

VIII

THE CLERGY

A. THE HOLDER OF THE PRIMACY

The reigning high priest

B. THE CHIEF PRIESTS

The captain of the Temple

1. <i>Cultus</i>	2. <i>Custody of the Temple</i>	3. <i>Temple finances</i>
The leaders of the twenty-four weekly courses and of their daily courses	Temple overseers	Three treasurers

C. THE PRIESTS

Twenty-four weekly courses, each of
four to nine daily courses,
with about 7,200 priests

D. THE LEVITES (CLERUS MINOR)

Twenty-four weekly courses, each divided into:

1. Singers and musicians
2. Temple servants and guards
with about 9,600 Levites

A. THE HIGH PRIEST¹

‘While different races base their claims to nobility on various grounds, with us a connection with the priesthood is the hallmark of an

¹ There is valuable material on the priesthood in Schürer II, 267–363, ET II.1,

illustrious line,' so Josephus confidently decides in his autobiography (*Vita* 1). In fact, Israel at the time of Jesus was a pure theocracy, and the priesthood was the primary representative of the nobility. Thus the reigning head of the priests, in times when there was no king, was the most eminent member of the nation. We must therefore concern ourselves first with him, the high priest (*kōhēn gādōl*), as the most important member of the priesthood and consequently of the whole people.

The leading position of the high priest is based upon the cultic character of his office, the 'lifelong sanctity' (*q^eduššat 'ōlām*, M. Naz. vii.1; *character indelebilis*) of one authorized by God (b. Kidd. 23b: the priest is God's agent in the offering of sacrifices) to make atonement for the sins of the whole community (Ex. 30.10; Lev. 16). This character of office was transmitted to him by the investiture with the eight parts of the splendid high-priestly vesture.² This vesture possessed atoning power and each of its eight parts atoned for specific sins.³ Consequently, for Jewry it was the very symbol of their religion. Only thus can it be understood that neither Herod the Great, Archelaus, nor the Romans later could find a more effective safeguard against rebellion than to keep the high-priestly robes in custody in the temple fortress of Antonia, handing them over to the high priest only

195-305; but unfortunately he does not sufficiently consider Talmudic material other than the Mishnah. See also A. Büchler, *Die Priester und der Cultus im letzten Jahrzehnt des jerusalemischen Tempels*, Vienna 1895, though his basic theory of a great revolution in the Temple in AD 62 and the following years, with the Sadducees overthrown by the Pharisees, falls to the ground because of a complete lack of concrete evidence. The Herodian Temple is described in Dalman's excellent piece of research, 'Der zweite Tempel zu Jerusalem', *PJB* 5, 1909, 29-57. W. Bousset and H. Gressmann, *Die Religion des Judentums im späthellenistischen Zeitalter*, 3rd ed., Tübingen 1926, seriously underrate the importance of the cultus and the priesthood, and ignore almost all the questions to be dealt with here.

² This consisted of the four priestly vestments: the white linen robe, the white linen trousers, the turban and the girdle. There were also four special items: the breastplate, the ephod (a kind of apron with shoulder-straps), the tunic, drawn on over the head, and the golden diadem, which fits on to the turban (Ex. 28-29; Ecclus. 45.6-13; Pseudo-Aristeas 96-99; *Bḥ* 5. 231ff.; *Ant.* 3. 159ff.; Philo, *De vit. Mos.* II, 109-35; *De spec. leg.* I, 84-91; M. Yom. vii. 5, etc.).

³ The account of the atoning power of the eight parts of the vesture is in Cant. R. 4.7 on 4.2 (Son. 4.5, 189), and b. Zeb. 88b. In addition, there are occasional single references. In T. Pes. vi.5, 165, the golden diadem atones for uncleanness in the blood of the sacrifice and in the person offering the sacrifice, but in Nazirite and Passover offerings it atoned only for uncleanness in the blood of the sacrifice and for pollution of the offerer by a 'grave of the deep' (unnoticed pollution from a corpse buried in the ground), cf. j. Yom. i.2, 39a. 26.

on feast days. It also explains why the Jews struggled so tenaciously to have the vestments released, a struggle which ended only when the Emperor Claudius ordered their release by a decree in his own hand, on 28 June AD 45; for the campaign over the high priest's vesture was for Jewry a religious campaign (*Ant.* 18.90ff.; 20.6ff. cf. also 15.403).⁴ It is especially significant, however, for the cultic character which the high priest possessed *ex officio*, that his death had power to atone.⁵ As soon as the high priest died, all homicides who had fled from their avengers to the 'cities of refuge' (Num. 35.9ff.; Deut. 19.1ff.; cf. Ex. 21.23) were free and might return home (Num. 35.25; M. Makk. ii.6), and according to the prevailing opinion of the scribes they might even take up their former positions (M. Makk. ii.8). The death of the high priest had, by virtue of his office, expiated the guilt incurred by accidental homicide.

This special character of the high priest's office involved a number of unique privileges and responsibilities. The most important *privilege* was that of being the only human being with the right to enter the Holy of Holies, on one particular day of the year. The threefold entrance⁶ into the Holy of Holies on the Day of Atonement signified the approach to the gracious presence of God, which was manifested in the fact that several high priests were granted divine manifestations in the Holy of Holies. Simeon the Righteous (after 200 BC)⁷ and John Hyrcanus, 134–104 BC (b. Sot. 33a Bar. and par.; *Ant.* 13.282; cf. 300; 322) heard heavenly voices from the Holy of Holies. The same Simeon the Righteous (b. Yom. 39ab Bar.)⁸ and Ishmael (either I, c. AD 15–16, or II, AD 55–61)⁹ had visions there,

⁴ The vesture was in Roman hands from AD 6–37, when it was released by Vitellius. When the procurator Cuspius Fadus (AD 44) tried to take it back into custody, a Jewish delegation to Rome succeeded in obtaining an edict from Claudius which confirmed the action of Vitellius.

⁵ For the atoning powers of the priest's daily sacrifice, see Bill. III, 697e.

⁶ M. Yom. v.1–4; quite remarkably, T. Kel. B.K. i.7, 569; Num. R. 7.8 on 5.2 (Son. 195) gives four times, and R. Jose (Num. R. *ibid.*) even has five times.

⁷ b. Sot. 33a Bar. and par. G. F. Moore, 'Simeon the Righteous', *Jewish Studies in Memory of Israel Abrahams*, New York 1927, 348–464. In this brilliant essay Moore has proved that Simeon the Righteous lived after 200 BC, and that the alleged Simeon I, who is said to have lived in the time of Ptolemy I (323 or 306 to 285 BC) (*Ant.* 12.43; 4.157) owes his existence to a duplication by Josephus of the same person. Guthe recognized this duplication (*Geschichte des Volkes Israel* 1914, 318) but took the earlier Simeon as the historical one.

