property there are further differences. The authors describe the Essenes as living communally, with no private property, while in Qumran, despite the communal life, we have found clear evidence of private property.¹⁵⁴ An ideological difference between the groups, that could be significant, is pacifism versus aggression. As shall be seen, the Qumran group is very active and aggressive, while the description of the Essenes is largely pacifist (despite the participation of Essene individuals in the Great Revolt). Can a pacifist approach be reconciled with a work like *The War of the Sons of Light against the Sons of Darkness*? In addition, the extent of writing in the Qumran group, and its central importance in the group's life, sets them apart from the other groups of the period. Eight discrepancies can be listed between the Essenes and the Qumran group, that disprove many apparent "matches."¹⁵⁵ Davies expressed very well the argument that even endless discussions, attempting to identify them, could not make Josephus' Essenes into the Qumran group of the Dead Sea Scrolls.¹⁵⁶ There are similarities and differences. In our opinion, one of the most important discrepancies is the extent of writing and the importance of the literary aspect. We have found no archaeological remains of the Essenes as a group, even of one single scroll, and this indicates circumstantially that there is an important difference between the two groups. The archaeological findings and the archiving of their writings testify that the most important feature of Qumran was their involvement in extensive literary work (probably with a feeling that

¹⁵⁴ Even Beall mentioned this issue as one area of discrepancy between Josephus' description of the Essenes and the principles of the Qumran group. See: T. S. Beall, *Josephus's Description . . .*, 262. For an extensive discussion of this subject, see: L. H. Schiffman, *Halakhah, Halikha Umeshichiut Bekat Midbar Yehuda*, esp. 315–17 (Hebrew). For a summary of the differences between the Essenes and Qumran (apart from the Halakhic area), see: E. Schürer, *The History of the Jewish . . .*, II, 584.

¹⁵⁵ See P. R. Davies, "Review of *Josephus's Description . . .*," 165–66.

¹⁵⁶ *Ibid.*, 165.

they had a mission). The collection of scrolls shows that these characteristics, which are so typical of them, are absent in the Essenes.

Thus, the most typical features of Qumran are missing in the descriptions of the Essenes. Indeed, the main reason for the identification is that both groups were in the En Gedi area. However, the identification of the En Gedi region in the sources is problematic, and is in dispute among scholars. There were other groups living in the desert,¹⁵⁷ and we certainly should not conclude that being located in the same area makes all groups identical. Some scholars have even rejected the identification of the Essenes with the Qumran group for various geographical reasons.¹⁵⁸

Our conclusion is that despite the similarity between the groups in many areas, they should not be identified. This issue still causes division among scholars,¹⁵⁹ and we accept the opinion, based on the arguments presented above, that the Qumran group should not be identified with the Essenes.

¹⁵⁷ Such as several groups with “prophetic” or “Messianic” leaders: Bannus dwelt in the desert, probably with his followers (such as Josephus), whose numbers are unknown (Josephus, *Vita*, 11–12); the Theudas group in the period of the procurator Fadus (Josephus, *Ant.*, 20, 97–99); several leaders (whom Josephus termed deceivers and cheats) who led groups into the desert (*ibid.*, 167–68); the anonymous leader during the period of procurator Festus (*ibid.*, 188); Jonathan the weaver, who was persecuted by governor Catullus (*War* 7, 437–41), and others. On these and other groups, see: D. R. Schwarz, “Midbar Umikdash: Al Dat Umedina Beyehuda Beyemei Bayit Sheni,” in *Kehuna Vemalkhut: Yachasei Dat Umedina BeIsrael Uba’amim*, J. Gafni & G. Mozkin (eds.), Jerusalem 1987, 61–78 (Hebrew). Some believe that John the Baptist belongs to this phenomenon of “groups in the desert.” However, opinions are divided regarding the location of John the Baptist’s activity. On this and for bibliography on this issue, see: Schwarz, *ibid.*, 72 note 39 (Hebrew).

¹⁵⁸ See for example: W. H. Burrows, “A Comparison of the Covenanters of the Dead Sea Scrolls with the Pre-Christian Jewish Sects,” *BA* 13 (1950), 56–66, esp. 66.

¹⁵⁹ Other scholars who have listed the differences between the two groups and have rejected the identification of the Essenes with the Qumran group include: M. H. Gottstein, “Anti-Essene Traits in the Dead Sea Scroll,” *Vetus Testamentum* 4 (1954) 141–47; C. Roth, “Why the Qumran Sect Cannot have been the Essenes,” 417–22; G. R. Driver, *The Judaean Scrolls: The Problem and a Solution*, Oxford 1965. Among scholars who believe the Essenes should be identified with the Qumran group, despite the difficulties in such an identification: B. J. Roberts, “The Qumran Scrolls and the Essenes,” *New Testament Studies* 3 (1956/1957), 58–65. For a review of literature and a re-examination, see: H. Stegemann, “The Qumran Essenes—Local Members of the Main Jewish Union in Late Second Temple Times,” 83–166.

Other scholars have identified the Qumran group with the Sadducees,¹⁶⁰ while others have identified them with the Pharisees.¹⁶¹ The identification with these two groups stems mainly from similarities in Halakhic system and specific Halakhic opinions. Especially following the publication of *Miqsat Ma'ase Ha-Torah*, various scholars tried to identify Qumran with the Sadducees,¹⁶² against the background of the collection of Halakhot where the Sadducees' position (in contrast with the Pharisees') was identical to that of Qumran, and was usually more severe. Another argument behind the identification with the Sadducees is the name Zadok, since both the Sadducees and Qumran stressed the importance of the priests of Zadok's family. Others identified the Qumran group with the Pharisees, mainly due to the Halakhic system, specific Halakhic opinions and their almost obsessive involvement in interpreting the Bible.

The continuing existence of these two opinions, with the Sadducees on the one hand and the Pharisees on the other hand, shows clearly that such identifications are not simple. The conclusion is that there are Halakhot where the Qumran position is similar to the Sadducees' opinion, and there are Halakhot where Qumran is more similar to the Pharisees. It appears that particular Halakhic positions are insufficient for identifying the groups. This will be discussed more extensively in the section on Halakhah (Chapter Four). Our conclusion is that the identification of the Qumran group with any of the groups familiar from the descriptions of the Hellenistic authors is problematic, and perhaps results more from the wish of scholars to match historical elements and create unity rather than faithfully representing the historical reality of the period.

We join the position of those scholars who refrain from identifying Qumran with one of the three familiar groups. A list of valid

¹⁶⁰ The first scholar to support the identification with the Sadducees was Schechter (relying on the terms Zadok and Zadokites = Sadducees): S. Schechter, "Fragments of a Zadokite Work," in *Documents of Jewish Sectaries*, H. M. Orlinsky (ed.), with a Prologomenon by J. A. Fitzmyer, New York 1970, 50–58 (XVIII–XXVI). See Fitzmyer's prologomenon, *ibid.*, 14 and *ibid.*, 36 note 8a.

¹⁶¹ We shall only mention two who identify them with the Pharisees: C. Rabin, *Qumran Studies (Scripta Judaica II)*, Oxford 1957, VII–IX; L. Ginzberg, *An Unknown Jewish Sect*, 1970.

¹⁶² See for example: Y. Sussman, "Cheker Toldot Hahalakhah Umegilot Midbar Yehuda," 11–76 (Hebrew).

logical arguments can be raised against identifying Qumran with the Essenes or any other group.¹⁶³ Similarity in Halakhic positions is most certainly not a reason to identify groups, as the similarity may result from the common origin of the same Bible and the same historical and cultural environment. So also, the authors' descriptions may also be misleading, since they described what they knew in accordance with their interests. There is no reason to assume they even tried to describe all the groups that existed at that time. Thus, they are partial and misleading.¹⁶⁴

In legal terminology, we could conclude as follows: since it is possible to present explanations no less reasonable than the identification with any particular group, there is "reasonable doubt" regarding any identification, and the burden of proof is on those who argue for the identification, rather than on those who prefer not to identify the Qumran group with any other group.¹⁶⁵

To conclude this section, our position is as follows: We accept the Qumran library as a whole, and view it as a historical source for the community settlement in the Qumran site. With that being said, we separate between the Greek author's descriptions and the Qumran group. Thus, the library and the archaeological findings are the only sources for this group, which we term the Qumran group.

¹⁶³ Goodman has enumerated such a list, in his article from 1995: M. D. Goodman, "A Note on the Qumran Sectarians . . .," 161–66.

¹⁶⁴ See the words of Goodman, *ibid.*, 165.

¹⁶⁵ Goodman tends to use legal terminology, so we have borrowed his style of formulation. See in his article regarding the "burden of proof," *ibid.*, 164.

CHAPTER TWO

JEWISH GROUPS¹ IN THE HASMONEAN PERIOD AND THEIR PROXIMITY TO THE REGIME

2.1 *Introduction*

The existence of competing social Jewish groups during the Hasmonean period makes this period very complex and interesting. The period and its social characteristics have been extensively discussed in the research literature,² and therefore we shall not describe them in detail. This book sees Jerusalem and the Temple as the “social center.”³ The “groups” are minority groups that operate around and within

¹ In this book, we shall use the term “group” in the context of Jewish sects in the Hasmonean period. The terminology used, and the reasons for using it, are discussed in Chapter One above.

² For basic literature on the Hasmonean period and the groups in this period, see for example: D. Amit and H. Eshel (eds.), *Yemei Beit Hashmonai: Meqorot, Sikumim, Parshiot Nivcharot Vechomer Ezer*, Jerusalem 1995 (Hebrew). See various articles there about the period. On the groups and power centers see especially the article by Hanan Eshel, ‘Kitot, Zeramin Umokdei Koach Bemedina Hachashmonait’, 171–84; U. Rappaport & Y. Ronen (eds.), *Medinat Hachashmonaim: Letoldoteyha al Reka Hatekufa Hahellenistit* (hereafter: *Medinat Hachashmonaim*), Jerusalem & Tel Aviv 1994 (Hebrew). On the various groups and their political involvement, see the articles by: A. Rofe, “Reshit Tsmichatan shel Hakitot Beyemei Bait Sheni,” 409–18; L. I. Levine, “Hamaavak Hapoliti Bein Haprushim Latzdokim Batekufa Hachashmonait,” *ibid.*, 419–41; Daniel R. Schwarz, “Leshelat Hitnagdut Haprushim Lemalchut Hachashmonaim,” *ibid.*, 442–53. For general literature on the Hasmonean period, see: Y. Ephron, *Chekrei Hatekufa Hachashmonait*, Tel Aviv 1980 (Hebrew), esp. 250 ff.; M. Avi Yonah & A. Schalit (eds.), *Historia shel Am Israel: Hatekufa Hahellenistit & Chevra Vadat Beyemei Bayit Sheni* (vols. VII and X), Jerusalem 1983 (Hebrew); C. H. Ben Sasson (ed.), *Toldot Am Israel: Beyemei Kedem*, A, Tel Aviv 1978 (Hebrew), esp. 177–229, on the groups see esp. *ibid.*, 225–30; M. Stern (ed.), *Hahistoria shel Eretz Israel*, C, Jerusalem 1990 (Hebrew), esp. 193–273, on the groups see esp. *ibid.*, 261–73.

³ “Center” according to the definition and characteristics of Shils described above in Chapter One. The sources and the secondary literature support the argument that in this period, the Hasmonean period (and while the Temple still stood), Jerusalem and its Temple constituted the spiritual and religious center for Jews. Perhaps there were sometimes other political centers (such as the center at Caesarea during the Roman governorship), but during the Hasmonean period there is unanimous agreement that the main center (for Jews) was Jerusalem. The basic *mitzvot* about the centrality of Jerusalem, such as the pilgrimage, the Temple worship and others enforced Jerusalem’s centrality. For basic literature on the centrality of Jerusalem, see (and bibliographical references mentioned in the following): E. Schürer,

this social center. Since this study deals with the relations between the Jewish groups and the Jewish center, essentially internal processes within the Jewish nation, we consider the Hasmonean period as the most suitable for the examination of these processes. Any other period, when there was foreign rule, involves a variety of additional factors (“interfering variables”) such as conflicts on national and ethnic grounds.

In this chapter, two historical aspects are emphasized: the period of activity of each group, and its proximity to the regime. These two elements are discussed in detail in light of their importance in this book, which distinguishes groups along the axis of involvement in the regime.

Although we examine the period of activity of the various groups, we do not intend to decide about the date of the group’s establishment, and the reason for its formation. It is sufficient for our purposes that their period of activity includes the Hasmonean period.

This chapter also examines the aspect of the involvement of each group in the national political life in Jerusalem and in the leadership of the Temple. As mentioned above, this study sees Jerusalem and the Temple as the “center,” from the geographical and political point of view, and also from the religious point of view. The degree of involvement of each group shall be examined according to its place of residence (geographical proximity to the “center”), and according to the degree of its participation in the administration in Jerusalem. “Participation” is assessed by the degree of cooperation

The History of the Jewish People in the Age of Jesus Christ: 175–135, A New English Version Revised and Edited by G. Vermes & F. Millar, II, Edinburgh 1973, 237–313 (hereafter: E. Schürer, *The History of the Jewish . . .*); S. Zeitlin, *The Rise and Fall of the Judean State*, Philadelphia 1962, esp. 135–72; J. Schwartz, “The Temple in Jerusalem: Birah and Baris in Archaeology and Literature,” in *The Centrality of Jerusalem (COJ)*, M. Poorthuis & C. Safrai (eds.), Kampen The Netherlands 1996, 29–49; A. I. Baumgarten, “City Lights: Urbanization and Sectarianism in Hasmonean Jerusalem,” in *COJ*, 50–64; Z. Safrai, “The Role of the Jerusalem Elite in National Leadership in the Late Second Temple Era,” in *COJ*, 65–72. On the fact that even the Qumran group considered Jerusalem the place of the Temple, see: L. H. Schiffman, “Jerusalem in the Dead Sea Scrolls,” in *COJ*, 73–88; S. Safrai, *Beyemei Habayit Ubeyemei Hamishna: Mechkarim Betoldot Israel*, A, 13–393 (Hebrew); *ibid.*, *Ha’aliya Laregel Beyemei Habayit Hasheni: Monographia Historit*, Tel Aviv 1965 (Hebrew), esp. 7–19; A. Tcherikover, *Hayehudim Vehayevanim Batekufa Hahellenistit*, Jerusalem & Tel Aviv 1983 (Hebrew), esp. 30–70, 95–123; A. Oppenheimer et al. (eds.), *Perakim Betoldot Yerushalayim Beyemei Bayit Sheni*, Jerusalem 1981 (Hebrew).

with the regime, by the obtaining of benefits from it, and by active participation in the institutions of the center.

It appears that there is a distinction between the groups according to their degree of participation and involvement in the “center.” Some groups actively participated in the administration in Jerusalem, while others avoided active involvement, and distanced themselves from it. As we shall see later, the difference is not only in the degree of involvement, but also in the degree of their willingness to accept a regime that adopted a different Halakhic or ideological system to theirs. In other words, the active participation can testify to the degree of tolerance of each group. This matter also touches upon the group’s general outlook and ability to compromise. Those involved in the regime “tolerated” each other, even when the competing group ruled the “center” in Jerusalem. Those close to the regime shall be called here “regime-powered dissenting groups,” and those remote from the administration, “independent-powered seceding groups.” This distinction shall be established and shall serve us later in this book.

2.2 *The Pharisees*

As discussed in the previous chapter, the historical description of the Pharisees and Sadducees is one of the most difficult tasks in the history of the Second Temple period, due to the nature of the sources, each source in itself, and due to contradictions between the sources.⁴

We learn of the existence of the Pharisees (Φαρισαῖοι)⁵ from Josephus and other sources, such as the literature of the Sages, Christian

⁴ The main sources on the Sadducees and Pharisees are as follows: Josephus, esp. *Ant.* 13 (171–73); *ibid.*, (288–98); *ibid.*, (400–31); *ibid.*, 17 (41–45); *ibid.*, 18 (12–15); *ibid.*, 20 (199); *War* I (110–14); *ibid.*, 2 (162–66); *Life* 2, 10–12, 191–98; the Sages literature, especially *M. Yadayim* 4, 6 ff., *M. Erubin* 6, 2; *M. Makkoth* 1, 6; *M. Para* 3, 7; *M. Nidda* 4, 2. So far we have only referred to explicit disagreements between the Pharisees and Sadducees in the Tannaitic literature. There are many other references to the Pharisees and Sadducees in this and other contexts. For example, on the Pharisees as a group in itself, see: *M. Sota* 3, 4; for a comparison with the common people see *M. Hagiga* 2, 7; *M. Dammai* 2, 3; *ibid.*, 6; 6 ff. See also: E. Rivkin, “Defining the Pharisees: The Tannaitic Sources,” *HUCA* 40–41 (1967/1970), 205–49. For a more detailed discussion of the sources, see Chapter One, section 1.2.

⁵ See for example *Ant.* 18, 12.

literature and the Qumran literature (according to their identification detailed below). There are great differences between the sources both in their factual descriptions and in their attitudes.⁶ Nevertheless, all these sources mention one central characteristic of the Pharisees, their interest in Biblical law and its interpretation.⁷ Josephus uses several terms to describe this occupation of theirs in his works. Their main characteristic is maintaining their “ancestral traditions” (*paradosis*, from Greek:⁸ πατρώϊαν παράδοσιν), and their “accuracy” in their interpretation of the *mitzvot* (*akribeia*, from Greek:⁹ ἀκριβείας δοκοῦντες ἐξηγεῖσθαι). The terms *paradosis* and *akribeia* appear frequently in the context of the Pharisees, almost in the same way that Achilles is described as “fast footed” in Homer. These terms imply accuracy and excellence in interpreting and observing the *mitzvot*. It is clear that Josephus saw this as an identifying feature of the group. Elsewhere he stresses that the Pharisees observe even “laws that are not in the Law of Moses.”¹⁰ This emphasizes the fact that this accuracy and traditionalism also included laws that were interpretations of the Scriptures.

This finds support in the Christian literature. Although the Pharisees and Sadducees appear together often in Christian literature, the Pharisees alone are linked to the class of “scribes,”¹¹ to dealing with

⁶ For a brief summary of the various sources and their attitudes, in this context, see: J. Neusner, *From Politics to Piety: The Emergence of Pharisaic Judaism*, New Jersey 1973, esp. 1–11, 45–68, 81–90.

⁷ For example: *Ant.* 18 (17); *Matt.* 23:1–3, BT Yoma 19b.

⁸ For example, *Ant.* 13 (408–9); on this term see: A. I. Baumgarten, “The Pharisaic Paradosis,” *HTR* 80 (1987), 63–77; S. N. Mason, *Flavius Josephus on the Pharisees*, Leiden & New York & Köln 1991, 233–35, 289, 292–93.

⁹ For example, *War* 2 (162–63); *ibid.*, 1 (110–11). On this term and its meaning in Josephus, see: S. N. Mason, *Flavius Josephus on the Pharisees*, 11, 64–66, 75–79, 89–96, 108–15, 120, 131–32, 135, 340, 363–64, 372–73.

¹⁰ *Ant.* 13 (297–98), probably referring to laws dependent upon interpretation or regulations. Josephus himself hardly mentions the “oral tradition,” which would seem obvious in this context.

¹¹ For examples, see: *Matt.* 23 in its entirety; *ibid.*, 5:20; *ibid.*, 12:38. The basic premise is that the link between the scribes and the Pharisees indicates that they are identical. There are places where the terms “Pharisee” and “scribe” are interchangeable (comparing one gospel to another, especially *Matt.* and *Mark*, e.g.: *Matt.* 9:34 and *Mark* 3:22; *Matt.* 22:41 and *Mark* 12:17). In addition, the term “scribes from the Pharisees” is mentioned twice in the New Testament (*Acts* 23:9; *Mark* 2:16). Others have argued that the linkage to the class of scribes implies that these are two different groups. Thus, D. Schwartz concludes that the scribes are not identical to the Pharisees, but probably to the Levites. See: D. R. Schwartz, “Sofrim

“laws,”¹² and to religious and ideological arguments around these laws.

This literature also links the Pharisees to the interpretation of Halakhic law, and clearly shows that they also dealt with traditions and regulations not included in the Bible. As examples of laws not in “the Law of Moses,” attributed to the Pharisees, concerning which there were discussions between the Pharisees and the Christians, we can mention: hand washing (or bathing) before a meal,¹³ not dining with sinners and publicans,¹⁴ holding fast days (other than the Day of Atonement),¹⁵ the ban on healing on the Sabbath,¹⁶ and the “cancellation of oaths.”¹⁷ Other Halakhic issues in dispute between the Pharisees and Jesus and the early Christians: the observation of the Sabbath, divorce and various ideological issues.¹⁸

Veprushim Chanfanim—Mi Hem ‘Hasofrim’ Babrit Hachadasha?,” *Zion* 50—Sefer Hayovel—1985, 121–32 (Hebrew). While Schwartz claims that the scribes were the Levites, a group competing with the Pharisees, he himself admits that the only group (of the Jewish groups discussed here) linked (and identified) with the scribes is the Pharisees. We believe that the identification of the scribes in the New Testament with the Levites is a possible suggestion, but the linkage with the scribes is in the similarity of ideas and status, even if they are not identical groups.

¹² The identification of the Pharisees as experts on the laws can be seen clearly from the fact that the Pharisees are often attached to legal experts. Two examples shall suffice here: *Matt.* 22:32 (where one of the Pharisees is identified as a legal expert), and *Luke* 5:17 (where the Pharisees and the legal experts sit together). They can also be identified as such from the fact that most of the Halakhic disputes are conducted only with the Pharisees, such as (by subject): permission to dine with sinners (*Matt.* 9:10–13); picking food on the Sabbath (*Matt.* 12:1–8); healing on the Sabbath (*Matt.* 12:9–14); exorcism (*Matt.* 12:24–32); hand washing (*Matt.* 15:1–20); divorce law (*Matt.* 19:3–12).

¹³ For example: *Mark* 7:1–8. See also the parallels in the other gospels.

¹⁴ See: *Mark* 2:16–17.

¹⁵ *Ibid.*, 18–20.

¹⁶ *Ibid.*, 3:3–6.

¹⁷ This refers mainly to the circumstances when Jesus decides that the “Korban” oath is cancelled, which the Pharisees did not accept and still saw the oath as valid. See *Mark* 7:9–13. On this issue, see: E. P. Sanders, *Jewish Law from Jesus to the Mishnah*, 56. See also the article by Baumgarten to which Sanders refers: A. I. Baumgarten, “Korban and the Pharisaic Paradosis,” *The Journal of the Ancient Near Eastern Society* 16–17 (Ancient Studies in Memory of Elias Bickerman) (1984/1985), 5–17.

¹⁸ For a comprehensive summary of the relations between the Pharisees and Christianity, see: D. N. Freedman (ed. in chief), *Anchor Bible Dictionary (ABD)*, V, New York 1992, 294 ff. For the linkage of the Pharisees to the “scribes,” see examples in all the gospels, for example: *Matt.* 16:1; *ibid.*, 23:2 (where it says explicitly that the Pharisees and scribes sit in the place of Moses, which clearly means that they are the authority on Halakhah). See: W. A. Meeks, *The Harper Collins Study Bible: New Revised Standard Version*, USA 1989, p. 1899, n. 23.2. *Matt.* 23:13–29; *Mark*

Following a thorough examination of the literature of the Sages, using a strict critical method, Neusner identified several areas of Halakhah the historical Pharisees dealt with, including: laws of purity and impurity, the observation of the Sabbath and the Holy Days, and laws related to agriculture (tithes and other such laws).¹⁹

Many have seen the Pharisees as a seceding and separate group due to their observation of certain *mitzvot*. Thus many have linked this characteristic of excessive strictness in interpreting and observing the *mitzvot* with the name of the group. Eliezer Ben Yehuda defines the Hebrew term “perush”: “one who has seceded and distanced himself, especially one who has seceded from desires and sins.”²⁰ If this was how society during the Second Temple period saw this term, it is possible that members of the group were proud of their name.²¹ Others believe that this is an offensive term used by the group’s opponents, and this question cannot be resolved.²²

6:1, 6:5; *Luke* 5:21; *ibid.*, 11:53; *John* 8:3. On the identification of the Pharisees with the legal experts, see above. The only argument between the Christians and the Sadducees (without the presence or mention of the Pharisees) dealt with their views of the resurrection (see *Matt.* 22:23; and also *Acts* 23:7 ff., where the difference between the Pharisees and Sadducees on this issue is stressed).

¹⁹ J. Neusner, *The Pharisees: Rabbinic Perspectives*, 239–54, esp. 243, 246.

²⁰ E. Ben Yehuda, *Milon Halashon HaIvrit: Hayeshana Vehachadasha*, Jerusalem & Berlin 1944, vol. X, term “perush,” 5149 (Hebrew). For a compilation of literal definitions from encyclopedias and other sources, see E. Rivkin, *A Hidden Revolution*, 1978, 163–64.

²¹ This aspect of seceding due to excessive observation may have a positive or a negative meaning. The positive meaning—they observe what should be observed. The negative meaning—they are “separated” from the general population. The rule “Do not retire from the public” (*M.* Aboth 2, 4) sees secession as a negative aspect. For a discussion of the positive and negative meanings, and the question of whether the Pharisees themselves accepted this term (in the positive sense), see: A. I. Baumgarten, “The Name of the Pharisees,” *JBL* 102 (1983), 411–28, esp. 425–28.

²² For an extensive discussion on the name of the Pharisees, see Baumgarten, *ibid.* Smith believes the question cannot be decided. See: M. Smith, “Palestinian Judaism in the First Century,” in *Israel: Its Role in Civilization*, M. Davis (ed.), New York 1956, 67–81. For a comprehensive discussion of the etymology of the term “Pharisees,” see: G. F. Moore, *Judaism in the First Centuries of the Christian Era*, Harvard 1927, Cambridge 1966¹⁰, vol. I, 60–62; E. Schürer, *The History of . . .* vol. II, 396–97. We shall not discuss the etymology of the terms “Pharisees” and “Sadducees” here. Some scholars have disputed our ability to learn from the linguistic or etymological structure of the words. See for example Baumgarten’s article, opening with the words: “That etymology is not always a reliable guide to meaning is a truism which, for the biblical philologist, hardly requires iteration.” (J. M. Baumgarten, “On the Non Literal Use of *Ma’aser/Dekate*,” *JBL* 103 (1984), 245–61). In this article he shows how there is fluidity in the use of words in different meanings. He discusses

Concerning the numbers of the Pharisees, Josephus notes, in the context of the refusal to swear allegiance to Herod, that they numbered “no less than six thousand.”²³ One should note that swearing allegiance to Herod is a political step. It is possible that many supported the Pharisee system and were not necessarily active in this kind of politics. Here we can understand that there were more than six thousand Pharisees, but even if the number mentioned by Josephus is not accurate, his use of a specific figure implies that this was a well-defined group, that could be estimated in numbers, which was not the majority of the population.

Josephus stresses several times that this group enjoyed the support of “the masses,”²⁴ (Φαρισαίων τὸ πλῆθος σύμμαχον ἔχόντων) or was the leading group²⁵ (τὴν πρώτην ἀπάγοντες αἴρεσιν εἰμαρμένη). However, this support did not amount to formal membership of the masses in the group, but was probably “external support.” Some dispute Josephus’ claims on this matter.²⁶ Perhaps the support of the “masses” for the

the terms “ma’aser,” “teruma” and others. A. Schremer also disputes our ability to draw conclusions from the etymological or linguistic structure of the names of groups, partly due to the use of offensive names. See A. Schremer, “The Name of the Boethusians: A Re-Consideration of Suggested Explanations and Another One,” *JJS* 48 (1997), 290–99. We shall accept their approach in principle, and therefore shall not discuss the etymology in detail. Others have tried to learn a lot from the linguistic aspect. For a general discussion on the coining of terms in this area, see also: S. J. D. Cohen, “The Significance of Yavneh: Pharisees, Rabbis & the End of Jewish Sectarianism,” *HUCA* 55 (1984), 41, n. 39.

²³ *Ant.* 17, 42.

²⁴ See *Ant.* 13, 298; *ibid.*, 400–2; *ibid.*, 18, 15.

²⁵ *War* 2, 162.

²⁶ Smith disputed the consensus by disputing the claims of the literature of the Sages and of Josephus, arguing that the Pharisees were not “normative Judaism” in the ancient era, and did not automatically receive the support of the masses. Not only did the masses not completely support the Pharisees, but we may also assume that some of them opposed the Pharisees. See: M. Smith, “Palestinian Judaism in the First Century,” 67–81. In 1989, Goodblatt reexamined the various theories and concluded that Smith had yet to be disproved, in other words, that the Pharisees were not necessarily representatives of normative Judaism of those times. This approach will accompany us in this book, as we shall view the Pharisees as *one* of the groups composing the whole of Judaism (normative and non-normative) in the period. For a general description of the traditional theory, the opinions of Smith and later scholars, see: D. Goodblatt, “The Place of the Pharisees in First Century Judaism: The State of the Debate,” *JJS* 20 (1989), 12–30, esp. 28–29. Perhaps the wide support described by Josephus was somewhat exaggerated. However, the fact that the Pharisees were not necessarily Cohanim (priests), and were not identified with a particular aristocratic class, may have brought them closer to the masses.

Pharisees is connected to some degree to the absence of class identification within the Pharisees.

Unlike the Sadducees and other groups, the Pharisees did not relate themselves to a particular genus or class. The Pharisees included Cohanim, Levites and members of the other tribes of Israel, and both rich and poor.²⁷ While there were other groups that avoided distinguishing individuals by property, some groups conducted an egalitarian lifestyle (such as the Qumran group). However, in those groups there was a clear distinction by lineage.²⁸ Among the Pharisees, apart from certain respectful manners, there was even some revulsion from such distinctions.²⁹ Accordingly, scholars have argued that the Pharisees represent a class opposed to the wealthy and those of “worthy” lineages.³⁰ Later, scholars argued that the Pharisees represent the “country folk,” as opposed to the “town folk,”³¹ or that they represent the opponents of the regime of the House of Herod,³² or that they broke the monopoly of the Cohanim.³³ It appears hard to conclude whether the Pharisees represented any particular class in contrast to other classes. Perhaps the Pharisees were unique in being open to members of all classes without conditioning membership

²⁷ For concrete examples of Pharisees who were Cohanim and Israelites, rich and poor, see for example: E. Rivkin, *A Hidden Revolution*, (1978) 65.

²⁸ On the Qumran group, see later in this chapter, section 2.5.

²⁹ This is clear in Josephus, and also in the literature of the Sages. One of the most convincing sources in the Sages is M. Aboth. The “Pairs” are considered by most scholars to be the most loyal representatives of the historical “Pharisees.” The words of R. Yose Ben Yohanan of Jerusalem, of one of the pairs: “May your house be wide open, and may the poor be in your household, and do not talk much with the wife . . .” (M. Aboth 1,5). See: J. Goldin, “The First Pair (Yose Ben Yoezer and Yose Ben Yohanan) or the Home of the Pharisee,” *AJS Review* 5 (1980), 41–62, esp. 61.

³⁰ See Goldin, *ibid.*

³¹ This is the principle behind Finkelstein’s article (1929) and book (1938), see: L. Finkelstein, “The Pharisees: Their Origin and their Philosophy,” *HTR* 22 (1929), 185–261; *ibid.*, *The Pharisees: The Sociological Background of their Faith*, Philadelphia 1938.

³² A. Geiger, *Hamikra Utargumav*, trans. Y. L. Baruch, Jerusalem 1949, 69–146 (Hebrew). On this issue see also: L. I. Levine, “Al Meuravutam Hapolitit shel Haprushim Betekufat Hordos Ubeyemei Hanetzivim,” *Cathedra* 8 (1978), 11–28 (Hebrew).

³³ On the contrast between the Cohanim class and the Pharisees, visible in M. Aboth and other sources, see: M. D. Herr, “Haretzef Shebeshalshet Mesiratah shel Hatorah: Lebeirur Hahistoriographia Hamikrait Behagutam shel Chazal,” 1980, 43–56 (Hebrew).

upon lineage or class. We also find that among the Pharisees all the types of lineage and all the classes dwelt together.

What has been said so far should not be misconstrued to imply that the Pharisees were not involved in politics. Quite the opposite. According to the sources, we can establish the period of their activity and their involvement in the socio-political arena of their time. Moreover, one could conclude that, according to Josephus, the Pharisees were the most dominant group among the Jewish groups.³⁴ Also, that the Pharisees had significant influence during the Hasmonean period (and beyond).³⁵ We can certainly state that they avoided social isolation, were involved (to different degrees) in the center in Jerusalem, and continued to have influence over a long period of time.³⁶ In light of this, Sanders concluded that if “sectarianism” is measured by proximity to (or distance from) the social center, then it would be incorrect (and wrong) to call the Pharisees a “sect.”³⁷

It should be noted that Josephus says about himself that he “followed the Pharisees.”³⁸ The sentence raises several doubts. It can be argued that Josephus identified himself as a Pharisee. It can also be argued that in this sentence Josephus does not identify himself as a Pharisee at all: “Josephus was not, and never claimed to be, a Pharisee,”³⁹ but rather noted that in public works he “followed them.” Even if we assume that he did identify himself as a Pharisee, this declaration might not reflect historical truth, as it could have been said from a wish for political survival after the “victory” of the Pharisees over the other groups. Even if we take it as the historical truth, we cannot determine whether this fact adds or detracts from

³⁴ One of the conclusions of Mason, see in the summary of his book: S. N. Mason, *Flavius Josephus on the Pharisees*, 372–73.

³⁵ As he says: “Their key role is evident at every point of Jewish history that Josephus deals with: under the Hasmoneans . . .” (*ibid.*, 372).

³⁶ E. P. Sanders claims that they continued their influence even after the time of Hillel, in contrast to the opinions of Neusner and others. See E. P. Sanders, *Jewish Law from Jesus to the Mishnah*, 236–54.

³⁷ As he says: “. . . we should reserve the word ‘sect’ for a group which was to an appreciable degree *cut off* from mainline society . . . How people can look at these facts, which cannot be disputed, and conclude that the Pharisees were a sect like the Dead Sea group I find puzzling . . .” (*ibid.*, 241). We have already referred to this issue in Chapter One, section 1.1.

³⁸ *Life* 12, and see the next two footnotes. On the various opinions concerning the degree of Josephus’ identification with the Pharisees, see below.

³⁹ See S. Mason, *Flavius Josephus on the Pharisees*, 374.

his reliability.⁴⁰ In any case, the historical picture of the Pharisees presented by Josephus is as follows:⁴¹

The Pharisees are similar or identical to a Greek philosophical school, namely, the Stoics.⁴² It appears that the popular perception of the Stoics was as a group whose ideological/theological aspects were at the center of its spiritual world, especially the positive belief in spiritual aspects such as the reincarnation of the dead, rewards and punishment in the future, and other theological matters. The assumption was that these aspects influence their actions in practice. This is why Josephus considered them similar to the Pharisees, and characterized the Pharisees as having similar beliefs. Therefore, such issues were perceived as being central for the Jewish groups.⁴³ The Pharisees were characterized by their positive faith in these theological elements (even if only partially, according to Josephus).

The Pharisees, according to Josephus, were not identified with the upper social class or with the priests, but were closer to the ordinary people,⁴⁴ and were involved in interpreting the Bible and Biblical commandments,⁴⁵ and as mentioned earlier, they were also involved in non-Biblical Halakhic laws. From Josephus' description, this was an occupation only of the Pharisee group.

Concerning political involvement, some scholars have understood Josephus as meaning that the Pharisees were involved only up to

⁴⁰ For a discussion on this point, see Mason, *ibid.*, 325–41.

⁴¹ For a more comprehensive presentation of the “Pharisees according to Josephus,” see: E. Rivkin, *A Hidden Revolution*, 33–75.

⁴² He compares the Pharisees with the Stoics, and the Essenes with the Pythagoreans. See *Life* 2 (12) and *Ant.* 16 (371). On this issue, see also: E. Schürer, *The History of . . .*, II, 393. On the philosophical identification of the Sadducees, see later in this chapter, section 2.3.

⁴³ For a list of the ideological issues in dispute between the groups, and especially between the Sadducees and Pharisees, with references to Josephus, see Schürer, *ibid.*, 391–94.

⁴⁴ See above, and see also: *Ant.* 12 (298); *ibid.*, 18, 14–17. This is the center of Lauterbach's understanding of the dispute between the two groups. See: J. Z. Lauterbach, “The Sadducees and Pharisees,” in *Rabbinic Essays*, Cincinnati 1951, 176–98. (Originally published in *Studies in Jewish Literature, Issued in Honor of Prof. K. Köhler*, Berlin 1913).

⁴⁵ See: *Ant.* 13 (297), in contrast to the Sadducees. See also: *ibid.*, 18, 15–16. For a discussion on this issue, see: C. Wassen, “Sadducees and the *Halakhah*,” 127–46, esp. 128 ff. Additional sources on this issue: *War* 2 (162); *Life* 38 (191); compare *Acts* 22:3; *ibid.*, 26:5; also *Ant.* 17 (41); *ibid.*, 13 (297); *ibid.* 16 (408).

the Herodian period, while others have thought otherwise.⁴⁶ This problem is related to the problem of internal consistency in Josephus' description of the Pharisees, since on the one hand he has a positive and favorable attitude towards them, and on the other hand, sometimes condemns them (probably on the basis of quotations from Nicolaus of Damascus). This inconsistency is clear when one compares what he says in *Jewish War* to what he says in *Jewish Antiquities* (*Ant.*) and *Life of Josephus* (*Vita*).⁴⁷ The feeling of unreliability increases in light of Josephus' testimony that he returned to the Pharisee school⁴⁸ and supported it after trying the other groups. However, he

⁴⁶ The main supporters of the theory that divides the Herodian period from earlier periods are Neusner and Smith: M. Smith, "Palestinian Judaism in the First Century," 75–79; *ibid.*, "A Comparison of Early Christianity and Early Rabbinic Traditions," *JBL* 82 (1963), 169–76; J. Neusner, *The Rabbinic Traditions about the Pharisees before 70*, III, Leiden 1971, 320–68; *ibid.*, *The Pharisees: Rabbinic Perspectives*, New Jersey 1973; *ibid.*, *From Politics to Piety . . .*, esp. 146. Other scholars have thought otherwise. See for example: L. I. Levine, "Al Hameoravut Hapolitit shel Haprushim Betekufat Hordos Ubeyemei Hanetzivim," 12–28 (Hebrew). See footnotes later in this chapter on this issue.

⁴⁷ The negative attitude is particularly clear in the following places: *War* 2, 161; *Ant.* 13 (408–11), and especially *ibid.*, 17 (41–46). Some have explained that the most negative passage is taken from Nicolaus of Damascus, and that this issue is related to the political attitude towards the House of Herod. We tend to accept this approach (for references see A. I. Baumgarten as described below). The positive attitude appears throughout Josephus' works, for example: *Life* 38 (191); *Ant.* 18 (12–15). For an extensive description of the problem and of the opinions of Neusner and Smith on this issue, see: S. Mason, *Flavius Josephus on the Pharisees*, 32–39. Mason himself rejects the claims of inconsistency in Josephus' description of the Pharisees, and concludes that Josephus is consistently *negative* towards the Pharisees (*ibid.*, 373, sections 3–4). However, Josephus is consistent in stating that the Pharisees were very involved in events, and that they were supported by the masses (*ibid.*, 372–73). I mentioned earlier the opinions of Rasp and Smith on the reliability of Josephus' works. Neusner and Smith linked the inconsistency to political changes the Pharisees experienced. They argue that Josephus changed his opinion in favor of the Pharisees during the later period when the Pharisees became leaders of the people. Schwartz rejects this approach: D. R. Schwartz, "Nicolaus and Josephus on the Pharisees," *JJS* 14 (1983), 157–71. For another opinion see: D. Goodblatt, "The Place of the Pharisees in First Century Judaism: The State of the Debate," *JJS* 20 (1989), 12–29. Extensive discussion on the sources for this issue can be found in Mason, Rivkin and Baumgarten: S. N. Mason, "Was Josephus a Pharisee: A Re-Examination of *Life* 10–12," *JJS* 40 (1989), 31–45; E. Rivkin, *A Hidden Revolution*, esp. 32; A. I. Baumgarten, "Rivkin and Neusner on the Pharisees," in *Law in Religious Communities in the Roman Period: The Debate over Torah and Nomos in Post-Biblical Judaism and Early Christianity*, P. Richardson et al. (eds.), Canada 1991, 115–21.

⁴⁸ We have presented here the accepted position that Josephus says he "became a Pharisee." Mason distinguishes between following the laws of the Pharisees and support for or membership of the group. As he says: "Josephus was not, and never

does state that he found satisfaction in the three years he spent with Bannus (*Life* 11–12), and he praises especially the Essenes.⁴⁹

The Qumran literature also helps us describe the Pharisees, based on deciphering the epithets in this literature. Some of these epithets have been identified as referring to the Pharisees. The identification of “seekers after smooth things” and “Ephraim” as referring to the Pharisees,⁵⁰ and the deciphering of the Halakhic writings (the Temple Scroll, the Damascus Document and Miqsat Ma’ase Ha-Torah), strengthen the argument that the Pharisees can be described, also according to the Qumran literature, as active in the socio-political arena in Jerusalem, as involved in interpreting the Bible and as a coherent and well-defined group.⁵¹

Christian literature is problematic due to the many derogatory terms for the Pharisees. However, there is also concealed praise, such as the need to recognize the Pharisees and accept their authority (for example, *Matt.* 23:2). The many references to the Pharisees, in the context of theological debates, social activity or even derogatory terms, indicate the importance of the Pharisees in the socio-political arena. It is difficult to obtain reliable historical information from derogatory terms, especially with the awareness that the Pharisees were the opponents of the early Christians. The New Testament

claimed to be, a Pharisee . . . he began to involve himself in public life, which meant ‘following the school of the Pharisees.’” (S. Mason, *Flavius Josephus on the Pharisees*, 374). For a presentation of these difficulties in the reading of Josephus, see Shaye Cohen’s review of Rivkin: S. J. D. Cohen, “Review of Rivkin’s *Hidden Revolution*,” *JBL* 99 (1980), 628.

⁴⁹ See Mason’s summary of the consistency of Josephus in praising the Essenes: S. Mason, *Flavius Josephus on the Pharisees*, 374.

⁵⁰ The term “seekers after smooth things” appears several times in the Qumran literature, such as: Peshar Nahum (2–7), Peshar Yeshaayah (23), Damascus Document (1) and others. This term was identified as an epithet for the Pharisees mainly due to the event with Demetrius according to the source in Peshar Nahum. This issue shall be discussed later in this chapter, section 2.5. The origin of the term “seekers after smooth things” is probably Biblical verses. See: *Isaiah* 30:10 and *Daniel* 11:32. Some dispute the identification of the term with the Pharisees. See for example: F. M. Cross, *The Ancient Library of Qumran: The Haskell Lectures 1956–1957*, London 1958, Garden City 1961², Sheffield 1995³ (Revised and Extended Edition), 123, n. 25; J. M. Allegro, “Further Light on the History of the Qumran Sect,” *JBL* 75 (1956), 89–95. On the terms “Menashe” and “Ephraim” in the Qumran literature, see: D. Flusser, “Prushim, Zedokim VeIssiyim BePeshar Nahum,” in *Mechkarim Betoldot Israel Ubalashon Halvrit—Sefer Zikaron LeGedalyahu Alon*, M. Dorman et al. (eds.), Tel Aviv 1970, 133–68.

⁵¹ On these features of the Pharisees according to the Qumran literature, see *ABD*, “Pharisees,” V, 301.

links the Pharisees closely with the birth of Christianity. They appear in all four gospels and in the Epistles of Paul, and were mentioned as having contact with Paul and Peter in *Acts*. The main figure in early Christianity, Paul,⁵² testifies to his Pharisee background (*Acts* 22:3–6; *ibid.*, 23:6–7, *Philippians* 3:5; *Galatians* 1:13–14). From this we may conclude that the Pharisees were a central factor in the same society in which Christianity developed.⁵³

The Sociopolitical Involvement of the Pharisees

The group first appears in the Hasmonean period,⁵⁴ and Josephus describes the two groups, the Pharisees and the Sadducees, as active and involved in the political arena. Despite the disagreements between scholars on the reliability of Josephus' works and about the reliability of his description of the historical Pharisees, they do not disagree over the sociopolitical involvement of the Pharisees, according to Josephus, during the Hasmonean period.⁵⁵ Their involvement was

⁵² On the centrality of Paul to the development of Christianity, and for additional sources, see: *ABD*, "Paul," V, 186–201.

⁵³ For more details on the connection between Christianity and the Pharisees, see: E. Rivkin, *A Hidden Revolution*, 25–26, 76–124.

⁵⁴ In *Ant.* they appear first during the period of John the Hasmonean, and Josephus stresses their existence during that period (κατὰ δὲ τὸν χρόνον τοῦτον τρεῖς αἰρέσεις), see *ibid.* 13 (171). Elsewhere in the same work (18, 11) he notes that they are "ancient" (ἐκ τοῦ πᾶν ἀρχαίου), but he does not describe their active involvement in the period before the Hasmoneans. We should note that in *War* they first appear only during the reign of Queen Shlomzion, about seventy-five years later. Many scholars have referred to this passage in *Ant.*, in a location where it does not seem relevant. The discussions around the location of the passage have a direct impact on its chronological accuracy. D. Schwartz, for instance, argues that the passage was incorporated from another context, based on the writings of Nicolaus of Damascus, and therefore the chronological reliability of the passage is not very high (D. R. Schwartz, "Nicolaus and Josephus on the Pharisees," esp. 161, n. 15). In contrast, Moore and Mason claim that the passage in its current location can be used as accurate chronological evidence (see: G. F. Moore, "Fate and Free Will in the Jewish Philosophies According to Josephus," *HTR* 22 (1929), 372; S. N. Mason, *Flavius Josephus on the Pharisees*, 196–202). We accept the latter approach, of Mason, the later scholar, who used more convincing linguistic and contents arguments (see *ibid.*). Accordingly, this passage indicates a correct chronology. The first event described by Josephus in *Ant.*, expressing active involvement in the Hasmonean rule, is an event attributed to the period of John Hyrcanus. See *Ant.* 13 (288–98). The similarity to the description of the Sages attributed to the reign of King Jannaeus is notable, see below.

⁵⁵ See earlier in this chapter, where we presented different opinions on the political involvement of the Pharisees during the reign of Herod, but regarding the

not dependent solely on them, but mainly on the decision of the Hasmonean leader regarding his group identification. Each Hasmonean leader had to choose between the Sadducees and the Pharisees, at least from the time of John Hyrcanus onwards, and this determined the halakhic policy of the Temple, and perhaps the policies of other leadership institutions such as the Sanhedrin.

So, the Sadducees and Pharisees were deeply involved in the political arena according to the type of regime at any given moment. This can be compared to the current political system, when the moment a certain party is elected, the entire political and leadership system changes. Those close to the regime (or the coalition) in terms of their laws and leadership style receive leadership positions and proximity to the regime. When the regime changes, the entire senior leadership can also be changed.⁵⁶ This is one of the reasons for some scholars' using the term "parties" to define the Jewish groups in the Second Temple period. However, there is a difference of principle, since today the regime is democratically elected, which was not the case during the Hasmonean period.

According to the sources, the proximity to power changed according to different historical periods and the different Hasmonean leaders and their interests. The historical picture indicated by the sources appears like this:

The Hasmonean regime at its inception, up to the reign of John Hyrcanus, was close to the Pharisees.⁵⁷ This description accords with those who argue that the Pharisees are identical to (or come from) the historical "Hasidim,"⁵⁸ who supported the Hasmonean revolt

Hasmonean period, there is no disagreement. See: L. I. Levine, "Hamaavak Hapoliti Bein Haprushim Lazedokim Batekufa Hachashmonait," *Yerushalayim Beyemei Bayit Shenit: Sefer Zikron LeAvraham Schalit*, A. Oppenheimer et al. 1981, 81–82. For a summary of the opinions of Smith, Neusner and Rivkin on this issue, see: S. N. Mason, *Flavius Josephus on the Pharisees*, 32–37.

⁵⁶ See for example Levine on the attitude of the Hasmonean leaders toward the opposing group (the Pharisees in this case): "rulers like Jannaeus and Aristobulus II did not give the Pharisees any foothold in their government," L. I. Levine, "Hamaavak Hapoliti Bein Haprushim Lazedokim . . .," 81–82.

⁵⁷ *Ant.* 13 (288–98), and later there, we see how John Hyrcanus was at first considered a student and supporter of the Pharisees. (Josephus calls him a μαθητής of the Pharisees).

⁵⁸ "Hasidim," according to the terminology of *Hasmoneans*, see *Hasmoneans* 1:1. Some are determined that the Pharisees originated from the Hasidim, for example: E. Schürer, *The History of the Jewish . . .*, II, 397, 400–1. In his article on the hypothesis regarding the identity of the Hasidim, Davies starts: "If any general tendency

during the time of Mattathias.⁵⁹ Following a particular event, John Hyrcanus transferred the regime's proximity to the Sadducees.⁶⁰ This situation continued until the death of Alexander Jannaeus. Jannaeus was forced to conduct open and violent confrontations with the Pharisees.⁶¹ These confrontations led to the Pharisees appealing to a Greek authority to depose the Hasmoneans from leadership⁶² and to a massacre of Pharisees in the center of Jerusalem.⁶³ The Pharisees are not mentioned by name either in Josephus or in the Qumran texts;⁶⁴ we accept that these were Pharisees on the basis of the

has prevailed, it is to see in the *Hasidim* the forerunners of Pharisees or Essenes or both," (P. R. Davies, "Hasidim in the Maccabean Period," *JJS* 28 [1977], 127. However, later he expresses opinions that make the identification of the Hasidim with the Pharisees very doubtful, despite a "connection" between them [see *ibid.*, 131]. Davies disproves what he calls the "Hasidic Hypothesis" [*ibid.*, 127] without proposing any alternate identification [*ibid.*, 127–40]).

⁵⁹ See *Hasmoneans* 1:1; Josephus *War* 1 (36–37); *Ant.* 12, 365 ff.

⁶⁰ See *Ant.* 13, 288–98. Some of the Talmudic sources link this event to the period of Jannaeus. See BT *Berachoth* 29a; BT *Kiddushin* 6a–6b (cf. *Ant.* 13, 372); *Psikta DeRabbi Kahana* 11 (Mandelbaum edition, 176). We prefer Josephus' testimony that this was during the period of John Hyrcanus, rather than the Talmudic version, for this historical detail. For a list of articles on this issue, see: A. I. Baumgarten, "Rabbinic Literature as a Source for the History of Jewish Sectarianism in the Second Temple Period," *DSD* 2 (1995), 36, n. 81. For a selection of articles see: G. Alon, "Emdat Haprushim Klapei Shilton Romi Ubeit Hordus," *Zion* 3 (1938), 300–22 (also in *Mechkarim Betoldot Israel*, A, Tel Aviv 1957, 26–47, esp. 32–33, n. 22) (Hebrew). The reasons for preferring Josephus' description to that of the Talmud are listed in: L. I. Levine, "Al Hameoravut Hapolitit shel Haprushim Betekufat Hordos Ubeyemei Hanetzivim," 13, n. 8 (Hebrew). However, Levine dates the tradition regarding the split between the Pharisees and the Hasmoneans later (to the reign of Queen Shlomzion). See: *ibid.*, "Hamaavak Hapoliti Bein Haprushim Lazedokim Batekufa Hachashmonait," 70–74 (Hebrew). Levine also discussed the assumption that the Pharisees initiated the break, and claims that the increasing proximity between the Hasmonean regime and the Sadducees left the Pharisees no choice, and caused the split (see *ibid.*, 74). For an opinion disputing Josephus' description, see Y. Bear, "Hayesodot Hahistoriyim shel Hahalakhah," *Zion* 27 (1962), 124–25 (Hebrew).

⁶¹ See *Ant.* 13, 372–98.

⁶² The Jews opposed to Alexander Jannaeus contacted Demetrius Eucuerus. This event is described in *Ant.* 13, 376. This event is also mentioned in the Qumran literature, as clarified below.

⁶³ Josephus repeats the precise number of Pharisees executed as a result of this event. According to Josephus, the figure was eight hundred Pharisees, and he mentions it in two places: *Ant.* 13, 380, and *Ant.* 13, 410. The Qumran texts do not confirm the exact number. See below.

⁶⁴ Levine explains the non-mentioning of the Pharisees by name as Josephus' interest in improving the image of the Pharisees and strengthening their descendants in the new center at Yavneh. See L. I. Levine, "Hamaavak Hapoliti . . .," 69–70. For the Qumran source, see the next footnote.

identification of epithets in the Qumran writings,⁶⁵ and on the basis of the continuation of the story in Josephus. When they avenged this act of Jannaeus's, during Queen Shlomzion's reign, they are mentioned by name. After the death of Alexander Jannaeus, Queen Shlomzion became close to the Pharisees, and as a result they became involved in the regime once more, and even got revenge for what had been done to them during their time of distance from the center of power.⁶⁶ In addition, we can see the struggle between the Hasmonean brothers, Hyrcanus and Aristobulus, as struggles between the Pharisees and Sadducees, respectively.⁶⁷

According to this historical reality, there were continuous struggles between the Pharisees and Sadducees in the political arena throughout the Hasmonean period, and even into the Herodian period.⁶⁸ In view of this political involvement during the entire Hasmonean period, we must conclude that the Pharisees were not purely a religious group,⁶⁹ but were actively involved in the Jerusalem center, with well-defined political and social platforms.

⁶⁵ The Qumran source on this matter is *Pesher Nahum* (4QpNah); this Qumran source confirms the basic facts of the event in principle.

⁶⁶ As described by Josephus, *Ant. ibid.*, 15, 398–407. Josephus says there explicitly that during the reign of Shlomzion, the Pharisees held the center of power (*ibid.*, 409). See L. I. Levine, "Hamaavak Hapoliti . . .," 65–66.

⁶⁷ Although it is not so simple to say "respectively." It appears that Hyrcanus was close to the Pharisees, and Aristobulus close to the Sadducees, but there are various problems with this identification, such as the story of Honi the Circle Maker, and others. For a discussion of this point, see: G. Alon, "Emdat Haprushim Klapei Shilton Romi Ubeit Hordus," 300–22.

⁶⁸ This discussion is limited to the Hasmonean period, and so we shall not expand upon the later period, the period of Herod and the revolt. On the involvement of the Pharisees in later periods, see: *Ant.* 14, 174; *ibid.*, 15, 3, on the Pharisees' "support" for Herod; *ibid.*, 15, 370 and *ibid.*, 17, 42, on the refusal of the masses to swear allegiance to Herod. Regarding the period of the Great Revolt, see *War* 4, 159. For a discussion of the involvement of the Pharisees in later periods, see: E. Schürer, *The History of the Jewish . . .*, II, 394–95. For more details, see: G. Alon, "Emdat Haprushim Klapei Shilton Romi Ubeit Hordus," 300–22; L. I. Levine, "Al Hameoravut Hapolitit shel Haprushim Betekufat Hordus Ubeyemei Hanetzivim," 11–28.

⁶⁹ In contrast to those who believe that the Pharisees were a purely religious group, without political involvement. Thus, for example, Schürer argued at first that the Pharisees were a religious group. As he said: "In regard to politics, the Pharisaic view was also a genuinely Jewish one, namely that political questions are to be treated not from a secular but from a religious standpoint. The Pharisees were not a political party at all," but later had to retract, saying: "It was only when the secular power interfered with the observance of the law that they gathered together to oppose it, and then became . . . a political party countering external power with external resistance. This happened not only in pre-pharisaic times dur-

We must also assume that the rule of either party had many effects, including: control of power centers (including military forces); general Halakhic standpoints and Halakhic leadership in the Temple;⁷⁰ the leadership of the Sanhedrin or central courts;⁷¹ and control of the official institutions in Jerusalem related to the entire social life of the people at the time. We can learn about the involvement of the various groups in the public bodies such as the Sanhedrin (συνέδριον) and law courts⁷² both from Josephus⁷³ and from Christian

ing the oppression by A.E., but also particularly under the Jewish princes John Hyrcanus and Alexander Jannaeus . . .” (E. Schürer, *The History of the Jewish . . .*, II, 394). Since there were “interferences” with the observance of the Pharisaic law throughout the Hasmonean period, there is no meaning in referring to them as a purely “religious” group. For the rejection of this approach, and on the House of Herod, see: G. Alon, “Emdat Haprushim Klapei Shilton Romi Ubeit Hordus,” 300–22.

⁷⁰ In several places where Josephus describes a transfer of regime between the Pharisees and Sadducees, he also notes changes they initiated in lifestyle. When he describes the acts of John Hyrcanus, who moved from the Pharisees to the Sadducees, he says explicitly that this was accompanied by overturning all the Pharisee leaders: τῶν Φαρισαίων ἀποστάντα καὶ τὰ τε ὑπ’ αὐτῶν κατασταθέντα νόμιμα τῷ δήμῳ καταλύσαι καὶ τοὺς φυλάττοντας αὐτὰ κολάσαι (*Ant.* 13, 296). We should note that these changes are connected to the changes made by High Priest John, as described in M. Sota 9, 10 and M. Ma’aser Sheni 5, 15. See the interpretation of Marcus: R. Marcus, Josephus: *Jewish Antiquities*, in *LCL*, VII, London 1958, 375, note d. This interpretation is not necessary at all, since these regulations can be understood positively. On this point, see: S. Lieberman, *Yevanit Veyavnut Be’eretz Israel*, Jerusalem 1984, 253–56 (Hebrew), esp. his words there: “From this discussion it appears that some of the removals of John were aimed at purifying the Temple ritual and removing any trace of similarity to idolatry. In order to keep the peace, he did not reveal his intention in public. But the desired end was achieved, and the Sages praised him for this” (*ibid.*, 256). Thus also when the Pharisees regained control during the time of Queen Shlomzion, Josephus describes the cancellation of the Sadducee laws and the returning of the leadership to the Pharisees. As he says: καὶ πάντα τοῖς Φαρισαίοις ἐπιτρέπει ποιεῖν . . . καὶ τὸ πλῆθος ἐκέλευσε πειθαρχεῖν, καὶ εἴ τι δὲ καὶ τῶν νομίμων Ἰρκανὸς ὁ πενθερὸς αὐτῆς κατέλυσαν ὧν εἰσήνεγκαν οἱ Φαρισαῖοι κατὰ τὴν πατρωϊάν παράδοσιν, τοῦτο ἄλλιν ἀποκατέστησεν (*Ant.* 13, 408). Here it is stressed that the Laws of the Ancestors were cancelled by Hyrcanus and reinstated by Shlomzion. This is additional evidence that the issues of Halakhah and leadership changed according to the group identity of the rulers.

⁷¹ On the influence of the Sadducees in the Sanhedrin and courts, see below.

⁷² Scholars are divided on the relations between the Sanhedrin and the law courts. Various, conflicting, suggestions have been made to solve the problem of the sources on this issue. For a discussion of this issue, see: E. Bickerman, “Al Hasanhedrin,” *Zion* 3 (1938), 356–59 (Hebrew); C. Albeck, “Hasanhedrin Unesia,” *Zion* 8 (1942), 165–78 (Hebrew); S. Zeitlin, “The Political Synhedrion and the Religious Sanhedrin,” *JQR* 36 (1945–1946), 303–6; E. Rivkin, “Beth Din, Boule, Sanhedrin: A Tragedy of Errors,” *HUCA* 46 (1975), 181–99. For extensive bibliography on this issue, see: L. H. Feldman, *Josephus and Modern Scholarship*, 463–64.

⁷³ In the period of the Hasmonean brothers and the rule of the House of Herod.

literature. The Christian literature expresses the involvement of the Pharisees in the socio-religious arena in Jerusalem. This involvement is expressed in several ways: their opposition to Jesus in the religious-political arena;⁷⁴ their frequent presence in the company of the High Priest,⁷⁵ and with “lawyers” and persons of influence in the courts;⁷⁶ and their presentation as having connections and influence with the Roman rulers.⁷⁷ The Tannaitic material also supports the involvement of the Pharisees in the social and religious life in Jerusalem. The degree of their involvement also depends on the question of the attitude of the sources of the Sages towards the Pharisees. Whoever claims that a large proportion of the Literature of the Sages reflects the historical Pharisees group does not question the involvement of Pharisees, since their involvement is clear in all the Talmudic sources.

These sources stress the clear involvement of the Pharisees in the affairs of the Temple, the Sanhedrin, and Halakhic practice. The examples here are, intentionally, from sources that we determined earlier to reflect the historical Pharisees, and which will also serve later to prove the public involvement of the Sadducees as well:

The event of bringing Herod before the Sanhedrin was clearly a Pharisee action against Herod, according to the identification of the character “Σωμαίᾶς” (*Ant.* 14, 163–84). See also: R. Marcus, Josephus: *Jewish Antiquities*, in *LCL*, VII, 541, note c. See also *Ant.* 20, 199–203; *ibid.*, 14, 91 on the “Sanhedraot” (συνέδρια) founded by Gabinius, and cf. *War* 1, 170, where the term συνέδου appears. For additional references of the Sanhedrin, where the connection to the Pharisees or Sadducees is unclear (or to the Jews at all, i.e., the Sanhedrin of Herod), see for example: *Ant.* 15, 173; *War* 4, 213; *ibid.*, 336; *Vita* 62; cf. *War* 3, 138. For an analysis of this subject and the sources, see: Bickerman, “Al Hasanhedrin,” 356–59, esp. 356–57, n. 6–9.

⁷⁴ For a summary of the sources about the opposition of the Pharisees to Jesus in the Christian sources, see: *ABD*, “Pharisees,” V., 294 ff., esp. 296. This opposition is probably the reason for all the denigrating terms (such as “hypocrites”) the Christian literature applied to the Pharisees. See for example: *Matt.* 23:13; 23:15; 23:23; 23:25; 23:27; 23:29.

⁷⁵ For appearances of the Pharisees with the High Priest, see for example: *Matt.* 21:45; 27:62; *John* 7:32.

⁷⁶ On the Pharisees’ links with “law and courts,” see: *ABD*, “Pharisees,” V., 294 ff., esp. 296. The Pharisees also appear as members of the Sanhedrin at least twice in the Christian sources. See *ibid.*, 297.

⁷⁷ On the links of the Pharisees with the Roman regime, see for instance: *Matt.* 27:62 (appearing before Pilate); *Mark* 12:13 (with supporters of Herod). For a comprehensive summary of the social, religious and political involvement of the Pharisees and their connections with the Roman regime, according to the Christian sources, see *ABD*, “Pharisees,” V., 295 ff. Josephus also notes the clear political involvement of the Pharisees (or at least some of them) with political person, such as their attitude towards Herod (*Ant.* 15, 3).

1. On the influence on the High Priesthood and the affairs of the Temple:

- A. The oath of the High Priest in the ritual of Yom Kippur (M. Yoma 1, 5)—this oath is made “to remove from the hands of the Sadducees,” as the source says. Therefore, most believe, this passage should be seen as a polemic between the Pharisees and Sadducees. From the source, it is clear that the Pharisees and their representatives had the power to force the High Priest to swear an oath of allegiance to their Halakhic system. This implies that the Pharisees had a degree of control,⁷⁸ at certain times, over the Priests and the affairs of the Temple.
- B. A source dealing with the argument between the Sadducees and the Pharisees regarding the immersion of the Menorah (see below, Chapter Four). The Sadducees deride the Pharisees who immerse the Menorah, from which we can understand that the Pharisees controlled what happened in the Temple.⁷⁹
- C. John, High Priest for eighty years—as the Babylonian Talmud says: “do not believe in yourself till your death, for even the High Priest John served in the priesthood for eighty years and in the end became a Sadducee” (אֵל הָאָמִין בְּעֶצְמָךְ עַד יוֹם מוֹתְךָ) שהרי יוחנן כהן גדול שמש בכהונה גדולה שמונים שנה ולבסוף נעשה צדוקי—(BT Berachot 29a); If he eventually became a Sadducee, this means he had been a Pharisee until then. From this passage we may conclude several things. We can conclude that in general the priests maintained their Pharisee identity. Even if this conclusion is not accurate,⁸⁰ it is clear that for

⁷⁸ However, this control must be qualified by the very fact that they had to make the High Priest swear to use their doctrines. This implies there were fears that the High Priest might not do what the Pharisees wished. This qualification forms the basis for an argument later in this chapter, in the section on the Sadducees.

⁷⁹ See for example Lightstone’s comment: “. . . the Pharisees in this incident appear to have been priests. Otherwise they could not have gained entry to the Sanctuary and concerned themselves with the state of the Menorah.” (J. Lightstone, “Sadducees *versus* Pharisees . . .,” 208).

⁸⁰ We must be cautious, since perhaps the emphasis here is that he changed his allegiance, rather than that he became a Sadducee, and then the innovation is not in his being a Sadducee, but in the fact that he changed from Pharisee to Sadducee. If this is so, we cannot draw the conclusion mentioned. I believe that this passage indicates that at least until the time of John, the priests did maintain their Pharisaic identity, since the transfer to the Sadducees was important to the Sages, and they would have noted this detrimentally. But, as explained, this conclusion is not necessarily accurate.

eighty years he was a Pharisee, and we should assume that there were others like him who followed the Pharisaic doctrines.

- D. The story of the Sadducee who followed the ways of the Sadducees (Tosefta Yoma 1, 5).⁸¹ We should note that the son acted in contravention of his father's instructions. His father's policy was: "even though we do expound matters as you say, we do not do things in the way in which we expound them. We obey the words of the Sages" ("אף-על-פי שאנו דורשין אין אנו) (עושין ושומעין לדברי חכמים"). This meant that they acted according to Pharisee doctrines. This proves the statement by Josephus that there were periods when the population (both Sadducees and Pharisees) acted according to Pharisee doctrines.

2. In instruction and determining the Halakhah:

Several sources from the Tannaitic Literature indicate that there were periods, such as the period of the Pairs when the Pharisees served as President of the Court and President of the Sanhedrin.⁸² There were also cases when they testified that they had lost control of the Sanhedrin (or a court), such as statements by Shimon Ben Shetach and others.⁸³ When this is mentioned specifically, we may conclude that at other times the Pharisees maintained control of these bodies. In this way we can also interpret several sentences from The Scroll of Fasts (*Megillath Ta'anith*) as proving the involvement of the Pharisees in matters of instruction and Halakhah.⁸⁴

⁸¹ This story will be discussed in greater detail in the chapter on the Halakhic systems of the groups, where we will discuss the sources on this issue. See Chapter Four.

⁸² On the basis of Aboth (1, 4–12), it is said in M. Hagiga 2,2 that: "הראשונים היו נשיאים ושניים להם אבות בית דין" (Tosefta Hagiga 2 (in S. Lieberman, *Tosefta Kifshuta*, 382–83, lines 41–43 (Hebrew)). For a discussion of the reliability of these sources, see: J. Neusner, *The Pharisees: Rabbinic Perspectives*, 10–12.

⁸³ BT Kiddushin 66a and BT Sanhedrin 52b.

⁸⁴ We have not brought any concrete examples from *Megillath Ta'anith* due to the historical problems surrounding this text. Some have interpreted sentences from it against the background of the struggles between the Pharisees and Sadducees in the institutions of instruction (Sanhedrin and courts), such as the sentence: "בארבעה בארבעה חכמים חכמה חכמה חכמה חכמה" (עושין ושומעין לדברי חכמים). But the new studies by Vered Noam on the *Ta'anith* scroll dispute the historical accuracy of this interpretation. On this issue, see: BT BB 115b; B. Z. Luria, *Megilat Ta'anit: Parshiot Betoldot Beit Hashmonai Leor Mishna Qeduma*, Jerusalem 1964, 181–84 (Hebrew); M. Bar Ilan, "Ofya Umeqora shel Megilat Ta'anit," *Sinai* 98 (1986), 114–37 (Hebrew); V. Noam, "Lenusuchav shel ha 'scholion' Lemegilat Ta'anit," *Tarbiz* 62 (1993), 55–99 (Hebrew); *ibid.*, "Shtei Eduyot al Netiv Hamesira shel Megilat Ta'anit veal Motzao shel Nosach Habeynayim

3. The activities of Shimon Ben Shetach express Pharisaic activity in the Halakhic and political leadership in Jerusalem.⁸⁵

Regarding the social involvement of the Pharisees with the masses, as mentioned above, it is clear that they were in the center in Jerusalem, that they were considered the leaders of the masses, and that they were in contact with the people. The only sources that may seem to dispute this approach are those about the *haverim* and the degree of their secession (mentioned in the previous chapter, section 1.2). But even this source is not sufficient to indicate dissociation from the people.⁸⁶ The *haverim* did not secede and maintained their contacts with family members and acquaintances. They were careful not to separate themselves from the normative majority.⁸⁷ They did not move away from the rest of the population physically, nor did they desire such a separation. They maintained contact with their biological families, supported the existence of private property, and resisted complete separation from any party (including the masses).⁸⁸ We shall further develop this issue in the section on lifestyle below.⁸⁹

The Historical Picture of the Pharisees

The most reliable historical picture is that supported by all four sources. According to the sources we have mentioned, the Pharisees were a well-formed political-religious group during the Second Temple Period. They were active in the political, social and religious arenas throughout the Hasmonean period (and beyond), sometimes linked to the Hasmonean regime and at other times to its opponents. Sometimes they controlled the central institutions in Jerusalem: the High

Lebiura," *Tarbiz* 65 (1996), 389–416 (Hebrew); *ibid.*, "Shiva Asar BeElul Bemegilat Ta'anit," *Zion* 59 (1994), 433–44 (Hebrew).

⁸⁵ On the activity of Shimon Ben Shetach and his identification as a Pharisee, see a summary: L. I. Levine, "Hamaavak Hapoliti Bein Haprushim Lazedokim . . .," 66–67 (Hebrew). For a general description, see: Y. Ephron, *Chekrei Hatekufa Hachash-monait*, 250 ff. (Hebrew).

⁸⁶ Regarding the Haverim and their lifestyle see the following: A. Oppenheimer, *Am Haaretz* . . ., 127–63 (Hebrew); G. Alon in his article "Techuman shel Halakhot Taharah (Hebrew) as quoted in A. Oppenheimer, *Am Haaretz* . . ., *ibid.* (Hebrew).

⁸⁷ A. Oppenheimer, *ibid.*, esp. 147–48.

⁸⁸ All the above based on Oppenheimer and the scholars quoted there, *ibid.*, 147–51.

⁸⁹ See below in this chapter and chapter three.

Priesthood, the Sanhedrin and the Temple, at other times they just influenced them, and sometimes they were distanced from important positions of influence. They aimed to be close to the regime in order to conduct social and political changes, but remained within the normative center even when they were distanced from positions of influence (except for periods when the Pharisees or their supporters were persecuted and threatened with annihilation).⁹⁰ They were characterized as a group involved in the interpretation of the Bible and observation of its *mitzvot*, and constituted an infrastructure for the class of the Sages that developed after the Yavneh generation. We can state with certainty that the “early” Pharisees were already strict observers of rules of purity and impurity, the observation of the Sabbath and the holy days, and laws with agricultural elements (such as the tithes). The early Tannaitic sources reflect the period of the historical Pharisees, and reveal a complex Halakhic world.

Despite their strict observations, they lived within Jerusalem, ate and lived with other groups and maintained a lifestyle that did not separate them from the rest of the population (even if we identify them with the *haberim*, which is not certain).

According to Josephus, the Pharisees can be identified by the following elements: the *paradosis* and the *akribia*, their philosophical school (similar to the Stoics), their theological beliefs (believing in fate, life after death, rewards and punishments in the afterlife), and class elements (supported by the poor and common class, and not being identified with the priestly class). The identification with a particular philosophical school (which is not supported in any other source, and is opposed by the Literature of the Sages) seems as overly Hellenistic dressing. The theological opinions are supported by other sources, but were not necessarily typical only of the Pharisees. Concerning the social class, it appears that the Pharisees were not

⁹⁰ For example, during the reign of Alexander Jannaeus (see Josephus, *Ant.* 13, 372–83). At the start of his reign, his opponents remained in Jerusalem, and resisted using the means at their disposal, including calling King Demetrius to fight him (*ibid.*, 377–83). After Alexander Jannaeus started killing them, his opponents escaped into exile at night, and remained there until his death (*ibid.*, 383). Clearly this case is an exception. This is evident from two elements in this event: A. His opponents remained in Jerusalem until their lives were endangered. B. There is no other similar case regarding the Pharisees and their supporters, where they willingly left Jerusalem due to ideological disagreements.

separated from the priestly class and the wealthy class, but nor were they identified with them. In the Literature of the Sages, we find that the Pharisees and their descendents (the early generations of Tannaites) could come from any social class (rich and poor, *Cohanim* and the other tribes of Israel). Perhaps the class characteristic of the Pharisees is their ability to be in contact with all social classes without an accurate class identification of their own. These aspects will be re-examined following our discussion of the Sadducees.

2.3 *The Sadducees*

One of the few things that can be said about the historical Sadducees without necessitating extensive investigation is that they were a priestly society based mainly in Jerusalem. We should not deduce from this that all members of the Sadducee group were priests and resided in Jerusalem. There is evidence (mainly from the New Testament) of the existence of Sadducees outside Jerusalem: in the Galilee and near the River Jordan.⁹¹ But most of the evidence links their socio-political activity to the priesthood and the institutions of the regime in Jerusalem.⁹² It seems that the Sadducee group believed that the priests who were members of this group should be the leaders of the Temple and of the people. This “leadership” included authority on Halakhic matters, lifestyle and ideology. Anyone who supported this view, whether or not he was a priest, whether or not he lived in Jerusalem, was considered a “member” of the historical Sadducee group.

⁹¹ The sources from the New Testament on the theological and other activity of the Sadducees outside the Jerusalem center include, for example: *Matt.* 3:7 (near the River Jordan); *ibid.*, 16:1 (near the Sea of Galilee).

⁹² See for example how Stern characterizes them as the group that controlled the High Priesthood in the Jerusalem Temple from the Persian period up to the Hasmonean period (M. Stern, “Aspects of Jewish Society: The Priesthood and Other Classes,” in *The Jewish People in the First Century*, S. Safrai & M. Stern (eds.), II, Philadelphia 1976, 561–630). Even earlier, Kohler had concluded that the Sadducees were connected to the aristocracy and the high priestly families in Jerusalem, through marriage or social contacts (K. Kohler, “Sadducees,” in *The Jewish Encyclopedia*, X, New York & London 1925, 630–33). The Sages and Josephus link the actions of the Sadducees to Jerusalem, as do the Christian sources (which in the previous footnote mentioned activity outside Jerusalem), see for example: *Acts* 4:1; *Mark* 12:14; *Luke* 20:27. For a summary of opinions and of the sources, see: *ABD*, “Sadducees,” V., 892–95.

Who were the historical Sadducees? As we shall see below, the various sources on the group known as Σαδδουκαῖοι give us differing historical pictures.

According to Josephus' style of characterization, described above, the Sadducees appear as a philosophical school known for its theological opinions. Josephus likens the Sadducees to the Epicurean school.⁹³ However, when one examines Epicurean philosophy, according to Josephus' description, it seems the match is not complete.⁹⁴

It seems that the Sadducees were similar to the Epicureans in not acknowledging fate (εἰμαρμένην παντάπασιν ἀναιροῦσιν),⁹⁵ rewards and punishments in the afterlife or the eternal existence of the soul (ψυχῆς τε τὴν διαμονὴν καὶ τὰς καθ' αἴδου τιμωρίας καὶ τιμὰς ἀναιροῦσιν).⁹⁶ However, the Sadducees, unlike the Epicureans, believe in Providence,⁹⁷

⁹³ He compares the Pharisees with the Stoics and the Essenes with the Pythagoreans (see *Vita* 2, 12 and *Ant.* 16, 371). The comparison of these two groups to these schools implies that he compares the Sadducees with a third Greek school, the Epicureans. Josephus does not say this explicitly, but this is what many scholars have understood. On this issue, see: E. Schürer, *The History of the Jewish . . .*, II, 393; R. Marcus, Josephus: *Jewish Antiquities* XV, in *LCL*, VIII, 179, note d.

⁹⁴ When Josephus describes the Epicureans, he states that they do not believe in fate, and that they dispute the leadership of the Creator (see: Josephus, *Ant.* 10, 277–79). We should note that the term for “fate” is *πρόνοιαν*. This description does not suit the Sadducees, as shall be clarified later. Perhaps the difference between the comparison with the Epicureans and the mismatch should be attributed to the difference between the popular perception and the formal understanding of Epicurean philosophy.

