

XI

APPENDIX: THE PHARISEES¹

SOIOLOGICALLY SPEAKING, there is no question of including the Pharisees among the upper classes: their name means 'the separate ones', i.e. the holy ones, the true community of Israel,² and as we shall see they were for the most part men of the people, with no scribal education. But they were so closely linked with the scribes that it is difficult to separate them, the more so since the scribes' rise to power marked the rise of the Pharisees also. For this

¹ There is an excellent section on rabbinic documentation on the Pharisees in Bill. II, 494–519, and IV, 334–52. Schlatter, *Geschichte Israels*, 137–53, is well informed on the origin of Pharisaism. J. Wellhausen's brilliant study (*Die Pharisäer und die Sadducäer*, Greifswald 1874) is still instructive; see further Meyer, *Ursprung II*, 282–319. The growth of the movement is presented clearly by G. F. Moore, 'The Rise of Normative Judaism', *HTR* 17, 1924, 307–73, and 18, 1925, 1–38. B. D. Eerdmans, 'Farizäen en Sadducäen', *Theologisch Tijdschrift* 48, 1914, 1–26, 223–30, saw clearly the corporate character of Pharisaism. A. Büchler, *Der galiläische 'Am-ha-'Ares des zweiten Jahrhunderts*, Vienna 1906, gives abundant material, although his basic theory, that Pharisaic communities did not appear until after the destruction of the Temple, will not hold water, since he ignores NT evidence. The work of L. Baeck, 'Die Pharisäer', in 44. *Bericht der Hochschule für die Wissenschaft des Judentums in Berlin*, Berlin 1927, 33–71, ET, *The Pharisees and Other Essays*, New York 1947, 3–50, contains some interesting observations, but entirely misconceives the corporate character of Pharisaism, and fails to distinguish Pharisees from scribes. The study by R. T. Herford, *The Pharisees*, London 1924, is even less satisfactory; the author sees no distinction between scribes and Pharisees—for him the Pharisees are 'teachers of Torah' (p. 43)—and has totally misunderstood the origin of Pharisaism as well as its corporate character. The sociological background of the movement is presented by L. Finkelstein, *The Pharisees*, 3rd ed., Philadelphia, Pa., 1962. For the problem as a whole see now R. Meyer, 'Tradition und Neuschöpfung im antiken Judentum. Dargestellt an der Geschichte des Pharisäismus', in *Sitzungsberichte der sächsischen Akademie der Wissenschaften zu Leipzig*, philolog.-hist. Kl. 110.2, Berlin 1965, 7–88.

² L. Baeck, 'Die Pharisäer', 34–41, ET 3–12, gives convincing proof of this. He shows that in the Tannaitic midrashim *pārūš* and *qādōš* are synonymous: see p. 249 n. 13 below. In the same way the Essene regarded themselves as the community of the 'new covenant' (CD vi.19; viii.21; xix.33f.; xx.12), as the 'remnant' (CD i.4; i QM xiii.8; xiv.8–9; i QH vi.8), as the 'escaped' (CD ii.11); their members must 'separate' themselves (i QS v.10; viii.13; ix.20; CD vi.14).

reason we are discussing them here as an appendix to the last chapter.

If, in the following pages, we are to study the composition of the Jerusalem *ḥabūrōt* (Pharisaic communities)³ and to describe their position within the framework of society, we must never lose sight of the fact that they formed *closed communities*. Thus the Pharisees were by no means simply men living according to the religious precepts laid down by Pharisaic scribes, especially the precepts on tithes and purity; they were *members of religious associations*, pursuing these ends.

The first appearance of the Pharisees, in the second century BC, shows them already as an organized group. The first mention of them is in the two books of Maccabees, and I Macc. 2.42 calls them 'a company of Assideans (*συναγωγὴ Ἀσιδαίων*) who were mighty men of Israel, even all such as were voluntarily devoted unto the Law' (cf. I Macc. 7.13; II Macc. 14.6). The Essenes also originated in the second century BC,⁴ and whatever the foreign influences which must have affected their beginnings, they were in origin very close to the Pharisees, as witness their strict rules of purity and their efforts towards separateness.⁵ It is possible, therefore, to draw from the strict life of the Essene community inferences about the communal character of the Pharisees. Among the Essene writings the *Damascus Document* especially, shows important parallels with the Pharisaic organization; we shall enlarge on that later (pp. 259ff.). In the first century AD there seem to have been several Pharisaic communities in Jerusalem alone.

In this context it is primarily the 'holy community of Jerusalem' which is meant. The Palestinian Talmud mentions once 'the holy community' (j.M. Sh. ii.10, 53d.2). In the Midrash, R. Judah I, the redactor of the Mishnah about AD 200, gives a tradition on the subject (Eccles. R. 9.7 on 9.9, Son. 237).

According to the later interpretation which the Midrash puts on the term 'holy community', it was claimed that this meant the two teachers R. Jose b. Mešullam and R. Simeon b. Menasiah, who lived about AD 180, probably in Sepphoris. Both were said to have dedicated a third of each day to study, a third to prayer and a third to manual work, and so were given the epithet 'holy community' (*ibid.*). Later, R. Isaac b. Eleazar

³ The term 'community' is better than 'society' or 'association'.

⁴ First mentioned about 150 BC, *Ant.* 13.172; then about 104 BC, *Ant.* 13.311; BJ 1.78.

⁵ The remarkable appearance of the term *ḥbwr ysr'el*, used to describe the Essene community in CD xii.8, could also point to this common origin.

(about AD 280) applied the name 'holy community' to R. Joshua son of R. Timai and to R. Borgai (*ibid.*).

In both cases the fact that the expression 'holy community' is limited to two people (because of an evident misunderstanding of the Palestinian Talmud just quoted), shows that this explanation cannot possibly be right;⁶ the references in the Babylonian Talmud make that quite clear. This Talmud indeed calls this same⁷ association the 'holy community of Jerusalem',⁸ and frequently attributes traditions to it. We hear, among other things, that the members of this association had specific customs for prayer⁹ and that they had an exceptionally strict interpretation of the laws on mixed fabrics (b. Betz. 14b and par. [see n. 8]; cf. Lev. 19.19; Deut. 22.9-11).

What does this expression 'holy community of Jerusalem' mean? Bacher would like to drop 'of Jerusalem'¹⁰ and keep the shorter 'holy community' of the Jerusalem Talmud and the Midrash; but this is merely an abbreviation. Büchler, in connection with the midrashic interpretation, sees in this association a group of Jerusalemites who had fled to Galilee, and especially to Sepphoris, after the sack of Jerusalem.¹¹ Certainly there is much evidence of the presence of Jerusalemites in Sepphoris after the sack of the Holy City (b. Ket. 77b *et passim*); but as we saw earlier, we must not rely too much on the interpretation of 'holy community' in the Midrash, where the expression is used to mean two Galilean teachers. Baeck and Marmorstein are right in going back to Jerusalem for the explanation.¹² The former saw in it a name for the whole community in Jerusalem, and the latter the name of an organized group already in existence there at the time of the great Tannaites.

In Paul's epistles (I Cor. 16.1; II Cor. 8.4; 9.1, 12; Rom. 15.25, 31) the primitive Christian community in Jerusalem is called 'the saints'; and Baeck appeals to that for his interpretation; but this Christian designation is entirely at variance with his views, but agrees with Marmorstein's. Indeed the members of the early Church were called themselves 'the saints' in sharp contrast with the whole community, as the true Messianic community of salvation, the remnant whom God has chosen from among the people of salvation, and thus in exactly the same way that the Pharisees called themselves 'the separated', that is 'the saints' (p. 246).