⁸ This Baraita passage develops from T. Sot. xiii.8, 319, where however the name of Simeon is not mentioned.

⁹ b. Ber. 7a Bar. This passage confuses a high priest Ishmael with R. Ishmael b. Elisha, who was executed c. AD 135. See Bill. II, 79 n.

and John 11.51 ascribed to the high priest, whoever he was, the gift of prophecy. In fear and trembling (for the slightest breach of the ceremonial rules would be visited by divine judgment), the high priest carried out his duties in the most holy place which lay dark, empty and silent behind the double curtain.¹⁰

Next, there were privileges for the high priest in the cultus, especially that of taking part in the sacrifice at any time he liked.¹¹ In addition he had the right to offer sacrifice as a mourner, which was forbidden to the rest of the priests.¹² Furthermore, the high priest had the right of first choice in the distribution of the 'holy things of the temple' to the officiating priests.¹³ In this distribution he could choose: (1) a sin offering—either beast (T. Yom. i.5, 180; b. Yom. 17b) or bird (Siphra Lev. 2.3, 6d.); (2) a guilt-offering (T. Yom. i.5, 180; b. Yom. 17b); (3) a portion of the food-offering, taken from what remained after the offering had been made on the altar (j. Yom. i.2, 29a. 11; Siphra Lev. 2.3, 6d.); (4) four or five, or even six according to others, of the twelve loaves of unleavened shew-bread distributed each week (four to five loaves: T. Yom. i.5, 180; b. Yom. 17b. six loaves: j. Yom. i.2, 39d.64; right of first choice without specific number: Siphra Lev. 24.9, 53a); (5) one of the two leavened loaves of the first-fruits at the feast of Pentecost (Lev. 23.17; T. Yom. i.5, 180; j. Yom. i.2, 38d.63; b. Yom. 17b); and (6) a hide of the burnt-offering (j. Yom. i.2, 38d.63; i.2, 39a.2).¹⁴ Among his

¹⁰ b. Yom. 19b Bar. describes the divine punishment of a Sadducean high priest. M. Yom. v.1; j. Yom. v.2, 42c. 17ff., rule that the high priest must say only a short prayer in the Holy of Holies, so that the people do not take fright and become anxious that some calamity has befallen him. When the rites of the Day of Atonement were happily ended, the high priest, accompanied by all the people, went home rejoicing (b. Yom. 71b), and he prepared a feast for his friends 'for that he was come forth safely from the sanctuary' (M. Yom. vii.4).

¹¹ M. Yom. i.2; M. Tam. vii.3. According to b. Yom. 17b this precedence applied to all sacrifices. Cf. j. Yom. 39a.23 where it is stated that the high priest sacrificed the votive and free-will offerings in the week before the Day of Atonement.

¹² M. Hor. iii.5. This exceptional position for the high priest was derived from Lev. 10, where Aaron offered a sin offering despite the deaths of his two sons, and only abstained from eating the flesh of the sacrifice (10.19).

¹³ M. Yom. i.2; T. Yom. i.5, 180; j. Yom. i.2, 38d. 63–39a.4; b. Yom. 17b; Siphra Lev. 2.3 6d; Siphra Lev. 24.9, 53a. The conclusion drawn by R. Judah I (d.217) from the words, 'Aaron and his sons' in Lev. 2.3, that the high priest had a claim to half of the whole lot (T. Yom. i.5, 180, etc.), is later interpretation which has nothing to do with the practice at the time of the Temple, when only the priority of choice of the high priest was known.

¹⁴ The theft of hides by the 'ruling families of the priesthood', spoken of in b. Pes. 57a Bar; T. Zeb. xi. 16, 497, is an example of the misuse of the high-priestly right of first choice.

additional privileges, the most prominent were the presidency of the council, the Sanhedrin, which was the highest administrative and judicial authority of Jewry; and the judiciary principle that if the high priest committed a capital offence he could be sentenced only by the Sanhedrin (M. Sanh. i.5).

The *responsibilities* of the high priest too were naturally mainly of a ceremonial nature. While the Law specifically demanded no more than that the high priest should officiate on the Day of Atonement (Lev. 16), prevailing custom involved him more deeply in cultic commitments. The Mishnah records that he had to participate in the burning of the Red Heifer (M. Par. iii.5, *et passim*; the Law concerning the 'Red Heifer' is in Num. 19), and that he had services to perform in the week before the Day of Atonement, as practice in carrying out the ritual of this Day according to the rules of the scribes of the Pharisaic party (M. Yom. i.2).¹⁵ Then we learn from Josephus and the Talmud that it was the custom for the high priest to officiate also on Sabbaths, at the feast of the new moon, at the three pilgrim festivals (Passover or Unleavened Bread, Pentecost and Tabernacles) and at gatherings of the people (*Ant.* 15.408).¹⁶ On the other hand, he did not have to perform personally the daily meal offering which the law said the son of Aaron must offer morning and evening¹⁷ but simply to pay for it.¹⁸ Other financial obligations of the

¹⁵ 'Throughout the seven days he must, (a) sprinkle the blood [of the daily morning and evening sacrifice on the altar of burnt-offering] and (b) burn the incense [on the altar of incense in the Holy Place], and (c) trim the lamps [of the seven-branched candlestick], and (d) offer the head and the [right] hind leg [of the morning and evening sacrifices, on the altar of burnt-offering]'.

¹⁶ Before a feast (*Ant.* 18.94: before the three pilgrim festivals and the Day of Atonement) the high priestly vestments were brought from the fortress of Antonia. There is further confirmation that the high priest officiated on days other than the Day of Atonement in I Macc. 10.21; *Ant.* 13.372; 15.51 (Jonathan, Alexander Jannaeus and Aristobulus officiated at Tabernacles). Josephus gives the most detailed account in *BJ* 5.230, where the high priest officiates 'on sabbaths, at the new moon, at family [or traditional] festivals, and any other assemblies of the people in the course of the year.' This evidence is in complete accord with the saying of R. Joshua b. Levi (c. AD 250), handed down by R. Uqbah, that the high priest officiated on sabbaths and festivals (j. Yom. i.2, 39a.25).

¹⁷ Lev. 6.12-16; *Ant.* 3.257; LXX I Chron. 9.31; Ecclus. 45.14; Philo, *De victimis* 15; M. Yom. ii.3; iii.4, *et passim* in the Mishnah. Generally this offering consisted of a tenth of an ephah (3.94 litres = nearly 7 pints, probably between 4 and 5lbs.) of fine meal, kneaded with oil and baked in a pan. Afterwards the prepared cakes were broken in pieces, oil was poured over them, and half were offered in the morning and half in the evening (Schürer II, 348, ET II.1, 287f.)