⁹⁵ *War* 2, 164 and *Ant.* 13, 173. The term “fate” here is a different Greek word from that used by the Epicureans (see previous footnote), the term used here is: *εἰμαρμένην*. It could have been possible to assume that Josephus clearly distinguished these terms, but scholars have concluded that these terms are not really differentiated, and that Josephus is making an ideological analogy between the two groups. Thus for example, the Loeb edition has translated both terms as “fate” and “providence,” and Marcus notes: “Fate is here, of course, the Greek equivalent of what we should call Providence” (R. Marcus, Josephus, *Jewish Antiquities*, XVIII, in *LCL*, VII, 311, note g.). So also Baumbach (in the new English translation from 1989) claims that the two terms are identical in this context: “they disavowed *pronoia* (providence), which for Josephus is identical with *heimarmene* . . .” (G. Baumbach, “The Sadducees in Josephus,” 175). See also: G. F. Moore, “Fate and Free Will in the Jewish Philosophies According to Josephus,” 371–89.

⁹⁶ *War* 2, 165.

⁹⁷ This fact is proven by all the descriptions of the Sadducees, and by the very fact that Josephus includes them in the same category of philosophical-religious groups in the Jewish world of the time. Also by the fact that the Sadducees accept certain books and certain *Halakhot* (*Ant.* 18, 16–17), and had arguments over ideologies. Moreover, Josephus claims that the Sadducees did not attribute “evil” to

were strict about other theological aspects such as “free will” (φασὶν ὃ ἐπ’ ἀνθρώπων ἐκλογῇ τό τε καλὸν καὶ τὸ κακὸν προκειῖσθαι καὶ κατὰ γνώμην ἐκάστου τούτων ἐκάτερον προσιέναι)⁹⁸ and the non-attribution of the world’s evil to God (καὶ τὸν θεὸν ἔξω τοῦ δρᾶν τι κακὸν ἢ ἐφορᾶν τίθενται).⁹⁹

While Josephus emphasizes the theological aspects, he also deals with Halakhic and class issues. Regarding the Halakhic position of the Sadducees, he claims that they, unlike the Pharisees, accept only the laws given explicitly in the Torah (*Ant.* 13, 297). He says that the Sadducees did not consider it necessary to follow the traditions passed down from the ancestors (τὰ δ’ ἐκ παραδόσεως τῶν πατέρων μὴ τηρεῖν).¹⁰⁰ From this statement, scholars have understood that according to Josephus, the Sadducees reject the “oral Torah” and accept only the “written Torah.” This was the opinion of most scholars for many years.¹⁰¹ However, it seems that this was not what Josephus meant. Josephus hints several times that there were real disagreements between Pharisees and Sadducees.¹⁰² There could not be any real disputes if the Sadducees did not accept the oral Torah at all. Therefore, we should assume that Josephus himself meant that the Sadducees did not accept the Pharisee tradition, rather than that they rejected any interpretative tradition of the written Torah.

It appears that the use of the term “oral Torah” was a confusing factor, since this is a late term from the literature of the Sages, which was used as a tool for condemning the groups that disagreed with the Pharisees. Henceforth, we shall prefer the term “interpretative tradition of the written Torah,” which is characteristic of both groups. The Sadducees believed in an interpretative tradition of the

God (*War* 165), which implies that they did attribute the “good” of the world, and other things, to God.

⁹⁸ *Ibid.*, *ibid.* See also *Ant.* 13, 173.

⁹⁹ *War* 2, 164.

¹⁰⁰ *Ant.* 13, 297.

¹⁰¹ Wassen summarized the opinions about the Sadducees. Her article begins: “The majority of scholars understand the main difference between the Pharisees and the Sadducees to be their different attitudes toward oral Halakhic traditions. In general, they hold that the Sadducees considered only the written Torah as absolutely authoritative, while the Pharisees considered the oral laws to be as binding as the written. . . .” (C. Wassen, “Sadducees and the *Halakhah*,” 129). She then summarizes the positions of various scholars. See *ibid.*, 129–142.

¹⁰² For hints in Josephus about real disagreements, see: *Ant.* 13, 293: τῶν δ’ ἐκ τῆς Σαδδουκαίων αἰρέσεως, οἱ τὴν ἐναντίαν τοῖς Φαρισαίοις προαίρεσιν ἔχουσιν.

written Torah, and this was one of the main causes of disagreements between them and the Pharisees. In any case, it is clear that according to Josephus, if the *akribeia* and *paradosis* characterized the Pharisees, this is not the case with the Sadducees. The Sadducees were characterized by their theological position. However, both groups accepted the inevitable necessity in an interpretative tradition of the Torah (from the very fact that the written Torah, like any written document, requires interpretation), and their disagreements were only on the contents of these interpretations.

Regarding class aspects, Josephus mentions that the Sadducees enjoyed the trust of the rich, in contrast to that of the “masses” (τῶν μὲν Σαδδουκαίων τοὺς εὐπόρους μόνον πειθόντων τὸ δὲ δημοτικὸν οὐχ ἐπόμενον αὐτοῖς ἐχόντων εἰς ὀλίγους δὲ ἄνδρας οὗτος ὁ λόγος ἀφίκετο, τοὺς μέντοι πρώτους),¹⁰³ and had few supporters, but those were from the upper class (τοῖς ἀξιώμασι, πρᾶσσεταί τε ἀπ’ αὐτῶν οὐδὲν ὡς εἰπεῖν).¹⁰⁴ This is in contrast to the Pharisees who enjoyed the support of the masses. The distinction between the “support of the masses” and the “support of the wealthy” always accorded with the class distinction between the two groups. The proximity of the Sadducees to the priesthood also agrees with the class distinction, since at that time the priests were from the upper class, leaders of the people, at least formally.¹⁰⁵ Many saw the name of the group as expressing the group’s proximity to Zadok the priest, who was promised that he would be the High Priest forever.¹⁰⁶ But we should note that there were some Pharisees called Zadok¹⁰⁷ who were priests (as we can see from Josephus himself),¹⁰⁸ and so this identification requires further

¹⁰³ *Ant.* 13, 298.

¹⁰⁴ *Ant.* 18, 16–17.

¹⁰⁵ See Josephus, *Vita* 1. See also: E. Schürer, *The History of the Jewish . . .*, V., 404.

¹⁰⁶ The Zadok family was the priestly family at the time of Samuel and David (for example, 2 *Samuel* 16:24–29), in the period of King Solomon (1 *Kings* 1–2), and some claim up to the exile (up to 586 B.C.). The genealogy of the Zadok family is problematic due to contradictions between the sources. The argument that the priesthood had been promised to the priest Zadok forever was supported by the prophets. See *Ezekiel* 44:16 ff. For an extensive discussion of Zadok and his genealogy, see: *ABD*, “Zadok,” VI, 1034–36. There is an explicit source for this attribution, in *Aboth D’Rabbi Nathan* 5. See S. Z. Schechter, *Masechet Avot DeRabbi Nathan Bishtei Girsat*, New York 1967, 26 (Hebrew).

¹⁰⁷ For example, *Ant.* 18, 4.

¹⁰⁸ Josephus identified himself as coming from a priestly family, and stresses that he was from a good lineage, being the first among the twenty-four lineages (*Vita* 2):

investigation. Many have conducted an etymological analysis of the name of the Sadducees group, and claimed that the name “Sadducees” indicates their descent from the House of Zadok the priest.¹⁰⁹ In contrast, contemporary scholars reject these attempts, for well-argued linguistic reasons.¹¹⁰ So we shall not rely on any etymological-linguistic analyses. In any case, it appears that the priestly element was an important principle in the foundation of this group. It has been claimed that the Sadducees took over the High Priesthood during those periods when the Hasmonean dynasty lost the priesthood.¹¹¹ Assuming that the identification of the Sadducees with the priestly class and the wealthy class is correct, scholars have assumed that the Sadducees were close to the Hellenistic regime, since the Jewish aristocracy (i.e., the priests and the rich) became close to the Hellenistic aristocracy.¹¹² We should note that Josephus himself does not mention any particular proximity of the Sadducees to the Hellenistic regime, and that this is a development beyond the words of Josephus.¹¹³ To this day, there are scholars who believe that the Sadducees were

ἐμοὶ δ' οὐ μόνον ἐξ ἱερέων ἐστὶν τὸ γένος, ἀλλὰ καὶ ἐκ τῆς πρώτης ἐφημερίδος τῶν εἰκοσιτεσσάρων; however, he decided to belong to the Pharisees (ibid., 12).

¹⁰⁹ This is mentioned explicitly in Avoth D'Rabbi Nathan: “the Sadducees named after Zadok.” See A. Cohen, *The Minor Tractates of the Talmud: Aboth D'Rabbi Nathan*, vol. I, London 1971, 42. For the Hebrew version see third note above. For a discussion on the name “Sadducees,” see for example E. Schürer, *The History of the Jewish . . .*, V., 405–6. See also Baumbach, in the English translation from 1989, who repeats the link between the Sadducees and a person names Zadok (G. Baumbach, “The Sadducees in Josephus,” 179–80. See also the next footnote.

¹¹⁰ An article by Adi Schremer from 1997 is devoted to disproving the etymological analyses of the term “Sadducees.” It is based mainly on linguistic arguments, showing that the term “Sadducees” cannot be derived from “Zadok,” and is probably a deliberate distortion of another term. He claims that the original term was זַדֹּקִיָּצ, and this was deliberately distorted. See: A. Schremer, “The Name of the Boethusians . . .,” 290–99. His claim disputes the identification with “Zadok.”

¹¹¹ Mainly during the period from Herod to the destruction of the Temple. See Baumbach (all references to Baumbach refer to the English translation from 1989), “The Sadducees in Josephus . . .,” 187–88. Baumbach claims that this is also the reason for the anti-Sadducees bias in Josephus’ writings.

¹¹² In the same way that scholars saw continuity from the “Hasidim” to the Pharisees, thus they wanted to see the Sadducees as continuing the Hellenized Jews. This is a far-reaching attempt to create order in history. It seems that events do not always arrange themselves so neatly. There is reason to believe that our wish to organize things can distort the historical truth.

¹¹³ It may be possible to find hints in Josephus, such as the Pharisees being those who struggled against foreign rule (e.g.: against swearing allegiance to Herod, *Ant.* 17, 41–46), while the Sadducees are not prominent in this area.

Hellenized.¹¹⁴ While Josephus does not mention any exact figure of the Sadducees, as he did concerning the Pharisees and the Essenes, it is clear from his writings that the Sadducees were also a well-defined group constituting a minority in the general society.¹¹⁵

Josephus' description of the Sadducees is certainly supported by their description in the New Testament. There also they appear as a group with less interest in the Halakhah, and more identified with ideological matters (such as the eternal soul). They are also described as very involved in socio-political activity in Jerusalem.

The Social and Political Involvement of the Sadducees

In describing the involvement of the Pharisees in the social life in Jerusalem, we have seen that the "Jerusalem Sadducees," according to Josephus, were equally involved. The saying "it takes two to tango" is true also for political disputes—it takes two to have a struggle for the power focus. From Josephus' descriptions we have seen that the Pharisees' "dancing partners" were the Sadducees. From the descriptions earlier, we learn the following:

When John Hyrcanus abandoned the ways of the Pharisees, he adopted the ways of the Sadducees. This is true both of Halakhic behavior and of lifestyle. It seems that during the reign of King Jannaeus the Sadducees were close to the regime and the leadership in Jerusalem. We can assume that that implies leadership of the Temple and the Sanhedrin. Only during the reign of Queen Shlomzion did the Pharisees regain control of Jerusalem.¹¹⁶

As we have stressed, the Christian literature also supports the Sadducees being an organized group active in the social life of Jerusalem. They are not identified with Halakhic disputes, but they are active in the Jerusalem social arena. The Sadducees' arguments

¹¹⁴ Levine brings several proofs in his article that the Sadducees were indeed close to Hellenism. Among others, he relies on: the name Diogenes; the identification of the Sadducees with the wealthy and military officers; the term "Menashe" in the Qumran writings. See: L. I. Levine, "Hamaavak Hapoliti bein Haprushim Lazedukim . . .," 67–69 (Hebrew).

¹¹⁵ See: Josephus, *Ant.* 13, 298; *ibid.*, 18, 16–17, where he says explicitly that few knew and supported the Sadducee approach: εἰς ὀλίγους δὲ ἄνδρας οὗτος ὁ λόγος ἀφίκετο.

¹¹⁶ The main sources from Josephus are: *Ant.* 13, 293–98 for the period of John Hyrcanus; *War* 1, 2 and *Ant.* 13, 402–15 for the period of Shlomzion.

with Jesus are not about the Halakhah, as are those of the Pharisees, but on theological issues (the survival of the soul). All these elements support the approach of the “Jerusalem Sadducees” we have described above.

The Qumran literature referring to “Menashe”¹¹⁷ proves that there was another group active around the Jerusalem social center, the center the Qumran people rejected.

It is interesting that the literature of the Sages, who were apparently the rivals of the Sadducees, proves in some places that the Sadducees took control of the leadership institutions in the Jerusalem center at certain periods. It seems that the same sources used to prove the involvement of the Pharisees also show the involvement of the Sadducees. Here are some sources for the Sadducean control or “influence” of the Jerusalem center, first regarding leadership of the Temple, then other public bodies.

A. *The Leadership of the Temple* Several sources indicate that there were periods when the Pharisees did not control the affairs of the Temple, including their own sources. Several cases demonstrate this:

1. The oath of the High Priest during the Yom Kippur worship (M. Yoma 1, 5)—The Sages found it necessary to make the High Priest swear to follow Pharisee doctrine indicates serious fears that there could be a High Priest who would deviate from the Pharisee tradition. This fear was realized in the person of the High Priest John, and others (see below).
2. High Priest John for Eighty Years—As said in BT: ‘do not believe in yourself till your death, for even the High Priest John served in the priesthood for eighty years and in the end became a Sadducee’ (אל האמין בעצמך עד יום מותך שהרי יודגן כהן) (נדרול שמש בכהונה נדולה שמנים שנה ולבסוף נעשה צדוקי)—(BT Berachot 29a). This is a concrete example in the literature of the Sages of a High Priest who became a Sadducee.¹¹⁸
3. The story of the Sadducee who followed the ways of the Sadducees (Tosefta Yoma 1,5)¹¹⁹—he acted against the recommendation

¹¹⁷ According to: D. Flusser, “Prushim, Zedokim VeIssiyim BePeshet Nahum,” 133–68 (Hebrew).

¹¹⁸ The evidence is that he was considered a “צדוקי” only for those years when he followed Pharisee tradition; see BT Yoma 9a.

¹¹⁹ See above in the discussion of the Pharisees. This source will be expounded

of this father, who told him: “even though we do expound matters as you say, we do not do things in the way in which we expound them. We obey the words of the Sages” (אַךְ-עַל-פִּי) “שֵׁאֲנוּ דוֹרְשֵׁין אִין אֲנוּ עוֹשִׁין וְשׁוֹמְעִים לְדַבְרֵי חֲכָמִים”). The Sadducee son noted that he did what the Sadducees believed, saying: “In your entire lives you would [merely] expound the Scripture, but you never did the deed properly, until I arose and went in and did it right” (כֹּל יְמֵיכֶם הֵייתֶם דוֹרְשֵׁין וְאִין אַתֶּם עוֹשִׂים, עַד) (שְׁעַמְדָּהּ יַעֲשִׂהוּ אֲנִי). It is clear that there was at least one other High Priest who followed Sadducean tradition.¹²⁰

4. The Breyta in BT Yoma 8b shows how the High Priesthood passed into foreign hands (see JT 1, 38, 3 based on M. Yoma 1, 1; see also Tosefta Yoma 1, 7). The sources also deal with the High Priesthood being bought with money and given by appointment of foreign rulers. Thus the Pharisees admit that the High Priesthood left their control for certain times during the Second Temple period. If the Pharisees lost the High Priesthood, we may assume that the Sadducees were involved in this. Therefore there were times when the Sadducees controlled the central and most important institutions in Jerusalem. Several scholars have discussed the status of the High Priesthood during the Second Temple period,¹²¹ and this is not the place to expand upon this issue.

B. The Involvement of the Sadducees in Other Public Bodies Sadducees in the Sanhedrin: Several sources in the literature of the Sages clearly show that there were periods when the Pharisees did not control the Sanhedrin (or the courts), such as the passages about Shimon Ben Shetach.¹²²

upon in chapter four—in relation to the Halakhic system of dissenting and seceding groups—see there for sources and further interpretation. It was also brought earlier in relation to the Pharisaic involvement, see above in this chapter.

¹²⁰ This evidence joins other evidence of Sadducean High Priests. See previous note.

¹²¹ See Alon’s comprehensive, if somewhat out-of-date article: G. Alon: “Praertin—Letoldot Hakehuna Hagedola Besof Yemei Bayit Sheni,” *Tarbiz* 13 (1942), 1–24 (see also *ibid.*, 69–70) (Hebrew). See also S. Lieberman, “Tikunai Yerushalmi,” *Tarbiz* 3 (1932), esp. 339 (Hebrew).

¹²² See: BT Kiddushin 66a, and *ibid.*, Sanhedrin 62b. See also: Y. Ephron’s chapter on Shimon Ben Shetach and his period: Y. Ephron, *Cheker Hatekufa Hachashmonait*, 250 ff.

According to all the sources mentioned, the “Jerusalem Sadducees” were active in the socio-political arena in Jerusalem. They competed with the Pharisees for the centers of power, for the leadership of the Temple and for proximity to the Hasmonean regime. Just as it would be correct to call the Pharisees a “party,” thus we can also call the “Jerusalem Sadducees” an “active party” in the social center. Concerning the “Halakhic Sadducees,” if they were similar to the Qumran group in positions and Halakhot, they kept a separate calendar and an uncompromising method. They cannot be included in this Jerusalem experience.

The Historical Picture of the Sadducees

Let us sum up the historical picture of the Sadducees to be used in this book. First, as explained in the previous chapter, section 1.2, we shall distinguish between the “Jerusalem Sadducees” and the “Halakhic Sadducees.” The former is a group known as “Sadducees,” which was mainly active in the Jerusalem center. They were a group of priests, who probably supported the preservation of a certain priestly dynasty (the House of Zadok) at the leadership of the Temple and the people. They were close to the wealthy class, the aristocracy and probably also to the Hellenistic regime. In the intra-Jewish arena, they competed with the Pharisees for leadership of the central institutions. Their leadership ways were different to those of the Pharisees in the Halakhah, in the Temple worship and in ideology. During certain periods of the Hasmonean rule they were found in favor (especially during the reigns of John Hyrcanus and Jannaeus), and sometimes they gained control of the leadership of the Temple and the Sanhedrin in Jerusalem. They are characterized by their theological opinions (in the Christian literature, and in the comparison with the Epicureans in Josephus), and described in derogatory terms by the Sages. They are the group described in Josephus, the New Testament, parts of the literature of the Sages (the condemning passages), and parts of the Qumran literature (“Menashe”).

In contrast, there were other Sadducee groups. Perhaps the only thing they had in common with the “Jerusalem Sadducees” was their support for the return of a certain priestly dynasty (the House of Zadok), but even this is not sufficiently proved. This group split away from the Jerusalem center, as did the Qumran group, and their Halakhic system was similar to that of Qumran. This Halakhic system

included the different calendar, different Halakhic methods in the Temple, and other divisive aspects. They are also described as the Halakhic Sadducees in the literature of the Sages. They are not the Sadducees described by Josephus and the New Testament.

2.4 *The Essenes*

The Essenes are special in four main areas of life: their social isolation (reflecting the degree of their social involvement), their lifestyle, their religious ritual and their attitude toward prophecy. According to all the sources we have relating to the Essenes, the characteristics of the Essenes are as follows:

Isolation—The Essenes lived outside the busy center, in an isolated lifestyle. From this it is clear that they took no part in the political struggles of the Sadducees and Pharisees in the Jerusalem center. However, they were not entirely cut off from the life of the center, and we find the involvement of some individuals with Essene identity in the life of the center, in certain events during certain periods. The prominent examples are: the prophecy of Yehuda the Essene, who prophesied the death of Antigonus, during the period of Yehuda Aristobulus (*War* 1, 78); the figure of Menachem (Μονόημος) during the reign of Herod, who was gifted in his ability to foresee the future (*Ant.* 16, 373); the interpreting of the dream by Shimon the Essene during the period of Archilaos (*War* 2, 113); the appointment of John the Essene as one of the generals during the Great Revolt (*War* 2, 567).

We should note two features of the involvement of Essene individuals in the life of the center. The political involvement of Essenes is the action of individuals mentioned by name. Most of this activity took place later than the Hasmonean period (except for one case). From this we may conclude that individuals with Essene identity lived in the Jerusalem center at certain times, but the center of the Essenes, according to the descriptions, was outside the city center. Their distance is indicated not only by their place of residence, but also by the fact that their donations to the Temple were rejected, and so they were forced to conduct separate religious rituals.¹²³

¹²³ See Josephus, *Ant.* 18, 19.

Another possible testimony to the involvement or “existence” of Essenes in the center of Jerusalem is the naming of one of Jerusalem’s gates in their honor. In fact, this gate is not identified, and its exact meaning is not known (the testimony is in Josephus, *War* 5, 145).¹²⁴ The description of the gate is relatively late. It appears in Josephus in the context of the Roman period (the time of Titus), although the dating of the gate is not mentioned. Perhaps we may conclude that Essene individuals (private people, rather than the whole group) showed increasing involvement in the Jerusalem center (increasing as the Great Revolt against the Romans approached), and thus we find Essenes involved in the Great Revolt and the naming of a gate in Jerusalem in their honor. This does not necessarily contradict the isolationist character of the Essene group in the earlier period.

Lifestyle—The Essenes had a typical lifestyle, including the following: communality, equality, isolationism, an organized internal structure (including a formal process of admission to the group), an independent leadership, and typical modesty habits. Their unique lifestyle was expressed in external behaviors such as: clothing, eating habits, family life (we know that at least some Essene men avoided marriage and any contact with women). Perhaps we could classify these features under the title “high internal cohesion.”

Religious Ritual The religious rituals were an important part of the group’s life. The Essenes had different rituals of worship than those conducted by the majority in the Jerusalem center, such as: strictness regarding ritual bathing, additional regulations regarding habits of purity and impurity and the Sabbath, special prayers, etc.

Theological Positions The Essenes had theological and ideological views that influenced their behavior and the rest of their opinions. They believed in fate, in God, in the Jewish Torah, in the eternal soul and life after death. They avoided material pleasures (wealth, sexual activity for pleasure, anointing with oil, etc.), and stressed the aim to control the material temptations. Perhaps due to the lack of material ambitions, they had a “pacifist” approach.¹²⁵ They are also identified with “supernatural” elements, such as the ability to foresee the future and interpret dreams. It seems that these elements

¹²⁴ On *War* 5, 145, see Thackeray’s note “Unidentified”: H. S. J. Thackeray, Josephus: *The Jewish War*, *LCL*, III, 243, note f.

¹²⁵ Mainly according to Philo, *QOP* 77–78.

and their moral approach were a direct result of their wish for “divine inspiration,” as was attributed to them.¹²⁶ This “divine inspiration” was the result of their studies and a state of purity. Someone “old” in wisdom was also assumed to be “greater” than his colleagues in learning, prophetic power and purity. These elements were stressed by Josephus and Philo; Josephus attributes to them the “real” ability to predict the future accurately and interpret dreams.¹²⁷ Both Josephus and Philo describe their various acts of purification. The impression is that the purity enables the direct contact with God. The more one is interested in contact with God, the higher the “degree of purity” required. We should assume that the words of Josephus and Philo in this context reflect the general opinion regarding the unique nature of the Essenes.

Various aspects of these characteristics are not described in the same way by the different Greek authors. Some identify the Qumran group with the Essenes, and therefore use the literary sources of the Qumran group to describe the Essenes. In our opinion, these are two different groups, so we reject any such usage of the sources. Nor do we intend to identify the “therapeutic”¹²⁸ group with the Essenes.

Three early sources describe the Essene group. All three are classical (Greek and Latin) authors writing in or around the first century A.D.: Josephus,¹²⁹ Philo¹³⁰ and Pliny (the Elder).¹³¹ All three refer to the group by the name Essenes, appearing in two versions in Greek: Ἐσσαῖοι¹³² or Ἐσσηνοί.¹³³ Despite the two versions, this seems

¹²⁶ Philo, *QOP*, 80.

¹²⁷ For a general statement, see Josephus, *War*, 2, 159.

¹²⁸ This is a group referred to by Philo, known as the “therapeutics” (θεραπευταί, cognate with the verb θεραπεύω). An extensive description of this group appears in Philo’s work *De Vita Contemplativa*, 2 ff. For the sources on the Essenes, see the next notes.

¹²⁹ The main sources in Josephus: *War* 1, 78–80; *ibid.*, 2, 113; 119; *ibid.*, 161; *ibid.*, 567; *ibid.*, 3, 11; *ibid.*, 5, 145; *Ant.* 13, 171–72; *ibid.*, 16, 371–79; *ibid.*, 18, 18–22; *Vita* 10–11.

¹³⁰ The main sources on the Essenes are in two works: *Quod omnis probus liber sit (QOP)* 75–91; *Hypothetica—Apologia pro Iudaeis (API)*. For details of the editions, see the note at the beginning of this chapter, and the list of sources.

¹³¹ Pliny, *Historia Naturalis*, chapter 5. All mentions of Pliny the Elder refer to the Loeb edition, unless otherwise stated.

¹³² In the singular, see *War* 2, 113. For sources where the Essenes appear in this form, see: *Ant.* 16, 371; *ibid.*, 17, 346; *War* 1, 78; *ibid.*, 2, 567; *ibid.*, 3, 11.

¹³³ This is how it appears in *War* 2, 119, for example. In most places where it appears with the ν, it is in the genitive or dative. In this place in *War* we have

to be the same group.¹³⁴ It is surprising that there is no clear reference to this group in the literature of the Sages.

These three sources describe the Essenes extensively,¹³⁵ and we can learn from them that there is a general accord to the principles we have mentioned above. We shall discuss briefly the description of each source, first separately, then stressing the differences between the descriptions.

According to Josephus and Philo, the Essenes numbered no less than four thousand,¹³⁶ and were a coherent and well-known group. Josephus, as usual, compares the Jewish groups to Greek philosophical schools, and he says that the Essenes are similar to the Pythagoreans.¹³⁷ The similarity is in their theological and ideological positions, and Josephus describes these aspects in detail.

Philo characterizes the Essenes as having good qualities and “spiritual” behavior. He notes that they are characterized: by “holiness” (ὁσιότης), as “free” (ἐλεύθεροι πάντες ἀνθυπουργοῦντες ἀλλήλοις), by “piety” (εὐσέβεια), by “justice” (δικαιοσύνη), by “holiness” (ιερά—ιεροπρεπεῖς), by “sacredness” (ἀγνεία), and by “knowledge of things good, bad and neither concerning truth” (ἐπιστήμην τῶν πρὸς ἀλήθειαν ἀγαθῶν καὶ κακῶν καὶ ἀδιαφόρων).¹³⁸

In the theological context, Josephus notes that the Essenes believed in fate,¹³⁹ and the immortality of the soul.¹⁴⁰ They aimed at justice

found the nominative. For additional places where it appears with the additional letter, see: *Ant.* 13, 171–72; *ibid.*, 298; *ibid.*, 311; *ibid.*, 18, 11; *ibid.*, 18, 18; *War* 2, 158; *ibid.*, 2, 160; *ibid.*, 5, 145; *Vita* 10. On the identification with the Boethusians (as the “House of Essene”), see Schremer’s article (and references there): A. Schremer, “The Name of the Boethusians: A Reconsideration of Suggested Explanations and Another One,” 290–99.

¹³⁴ Some scholars believe we should distinguish between these terms, although most have thought the terms identical. See: G. Vermes & M. D. Goodman, *The Essenes: According to the Classical Sources*, Sheffield 1989, 1–2; E. Schürer, *The History of the Jewish . . .*, II, 559.

¹³⁵ While Pliny does not say much on this subject, we should note that in his description of Judea and its surroundings, most of his writing is on the Essenes.

¹³⁶ *Ant.* 18, 20. Cf. Philo, *QOP* 75. While it is possible to claim that one of the sources copied from the other (Josephus from Philo), so that there is actually just one source for the numbers of the group, there is no proof that Josephus used Philo as a source.

¹³⁷ *Ant.* 16, 371.

¹³⁸ All from Philo, *QOP* 75–83. For additional characteristics, see *ibid.*, below.

¹³⁹ *Ant.* 13, 172. His exact phrasing is: τὸ δὲ τῶν Ἑσσηνῶν γένος πάντων τὴν εἰμαρμένην κυρίαν ἀποφαίνεται, καὶ μηδὲν ὃ μὴ κατ’ ἐκείνης ψήφον ἀνθρώποις ἀπανταῖ. On these theological aspects, see also: *Ant.* 18, 18; *War* 2, 154 ff.

¹⁴⁰ *War* 2, 154–58 (cf. *War* 18, 18). His phrasing is: τὰς δὲ ψυχὰς ἀθανάτους αἰεὶ διαμένειν.

(δικαία)¹⁴¹ as an ideological principle. We should note that these beliefs were not typical only of the Essenes. As we have seen above, the Pharisees also held these beliefs, but not to the same extent. Josephus notes the difference. He stresses that among the Pharisees the belief in fate is restricted and is not linked to all events (οὐ πάντα).¹⁴² The conclusion is that Josephus saw the precise distinction between the Essenes and the Pharisees in the Essenes accepting fate absolutely, while the Pharisees accepted fate partially. The Essenes are characterized by the connection of these beliefs with a whole complex of life systems, including their rejection of material pleasures (wealth and sex),¹⁴³ and their occupation with esoteric religious studies. Their involvement in studies and the “occult” are stressed in descriptions such as their possession of “the group’s books,” the “names of angels” (αἰρέσεως αὐτῶν βιβλία καὶ τὰ τῶν ἀγγέλων ὀνόματα) and their keeping of secrets.¹⁴⁴

Josephus expands upon their typical lifestyle, and follows their lives from waking to going to sleep. Their lifestyle included:¹⁴⁵ Communal waking, bathing and special prayers, communal eating (and habits related to eating), special clothing (summer and winter clothes, the white garment and “loin cloth”),¹⁴⁶ shared capital, strict order and organization within the group, clear and well-defined ranks. Internal order and organization were maintained by a whole system of leadership, judging and punishment.¹⁴⁷

In matters of lifestyle, their sanitary habits and family life are particularly noteworthy. When urinating and defecating, they observed strict modesty, including not exposing their bodies to the sun and immediately burying their waste.¹⁴⁸ They also avoided eliminating waste on the Sabbath.¹⁴⁹ A particular exception is family life, or rather the absence of family life. It is obvious that every normative

¹⁴¹ For example, *War* 2, 139.

¹⁴² See *Ant.* 13, 172–73.

¹⁴³ See Josephus’ description in *War* 2, 120 ff.

¹⁴⁴ *War* 2, 142.

¹⁴⁵ The following descriptions are based mainly on: *War* 119–161; *Ant.* 18, 18–22.

¹⁴⁶ The Essenes’ clothing shall be discussed below, so we shall not go into details here. See Chapter Three.

¹⁴⁷ See: Josephus, *War* 2, 134; 2, 143; 2, 145.

¹⁴⁸ *War* 2, 148–49.

¹⁴⁹ *War* 2, 147.

society wishes to continue existing, which *normally*¹⁵⁰ depends upon the existence of both sexes and on sexual relations between them. It is doubtful whether the Essenes had this “normal” behavior. In Josephus’ writings about the Essenes there is some confusion, due to the many descriptions, some of which are contradictory. From what he says in *Jewish War*, we can understand that at least some of the Essene groups avoided sex and any contact with women (*ibid.*, 2, 118–19; *Ant.* 18, 21). Josephus notes that they still maintained continuity because they “adopted” the children of others (*War* 2, 120). He probably meant that enough new people joined the group for no reproduction to be required. However, Josephus qualifies this by saying later in the same work that they do not condemn marriage completely (*ibid.*, 121), and that some groups of Essenes believe that they should take wives in order to maintain the community (*ibid.*, 160–61). To conclude, all Essene groups believed that they should not have sex for pleasure, and they permitted sex only for purposes of reproduction (*ibid.*, 161). In his later book, Josephus returns to the claim that the Essenes rejected marriage and women altogether (*Ant.* 18, 21). Clearly, the issue of family life is particularly important for understanding the nature of this group.¹⁵¹

Apart from family life, there are a few other typical characteristics of this group. The exceptional things we should note are: their special relations with the sun, their “internal cohesion,” various rituals, and the occupation with predicting the future.

Special Relations with the Sun This group had a special interest in the sun. Among the behaviors connected to the importance of the sun: avoiding exposing the body to the sun when eliminating waste (*War* 2, 148–49), and avoiding trivial conversation before sunrise (*ibid.*, 128). Perhaps these elements prove that the Essenes used a solar calendar, but there is no clear evidence for this. Due to the group’s Jewish nature (observing the Sabbath and studying Torah, as we shall see later), we can rule out actual sun worship.¹⁵² We

¹⁵⁰ We have stressed the term “normally,” since this is not necessarily so. Clearly a society survives and develops as a result of reproduction, but even without reproduction it can survive when more people join it than those who leave or die. Clearly such an existence is only possible in the short term. In this case, the group survived for about one hundred years, so such survival is possible.

¹⁵¹ Some of these issues shall be discussed in detail in the chapter on lifestyle.

¹⁵² See for example Schürer, who rejects this possibility: E. Schürer, *The History*

should note that there are some rules and habits in every religion, and especially in normative Judaism, related to the sun (such as the times of prayers, the start of the Sabbath and holidays connected to the time of sunset and sunrise, etc.). We have mentioned only those habits deviating from the normative halakhot.

Internal Cohesion From Josephus' description it is clear that the group had very strong internal cohesion, as we can learn from the process of admission into the group, that lasted at least two years (and included various oaths, probably aimed at preserving the group's unique nature),¹⁵³ the group members' particular concern for each other,¹⁵⁴ and strict internal rules.¹⁵⁵

The internal cohesion is among the group members, and this creates separation and differentiation from other groups and even from the members' biological families. Members of the Essenes left their biological families to join the new "family," the Essene family. The descriptions of Josephus and Philo stress, on the one hand, the distance from their previous lives (the city, society and their property), when they have to leave their biological family, and on the other hand, the special cohesion of group members to each other. Thus, for example, Josephus describes how the Essenes adopt the children of others,¹⁵⁶ are friendly to people they did not know (stay with them and invite them to stay as if they were biological relatives),¹⁵⁷ provided they belong to the Essene group. There are descriptions of the group relations in terms of biological relationships, and an unusual connection between the group members. Several things are stressed: that they were like brothers (*ὡσπερ ἀδελφοῖς*),¹⁵⁸ that they were connected to each other like no other group,¹⁵⁹ that they avoided

of the Jewish . . ., II, 573. For a contrasting opinion, see: F. Perles, "The Hebrew Names of the Essenes and Therapeutae," *JQR* 17 (1926/7), 405 ff.; J. Strugnell, "Flavius Josephus and the Essenes: Antiquities XVIII 18–22," *JBL* 77 (1958), 111 ff.

¹⁵³ See: *War* 2, 137–42. On the internal classification into four categories, see *ibid.*, 150 ff.

¹⁵⁴ Josephus emphasizes that the Essenes take care of all the needs of group members, even when they arrive from afar and seem strange to them. See for example: *War* 2, 124–27. He notes that they "showed closeness" to each other more than the other Jewish groups (*ibid.*, 120), and that they benefit each other by providing food for the needy (*ibid.*, 134–35).

¹⁵⁵ On internal laws and punishments, see for instance: *War* 2, 143 ff.

¹⁵⁶ *War* 2, 120–21.

¹⁵⁷ *War* 2, 124–26.

¹⁵⁸ See *War* 2, 122–23, and *ibid.*, 127.

¹⁵⁹ This is what Josephus claims at the beginning of his description, *War* 2, 119.

trading (buying or selling) with each other due to the special relations between them, and that they were allowed to take from one another freely.¹⁶⁰ To conclude, the new group organization, which was distancing and isolationist, became stronger than the biological connections.

Two descriptions in Josephus contradict, to some extent, the group's atmosphere of isolation. Josephus noted that they did not live only in one city, but were present "in all towns."¹⁶¹ At the same time, Josephus did not describe contact with members of other groups. From his description it seems that they lived in towns, but within their own group, without contact with members of other groups. They were able to recognize another group member, even if they did not know him personally, and thus cared only for group members.¹⁶² Concerning their involvement in the Temple, there is a complication. Josephus states that the Essenes "sent donations to the Temple" (*Ant.* 18, 19). Apparently, this can be interpreted as active participation in the Temple in Jerusalem. But Josephus himself immediately corrects this and says that they were prevented from attending the Temple (whether against their wishes or due to their independent ideology), and thus conducted their independent ritual elsewhere.¹⁶³ The lack of clarity in this passage has led scholars in many directions. Among other things, scholars have argued on the basis of this passage that the Essenes rejected animal sacrifices completely, and that the participation described was purely allegorical or spiritual.¹⁶⁴ Some concluded from this that the Essenes avoided live sacrifices, and thus were prevented against their will from attending the Temple.¹⁶⁵ We will accept the position that in principle the Essenes did not participate actively in the sacrifices in the Temple

¹⁶⁰ Josephus, *ibid.*, 127. Compare with the later description that gifts to relatives required permission (*ibid.*, 134).

¹⁶¹ *War* 2, 124.

¹⁶² *Ibid.*, 125–27.

¹⁶³ All this according to Josephus, *Ant.* 18, 19. See also Philo, *QOP* 12 (75).

¹⁶⁴ On this issue, see: L. H. Feldman, Josephus: *Jewish Antiquities*, in *LCL*, IX (XVIII 19), 16–17, note a.; J. M. Baumgarten, "Sacrifice and Worship among the Jewish Sectarials of the Dead Sea (Qumran) Scrolls," *HTR* 46 (1953), 155; R. Marcus, "Pharisees, Essenes and Gnostics," *JBL* 73 (1954), 158.

¹⁶⁵ This is the opinion of Schürer. See: E. Schürer, *The History of the Jewish . . .*, II, 570, 582; R. Marcus, "Pharisees, Essenes and Gnostics," 158; J. Strugnell, "Flavius Josephus and the Essenes . . .," 113 ff.

in Jerusalem. As noted above, there were a few Essene individuals in the Temple compound (Yehuda the Essene predicted the future in the Temple grounds),¹⁶⁶ but we find no evidence of the group's active involvement in the Temple work. Neither Philo nor Pliny (whom we shall discuss in detail later) mention any such involvement. In any case, from Josephus it is clear that the group was active from the Hasmonean period onwards. The earliest mention of Essene activity in Josephus is during the reign of John the Hasmonean.¹⁶⁷

Essene Ritual There are several descriptions of the Essene rituals, which deviate somewhat from the normative ritual in Jerusalem. Among these rituals: "various purification rites" (*Ant.* 18, 19), in other words, rules of purity and impurity beyond those accepted in the normative center, including a morning bathing, bathing before meals, a special feeling of sanctity; ritual changing of clothes;¹⁶⁸ the banning of spitting in public, or to the right (*War* 2, 147); stricter observation of the Sabbath than was usual in the Jerusalem center, including not moving objects on the Sabbath, not using the toilet on the Sabbath, and other things (*ibid.*, 147–148); different Temple work or sacrifices than were usual (*Ant.* 18, 19). In the area of communal eating, we find that their meals were conducted with certain rituals. They had purification rites before meals, special clothes for the event, an order of seating, and rituals performed by the priest.¹⁶⁹ Josephus also states explicitly that the ritual meal was like a gathering in a holy place.¹⁷⁰ They literally turned the communal meal into a type of altar, perhaps the communal meal as an alternative to the Temple.

Predicting the Future A notable characteristic of the Essenes is the attribution to them of the ability to prophecy and predict the future accurately, and to interpret dreams correctly. While there are examples of the attribution of such abilities to other individuals and groups,¹⁷¹ it seems that only the Essenes are considered to have the

¹⁶⁶ Josephus, *War* 1, 78–80.

¹⁶⁷ *Ant.* 13, 171.

¹⁶⁸ This subject will be discussed later, in Chapter Three.

¹⁶⁹ This description is based on Josephus and Philo, according to the sources mentioned above.

¹⁷⁰ See *War* 2, 129–30.

¹⁷¹ Some characters described in Josephus and in the New Testament have "supernatural" abilities of various sorts. For example, Daniel who interprets dreams and predicts the future with precision (*Ant.* 10, 276–77). Another person from the

individual and group skill with such precision. Josephus repeats this several times in his descriptions of the Essenes, especially in the context of individual characters. Thus we find such a description of Judah the Essene who predicted the murder of Antigonus (*War* 1, 78; *Ant.* 13, 311). In the context of this event, Josephus uses obvious literary devices to show that despite the unlikelihood of this prophecy, it happened. Josephus stresses in this case that the prophecies of Judah the Essene were always true (*ibid.*). So were the predictions of Menachem the Essene,¹⁷² and the dream interpretations of Simon the Essene.¹⁷³ In case the reader should think that the Essene background of these persons was merely coincidental, Josephus makes clear that this is a typical characteristic of the Essenes. He explains that due to their study of the “holy books” (βίβλοις ἱεραῖς), “special purification rituals” and “the words of the prophets,” they were blessed with a special skill, which Josephus testifies was real. He says that they were rarely, if ever, wrong (*War* II, 159). From this we may understand that Josephus and society in general at the time perceived the Essenes as a mysterious and esoteric group, whose members were blessed with special skills.

In principle we may say that Philo and Pliny support the historical picture arising from Josephus’ description, although there are a few differences on specific issues. We shall refer here only to the most important differences. We give special emphasis to Pliny.¹⁷⁴

Geographical Isolation Pliny stresses that the group is distinct and isolated, with only “the trees for company.”¹⁷⁵ This suits Josephus’

Hasmonean period who was credited with “prophetic skill” was John Hyrcanus. Both according to Josephus and according to the Sages, John Hyrcanus, as High Priest, received a divine revelation (*Ant.* 13, 282–83, see also the notes of Marcus on this issue and on the literature of the Sages: R. Marcus, Josephus: *Jewish Antiquities* XIII, in *LCL*, vol. VII, 369, notes d–f). In the New Testament also, “supernatural” abilities constitute a test of a person’s veracity and prophetic skill. Thus, the Pharisees ask Jesus for a “sign” (for example, *Matt.* 12:39; *ibid.*, 15:1), and the crowd around Jesus is impressed by these supernatural abilities (for example, *Matt.* 13:55–57). The Pharisees were also considered to have some “skill” in this area, in predicting the weather, according to *Matt.* 17:1–4. On this issue, see Chapter Five.

¹⁷² *Ant.* 15, 371.

¹⁷³ *War* 2, 113 and *Ant.* 17, 346.

¹⁷⁴ All references in this section are to the Loeb edition. For comparisons, analysis and commentary, see: G. Vermes & M. D. Goodman, *The Essenes . . .*, 32–33; M. Stern, *Greek and Latin Authors on Jews and Judaism*, I, Jerusalem 1976, 465–501.

¹⁷⁵ Pliny, *Natural History* V 17 4 (73), as quoted by Vermes & Goodman, *ibid.*, *ibid.* See also Stern, *ibid.*, *ibid.*

description of the internal cohesion of the group, but is in complete contrast to his description of them scattered “in all towns.” According to Pliny, it was quite the opposite, and they were located in a particular geographical region: the west shore of the Dead Sea (“Ab occidente litora Esseni fugiunt usque qua nocent, gens sola . . .”) and “above En Gedi” (“Infra hos Engada”),¹⁷⁶ near Massada.¹⁷⁷ Scholars are divided over the precise location of the Essenes according to Pliny’s terms (“occidente” and “infra hos Engada”), and how precise Pliny was.¹⁷⁸ In any case, according to Pliny, the Essenes as a group are not described as widely distributed, and they are not described as initiating any contact with the cities. There is some contact, but it is unilateral. According to Pliny, many residents of the cities left the city to join the Essenes, but the group itself is described as detached and isolated, living in a remote area.

The Communal Principle The Essenes conducted a communal economic lifestyle, meaning that they had no private property.¹⁷⁹ We should note that this does not indicate any type of economic shortage. Thus, we cannot claim that the Essenes were from a particularly low social class. According to Philo, the group had more than was required, and it was only due to their unique ideology that they did not hoard private property.¹⁸⁰ The description of the communal life matches Josephus’ descriptions.

¹⁷⁶ Pliny, *Natural History* V 73, in *LCL*, II, 276.

¹⁷⁷ Pliny, *ibid.*, *ibid.*

¹⁷⁸ For discussions on the location of the Essenes and Pliny’s terms, see for example: C. Roth, “Why the Qumran Sect cannot have been Essenes,” 417–22; C. Roth, “Were the Qumran Sectaries Essenes? A Re-examination of Some Evidences,” *Journal of Theological Studies* 10 (1959), 87–93, esp. 88–90; R. De Vaux, *Archaeology and the Dead Sea Scrolls (The Schweich Lectures 1959)*, London 1973³, 133–38; J. A. Sanders, “History and Archaeology of the Qumran Community,” *BASOR* 231 (1978), 79–80. See Martin Goodman’s comments on this issue: M. D. Goodman, “A Note on the Qumran Sectaries, The Essenes and Josephus,” 165–66. For a discussion on the location and degree of isolation of the Essenes according to the archaeological and historical sources, see also: F. M. Cross, “The Early History of the Qumran Community,” 75–77. Additional geographical elements serve in the identification and non-identification of the groups. For example, Brownlee rejects the identification of the Qumran group with the Essenes based on geographical aspects. See: W. H. Brownlee, “A Comparison of the Covenants of the Dead Sea Scrolls with Pre-Christian Jewish Sects,” 50–72, esp. 66; F. M. Cross, “The Early History of the Qumran Community,” 70–89. For a quotation from Pliny with interpretation, see M. Stern, *Greek and Latin Authors . . .*, I, 465–501.

¹⁷⁹ Pliny, *Natural History* V 73, in *LCL*, II, 276.

¹⁸⁰ *QOP* 76–79.

Family Life The Essenes did not conduct normative family life. Pliny stressed that they did not marry at all. As a result, they survived through voluntary admission to the group rather than through natural reproduction. This description of family life matches only some of Josephus' reports, which in any case force us to confront the problem of internal contradictions in his writings. Pliny praises the Essenes and says they are worthy of appreciation more than other groups "all over the world." Pliny hardly refers to the theological and ideological aspects of the Essenes. Philo makes more extensive reference to these aspects. He also praises the Essenes¹⁸¹ and describes their lives in detail. Here are some of Philo's main points:

Residence Philo stresses that they did not live in towns but in villages. He says that their lifestyle stems from a deliberate policy of avoiding the influence of the big city.¹⁸² Perhaps this can solve the contradiction in Josephus, but this does not match Pliny's description, which restricted them to a small region. Schürer suggested that there were different groups of Essenes, and Pliny was referring to the larger group of Essenes, without rejecting their other communities.¹⁸³ It is doubtful that this was what Pliny meant. In any case, admission to the group was voluntary.

Occupation Philo stresses that the Essenes were employed mainly in agriculture and "free" professions that contributed to the peaceful atmosphere.¹⁸⁴

Internal Cohesion Philo adds to Josephus, repeatedly stressing that the Essenes lived a communal life of equality and fraternity, expressed in the absence of private property, in communal meals and egalitarian "community life."¹⁸⁵ There was equality in their living conditions, in clothing, in food and in all aspects of life.¹⁸⁶ We should note that the communal, egalitarian life is limited to group members. Philo and Josephus stress that the homes of group members were always open to visitors from other places, but that the visitors must be group members.¹⁸⁷

¹⁸¹ QOP 88–91.

¹⁸² QOP 76.

¹⁸³ E. Schürer, *The History of the Jewish . . .*, II, 563.

¹⁸⁴ QOP 76; API 4 ff.

¹⁸⁵ Mainly: QOP 76–79; API 3 ff.

¹⁸⁶ For Philo on equality and the behavior resulting from this principle, see esp.: API 10 ff.

¹⁸⁷ QOP 85.

Connection Between Behavior and Theological Principles Philo stresses the connection between the Essenes' behavior and ideological principles. The egalitarian behavior in the community is not coincidental, and does not result from arbitrary decisions, but from clear moral and ideological principles. He says that the egalitarian behavior results from an ideology of equality and freedom, stemming from the basic freedom of nature. These theological and ideological precepts are not related to convenience or selfishness, but to clear moral principles. The most prominent are "equality" and "freedom" (ἐλευθερία)¹⁸⁸ leading to a communal life with internal fraternity. Thus Philo reinforces the impression of high internal cohesion in the group. He makes it clear that the Essenes' behavior can teach us the group's ideology and theology. Other important behaviors for understanding the group's essence are: the avoidance of sacrifices,¹⁸⁹ unwillingness to fight (what is now termed "pacifism"),¹⁹⁰ and the observance of "virtues" (which Philo said resulted from philanthropy).¹⁹¹

Family Life Philo supports Pliny and the writings of Josephus that say there was no marriage and family life among the Essenes. Philo is very clear on this issue. He says: "No Essene takes a wife" (Ἐσσαιῶν γὰρ οὐδείς ἄγεται γυναῖκα), and explains that family life would disrupt the achievement of the group's aims. They saw family life (women and children) as a real danger to the community's life.¹⁹² Later on he says that a person involved in family life (loving a woman) ceases to give the group first priority, and his loyalty to the group is diminished.¹⁹³ All this results from the negative qualities of women. Since Philo himself believes in these negative qualities, he supports the Essenes' ideals. Other reasons for the separation from women: the virtue of not having sexual intercourse (also appreciated by Philo);¹⁹⁴

¹⁸⁸ This term is linked especially to the reversal of social classes, in other words the civilian status and the subjugation to foreign rule. It is possible that this term in Philo explains the Essenes' isolationism, since they wished to avoid being subject to any "rule."

¹⁸⁹ *QOP* 75.

¹⁹⁰ *Ibid.*, 78.

¹⁹¹ *Ibid.*, 82 ff. See also *API* 11 9 ff. Among the prominent "virtues": frugality, delaying satisfaction, lack of jealousy, involvement in the study of "justice," "righteousness," "good" and "evil" (note: these terms may be translated in various ways).

¹⁹² *API (Hypothetica)* 11.14 (380 [633]).

¹⁹³ *API (Hypothetica)* 11.17 (381 [634]).

¹⁹⁴ Philo's main comment on this issue: *API* 11 14 ff. He also noted the positive aspects of the absence of children in the community, *ibid.*, 2-3. Cf. Josephus, *War II*, 120-21; *Ant.* 18, 21.

the principle of “freedom” contradicts the idea of marriage; women and young people constitute a disturbing factor in the community and in spiritual progress (Philo notes that the group members are usually mature adults, who avoid having children since they would disrupt the community due to their nature and lack of seriousness). The result of this is that the good of the community and its values have top priority. Since family life could diminish the absolute loyalty to the group, they prefer to avoid it. These ideas are particularly reminiscent of the greedy institution according to Coser.¹⁹⁵

Halakhah and Religion Philo also refers to religion and Halakhah, the practical religious observance of the Essene group resulting from their theological (Jewish) approach.¹⁹⁶ It is clear from Philo that the Essenes observed the Sabbath, for example, forbidding work on the Sabbath, attributing particular sanctity to this day, holding special meetings in the synagogue and conducting special studies on this day.¹⁹⁷ Apart from the studies for the Sabbath, he implies that the Essenes saw studying the Torah as a daily obligation, just as the Sages later considered “you shall study it day and night” as a real *mitzvah*.¹⁹⁸ It also appears that the Essenes’ frequent bathing resulted from the commandments about purity, as they interpreted them.

To sum up what we learn from Philo, it appears that Philo supports Josephus’ general description and innovates about certain aspects. He stresses that the Essenes’ practical behavior results from system of principles and ideals. Among these principles: equality, communality, closeness to nature, freedom, faith in God, accepting the Torah and at least part of the *mitzvot*.

There are important differences between the descriptions of the sources, especially regarding these three issues:

¹⁹⁵ Coser and his theory of the greedy institution was discussed in Chapter One above.

¹⁹⁶ See esp. *QOP* 81–82.

¹⁹⁷ Philo uses the Greek term Synagogue (*QOP* 81) to indicate the Essenes’ meeting place. Does this imply that the Essenes had an institutional setting for community meetings, just as in the normative society? We cannot decide this question from this source. Perhaps this term is loaned from the known normative community, and does not necessarily imply identical institutions.

¹⁹⁸ Based on *Joshua* 1:8. On the compulsory nature of study resulting from this verse, see: M. Peah 1,1; Yerushalmi on this Mishnah; on the attribution to later periods see BT Menahot 89b.

- A. Family life (whether they married, as Josephus said, or strongly opposed marriage, as Philo and Pliny said; the same applies to natural reproduction among the Essenes).
- B. The location of their residence (whether they lived only in one area, as Pliny said, or were scattered in villages, as Philo said, or even in towns, as Josephus said).
- C. The degree of cooperation with the Jerusalem center (whether they were completely isolated, as Philo, Pliny and most of Josephus' references imply, or cooperated to some extent, as is stated in one place in Josephus).

There seems to be some connection between two of these three points of inconsistency among the sources. The question of the Essenes' geographical dispersion is related to the degree of cooperation with the rest of the population. Philo and Pliny, who described the Essenes as physically isolated and detached from the rest of the population, also believed they had no involvement with the surrounding community. Josephus, who claimed that the Essenes were dispersed among all towns, requiring some contact with the rest of the population, also claimed that the Essenes sent contributions to the Temple. However, he himself stressed that this involvement was minimal. The more familiar principle is that they were not involved in the affairs of the Temple due to their different behavior.¹⁹⁹ If we accept this description, we can now summarize the Essenes' degree of involvement in the center, in light of the sources.

The Essenes' Involvement in the Center, Their Location and Family Life

We have seen two approaches to the degree of the Essenes' involvement in the center. Josephus, who mentioned such involvement, compared with Philo and Pliny who denied such involvement. Perhaps Josephus, for apologetic reasons, tried to show that even the Essenes, who were most remote, supported the existence of the Temple and its priestly leadership. In any case, since Josephus himself, elsewhere, noted that the Essenes avoided such involvement, and the rest of the sources support this view, and since we have no real evidence of such involvement, we should accept that the Essenes did not participate in the temple sacrifices, apart from a few Essene individuals

¹⁹⁹ *Ant.* 18, 19.

(who probably left the group and came to the city). The Essenes were not involved in the social and political life in Jerusalem. Thus, we also prefer the descriptions of Philo and Pliny regarding the location and family life of the Essenes. We may assume they dwelt far and in isolation from the rest of the population, and that they enforced strict social principles including abstinence from women and family life. Even if as a rule they did not have a normal family life, we may assume that there could have been exceptions, since the group was based on those who joined from their free will, who came from the city with the “baggage” of their previous lives.

Despite the contradictions, we can say that the agreed historical picture of the Essenes is unique, interesting and clear to us. All three sources praise and appreciate the Essene group.

The Historical Picture of the Essenes

Based on the three sources at our disposal regarding the Essenes, we can sum up the historical picture of this group, and state clearly that the Essenes were different in nature and most of their characteristics from the groups discussed so far.

The most prominent features are in the realm of social life. The Essenes had high internal cohesion, and within their group they conducted a fertile social life. Whether they lived at the edges of towns or in complete isolation, it appears that they were not involved in the life of the social center in Jerusalem, and were detached and isolated from the other communities of the period. Despite living during an active period, the Hasmonean period, apart from a few individuals later on, we have found no practical involvement of the group in the socio-political life of Jerusalem at that period.²⁰⁰ Apart from the problematic passage in Josephus, we found no sources describing cooperation with the temple worship in Jerusalem, or even of the annual pilgrimages, which were required in the normative tradition. We discovered the complete opposite. They held principles distinguishing them from the rest of the population, which were expressed in the difficult process of admission to the Essene group and behaviors separating them from the rest of the world (not sharing

²⁰⁰ In later periods, during the reign of Herod and during the great revolt, we have found cases when Essene persons were involved in the socio-political events in Jerusalem, such as the involvement of John the Essene in the great revolt.

meals, etc.). In addition, they opposed some of the rituals in the Jerusalem Temple. As a result, it appears that the accurate historical picture of the Essenes is that they rejected the leadership and the religious rituals of the Jerusalem center and avoided participating in it. Accordingly, they lived in their own closed communities.

Their social life was institutionalized and organized on principles of communality, equality and fraternity. They had a communal economy (in contrast to the majority society in Jerusalem), ate together and had a shared community life. The principle of equality also included identical clothing. As part of their typical social life, most of them probably avoided family life. As a result, the group had no natural reproduction, and numbers were maintained by voluntary admission of new members to the group. As a result, we may assume there were periods when the group flourished (when people in normative society were suffering, when the group was accessible), and other periods when the Essene community dwindled and its numbers dropped. The group conducted a highly developed internal social life. They were involved in study and “purifying acts” in order to live a pure, spiritual life. Philo claims that most of the Essenes’ actions were motivated by ideology or theology.

The group’s actions are motivated by several values: closeness to nature, freedom, equality, fraternity, simplicity and modesty. They believed in the importance of fate,²⁰¹ of life after death,²⁰² of the existence of “holiness” and the need to obtain and preserve it. They believed in God, in the Jewish Torah and in at least some of its commandments.²⁰³

In addition to all these theological principles, the sun had a special status in the group’s life. They were involved in predicting the future and in rituals that deviated from normative Jewish rituals.

They were a strange and interesting blend of traditional Judaism with non-normative principles. They were also a strange blend of a group that valued social life to the point of losing personal identity (in clothing, property and other aspects), but kept its distance from the rest of society and restricted their social life to their limited groups.

²⁰¹ Josephus, *Ant.* 13, 172; *ibid.*, 18, 18.

²⁰² Josephus, *War* II 154–57.

²⁰³ On their faith in Judaism and its principles, see esp. Josephus, *War* II 145; 159; Philo, *QOP* 80.

2.5 *The Qumran Group*

The Qumran group has been at the center of research for many years since the discovery of the scrolls in the Judean desert known as the Dead Sea Scrolls or the Qumran Scrolls. These scrolls require deciphering and interpretation. The exact deciphering of these texts has a profound influence on understanding the group that wrote these scrolls, and on understanding the entire social system in Judea in that period.

As described in the previous chapter, section 1.2, there have been attempts to identify this group with the three groups familiar from Josephus, and despite the disputes, there is no certainty about any identification. The efforts to identify the group with the other three groups were based mainly on the following aspects: the social and ideological aspect, where there is great similarity between the Qumran group and the Essenes; the Halakhic positions, where there is great similarity between Qumran and the Sadducees; the Halakhic system, which is similar and close to the Pharisees' system. Our position is that the Qumran group should not be identified with any of the groups discussed above.

However, in terms of the main axis of this study—i.e., access to power centers, involvement in the Jerusalem center, the degree of isolation and their attitude toward normative society—it appears that the Qumran group is most similar to the Essenes. In actual fact, the Qumran group seceded from the life of the Jerusalem center and was even persecuted by the center. They lived in isolation in the Judean desert (and perhaps also in some other places), according to a different calendar than that used in the Jerusalem center, and had a strict lifestyle similar in structure to Essene society.

We shall now describe the group on the basis of the archaeological finds and the Dead Sea Scrolls.

*The Qumran Site*²⁰⁴

Since the discovery of the cave now known as cave number one in 1947, Qumran and its caves have been excavated with several seasons

²⁰⁴ The description of Qumran site and the archaeological findings around the site is based mainly on the following literature: A. R. Štern (ed.), *HaEncyclopedia Hachadasha Lehafrot Archaeologiot BeEretz Israel*, IV, Carta, Jerusalem 1992, entry

of digging. Over twenty-six caves have been discovered, of which at least six served for archiving scrolls. These caves contained a range of archaeological findings of various types that enable an accurate historical description.

The most important periods of settlement at the site are those termed stage IB and stage II.²⁰⁵ The Qumran community can be dated on the basis of ceramics and coins to the reign of Alexander Jannaeus (103–76), and perhaps even earlier, to the reign of John Hyrcanus the Hasmonean (134–104 B.C.). The Qumran texts also support that dating of the Qumran activity to the Hasmonean period. This issue will be discussed below.

The community settlement dated to this period was continuous, apart from a break following an earthquake and the resulting fires in 31 B.C., up to the end of stage II, dated to 67/8 A.D., the year when Roman troops destroyed the settlement at Qumran. This implies that the beginning and main activity of the Qumran community occurred during and after the Hasmonean period. During this period, the main buildings developed to their present form, including: the main building with a tower, a central yard, a large gathering hall that also served as a dining room, and other rooms and storerooms. Alongside the buildings pits, baths and ritual baths were dug, in addition to the water pits from earlier periods. One of the rooms contained over a thousand vessels such as: small jars, lamps, bowls, plates and saucers. The site included a workshop, a kitchen (with a grindstone and oven), and extensive writing works (special inkwells and tables were discovered).²⁰⁶

We can learn about the community not only from the overt findings, but also from the concealed items, such as objects that were

“Qumran,” 1357–64 (Hebrew). For additional bibliography, see *ibid.*, 1363–64; M. Broshi, “HaArchaeologia shel Qumran—Iyun Mechudash,” in *Kenes Yerushalayim Lezjun Arbaim Shana shel Cheker Tagliot Qumran: Megilot Midbar Yehuda: Arbaim Shnot Mechkar*, M. Broshi et al. (eds.), Jerusalem 1992, 49–62 (Hebrew); L. H. Schiffman, *Reclaiming . . .*, 37–61; R. de Vaux, *Archaeology and the Dead Sea Scrolls, The Schweich Lectures 1959*, London 1973. For a visual presentation of the site including maps and detailed pictures with de Vaux’s sketches from the site, see: J. B. Humbert & A. Chambon, *Fouilles de Khirbet Qumran et de Ain Feshkha*, Gottingen, 1994.

²⁰⁵ On the division into stages at the site, with details about each stages, see: R. de Vaux, *Archaeology and the Dead Sea Scrolls*, 3–48. For stage IB, see *ibid.*, 5–24, and for stage II, see *ibid.*, 24–41.

²⁰⁶ Some claim that the writing room was located on the second floor. For a summary of the findings proving the existence of a writing room, see: L. H. Schiffman, *Reclaiming . . .*, 46–48.

hidden and graves. Between and around the buildings the excavators found animal bones (mainly of goats, sheep and cattle), placed under large pottery fragments, and sometimes inside closed cooking pots with lids. The assumption is that these remains testify to a special ritual, unique to the Qumran community (there is no description, and no findings, of a similar ritual in the other groups discussed here).²⁰⁷ Another concealed finding that testifies to their daily life is the Qumran cemetery. East of the ruins of the buildings there was a large cemetery, containing around one thousand one hundred graves. Most of them are individual burials, facing north south. Most skeletons are of men. In the eastern and northern sides of the site there is another burial ground with more scattered graves, where the skeletons of women and children were discovered.²⁰⁸ These graves are also dated to stage IB and stage II.

The findings may be summarized as follows: The Qumran site served as a dwelling place for a community of people²⁰⁹ who lived and slept in and around the site. Scholars have ruled out the possibility that community members slept in the caves around the site due to the physical conditions of these caves.²¹⁰ The number of people who lived in the site probably reached about two hundred during the peak period of the site (based on the graves and eating vessels). The site contained a single kitchen²¹¹ and one large dining

²⁰⁷ De Vaux on this issue: "The general purpose underlying this custom is plain . . . reveals a religious preoccupation. It is possible that these are the remnants of sacrifices in which the victim, or some part of it, was eaten by the faithful, although this has not been proven." (R. de Vaux, *Archaeology and the Dead Sea Scrolls*, 14).

²⁰⁸ The number of women and children's remains does not exceed ten, and some draw historical conclusions from this fact, but we should note that in another site attributed to the Qumran community another seven female skeletons were found. See: L. H. Schiffman, *Reclaiming . . .*, 59–61. For a description of the cemeteries, see de Vaux, *ibid.*, 45–48, 57–58.

²⁰⁹ Some scholars argue that this was an aristocratic family, or a similar small group. We accept the opinion of those scholars (such as Schiffman and Stern) who reject these claims and support the accepted theory of a community, larger than a family, which lived together. For opinions of the opposing scholars, see: P. Donceel-Voute, "The Archaeology of Qumran," in *Methods of Investigation of the Dead Sea Scrolls and the Khirbet Qumran Site: Present Realities and Future Prospects*, J. J. Collins, N. Golph, D. Pardee & M. Wise (eds.), *Annals of the New York Academy of Sciences*, New York 1994.

²¹⁰ On the community members' dwelling options, see: L. H. Schiffman, *Reclaiming . . .*, 42–43.

²¹¹ See: R. de Vaux, *Archaeology and the Dead Sea Scrolls*, 10.

hall,²¹² implying that the Qumran community cooked and ate communally, which also explains the number of dinner plates. Residents of the site made their living from various crafts, and based on the community's storage pits and workshops, they suffered from no shortages or poverty. All attempts to describe this group as a low class group living in poverty and shortage have been disproved by the archaeological and literary findings. There were both men and woman at the site, but with a clear preference for males. A large proportion of their religious rituals were related to purification, as can be seen from the number of ritual baths and from their typical rituals. The most prominent feature is their occupation with writing. According to the archaeological findings, they were occupied with writing, in contrast with most other groups known from the same period (in terms of the extent and quantity of writing). The scrolls found around the site, to be discussed below, support this conclusion.

The Qumran Texts Most of the information about the internal lifestyle of the Qumran group has been obtained from the many writings the Qumran populace wrote and concealed. In caves around the Qumran site, thousands of fragments were discovered (apart from the many texts discovered in the Judean desert, to which we shall not refer), of which about eight hundred²¹³ full works have been identified. These texts were distributed among the caves around the site, and these caves were numbered by scholars according to the date and importance of the discovery, and started deciphering the scrolls.

It is convenient to divide the Qumran material into three main categories: copies of the Bible (about 29% of the scrolls); other copied literature not unique to the Qumran group (about 25% of the scrolls, mainly the apocrypha); and original texts of the Qumran group (about 33% of the scrolls).²¹⁴

²¹² Ibid., 11–14.

²¹³ On the numbering and description of these works, see: D. Dimant, "The Qumran Manuscripts: Contents and Significance," 30–58.

²¹⁴ The distribution percentages are taken from: L. H. Schiffman, *Reclaiming . . .*, 34. Dimant also divided the scrolls into three categories, with slightly different titles and percentages. See her article on the division into CT and NCT: D. Dimant, "The Qumran Manuscripts: Contents and Significance," 26. For her division into percentages, see *ibid.*, 31–32.

The copies of the Bible testify to the importance of the Bible in the group's life, and to their studying and interpretation of the Bible. Copies of all the books of the Old Testament have been found, except for the book of Esther. It is not clear whether the absence of this book is purely coincidental or whether there is some reason for this.

The group's original literature is particularly interesting. Among the original literature, we shall distinguish between the commentaries²¹⁵ and other works. While commentaries and similar works have also been discovered outside the Qumran site,²¹⁶ the works themselves are usually unique to the Qumran group. Their originality and contents make them very important for the understanding of the group. The most important works for describing the Qumran group are the following:

The Damascus Document (on the group's history, Halakhah and ambitions); The Community Rule (on the group's internal organization and lifestyle); The War Scroll (on the importance of fate, ideology and the group's future plans); Miqsat Ma'ase Ha-Torah (on the group's Halakhah and approach to the Halakhic world); Commentary of Habakkuk and Commentary on Nahum (for the description of real historical events and for understanding the group's relations with the center and with other groups); The Thanksgiving Scroll (for understanding the group's internal world, the image of the leader and the status of the leadership); The Temple Scroll²¹⁷ (for examining the importance of the temple rituals and the disputes with the existing center), and others as required.²¹⁸

²¹⁵ For a general description of the literary genre of commentaries, the features of this literature, and the style and grammar, see: B. Nitzan, *Megilat Pesher Habakuk Memegilot Midbar Yehuda (IQpHab)*, Jerusalem 1986, 29–122 (Hebrew); for additional references see: D. Dimant, "The Qumran Manuscripts: Contents and Significance," 28, note 13.

²¹⁶ The discovery of various fragments outside the Qumran site needs no proof. A brief study of the collection known as *DJD* can show the extent of this phenomenon. What is new is that the genre of commentaries is no longer unique to the Qumran group and site. See H. & E. Eshel, "Hatefila Leshlomo shel Yonathan Hamelekh, Mizmor 154 vehapasher leYeshaya 10," *Tarbiz* 67 (1998), 130, note 34 (Hebrew).

²¹⁷ The status of this scroll within the Qumran group will be discussed later.

²¹⁸ For details of the texts found around Qumran, see Cross's book for those found up to 1958: F. M. Cross, *The Ancient Library of Qumran*, London 1958. For the original Qumran texts deciphered by 1994, see: F. G. Martinez, *The Dead Sea Scrolls Translated: The Qumran Texts in English*, Leiden 1994.

The Isolation of the Qumran Group The Qumran group is very similar in lifestyle to the Essenes, since it too chose an isolated life outside the busy center. According to the texts deciphered and described by Dimant and Kistner, we may say that they were aware of the division between themselves and the rest of the world, and described themselves as living in peace and tranquility in contrast with the rest of the world that was full of conflict and discord. In one text published by J. M. Allegro and completed by M. Kistner, the text refers to a civil war within Israel, compared with unity and tranquility in the Qumran group.²¹⁹

Despite their isolation, the group members were very sociable and united within the group, and had high internal cohesion.

From a few writings, we learn that there were several Qumran settlements in various places,²²⁰ but most of the literary sources and archaeological findings indicate one central site, Qumran in the Judean desert.²²¹

They withdrew from the rest of society out of principle, as can be seen in several places in their texts. There was even a certain distance between the group members and the candidates for admission to the group, which depended on a lengthy admission process.²²² Another distancing factor was the existence of a different calendar to the usual one. Their calendar was a solar calendar, like that used in the Pseudepigrapha (such as the Book of Jubilees and Hanoch).²²³

²¹⁹ M. Kistner, "Olelot Misifrut Qumran," *Tarbiz* 57 (1988), 315–25, esp. 317 (Hebrew); D. Dimant, "New Light from Qumran on the Jewish Pseudepigrapha—4Q390," in *Madrid Qumran Congress*, II, 437–41. See also: A. I. Baumgarten, *The Flourishing of Jewish Sects in the Maccabean Era . . .*, 110.

²²⁰ The main mentions of Qumran settlements outside the Qumran site are in the Damascus Document. See: E. Schürer, *The History of the Jewish . . .*, II, 575; 563 note 5.

²²¹ It can be argued that the main difference between the sources on this issue reflects different periods, i.e., in a later (or earlier) period, the Qumran population was more scattered. In any case, the texts referring to the Hasmonean period and the archaeological findings, which are also dated to the Hasmonean period, do not imply there were other Qumran sites apart from those we know in the En Gedi area. On the distinction between periods, see E. Schürer, *ibid.*, 575.

²²² For a description of the group's admission process, based mainly on the Community Rule, see: E. Schürer, *ibid.*, 577.

²²³ On the calendar in the Book of Jubilees, see: J. H. Charlesworth, *The Old Testament Pseudepigrapha*, II, New York 1985, 38–39. On the calendar in Hanoch, see: Charlesworth, *ibid.*, I, 9: "Time should be reckoned only by the sun, not by the moon as in the Pharisaic lunar calendar. The author's solar year consists of 364 days, and not 365+1/4, a fact of which he is also aware."

The special terminology used by group members also distinguished between them and the rest of the population. They gave themselves unique names, such as the “Yahad (= together) people,” “Covenanters” and “Sons of Light.” The latter term is particularly prominent in contrast to their term to the rest of the world, “Sons of Darkness.”

Lifestyle within the Group The group members conducted a communal lifestyle that on the one hand stressed equality, and on the other hand placed everyone in a clear hierarchy. The equality was expressed in communal eating²²⁴ and in group commitments that applied to all members equally.²²⁵ The unequal hierarchy was expressed in organizing the lifestyle by age, wisdom and priestly descent. Organization and order are also stressed in division into camps by letters. Anyone deviating in behavior was reprimanded in public, and sometimes punished using a well-developed system of punishments. The reprimands and punishments applied to violating the lifestyle rules and to any action considered immoral or unacceptable in their society.²²⁶ Modesty, routine and frugality were typical of their lives.

The priests enjoyed a special status. In Qumran society there was a clear division between group members based on their ancestry: Priests (Cohanim), Levites and Israel. The priests in Qumran society had special importance. They were supposed to lead the group both spiritually and practically.²²⁷ They opened each meal, said the

²²⁴ Some scholars have linked this aspect with the Last Supper in Christianity. See for example: K. G. Kuhn, “The Lord’s Supper and the Communal Meal at Qumran,” in *The Scrolls and the New Testament*, K. Stendhal (ed.), with a new introduction by J. H. Charlesworth, New York 1992, 65–93.

²²⁵ The issue of “Jerusalem capital” compared with “group capital” is also related to this subject. See below in the discussion on Theology and Ideology (Chapter Five).

²²⁶ We have concrete information about reprimands in Qumran society following the publication of 4Q477, with a commentary by Esther Eshel. See: E. Eshel, “4Q477: The Rebukes by the Overseer,” *JJS* 45 (1994): 111–12. She attributed the reprimands to the “Overseer” (on the literature about the character of the Overseer, see: Eshel, *ibid.*, 110 note 4), and this is disputed. Nevertheless, there is a description of subjects and persons deserving reprimands in Qumran society. She cites equivalent cases from other Qumran texts. According to her description and other sources, they had an extensive system of punishments, even for what seem to us to be minor infringements, such as spitting in public. For a general description of the system of justice and punishment in Qumran, see: L. H. Schiffman, *Sectarian Law in the Dead Sea Scrolls: Court, Testimony and the Penal Code*, Brown Judaic Studies 33, California 1983, 89–109.

²²⁷ See: E. Schürer, *The History of the Jewish . . .*, II, 575–76. On the roles of the priest in Qumran society, see *ibid.*, esp. 567.

blessings, and made all the decisions.²²⁸ Despite this, the Qumran group objected to unifying the priesthood and the presidency in one person (as the Hasmoneans of the period did), and they supported one leader being from the house of David and another leader (probably the High Priest) being from the descendants of Zadok the priest.²²⁹ They attributed special importance to the line of Zadok the priest,²³⁰ and this phenomenon is also known in other groups.²³¹

The Qumran group had an independent leadership, known by several vague terms such as the Teacher of Righteousness, Legislator, Star, Overseer, President and others. One of the leader's titles is Messiah. According to some interpretations of the Qumran texts, there will be two Messiahs: Messiah Aharon and Messiah Israel.²³² The future leaders will also be termed Messiah, and the Qumran meaning of this term is not entirely clear.²³³ Apart from the central leader, there were other leadership bodies, such as the legal system, study groups and others.²³⁴

The Halakhic System In the realm of Halakhah, it is clear that the Qumran group knew the Scriptures and even interpreted them. They observed the commandments, celebrated the festivals, and did all this out of learning of Halakhic issues. Almost all the Halakhic areas we know from the literature of the Sages appear in the Qumran literature. This issue will be discussed in Chapter Four, and therefore we shall not go into details here. It is sufficient to mention that they were strict in their observances regarding the Sabbath, Kashrut, purity and impurity, interpersonal relations, and relations between people and God. In principle we can say that they were clearly very familiar with the Torah and its Halakhot, and taught and interpreted it no less than the other Jewish groups. This supports our argument

²²⁸ Based especially on the Community Rule. See: E. Schürer, *ibid.*, 579.

²²⁹ See Y. Yadin, *Hamegilot Hagenuzot Mimidbar Yehuda*, Jerusalem & Tel Aviv 1958, 205 (Hebrew).

²³⁰ See: E. Schürer, *The History of the Jewish . . .*, II, 576.

²³¹ Such as the Sadducees. See: E. Schürer, *ibid.*, 405–7.

²³² See: Y. Yadin, *Hamegilot Hagenuzot . . .*, 205–6 (Hebrew). Schürer argues that the President should be identified with the Messiah. See: E. Schürer, *ibid.*, 576.

²³³ For sources on the concept of the Messiah and a summary of this issue, see: R. H. Eisenman & M. Wise, *The Dead Sea Scrolls Uncovered*, Great Britain & USA & Australia 1992, 17–50.