⁶ L. Baeck, 'Die Pharisäer', 39, ET, 9.

⁷ Bacher, *Ag. Tann.* II, 490 n. 2.

⁸ b. Betz. 14b (= b. Yom. 69ab; b. Tam. 27b, 61b); b. Betz. 27a; b. R. Sh. 19b; b. Ber. 9b (cf. Bill. II, 692). These pass on traditions of the second century AD, mostly of the second half of the century.

⁹ b. Ber. 9b. One custom they had was to recite the Eighteen Benedictions each morning immediately after the *šema*.

¹⁰ *Ag. Tann.* II, 490 n. 6.

¹¹ Büchler, *Priester*, 39-41.

¹² L. Baeck, 'Die Pharisäer', 39, ET, 9f.; A. Marmorstein, 'Eine angebliche Verordnung Hadrians', *Jeschurun* 11, Berlin 1924, 152ff.

We have now reached the point where Marmorstein's views too need supplementing. *Qādōš* (saint) and *pārūš* (separated, a Pharisaic epithet) are used synonymously in the Tannaitic Midrashim.¹³ We must take into account too the customs of life and the traditions of the 'holy community', in particular their faithful observance of fixed times for prayer, which is universally praised (Eccles. R. 9.7 on 9.9, Son. 237; b. Ber. 9b; see p. 248 n. 9); we must compare this with the fact that in the first century AD the observance of fixed hours of prayer was recognized as a distinctive sign of a Pharisee.¹⁴ All this leads inevitably to the conclusion that in all probability the 'holy community of Jerusalem' was a Pharisaic community in the Holy City in the first century AD.

It is the period before the destruction of the Temple, too, which is suggested by the following Tosephta: 'R. Eleazar b. Zadoq¹⁵ said: This is the custom of the *ḥabūrōt* [communities] in Jerusalem: some [of the members of a *ḥabūrāh*] go to a betrothal feast, others to a wedding feast, others to a feast of circumcision, others to a gathering of bones [for the purpose of final burial];¹⁶ the first go to a joyful feast, the others to a house of mourning' (T. Meg. iv.15; *Semaḥot* xii).

What was the nature of these associations in the Holy City? Several times in rabbinic literature we come across references in the second century AD to private charitable associations (*heber 'ir*) in certain parts of the country; they made it their duty to devote themselves to charitable works of all kinds, among them those indicated in the Tosephta passage just quoted, and to observe liturgical obligations.¹⁷

¹³ L. Baeck, 'Die Pharisäer', 36f., ET, 5-8. Siphra Lev. 19.2, 44b: 'Be *q'edōšim*, that is to say, *p'arūšim*'; Siphra Lev. 11.44, 39a: 'Be *q'edōšim* for I am *qādōš*', that is: 'As I am *qādōš*, so should you be *q'edōšim*; as I am *pārūš*, so should you be *p'arūšim*.' Similarly in Siphra Lev. 11.45, 25a; Siphra Lev. 20.26, 46d; Lev. R. 34.4 on 19.2 (Son. 307).

¹⁴ b. Ber. 47b Bar.: 'Who is an *'am ḥā-āreš* (a non-Pharisee)? He who does not recite the *Šema* morning and evening.' This is the view of R. Eliezer (about AD 90, the representative of the ancient tradition among the teachers of his time).

¹⁵ As the context shows, this was R. Eleazar I, born soon after AD 35 in Jerusalem and living there until the destruction of the Temple; see p. 143.

¹⁶ If the body was put in a tomb hewn out of the rock, the bones were gathered into an ossuary about a year after the burial.

¹⁷ On these associations, see A. Büchler *Der galiläische 'Am-ha-'Areš des zweiten Jahrhunderts*, Vienna 1906, 207-21; J. Horowitz, *ḥbr 'ir*, Frankfurt 1917; Bill. IV, 607-10. The question is, should it be pronounced *heber 'ir* (a city charitable association) or *ḥabēr 'ir* (city teacher, or a member of a charitable association)? In spite of Horowitz' objection, the balance is tipped in favour of the first reading (A. Geiger, *Urschrift und Übersetzung der Bibel*, Breslau 1857, 122f.; Levy II, 9b; Eliezer b. Jehuda, *Thesaurus totius hebraeatis* III, Berlin 1911, *sub verbo*, 1433; H. Grätz, *Geschichte der Juden* III.1, 4th ed., Leipzig 1888, 78; A. Büchler, *op. cit.*, 210-12; Schürer II, 503 n. 10, ET II.2, 58 n. 47; Dalman, *WB*, 136a; Bill. IV, 607ff., who takes only T. Meg. iv.29, 228, for discussion). In what relation to the Pharisaic communities did these charitable associations stand? This question is not yet settled.

The *ḥabūrōt* of Jerusalem mentioned in this Tosephta passage are uncontestedly linked with these charitable associations; they are the oldest organization of this kind spoken of in the sources. It is true that neither in this passage, nor in others which deal with the *ḥeber 'ir*, is there any question of the members being bound by the obligations which the members of Pharisaic communities had to accept, on the strict observance of laws pertaining to purity and the tithe; thus it is quite possible that this Tosephta passage too speaks of private charitable associations which must have existed in Jerusalem.¹⁸

Nevertheless we may ask if things are quite so simple. First, we must notice that this passage does not use the exact expression *ḥeber 'ir*, but the term *ḥabūrāh* which, apart from associations and other bodies, is used to mean the Pharisaic communities too (e.g. T. Dem. ii.14, 48, *et passim*). Moreover, we must remember that the Pharisees themselves attached the greatest importance to works of supererogation and good works; what is more, the accomplishment of works of supererogation was an integral part of the very essence of Pharisaism and its ideas of meritorious behaviour.¹⁹ Another fact is worthy of note: a document from the beginning of the first century AD, the *Assumption of Moses*, reproaches the Pharisees for being men who 'at every hour of the day love to banquet and gorge themselves', who 'from morning till evening love to say: we want feasting and plenty to eat and drink'.²⁰ These reproaches lead us to look among the Pharisees—if we are not to write them off as mere drunkards and gluttons—for customs similar to those which our Tosephta passage describes among the 'communities' of Jerusalem.

We must take a final point into consideration. In Talmudic sources we occasionally meet 'the sons of the synagogue' (*bēnē ha-kēnēset*, M. Bekh. v.5; M. Zab. iii.2; b. M.K. 22b Bar.; *Semaḥot* xi), who bound themselves to observe liturgical rules and to take part in (liturgical) funeral ceremonies. They were, then, an organization similar to the charitable associations mentioned earlier. M. Zab. iii.2 assumes that these synagogue associations follow the Pharisaic laws of purity in food preparation.²¹ Thus we have clearly outlined here the link between the Pharisees and public charitable associations ministering to the needs of synagogues.

The presence in Jerusalem of purely private charitable associations for

¹⁸ See Büchler, *op. cit.*, 208–12.

¹⁹ To demonstrate the importance which the Pharisees attached to works of supererogation, we shall quote but a few of the many NT references: Tithes of supererogation: Matt. 23.23; Luke 18.12; laws on purity: Matt. 15.1–2; Mark 7.1–4; Matt. 23.26 and par.; fasting: Luke 18.12; Matt. 9.14 and par.; prayer: Matt. 6.5–8 (this passage is directed against the Pharisees, see p. 254); almsgiving, Matt. 6.2–4.