¹⁸ *Ant.* 3.257, cf. M. Shek. vii.6: at the high priest's expense. M. Yom. ii.3-5; M. Tam. iii.1; iv.3: the daily offering by the officiating priestly course.

high priest were the cost of the bullock slain as a sin-offering on the Day of Atonement (Lev. 16.3; *Ant.* 3.242; M. Hor. iii.4), and payment of the cost of building the bridge over the Kidron Valley, which a credible—even if slightly exaggerated—report says, had to be made ready when the Red Heifer (Num. 19) was to be burned on the Mount of Olives (j. Shek. iv.3, 48a.35; M. Shek iv.2).¹⁹ The ceremony is said to have taken place only five, or possibly seven, times during the last three hundred years of the Temple's existence. (M. Par. iii.5: R. Me'ir says five times, the Teachers, seven times).

Other official duties of the high priest were the carrying out of regulations to assure his ceremonial purity. He might not touch a corpse, or enter a house of mourning, and at a funeral he might not follow immediately behind a bier (M. Sanh. ii.i; R. Me'ir's testimony). He was also forbidden to show the usual signs of mourning by allowing his hair to become dishevelled and tearing his clothes (Lev. 21.10; 10.6).²⁰ The fact that there was no relaxation of this rule even for a near relative shows how strict were the regulations. Whereas for all other priests exceptions were made, to the effect that a priest need not avoid contact with the bodies of close relations, such as parents, children, brothers, unmarried sisters living in a brother's house, and wives (Lev. 21.1–4; Ezek. 44.25–27),²¹ only a single exception was made for the high priest. This was the case of the *mēt mišwāh* (b. Naz. 47b), that is, of a dead man who had no next-of-kin, when the last offices were the duty of whoever found him. Even this exception was contested. The Pharisees upheld it, placing compassion above the strict maintenance of ceremonial purity for the high priest. The Sadducees, however, those staunch upholders of the letter of the law, rejected even this one exception (M. Naz. vii.1).

Especially on the Day of Atonement had the high priest to be in a state of absolute levitical purity. For this reason, in the week before the Day he had to undergo the seven-day period of purification prescribed in Num. 19, so as to eliminate any possibility of defilement through contact with the dead (M. Par. iii.1; Philo, *De somniis* I,

¹⁹ It is stated here that the bridge was paid for from the Temple treasury, but Abba Saul disputed this and affirmed that the high priests had it built at their own expense.

²⁰ The other priests were forbidden only to shave the head, cut off the fringe of the beard and tattoo the skin (Lev. 21.5–6). According to Ezek. 44.20, dishevelled hair as a sign of mourning was also forbidden.

²¹ The wife is not mentioned in the text, but the Rabbis interpreted the word *še'ērō*, 'his blood relation', as wife (Siphra Lev. 21.2, 46d).

214). Besides this, during the week beginning 3 Tishri, to be precise, from the conclusion of the evening sacrifice (j. Yom. i.2, 39a.22; statement of R. Joshua b. Levi, c. AD 250) he had to take up his lodging in his official room in the Temple on the south side of the priests' forecourt,²² and to spend his nights there (M. Yom. i.1), so as to exclude all possibility of contracting levitical uncleanness, particularly through his wife (T. Yom. i.1, 180: avoidance of *niddā* uncleanness, which would have kept him unclean for seven days). The nightly seclusion of the high priest in the week before the Day of Atonement may have been instituted about AD 20, as a consequence of the defilement of the high priest Simeon, son of Kamithos (AD 17–18), who on the evening before the Day, at the gathering darkness was touched by an Arab's spittle and was thereby prevented from officiating²³ on the Day.²⁴ So steps were taken to guard against a repetition of any such levitical defilement of the high priest before the Day of Atonement. A third precaution against his defilement at this time consisted in keeping him awake on the preceding night (M.

²² M. Yom. i.1 calls the official room, *liškat palhedrīn* (T. Yom. i.1, 180 etc. *liškat parhedrīn*), i.e. room of the *πρόεδροι*, or, room of the court presidents. The meaning in Levy, *WB* IV, 103b, room of the *πάρεδροι*, room of assessors of the court, is mistaken. So is the term given by R. Jehuda, *liškat palwātīn*, room of the *βουλευται* (T. Yom. i.1, 180). Actually the room was clearly, in contrast to the council room, *liškat ha-gāzīt*, not for the use of all the members of the Temple court, but only for the presiding high priest. A Baraita in b. Yom 8b. understands some contempt in calling the high priest 'the president of the council': from the time when the high priest's office was no longer lifelong, but, as in the case of a president of a civil court, for twelve months only, his official chamber had been called 'the room of the president of the council.' There is, however, no contemptuous reference in this designation. From M. Midd. v.4 we learn that the official chamber of the high priest lay in the south of the Court of the Priests, and was under the same roof as the adjoining 'Chamber of Hewn Stone' where the Sanhedrin sat, half of which was on sacred ground, and half was not (b. Yom. 25a). It was only appropriate that the official chamber of the high priests, lying as it did next to the council chamber, should be called the President's Room.

²³ Cf. A. Büchler, 'The Levitical impurity of the Gentiles in Palestine before the year 70' *JQR* 17, 1926, 1–81, esp. 8.

²⁴ b. Yom. 47a for an Arab's spittle. T. Yom. iv.20, 189; j. Yom. i.1, 38d.6; j. Meg. i.12, 72a. 49; j. Hor. iii.5, 47d. 11; Lev. R. 20.7 on 16.1–2 (Son. 20.11, 263); Num. R. 2.22 on 3.4 (Son. 2.26, 63); *Tanhuma*, *ahare mot* 7, 433.24: spittle of an Arab sheikh. b. Yom. 47a: spittle from a certain [Gentile] lord. The variant, spittle of a Sadducee, b. Nid. 33b Bar.; T. Nid. v.3, 645, is obviously an anti-Sadducaic alteration: it is highly unlikely that a high priest would have felt himself so defiled by the spittle of a Sadducee that he could not officiate on the Day of Atonement, especially as the Sadducees were very strict about the Law (though, of course, only in accordance with Sadducaic exegesis), and the high priests themselves were Sadducees. Simeon's brother functioned as his substitute.

Yom. i.6-7) to avoid the kind of defilement mentioned at the end of Lev. 22.4.