²³⁴ For a general description of the leadership institutions, see: E. Schürer, *The History of the Jewish . . .*, II, 575–79.

in this study, that all the Jewish groups believed in an interpretative tradition to the written Torah, usually independent of the traditions of the other groups.²³⁵

They were especially strict regarding purity and impurity,²³⁶ beyond what was accepted in the normative center. We may assume that it was due to this severity that they saw the Temple in Jerusalem and the whole area of Jerusalem as unclean, and yearned for the day when they could take Jerusalem and purify it.²³⁷

Theological and Ideological Principles The group is particularly characterized by its theological and ideological principles. From their writings it is clear that they believed in the importance of fate and that the actions of a person are predestined. This led to a dichotomy of the world between Sons of Light and Sons of Darkness, and the parallel heavenly forces (angels and spiritual beings).²³⁸ The Qumran people are, of course, the Sons of Light, who will eventually defeat the Sons of Darkness in battle. These principles disprove the attempts to classify Qumran as a “pacifist” group.²³⁹ As part of their dichotomy

²³⁵ Therefore, we do not accept the premise that the Qumran group only accepted the “written Torah” and not the “oral Torah.” A different formulation is required. They accepted their own interpretative tradition to the written Torah, and did not take for granted the traditions of other groups. Accordingly, we believe it should be phrased differently to the words of Kistner in his article “Olelot Misifrut Qumran,” where he discusses a verse from the Temple Scroll, and concludes: “Yadin has already noted that the changes to this verse compared with the received text ‘were aimed to forbid the setting of a certain Halakhah according to the oral Torah, in other words a particular Halakhah that was not written and interpreted in the Torah,’ and he was certainly right.” M. Kistner, “Olelot Misifrut Qumran,” 315 (Hebrew). This is not about the distinction between the oral Torah and the absence of oral Torah, since all the groups had interpretative traditions to the written Torah. The difference is in the type of learning and interpreting of the written Torah. This can also be understood from the verse discussed there.

²³⁶ The rules regarding purity and impurity in the Qumran group are known mainly from the Damascus Document, the War Scroll, and the Community Rule. For a general review, see: E. Schürer, *The History of the Jewish . . .*, II, 582.

²³⁷ According to the War Scroll. See: E. Schürer, *The History of the Jewish . . .*, II, 575–79. Klawans also compares this issue in the Qumran literature to the Tannaitic literature. See J. Klawans, “The Impurity of Immorality in Ancient Judaism,” *JJS* 48 (1997), 1–16.

²³⁸ On the connection between fate, the division between Sons of Light and Sons of Darkness and heavenly forces, see: Y. Yadin, *Hamegilot Hagenuzot . . .*, 208–9 (Hebrew).

²³⁹ The War Scroll and terms like “vengeance day,” “hatred of the world with evil people” and the importance of the “war” show that this was not a calm, pacifist group, believing in settling disputes peacefully, but an active and aggressive group.

of the world, they also believed in an essential distinction between truth and untruth, with the firm belief that they had absolute knowledge of truth and justice. Knowledge of the absolute truth was also connected to the aspect of the prophetic skill of their leaders. They also believed in the continuing prophecy and predicting the future.²⁴⁰ The group's leader had everyday prophetic skills. For this reason, the leader had the knowledge of the correct interpretation of the Torah²⁴¹ (this is also related to the commentary literature), and the knowledge of absolute truth. Their involvement in spiritual life is probably the factor that distanced them from the worldly pleasures. They probably denounced such pleasures as property, eating for pleasure, anointing with oil, sexual intercourse for pleasure and others. There is probably some connection between the denouncing of the worldly pleasures and the belief in life after death. There are clear indications of their belief in the immortality of the soul (or some sort of life after death).²⁴² They were also involved with magical elements, such as the names and influences of the angels.

A typical feature of the Qumran group, not found in such frequency in any other group, is their use of epithets. The Qumran group referred to persons of that period and central events in their lives and the life of the Jerusalem center. However, due to the use of epithets, interpretation is required in order to identify the people and events. There are various possible explanations for their use of epithets. We shall propose two explanations, each of which has important historical implications. Perhaps the use of epithets is intended to prevent the attribution of respect to a certain person, thus preventing any influence. The non-mentioning of a name is an action that demonstrates clearly their wish not to respect the person. However, this demonstrative action shows that they were afraid of cultural influence of the respecting of such a person. Another possible explanation for the use of epithets was an internal wish to confuse and

This is probably one of the differences between the Qumran group and the Essenes. For sources and description, see Y. Yadin, *Hamegilot Hagenuzot . . .*, 208–9.

²⁴⁰ On prophecy and prophets in Qumran, see: L.H. Schiffman, *Reclaiming . . .*, 223–41; 317–66; R. H. Eisenman & M. Wise, *The Dead Sea Scrolls Uncovered*, 51–74. On predicting the future, see esp. *ibid.*, 17–50.

²⁴¹ For examples of interpretations of the Torah, see Eisenman & Wise, *ibid.*, 75–99.

²⁴² Based on the Qumran writings, esp. the Thanksgiving Scroll, the Community Rule, etc. See: E. Schürer, *The History of the Jewish . . .*, II, 582–83.

conceal the group's prophecies and visions. By creating confusion, they made interpretation necessary, and made themselves into a secret group. Such things strengthened the internal cohesion. According to these two explanations, they wanted internal strengthening against their competitors, the other groups.

Even without identifying the epithets, it is clear that the Qumran group was aware of events happening in and around Jerusalem, and expressed its opinions on these events. We shall discuss their involvement in the Jerusalem center later.

We can summarize as follows: The Qumran group was a minority group, dwelling at isolated sites separated from the normative center; it had independent and original characteristics; according to our approach here, it was separate from the other three groups, the Pharisees, Sadducees and Essenes. It constituted a unique, independent group. Although they did belong to normative Second Temple Judaism as some stage or another, they withdrew to Qumran and built their own society. Throughout the Second Temple period they preserved their unique character and self identity which was also manifested in their engagement in writing and the forming of their library.²⁴³

The Involvement of the Qumran Group in the Life of the Center

In her book on the Commentary on Habakkuk, Billah Nitzan describes three circles of conflict involving the Qumran group: the internal Judean political level,²⁴⁴ the world political level, and the cosmic level:

On the internal political level in Judea, two camps face each other: in the one camp—the Teacher of Righteousness and his followers, and in the other camp—the Wicked Priest, the Man of Lies and their people. On the world political level there are the Kittim—as a destroying

²⁴³ See the phrasing of L. H. Schiffman, *Reclaiming . . .*, 65.

²⁴⁴ This circle includes both the struggles between the groups and the Hasmonean regime in Jerusalem (led by one of the groups), and struggles between the groups without any connection to the Hasmonean regime. Thus, for instance, Flusser notes ideological-religious struggles between the groups, as expressed in the section inserted in the prayer of Benedictions containing an imprecation against the apostates (known in Hebrew as “Birchat Haminim”) and in Qumran sources. See: D. Flusser, “‘Miqsat Ma’ase Hatora’ Ubirchat Haminim,” 333–74; *ibid.*, “Prushim, Zdukim Veissiyim bePeshet Nahum,” 133–68. See in this regard also BT Berachot 28b.

and threatening force—against all nations, including even Judea. On the cosmic level, God faces all the forces of evil in the world. All these struggles are linked . . .²⁴⁵

When we discuss involvement in the life of the center, we are discussing the first circle, the conflict between the Qumran group and the Jerusalem center, as represented by the Hasmoneans.

It is a fact that the Qumran group resided in the Judean desert (willingly or unwillingly), far from the stormy life of the Jerusalem center. Another fact that can be proven is that the Qumran community was very familiar with events in Jerusalem, both good and bad, and expressed its opinions about these events, and interpreted scripture in light of these events.

If so, their retirement to the desert did not stem from their wish to ignore and detach themselves from the events of this world. As their writings show, they followed events closely, and even aimed at returning to Jerusalem and instilling their values there. Thus we can understand that their secession was a result of a conflict of principles and values with the Jerusalem center.²⁴⁶

The sources indicate that the leaders in Jerusalem persecuted the Qumran group, and that the Qumran community termed all the people in the center “Sons of Darkness.” These sources show that there was a conflict over principles between the center and the Qumran group.

The sources dealing with the relations between the Jerusalem center and the Qumran group show two opposite things: On the one hand, great hostility, especially between the regime in the center and the leader of Qumran; on the other hand, the Qumran texts sometimes justified the actions of the Hasmonean leaders, and even prayed for them.

Following a survey of the relevant sources, we will try to put together the historical picture of this complex relationship.

We shall discuss some of the sources that are directly related to the relations between the Qumran group and the center, in the following order:

²⁴⁵ Bilhah Nitzan, *Megilat Peshet Habakuk* . . . , 11–12.

²⁴⁶ On the secessionism of the Qumran people and their attitude towards the Jerusalem center, see: D. Flusser, “‘Miqsat Ma’ase Hatorah’ Ubirchat Haminim,” 363 ff. (on the “secession of the Essenes,” since Flusser sees the Qumran group as the Essenes).

1. The principle of secession;
2. The persecution of the Qumran group;
3. The justification of the actions of the Hasmonean center;
4. Prayers for the “welfare of the king.”

The section on the groups’ lifestyle (Chapter Three) will discuss in detail the secessionist lifestyle versus a lifestyle trying to bridge the gaps. Although the Qumran people were very unified (high internal cohesion), they had a secessionist approach to the other groups, and especially towards the center. The people in the center were known by derogatory epithets such as “corrupt people,” “people of injustice,” “Sons of Darkness” and others. After creating derogatory epithets that imply a negative attitude towards the people in the center, the Qumran group commanded secessionist and distancing behavior. In other words, they created a boundary between themselves and the center, and preserved this boundary. This is what they say:

This is the rule for the men of the community
 who devote themselves
 to turn away from all evil
 and hold fast to all which he has commanded as his will
 they shall separate themselves from the congregation
 of the men of deceit
 in order to become a community . . .²⁴⁷

Another source states the following:

And all who were brought into the covenant (are)
 not to enter the sanctuary to light his alter in vain
 (but rather are) to be “closers of the door” of whom God said
 “who of you will close my door and not light my alter in vain?”
 Unless they take care to perform according to the exact (requirements
 of) the Torah during the time of evil and separate (themselves)²⁴⁸

This secession is among the reasons for their retiring into the desert. As they say:

²⁴⁷ The Community Rule, column 5 lines 1–2, translation according to: J. H. Charlesworth 1994, p. 19. For original Hebrew see J. Licht, *Megilat Haserechim Memegilot Midbar Yehuda: Serech Hayahad, Serech HaEda, Serech Habrachot*, Jerusalem 1965, 1996², 123 (Hebrew).

²⁴⁸ Damascus Document, column 6 lines 11–15, according to: J. H. Charlesworth 1995, pp. 22–23.

When these become the Community in Israel
 they shall separate themselves from the session of the men of deceit
 in order to depart into the wilderness
 to prepare there the Way of the Lord²⁴⁹

Other sources also testify to this secessionist principle.²⁵⁰ The mention of the move away from the Temple and its altar to the desert clearly shows that this is a distancing from the normative center in Jerusalem. The normative center and its supporters are called by derogatory terms: people of injustice and corrupt people. Other sources also support the description of the group distancing itself from the center and creating a clear boundary. Yadin sums up their attitude towards the center in one sentence: “The sect became disgusted with city life and lived in settlements beyond its boundary.”²⁵¹

But not only was there secession and distancing from the Jerusalem center, there was also hatred and hostility. These led to the persecution of the Qumran group, and probably to attempts to harm its members. As part of this persecution, the center exploited the fact that the Qumran group used a different calendar than that of the center, and attacked them on their Day of Atonement, assuming they would have a Halakhic problem defending themselves on such a day. This is very reminiscent of the behavior of the Greeks in attacking the followers of Mattathias the Hasmonean as reported in I Maccabees,²⁵² with two clear differences. In the story of Mattathias the Hasmonean and his people, it is a non-Jewish Greek kingdom that is persecuting a group of Jewish rebels. Here these are Jews fighting Jews, exploiting the religious aspect as a battle tactic. Also, Mattathias and his men changed their Halakhic position, in other words compromised and decided that they could defend themselves from mortal danger even on the Sabbath.²⁵³ The Qumran group, in contrast, made no such compromise, and probably did not change their Halakhic position even when their lives were in danger. This is an absolute, uncompromising value position.

²⁴⁹ The Community Rule, column 8 lines 13–14, according to Charlesworth 1994, 34–36; For original Hebrew see J. Licht, *Megilat Haserechim* . . . , 181.

²⁵⁰ For additional sources and an analysis of the sources on this issue, see: D. Flusser, “Miqsat Ma’ase Hatorah’ Ubirchat Haminim,” 364 ff. (Hebrew).

²⁵¹ Y. Yadin, *Hamegilot Hagenuzot* . . . , 209 (Hebrew).

²⁵² I Maccabees 2:29–47. According to A. Cahane, *Hasfarim Hachizoniyim*, II, Tel Aviv 1956, 107.

²⁵³ *Ibid.*, esp. 38–41.

One of the clearest testimonies to the struggles between the Qumran group and the Jerusalem regime is the following, from the Exegesis of Habakkuk:

הוֹי מִשְׁקָה רַעְהוּ מִסַּפַּח
 חֲמַתּוֹ אִף שֹׁכֵר לִמְעַן הִבִּישׁ אֶל מוֹעֲדֵיהֶם²⁵⁴
 פָּשְׂרוּ עַל הַכּוֹהֵן הַרְשָׁע אֲשֶׁר
 רָדַף אַחֲרַי מוֹרָה הַצַּדִּיק לִבְלַעוּ בִּכְעֵס
 חֲמַתּוֹ אֲבִית נְלוּתוֹ וּבִקְצֵן מוֹעֵד מְנוּחַת
 יוֹם הַכַּפּוּרִים הוֹפִיעַ אֲלֵיהֶם לִבְלַעַם
 וּלְכַשִּׁילֵם כִּיּוֹם צוֹם שַׁבַּת מְנוּחָהִם.²⁵⁵

“Concerns the wicked priest who pursued the Righteous Teacher in order to make him reel, through the vexation of his wrath, at his house of exile

It was at the time of the festival of the resting of the Day of Atonement That he manifested himself to them

In order to make them reel and to trip them on the day of fasting, the Sabbath of their resting²⁵⁶

This source clearly shows that the leader of the center, called here the Wicked Priest,²⁵⁷ persecuted the leader of the Qumran group (called here the Teacher of Righteousness)²⁵⁸ and his supporters on the Day of Atonement according to their calendar. We accept the opinions of those scholars who have identified the Wicked Priest as a derogatory epithet for the Hasmonean leaders (transcending time).²⁵⁹ There is no evidence in the source regarding how this event ended.

²⁵⁴ The bold lines are probably the quotation from the prophet Habakkuk; the rest is the commentary by the Qumran commentators. The analysis given here is taken from: B. Nitzan, *Megilat Peshet Habakuk* . . . , 48, section 34 according to the division into sections in the introduction (Hebrew). The verse, in the received text, is: . . . הוֹי מִשְׁקָה רַעְהוּ מִסַּפַּח חֲמַתּוֹ אִף שֹׁכֵר לִמְעַן הִבִּישׁ אֶל מוֹעֲדֵיהֶם. . . (*Hab.* 2:15).

²⁵⁵ Commentary on Habakkuk, column 11 lines 2–8; according to Nitzan, *ibid.*, 190 (Hebrew).

²⁵⁶ Translation according to W. H. Brownlee, *The Midrash Peshet of Habakkuk*, p. 179.

²⁵⁷ For details on this character, and possible historical analyses, see Nitzan, *ibid.*, 132–38; 15–16 (Hebrew).

²⁵⁸ For details on the Teacher of Righteousness compared with the Wicked Priest or False Preacher, see: Y. Yadin, *Hamegilot Hagenuzot*, 112–16 (Hebrew). On the wicked priest see also L. H. Schiffman & J. C. VanderKam, *Encyclopedia of the Dead Sea Scrolls*, vol. II, Oxford University Press, NY 2000, 973–75.

²⁵⁹ See for example in Martinez & Van Der Woude: “the designation ‘Wicked Priest’ as a generic one referring to different Hasmonean High Priests in chronological order.” F. G. Martinez & A. S. Van Der Woude, “A ‘Groningen’ Hypothesis of Qumran Origins,” 537.

We do not know whether the Wicked Priest succeeded in capturing and harming the Teacher of Righteousness and his followers. Nor is there any indication that the Teacher of Righteousness changed his position in any way in order to survive the danger. In other words, the Qumran group did not compromise its positions, as other groups did when facing such dangers. From another source describing the hostility between the Qumran group and the Jerusalem groups, we see clearly that the purpose of the Wicked Priest is to kill the Teacher of Righteousness, and he may have succeeded.²⁶⁰

Several other sources imply that the leader of the Qumran group was persecuted and exposed to danger.²⁶¹ Licht concludes the following:

The scroll's author gives thanks . . . for his rescue from the persecution of the evil people. But this time he stresses the polemic nature of the persecution . . . Therefore he complements the description of the persecution with a detailed description of the polemic between the sect and its opponents, in thanksgiving hymn 8 (page 4).²⁶²

So far, we have seen the hatred, hostility and the boundary between the Qumran group and the normative center. Surprisingly, we find sources where the Qumran group justifies the actions of the center and even prays for them. These positive sources require an explanation in light of the other sources.

One special and interesting source is the passage in the Commentary on Nahum, referring to a historical event known from Josephus. The source is deciphered as follows:

פשוו על דמין טרויס מלך יון אשר בקש לבוא
 ירושלים בעצת דורשי החלקות . . .
 פשוו על כפיר החרון אשר יכה בנדוליו ואנשי עצתו . . .
 פשוו על כפיר החרון
 [מות בדורשי החלקות אשר יתלה אנשים חיים
] [בישראל מלפנים. כי לחלוי הי [יקרא] . . .]²⁶³

²⁶⁰ The Qumran text is from Psalms Peshar as cited in Y. Yadin, *Hamegilat Hagenuzot*, 116–97 (Hebrew). On this text see also L. H. Schiffman & J. C. VanderKam, *Encyclopedia of the Dead Sea Scrolls*, vol. II, p. 975. On the identification of Ephraim and Menashe (central to this source), see: Flusser, “Prushim, Zdukim VeIssiyim Bepesher Nachum,” 133–68 (Hebrew).

²⁶¹ See for instance Thanksgiving Scroll, page 2 lines 31–33, according to Licht, *Megilat Hahodayot*, 74 (Hebrew).

²⁶² Licht, *ibid.*, 73 (Hebrew). For Licht's many sources and descriptions on this issue, see Licht, *ibid.*, 65–75 (Hebrew).

²⁶³ From the Commentary on Nahum, see: Yadin, *Hamegilat Hagenuzot*, 120

Translated by Allegro as follows:

Its interpretation concerns Demetrius, king of Greece, who sought to enter Jerusalem by the counsel of the Seekers-after-Smooth-Things . . .

. . . concerns the Lion of Wrath who will smite by his nobles and the men of his counsel . . .

Concerns the Lion of Wrath [. . . ven]geance on the Seekers-after-Smooth-Things when he hangs men up alive [. . .] in Israel before-time . . .²⁶⁴

Following the comparison with Josephus²⁶⁵ and the discovery and deciphering of the Temple Scroll, we can assume that the correct supplement to the missing sentence is something like “which has been done” (אשר כן נעשה בישראל מלפנים),²⁶⁶ meaning that the Qumran people justify the actions of the Lion of Wrath against the Seekers after Smooth Things. We accept the identifications of Yadin and other scholars, who argued that the Lion of Wrath is a Hasmonean figure (Alexander Jannaeus), and the Seekers after Smooth Things are the Pharisees. Thus we can say that the Qumran group justified the “hanging”²⁶⁷ of the Pharisees by Alexander Jannaeus. In any case, this is a certain reference to a contemporary historical event,²⁶⁸ where they justify an action of the Hasmonean ruler. Perhaps the reason for this is their dislike of the Pharisees (the seekers after smooth things); nevertheless, this is still a case when they saw fit to justify an action of the Hasmonean ruler in Jerusalem. Despite this justification, their description of the Hasmonean regime is not purely

(Hebrew). For the first edition of the Commentary on Nahum, see: J. M. Allegro, “Further Light on the History of the Qumran Sect,” *JBL* 75 (1956), 89–95.

²⁶⁴ Translation according to J. M. Allegro, “Qumran Cave 4” in *Discoveries in the Judean Desert (DJD) V*, Oxford 1968, p. 39.

²⁶⁵ Cf. Josephus, War 1, 91–98; *Ant.* 13, 372–83.

²⁶⁶ This is Allegro’s first supplement, and Haberman and Yadin suggested אשר לא יעשה. See Allegro, *ibid.*, 91. On Yadin’s supplement, see: Y. Yadin, “Peshar Nahum (4Q pNahum) Reconsidered,” *IEJ* 21 (1971), 1–12. For discussions and historical analyses around this source, see: J. M. Allegro, *DJD V: Qumran Cave 4 (4Q158–1Q186)*, Oxford 1968, 32–42; M. P. Morgan, *Pesharim: Qumran Interpretations of Biblical Books, the Texts*, Washington 1979, 39–50.

²⁶⁷ For a precise discussion of the hanging described, see: J. M. Baumgarten, “Does *TLH* in the Temple Scroll Refer to Crucifixion?,” *JBL* 91 (1972), 472–81.

²⁶⁸ Here we should note that these are not the only Qumran sources that refer to specific historical events. There are other sources, not discussed here, that refer to contemporary events. We only cite those most relevant to our discussion. For additional historical references, see: J. D. Amusin, “The Reflection of the Historical Events of the First Century B.C. in Qumran Commentaries (4Q161, 4Q169, 4Q166), *HUCA* 48 (1977), 123–34.

positive. There are negative hints in the very description. The use of the epithet the Lion of Wrath, who is described negatively in the Commentary on Nahum and the Commentary on Hosea²⁶⁹ shows that in the opinion of the Qumran group, the Hasmonean were not pure and innocent, even though they justified the event described above. Thus we can see that even when the Qumran group had a negative attitude towards a certain party, they could justify particular actions of this party.

Another positive source directly related to the attitude of the Qumran group to persons and events around them is the text known as the Jonathan Prayer or the scroll numbered 4Q448.²⁷⁰ Of this fragment, the section relevant to us is column 2:

עור קדש²⁷¹
 על יונתן המלך
 כל קהל עמך²⁷²
 ישראל
 אשר בארבע
 רוחות שמים

²⁶⁹ See: E. Eshel, H. Eshel & A. Yardeni, "A Qumran Composition Containing Part of Ps. 154 and a Prayer for the Welfare of King Jonathan," *IEJ* 42 (1992), 199–229, note 84.

²⁷⁰ See: H. Eshel & E. Eshel, "Hatfila Lishlomo shel Yonatan Hamelekh, Mizmor 154 Vehapasher LeYeshaaayahu 10," 121–31 (Hebrew); E. Eshel et al., "A Qumran Composition . . .," 199–229; E. Eshel & H. Eshel, "Rare DSS Text Mentions King Jonathan," *BAR* 20 (1994), 75–78; E. Eshel & M. Kister, "A Polemical Qumran Fragment," *JJS* 43 (1992), 277–81. See also: D. Flusser, "Heara Latfila Lishlomo shel Yonatan Hamelekh," *Tarbiz* 61 (1992), 297–303 (Hebrew). For a different description than that of the scholars just mentioned, see: E. Puech, "Jonathan le pretre impie et les debuts de la communaute de Qumran: 4QJonathan (4Q523) et 4QPsAP (4Q448)," *RdQ* 17 (1996), 241–70. We should mention that some scholars have interpreted this passage differently. They argued that the author was calling for a rebellion against King Jonathan. In their article on this issue, Hanan and Esther Eshel bring evidence to disprove this interpretation. We accept their articles that this hymn calls for support of King Jonathan. For opinions interpreting a negative attitude towards King Jonathan, see H. Eshel & E. Eshel, "Hatefila Lishlomo shel Yonatan Hamelekh . . ." (1998), 122–23 (Hebrew). For their evidence against this interpretation, see *ibid.* For additional bibliography on this hymn, see *ibid.*, 121, notes 1–3 (Hebrew).

²⁷¹ At first this was deciphered as עיר קדש, but in their article Hanan and Esther Eshel accept the deciphering עור קדש. For the meaning of this term, see: H. Eshel & E. Eshel, "Hatefila Lishlomo shel Yonatan Hamelekh . . ." (1998), 122–23 (Hebrew). For a discussion of the considerations around this issue, see *ibid.*, 122, note 6 (Hebrew).

²⁷² Hanan and Esther Eshel, *ibid.*, reject the possibility that this is a ׀ of contrast. For the meanings of this, see *ibid.*, 123 (Hebrew).

יהי שלום כלם
ועל ממלכתך
273 יתברך שמך

Guard (or: Rise up) O Holy One
Over King Jonathan (or: for King Jonathan)
and all the congregation of your people
Israel
who are in the four
winds of heaven
Let them all (be) at peace
And upon your Kingdom
May your name be blessed²⁷⁴

According to the source and its analysis, this is a prayer related to the Hasmonean king Alexander Jannaeus (ruled 103–76 B.C.).²⁷⁵ We agree with Eshel and Eshel (in their article from 1998) that this is a prayer for the welfare of King Jannaeus, despite the differing opinions of other scholars.²⁷⁶ Although we have found a positive reference to the Hasmonean regime, at the same time the Qumran group seceded from the Hasmonean regime and denounced it. This situation is puzzling, as Eshel and Yardeni put it:

Following the decision that King Jonathan is Alexander Jannaeus, the serious question arises how a prayer for the welfare of the Hasmonean king came to a community that had left Jerusalem and withdrawn to

²⁷³ Cited in E. Eshel et al., “A Qumran Composition . . .,” 201. For the identification of historical figures, see *ibid.*, 208, 216 ff.

²⁷⁴ For the full text and translation see: E. Eshel, H. Eshel & A. Yardeni, “Apocryphal Psalm and Prayer,” in *Qumran Cave 4: Discoveries in the Judean Desert (DJD) XI*, pp. 403–25.

²⁷⁵ We accept that this text cannot be attributed to Jonathan the Hasmonean, the son of Mattathias, and so the best suggestion, relying on other numismatic and literary evidence, is that it refers to Alexander Jannaeus. See Eshel et al., *ibid.*, 216–17.

²⁷⁶ See the previous four notes. For the opinions of Eshel, Eshel and Yardeni, and also for opposing opinions, see: E. Eshel, H. Eshel & A. Yardeni, “A Qumran Composition Containing Part of Ps. 154,” 199–229; H. Eshel & E. Eshel, “Hatefila Lishlomo shel Yonatan Hamelekh,” 121–31 (Hebrew); E. Eshel et al., “A Qumran Compositions . . .,” 199–229; E. Eshel & H. Eshel, “Rare DSS Text Mentions King Jonathan,” 75–78; E. Eshel & M. Kister, “A Polemical Qumran Fragment,” 277–81; D. Flusser, “Heara Latfila Lishlomo shel Yonatan Hamelekh,” 297–303 (Hebrew); E. Puech, “Jonathan le pretre impie et les debuts de la comunaute de Qumran: 4QJonathan (4Q523) et 4QPsAP (4Q448),” 41–70.

the desert, due to its opposition to the Hasmonean regime and priesthood. Although we have no satisfactory solution to this riddle, we will try to sum up our knowledge of Jannaeus' rule and the reflection of this rule in the scrolls discovered at Qumran.²⁷⁷

Some have tried to explain this puzzle by claiming that the work is not originally from Qumran,²⁷⁸ but Eshel and Yardeni did not accept this argument, rightly so, and continued to present this issue as a problem.²⁷⁹

In the circle of the political dispute in Judea, the Qumran group is not identified with the Hasmonean rule, and shows hatred and hostility towards it. The hatred sometimes reaches the point of an open struggle between the group and the leader of the center. The Qumran group seceded from the center and completely disagrees with the leadership, with the Halakhah and even with the calendar of the Jerusalem center. However, this does not indicate that every action of the center is to be renounced. It is still possible for the center to achieve actions that the Qumran group could consider desirable and acceptable. This is especially true when we consider that there were various groups around the Jerusalem center that were involved in this struggle. Accordingly, reality sometimes led the Jerusalem center to act in a way of which the Qumran group approved, and at other times other groups approved of its actions. Thus we can assume that the Qumran group could praise the desirable actions of the normative center, if only to provide a positive reinforcement to encourage them to behave in this manner. In any case, the existing Jerusalem center was still preferable to a worse reality.

²⁷⁷ Eshel, Eshel & Yardeni, "Chibur MiQumran Ubo Tfila Lishlom Yonatan Hamelekh," *Tarbiz* 50 (1991), 314 (Hebrew).

²⁷⁸ This is how Flusser first tried to solve the puzzle. See: D. Flusser, "Heara Latfila Lishlomo shel Yonatan Hamelekh," 297–98 (Hebrew).

²⁷⁹ We as well do not accept this argument. As we stated earlier, we see the entire Qumran library as one unit that was acceptable to the Qumran community, by the very fact of these writings being found in the Qumran library. Eshel and Eshel returned to this issue in their later article (1998), and again stated that they believe this to be a Qumran work. See: H. Eshel & E. Eshel, "Hatfila Lishlomo shel Yonatan Hamelekh . . .," 130 (Hebrew). Flusser attributed this sympathy to a double attitude of the people towards Alexander Jannaeus. Sometimes they showed sympathy and affection towards him as a hero king, and sometimes they hated him and treated him as a cruel king. Flusser argued that this prayer was probably written in the eighties B.C., against the background of Jannaeus' conquests. Somewhat differently, Eshel and Eshel attribute this work to the start of Jannaeus' rule (although they too say "before eighty eight B.C."). See D. Flusser, "Heara Latfila Lishlomo shel Yonatan Hamelekh," 298 (Hebrew).

As we have seen, the Qumran community struggled within several circles of conflict. The conflict with the Jerusalem center was still preferable to an even worse reality, such as foreign rule (of the Kittim, Greeks or others). Thus the Qumran group should not be viewed as a dogmatic group that could not see things rationally. Quite the opposite. The Qumran group was value-orientated and ideological, and judged reality according to how it fitted with its ideology and values. In light of this, one can understand the group's positions. In the conflict around the introduction of Demetrius (a foreign king)—belonging to the wider circle of conflict (the international political arena)—they supported the Hasmoneans. So also, when praying for the welfare of a kingdom, they preferred the Hasmonean kingdom to a foreign rule. But in the internal circle, the Qumran group was usually on the other side of the fence, denouncing the normative center (the Hasmoneans) and confronting it. On rare occasions, when the center did things the Qumran group approved of, especially when these actions harmed their rivals from the internal circle (such as the Seekers after Smooth Things), there was no reason not to justify the actions of the Hasmoneans.

It is worth noting that there could also be a theological explanation for the Qumran position, arguing that they believed that the Hasmonean regime was divinely appointed, and should therefore be supported.²⁸⁰ If this theory is correct, there are several difficulties with it. According to this logic, they should have justified and supported every action of the Hasmonean regime. Moreover, it would also be possible to argue that any regime is appointed by God (including that of Demetrius), so where would this approach stop? In any case, we prefer the explanation of circles of conflict as reflecting the approaches that motivated the Qumran group.

The Historical Picture of Qumran

On the basis of the archaeological findings and the Qumran writings, without identifying them with the groups described in Greek literature, it is possible to construct quite a clear historical picture.

²⁸⁰ Eshel and Eshel hinted at this in their article: "We believe that we should not reject the possibility that the author of the prayer hinted that the kingdom of God is the kingdom of King Jonathan," in H. Eshel & E. Eshel, "Hatfila Lishlomo shel Yonatan Hamelekh . . ." (1998), 124 (Hebrew).

The Qumran group was active during the Hasmonean period as a minority group (not within normative society, as others have claimed),²⁸¹ in a state of conflict with the Hasmonean regime and with normative society in Jerusalem. The conflict with normative society was on all levels: Halakhic, behavioral, personal, ideological, theological and values. They also disagreed with the normative center over lifestyle and calendar.

These disputes reached the level of personal power struggles, to the point of the group's persecution on its Day of Atonement, and real threats to the Teacher of Righteousness, the group's leader. In these struggles, we see that the Qumran group did not compromise or surrender. It lived apart from the normative center and preserved its independence and originality. In its arrogance, it called the normative center and its leaders by derogatory epithets. However, sometimes it praised and justified their actions. In one case they prayed for the welfare of the Hasmonean regime's kingdom, and in another case, justified its actions. This double attitude did not result from inconsistency or momentary insanity, but rather from a more consistent system, influenced by the system of values regarding several circles of conflict and their logical considerations. The Qumran people chose a life of isolation in the desert over compromise and life within the unclean and sinful environment of Jerusalem.

The main features of their social life were communality, high internal cohesion and complete separation from the other groups. Their most unique characteristic was their occupation with writing.

In the ideological and theological sphere they believed in the prophecies of their leaders, and therefore believed that their way was the absolute truth, so it was also uncompromising. They believed in fate, in Messianism and in the continuation of prophecy and the immortality of the soul.

In the Halakhic area they were very strict. They knew the Bible very well, and added many works of Biblical commentary. Their Halakhah refers to almost all the Halakhic areas discussed in the center (by the Pharisees and Sadducees), although it seems that the Qumran group was stricter. The area of Halakhot regarding purity and impurity was especially important, and was related to the group's secession and nature.

²⁸¹ See: H. Stegemann, "The Qumran Essenes—Local Members of the Main Jewish Union in Late Second Temple Times," 83–166.

2.6 *The Distinction between Groups According to Involvement in the Center*

The axis of social involvement in Jerusalem shows that the Jerusalem Pharisees and Sadducees are two groups that stayed within the Jerusalem center and competed over the main power centers in the city. The Hasmonean ruler determined which group won this competition, and so they also competed for proximity to the Hasmonean regime. Their dependence on the Hasmonean ruler and the struggle over the foci of power forced them to become involved in diplomatic persuasion and constant flattery of the Hasmonean leaders and other such matters. The main point of interest to us here is that this lifestyle forced them to play the familiar political game. Even when a group “lost” the competition, it did not violate the rules of the game, but continued to play by the rules hoping to regain its proximity to power. Thus, the “losing” group made its peace with its rival, the ruling group in the Jerusalem center, even though this required compromising with Halakhic rules, and even lifestyles that it found unacceptable. We find no evidence in Josephus that either group ever retired from the Jerusalem center due to a victory (temporary or permanent) of its rival. Nor did these groups establish another center to compete with Jerusalem. In contrast, the Essenes and Qumran (and some more extreme Sadducee groups) withdrew from the Jerusalem center and set up their own competing centers, renouncing the benefits of the center. This may be why we find the Pharisees and Sadducees united in Christian sources.

The Christian sources are unusual in this respect, since they treat the Pharisees and Sadducees as almost identical groups or as “one package.”²⁸² John the Baptist treats them as one unit:

But when he saw many of the Pharisees and Sadducees come to his Baptism, he said unto them, O Generation of vipers, who hath warned you to flee from the wrath to come?²⁸³

Several other New Testament passages also treat them as two similar groups.²⁸⁴ However, they are not considered identical, and they

²⁸² All the New Testament quotations here and throughout the book are cited from the following edition: L. E. Keck et al. (eds.), *The New Interpreter's Bible: A Commentary in Twelve Volumes*, Nashville 1994. See the list of sources at the beginning of the book.

²⁸³ *Matt.* 3:7 ff.

²⁸⁴ For example: *Matt.* 17:6, see *ibid.*, 17:1 ff.; *Matt.* 16:1 ff.; *Acts* 4:1 ff.; *Ibid.* 5:17 ff.

sometimes appear separately.²⁸⁵ We can also see differences of principle between the groups, where the Pharisees are usually identified with the “scribes” and the legal profession, while the Sadducees are identified with the High Priesthood and the Temple. Also, the Pharisees usually dispute over Halakhic issues of principle (such as the Sabbath, hand washing, etc.), while the Sadducees debate theological issues.²⁸⁶

The main reason for the Pharisees and Sadducees appearing together in the Christian sources is the focus of these sources on the socio-political aspects of the period. The emphasis on the conflict between these groups and the activity of the first Christians in Jerusalem (and elsewhere) indicates that the Pharisees and Sadducees opposed Jesus and his followers, while the Essenes and Qumran are not mentioned at all. This is an indication of the distinction between the Jewish groups according to involvement in the social center.

Several scholars have stressed the axis of socio-political involvement, and accordingly departed from the traditional division between Pharisees and Sadducees, and discovered, perhaps to their surprise, a special proximity between the Pharisees and the Sadducees. On the axis of political activity within the Jerusalem center, they included the Pharisees and the Sadducees in one package, and distinguished between them and other groups.²⁸⁷ Due to their similarity in the aspect of involvement in the political center of Jerusalem, the term “parties” is used for them. Although this term may seem “too modern,” some scholars chose it to distinguish the Jewish groups in the

²⁸⁵ The Sadducees appear separately at: *Matt.* 22:23; 22:34; *Mark* 12:14; *Luke* 20:27; *Acts* 4:1 ff. (where the Sadducees join the High Priest and the Temple leadership); see esp. *Acts* 5:17. On an explicit divide between Pharisees and Sadducees in the New Testament, see: *Acts* 23:7 ff. The Pharisees appear separately (a selection of passages): *Matt.* 9:11 ff.; 12:2 ff.; *Mark* 2:16 ff. (where the scribes join the Pharisees); *Mark* 7:1 (again, with the scribes); *Mark* 12:13 ff. (where the Pharisees join the “Herodians,” see Butrik’s comments on this: *NIB*, VII, 840); *Luke* 5:17–30 (where the doctors of the law join the Pharisees); *Luke* 6:2 ff.; 7:30 (where they appear with the lawyers); *Luke* 19:39; *John* 1:24; 3:1 (mentioning the name of an individual said to be “the ruler of the Jews,” another proof that the Pharisees were involved in leadership positions such as status in the Sanhedrin); *John* 7:32 ff. (see the commentary on this passage in: *NIB*, VII, 586–587). See also *Acts* 5:34 (there again a Pharisee individual is named); *Acts* 23:6 ff. (perhaps the most interesting source for the difference between the groups, which also shows their similarity).

²⁸⁶ Such as the immortality of the soul.

²⁸⁷ For instance Schürer. Although Schürer differentiates between the Pharisees and the Sadducees on most social levels, when he describes the Essenes he stresses that in comparison with the Essenes, the Pharisees and Sadducees are very similar. See Schürer, *The History of the Jewish . . .*, II, 558.

Second Temple period.²⁸⁸ According to this distinction between “parties” and “sects,” in the eyes of Sanders, only the Qumran group qualifies as a sect,²⁸⁹ and the rest are parties.²⁹⁰ He notes that the traditional tendency was to distinguish between the Pharisees and Sadducees, but he saw fit to emphasize the similar and the common, and found they both belong in the category of parties. Other scholars have also adopted this terminology and division.²⁹¹ The axis of social involvement led these scholars to conclude that the similarity between the Pharisees and Sadducees exceeds the difference between them.

This book intends to examine the groups along the axis of socio-political involvement but we will refrain from using the terminology of parties and sects. The term “sect” was rejected in the section on terminology (Chapter One), and the term “parties” is a modern term from the Modern Era, with many additional associations, such as “elections,” “democracy,” which do not exist in the reality of the Jewish groups during the Hasmonean period. Other reasons as well lead us to refrain from using this terminology.²⁹²

In this book, the criteria for determining the groups’ degree of involvement in the Jerusalem center will be real and geographical facts indicating social involvement. A group that is not involved retires from the normative center (Jerusalem at that time), and sets up an alternate center. Groups who meet these criteria will be termed seceding groups. Those groups that might disagree with the opinions of the center, but do not withdraw from it, do not establish another

²⁸⁸ See E. P. Sanders, *Paul and Palestinian Judaism*, Philadelphia 1977, 425.

²⁸⁹ He examines the groups by the literature, and thus he determines: “In this sense, the only definitely sectarian literature is the Dead Sea Scrolls” (*ibid.*, *ibid.*). Sanders does not mention the Essenes in this context, as he did not see them as a separate group. As explained above, we do not identify the Essenes with the Qumran group, and therefore maintain the distinction between these two groups.

²⁹⁰ Sanders repeated some of these ideas (mainly the non-terming of the Pharisees and Sadducees as “sects”) in his later book: E. P. Sanders, *Jewish Law from Jesus to the Mishnah*, 1991, 240–41.

²⁹¹ For instance L. I. Levine, in *Maamad Hachachamim BeEretz Israel Betkufat Hatalmud*, Jerusalem 1985, 2. Levine himself refers the reader to Sanders, so it is certain that Levine based this division on Sanders. From here we can also understand that Levine concluded that Sanders considered the Essenes to be identical with Qumran.

²⁹² Other additional reasons to be mentioned: some aspects of Sanders’s distinction required reconsideration; Sanders chose one sole criterion for the division, and even this criterion is not clear enough; Sanders did not relate to the Essenes due to a generalization on his part, which we do not agree with.

center, are considered as still being involved in the Jerusalem center, and we term them dissenting groups.²⁹³

We should note here that this distinction is possible for all types of voluntary associations, since some are actively involved with the regime, while others avoid this completely (or even fight the regime). Mason, when discussing the voluntary associations in the context of the Jewish groups in the Second Temple period, differentiates between voluntary associations that are involved in the regime, and voluntary groups that encouraged avoidance of public life.²⁹⁴

This distinction is true throughout the Hellenistic and Roman periods. Those who avoided public life sometimes ended up in open conflict with the regime.

The historical picture of the Jewish groups in the Hasmonean period, and the criteria and terminology we have chosen to use, clearly indicate that the Essenes and the Qumran group (and some Sadducee groups) were groups that match the criteria of seceding groups. The Essenes and the Qumran group distanced themselves physically and ideologically from the Jerusalem center and refrained from cooperation with it. So we shall call them seceding groups. The Pharisees and Sadducees actively participated in social, political and Halakhic life in the Jerusalem center. They remained close to the foci of power and competed between them over these bodies. Even when they were prevented from controlling the public bodies and the central institutions of Jerusalem, they accepted their fate and refrained from withdrawing and setting up a rival center. They continued playing the socio-political game, hoping that eventually they would become close to the focus of power. These groups shall be termed dissenting groups. All four Jewish groups discussed here were active during the Hasmonean period.

²⁹³ Dissenting groups are equivalent to parties, and seceding groups to sects, without the loaded association of these terms.

²⁹⁴ S. N. Mason, "‘Philosophiai’: Graeco-Roman, Judean and Christian," 36. While this quotation refers to the regime's perception of the tendencies of voluntary associations, from the context and from what Mason says elsewhere, it is clear that this perception was true, at least of some groups. Later he says explicitly: "Indeed the values of the schools *were* very different from those of the establishment, and so the potential for at least intellectual subversion was always present" (ibid., 36, my emphasis). He writes extensively of groups that through their withdrawal from public life also reached open struggles with the regime; see ibid., 35–37.

CHAPTER THREE

SECEDING GROUPS AND DISSENTING GROUPS: LIFESTYLE

In this chapter we distinguish between seceding groups and dissenting groups on the basis of the typical lifestyle of each of them. We shall focus on three areas: communal eating, uniform clothing and family life (including marital relations). It is reasonable to expect that when we examine these fields of life in the two types of group, we will find significant differences between them, as we predicted in Chapter One, section 1.1, where we presented Coser's distinction between greedy institutions and normative society.

According to Coser, the greedy groups have a tendency towards communal eating¹ and uniform clothing,² although he did not examine these areas thoroughly, and concentrated mainly on the area of family life and sexual behavior. He studied several groups according to this criterion, and claimed that greedy groups were naturally demanding, requiring the renunciation of family life,³ and sometimes complete abstinence from sexual relations.⁴

His findings match the ideological principles of greedy institutions, including the principles of separation from the world (establishing a physical and non-physical barrier), high internal cohesion (equality, fraternity and homogeneity within the group), the loss of personal identity and absolute loyalty to the group.

¹ Thus, in the context of the Jesuits, he noted that the monks had communal meals, communal prayers and uniform clothing. See: L. A. Coser, *Greedy Institutions . . .*, 119–20. See also next note.

² The subject of the clothing of greedy groups appears several times in Coser's book, regarding different groups: in the context of the Jesuits (see previous note); in master-slave relations (*ibid.*, 78–82), and in other places. There are several principles of greedy groups that lead to the requirement for uniform clothing, including the search for "unity and homogeneity" (*ibid.*, 112), and the annulling of "private life" and individual identity (*ibid.*, 133). This means there are grounds for expecting significant differences in this area.

³ In the context of the Jesuit constitution, see *ibid.*, 124–25.

⁴ Whole chapters of his book are devoted to this issue, including chapters 9–10. He discovered this feature in several greedy groups, such as eunuchs, Jesuits and Bolsheviks. He also claims that this requirement accompanied all the American Utopian groups (*ibid.*, chapter 9). There is a basic logic behind this demand. Family

In light of the above, we shall examine these issues in greater depth regarding the Jewish groups in the Second Temple period, on the well-established assumption that we should find significant differences between the two types of groups in these areas. After examining the historical evidence, we will be able to determine how significant these differences are.

3.1 *Communal Eating as a Sectarian Feature*

A man is known by his purse, his *cup* and his anger (BT Erubin 5b)

The Importance of Communal Eating

The best way to examine the relations between groups in the population and the extent of the separation or the “height of the barriers” between groups is to test their ability to conduct a communal lifestyle. Social reality has shown that there are many common factors over many generations and in different societies. One of the main features is communal eating.

Since the earliest times, from the Greek *symposia* and the Roman *convivia*⁵ to the present, communal meals have been a social focus, both good—when they bring people together and express friendship, and bad—when tensions and hatred appear between people at the table. Even today, despite all the technological advances that enable more varied social interactions (such as watching films or traveling together), communal meals are still one of the things that indicate closeness between people most clearly. An individual who avoids shared meals due to issues of purity and impurity, levels of sanctity, apartness and so on is implying that for him the personal spiritual sanctity is more important than the conducting of a normative social life with different people. He does not give up his principles for the ability to influence those who think differently (or are less strict). In other words, he does not allow a life of sharing, as if he had despaired

life and sexual activity detract from the absolute commitment to the group. Any group requiring complete attention should logically denounce these “distracting” elements. As we have seen, when Philo described the Essenes, he noted that they avoided marriage due to the “distraction” this caused in the group’s life. See: Philo, *API (Hypothetica)*, 380–81 (633), 11.14.

⁵ The terms *symposia* and *convivia* will be clarified below.

in advance of the relationship with people who are different, and prefers his own internal world of values. In contrast, a person who is willing to eat with people unlike himself, on the one hand shows willingness for social closeness and perhaps even persuasion, but on the other hand he cannot avoid compromising his principles. Nobody can maintain a high degree of purity and sanctity when eating together with people who are less strict.

Eating is unique in another way. The phrase “a man is known by his cup” (BT Erubin 5b) implies that the way a person eats is significant, beyond the time and place, and has implications regarding a person’s character and religion. The way someone eats reveals aspects of his education, beliefs and opinions. The fact that various groups made meals into holy rituals⁶ strengthens the argument that eating played an important part in the group’s identity and self-awareness.

One can connect between eating habits and group identity, cultural symbols, social relationships, boundary lines, “insiders” and “outsiders.”⁷ So, one of the most basic ways of examining the groups’ nature, is through their conduct associated with communal eating.

Communal Eating in the Ancient World

Many sources from the ancient era show how eating was the basis for social separation or connection. As we will explain below, the type of food indicated the individual’s degree of strictness and of belonging to a particular group.

The Bible and Classical sources show how political and ideological events are expressed in a communal meal. In the Bible, David’s absence from a communal meal with King Saul testified to the degree of separation between them and the real danger he was in.⁸ According to the Classical tradition, the separation between Alexander and his

⁶ On the connection between the “eating ritual” and sanctity or even sacrifice, see: P. Schmitt-Pantel, “Sacrificial meal and *Symposium*, Two Models of Civic Institutions in the Archaic City,” in *Symptica*: 14–33.

⁷ See Y. A. Cohen, “Food: Consumption Patterns,” in *International Encyclopedia of the Social Sciences*, D. Sills (ed.), V, 513. See also Murray’s development of these aspects: O. Murray, “Symptotic History,” in *Symptica*, 3–13. On food as setting boundaries and distinguishing outsiders from insiders see A. I. Baumgarten, “Finding Oneself In a Sectarian Context . . .,” 127–28.

⁸ I Samuel, 20:24–42.

father Philip took place during a meal, and this event may have sealed Philip's fate to be murdered.⁹

The importance of the communal meal is shown by the range of terms and types of such events. We find several types of meals in Classical literature,¹⁰ and several terms representing the social phenomenon of communal eating or drinking. The most common terms in Classical literature and research literature are the Greek *symposium*¹¹ and the Roman *convivium*.¹² These meals included the drinking of large quantities of wine, and informal seating. The diners had a sense of equality and freedom. This situation could lead to unrestrained words and actions, sometimes to the extent of insulting or hurting a participant. Despite the informal atmosphere of these meals, there were clear rules and boundaries. Such a meal could help connect people, and could equally become an upsetting event with wide-ranging implications. Sometimes the difference between a successful, friendly meal and an unsuccessful, offensive meal was a trivial event. In any case, it is clear that communal meals as a group

⁹ Based on Plutarch, *Plutarch's Lives: Alexander* IX 3–6, in *LCL*, VII, London 1958, 247.

¹⁰ Several scholars have classified the different types of meals. Some divide into three types: the oriental meal, the Greek *symposium* and the Roman *convivium*, see: A. I. Baumgarten, "Rabbinic Literature as a Source for the History of Jewish Sectarianism in the Second Temple Period," 40–41. Others see four main types: a religious festival meal, a communal military meal, a public meal hosted by the *polis*, and a *symposium* for pleasure. See O. Murray, "Symptotic History," in *Sympotica*, 5.

¹¹ The term *symposium* or *symposion* (συμπόσιον) appears widely in Classical literature. Its literal meaning is "drinking together." This term does not appear at all in Homer, and underwent many changes and received different meanings in different authors. Thus, for example, the *symposium* in Plato (and in the dialogue of that name) represents a communal philosophical debate. Therefore, I shall not refer to the etymological sense of the term in any particular period, but to the social institution of a communal meal that this term represents as far as many scholars are concerned. While this term was used mainly during the Classical period, it was still in use during the Hellenistic period, so our use of this term for the period under discussion is justified. On this term and the various changes it underwent, see: *OCD*, "Symposium" and "Symposium Literature," 1461; O. Murray, "The Symposium as a Social Organisation," in *The Greek Renaissance in the Eighth Century*, R. Hagg (ed.), Stockholm (Swedish Institute in Athens) 1983, 196–98; J. N. Bremmer, "Adolescents, *symposion* and Pederasty," in *Sympotica*, 135–48, esp. 145; P. Schmitt-Pantel, "Sacrificial Meal and *Symposion*: Two Models of Civic Institutions in the Archaic City," 14–33, esp. 15.

¹² For explanations of the Latin term *convivium*, and a comparison between the *symposium* and *convivium*, see: J. D'Arms, "The Roman *Convivium* and the Idea of Equality," *Sympotica*, 308–320; *OCD*, "Convivium," Oxford 1996, 387.

social phenomenon were a central component of social life in the ancient world.¹³

As in the general Classical world, so also in the Jewish world in the ancient era. Several sources show how the communal meal (drinking wine or eating and drinking) in this period served as a social institution, and sometimes as the arena for political events. Let us examine two examples, one from Sirach, an apocryphal book, and the other from Josephus.

The Book of Sirach has many verses devoted to the need to take care when drinking wine, especially during “wine feasts” among many people.¹⁴ Here follows one paragraph from the book of Sirach:

If thou seated at a banquet table
 Bring to it no greedy gullet
 Say not: ‘what a spread this is!’
 Remember, gluttony is a bad thing . . .
 Do not put out a hand
 Nor reach when he does for the same dish
 Eat like anyone else, what lies before you . . .
 Be the first to stop, as befits good manners . . .
 Let not wine drinking be the proof of your strength
 For wine has been the ruin of many . . .
 Wine is very life to humans
 If taken in due measure . . .
 More and more wine is a snare for the fool . . .
 Rebuke not your neighbor when wine is served
 Nor put him to shame while he is merry . . .
 If you are chosen to preside at dinner,
 Be not puffed up,
 But with the guests be as one of them . . .¹⁵

We can learn from this that communal dining was a routine matter in the ancient world. If the author saw fit to give advice on behavior in such situations, we must assume they occurred, and were even

¹³ For additional sources on the extent and importance of the phenomenon, see: L. Milano (ed.), *Drinking in Ancient Societies (Papers of a Symposium held in Rome, May 17–19 1990)*, Padova 1994; W. J. Slater ed.), *Dining in a Classical Context*, Michigan 1991; A. Dalby, *Siren Feasts: A History of Food and Gastronomy in Greece*, London & New York 1996; M. Douglas, *Constructive Drinking: Perspectives on Drink from Anthropology*, Cambridge 1987.

¹⁴ We consider the “wine feast” as equivalent to the *symposium*, as presented above. See previous notes.

¹⁵ Sirach 31:12–31, based on the translation by Patrick Skehan, in *The Wisdom of Ben Sira*, The Anchor Bible, NY 1987, pp. 384–85. For the Hebrew version see the edition of A. Kahane, *Hasfarim Hachizonim*, II, 60–62.

common. The author's advice is related to several matters, notably eating food and drinking wine. The author advises caution despite the feast's atmosphere: "Rebuke not your neighbor when wine is served, nor put him to shame while he is merry" (in Hebrew: "דבר הרפה, ואל האמר לו, ואל התלוצץ בו לעיני בני אדם"). The dangers of incautious or offensive words during a feast are exemplified by the famous story in Josephus about the Hasmoneans' shift from the Pharisees to the Sadducees.¹⁶ A different version of this story appears in the Tannaitic literature,¹⁷ and we shall not discuss the differences between these versions here.¹⁸ We shall discuss the core of the story, common to both versions.

The Hasmonean leader¹⁹ invited the Pharisees to a feast.²⁰ During the meal, one of the Pharisees stood up and said something that offended the Hasmonean leader.²¹ Due to this offense, the Hasmonean leader distanced himself from the Pharisees and started favoring the Sadducees. We can see here how political and ideological issues can sometimes be influenced by things said during a moment of relaxation at a feast. There is no doubt that this was a negative development for the Pharisees, and it started at an occasion that was supposed to be friendly.

To conclude, communal meals were held during the period under discussion. These meals involved drinking wine and eating. Balance and caution were required at such occasions to avoid breaching the unwritten rules of what was allowed and forbidden at such feasts.

¹⁶ Josephus, *Ant.* 13, 288 ff.

¹⁷ BT Kiddushin 6a.

¹⁸ For a discussion of the different versions and the historical background of this story, see for example: I. Friedlaender, "The Rupture between Alexander Jannaeus and the Pharisees," *JQR* (N.S.) 4 (1913/1914), 443–48; C. Rabin, "Alexander Jannaeus and the Pharisees," *JJS* 7 (1956), 3–11; M. Geller, "Alexander Jannaeus and the Pharisee Rift," *JJS* 30 (1970), 202–11. See also: Y. Ephron, *Chekrei Hatkufa Hachashmonait*, Tel Aviv 1980, 131–94 (Hebrew) (on the period of Shimon Ben Shetach); L. I. Levine, "Hamaavak Hapoliti bein Haprushim Lazdokim . . .," 419–41 (Hebrew).

¹⁹ According to Josephus, this was John Hyrcanus, and according to the Babylonian Talmud, Alexander Jannaeus. See previous note.

²⁰ Here we should stress that Josephus does not use the term *συμπόσιον*, but the word *ἐσγίασις* (*Ant.* 13, 289). This reminds us that the term *symposium* was not an accurate term, and both words describe the social institution of communal drinking and eating. In the Babylonian Talmud it is clear that this was a communal meal: "העלו מלוחים על שולחנות של זהב," *ibid.*, Kiddushin 6a.

²¹ See both versions (see the sources mentioned in footnotes 15–20).

The Meal as Distinguishing between the Jewish Groups

The sources show how important eating was in the social relations between Jews and gentiles, and between Jews of different persuasions. When the Jews were strict about eating separately, this was a declaration of intention regarding the social distinction between them and the gentiles.²² The attempts of gentiles to force the non-separation stemmed from a trend towards cultural and social unification.²³ In both cases, eating is seen as a cultural and social instrument. This is true not only of the relations between Jews and gentiles, but also among Jews. The way of eating demonstrates several aspects of the life of a Jew in the ancient world, including some of his Halakhic and social positions. We learn from many sources on the connection between an individual's eating and his personal identity, his Halakhic strictness and his social connections.²⁴

Those who wished to establish their individual identity, or were particularly strict on Halakhic issues, or were separated from their permanent social setting, and found themselves without food prepared "properly," were reduced to eating only natural produce. Thus, when the available food was undesirable (probably for reasons of purity and impurity), Judas Maccabaeus was forced to eat grass.²⁵ We find descriptions of persons eating wild food from nature. This may be one reason for food becoming a typical sign of an eccentric, value-orientated person. We also know that Bannus, the hermit, ate only things that grew wild.²⁶ The priests who were captured

²² The purpose of this separation is explained in several places in the Book of Jubilees, such as *ibid.*, 2:19: "הגני מבריל לי עם מכל העמים." We see there clearly how food is one of the instruments of this distinction, *ibid.*, 22:17: "ואחה בני יעקב זכר דברי" " . . . ושמר אה מצות אברהם אביך הברל מהגנים ואל תאכל אהם . . ." A. Kahane, *Hasfarim Hachizoniyim*, 255 (Hebrew) (my emphasis—H.N.).

²³ The sacrifice and eating of pork was the focus of a dispute between the Greeks and the *Hasidim* during the Hasmonean revolt. See: 1 *Maccabees* 1:47 (on the sacrifice of pork); 2 *Maccabees* 6:18–7:42 (on the martyrdom over not eating gentile meat). These sources, especially the latter, show how food became an issue over which people were willing to die. On the Greeks' unifying trend, see: 1 *Maccabees* 1:41–53 in A. Kahane, *Hasfarim Hachizoniyim*, 101–2 (Hebrew). See A. I. Baumgarten on how food serves as a clear boundary (towards gentiles and other Jewish groups), in "Finding Oneself in a Sectarian Context," 125–47.

²⁴ See, for example: Josephus, *CA*, 2, 173–74. New Testament sources will be discussed later.

²⁵ See 2 *Maccabees* 5:27–28.

²⁶ Josephus, *Life* 11.

by Rome ate only natural fruits.²⁷ The most famous case is John the Baptist, who ate only locusts and honey.²⁸ While John ate a type of meat, not only plants, he would not eat anything cooked by others.²⁹

These cases show how individuals undertook, of their free will, restrictions in the area of food. Such restrictions set them apart from society and formed a separate entity from general society. Others, whether they were born into a reality enforced upon them (their established society) or joined later of their free will, found themselves within a group that enforced typical group eating rules. These eating rules constituted a separating factor between their group and the surrounding society. When a group forbids other groups from sharing its table (for whatever reason), eating becomes a factor that separates between groups.

However, just as food can be a cause of social separation, it can also serve as an instrument of social connection. When a group of people shares identical eating habits, they become a social group that is both separated, to whatever degree, from the rest of society, and on the other hand they have high internal cohesion. The social events involving communal eating can show us much about the nature of the groups under discussion.

Communal Eating among Seceding Groups

Eating habits were widely discussed in the contemporary literature of the ancient world, i.e., the Greek writers and the writings of the groups themselves. We have extensive information regarding the unusual eating habits of Qumran and the Essenes. These are, not coincidentally, the seceding groups in our discussion.

The descriptions of Josephus and Philo inform us of the strict rules regarding eating among the Essenes. Their descriptions clearly

²⁷ Josephus, *Life* 14. This example is an exception, since it refers to Jews in gentile surroundings, where the gentile presence makes the food inedible. In the other cases, the surroundings are Jewish, but the food is still inedible in the opinion of the individuals mentioned.

²⁸ *Matt.* 3:4; *Mark* 1:6. The full citation and a discussion of John the Baptist appears later in this chapter.

²⁹ For an analysis of the eating habits and secession of John the Baptist, Bannus and others, see: J. E. Taylor, "John the Baptist and the Essenes," *JJS* 47 (1996), 265–71, esp. 266; M. D. Goodman, *The Ruling Class of Judea: The Origins of the Jewish Revolt Against Rome*, Cambridge 1987, 79–80.

testify that communal eating was a central component in the group's life.³⁰

There are several typical and unusual aspects to eating among the Essenes:³¹

1. Meals were communal.³² This has a double meaning: not only did all the group sit together physically (apart from those disqualified, see below), but that the financing and location were from a common fund, and that the preparations for the meal were made by the priests working together for the entire group.
2. The importance of the priests: The meal was prepared only by the priests. The priests were considered to have particularly strict sacred habits. The priest opened the meal with a blessing.³³
3. The meals were not open to the general public,³⁴ or even to novices and those interested in joining the group.³⁵ Novices wishing to join the Essenes had to wait three years before being permitted to join the group's communal meal. Only group members who had gone through the whole process and been admitted as regular members were allowed to participate in the

³⁰ Philo even compares this aspect to the clothing aspect, which will be discussed later. See: Philo, *API (Hypothetica)* 11.1–11.18 (632–34); *ibid.*, *QOP* 86. Compare: Josephus, *War* 2, 129–32, 139; *ibid.*, *Ant.* 18, 22. For a concise description of food consumption and its significance in the Essene group, see A. I. Baumgarten, "Finding Oneself in a Sectarian Context," 131–34.

³¹ For a fuller review of the social aspects of the Essenes, see: G. Vermes & M. D. Goodman (eds.), *The Essenes: According to the Classical Sources*, esp. 1–12; E. Schürer, *The History of the Jewish . . .*, II, 555–74. The latter work contains additional bibliography.

³² According to: Josephus, *War* 2, 129 ff.; Philo, *API* 5, 10–11; *ibid.*, *QOP* 85–86. For a description of how communal was their life (including eating), see: G. Vermes & M. D. Goodman, *The Essenes . . .*, 3–4, 5–6; E. Schürer, *The History of the Jewish . . .*, II, 565–71. On the communal element as a means for group identification, see; A. I. Baumgarten, "He Knew That He Knew That He Knew That He Was An Essene," *JJS* 48 (1997), 58–59.

³³ Josephus, *Ant.* 18, 22. See also sections 4 and 6 later. On the place of the priests see: G. Vermes & M. D. Goodman, *ibid.*, 5–6 (paragraph j); E. Schürer, *ibid.*, 570–71.

³⁴ Josephus, *War* 2, 129. See Vermes & Goodman, *ibid.*, *ibid.* For a summary, see also: A. I. Baumgarten, "He Knew That He Knew That He Knew That He Was An Essene," 55.

³⁵ Josephus, *War* 2, 137–44. According to Josephus' description, the meal may be the most sacred event in the group's life, since only after three years, after having taken detailed oaths, was he allowed to participate in the meal, although even before this he had been permitted to bathe with the group and participate in other group activities.

meal. Even they were sometimes unable to participate, due to the need for particular sanctity.³⁶ This seems to be the complete opposite of the normative rabbinic approach as expressed in the Aramaic phrase “כל דכפין ייהי ויכול” (“Everybody who is hungry should come and eat”).³⁷ In other words, participation in the communal meal depended on the level of sanctity of each participant, his degree of belonging to the group and other factors.

4. The communal meal was accompanied by typical sacrificial rituals³⁸ related to the special sanctity of the event, including: bathing (they bathed, probably for purity, prior to each meal),³⁹ special clothing for meal times (the clothing is also called “sacred” in the sources),⁴⁰ a special place for eating,⁴¹ a regular order in serving the food,⁴² regular times for eating (twice a day: first after the bathing of the “fifth hour,”⁴³ and later in the evening after work),⁴⁴ blessings before and after the meal, and the participation of a priest who “supervised” the whole event.⁴⁵
5. Members meeting all the criteria of the communal meal undertook additional obligations, including not dining with other groups. So, from that moment forth, any participant in Essene meals was forbidden to dine with other Jewish groups in the ancient world, which could lead to starving to death.⁴⁶ We see

³⁶ Josephus, War 2, 129.

³⁷ Well known phrase in relation to the Passover Seder—in the rabbinic tradition. If this is true for Passover, where there are regulations and strict codes, how much more so for other times of the year. For the text and translation see: *The Scholar's Haggadah: Ashkenazic, Sephardic and Oriental Versions*, with a historic-literary commentary by H. Guggenheimer, Jason Aronson Inc., New Jersey 1995, 22–23.

³⁸ On the various sacrificial habits during and around the meal, some of which are listed below, see: G. Vermes & M. D. Goodman, *The Essenes . . .*, esp. 4–6, paragraphs c & j; E. Schürer, *The History of the Jewish . . .*, II, 570–71. For a comparison with other examples of meals including sacrificial elements, see: Schmitt-Pantel, “Sacrificial Meal and *Symposion*,” 14–33.

³⁹ Josephus, War 2, 129–30.

⁴⁰ The issue of clothing will be discussed separately, but in the context of eating we should note that some sources indicate that they wore special clothing, which was removed immediately after the meal. See Josephus, War 2, 131, where the clothing for meal times was even called “sacred.”

⁴¹ Josephus, War 2, 129.

⁴² *Ibid.*, 130–31.

⁴³ *Ibid.*, 129.

⁴⁴ *Ibid.*, 132.

⁴⁵ *Ibid.*, 131.

⁴⁶ Josephus, War 2, 143. See: G. Vermes & M. D. Goodman, *The Essenes . . .*, 43–45.

here how eating can bring the non-physical separation from other groups initiated by the Essenes to an extreme, and the extent of the barrier between Essenes and everyone else. We should stress that they did not only forbid eating meals prepared by other groups, but the Essenes also did not allow others to participate in their meals, including novices (who were not yet full members). Although there is apparently no particular Halakhic problem here (regarding forbidden foods or preparation while unclean, for instance), since they prepared the food themselves, the ban on shared eating with others was still enforced. This ban included anyone who was not a full member of the group, without any connection to the rules of purity and impurity. Shared eating with anyone who was not a full member was the heart of this matter.

6. The meal also constitutes the basis for delivering messages and values: the equality of the meal expresses the value of equality and unity; the quantities of food and drink are measured to satisfy requirements and no more,⁴⁷ expressing values of frugality and the rejection of worldly pleasures; by preserving the sanctity of the ceremony they expressed the importance of sanctity as a value in its own right; the simplicity of the food,⁴⁸ expressed in reliance on local agricultural produce (instead of the importing of wine and other products as was customary in the Ptolemaic period) is stressed several times by Josephus, represents conservatism and opposition to the modern lifestyle.⁴⁹ The blessing with which the priest opened the meal also shows that the meal was used for educational messages.

To summarize the Essenes' communal meal, we can see it more as a ceremony than as a meal, a ceremony involving a high degree of sanctity, exemplary order and strict social organization. The meal also constituted a factor distinguishing between group members and those who were not group members, showing how the Essenes enlarged the barrier between them and the rest of the world.

⁴⁷ Josephus, *War* 2, 130, 133. On the connection between a diet and the values it represents, see: G. Vermes & M. D. Goodman, *ibid.*, 4, paragraph 4.

⁴⁸ The simplicity of the food is discussed extensively in: A. I. Baumgarten, "He Knew That He Knew That He Was As Essene," 58-60.

⁴⁹ This is the opinion of Baumgarten, *ibid.*, *ibid.*

The communal meal had two elements: the obligation to eat together according to the rules, and the ban on eating with other groups. This ban could be fatal at times, as Josephus explains:

Those who are convicted of serious crimes they expel from their order: and the ejected individual often comes to a most miserable end. For, being bound by their oaths and usages, he is not at liberty to partake of other men's food, and so falls to eating grass and wastes away and dies of starvation.⁵⁰

We can learn several things from Josephus' words:

1. The Essenes swore never to eat with other groups.
2. The injunction resulting from this oath was valid even after leaving the group.
3. They had to obey this injunction even in cases of risking their lives, to the extent of starving to death.⁵¹
4. The only thing they were allowed to eat outside the group was grass (ποηφαγῶν). It appears that natural things were always considered edible, which reminds us of John the Baptist.⁵² As mentioned earlier, John the Baptist was said to eat "locusts and wild honey" (ἡ δὲ τροφή ἦν αὐτοῦ ἀκρίδες καὶ μέλι ὄγριον).⁵³ This implies that food cooked by people was not considered appropriate to his lifestyle. While the Essenes ate meat in their communal meals, once someone left the group and was no longer able to partake of their meals, it appears that he was restricted to natural foods. Even more than John the Baptist, they seem to have avoided eating any meat after leaving the group.

We can summarize by saying that the Essenes conducted a life of sharing within their community, but forbade any sharing with other groups. This is especially noticeable in the area of food.

Support from Qumran

Regarding commerce and contacts with the "People of Injustice" in the area of food, this is what the Community Rule says:

⁵⁰ Josephus, *War* 2, 143, translation by: H. S. J. Thackeray, *Josephus: The Jewish War II*, in *LCL*, II, 377–79. See also Vermes & Goodman, *ibid.*, *ibid.*

⁵¹ On lack of compromise, to the point of death, see Chapter Four.

⁵² On the similarity and differences between John the Baptist and the Essenes, see: J. E. Taylor, "John the Baptist and the Essenes," 257–85.

⁵³ *Matt.* 3:4. Compare *Mark* 1:6.

No one must either eat or drink anything of their property
 Or accept anything whatever from their hand without payment . . .
 For all those who are not accounted within his covenant,
 They and everything they have must be excluded . . .
 All those who spurn his word he will destroy from the world,
 And their works are impure⁵⁴

These words are based on the verse in Isaiah: “Cease ye from man, whose breath is in his nostrils: for wherein is he to be accounted of?”⁵⁵ The meaning is that they could only trade for cash with those who were not group members, in order to prevent any personal contact.⁵⁶ From this we can understand that they avoided any shared social events, let alone communal meals where one could drink wine (and become drunk) and have an informal relationship (become friendly).

A passage in the Damascus Document reiterates this principle:

None of those who have entered the covenant of G-D shall buy from or sel[] to the Sons of Dawn, rather, (let them give) from hand to hand

(original Hebrew: ⁵⁷איש מכל באי הברית אל ישא ואל יתן לבני השחר⁵⁷ אם כף לכף⁵⁸).

This means that they were allowed to trade with the other groups for cash, but not to form any friendships with them or share meals or become close in any way.

Thus, the ban on dining with strangers existed in the Qumran doctrine. Furthermore, they were sometimes forbidden to eat with group members (and candidates for admission to the group, who were certainly not strangers) or even at the group’s table. The ban very often was explicit and for a specific length of time.⁵⁹

In the Qumran group there was a probation process of two years until a new member could eat with the group.⁶⁰

⁵⁴ *Community Rule*, 5, 18, as published and edited by J. H. Charlesworth, ‘Rule of the Community,’ 1994, 23. For original Hebrew see there and J. Licht, *Megilat Haseirakhim*, 133–34 (Hebrew).

⁵⁵ *Isaiah* 2:22. Ibid., Licht edition, 133. (Hebrew)

⁵⁶ See J. Licht’s commentary on lines 16–17: *Megilat Haseirakhim*, 133 (Hebrew).

⁵⁷ Others have claimed that the text should be לבני השחרת instead of לבני השחר. See note 203 in J. H. Charlesworth, 1995, p. 55.

⁵⁸ *Damascus Document*, 13, 14. See J. H. Charlesworth, 1995, 54–55.

⁵⁹ According to texts in *Community Rule* 5, 10–17; 6, 16–21. See Licht, (as in former four notes), 131–33, 149–50. Compare: J. H. Charlesworth, 1994, 62 (4QS MS B).

⁶⁰ *Community Rule*, 5, 21; Licht, *ibid.*, 150; Charlesworth, *ibid.*, 28, column 6 lines 18–22.

Not only those who were not full members of the group were denied permission to eat with the group members. Sometimes group members of long standing were forbidden to eat with the rest of the members as a punishment. Sometimes the punishment was a temporary expulsion, applying also to the punished person's food quota, and sometimes even a permanent expulsion including a ban on eating with the group or receiving any food from them. In the Qumran literature, there are examples of temporary punishments including a restriction on the quantity of food.⁶¹ There are also punishments of permanent expulsion. For instance:

If he blasphemed—either because of being terrified with affliction or because of any reason, while he is reading the Book or saying benedictions—he shall be excluded and never again return to the council of the community.⁶²

One of the most prominent examples of removing someone from the group's communal meals is the following:

The man whose spirit swerves from the Authority of the Community, by dealing treacherously with the truth and by walking in the stubbornness of his heart, if he returns he shall be punished (for) two years, in the first (year) **he must not touch the pure food of the Many** and in the second **he must not touch the pure drink of the Many**, and he shall sit behind all the men of the community.

והאיש אשר תזוע רוחו מיסוד היהוד לבגוד באמת . . . ברשונה לוא יגע בשחרת חרבים ובשנית לוא יגע משקה חרבים ואחר כול אנשי היהוד ישב.⁶³

⁶¹ *Community Rule*, 6, 25; See Licht, *ibid.*, 158–159. Other cases of temporary expulsions, with or without food quotas, are described below. See there on “דבר בהמה” who was removed for one year “אל נפשו” (*ibid.*, 7, 2–3), on a person who appeared naked in public (*ibid.*, 7, 12) and other cases. See: Licht, *ibid.*, 161–64 (Hebrew).

⁶² *Community Rule*, 7, 1–2; Translation according to Charlesworth, *Rule of the community*, 1994, 30–31; For Hebrew see there or Licht, *ibid.*, 160–161. Other cases of members expelled permanently are mentioned below. See there regarding a man who gossiped (*ibid.*, 7, 17), a traitor (*ibid.*, 7, 19) and more. See Licht, *ibid.*, 164–66 (Hebrew).

⁶³ *Community Rule*, 7, 19–22, in J. H. Charlesworth, *Rule of the Community*, 1994, 32–33. See also J. Licht, *Megilat Haserakhim*, 165–66 (Hebrew) (my emphases—H. N.). This source is cited in full, with analysis and commentary, in: L. H. Schiffman, *Halakhah, Halikha Umeshichut Bekat Midbar Yehuda*, 253–56 (Hebrew). Compare this source with a very similar passage, *Community Rule*, 8, 16–19, also cited and analyzed by Schiffman, *ibid.*, 255–56 (Hebrew).

Schiffman calls this punishment “removal from purity.”⁶⁴ Even though the betrayal described here does not necessarily refer to issues of purity and impurity,⁶⁵ the punishment is “removal from purity.” The main intention is as he explains: “The meaning of this punishment was a return to the status of someone who had just passed the first admission test of the group.”⁶⁶ This meant the person was restricted in terms of communal eating.

So far, we have discussed the removal from communal meals of those who were not full members, or who were full members and strayed from the path. The other aspect is that communal eating was compulsory for everyone who was a full member of the group. For those who were worthy of it, this meal was not only a right, but a duty.⁶⁷

Also, the priest always has priority. This feature of order in the eating habits is of great importance in the Qumran texts, and stressed in the presence of the priest and in the presence of the “Messiah.” For example:

And [when they] (solemnly) meet together [at a tab]le of the community, [to set out bread and new w]ine, and to arrange the table of the community . . .
No man [shall stretch out] his hand to the first portion of bread or [the new w]ine before the priest . . . and af[ter (this has occurred)] the Messiah of Israel [shall stret]ch out his hands to the bread . . . [and after that] all the congregation of the community [shall ble]ss (and partake), each ma[n according to] his glory . . .

[ואם לשלחן יחד יועדו לשימ לחם ותירוש וערוך השולחן היחד ללאכול ותיירוש לשחנת, אל ישלח איש את ידו ברשת הלחם ותיירוש לפני הכהן כן הוא יברך את רשת הלחם ותיירוש וישלח ידו בלחם לפני, ואחר ישלח משיח ישראל ידיו בלחם ואחר יברכו כול עדת היחד איש לפי כבודו. וכחוק הזה יעשו לכול מערכת כי יועדו עד עשרא אנשים].⁶⁸

⁶⁴ L. H. Schiffman, *Halakhah, Halikhah Umeshichit . . .*, 253 (Hebrew).

⁶⁵ Schiffman himself, based on Licht, agrees that the offenses described here are not necessarily in the realm of purity and impurity, see his comments, *ibid.*, notes 73–74. He later explains that these offenses are related to the realm of the group’s “revealed” and “hidden” (*ibid.*, 256) (Hebrew).

⁶⁶ *Ibid.*, *ibid.*

⁶⁷ See *Community Rule*, column 6, lines 2–5; Charlesworth 1994, 26; J. Licht, *Megilat Hasevakhim*, 139 (Hebrew).

⁶⁸ *Congregation Rule*, 2, 18–22, according to Charlesworth, *Rule of the Congregation*, 1994, 116–17; See Licht, *ibid.*, 270 (Hebrew).

From this we learn that as with the Essenes, the Qumran group's meal required clear rules of behavior. The meal included blessings over the food, and the special involvement of a priest. Even the "Messiah of Israel" obeys these rules, according to which the priest had priority.

The Qumran examples show us that the Qumran group and the Essenes were very similar in their eating ceremonies. Most of the features of the Essene group also appear in the descriptions of Qumran meals. Among the main features: communal eating, a ban on eating with strangers,⁶⁹ turning the meal into a ceremony including a predetermined order and organization, the special involvement of the priests and blessings before and after the meal. Moreover, among the Qumran group we see that the principle of separation is one of the reasons for the ban on dining with members of other groups. Their very non-belonging to the group makes all non-members "impure" and "unworthy." It is not clear whether the main principle is of "impurity" (due to insufficient strictness regarding purity and impurity as understood by the group), or the inadequate level of "sanctity" (a spiritual status) resulting from many elements. It may have been purely a social separation, without any need for another rational explanation.