²⁰ *Ass. Mos.* vii.4, 7–8. The context shows clearly that the Pharisees are the subject.

²¹ Büchler, *Der galiläische 'Am-ha-'Ares*, 74 n. 2.

the common good is nowhere attested; and so with all the documentation we have studied we are forced to conclude that the *ḥabūrōt* mentioned in our Tosephta passage are related to the Pharisaic communities, if not actually identical with them.

The Pharisaic communities of Jerusalem, several of which are known as we have seen, had strict rules of admission, which again shows their character as a closed society. Before admission there was a period of probation, one month or one year,²² during the course of which the postulant had to prove his ability to follow the ritual laws. Josephus for example tells us how he submitted himself successively the Pharisaic, to Sadducean and to Essene laws, and finally at the age of nineteen chose the Pharisees (*Vita* 10ff.). This specific example confirms that there was a probationary period before admission to a Pharisaic community.

Once this period was over, the candidate committed himself to observe the rules of the community. In the earlier period, which is the only time to concern us here, this pledge was taken before a member who was a scribe.²³ The new member of the community bound himself to observe the Pharisaic laws on purity and tithes.²⁴ Henceforward the Pharisee was a member of an association. These associations had their leaders (*Ant.* 15.370; *Bḥ* 2.411; Luke 14.1ff.: 'a chief Pharisee', *et passim*) and their assemblies (Matt. 22.15 and par.; cf. 12.14; 22.41); these last it seems, were linked with a common

²² In the first century AD there was a divergence of opinion between the Shammaites and the Hillelites on the length of the probation time in T. Dem. ii.12, 48: 'After how long [probation] is he [the candidate] accepted? The followers of Shammai require thirty days for liquids [this means the seven "liquids causing impurity": dew, water, wine, oil, blood, milk, honey; when solid or dried foods come into contact with something impure, they do not become impure unless moistened beforehand by one of these seven liquids. The candidate had to prove that he had paid attention to these rules and observed them, and had kept these seven liquids away from his fruit, vegetables and other dry foods], and twelve months for raiment [clothing became impure by pressure or by contact with someone levitically impure, which the Pharisees strove to avoid]. But the followers of Hillel content themselves for both (proofs) with thirty days.' See on this Bill. II, 505f.

²³ In b. Bekh. 30b Bar. (ar. T. Dem. ii.13, 48 according to the Vienna MS and *ed. princ.*), the oath, according to Abba Saul (about AD 150) was taken before a member who was a scribe. Later, admission was before three Pharisees (b. Bekh. 30b Bar.). Bill. II, 506, was quite right in seeing the ancient custom in Abba Saul's words; this is confirmed by the analogous practice among the Essenes, see p. 260, cf. CD xiii.11–13; xv.7ff.: reception by the supervisor, who was a scribe, xiii.6.

²⁴ For the laws of purity see Matt. 15.1–2; Mark 7.1–4; Matt. 23.25–26; Luke 11.39–41. Those on the tithe: Luke 18.12; Matt. 23.23; Luke 11.42.

meal,²⁵ particularly on Friday evening at the beginning of the sabbath (b. Erub. 85b, see n. 25). It seems that Pharisaic associations sometimes made a public appearance, e.g. to express condolences or to take part in festal occasions (p. 249). They had their own internal code of rules, and could agree among other things on the expulsion of a member (b. Bekh. 31a Bar.).

We shall do well not to overestimate the number of members of these Pharisaic *ḥabūrōt*. From a reliable source, transmitted to us by Josephus who probably had it from Nicholas of Damascus, the intimate counsellor and historian of the court of Herod the Great—thus from a semi-official source—we learn of ‘more than six thousand’ Pharisees during Herod’s time throughout his kingdom.²⁶ By way of comparison, let us quote other figures. The population of Jerusalem was about twenty-five to thirty thousand (p. 84); the priests and Levites together raised that number by about eighteen thousand (p. 204); the Essenes were four thousand strong (*Ant.* 18.20). Incidentally, these numbers confirm that as far as the Pharisees are concerned, we are dealing with a marked group; and the size of their number confirms that in Jerusalem during the first century AD, there must have been several Pharisaic communities.

The composition of these Pharisaic communities is clouded in obscurity, and they are often confused with the scribes (p. 246 n. 1; p. 254 n. 31). There are several reasons for this. First, the fact that the term *ḥābēr*, meaning a member of a Pharisaic community, was after the New Testament period used for a non-ordained teacher (‘colleague of the teachers’), but especially the fact that Matthew and

²⁵ b. Pes. 101b–102a, if the *bēnē ḥabūrāh* named here and in b. Erub. 85b are members of a Pharisaic community. See too Luke 7.36–50; 11.37f., 14.1. Perhaps we should also consider as communal meals the Pharisees’ meals in Jerusalem mentioned by Abba Saul. (T. Sanh. iii.4, 418; j. Sanh. i.2, 19b.57; b. Sheb. 16a Bar.). Especially should we remember the communal meals among the Essenes.

²⁶ *Ant.* 17.42. I. Elbogen ‘Einige neuere Theorien über den Ursprung der Pharisäer und Sadduzäer’, in *Jewish Studies in Memory of Israel Abrahams*, New York 1927, 135–48, expressed on p. 136 doubts on this number 6,000: (a) it concerns only the Pharisees who refused the oath to Herod; (b) the number 6,000 appears also in *Ant.* 13.373 and 379. I cannot share these doubts. Indeed, (a) in *Ant.* 17.42. Josephus seems to assume that all the Pharisees refused the oath; (b) the two other passages which quote the number 6,000 deal with events of about eighty years earlier.—The evangelists show that there were many Pharisees in Galilee, Matt. 9.11, 14 *et passim*. According to Luke 5.17 they came ‘from all the cities of Galilee and Judaea and from Jerusalem’. It is doubtful if there were Pharisees in foreign parts. In Acts 23.6, Paul of Tarsus calls himself *Φαρισαῖος . . . υἱὸς Φαρισαίων*, but these last two words could equally mean (p. 177) that he was a pupil of Pharisaic teachers or a member of a Pharisaic association.

Luke very often lump together ‘the scribes and the Pharisees’; Matthew in the discourses of Jesus, and Luke in the narrative parts of his Gospel, frequently use this expression;²⁷ on the other hand Mark and John do not know it.²⁸ It is disastrous that Matthew in particular (with the exception of 23.26), unites the two groups, even in the words of Jesus against the scribes and Pharisees in Matt. 23. Indeed Matthew introduces in exactly the same way, by ‘Woe unto you, scribes and Pharisees’, the words against the vanity and lust for honours among the teachers, and those against the hypocrisy of the Pharisees in their observance of religious laws on purity and tithes; and thereby he obliterates the difference between the two groups. More happily, the parallel tradition in Luke guards against wrong conclusions; indeed Luke makes a clear distinction between Jesus’ discourse against the theologians, the scribes (Luke 11.46–52; 20.46; cf. 11.43) and his discourse to ‘the men of practice’, the Pharisees (Luke 11.39–44).²⁹

We shall perceive very clearly the difference between the two if we bear in mind the reproaches which Jesus, according to Luke, addresses to each separately. The scribes (Luke 11.46–52; 20.46; cf. 11.43—see n. 29) are reproached for (a) imposing very strict religious laws on other people, while avoiding them themselves; (b) building ‘tombs of the prophets’ while ready to condemn to death men sent by God; (c) keeping their learning secret and so cutting off the people’s access to the kingdom of God, while making no use themselves of their own knowledge; (d) inordinate pride in dress, in salutations and in order of seating, particularly with regard to the synagogues. As we see, these reproaches have a general bearing on their scribal education and its resulting privileges in social life.