Next to the maintenance of his capacity to officiate which was the object of these strict rules of purity, it was important for the high priest to be certain of the immaculate *purity of his descent*, since according to Law his office was hereditary. This concern involved strict rules about *marriage*, to which he was subject. The Old Testament precept that the high priest must marry a virgin, while widows, divorced women, violated women and prostitutes were forbidden to him (Lev. 21. 13-15), was interpreted thus in rabbinic exegesis: On the one hand, the concept of 'virgin' was restricted to girls from twelve to twelve and a half years of age (M. Yeb. vi.4),²⁵ while, by contrast, the range of prohibited women was enlarged. 'Widows' included a woman whose betrothed had died before marriage (M. Yeb. vi.4);²⁶ 'divorced' included a girl whose engagement had been broken off (Philo, *De spec. leg.* I, 107); a 'defiled woman' was interpreted to mean the daughter of a priest's illegal marriage (Siphra Lev. 21.14, 47d); and 'prostitute' could mean a proselyte, a manumitted slave and any deflorated woman, such as for example a woman taken prisoner in wartime (M. Yeb. vi.5). This means that rabbinic exegesis limited the right of marriage for the high priest to such an extent that he could marry only a virgin of twelve to twelve and a half years who was the daughter of a priest, a Levite or an Israelite of legitimate descent. When Philo, misled by the LXX version of Lev. 21. 13, 14,²⁷ restricts the precept to daughters of priests, thereby excluding the daughters of Levites and Israelites from marriage with the high priest (*De spec. leg.* I, 110), he must in fact have been describing not the precepts valid in Palestine but rather the prevailing custom there; at all events, we know of several high priests whose wives were the daughters of priests.

(a) The high priest Mattaiah, son of Theophilus (5-4 BC) was, according to *Ant.* 17.164, brother-in-law of the high priest Joazar (4

²⁵ But in the same passage another interpretation by R. Eleazar and R. Simon refuses to restrict the concept to girls of twelve to twelve and a half years. In addition those girls who by an unlucky chance had lost the evidence of their maidenhood were also barred.

²⁶ The ban on levirate marriage (i.e. with the widow of a brother who had died childless) in M. Sanh. ii.1 was already included in the literal meaning of Lev. 21.14.

²⁷ 'And he shall take a wife in her virginity . . . a virgin of his own people . . .'. The words, 'of his own people.', are added in the LXX.

BC). His wife and Joazar were the children of the high priest Simeon (called Boethus), *c.* 22–5 BC.

(b) The high priest Caiaphas (*c.* AD 18–37) married the daughter of the high priest Annas (AD 6–15, see John 18.13).

(c) The high priest Joshua son of Gamaliel (*c.* AD 63–65) was married to Martha (Lam. R. 1.50 on 1.16, Son. 1.47, 128: Miriam) of the high-priestly family of Boethus (M. Yeb. vi.4; b. Yom. 18a, cf. above p. 95).

Since all the wives mentioned came from high-priestly families, it may be concluded that the high priests preferred to marry women from the priestly nobility, or at least those of priestly descent. On the other hand, we hear of wives of non-priestly families only in the case of the wife of Alexander Jannaeus,²⁸ the Hasmonean high priest, and the wife of the high priest Pinḥas of Ḥabta, who was put into office by the Zealots in AD 67, and whom R. Ḥananiah b. Gamaliel (*c.* AD 120) called 'our son-in-law', i.e. a relation by marriage (T. Yom. i.6, 180; Siphra Lev. 21.10, 47c).²⁹ However, this last instance, which is credible, is of very little significance since Pinḥas, up to the time when he took office as high priest, was a simple country priest and stonemason.

The rules affecting the marriage of the high priest were in no way mere lifeless rules; if they were broken, the whole Pharisaic party, indeed all the people, protested loudly. The Hasmonean John Hyrcanus (134–104 BC) had to listen to the Pharisee Eleazar reproving him, saying that he was an illegitimate high priest and must resign his office for himself and for his descendants, because his mother, wife of the high priest Simon (142 or 141–134 BC) had been taken captive in war under Antiochus Epiphanes IV, and so could no longer have been the legitimate wife of a high priest (*Ant.* 13. 288ff.).³⁰ We have already seen that a war captive was placed on the

²⁸ It is said in b. Ber. 48a *et passim* that Alexander Jannaeus was married to the sister of a non-priestly scribe R. Simon b. Shetah. Unfortunately there is no other evidence of this statement, which in any case is extremely dubious.

²⁹ The statement in Gen. R. 98.22 on 49.20 (Son 98.16, 966), cf. 79.13 on 30.13 (Son 79.10, 661), that the high priests preferred a daughter of the tribe of Asser is a worthless pun on Gen. 49.20.

³⁰ That John Hyrcanus should resign in the name of his descendants as well as for himself is shown by the fact that the reproof was repeated against his son. Josephus affirms that the reproach was unfounded. The Talmud describes the occurrence in b. Kidd. 66a: An old Pharisee demands that Alexander Jannaeus should renounce his claim to the high priesthood because his mother had been a prisoner of war. This account agrees fully with Josephus, except that the

same level as a deflorated woman (p. 154), and her son regarded as the illegitimate son of a priest and unqualified for the office of a priest (*CA* 1.35). Alexander Jannaeus (103–76 BC), son of John Hyrcanus, had to tolerate the same kind of reproach, that as the son (presumably meaning grandson) of a war captive he had no right to practise the calling of a high priest. Indeed, once at the Feast of Tabernacles, the people went so far as to pelt him with citrons (*'etrōgīm*) which each Israelite held in his hand, together with the festive wreath (*lūlāb*) at the morning liturgy of the Feast in the Temple (*Ant.* 13.371f; *T. Sukk.* iii.16, 197, cf. *M. Sukk.* iv.9).³¹ The repetition of this rebuke, which had already been raised against Jannaeus' father, as well as the recording of the two instances by both Josephus and the Talmud, demonstrates the great importance attached to any breach of the high-priestly marriage laws. The Pharisees were not afraid to make their rebuke openly before the people, and even to hurl it in the face of the ruler at the apparent risk of their lives. Furthermore, it was on the basis of this rebuke that they established their rejection of the Hasmonean high priesthood as illegitimate.³²

In yet another case an infringement of the high-priestly marriage laws is on record. Joshua b. Gamaliel (AD 63–65) was at the time of his nomination to the high priesthood betrothed to a widow, Martha, of the house of Boethus, *M. Yeb.* vi.4 (*Lam. R.* 1.50 on 1.16, *Son.* 1.47, 128, calls her Miriam). He consummated the marriage after his nomination, as he was entitled to do as a priest, but not as high priest.³³ The report that Martha bribed King Agrippa II with a large sum of money to allow the nomination of her fiancé as high priest to go through (*b. Yom.* 18a; *b. Yeb.* 61a. cf. p. 98) leads to the conclusion that the projected marriage with a widow was unlawful for a high priest and threatened to hinder the nomination of Joshua. It is a fair assumption that in this instance too the resentment of the

personalities are changed, John Hyrcanus being confused with Alexander Jannaeus, and the Pharisee Eleazar becomes an enemy of the Pharisees.