The principle of separation is particularly prominent against the background of the ban on others eating at the group's table. Had this been a problem of Kashrut, or purity, or any other Halakhic problem, they would have been able to allow members of other groups to dine with the group members, having made appropriate preparations. But the ban here is total and absolute, and applied even to the food they prepared themselves. This implies that the principle of separation is the basis for this ban.

To conclude: these two seceding groups kept complete separation between themselves and the rest of the world (including other Jews) in the realm of food. Moreover, they maintained high internal cohesion expressed by the duty of those few who were worthy to eat together.

⁶⁹ A stranger in this context is anyone who was not a member of the group, including candidates who had not yet been accepted and even group members who were removed temporarily as a punishment.

Communal Eating among Dissenting Groups

Among the Pharisees and the Jerusalem Sadducees we have not found so many rules in the area of food. While there may sometimes be Halakhic problems of Kashrut or impurity, these are usually solved by the guest being willing to accept the host's eating habits. A general impression of the norms in the Pharisee world can be obtained from the Christian literature. These works testify to a rich social life, including contacts between different groups. To understand the place of eating in the social context of the Second Temple period, especially regarding the relations between the two groups, we shall use social descriptions from Christian literature.⁷⁰

In the gospels we find many references to social and ritual aspects of the groups' lives. This includes the communal meals. Here is one description of a communal meal of Jesus and the Pharisees. We can see how ritual and social elements were combined:

When Jesus had finished speaking,⁷¹ a Pharisee invited him to eat with him. So he went in and reclined at the table.⁷² But the Pharisee, noticing that Jesus did not first wash⁷³ before the meal,⁷⁴ was surprised. Then the Lord said to him, "Now then, you Pharisees clean the outside of the cup and the dish, but inside you are full of greed and wickedness . . ."⁷⁵

When Jesus left there, the Pharisees and the teachers of the Law began to oppose him fiercely and to besiege him with questions, waiting to catch him in something he might say.⁷⁶

It is not the argument at the end of this meal that is surprising, but rather the very existence of the meal. The Pharisee invited Jesus to

⁷⁰ We are not using the Christian sources here as sources regarding the various groups in the Hasmonean period, since they are later than this period. However, we can use these sources to understand the social situation in a period close to the Hasmonean period.

⁷¹ This is the version according to *NIV* in *NIB*. There are other versions, according to which the invitation was given during Jesus' sermon, rather than after it. See the next few notes.

⁷² On meals shared by Jesus and the Pharisees, see notes later in this chapter.

⁷³ On the nature of the "washing" mentioned here, whether it was bathing or hand washing, see notes later in this chapter.

⁷⁴ On the controversy around hand washing before meals, see also: *Mark* 7:2-8.

⁷⁵ Here there is mention of three "woes" regarding the Pharisees. In other places in Christian literature, other "woes" are mentioned, not necessarily in the context of a communal meal. See for example: *Matt.* 23:1-37.

⁷⁶ *Luke* 11:37-54, according to the *NIV* version in *NIB*. In the parallels to this discussion, we do not always find the debate in the context of a communal meal. See for example: *Matt.* 16:1-9.

his house.⁷⁷ The Pharisee invited him *after* hearing Jesus speaking in public,⁷⁸ and after he had performed some “miracles” not recognized by the Pharisees. In other words, even though he was already recognized as unusual, he was still able to dine with a Pharisee.⁷⁹ The Pharisee initiates the invitation, and is indeed “surprised” that Jesus did not “bathe”⁸⁰ before the meal.

Although the Pharisee was surprised that Jesus did not bathe, we know that this was not the only occasion when Jesus was invited to eat at a Pharisee’s house. Quite the opposite. There are other descriptions of meals shared by Jesus and the Pharisees.⁸¹ In some of the descriptions, he even disputes Pharisee Halakhah and does unusual things (performs “miracles”) in the Pharisee host’s house.⁸² So, we

⁷⁷ This situation of a Pharisee inviting Jesus to a meal with him is repeated several times. For other mentions in *Luke*, see for example: *Luke* 7, 37; *ibid.*, 14:1. For other occasions, sometimes with different details, see the next few notes.

⁷⁸ See the two versions, of *NIV* and *NRSV* in: *NIB*. According to *NIV*, the invitation was after Jesus’ sermon. The commentary does not change this simple meaning (see *ibid.*, *Luke* 11:37–46, pp. 247–49). The literal meaning supports this interpretation, see the commentary in: *ICC: The Gospel According to St. Luke (XXCII)*, 309, note 37.

⁷⁹ Here we should note the difference between types of Pharisees. As Sanders testifies, we should stress that despite the positive tone in *Luke* towards the Pharisees (compared to the other gospels), Luke himself distinguishes different types of Pharisees by saying things like “some of the Pharisees” or “a certain Pharisee.” This differentiates between good and bad Pharisees. See: J. T. Sanders, *The Jews in Luke-Acts*, London 1987, 93–94. On the positive tone towards the Pharisees in *Luke*, see: *ibid.*, 84–87.

⁸⁰ We prefer the term “bathe” to “wash” (wash his hands) due to the Greek term. In *Luke* 11:38 the exact phrase is: ὅτι οὐ πρότον ἐβαπτίσθη πρὸ τοῦ ἀρίστου. The washing here is ἐβαπτίσθη. This term is used already in Plato for immersing something in water, not just washing. For sources on this issue, see: H.G. Liddell, *An Intermediate Greek-English Lexicon: Founded Upon the Seventh Edition of Liddell and Scott’s Greek-English Lexicon*, Oxford 1991, βαπτισμός, βάπτω, 146. In contrast, there is an alternative term for “hand washing,” as we can see in *Matt.* 16:3—οὐ γὰρ νίπτονται τὰς χεῖρας ὅταν ἄρτον ἐσθίωσαν. This mentions hands (χεῖρας) explicitly. Cf. *Mark* 7:2–3. The obvious question is whether these sources are interpreting each other, in which case they all mean “hand washing,” or whether the phrasing is deliberate, meaning bathing while the other sources refer only to hand washing. Plummer believes this should be understood as hand washing. See his explanation, beginning with: “This need not be taken literally of bathing. Probably no more than washing the hands is meant,” *ICC, The Gospel According to St. Luke (XXVII)*, 309, note 38.

⁸¹ In *Luke* alone there are four such events: *Luke* 5:29–32 (in the house of Levi the Pharisee); *ibid.*, 7:36–50 (in the house of Simon the Pharisee); our source; *ibid.*, 14:1–6 (in the house of one of the Pharisees’ leaders). See also the parallels of these stories in the other gospels, for example: *Matt.* 7:2.

⁸² For example, *Luke* 14:1–6, where a Halakhic discussion takes place during the meal, with Jesus disagreeing with the Pharisees’ ways. Immediately afterwards, he performs strange acts in the Pharisee’s house. It is clear that this took place in the Pharisee’s house, and with his knowledge, since Jesus talked to him during these

cannot claim that the shared meals were stopped due to Jesus' different behavior, although they considered the identity and lineage of their guests. There are discussions on this precise issue in the same sources.⁸³

Moreover, many additional New Testament passages support the importance of communal eating as an instrument of social connection.⁸⁴ It is sufficient to mention the well-known "Last Supper."⁸⁵

What is new here is not the importance of communal meals in the ancient world, but the fact that the sources tell us of meals shared by the Pharisees and Jesus. Although it transpired that Jesus did not wash his hands (or bathe) before a meal, he disagreed with their Halakhic system or even performed actions that were not acceptable to the Pharisees, this did not prevent the holding of the communal meal. The existence of communal meals implies friendship and closeness between two factions. Sanders summarizes by stating that there were "**frequent invitations**" between the groups, and that they were obviously "**not a sign of hostility**."⁸⁶

These stories of communal meals testify to a particular social reality, including situations where Pharisees could dine with the holders of differing opinions. This shows that despite the two types of groups, despite the differences between them and despite the group identities of each, they did not refrain from sharing meals. As we shall see later, the Pharisees had conditions and criteria for communal dining. What is new is that these criteria are relatively easy to achieve, thus enabling the communal meal.

The fact that the Pharisaic tradition did not support the principle of separation is clear from the few sources where there are specific restrictions, such as:

One who undertakes to become *reliable*⁸⁷ must tithe what he eats, and what he sells, and what he buys, and he may not stay as a guest with

events. There is no indication that the meal was stopped due to Jesus' behavior. The commentators believe that the Pharisee hosts accepted Jesus' opinion. See: *NIB*, IX, 283–285.

⁸³ One of the issues under discussion in the Christian sources is eating with sinners and criminals. See: *Matt.* 9:10–13; *Mark* 2:16–17; *Luke* 5:29–32.

⁸⁴ Many of Jesus' parables are related to feasts or meals. See for example: *Matt.* 22:1–14; *John* 12:1–11.

⁸⁵ See: *Matt.* 26:20–36; *Mark* 14:12–31; *Luke* 22:14 ff.; *John* 13:1–30.

⁸⁶ J. T. Sanders, *The Jews in Luke-Acts*, 86–87 (my emphasis—H. N.).

⁸⁷ The Hebrew term is תָּמִים, see later for the translation brought in the text.

an *Am Ha'aretz*.⁸⁸ Rabbi Judah says: Even if he does stay as a guest with an *Am Ha'aretz* he is still *reliable*. They said to him: he is not reliable regarding himself, how can he be relied upon concerning what belongs to others?

One who undertakes to be a *Haver*⁸⁹ may not sell to an *Am Ha'aretz*, either wet or dry produce, and may not buy from him wet produce, and may not stay as a guest with an *Am Ha'aretz*, and **may not have him as a guest in his garments**. Rabbi Judah says: he may not also rear small cattle . . . They said to him: these do not come under the general principle . . .⁹⁰

המקבל עליו להיות נאמן – מעשר את שהוא אוכל ואת שהוא מוכר ואת שהוא לוקח ואינו מתארח אצל עם הארץ. רבי יהודה אומר, אף המתארח אצל עם הארץ נאמן . . . המקבל עליו להיות חבר – אינו מוכר לעם הארץ לה ויבש, ואינו לוקח ממנו לה, ואינו מתארח אצל עם הארץ, ולא מארחו אצלו בכסותו.⁹² . . .

The Pharisees are not mentioned here by name, and instead of the familiar terms Pharisees or Sages, we find vague terms such as *neeman* (reliable) and *haver*. Some scholars have concluded that this does not refer to the Pharisees.⁹³ As we explained earlier,⁹⁴ this Mishnah can be compared to the passage from Haggiga (cited below) where *am haaretz* confronts the Pharisees, and we conclude from this that this passage does refer to the Pharisees. If we can indeed see this Mishnah as early, and as reflecting the Pharisee reality, this means the Sages did not forbid communal eating with less strict persons, but quite the opposite, they sought solutions to enable joint eating. They rejected eating with *am haaretz*, since they were not strict enough regarding tithing, purity and impurity (and perhaps also the rules of forbidden foods). However, they allowed *am haaretz* to eat at their tables. Even when there was a problem of purity and impurity (in Mishnah 3), they solved it by suggesting that “may not have him as a guest **in his garments**” (“לא יארחו בכסותו”).

⁸⁸ Transliteration from the Hebrew.

⁸⁹ Transliteration from the Hebrew word *חבר*. Elsewhere (in the first chapter), we have related to this term and to its significance in the Pharisaic world. It could be translated as “member” or as “friend.”

⁹⁰ Mishnah Dammai, 2, 2–3 (my emphasis—H.N.). Translation according to the second edition by The Judaica Press: *Mishnayoth: Order Zeraim*, Vol. I, New York 1964, 143–45.

⁹¹ On the identification of this source as a Pharisee source, and on the identification of reliable (*neeman*) and *haver* with the Pharisees, see Chapter One, and further discussion below in this chapter.

⁹² M. Dammai, 2, 2–3.

⁹³ See Rivkin’s opinion in the general context, as mentioned in Chapter One.

⁹⁴ *Ibid.*, *ibid.*

The Mishnah in Haggiga also supports this claim. It distinguishes between Pharisees and *am haaretz*, but does not forbid communal eating:

The clothes of an *unreliable person*⁹⁵ are deemed as imbued with *treading contact uncleanness* for Pharisees; the clothes of Pharisees are deemed as infected with *treading contact uncleanness* for those that eat of priest's due . . .⁹⁶

The original Hebrew:

בנדי עם הארץ מדרס לפרושין.⁹⁷ בנדי פרושין מדרס לאוכלי תרומה. בנדי אוכל תרומה מדרס לקודש. בנדי קודש מדרס לחטאת. . .⁹⁸

This Mishnah shows that not only is there no separation here, quite the opposite. This Mishnah brings the different factions closer. The Mishnah ranks the levels of sanctity of each sector. Just as the text differentiates between Pharisees and *Am Haaretz*, so it also distinguishes between eaters of tithes and eaters of sacrifices. It is clear that the Mishnah does not treat either of them negatively by distinguishing between eaters of tithes and eaters of sacrifices, just as it does not treat either the eaters of tithes or the Pharisees negatively by distinguishing between them. This makes it clear that there is no negative judgment when it distinguishes between the Pharisees and *Am Haaretz*. Also, this Mishnah only deals with distinctions resulting from strictness in matters of purity and impurity, and the eating of tithes and sacrifices. There is no restriction here on cooperation between the factions. Indeed, the need to take care and note the clothing shows that they were in some proximity. The ban results solely from issues of purity and the different levels of strictness of each group.

When one faction of the Pharisees (the House of Shammai) wanted to have separation, they knew how to do this. We find that they

⁹⁵ The Hebrew term is *עם הארץ*, earlier transliterated as *Am Ha'aretz*. The translator here has taken the liberty of defining the *Am Ha'aretz* as the *unreliable*, thus identifying them as the opposite of the *reliable* (as mentioned in the Mishnah in Dammai, see above). This is not necessarily the case.

⁹⁶ Mishnah Haggigah, 2,7. Translation according to the second edition by The Judaica Press: *Mishnayoth: Order Moed*, Vol. II, New York 1963, 498.

⁹⁷ Regarding the discussion whether this referred to the historical Pharisees, see the section on Rivkin's opinion, *ibid.*, *ibid.*

⁹⁸ See previous two notes.

ruled on separation from gentiles, to prevent them becoming exposed to pagan worship. As we witness in the Mishnah describing the period of the House of Shammai and the House of Hillel:

And these are among the rulings which they instituted when in the upper chamber of Chananiah ben Hezekiah ben Gurion, when they went up to visit him. They voted, and they of the school of Shammai outnumbered those of the school of Hillel; and they decreed eighteen matters on that day.⁹⁹

In the original Hebrew:

אילו¹⁰⁰ מן ההלכות שאמרו בעליית הנניה בן הזקיה בן נוריון¹⁰¹ כשעלו לבקריו. נמנו ורבו בית שמאי על בית הלל, ושמונה עשר דברים¹⁰² נזרו בו ביום.

Among the eighteen bans, was a ban on the bread and oil of the gentiles, to prevent the influence of idolatry, as described in the Babylonian Talmud: “פחם ושמנם וינים ובנותיהם של נויים, וכל זה משום: עבודה זרה.”¹⁰³ It is our opinion that we can attribute this event to the period of the historical Pharisees,¹⁰⁴ and thus we have an explicit separation in the realm of food. But, even here it is rather limited.

⁹⁹ Mishnah Shabbath, 1,4. For other sources describing this event, see Tosefta Shabbath 1, 16–22; BT Shabbath 13b to 17b; Yerushalmi Shabbath 1, 4 (3, 3–4). For a description of the historical background and commentary, see Y. Ben Shalom, *Beit Shamai Umaavak Hakana'im Neqed Romi*, Jerusalem 1994, 252–272 (Hebrew). For details of the eighteen issues with commentary and different versions, see: Ben Shalom, *ibid.*, 254–55, notes 14–28 (Hebrew).

¹⁰⁰ The version in most manuscripts is אילו rather than ואלו. On this issue, see: J. N. Epstein, *Mavo Lenosach Hamishnah*, 426 (Hebrew); C. Albeck, *Shisha Sidrei Mishnah: Meforashim Beydei Hanoach Albeck Vemenukadim Beydei Hanoach Yalon*, “Moed,” 1–7, Tel Aviv & Jerusalem 1959, 406 (Hebrew); Y. Ben Shalom, *ibid.*, 253, note 12 (Hebrew). On the meanings of the correct version, see Ben Shalom, *ibid.*, 253 (Hebrew).

¹⁰¹ On changes to the name: נוריון—נוריון see: *Dikdukei Sofrim Leshabat* 13, 1, in R. Rabinovicz, *Dikdukei Sofrim: Tractate Shabbat*, Jerusalem 1960, pp. 21–22 (Hebrew) and *ibid.*, note 40 (Hebrew); see also Ben Shalom, *ibid.*, 53, note 10 (Hebrew).

¹⁰² In the Munich manuscript: דבר. See: *Dikdukei Sofrim Leshabat*, *ibid.* & note 50 (Hebrew). See Ben Shalom, *ibid.*, *ibid.*, note 11 (Hebrew).

¹⁰³ We have presented here the simple explanation of מפני עבודה זרה. Another explanation for these bans is the fear of pederasty. For sources on this, see: BT Shabbath, 13b to 17b, esp. 17b; P. Kehati, *Mishnayot Mevoarot Beydei Pinchas Kehati*, Shabbath, 1–13, Tel Aviv & Jerusalem 1998, 17 (Hebrew). There is no doubt regarding the context of separation between Jews and gentiles, see: H. Gretz, *Divrei Yemei Am Israel*, translated by S. P. Rabinovitz, I–IX, Jerusalem 1972, esp. III part 2, 810 ff. (cf. II, 92–93 translated by S. P. Rabinovitz) (Hebrew); Y. Ben Shalom, *ibid.*, 252–272 (Hebrew).

¹⁰⁴ The problem about dating this source to the Pharisee period is the vague reference to the House of Shammai and the House of Hillel. Many references are related to the House of Shammai and the House of Hillel, and most of them are rather late. For a survey of these references, see: I. Konovitz, *Beit Shamai Ubeit Hillel: Osef Shalem*

The restriction here is one sided, i.e., they banned Pharisees from eating the bread and oil of gentiles, but did not forbid shared eating. In other words, gentiles were permitted to dine at the Pharisees' tables, but the Pharisees themselves could not share the gentiles' bread. Even though this relates to the relations between the Pharisees and the gentiles, the Pharisees' restrictions are still one sided, which does not indicate total separation, certainly not of the sort we saw among the seceding groups. In addition, we should note that this was a very extreme faction of the Pharisees (and indeed, the House of Hillel had no such restrictions), in an exceptionally lively period, and even so their restrictions were mitigated, according to the social and political reality.¹⁰⁵

We can find some indications that the Pharisees were not overly strict regarding with whom and where they held communal meals in Josephus and the Christian literature. Josephus testified that the Pharisees took part in a public feast with the Hasmonean John Hyrcanus.¹⁰⁶ In one of the Christian sources, it is said that the Pharisees participated in public feasts and even requested places of honor at these events.¹⁰⁷ Based on the context and contents of these two stories, participation in feasts was not foreign to the Pharisees or contrary to their way of life. As we have seen earlier, this cannot be said of the seceding groups we discussed.

shel Maamarim Basifrut Hatalmudit Vehamidrashit, Jerusalem 1965 (Hebrew). Another problem of course, is the reliability of the source as a historical source. Another means of dating the source is the character Hananya Ben Hezkiya. There is a tendency to see him as an early character, as Margaliot says: "An early Tannaite, lived close to the Destruction. His father Hananya was one of the Sages of the generation before the destruction. Gretz believes that Elazar and his father Hananya were among the heads of the house of Shamai, since in the attic of Hananya's house the eighteen issues were decided, which the House of Shamai kept and argued with the House of Hillel, and bans were decreed to keep Israel away from the influence of the gentiles . . ." in: R. Margaliot, *Encyclopedia Lechachmei Hatalmud Vehageonim*, I, Tel Aviv 1995, entry "Elazar Ben Hananya Ben Hezkiya Ben Garon," 50 (Hebrew). This implies that he was an early character, from the period of the historical Pharisees. According to Ben Shalom, this event can be dated quite accurately. He thinks we can attribute these decisions to "the period between the start of the revolt and the victory over Cestius Gallus." Y. Ben Shalom, *ibid.*, 272 (Hebrew). As defined in the previous chapters, this period is considered the period of the historical Pharisees in the Tannaic literature.

¹⁰⁵ See Ben Shalom's conclusion, *Beit Shamai Umaavak Haqanaim . . .*, 260–261 (Hebrew).

¹⁰⁶ This event was discussed in detail in Chapter One.

¹⁰⁷ For full citations and a discussion of various aspects arising from this source, see below, section 3.2.

So far we have seen that the Pharisees did not share the separatist tendency of the seceding groups. Nor did they share the duty of communal eating.

We have not found a duty to eat communally among the Pharisees as there existed among the seceding groups. It appears that the only event where participation was compulsory was the Passover sacrifice. There we found the first *havurot* of Sages (and Pharisees). One of the Passover Halakhot is the duty to participate in the sacrifice, so that a sort of compulsory communal eating was created. There they stressed the principle of the “household,” and various restrictions regarding those considered worthy to participate in the sacrifice.¹⁰⁸ In any case, there was no ban on circumcised Jews from participating in Passover, provided they have pre-registered for participation in the sacrifice in advance. The conclusion: even in the most exclusive meal in the Pharisee tradition, there is no problem of principle in including Jews of other groups.

The principles of Passover were already known in the Pharisee period, as we can see from the many disputes between the House of Shamai and the House of Hillel on these issues, and from comments of Pharisee individuals on the duty of Passover. The duty of participating by households is explicit in the Bible already in the context of the Egypt Passover.¹⁰⁹

To conclude the issue of the separationism regarding eating among the dissenting groups, the sources show clearly that the Pharisees and Sadducees had no restriction whatsoever in hosting members of

¹⁰⁸ The main verses regarding the Halakhot of the Passover sacrifice are: *Exodus* 12:1–14, 21–28, 43–51; *Leviticus* 23:4–8; *Numbers* 9:1–5; *ibid.*, 28:16–25. The main verses showing the duty of participation in the sacrifice are those indicating a “household”: “. . . they shall take to them every man a lamb, according to the house of their fathers, a lamb for an house” (*Exodus* 12:3); “In one house shall it be eaten; thou shall not carry forth ought of the flesh abroad out of the house . . .” (*Ibid.*, 12:46). On the Second Passover, see: *ibid.*, 9:6–14. For details of the Passover Halachot, see: M. Pesachim, 5 ff. On the duty to be counted in the sacrifice, see: *ibid.*, 5, 3 ff. See esp. *ibid.*, 6, 6; *ibid.*, 7, 13; *ibid.*, 8; *ibid.*, 9, 9–11.

¹⁰⁹ See for example the words of Rabban Gamaliel: “whoever does not say these three things at Passover has not fulfilled his duty . . .” M. Pesachim, 10, 5. On the many disputes between the House of Shamai and the House of Hillel, see throughout all the *mishnayot* of Pesachim. For a survey of these disputes, see: I. Konovitz, *Beit Shamai Ubeit Hillel: Osef Shalem shel Maamarim Basifrut Hatalmudit Vehamidrashit*, 55–58 (Hebrew). While we have not found an explicit mention of a Pharisee character in the context of participation in the sacrifice, there is no reason to doubt the explicit Passover Halakhot in the *mishnayot*, in light of the many references to the House of Hillel and the House of Shamai throughout all the Passover *mishnayot*.

other groups in their homes. There are explicit testimonies of such hospitality, and this is supported in the sources. The only distinction between the Pharisees and other Jews were issues of purity and impurity, and even then they were practical, with no special ban in the field of eating.

While the Sages were cautious in their relations with the gentiles, and even set some restrictions on eating, these were one sided (they were forbidden to be guests, not to be hosts), and there is no indication there that this reflected in any way their relations with members of the other Jewish groups. Also, the distinction between *haber* and *am haaretz*, and between *neeman* and *am haaretz*, assuming these refer to the Pharisees, are also practical and one sided. The Pharisees did not live a permanent communal life. They may have dined together on occasion, but there is no hint of this being compulsory. Even at the most “household” related event, the Passover sacrifice, “strangers” were allowed to participate, provided they were pure circumcised Jews.

3.2 *Clothing*¹¹⁰ as a *Sectarian Characteristic*

Freedom in dress is a state of mind (Susan Kaiser, 1985)

One of the most consistent characteristics of human beings is their tendency to wear clothes. While clothing is not a basic need such as food and drink, humans, from the beginning of human history, and unlike other living beings, have worn clothes. The main religions have tried to explain this phenomenon, but even stories like the “sin of the Garden of Eden”¹¹¹ do not provide a rational explanation. Researchers (especially sociologists) have tried to explain it in many ways. Some of them have linked the wish to cover the body with modesty, assuming that there is an instinctive modesty regarding

¹¹⁰ We are discussing here clothing, rather than other possible types of body coverings. Professional literature distinguishes between: clothing, adornment, dress and appearance. The term clothing indicates a basic body covering from any sort of cloth; adornments include cosmetics and “body corrections”; dress describes the covering of the body with various garments; appearance is the general physical appearance in the widest sense.

¹¹¹ *Genesis* 3:1–21. The connection between the sin in the Garden of Eden and clothing appears in verse 7. Compare with the situation before the sin, *ibid.*, 2:25.

nakedness of the self and/or of others. Many have rejected this explanation, and seen modesty as a result of covering the body, not as a cause of it.¹¹²

Others connect the phenomenon to sexual attraction in the spirit of psychoanalytical theories,¹¹³ and some see clothing as an extension of the “self,” and interpreted the phenomenon in the context of theories of the ego.¹¹⁴

Despite the disagreements over the reason that led humans to wear clothing, everyone agrees that clothing is very significant in formulating a person’s character and identity, in inter-personal communications, and also in group belonging. Clothing is one of the most prominent non-verbal elements we perceive when we meet someone. This is why it serves as a central symbol for people, and all our social contacts are affected by it.

To demonstrate clothing as a symbol for other complex aspects, here is a citation from Susan Kaiser:

From the context of an interdisciplinary perspective we may describe personal appearance as a visual medium through which individuals communicate cues or symbols about themselves and their social encounters . . . clothes and personal adornments are forms of aesthetic expression, they are related to the social psychological and physical aspects of the self, as forms of nonverbal communication . . . clothing and other appearance factors provide symbols or cues that people use to understand one another . . . the purchase and use of clothing by collective groups of people largely reflect cultural norms and social values . . . clothing norms are forms of collective behaviour. The socioeconomic

¹¹² Those who see modesty as a result of clothing rather than its cause rely on babies not having instinctive modesty. Many have argued that this modesty is a result of later social learning. Experiments have shown that the degree of modesty is directly related to the degree of sex education. See: R. J. Goldman & J. D. Goldman, “Children’s Perception of Clothes and Nakedness: A Cross National Study,” *Genetic Psychology Monographs* 104 (1981), 163–185; S. B. Kaiser, *The Social Psychology of Clothing and Personal Adornment*, 32.

¹¹³ Several scholars have discussed the connection between clothing and sexual attraction. Some argued that the partial covering of the body arouses sexual attraction, and therefore assumed that this was one of the purposes (if not the main purpose) of clothing. See for example: L. Langer, *The Importance of Wearing Clothes*, New York 1959. James Laver, the historical of the art of clothing and costume, discusses the erotic aspect of clothes with direct relation to psychoanalytic theory. See: J. A., Laver, *A Concise History of Costume and Fashion*, New York 1969. See also: J. C. Flugel, *The Psychology of Clothes*, London 1930.

¹¹⁴ As part of this approach, they linked clothing to the whole issue of “self esteem” and “self perception.” See Flugel, *ibid.*; D. Krech et al., *Individual in Society*, New York 1962; S. B. Kaiser, *The Social Psychology . . .*, 41–42.

group to which an individual belongs, for example, may be communicated to others through dress.¹¹⁵

In other words, clothing is not merely a covering for the body, but it represents the individual's personality, the type of social communication he is interested in, and his social affiliation. Thus, it would be true to say: "Show me a person's clothing and I shall tell you his personality and reference group."

Clothing provides information about people on two levels: on the personal level (his personality and self perception), and the group level (his group affiliation and the norms of this group). We shall focus, as is relevant to this study, on the group expression of clothing. We can summarize the group aspects of clothing as follows: clothing confirms group affiliation, determines rank and hierarchy within the group, constitutes a sign of the degree of uniformity within the group,¹¹⁶ and also indicates the degree of the demand for group uniformity, as an expression of the group's social values.¹¹⁷

In the context of clothing as an expression of group uniformity and group values it is interesting to note the concept of "subcultures." They are defined as groups of people with common interests and who experience common fates. The following definition applies to all unusual groups, such as those we are studying:

A subculture may be such a collectivity, in that the members of a subculture tend to have some different values from the general culture.

¹¹⁵ S. B. Kaiser, *The Social Psychology of Clothing*, 8-9. For clothing as a boundary between different groups (or subcultures) see also A. I. Baumgarten, *The Flourishing Of Jewish Sects . . .*, 100-102.

¹¹⁶ Many studies have examined the connection between clothing and group uniformity. Most show that clothing has a central role in group cohesion, especially among younger age groups. See for example: M. Littrel & J. B. Eicher, "Clothing Opinions and the Social Acceptance Process among Adolescents," *Adolescence* 8 (1973), 197-212; S. B. Kaiser, *The Social Psychology . . .*, 282-85. Kaiser argues throughout her book that we may assume that large groups that are interested in high group uniformity will use the clothing element with greater force than small groups that by their very nature are more united. This could be construed, wrongly, as implying that in small groups there would be less of a requirement for uniform typical dressing than in large groups. She does not take into account the importance of values within small groups compared with large groups (while she herself noted the influence of values on clothing), and the requirement for uniformity in small groups compared with large groups. In my opinion there is no doubt that the requirement for uniform clothing would be higher in small groups, according to their system of values and rewards. As we shall see later, our sources support this.

¹¹⁷ See: S. B. Kaiser, *The Social Psychology . . .*, 306-10.

These values tend to be displayed through clothing styles that allow for the identification of subculture members.¹¹⁸

Through clothing, group members can express their values even though they may be apart from each other.

As we have noted, a person's clothing shows a lot about his identity and values. From the point of view of this study we may say that a person's clothing expresses his group affiliation, the degree of uniformity in this group (internal conformity), and the values of the group. Clothing reveals the group's values, so that the group does not have to be gathered in one place, since each member, by means of the symbols of the group's clothing, maintains the group's existence.

Keeping these ideas in mind, we shall investigate the place of clothing in the lifestyle of the Second Temple period groups.

*Clothing in the Ancient World*¹¹⁹

The importance of clothing as representing a person and his values in the ancient world is demonstrated by the character of John the Baptist in the New Testament. When John the Baptist appears in the gospels, he is identified first and foremost by his typical clothing. There is no doubt that this exemplified the importance of clothing in his period and later, and therefore it is not surprising that John's clothing became his main identifying feature in Christianity throughout the ages.¹²⁰ This is the description from the gospel:

In those days John the Baptist came, preaching in the Desert of Judea¹²¹ and saying, "Repent, for the kingdom of heaven is near . . .

John's clothes were made of camel's hair, and he had a leather belt around his waist. His food was locusts and wild honey.¹²²

¹¹⁸ Kaiser, *ibid.*, 277.

¹¹⁹ For the importance of clothing in the ancient world and among the Jewish groups, see A. I. Baumgarten, *The Flourishing of Jewish Sects . . .*, 100–102.

¹²⁰ John the Baptist's main characteristic in Christian art is a leather garment, based on the verses quoted below.

¹²¹ For a different translation from the Greek original in Mark, see: *ICC: The Gospel According to St. Mark (XXV)*, 22, note 1.

¹²² *Matt.* 3:1–4, according to the *NIV* version, in: *NIB*, VIII, 155. Cf. *Mark* 1:6. For a commentary comparing the versions in *Matthew* and *Mark*, see: *ICC*, *op. cit.*, 23, note 4. For additional sources, and a description of John the Baptist, see the commentary there: *NIB*, *op. cit.*, 155–59. For different versions of this passage and a discussion, see: J. E. Taylor, "John the Baptist and the Essenes," 265–71, esp. 267.

This is the description of the clothing of a man who spent most of his time in the desert, who had a unique vision, and who gathered around him followers who supported his opinions. We could say that John, as the forerunner of Jesus, represents a “sectarian” or “eccentric” personality.¹²³ In contrast with the character of John, the New Testament describes the appearance of the Pharisees. The Pharisees, who were the rivals of Jesus and Christianity, are described thus:¹²⁴

Then Jesus said to the crowds and to his disciples: The teachers of the Law and the Pharisees sit in Moses’ seat.¹²⁵ So you must obey them and do everything they tell you. But do not what they do . . .¹²⁶

Everything they do is done for men to see: They make their phylacteries wide and the tassels on their garments long; they love the place of honour at banquets and the most important seats in the synagogues;¹²⁷ they love to be greeted in the marketplaces and to have men call them “Rabbi.”¹²⁸

The New Testament contains other indications of the importance of clothing at that period.¹²⁹ But these two descriptions, of John the Baptist on the one hand and the Pharisees on the other hand, are the most interesting in terms of the contrast the Christian writings try to make between the two types of character. The Pharisees, characterized by all the normative aspirations of social respect and prestige (places by the table, important seats in synagogue and the demand

¹²³ For a more extensive analysis of John’s clothing and the degree of his “eccentricity,” and his character in general, see: J. E. Taylor, “John the Baptist and the Essenes,” 265–71, esp. 267; R. L. Webb, “John the Baptist and His Relationship to Jesus,” in *Studying the Historical Jesus: Evaluations of the State of Current Research*, B. D. Chilton & C. A. Evans (eds.), Leiden 1994, 179–229; J. Michaels, “Paul and John: An Odd Couple,” *Tyndale Bulletin* 42 (1991), 245–60.

¹²⁴ This source is from *Matt.* 23:2–7, according to the *NIV* version, in: *NIB*, VIII, 430. For a comparison between the versions in *Matthew* and *Mark* regarding the Pharisees, see: *ICC, Gospel According to St. Matthew* (XXV), 243. On the basis of the comparison regarding the Pharisees, they conclude that *Mark* and *Matthew* had alternative sources. See *ibid.*

¹²⁵ Cf. BT, Rosh Hashana, 25a; M. Aboth, 1, 1.

¹²⁶ For an analysis of the exact meaning of this commandment based on the Greek, see: *ICC, Gospel According to St. Matthew* (XXV), 244, notes 3–4.

¹²⁷ Cf. *Luke* 11:43, and note that sometimes the order is reversed. For a full description, see: *ICC, Gospel According to St. Matthew* (XXV), 244–45, notes 6–7.

¹²⁸ For a detailed discussion of the literal meaning of the word in Greek compared with the various translations, see: *NIB*, VIII, 432. The Greek word in the text is *πάββί*.

¹²⁹ For example, when Jesus commands his apostles to go out into the surrounding world, he uses several orders, some of which refer to their clothing. See: *Mark* 6:7; *Luke* 7:25; *ibid.*, 8:27.

to be known as Rabbi), are not so distinguished by their clothing. The description of their external appearance closest to clothing is actually not really clothing but rather the religious items worn (phylacteries and tassels on the prayer shawl), whose very existence is not a characteristic, but rather their size. It is very possible that this description in the gospels is intended merely to convey a message about the hypocrisy of the Pharisees, and that otherwise there would have been no external identification through the clothing, apart from their wearing “robes” (ἐν στολαίς).¹³⁰ In contrast, John the Baptist, representing the values and spirituality of Christianity, is characterized by very special clothing. This contrast between the two descriptions, both as a literary device and as an essential characterization, implies that the Pharisees represent accepted norms and lacked a unique style of clothing, compared with the “unusual” John, who represented different values and norms from the accepted ones, and as a result, as expected, wore unusual clothes. What characterizes John’s clothing, like his food, is the natural aspect. Both his clothes and his food come directly from nature: plants, animals and animal products. Everything comes directly from nature, and this is stressed in the attempt to maintain a natural appearance.¹³¹ The proximity to nature stresses two elements: a value system connected to non-human aspects, and the avoidance of pursuing the normative pleasures.

So far we have compared the Pharisees with Christian figures, based on the Christian literature. While this is not the heart of our discussion, which involves the Jewish groups in the Hasmonean period, it does demonstrate the differences that we shall see among these groups.

The Typical Clothing of the Seceding Groups

The Essenes were said to be particularly strict regarding dress.¹³² Josephus, in summing up their external appearance, said that they were

¹³⁰ For other mentions of the robes, see: *Luke* 20:45–46. The robe was perceived as a sign of aspiration for social recognition. See: *NIB*, IX, 393.

¹³¹ It is stressed that his garment was made of camel hair and his belt of leather: καὶ ἦν ὁ Ἰωάννης ἐνδεδυμένος τρίχας καμήλου καὶ ζώνην δερματίνην περὶ τὴν ὄσφον αὐτοῦ. It is clear that this also represents John’s lack of hedonism, as there is a connection between the type of clothing and maintaining a strong connection to nature and avoiding pleasures. See *Mark* 1:6; *Matt.* 3:4.

¹³² For summaries about the Essenes’ clothing, see: G. Vermes & M. D. Goodman, *The Essenes . . .*, 4–5; E. Schürer, *The History of the Jewish People . . .*, II, 564–71; A. I.

as strict as “children under the severe supervision of their teachers” (καταστολή δὲ καὶ σχῆμα σώματος ὅμοιον τοῖς μετὰ φόβου παιδαγωγουμένοις παισίν).¹³³

We understand that the group members were known by their clothing, probably some type of uniform clothing. Josephus notes that the clothing was typical of all of them, including the group’s leader (*War* 2, 140). Thus Josephus stressed the internal equality within the group, whose leader and members were dressed identically.¹³⁴ It appears that this was a white uniform garment (literally a “uniform”). It seems that this garment was their external clothing when they met the outside world, since their other clothes, to be described below, were intimate and modest, and intended only for internal events. They also had a special white garment.¹³⁵ When eating they wore the white “robe,” and immediately after meals they removed this garment (*ibid.*, 131), just as the High Priest removed his white garments during the Day of Atonement worship. It appears that the white color created a clear barrier between those who were strict in wearing it, being group members, and those who were not. Josephus also notes that they had a special garment to cover their genitalia, which they wore when bathing (*War* 2, 129 and 161) and in preparation for meals (*ibid.*, 129). This loincloth was one of the first things given to applicants wishing to join the group, and so this item of clothing became one of the symbols of group members (*ibid.*, 137). Perhaps this garment should be seen in the context of the group’s modesty habits (*ibid.*, 129, 148, 161). Josephus also refers to the

Baumgarten, “He Knew that He Knew that He Knew that He Was an Essene,” 53–61. For a comparison between the Essenes and the Therapeutae in the field of clothing, see: E. Schürer, *ibid.*, II, 593.

¹³³ Josephus, *War* 2, 126.

¹³⁴ See Baumgarten’s comment on this: Baumgarten, *ibid.*, 57, note 17.

¹³⁵ According to *War* 2, 123 and 137. Cf. Philo, *De Vita* 66. Perhaps the requirement for white clothing comes from the verse: “Let thy garments be always white” (*Ecll.* 9:8). It can also be understood metaphorically, so that the wearer would always act with moral purity. For the various interpretations of this verse, in BT Shabbath 153a, see later in this chapter. Apart from this verse, another possible traditional Jewish connection is of course the garments of the High Priest on the Day of Atonement (gold clothes and white clothes). Another explanation for the Essenes’ requirement for white clothing may be hinted at in: Y. Yadin, *Megilat Milchemet Bnei Or Bevevei Choshkeh Memegilot Midbar Yehuda*, Jerusalem 1957, 200 note 82 (Hebrew).

clothing of women in some of the Essene groups (those that had women), and notes that even when they were in the bathhouse, they wore typical clothing, just as the men wore their loincloths (*ibid.*, 161). He also reported that they did not replace their clothing frequently, but only after it became worn out (*War* 2, 123–27). We may assume that this principle was related to their approach opposed to hedonism (the principles of modesty and frugality, although as a group they were not poor at all).¹³⁶ It seems that these clothes were the work clothes, as described later.¹³⁷

Apart from Josephus, Philo also refers to the Essenes' typical clothing. Philo noted that they had one garment for winter and another for summer. He notes this in the context of the groups' modest and communal life (the lack of private property).¹³⁸ Like Josephus, Philo stresses the equality of clothing.¹³⁹ In his description of the Therapeutae, Philo notes two features of their clothing: the fact that they had one

¹³⁶ There are hints that the Essenes were not poor at all. Perhaps this resulted from each member who joined the group donating all his possessions to the group, so that the group did not lack assets. There are indications of this in several places. For example: Philo testifies that they lacked nothing, even though they produced everything themselves. See: *API (Hypothetica)* 8, in *LCL*, 27–28.

¹³⁷ Further support for Josephus can, perhaps, be found in the description of Hippolytus of Rome. Hippolytus is dated 170–236 A.D. He served as a competing bishop to Callistus in Rome in the years 217–22. He wrote a work entitled *A Refutation of all Heresies*, which dealt with the attitude of various groups towards the church, and one of the groups he discussed was the Essenes. For a more detailed description and a presentation of the source about the Essenes, see: G. Vermes & M.D. Goodman, *The Essenes . . .*, 62–36. They doubt the benefit of using Hippolytus as a source, since it is not clear whether Hippolytus used Josephus as a source, in which case he would not constitute another source but a reworking of Josephus. There are many opinions on this issue. For literature about Hippolytus, the man, his reliability and the degree and type of overlap with Josephus, see: M. Smith, "The Description of the Essenes in Josephus and the Philosophumena," *HUCA* 29 (1958), 273–313; S. Zeitlin, "The Account of the Essenes in Josephus and the Philosophumena," *JQR* 49 (1958/1959), 292–99; C. Burchard, "Die Essener Bei Hippolyt," *JStJ* 8 (1977), 1–41; A. I. Baumgarten, "Josephus and Hippolytus on the Pharisees," *HUCA* 55 (1984), 1–25; G. Vermes & M. D. Goodman, *The Essenes . . .*, 62–73. Some argued that Hippolytus and Josephus shared a third common source (Smith), some argued that Hippolytus reconstructed and reworked Josephus (Burchard), while others claimed that Hippolytus was already relying on reconstructions of Josephus (Baumgarten). If we accept Smith's approach, Hippolytus' description is important as an additional historical source. On the other hand, if one accepts Burchard's approach, his description is of no importance whatsoever. We have chosen to mention this source without deciding about its reliability, since it is possible that this could be an independent historical source.

¹³⁸ Philo, *API (Hypothetica)* 11.12 (633).

¹³⁹ *Ibid.*, *ibid.*, and *QOP* 86.

garment for winter and one for summer (like Philo's description of the Essenes, it seems that these are "work clothes" according to Josephus, *War* 2, 131), and that they often wore white (like the description of the Essenes in Josephus).¹⁴⁰ If indeed the Therapeutae should be identified as a group of Essene origin, as various scholars have argued,¹⁴¹ then we have support for Josephus' descriptions from an independent source.

To conclude, it seems that there were three typical garments of the Essene group. The loincloths they wore for reasons of modesty, especially while bathing; their work clothes that were probably equal and uniform, of which there was one garment for winter and another for summer. The third characteristic garment was the white robe they wore for special occasions. One of these occasions was meal-time. Thus we learn that the clothes were an important part of the group's life, and one way to maintain clear boundaries between group members and non-members. These garments represent obvious values: the loincloth represents the value of modesty; the uniform work clothes represent unity, equality and opposition to luxury. Or as Baumgarten says, we may assume that their clothing was old fashioned, simple and uniform.¹⁴² The white garment represented the group's unique nature, involving particular purity and sanctity on certain occasions (similar to the priests in the Temple).

The Qumran Group

We do not have many sources in the Qumran writings regarding clothing, but there are some hints at this subject. For instance:

Let no man put on soiled clothes or those brought with lint unless they were washed with water or rubbed with frankincense

(כִּי אִל יִקַּח אִשׁ עֲלָיו בְּגָדִים צְאִים אוּ מוֹבְאִים בְּנִי¹⁴³ כִּי אִם כִּיבְּסוּ בְּמֵיִם אוּ שׁוֹפִים בְּלִבְתָּהּ)¹⁴⁴

¹⁴⁰ This description of the Therapeutae in: *De Vita* 38 and 66.

¹⁴¹ On the relation between the Therapeutae and the Essenes, see: G. Vermes & M. D. Goodman, *The Essenes . . .*, 1989, 15–17; E. Schürer, *The History of the Jewish . . .*, II, 593–94.

¹⁴² A. I. Baumgarten, "He Knew That He Knew . . .," 58.

¹⁴³ Some read here *בְּנִי* instead of *בְּנִי*, which would mean that they should avoid garments that had been in contact with gentiles. See: L. H. Schiffman, *Halakhah, Halikha Umeshichut . . .*, 111 (Hebrew). Even though there is some basis for such a rule (see *ibid*), this does not seem to be the correct version here, for linguistic and contents reasons (see *ibid*).

¹⁴⁴ *Damascus Document*, column 11 lines 3–5, according to Charlesworth 1995, 46.

Various scholars have interpreted this passage in several ways.¹⁴⁵ It could be seen as dealing with the cleanliness of clothing (in general or before the Sabbath), with purity and impurity of clothes or dealing with clothes of gentiles. Opinions are divided both on the subject and on the context of this passage. For linguistic reasons¹⁴⁶ it is our opinion that this passage deals with the cleanliness of the clothing.¹⁴⁷ If so, this could be seen as a general instruction, according to which, we have evidence that the Qumran group required clean cloths anointed with frankincense.

Another Halakhah in the Qumran writings regarding clothing stressed several times in one section that a man shall not wear the clothing of a woman. In the citation below, we see how they repeated this ban three times in a very short passage:

The clothing of a man may not be on a woman at all..[and he may not] cover (himself) in the garments of a woman, and he may not wear the tunic of a woman, for it is an [ab]omination (to you)

(Hebrew: אל יהיו כלי נבר על אשה כול [ואל] יכס בשלמות אשה ואל ילבש אל כחונת אשה כיא [ת]ועבה היא [לכם]).¹⁴⁸

Scholars have tried to understand the repeated emphasis. Schiffman suggested that the repetitions indicate several things: that the ban applied to both women's outer clothes and under garments (כחונת אשה), and that the ban applied in all circumstances (not only regarding the deliberate impersonation of women).¹⁴⁹ The obvious question is what they considered to be women's clothing, and why they needed to note three types in one passage.

We should note that in the Tannaitic literature (especially the later literature), colorful clothing was considered women's clothing. Among the earlier evidence that we have, we can note an example from

¹⁴⁵ See: S. Schechter, *Documents of Jewish Sectaries*, XXV, 57, 81; L. Ginzberg, *An Unknown Jewish Sect*, 62–64. See also: L. H. Schiffman, *Halakhah, Halikha Umeshichut* . . . , 111–14 (Hebrew).

¹⁴⁶ Brought by Ginzberg and Schiffman, see former two notes above.

¹⁴⁷ I do not accept the Sabbath context as necessary, brought by Ginzberg and Schiffman, for the simple reason that the Sabbath is not mentioned in the passage, unlike the two adjacent passages.

¹⁴⁸ 4Q159, fragments 2–4 in: Charlesworth 1994, 154. This work is known as *Ordinances*.

¹⁴⁹ See Schiffman's interpretation in: J. H. Charlesworth 1994, 155, notes 40–42.

the early Midrashic material, which refers to the colorful clothing of women as a source of temptation:

And Azazel was for color types and jewel types of women who seduce men to thoughts of sin

ועזאזל היה על מיני צבעונן ועל מיני חכשיון של נשים שמפתין את בני אדם
(להרהור עבירה).¹⁵⁰

This is one of the earliest surviving sources regarding the identification of colorful clothing with women and their negative power. Spiegel notes that the features mentioned here (colored clothes and jewels) are women's means of seduction to sin, and these are the signs of Azazel's non-repentance.¹⁵¹ Due to the early date of this source, it may even reflect an early Pharisaic tradition that stressed the negative aspects of women's colorful clothing. However, in the Pharisaic tradition later on the negative aspect was not emphasized, despite a definite link of such clothing with women, and in fact disappeared completely. A few Pharisaic sources mention colorful or styled clothing as a feminine attribute. For instance:

Of what sort of vows did they speak? For example, if she vowed not to eat meat, not to drink wine or not to wear colorful clothing

באלו נדרים אמרו. כגון נדרה שלא לוכל בשר ושלא לשחות יין ושלא ללבוש
(בנדי צבעונין).¹⁵²

In another source, the Mishnah assumes that women's clothes are attractive and colorful and could therefore cause an emission of semen:

According to seven considerations do they examine the Zav before he is confirmed as to flux . . . R. Judah says: ..even if he saw the colored garments of a woman . . .

(רבי יהודה אומר: . . . אפילו ראה בנדי צבע האשה).¹⁵³

¹⁵⁰ *Yalkut Shimoni, Bereshit*, 44 (Hebrew), according to: Y. Shiloni (ed.), *Yalkut Shimoni al Hatorah Lerabenu Shimon Hadarshan im Zivnei Meqorot shel A. Heiman Veshinuyei Nuschaot shel Y. N. Lehrer*, I (Sefer Bereshit), Jerusalem 1993, 155 (Hebrew).

¹⁵¹ See: S. Spiegel, "Noah, Daniel and Job: Touching on Canaanite Relics in the Legends of the Jews," in *Louis Ginzberg Jubilee Volume: On the Occasion of His Seventieth Birthday*, S. Lieberman et al. (eds.), New York 1945, 352. For additional references to the same source, see *ibid.*, note 54. For further references, see: A. I. Baumgarten, *The Phoenician History of Philo of Byblos*, Leiden 1981, 164.

¹⁵² *Tosefta Kethuboth* 7; *Yerushalmi* 7, 9 (31, 3); *BT Kethuboth* 2b. For alternate versions and additional sources, see: S. Lieberman, *Tosefta Kifshuta*, *Kethuboth*, 295 (Hebrew).

¹⁵³ *M. Zabim*, 2, 2.

Besides this relatively early evidence, there are many later sources in the Tannaitic literature that indicate a direct link between women and colorful clothing.¹⁵⁴

Accordingly, we can argue that the emphasis in the Qumran writings against women's clothing could include a renunciation of colorful clothing. If this is true, they wore only white garments, like the Essenes. Of course, this is only a hypothesis, based on our sources.

The only cases when there is an emphasis on colorful clothing from different fabrics are the descriptions of the priests' garments, especially the priests called Messiahs of War:

seven priests from the sons of Aharon, dressed with garments of white byssus, a linen tunic and linen breeches, girded with a linen girdle, twisted byssus in violet both purple and scarlet, with a many colored design, a skillful work . . .

כוהנים מבני אהרון לובשים בגדי שש לבן כחונת בד ומכנסי בד וחוגרים באבנט בד שש משור תכלת וארנמן וחולעת שני וצורת ריקמה מעשה חושב ופרי מנבעות בראשיהם. בגדי מלחמה ואל המקדש לוא יביאום.¹⁵⁵

Despite the similarity to the Biblical commandment, Yadin notes that the Qumran text has several changes from the Biblical text. For example: A. The addition of white (לבן) in line 10. B. Unlike in the Bible, the clothes here are called "clothes of war" (בגדי מלחמה). Yadin notes further differences.¹⁵⁶ The emphasis on white, unlike in the Bible, shows their particular attention to the color of clothes, with particular sympathy for white.¹⁵⁷ They note specifically that the war clothes, being colorful, are unique, and will not even be brought into the Temple.

To conclude, based on our interpretation of the sources, we conclude that they objected to colorful clothing in their daily lives. They required absolute, daily cleanliness of clothing, including maintaining the pure whiteness of the garments. Even if we cannot describe their exact style, the sources seem to imply that they were identifiable

¹⁵⁴ See for example BT Shabbat 4b.

¹⁵⁵ *War Scroll*, 12, lines 9–11 [7, 10–11], according to: Y. Yadin, *Megilat Milchemet Bnei Or*, 302–03 (Hebrew). The English translation according to Charlesworth, *War Scroll*, 1995, 111–13.

¹⁵⁶ See Y. Yadin, *ibid.*, 199–202 (Hebrew). Compare: Charlesworth 1995, 112–13, notes 45–46.

¹⁵⁷ Other scholars also see this addition as indicating sympathy. See: T. S. Beall, *Josephus' Description of the Essenes . . .*, 79.

by their clothing. This means that the two seceding groups were known by their familiar, probably white, garments.

Clothing and the Dissenting Groups

In contrast to the seceding groups, we do not find any description of the Pharisees or the Sadducees by typical clothing. As mentioned earlier, the description of the Pharisees in Christian literature mentioned only a robe, without any particular identifying features, and the religious items (phylacteries and prayer shawl with tassels). These religious items were distinguished by their size, being wider or larger than usual, as the Greek source says: πλατύνουσιν γὰρ τὰ φυλακτήρια (for they widen the phylacteries) and καὶ μεγαλύνουσιν τὰ κράσπεδα (and enlarge the tassels).¹⁵⁸ In other words, it was the size of these items of clothing that distinguished them, not their very existence. In light of the sources we have examined so far, we have seen that the Essenes were known by their white clothing and particular style of garments, while the Pharisees were known only by their robes and large religious items.

There is a rare support for this interpretation in the Tannaitic literature. The literature of the Sages discusses the meaning of the verse from *Ecclesiastes* 9:8 “Let thy garments be always white and let not thy head lack ointment.” There are two possible interpretations of this verse.¹⁵⁹ Neither of these interpretations takes the verse’s literal meaning (as the Essenes probably did). One interpretation, of Rabbi Elazar and Rabbi Johanan ben Zakkai the Pharisee,¹⁶⁰ sees this verse as a fable and a symbol that a person should always be in a “correct” condition from a moral and religious point of view. The other interpretation, without an attribution of its origin, says: “Let thy garments be always white—this refers to fringes. And let not thy head lack ointment—to tefillin (phylacteries)” (בכל עת יהיו בגדיך לבנים אלו) (ציצית ושמן על ראשך אל יחסר אלו הפילין).

This interpretation is not attributed to anyone, but appears as an additional interpretation (דבר אחר) to the interpretation of Rabbi Johanan ben Zakkai the Pharisee. From the context, we could argue that this is a parallel interpretation to ben Zakkai’s, so it should be

¹⁵⁸ *Matt.* 23:5.

¹⁵⁹ According to BT Shabbath, 153a.

¹⁶⁰ We consider Rabbi Johanan ben Zakkai a Pharisee, as explained in Chapter Two.

contemporary. We have found here an interesting support to the Christian writings that the Pharisees emphasized the prayer shawl tassels and the phylacteries, while abandoning the literal meaning of “Let thy garments be always white.” A literal interpretation of the verse would create a distinction between those who wore only white, and others who were less strict. The Essenes, whether or not as a result of this verse, practiced its literal meaning and created such a distinction. The Pharisees did not.

The context of the description in the Christian literature is also instructive. Adjacent to the issue of clothing, it is said that the Pharisees were interested in the important seats in synagogue, the places of honor at banquets, special respect when people met them on the street, and the right to be called Rabbi.¹⁶¹ This description indicates that they lived like everyone else, went to synagogue, walked around the city, and were only interested in certain signs of respect to dignify them above others. So, the changes are not significant or revolutionary, but are restricted to indications of social respect. This accords with our distinction between seceding groups and dissenting groups. The seceding groups, such as the Essenes and Qumran, are very easily recognized by their different clothing and the values this clothing represented. Their clothing and values implied the essential deviation from the norms. The dissenting groups, such as the Pharisees, were only recognized by their desire to receive social recognition within the normative society.

The Pharisees probably saw white garments as more dignified than colored clothes, and so preferred to wear white on the Sabbath. Here are some sources from the Mishnah and the Tosefta describing the clothing habits of the House of Rabban Gamaliel:

Rabban Shimon ben Gamaliel¹⁶² said: In my father’s house¹⁶³ they used to give white clothes to a non Jewish washerman three days before the Sabbath¹⁶⁴

¹⁶¹ *Matt.* 23:2–7; see earlier in this chapter.

¹⁶² This refers to Rabban Gamaliel the second, known as Rabban Gamaliel of Yavneh. He represented the second and third generations of Tannaites. On him and his period, see: R. Margalio, *Encyclopedia Lechakhmei Hatalmud Vehageonim*, “Gamaliel,” 81 (Hebrew).

¹⁶³ This refers to Rabban Gamaliel the first, known as “The Old.” He was even earlier than the first generation of Tannaites. On him and his period, see: R. Margalio, *ibid.*, 80 (Hebrew).

¹⁶⁴ *M. Shabbath* 1, 9. This Mishnah is connected to a dispute between the House of Shamai and the House of Hillel over giving laundry to gentiles before the Sabbath. See *M. Shabbath* 1, 8.

And in the Tosefta: “The members of the household of Rabban Gamaliel did not fold over their white clothing because they change it [and put on something else].”¹⁶⁵

Obviously we do not have an exact date for this, but since this is a description of the period of Rabban Gamaliel and his house, this is the period of the historical Pharisees, as we defined it at the beginning of the discussion.¹⁶⁶ Clearly these sources from the Mishnah and Tosefta refer to the clothing of the Sages, from which we can learn about the clothing habits of the Pharisees. The Mishnah deals with giving clothes to a gentile laundry person before the Sabbath. But the historical lesson from this Mishnah is that they wore white clothes on the Sabbath.

The Tosefta is interpreted as forbidding the folding of clothes due to their “correction” on the Sabbath, and due to the “preparation” from the Sabbath to weekdays. In principle, clothes can be folded so they do not become crumpled, as long as they are to be used the same day, and that there are not other clothes to change into. Here it is reported that the House of Rabban Gamaliel avoided folding clothes since they were white clothes for changing into. The result, according to the normal interpretation, is that they were careful to wear white clothes on the Sabbath, and also had other clothes to change into. This does not rule out the wearing of colored clothes, except that they avoided wearing them on the Sabbath for reasons of respect.¹⁶⁷

From this we learn that the Pharisees did not behave like the Essenes. The Essenes wore white garments at every meal, and did not replace their main garments unless they became worn out. They had no colored clothes. We have found hints of a similar approach in the Qumran literature. These sources show that the Sages had colored clothes and white clothes. They wore their white garments on the Sabbath, out of respect, but this was not a binding Halakhah. They also had replacement garments, which made things difficult for them from a Halakhic point of view, since they could not fold their clothes on the Sabbath. While the behavior of the Essenes

¹⁶⁵ Tosefta Shabbath, 13. There are versions where this appears in chapter 12. See: S. Lieberman, *Tosefta Kifshuta: Biur Arokh Latosefta*, I—Shabbath, New York & Jerusalem, 201 paragraph 75 (Hebrew); M. S. Zuckerman, *Tosefta*, Shabbath, Jerusalem 1970, 128 (Hebrew). Appears in BT *ibid.*, 113, 1.

¹⁶⁶ See above, Chapter Two, section 2.2.

¹⁶⁷ For commentary on this passage, see: S. Lieberman, *Tosefta Kifshuta . . .*, I—Shabbath, 201 (Hebrew), and see the continuation of this discussion in BT, *ibid.*

resulted from principles like modesty, communality and equality, the Pharisees did not act like this, and so probably did not believe in these principles, at least not to the same extent.

3.3 *The Family as a Sectarian Characteristic*

His home is his wife (BT Gittin 52a)

Marriage in the Ancient World

It is not clear when religious and legal marriage and divorce began in the Jewish tradition. Already in the Babylonian Code of Hammurabi there are references to the legal status of marriage and the ways of conducting the “purchase,”¹⁶⁸ but researchers are divided over when this practice started in the Jewish tradition. Many scholars argue that the legal application of marriage only started after the return to Israel following the Babylonian exile.¹⁶⁹

On the basis of Biblical verses,¹⁷⁰ the Yev papyri and additional sources, we can be certain that during the Persian period, i.e., in the fifth century B.C., the Jews already conducted a marriage ceremony and issued certificates of marriage and divorce. This does not prove that they did not have these practices even earlier, and many have dated the start of this process to the time of Moses or earlier.¹⁷¹ There are references to marriage already in the Bible,¹⁷² but the application of marriage as a binding tradition is under dispute. In the early Jewish writings, there are references to marriage in the Apocrypha, and it seems that these are the earliest real references (dated to the second century B.C.).¹⁷³ According to some interpretations, we could argue that one of the Qumran fragments refers to

¹⁶⁸ For example, the laws numbered 128 and 137 in the Code of Hammurabi. For further information, see: J. J. Collins, “Marriage, Divorce and Family in Second Temple Judaism,” in *Families in Ancient Israel*, L. G. Perdue et al. (eds.), Louisville 1997, 104–62, esp. 109.

¹⁶⁹ See: J. J. Collins, “Marriage, Divorce . . .,” 109; L. J. Archer, *Her Price is Beyond Rubies: The Jewish Women in Greco-Roman Palestine*, Sheffield 1990, 172.

¹⁷⁰ Verses from *Ezra* and *Malachi* testify that already in the Persian period there was a process of taking a wife and divorcing a wife, see: *Ezra* 9–10; *Malachi* 2:1–16.

¹⁷¹ See: J. J. Collins, “Marriage, Divorce and Family . . .,” 107–110. The verses in *Genesis* (for example: *Gen.* 2:24) certainly served as precedents, although there is no evidence of the existence of a legal procedure for this issue.

¹⁷² For example: *Leviticus* 21:13–15; *Deuteronomy* 24:1–4.

¹⁷³ See *Sirach* 25:21–22; *Tobias* 10:10, and elsewhere.

a marriage ceremony (the fragment numbered 4Q502), however, even this is controversial.¹⁷⁴ The evidence regarding Shimon Ben Shetach and his rules about a woman's Kettubah relate to an early period (first century B.C.).¹⁷⁵ A collection of papyri from Hever River and Murabba'at River, including the Babta Papyri, also testify to this, but are dated to a later period (second century A.D.).¹⁷⁶ Josephus, too, testifies to the practice of marriage as a tradition that had existed for many years, and even noted that polygamy was permitted (*War* 1, 477; *Ant.* 17, 14).

From all the sources at our disposal, several scholars have already described typical family life in the ancient era. They have described the practice of marrying at an earlier age than in the modern era,¹⁷⁷ the existence of certificates of marriage and divorce,¹⁷⁸ and the differences between the Jerusalem center and the isolated groups.¹⁷⁹ Among the details studied: marriage in the ancient era, divorce, polygamy, the attitude towards sexual intercourse, infidelity, and the theological implications of marriage and family life.¹⁸⁰ Scholars in this field have already shown that there were significant differences in family life between the Jerusalem center, such as the Pharisees, and the more isolated groups, the Essenes and Qumran.¹⁸¹ In terms of our study, there are significant differences between the seceding groups and the dissenting groups regarding women, sex and marriage. We shall discuss some of these differences in the realm of marriage, as they appear from the primary sources of the groups themselves.

The issue of family life reflects theology and values. Those that practice normative family life, see the raising of children and family

¹⁷⁴ See later in this chapter in the section on Qumran discussing 4Q502.

¹⁷⁵ The source regarding Shimon Ben Shetach will be cited below.

¹⁷⁶ For examples of this type of marriage and divorce certificates, see: J. T. Milik, *DJD* II: *Les Grottes de Murabba'at*, P. Benoit & J. T. Milik (eds.), Oxford 1961; N. Lewis, *The Documents from the Bar Kokhba Period in the Cave of Letters*, Jerusalem 1989, nos. 18, 37; H. Cotton, "A Cancelled Marriage Contract from the Judean Desert (Xhev/Se gr 2)," *Journal of Roman Studies* 84 (1994), 64–86.

¹⁷⁷ J. Archer, *Her Price is Beyond Rubies*, 152–153.

¹⁷⁸ See later in this chapter.

¹⁷⁹ We shall discuss some of these differences below. Some scholars who made this distinction: L. Swidler, *Women in Judaism: The Status of Women in Formative Judaism*, New Jersey 1976; J. J. Collins, "Marriage, Divorce and Family . . .," 104–162; For a summary of this topic in the context of the Jewish groups in the ancient period, see A. I. Baumgarten, *The Flourishing of Jewish Sects . . .*, 102–104.

¹⁸⁰ See Collins, *ibid.*, *ibid.*

¹⁸¹ See A.I. Baumgarten, *ibid.*, *ibid.*

life as a value in itself. In contrast, the abstaining groups stressed the ideological aspects of purity and avoiding sex.¹⁸² This distinction matches our premise that the seceding groups stressed values over normativity, and preferred total loyalty to the group (as Coser explained), while the dissenting groups stressed the normative system over ideology, and were able to spread their attention over several fields of interest.

The Family Life of the Seceding Groups

In Chapter Two¹⁸³ we saw how the aspect of the Essenes' family life was central for understanding the group. We also saw how the literary sources are divided over this issue. As a result, scholars are also divided.¹⁸⁴ Philo and Pliny stated explicitly that the Essenes avoided all contacts with women. This is what Pliny said:

On the west side of the Dead Sea . . . is the solitary tribe of the Essenes, which is remarkable beyond all the other tribes in the whole world, as it has no women and has renounced all sexual desire . . .¹⁸⁵

In this description, Pliny stresses two separate issues: the fact that they did not marry, and the fact that they abstained from sex from ideological principle. This description of Pliny accords with Philo's description, and some of Josephus' descriptions. Philo adds an explanation for their attitude:

Furthermore, they eschew marriage because they clearly discern it to be the sole or the principal danger to the maintenance of communal life . . . For he who is either fast bound in the love lures of his wife or under the stress of nature makes his children his first care ceases to be the same to others . . .¹⁸⁶

These words of Philo note not only the fact that the Essenes objected to marriage, but the reason for this objection. Philo's explanation is remarkably similar to Coser's explanation of greedy institutions.¹⁸⁷ According to Philo, these groups were interested in the members

¹⁸² As stated by Collins, *ibid.*, 148.

¹⁸³ In Section 2.3 on the Essenes.

¹⁸⁴ See for example: T. S. Beall, *Josephus' Description . . .*, 66–73; E. Schürer, *The History of the Jewish . . .*, II, 565–74.

¹⁸⁵ Pliny, *Natural History* V, 73, in *LCL* Pliny II, 277.

¹⁸⁶ Philo, *API (Hypothetica)*, 11.14–11.17 (633–34), in *LCL*, IX, 443.

¹⁸⁷ For Coser's words in this context, see Chapter One, section 1.1.

giving their foremost and total loyalty to the group. Anything that could diminish this loyalty was rejected. Thus Philo testifies that the fear that women and children could diminish the members' loyalty and priority to the group were the reason for discouraging family life.

Josephus supports Pliny and Philo's accounts in some places, and differs in other places. His support can be found in several places, such as:

They neither bring wives into the community nor do they own slaves . . . Instead they live by themselves and perform menial tasks for one another.¹⁸⁸

In *War*, Josephus repeats this in different words:

Marriage they disdain, but they adopt other men's children . . . they do not indeed on principle condemn wedlock and the propagation thereby of the race, but they wish to protect themselves against women's wantonness, being persuaded that none of the sex keeps her plighted troth to one man.¹⁸⁹

Here we see how Josephus introduces a certain hesitancy about the renunciation of marriage in principle, but supports the argument that the Essenes saw women as negative, in contrast to positive spiritual principles. In these sources, we see how Pliny and Josephus saw a direct link between the Essenes' behavior and their ideological principles. The avoidance of marriage is linked to the principles of forsaking earthly pleasures (sexual intercourse) and avoiding negative spiritual influences attributed to women. However, in other places Josephus changes his account, noting that some Essene groups did permit marriage. He added that even those groups where marriage was allowed avoided sexual intercourse that was not for reproduction:

They give their wives, however, a three year's probation and only marry them after they have by three periods of purification given proof of fecundity. They have no intercourse with them during pregnancy thus showing that their motive is not self indulgence but the procreation of children.¹⁹⁰

¹⁸⁸ Josephus, *Ant.* 18, 21, in *LCL*, Josephus, *Jewish Antiquities*, IX, 19.

¹⁸⁹ Josephus, *War* 2, 160–61, in *LCL*, Josephus, *Jewish War*, II, 369.

¹⁹⁰ Josephus, *War* 2, 160–61, in *LCL*, Josephus, *Jewish War*, II, 385.

This source, describing Essenes who did marry, would apparently seem to be the most positive source regarding marital life among the Essenes, however, it still says explicitly that the Essenes avoid sex for pleasure, and put the wife through a test period to ensure her suitability. According to Josephus, three years and another three months are required to ensure that a woman is suitable for the group.¹⁹¹ This cautious approach resulted from their principles and values requiring them not to engage (or appear to engage) in personal pleasures, and to avoid the negative elements of women's spirituality.¹⁹²

We have seen that the principle of avoiding women also resulted from a clear negative opinion regarding the character of women. They saw women as a source of negative spiritual aspects.¹⁹³ This approach was not rare during the Second Temple period.¹⁹⁴ However, women were important for fulfilling commandments such as "increase and multiply." The negative approach to women on the one hand, and the dependence on women on the other hand, can explain the contradictory sources. We can see here a consistent approach of denouncing women and not having intercourse for pleasure, and at the same time "keeping" women in the community for the fulfillment of commandments that depend on them; sexual intercourse for reproduction only.¹⁹⁵

¹⁹¹ Various scholars have discussed this three-year period of proving fertility. See for example: L. H. Schiffman, *Reclaiming . . .*, 120. Some scholars believe there is a problem with the text. See for example: H. S. J. Thackeray, Josephus: *Jewish War II*, in *LCL*, II, 385.

¹⁹² Stegemann and other scholars have argued that the Greek authors were wrong about the Essenes' avoidance of marrying women. Among the causes of this mistake, they listed the Greek authors' comparison of the Jewish groups to Greek models. We should note that we could similarly argue that these scholars' argument is a mistake, due to their mistaken assumption (or attempt to prove) that the Essenes and Qumran were identical. As we shall see below, the Qumran group was not identical to the Essenes in this aspect, and as a result, these scholars tried to claim that it was the Greek authors who were mistaken. See H. Stegemann, "The Qumran Essenes—Local Members . . .", 83–175; J. J. Collins, "Marriage, Divorce . . .", 131; T. S. Beall, *Josephus' Description . . .*, 66–67; L. H. Schiffman, *Reclaiming . . .*, 128–29.

¹⁹³ Josephus, *War*, 2, 121; *Ant.* 18, 21.

¹⁹⁴ The Apocrypha also show a negative view of women, which was common in the ancient era. See for example: *Sirach* 25:17–26:29, in A. Kahane, *Hasfarim Hachizoniyim*, 487–88 (Hebrew). Strugnell's conclusion is interesting: "the association of women with trouble making belongs quite naturally to the Wisdom Literature of the OT." J. Strugnell, "Flavius Josephus and the Essenes: Antiquities XVIII," 110. For a more extensive discussion of this issue, see: T. S. Beall, *Josephus' Description . . .*, 72–73.

¹⁹⁵ In line with the approach of Beall, see T. S. Beall, *Josephus' Description . . .*, 70–71.

Perhaps the Essenes' non-objection to children supports this interpretation. They even adopted children, provided they could still be educated in their ways.¹⁹⁶ The adoption of children was one way of maintaining the group's existence over time, especially in groups that completely avoided contact with women, thus depriving them of the option of natural reproduction.

So we can say that the Essenes in general abstained from women and normative family life. They did this even though they were isolated from the center and would lose strength and numbers in the long term. There may have been groups of Essenes who had women, but even there the negative attitude was no different, and sex for pleasure was not acceptable.

These principles of the Essenes stemmed from values such as: abstinence from earthly pleasures, non-exposure to the negative influence of women, and the wish to control their desires as a value in its own right.¹⁹⁷ Perhaps the main reason was stressing loyalty to the group, as we saw in Philo.

The Attitude towards Family Life in Qumran

Like the Qumran literary sources, the archaeological findings also show an ambivalent attitude towards women and family life in the Qumran society. The archaeological excavations of the Qumran site revealed the community's cemetery.¹⁹⁸

In the complex of over 1,100 graves, no more than a few burials of women were found.¹⁹⁹ This leads to the following conclusions:

1. The Qumran community did not object completely to the existence of women in the settlement.
2. There were indeed women in the settlement at certain periods.

¹⁹⁶ Josephus, *War* 2, 120. On the adoption of children by the Essenes, see: T. S. Beall, *Josephus' Description . . .*, 69–70.

¹⁹⁷ Josephus, *War* 2, 120.

¹⁹⁸ For a full description of the site see A. Stern (ed.), *Haencyclopedia Hachadasha Lechafrot Archaeologiot Be'ertz Israel*, Jerusalem 1992, "Qumran," 1359–1361 (Hebrew). For a specific discussion of the Qumran group's burial customs, see: R. Hachlili, "Burial Practices at Qumran," *RdQ* 16 (1993), 247–64.

¹⁹⁹ Only four female skeletons were found at the site. In addition, several burials of women and children were discovered in two more marginal cemeteries, in the north and east sides of the Qumran valley. On this issue, see: R. de Vaux, *Archaeology and the Dead Sea Scrolls*, 47.

3. The number of women is low in relation to the number of men; therefore the Qumran community did not encourage this phenomenon.²⁰⁰

These material findings match the attitude in the literary findings of the Dead Sea Scrolls. According to their writings, it seems that they did not completely oppose family life and marriage. Perhaps what prevented them from adopting this position is the existence of marriage in the Bible, where it is not condemned. Various sources imply the existence of women in the Qumran society.²⁰¹ Nevertheless, Qumran had an extreme position regarding the impurity of women, and it appears from their writings that there were two alternative paths in a man's life, one with a wife, the other without. In their opinion it was preferable to choose the second path. Here are some quotations from the sources, to be analyzed below:

1. "By unchastity, (namely) taking two women in their lives, while the foundation of creation is 'male and female He created them' . . . and of the prince it is written 'Let him not multiply wives for himself,' now the precept of incest is written from the point of view of males, but the same (law) applies to women . . ." ²⁰²
2. "and let him separate himself from all impurities, according to their precept; and let no man defile his holy spirit . . . but if they live (in) camps, according to the rule of the land, and take wives and beget sons, then they shall walk according to the Torah and the precept established according to the rule of the Torah, as he said: 'Between a man and his wife and between a father and his son'." ²⁰³

²⁰⁰ This can be interpreted differently. For example, Schiffman claimed that the low number of female graves does not imply a negative attitude towards women, but only the fact that they were dispersed in several locations. We believe that this position relies on too many assumptions and is not sufficiently established. We have no evidence to establish the degree of dispersal of Qumran, and we have no reason to assume, as Schiffman did, that Qumran had only a few permanent inhabitants. See: L. H. Schiffman, *Reclaiming . . .*, 135.

²⁰¹ See sources mentioned above and in the following notes. For additional sources, see: T. S. Beall, *Josephus' Description . . .*, 66–73.

²⁰² *Damascus Document*, column 4 line 20—column 5 line 11, according to: J. H. Charlesworth 1995, 19–20. Compare: P. R. Davies, *The Damascus Covenant: An Interpretation of the "Damascus Document,"* Sheffield 1983, 105–119, 242–43.

²⁰³ *Damascus Document*, column 7 lines 3–8, according to: J. H. Charlesworth 1995, 24–25. For a repetition of the same principles in the same scroll, see *ibid.*, column

3. "Let no man lie with a woman in the city of the sanctuary to defile the city of the sanctuary with their pollution" (אל ישכב) אֵלִישׁ עִם אִשָּׁה בְּעִיר הַמִּקְדָּשׁ לְטַמְּא אֶת עִיר מִקְדָּשָׁם בְּנִדְחָם.²⁰⁴
4. "No young boy or woman shall enter their camps when they leave Jerusalem to go to battle until their return" (וכול נער) זַעֲטוּט וְאִשָּׁה לֹא יִבְאוּ לְמַחֲנֵיהֶם בְּצֵאתָם מִירוּשָׁלַיִם לְלַכֵּת לְמַלְחָמָה עַד (שׁוֹבִים).²⁰⁷

We can see in these citations both a positive and a negative attitude towards women. The most prominent positive attitude is the comparison between the basis of Creation and the existence of women, noting that "male and female He created them" (quotation 1 above). They also compared men and women and noted that in principle they were equal. The equality is also expressed in the statement: "now the precept of incest is written from the point of view of males, but the same (law) applies to women" (quotation 1 above).

This implies that the Qumran society could not reject women outright, since they were in the "basis of Creation," and since they were created with men and bound by the commandments just like men. Also, they declare that it is possible to marry (in quotation 1), provided one does not practice polygamy.²⁰⁸ Some scholars have understood from this verse further bans, like the forbidding of divorce,²⁰⁹ or a prohibition on sexual intercourse except for reproductive purposes.²¹⁰ However, the meaning of permitting marriage is clear. There are

19, lines 2–5, according to Charlesworth, *ibid.*, 30. Davies interpreted this passage differently to Charlesworth, see later in this chapter.