Jesus’ reproaches to the Pharisees, listed in Luke 11.39–42, 44, are

²⁷ Matt. 5.20; 12.38 (Luke 11.29: the crowds); 15.1 (Mark 7.1: the Pharisees and those scribes come from Jerusalem); 23.2, 13, 15, 23, 25, 27, 29; Luke 5.17, 21 (Matt. 9.3; Mark 2.6: several scribes); 5.30 (Matt. 9.11: the Pharisees; Mark 2.16: the scribes of the Pharisees); 6.7 (Matt. 12.10; Mark 3.2: they); 7.30; 11.53; 14.3; 15.2.

²⁸ In Mark 7.5, the article refers to what precedes it; it is not used in a general way. In John 8.3 the expression is used in the pericope of the ‘adulterous woman’ which was interpolated into the Fourth Gospel.

²⁹ In 11.43 an error has slipped into the Lucan tradition; but a parallel tradition elsewhere in the same gospel and in Mark corrects it entirely. Indeed, in Luke 20.46, with which Mark 12.38–39 is in accord, the reproach on their ambitious lust for the highest places in the synagogues and the first salutations in the bazaars is rightly described as being addressed to the scribes; on the other hand, Luke 11.43 has it erroneously addressed to the Pharisees.

of an entirely different kind. They are accusations of (a) hypocrisy in carrying out the laws on purity, while remaining impure inwardly; (b) hypocrisy in paying tithes on green and dry vegetables not required by the Law, while neglecting the religious and moral obligation of the Law. We can see that these reproaches have absolutely nothing to do with a theological education; they are levelled at men who lead their lives according to the demands of the religious laws of Pharisaic scribes.

Luke shows plainly, and in full accord with references in contemporary sources, that the parallel discourse in Matt. 23 falls into two parts: the first (vv. 1-22, 29-36) is levelled at the scribes, and the second (vv. 23-28) at the Pharisees. Matthew himself makes this clear on several occasions, for example when he introduces the fifth 'woe' (Matt. 23.25-26) by the words: 'Woe unto you, scribes and Pharisees', and then continues (v. 26) by the single phrase: 'thou blind Pharisee.'

In the same way the first two chapters of the Sermon on the Mount contain a discourse against the scribes and one against the Pharisees. In Matt. 5.20 the two groups are named at the beginning, under the heading of scribes; but then there comes first, in 5.21-48, a discourse against the scribes who transmit and explain the 'tradition of the ancients'; then, in 6.1-18, the discourse turns on the 'hypocrites' (in Matthew's Gospel this word means the Pharisees, except in a few cases).³⁰ These verses are no longer directed against doctrinal tradition, but against men who in everyday life made a great show of works of supererogation (almsgiving, prayer, fasting, cf. Luke 18.12).

We must therefore make a distinction between scribes and Pharisees, and reject the completely false idea that the Pharisees were the same as the scribes.³¹

One point only is true: that the leaders and influential members of Pharisaic communities were scribes. Tradition tells us that the following scribes belonged to a Pharisaic community or ruled their lives according to Pharisaic laws: before 162 BC, Jose b. Joezer (M. Hag. ii.7); about 50 BC Abtalion and Shemaiah (*Ant.* 15.3 and 370);

³⁰ In Matt. 23.13, 29 (probably also 23.15) the hypocrites are the scribes; in 24.51 the godless; in 7.5, deceitful men.

³¹ E.g. W. Bousset, ed. H. Gressmann, *Die Religion des Judentums im späthellenistischen Zeitalter* 3rd ed., Tübingen 1926, 187: 'The Pharisees are educated men.' It is a totally false judgment but very prevalent.

about 20 BC perhaps Hillel;³² about AD 30, in the time of Jesus and the early Christian Church, Nicodemus (John 3.1ff.), and further the anonymous Rabbi who questioned Jesus on the great commandment (Mark 12.28), and several other scribes who came into contact with Jesus (Mark 2.16; Luke 5.30; Matt 15.1-9; Mark 7.1-13),³³ R. Gamaliel I (Acts 5.34; T. A. Zar. iii.10, 464) and Saul of Tarsus (Acts 23.6);³⁴ about AD 50, Johanan son of the Hauranite, who ate food according to the rules of levitical purity (b. Yeb. 15b and par.), and R. Zadoq, the celebrated priest who also observed those rules for his food (M. Sukk. ii.5); about AD 60 Josephus (*Vita* 12) priest and writer, and Simeon b. Gamaliel I (*Vita* 191);³⁵ at the time of the destruction of the Temple, the son of this R. Simeon, R. Gamaliel II, who is said to have eaten his food according to the Pharisaic laws on levitical purity and always kept his garments in a state of the utmost levitical purity (T. Hag. iii.2, 236),³⁶ and Joezer, priest and scribe (*Vita* 197; on the form of this name, see p. 234 n. 4).

The sum total of these names is, as we see, not very great. Truth to tell, we know only a small number of names of scribes who belonged to a Pharisaic community; actually their number was much greater. Further, it must be noted that we know of a large number of scribes who opposed Sadducean teachers, and championed Pharisaic ideas, but we have been given no specific evidence that they belonged to a *ḥabūrāh*. Johanan b. Zakkai, for example, upholds Pharisaic opinions against Sadducean in M. Yad. iv.6, holding that the holy books

³² We must conclude this from the story told by Gamaliel of his father (M. Erub. vi.2), if the father of Gamaliel I was Hillel. (The Simeon mentioned only in b. Shab. 15a Bar., said to have been president of the Sanhedrin after Hillel and before Gamaliel I, is named nowhere else, and was never said to be Gamaliel's father.) However, we do not know if the account in M. Erub. vi.2 comes from R. Gamaliel I or R. Gamaliel II; only in the first case could we make any deduction about Hillel.

³³ The Pharisees who discussed with Jesus the exegesis of Deut. 24.1 (Matt. 19.3; Mark 10.2) are also theologians.

³⁴ Paul was an ordained scribe. Acts 26.10, where he speaks of his functions as a judge, makes this quite certain.

³⁵ If we take it that the account in M. Erub. vi.2 comes from Gamaliel II (see n. 32), it concerns his father R. Simeon b. Gamaliel I.

³⁶ Gamaliel was already active before AD 70, as the following references confirm: T. Sanh. ii.6, 416: he wrote, on the steps of the Temple area, a decree of Galilee (we must attribute this to Gamaliel II, with Bill. I, 154 and Dalman, *WJ*, 3, ET, 3); M. Pes. vii.2: he had his paschal lamb roasted in Jerusalem by his slave Tabi (this must refer to Gamaliel II, as we know the name of his slave); M. Sukk. iii.9 (this event may well belong to the liturgy of the Temple, as Bill. II, 788e, agrees; thus it was before AD 70, which presumes that R. Gamaliel II was already by that time a recognized authority).

soiled the hands; but he speaks here of the Pharisees in the third person to such effect that on the basis of this text he has been held to be a Sadducee (*sic!*).³⁷ In Luke 11.45, after Jesus' reprimand to the Pharisees, a scribe says to him: 'Master, in saying this thou reproachest us also.' This scribe champions the Pharisees, too, without explicitly including himself among them. In cases like that we may without hesitation presume that the scribe who is defending Pharisaic opinions himself belongs to a Pharisaic community; but we still must not underestimate the number of teachers who did not belong to a Pharisaic *ḥabūrāh*. In all cases this number is considerably higher than the Talmudic tradition would have it, the tradition derived from a purely Pharisaic point of view.