³¹ The rabbinic passage tells how a Boethusian (Sadducean) high priest was pelted by the people with *etrōgīm*, allegedly because at Tabernacles he poured the libation of water over his feet, as the Sadducees regarded the ceremony as unbiblical. This may well be the incident involving Alexander Jannaeus.

³² For the illegitimacy of the Hasmonian high priesthood, see pp. 188f.

³³ Alexander Jannaeus also, despite the legal ban, appears to have consummated the marriage with his sister-in-law, Alexandra (*Schürer* I, 277 n. 2, *ET* I.1, 295 n. 2).

people and of the Pharisaic party had been vociferous against this disregard of the Law. Subsequently an attempt was made to legalize the case (M. Yeb. vi.4).

Finally, among the commitments laid upon the high priest by reason of his office there was some *ceremonial* appropriate to his position, not confined to the occasions when he actually performed cultic functions. When receiving or offering condolences he appeared with an impressive retinue, with the Captain of the Temple always on his right. When he himself was a mourner, there stood on his left the director of the priestly course for the day. By contrast, when he offered condolences, the position on the left belonged to his predecessor in office (T. Sanh. iv.1, 420; cf. M. Sanh. ii.1). Another aspect of this ceremonial was that 'no one may see him naked, nor when he is shaving nor having a bath' (T. Sanh. iv.1, 420). He was also expected to take special care of his outward appearance, and we hear that he used to wear his hair in the so-called 'Julian style', cut very short (b. Sanh. 21b; b. Ned. 51a; Bill. III, 440.1).

Even after his removal from office the high priest kept his title and retained his authority. Indeed any priest who deputized for the high priest,³⁴ if, as sometimes happened, he was unable to fulfil his office because of defilement (T. Yom. i.4, 180), was numbered in the list of officiating high priests even though he had discharged the duty by proxy for a few hours only.

Again and again the influence of the retired high priest is discernible. Think of the part played by Annas (in office from AD 6–15) in the trial of Jesus (John 18.13, 24; cf. Acts 4.6; Luke 3.2), and of the former high priests Jonathan son of Ananus (in office from Easter to Pentecost, AD 37), who in AD 52 led an important deputation of Jews to Ummidius Quadratus, governor of Syria, and together with the reigning high priest Ananias was sent as ambassador to Caesar, and had his way over transferring control of Palestine to Felix (*Bḥ* 2.240ff; *Ant.* 20.162). The deposed high priests Ananus, son of Ananus (in office in AD 62; *Bḥ* 2.563, 648–654; 4.151ff.; *Vita* 193f; 195ff; 216ff.), and Joshua, son of Gamaliel (in office AD 63–65; *Bḥ* 4.160, 238ff; *Vita* 193; 204), played a leading part at the start of the uprising against Rome. The high priest retained not only a great part of his authority, but also his cultic character, after his deposal, for the

³⁴ Joseph b. Elam took the place of Mattaiah b. Theophilus in 5 BC (*Ant.* 17.166; T. Yom. i.4, 180; b. Yom. 12b; j. Yom. i.1, 38d. 1). Simon b. Kamithos (AD 17–18) had to allow himself to be represented too, see p. 153.

restrictions on marriage, as well as the ban on defilement by the dead and on undertaking mourning rites (p. 152), still had all their original force (M. Hor. iii.4). His death, too, after deposal, still had its atoning power for the homicide in a city of refuge (M. Makk. ii.6; M. Hor. iii.4). 'A high priest in office differs from the priest that is passed [from his high-priesthood] only in the bullock that is offered on the Day of Atonement and the Tenth of Ephah' (M. Hor. iii.4; M. Meg. i.9), i.e. in having to pay for the bullock and the daily burnt offering of fine meal, and to offer the bullock. We see then that the high priest retained for ever, after his deposal, the character of his office, which made him a principal member of the theocracy. He possessed a 'life-long sanctity' (M. Naz. vii.1).

This cultic character assured the high priest of a unique position in the community; but the picture is incomplete unless we enquire how far *historical circumstances* affected his position. First we must bear in mind a whole series of facts which effectively reduced the high priest's importance. The most decisive of these was encroachment by the political authority. Ancient tradition was that the high priest held office for life and bequeathed it to his descendants. The anointing prescribed by the Law (Ex. 29.7ff.; 30.22ff.) had already ceased to be practised in the Herodian-Roman period, we do not know when or why,³⁵ and now the consecration of the high priest by investiture took its place.³⁶ This was a blow to prestige. Again, the authority of the office was not increased by the fact that the political authorities ignored various precepts, as for example in Herod's appointment of Aristobulus, the last Hasmonean high priest (35 BC), at the age of seventeen (*Ant.* 15.51) when twenty was the customary canonical age for priests.³⁷

It was bound to have a wholly subversive effect, when Herod dared to rob the high-priestly office of its significance by arbitrarily dis-

³⁵ According to rabbinic tradition (b. Yom. 52b) the holy oil was said to have been hidden away since the time of king Josiah.

³⁶ Namely, by putting on the four parts of the high priestly vesture, see n. 2 above.

³⁷ b. Hull. 24ab (par. T. Zeb. xi.6, 496, with different wording), presents three views on the matter:

1. A priest qualifies as soon as the first signs of manhood appear.
2. He qualifies at the age of twenty (on the analogy of Ezra 3.8, where this is given as the canonical age for Levites).
3. 'As soon as the first signs of manhood appear, a priest is qualified for service; but his brother priests did not allow him to take part in the service until he was twenty years old.'

The third viewpoint gives the actual practice, since in the Tannaitic Midrash Siphra Lev. 21.17, 47d) it is taught as the only tradition.

missing and appointing the high priest, and, in defiance of the privileges of the ancient Zadokite high-priestly aristocracy appointing to the office any kind of priest from some ordinary priestly family. From then on, and also under Roman rule, the office ceased to be life-long and hereditary. Herod achieved his aim, in part at least, to make the high priest wholly dependent on political authority. Cases of simony (see above p. 98; also b. Yom. 8b-9a, Bar.; j. Yom. i.1, 38c, 38 etc.), and rivalry among the chief priests were the natural outcome of the new order.³⁸

In other ways the growing influence of the Pharisees made itself felt, particularly in the Sanhedrin but also in the cultus. The high priests with Sadducean sympathies had to accustom themselves to withholding their views in council, and to carrying out the Temple rites according to Pharisaic traditions. It cannot be said that the high priests themselves were blameless in the decline of their influence. Cases of nepotism (see p. 99), occasional infringements (p. 98), deviations from the high-priestly marriage laws (pp. 49f.), trading in the Temple area (pp. 155f.), perhaps occasionally insufficient training of the chief priests in scribal lore (M. Yom. i.6)³⁹—all these could not fail to injure the reputation of the high-priestly office, at any rate among those people who were under the influence of the Pharisees.