²⁰⁴ *Damascus Document*, column 12 lines 1–2, according to manuscript A, in Charlesworth, *ibid.*, 50–51. We should note that Davies omitted this passage from its place in his edition from 1983.

²⁰⁵ There are some versions without וכול. See Charlesworth, *ibid.*, note 85.

²⁰⁶ There are alternate versions, where the sentence starts with the woman and the others follow, with a connecting ו. For details, see Charlesworth, *ibid.*, notes 86–87.

²⁰⁷ *War Scroll*, column 7 lines 3–4, according to Charlesworth, *ibid.*, 110. Compare: Y. Yadin, *Megilat Milchemet* . . . , 300–301, 65–74 (Hebrew). According to the context it is clear that the ban on women's admission is also linked to issues of impurity.

²⁰⁸ Even this minimalist interpretation is subject to discussion. See: P. R. Davies, *Behind the Essenes* . . . , 73–85. See also next note.

²⁰⁹ See: P. Winter, "Sadoqite Fragments IV 20, 21 and the Exegesis of Genesis 1:27 in Late Judaism," *ZAW* 68 (1956), 74–77; G. Vermes, "Sectarian Matrimonial Halakhah in the Damascus Rule," *JJS* 25 (1974), 197–202; J. J. Collins, "Marriage, Divorce . . .," 129; P. R. Davies, *Behind the Essenes* . . . , 73–85.

²¹⁰ See Davies, *ibid.*, *ibid.*

also verses in the *Temple Scroll* from which some scholars have concluded that the Qumran community allowed divorce, and even permitted remarriage.²¹¹ Despite the positive attitude towards marriage, it appears from this and other passages in the Qumran scrolls, and even from a scroll considered to be devoted to the issue of marriage (4Q502),²¹² that there is still no complete equality between men and women. It appears from the Qumran scrolls that there were differences between men and women in terms of their tasks in this world, and one of the most prominent differences is their participation in the holy war to come.

The fourth source quoted above implies clearly that there are differences between men and women, including differences in matters of purity and impurity, and specific Halakhot. It seems that the attitude is positive, despite certain distinctions. However, examining the central question of the practice of family life shows that at least some of them were opposed to this. The second quotation above is interpreted as proposing two options, one with a wife, the other without.²¹³ We shall term these options, respectively, the “difficult way” and the “easy way.”

The Difficult Way versus the Easy Way

The second quotation mentioned above can be seen as compiled of two parts (according to Charelsworth’s interpretation). The first is the option to separate oneself from all impurities, to suffer and rise in the degree of sanctity. This option involves abstaining from sex and family life. As quoted:

²¹¹ According to the *Temple Scroll*, 54, 4–5; *ibid.*, 47, 16–17. See: J. M. Baumgarten, “Qumran-Essene Restraints on Marriage,” in *Archaeology and History in the Dead Sea Scrolls: The New York University Conference in Memory of Yigael Yadin*, L. H. Schiffman (ed.), Sheffield 1990, 14–15; J. J. Collins, “Marriage, Divorce . . .” 129–130; L. H. Schiffman, *Reclaiming . . .*, 132–133.

²¹² For additional passages implying a positive attitude towards women and marriage, see: L. H. Schiffman, *Reclaiming . . .*, 133–143. See also scholars’ discussions of 4Q502: M. Baillet, “Rituel de Mariage,” in *DJD VII: Qumran Grotte 4 (4Q482–4Q520)*, Oxford 1982, 81–105; J. M. Baumgarten, “‘4Q502’: Marriage or Golden Age Ritual,” *JJS* 35 (1983), 125–135. We should note that Baumgarten’s conclusion is that this document does not describe a marriage feast.

²¹³ This is how scholars tend to interpret this passage. See Charlesworth, *ibid.*, esp. note 64; J. M. Baumgarten, “Qumran-Essene Restraints on Marriage,” 18–19. See the opinion of Davies, who disagrees with the usual interpretation: P. R. Davies, *The Damascus Covenant*, 140–42.

and let him separate himself from all impurities, according to their precept; and let no man defile his holy spirit . . . to bring them life for a thousand generation(s)²¹⁴

ולחברל מכל הטמאות כמשפטם ולא ישקץ איש את רוח קדשיו כאשר הבדיל אל
להם כל המתחללים באלה בתמים קדש²¹⁵ על פי כל יסורו ברית אל נאמנות להם
להיותם אלף דור

The second option is:

but if they live (in) camps, according to the rule of the land, and take wives and beget sons, then they shall walk according to the Torah and the precept established according to the rule of the Torah, as he said: ‘Between a man and his wife and between a father and his son’²¹⁶

ואם מהנות ישבו כסרך הארץ ולקחו נשים והולידו בנים והתחלכו על פי התורה
וכמשפט היסורים כסרך התורה כאשר אמר בין איש לאשתו ובין אב לבנו . . .

In other words, according to Charlesworth’s interpretation,²¹⁷ these two passages are parallel opposites. The first passage represents abstinence from family life, while the second describes the practice of family life. It is possible to choose the second option and have a family. The implication of such a decision is the need for greater caution in following the Torah and its rules. It appears that the Qumran text considers the second option to be more difficult than the first option. As Charlesworth says:

Lines 4–9 apparently contrast celibates who “walk in holy perfection,” and to whom God promises eternal life, with others who marry and have children. Both lifestyles are legitimate, so long as the laws are followed.²¹⁸

And later:

Lines 6–9 show that marriage and childbearing are legal.²¹⁹

While both ways are legal, it appears that in the second way it is more difficult to follow the law of the Torah, and the first way is

²¹⁴ *Damascus Document* column 7 lines 3–5.

²¹⁵ There is a distinction between *קדש בתמים* in these lines and the later term *אם מהנות ישבו*, referring to family life. This implies that the former means avoiding family life. This is Charlesworth’s interpretation: J. H. Charlesworth 1995, 25 note 64.

²¹⁶ *Damascus Document* column 7 lines 6–9.

²¹⁷ For references to his interpretation, see later notes. However, this is not the only interpretation of this passage. See: P. R. Davies, *The Damascus Covenant*, 140–42.

²¹⁸ Charlesworth 1995, 25.

²¹⁹ Charlesworth, *ibid.*, note 67.

said to lead to “complete sanctity” and the promised rewards of living for a thousand generations. This indicates that the first way is better for achieving the main purpose, complete sanctity.

One of the main difficulties in the second option is impurity. Women are linked to various impurity issues, and thus cause impurity to men. In addition, she could lead to a person making a mistake, in terms of various issues of incest. This may be why these issues are stressed in their sources, as we have seen in the three sources quoted above (1–3). When they have to choose between a life of sanctity and a normative family life (marriage), they choose sanctity and reject marital life. This is how they arrived at the absurd statement, in source 3 above: “Let no man lie with a woman in the city of the sanctuary to defile the city of the sanctuary with their pollution” (אל ישכב איש עם אשה בעיר המקדש לטמא את עיר מקדשם בנדהם).

The forbidding of sexual intercourse in the city²²⁰ shows that sanctity was more important to them than normal family life, and that they chose the easy way rather than the difficult one.

Moreover, we should note that scholars have already concluded that the *Damascus Document* imposes fewer requirements on the group members than other works, such as the *Community Rule*.²²¹ As a result, the *Damascus Document*, which has a “lower degree of sanctity,” recognizes the possibility of marriage and legitimate family life, though with some hesitancy. Perhaps the preference for the abstention from family life reflects a real situation within the group at a later stage. The second source mentioned says that it is a commandment to avoid all impurities, implying that men should beware women. Their “expansive” interpretation regarding purity and impurity issues is directly linked to their family lives. It is worth mentioning again Klawans’ opinion that in the Qumran group there was a close connection between their moral approach and the application of purity and impurity.²²² There are additional sources showing that the Qumran

²²⁰ The approach that sees עיר המקדש as referring to the whole of the Jerusalem region, rather than the Temple complex, is accepted here.

²²¹ For example, Schiffman notes in his book that a group member according to the *Damascus Document* would only be considered a candidate on probation in the *Community Rule*. L. H. Schiffman, *Halakhah, Halikha Umeshichut . . .*, 23 (Hebrew).

²²² J. Klawans, “The Impurity of Immorality in Ancient Judaism,” 7–11. See above, Chapter Two, section 2.5.

community saw sexual intercourse as a negative thing²²³ and even interpreted Biblical events in light of this approach.²²⁴

We have found in the Qumran sources both a positive and a negative attitude, and argued that the negative attitude (avoiding women) was recommended. The ambivalent attitude to women is especially apparent in the poetry fragments from Qumran. There, too, we find both positive and negative attitudes, and the negative attitude includes direct and implied references to sex and to the woman's personality.²²⁵ Davies, too, concluded that although some female skeletons were buried at Qumran (for the minority that chose the difficult path), the principle in Qumran was avoiding women (most chose the easy path!).²²⁶

In other words, regarding the attitude of the seceding groups towards family life it seems that the Essenes and the Qumran group did not have identical opinions. Most of the Essene groups rejected family life, and even condemned it. Women were connected, in their opinion, to negative values, such as earthly pleasures and vices. In Qumran we have not found such a rejection. There are some positive references to women. They are at the basis of Creation, just like men, and have to obey some of the commandments, just like men. But a woman's path is more difficult. A married man finds it more difficult to avoid impurity, and has to take special care to avoid spiritual flaws in his relations with his wife. Thus, men had to choose whether to take the difficult path or the easy one. The spiritually easy path involves suffering (this implies a recognition of man's physiological needs), but leads to superior sanctity. This means one should prefer the easy path, without a wife and with the suffering, to the difficult path. On the basis of this and other sources, scholars have tended to conclude that the Qumran population abstained from

²²³ See: P. R. Davies, *Behind the Essenes . . .*, esp. 84–85.

²²⁴ For sources and a discussion on this, see: J. J. Collins, "Marriage, Divorce . . .", 129, esp. note 125. The Qumran group also examined relations with women in the context of relations with the king. On the marital law of the king according to the Qumran approach, see passages from the *Temple Scroll*, in L. H. Schiffman, *Reclaiming . . .*, 138. See also Davies, *Behind the Essenes . . .*, 77–78.

²²⁵ For an organized collection of poetry from Qumran on this issue, see: L. H. Schiffman, *Reclaiming . . .*, 138–1443. However, we do not accept his general interpretation of the attitude towards women in Qumran, as appearing in this work.

²²⁶ See: P. R. Davies, *Behind the Essenes*, 84–85. As he says: "It seems at any rate, that celibacy was the rule at Qumran, at least for a portion of their history."

women.²²⁷ We do not argue that they were completely celibate, but we can conclude that the two seceding groups preferred celibacy to normative family life. The Qumran community permitted family life, but believed it was less desirable.

Family Life among the Dissenting Groups

Among the dissenting groups, too, there are problems in relations between men and women and the achievement of sanctity. The difference is in the path they chose. The dissenting groups chose the first option, which might be more difficult spiritually, but was the normative way of maintaining the Jewish existence over the generations.

We can see that the Pharisees also had debates over issues of sanctity and women:

Jose ben Yochanan of Jerusalem said: Let thy house be open wide, and let the needy be members of thy household; and **engage not in much gossip with womankind**. They said this of one's own wife, how much more (does this apply) to the wife of one's fellow! Hence the Sages have said: **Whenever a man engages in much gossip with womankind he brings evil upon himself, neglects the study of Law and in the end will inherit Gehenna**²²⁸

יוסי בן דגן איש ירושלים אומר: יהי ביתך פתוח לרוחה ויהיו עניים בני ביתך, ואל חרבה שיחה עם האשה. באשתו אמרו, קל וחומר באשת חברו. מכאן אמרו חכמים, כל זמן שאדם מרבה שיחה עם האשה – גורם רעה לעצמו, ובוטל מדברי תורה וסופו יורש גיהנם.

There is no doubt that this source can be attributed to the Pharisee period.²²⁹ With such an opinion regarding women, it is hard to understand how the men of this period conducted normal family life. This source implies that women cause a spiritual decline, to the extent of losing the afterlife in heaven. A situation where men are not supposed to talk to their wives is certainly problematic.

However, the Pharisees did not choose the second, easy option. Throughout the Pharisee period we see how they conducted normal family life, and even saw this as a positive thing. We can see this

²²⁷ E. Qimron, "Celibacy in the Dead Sea Scrolls," in *Madrid Qumran Congress*, I, 287–294.

²²⁸ M. Abbot, 1, 5 (my emphasis—H.N).

²²⁹ This is the period of Couples, which a vast majority of scholars believes should be attributed to the Pharisee period. See: J. Neusner, *The Pharisees: Rabbinic Perspectives*, 10–22. See also above, Chapter Two, section 2.2.

from the many Pharisee sources dealing with family life. Neusner, with his critical approach, lists over twenty sources dealing with family life in a wide range of areas, including: the laws of Kettubah, marriage and levirate marriage, divorce laws, inheritance laws including the inheritance of women, sexual duties towards the wife, and more.²³⁰ Here are some of the passages that demonstrate most clearly how the Pharisees actively encouraged marriage and family life:

For it was taught: Jose ben Jo'ezer and Jose ben Yochanan of Jerusalem decreed uncleanness in respect of the country of the heathens and glassware. Shimon ben Shetach instituted the woman's marriage settlement.²³¹

It is interesting that there is here a linking of the speaker against women (Yossi ben Yochanan) with Shimon ben Shetach, who rules in favor of women so that they could marry men. According to the traditional interpretation of the rule of Shimon ben Shetach, he saw a situation where men "grew old and did not marry women," since women saw there was no money to cover the Kettubah. Shimon ben Shetach corrected the situation so that all of the husband's assets were in lien of the wife's Kettubah, so that people would marry, as quickly as possible.²³²

Here too there is no problem in attributing Shimon ben Shetach to the historical Pharisees.²³³ This source about Shimon ben Shetach's

²³⁰ See: J. Neusner, *The Pharisees: Rabbinic Perspectives*, 309, where he lists the references in the family area according to the Pharisee "Households" (schools of thought).

²³¹ BT Kettuboth 2b; *ibid.*, Shabbath 14b; *ibid.*, 17b.

²³² For the traditional interpretation of Shimon ben Shetach's ruling, see: BT Kettuboth 2b. For an extended scientific interpretation that supports these arguments, see: J. J. Collins, "Marriage, Divorce and Family . . .", 114–15. Klausner also agrees that this ruling was in the woman's favor. See: J. Klausner, "Hatekufa Hahellenistit," in *Hahistoria shel Am Israel*, A. Schalit (ed.), Jerusalem 1983, 170–71 (Hebrew).

²³³ According to the definitions above, Chapter Two, section 2.2. See also: J. Neusner, *The Pharisees: Rabbinic Perspectives*, 12. Shimon ben Shetach himself was one of the Couples, and his partner was Yehuda ben Tabai (see M. Abboth, 1, 8). There are also explicit sources showing that Shimon ben Shetach lived and acted during the Hasmonean period. He was also of the Hasmonean dynastic lineage, since he was said to be related to the brother of Queen Shlomzion, who was married to King Jannaeus. For sources about him, see: BT Kiddushin 6a; *ibid.*, Berachot 8a (cf. Yerushalmi Berachot 7b); BT Sanhedrin 19a–19b; *ibid.*, 37b; M. Sanhedrin 6, 4. For a survey see: R. Margalio, *Encyclopedia Lechamei Hatalmud Vehageonim*, II, "Shimon ben Shetach," 346–348 (Hebrew). See also Klausner's analysis of the proximity between Shimon ben Shetach and the Pharisees, and their impact on the status of women: Klausner, *ibid.*, *ibid.*

attitude towards women (and other sources) led Klausner to argue that the Pharisees in the Hasmonean period improved significantly the status of women compared with earlier periods.²³⁴

We learn of the duty to have sexual intercourse (both for reproductive and non-reproductive purposes), of the obligation to solve women's problems in order to allow them to marry, and of rules of the Sages (headed by Rabban Gamaliel) on family issues to "correct the world" from several sources.²³⁵ One of the most telling sources is the following:

If one put his wife under a vow to have no connubial intercourse, the school of Shammai say for two weeks. But the school of Hillel say for one week only. The times for marital duties enjoined in the Law are: for men of independent means every day, for workmen twice weekly, for ass-drivers once a week, for camel drivers once every thirty days, for sailors once every six months . . .²³⁶

To conclude the Pharisaic sources, here is the story of the marriage of Rabban Gamaliel's daughter. This marriage presents the dilemma of sanctity versus marriage, and we see that in the Pharisaic world they solved the problem without harming the normative practice of marriage. They did not consider canceling the marriage, but instead made sure to find a practical solution to the issue they faced:

Rabban Gamaliel the elder married off his daughter²³⁷ to Simeon ben Netanel the priest and made an agreement with him that this was done on condition that she not prepare foods requiring conditions of cleanness while subject to his supervision . . .²³⁸

²³⁴ As Klausner states: "In general, the situation of women in Judea improved during the Hasmonean period. The legend of "Hannah and her Seven Sons" from the days of the persecutions of Antiochus proves that the nation knew to appreciate the firm religious and national stance, full of internal awareness, of the Jewish woman . . . All these testify reliably that the treatment of women improved during the period of Hasmonean Judea, as does the place of Queen Shlomzion in the life of the nation {in a period of Pharisee rule}. The rules corrected by Shimon ben Shetach regarding women's Kettubah were merely a religious-legal affirmation of this advanced political and cultural situation." See Klausner, *ibid.*, *ibid.*

²³⁵ For different examples see: M. Yebamoth, 6, 6; M. Yebamoth 17, 7; M. Gittin 4, 2. Discussed in: Neusner, *The Pharisees: Rabbinic Perspectives*, 30–34.

²³⁶ M. Kethuboth, 5, 6.

²³⁷ According to one version, his daughter's daughter.

²³⁸ Tosefta Aboda Zara 3, 10. According to M. S. Zuckerman, *Tosefta*, Aboda Zara, 464, lines 6–10 (Hebrew). For analysis and explanation, see: Neusner, *The Pharisees: Rabbinic Perspectives*, 40–41.

From this concrete example we can learn several things:

1. Marriage in the Pharisaic world was a positive thing (even in the household of the president).
2. Even priests serving in the Temple married.
3. When issues of purity and impurity arose, they were solved in a normative way, i.e., in a way that would not prevent the marriage altogether.

Conclusions: Seceding Groups and Dissenting Groups on Family Life

To summarize the attitudes of the various groups to family life, we can note that the difference between the seceding groups and the dissenting groups is not in the contents, but rather in how they treated these contents. Both group types found spiritual and Halakhic problems associated with women. The difference between them was the extent to which they let these problems disrupt normative life. For the Essenes, at least most of them, the normative family life was cancelled, for the sake of those spiritual matters and sacred values. In Qumran they preferred the path that avoided marital life, to the more difficult path (in spiritual terms) of living with women. In contrast, the Pharisees did not refrain from marriage, quite the opposite. The Pharisees encouraged marriage in every way they could: they ruled in favor of women, dealt with problems of witnesses and divorce, and found solutions to problems that made the process difficult. Despite the spiritual difficulties, the dissenting groups had no doubt that the normative path was preferable, even if the spiritual values “suffered” as a result.

Here too we see how the seceding groups did not compromise, and preferred the spiritual world of their values to the normative world. Thus, they made group loyalty the highest and preferred value. If family life diminished the member’s loyalty to the group and its values, then family life had to be abolished. The dissenting groups, in contrast, preferred normative life to absolute values.

Conclusions: Lifestyle

We have dealt here with three issues from the realm of lifestyle: communal eating, clothing and family life. In many of them we found differences between the two types of groups, both in the general tendency and in the details. Sometimes the difference is in the tendency rather than the details.

On the issues of communal eating and clothing, we saw that the seceding groups, unlike the dissenting groups, created a clear boundary between themselves and the rest of the world. They did not permit communal eating with other groups at all (even at their own table), and sometimes even restricted group members. By conducting communal meals for the group members they created high internal cohesion, including an eating ceremony that united the entire group. Similarly in the area of clothing, the seceding groups required modest, uniform clothing, with preference for simple, white garments. They had no more clothes than necessary.

In both these issues we found a significant difference between the two types of groups. The dissenting groups permitted communal eating with other groups (and even with the Christians, according to Christian sources), and did not require high internal cohesion. Regarding clothing, the dissenting groups did not require a uniform, but permitted colored clothes and even a change of clothing.

On the issue of family life we saw that all the groups (including the dissenting groups) evolved against the background of an approach that saw women as delaying the achievement of sanctity and spirituality. The difference between the types of groups is in the general tendency that resulted from this attitude. The seceding groups, emphasizing values over normativity, preferred to cancel normative life for the sake of their values. This was expressed in preaching abstinence from marriage (preferring the easy path in the Qumran group), the ban on sex for pleasure (or a total ban on sex). All these were aimed at developing the values of sanctity and spirituality and the absolute loyalty to the group. The dissenting groups preferred normative life to a life of values, and therefore compromised in the spiritual realm for the sake of family life. In this context, they had a duty to have sexual intercourse as a normative obligation.

It appears that the general rule of the seceding group is separatism. Their wish to be separate is particularly noticeable due to their geographic distance from the center and their desire for such separation. The principle of separation from other groups is made explicit in the words of the seceding groups, as expressed in the Dead Sea Scrolls. The Qumran group mentions specifically that they should remain separate from the other groups in all ways.²³⁹ There is even

²³⁹ For explicit sources see for instance *Damascus Document* column 6 lines 11–15, according to: J. H. Charlesworth 1995, 22; *Community Rule* 5, 1–2. According to J. Licht, *Megilat Hasearakhim*, 123 (Hebrew). Cf. J. H. Charlesworth 1994, 18.

special emphasis on going into the desert as a form of spiritual separation:

they shall separate themselves from the session of the men of deceit in order to depart into the wilderness to prepare there the Way of the Lord, as it is written: In the wilderness prepare the way of the Lord, make level in the desert a highway for our God. .²⁴⁰

The Qumran scrolls often stress the monastic nature of their life.²⁴¹

We have no direct evidence regarding the Essenes, but their whole way of life implied that they did not see fit to be part of the social center in Jerusalem.

In contrast with these two seceding groups, the Pharisees and the Jerusalem Sadducees supported staying in Jerusalem and living together with normative society there. This is no coincidence.

The Pharisees' slogan, attributed to Hillel, was: "Separate not thyself from the community (אל הפרוש מן הציבור)²⁴²—in complete contrast to the words of Qumran: "Separate yourself from the people of injustice" (היבדל מאנשי העול).²⁴³

The seceding groups' separatist principle was noticeable in the three areas we examined in this chapter. In the field of food, they maintained complete separation between their meals and those of the other groups. Not only did they not visit the groups in Jerusalem, but they also refused to host their members at their own table. The existence of this principle towards the other groups shows that their holding communal meals within the community was just as important a principle. The meal became a sort of holy ceremony with very clear rules. All these indicate the sanctity and spirituality they attributed to the meal. In the area of clothing, too, we saw that they wore typical clothing: uniform, modest, white. This clothing enabled the identification of group members even by those who did not know them personally. Again, this creates a distinction between group

²⁴⁰ *Community Rule* 8, 13–14. According to J. Licht, *ibid.*, 181. Cf. Charlesworth, *ibid.*, 36.

²⁴¹ For sources on the monastic order of the group see *Damascus Document*, column 1 lines 1–2, with analysis and interpretation by J. M. Baumgarten, in *DJD XVIII: Qumran Cave 4: The Damascus Document (4Q266–273)*, by J. M. Baumgarten on the Basis of Transcriptions by J. T. Milik, Oxford 1994, 31. Also see M. Kister, "Olelot Misifrut Qumran," 317 (Hebrew). This passage was discussed more extensively earlier, in Chapter Two, section 2.5.

²⁴² Hillel in M. Abboth, 2, 4. We consider Hillel a Pharisee, based on the definitions in Chapter Two, section 2.2.

²⁴³ According to *Community Rule* 5, 1–2. See former five notes on this topic.

members and non-members. The clothing also represented values like: simplicity, modesty, frugality and the rejection of earthly pleasures. In the area of family life we saw that the seceding groups preferred to abstain from women, sex and normative family life, to normative family life, for the sake of sanctity and spiritual life.

One of the clearest examples of an accommodation in the Halakhah in order to enable the participation of the people in the Mitzvot and in the Jerusalem center is the permission of impurity during the pilgrimage. From this inclusive wish, they rule that even the ordinary people are loyal in Jerusalem during the pilgrimage despite the tithes.²⁴⁴ We accept Knohl's summary of this trend among the Pharisees:

The overall tendency in Pharisee practice was to remove boundaries and blur the differences during festivals, in order to enable the people to experience proximity to sanctity. This trend was realized in a bi-directional movement: the sacred objects moved from the sacred focus—the Temple—outside. In contrast, the people penetrated the sacred complex.²⁴⁵

On the basis of all the evidence, we have found significant differences between the two types of groups and the degree of their desire for separatism (in the seceding groups) compared to their wish for inclusivism (in the dissenting groups). We could say that the different wishes are well expressed in their lifestyle practices examined in this chapter. All the groups originated in a similar background, and they all maintained certain rules of separation, starting with separation between them and the gentiles, and including separating between various Jewish groups. Despite the similar background, the differences are still significant.

²⁴⁴ See M. Haggiga 3, 6. On this issue, see: E. E. Urbach, *ibid.*, 520–21.

²⁴⁵ I. Knohl, "Pulmus Hakitot Beyemei Bait Sheni Vahaascolot Hacoheiot Shebatorah: Sheelat Shituf Haam Beavodat Hamikdash Bamoadim," *Tarbiz* 60 (1991), 140. His summary is based on the dispute between the Pharisees and the Sadducees regarding the bathing of the Monorah. See below chapter four on this issue. The main source is: Tosefta Haggiga 3, 5, and in the Yerushalmi (see there). See: *Tosefta Kifshuta*, Haggiga, 1331. See on this issue: E. E. Urbach, *Hazal Pirkei Emunot Vedeot*, 522.

CHAPTER FOUR

SECEDING GROUPS AND DISSENTING GROUPS: HALAKHIC SYSTEM

This chapter discusses the Jewish groups in the Second Temple period from the viewpoint of their code of law. These groups devoted a significant proportion of their lives to observing the Mitzvot and interpreting the Bible. This is why it is important to examine this element of their lives. First we shall define the Halakhic aspect, in order to distinguish it from lifestyle and ideology, which are discussed in Chapter Three and Chapter Five, respectively. Then we shall distinguish between the seceding groups and the dissenting groups on the basis of their Halakhic systems, primarily in two main areas: the degree of compromise and the existence of an independent system of values. On these two issues we expect to find significant differences between the two types of groups in relation to their degree of compromise. Coser and others have already shown that non-compromise is essential to a greedy group.¹ As we expect non-compromise in the areas of lifestyle and ideology, so too we expect essential non-compromise in their Halakhic system. Chapter Five, especially the section on the continuation of prophecy, complements this chapter.² We shall later try to distinguish between a value-orientated Halakhic system and a norm-orientated one. A value-orientated Halakhic system is one whose highest loyalty is to values that lack social dependence (independent of normative society, such as nature, divine revelations, etc.). This is why their opinions are eternal, unchanging and considered as absolute truth. To support this claim we shall examine the arguments regarding eternal and absolute truth among the different groups.

¹ Coser has noted that a greedy group is never tolerant. It sees compromise as a sign of weakness and disloyalty. See: L. A. Coser, *Greedy Institutions . . .*, 107.

² The section on the continuation of prophecy (Chapter Five, sections 5.2–5.5) may provide an explanation for the non-compromise. A person who believes that his words originate from a divine source cannot compromise for the sake of any social needs whatsoever.

4.1 *The Place of Halakhah in the Lives of the Jewish Groups*

One of the features of the Jewish groups in the Second Temple period is the place and status of the Halakhah. The very existence of the Halakhah and its centrality are the most typical feature of the Jewish groups in the ancient era. An involvement in religious interpretations was common among normative society and various groups in the ancient world, but Halakhah is no mere religious interpretation.

We propose the following definition of Halakhah: “A system of binding rules of behavior, derived from scripture, both explicitly and through study, whose authoritative status is in scripture.”³

From this definition of Halakhah it is obvious that there is a clear distinction between Halakhah and those rules and procedures within the group, that while considered binding for group members, did not derive from scripture and were thus not Halakhot. These rules derived from another source of authority such as the group’s norms or the wishes of their leader. These shall not be termed Halakhot, but rather internal laws or groups procedures.⁴ The group itself may not have differentiated between these two types, but when we analyze their words, we must distinguish between a scripture-based Halakhah and a procedure or practice without any Biblical basis. The latter could be innovations of the groups’ leaders for various purposes. Some make this distinction regarding the Qumran scrolls.⁵ Although it is possible to argue that any rule of the group or its leader became Halakhah, since they demanded this behavior in practice,⁶ from our point of view it is necessary to distinguish between

³ This a new version of the definition offered by Davies, in P. R. Davies, “Halakhah at Qumran,” 38.

⁴ This division is important for distinguishing internal rules resulting from the group’s needs or wishes, without any religious connection, and laws resulting from religious interpretation.

⁵ See for example how Schiffman differentiates between the Halakhot of the *Community Rule* and the Halakhot of other books: “It must be emphasized that the Halakhic material in the *Manual of Discipline* pertains only to the internal organization of the sect.” (L. H. Schiffman, *The Halakhah at Qumran*, Leiden 1975, 5). We do not term such rules Halakhot, but rather internal laws or internal rules.

⁶ See for example Sperber, who quotes two possible verses that would turn all practices into binding Halakhah: *Deut.* 19:14 and *Proverbs* 22:28. D. Sperber, *Minhagei Israel*, I, 20–23 (Hebrew).

Halakhot derived directly from the study and interpretation of scripture and leadership instructions that become binding.⁷

From the above definition it is clear that not every practice appearing in the sources as a religious practice shall be called here Halakhah. We call some of them “lifestyle,” and others “ideology.” While there are many practices resulting from worship and even from a wish for a sacred and spiritual life, they may not be Halakhah at all. In terms of this study, only behaviors that clearly match the criteria defined above, i.e., derived from scripture, drawing their authority from the Bible, and including practical behaviors and actions (performance or non-performance of a certain action) shall be considered Halakhic behavior. They should also become part of the everyday religious ritual to be considered real Halakhot.

It was only after Qumran texts had been deciphered, such as the *Temple Scroll*, and *Miqsat Ma’ase Hatorah*,⁸ that the Halakhah became considered more important and relevant to the historical aspects of the Jewish groups. Since the middle of the nineteen eighties large numbers of articles and books on Halakhic issues in the sectarian context have been published.⁹

It seems that the main reason for stressing the Halakhah, apart from the publication of the Qumran texts, was the renewed interest of various scholars, including Y. Sussman, J. M. Baumgarten and

⁷ We know of instructions in Pharisaic literature that indicate that the decisions of the court, the Sanhedrin or even the current leader (even if he is unjust) became Halakhah, even if they were not related to the interpretation of scripture, and even if they were wrong. We shall discuss this later in this chapter.

⁸ Mainly following the publication of the *Temple Scroll* by Yigael Yadin, and the deciphering of *Miqsat Ma’ase Hatorah* (and its publication in *DJD* X). One sentence from *MMT*, stressing the Halakhah as a reason for the group’s secession, should be noted in particular: ואחם יודעים שפרשנו מרוב העם ומכול שומאחם ומדהערב בדברים; הלאה in: E. Qimron & J. Strugnell, “Qumran Cave 4: *Miqsat Ma’ase Ha-torah*,” in *DJD* X, Oxford 1994, “The Composite Text,” C, lines 7–9, p. 58.

⁹ Among the important books and articles that placed the Halakhah at the center of the group phenomenon, we can mention especially: L. H. Schiffman, *Halakhah, Halikha Umeshichiut Bekat Midbar Yehuda*, Jerusalem 1993 (Hebrew); A. I. Baumgarten’s review of Schiffman’s book in *Zion* 58 (1993), 509–13 (Hebrew); L. H. Schiffman, *The Halakhah at Qumran* (1975); J. M. Baumgarten, *Studies in Qumran Law*, Leiden 1977; *ibid.*, “The Pharisaic-Sadducean Controversies about Purity and the Qumran Texts,” *JJS* 31 (1980), 157–70; L. H. Schiffman, *Sectarian Law in the Dead Sea Scrolls: Courts, Testimony and the Penal Code*, California 1983. So far we have mentioned particularly notable books and articles that revitalized the Halakhic research. For articles on specific issues, see especially the numerous articles of: A. I. Baumgarten, M. Kister, M. Broshi and additional articles of L. H. Schiffman, S. Lieberman and others (see Bibliography).

A. I. Baumgarten, in this subject.¹⁰ The increasing interest led to a greater number of scholars placing Halakhah at the heart of the study of Jewish groups in the Second Temple period and linking the Halakhah to wide historical aspects. Kister, referring to the Qumran group, links the Halakhah to the entire existential experience of the sects' life and to the establishment of the sect.¹¹ Later he even argues that the group's theology stemmed from its Halakhic-legal system.¹² While in the past scholars thought that Halakhah was less important than the other systems, now the situation has been reversed. One can see the Halakhah as the starting point for discussion in many other fields.

Despite increasing interest in the Halakhic aspects of the Jewish groups, even today this area is one of the most neglected in the study of Second Temple Jewish groups.¹³ The reason for this may be that scholars have been educated in schools of thought and in concepts that led them towards social, ideological and class aspects. These are not typical only of Jewish groups, but are universal aspects common to groups in all cultures and times. While some scholars have dealt in depth with the Halakhot of a particular group, the study of Halakhah is usually conducted in the context of the attempt to identify the groups, and not as a study of Halakhah per se. Apart from misleading concepts, the literary sources at the scholars' disposal were probably also a main reason for the neglect of Halakhah as a central theme. One of the main reasons was the tendency of scholars to prefer the Greek and Latin literary sources, while ignoring the literature of the Sages. This may be attributable to the Christian background of some of the scholars. Perhaps this was why for a long time scholars used mainly the descriptions of Greek and Latin authors (Josephus, Philo and Pliny) for describing the various groups. In these Hellenistic writings, Halakhah occupies a marginal place. They stress a wide range of other aspects, especially ideology, lifestyle,

¹⁰ Especially the articles of Sussman and Baumgarten mentioned in the previous note and below in this chapter, and others listed in the Bibliography.

¹¹ M. Kister, "Some Aspects of Qumranic Halakhah," in *Madrid Qumran Congress*, II, 572.

¹² *Ibid.*, 573.

¹³ This does not apply only to the Qumran group, but to all the groups, including the Pharisees and the Sadducees.

internal laws, and the attitude to the surrounding society. Since these authors were the main sources on the groups, the scholars' resulting tendency to neglect the Halakhic aspect is more understandable.

The Halakhic Issues at the Center of the Groups' World

From the various sources, we learn of the Halakhic issues that interested the Jewish groups discussed in this study. The Halakhic issues of the Pharisees and Sadducees are mentioned in Josephus, the Tannaitic literature and the Christian literature. The Halakhic issues of the Essenes appear in Josephus and Philo of Alexandria. The Qumran group's Halakhic issues are revealed in their independent writings.

In contrast to the Qumran scrolls and the Tannaitic literature, the Greek authors (Philo and Josephus) do not describe the details of the Halakhic disputes, since their descriptions are very general. We can only note the issues the groups dealt with in the Halakhic context. According to these two Hellenistic authors, all the three groups they mention, namely the Pharisees, Sadducees and Essenes, studied and interpreted scripture. Josephus stated that the Pharisees were the main group known for their *akribeia* and *paradosis* (see above, Chapter Two, section 2.2), but in the writings of Josephus and Philo we can see that all three groups stressed a tradition of interpreting the written Bible.

Philo wrote explicitly that the Essenes studied the laws of their ancestors, considered as divinely inspired.¹⁴ While he uses the most general term, *nomos*, the mention of the attribution of divine inspiration proves that these are the laws of the Torah and not any new laws or practices. To clarify which "laws" these were, Josephus reported that the Essenes studied the "holy books" (βίβλοις ἱεραῖς) and the words of the prophets (προφητῶν ἀποφθέγματος).¹⁵ Philo clarified that at least part of their study of the "books" was allegorical.¹⁶

Josephus says more about the Pharisees, noting that they studied and interpreted the laws of the holy books. He used the term

¹⁴ Philo, *QOP* 80.

¹⁵ Josephus, *War* 2, 159.

¹⁶ Philo, *QOP* 82.

ἐξηγεῖσθαι, which applies specifically to the interpretation of texts.¹⁷ Although Josephus tried to minimize the involvement of the Sadducees in Torah and Mitzvoth, we learn from him too about their interest in this field. He notes that they dealt with laws,¹⁸ and despite his use of the general term *nomos*, it is clear from the context and from the comparison with the Pharisees mentioned earlier, that these are the laws of the Torah. Josephus argues that they did not believe in the interpretative tradition that accompanied the Torah,¹⁹ but in other places he is less consistent. Josephus himself notes, in the same passage, that they disagreed with their teachers. Also, when John Hyrcanus transferred authority to the Sadducees, they sought to overturn the Pharisees' interpretations in favor of their own interpretations.²⁰ This implies that the Sadducees had their own way of interpreting scripture, which was different to that of the Pharisees. Similarly, when the Pharisees regained control, they cancelled the Sadducees' way in favor of their own traditions.²¹ All these sources show that all three groups were involved in the study and interpretation of the Bible, and all three had an interpretative tradition regarding Biblical law. From Philo and Josephus we can list some of the Halakhic issues that interested the groups in ancient times.

Among the main Halakhic issues: the observance of the Sabbath,²²

¹⁷ This term appears over twenty-five times in Josephus, mainly in two senses: leadership and interpretation. Regarding the Pharisees, it appears in *War* 2, 162–63, in the context of their *akribeia* and *paradosis*. It also appears in the context of another unidentified person of negative character (“a complete scoundrel”), and in a clear reference to the interpretation of scripture. It says there explicitly that he “interpreted the wisdom of the law of Moses”: ἐξηγεῖσθαι σοφίαν νόμων τῶν Μουσέως (*Ant.* 18, 81–82). Thus, we must conclude that he used this term in reference to interpreting scripture. See: S. N. Mason, *Flavius Josephus on the Pharisees*, 106, 177, 277, 302, esp. 106 notes 97–98. See also *Ant.* 18, 12–13 on the Pharisees observing the commandments strictly and respecting the words of their ancestors.

¹⁸ Josephus, *Ant.* 18, 16.

¹⁹ Josephus, *Ant.* 18, 16. Josephus argues that the Sadducees only accepted the laws written in the Torah and did not accept an interpretative tradition of these laws. See: L. H. Feldman, Josephus, *Jewish Antiquities*, IX, 14, note a. Josephus is even more explicit in *Ant.* 13, 297. See: C. Albeck, “Lemachloket Haprushim Vehazdukim Beinyaney Hamikdash Vekodshav,” *Sinai* 52 (1963), 1 (Hebrew).

²⁰ Josephus, *Ant.* 13, 296.

²¹ Josephus, *Ant.* 13, 408.

²² When Philo describes the Essenes, he notes that they gathered on the “seventh day,” which they considered a holy day (ἑπτά). On this day they were strict about the following: ceasing work, studying and gathering in their gathering houses. See: Philo, *QOP*, 81–83; *API (Hypothetica)* 7.10–7.14 (359–60) [630]. Josephus adds that the Essenes did not cook on the Sabbath, did not light fire on the Sabbath, and did not eliminate waste on the Sabbath. See: *War* 2, 147–49.

laws of the Sabbatical year and the Jubilee year,²³ various laws of purity and impurity,²⁴ the conducting (or wish to conduct) sacrifices and Temple worship,²⁵ the observance of oaths,²⁶ hints at special eating rules (Kashrut),²⁷ various incest laws,²⁸ and the observance of the Mitzvoth in general.²⁹

From these authors' descriptions we cannot know the exact details of the Halakhot and the disputes. The details are revealed in the Christian literature, the literature of the Sages and the Qumran texts. These sources demonstrate that the Halakhah played a central role in the phenomenon of the Second Temple Jewish groups.

The Christian works inform us of additional Halakhic issues, including issues that were not scriptural but that resulted from various degrees of religious strictness, including: washing hands before a meal (and/or bathing),³⁰ observance of the Sabbath (not picking ears of corn on the Sabbath),³¹ the prohibition on murder,³² the process of divorce according to the Halakhah,³³ and the prohibition on breaking an oath.³⁴ However, these Halakhot were the focus of disputes between the Christians and the Pharisees (and perhaps also the Sadducees), and not between the Pharisees and the Sadducees.

The Tannaitic literature informs us of details of Halakhot regarding which there were disputes between the Pharisees and the Sadducees. As we have mentioned earlier, many scholars have doubted the reliability of the Tannaitic literature on this issue. In light of the discoveries from the Qumran texts, and the large amount of research conducted so far, we are of the opinion that the credibility of the

²³ Mainly based on: Philo, *API (Hypothetica)* 7.15–7.20 (360–61) [631–32].

²⁴ Strictness in these issues involved special bathing, non-contact with others who had not bathed and more. See: Philo, *QOP*, 84–85; *API (Hypothetica)* 11.1–11.18 [632]; Josephus, *War* 2, 128–29, 137–40 and elsewhere.

²⁵ Mainly: Josephus, *Ant.* 18, 18–19.

²⁶ On oaths among the Essenes, see: Josephus, *War* 2, 143; among the Pharisees: Josephus, *Ant.* 18, 14–15. On the importance of words in general in the ancient world, see: Philo, *API (Hypothetica)* 7.2–7.5 (357–58) [628–29].

²⁷ See the fate of those who left the Essenes and were unable (“had no Halakhic permission”) to eat the food of others, in: Josephus, *War* 2, 143–44. See also about Bannus who lived in the desert, *Vita* 11.

²⁸ Mainly: Philo, *API (Hypothetica)* 7.1 (357) [628].

²⁹ Josephus, *Ant.* 18, 14–15.

³⁰ For example: *Luke* 11:37; *Mark* 7:1–8.

³¹ For example: *Matt.* 12:1–8.

³² For example: *Matt.* 5:22.

³³ For example: *Matt.* 5:31–32.

³⁴ For example: *Matt.* 5:33–37; *ibid.*, 19:3–12.

Tannaitic material has been increased and that we can accept the descriptions of the disputes between the Pharisees and the Sadducees.³⁵

Among the Halakhic issues mentioned in the Tannaitic literature in the context of the historical Pharisees and Sadducees:

- A. The issue of purification immersion of the same day (henceforth *Tebul Yom*).³⁶
- B. The presentation of the Temple objects to pilgrims and the need to bathe them after the pilgrimage.³⁷
- C. The burning incense on the Day of Atonement—related to the Temple rituals and the High Priest.³⁸ This issue also involves the oath of the High Priest, and also some sources saying that the High Priest sometimes followed the way of the Sadducees.³⁹
- D. The issue of forming a partnership in a common area (henceforth *Shituf Mevo'oth*).⁴⁰

³⁵ See for instance the words of Schiffman, in L. H. Schiffman, "Pharisaic and Sadducean Halakhah in Light of the Dead Sea Scrolls," *DSD* 1 (1994), 287. Other scholars have supported this view, as reflected by the renewed interest in the Halakhic disputes in the Tannaitic literature, and their literal, rather than allegorical, interpretation. See for example: J. M. Baumgarten, "The Pharisaic-Sadducean Controversies about Purity and the Qumran Texts," 157–70. Despite these trusting statements that may seem rather sweeping, we are still careful to follow the rules we established in Chapter One, section 1.2, regarding the use of Tannaitic sources for understanding the historical Pharisees and Sadducees.

³⁶ *Tebul Yom* refers to one who has immersed in water that day and will be fully purified with sunset. For Mishnaic and Talmudic sources on this see: M. Yoma 1,1; M. Para 3, 7; BT Yoma 2a; *ibid.*, 3b; *ibid.*, Hagiga 23a; *ibid.*, Zebahim 21a. For a comprehensive description and additional sources, see also: S. J. Zevin (ed.), *Haencyclopedia Hataalmudit*, 18, Jerusalem 1986, "Tebul Yom," 394–97 (Hebrew). See especially J. Neusner, "The Halakhic Theology of Immersion," *Review of Rabbinic Judaism VI* (2003), pp. 74–78.

³⁷ For Tannaitic sources, see: Yerushalmi Hagiga 2, 8 (89, 4); *Tosefta* *ibid.*, 3, in: S. Lieberman, *Tosefta Kifshuta . . .*, Hagiga, V, 1336 (Hebrew). See Knohl's article where he linked this dispute to the dispute between the Pharisees and the other groups regarding "bringing the people closer to sanctity" by permitting impurity in the pilgrimage and the display of the Temple objects: Y. Knohl, "Pulmus Hakitot Beyemei Bayit Sheni . . .," 139–46, esp. 140 (Hebrew).

³⁸ For Tannaitic sources on this issue, see: M. Yoma, 1, 5; BT *ibid.*, 19b; *ibid.*, 53a; *Tosefta* *ibid.*, 1 in: S. Lieberman, *Tosefta Kifshuta . . .*, Kippurim, IV, 729–31 (Hebrew).

³⁹ Such as Rabbi Johanan who moved over to the Sadducees (also mentioned in Chapter Two). See: BT Berachot 29a; *ibid.*, Yoma 9a. See all the sources in the previous note. Some argued that all the events where the High Priest was described as following Sadducee opinion referred to the same priest, so this does not indicate a large number of priests following the Sadducees.

⁴⁰ BT Erubin 58b.

- E. The libation of water on festivals.⁴¹
- F. The refutation of conspiring witnesses.⁴²
- G. The issue of the daughter's inheritance and the son's daughter's inheritance.⁴³
- H. The issue of an individual bringing an offering.⁴⁴
- I. The impurity of hands in scripture.⁴⁵
- J. The law of the bones of pure animals.⁴⁶
- K. The purity of uninterrupted flow of water (henceforth Nizok).⁴⁷
- L. The law of damages of servants and maidservants.⁴⁸
- M. The issue of writing the name of the regime with Moses in a divorce.⁴⁹
- N. The issue of saving the blood of menstruation.⁵⁰
- O. The law of the day after the Sabbath.⁵¹

Here are a number of Halakhic issues regarding which there was a dispute between Sadducees and Pharisees. If we add the sources where the Boethusians are mentioned, and consider them as Sadducees, we could list other areas of Halakhah where there was a dispute between Sadducees and Pharisees. Eyal Regev⁵² argues that the Tannaitic sources about the Boethusians and sources about the Herodians can be considered as sources for the Sadducees, due to the historical overlap between the groups.⁵³ According to Regev's approach, many additional sources are considered relevant to the Sadducees and Pharisees, so we discover additional Halakhic disputes over issues such as: the law of a measure for a measure (an eye for an eye); interpretation of "spread the dress" (real or symbolic)

⁴¹ BT Sukka 48b.

⁴² BT Hagiga 15b; *ibid.*, Makkoth 5b; Tosefta Sanhedrin 6, in: M. S. Zuckerman, *Tosefta*, Sanhedrin, lines 25–35, 424 (Hebrew).

⁴³ BT Baba Bathra 115b.

⁴⁴ BT Menahoth 65a.

⁴⁵ M. Yadayim 4, 6.

⁴⁶ *Ibid.*, *ibid.*

⁴⁷ *Ibid.*, 7.

⁴⁸ *Ibid.*, *ibid.*

⁴⁹ *Ibid.*, 8.

⁵⁰ M. Nidda 4, 2; BT, *ibid.*, 33b.

⁵¹ BT Menahoth 65a.

⁵² E. Regev, *Hazdukim Vehilchatam: Al Dat Vechevra Beyemei Bayit Sheni*, Jerusalem 2005 (Hebrew).

⁵³ *Ibid.*, 41–58, esp. 58 (Hebrew), where he concludes: "In light of all this, I believe that the approach that the Boethusians were in fact Sadducees is preferable to the distinction between the two groups."

regarding the husband's argument that he did not find his wife a virgin;⁵⁴ interpretation of "spit in his face" (real or symbolic) in the law of levirate; the law of beating of willows on the Sabbath, and others. Our approach here is not to accept all the sources on the Boethusians or Herodians as reliable sources for the Sadducees. In any case, Regev listed the types of Halakhah the Sadducees dealt with compared to the Pharisees and the Qumran group: laws of Sabbath and the calendar, criminal and civil law, Temple worship, and purity and impurity.⁵⁵

Apart from these issues, there are many mentions of the Sadducees and the Pharisees in other contexts, both positive and negative.⁵⁶ It was not only the Halakhah that divided the historical Pharisees and Sadducees, but also the realm of beliefs and opinions, and various sources in the Tannaitic literature also refer to this.⁵⁷

When we examine these Halakhic disputes, we see that only in two of them did the Sadducees disagree with the Pharisees without any explained argument.⁵⁸ In the remaining cases the Sadducees had a well-grounded argument, sometimes relying on studying using one of the interpretative methods, and sometimes on legal or human logic. Sometimes the Sadducees' arguments were so well established that the Pharisee students did not know what to answer. We can conclude as follows:

⁵⁴ See the Biblical verse of Deuteronomy 22:17.

⁵⁵ *Ibid.*, introduction and the division into chapters in his book.

⁵⁶ For negative sources on the Sadducees, see for example: BT Hullin 87a, where a conversation between a Sadducee and a Rabbi is described, and the conclusion is that the Sadducee both "became irreligious" and did not bother to compare the beginning and end of a verse. This source describes the Sadducee as a heretic and as completely superficial in his arguments. Eventually the Sadducee committed suicide since he had no answer to the Rabbi's words. There are also phrases contemptuous towards the Sadducees that appear frequently, such as: "something the Sadducees admit" or "an old man arguing against him," or the reference of Rabbi Johanan ben Zakkai to the Sadducees as "fools." For sources, see: BT Sanhedrin 33b; BT Horayoth 4a. There are also discussions of the status of Sadducees, and some compare the Sadducees to "apostates." See: BT Berachot 68b. In other places Sadducees are called idolaters, according to some opinions. See: BT Horayoth 11a. However there are sources that show that the Sadducees can dispute the Halakhah, and are serious sparring partners. For such sources, see: M. Yadayim, 4, 6-8; BT Yoma, 2a; *ibid.*, Hagiga 23a; *ibid.*, 16b; *ibid.*, Makkoth 8b; *ibid.*, Baba Bathra 115b. There is also a term of a "Sadducee friend" in BT Nida 33b.

⁵⁷ See for example: BT Hullin 85a; *ibid.*, Sanhedrin 38a; *ibid.*, 90b; *ibid.*, Kettuboth 112a.

⁵⁸ These are the law of water libations on festivals and the law of impurity of the hands.

There were Halakhic disputes between the historical Sadducees and Pharisees. Also, the Halakhah was probably one of the main issues in distinguishing these groups. Each group had an independent interpretative tradition, different from its counterpart's. Among the main issues where they disagreed: laws of purity and impurity (Tebul Yom, the bathing of the Menorah, the bones of a beast, the law of the Nizok), the calendar (the day after Sabbath), legal issues between people (the inheritance of the daughter, damages of servants and maidservants), and the interpretation of laws between the people and God (burning incense on the Day of Atonement).

Finally, the Qumran literature is another source for the Halakhic issues that interested the Jewish groups in the Second Temple period. We can say, in light of the latest discoveries from this literature, that it constitutes a central source for understanding the place of the Halakhah and the Halakhic system in the phenomenon of the Jewish groups. The main works relating to Halakhic issues (among those we accept as reflecting the historical reality)⁵⁹ are: the *Damascus Document*, the *Temple Scroll*, the *Community Rule*, *Pesher Habakkuk* and *Miqsat Ma'ase Hatorah*. From these and other works we see that the Qumran group dealt with Halakhic issues in vast quantities and great detail. Many have studied these details, and we shall list here only the main areas:

1. Laws of purity and impurity,⁶⁰ including Tebul Yom,⁶¹ animal bones,⁶² law of the Nizok,⁶³ the impurity of Jerusalem and the Temple, and others.
2. Laws of the Temple and its sanctity,⁶⁴ including: the structure of the Temple, the order of worship, the laws of the red cow, offerings and libations, and others.⁶⁵

⁵⁹ See Chapter Two, section 2.5, where we discussed which sources of the Qumran scrolls we considered reliable.

⁶⁰ The main sources on purity and impurity are: the *Damascus Document*, *Pesher Habakkuk*, the *Temple Scroll*, and *Miqsat Ma'ase Hatorah*. For details on the *Temple Scroll*, see: Y. Yadin, *Megilat Hamikdash*, I, 215–63 (Hebrew).

⁶¹ The Tebul Yom law is related to many laws. See: L. H. Schiffman, "Pharisaic and Sadducean Halakhah . . .," 285–99; J. M. Baumgarten, "The Pharisaic-Sadducean Controversies . . .," 157–61; D. R. Schwartz, "Law and Truth: On Qumran-Sadducean and Rabbinic Views of Law," in *DSS: Forty Years of Research*, 229–40.

⁶² On this issue, see for example: J. M. Baumgarten, *ibid.*, 161–63; D. R. Schwartz, *ibid.*, 232–33.

⁶³ See especially: Baumgarten, *ibid.*, 163–64; Schwartz, *ibid.*, 232–33.

⁶⁴ Mainly according to the *Temple Scroll*.

⁶⁵ For a comprehensive study of this issue, see: J. M. Baumgarten, *Studies in Qumran Law*, 39–74.

3. The laws of forbidden and permitted foods.⁶⁶
4. The laws of incest, marriage, marital relations, the inheritance of the daughter, marrying the aunt and others.⁶⁷
5. The laws of damages, testimony, law courts, etc.⁶⁸
6. The solar calendar.⁶⁹
7. The laws of the Sabbath, including: not moving on the Sabbath, the ban on cooking, the Sabbath limit and more.⁷⁰
8. Agricultural laws such as tithes etc.⁷¹

We should note that the combination of archaeological findings from the Qumran site and the literary sources provides some additional areas of Halakhah that the Qumran group was involved with, and regarding which there was a dispute between the Qumran group and the Sages. In his article on purification bathhouses at Qumran, Regev rightly notes the Halakhic principles of the Qumran group regarding bathing, and the disputes between them and the Sages on this issue.⁷² From the list of Halakhic issues we learn that some of the issues in the Tannaitic literature, described as disputes between the Pharisees and Sadducees, also appear in the Dead Sea Scrolls. Among those appearing both as disputes in the Tannaitic literature and in the Qumran texts: the impurity of sunset (Tebul Yom); the law of Nizok; the impurity of animal bones; marrying a niece; the day after the Sabbath (the calendar); bathing the Menorah.

Several scholars after noting this overlap, stated that the Qumran group was more similar to the Sadducee position than to the Pharisee

⁶⁶ For example, the laws on locusts and other foods. The main sources for these laws are the *Damascus Document* and *MMT*. See: D. R. Schwartz, "Law and Truth . . .," 231.

⁶⁷ See: Schwartz, *ibid.*, 230–31.

⁶⁸ See: Schwartz, *ibid.*, 232–33. See also: L. H. Schiffman, *Sectarian Law in the Dead Sea Scrolls . . .*, esp. 155–73, 211–17; J. M. Baumgarten, *Studies in Qumran Law*, 145–71.

⁶⁹ See especially: J. M. Baumgarten, *ibid.*, 101–42.

⁷⁰ L. H. Schiffman, *Halakhah, Halikha Umeshichit . . .*, 90–135 (Hebrew). See also: L. Ginzberg, *An Unknown Jewish Sect*, 107–15; L. H. Schiffman, *The Halakhah at Qumran*, 77–133.

⁷¹ See for example: *Miqsat Ma'ase Hatorah B*, 62–64.

⁷² E. Regev, "Mikvaot Tahara shel Maamadot Vekivot BeIsrael Beyemei Bayit Sheni," *Cathedra* 79 (1996), 3–21 (Hebrew). In this article he links the issue to disputes about the joining of ritual baths of purification (in Hebrew and henceforth "Eruv Mikvaot") and the law of Nizok. In a later article, Regev connects this issue to different approaches regarding the nature of sanctity. See: E. Regev, "Al Hevdelei Tfisot Bein HaHalakhah HaQumranit Levein Hilkhot Hazal: Kdusha Dinamit Mul Kdusha Statit," *Tarbiz* 72 (2003), 113–32 (Hebrew).

position.⁷³ The result of this is that the similarity between two groups we consider seceding groups (Qumran and the Halakhic Sadducees) is greater than between the two types of groups (the seceding Qumran group and the dissenting Pharisees).

The interest in the same Halakhic issues shows that the world of Halakhah in this period was a wide common area with interest in similar (but not identical) issues, and that it was a world where the Halakhah played a central role.⁷⁴

The importance of the Halakhic world, to the extent of causing a division between groups, can be seen from the words of the Qumran group, saying about themselves:

[And you know that] we have separated ourselves from the multitude of the people [and from all their impurity] and from being involved in these matters and from participating with [them] in these things.⁷⁵

ואחם יודעים שפרשנו מרוב העם ומכל טמאתם ומהתערב בדברים האלה
(ומלבוא עמדם לנבי אלה

This text mentions problems of impurity and Halakhic disagreements (הדברים האלה, “these things”) as reasons for their secession. Even if these were not the exact reasons, the fact that they wrote this indicates the importance of these aspects in their society at that time.

⁷³ Among the scholars who noted this similarity: Y. Sussman, “Cheker Toldot HaHalakhah . . .,” 11–76 (Hebrew); L. H. Schiffman, “The Temple Scroll and the Systems of Jewish Law of the Second Temple Period,” in *Temple Scroll Studies: International Symposium on the Temple Scroll*, G. J. Brooke (ed.), Sheffield 1987, 245–51; J. M. Baumgarten, “The Pharisaic-Sadducean Controversies . . .,” 157–70; L. H. Schiffman, *Halakhah, Halikha Umeshichut*, 33–34 (Hebrew). In Sussman’s article he notes that the Halakhot in the Qumran literature are “sectarian” and contrast with the Pharisaic Halakhah. L. H. Schiffman also accepts this premise, and as a result suggests that *Miqsat Ma’ase Hatorah* and the *Temple Scroll* may belong to a different stage in the group’s life than the *Community Rule* and the *Damascus Document*. On the identification with the Sadducees, see L. H. Schiffman, *ibid.*, 88 (Hebrew). Baumgarten also mentions that of the five Halakhot he examined, in four of them the Qumran group followed the Sadducee opinion mentioned in the Tannaitic literature, and only in one case did they agree with the Pharisees. However, Baumgarten is careful not to determine that Qumran and the Sadducees were identical groups. For a re-examination of this issue, see: J. M. Baumgarten, “The Disqualifications of Priests in 4Q Fragments of the <Damascus Document>, a Specimen of the Recovery of Pre-Rabbinic Halakhah,” in *The Madrid Qumran Congress*, II, 503–13.

⁷⁴ Baumgarten refers to the Halakhah as the common traditional law of the Second Temple period. See J. M. Baumgarten, “The Disqualifications of Priests . . .,” 513.

⁷⁵ *Miqsat Ma’ase Hatorah*, based on: E. Qimron & J. Strugnell, “Qumran Cave 4 . . .,” in *DJD X*, “Composite Text,” C, 7–9, pp. 58–59.

To conclude, according to the sources at our disposal on the issue of Halakhah among the Jewish groups in the ancient era, it is clear now that Halakhah was central to the phenomenon of groups. Some argue that this was the main reason for the division between groups and the secession of some of them. Also, we have seen that the Halakhic issues are common to all the groups, and that each group had its own interpretative tradition. Our conclusions indicated the following:

- A. The Halakhah was a central feature among the Jewish groups in the ancient world. The Pharisees, Sadducees and the Qumran group, the main groups in this discussion, dealt with Halakhic problems, shared identical and similar Halakhic concerns, and were similar in the form of discussion. Halakhah was at the center of the groups' lives.
- B. The three groups treated Halakhah seriously and discussed it in a matter of fact way. They devoted a large part of their lives to the observance of the Halakhah, writing it (in the case of Qumran and the Pharisees), and conducting Halakhic polemics with those who differed from them. We should reject outright the position that only one group dealt with Halakhah, or that only one group believed in an interpretative tradition to the written scripture.⁷⁶

Our assumption is that the Halakhah played a central role in the life of each group discussed in this study. They all had an interpretative tradition to the written scripture, and the issue of Halakhah is particularly important to understanding the phenomenon of the groups.

⁷⁶ This is the opinion of many scholars who phrased their theories around this issue. Some argued that the Sadducees did not deal with the "oral Torah" at all, or that only the Pharisees were interested in Halakhah (based on Josephus' testimony). See for instance: C. Albeck, "Lemachloket Haprushim Vehazdukim Beinyaney Hamikdash Vekodshav," 1–8, esp. 1 (Hebrew). Albeck noted there: "The Sadducees who did not believe in the oral Torah did not intend in their disputes with the Pharisees to prove the *truth* of their interpretations of the written Torah, since—as we shall prove below—the Sadducees did not believe even in the written Torah." For the position that all the groups were interested in the interpretative tradition and considered the Halakhah important, see: Y. Sussman, "Cheker Toldot HaHalakhah . . .," 11–76 (Hebrew). For additional sources, see later in this chapter.

The Search for the Halakhic System of the Jewish Groups

A few scholars did consider Halakhah as central to the phenomenon of groups and tried to distinguish the groups according to their Halakhot. There are not many such studies, and unfortunately this area is not yet properly developed.

One of the most up to date scholars, who has taken upon himself to describe the Halakhah and locate the Halakhic system of the groups, is Eyal Regev in his book on the Sadducees and their Halakhah. In this book, he describes the Halakhic world of the Sadducees in relation to the Pharisees and Qumran, and argues that they had a characteristic Halakhic system. Regev characterizes the Sadducee Halakhic system by the following features: a strict Halakhic system (especially regarding the Sabbath, the penal code, purity and impurity and the laws of the Temple), conservative and favoring the concentration of the authority regarding rituals in the hands of the priests, realistic (in contrast to nominalistic), with a static (rather than dynamic) concept of sanctity.⁷⁷

The discussion usually begins with the distinction between Pharisees and Sadducees, according to the Talmudic literature. It was clear to everyone that the Sadducees and Pharisees did not adopt the same Halakhic approach.⁷⁸ When the Dead Sea Scrolls were discovered and deciphered, it became clear that the Qumran group's Halakhic approach was not identical to the Pharisees' approach. Some called it a "different way" or a "non-traditional way,"⁷⁹ or other terms that prevented identifying them with the Pharisees without affiliating them with any defined way. Some of the terms used are "not far removed from the Pharisees," but similarly "not far

⁷⁷ E. Regev, *Hazdukim Vehilkhatam*, esp. 203–46 (Hebrew). The division into realistic versus nominalistic Halakhic systems and dynamic versus static concepts of sanctity will be developed later in the discussion.

⁷⁸ From the very conflict between the two groups, and the condemning of the Sadducees in the Talmudic literature, it is clear that they were not considered partners in the Talmudic approaches and opinions. If we compare the attitude towards sparring partners within the Pharisee camp, we see that there is an obvious distinction between them and the Sadducees. Even though there were many divisions within the Pharisee world, they certainly treated the Sadducees as a separate Halakhic unit.

⁷⁹ Lieberman identified the Qumran Halakhah as a "different way" based on three Halakhot: 1. The sun blessing; 2. The use of the name 𐤇𐤍 instead of the Divine Name; 3. The separation of insects from the drink. See: S. Lieberman, "Light on Cave Scrolls from Rabbinic Sources," *PAAJR* 20 (1951), 395–404 (Hebrew).

removed from the Essenes.”⁸⁰ This ambivalence continues with the discovery and deciphering of other Qumran texts. This is how the issue has been phrased:

All this leads to the conclusion that these three texts are collections of assorted *Halakhot* . . . from the material studied here it seems that these fragments reflect a school of Jewish Law different from what is found in the Mishnah.⁸¹

A few scholars believed at first that the Qumran group’s Halakhah was identical to the Pharisee Halakhah. Ginzberg was one of the first to argue this on the basis of the *Damascus Document*, after comparing the methods of study, the Halakhic interests and the Halakhic conclusions.⁸² The identification of the Qumran group with the Pharisees has been supported recently by the findings of several other studies. This similarity results from linguistic analyses and specific studies on various Halakhic issues. Qimron⁸³ agreed with the opinion of Bar-Asher⁸⁴ that there was linguistic and grammatical similarity between the language and style of the Dead Sea Scrolls (DSS) and the literature of the Sages (MH). Even though Qimron concluded that these were two completely separate groups, with separate linguistic development,⁸⁵ he still saw a similarity between the two, and noted that there was Halakhic terminology in the ancient era that was common to both Mishnaic Hebrew and Qumranic

⁸⁰ See for instance the “non identification” in Lieberman, *ibid.*, 404.

⁸¹ This was said about three fragments. See: J. H. Charlesworth (ed.), *The Dead Sea Scrolls: Rule of the Community and Other Related Documents*, I, Tübingen & Louisville 1994 (Hereafter: Charlesworth 1994), 148 (my underline—H. N.). This work analyzes three fragments: 4Q159, 4Q513, and 4Q514.

⁸² In his book *An Unknown Jewish Sect*, first published in 1922, in the English translation published in 1970, he says: “We may state the certain result of this to be that in our document we have a Pharisaic Book of Law.” L. Ginzberg, *An Unknown Jewish Sect*, 127. In the same work he develops the issue of the *drash* (exegesis) method by means of syllogism, which supports the similarity between the Pharisees and the authors of the *Damascus Document*, a similarity based more on the method used than the conclusions reached. We should note that at the time of writing, this work was not yet known as the *Damascus Document*, and that Ginzberg referred to it by Shlomo Schechter’s term, a “Zadokite Document.”

⁸³ E. Qimron, “Observations on the History of the Early Hebrew (1000 BCE – 200 CE) in light of the Dead Sea Documents,” in *DSS: Forty Years of Research*, 349–61.

⁸⁴ Qimron, *ibid.*, 360, note 48.

⁸⁵ As he says, *ibid.*, 356: “The morphology of DSS Hebrew is distinct from that of MH, and it is doubtful whether MH has any influence on it at all.”

Hebrew. Rabin also noted this similarity, and went even further than Qimron in considering the two groups as identical.⁸⁶

Further support for Qumran-Pharisee proximity results from the study of a few Halakhot that showed great similarity between the Qumran group's Halakhic method and that of the Pharisees. For example: the studies of J. M. Baumgarten on the bathing of the Menorah and ritual bathing habits,⁸⁷ Schiffman's work on the Halakhic attitude towards women in the *Temple Scroll*,⁸⁸ and others. In this context, we should also note the conclusion of L. H. Schiffman in his book *The Halakhah at Qumran*, based on a study of the Sabbath Laws:

While to the Dead Sea sect the law is derived through techniques similar to the literalist Karaites, it is more often closer in content to the Tannaitic Halakhah. Because the Tannaim also used exegesis as a method for the derivation of law, the sectarian and Rabbinic traditions often share the same midrash halakhah. Also parallels to the sectarian halakhah can be found in minority views or old halakhot mentioned by the Tannaim.⁸⁹

Despite this proximity, very few scholars dared consider the two groups as one group⁹⁰ due to the lack of similarity in other areas. As a result of this undefined situation, a wide range of opinions has formed regarding the identification of the Qumran group's Halakhic system. Three main approaches have developed: those who identify the Qumran group with the Essenes, those who identify them with

⁸⁶ Both Qimron and Rabin noted the similarity between Qumranic Hebrew and Mishnaic Hebrew, mainly in terminology and grammar. See: Qimron, *ibid.*, 349–61; C. Rabin, "The Historical Background of Qumran Hebrew" in *Scripta Hierosolymitana* IV, C. Rabin & Y. Yadin (eds.), Jerusalem 1965, 144–61, esp. 144. However, Qimron re-examined this similarity in his article and concluded that from a morphological point of view Mishnaic Hebrew and Qumranic Hebrew should not be compared (Qimron, *ibid.*, 354 ff.). Rabin identified the two groups, especially in his book: C. Rabin, *Qumran Studies (Scripta Judaica II)*, esp. 82–84.

⁸⁷ J. M. Baumgarten, "The Pharisaic-Sadducean Controversies . . .," 1980, 157–70. He shows that the Qumran group's Halakhah was identical to that of the Pharisees and contrary to the Sadducee opinion regarding the bathing of the Menorah after the pilgrimage. On bathing rituals, see: J. M. Baumgarten, "The Purification Rituals in DJD 7" in *DSS: Forty Years of Research*, 197–209.

⁸⁸ L. H. Schiffman, "The Laws Pertaining to Women in the Temple Scroll," in *DSS: Forty Years of Research*, 210–28.

⁸⁹ L. H. Schiffman, *The Halakhah at Qumran*, 135.

⁹⁰ Among the few who did so already at the beginning of research in this field are Louis Ginzberg and Chaim Rabin: L. Ginzberg, *An Unknown . . .*, 127; C. Rabin, *Qumran Studies . . .*, esp. 82–94.

the Sadducees, and those who identify them with the Pharisees.⁹¹ This shows that identifying them with any of the other groups does not help understand the Halakhic system, and in fact it is the Halakhic system itself that requires explanation. Scholars trying to understand the Halakhic system recently have tended to identify the Qumran group with the Sadducees and the Sadducean Halakhic system.⁹²

It is interesting to see that research has come full circle to Schechter's early opinion,⁹³ and scholars have seen fit to view the Sadducees known to us from Talmudic literature as similar to the Qumran group known from the Dead Sea Scrolls. However, such an identification has several difficulties in principle. It is based on a comparison of Halakhot from the Talmud,⁹⁴ which were in dispute between the Sadducees and Pharisees, with Halakhot in the Qumran literature.⁹⁵ The comparison of the overlapping areas of Halakhah (between these two corpora) led to the conclusion that in several Halakhot there is similarity between the opinions of the Sadducees in the Talmud and those of the Qumran group. But we should remember that these are just a few Halakhot, not all of them!

If the Halakhic system of these two groups is identical, there is no explanation for those Halakhot that are not identical. Moreover, the comparison is based on those few Halakhot that overlap between the two corpora. They are a minority among the Halakhot discussed at that period. The Qumran group had an extensive Halakhic corpus unparalleled by the Sadducees. It is reasonable to assume that the few overlapping Halakhot did not represent the majority. Also, the overlap between a few Halakhot may not necessarily imply an

⁹¹ As representatives of these three approaches, we note: A. identification with the Essenes—Yigael Yadin; B. identification with the Sadducees—Yacov Sussman; C. identification with the Pharisees—Louis Ginzberg and Chaim Rabin.

⁹² See esp.: Y. Sussman, "Checker Toldot Hahalakhah . . .," 11–76 (Hebrew). Other scholars showing this tendency: L. H. Schiffman, *Halakhah, Halikha Umeshichut Bekat Midbar Yehuda*, esp. 13–17, 312–17 (Hebrew); J. M. Baumgarten, "The Pharisaic-Sadducean Controversies . . .," 157–70; D. R. Schwartz, "Law and Truth: On Qumran—Sadducean and Rabbinic Views of Law," 229–40.

⁹³ In 1921 Schechter termed a "Zadokite Document" the work now called the *Damascus Document* (in his title "Fragments of a Zadokite Document"). See: H. M. Orlinsky (ed.), *Documents of Jewish Sectaries*, 63–88 (XXXI–LVI).

⁹⁴ As described earlier in this chapter.

⁹⁵ Especially on the basis of the *Damascus Document*, the *Temple Scroll* and *Miqsat Ma'ase Hatorah*.

identical Halakhic system, as A. I. Baumgarten's argument of "limited possibilities"⁹⁶ teaches us.

Above all, the comparison with another group does not teach us anything about the *Halakhic system* that guided the group. When scholars tried to describe the Halakhic system behind the identification of Qumran with the Sadducees, they did this very generally. The assumption behind this argument was that one could anchor all the details of the Halakhot around a unifying Halakhic system⁹⁷ by identifying one group with another.

The common opinion regarding the Sadducean system (and accordingly, the Qumranic system) is that this is "stringent Sadducee Halakhah" or a "strict approach." Several scholars have used these descriptions to characterize the Halakhic systems of these groups.⁹⁸ Some scholars concluded from this that there were only "two Halakhic systems" during the Hasmonean period—a lenient system (of the

⁹⁶ See A. I. Baumgarten's review of L. H. Schiffman's book *Halakhah, Halikha Umeshichit Bekat Midbar Yehuda* in *Zion* 54 (1993), 509–14 (Hebrew). Baumgarten argues that the fact that we find an overlap in several Halakhot cannot prove that the groups had an identical Halakhic system, since the possibilities for each Halakhah are limited, and similar conclusions could be reached despite the groups using different Halakhic systems. See also: A. I. Baumgarten, "Qumran Vehakitatut Hayehudit Betkufat Habayit Hasheni," in *Megilot Midbar Yehuda—Arbaim Shnot Mechkar*, M. Broshi et al. (eds.), Jerusalem 1992, 140 ff. (Hebrew).

⁹⁷ This is the premise behind all the many attempts to identify the Halakhic system. It is also based on the assumption that one can identify a consistent system by explaining all the individual cases. Of course one can disagree with this identification and consider that in light of the many details, which sometimes seem contradictory, one cannot define a consistent system. Yohanan Silman hints at this approach at the beginning of his article "Hikabuyot Hilkhatot bein Nominalism lebein Realism—Iyunim Bephilosophia shel Hahalakhah," *Dinei Israel* 12 (1984–1985), 249–51 (Hebrew). However, later in his article he tries to note consistent methods in the Pharisees' Halakhah. See *ibid.* The idea of the existence of a logical system for the entire legal system is also the basis of Zilberg's article "Seder Kdoshim Keyetzira Mishpatit," *Sinai* 52 (1963), 8–18 (Hebrew). For Zilberg, this requirement of a consistent system is essential. See *ibid.*

⁹⁸ See for instance: Y. Sussman, "Cheker Toldot Hahalakhah . . .," esp. 27 (Hebrew), where he wrote: "what is common to all the Halakhot—everything is stringent," and mainly *ibid.*, 34, where he wrote: "as mentioned, all their Halakhot were stringent—and I shall not detail any more—and this stringency is systematic—they compare their values stringently, and tend to apply stringency in all areas and in all the details. . . ." See also: J. M. Baumgarten, "The Pharisaic-Sadducean Controversies . . .," esp. 165, 168–69, who says the following: "We have so far found indications that in three of the four disputes between the Pharisees and Sadducees concerning ritual purity, the Qumran view was likely to have been in harmony with that of the Sadducees. It should also be noted that in all three of the foregoing cases the Sadducees held the position of greater stringency" (*ibid.*, 165).

Pharisees) and a stringent system (of the Qumran group and the Essenes).⁹⁹

First we should note that the description “a stringent Halakhic system” is not clear. As mentioned earlier, Regev in his book on the Sadducees and their Halakhah repeated this division into stringency and leniency.¹⁰⁰ We should clarify what is meant by stringency as a system. After all, the stringency results from Halakhic rulings, rather than the system itself being stringent. It is not clear whether such scholars mean that the stringent groups took the Pharisaic Halakhah and made it more stringent, or that they had a separate Halakhic framework with more stringent rules. If such a separate system is meant, it should be characterized and defined, and only then can it be considered as a stringent Halakhic system, rather than just a system with stringent results.

The assertion of a more stringent approach assumes that the tendency to adopt a stricter approach, rather than internal factors or any other rationale, established the outcome of the Halakhah. An alternative understanding of the Halakhic determination would, we assume, be called by name: i.e., a particular exegetical approach, a Biblical source, an ideological outlook, or a legal structure. The assertion that the stringent approach was responsible for determining the Halakhic outcome assumes the absence of one of these aforementioned alternatives. Since we do not have access to their original material, it may very well be that our lack of information is the cause of our notion of a “stringent” approach.

Second, alongside strictness, there is, ever so often, leniency as well, and vice versa. For example, regarding the burning of incense on Yom Kippur, Regev concludes¹⁰¹ that the Sadducean position stems from the strict view of the issue of the partitions, during the time that the High Priest enters the Holy of Holies. At the same time, Regev accepts that the approach of the Pharisees is closer to the spirit of the literal meaning of the verses of the Torah. Accordingly, one could attribute the stringent approach to the Pharisees and the more lenient approach to the Sadducees, stating that the Pharisees

⁹⁹ See H. Eshel, “Kitot, Zramim Umokdey Koach Bemedinah Hachashmonait,” in *Yemei Beit Chashmonai*, D. Amit & H. Eshel (eds.), Jerusalem 1996, 180 (Hebrew).

¹⁰⁰ E. Regev, *Hazdukim Vehilkhatam: al Dat Uchevra Beyemei Bait Sheni*, 2005, esp. 203–46 (Hebrew).

¹⁰¹ Regev, *ibid.*, 158 (Hebrew).

were stricter in their adherence to the literal interpretation. The same applies to the issue of the laws of menstrual impurity; Regev concludes that the Sadducees took a stringent approach on the laws of menstrual impurity, since they believed that “all blood was impure.”¹⁰² However, from this stringent approach, we may also find a more lenient result, in relation to the beginning of the days of purity and the conclusion of the seven-day count. One could have depicted this as a stringency of the Pharisees, who took a stricter view of the counting of seven days, from the moment that impure blood is seen. It appears, therefore, that the definition of “stringent view” is not always constructive, and it may be misleading.