To my mind the example of Simeon b. Nathaniel is particularly instructive. He lived about AD 70, and was a priest and a pupil of R. Johanan b. Zakkai (M. Ab. ii.8) whose Pharisaic ideas we have just studied. Simeon married a grand-daughter (p. 219 n. 227) of the Pharisee R. Gamaliel I (T.A. Zar. iii.10, 464). However, he refused to eat his 'common' food according to the Pharisaic laws of purity, and because of his marriage he was forced to pledge himself not to demand that his wife should prepare 'pure' food in his house, since he himself would not have observed levitical purity (*ibid.*). Among the very little information we have about him, we find a criticism of prayer becoming 'somewhat too fixed'; for thus the intimacy of prayer suffered (M. Ab. ii.13). Evidently Simeon criticized the establishment of fixed hours of prayer, to which the Pharisees attached such importance (p. 249 n. 14 *et passim*).

This particular case shows us that it is important not to underestimate or overestimate the number of non-Pharisaic scribes, and that a part only—to be sure, more important than the other part—of the scribes belonged to Pharisaic communities.

For the most part, the members of the *ḥabūrōt* were not scribes. First, we know that a large number of priests were Pharisees. Among the Pharisaic scribes which we have listed we find the following are priests: Jose b. Joezer, R. Zadoq, Josephus and Joezer. To these we may add the clergy who were Pharisees but had not had a scribal education. Thus Josephus tells us that John Hyrcanus (134–104 BC), high priest and prince, was at the beginning of his reign 'a disciple of

³⁷ B. D. Eerdmans, 'Farizeën en Sadduceën' in *Theologisch Tijdschrift* 48, 1914, 9ff. A grave mistake! Other passages also (b. Men. 65a *et passim*) show unmistakably that Johanan b. Zakkai's position was categorically anti-Sadducean.

theirs (the Pharisees) and greatly beloved by them' (*Ant.* 13.289; b. Ber. 29a); furthermore, a fragment of an apocryphal gospel names Levi as a Pharisaic chief priest;³⁸ and finally we must mention the Levite Johanan b. Gudgeda, whom we have met already as chief doorkeeper in the Temple (pp. 167, 212, 234).

The conscientiousness of the members of the priesthood in matters of Pharisaic demands on purity is shown very informatively in the following quotation from M. Hag. ii.7:³⁹ 'Jose b. Joezer [before 162 BC] was the most pious in the priesthood, yet for them that ate of Hallowed Things his apron counted as suffering *midrās* uncleanness. Johanan b. Gudgeda [about AD 40] always ate [his common food] in accordance with [the rules governing] the cleanness of Hallowed Things, yet for them that occupied themselves with the sin offering water his apron counted as suffering *midrās* uncleanness.'

According to this passage, Jose b. Joezer, even in daily life outside the Temple, conscientiously observed the rules of purity which held good for priests, and in particular kept his garments so pure that he could always eat the heave-offering without having to change his clothes; he had only to do this to eat the meat of sacrifices. As for Johanan b. Gudgeda, he voluntarily imposed upon himself a degree of purity even more severe, going well beyond the letter of the Pharisaic laws on purity. While he was a Levite, in all his food he observed the degree of purity demanded for the meat of sacrifices; so much so that, if he had been a priest, he would have had the right to eat the meat of sacrifices in his everyday clothes, and would have had to change them only for the aspersion by the water of purification (Num. 19). Earlier we made the acquaintance of a priest called Simeon b. Nathaniel, who refused to submit to the Pharisaic law on purity, so we can see that priestly obedience to this law was by no means a foregone conclusion.

The priests took part to a great extent in the Pharisaic movement, and this is explained by the fact that this movement had its origin in the Temple. It sought to raise to the level of a general norm the practice of purity laws even among non-priestly folk, those laws which need only be enforced for priests when they ate the heave-offering.

But the scribes we have just named, priests and Levites, were only

³⁸ B. P. Grenfell and A. S. Hunt, *The Oxyrhynchus Papyri* V, London 1908, 840. On the meaning of the word ἀρχιερεύς, see pp. 175ff.

³⁹ Cf. A. Büchler, *Der galiläische 'Am-ha-'Ares*, Vienna 1906, 119.

the leading faction among the Pharisees. The *laity* who joined the Pharisaic communities and undertook to observe the Pharisaic laws on tithes and purity were far more numerous, as we can see from the frequent occurrence of the 'scribes and Pharisees' in the New Testament. This expression shows that besides the leaders who were scribes, the great majority of members had not had a scribal education. The Talmud expressly says of a Pharisee who turned against Alexander Jannaeus, that he was a 'simple Israelite' (b. Kidd. 66a); Josephus says that two high-ranking people who took part in a deputation to Galilee in AD 67 were Pharisees, and lay people at that (*Vita* 197). The 'men of Jerusalem' who concealed their fig-cakes in water—evidently during the years of the rebellion in AD 66–70—'because of usurping owners', and were concerned about their ritual purity until the scribes reassured them (M. Maksh. i.6), were Pharisees of Jerusalem, simple men of the people without learning. In another place we find 'men of Jerusalem' zealously performing their religious obligations for the feast of Tabernacles, such as participation in synagogue worship, visits of condolence, sick-visiting, attendance at schools and prayer (b. Sukk. 41b; T. Sukk. ii.10, 195; j. Sukk. iii.14, 54a.38); these too perhaps were Pharisees (cf. the exposition on pp. 249–51), and if so most likely pious laymen.

Again, there were in Jerusalem wine and oil merchants whose conscientiousness led them to fill 300 jars with froth from wine which was sold, and 300 jars with oil which remained in their measuring cups; they delivered it to the Temple treasurers, because they could not consider that these leavings were their property (b. Betz. 29a Bar.); thus in all probability they were Pharisees. The incense makers⁴⁰ mentioned in connection with the question of keeping the sabbath (M. Erub. x.9) were perhaps Pharisees too. The Pharisee in Luke 18.9–14 was priding himself on fasting twice a week and paying tithes on all he acquired (such as fruits of harvest);⁴¹ he must also be considered as a layman, since nothing is said to the contrary.

The innumerable rules on commercial dealings between Pharisee

⁴⁰ The word can equally mean a fatstock dealer. According to R. Jose it meant wool dealers (M. Erub. x.9.)