However, we must take care not to exaggerate these conditions, for on the other hand the importance of the high priest greatly increased during the first century AD because, as president of the Sanhedrin and principal agent of the people at a time when there was no king, he represented the Jewish people in all dealings with Rome. Particularly at this time, there were among the high priests outstanding men who won power and prestige by their personality, men like Annas, Caiaphas and those high priests who stood out against the Romans at the beginning of the rebellion. Above all, it is

³⁸ Cf. j. Yom. i.1, 38c. 43, telling how the candidates for the chief priestly office bid against each other. 38d.1 tells also how Joseph b. Elam, having deputized on the Day of Atonement in 5 BC for the high priest Matthias b. Theophilus, who was unable to officiate because of uncleanness, now sought to supplant the legitimate high priest. He asked the king an apparently harmless question, 'Should the bullock [for the sin offering] and the ram [for the burnt offering] be paid for by me, or by the officiating high priest?' He hoped the king would answer, 'by you', and so confirm him as high priest, but Herod saw through him (parallels in T. Yom. i.4, 180; j. Hor. iii.5, 47d.7).

³⁹ A high priest who was practised in reading had to read the Old Testament during the night before the Day of Atonement to keep himself awake. If he were not practised in reading, someone read to him. 'Zechariah b. Kabutal says, "Many times I read before him from Daniel"' (M. Yom. i.6; cf. M. Hor. iii.8).

important to note that the cultic character of the high priest's office, which made him the only mortal allowed to enter the Holy of Holies, lifted him so high above his fellows that his position was not seriously affected by historical circumstances. For 'no man taketh the honour unto himself, but when he is called of God, even as was Aaron' (Heb. 5.4).

B. THE CHIEF PRIESTS AND CHIEF LEVITES

(a) The anointed high priest⁴⁰ takes precedence (in rank) over the high priest who is (only) distinguished by investiture (from the rest of the priests).⁴¹

The invested high priest takes precedence over the priest anointed for war (Deut. 20.2ff.).

The order of precedence continues as follows:

(b) The Captain of the Temple (*sāgān*).⁴²

(c) The director of the weekly course (*rōš ha-mišmār*).

(d) The director of the daily course (*rōš bēt āb*).

(e) The Temple overseer (*'ammarkāl*).

(f) The treasurer (*gizbār*).

(g) The ordinary priest (*kōhēn hedyōt*).

(h) The Levite (T. Hor. ii.10, 476; j. Hor. iii.9, 48b.33).

For the continuation of the list see below p.272.⁴³

It becomes clear from this survey that apart from the office of high priest there were five recognized ranks (*b-f*) to which we must now give attention. We should note that the offices of captain of the Temple, Temple overseer and treasurer (*b, e, f*) were linked to the cultus in such a way that their holders had to be permanently present in Jerusalem. In contrast, those priests who took a leading position in the twenty-four weekly courses, who were scattered about the land (*c, d*), had to be at the Temple only one week out of every twenty-four apart from the three pilgrim festivals.

The highest ranking priest after the high priest was the captain of

⁴⁰ The legally prescribed form for the ordination of a high priest was not used in Herodian-Roman times.

⁴¹ The usual form for the ordination of a high priest in Herodian-Roman times (j. Hor. iii.9, 48b.33, puts 'the prophet' in the place of the invested high priest).

⁴² b. Taan. 31a Bar. puts the captain of the Temple over the priest anointed for war. j. Hor. iii.9, 48b.34, omits the captain of the Temple.

⁴³ A corresponding list of ranks is to be found in 1 QM ii.1ff.: the high priest, his deputy, twelve chief priests, and the directors of the priests' weekly courses; twelve chief Levites, and the directors of the weekly levitical courses.

the Temple,⁴⁴ *šegan ha-kōhanīm*.⁴⁵ Josephus and the New Testament call him *στρατηγὸς (τοῦ ἱεροῦ)* (*Ant.* 20.131 *et passim*; Acts 4.1; 5.24, 26). His office belonged to the permanent complement of the Temple and had only one incumbent at a time. His privileged position is illustrated by the fact that he assisted the high priest in the solemn performance of his ceremonial duties, and therefore had a special place at his right hand (M. Yom. iii.9; iv.1; M. Tam. vii.3; j. Yom. iii.8, 41a.4; cf. M. Yom. vii.1; M. Sot. vii.7–8). When the high priest gave or received condolences the captain of the Temple stood on his right (T. Sanh. iv.1, 420; b. Sanh. 19a). He may at the same time have had to watch the high priest to ensure that he carried out the rite completely and correctly (M. Yom. iv.1).⁴⁶ It was also customary to appoint him as substitute for the high priest one week before the Day of Atonement, in case the latter was prevented from carrying out his duties on that day.⁴⁷

⁴⁴ Schürer II, 320f., ET II.1, 257; Bill. II, 628–30.

⁴⁵ M. Ab. iii.2 *et passim* = director of the priests. j. Shek. v.3, 49a.30/36, substitutes the word *qetīlīqōs*, or *kētālīqōs* = *καθολικός*, and deduces wrongly from II Chron. 31.12 that there were two men of this rank, whereas the ten mentioned in II Chron. 31.13 must be the three treasury officials and seven chief men of the Temple. According to j. Shek. v.3, 49a.33, the order is, high priest, *καθολικός*, Temple overseer, treasurer.

⁴⁶ When the lots were cast for the two goats by the high priest on the Day of Atonement, the captain of the Temple on his right, or the director of the daily course on his left, would call on him to raise either his right or his left hand, whichever contained the lot cast for the goat 'to the Lord', and show the lot to all the people. Aqiba tells us that we have here an anti-Sadducean safeguard (b. Yom. 40b; cf. T. Yom. iii.2, 185; Büchler, *Priester*, pp. 110f.). That is, it was disputed whether the high priest had to keep the lot 'for the Lord' in his left hand, in case it came there in casting the lot (the Pharisees' view) or had to put it into the right hand from the left (the view of the Sadducees). That this raising of the hand was an anti-Sadducean provision is confirmed by the similar rule about the pouring of the libation at Tabernacles (M. Sukk. iv.9). Since the Sadducees disagreed with this libation as unbiblical, and one Sadducean high priest had once poured it over his feet (p. 156 n. 31), raising the hand while it was poured would make it as clear as possible that the rite had been fully carried out according to Pharisaic requirements. It must follow then for M. Yom. iv.1, that the captain of the Temple was there to see that the high priest carried out the ceremonies fully.