Moreover, we have found several Halakhot where the Sadducees were lenient compared to the Pharisees, and so this description is problematic.¹⁰³

Another opinion trying to understand the Halakhic approach behind the arguments is that of Daniel Schwartz. His system relies on the similarity between the Sadducees and the Qumran group, and he distinguishes between Priestly realism and Rabbinic nominalism. He argues that the Pharisaic Halakhah is explained by Rabbinic nominalism, while the Sadducee-Qumran system operates by Priestly realism.¹⁰⁴

Schwartz relies here on an earlier distinction between the nominalistic system and the realistic system, according to Silman and Zilberg.¹⁰⁵ This is how Silman summarized these two views:

From a systematic point of view, the confrontation between the nominalistic and realistic tendencies is linked to the conflict in principle between the very nature of the relation between God and the Mitzvoth of the Torah—the confrontation between seeing the Mitzvoth as commandments resulting from the will of God the commander, and seeing the Mitzvoth as instructions based on circumstances that exist by

¹⁰² Ibid., *ibid.*, 188 (Hebrew).

¹⁰³ For example, in the laws of bathing the Menorah, libation of water and the impurity of hands. On the laws in dispute between the groups and the sources of these laws, see the list earlier in this chapter, and see Regev, *ibid.*, 32–35, 59–202 (Hebrew).

¹⁰⁴ See: D. R. Schwartz, “Law and Truth . . .,” 229–40.

¹⁰⁵ Yohanan Silman, “Hikabuyot Hilkhatiot bein Nominalism Verealism—Iyunim Bephilosophia shel Hahalakhah,” 249–56 (Hebrew); M. Zilberg, “Seder Kdoshim Keyetzira Mishpatit,” 8–18 (Hebrew). Schwartz also lists other sources that helped him establish this distinction. For example: A. Lichtenstein, “Does Jewish Tradition Recognize an Ethic Independent of Halacha?,” in *Contemporary Jewish Ethics*, M. M. Kellner (ed.), New York 1978, 102–23; L. Pospisil, *Anthology of Law: A Comparative Theory*, New Haven 1971, 233–72. See Schwartz, *ibid.*, 230 note 3.

themselves, which by the grace of God who teaches wisdom, humans can take into account when taking upon themselves the burden of the Mitzvoth.¹⁰⁶

We could say these were two basic approaches towards the Mitzvoth of the Torah, whether they should be treated as arbitrary commandments not necessarily equivalent to any natural or real element (the nominalist approach), or whether they should be treated as commandments equivalent to natural elements and perhaps even resulting from such natural elements (the realistic system).

Zilberg suggested different formulations for the principles composing the realistic approach, including: “laws of nature,” “physical causality,” “the naturalistic idea,” “the application of natural laws to events occurring in the world of law,” “laws acting in real life.”¹⁰⁷ Silman disapproved of such terminology and used the terms “realism” versus “nominalism.”¹⁰⁸ The characteristic of the realistic approach is that their Halakhic system was based on fixed independent principles with an existence independent of the religious law (written in the Torah). According to this system, the religious law expresses real and natural principles, which are the principles that determine the Halakhah.

Schwartz further explains that the value system (called realistic) is composed of a comparison with nature, real life and general logic, meaning arguments based on logical and realistic thinking. Schwartz also claims that one can link ideologies and positions to this division between a realistic system and a nominalistic system.

In the context of the Jewish groups, Schwartz attributes the realistic approach to the Qumran group and the Sadducees, and the nominalistic approach to the literature of the Sages (considered as the Pharisees). We should note that Schwartz also connects the realistic approach of the Qumran group and the Sadducees to the priestly characteristic of descent and lineage.

In accordance with this division, Schwartz argues that the explanations of the Qumran group for their Halakhic position will be

¹⁰⁶ Silman, *ibid.*, 251. For further details and an explanation, see below.

¹⁰⁷ M. Zilberg, *ibid.*, 8–18, esp. 12 ff. (Hebrew). See also his book: M. Zilberg, *Kakh Darko shel Talmud*, Jerusalem 1964, 6 (Hebrew). See also: Silman, *ibid.*, 252–53 (Hebrew).

¹⁰⁸ Silman, *ibid.*, *ibid.* (Hebrew).

realistic and natural.¹⁰⁹ This value system dictated their Halakhic rulings. According to this description, it would be incorrect to define the Qumran system as stringent or as depending on the system of another group (the Pharisees or the Jerusalem center). This is a consistent, independent system, sometimes overlapping with the Sadducee system, at other times with the Pharisee system, and sometimes completely original.

On the basis of this distinction, Schwartz explains the Halakhic positions of the Pharisees versus those of the Sadducees and Qumran on the following issues: women,¹¹⁰ the Kashrut of locusts,¹¹¹ the law of marrying an uncle,¹¹² the law of the impurity of bones,¹¹³ the law of the Nizok,¹¹⁴ the law of conviction based on a single witness,¹¹⁵ and the law of conspiring witnesses.¹¹⁶ He also discusses the calendar and the law of the day after the Sabbath.¹¹⁷

As mentioned earlier, Schwartz also links various ideological positions to the realistic-nominalistic division. He refers to three ideological issues: the continuation of prophecy and the dictates of divine inspiration (is the Halakhah in the hands of humans or of Heaven?),¹¹⁸

¹⁰⁹ For example, regarding the law of the Nizok, the Qumran group explained: *כִּי לֹחֶם הַמִּצְוֹת וְהַמְקַבֵּל מִדָּמָה כָּהֵם לֹחֶם אֱדָתָה*. This is emphasized in: Schwartz, "Law and Truth . . .," 232; regarding women, which the Qumran group explained as *כִּי הוּא מִשְׁפָּח*, see Schwartz, *ibid.*, 230; regarding locusts they said: *כִּי הוּא מִשְׁפָּח*, see Schwartz, *ibid.*, 231. They explain their Halakhic opinion by a general principle related to an independent value.

¹¹⁰ According to the *Damascus Document* column 4 line 21. See also: *Mark* 10:6; *Num.* 21:15. See Schwartz, *ibid.*, *ibid.*

¹¹¹ According to the *Damascus Document* column 12 lines 14–15. See Schwartz, *ibid.*, 231. See also Ginzberg, *An Unknown Jewish Sect*, 80.

¹¹² The Torah explicitly forbids only the marriage of a nephew and his aunt (*Leviticus* 18:12). There was a controversy whether this also applied to the marriage of a niece and her uncle. According to the *Damascus Document* column 4. See Schwartz, *ibid.*, 231.

¹¹³ On this law, see earlier in this chapter. The Biblical source is *Deut.* 17:6; *ibid.*, 19:17. On the dispute between the Pharisees and the Sadducees on this issue, see: M. *Yadayim* 4, 7. See Schwartz, *ibid.*, *ibid.*

¹¹⁴ On this law, see earlier in this chapter, in the list of laws in the Tannaitic literature and the Qumran texts. See: M. *Yadayim* *ibid.* See Schwartz, *ibid.*, 232.

¹¹⁵ Based on Biblical laws, *Num* 35:30; *ibid.*, 19:15. In the Qumran texts see: *Damascus Document* column 9 lines 16–22. See Schwartz, *ibid.*, 233.

¹¹⁶ On this law, see earlier in this chapter, in the list of laws in the Tannaitic literature where there was a controversy between the Pharisees and Sadducees. The Biblical source is *Deut* 19:16–21. The dispute between the Pharisees and Sadducees appears in M. *Makkoth*, 1, 6. See Schwartz, *ibid.*, 233.

¹¹⁷ See Schwartz, *ibid.*, 235.

¹¹⁸ See Schwartz, *ibid.*, 234 ff., esp. 238.

the importance of fate (the problem of free will and knowledge),¹¹⁹ and the possibility of repentance.¹²⁰

On these issues, Schwartz uses the distinction of realism versus nominalism to distinguish the Pharisees from the Sadducees and the Qumran group. Schwartz considers the Pharisees to be nominalists, while the Sadducees and Qumran were realists.¹²¹

So, the distinction formulated by Schwartz does not exhaust the essential distinction between the Pharisees and the seceding groups. We shall later present a slightly different distinction.

We should also mention that Schwartz relies throughout on the identification of the Qumran group with the Sadducees. He also links his system to their being priests.¹²²

As mentioned earlier, there are many doubts regarding the identification of the Qumran group with the Sadducees, and there is no absolute proof that Qumran was a purely priestly society.¹²³ In addition, Schwartz himself expresses his anxiety that this distinction is not comprehensive and does not explain all the differences between

¹¹⁹ See Schwartz, *ibid.*, 238–39.

¹²⁰ See Schwartz, *ibid.*, 238–39. According to Schwartz's argument, the Qumran group rejected the possibility of repentance, while the Pharisees accepted it. See *ibid.* For various sources on this issue, see: in the Bible: *Ecclesiastes* 7:20; in the Dead Sea Scrolls: *Community Rule* 11, 10–11. In Christian literature: *Romans* 7.

¹²¹ We should note that in this respect, Schwartz deviates from the opinions of Silman and Zilberg who dealt only with the Pharisee world and claimed that both approaches existed among the Pharisees. This means that according to Silman and Zilberg a realistic approach is possible among the Pharisees in some of their Halakhot. Since they dealt with the Pharisee world alone, they would certainly not have viewed this as a method of distinguishing the Pharisees from other groups. Zilberg even argued that the Pharisees preferred a realistic system, explaining: "since according to Jewish belief, one legislator legislated both the laws of nature and the laws of the Torah." M. Zilberg, "Seder Kdoshim Keyetzira Mishpatit," 13 (Hebrew). We should note that Zilberg did not call them Pharisees, but referred to the legal system as "Hebrew law" or "Halakhah." Despite this lack of explicit mention, there is no doubt that he is referring to the world of the literature of the Sages, which we identify as Pharisee. Nor does Silman refer to the historical Pharisees, but rather to the Tannaitic sources. Silman disagrees with Zilberg on this point, and claims that the Halakhah tends towards the nominalistic: "the tendency of most authors of the Halakhah is to enlarge the power of the courts to affect natural reality." Y. Silman, "Hikabuyot Hilkhatot Bein Nominalism Verealism . . .," 263 (Hebrew). They both believe that both trends can be found among the Pharisees.

¹²² Schwartz's central explanation relies on their being priests. See Schwartz, "Law and Truth . . .," esp. 229, 234, 237–40.

¹²³ Many have held this opinion, mainly due to the affiliation with Zadok, according to the beginning of the *Damascus Document*.

the groups.¹²⁴ As we shall see below, there were many Halakhic disputes that were not related to their being priests or Sadducees, but where the Qumran group still disagrees with the Pharisees.

Here we shall argue that Schwartz's distinction is certainly true in principle. This distinction is very suitable to the division between seceding (value-orientated) groups and dissenting (norm-orientated) groups. However, we must expand Schwartz's distinction and make it more general: between seceding groups and dissenting groups according to the principles we defined earlier, and according to Smelser. The main distinctions are the existence of an independent system of values and the principle of non-compromise among the seceding groups. Qumran and the Halakhic Sadducees both are included in the category of seceding (value-orientated) groups, but this does not make them identical. The distinction given here will help understand the complicated reality, and resolve many difficulties resulting from the similarity between Qumran and the Sadducees on the one hand, and Qumran and the Pharisees on the other hand.

All the groups had their own explained Halakhic positions, and thus they could resemble each other and also differ from each other. But when there were disputes on Halakhic positions, the dissenting groups accepted the law resulting from the ruling, while the seceding groups did not compromise at all. The seceding groups also tended to link their Halakhot to a value system independent of the normative center.

The advantage of Smelser's distinction between value-orientated and norm-orientated groups is in expanding the meaning of "realism." In our terms, realism is one of the possible elements in the value orientation, but additional elements are also possible: the laws of nature, continued divine revelations, the ways of study, logic and others. All of these compose what we call an independent system of values.

In addition, the distinction between seceding and dissenting groups adds another layer to the distinction between the groups in Halakhah, in the principle of non-compromise versus the principle of normative obedience. All these distinctions are based on those of Smelser and Coser.

¹²⁴ Schwartz, *ibid.*, 235. However, he hurries to support his argument using additional arguments provided by J. M. Baumgarten. See *ibid.*, note 20.

In light of the above, the main arguments for distinguishing between seceding (value-orientated) and dissenting (norm-orientated) groups in Halakhah are as follows:¹²⁵

Seceding groups created Halakhot out of an independent system of values, in other words, their Halakhot were measured by external values without social dependence.¹²⁶ Their Halakhot were determined in not necessarily normative ways, using absolute values. They were hardly influenced by social changes, and they did not wish and were unable to compromise.

In contrast, dissenting groups' Halakhot were determined by normative institutions; they depended on social characteristics, and the court's ruling was more valid than any external value (even if the ruling was contrary to nature and logic). The norm-orientated groups had a compromising approach, and even required compromise as part of their Halakhic system.

This distinction between seceding and dissenting groups in the realm of Halakhah includes three testable distinctions that will be examined below:

1. *Willingness to Compromise and Accept the Decisions of the Center*

The difference between seceding and dissenting groups is demonstrated in their willingness to compromise and accept the social norms. We shall show that the norm-orientated system requires compromise and acceptance of the court's rulings, while the value-orientated system that opposes any compromise and refuses to accept the determination of the normative institutions. We shall demonstrate this distinction using concrete events that took place, and Halakhic rules established in the Talmudic literature and the Qumran texts, which turned this difference into a Halakhic system.

¹²⁵ Based on the distinctions we have been using throughout this study.

¹²⁶ As said above, the Pharisees' Halakhot can also sometimes be value-orientated, but the definition of a value-orientated group requires the combination of both arguments. Since the Pharisees tended to compromise, they cannot be considered a value-orientated group according to our definitions, even if some of their Halakhot were built around an independent value. Regarding the Sadducees and Qumran, it is essential for their Halakhot to be value-orientated in addition for their uncompromising approach, in order to be termed value-orientated groups.

2. *The Existence of an Independent System of Values and the Eternality of Halakhah*

Referring to additional cases and Halakhic positions in the Talmudic and Qumranic literature, we will show that the Halakhah of the seceding groups had an independent value system and was measured against absolute, external values that could not be changed (such as nature and logic), and these were the values that dictated the Halakhah. This is not to say that the dissenting groups had no system of values. The difference between the types is in the degree of loyalty to these values after the Halakhah had been determined. Once the authority had ruled, the dissenting groups accepted the authority's Halakhah, and esteemed it above any other value, even above nature and logic. In contrast, for the seceding groups the value itself determined the Halakhah, and even the regime's authority could not change this. To support the claim that the seceding groups operated a value-orientated Halakhic system, we will link their position to the degree of eternality and truth they attributed to their Halakhic rulings. The dissenting groups did not consider the Halakhah as eternal, since the court, rather than the value, determined the Halakhah. Conversely, the seceding groups considered the values, and hence the resulting Halakhot, as eternal.

3. *Social or Value Arguments*

In examining the arguments of the two types of groups, we will show that the dissenting groups' Halakhah was sometimes influenced by social considerations. Sometimes a temporary social consideration could change the Pharisees' Halakhic rulings. In contrast, the seceding groups remained loyal to the value considerations that dictated their Halakhah, and did not change the Halakhah for any normative considerations. This distinction is, of course, related to the first one, regarding the degree of compromise for social purposes. The dissenting groups compromised and the seceding groups did not.

4.2 *The Halakhic System of the Dissenting Groups*
(Pharisees and Jerusalem Sadducees):

The Duty of Compromise, Accepting the Court's Ruling as a Supreme Value and Normative Arguments

A. *“Even Though We Do Expound Matters, We Do Not Do Things in the Way in Which We Expound Them. We Obey the Words of the Sages”*

Perhaps the clearest demonstration of the contrast between the norm-orientated approach demanding obedience to social norms and the value-orientated position demanding non-compromise with social norms is the story of a conversation between a Sadducee father and his son.¹²⁷ This is the story of a Sadducee son who serves as High Priest at the Temple on the Day of Atonement. When he burned incense, he acted according to the Sadducee tradition of igniting before entry of the Holy of Holies, in contrast to the Pharisee opinion. After proudly announcing his action, his father reprimanded him saying that even though they have an alternative tradition, they have accepted upon themselves to act according to the Pharisee tradition. The father expected his son to die soon due to his disobedience. This is the wording of the Tosefta:

when he¹²⁸ went forth, he said to his father: “In your entire lives you would [merely] expound the Scripture, but you never did the deed properly, until I arose and went in and did it right.” They say to him: “even though we do expound matters as you say, we do not do things in the way in which we expound them. We obey the words of the Sages. I shall be very surprised at you if you live for very long”¹²⁹

¹²⁷ The sources on this issue: BT Yoma 19b; Tosefta Yoma 1 (for various versions see next two notes), Yerushalmi Yoma 1, 5 (39b).

¹²⁸ Although in the Tosefta the story is attributed to a Boethusian, in the other sources it is attributed to a Sadducee. Therefore we do accept this source as representative of the historical Sadducees. Compare to other sources, as mentioned in previous note and next note.

¹²⁹ Tosefta Yoma, 1. Translation according to J. Neusner, *The Tosefta: Moed—The Order of Appointed Times*, New York 1981, 187. For alternative versions, see: S. Lieberman, *Tosefta Kifshuta . . .*, IV, 729–31 (Hebrew). There are slightly different versions of this story, see: BT Yoma 19b; Yerushalmi Yoma 1, 5 (39b), where only the main dispute and the side's arguments appear. The Talmudic version is different in phrasing (but not in essence), as follows:

מעשה בצדוקי אחד שהתקין מבהוץ והכניס ביציאתו. היה שמה שמחה גדולה. פגע בו אביו, אמר לו בני אף על פי שצדוקין אנו מתיראין אנו מן הפרושים. אמר לו כל ימי הייתי מצטער על המקרא הזה כי בענן אראה על הכפרת, אמרתו מתי יבוא לידי ואקימנה, עכשיו שבא לידי לא אקימנה? אמרו לא היו ימים מועשין עד שמת והוּסַל באשפה והיו תולעין יוצאין מחוטמו ויש אומרים ביציאתו ניגף ונמוּד.

כשיצא אמר לאביו כל ימיכם הייתם דורשין ואין אתם עושים עד שעמדתי ועשיתי אני. אמר לו אף-על-פי שאנו דורשין אין אנו עושים ושומעין לדברי הכמים. תמידני עליך אם תאריך ימים. לא שהה שלשה ימים עד שנתנו בקברו.

It seems that this story demonstrates the difference between a compromising Sadducee (the father) and a seceding Sadducee (the son). It also demonstrates the difference between the Pharisaic system that required compromise¹³⁰ and the seceding Sadducean system that did not compromise. We should remember that this story appears in the Tannaitic literature, which increases its reliability at least regarding the determination of the seceding Sadducee. The core of the various versions is that the father (a compromising old man) states that even though one's personal opinion may disagree with the accepted ruling, the rule is that one must compromise. As he says: "even though we do expound matters as you say, we do not do things in the way in which we expound them. We obey the words of the Sages." (אף-על-פי שאנו דורשין אין אנו עושים ושומעין לדברי הכמים). He undoubtedly represented the normal Sadducees who lived in Jerusalem and who accepted the temporary Pharisaic rule. The "rebellious" son preferred respecting his interpretation of the verses to obeying the Sages. This story demonstrates most clearly the social norm of the Pharisees and Jerusalem Sadducees (such as the old compromising Sadducee), which was not acceptable to the uncompromising Sadducees.¹³¹ The norm stated that one should act according to the opinions of the Sages who controlled Jerusalem. The Sadducee father recognized that the Pharisaic Halakhah was ruling Jerusalem, and so he expected his son to act accordingly, even if this Halakhah was contrary to his own opinions and study. Even if he found it obvious that the ruling was fundamentally wrong and misinterpreted things, he still had a (Halakhic) duty to renounce his opinions and accept the position of the rulers. In other words, he should have surrendered himself and compromised with the ruling opinion, if he wished to belong to the normative center. The very fact that the Pharisees and Sadducees did not secede from the normative center and the Temple worship in Jerusalem indicates that they accepted

¹³⁰ On the requirement for compromise as a Pharisaic characteristic, see later in this chapter.

¹³¹ Clearly the "rebellious" son represents the uncompromising Sadducees. Obviously these Sadducees did not accept the Pharisaic position and remained faithful to their Halakhic positions.

this principle even when the rival group controlled the Jerusalem power centers.¹³²

In this case, the Sadducees had a developed exegetic system. Beyond the interpretation of the verses they had also a basic rationale. A hint of the Sadducean rationale appears in the Yerushalmi:¹³³ “for lo the Sadducees say that he should prepare it outside and bring it inside. If they do so before the mortal man, all the more so before the Omnipresent” (שִׁהְרֵי הַצְדוּקִין אֹמְרִים יִתְקַן מִבְּחוּץ וּיְכַנִּיס. אִם לִפְנֵי) “(בשר ודם עוֹשֵׂין כֵּן קָל וְהוֹמֵר לִפְנֵי הַמָּקוֹם). In this case, the Sadducees had a system of values they acted upon, and according to which they found support in their interpretation of the verses. But what made them *seceding* Sadducees was their non-acceptance of the rule of “even though we do expound matters as you say, we do not do things in the way in which we expound them. We obey the words of the Sages.”

B. *The Power of the Court’s Ruling—the Source of Authority for the Dissenters*

The story explained above constitutes a concrete demonstration of the requirement that the dissenting groups be willing to compromise. But it seems that the rule of “Even though our interpretation is different, we do not act accordingly, but listen to the words of the sages” was no mere slogan, but fundamental to the dissenting groups. This was also related to the source of authority of the Halakhic rulers within the dissenting groups. In the Pharisaic world, the learned members of the court determined Halakhah. They did not have to be priests or of any particular lineage. The ruling was probably by majority opinion within the court,¹³⁴ and under the influence of the central figures, the “president” and the “leader of the court.”¹³⁵

¹³² On these two groups alternating in their control of the power centers, see Chapter Two, section 2.2 above.

¹³³ JT (Yerushalmi) Yoma 1, 5 (39a–39b). Translation according to: J. Neusner, *The Talmud of the Land of Israel*, Vol. 14, Chicago 1990, pg. 42.

¹³⁴ In the Pharisaic sources it seems that there is no deviation from the majority decision and the influence of the president except in two cases, both of which relate to the controversies between the House of Shammai and the House of Hillel. One is decision by an “echo voice” (see for example BT Erubin 13b; Yerushalmi Yebamoth 6, 6; Yerushalmi Sukka 3, 4; Yerushalmi Kiddushin 8, 1). The second is the decision by “force” (for example, BT Shabbath 17a). There is no doubt that these events are defined as unexplained exceptions. On the “echo voice” see Chapter Five, on the theological and ideological aspects of the various groups.

¹³⁵ On the existence of the “president” and the “leader of the court” already in

Several sources show that in the Pharisaic world, they did not have to agree with each other until a final ruling was reached.¹³⁶ From the moment of the ruling, there is a turning point, and the ruling itself becomes binding, and nobody can oppose this ruling in actions. Other rules formulated in the Mishnah and other Tannaitic sources determine Halakhah in practice since the ruling of the court is itself the Halakhah and must not be disputed. As we shall describe later, not only does the ruling become binding Halakhah, there are even some Halakhic rules that give priority to the decisions of the Pharisaic court over any absolute truth or absolute value. The court's ruling is the truth and the supreme value. This is why there is no room for appeal. Several phrases in the Tannaitic literature demonstrate this principle. We shall follow up with one more example, probably from the Pharisaic period,¹³⁷ the outcome of a real case where there was a controversy within the world of the Sages. We shall describe this case in detail, as it demonstrates better than anything else the power of the court's ruling in the Pharisee world.

If we are to debate the court ruling of Raban Gamaliel, then we will have to debate the ruling of every court from the days of Moses till now (אם באים אנו לדון אחר בית דינו של רבן גמליאל, צריכים אנו לדון אחר) (כל בית דין ובית דין שעמד מימות משה רבינו ועד עכשיו)

The legal phrasing of the words of that Sadducee father, “Even though our interpretation is different, we do not act accordingly, but listen to the words of the sages” is expressed in another way within the Pharisee world, in Mishnah Rosh Hashanah 2, 8–9. This is a description of the dispute between Rabban Gamaliel and Rabbi Dosa and Rabbi Yehoshua. This dispute starts (in M. 8) in Rabbi Dosa son of Harkhines proving that the court's ruling was wrong. As he

the Pharisees' time, see M. Hagiga 2, 2. This is the early period of the Couples, and there is almost no doubt that this Mishnah can be attributed to the Pharisaic period. See: J. Neusner, *The Pharisees: Rabbinic Perspectives*, 10–22. The same is true of the Mishnayot in Kethuboth 13, 3 ff., where we see a real dialog within the world of the Pharisees. There we see clearly that there are separate opinions of the ruler, the Sages and the President. See Neusner, *The Pharisees: Rabbinic Perspectives*, 32–33.

¹³⁶ See esp. M. Kethuboth 13, 3 ff., see previous note. We mentioned the distinction between the President, the Sages and the Main Ruler since there is such a division in M. Kethuboth, where Admoni appears as the ruler, apart from the Sages and Rabban Gamaliel.

¹³⁷ For a definition of the sources for the Pharisees, see Chapter One, section 1.2 above.

said: “How can one testify that the woman gave birth if the next day she was pregnant?” הֲאֵךְ מְעִידִים עַל הָאִשָּׁה שִׁלְדָהּ, וְלִמְחָר כָּרְסָהּ בֵּין (שִׁנְיָהּ?).

His argument is based on a realistic claim taken from the physical nature related to physical vision.¹³⁸ Rabbi Yehoshua agrees with Rabbi Dosa, against Rabban Gamaliel, the President. But in contrast to Rabbi Dosa, who surrenders to the authority of the President and the Sages, Rabbi Yehoshua persists. As a result, Rabban Gamaliel rules that Rabbi Yehoshua must appear before him with his stick and money on the Day of Atonement according to his calculation. Rabbi Yehoshua does this, claiming that in any case the law was determined by the court even if the law was wrong. Even if it is clearly mistaken and contrary to nature, the law is to be obeyed. This case demonstrates the difference between the norm-orientated approach and the value-orientated approach, and we have found a similar case from the Qumranic world. According to one of the Qumran scrolls, they were persecuted by the norm-orientated center on the Day of Atonement according to their calendar, but they still did not compromise.¹³⁹

The issue under discussion is the fixing of the calendar, a subject with wide-ranging implications. But the Pharisaic rule of accepting the ruling of the court is not exclusive to the calendar. Later in the Mishnah we see that this was a general acceptance, not only regarding the calendar.¹⁴⁰ This Halakhic ruling derived from a verse in *Exodus*: “Then went up Moses, and Aaron, Nadab, and Abihu, and seventy of the elders of Israel” (*Exodus* 24:9), showing that every court is like the court of Moses (M. Rosh Hashanah 2, 9). Indeed, they concluded that this was a general ruling not unique or limited to the case of fixing the calendar. All this results from the argument: “If we debate after Rabban Gamaliel’s court, we should debate after every court that existed from the time of Moses until now” (אִם בְּאֵיִם) אֲנִי לְדִין אֶהְרֵר בֵּית דִּינֵנוּ שֶׁל רַבֵּן נְמַלִּיאֵל צְרִיכִים אֲנִי לְדִין אֶהְרֵר כָּל בֵּית דִּין (ובית דין שעמד מימות משה ועד עכשיו).

¹³⁸ See: C. Albeck, *Shisha Sidrei Mishnah*, II, 317. See how Schwartz links this event to the nominalistic-realistic dispute: Schwartz, “Law and Truth . . .,” 234–35.

¹³⁹ This Qumran case will be discussed below, so we shall not expand upon it here. The source is: *Pesher Habakkuk* page 11 lines 4–8, according to: B. Nitzan, *Megilat Pesher Habakkuk Memegilot Midbar Yehuda (1QpHab)*, 190–91 (Hebrew).

¹⁴⁰ According to the interpretation of the Mishnaic verses, related specifically to fixing the calendar. See M. Rosh Hashanah 2, 8 and 2, 9 (from ואלה מועדי ה' onwards).

We must assume that a seceding group (that does not compromise and prefers values over other factors) would determine otherwise, that if a mistake was made it should be discussed and corrected, that absolute truth was more binding than a court's ruling. But in the Pharisaic world, the court's ruling was more binding than absolute physical truth. This is well expressed in the words of Rabbi Gamaliel to Rabbi Yehoshua: "My Rabbi in wisdom and my pupil in having accepted my words" (רבי בהכמה ותלמידי שקיבלת אה דברי) (ibid.). Even though Rabbi Yehoshua could have been his teacher in wisdom, the Pharisaic rule determined that he must accept the decision of the current court. This rule also contravenes absolute wisdom and absolute truth. Were the highest value "truth," it would apparently be clear that the person greater in wisdom should have a more binding say than someone lesser in wisdom,¹⁴¹ and absolute truth should have overturned the court's ruling.

We should stress that this law is early, and can be attributed to the Pharisaic period, according to the precise identification of Rabban Gamaliel. We have already noted earlier that we consider as Pharisaic the reliable sources about persons up to the generation of Osha.¹⁴²

This case, from Mishnah Rosh Hashanah, includes all the elements of the Pharisaic system, some of which also appeared in the previous example from the worship of Yom Kippur:

1. The court's ruling must be accepted, even if it is contrary to the interpretation of the verses, and even if it is apparently contrary to nature and to logic. The acceptance of the ruling despite differences of opinions is an essential criterion in Pharisee society. This is what Rabbi Yehoshua and Rabbi Dosa had to do in order to belong to this society.
2. The court ruling is the final ruling, in other words, the Halakhah is not measured by an external absolute truth, but the court's

¹⁴¹ The Talmud says explicitly: אשרי הדור שהנדולים נשמעים לקטנים... (BT Rosh Hashanah 25b). Again, apparently a generation seeking the truth would be less blessed than one where the greater obey the lesser.

¹⁴² We note that on Rabban Gamaliel I, the strict Neusner says: "I therefore take it for granted that Gamaliel was both a Temple Council member, as Acts alleges, and leader within the Pharisaic sect, as the rabbinic traditions hold" (J. Neusner, *The Pharisees: Rabbinic Perspectives*, 58, 288–96). We believe there is no need to distinguish Rabban Gamaliel I from Rabban Gamaliel II, since they were both from the same family and from adjacent periods, and we consider them both Pharisees.

ruling determines the “truth” (there is no independent value system).

3. The court’s ruling is binding, even if the court is “lesser in wisdom” than those who disagree with it, because knowledge or wisdom do not make the decision, but only the court’s ruling.

C. *The Court’s Ruling as a Supreme Value*

The rule of “if we debate after Rabban Gamaliel’s court, we should debate after every court that existed from the time of Moses until now,” and the examples cited above, show that according to the Pharisaic Halakhah, there was no absolute truth, and no external measure (such as knowledge, logic, nature) for testing whether the Halakhah was right, because they were not relevant at all. In Pharisaic Halakhah, the court’s ruling, rather than any external measure, determined the “correctness” of the Halakhah. While the Sages used various methods to formulate the Halakhah, such as various types of interpretation, it is clear that the court’s ruling was the top priority, even above the method of interpretation.

Silman¹⁴³ brings several concrete examples where in the Sages’ Halakhah the decision of the Sages was stronger than reality and nature. Among the examples he cites: a situation where the court’s ruling was more binding than the known historical order¹⁴⁴ and another where the court’s decision was more binding than natural biological processes.¹⁴⁵ This is his conclusion:

This sovereignty is sometimes expressed as an unmediated dependency of the duration of time and the concrete processes dependent upon it on calendar-Halakhic determinations. [The Sages in court] had the power not only to slow or accelerate the flow of time, but even to divert it from its one-directional path. Thus natural processes that

¹⁴³ Y. Silman, “Hikabuyot Hilkhathiot bein Nominalism Verealism . . .,” 249–56 (Hebrew).

¹⁴⁴ As Silman said: “An act of court had the power to change the face of the past,” see *ibid.*, 252 (Hebrew).

¹⁴⁵ This means that the court’s decision was considered more significant than physical reality. For example, in the case of menstruation, as Silman says: “An act of court affects women’s menstruation,” see *ibid.*, 253–54 (Hebrew). This was also true in the case of a bull that has gored thrice, and in the matter of the intercalation of a month. The court’s decision to intercalate a month was more binding than the nominal count of the days. See *ibid.*, 253 (Hebrew). Silman notes that in general: “An act of court has the power to affect biological processes,” *ibid.*, 253 (Hebrew).

occur over fixed durations are lengthened or shortened, and sometimes even change their irreversible natural direction. This interpretation of sovereignty, as said earlier, fits in well with the worldview where a realistic meaning was granted to Halakhic determinations and Halakhic outcomes in general . . .¹⁴⁶

While Silman is dealing here with later Halakhic debates apparently beyond the Pharisaic period, the sources we have cited above show that this tendency constitutes a continuation of the Pharisaic trend. We saw that this tendency existed in the ruling of the Pharisee Rabban Gamaliel that the court's ruling should be binding even in a case when the ruling is contrary to nature and logic (כרסה בין שנייה).

A result of this is that Pharisaic Halakhah cannot be eternal, since a human ruling, with no external measure, creates the Halakhah. Were the Halakhah dependent on some external measure (such as nature), one could claim that it was "eternal" to some extent. But in our current case, Halakhah depends on human decisions. If the court decides otherwise, the Halakhah changes accordingly. The principle of eternity will be seen in the Halakhah of the other groups, for sake of comparison.

In the case of the dispute between Rabbi Yehoshua and Rabban Gamaliel, they crossed the line from an individual case (casuistic) to a general principle (a general rule). The same Talmudic passage later formulated the principle of "you must be content to go to the judge of your days":

The scripture places three of the most questionable characters on the same level as the most estimable characters to show that Jerubaal in his generation is like Moses in his generation, Bedan in his generation is like Aaron in his generation, Jephthah in his generation is like Samuel in his generation, to teach you that the most worthless, once he has been appointed a leader of the community, is to be accounted like the mightiest of the mighty . . . this shows that you must be content to go to the judge who is in your days.¹⁴⁷

This principle, that one should not debate after court rulings even if they seem wrong, is well-expressed in another rule, which may be termed "even if they point out to you that right is left and left is right obey them." The sources for this "normative" Halakhah are verses in *Deuteronomy*: ". . . and thou shalt observe to do according to

¹⁴⁶ Silman, *ibid.*, 251 (Hebrew).

¹⁴⁷ BT Rosh Hashanah 25a-25b.

all that they inform thee: According to the sentence of the law which they shall teach thee, and according to the judgment which they shall tell thee, thou shalt do: thou shalt not decline from the sentence which they shall show thee, to the right hand nor to the left” (*Deut.* 17:10–11). This is what the Sifre says about this: “Even if they point out to you that right is left and left is right, obey them”¹⁴⁸ (אפילו מראים בעיניך על ימין שהוא שמאל ועל שמאל שהוא ימין שמע להם).¹⁴⁹

However, there is a converse passage in the Jerusalem Talmud Horayoth:

Is it possible that, if people should say to you that right is left and left is right, you should listen to them? Scripture says, “To go to the right hand or the left,” meaning that [one follows the majority only if] they declare to you that [what actually is] the right is right, and the left, left.¹⁵⁰ (יכול אם יאמרו לך על ימין שהוא שמאל ועל שמאל שהוא ימין תשמע להם? תלמוד לומר ללכת ימין ושמאל. שיאמרו לך על ימין שהוא ימין ועל שמאל שהוא שמאל).

Some theories have been proposed to reconcile these two contradictory passages.¹⁵¹ It appears that the approach in source comprehension should be that presented by Havlin,¹⁵² that we should probably assume that the two sources were referring to different verses and different realities. The source from Horayoth refers to the verse from *Deut.* 24:14 about idolatry, while the source from Sifre refers to the instructions of the Sages in all other situations. This reconciliation

¹⁴⁸ Sifre on Deuteronomy, paragraph (Piska) 154, Translation according to R. Hammer, *Sifre: a Tannaitic Commentary On the Book of Deuteronomy*, Yale University Press, Philadelphia 1986, pg. 190.

¹⁴⁹ Hebrew according to Louis Finkelstein, *Sifre on Deuteronomy (Sifre al Sefer Dvarim)*, New York 1993³, 207 (Hebrew).

¹⁵⁰ JT Horayoth 1, 1 (45, 4). Translation according to J. Neusner, *The Talmud of the Land of Israel*, vol. 34, Chicago 1982, pg. 14. For all the versions and opinions in these sources, see: S. Z. Havlin, “Al ‘Hachatima Hasifrutit’ Keyesod Hachaluka Letkufot Bahalakhah,” in *Mechkarim Basifrut Hatalmudit: Yom Iyun Levegel Melot Shmonim Shana LeShaul Lieberman*, Jerusalem 1983, 164–65, note 71 (Hebrew).

¹⁵¹ For a presentation of the problem and different scholars’ opinions, see Havlin, *ibid.*, *ibid.* He also refers to additional sources on this issue. See also: D. R. Schwartz, “Law and Truth . . .,” note 15 and the references there, especially to Lifshitz. See also: S. J. Zevin (ed.), *Encyclopedia Talmudit*, “Halakhah,” esp. 244, notes 55–57 (Hebrew). See also references to S. Y. Rappaport, cited in Schwartz, *ibid.*, *ibid.* He rejects outright the interpretation: “and if one thinks they may have been wrong one should obey them, but if one knows for certain that they were wrong, then one should not.” As he says: “This interpretation is fine to say in a Yeshiva to a room of students, but this is not literal truth.” He also rejects the changes of versions from the version in Shir Hashirim Raba. See *ibid.*

¹⁵² See Havlin, *ibid.*, 164–65, note 71 (Hebrew).

(and other explanations that reconcile the difference) means that the scholars do not deny that the passage in Sifre clearly indicates that one should accept the normative court's ruling even if it contradicts nature and logic (according to one's own approach, opinion and values).¹⁵³ These two phrases: "you must be content to go to the judge who is in your days" and "Even if they point out to you that right is left and left is right, obey them" develop the norm-orientated idea of accepting the majority decision and the ruling of the central court in Jerusalem after it has been passed. Anyone who disputes the court's ruling is seceding from the normative world.

It appears that value-orientated groups could not accept such a rule, which places the normative court at the top of the list of priorities, even above the value system. Indeed, the value-orientated groups did not accept the existing leadership, seceded from it and called it by derogatory names. Although in principle the central court at the Chamber of Hewn Stones in Jerusalem was supposed to determine Halakhah for everyone, the value-orientated groups did not accept its authority. Thus they became seceding groups, unlike the dissenting groups that did accept the court's decisions.

The Use of Normative Arguments among the Dissenting Groups

When one determines Halakhah on any issue, the position can stem from many reasons: from interpreting the verses, from a particular value system or from social considerations. If one takes into account temporary social considerations, then to some extent one is giving up values for normative reasons. According to the main principle of the law they should not have ruled that way, but due to certain social considerations, they change the law.

We find several cases where the Pharisees indeed "give up" the main principles of the law for various normative considerations. Let us consider two examples from the disputes between the Sadducees and Pharisees described in Talmudic literature.

In two of the laws mentioned at the beginning of this chapter, the Pharisaic law stems from a special ruling that is not related to the main principle of the law but rather to arranging social relations. In other words, these are normative rulings.

¹⁵³ The extent to which it contradicts them depends on how things are reconciled. If we accept the reconciliation cited above in Havlin's note, then in all areas except idolatry one should accept the court's ruling even if it appears clearly wrong.

One is the law of the damages of servants and maidservants.¹⁵⁴ The Pharisees explained their position as a realistic fear: “for if I provoke them to anger, they might go and set on fire another’s shock of grain, and it would be I that would have to pay compensation.” In contrast, the Sadducees believed in inference from minor to major, based on logical arguments.¹⁵⁵

The same applies to writing the name of the regime on a divorce certificate.¹⁵⁶ The duty is from a decision of the Sages “for the sake of peace with the rulers.”¹⁵⁷ Here this is not a law with a long tradition based on a Biblical order, but a “normative” innovation. The Pharisees preferred maintaining “peace with the rulers” even though in this case the law could lead to a problem of bastards being born among Jews. The Sadducees did not agree with this law, and this is not surprising. This was a normative law that could cause a problem of Halakhic principle, which also, in their opinion, offended the honor of Moses and Israel, which they considered as “permanent” compared with the honor of the rulers. These honors were not considered comparable. They believed that the honor of Moses and Israel (the honor of Judaism) and the prevention of bastards among Jews should be preferred to the normative rule of honoring the rulers. Here we have seen two examples where the Pharisees changed the main principle of the law for normative considerations, while the Sadducees argued that one should remain faithful to the main principle of the law, as derived from interpretation or Biblical logic.

To conclude this section, we have seen here that the Pharisaic norm-orientated method required full recognition of the accepted Halakhic institutions. The source of these institutions’ authority is their appointment and position, which are completely human. There was a principle of human authority and the requirement of conformity.¹⁵⁸

The requirement of conformity is the requirement of normative society in Jerusalem. The Pharisees and the Jerusalem Sadducees

¹⁵⁴ This law is listed earlier in the chapter among the laws in dispute between the Pharisees and Sadducees. Its source is: M. Yadayim, 4, 7.

¹⁵⁵ Ibid., *ibid.*

¹⁵⁶ This law is listed earlier in the chapter among the laws in dispute between the Pharisees and Sadducees. Its source is: M. Yadayim, 4, 8.

¹⁵⁷ Ibid., *ibid.*

¹⁵⁸ Talmon stresses also the principle of authority among the Pharisees, and the necessity of conformity once a decision has been taken. See S. Talmon, “The Calendar Reckoning of the Sect from the Judean Desert,” in *Scripta Hierosolymitana* IV, C. Rabin & Y. Yadin (eds.), Jerusalem 1965, 162–63.

could tolerate differences of opinion, but required conformity from the moment the ruling was given. The fact is that they obeyed these rulings, and we know this since the dissenting groups refrained from seceding from the center even when a ruling was given contrary to their position. The Jerusalem Sadducees did not secede even when the court was controlled by Pharisees, and vice versa. The dissenting groups considered the issue of conformity as essential. They ruled that the Halakhah determined by the ruling body in Jerusalem was binding even above values and the truth of the matter. They believed there was no external measure to evaluate a ruling, except for the current judge.

The seceding groups did not accept this system. Like the rebellious Sadducee in the worship of Yom Kippur, the seceding groups remained faithful to their studies and values. They argued that it was not the court's ruling that determined the truth, but rather an independent system of values. This is the core of the dispute that made these groups secede. They could not accept the rulings of the center, and even examined these rulings on the basis of an independent value system, thus becoming seceding groups.

4.3 *The Halakhic System of the Seceding Groups* (*Qumran, Essenes and Sadducees*):

Non-Compromise, an Independent Value System and Value-Orientated Arguments

A. Non-Compromise in the Seceding Groups

The story brought earlier demonstrated that in the Pharisee world, despite all the verses and methods of study, the binding authority was the court ruling, for better or for worse. "Even though we interpret, we do not do" shows that the court's decision was more binding than even the interpretation of verses. We have seen that even in cases where the court's decision contradicted realistic, physical, ideological or even Halakhic rules, it was considered binding. The result is that in the normative Halakhic system the source of binding authority was the current human leadership.

Among the seceding groups the situation was completely different. As we have seen above, in the case of the rebellious Sadducee, the seceding Sadducees did not compromise on their Halakhot. If their tradition of interpretation was different to the court's ruling, then the court was at a disadvantage. If the court's ruling happened to

suit their tradition of interpretation, then their Halakhot would match those of the normative center. The best proof is that they did not compromise. The Essenes, the Qumran group and the seceding Sadducees all seceded from the Jerusalem center and lived apart from it. The seceding groups refused to accept the authority and sovereignty of the official institutions in Jerusalem and took no part in the affairs of the political-spiritual center there. Not only the Pharisee sources and Josephus testify to their lack of compromise, so too do their personal testimonies, such as that of Qumran in *Miqsat Ma'ase Hatorah*: “we have separated ourselves from the multitude of the people [and from all their impurity] and from being involved in these matters and from participating with [them] in these things”¹⁵⁹ and their words in *The Community Rule*: “they shall separate themselves from the congregation of the men of deceit . . .” וזה הסרפ¹⁶⁰ לאנשי היחד המתנדבים לשוב מכול רע ולהחזיק בכול אשר (צוה לרצונו להבדל¹⁶¹ מעדת אנשי העול לחיות ליחד בתורה).¹⁶²

These two passages show that they were opposed to accepting the dictates of Jerusalem society, and preferred to remain loyal to their laws and beliefs. Their degree of determination can be seen from their requirement of no compromise to the point of death.

No Compromise—to Death

Various sources of the seceding groups show that they were not willing to compromise at all, even at the cost of their lives. Unlike the Pharisees, it appears that for the seceding groups almost any Halakhah was a matter of life and death (rather die than disobey). We have no certain evidence regarding the Pharisees, but even the Tannaitic

¹⁵⁹ *Miqsat Ma'ase Hatorah*, according to: E. Qimron & J. Strugnell, “Qumran Cave 4 . . .” in *DJD X (Miqsat Ma'ase Ha-Torah)*, “Composite Text,” C, lines 7–8, p. 58. From the context it is clear that the passage refers to Halakhic aspects, as the scholars say there in note 8 (“legal matters”). In other words, they testify that they seceded for Halakhic reasons. Mentioned earlier this chapter.

¹⁶⁰ It appears with a כ instead of a ך. See Charlesworth, 1994.

¹⁶¹ On the separation. Licht notes: “a great rule in the law of the sect.” Licht later notes that the ways of separation are listed later in this work: column 5 lines 10–20; column 6 line 15; column 8 line 13. See J. Licht, *Megilat Hasearachim*, 123, notes to lines 1–2 (Hebrew).

¹⁶² *Community Rule*, column 5 lines 1–2, from: J. H. Charlesworth, *Rule of the Community*, 1994, column 5, lines 1–2, p. 18. See also: J. Licht, *ibid.*, 123 (Hebrew). Cf. *Community Rule* column 8 line 13. Sussman also referred to the separationist aspect of the Qumran group on the basis of sources from this work. See: Y. Sussman, “Cheker Toldot Hahalakhah . . .,” 38–39 (Hebrew).

literature restricts the duty to give one's life to three areas.¹⁶³ In contrast, in the Qumran group, in the area of a person voicing an oath on anything biblical we find the following instructions:

1. "Any binding oath by which a man takes upon himself to do a thing (sanctioned) by the Torah, even unto the price of death, let him not redeem it."¹⁶⁴
2. Anything by which a man [tak]es upon himself to [de]part [from the To]rah, even to the price of death, let him not fulfill it."¹⁶⁵

Here we see that even someone swearing to one thing written in the Torah must "die rather than disobey." As scholars note, we have not found in the Qumran literature any possibility of an oath being annulled by a Sage (as is possible in the Tannaitic literature).¹⁶⁶ This means that the person must die, without any other solution to his problem. We should also note that since the members of the Qumran group accepted all their laws and Halakhot under oath, then the rule of not breaking the law until death applied to all of them.

As we see from these passages, the Qumran Halakhah is "die rather than disobey" for all areas, both a single Halakhah and the whole Torah.¹⁶⁷

The duty to obey all the groups' laws to the death is stressed by Josephus in his description of the Essenes. He notes that they swore to uphold all the groups' principles, and a person ejected from the group would eventually starve to death (Josephus, *War* 2, 143–44). This implies that even in a situation of suffering and mental torment,

¹⁶³ The three areas where one has to give one's life rather than break the law (in contrast to breaking the law rather than giving one's life) in the Tannaitic literature are: incest, bloodshed and idolatry. We should note that on the one hand, the Sages sometimes required death for all the Halakhot in a period of religious persecution, but on the other hand, even regarding these three areas things are not certain. For an extensive survey of the relevant verses, sources and reservations on this issue, see: S. J. Zevin (ed.), *Encyclopedia Talmudit*, XXII, "יהרג ואל יעבר", 53–112 (Hebrew). Some of the persons and sources mentioned in this context are relatively late, while some can be attributed to the Pharisee period.

¹⁶⁴ *Damascus Document*, column 16 line 8, in: J. H. Charlesworth (ed.), *The Dead Sea Scrolls: Damascus Document, War Scroll and Related Documents*, II, Tübingen & Louisville, 1995, 40 (hereafter: Charlesworth 1995). This passage refers to fulfilling oaths. See Charlesworth's interpretation (*ibid.*, 41, note 135), where he compares the Tannaitic literature to the Qumran group on this issue.

¹⁶⁵ *Ibid.*, line 9, in Charlesworth 1995, *ibid.*

¹⁶⁶ See the scholars' comment in: Charlesworth 1995, 41, note 135.

¹⁶⁷ For the application to the whole Torah, see the previous paragraph and the previous two notes.

and even loss of life, the group's Halakhot must be obeyed. There was no room whatsoever for compromise.

The decisive proof of the Essenes' not compromising is a passage in Josephus indicating that even when they suffered severe torture, they refused to violate even one of their conventions. According to this source, the Essenes passed the test not only theoretically but also in actual practice. This is how the passage from Josephus appears in translation:

The war with the Romans tried their souls through and through by every variety of test. Racked and twisted, burnt and broken, and made to pass through every instrument of torture, in order to induce them to blaspheme their lawgiver or to eat some forbidden thing, they refused to yield to either demand, nor even once did they cringe to their persecutors or shed a tear. Smiling in their agonies and mildly deriding their tormentors, they cheerfully resigned their souls, confident that they would receive them back again.¹⁶⁸

Here Josephus stresses the Essenes' refusal to compromise very clearly. Particularly interesting is the connection described by Josephus between their approach and their theology regarding the immortality of the soul. According to Josephus, their inability to compromise was directly linked to their values system (theology and ideology) and the eternality of their Halakhot.

In any case, the contrast between the two Halakhic worlds, of the Pharisees on the one hand and the Qumran group and the Essenes on the other, on the issue of compromise, is especially noticeable in the following principles of the eternality of the Qumran and Essene Halakhah, its absolute truth and the existence of an independent value system supporting their Halakhot.

B. *Values as the Supreme Ideal*

There is no reason to doubt that the seceding groups did not compromise. This is proved by the sources and the physical facts of their isolated residence and their degree of involvement in the Jerusalem center.

¹⁶⁸ Josephus, *War* 2, 151–52. These words of Josephus are puzzling in light of the positive connection described between the Essenes and the House of Herod (especially in the person of Menachem the Essene, see Josephus, *Ant.* 15, 371 ff.). For scholars' discussions of this issue, see: L. H. Feldman, *Josephus and Modern Scholarship (1937–1980)*, 613–14, and references there.

We have linked the lack of compromise to the existence of an independent value system. We have seen that for the dissenting compromising groups the supreme value was obedience to the court, despite differences of opinion and the interpretation of verses. For the seceding groups, this was not the case. The seceding groups had independent values of absolute truth, adaptation to nature, following their interpretations of verses and more. Their loyalty to these values required their Halakhot to be eternal. This implies that the seceding groups used value-orientated arguments and did not change their Halakhot for social considerations. Now we shall see that an independent value system did indeed exist in the seceding groups, using the following elements:

1. The argument of absolute truth.
2. The argument of the eternity of Halakhot.
3. Linking the Halakhot to an independent value system. The value systems typical of seceding groups are:
 - a. Adaptation to nature (*physis*).
 - b. The agreed methods of interpretation.
 - c. Pure logic (giving the reason for the Halakhah).
 - d. The word of the living God (prophecy/revelation).
 - e. Value-orientated arguments versus norm-orientated arguments.

1. *Emphasis on Truth and Knowledge* Some Qumran sources stress the existence of the “absolute truth.” The group’s leader was blessed with the ability to know this truth. Truth was one of the leading elements in the whole of nature and in all actions, and the knowledge of truth depended on wisdom. Many sources of Qumran attribute truth, eternal value and comparisons to natural elements. In the Community Rule, the commandments are compared to the seasons of the year.¹⁶⁹ In the Thanksgiving scroll, truth is attributed to the God and to the members of their community.¹⁷⁰

Since this “truth” exists embedded in the world, a person who can examine the world according to this truth is required. The person

¹⁶⁹ *Community Rule* column 1 lines 14 ff., according to: Charlesworth 1994, 6. See also: Licht, *Megilat Haseerachim*, 62 (Hebrew). This source is cited and discussed in: J. Obermann, “Calendaric Elements in the Dead Sea Scrolls,” *JBL* 75 (1956), 285–97. This passage makes a clear comparison between the truth and eternity of the calendar and the truth and eternity of the Qumranic Halakhah.

¹⁷⁰ *Thanksgiving Scroll* column 1 lines 37–38, according to Licht, *Megilat Hahodayot*, 64 (Hebrew).

who can do this is of course the group's leader.¹⁷¹ There is a direct link between the group's leader and the knowledge of the "truth." Licht has written extensively on this characteristic of the Qumran group, on the basis of the *Thanksgiving Scrolls*. He terms one of the paragraphs "On the provision of knowledge"¹⁷² and demonstrates the importance of truth and absolute knowledge in Qumran.¹⁷³

So also in the Commentary on Habakkuk, the role of the group's leader (who is not called "Messiah" but "Teacher of Righteousness" and the "Priest") is to interpret the unknown. As the scroll says: "concerns the Righteous Teacher to whom God has made known all the mysteries of the world of His servants to the prophets."¹⁷⁴

Here we see how the group leader's role is to reveal to the ignorant world the hidden knowledge, and even knowledge of the future. Along with knowledge of the truth, the people who wish to follow the right path (the Sons of Light at least) are supposed to act according to this true path. There are explicit sources on this.¹⁷⁵ Many other sources deal with the "truth" and its importance to the Qumran group. From their words it is clear that there was such a truth, according to which the world was created, and according to which the world should be understood. The group's leader knows the truth with certainty. The existence of an "absolute truth," if so, is an essential part of the seceding Qumran group's system.¹⁷⁶

2. *The Eternality of Their Halakhot* The Qumran group saw their principles as eternal and immutable. They compared their principles to the heavenly bodies and to the laws of nature, thus showing that

¹⁷¹ On the character of the Qumran group's leader, see Chapter Five on the theological and ideological aspects of the Jewish groups.

¹⁷² See J. Licht, *Megilat Hahodayot*, 128 ff. (Hebrew).

¹⁷³ See for instance *Thanksgiving Scroll* 2 column 2 lines 10 ff., according to Licht, *Megilat Hahodayot*, 67–68 (Hebrew). Compare with *Damascus Document* column 2 line 12, according to Charlesworth 1995, II, 14.

¹⁷⁴ *Pesher Habakkuk* column vii lines 3–5, according to W.H. Brownlee, *The Midrash Pesher Of Habakkuk*, 107.

¹⁷⁵ See *Community Rule* column 1 lines 5–6, according to Charlesworth 1994, I, 6. See also: J. Licht, *Megilat Haserachim*, 60 (Hebrew). See also *Community Rule* column 9 lines 3–4, according to Charlesworth 1994, I, 38. Cf.: J. Licht, *Megilat Haserachim*, 189 (Hebrew). See also on this source: J. M. Baumgarten, *Studies in Qumran Law*, 47–48.

¹⁷⁶ The "way of the truth" is distinguished from the "way of injustice" (like the distinction between "sons of light" and "sons of darkness"). See J. Licht, *ibid.*, 94 (Hebrew).

just as these never change, so do their principles never change. There are many examples, for instance:

May he establish his steps for walking perfectly in all God's ways, as he commanded at the appointed times of his fixed times, and not turn aside, to the right or to the left, and not transgress a single one of all his commandments . . . and it will be unto him a covenant of the everlasting Community.¹⁷⁷

These and other passages¹⁷⁸ prove that for the Qumran group the approach was eternal and unchanging. These passages contain the terms: "eternal law," "according to the times," "there was and shall be no other," "to Israel forever," "law of freedom forever." There are also comparisons with real fixed things such as "intelligence," "times," "the law of their foundation is the day of his trial to each other," and more. The eternity of the Qumran Torah (with its laws and interpretations) is compared with the calendar and natural forces. Just as these permanent forces are immutable, so their values, Halakhot and whole way of life are not supposed to change. These are the features of a value-orientated way, in contrast to the way of the norm-orientated groups.

3. *Linking the Halakhot to an Independent Value System* We shall see that the Halakhic world of the Qumran group and the seceding Sadducees was well argued. The very fact that they explained their Halakhot is interesting. Moreover, we can see that there were systems of values that served as comparisons for determining the Halakhah. Among

¹⁷⁷ *Community Rule* column 3 lines 10–11, according to Licht, *Megilat Haserachim*, 80 (Hebrew). For other sources see: *Thanksgiving Scroll* page 12 lines 9–11, according to Licht, *Megilat Hahodayot*, 174, esp. note 9 (Hebrew). Quoted and discussed in: J. Obermann, "Calendrical Elements . . .," 285–97, marked there 5A. See the whole thanksgiving prayer devoted to the eternity of God's creation, named by Licht "On his Eternal Glory," see Licht, *ibid.*, 170 (Hebrew). See also *Thanksgiving Scroll* column 2 lines 23–24, according to Licht, *Megilat Hahodayot*, 73 (Hebrew). See also Licht's comments on the eternity of the group and its laws, *ibid.*, notes 22, 23, 25 (Hebrew). However, this source is less explicit than the former ones. See also *Community Rule* column 4 lines 21–22, according to Licht, *ibid.*, 104 (Hebrew). See also *Community Rule* column 10 lines 6–7, according to Licht, *ibid.*, 210 (Hebrew). See also the notes there. Cited and discussed in: J. Obermann, "Calendric Elements . . .," 285–97, marked there C8–11. See also *Damascus Document* column 3 lines 12–14, according to J. H. Charlesworth 1995, 16; *Damascus Document* column 15 lines 5–6, according to J. H. Charlesworth 1995, 38.

¹⁷⁸ For sources see former note and see J. Obermann, "Calendric Elements . . .," 285–97.

these systems: adaptation to nature (*physis*), logic, methods of interpretation and words of prophecy. These show that there was an independent value system at the basis of the seceding groups' Halakhic system. We shall bring some examples in the following order:

1. Giving the reason for a commandment.
2. Value-orientated arguments (adaptation to nature, interpretation of verses).

Giving the Reason for a Commandment and Value Orientated Justifications

The tendency to justify the reason for the Halakhah is a typical feature of the Qumran writings. It is interesting to see that their arguments were not based on the duty of obedience, but on well-argued realistic reasons. We shall not examine here the truth of these arguments, and not discuss them in depth, but demonstrate the phenomenon itself. This tendency shows that the Qumran group based its Halakhic system on realistic explanations, constituting the basis for obeying the Halakhah.

Several scholars have noted the habit of justifying the Halakhot.¹⁷⁹ Schwartz discusses it at length in his article, and brings this feature as one of the proofs that the Qumran group adopted a realistic approach, in contrast to the nominalistic Pharisees.¹⁸⁰ While we do not accept this division in precisely the same way as Schwartz, we agree with his description of the Qumran group's value system being based on realistic arguments.

As we shall see, not only did they themselves use realistic arguments to explain their opinions, in some cases even the Pharisees used realistic explanations of the Sadducees' approach. Here are some examples, first from the Dead Sea Scrolls, and later from descriptions in Talmudic literature.

Halakhot and their Justifications in among the Seceding Groups

Following are a few examples of justifications for Halakhot in the Qumran group:

¹⁷⁹ For example: L. Ginzberg, *An Unknown Jewish Sect*, 5–154; D. R. Schwartz, "Law and Truth . . ." 229–40.

¹⁸⁰ *Ibid.*, *ibid.*

1. And concerning the purity regulations of the cow of the purification offering (i.e. the red cow) he who slaughters it and he who burns it and he who gathers its ashes and he who sprinkles the [water of] purification it is at sun[se]t that all these become pure so that the pure man may sprinkle upon the impure one.¹⁸¹
2. And we are of the opinion that the sanctuary [is the “tent of meeting”] and that Jerusalem is the “camp,” and that “outside the camp” [is outside Jerusalem], that is, the encampment of their settlements . . . For Jerusalem] is the place which [He has chosen] from among all the tribes [of Israel . . .].¹⁸²
3. and concerning the deaf who have not heard the laws and the judgements and the purity regulations, and have not heard the ordinances of Israel, since he who has not seen or heard does not know how to obey (the law).¹⁸³
4. And concerning liquid streams we are of the opinion that they are not pure, and that these streams do not act as a separative between impure and pure (liquids). For the liquid of streams and (that) of (the vessel) which receives them are alike, (being) a single liquid.¹⁸⁴
5. And one must not let dogs enter the camp, since they may eat some of the bones of the sanctuary while the flesh is (still) on them. For Jerusalem is the camp of holiness . . .¹⁸⁵
6. And concerning his (i.e. Israel’s) [clean ani]mal, it is written that one must not let it mate with another species; and concerning his clothes [it is written that they should not] be of mixed stuff; and

¹⁸¹ *Miqsat Ma’ase Hatorah*, B, 13–16. All the following sources from *MMT* are according to: E. Qimron & J. Strugnell, “Qumran Cave 4 . . .,” in *DJD X*, “The Composite Text,” 44–63. This text is from *ibid.*, 48. The Hebrew text is as follows: ואף על פהרת פרת החמאת השוחט אותה והסורף אותה והאוסף את אפרה והמוזה את מי החמאת לכול אלה להעריבו השמש להיות שהורים בשל שא יהיה הטהר מזה על הטמה.

¹⁸² From *MMT*, *ibid.*, B 29–32, E. Qimron & J. Strugnell, *ibid.*, pg. 51. The Hebrew text: ואנחנו חושבים שהמקדש משכן אזהל מועד הוא וירושלים מהנה היא והוצה למחנה הוא הוצה לירושלים הוא מהנה עריהם הוצן ממחנה . . . כי ירושלים היא המקום אשר בחר בו מכול שבטי ישראל.

¹⁸³ From *MMT*, *ibid.*, B 52–54, E. Qimron & J. Strugnell, *ibid.*, pg. 53. The Hebrew text: ואף על החרשים שלוא שמעו חוק ומשפט ושהרה ולא שמעו משפטי ישראל כי שלוא ראה ולוא שמע לוא ידע לעשות.

¹⁸⁴ From *MMT*, *ibid.*, B 55–58, E. Qimron & J. Strugnell, *ibid.*, *ibid.* The Hebrew text: ואף על המוצקות אנחנו אומרים שהם שאין בהם טהרה ואף המוצקות אינם מברילות בין הטמא לטהור כי לחם המוצקות והמקבל מחמה כהם לחם אהה. See: D. R. Schwartz, “Law and Truth . . .,” 232, on the law of the uninterrupted liquid (Nizok). He compares this issue to the division of seas and oceans. He raises the question whether the different types of sea should be distinguished. He claims that the division of names is nominalistic and not realistic, since in reality all the seas and oceans are connected. He draws conclusions according to the debate between the Pharisees and Sadducees over the law of the Nizok.

¹⁸⁵ From *MMT*, *ibid.*, B 58–59, E. Qimron and J. Strugnell, *ibid.*, *ibid.* The Hebrew text: ואין להבי למחני . . . הקודש כלבים שהם אוכלים מקצת עצמות המקדש והבשר עליהם כי ירושלים היאה מחנה הקדש.

he must not sow his field and vine[yard with mixed specie]s. Because they (Israel) are holy, and the sons of Aaron are [most holy]. Because you know that some of the priests and [the laity mingle with each other [as well as] [and they] unite with each other and pollute the [holy] seed . . .¹⁸⁶

7. By unchastity, (namely) taking two wives in their lives, while the foundation of creation is “male and female he created them.”¹⁸⁷
8. Now the precept of incest is written from the point of view of males, but the same (law) applies to women . . .¹⁸⁸
9. And all species of locusts shall be put into fire or water while still alive, for this is the precept of their creation.¹⁸⁹

Here we see cases where the Halakhot were explained with realistic arguments. Two are based on arguments from nature or the nature of their creation (7 and 9). Several are well argued with a realistic logical reason (1, 3, 4, 5). Others are explained with proof from scripture and methods of interpreting scripture (8). We can also see the use of the distinction of terms (analytic method) to make the Halakhah more accurate, especially in the definition of “camp” (2). They also deal with “constitutional” Halakhot, that seem to have no logical reason, and they present an idea behind the Halakhah. For example, on the issue of the ashes of a red cow and Tebul Yom (1). The requirement of the verse is a “pure man.” Apparently the idea explaining this is that an impure man should not sprinkle the ashes and thus purify others. However, in the Pharisees’ opinion,

¹⁸⁶ From *MMT*, *ibid.*, B 77–82, E. Qimron and J. Strugnell, *ibid.*, 55–57. The Hebrew text: בהמתו השדורה כחוב שלוא לרבעה כלאים ועל לבושו כתוב שלוא יהיה: שמשנו ושלוא לזרוע שדו וזכרמו כלאים בגלל שהמה קדושים ובני אהרון קדושי קדושים ואהם מחערב אהל יהערב איה מרצונו בשבת. *Damascus Document* column 11, lines 4–5, according to Charlesworth 1995, 46–47, note 164. On the term יהערב see also: L. Ginzberg, *An Unknown Jewish Sect*, 114–15.

¹⁸⁷ *Damascus Document* column 4 line 21, Charlesworth 1995, 18–19. The Hebrew text: בזנות לקחה שתי נשים בחייהם ויסוד הבריאיה זכר ונקבה ברא אהם. See: D. R. Schwartz, “Law and Truth . . .,” 230–31; L. Ginzberg, *An Unknown Jewish Sect*, 19–20.

¹⁸⁸ *Damascus Document* column 5 line 9, Charlesworth, 1995, 20–21. The Hebrew text: ומשפט העריות לזכרים הוא כתוב וכהם הנשים.

¹⁸⁹ *Damascus Document* column 12 lines 13–15, Charlesworth, 1995, 52–53. On the law of locusts, see: L. Ginzberg, *An Unknown Jewish Sect*, 80; The Hebrew text: וכל הזנבים במניהם יבאו באש או במים עד הם חיים כי הוא משפט בריאהם. See D. R. Schwartz, “Law and Truth . . .,” 231: “Whatever one may think of the apparent zoological notion . . . it is enough to note the presumption that the law concerning their consumption, just as that concerning plural marriage, is to be determined on the basis of the realities of nature.”

although they accept that Tebul Yom is not completely pure (since he is prohibited from sanctity), they believe a person becomes a “pure man” immediately after bathing, and can therefore purify others. The Sadducees and the Qumran group disagreed. Since such a person is not pure in terms of sanctity, he cannot be a “pure man” at all. A person cannot be split in half. This is a realistic approach that the impure person is “dirty” in some way, and therefore cannot clean others. So they require him to be completely pure.

On the issue of hybridism, too, the Qumran group had an abstraction for there being a disqualification in mixing species. Any such mixing was contrary to sanctity. If one looks at things realistically, there is a real difference between two types of animals, two types of cloths, etc. If one accepts the principle that mixing species (or mixing sanctities) is a negative thing, then the outcome is that this should be avoided. The Qumran group stated explicitly that mixing was a negative thing, thus “explaining” the Halakhah (6).

Particularly interesting are the examples of deaf people, the law of the Nizok and the dogs (3, 4, 5). The disqualification of deaf people is explained completely logically, since they had not heard the Halakhot and were not fully versed in them, they would not observe the laws of purity and impurity as required.

The law of the Nizok is explained in a completely realistic way. They argue that since the waters are linked in reality, so they are also connected in Halakhic terms. Schwartz presented this as a realistic argument versus a nominalistic position. The law on dogs is also an example of a completely realistic explanation. The argument that dogs are willing to eat bones and the meat on them is realistic and true. If one believes, as the Sadducees and the Qumran group did, that the bones (and meat) of pure animals make one impure, then their anxiety is realistic.

To Conclude the Section on Halakhah

In this chapter we compared the Second Temple period Jewish groups on several issues related to the Halakhic world.

Even though all the groups stemmed from a common Halakhic background, expressed in the similar terminology and grammar used by all groups, and even though the Halakhic issues were almost identical and the conclusions sometimes overlapped, we still saw that the groups could not be considered identical.

Despite the conclusion that groups cannot be amalgamated on the basis of similar Halakhic opinions, we can compare the groups in their Halakhic approaches, thus re-examining them. According to the premise of this study, we compared the dissenting groups (Pharisees and Jerusalem Sadducees) to the seceding groups (the Qumran group, Essenes and Halakhic Sadducees) on issues relating to a norm-orientated approach versus a value-orientated approach.

The main points on which we examined the various groups were: their willingness to compromise on Halakhic issues and the degree of normative obedience (accepting the authority of the rulers in Jerusalem), compared with non-compromise and non-acceptance of the normative obedience.

Alongside the aspects mentioned above, we also examined the attribution of eternity and absolute truth among the seceding groups. Using Schwartz's distinction between nominalistic and realistic Halakhic systems, we distinguished a value-orientated Halakhic system (of the seceding groups) from a norm-orientated Halakhic system (of the dissenting groups).

The value-orientated Halakhic system includes the principle of non-compromise and the existence of an independent value system. These principles, in our opinion, demonstrate the difference between the types of groups, both in the Halakhic system and in their attitudes towards the Halakhah. The seceding groups treated their Halakhot as absolute truth, eternal and uncompromising. Their Halakhot were determined on the basis of an independent value system, one of whose components was realism. Nature, logic and prophetic revelations were also used to determine Halakhah. They did not compromise over their Halakhot and considered the values behind the Halakhah as supreme values. While in the Pharisee world the court's ruling was more binding than any value or principle, the seceding groups did not accept such rulings. The principles and values they supported were considered more important than the court's decision.

The second principle we saw here is the fact that the seceding groups refused to compromise. The very existence of the disputes in the Talmud and the Qumran writings proves this, sometimes explicitly. One of the clearest examples is the story of the Sadducee father and his son who said, "In your entire lives you would [merely] expound the Scripture, but you never did the deed properly, until I arose and went in and did it right."

The norm-orientated approach of the Pharisees and Jerusalem Sadducees stated that the ruling of the normative court was the supreme value. Thus both the arguments for determining the Halakhah and for changing it could be “normative.” For this reason, their Halakhot were not eternal, and the Halakhah itself could be changed by court ruling. The court’s power still held even when the ruling was contrary to reality and nature (and perhaps even God’s word).

To conclude, all the groups, dissenting and seceding, based their Halakhot on a system of values. This is why the groups were similar in Halakhic systems and in some of their Halakhic conclusions. The main difference between the two types of groups was in the approach. These issues are related to the sources of authority of the groups’ leaders, an issue to be discussed in the next chapter.

CHAPTER FIVE

SECEDING GROUPS AND DISSENTING GROUPS: THEOLOGY AND IDEOLOGY

In this chapter we shall distinguish between seceding groups and dissenting groups in areas that can be defined as ideological and theological. The two main subjects under examination here are:

- A. The need for continuing prophecy (metaphysical leadership), and the connection between it and the group's internal life.
- B. The general attitude towards the earthly life: earthly pleasures, possessions and the benefits offered by the social center.

Several reasons have led us to conclude that we will find a significant distinction between the group types in these areas. Regarding the first aspect: several theories have argued that a seceding group tends towards the metaphysical.¹ Moreover, it is only logical that a value-orientated group that lives distanced from the social centers and the benefits thereof, will present values which are true and eternal, thus not requiring social dependence.² One of the best supports for such an argument is the total faith that the group's leadership is guided by divine revelation. Thus, we should find a difference between realistic and nominalistic groups in terms of the group leaders' prophetic claims.³ We intend to examine not only the belief in prophecy, but also its importance to the group's life.

¹ This argument arises directly from the Relative Deprivation theory, discussed in Chapter One, section 1.1. Coser also stated, in the context of the greedy institutions theory, that greedy groups distance themselves from the external world and seek salvation from within the group itself: "Salvation was more and more to be found only within the confines of the organization of the worthy." L. A. Coser, *Greedy Institutions* . . . , 115. The more a group distances itself from the external world, the more it requires spiritual guidance independent of the social institutions. Thus we may assume that it relies on an independent, charismatic and perhaps even divine leadership. We do not claim that this is essential, and therefore we intend to examine the evidence.

² See Chapter Four on the Halakhic systems of the various groups. We saw there that seceding (value-orientated) groups argued that their principles were eternal and constituted absolute truth.

³ This distinction proposed by Schwartz has been mentioned in Chapter Four. Schwartz linked three ideological issues to the distinction between realistic and non-

We predict a difference between the group types also in their attitude towards the earthly life. This is expected since the seceding groups have left the social center, the focus of power and benefits, towards a life that lacks these things. Such a group would probably create an ideology and theology to support this action.

One last preliminary comment: in the Jewish context there is a very strong connection between the different areas of life: the philosophical position and the Halakhic position and the entire lifestyle. Just as we found differences in lifestyle and Halakhic system, we should also expect differences between the group types in the ideological aspect.

5.1. *Theological and Ideological Characteristics in Research*

For many years, researchers studying the Second Temple groups treated the sectarian phenomenon as a theological-ideological dispute.⁴ Three main reasons can lead us to treat the ideological factor as the center of the sectarian phenomenon.

First, the approach that the foundation of all human phenomena is an “idea” that directs behavior. Many have seen human behavior as a result of the value behind it.⁵ It seems that many people take this assumption for granted, consciously or unconsciously. Perhaps this is too “optimistic” a thought, assuming that all human behavior results from a thought process and ideas that motivate the behavior. This explanation is not unique to the Second Temple Jewish groups, but relates to all human activity in all generations.

inalistic groups: continuing prophecy, the importance of fate and the possibility of repentance. See Chapter Four above, and: D. R. Schwartz, “Law and Truth . . .,” 234 ff.

⁴ Several definitions of ideology have been proposed. The following definition, by J. Plamentz, cited in E. Carlton’s book, seems to most fitting in simplicity and in focusing on the most important principles: “What is ideology? John Plamentz—rephrasing Talcott Parsons—speaks of ideology as a set of closely related beliefs or ideas, or even attitudes characteristic of a group of community. Similarly ideology can be seen as that which provides a common universe of ultimate values.” And later: “A pattern of beliefs and concepts (both factual and normative) which purport to explain complex social phenomena with a view to directing and simplifying socio-political choices facing individuals and groups.” E. Carlton, *Ideology and Social Order*, London 1977, 23–24.

⁵ See for instance the words of Klockhohn, in C. Klockhohn (et al.), “Value and Value Orientations in the Theory of Action,” 395.

The second and third reasons are unique to the groups under discussion here and the sources on these groups. Already in the fourth century B.C. the Greek writers treated the Jewish religion as a “philosophy,” from Aristotle, through Theophrastus, Hecataeus of Abdera and up to the Christian literature, especially *Acts*.⁶ Since this was how people referred to the Jewish religion from their first encounter with it, it seems very probable that this attitude has had an influence over the generations. Thus, we should not be surprised that the Jewish groups are considered as “philosophies.” But beyond this historical-literary aspect, there is the question of the historical sources about the groups themselves.

The main sources at our disposal (especially in the nineteenth century) were Josephus and Philo, both of whom placed theology and ideology at the center of the Jewish groups.⁷ Both termed the groups “philosophies,” and used terminology, approaches, techniques and genres that were suited to viewing the Jewish groups as “philosophies.”⁸ Josephus also characterized them according to their “theological” opinions,⁹ and compared them with Hellenistic ideas.¹⁰ In addition, Josephus described the main issues that divided the groups. He said these reasons were theological and ideological, such as: the immortality of the soul, the importance of fate, the degree of individual providence, attitude towards earthly pleasures (including private property, sex and clothing), involvement in issues of “sanctity,” purity, human values (righteousness, justice, modesty) and others. From his descriptions, it appears that the main ideological-theological issue in dispute between the groups (apart from the issue of scripture and its interpretation, discussed in the previous chapter) was the issue of “fate.” He repeats this several times,¹¹ and when

⁶ For citations from all these sources, see: S. Mason, “‘Philosophiai’ . . .,” 41, and see *ibid.*, 42–43 for additional sources.

⁷ Mainly the following sources: Josephus, *Ant.* 13, 171–73; *War* 2, 119–61; *Ant.* 18, 12–22; *Vita* 10–11. For further details, see also: S. Mason, “‘Philosophiai’ . . .,” 43–46.

⁸ See for example: Josephus *War* 2, 119. Philo on the Essenes in a philosophical context, see: *QOP* 88. For additional citations and discussion, see: S. Mason, “‘Philosophiai’ . . .,” 42–46.

⁹ For a direct reference to “theology” (θεολογοῦσιν), see: Josephus, *War* 2, 158.

¹⁰ See for example an extensive comparison of the Essenes with Greek mythology and perceptions in *War* 2, 156 ff. We have also seen how Josephus compared the Jewish groups with Greek philosophical schools: *Vita* 12, *Ant.* 15, 371.