⁴¹ This can be translated as: (a) 'I pay tithes on all my produce', or (b) 'on all I earn, I give a tenth for works of charity', see Bill. II, 244f. We have chosen for our translation the sense (c), that he was boasting of paying tithes on all he bought, not merely on all he himself produced (since he did not know for certain if the seller had already paid the tithe, even if he insisted he had). This last meaning is much the most probable, since it comprises most unmistakably one of the characteristics of a Pharisee (M. Dem. ii.2; T. Dem. ii.2, 47).

and non-Pharisee give us more insight into the circles of the Pharisaic community (M. Dem. ii.2–3; vi.6; T. Maas. iii.13, 85, *et passim*). These passages leave no doubt that above all it was merchants, artisans and peasants who made up the *ḥabūrāh*. In short, the Pharisaic communities were mostly composed of petty commoners, men of the people with no scribal education,⁴² earnest and self-sacrificing; but all too often they were not free from uncharitableness and pride with regard to the masses, the '*ammē ḥā-āreš*'⁴³ who did not observe the demands of religious laws as they did, and in contrast to whom the Pharisees considered themselves to be the true Israel.⁴⁴

Analogies to the specific character and the organization of Pharisaic communities as we have just described them, appear in the *Damascus Document* (CD),⁴⁵ and more recently but in less proportion, in the *Manual of Discipline* (1 QS).⁴⁶ Before the Qumran discoveries the Damascus Document was almost universally thought to be a Pharisaic writing (the first edition of this section in 1929 was of the same opinion). Since the publication of the Qumran writings, it is quite certain that they are Essene in origin. Proof of this is in the resemblance of subject matter and the fact that fragments of the Damascus Document have been found at Qumran.⁴⁷

But the Essene origin of the Damascus Document does not alter the fact that it is of help in understanding the organization of Pharisaic communities, indeed Pharisees and Essenes both obviously owe their origin to the *ḥasidim* of Maccabean times (p. 247). This goes far in explaining resemblances between the two movements, and these appear with greater force in the Damascus Document than in the Manual. Indeed, the former, which was probably intended for Essene groups dispersed throughout the land, assumes patterns of

⁴² We must note that when Jesus discusses exegetical questions with the Pharisees (Matt. 22.41–6 and par.) and other theoretical questions, he deals with their leaders, the scribes.

⁴³ In the singular this word means literally 'people of the land (of Israel)'. Originally it described the vast multitude of the people of Israel; then it was applied to the mixed Jewish-pagan population which resulted from the pagan influx into Palestine during the Babylonian exile; finally in the second century BC it was used for anyone who did not know the Law, especially the non-Pharisee.

⁴⁴ For the meaning of the word 'Pharisee', see p. 246 n. 2.

⁴⁵ S. Schechter, *Documents of Jewish Sectaries* I, Cambridge 1910.

⁴⁶ M. Burrows, J. C. Trever, W. H. Brownlee, *The Dead Sea Scrolls of St. Mark's Monastery*, II, 2, New Haven 1951. D. Barthelemy, in *Qumran Cave 1 (Discoveries in the Judean Desert, 1)* Oxford 1955, 109–111.

⁴⁷ In Cave 4 (J. T. Milik, *RB* 63, 1956, 61) and in Cave 6 (M. Baillet, *ibid.*, 513–523).

community life like those of Pharisaic rule, whereas the Manual organizes the stricter life of an isolated monastery at Qumran.

If we examine the organization of Essene communities, we see first of all that we are dealing with tightly closed groups. A list of members⁴⁸ was made (CD xiii.12, cf. x.2), in which was kept the sequence of priests, Levites, Israelites and proselytes (xiv.3ff.), which was also valid for assemblies. Precise rules governed admission to the community. Only 'those whose days are completed' could be included among 'them that are mastered' (x.1-2, cf. xv.5-6); as it appears from Num. 1.3, this fixed the minimum age of entry at twenty years (1 QSa i.8 expressly states twenty years as the limit).

First of all there was a preliminary examination by the supervising scribe (CD xiii.11-12; xv.11)—of which more later—who had sole right of accepting candidates (xiii.12-13),⁴⁹ and to whom the postulant must present himself (xv.7-8). The supervisor then made known to him the secret legal maxims⁵⁰ of the community (xv.10-11); the candidate took the oath of entry (xv.6), then was put on the list of members (xiii.12). Next, according to the Manual of Discipline (1 QS vi.13ff.; cf. vii.19ff.; viii.24f.) there was a period of two years' probation. Serious transgressions were punished by temporary or permanent expulsion (CD xx.1-13; see also the rules of punishment in the Manual, 1 QS vi.24-vii.25).

These details are mainly in agreement with the result of our earlier examination of Pharisaic communities (pp. 251ff.); this becomes particularly clear if we remember that the synagogue, in contrast to these two movements, knew nothing of expulsion and of the admission of adults except in the case of a converted pagan.

As for the administration, there was at the head of each 'camp' a supervisor (*m^ebaqqēr*) who had to be between thirty and fifty years old (CD xiv.8f.). He was a scribe, who could inform on the exact meaning of the Law (xiii.7f.). Transgressions had to be reported to him (ix.18f., 22). He alone had the right to admit a candidate to the community (xii.12f.); he examined and classified the new recruits (xiii.11f.; cf. xv.8.11). Moreover he was the spiritual father of the community; he had 'pity on them like a father upon his sons' (xiii.9). His dealings with the community were pictured as those of a shepherd

⁴⁸ 1 QS v.23; vi.(10) 22, (26); vii.2, 21; viii.19; ix.2; cf. 1 QSa i.21.

⁴⁹ 1 QS v.8, 20ff.; vi.19, has it otherwise, that priests and members together carried out admissions.

⁵⁰ Their legal decisions followed their own judicial rules.

with his sheep (*ibid.*); and that is why he took care that no one in the community was oppressed or beaten, in that he loosed 'all the fetters that tie them' (xiii.10; with 'bind' and 'loose' cf. Matt. 16.19). He, with the judges, received gifts for charity from the community and saw to their distribution (xiv.13).

Taking into account the similarities of organization between Essene and Pharisaic communities which we have studied above, we can represent the functions of the Pharisaic ἀρχοντες (Luke 14.1), on which the sources tell us very little, as analogous to the functions of the Essene *m^ebaqqēr*. The fact that this *m^ebaqqēr* also shows some affinity with the Christian bishop is also in favour of the analogy. All that has been said up to the present on the derivation of this last office (bearing in mind that the term ἐπίσκοπος in Syrian cities meant members of a public building commission,⁵¹ and among the Jews the ruler of the synagogue),⁵² is not conclusive. We must make two observations here:⁵³ first, the title *m^ebaqqēr* corresponds literally with the Greek ἐπίσκοπος; and next, the position and the functions of the *m^ebaqqēr* are identical with those of a bishop in the Syrian *Didaskalia*. These two facts pose the question of whether the function of the leader of an Essene community, as we know it from the information in the Damascus Document on the *m^ebaqqēr*, was not the model for the Christian ἐπίσκοπος (and this poses a second question: whether this influence was not felt rather through the Pharisees than through the Essenes).

There have been objections to the hypothesis of such connections for allegedly, we find in the Damascus Document beside the supervisor of each separate camp, xiv.8f., the 'supervisor of all the camps', a monarchical head. It would be highly improbable that the Christian communities of the New Testament period should have taken over only the function of the ἐπίσκοποι of particular communities (note the plural in Phil. 1.1), and not the monarchical episcopacy—a concept which appears for the first time in the work of Ignatius of Antioch.

Our reply must be that it is extremely doubtful whether the Damascus Document knew of the monarchical function of a 'supervisor in chief'. The critical expression *m^ebaqqēr lekol ha-maḥanōt* (xiv.

⁵¹ A. Schlatter, *Geschichte der ersten Christenheit*, Gütersloh 1926, 95; M. Dibelius, *An die Philipper*, 3rd ed., Tübingen 1937, on Phil. 1.1.

⁵² K. G. Goetz, *Petrus*, Leipzig 1927, 49ff.

⁵³ G. Hölscher, *ZNW* 28, 1929, 39.

8-9) can have several interpretations. The translation 'supervisor for each camp' agrees with the sense of the passage and indeed the rules which follow (xiv.9ff.) cannot be applied to a single chief supervisor. As we see from ix.17ff., these rules are intended much more for a supervisor of each camp.