⁴⁷ T. Yom. i.4, 180: R. Hananiah b. Gamaliel II (c. AD 120) says, 'For this reason was the captain of the Temple appointed, to be the deputy of the high priest (on the Day of Atonement), lest something should happen which rendered him unfit' (Lev. 22.4). The evidence of this man is the more important in that he was a relative of the last high priest Pinḥas (p. 155). The same tradition appears in b. Yom. 39a Bar.; b. Sot. 42a Bar.: R. Hananiah, Captain of the Temple says, 'Why does the captain of the Temple stand at the [high priest's] right? [i.e. when casting lots for the two goats, M. Yom. iv.1 (see n. 46)]? 'In order that, if the high priest be rendered unfit, he may officiate for him.' Here is the same tradition

The importance of the office is shown conclusively in a statement in the Palestinian Talmud: 'The high priest would not be elected high priest if he had not first been captain of the Temple' (j. Yom. iii.8, 41a.5). This statement is evidently a generalization, because from the accession of Herod the Great the appointment of the high priest was frequently made arbitrarily and simply from political considerations. Nevertheless, the information must be correct in many instances. It was natural that the most senior of the chief priests should be made high priest in succession to the one who had been deposed; and in any case the captain of the Temple would certainly be selected from the families of the priestly aristocracy, as for example were the two sons of the high priest Ananias, one of whom, Ananus, held the office in AD 52 (*Ant.* 20.131; *Bḥ* 2.243) and the other Eleazar in AD 66 (*Ant.* 20.208; *Bḥ* 2.409). As further proof that the captain of the Temple was chosen from the families of the priestly aristocracy, there is the designation of the two sons of Aaron, Nadab and Abihu, as *segānē kehunnāh* (Lev. R. 20.7 on 16.1, Son. 20.10, 260; *Tanḥuma, aḥare mot*, 1, 427.12). It is a reading back of a later title and relationship into the past, when two sons of the high priest Aaron were called 'Captains of the Temple'.

Finally we should mention instances of certain men being deputies for the high priest. The high priest Simon, son of Kamithos (c. AD 17–18) was, on the Day of Atonement, represented by his brother (see p. 153 n. 24); the high priest Matthias, son of Theophilus (mid-5 BC to 12 March 4 BC), had as his deputy on the Day of Atonement in 5 BC a relation named Joseph, son of Elam.⁴⁸ In the same way, when Aristobulus I (104–103 BC) was ill at the Feast of Tabernacles,

ascribed to the scribe and captain of the Temple, Hananiah himself. The Tosephta probably mentions the correct tradition: a tradition concerning Temple service seems to be traceable back to a Hananiah bearing the title of captain of the Temple. I can find (against Schürer II, 321, ET II.1, 257f.) nothing conflicting with this statement in M. Yom. i.1, which speaks of a solemn choosing of the high priest's deputy one week before the Day of Atonement; this solemn choosing at that time by no means rules out the privilege of the captain of the Temple to be deputy.

⁴⁸ Mutually consistent accounts in Josephus *Ant.* 17.166, and in rabbinic literature, T. Yom. i.4, 180; b. Yom. 12b; j. Yom. i.1, 38d.1. For the dating of Matthias' appointment in the middle of 5 BC see *Ant.* 17.78, 'after the death of Pheroras'. His deposition, according to *Ant.* 17.167, was on the day before the partial eclipse of the moon on the 13 March 4 BC. Since the Day of Atonement falls on 10 Tishri, in September–October, it follows that the deputizing on the Day of Atonement was in 5 BC.

he was represented by his brother Antigonus (*Ant.* 13.304).⁴⁹

Since, as we have seen, it was customary for the captain of the Temple to be chosen as the high priest's deputy on the Day of Atonement, we may take it that, at least for the first two cases mentioned, the high priest's deputy held the office of Captain of the Temple, even if this is not expressly stated. If this is so, it confirms that the captain of the Temple used to be selected from the nearest relations of the high priest. The captain of the Temple had the permanent oversight of the cultus and, as the name *sēgan ha-kōhanīm* indicates, over the whole body of officiating priests. This agrees with the account, a little further on, about the captain of the Temple Eleazar, and the statement made by Ḥananiah, known as the captain of the Temple, about the usages in the performance of the cultus rites: 'Never have I seen a hide [of an animal found to be unfit for sacrifice] taken out to the place of burning' (M. Eduy. ii.2), a statement implying complete familiarity with Temple ritual obtained by many years' of service. In addition to the oversight of the cultus the captain of the Temple was the chief of police in the Temple area and as such had power to arrest. It was the captain of the Temple, for example, who arrested the apostles in the outer court of the Temple (Acts 5.24, 26; cf. 4.1).⁵⁰ The extent of this official's power can be gauged from this example: Eleazar, the *sāgān* of AD 66, made the decision to discontinue the sacrifice for Caesar, which was equivalent to a declaration of war against Rome, and was the immediate occasion of it (*Bḥ* 2.409f.). Towards the end of the same year this same man was appointed by the leaders of the uprising as commander of Idumea (*Bḥ* 2.566). Nothing could more clearly illustrate the power of the captain of the Temple which he exercised there, and the reputation he enjoyed.

Next in rank to the captain of the Temple were the directors of the weekly courses of priests, of which there were twenty-four, then the directors of the daily courses, of which there were about 156 since each weekly course consisted of four to nine daily courses.⁵¹ These men lived in widely scattered parts of Judaea and Galilee, and apart from the three pilgrim festivals were in Jerusalem for only one week out of twenty-four, when it was the turn of their weekly course

⁴⁹ Büchler, *Priester*, 109 n. 1, rightly recognizes the fact that Antigonus was the deputy.

⁵⁰ Cf. also the Greek translation of *sāgān* as *σπαρηνός*.

⁵¹ T. Taan. ii.2, 216; j. Taan. iv.2, 68a.14: five to nine daily courses; b. Men. 107b: six daily courses.

to officiate in Jerusalem. During this week they had to fulfil certain specific functions in the daily ceremonial. The director of the weekly course, during his week of duty, performed the rites of purification for lepers and women after childbirth, who were pronounced clean at the Nicanor Gate when the rites were complete. It must have been the director of the weekly course who stood at the Nicanor Gate, which according to rabbinic tradition was the link between the Court of Israel and the Court of Women,⁵² to receive the offering of the mother of Jesus (Luke 2.24), 'when the days of their purification according to the law of Moses were fulfilled' (Luke 2.22). It was at the Nicanor Gate too that he would make a woman suspected of adultery drink the 'water of bitterness', to determine the sentence of God.⁵³

⁵² By the 'east gate' M. Midd. i.4, can only mean the connection between the Court of Israel and the Court of Women, as the comparison with Josephus, *B^J* 5.198ff. proves, so M. Midd. ii.6 must be taken correspondingly. Notice, too, that according to Num. R. 7.8 on 5.2 (Son. 195); T. Kel. B.K. i.12, 570, the 'camp of the Levites' extended to the Nicanor Gate, but according to the Siphre on Num. 5.3, 2c, it reached to the gate of the innermost court. It follows that the Nicanor Gate was thus the entrance to the innermost court. Notice finally, and most particularly, that the Court of Women stood open to all who had carried out the last stages of purification, except the offering (M. Kel. i.8; T. Kel. B.K. i.10, 570); for example, a leper had to bathe in the chamber of lepers, which was in the Court of Women, before being declared clean (M. Neg. xiv.8). Therefore, the Nicanor Gate should be looked for as the point where complete cleanness was declared, before going from the Court of Women to the innermost court. So Dalman, *SW*, 301 n. 8; but Bill. II, 622-4 disagrees, placing the Nicanor Gate to the east of the Court of Women.