¹¹ See for example: *War* 2, 119–66, esp. 162 and 164; *Ant.* 13, 171–73; *ibid.*, 18, 13 ff. The term for “fate” is εἰμαρμένη.

choosing a main axis, he chose “fate.”¹² In *Jewish Antiquities* (171–73) he analyzed the three groups along the axis of their attitude towards fate: the Essenes attributed everything to fate, the Sadducees disdained fate and did not believe in it, and the Pharisees held an intermediate position, and believed in it partially. According to Josephus, one can understand the phenomenon of the Jewish groups as a function of philosophical opinions on various theological issues. How neatly arranged was the phenomenon of Jewish groups in the Second Temple period!

Following Josephus, many scholars have distinguished between the groups on the basis of their philosophical opinions. Thus, for instance, the renewed edition of Schürer contains a description of the groups and a distinction between them based on their system of values.¹³ This edition of Schürer also contains the anxiety that Josephus’ description might have an excessive “Hellenistic influence,”¹⁴ and that Josephus might have distorted the historical facts to some extent in this context,¹⁵ but eventually supports these distinctions.¹⁶

Due to the above mentioned reasons, many scholars have justified the distinction between the Jewish groups according to their theological and philosophical opinions, and have placed these issues at the center of research.¹⁷ However, there have always been scholars

¹² See: *Ant.* 13, 171–73.

¹³ See: E. Schürer, *The History of the Jewish . . .*, II; on the Pharisees, *ibid.*, 391–94; on the Sadducees, *ibid.*, 392–94; on the Essenes, *ibid.*, 567–74; on the Qumran group, *ibid.*, 579–83.

¹⁴ “In fact, the very expression εἰμαρμένη, which is quite impossible to reconcile with Judaism, proves that we have at least to deal with a strongly Hellenized presentation of Jewish views,” Schürer, *ibid.*, 393.

¹⁵ “. . . and the suspicion arises that Josephus not only gave a philosophical colouring to the religious views of his fellow-countrymen to suit himself, but that he imputed to them actual philosophical theories, a suspicion which increases when his observations concerning the Essenes are taken into account,” Schürer, *ibid.*, 392–93. See also Mason: “Although Josephus was often accused . . . of misrepresenting the Pharisees, Sadducees and Essenes as philosophical schools, as a more or less ad hoc concession to his readers,” S. N. Mason, “‘Philosophiai’ . . .,” 46.

¹⁶ “But it is in effect only the garb that is borrowed from Greece. The substance itself is authentically Jewish . . .,” Schürer, *ibid.*, 393.

¹⁷ Among those scholars who have examined this approach (some “supporting” it, others “re-examining” it): S. N. Mason, “‘Philosophiai’ . . .,” 31–58; G. F. Moore, “Fate and Free Will . . .,” 371–89; J. Blenkinsopp, “Prophecy and Priesthood in Josephus,” *JJS* 25 (1974), 239–62; G. W. E. Nickelsburg, *Resurrection, Immortality and Eternal Life in Intertestamental Judaism*, Dissertation for Ph.D. presented to Harvard University Divinity School, Cambridge, Mass. 1967 (Published 1972). For up-to-date studies on theological-ideological issues in Second Temple Judaism, see for

who have doubted the centrality of the ideological issue in the groups phenomenon, and sometimes they argued that there was a different central axis.¹⁸

Thanks to the large number of sources, including the Dead Sea Scrolls, we can say that there are indeed many ideological issues of central interest to the Jewish groups in the Hasmonean period. We do not intend to argue, as many of the aforementioned scholars have, that the theological aspects were the most central, or primary or motivated all the other aspects, but we should note that the theological-ideological aspects were at the center of the world of the Jewish groups, and we will examine a few of them here. Our approach is that the theological-ideological aspect should not be seen as exceptional or different from the other aspects around which the groups were divided. From our point of view, the ideological-theological aspect is one additional factor, like lifestyle and Halakhah. Just as theology could have been the main motive for the group's activity, so could the uncompromising Halakhic approach, or the unusual lifestyle.

We will not discuss all the theological issues arising from the sources, but only those we have chosen as particularly relevant to the subject of this book. Based on the distinction between regime-powered dissenting (norm-orientated) groups and self-powered seceding (value-orientated) groups, we expect a difference between group types not only according to their involvement in the social center, and in Halakhic and lifestyle aspects, but also in ideological aspects.

example: R. Gray, *Prophetic Figures in Late Second Temple Jewish Palestine: The Evidence from Josephus*, Oxford 1993; W. J. Lyons, "Possessing the Land: The Qumran Sect and the Eschatological Victory," *DSD* 3 (1996), 130–51; J. J. Collins, "'He Shall Not Judge By What His Eyes See': Messianic Authority in the Dead Sea Scrolls," *DSD* 2 (1995), 145–64; M. A. Knibb, "Messianism in the Pseudepigrapha in the Light of the Dead Sea Scrolls," *DSD* 2 (1995), 165–84.

¹⁸ Among scholars who doubted the centrality of the theology, see for instance: H. Ringgren, *Israelitische Religion*, Stuttgart 1963 (ibid., *Israelite Religion*, Translated into English by D. E. Green, Philadelphia 1966); D. S. Russel, "The Intertestamental Period," *Baptist Quarterly* 22 (1967), 215–24. Some supported another axis, arguing that it was not the theological aspect that was central for the groups, but rather another aspect. For example, Farmer placed "nationalism" at the center of the ancient Jewish groups' world: W. R. Farmer, *Maccabees, Zealots and Josephus*, Connecticut 1956. Marcus chose the division into "right" and "left" (national or religious) as the dispute between the groups: R. Marcus, "Pharisees, Essenes and Gnostics," 157–61. Several scholars have adopted a class approach to explain the Jewish groups. For example: H. Kreisig, "Zur Rolle der religioesen Gruppen in den Volksbewegungen der Hasmonaerzeit," *KL* 43–45 (1965), 174–82.

The seceding groups as “greedy” groups demand greater isolation and stronger group identity. This distance, by its very nature, can lead to them turning to the metaphysical level and the supernatural aspects of leadership. The connection between distance from the social center and the adoption of metaphysical leadership becomes obvious if we stress the following arguments:

- A. A group that distances itself from the accepted regime’s authority must formulate its own regime with independent sources of authority that can be justified. There is no better justification than divine justification. The leadership that enjoys direct contacts with God has the best justification.
- B. A group that removes itself from the material benefits will tend (according to the main theories) towards the spiritual plain, to compensate for the material loss and for ideological strength.
- C. As stressed in the previous chapter, a seceding group tends to seek “absolute values.” Again, there can be no values more absolute than those that are eternal or divine.
- D. In terms of the seceding groups, the Temple and the main institutions in Jerusalem were already destroyed, long before their physical destruction.

In his book *Early Rabbinic Judaism*, Neusner surveys four possible reactions to the destruction of the Temple, one of which is apocalyptic tendencies.¹⁹ All the difficulties are solved easily by appealing to the metaphysical plain, by direct contact with God. The best source of authority for an independent regime lacking the benefits of the center is the search for supernatural compensations, establishing the regime’s authority by direct contact to God and the “world of good.” Thus, we may assume that such a value-orientated group would require continuing supernatural instruments in order to justify its non-normative existence. What is new here is that although the value-orientated groups developed their own social life, there is still an essential difference between their social life and a normative social life. In the social life of the seceding group there is supreme loyalty to the values, not to normative life. Thus, their values are absolute, considered as coming directly from God. In such groups, supernatural abilities are no mere curiosity, but part of their way of life.

¹⁹ J. Neusner, *Early Rabbinic Judaism*, Leiden 1975, 36–39.

Divine revelation is the main way of determining the values and laws in a value-orientated society. As mentioned earlier in this chapter, this theory fits with the main sociological theories (Coser's "greedy institutions" and the relative deprivation theory) and with Schwartz's distinction between nominalistic and realistic groups.

Based on all the above, we expect a significant difference between the dissenting groups and the seceding groups in the importance of supernatural aspects (such as prophecy) in their daily lives. The normative center, with its routine regime institutions that function in a "normal" way, did not necessarily need any prophetic or supernatural connection. As Coser noted, they were not "greedy," and could distribute their interest in many directions. Some of these directions were in the daily functioning of their independent regime institutions. We should therefore assume that despite the existence of supernatural aspects, they would not have the same importance as in the seceding groups.

This chapter will examine another aspect related to the ideological world. Since the seceding groups avoided the life of the center, its benefits and normative status symbols, we should assume that their ideology supported this avoidance. In contrast, the dissenting groups that were involved in the life of the center with all its normative aspects (honor, material benefits) should not develop an ideology encouraging avoidance of these elements. This is why we can expect a significant difference between the two group types in their ideological attitude towards the earthly life and material benefits.

A negative attitude towards a life of luxury, honor and wealth is one of the characteristics of voluntary minorities or philosophical groups that retire from normative life.²⁰

The attitude towards material benefits (or earthly pleasures) is very central to distinguishing between the groups on the basis of their political involvement and access to power centers. Those who control the centers of power determine the distribution of the benefits. Not for nothing are those who are close to power said to be feeding from the public trough, since this reflects everyday reality. When there are struggles around the centers of power, the regime has to fight against its opponents in order to obtain and maintain power. In other words, any competitor has to wish to obtain and control

²⁰ See the summary of Mason in this regard, in S. Mason, "'Philosophiai' . . .," 33–34.

the benefits. A group refraining from these material benefits, and stressing that it is not interested in such matters (and even condemns them), displays a degree of distance, in ideas and in practice, from the values of the normative center. So, it appears, the attitude towards these material benefits can indicate both directly and indirectly the group's degree of involvement in normative life.

5.2. *The Importance of Continuing Prophecy in a Group's Leadership*

The Existence of Jewish Prophecy in the Ancient World

Prophecy in the ancient world was not only a leadership element, but also an "interpretative" element. By claiming real prophetic ability, a person in the ancient world could reach central positions of influence. He could deliver moral messages (like the prophets in the Bible and Apocrypha), judge current events for better or worse (and sometimes influence the existence of the regime), and he could also interpret sacred texts, thus dictating the desirable behavior. The prophets of Delphi in ancient Greece sometimes determined the fate of the Greek people, to war or peace. This phenomenon of prophecies influencing life was not restricted to the pagan Greeks, but also existed and was influential in monotheistic society, among the Jewish people. Prophecy was central for the Jews throughout the ancient era. Whole books of the Bible are named for prophets, reflecting whole periods in Jewish history when the population was under the influence of such prophets. While these periods took place decades or even centuries before the Hasmonean period, the awareness and sense of historical mission remained. Even the generation of Ezra and Nehemiah, about a century prior to the Greek era, was considered to have special supernatural abilities, such as the "Holy Spirit," and sometimes even real prophecy. However, at some stage the claim arose that prophecy had ceased.²¹

Josephus himself dated the cessation of prophecy to the Persian period, and more specifically, to the reign of Artaxerxes.²² He notes

²¹ For example, the prophets Haggai, Zechariah and Malachi are considered the last of the Biblical prophets, and are dated to the end of the Persian era. On the cessation of prophecy during the Persian era, see later in this chapter, including citations from Tannaitic literature.

²² Artaxerxes I, known as Longimanus, who inherited his rule from Xerxes (whom some identify with the Biblical Ahasuerus) in 465 B.C. See: R. A. Horsley & J. S.

that since the period of Artaxerxes books had been written, they were not as worthy as their predecessors since they were no longer written as “precise prophecy” (τὴν τῶν προφητῶν ἀκριβῆ διαδοχὴν).²³ Here he uses a term specific to prophecy, “prophet” (προφήτης).²⁴ He says that the prophets were indeed special in their “divine inspiration,” and so gave clear and accurate testimonies of events.²⁵ The cessation of prophecy is one of the elements in justifying his historical writing, when he states that he started describing history from the historical point where the prophets stopped their activities.²⁶

Even in the apparent period of prophetic “drought,” Josephus still describes the supernatural abilities that guided the population. The *Urim and Thummim* are an example of this ability.²⁷ He describes this comprehensively in *Jewish Antiquities* (3, 214 ff.),²⁸ and dates the cessation of this ability to the period of the Hasmonean John Hyrcanus.²⁹ Josephus also attributes some prophetic ability to John Hyrcanus.³⁰

Hanson, *Bandits, Prophets and Messiahs: Popular Movements at the Time of Jesus*, Minneapolis 1985, esp. 146; J. Blenkinsopp, “Prophecy and Priesthood . . .,” esp. 240; T. M. Crone, *Early Christian Prophecy: A Study of its Origin and Function*, Baltimore 1973, esp. 63, 143; R. T. Beckwith, *The Old Testament Canon of the New Testament Church and Its Background in Early Judaism*, London 1985, esp. 371–72.

²³ Josephus, *CA* 1, 39–41. Cf. *Ant.* 11, 184. For an extensive discussion of this passage and its significance, see: R. Gray, *Prophetic Figures . . .*, 8–16. Gray argues that Josephus linked the cessation of prophecy in the Persian period with the existence of historical books. See: *ibid.*, 12.

²⁴ On this term and its accuracy, see: R. Gray, *Prophetic Figures . . .*, 15, 23–26. For examples of the use of this term, see: Josephus, *CA* 39–41; *Ant.* 1, 240–41; *ibid.*, 20, 97; *ibid.*, 20, 169. On false prophets, known as ψευδοπροφήτης, see for example: Josephus, *War* 6, 283–85. According to these sources, and according to Gray, *ibid.*, it is clear that Josephus did not limit the term to Biblical figures, and also adopted it for his own contemporaries. However, he did not use this term indiscriminately.

²⁵ Josephus, *CA* 1, 37–38.

²⁶ Josephus, *War* 1, 18.

²⁷ The *Urim and Thummim* are not the only example. Other forms include the interpretation of dreams and “divine inspiration.” See: R. Gray, *Prophetic Figures . . .*, 27–34.

²⁸ While Josephus does not mention the *Urim and Thummim* by name, there is no doubt he means this or something similar. See: R. Gray, *Prophetic Figures . . .*, 16–20.

²⁹ Josephus, *Ant.* 3, 218. See: J. Blenkinsopp, “Prophecy and Priesthood in Josephus,” 240. See also: R. Gray, *ibid.*, 22–23. In several places, Josephus attributes prophetic abilities to John Hyrcanus. A particularly interesting mention is *Ant.* 13, 282. See later in this chapter.

³⁰ Josephus, *War* 3, 218. His phrasing is: ὁμίλει γὰρ αὐτῷ τὸ δαμόνιον ὡς μηδὲν τῶν μελλόντων ἀγνοεῖν. See also Thackeray’s comment on this issue: H. S. J. Thackeray, Josephus: *Jewish Antiquities*, in *LCL*, IV, 420–21. Cf. *Ant.* 13, 282–83, 299–300. See also the previous note and references there. See also Gray’s comments: R. Gray, *ibid.*, 22, 174–75, notes 54, 55.

We discover that despite stating that accurate prophecy ceased in the Persian period, Josephus continues to attribute special abilities to individuals in the Persian period, for example to Daniel, who greatly influenced Josephus, to whom he attributed a special prophetic ability,³¹ and to later generations.³²

It is particularly interesting that he attributes prophecy or “inspiration” to himself.³³ Several times in his writings, he claims to have “supernatural” abilities, or dreams, or some form of inspiration. This happens with his wish to surrender to Nicanor,³⁴ and with his prophecy that Vespasian would be appointed emperor.³⁵ In this light we should also see Josephus’ prophecies, such as that of Vespasian being appointed emperor.³⁶ However, Josephus did not use the term *προφήτης* about himself.³⁷

As mentioned earlier, Josephus does not only try to establish the existence of prophecies, he also refers to their validity. Particularly noticeable is when Josephus stresses that something was a true “supernatural” event (vision, dream or prophecy), in contrast to a “pseudo-prophecy,” which is false. A real prophecy is considered to have truth and accuracy (*akribeia*).³⁸ In other words, Josephus’ opinion,

³¹ *Ant.* 10, 276. On the importance and influence of Daniel throughout Second Temple literature, and especially on Josephus, see: S. Mason, “Josephus, Daniel and the Flavian House,” in *Josephus and the History of the Graeco-Roman Period: Essays in Memory of Morton Smith*, F. Parente & J. Sievers (eds.), Leiden and New York and Köln 1994, 161–91.

³² Perhaps Josephus should be understood differently. He may not have meant that the “prophets” (*προφήται*) or prophecy in general ceased, but rather that the “prophetic dynasty” (*προφητῶν διαδοχή*) ceased, and then there is no contradiction in the continuation of prophecy. See *CA* 40–41.

³³ For all the places where Josephus mentions his own abilities, and a discussion, see: R. Gray, *Prophetic Figures . . .*, 35–79.

³⁴ *War* 3, 350–62.

³⁵ For example, *War* 3, 399–408. This prophecy came true, and then Vespasian considered Josephus to have prophetic skills and released him, as described in *War* 4, 622–29. In *War* 3, 399–408, Josephus hints at additional prophecies that came true, such as the fall of Yodfat. Mason has already noted this, and argued that this could be an influence of the prophet Daniel, who affected Josephus so much that he may have considered himself as continuing his prophetic skills. Mason claims that Josephus’ two books, *Jewish War* and *Jewish Antiquities*, were influenced by Daniel’s writings, and so was Josephus’ entire historical analysis. See in S. Mason, “Josephus, Daniel and the Flavian House,” 161–91.

³⁶ On the possible influence of the prophet Daniel on Josephus’ prediction of Vespasian’s emperorship, see Mason, *ibid.*, 184–91.

³⁷ For the terms Josephus used about himself and others, see in greater detail: J. Blenkinsopp, “Prophecy and Priesthood in Josephus,” 239–62.

³⁸ See the citations and termed mentioned earlier in this chapter and in the notes.

which was probably representative of the general opinion at that time, is that when something is considered a prophecy or divine inspiration, it is also considered absolutely true and accurate. This is why Josephus could treat the prophets as accurate “historians.”³⁹ Josephus goes further, saying, “Nothing is more beneficial than prophecy.”⁴⁰ The reason for prophecy’s great advantage is the knowledge of the truth, and the knowledge of the future, providing the ability to prepare and defend for the future.⁴¹

To conclude Josephus’ position regarding the continuation of prophecy, we should note that despite stating that “prophets” had ceased, or that there was a decline in the ability of “prophetic accuracy,” there were still many ways to “divine inspiration” in his period. Among the ways of obtaining this inspiration: “spiritual inspiration,” “proximity to God,” dreams, visions and accurate interpretations of texts.⁴² In other words, the cessation of prophecy was flexible.⁴³

Some other sources attribute supernatural abilities to groups in Jewish society in the ancient world, and even in periods later than that under discussion here.

Christian literature shows that the consciousness of the time had concepts of visionary and supernatural abilities. The descriptions of Jesus show how supernatural acts were accepted as given, even in the relatively late Greco-Roman period. While these actions are attributed to individuals, the sources imply no essential problem in accepting as fact that these people performed miracles.⁴⁴ We should note that the central “supernatural” figure in Christian literature, Jesus, also interprets texts in new ways thanks to his prophetic ability (at least according to this literature), thus connecting supernat-

³⁹ Mainly *CA* 37 ff.

⁴⁰ *Ant.* 8, 418.

⁴¹ *Ibid.*, *ibid.*

⁴² All these methods are described in the sources mentioned above and in other places. Regarding the interpretation of texts, this is linked to prophecies and visions and knowledge of absolute truth. For example, when Josephus speaks of himself in the prophetic context, *War* 3, 351–52. This is also stressed regarding the Essenes, see *War* 2, 159. This makes a direct link between the ability to foresee the future and the fluency in scripture. Some argue that the whole concept of “prophecy” is a matter of interpreting scripture. See: J. Blenkinsopp, “Prophecy and Priesthood in Josephus,” 247.

⁴³ A term used by Gray, see R. Gray, *Prophetic Figures . . .*, 26.

⁴⁴ Christian literature is full of descriptions of supernatural acts. For example: healing the sick by “unscientific” methods in *Matt.* 8:1–13; exorcism in *Matt.* 8:24–32, and many other examples throughout the gospels.

ural acts to textual interpretation. We should note that the Pharisees too, according to Christian literature, asked for a “sign,” meaning a supernatural event, to prove whether Jesus was a true or false prophet.⁴⁵

The Tannaitic literature also deals with the question of prophecy in the ancient era, and also tends, like Josephus, to say that prophecy had ceased. This literature is more decisive on this issue.

In the Mishnah, in M. Sota (9, 12), we read: “When the first prophets died the Urim and Thummim ceased to exist” (משמחו) (הנביאים הראשונים בטלו אורים ותומים). The Tannaitic literature opens a discussion on the identity of the “first prophets” and the ending of prophecy, and concludes that prophecy ended from the period of Haggai, Zechariah and Malachi. As the Tosefta says:

When the latter prophets died, that is, Haggai, Zecharia and Malachi, then the Holy Spirit came to an end in Israel. But even so, they made them hear [Heavenly messages] through an echo. Sages gathered together in the upper room of the house of Guria in Jericho, and a heavenly echo came forth and said to them: ‘There is a man among you who is worthy to receive the Holy Spirit, but his generation is unworthy of such an honor.’⁴⁶

⁴⁵ On the request for a sign, see: *Matt.* 12:38; *ibid.*, 15:1. Cf. *Luke* 11:29–30 and *Mark* 8:11–13. In the first source, a clear parallel is made between the sign and the prophet Jonah in the belly of the fish, hinting at a supernatural action. However, in the interpretation in *NIB*, it is claimed that this does not refer to a miracle (see: *NIB* VIII, 295–96), although later it is clear that the sign requested (at least in the other sources) is divine. The proof is that Jesus states eventually that the sign will be his resurrection (see: *NIB*, *ibid.*, 296). The precise meaning depends to a large extent on the manuscripts, whether they originally said a “divine/miraculous” sign or not. See the discussion, *ibid.* The idea of asking for a sign in testing whether someone was a true or false prophet is Biblical. The ability of a true prophet is tested by his prediction of the future: “And if thou say in thine heart, How shall we know the word which the Lord hath not spoken?: When a prophet speaketh in the name of the Lord, if the thing follow not, nor come to pass, that is the thing which the Lord hath not spoken, but the prophet hath spoken it presumptuously: thou shalt not be afraid of him” (*Deut.* 18:21–22). However, there are situations when even when a prophet gives a sign or miracle, he is still not true (according to *Deut.* 13:2–6). On this issue of requesting a sign, see later in this chapter.

⁴⁶ Tosefta Sota 13, according to the translation by J. Neusner, *The Tosefta: Nashim*, New York 1979, 201. This passage appears several times, and there are changes in phrasing and different versions. Lieberman said that there should be changes of version here, but these changes do not detract from our argument, quite the opposite. See: S. Lieberman, *Tosefta Kifshuta*, Sota, Newark 1973, VIII, 736 (Hebrew). See also: M. S. Zuckerman, *Tosefta*, 318–19 (Hebrew). For parallels to this passage, see: BT Yoma 9b; *Ibid.*, Sanhedrin 11b. For other descriptions of the same idea, see: Yerushalmi Sota 9, 14 (24, 2). On the phrase “through an echo”

Yerushalmi and BT Sota repeat this story.⁴⁷

From this it is clear that the story dates the cessation of prophecy to a very early period (before the Greek period), however, it attributes “supernatural” abilities to these characters, later than the Hasmonean period. While this text was not written in this period, it is clear that the Sages considered prophecy to have stopped following the prophets Haggai, Zechariah and Malachi. After them, there was only a phenomenon of “through an echo” (בת קול), whose nature is not entirely clear.⁴⁸ According to this story, there were three levels of “divine inspiration”: the “prophetic” level, the “divine inspiration” level and the “echo.” Of these three, only the last continues into the Greek period. From several elements in the story, we can see that the Tannaites considered this approach applicable also to the period of the historical Pharisees. Hillel the Elder (whom we consider a Pharisee, according to our approach detailed earlier) himself is mentioned in the story. He is mentioned as deserving divine inspiration, even if this was withheld from him due to his generation being unworthy. Similarly, the element of the *Urim and Thummim* does appear in Midrashei Halakhah and in the Talmud.⁴⁹

One thing seems clear from these sources. According to the Sages, the prophecy stopped even before the Hasmonean period, but the possibility of individuals receiving “divine inspiration” in the form of an “echo” (or other forms) could occur (and perhaps did on several occasions in their opinion), and was not ruled out altogether.⁵⁰

(משתמשין בבה קול), see: S. Lieberman, *Yevanit Veyavnut Be'erez Israel*, 294–98 (Hebrew). On this issue, see also Yerushalmi Dammai 4, 6 (24, 1). On the upper room of the house of Guria (עלייה בית גוריא) see S. Lieberman, *Tosefta Kifshuta*, *ibid.*, 736–37 (Hebrew).

⁴⁷ Yerushalmi Sota 1, 14 (24, 2), with a few interesting additions and changes, for example, in Kratstein's version the echo is also attributed to the period of Shimon the Righteous, John the High Priest and more. All these are very early characters. See *ibid.*, Yerushalmi, as printed in Venice, Kratstein edition 1866, 24, 2. See also BT Sota 48b.

⁴⁸ Later in this chapter, a section will be devoted to the “echo,” with sources and a discussion.

⁴⁹ Although the Mishnah in Sotah ruled it out (9,12), and so also in the Tosefta (see reference to the Tosefta as in previous three notes, *ibid.*). The Siphre views the Urim and Thummim as “completing” and “clarifying”: למה נקרא שמן אורים ותומים. See: H. S. Horowitz, *Siphre D'be Rab, Siphre Zutta*, 321 (Hebrew); BT Yoma 73b. Cf. R. Rabinowitz, *Sefer Dikdukei Sofrim*, I, 1960, 8 note 40 (Hebrew). See also: S. Lieberman, *Yevanit Veyavnut . . .*, 297–98, notes 43–46 (Hebrew).

⁵⁰ For a precise study of the terms “prophecy” versus “holy spirit,” surveying the

The Apocrypha also contains support for the supernatural elements being well rooted in the Jewish culture of the period. Extensive parts of the Apocrypha deal with such supernatural elements,⁵¹ and part of the Apocrypha describes prophetic and supernatural skills dated to the Greek period. Thus, for example, Judas Maccabaeus was considered to have prophetic or divine skills.⁵²

To conclude, we should assume that Jewish culture in the Second Temple period considered the attribution of “supernatural” acts (prophecy or another sort of divine inspiration) to their leaders an important part of their way of life. The sources at our disposal support this. While some of the sources argue that prophecy ceased altogether, they do not rule out other supernatural abilities.

Now we shall examine the importance of supernatural elements in the lives of the various groups, distinguishing between the dissenting groups and the seceding groups.

various prophetic figures in the ancient world up to the end of prophecy according to the Tannaitic literature, see: P. Schafer, *Die Vorstellung Vom Heiligen Geist In Der Rabbinischen Literatur*, München 1972, esp. 21–26.

⁵¹ A large part of the Apocrypha deals with the description of higher spiritual worlds and the supernatural abilities of individuals. For example, the books of *Hanoch*.

⁵² Throughout the books of *2 Maccabees*. For example, *2 Maccabees* 11, 8. We should note that this work is dated to the period between the death of John Hyrcanus and the conquest of Pompey, i.e., the end of the Hasmonean period. We find that large parts of the Apocrypha written at the end of the Hasmonean period discuss supernatural actions of Hasmonean figures and during the Hasmonean period. On the dating of this work, see: A. Kahane, *Hasfarim Hachitzoniyim*, II, 72–74 (Hebrew). However, we should note the reservation that the author of *2 Maccabees* was in the Diaspora (see Kahane, *ibid.*, 85), and so this may reflect the beliefs and opinions of the Diaspora rather than of the populace of Israel. At the same time, it is assumed that the author visited Israel (see Kahane, *ibid.*), and that the main difference between the author of *2 Maccabees* (as a Diaspora resident) and the author of *1 Maccabees* (as resident in Israel) is stylistic. As A. Kahane says: “Both have the Jewish spirit, both emphasize the righteousness of the heroes, and both of them stress God’s salvation to his faithful and punishment to those who violate his covenant.” A. Kahane, *ibid.*, 87 (Hebrew). The former used the style of *נִסְ גִּלְיָי* while the latter used the style of *נִסְ תִּרְדֵּי*, but both rely on the special connection between God and their heroes (the Hasmoneans). Therefore it appears that the work, despite the origin of its author, can be used to understand the opinions and beliefs of the period, even in Israel.

5.3. *Prophetic Ability in the Lives of the Seceding Groups*

The Essenes and the Supernatural

Josephus reported that the Essenes had exceptional supernatural abilities.⁵³ In several places in his description of the Essenes, Josephus notes that the Essenes as a group and some Essene individuals had prophetic abilities. This distinction between abilities of the group and abilities of individuals seems important. If there were a few characters of Essene background with such abilities, this could be understood as merely a coincidence. But Josephus stresses several times that this ability (even of the individuals) was no coincidence, and resulted from the nature of the Essene group. First we shall describe the sources dealing with the group ability.

In his extensive description of the three groups, Josephus says the following about the Essenes:

There are some among them who profess to foretell the future, being versed from their early years in holy books,⁵⁴ various forms of purification⁵⁵ and apophthelgms of prophets:⁵⁶ and seldom, if ever, do they err in their predictions.⁵⁷

Εἰσὶν δ' ἐν αὐτοῖς οἱ καὶ τὰ μέλλοντα προγινώσκειν ὑπισχνούνται, βίβλοις ἱεραῖς καὶ διαφόροις ἀγνεΐαις καὶ προφητῶν ἀποφθέγμασιν ἐμπαιδοτριβούμενοι, σπάνιον δ' εἶποτε ἐν ταῖς προαγορεύσεσιν ἀστοχοῦσιν.

This can teach us several things:

1. While Josephus does not attribute “visionary” skills to all the Essenes, and notes that only some of them (ἐν αὐτοῖς) had this ability, the characteristic is certainly a group characteristic rather than an individual skill. It results from the Essenes’ occupation and way of life, and thus characterizes the group rather than the individual.

⁵³ For a discussion of Josephus’ sources regarding the Essenes’ prophetic abilities, see: R. Gray, *Prophetic Figures . . .*, 80–111. However, we should note that Gray identifies the Essenes with the Qumran group, while we do not consider the groups identical.

⁵⁴ For an interpretation of “holy books,” see: R. Gray, *ibid.*, 83–85.

⁵⁵ For an explanation of “various forms of purification,” see: R. Gray, *ibid.*, 86–88.

⁵⁶ On “apophthelgms of prophets,” see: R. Gray, *ibid.*, 89.

⁵⁷ Josephus, *War* 2,1 59. Translation according to Thackeray (*LCL*). For a discussion of this passage, see: R. Gray, *ibid.*, 83 ff.

2. This prophetic ability is not called “real prophecy,” but is described as the ability “to foresee the future” (προγινώσκειν). The precise distinction is not clear, but it exists. Josephus does use the term “prophecy” when referring to the Essenes being educated on the words of the prophets (probably meaning the Biblical prophets).
3. Josephus links the prophetic ability to their education and typical occupations. This education, meaning a certain sort of behavior, is the cause of the prophetic ability. Among the behaviors or occupations that Josephus lists as contributing to the prophetic ability: fluency in the holy books (βίβλοις ἱεραῖς), various forms of purification (διαφόροις ἀγνεύαις) and knowledge of the words of the prophets (προφητῶν ἀποφθέγματασιν). Thus, three of the most important elements in the group’s life were directly related to the prophetic skill: A. Correct and accurate reading of the scriptures. B. Achieving special degrees of sanctity. C. Exposure to secret information (foretelling the future and discovering the words of angels). These three qualities seem connected to each other, and constituted an important part of the character of the Essene group. The process of purification and sanctification is a result of (or cause of) the study of holy books and the exposure to secrets, leading to the separation from the rest of the population (due to the sanctity, purity and the secrets), and to the ability to receive (accurate) prophetic inspiration. The prophetic ability accompanies the personal perfection of the individual in the group. Similarly, it accompanies the group’s perfection. The prophetic skill signifies that their interpretations were true and correct, and therefore was even more important in such a group that was separate from the usual institutions of justice and interpretation. Josephus and Philo placed the interpretation of holy books at the heart of the group’s life,⁵⁸ and here we have an explicit connection between the prophetic ability and this occupation.
4. The Essenes’ ability was true and accurate. The Essenes were not just “involved in prophecy” without having inspiration (not everyone who claims to be a prophet has any real ability!), but Josephus states that they “did not err in their prophecies”

⁵⁸ See Chapter Two, section 2.4.

(προαγοπεύσεσιν ἀτοχοῦσιν). This was in complete contrast to the normative center where the ability to foresee things accurately was in decline.

5. Another aspect of the Essenes' prophetic ability should be noted. This ability, apparently, did not depend on any institution or formal process. It was not dependent on place or time. The ability just stemmed from each individual's spiritual achievements. By studying the holy books, becoming pure and being exposed to secrets, a person could achieve the desired status. There were no normative or bureaucratic delays beyond the individual's personal wishes and efforts.

Another passage from Josephus, from his later book, repeats this Essene characteristic in the context of one Essene individual, Menachem the Essene. In the final sentence, Josephus once more generalizes about the Essenes as a group.⁵⁹ In this passage, he notes that Menachem the Essene predicted the length of Herod's rule, to Herod's satisfaction. He concludes by saying that the Essenes were considered worthy of prophetic ability due to their special qualities:

And from that time on he continued to hold all Essenes in honour. Now we have seen fit to report these things to our readers, however incredible they may seem, and to reveal what has taken place among us because many of these men have indeed been vouchsafed a knowledge of divine things because of their virtue (διότι πολλοὶ τοιούτων ὑπὸ καλοκαγαθίας καὶ τῆς τῶν θεῶν ἐμπειρίας ἀξιοῦνται).⁶⁰

The rest of Josephus' descriptions involve individual Essenes engaging in various prophetic areas: interpreting dreams, prophecy and foreseeing the future. What they all have in common is that they were all Essenes and they were all accurate. These stories are not directly related to the life of the Essene group or to their Halakhot. Among the cases mentioned:

- A. Yehuda who prophesies the death of Antigonus a few moments before the murder. Even though all the signs indicate that this prophecy was untrue, it took place.⁶¹ In the context of Yehuda's prophecy we should note that there were "students" with him,

⁵⁹ Josephus, *Ant.* 15, 378–79.

⁶⁰ *Ibid.*, 379.

⁶¹ Josephus, *War* 1, 78–84; *Ant.* 13, 311–13. For a discussion of the sources, see: R. Gray, *Prophetic Figures . . .*, 92–95.

who were probably training with him.⁶² This shows us that the ability to foresee the future was an essential part of the Essene education.

- B. Simon the Essene interprets a dream as a prophecy of the future, as the Biblical Joseph did.⁶³
- C. Menachem, who prophesied the appointment of Herod as King, and later predicted the duration of his reign.⁶⁴

These Essene individuals were living apart from most of their group. However, Josephus portrays the group aspect and the individual aspect as complementary. The individual qualities required for this ability are those required in the group. The description shows that this was not a random ability reaching a few fortunate individuals by chance, but a quality that fitted in with the Essene way of life.

To conclude: the Essenes, as a group and as individuals, were involved in supernatural activities. They prophesied the future, interpreted dreams and visions, and interpreted texts. These abilities resulted from their spiritual occupations, including the study of holy books; their special purification rituals; exposure to the group's secrets and the words of angels. All these were an essential part of the group's life and ambitions.

When we discussed the political involvement of the Essenes, we distinguished between Essene individuals and the group. We concluded that the Essene individuals who lived in Jerusalem could not be considered representative of the whole group. In contrast, here we certainly see the prophetic quality of Essene individuals as fitting the whole nature of the group. In the case of prophecy, Josephus himself noted that this quality belonged to the whole group, and even when he discussed individual Essenes, he sometimes generalized about the whole group. However, in the context of political involvement, we saw only a few examples of individuals, without any mention of a group connection. Since we discussed the political involvement of the Essenes earlier, we shall not expand on this issue here.⁶⁵

⁶² According to the sources mentioned in the previous note. See also: R. Gray, *ibid.*, 95.

⁶³ Josephus, *War* 2, 112–13; *Ant.* 17, 345–48. For a discussion of the sources, see: R. Gray, *ibid.*, 101–5.

⁶⁴ Josephus, *Ant.* 16, 373–79. For a discussion of this passage, see: R. Gray, *ibid.*, 95–101.

⁶⁵ See Chapter Two, section 2.4. We discussed various sources about the presence of Essenes in Jerusalem (such as the Essene Gate). See *ibid.* We should note

Not only Josephus characterized the Essenes as having special sanctity, purification methods and interpretation of holy books. Philo did so as well. When describing the Essenes, he claimed that their name testified (in a distorted manner) to their “sanctity” (ὁσιότης).⁶⁶ He noted several times that they studied the laws of their ancestors and maintained a life of purity and sanctity.⁶⁷ In one passage, it can be understood that Philo considered them to have “divine inspiration.”⁶⁸ Philo also emphasizes that the Essenes interpreted the scriptures themselves.⁶⁹

We have no writings from the Essenes, so we cannot know what exactly the Essenes thought about the importance of prophetic abilities. So, unfortunately, we must rely on the reports of Josephus and Philo to understand the Essenes. If we accept Josephus’ description in this context, it is clear that the Essenes were involved in prophecy and visions, and this was clearly linked to the group’s way of life. As a result of this prophetic ability, they were not dependent on the Jerusalem leadership in understanding the scriptures and knowing the right way of life. Both Philo and Josephus noted that the Essenes interpreted the scriptures themselves.⁷⁰

that after the Hasmonean period we found Essene involvement in political processes (such as John the Essene who was one of the commanders in the Great Revolt). Since this is not the issue under discussion here, we shall not expand upon this.

⁶⁶ Philo, *QOP* 75.

⁶⁷ Philo, *QOP* 75–87.

⁶⁸ This is not certain, because it depends on the understanding of Philo. The passage is as follows: τὸ ἠθικὸν εὖ μάλα διαπονοῦσιν ἀλείπταις χρώμενοι τοῖς πατρίοις νόμοις, οὓς ἀμήχανον ἀνθρώπινην ἐπινοῆσαι ψυχὴν ἄνευ κατακωχῆς ἐνθέου (*QOP* 80). The general meaning of the passage is that the creation of the laws of the ancestors required “divine inspiration,” and so the inspiration is not accredited to the Essenes, who studied the law rather than “creating” it. However, it is possible to understand this term as referring also to those who studied and understood the laws. It all depends how the term διαπονοῦσιν is interpreted. If it means only the observation of the commandments (and not their understanding), then this does not imply divine inspiration. If it means that they understood the laws well, then this means they had divine inspiration, since the laws were given by divine inspiration. The verb διαπονέω originally (in the Classical period) referred to an action like a certain craft or even plowing the earth. If so, this implies obeying the commandments without necessarily understanding them, and there is no divine inspiration. However, this word can also mean intellectual understanding, so there is no way to decide this issue. For the various usages of this term in the ancient world, see: H. G. Liddell & R. Scott, *A Greek English Lexicon*, Oxford 1996, διαπονέω, 408; H. G. Liddell, *An Intermediate Greek-English Lexicon*, *ibid.*, 193.

⁶⁹ Mainly: *QOP* 82–83, where he says they had an “allegorical method.”

⁷⁰ According to the sources cited in this chapter.

When they wanted to predict the future, they did not need the High Priest or the *Urim and Thummim* or the Temple of any other Jerusalem-based element. They were completely independent. In fact, the situation was reversed. According to Josephus, in matters of predicting the future, the Jerusalem center was dependent upon the Essenes. In the Hasmonean period, people in Jerusalem were unable to foresee the future, and it was the few Essene individuals in Jerusalem who warned Antigonus and predicted the length of Herod's rule.

Unlike in the case of the Essenes, where we have to rely on Josephus, the Qumran group has left its original texts from which we can learn about prophetic ability (or inspiration) and its importance in the group's life.

The Qumran Group and Divine Inspiration

The second of our seceding groups is the Qumran group. There seems to be no doubt that for the Qumran group the prophetic element was extremely important. There are two main expressions related to the prophetic aspect in the Dead Sea Scrolls, one explicit and the other indirect.

The direct and explicit expression is the prophetic powers of the group's leadership. The indirect reference is in the group's system of interpretation. The interpretative method shows how the group interpreted texts on the basis of divine information. Just as with the Essenes, so the Qumran group also linked the interpretation of scripture with the prophetic element. Another source of the divine element we shall discuss later, also both direct and indirect, is the pair of words נסתר and גלוי (hidden and revealed) in the Dead Sea Scrolls.

The Leader as Blessed with Divine Knowledge

When discussing the Qumran group, we must address two central problems in this context. First, the many epithets for the leadership of the group. Many terms represent the leader, including: מְדוּקָק (legislator), מְשָׁכִיל (wise), מְבַקֵּר (critic), מְשִׁיחַ (messiah), מוֹרֵה הַצְּדָק (the teacher of righteousness), כּוֹכֵב (star) and others.⁷¹ The question is what is the relationship between these terms and the characters.

⁷¹ For a survey of the epithets of the leadership and suggestions to solve the problem, see: L. H. Schiffman, *Reclaiming . . .*, 113–26.

Each epithet may represent more than one person,⁷² the terms may be overlapping, in which case there are only a few (or just one?) leaders called by many names, or perhaps there were many leaders in different times and places, or even in the same place simultaneously. Since we are not attempting to identify the historical leaders, we shall not try to solve this problem. From our point of view, any epithet of the leadership can serve for understanding leadership at Qumran. However, in order to maintain the caution required in such cases, we shall distinguish the terms and discuss each leadership epithet separately. In the current discussion, we will focus on the figure of the teacher of righteousness in proving the “prophetic halo.”

The second problem in this context is reality versus utopia. The descriptions in some of the Qumran writings may be utopian. Researchers studying the Qumran texts may make a mistake and believe that a certain leadership epithet in the group’s writings refers to one of the group’s actual leaders, when in fact the Qumran authors were referring to a character that did not exist, a utopian or future figure. We do not have to solve this problem, either. Since we are discussing the group’s attribution of prophecy, rather than the actual characters of their leaders, any attribution of prophecy written by the group can teach us about their attitude towards the supernatural. However, it is important to know whether they were talking about the future or about their time. For this distinction between the future and their period, we shall rely on the chronological attributions of scholars who have studied this issue and have distinguished between future and present language in the leadership epithets and the prophecies in the Qumran texts. We also solve this problem by discussing the character of the Teacher of Righteousness, who is described in the Dead Sea Scrolls as a very real character, and is considered as such by scholars.

⁷² Thus, for example, scholars have debated whether the “teacher of righteousness” was one person or several people. See for example: I. Rabinowitz, “A Re-Consideration of ‘Damascus’ and ‘390 Years’ in the ‘Damascus’ (‘Zadokite’) Fragments,” *JBL* 73 (1954), 11 ff.; C. T. Fritsch, *The Qumran Community*, New York 1956, 83 ff.; F. F. Bruce, *The Teacher of Righteousness in the Qumran Texts*, London 1956, 7–8; B. Z. Wacholder, *The Dawn of Qumran: The Sectarian Torah and the Teacher of Righteousness*, Cincinnati 1983; L. H. Schiffman, “The Teacher of Righteousness in the Soviet Qumran Studies,” in *Mogilany 1989: Papers on the Dead Sea Scrolls*, Z. J. Kapera (ed.), Krakow 1993, II, 7–22.

Let us now focus on the character of the Teacher of Righteousness⁷³ as a leadership epithet in the Qumran scrolls. The Teacher of Righteousness is probably the most studied leadership character in the Dead Sea Scrolls. Most (but not all) scholars agree that this was a real character (at least one) who led the Qumran group.⁷⁴

Dupont-Sommer distinguished the different facets of the Teacher of Righteousness in the Qumran texts. He gave names to the character's different aspects: his "earthly career," his "prophetic ability" and his being the group's "Man of Sorrow," and the "Head of the Church."⁷⁵ This division stems from mentions of the Teacher of Righteousness in the Qumran scrolls, both as a persecuted leader in very tangible situations and as a prophet making prophecies and interpretations for the group members.

One text shows that the Teacher of Righteousness was chosen by God, as God's messenger, for the sake of the "people of truth" (the group members).⁷⁶ Another text shows that he was also an earthly leader who interpreted the Halakhot and the Holy Scriptures.⁷⁷ An exegetical Qumranic text shows that the Teacher of Righteousness brings his words "from God's mouth," another way of saying that

⁷³ It appears that the Qumran group chose this epithet due to the similarity to *Hosea* 10:12: "Sow to yourselves in righteousness, reap in mercy; break up your fallow ground: for it is time to seek the Lord, till he come and rain righteousness upon you."

⁷⁴ Scholars are divided over the precise identity of the Teacher of Righteousness, but not over his being a real person. See for example: G. R. Driver, *The Judean Scrolls: The Problem and a Solution*, Oxford 1965, 126–67; M. A. Knibb, *The Qumran Community*, Cambridge 1987, 6–7; A. Dupont-Sommer, *The Essene Writings from Qumran*, Oxford 1961, 358–67. See *ibid.*, how Dupont-Sommer distinguishes between the "earthly mission" and his being a "prophet." Despite the prophetic aspects, scholars do not dispute the earthly aspect of the Teacher of Righteousness. See also: L. H. Schiffman, *Reclaiming . . .*, 117–21. This is how Billah Nitzan sums it up: "The Teacher of Righteousness is the sect's leaders and considered by its members as its founder. . . ." B. Nitzan, *Megilat Peshet Habakkuk . . .*, 136 ff. According to the Groningen hypothesis, the Teacher of Righteousness was the leader who caused the significant change in the Qumran group, from their Essene origins to their Qumran nature. See: F. G. Martinez & A. S. Van Der Woude, "A 'Groningen' Hypothesis of Qumran Origins," 422–537. Again, even here this is a real earthly leader. See the last two notes on this issue. For a summary and possible identifications see L. Schiffman & J. VanderKam, *Encyclopedia of the Dead Sea Scrolls*, 2000, pp. 918–21.

⁷⁵ A. Dupont-Sommer, *The Essene Writings from Qumran*, 358–67. Some of these descriptions depend on identifying the Teacher of Righteousness also in *Peshet Hosea* and the *Thanksgiving Scroll*, which is not always necessary. Obviously, these identifications also resulted from comparisons with Christianity. But the main division, in its simple sense, is probably correct.

⁷⁶ *Damascus Document*, column 1, lines 1–2. See Charlesworth 1995, 12–14.

⁷⁷ *Damascus Document*, column 20, lines 27–34. See Charlesworth, *ibid.*, 36.

he was a prophet or “had the holy spirit” in some sense. This reflects both his prophetic and his practical roles. It speaks both of the present and of the future. Due to the significance of this text we will quote:

The prophetic meaning of the passage concerns those who are traitors along with the Man of Lies, for they [did] not [believe the words of] the Teacher of Right (which came) from the Mouth Of God . . . the priest in [whose heart] God has put [understandi]ng to give the prophetic meaning of all the words of His servants the prophets . . .⁷⁸

This passage is saying explicitly that the Teacher of Righteousness was able to interpret all the words of the prophets and to foresee the future.⁷⁹ This is taken for granted if he received direct broadcasts from God.

Another source deals with the future and seems to refer to the Teacher of Righteousness as a miraculous supernatural figure: “and will obtain no others until the rise of one who will teach righteousness in the end of days” (וּזְוֹלָהֶם לֹא יִשְׁיֵנוּ עַד עֵמֶד יוֹרֵה הַצְּדָק בְּאַהֲרִיֹּת) (הַיָּמִים).⁸⁰

If we identify “one who will teach righteousness” (יֹרֵה הַצְּדָק) here with the Teacher of Righteousness (מֹרֵה הַצְּדָק), as one and the same character, we have a miraculous, supernatural figure, since the Teacher of Righteousness is to be resurrected. Charlesworth interprets that for this reason they referred to the hour of his departure (death) as being “gathered” (נִאֶסַף) rather than “dead.”⁸¹ While one does not have to assume that this is the same character, it can certainly be understood this way. Another passage, mentioned above,⁸² shows clearly that the group’s leader is a completely real figure, rather than utopian or mythical. The passage describes the Teacher of Righteousness as the group’s earthly leader, persecuted by the Wicked Priest.

⁷⁸ *Pesher Habakkuk*, column 2 lines 1–10, according to: W. H. Brownlee, *The Midrash Pesher of Habakkuk*, pg. 53. Cf. B. Nitzan, *Megilat Pesher Habakkuk . . .*, 152 (Hebrew). For original Hebrew see both.

⁷⁹ See Nitzan’s interpretation of these lines, *ibid.*, 154–55 (Hebrew). For a full apparatus of the deciphering, see Nitzan, *ibid.*

⁸⁰ *Damascus Document*, column 6, lines 10–11, according to Charlesworth 1995, 22.

⁸¹ Charlesworth, *ibid.*, 23, note 58. The term נִאֶסַף appears in several places, including in the *Damascus Document*, for example, column 19, line 35; column 20, line 14.

⁸² See above chapter 2, towards the end of The Qumran Group (2.5), from *Pesher Habakkuk*, column 11, lines 4–8.

Here the Teacher of Righteousness represents the Qumran group in a very concrete event.

Another earthly mention of the Teacher of Righteousness relates clearly to a very specific event and to struggles against hostile people or groups that were not called by name but known by epithets such as the House of Absalom and the Man of Falsehood. It is clear from the text that the House of Absalom disappointed the Teacher of Righteousness by not supporting him against the Man of Falsehood:

Its prophetic meaning concerns the house of Absalom and the men of their council who kept quiet at the time of the reproof by the Teacher of Right, and did not help him against the Man of Lies who had rejected the Law in the midst of their whole c[ongregation]n.⁸³

Thus, so far we have seen several mentions of the Teacher of Righteousness from the Dead Sea Scrolls. Of the sources quoted above, we interpret one of them as dealing with the future. All the rest are understood as contemporary descriptions.

We can conclude that according to these passages, the figure of Qumran's leader is indeed miraculous and prophetic. The Teacher of Righteousness is the leader of the people, who is supposed to lead them to safety. He is an earthly leader, involved in concrete events such as being persecuted by the Wicked Priest, on behalf of the entire Qumran group, and also interprets Halakhot accurately. Moreover, he is supposed to appear at the End of Days.

Whether this was one individual leader or an epithet for leaders in general, this shows that the character was perceived by the Qumran group as having direct contact with God, in the present. Since he had such contact with God, he could interpret scripture and predict the future. It is also possible (according to one reading) that the Qumran group treated him as a completely miraculous and supernatural figure.⁸⁴ Some identify the Teacher of Righteousness with the author of the *Thanksgiving Scroll*. The author of this scroll claims to have clear prophetic abilities, and considered himself chosen by God.⁸⁵

⁸³ *Pesher Habakkuk*, column 5 lines 9–12, according to W. H. Brownlee, *The Midrash Pesher of Habakkuk*, 91. For the Hebrew see there and see B. Nitzan, *Megilat Pesher Habakkuk . . .*, 166 (Hebrew).

⁸⁴ See Bilhah Nizan's conclusion regarding The Teacher of Righteousness, as being a messenger of God and chosen by God, *ibid.*, 139 (Hebrew).

⁸⁵ See: *Thanksgiving Scroll*, column 1, lines 21–23, according to J. Licht, *Megilat Hahodayot*, 60–61 (Hebrew); *ibid.*, column 7 lines 26–27 (Licht, *ibid.*, 128–29); *ibid.*, column 11 lines 4, 16–17 (Licht, *ibid.*, 161–67); *ibid.*, column 14 lines 8–9 (Licht,

We have already mentioned that there are other Qumran leadership epithets, such as “prophet,” “Messiah,” and “interpreter of the Torah.” Some scholars identify these with the Teacher of Righteousness,⁸⁶ which makes it clear that the Qumran group saw the Teacher of Righteousness as a prophet, future Messiah and predictor of the future. These epithets support the identifications we have seen with the Teacher of Righteousness. If we choose not to consider the other epithets (such as “Messiah”) as referring to the Teacher of Righteousness, we learn from them that this was not a one-time phenomenon embodied in the Teacher of Righteousness, but that the leaders of Qumran in general had special characteristics. They knew the absolute truth, interpreted scripture, predicted the future and were destined to be leaders in the future as well. All of this seems to prove that the members of the Qumran group, like the Essenes, attributed to themselves (or to their leaders) prophetic, supernatural abilities that enabled them to be completely independent and liberated from the normative leadership in Jerusalem. This proves that they were not subject to any other leadership authority. Not only did they not need the normative leadership, they were even in conflict with it.

According to the usual interpretation of the Wicked Priest, who persecuted the Teacher of Righteousness, this was one of the normative priests from Jerusalem.⁸⁷ Thus also the identifications of the epithets Priests of Jerusalem,⁸⁸ Sons of Darkness⁸⁹ (compared with Sons of Light), Ephraim and Menashe,⁹⁰ all lead to the conclusion

ibid., 188–89). For a discussion of the identification of the Teacher of Righteousness with the author of the *Thanksgiving Scroll*, see: Licht, *ibid.*, 24–26 (Hebrew).

⁸⁶ See: G. R. Driver, *The Judean Scrolls*, 480–83.

⁸⁷ On the enemies of the Qumran group, and especially the Wicked Priest, in the Qumran scrolls in general and in *Pesher Habakkuk* in particular, see: B. Nitzan, *Megilat Pesher Habakkuk . . .*, 132–36 (on the Jerusalem identity of the Wicked Priest; *ibid.*, 136–38, 11–19 (on other enemies) (Hebrew). See also: A. Dupont-Sommer, *The Essenes Writings from Qumran*, 351–57; M. A. Knibb, *The Qumran Community*, 9–10; G. R. Driver, *The Judean Scrolls*, 126–67.

⁸⁸ See especially the mention in *Pesher Habakkuk*: פשרו על כוהני ירושלים האחרונים אשר יקבצו הון ובצע משלל העמים ולאחרית הימים יתון הונם עם שללם ביד היל הכתוים. *Pesher Habakkuk*, column 9 lines 407, in: B. Nitzan, *Megilat Pesher Habakkuk . . .*, 180 (Hebrew).

⁸⁹ On the future war and its main players, see: Y. Yadin, *Megilat Milchemet Bnei Or Bivnei Choshekh*, esp. 4–17 (Hebrew).

⁹⁰ On Ephraim and Menashe in the Dead Sea Scrolls, see: D. Flusser, “Prushim, Zdokim Veisyim Bepesher Nahum . . .,” 133–68 (Hebrew); M. A. Knibb, *The Qumran Community*, 58–59, 209–19, 250.

that there was a conflict and a contrast between the Qumran group and its leadership and the other leaderships and groups in Jerusalem.

So far, we have dealt with the direct mentions relating to the group's leaders. There are also indirect mentions of the prophetic skills of the group and its leaders, mainly based on the literature known as Pesharim (interpretations). This literature interprets the scriptures, and shows clearly that the group's leader was a prophet in their time.

Apart from the Pesharim being interpretations of the Biblical Prophets, they have several characteristics: a typical linguistic style (the use of פֶּשֶׁר הַדָּבָר or פֶּשֶׁרוֹ), and the canceling of the traditional/literal meaning of the prophetic text in favor of an interpretation of current affairs.⁹¹ The Qumran authors themselves explain the validity of the Pesharim by saying they were true prophecies from God's mouth.

Not only the Pesharim literature deals with interpreting the scripture for current and future affairs. There are other references to this. A large proportion of the Dead Sea Scrolls was devoted to interpreting scripture.⁹² In many cases, the interpretation refers to actual events from the group's present.⁹³ In the group's writings, the interpretation of the scripture by the leader is attributed to God and the role of the leader is to interpret.⁹⁴

⁹¹ See: B. Nitzan, *Megilat Peshar Habakkuk . . .*, 29–132 (Hebrew); L. H. Schiffman, *Reclaiming . . .*, 223–24.

⁹² For basic literature on the Qumran interpretations of scripture (both the Pesharim and other works), see: G. Vermes, *The Dead Sea Scrolls in English*, London 1995, 291–362; R. H. Eisenmann & M. Wise, *The Dead Sea Scrolls Uncovered*, 75–105. See also many articles by Bernstein, including: M. J. Bernstein, “4Q252: From Rewritten Bible to Biblical Commentary,” *JJS* 45 (1994), 1–27; *ibid.*, “Biblical Text or Biblical Interpretation?,” *RdQ* 16 (1994), 421–27; *ibid.*, “The Employment and Interpretation of Scripture in 4QMMT: Preliminary Observations,” in *Reading 4QMMT: New Perspectives on Qumran Law and History*, J. Kampen & M. J. Bernstein (eds.), Atlanta 1996, 29–51. For terms typical of the Qumranic interpretation, see: L. H. Schiffman, *Halakhah, Halikhah Umeshichiut . . .*, 45–89 (Hebrew); M. J. Bernstein, “Introductory Formulas for Citation and Re-Citation of Biblical Verses in the Qumran Pesharim,” *DSD* 1 (1994), 30–70.

⁹³ See for example: B. Nitzan, *Megilat Peshar Habakkuk . . .*, 180 (Hebrew). See also: G. Vermes, *The Dead Sea Scrolls in English*, 333–65.

⁹⁴ See for instance: *Damascus Document*, column 3, lines 12–16, according to Charlesworth 1995, 16; *Community Rule*, column 8 lines 15–17, according to Charlesworth 1994, 36.

Overt and Hidden in the Qumran Group

Another source for the importance of divine and prophetic revelation for the Qumran group is the contrast between hidden and overt in the Dead Sea Scrolls.

In several places in the Qumran writings, the pair of terms hidden (נִסְתָּר) and overt (גָּלוּי) appears as a contrast.⁹⁵ Many scholars have discussed the meaning of these terms,⁹⁶ especially in the Qumran context, and have made various suggestions. Among the proposed interpretations of the terms overt and hidden:⁹⁷ The overt Mitzvoth versus the hidden Mitzvoth (covert or uninterpreted); overt offenses versus unconscious offenses; Mitzvoth known to all groups versus Mitzvoth (and things) known only to the Qumran group; explicit scripture (the written Torah) versus interpretations of the Bible (the group's interpretations). This pair of terms probably has a human aspect and a divine aspect. As Shemesh and Werman noted, the discovery of the hidden things depended on certain human actions, such as studying scripture and investigating the group's secrets (which the Qumran texts call digging, חִפְּיָה).⁹⁸ But along with the human effort, some clear sources indicate that there is divine intervention in the discovery of the hidden things. This divine intervention is probably some sort of prophecy or revelation to the group's leaders (and perhaps even to a wider layer within the group).⁹⁹

We should note that the scholars have understood the process of discovering the hidden things as the process of the formation of the Qumranic Halakhah. In other words, the group's entire system of laws and behaviors is formulated by a combined process of prophecy and human industriousness. These scholars stress their innovation in that there is also human effort in the process. It would have been

⁹⁵ For example: *Damascus Document* 3, 12–16; *ibid.*, 6, 2–11; *Community Rule* 5, 7–13; *ibid.*, 9, 18–20.

⁹⁶ Among those who discussed these terms: A. Shemesh & C. Werman, "Hanistarot Ugiluyam," *Tarbiz* 66 (1997), 471–82 (Hebrew); L. H. Schiffman, *Halakhah, Halikhah Umeshichut . . .*, 43–45 (Hebrew); J. Licht, *Megilat Hasearachim*, 131–32 (Hebrew); W. H. Brownlee, "The Dead Sea Manual of Discipline: Translation and Notes," *Basor Supplementary Series* 10–12 (1951), 20; P. Wernberg-Moller, *The Manual of Discipline*, Leiden 1957, 95–96; L. H. Schiffman, *The Halakhah at Qumran*, 22–32.

⁹⁷ These proposals are those of the scholars mentioned in the previous note. See previous note for references.

⁹⁸ A. Shemesh & C. Werman, "Hanistarot Ugiluyam," 478 ff. (Hebrew).

⁹⁹ See the summary of Shemesh & Werman, where they attribute to Qumran a perception of "divine inspiration" to the "process of discovery," *ibid.*, 482 (Hebrew).

possible to argue that the main process was divine revelation, based on the explicit Qumran sources. Follows is a demonstration of the importance of the divine element in the process:

This (alludes to) the study of the Torah wh[ic]h he commanded through Moses to do, according to everything which has been revealed¹⁰⁰ (from) time to time, and according to that which the prophets have revealed by his Holy Spirit . . .¹⁰¹

Another source:

But out of those who held fast to God's ordinances, who remained of them, God established his covenant with Israel forever, revealing to them hidden things¹⁰² in which all Israel had strayed.¹⁰³

From these two passages we learn that there is a claim of prophecy, not mere interpretation,¹⁰⁴ that the group's main authority was not tradition,¹⁰⁵ but new interpretations based on prophecy and revelation to their leaders. Thus, God is directly involved in revealing the hidden things to the group. This revelation is linked to the covenant between them (only them) and God. This means that the covenant and the revelation are linked to the combined actions of humans (as members of the group) and God. It is very possible that the revelation took place in various ways, perhaps including natural ways, but this is merely a matter of tactics. The source of revelation is divine!¹⁰⁶ According to this and other sources, we may conclude:

The Qumran group had a process of overt and hidden in the formation of their Halakhah. A significant part of discovering the hidden things was by divine revelation (without ruling out human efforts

¹⁰⁰ The Hebrew term is: כְּבוֹל הַנְּלוּהָ.

¹⁰¹ *Community Rule*, 8, 15–17, according to Charlesworth 1994, 37. For the original Hebrew see *ibid.*, 36.

¹⁰² The Hebrew term is: לְנִלוּת לַחֵם נִסְתָּרוֹת.

¹⁰³ *Damascus Document*, column 3, lines 12–16, according to Charlesworth 1995, 17. For the original Hebrew see *ibid.*, 16.

¹⁰⁴ See L. H. Schiffman, *ibid.*, note 37 on the root נָלוּהָ in Qumran.

¹⁰⁵ Some scholars go further and claim that Qumran were in some ways an anti-thesis to “tradition.” In this way they were revolutionary. See M. D. Herr, “Haretzef Shebeshlasheet Mesirata shel Hatorah,” 51–56 (Hebrew).

¹⁰⁶ Thus we find greater significance in the divine element than Shemesh and Werman did. In their article, they tried to stress the importance of human study and intellectual activity. While this is indeed one of the ways of obtaining revelations, the group members saw revelation and the source of the information as divine. See A. Shemesh & C. Werman, “Hanistarot Ugiluyam,” *Tarbiz* 66 (1997), 471–82 (Hebrew).

as one of the tactics). As a result, divine revelation was essential for determining the group's Halakhot.

From the sources above, especially regarding the Qumran group, and perhaps, to a lesser extent, the Essenes, it seems that the group members believed their leaders were interpreting scripture from God's mouth, in their period. This makes it clear that they saw their leaders as real prophets, interpreting scripture correctly. The group's Halakhot were perceived as Halakhot and interpretations "from heaven."

In addition, the Qumran texts contain anthologies dealing with the Messiah, the End of Days and other supernatural issues such as Jerusalem of the End of Days,¹⁰⁷ the mystical world, angels and their actions, and more.¹⁰⁸

The seceding Jewish groups in the Hasmonean period established a society that did not require guidance from the center and its leadership. Quite the opposite. They believed that the normative center should learn from them. Their certainty resulted from the attribution of knowledge of the absolute truth, both in the ways of the world and in interpretation of scripture, to their leaders. They believed that their leaders received real prophecies, from their study of scripture, the words of prophets and angels, and from performing the Mitzvoth properly and using the group's typical purification rituals. As a result of these prophecies, they could be completely independent. Both groups attributed to members of their groups the ability to foresee the future, to interpret scripture and to deal with spiritual matters (the scriptures, the names of angels and so on).

We found a difference between the Essenes and the Qumran group. Among the Essenes we found that both the group's leadership and other group members could receive the prophetic skill and the ability to foresee the future. Accordingly, we saw a collection of people involved in these areas, even when they were physically separated from the Essene group. In contrast, among the Qumran group

¹⁰⁷ On Jerusalem in the Qumran scrolls, divided into Jerusalem of the past, present and future, see: L. H. Schiffman, "Jerusalem in the Dead Sea Scrolls," 73–88.

¹⁰⁸ For a collection of these issue and the relevant sources, see: G. Vermes, *The Dead Sea Scrolls in English*, 353 ff. See also: L. H. Schiffman, *Reclaiming . . .*, 315–66. On the study of angels among the Qumran group, see also: Y. Yadin, *Megilat Milchemet Bnei Or Bivnei Choshekh*, 209–21 (Hebrew).

these skills were considered to belong to the group's leaders, within the group context. We did not see such skills attributed to a leader who had left the group. Nor was there any general attribution of these skills to group members. The supernatural skills are linked to particular leaders. However, there are many leadership epithets in the Qumran writings. If these are indeed separate individuals, this means that the Qumran group believed many people had these skills, and it was not one exceptional person, but a feature of the group throughout its generations, and in the future.

The prophetic skills of the seceding groups' leaders and its connection to their interpretative abilities (and knowledge of the truth) are an additional proof of the degree of separatism of the groups, and of their efforts to establish a group identity distinct from that of the Jerusalem center.

5.4. *The Prophetic Aspect among the Dissenting Groups*

Let us now examine the prophetic aspect among the dissenting groups, especially the importance of this aspect in determining the groups Halakhot and everyday life.

In the world of the dissenting groups, there are several sources showing that they believed in supernatural abilities, and that this belief was an essential part of their social life. Some sources discuss particular figures, while others deal with the group as a whole. As we saw fit to distinguish between the group level and the individual level among the Essenes, we shall do the same in our discussion of the dissenting groups.

On the individual level, several people from the Pharisee world or the Pharisee period had special powers or abilities. In these cases, we have not found a generalization from individuals to the whole group: from this person to the entire group of Pharisees (of Sadducees). Among the figures we shall discuss: Josephus himself, John Hyrcanus, Simon the Just and Honi the Circle Maker. One of the terms repeated in the sources regarding spiritual inspiration during the Pharisee period is the echo (as we have seen above), and so we shall briefly discuss this aspect too.

After examining the main sources on this topic, we will discuss the general trend arising from these sources.

Source on Supernatural Abilities Among the Dissenting Groups—at the Group Level

At the group level, we have found a few examples of the attribution of some supernatural abilities to the Pharisee group (we have not found any about the Sadducees group). These mentions of the group level appear mainly in Josephus and the Christian texts.

There are several places where Josephus attributes supernatural abilities to the Pharisees.¹⁰⁹ The first case is the prediction of Samaias (Σαμαίας), who was probably a follower of Pollion (Πολλίων),¹¹⁰ in the trial of Herod.¹¹¹ There, Samaias represented the Pharisees¹¹² in the trial against Herod, and he predicted that one day Herod would become powerful and punish the members of the Sanhedrin and King Hyrcanus.¹¹³ Josephus then adds that everything Samaias predicted occurred in full.¹¹⁴

This presents a prediction by a Pharisee figure, which Josephus claims came true. This is what Josephus says:

This same Pollion had once, when Herod was on trial for his life, reproachfully foretold to Hyrcanus and the judges that if Herod's life were spared, he would persecute them all. *And in time this turned out to be so, for God fulfilled his words.*¹¹⁵

This source shows the political involvement of the Pharisees in the Jerusalem center, as proved in an earlier chapter. The obvious question is whether this source implies any supernatural ability. Josephus implies that the Pharisee had more than just political wisdom, stressing that God fulfilled his words (τοῦ θεοῦ τοὺς λόγους αὐτοῦ τελειώσαντος).

So Josephus considered this prophecy as reflecting some supernatural ability. However, this should be qualified by two things. He does not use the word “prophecy,” and he does not generalize this

¹⁰⁹ For an extensive survey of the passages in Josephus testifying to the various prophetic skills of the Pharisees, see: R. Gray, *Prophetic Figures*, 148–63.

¹¹⁰ These are the Greek names appearing in Josephus. See: *Ant.* 14, 172–76; 15, 1–4. Compare the description there to that in *War* 1, 208–15. These characters appear in other contexts, such as *Ant.* 15, 370.

¹¹¹ The Jewish Sanhedrin summoned Herod to trial following the execution of Ezekiel of Galilee. See: *Ant.* 14, 163–84.

¹¹² On these figures and the fact that they represented the Pharisees, see: R. Gray, *Prophetic Figures*, 148–52.

¹¹³ Josephus, *Ant.* 14, 174.

¹¹⁴ *Ibid.*, 175.

¹¹⁵ *Ant.* 15, 4 (my italics, H.N.).

ability to the Pharisees as a group. Another passage in Josephus, where he discusses the group rather than individuals:

There was also a group of Jews priding itself on its adherence to ancestral customs and claiming to observe the Laws of which the Deity approves, and by these men, called Pharisees, the women were ruled. These men were able to help the king greatly because of their foresight . . .¹¹⁶

And later:

In return for her friendliness they foretold—for they were believed to have foreknowledge of things through God’s appearances to them . . .¹¹⁷

Here Josephus treats the ability to predict the future as a Pharisee characteristic. However, later on he has a negative tone when discussing the Pharisees, and so some have interpreted this passage as a negative passage about the Pharisees, as making false or fake prophecies.¹¹⁸ We find this passage¹¹⁹ sufficient to show that such abilities of the Pharisees are mentioned in Josephus. There are two further reservations to this. All the sources mentioning the prophetic ability of the Pharisees are describing a later period than that discussed in this book. They refer to periods when Herod or other foreign bodies ruled in Israel. We are not arguing that Josephus intended to distinguish between the periods. It appears that Josephus probably considered this prophetic characteristic to apply to earlier periods too, including the period we are discussing. But the nature and contents of the prophecies mentioned refer to a later period. Also, the sources that mention prophetic skills were dealing with a general political process, not unique to the Pharisees. In all these sources, there is no link between the Pharisees’ prophetic ability and the group’s internal Halakhah or laws. These supernatural skills are apparently preserved for political predictions during stormy periods.

¹¹⁶ *Ant.* 17, 41.

¹¹⁷ *Ibid.*, 43. For a fuller discussion of this source, see: R. Gray, *Prophetic Figures*, 153 ff.

¹¹⁸ See *Ant.* 17, 44 ff. Some believe this negative tone originated with the source of Nicolaus of Damascus. The view of all the prophecies as false is based on the Greek term appearing in 41, and on the description later. This is the term *προσποιύμα*. On its various meanings, mainly negative, see: S. Mason, *Flavius Josephus on the Pharisees*, 265; R. Gray, *Prophetic Figures . . .*, 154–55.

¹¹⁹ There are other similar passages; some are understood as favorable to the Pharisees, some as unfavorable. For an extensive analysis of the various sources, see R. Gray, *ibid.*, 148–64.

We will return to Josephus when we discuss individual supernatural abilities.

In the Christian sources the Pharisees appear in the supernatural context when they ask Jesus for a “sign.”¹²⁰ Mark mentions explicitly that they asked for a sign from heaven (ζητοῦντες παρ’ αὐτοῦ σημεῖον ἀπὸ τοῦ οὐρανοῦ).¹²¹ This means that they asked for a miracle that would prove that Jesus had supernatural abilities. Thus, we could argue that this is an additional proof that the historical Pharisees believed in miracles and supernatural skills even in such a late period. However, we should note that there is another interpretation that could dispute this proof. The text of *Mark* stresses that they said this “to test him” (πειράζοντες αὐτόν).¹²² This addition may indicate that they no longer believed in supernatural elements, and so this test was aimed to make him fail. According to this interpretation, one cannot argue that the Pharisees asked for a sign from their personal belief in the existence of heavenly signs. This request may have resulted from the rumors surrounding Jesus. Since his followers claimed he could perform miracles, they tested him in this area. If this interpretation is correct, they were testing him according to his worldview, not their own. Therefore, this would not reflect the worldview of the Pharisees, as considering supernatural elements as important in the character of a leader. We do not intend to decide which interpretation of the passage from *Mark* is correct. For purposes of this discussion, we will adopt the interpretation that implies the Pharisees were interested in the supernatural, both in Josephus and in the Christian sources.

Another possible source for the supernatural abilities of the Pharisees and Jerusalem Sadducees in Christian literature is the passage in the gospels where Jesus said these groups were able to predict the weather. Here is the relevant passage:¹²³

¹²⁰ We have discussed this request for a sign earlier. For examples from the sources, see: *Matt.* 12:38–42; *ibid.*, 16:1–4; *Mark* 8:11–13.

¹²¹ *Mark* *ibid.*, *ibid.* This term appears in both versions (NIV and NRSV) in *NIB*, see: *NIB*, VIII, 1994, 615. See our discussion earlier in this chapter of the possibility that the sign was not intended to mean a miracle. (My underlining, H.N.).

¹²² Surprisingly, the commentators in *NIB* did not devote attention to this addition. See their commentary, *ibid.*, 615–16. For a comparison of versions on this issue, see: E. R. De Levante (ed.), *Biblia Hexaglotta (The Hexaglot Bible): Textus Originales*, London 1874, 242.

¹²³ *Matt.* 16, 1–4, according to: *NIB, The Gospel of Matthew*, VIII, 340.

The Pharisees and Sadducees¹²⁴ came, and to test¹²⁵ Jesus, they asked him to show them a sign.¹²⁶ He answered them, “when it is evening, you say, ‘It will be fair weather, for the sky is red!’ And in the morning ‘It will be stormy today, for the sky is red and threatening!’ You know how to interpret the appearance of the sky, but you cannot interpret the signs of the times!”¹²⁷

According to this description, Jesus considered the Pharisees and Sadducees to have the ability to predict the weather by looking at the sky and interpreting what they saw. The word sky (οὐρανός) is mentioned three times in these verses. Before drawing conclusions from Jesus’ words here, we must make some observations. First, some scholars have doubted the reliability of this passage due to problems with the manuscripts.¹²⁷ Second, the context makes it clear that Jesus is saying this to condemn and tease the Pharisees, which reduces its historical reliability. Being aware of the problems with this passage, we can state what can be learned from it. Assuming that Jesus meant to say the Pharisees were really able to predict the weather,¹²⁸ this could be a physical ability rather than a metaphysical one. Even if it was a metaphysical ability, the source does not mention the accuracy of their predictions. Thus it seems that this source is insufficiently clear to serve as a source attributing real prophetic skills to the Pharisee group.

To conclude, let us return to the Tannaitic literature. The source we would expect to attribute supernatural abilities to the Pharisees is the literature of the Sages. But it is there that we find the clearest reservations. When the Tannaitic literature addresses this issue in general, it rules out official prophecy from the Persian period

¹²⁴ It is particularly interesting that the Pharisees and Sadducees are mentioned together in this passage. We have already seen earlier that in some places both groups appear together, while in other places they appear individually. For commentary on this linkage, see: *NIB, The Gospel of Matthew*, VIII, 340–41. See additional references there.

¹²⁵ On this aspect of testing Jesus (here *πειράζοντες*), see above.

¹²⁶ On the request for a sign, see above.

¹²⁷ In some manuscripts there is a different version, and in others this passage is missing. This is why some commentators doubt its reliability: “The first part of Jesus’ response is textually very uncertain, being absent from **S**, **B**, **X**, **f** and most of the Syriac and Coptic tradition. Thus the REB omits it from the text, the NAB includes it within brackets, and both the NIV and the NRSV include it, but with a note as to its doubtful attestation.” *NIB*, VIII, 341.

¹²⁸ It can be understood this way. See the commentary in *NIB* *ibid.*, *ibid.* It can also be understood as mere disrespect.

onwards.¹²⁹ While divine revelations are possible in the form of an echo to individuals, as a group, they are ruled out. We will discuss the echo later in this chapter.

So far we have referred to the groups as groups. Now we shall examine testimonies about individuals who had various supernatural abilities.¹³⁰ Most of the evidence below is from Josephus, with comparisons to other sources where relevant.

Josephus and John Hyrcanus

Josephus stated that at an early age he “returned to the city and crossed over to the Pharisees.”¹³¹ As mentioned earlier, he also stated that prophecy ceased already in the Persian period.¹³² This is a hint to the normative position of the city residents, especially the Pharisees, that prophecy had ceased. However, Josephus was willing to admit the existence of some “inspired” phenomena, especially when they were his own. He attributed such skills to several people from the center of Jerusalem life, including John Hyrcanus and Simon the Just. This is what he said about John Hyrcanus:

He was the only man to unite in his person three of the highest privileges: the supreme command of the nation, the high priesthood, and the gift of prophecy.¹³³ For so closely was he in touch with the Deity, that he was never ignorant of the future: thus he foresaw and predicted that his two elder sons would not remain at the head of affairs.¹³⁴

¹²⁹ As explained earlier in this chapter. For Josephus on this issue, see earlier in this chapter. The source will be discussed again later in the context of the echo. See later in this chapter.

¹³⁰ We should note that there are additional characters who according to the sources had inspiration, to whom we will not refer here. For example, Joshua Ben Hananya (Josephus, *War* 6, 300–309). We do not intend to refer to every figure said to have special abilities. We have chosen the most prominent and representative characters, whose group identity is also known. The others are either of unknown group identity, or relatively late, or their cases would add nothing to our discussion. For other characters not discussed here, see: R. Gray, *Prophetic Figures*, 112–44, 158–63.