To sum up: we may make use of our information on the organization of Essene 'camps', though with the greatest caution, to give clearer outline to the picture of the organization of Pharisaic communities which emerges from the rare references we have.

The influence which these Pharisaic communities and their scribal leaders are known to have gained is astonishing and at first puzzling. Their first great success that we know of historically was achieved during the six years of bloody insurrection and civil war under Alexander Jannaeus (103-76 BC); the great multitude of the people rallied to the Pharisees who were contesting the legitimacy of the Hasmonean high priesthood (pp. 155f., 189). Several times on the brink of ruin, Alexander Jannaeus finally forced a peace (*Ant.* 13.372-382; *Bḥ* 1.88-98) but only at the price of a frightful blood-bath. The Pharisees however had triumphed. The king on his death-bed counselled his wife Alexandra (76-67 BC) to align herself with the Pharisees (*Ant.* 13.401-404). Then they gained entry to the Sanhedrin which, up to that time, had consisted exclusively of representatives of the religious and lay aristocracy, and withdrew their opposition to the ruling family. Alexandra ruled, but since she was a woman she could not also be high priest, and this fact must have facilitated the Pharisees' change of mind. During that time, supported by the power of the queen, they were the real leaders of the state (*Bḥ* 1.110f.).

After the death of Alexandra, the Pharisees' power diminished under Aristobulus II (67-63 BC), and accordingly they took up their old opposition to the royal family and, in 63 BC, persuaded the people to send a legation to Pompey to demand the suppression of the national monarchy (*Ant.* 14.41),⁵⁴ and they did not hide their joy when this plan succeeded (*Bḥ* 1.170). It was particularly in the reign of Herod the Great (37-4 BC) that the extent of their power was apparent. At his accession Herod put to death the leaders of the lay nobility, his most powerful enemies in the Sanhedrin; in contrast, he spared the Pharisaic leaders and gave them honours (*Ant.* 15.3ff.).⁵⁵

⁵⁴ It has generally been presumed, quite rightly, that the legation was instigated by the Pharisees.

⁵⁵ The Pharisees had advised the surrender of Jerusalem to Herod.

When subsequently the Pharisees refused to take the oath of fidelity to Herod and to Caesar, the king contented himself by imposing a money fine on them, while for the same crime he had other people put to death.⁵⁶ The Pharisees had complete access to the court in Jerusalem and exercised great influence on the harem and on domestic arrangements (*Ant.* 17.41ff.; cf. 15.3f.).

The reason for the king's toleration of the Pharisees is to be found chiefly in their power: Herod had to keep continually before him the fact that the Pharisees had the support of the people (*ibid.*).⁵⁷ Although Wellhausen has scant reason to say that 'the Pharisees had their period of prosperity under Herod',⁵⁸ for this period came in fact after the destruction of Jerusalem in AD 70, one thing is certain: while the priestly families of the new illegitimate hierarchy depended completely and abjectly on the good graces of Herod, the Pharisees were entirely undisturbed. They had again asserted their influence in the Sanhedrin. Only in 6 BC, two years before his death, did Herod, as a result of court intrigues, break with the Pharisees (*Ant.* 17.36-46; *Bḥ* 1.569-71).

In the following era, until the beginning of the revolt against Rome (AD 66) the influence of the Pharisees on the political life of the Jewish people was limited. To be sure, they were still represented on the supreme council, but it was the priestly and lay aristocracy, the Sadduceans, who had the determining role. The Pharisees could always make their voice heard on the Sanhedrin during sessions and had close relations with Herod Antipas, Tetrarch of Galilee (Mark 3.6; Luke 13.31; Mark 12.13, par. Matt. 22.15-16); this at least is the opinion of the evangelists and the writer of Acts (Acts 5.34-39; 23.6). According to the Fourth Gospel, the condemnation of Jesus was the work of the Pharisees, but this can scarcely be true (John 7.32, 45-52; 11.46; 12.42; cf. 'the Jews' in 7.13; 9.22; 19.38; 20.19). Yet we do know that the Pharisee Paul was commissioned with the active persecution of Christians (Acts 9.1-4; 22.3-8; 26, 9-14).⁵⁹ Generally speaking, however the Pharisees' influence on politics and

⁵⁶ It is probable, as shown by Otto, *Herodes*, col. 64 n. (in conjunction with Wellhausen), that the two accounts in Josephus, *Ant.* 15.368-370 and 17.42, are of the same event, but from two different sources, one anti-Herod and favouring the Pharisees (15.368ff.), the other well-disposed to Herod and rejecting the Pharisees (17.42: doubtless *Nicholas of Damascus*).

⁵⁷ They were ready even to declare war on the king and to do him injury.

⁵⁸ *Pharisäer*, 109.

⁵⁹ On the dating of this: according to Gal. 1.18; 2.1, the conversion of Paul took

* the administration of justice in Palestine before AD 66 must not be exaggerated.⁶⁰ Their only real importance during this time was in the realm of religion, and here they, not the Sadducees, were supreme. The religious life, and especially the liturgy, was ordered by Pharisaic laws (*Ant.* 18.15). The last Jewish king, Agrippa I (AD 41–44) himself lived according to Pharisaic rules (*Ant.* 19.331).⁶¹

The Sadducean high priests, however unwillingly, had to fulfil the liturgical ceremonies according to the Pharisaic interpretation of the Torah; for example, the drawing of lots for the two goats (p. 161 n. 46) and the burning of incense on the Day of Atonement (T. Yom. i.8, 181; b. Yom. 19b Bar.; j. Yom. (i.5, 39a.46), the libation of water at Tabernacles (p. 161 n. 46) and the rite of the Red Heifer (T. Par. iii.8, 632);⁶² this was true even with rites which had no biblical foundation, such as the libation of water at Tabernacles.⁶³ The complete calendar, especially the feast of Pentecost, was fixed according to Pharisaic reckoning.⁶⁴ About 20 BC Hillel had already established that the Paschal lamb could be slain even on the sabbath day, and so on this point too he had abolished the Sadducean practice hitherto in use (T. Pes. iv.1–2, 162). The following fact shows how powerless the Sadducees were: they once tried by a trick to fix the calendar according to their calculation for the feast of Pentecost, and to do this they sought through false witness to mislead the commission appointed by the Sanhedrin to deal with the calendar (T.R. Sh. i.15, 210).

place 17 years—or 15 in the modern reckoning—before the Apostolic Council held at the end of AD 48, and so about AD 33 (see my article 'Sabbathjahr').

⁶⁰ With the outbreak of the revolt against Rome they succeeded in breaking into the administration of justice. The Sadducean penal code was now abolished and that day celebrated as a national day (cf. *Meg. Taan.* 10, on 14 Tammuz). This abolition took place neither under Alexandra (76–67 BC) nor Agrippa I (AD 41–44), but at the time of the revolt against Rome (AD 66). Indeed, when a daughter was condemned to death under Agrippa I (see p. 178 n. 94) this was done according to Sadducean law.

⁶¹ Schürer I, 554ff., ET I, 2, 156ff. Cf. the favourable opinion of him in the Talmud (Bill. II, 709f.).

⁶² On this point see A. Büchler, *Das Synedrion in Jerusalem*, Vienna 1902, 67f. and 95.

⁶³ b. Taan. 3a traces the rite to the *halākāh* of Moses on Sinai; according to j. Shebu. i.9, 33b.50, it was a command of the earlier prophets. R. Judah b. Bethyra (c. AD 110) and R. Aqiba (d. 135), b. Taan. 2b, as well as R. Nathan (c. 160), b. Taan. 3a Bar., all try to find scriptural proof.

⁶⁴ The Pharisees' calculation of the date of Pentecost is first found in LXX Lev. 23.11. In the first century AD Philo, *De spec. leg.* II, 176; *De decal.* 160, and Josephus, *Ant.* 3.250ff., testify to the importance of the Pharisaic observance to fix the date of Pentecost.

The older generation of Sadducees was quite resigned, because they well understood that it was impossible to succeed against the all-powerful Pharisees. In the Talmud⁶⁵ we hear of a Sadducean high priest who performed the burning of incense on the Day of Atonement according to the Sadducean rite; he poured the incense on the burning coals while he was still in the Sanctuary, and not when he had entered the Holy of Holies, as the Pharisees required. Then his father said to him, 'My son, though we are Sadducees, we fear the Pharisees [and conduct ourselves according to their interpretation].' In another passage, a Tannaitic tradition tells of some Sadducees' wives who were said to observe Pharisaic laws on purity, for otherwise the Pharisees would have considered they were impure because of their 'custom of women' and thus made their husbands continually impure (T. Nidd. v.3, 645; b. Nidd. 33b Bar.). Josephus agrees entirely with these statements, and says of the Sadducees (*Ant.* 18.17), 'they are able to do almost nothing of themselves; for when they become magistrates, unwillingly and sometimes by force they addict themselves to the notions of the Pharisees, because the multitude would not otherwise bear them.' So we see that the people wholeheartedly supported the Pharisees, and Josephus in particular never tires in pointing this out.⁶⁶

In order to understand this development, we must realize that the Pharisaic movement developed as an opposition to the Sadducean. Among the priesthood this opposition grew up in the second century BC, that is under the Seleucid domination before the beginning of the Maccabean wars,⁶⁷ when a group of priests, the Pharisaic section, instituted great changes. Whereas the Torah laid down rules of purity and rules on food for the officiating priests alone, the Pharisaic group made these rules a general practice in the everyday life of the priests and in the life of the whole people.⁶⁸ In this way they meant to build

⁶⁵ b. Yom. 19b Bar.; T. Yom. i.8, 181; j. Yom. i.5, 39a.46; Bill. II, 78f. and 848f.

⁶⁶ *Ant.* 13.288: the people believe the Pharisees even if they speak against a king or a high priest; 13.298: the multitude was on their side; 17.41 (see p. 263 n. 57); 18.15: the whole of the cultus was performed according to Pharisaic directions; 18.17.

⁶⁷ Cf. p. 247: the Pharisees were already in existence at the time of the Maccabean wars, c. 162 BC (I Macc. 2.42). Likewise p. 257: Jose b. Joezer, mentioned in M. Hag. ii.7, lived until 162 BC.

⁶⁸ In T. A. Zar. iii.10, 464, R. Meir (c. AD 150) defined the non-Pharisee thus: someone who 'did not take his common food according to levitical purity (prescribed for priests in the Torah)'. Schlatter, *Geschichte Israels*, 138, says very clearly and precisely: 'The Temple and the priesthood constituted the centre of the

up the holy community of Israel, the 'true Israel' (for this is the meaning of the word 'Pharisee', see p. 246 n. 2). The Sadducean group, on the other hand, was conservative and held that the priestly laws were limited to the priests and the cultus, in conformity with the text of Scripture.

The conflict between Pharisees and Sadducees sprang from this opposition. It dominated the profound religious revolution of Judaism between the Maccabean wars and the destruction of Jerusalem, and we may judge for ourselves the bitterness of the conflict by reading the Psalms of Solomon.⁶⁹ The champions of the ancient orthodox theology and tradition, inflexible defenders of the letter of the written biblical text, wrestled with the champions of the new tradition, the unwritten Law.⁷⁰ The struggle became particularly severe because social opposition was added to religious: the old conservative nobility, i.e. the priestly as well as lay nobility, opposed the new ruling class of scriptural interpreters and community members, who were drawn from all walks of life, but especially from the petty bourgeoisie. They voluntarily submitted themselves to priestly rules and thus prepared the way for a universal priesthood.

We see, therefore, that doubtless the Pharisees were the people's party; they represented the common people as opposed to the aristocracy on both religious and social matters. Their much-respected piety and their social leanings towards suppressing differences of class, gained them the people's support and assured them, step by step, of the victory.

There is something very impressive about the way in which the people unreservedly followed the Pharisees. For the Pharisees fought on two fronts; not only did they oppose the Sadducees, but as the true Israel they drew a hard line between themselves and the masses, the 'ammē hā'āreš who did not observe as they did the rules laid down by Pharisaic scribes on tithes and purity.⁷¹ This opposition

movement, and it was the priestly law which the movement caused to be adopted.' Cf. I Abrahams, *Studies in Pharisaism and the Gospels* II, Cambridge 1924; I. Elbogen, 'Einige neuere Theorien über den Ursprung der Pharisäer und Sadduzäer', in *Jewish studies in memory of Israel Abrahams*, New York 1927, 137; L. Baeck, 'Die Pharisäer', 58, ET, 41f.

⁶⁹ Josephus, *Ant.* 18.12, emphasizes the intractable and fanatical character of the Pharisees.

⁷⁰ Josephus, *Ant.* 13.297f., shows vividly the opposition of written versus oral Law.

⁷¹ John 7.49; Luke 18.9-14; Bill. II, 505ff.; Schürer II, 468f., ET II.2, 22f.

between the members of Pharisaic communities and the 'ammē hā'āreš was largely based on the latter's neglect of tithing (pp. 105ff.), and became acute probably during the years when John Hyrcanus (134-104 BC) published his famous decrees on the tithe, intended to prevent the neglect of payment of the tithe on agricultural produce (b. Sot. 48a Bar.; cf. T. Sot. xiii.10, 320; Bill. II, 500). This opposition grew to the dimensions of a caste distinction on the part of the Pharisees. Commerce,⁷² marriage,⁷³ and hospitality⁷⁴ to the non-Pharisee, who could be suspected of impurity unless proved otherwise, were, if not entirely forbidden, at least protected by very scrupulous limitations.

The people as a whole were not disconcerted by this situation, in spite of some angry outbursts against this new ruling class, and evidence of an intense desire to throw off the yoke of a contempt based on religious superiority. To this desire we may trace, partly at least, the motive to follow Jesus among those who 'travailed' and were 'heavy laden', were the 'publicans' and 'sinners'. But as a whole the people looked to the Pharisees, in their voluntary commitment to works of supererogation, as models of piety, and as embodiments of the ideal life which the scribes, these men of divine and secret knowledge, had set before them. It was an act of unparalleled risk which Jesus performed when, from the full power of his consciousness of sovereignty, he openly and fearlessly called these men to repentance, and this act brought him to the cross.

⁷² T. Maas. iii.13, 85: 'They must not sell [cereals, except wheat, grapes and olives] except to a *hābēr* [Pharisee] who kept himself in the laws of purity.' M. Dem. ii.3 forbids the sale to non-Pharisees of moist or dry vegetables and fruits, and the purchase of moist ones.

⁷³ An exception in T. A. Zar. iii.10, 464, see p. 256.

⁷⁴ Mark 2.16; Matt. 9.11; Luke 5.30; cf. Luke 15.2. M. Dem. ii.3 forbids going as a guest to an *'am-hā'āreš* or receiving him as a guest while he is wearing his own clothes.