¹³¹ Josephus, *Vita* 12. On the reliability of this passage, see an extensive article devoted to this issue: S. N. Mason, “Was Josephus a Pharisee?: A Re-Examination of Life 10–12,” 31–45. Mason does not make much of this statement of Josephus, and argues that its main meaning is a “return to public life” rather than a group Halakhic meaning. See *ibid.*

¹³² For Josephus’ words on this matter, see earlier in this chapter.

¹³³ Here he uses the term itself: *προφητείας*.

¹³⁴ *War* 1, 69. This description is repeated in his later work, *Ant.* 13, 299–300.

Here Josephus attributes a prophetic skill and its use to a figure from the normative center in Jerusalem, while he was ruling in Jerusalem. Such a character would be identified with the Pharisees or the Jerusalem Sadducees.¹³⁵

We should note that this ability is not in the area of interpreting scripture, but in predicting the political future, such as the future of his two sons. Perhaps for this reason, scholars have wondered about the prophecy attributed to John Hyrcanus.¹³⁶ This second explanation does not fit the facts, since we have also found a supernatural ability attributed to John the High Priest in the Tannaitic literature. Assuming that this was the same John, we have a second source stating that he had some sort of divine connection. However, we should note that John Hyrcanus was a High Priest who entered the holy of holies in the Temple, and the supernatural attribution may stem from this, rather than from his being a Pharisee or a Sadducee or even being a contemporary. The Tosefta source says as follows:

Yohanan the High Priest heard a word from the house of the Holy of Holies: The young men who went to make war against Antioch have been victorious.¹³⁷

This is a rare case of the attribution of a divine connection (prophetic skill) to a Hasmonean figure, in the normative center, with the status of High Priest. Here we find a direct connection between the divine revelation and the leadership of the normative center (as we found among the seceding Essenes and Qumran group). However, the divine inspiration of John Hyrcanus was not intended to formulate Halakhah. When John dealt with Halakhah, there was no prophetic or metaphysical attribution.

There the subject of the prophecy is identical (the rule of his sons). In both places Josephus mentions prophetic skills in the political area.

¹³⁵ As we have seen earlier, Hyrcanus was first identified with the Pharisees, and later moved to the Sadducees.

¹³⁶ Marcus, in his commentary on Josephus, states that this is not an attribution of real prophecy, like that of the Biblical prophets (although the term is identical). Another possibility is to see this as an attempt by Josephus to imitate Hellenistic literature. See: R. Marcus, Josephus: *Jewish Antiquities* XIII, 300, in *LCL*, XII, 378–79, note a. See also: R. Marcus, *ibid.*, 318, in *LCL*, VII, 164–65, note e.

¹³⁷ *Tosefta Sota* 13, according to J. Neusner, *The Tosefta: Nashim*, New York 1979, 202. For the Hebrew see S. Lieberman, *Tosefta Kifshuita*, 738–39. Cf. BT, *Sota* 33a, where the version mentions the “echo.” On the echo, see above in this chapter and below. Compare also Josephus, *Ant.* 13, 282 ff.

There are a few other figures from the Pharisee period that receive a metaphysical description in the Tannaitic literature, including: Simon the Just¹³⁸ and Honi the Circle Maker.¹³⁹

Simon the Just and Honi the Circle Maker

We have found several examples of Simon the Just predicting the future and referring to current events under inspiration.¹⁴⁰ There are many difficulties in the exact identification of this Simon (for example, was he Simon I or Simon II in the dynasty in Josephus)¹⁴¹ and in the Tannaitic sources for him. In any case, even if we identify him as a Pharisee (or Sadducee), there is no generalization anywhere of his abilities to the group he represents. Nor are these abilities connected to Biblical interpretation or to earthly leadership of the Pharisees or Sadducees.

The characteristic of Honi the Circle Maker is miracles.¹⁴² However, these actions are attributed to Honi personally, and there is no generalization to the Pharisee group. Indeed, it is not certain that he was a Pharisee. He is dated to the Pharisee period, but not as a Pharisee. This implies that he was not identified with any leadership, of the Pharisees or the Sadducees. This is also indicated by his desire to avoid the events of Jerusalem during the civil war,¹⁴³ showing

¹³⁸ On Simon the Just, see the following sources: M. Aboth 1, 2; BT Yoma 39a; *ibid.*, Sota 33a; Tosefta *ibid.*, *ibid.*; BT Yoma 69a; Yerushalmi *ibid.* 5, 2 (52, 2); BT Nedarim 9a; *ibid.*, Nazir 4b; Tosefta, *ibid.*, 4; BT Menahoth 109b. For additional mentions, mainly from late Midrashic literature, see a comprehensive survey in: H. Shnorrr, *Maayan Chayim: Otzar Agadot Chazal*, Tel Aviv 1979, 9–16 (Hebrew). Compare: Josephus, *Ant.* 11, 325–39 (on the meeting with Alexander the Great).

¹³⁹ See for example: BT Ta'anith 23a–23b. On the historical period of Honi the Circle Maker and his (reluctant) political involvement, see: Josephus, *Ant.* 14, 22–24.

¹⁴⁰ For the sources, see the previous two notes. One example of predicting the future: predicting his own death in the same year (the sources mentioned in the two footnotes above, especially BT Menahoth and BT Yoma). A case of inspired reference to current events: hearing an echo on the annulling of the decrees prior to the knowledge of the death of Caius Caligula in BT Sota 33a. Miracles: the miracles in the Temple under his control in BT Yoma 39a.

¹⁴¹ On the dynasty of High Priesthood according to Josephus, see: for an extensive survey, *Ant.* 20, 224–51; on Simon the Just, *ibid.*, 12, 43 ff. See Marcus' appendix on this issue: R. Marcus, Josephus: *Jewish Antiquities*, in *LCL*, VII, 732–36.

¹⁴² For the precise sources, see three notes previously on Honi the Circle Maker. Cases of miracles appear both in the Tannaitic literature and in Josephus (esp. *Ant.* 12, 22), and involve mainly the ability to bring rain and to change natural processes. For a discussion on his character based on Josephus, see: R. Gray, *Prophetic Figures*, 145–47.

¹⁴³ Josephus, *Ant.* 14, 19–24. This passage states that he was forced to partici-

that he was not a member of the groups involved in political activity in Jerusalem. Here are even hints that the Sages of his period (whom we consider Pharisees) denounced his actions. Thus we hear a renunciation from Shimon Ben Shetach: "If you were not Honi, I would sentence you to exile, but what can I do with you. . . ." ¹⁴⁴

In this context, Urbach concludes that there was a contrast between the image of the Sage (who objected to decisions based on miracles) and the image of the Miracle Performer ("first of the Hasidim and people of action," as Urbach says). ¹⁴⁵ Despite this contrast, Urbach stresses that due to the Pharisees' character, they were careful not to exile any group even when they had the power to do so. ¹⁴⁶

So far, we have dealt with figures from the Pharisee period that were considered to have special supernatural abilities. There remains the issue of the echo that requires clarification. As we have seen earlier, in the section on the cessation of prophecy, people believed that the echo still continued.

Echo

In this chapter we have seen the appearance of an "echo" in the context of the Pharisee period. The Pharisee context is clear from the dating of the characters (such as Hillel and the Yavneh period) to the Pharisee period, even though it is a late dating. In several places in the Tannaitic literature there is one repeating story about the determining of Halakhah in the House of Hillel by means of an echo. Here is one of these mentions, from the Yerushalmi:

That which you have stated applies before the echo went forth. Once the echo had gone forth "under all circumstances the law accords with the position of the House of Hillel, and whoever violates the position of the House of Hillel is liable to the death penalty." It was taught: The echo went forth and declared: "These and those are the words of God. But the law always accords with the position of the House of Hillel." Where did the echo go forth? R. Bibi in the name of R. Yohanan: "in Yavneh did the echo go forth." ¹⁴⁷

pate in the political struggle despite his protests, and even then he did not obey them.

¹⁴⁴ M. Ta'anith 3, 8, Yerushalmi *ibid.*, 3, 11 (66, 4), BT *ibid.*, 23a. See also S. Lieberman, *Tosefta Kifshuta*, Ta'anith, 1096 (Hebrew).

¹⁴⁵ E. E. Urbach, *Chazal—Pirkei Emunot Vedeot*, 511 (Hebrew).

¹⁴⁶ *Ibid.*, *ibid.*

¹⁴⁷ Yerushalmi Yebamoth 1:6 according to J. Neusner, *The Talmud of the Land of Israel: Yebamoth*, vol. 21, Chicago 1987, pp. 58–59; Yerushalmi, Sota 3, 4 (19a); *ibid.*,

At least parts of this passage are undoubtedly late,¹⁴⁸ but again, it dates the feature of the echo to the period of the historical Pharisees (the Yavneh period). The echo is accredited to other characters from the Pharisee period and even earlier.¹⁴⁹

The nature of this echo is unclear. Lieberman, in an appendix to his book, compares the echo to the Greek oracle, and compares the term to the Greek term.¹⁵⁰ He found that all the appearances of the echo were explicit and overt, and needed no special interpretation. In other words, they are not like the vague oracles, but clear and simple. The echo is supposed to indicate divine inspiration. Scholars dealing with the echo in the Tannaitic literature have noted two features:

- A. The echo is of a lesser degree than prophecy or even the holy spirit: “its degree is lower than the holy spirit.”¹⁵¹
- B. The second feature of the echo is particularly relevant to the subject of this book. From the Tannaitic sources on the echo, scholars have determined that the echo was binding only when it complied with the rule of following the majority opinion.¹⁵² If the echo was contrary to the Biblical rule of “after many to wrest judgment,” then they would not “notice the echo.”¹⁵³ The implication is that even if the Pharisees had some inspi-

Kiddushin 1a (58, 4); BT Erubin 13b. For a comprehensive article on the sources and the Halakhic validity of this determination, see: S. Safrai, *Bevamei Habayit Ubevamei Hamishnah: Mechkarim Betoldot Israel*, II, 382–405 (Hebrew). On the various ways to determine Halakhah and on the contrast between traditional reception and the Halakhic rules in the context of the echo, see: E. E. Urbach, “Masoret Vehalakhah,” *Tarbiz* 50 (1981), 136–63 (Hebrew); J. Fraenkel, “She’lot Hermeneutot Becheker Sipur Haagadah,” *Tarbiz* 47 (1978), 139–72 (Hebrew).

¹⁴⁸ In all the places in the Yerushalmi, the last line ‘in Yavneh did the echo go forth’ is attributed to Rabbi Bibi.

¹⁴⁹ See our earlier notes in this chapter, where the echo was connected to Rabbi Simon the Just and to John the High Priest (this may refer to the Hasmonean John Hyrcanus). The most significant mention of the echo is a passage on the dispute between Rabbi Elazar and Rabbi Yehoshua, in BT Baba Mezia 59b. We have not mentioned this case until now, because there is no reason to date it to the Pharisee period, both due to its author and due to the period of reference. We will refer to it later, with justification. See below. On the appearance of the echo in Talmudic literature, see: S. Lieberman, *Yevanit Veyavnut Beeretz Israel*, 294–98 (Hebrew).

¹⁵⁰ S. Lieberman, *ibid.* He refers there mainly to the phrase להשמע בבח קול.

¹⁵¹ S. J. Zevin (ed.), *Haencyclopedia Hatalmudit*, V, Jerusalem 1963, 1–4 (Hebrew).

¹⁵² According to *Exodus* 23:2: “Thou shalt not follow a multitude to do evil; neither shalt thou speak in a cause to decline after many to wrest judgment.”

¹⁵³ S. J. Zevin (ed.), *Haencyclopedia Hatalmudit*, V, 3 (Hebrew).

rational characteristic, *this inspiration did not replace the normative rules of majority decision*. If there was a contrast between the echo and the normative principle, the normative principle was preferred.

Another feature: the echo in the Pharisee context appears for ruling on Halakhah, not for formulating it. Human opinions are already formed, and the echo does not come to compose Halakhah, only to help decide between existing opinions. This is unlike the situation where the opinions themselves are attributed to some inspired power. There is another story about the Pharisee Hillel, demonstrating clearly the human methods of determining Halakhah:

This law was forgotten by the elders of Beterah. Once the fourteenth fell on the Sabbath and they did not know if the Passover sacrifice overrides the Sabbath or not. (They) said: "There is here a certain Babylonian, and Hillel is his name, who served Shemaiah and Abtalion" . . . (they) sent and called for him. They said to him: "Have you ever heard when the fourteenth falls on the Sabbath, whether (it) overrides the Sabbath or not?" He said to them . . . He started to expound for them from a analogy and from a inference a minori ad majus and from a inference by analogy based on identity of words . . . and even though (Hillel) sat and expounded to them all day, (they) did not accept (the teaching) from him until he told them (using the language of oath) "May (evil) befall me (if I lie) Thus I have heard from Shemaiah and Abtalion." As soon as they heard this from him, they stood up and appointed him president (nasi) over them. . . .¹⁵⁴

This source, even though it is late and mentions Hillel the Elder, deals with the formation of Halakhah. The source shows clearly that there was no miraculous or prophetic involvement in the formation of Halakhah, but rather human methods of study and traditions.¹⁵⁵ The only tools used for Halakhic discussions were the study methods (analogy, inference from minor to major, syllogism, attributed here to Hillel the Elder) and human traditions (this is what I heard from Shemaiah and Abtalion). As Fraenkel notes about the character of Hillel the Elder in this passage, Hillel even tried to avoid using

¹⁵⁴ Yerushalmi, Pesahim 6, 1 (33, 1), according to J. Neusner, *The Talmud of the Land of Israel: Pesahim*, vol. 13, Chicago 1994, 251–53. For parallels of this story and an analysis of its historical meaning, see: J. Fraenkel, "Sheelot Hermeneutiot Becheker Haagadah," 139–72, esp. 151 ff. (Hebrew).

¹⁵⁵ For further discussion of the human character of Hillel the Elder, see esp.: E. E. Urbach, *Chazal—Pirkei Emunot Vedeot*, 513–30 (Hebrew).

the human tradition (Shemaiah and Abtalion) as a Halakhic source. He preferred the study and interpretation methods. It is quite clear that Hillel does not want to rely totally on tradition, but wants to persuade by interpretation; this is why he “interpreted to them all day.”¹⁵⁶

This source shows that there is no attempt to attribute to Hillel himself any special prophetic skills, according to which he interpreted scripture. Quite the opposite—Hillel tried to avoid such an attribution in determining Halakhah. Accordingly, Safrai disputes the ruling of Halakhah according to an echo. Safrai raises several arguments: A. The above source¹⁵⁷ does not appear in the Tosefta at all, only in the Talmud. B. In the Tosefta and other places there is a different tradition regarding the determining of Halakhah in the House of Hillel.¹⁵⁸ According to this tradition, the Halakhah in the House of Hillel was determined without any miraculous or supernatural intervention. C. Even when the Halakhah was determined in the House of Hillel, it was relatively flexible, since there were reservations. For example: those wishing to follow the House of Shamai were entitled to do so.¹⁵⁹ For these and other reasons, Safrai concludes that Halakhah was never determined by echo.¹⁶⁰

Another very telling case in this regard, similar to the story with Hillel, relating to the formulation of Halakhah, is the significant dispute, between Rabbi Eliezer and the Sages, regarding the oven of Aknai. The text reads as follows:

¹⁵⁶ See the words of J. Fraenkel on this, in “Sheelot Hermaneutiot . . .,” 152 (Hebrew). Fraenkel discusses there the main reasons for this action of Hillel’s, and suggests various explanations.

¹⁵⁷ The source from the Yerushalmi Yebamoth relating to the echo, mentioned above, see previous sources and notes in this chapter.

¹⁵⁸ For a full review of the various sources on the tradition of determining Halakhah in the House of Hillel, see: S. Safrai, *Beyemei Habayit Ubeyemei Hamishnah*, II, 382–83, esp. notes 1–9 (Hebrew).

¹⁵⁹ Safrai, *ibid.*

¹⁶⁰ Safrai goes on to say that in all the many places throughout the Tannaitic literature where the determination of Halakhah is mentioned, we have not found determinations by echo or such prophetic revelations. The Sages negotiate, determine and reconcile two opinions, find what is common between them, decide by majority and other such methods. See S. Safrai, *Beyemei Habayit Ubeyemei Hamishnah*, II, 384 (23) (Hebrew). Later there, Safrai continues to describe how Halakhah was determined in the House of Hillel in various cases. In this spirit, Urbach reached similar conclusions on the issue of the echo and the sources on this issue. See: E. E. Urbach, *Chazal—Pirkei Emunot Vedeot*, 502–30 (Hebrew). On the echo see esp. *ibid.*, 516 ff. (Hebrew).

... Rabbi Eliezer declared it clean, and the Sages declared it unclean; and this was the oven of Aknai. Why Aknai? It means that they encompassed it with arguments like a snake and proved it unclean. It has been taught: On that day R. Eliezer brought forward every imaginable argument, but they did not accept them. Said he to them: "If the Halakhah agrees with me, let this carob tree prove it!" Thereupon the carob tree was torn a hundred cubits out of its place—others affirm, four hundred cubits. "No proof can be brought from a carob tree," they retorted. Again he said to them: "If the Halakhah agrees with me let the stream of water prove it!" Whereupon the stream of water flowed backwards. "No proof can be brought from a stream of water," they rejoined. . . . Again he said to them: "if the Halakhah agrees with me, let it be proved from Heaven!," whereupon a Heavenly voice cried out: "Why do you dispute with R. Eliezer, seeing that in all matters the Halakhah agrees with him!" But Rabbi Joshua arose and exclaimed: "It is not in Heaven!" What did he mean by this? Said Rabbi Jeremiah: "That the Torah had already been given at Mount Sinai, we pay no attention to a heavenly voice, because thou hast long since written in the Torah at Mount Sinai: *After the majority must one incline.*"¹⁶¹

One may certainly see this dispute as reflecting the contrast between the individual opinion and the opinion of many.¹⁶² It also reflects the disqualifying of miraculous deeds (including Heavenly voices) as an element in the formulation of Halakhah. Rabbi Eliezer, in his opinion, represents the ruling by individual opinion, relying both on miracles and on the echo.¹⁶³ In contrast, the Sages represent the majority opinion and rule that the Halakhah is not determined by miraculous deeds and the characteristics of Rabbi Eliezer but by majority opinion, study methods and so on. This dispute is later than our period of discussion,¹⁶⁴ however, the principle of the debate did not start in their period, and expresses approaches that started in the early Tannaitic period, and even in the pre-Yavneh period.¹⁶⁵ In other words, this dispute is a later reverberation of equivalent

¹⁶¹ BT Baba Mezia 59a–59b, translation according to I. Epstein, *The Babylonian Talmud: Seder Nezikin*, vol. XX, London 1935, 352–53. For another reference to the oven of Aknai see BT Berachot 19a.

¹⁶² See J. Goldin, "On the Account of the Banning of R. Eliezer Ben Hyrcanus: An Analysis and Proposal," in *Studies in Midrash and Related Literature*, B. L. Eichler & J. H. Tigay (eds.), Philadelphia & New York & Jerusalem 1988, 286.

¹⁶³ Goldin, *ibid.*, 283–97, esp. 286, 290–91, 295–97.

¹⁶⁴ Goldin himself dates this tradition to the third-fourth century A.D. See Goldin, *ibid.*, 284.

¹⁶⁵ Goldin, *ibid.*, 283–97, esp. 286 and 288.

approaches in the Pharisee period. The main transition from the individual opinion method to the majority opinion method took place in the period of the transition to Yavneh and after.¹⁶⁶ The traditions about Hillel and his methods of ruling, about the ruling by majority in the attic of Hananya Ben Hezkiya and the leadership figures known from the Pharisee period (mentioned earlier in this chapter), all show that already then, before the destruction of the Temple in the Pharisee period, they tended to accept the (later) opinion of the Sages rejecting the use of individual opinions and miraculous deeds (including the heavenly voice) and preferring other methods of ruling. The implication of this is that despite their belief in the existence of divine inspiration, and despite some traditions of accepting such opinions, and despite specific individuals from the Pharisee period who were considered to have such abilities, already in the Pharisee period they avoided determining Halakhah using these methods, preferring the normative methods.¹⁶⁷ Thus, individuals who had certain skills do not seem to be involved in determining Halakhah using these methods. Quite the opposite, these methods of ruling were prevented, and prophecy was declared to have ceased. Ruling by individual opinion became the exclusive domain of the seceding groups.

So also in other Pharisee traditions (about which it is also more clear that they were indeed Pharisee traditions), we have found that they ignore prophetic methods and refer directly to human tools.¹⁶⁸

The above mentioned sources stress purely human aspects, and avoid referring to any divine or supernatural element in the process of determining Halakhah or the life of the community in general.

¹⁶⁶ Goldin, *ibid.*, 292 ff.

¹⁶⁷ We should note that the difference between the system proposed here and Goldin's opinion is merely semantic. He argued that the main transition from individual opinion to majority opinion in making binding rulings (as proven by the banning of Rabbi Eliezer) took place during the post-Yavneh period. However, he agrees that both approaches existed earlier. We argue that the turning point was in the Pharisee pre-Yavneh period, although acts of force (the banning of Rabbi Eliezer) were mentioned only in later periods.

¹⁶⁸ See M. Aboth 1, 9 (the attributed to Shimon ben Shetach whom we consider a Pharisee); *ibid.* 1, 18 (the attributed to R. Shimon ben Gamaliel whom we also consider a Pharisee); See M. Aboth 1, 1 and Urbach's comments, dating this Mishnah to an earlier period, and learns from it about the pre-Sages period, in E. E. Urbach, *Chazal—Pirkei Emunot Vedeot*, 505 (Hebrew). See also M. Aboth 1, 11 the words of Hillel (אל תפרוש מן הצבור), and the words of the pair Shemaiah and Abtalion, *ibid.*, 10–11.

So also in all the disputes in the Tannaitic literature involving Pharisee figures (including disputes between Pharisees and Sadducees, between Hillel and Shamai), there is no involvement of prophecy or divine inspiration to formulate Halakhah. Halakhah is formulated only by study methods (syllogism, analogy etc.) and normative ruling methods, apart from the echo, which has been discussed.

In conclusion, we learn that there is a contrast between ruling by inspiration and ruling by the normative methods (majority, methods of study and interpretation).

Although there may have been miracle workers and prophetic visions within the dissenting groups, they did not appear as prophets or messengers of God, and they were disqualified from influencing the Halakhic formulation.

Urbach¹⁶⁹ concludes that prophecy did cease formally in the Hasmonean period. He even makes this cessation earlier, to the period of the Greek occupation by Alexander the Great. He tries to reconcile the other sources (from the Tannaitic literature and Josephus) that imply that there were supernatural phenomena during these periods. In order to solve the problem, he distinguishes between “prophets and messengers of God” and the other phenomena. While he does not say so explicitly, he seems to be hinting at a distinction between individual phenomena and the official leadership. We have seen that sometimes even the official normative leadership (John the High Priest) received divine revelations. The main feature is that such revelations do not justify breaking the normative rules, quite the opposite. The various revelations support the normative leadership. Where there was a difference between the normative methods and revelation (in one of the cases of an echo, for example), there was a clear preference for the normative method of ruling.

Based on the sources mentioned above and other sources,¹⁷⁰ we should distinguish between the prophecy of the official leadership

¹⁶⁹ E. E. Urbach, *Chazal—Pirkei Emunot Vedeot*, 502–503 (Hebrew).

¹⁷⁰ Some other, later, sources hint at such a distinction. For example: “Our Rabbis taught: Forty eight prophets and seven prophetesses prophesied to Israel . . .” (BT Megillah 14a). Here they distinguish between the “prophecies to Israel,” and other phenomena. The emphasis on “to Israel” indicates that these, and only these, were the prophecies that led the people. Another source on this issue distinguishes between “a prophecy which contained a lesson for future generations which was written down” and “that which did not contain such a lesson which was not written down”

that determines Halakhot and lifestyle, and phenomena of people (whether involved in the leadership or not) who had some inspiration. According to this distinction, at this period they were aware that some individuals could receive a supernatural revelation, but this had no impact on determining Halakhah and normative leadership methods.

We believe that this is what the cessation of prophecy in Josephus and the Tannaitic literature means. Josephus did not intend to contradict himself when he said prophecy had ceased, and also reported the continuation of prophetic revelations (his own and others). The statement that prophecy had ceased meant that prophecy no longer served as a tool in Halakhic determination and in the nation's leadership. Individuals could continue prophesying and predicting the future, even the leaders could do so. But these prophecies were no longer accepted as a real tool in determining behavior in normative society. Perhaps for this reason, the political prophecies of this type were heard mainly when the regime was no longer Jewish (the rule of Herod or later). While there was a direct Jewish regime, normative society used the normative tools at its disposal in determining policy and Halakhah.

5.5. *Continuing Prophecy among the Jewish Groups*

To conclude the issue of the use of prophecy and metaphysical elements among the various groups in the Hasmonean period, it seems that the general picture is rather complex. Things cannot be described in black and white, with prophecy existing among certain groups and not existing in other groups. All the groups were aware of metaphysical phenomena, and believed in them. Such phenomena were common to all groups and were part of the social lives of all the groups. They all arose from a common culture that believed in the existence of divine inspiration, and sometimes even claimed there

(BT Megilla *ibid.*). These distinctions show that they differentiated between prophecies using various criteria, including the degree of their influence on the entire nation for generations. However, these sources are later than our discussion and cannot be attributed to the historical Pharisee period. They can only constitute further support for the existence of such a distinction later, and perhaps this is a later evidence of a distinction that already took place in the Pharisee period.

was active intervention by such inspiration in their lives. Despite the identical cultural background, there is still a difference between the types of groups.

The seceding groups, the Essenes and Qumran, believed in the continuation of prophecy, appearing to their leaders for purposes of everyday leadership. Following the belief in the existence of prophecy and its attribution to their leaders (and sometimes to group members), they allowed themselves to study various metaphysical elements like foreseeing the future, interpreting dreams and current interpretations of the Bible. This is why we have found Essene and Qumran individuals involved in these aspects. But it is not the involvement of individuals in such supernatural aspects that is important, but the degree to which these aspects constituted a central tool in the group's life for determining the group's Halakhah and leadership. Among the Essenes, we have found such abilities attributed to the group as a whole, and there was a link between this occupation and the main aims of the group (interpretation of scripture, prophetic skill and purity). In the Qumran group we found that their leaders were considered as real prophets (and prophet was even one of their typical epithets) and the entire group existed on the basis of the assumption that their interpretations of the Bible were divinely inspired and therefore absolutely true. For this reason, these two groups no longer needed the normative leadership. They did not require the interpretations of scripture coming from the Jerusalem institutions (the courts, Sanhedrin and the Temple). Not only did they not need them, they even considered them mistaken.

In contrast with the seceding groups, the dissenting groups relied on human interpretations of scripture. We have found individuals from the Pharisee world who were considered to have supernatural abilities (such as Simon the Priest and Honi the Circle Maker), sometimes even leaders (John Hyrcanus), but these revelations do not deal with Biblical interpretation and determining everyday Halakhot. Nor do they contradict the existing leadership methods, but rather serve them. In formulating Halakhah, they preferred human and normative methods (such as study methods) to metaphysical elements. They relied mainly on study methods and accurate traditions. The only evidence that seems to contradict this trend is that of the echo. As we have seen, the correct understanding of this testimony shows that the dissenting groups avoided such elements in determining Halakhah and the group's lifestyle. They formulated a clear policy

of preferring the normative ruling methods to the echo. When there was a contrast, they rejected the revelation and accepted the normative ruling.

5.6. *The Status of Earthly Life in the Spiritual System*

The second ideological issue we shall examine is the status of the earthly pleasures within the group's life.

Every society has earthly pleasures that are acceptable within normative society. These are also the benefits over which various groups in society struggle, assuming that there is always a finite supply of such pleasures. We accept here the approach that the natural needs and earthly pleasures do not require an explanation for their existence, since it is basic that people naturally seek to increase their pleasure and avoid pain and lack of pleasure. We accept these as the most basic assumptions about a person's needs and motivation. Thus, if someone deliberately reduces his physical pleasures (such as abstaining from sex, avoiding anointing with oil, reducing food and drink and so on), he is doing a value-orientated action opposed to the earthly world.

Groups can treat the earthly life in several ways. A group can see a contrast between the earthly life and its aims, and then the group would require concessions and self-sacrifice in the earthly life in order to maintain the group. The degree of sacrifice required also indicates the degree of commitment to the group's principles. A person who complies with the requirements proves his commitment to the group and its principles, rather than to his natural desires and the norm. The suppression of the natural and earthly desires in favor of the group's demands (or other demands) shows the extent of the group's value-orientation in contrast with the norm. The more a person gives up the earthly pleasures, which are naturally and by definition normative, for other (group) principles, the more he progresses into the value-orientated realm.

Some groups do not want to test their members in this way. Not issuing such requirements can result from various reasons: an approach that does not see a contrast between the earthly world and the spiritual world (between the natural desires and the group's aims); from the nature of a society that despite its opinions does not place such requirements of commitment and deviation from the norm.

We will examine here the attitude towards earthly pleasures in the dissenting groups and in the seceding groups in the Second Temple period. This examination will show several things: the degree of commitment of group members to the group; the degree of self sacrifice required in each type of group; the degree of normativity versus value-orientation of each group type.

According to the characteristics of the dissenting groups and the seceding groups, especially in the context of their involvement in political life, we would expect the groups that were involved in political life (the dissenting groups) to demonstrate, by their very participation in the competition for the earthly goods, that they consider these goods in their general worldview, or at least that they do not condemn them. In contrast, the groups that avoid such involvement (the seceding groups) do not consider these goods as desirable in their worldview, and in this respect are more value-orientated. On the basis of this distinction, we expect to find a difference between the seceding groups and the dissenting groups in these aspects.

We should clarify that we are not referring here to the restrictions arising directly from Biblical instructions (such as laws of Kashrut, menstrual impurity, etc.), but to the expansive interpretations that the various groups gave to these laws. Sometimes, without any Biblical basis, the groups added their own restrictions. It is these expansive interpretations and additions that we intend to discuss here. We should note that the Biblical instructions are not general and unlimited. They are usually limited by type (such as the Kashrut laws), by time (like the laws of menstrual impurity and the Sabbath Halakhot), or by place (such as laws related to the land of Israel or to the Temple).

We will discuss here the general attitude towards these aspects. The general attitude determines the everyday policy in using or not using the earthly pleasures as a way of life. We shall refer mainly to the following issues: the attitude towards wealth (property and assets), and the attitude towards people's basic (earthly) needs, such as food, drink and sex.

The Attitude of Seceding Groups to the Earthly Life

We have a large quantity of evidence about the seceding groups' abstaining from earthly things. From these texts it is clear that they saw a contrast between spiritual life and material life, and in this

situation of contrasting worlds, demanded the preference of the spiritual life over the earthly life.

As we shall see, such actions of avoiding physical pleasures and preferring the spiritual life are expressed in several customs of secession and asceticism of these groups.

The Essenes

Philo describes the “spiritual” and “holy” life of the Essenes, which entailed customs of secession and asceticism. He describes various actions of the Essenes done from their explicit ideology of “holiness” (ἁγιότης) and other “virtues” (εὐσέβεια, δικαιοσύνη).¹⁷¹ The fact that they avoided living in the city center is interpreted as a spiritual act, intended to avoid negative influences. Apart from avoiding the social center in Jerusalem, he lists several other customs that demonstrate their holiness. Philo also links these customs to ideological principles: A. Not accumulating private property (both possessions and lands) and not holding private wealth from a principle of equality and complete sharing (of property, clothing, food and life in general). Philo stresses that they felt revulsion at excessive comfort as a disease of the body and mind.¹⁷² B. Rejecting all types of slavery, from the principle of human equality and freedom, which they considered granted by nature. C. Preferring involvement in ethics and morality to chasing material benefits and feeling material envy. D. Pacifism, a principle of non-violence, also resulting from their wish for tranquility and the lack of a motive for war. E. Preferring the group factor to the family from a principle of human fraternity. F. In the area of lifestyle (discussed earlier) there are several customs implying a preference for a value-orientated life over a normative life, such as: avoiding contact with women, abstaining from sex and family life (including children), all of which result from a wish to avoid their “negative” influences on the human soul; maintaining uniform clothing and not accumulating excess clothing beyond what was required; conducting communal meals at a shared table.

Josephus repeated these principles and sometimes added to them:¹⁷³ avoiding anointing with oil; avoiding colorful clothing; serving food

¹⁷¹ Philo, *QOP* 75–87, 91; *Hypothetica* 11.1–11.18.

¹⁷² On their revulsion, see esp.: Philo, *Hypothetica* 11.11.

¹⁷³ Mainly in *War* 2, 118–61; *Ant.* 18–22.

only according to natural needs; avoiding eliminating waste on the Sabbath due to its sanctity, and more.

Despite the differences between Philo and Josephus on several points, they both stress the ideological principles typical of the Essenes, as we learn from their non-normative customs. These are principles of: aiming at a holy and spiritual life, careful observance of the Torah's Mitzvoth as they interpreted them, the principle of human freedom (from which they objected to slavery and any type of bondage), equality, communal property and shared life, avoiding earthly pleasures (including: frugality, not having sex for pleasure,¹⁷⁴ not anointing with oil, customs discussed above), preferring the group over the biological family, pacifism and closeness to nature (living in accordance with nature). From these descriptions, it is clear that they rejected the normative principles, some of which are contrary to these customs.

It seems that all these descriptions of Josephus and Philo show that the Essenes preferred the spiritual life to the earthly life. They rejected their basic material needs and required control over their natural wishes and urges to maintain their absolute values. Sometimes they required "living according to nature" (such as in their objection to slavery), and sometimes they required "rising above nature" (such as not eliminating on the Sabbath). All this shows that their ideological principles were supposed to dictate behavior. They required total loyalty to the reference group according to its principles.

The Status of the Earthly Life in Qumran

While we have no external historical description of Qumran as we do regarding the Essenes, from the Qumran scrolls¹⁷⁵ and the archaeological findings we can piece together a reliable picture of their attitude towards the ordinary earthly life.

Much has been said about their withdrawal from the Jerusalem center. This is documented and proven by the archaeological findings and their writings. But we should note that their very withdrawal

¹⁷⁴ Josephus reports that some of the Essenes married women and had sex for reproduction, but supports Philo's principle that they avoided sex for pleasure.

¹⁷⁵ The existing historical sources listed in previous chapters. In this section we rely especially on: *Community Rule*, *Congregation Rule*, *Peshar Habakkuk*, the *Damascus Document* and the *War Scroll*.

into the desert, as they themselves stress, shows that this move into the wilderness represents an ideological principle of separatism from the wealth and property of the city. Throughout this book we have brought sources to this effect.¹⁷⁶

The following sources show their extreme, negative attitude towards the “capital” and the material assets of the populace of Jerusalem:

Surely wealth will corrupt the boaster . . . its interpretation concerns the Wicked Priest, who is called by the name of loyalty at the start of his office. However when he ruled over Israel his heart became conceited, he deserted God and betrayed the laws for the sake of riches. And he stole and hoarded wealth from the brutal men who had rebelled against God. And he seized public money, incurring additional serious sin . . .¹⁷⁷

This source leaves no doubt regarding the denouncing of the “capital,” meaning possessions and assets (loot, money, etc.).

The denouncing of the “capital” of Jerusalem appears several times in the Dead Sea Scrolls, in different context. Here is another passage, also from *Pesher Habakkuk*:

Its interpretation concerns the last priests of Jerusalem, who will accumulate riches and loot from plundering the peoples. However, in the last days their riches and their loot will fall into the hands of the army of the Kittim.¹⁷⁸

Even if this verse denounces looting by the Hasmoneans, which is one possible interpretation, the Qumran group is denouncing capital and loot, which the Jerusalem center desired so much. Here we have a generalization beyond the Wicked Priest, since all the “priests of Jerusalem” are partners in this scheme to accumulate wealth and loot. Their greed for money is not restricted to stealing from the

¹⁷⁶ See especially the last three pages of chapter three (Lifestyle) and the notes there, where many sources are quoted and referred to. For the special aspect of the separation into the wilderness as a spiritual necessity see again *Community Rule*, column 8, lines 13–14, according to J. Licht, *Megilat Hasearachim*, 181 (Hebrew).

¹⁷⁷ *Pesher Habakkuk*, column 8, lines 8–13, according to F. G. Martinez, *The Dead Sea Scrolls Translated*, 200. For the original Hebrew see B. Nitzan, *Megilat Pesher Habakkuk* . . ., 177. Nitzan identifies the person as Alexander Jannaeus, see there, *ibid.*, 178, commentary on line 8 (Hebrew).

¹⁷⁸ *Pesher Habakkuk*, column 9, lines 4–7, translation according to F. G. Martinez, *ibid.*, 201. For the original Hebrew see B. Nitzan, *ibid.*, 180.

“nations,” but also includes robbing the poor.¹⁷⁹ The wealth of the Jerusalem center is considered by the Qumran group so corrupt that they are prohibited from participating in this wealth:

to separate (themselves) from the sons of the pit and to refrain from the wicked wealth (which is) impure due to oath(s) and dedication(s) and to (being) the wealth of the sanctuary. . . .¹⁸⁰

The innovation here is that even the “wealth of the sanctuary” is considered impure. All the wealth of the Jerusalem center is prohibited with “oath and dedication.” The mixing of the assets of the Qumran group with the assets of the center is also forbidden: “And the property of the men of holiness who walk perfectly, it must not be merged with the property of the men of deceit who have not cleansed their way by separating themselves from deceit and walking with the perfect of the Way.”¹⁸¹

This shows that there is a positive “capital,” that of the “holy people” (the Qumran group), which is probably the common capital of the entire group, managed by priests of Aaron’s line.¹⁸² But the wealth of Jerusalem is corrupt and negative, to the extent that they were completely forbidden to touch it. This shows that the Qumran group was not interested in obtaining the capital of Jerusalem, to say the least.

This shows that they rejected the wealth of Jerusalem, but this does not show their general attitude towards property and assets. We learn about this from the description of the group’s life. Like the Essenes, they conducted a communal, egalitarian lifestyle. They required the following qualities from their members:

For they shall all be in the Community of truth, of virtuous humility, of merciful love, and of righteous intention [towa]rds one another.¹⁸³

¹⁷⁹ According to *Peshar Habakkuk*, column 12, lines 7–10. See B. Nitzan, *ibid.*, 194 (Hebrew).

¹⁸⁰ *Damascus Document*, column 6, lines 16–17, according to Charlesworth 1995, 22.

¹⁸¹ *Community Rule*, column 9, lines 8–10, according to Charlesworth, *Rule of the Community*, 1994, 38–40.

¹⁸² Mainly according to column 9, see Charlesworth 1995, 38.

¹⁸³ *Community Rule*, column 2, lines 24–26, according to Charlesworth, *Rule of the Community*, 1994, 12.

They required a modest spirit and qualities implying frugality in earthly demands.¹⁸⁴ At the same time, they did not abstain from quality of life, even in the earthly realm. Thus, in the area of food, we find that they were blessed with some of the best food and drink of the period. Even when there was famine in other areas, the seceding groups had plenty. Two examples from the Qumran group's menu: meat and wine.

We know that the Qumran group ate meat without shortage. This is known from the archaeological findings, indicating a special ceremony of burying the bones.¹⁸⁵ Since in most places there was a shortage of meat, we may assume that it was expensive.¹⁸⁶ In general, consumption of meat was rare at that period, and only wealthy people could afford to eat meat each Saturday.¹⁸⁷ These facts enable us to draw some conclusions about the Qumran group: they suffered no shortage of money; they did not avoid eating meat, despite it being a luxury item; they may have considered themselves priests in this respect, and so ate plenty of meat (with ceremonies that are not fully clear). Moreover, to relieve their thirst they did not make do with clean water and drank "tirosh" (wine).¹⁸⁸ Even though this can also be attributed to the ritual aspect, this does not alter the fact that they kept and enjoyed such earthly luxuries. Perhaps the group's lifestyle and discipline ensured that they did not consume an excess of these luxuries. As with the Essenes, they dined communally and dressed uniformly. The leaders of the group supervised them constantly to ensure that the members were observing the group's values.

To conclude this aspect, we should note again that the situation is not as clear as we would have expected. There is no black and white distinction of seceding groups abstaining completely from the earthly life, and other groups indulging in earthly pleasures. Even

¹⁸⁴ For a description of the virtues of a member of the group see esp.: *Community Rule*, column 4, according to Charlesworth, *ibid.*, 16.

¹⁸⁵ See our earlier description of the archaeological findings at Qumran.

¹⁸⁶ See: M. Broshi, "Al Mezonam shel Bnei Eretz Israel Batkufa Haromit," *Cathedra* 43 (1987), 25–27 (Hebrew).

¹⁸⁷ The exception to this were the priests, who ate plenty of meat. See Broshi, *ibid.*, 26 (Hebrew).

¹⁸⁸ On the existence of "tirosh" in the group and its importance as a tool in the Qumran hierarchy, see for example: *Community Rule*, page 6, lines 4–5, in: J. Licht, *Megilat Hasearachim*, 139 (Hebrew). For support of the Qumran group's consumption of wine, see: M. Broshi, "Yom Bechayav shel Chananya Nothos," *Alpayim* 13 (1996), 119; 129 and note on line 50 (Hebrew).

among the seceding groups there is a degree of luxury. We can only stress that the luxuries in these groups were not considered a value in themselves. They were measured, balanced and appeared in a ritual context.

In the area of family life in the Qumran group, we have seen earlier¹⁸⁹ that they did not rule out family life and the raising of children, but did not encourage this. They preferred to avoid having a normative family life. We also saw that they forbade sexual relations anywhere in Jerusalem for reasons of impurity.¹⁹⁰ Thus, while they did not prohibit sex completely, as the Essenes did, they certainly preferred the spiritual aspect to the earthly aspect, even if this preference prevented normal family life and some of the basic human needs. In any case, sex for pleasure was not acceptable.

To conclude this section, it seems that both the seceding groups preferred the spiritual life to the earthly life. These two groups denounced the accumulation and pursuit of possessions, and completely rejected the property and materialism of the Jerusalem center. Both groups preferred to withdraw from the Jerusalem center rather than play the social game and participate in the chase after material benefits in the big city.

However, this did not mean they were completely isolated from the material life around them. In the realm of food and drink, they consumed meat and wine, which were expensive products and difficult to obtain. They did not abstain from these items. Perhaps the ritual context justified these luxuries and turned them into part of the spiritual system. The classic example of preferring the spiritual life to the earthly life is in the area of family life. There, the spiritual principle outweighed the ordinary family life. They preferred abstinence in this area, and probably rejected sexual relations (partially or completely) on ideological grounds. In compensation for the losses in the earthly realm, they promoted a life of sanctity and spirituality, and the principles of equality and communality.

¹⁸⁹ See Chapter Three, section 3.3.

¹⁹⁰ According to: *Damascus Document*, column 12, lines 1–2, see the discussion in Chapter Three, section 3.3 above, and the sources cited there.

The Status of the Earthly Life among the Dissenting Groups

Already at the end of the nineteenth century and beginning of the twentieth century, several scholars noted that normative Judaism in the Second Temple period was different to Christianity in its attitude towards asceticism.¹⁹¹

Both Christian and Jewish scholars have found a significant difference between normative Second Temple Judaism and Christianity, in their attitude towards the earthly world and in their tendency to asceticism. Christianity praised the ascetic approach, while Judaism opposed it. Or, as Halivni phrased it, Jewish scholars praised Judaism for the Sages' involvement in the life of this world, and for being found more in the markets than in the monasteries.¹⁹²

Most scholars agree that normative Judaism (that of the Sages) opposed asceticism, though a few scholars, such as Y. Baer, doubted this assumption. In contrast to most scholars, Baer argued that the Second Temple period was "much more ascetic and spiritual than people believe."¹⁹³ He believed the Jews were even the prototype for the later Christian monks. However, he based this opinion on the identification of the Sages (the first Hasidim) with the Essenes, which we dispute and which only strengthens our distinction between the dissenting and seceding groups.

Over the years, some researchers have considered asceticism less important,¹⁹⁴ while others have stressed its existence.¹⁹⁵ The methodology and conclusions of these scholars can be criticized.¹⁹⁶ In

¹⁹¹ As Urbach says: "But where Christian theologians condemned Judaism as impoverished, the scholars of Jewish wisdom saw its greatness and magnificence." See E. E. Urbach, "Ascism Veyesurim Betorat Chazal," in *Sefer Hayovel LeYitzhak Baer: Bimlot Lo Shivim Shana*, S. Ettinger et al. (eds.), Jerusalem 1961, 48–49 (Hebrew).

¹⁹² A paraphrase of Halivni. For his precise words, see: D. Halivni, "On the Supposed Anti-Asceticism or Anti-Nazritism of Simon the Just," *JQR* 58 (1967/1968), 243–44.

¹⁹³ Y. Baer, according to his book *Israel Baamim*, see a description of his approach in: E. E. Urbach, "Ascism Veyesurim . . .," 48–49, notes 1–6 (Hebrew), and in Halivni, *ibid.*, 243–44, notes 1–2.

¹⁹⁴ Such as Moore who says: "In these manifestations of Jewish piety there is no ascetic strain, in the historical and usual sense of the term . . . the premises of such an asceticism such as was in vogue in certain pagan circles and early took root in the Christian churches, were altogether lacking." G. F. Moore, *Judaism in the First Centuries of the Christian Era*, II, 263–64.

¹⁹⁵ Such as Montgomery, in J. A. Montgomery, "Ascetic Strains in Early Judaism," *JBL* 51/52 (1932/1933), 184–213.

¹⁹⁶ The main problem is with the methodology of Baer, Moore and Montgomery. They did not distinguish between the various sources (in terms of period and con-

understanding the sources, we accept the distinction, made by Urbach, between the period before the destruction of the Temple and the period after. It seems quite clear that before the destruction, the tendency was to avoid and even oppose hermit behavior. Following the destruction of the Temple, we do witness ascetic behavior, which most probably does not derive from an ideology of self affliction, but from the wish to mourn.¹⁹⁷

Let us now turn to the main sources serving Urbach and others to establish the approach of the dissenting groups, the Pharisees and the Jerusalem Sadducees, towards the earthly life. We should note again that we are not referring here to the Halakhot written in the Torah, on which all the groups agreed, but to interpretations and additions beyond what was written in scripture. We shall examine this issue according to the various areas of life we encountered in our discussion of the seceding groups. We will restrict ourselves to sources from the Tosefta, Midrashei Halakhah and Mishnah according to the criteria defined above.¹⁹⁸

In the area of private property and the accumulation of assets, we cannot state that the Pharisees or the Sadducees supported equality or communality. Beyond the Mitzvoth of charity and various social Mitzvoth (such as gleanings, the forgotten sheaf, the poor man's tithe, release on the jubilee, etc.), they gave full legitimacy to the existence of private property, to inheritance and to an economic system supporting private property.¹⁹⁹

tents), and mixed the various groups. Thus, for example, Baer and Montgomery used sources on the Essenes to describe the normative situation in Jerusalem. When Urbach sorted out the sources, he concluded that one should distinguish between the periods before and after the destruction of the Temple. Urbach does not only state that they avoided asceticism and retirement from the earthly life, but he also tried to explain it. Urbach does not only state that they avoided asceticism and retirement from the earthly life, but he also tried to explain it. His reasons include: A. Their occupation with the Torah with all this entails. B. The non-formation of a special class of secessionists. C. Lack of sexual abstinence. D. Living within the social center and not being isolated from the rest of the populace (in Jerusalem). See: E. E. Urbach, "Ascism Veyesurim . . ." 48-68 (Hebrew). For Moore and Montgomery see former two notes.

¹⁹⁷ See Urbach, *ibid.*, *ibid.* (Hebrew).

¹⁹⁸ See the criteria for the sources on the Pharisee period, Chapter One, section 1.2.

¹⁹⁹ See for instance M. Aboth, 2, 9. A loan from an individual is only possible in a society that has private property. This Mishnah is dated to the time of Rabbi Johanan Ben Zaccai, whom we consider a Pharisee. On the definition of the historical Pharisees, see Chapter One, section 1.2.

The words of R. Jose “Let the property of thy fellow man be as dear to thee as thine own” (M. Aboth, 2, 12) are indisputable. Despite his moral demand for fraternity (care with other people’s property), it is clear from his words that people could own private assets and decide what to do with their property. All this is in contrast with what we saw among the seceding groups.

In the area of family life, apart from some passages about the negative qualities of women, and the prohibition on talking extensively with them,²⁰⁰ there are no implications against having a normal family life.²⁰¹ Also, sexual relations were considered a duty.²⁰²

They did not avoid various earthly pleasures, such as colorful clothing²⁰³ and participation in feasts with excesses of food and drink.²⁰⁴ In addition, there are some early sources that can be dated to the historical Pharisees that condemn abstention from earthly pleasures. One of these sources is the Midrash Halakhah about the hermit

²⁰⁰ The words of the Pharisee Jose Ben Hanan, M. Aboth, 1, 5.

²⁰¹ We discussed this issue (with sources) in the chapter on lifestyle. See Chapter Three, section 3.3.

²⁰² See in chapter three, on Lifestyle, where this point was stressed. The Halakhah interprets the verse: “And if he take him another wife; her food, her raiment, and her duty of marriage, shall he not diminish” (*Exodus*, 21:10). The word “duty” is interpreted in *Mechilta D’rabbi Ismael*: “וישכב אִוְתָהּ ויענה” (בר’ לד ג) דברי ר’ יאשיהו (thus the term *derech erez*—אֲרֵץ—is a euphemism for sex). Another Rabbi’s opinion cited interprets the word “raiment” as the duty to have sexual relations: “איש איש אל כל שאר בשרו” (וי’ יח ו) . . . See *Mechilta on Exodus, Parashat Mishpatim, Parasha 3* according to H. S. Horowitz and I. A. Rabin, *Mechilta D’Rabbi Ismael*, 258–59 (Hebrew). For the dating of this passage, we should note that Rabbi Yoshaia quoted there is known and dated to after the destruction. At the time of the destruction of the Temple, Rabbi Yoshaia was a small baby taken prisoner to Rome. Rabbi Yehoshua ransomed him (see BT *Gittin* 57b). In our terms, he is member of the Yavneh generation, and can be considered reliable for the historical Pharisee period. See A. Heiman, *Toldot Tannaim VeEmoraim*, Jerusalem 1964, II, 529 (Hebrew). All the sources cited above, in Chapter Three, section 3.3, also support the duty of sexual relations.

²⁰³ See above, Chapter Three, section 3.2, where we showed that the Pharisees wore colorful clothing (based on M. *Shabbath* 1, 9 and the *Tosefta*, *ibid.*), in contrast to the seceding groups.

²⁰⁴ For example, the description in Josephus of the crisis between the Pharisees and John Hyrcanus, and the turning of Hyrcanus to the Sadducees, is around a large feast held by the Hasmonean. See Josephus, *Ant.* 13, 288 ff. In the Talmudic account of this event, in BT *Kiddushin* 66a, the event is described as taking place at a meal with King Jannaeus. They may have eaten “salty food” as a symbol, but eating at golden tables shows that this was a lavish banquet (see *ibid.*). In contrast to the descriptions of the feasts of the Pharisees and Sadducees, we have no descriptions of the Essenes sharing a meal with the regime in Jerusalem.

(Nezir). The Midrash declares the hermit as a sinner. The abstention from wine as from anything not prohibited by the scriptures is regarded as a sin.²⁰⁵ In the Babylonian Talmud (Nedarim 10a), the Midrash reappears as follows:

But they did not take Neziroth upon themselves, so as not to be designated sinners. As it is written “and the priest shall make atonement for him, for that he sinned against a soul.” Abaye said: Simeon the Just, and R. Eleazar Hakappar are all of the same opinion, that a nezir is a sinner . . . against which soul then has he sinned? It is because he has afflicted himself through abstention from wine . . . hence one who fasts is called a sinner . . .

The mention of Simon the Just is in reference to a another earlier source which appears in several places, reaffirming the opposition of Simon the Just to abstention (neziroth) in general, except for one unique case. The source reads as follows:

Said Simeon the Righteous: “in my entire life I ate a guilt offering of a Nazir only one time. A man came to me from the south, and I saw that he had beautiful eyes, a handsome face, and curly locks. I said to him, My son, on what account did you destroy this lovely hair? He said to me, I was a shepherd in my village, and I came to draw water from the river, and I looked at my reflection, and my bad impulse took hold of me, and sought to drive me from the world. I said to him, evil one! You should not have taken pride in something which does not belong to you, in something which is going to turn into dust, worms and corruption. Lo, I take upon myself to shave you off for the sake of heaven.” I patted his head and kissed him and said to him, My son, may people like you become many, people who do the will of the Omnipresent in Israel. Through you is fulfilled the scripture, as it is said, *A man or a woman, when he will express a vow to be a Nazir, to abstain for the sake of the Lord* (Numbers 6:2).²⁰⁶

²⁰⁵ The Midrash we are referring to appears in Siphre D’be Rab, Parashat Nasa, paragraph 30. For an edition with versions and commentary, see: H. S. Horovitz, *Siphre D’be Rab—Siphre al Sefer Bamidbar Vesifre Zutta*, Jerusalem 1966, 36 (Hebrew). See also the edition of Naftali Zvi Yehuda Berlin, *Sifre*, I, Jerusalem 1959, 129–30 (Hebrew). This passage appears in many places in the Talmud, most of them late. See: BT Taanith 11a; *ibid.*, Nazir 19a; *ibid.*, 22a; *ibid.*, Sota 15a.

²⁰⁶ The source appears in many places, with various versions; see Tosefta Nazir 4, 6. Translation according to J. Neusner, *The Tosefta: Nashim*, New York 1979, 137–38. For Hebrew versions see S. Lieberman, *Tosefta Kifshuta*, VI, 550 (Hebrew); Yerushalmi Nazir end of 1 (51, 3); Yerushalmi Nedarim 1, 1 (33, 4); BT Nazir 4b; *ibid.*, Nedarim 9b. For editions of Sifre, see Sifre Parashat Nasa paragraph 22, in N. Z. Y. Berlin, *Sifre*, I, 89–91 (Hebrew); Cf. H. S. Horovitz, *Siphre D’be Rab*, 26 (Hebrew).

According to the understanding of this source, Simon the Just (or the Righteous) opposed hermits (Neziroth).²⁰⁷ Thus, we can deduce that already in the period of Simon the Just, there was an objection to such behavior.

Additional sources support this understanding of the Pharisees in regard to their attitude to eccentricity:

After the last Temple was destroyed, abstainers became many in Israel, who would not eat meat or drink wine . . . He said to them: My children, to mourn too much is not possible. But thus have the Sages said: A man puts on plaster on his house, but he leaves open a small area as a memorial to Jerusalem . . . a woman prepares her ornaments but leaves out some small thing as a memorial to Jerusalem. . . .²⁰⁸

This passage apparently represents an ascetic approach among some Pharisees. However, the context of the destruction and the mourning for the Temple show that this was not their usual approach. Even despite this context, Rabbi Yehoshua still rejects any ascetic behavior. In another source regarding the mourning habits following the destruction of the Temple,²⁰⁹ it is clear that in ordinary circumstances they would not have considered imposing restrictions on human pleasures (beyond the commandments of the Torah), neither in the area of food nor in the area of marriage. Even in these extreme conditions, Rabbi Ishmael and Rabbi Joshua refuse to impose such restrictions, for normative reasons (public opinion and the ability of the public to comply).

²⁰⁷ Based on the words of Simon: “in my entire life I ate a guilt offering of a Nazir only one time.” See also Urbach, in E. E. Urbach, “Ascism Veyisurim . . .,” 51–52, esp. note 15 (Hebrew). Urbach himself makes a distinction between the opinion of the commentators and the opinion of Simon himself. It should be said that Halivni had a different approach. See D. Halivni, “On the Supposed Anti-Asceticism . . .,” 243–52. We are led to believe that the literal meaning of the Midrashic source, the understanding of Abaye (mentioned above) and additional sources cited above and below support the interpretation we have advanced more than Halivni’s.

²⁰⁸ Tosefta Sota 15, 11, according to J. Neusner, *The Tosefta: Nashim*, New York 1979, 209. For Hebrew see the Zuckerman edition, *Tosefta: Sota*, Jerusalem 1970, 322 (Hebrew). Cf. S. Lieberman, *Tosefta Kijshuta*, VIII, 773–74. For various versions, see *ibid.* See also: E. E. Urbach, “Ascism Veyisurim . . .,” 53–54, esp. note 21 (Hebrew). Although some parts of this passage are late, we can accept it as reflecting the Pharisee period due to the explicit reference to the Pharisees (in some of the editions), and since it refers to the generation immediately after the destruction of the Temple. See our definitions in Chapter One, section 1.2.

²⁰⁹ Tosefta Sota 15,11. See Zuckerman, *Tosefta*, 322 (Hebrew). Cf. Yerushalmi Shabbath 1, 4 (3, 4); *ibid.*, 67, 2, 9 (41, 4); BT Baba Bathra 60b.

Another passage implies that one can and should enjoy this world. The only condition is to offer a benediction before “enjoying,” as follows:

One who derives enjoyment from this world without having recited a benediction has committed sacrilege.²¹⁰

There are other sources referring to these phenomena, some supporting and others renouncing them, but most of the renouncing sources are Amorite and late, expressing feelings resulting from the destruction and later historical events.²¹¹

To conclude our discussion of these sources, the words of Urbach are very relevant to our discussion: “In contrast, this motif [of preaching asceticism and monasticism] is completely absent in the Tannaitic evidence on hermits and asceticism.”²¹² He later says: “Exceptional acts of asceticism are almost completely absent.”²¹³

In summary, we have several sources that can be attributed to the Pharisee period,²¹⁴ that see abstinence from the pleasures of the world as a negative thing, even in times of crisis. The passage on Simon the Just also contains explicit praise for very earthly things such as beautiful hair and eyes. Simon the Just even questioned the hermit’s wish to destroy such earthly things. Even abstaining from drinking wine was considered almost a sin in these sources, since this was adding restrictions that were not part of the tradition.

To conclude this chapter, here is one more source, from *Aboth D’Rabbi Nathan*, that supports the importance of this factor in the disputes between the Jewish groups, and shows that, relative to the Sadducees, the Pharisees were regarded as more reserved in the enjoyment of earthly pleasures. Relative to the Pharisees, the Jerusalem Sadducees did not abstain from the earthly pleasures:

²¹⁰ Tosefta Berachoth 4,1, in J. Neusner, *The Tosefta: Zeraim*, New Jersey 1986, 19.; Zuckerman, *Tosefta*, Berachoth, 9 (Hebrew). For alternate versions, see: Lieberman, *Tosefta Kijshuta*, I, Berachoth, 55–56 (Hebrew). See also: E. E. Urbach, “Ascism Veyisurim . . .,” 53–54 (Hebrew). Cf. Yerushalmi Berachot end of 6; BT Berachot 35a.

²¹¹ For Amorite sources for and against, see: E.E. Urbach, *ibid.*, 56 ff. (Hebrew). We do not intend to discuss these sources, since they reflect a period later than that discussed here.

²¹² E. E. Urbach, *ibid.*, 51 (Hebrew).

²¹³ *Ibid.*, 67 (Hebrew).

²¹⁴ The two passages from Sifre, Midrash Halakhah and the Tosefta passages contain indications of a relatively early date, and we accept them as Pharisee literature. For our definition of Pharisee sources, see Chapter One, section 1.2.

Antigonus had two disciples . . . Two sects sprang from them: the Sadducees and the Boethusians, the Sadducees named after Zadok and the Boethusians after Boethus. All their lives they used vessels of silver and gold, but not because they were arrogant in mind. The Sadducees said that it was a tradition of the Pharisees to subject themselves to austerity in this world, and in the world to come they possess nothing at all.²¹⁵

This is a description of a case where the Sadducees accused the Pharisees of excessive abstinence. The Jerusalem Sadducees are described as enjoying silver and gold utensils, material life at its best, compared with the Pharisees who avoided such behavior. There is an indirect link to their worldview. The Pharisees apparently “make themselves suffer” in this world out of a belief in benefiting in the afterlife. From this we learn that the attitude towards the earthly life is relative. By the Sadducees, the Pharisees may have been considered as “making themselves suffer” in this life, but compared with the Qumran group, the same Pharisees could be considered as hedonists.

We find that the attitude towards the earthly life is not uniform, and is not restricted to two options: positive or negative. It can be measured on a scale from asceticism to hedonism. At one end of the scale were the Essenes, who probably abstained completely from sex and family life and from luxuries. After them were the Qumran group, who preferred abstinence from family life and sexual relations, although they permitted it and accepted it as part of reality even within their group. They chose a life of communality and equality, far from the center of social power. At the same time, they enjoyed meat and wine and probably had material plenty even when the normative center suffered from shortages. This indicates that the group’s nature was not completely ascetic. However, the group’s ideology did not approve of the material life for its own sake. All these pleasures were balanced and enabled in the context of religious rituals. After them on the scale were the Pharisees, though at a significant distance. A significant change occurs in the transition along the scale

²¹⁵ *Aboth D’Rabbi Nathan* 5. Translation according to A. Cohen, *The Minor Tractates of the Talmud, Aboth D’Rabbi Nathan*, vol. I, London 1971, 42. For the original Hebrew (first version) see S. Z. Schechter, *Aboth de Rabbi Nathan: Mahadurat S. Z. Schechter*, New York 1997, 26 (Hebrew). For editing and commentary (in general and on this passage), see: M. Kister, *Iyunim Beavoth Derabbi Nathan: Nosach, Arikha Uparshanut*, Jerusalem 1998, esp. 32–33 (Hebrew). On version A and its historical reliability, see *ibid.*, 10–20, 23–80 (Hebrew).

from the seceding groups to the Pharisees, especially in the ideological justification. The Pharisees had an ideological justification for the material life. They even saw it as a duty. They did not approve of hermits, and saw a religious duty to enjoy the pleasures of this world. They recommended having many clothes, colorful clothes for women, and other signs indicating the positive qualities of the earthly life. The Pharisees did not exaggerate in their earthly pleasures, and were not ostentatious. The Jerusalem Sadducees paraded their material pleasures in public by using silver and gold utensils. They even turned hedonism into an ideology by rejecting outright any abstinence (there was no need for people to “make themselves suffer” for any spiritual reasons).

Thus, the Jewish groups are on a scale, with the seceding groups at the ascetic end and the dissenting groups at the hedonistic end. While this is a quantitative rather than a qualitative difference, this aspect can teach us about their degree of exclusive loyalty to the group. The more they abstained from the earthly life, the greater their exclusive loyalty to the group. Greater abstinence constitutes a greater demand for group loyalty. We can see this in the group members’ behavior. The seceding groups, which practiced a high degree of abstinence, supported the lack of private property, the avoidance of physical pleasures (such as anointing with oil, excessive eating, sex for pleasure) and distancing themselves from the corrupt wealth of Jerusalem: both physically and spiritually. This ideology suited their typical lifestyle (communal property, a life of equality and modesty). These behavioral elements match the character of a greedy group that demands full commitment to the group. As Coser argued in the context of greedy institutions, the Jewish seceding groups in the Hasmonean period demanded a renunciation of personal pleasures, of the “self,” for the group. They demanded self-sacrifice from every member joining the group, and lived a life of personal commitment to the group and its values.

Although the Pharisees and the Jerusalem Sadducees were aware of such approaches (and shared at least some of them after the destruction of the Temple), they did not require such commitment, and probably saw no contradiction of values between the material life and achieving spirituality. They did formulate an approach of correct and incorrect values, but did not reject the basic elements of normative society, i.e., the existence of private property, the earthly pleasures (but not in excess), and active involvement in the Jerusalem

center. By permitting these pleasures, they did not require high personal commitment from group members. They did not require much self-sacrifice, since they did not have to abstain from the needs and desires typical of a normative person.

Conclusion

To conclude the chapter on ideology and theology, we have examined here two elements related to the ideological and theological world of the Jewish groups. First we studied the phenomenon of prophecy and its importance in determining the lives of the various groups. We found that all the groups came from a similar social background where faith in prophecy was normal. Despite the similar background, there are significant differences between the types of groups in the degree of valid prophecy in their everyday lives.

The seceding groups attributed prophetic skills to their leaders, and linked interpretation of scripture and the group's laws to this prophetic skill. The outcome of this is that the group members treated their leaders' interpretations as divine, true and eternal. Thus, the issue of prophetic ability or divine inspiration (predicting the future, interpreting scripture, etc.), was one of the aims of the group.

In the dissenting groups this was not the case. While they admitted the ability of individuals to receive divine inspiration, they avoided determining Halakhot and interpreting scripture through this power. In determining Halakhot they preferred the normative procedures of ruling methods, majority opinion etc. Moreover, the dissenting groups tended to reject the phenomenon of prophecy (at least at the group level), and this was expressed in the sources describing the cessation of prophecy.

This distinction between the group types fits the sociological theories that predicted a difference on the metaphysical level between value-orientated (greedy) groups (our independent-powered seceding groups) and norm-orientated groups (our regime-powered dissenting groups). This difference also accords with the Halakhic element mentioned in the previous chapter, of the seceding groups considering their Halakhot to be absolute and eternal truth.

In terms of attitude towards the earthly life, we found a difference between the two types of groups. The seceding groups restricted the earthly life, added prohibitions in areas where all the apparent sin

was hedonism, such as the ban on anointing with oil, the prohibition on private property and so on. Even when they permitted earthly pleasures, this was in the context of the religious ritual, under the supervision of their leaders. In contrast, the dissenting groups avoided adding prohibitions of this type, and did not always link their permitted pleasures to religious ritual. They supported enjoying the pleasures of this world, while maintaining some limits. The Sadducees went even further than the Pharisees and objected to any self-caused suffering.

The difference between the group types was not found to be significant. Although Moore²¹⁶ and Urbach distinguished between the group types, seeing it as a dichotomy, we tend to see the groups as being on a scale of asceticism, from which we can learn about the nature of the groups. Seceding (greedy) groups demand more commitment to the group at the expense of personal pleasures and needs. Coser and others predicted restrictions in the realm of earthly pleasures, especially in the sexual area. We have seen that among the Jewish groups the restrictions were not limited to the sexual and family area, but also included issues like private property, clothing (beyond minimal requirements) and more. The lower the level of commitment, the less demands for abstinence are made.

²¹⁶ G. F. Moore, *Judaism . . .*, 263–64. For Urbach, see above in this chapter and in the notes above.

CONCLUSIONS

To conclude, although we have avoided any current description throughout the study, it seems that a short glimpse of present day reality can do no harm at this stage. Even today, there are groups around the normative center. Today the normative center is the democratic political entity known as the State of Israel (in contrast with the undemocratic Hasmonean regime), whose capital and main activity are again located in Jerusalem. Around this center there are groups that do not completely identify with the normative line. Among them the religious Ultra Orthodox groups, the ethnic protest groups like Uzi Meshulam and social groups like the Black Panthers. The question of the relations between the State and such groups is central.

The main practical benefit of this study is the emphasis on the importance of the political involvement access and its influence on all other aspects of life. According to our findings, this is especially important to prevent real splits and to avoid potential violence between the groups and the center. A complete secession from the established centers of power could form seceding groups whose end is unpredictable.

Dissenting groups are the groups that cooperate with the political regime. They are partners in the power struggles and compete for the affection of the ruler. Perhaps for this reason they compromise in their policy and views (which are the basis for their lifestyle, ideology and Halakhic system). Their advantage is that they are able to realize their principles when they come to power. The seceding groups are not party to these power struggles. They are the real alternative in ideological terms. They do not compromise with the regime to gain power and material benefits. This does not mean they give up hope of ruling. They are not willing to flatter the rulers, and plan alternative methods of establishing their power. Perhaps due to their lack of compromise, they develop their own lifestyle, ideology, theology and Halakhic system, without being dependent on normative society. This is how the patterns of seceding groups and dissenting groups form around the power foci of the normative center.

One can prevent the formation of extreme groups by involving them in the political system, with its budgets and power foci. There

is tension between the group members and the social center, and even between members of different groups. The greater the distance of the group from the center, the greater the tension. Similarly, the closer groups or individuals are to the social center, and the greater their participation in its leadership and lifestyle, the more they moderate their positions and behavior, and the less tension they feel. The tension between the distant groups and the center entails many dangers due to the distant groups not accepting the normative rules and believing their way is absolutely true. This tension is exemplified in the existence of both types of group in the Hasmonean period—dissenting and seceding—that conducted a typical lifestyle and influenced in their separate ways. While this study did not deal directly with the reason for the formation of the groups, it shows that the highest correlation with all other areas of life and the most accurate predictor of the type of group was the axis of political involvement in the normative center. A group distant from the normative center shows all the features of a seceding group in all areas of life, and a group close to the normative center shows all the features of a dissenting group in all areas of life. In other words, the degree of interest a group shows in active involvement in the normative center determines, to a large extent, the rest of its aspects.

Let us take the Ultra Orthodox groups as an example. A few years ago they could be treated as seceding groups. They did not identify with the State for religious and ideological reasons, and were practically distant from the normative center. They established a lifestyle, an authoritative Halakhic world and an ideology that was isolationist and seceding from normative life. Moreover, they avoided any cooperation with the existing political entity, the State of Israel. They did not form political parties and avoided establishment influences and normal interrelations. Thus, they had all the features of seceding groups as described in our study. In recent years there has been a change. Due to gradual participation in the political games and struggle for control of the institutions they now conduct interrelations with the normative center and show increased involvement in normative society (i.e. Yad Sarah and Zaka). As predicted by this study, the political involvement entails changes in all aspects of their lives, and some studies support this. We have recently seen real changes in the opinions and approaches of politicians, the closer they come to positions of power. Perhaps if such a process would have

taken place with Uzi Meshulam and the Black Panthers, we would not have seen such outbreaks of violence.

If we return to the case examined here, Roman rule ended this complex social situation. Without the intervention of the foreign regime, this tension may have led to a general civil war. It is no secret that the Qumran group was carefully planning the realization of their potential to rule, which had been denied them due to their secessionism, through occupying the social center by force of arms. While tensions are high between the normative center (including the dissenting groups) and the seceding groups, and when access to the benefits of society is limited significantly, the probability and danger of civil war breaking out rises. Imposing limitations and restrictions on seceding groups with the intention of isolating them (without the intention of eliminating them), will only strengthen their convictions and unite all aspects of their life: behavior, ideology and code of law.

One of the main contributions of the division into dissenting groups and seceding groups is in defining the sequence of the group phenomenon. According to the findings of this study, groups can be classified according to the division into dissenting and seceding groups (around the axis of political involvement), thus predicting their behavior, values, attitude to the surrounding society and whole lifestyle. The findings show a correlation between the various areas of life and the type of group, and each area supports the other areas of life. Not only are the distant groups value-orientated (in Smelser's terms) and greedy (in Coser's terms), but they are also independent-powered and seceding (as defined in this study) in all the areas of life—lifestyle, Halakhic system and ideology—so that according to any of these areas one can predict the rest of the group's development. For example: a lifestyle of abstaining from family life (and/or uniform clothing and communal eating), or an ideology supporting the continuation of prophecy and abstinence from the earthly life (to a greater extent than in normative society), and a Halakhic system independent of the normative rules (based on values)—all or any of these indicate a seceding group distant from the social center. In other words, due to the internal consistency and the integration of the various aspects studied here, any external behavior, Halakhah or value can indicate the essence and nature of the group. This consistency exists in dissenting groups as well as seceding groups.

Our findings show that all the areas of life are affected by the distance from or proximity to the normative center and none should

be given precedence over the others in the formation of a social group. Whether there was a specific primary cause in one of these areas, in the end this is not significant for the general picture. Thus, the group phenomenon as a whole, should be judged rational, logical and consistent.

Finally, we will list the specific conclusions related to the research *per se*.

1. The question of terminology: The terms used to describe the Jewish groups in the ancient period, sect and cult, are loaded with various meanings that are not appropriate for the ancient Jewish groups (this is especially true of the dissenting groups). Therefore, they should be replaced by other terms. The sociological terminology of groups and social movements was found to be more appropriate, with the distinction between the types of groups.

2. The axis of dividing the groups and the terminology for this: The axis distinguishing between the Hasmonean Jewish groups was by their political involvement in the normative center. This distinction placed the Pharisees and the Jerusalem Sadducees on one side, and the Halakhic Sadducees, the Essenes and the Qumran group on the other side. The most suitable terminology to describe this division is regime-powered dissenting groups and independent-powered seceding groups. The outcome of this is that the traditional division between Pharisees and Sadducees as contrasting groups does not reflect correctly the historical and sociological reality.

3. Distinctions and sub-divisions within the various groups: The historical sources at our disposal require internal distinctions within the various groups as follows: A. Within the Sadducee group, we distinguish between the Jerusalem Sadducees, who were more similar to the dissenting groups, and the Halakhic Sadducees, who were similar to the seceding groups. B. Within the Pharisee group, we cannot accept every Tannaitic source as referring to the historical Pharisees, and even some sources using the term "Pharisee" are doubtful. Certain identification requires more than one criterion. Among the various criteria: explicit references to the historical Pharisee group, the chronology of the sources, persons mentioned in the sources, and philological and other evidence that the contents of the source are reliable. C. On the relationship between the Essenes and the Qumran group, our position clearly distinguishes between them. D. Regarding the Qumran group, we accept the findings of the site and the Dead Sea scrolls (and not the reports of Hellenistic authors)

as reflecting the historical Qumran group, with some qualifications. The various scrolls should be classified by distribution in the group (number of copies), location of finding (cave identification), contents, philological aspects (terminology, style and grammar) and other evidence proving their Qumranic origins. In the absence of these criteria, the Qumranic identification of the scroll is doubtful.

4. Sociological infrastructure for studying the groups: The most suitable sociological theories for describing the groups in the period under discussion are those that meet the following criteria: examining the group on the basis of its relations with the surroundings; the behavior of the group's members in their everyday life; an approach that attempts to explain similar social phenomena across periods and cultures. In light of these criteria, the theories of Smelser (norm-orientated and value-orientated groups) and Coser (greedy institutions) are those we found most appropriate.

5. The social background of the groups and its meaning: From examining the findings in the three main areas of life (lifestyle, Halak-hah and ideology) of the groups, it appears that first and foremost, all the groups, despite their differences, came from a similar social background. They all had particular features of a unique and separatist lifestyle, of a developed Halakhic world and of an ideology supporting their lifestyle. This finding supports the claim that all the groups originated from the same social center and the same basic idea, and over time became distinct from each other to various degrees.

6. Implications for the phenomenon of groups in general: Coser and others tried to classify the type of people belonging to the "extreme" groups (similar to our seceding groups) by stressing their social status. They argued that the members of such groups come mainly from the lower class. In contrast, the less extreme the group, and the closer to the normative center, the higher the class of its members. An examination of the Jewish case disproves this opinion. Social class is clearly not one of the factors distinguishing the groups. Quite the opposite, it is among the seceding group that we find a tendency to higher-class members. In contrast, a dissenting group like the Pharisees, more closely identified with the normative center contained members from all classes, and was presented in the sources as the group of the masses. Also, some scholars have tried to characterize extreme groups as exclusively pacifist or militant. The conclusions of this study show clearly that among the extreme groups we can find both types of groups.

Several accepted assumptions in the study of sects are supported by the Jewish case in the Hasmonean period. Voluntarism is a basic founding element in the extreme groups, and this element maintains the group. The less extreme groups rely more on being established, the second generation and natural reproduction. This means that group members can be born into the group and find themselves in an involuntary reality. In the more extreme groups, members join the group voluntarily. Some scholars have tried to label the extreme groups as “insane” or “irrational”. The conclusions of this study show that this assumption has no grounds. All the groups, including the most extreme ones, show remarkable consistency, each in its own area.

7. Description of the social center in and around Jerusalem in light of the conclusions: This study also characterized Jewish society in the Hasmonean period. We distinguished between three terms in the social world in the Hasmonean period: center (normative), dissenting groups and seceding groups. These terms show that Jewish society at that time was divided according to the degree of proximity to or distance from the social center, and this division can be used to understand other aspects from the various areas of life. This study shows that there was indeed a center, but it was not the real social entity. The center in this study includes the main power centers in Jerusalem, the Temple and the main judicial institutions. We have seen that this entity was controlled by the main political entity, the Hasmonean rulers. However, this entity was void of any real independent content. Apart from foreign policy and security issues, the actual control of internal affairs was mainly in the hands of one of the Jewish groups chosen by the Hasmonean leader. Sometimes the Hasmonean chose the Pharisees, at other times the Sadducees. This choice could result from political interests, from power struggles or even from personal insults. Once a group was chosen, it determined Halakhic policy and internal Jewish justice. As a result, the center did not represent the wishes of the majority population, as one could have expected. Nor did the center represent itself, since it had no independent internal policy of its own. The center was significantly intolerant of the seceding groups. This teaches us about the nature of the center in the ancient world and its relations with the groups around it.

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