⁵³ M. Tam. v.6: 'The chief of the *ma'amād* (the name given to the group of priests, Levites and lay representatives of a weekly course) which came into Jerusalem, made the unclean stand near the eastern gates' (the Nicanor Gate, which, besides the main gate had two porches, according to M. Midd. ii.6, hence the plural). Num. R. 9.11 on 5.16 (Son. 9.13, 265f.): 'Before the Lord (Num. 5.16) at the Nicanor gate [shall the priest place the woman suspected of adultery]; this means (M. Tam. v.6), 'The head of the *ma'amād* stationed the unclean people at the Nicanor Gate.' Who was 'the head of the *ma'amād*?' 'The unclean' means people who were there because they wished to be declared clean, that is lepers, women after childbirth and women suspected of adultery (M. Sot. i.5; Num. R. 9.11 on 5.16 [Son. 9.13, 265f.]; Siphra Lev. 14.11, 35b). But for such people a priest was necessary to carry out the purification rites according to Lev. 14.11 (lepers), 12.6 (women after childbirth), Num. 5.16 (women suspected of adultery). That a priest did, in fact, carry out these rites is expressly stated in another passage, Siphra Lev. 14.11, 35b: 'The priest carrying out the rites of purification causes the man to be declared clean [the leper] to stand . . . before the Lord (Lev. 14.11) that is, before the Tabernacle [i.e.] he causes him to stand at the Nicanor gate with his back to the east and facing west.' The chief of the *ma'amād* (the entire weekly course) was therefore definitely a priest (O. Holtzmann, *Tamid* [coll. Die Mischna], Giessen 1928, 63, says quite wrongly that the title could mean, 'the special office

The director of the daily course, on the day his course was on duty, had to be present at the offering of sacrifice, and we hear that when the high priest was sacrificing he stood on his left (M. Yom. iii.9; iv. 1; cf. T. Sanh. iv.1, 420).⁵⁴ The actual conduct of the daily ceremonial, however, was in the hands of the captain of the Temple and his subordinate, the 'officer in charge of the lots' (M. Tam. i.2-3; iii.1-3; v.1-2; vi.3),⁵⁵ for only in this way could continuity be maintained in the performance of the cultus by the regularly changing weekly courses.

The last two offices of the chief priests were closely connected, and were both permanent appointments of the Temple. Their holders are often mentioned together, as for example when they took part in the tumultuous election of the priest and stone mason, Pinhas, to the office of high priest (T. Yom. i.61, 180). They are referred to as (1) the *'ammarkēlīn* and (2) the *gizbārīm*, the treasurers. The meaning of the word *'ammarkēlīn* is in dispute. Schürer⁵⁶ is of the opinion that it means the same as *gizbārīm*, because in Persian the word means something like 'auditor'. But this conjecture is not decisive, since the Persian loanword which appears in the Targum had taken on in Aramaic the general meaning of 'chief of the people', then, more particularly, 'chief of the priests'. The duties of the *'ammarkēlīn* appear quite clearly in the sources, of which the most important is quoted here: 'The [seven] *'ammarkēlīn*,⁵⁷ what did they do? The seven keys of the Court [of Israel and of the priests] were in their hands, and if one of them wished to open [in the morning] he could not do so until all were assembled' (T. Shek. ii.15, 177). Now this statement is formalized, in so far as the number of seven *'ammarkēlīn* is linked with the number of seven gates to the Inner Court, so that each *'ammarkāl* had in his hand one key to the Court.⁵⁸ Even so,

of a Levite or priest in the Temple service'!). He must therefore be identified with the director of the priests of the weekly course.

⁵⁴ If the high priest was mourning the death of a member of his family, the director of the daily course again stood on his left.

⁵⁵ The casting of lots to decide who should officiate at the daily burnt-offering (*tāmīd*) which was offered morning and evening, will be dealt with in full later, see pp. 201ff.

⁵⁶ Schürer II, 327, ET II.1, 263. Likewise Grätz, *Topographische und historische Streifzüge*, I. 'Die letzten Tempelbeamten vor der Tempelzerstörung und die Tempelämter', *MGWJ* 34, 1885, 193.

⁵⁷ The number is missing in the Vienna MS of the Tosephta, but occurs in the Erfurter MS (*Berliner Staatsbibl.* MS or. 2^o 1220) and in the old editions.

⁵⁸ Consistently with this, some branches of tradition calculate by the number

the whole passage is not necessarily based on pure invention; what the statement really says is that the *'ammarkelîn* held the keys and the power of supervision over the Temple. This appears from M. Bikk. iii.3. As a rule the *'ammarkelîn* are mentioned together with the treasurers (M. Shek. v.2; T. Yom. i.6, 180; b. Pes. 57a Bar.; Siphra Lev. 21.10, 47c and in the list already quoted on p. 160 to T. Hor. ii.10, 476). However, M. Bikk. iii.3 mentions instead the *segānīm*, captains of the Temple, next to the treasurers. The *'ammarkelîn* were therefore the Temple overseers (Luke 22.4, 52, and Josephus: στρατηγοί) and we can verify this conclusion by consulting the two lists of Temple officials. There could not be less than seven of these, according to M. Shek. v.2; T. Shek. ii.15, 177 (see also n. 57 above); and j. Shek. v.3, 49a.

Next in line after the captains of the Temple came the *gizbārīm*, the treasurers, of whom there might not be less than three (M. Shek. v.2; T. Shek. ii.15, 177). The financial affairs of the Temple—landed property, wealth and treasure, administration of the flood of tribute money and votive offerings as well as private capital deposited at the Temple; responsibility for the produce and materials needed for the cultus; supervision of the Temple monopoly in the sale of birds and other produce for sacrifice; concern for the maintenance and repair of the full complement of gold and silver vessels, of which no less than ninety-three were needed for each daily ritual—all this provided the treasurers⁵⁹ with ample scope for activity and demanded a staff of officials whom they employed.

'The three treasurers, what did they do? Into their hands were paid:

- (1) the equivalent [of objects vowed to the Temple but redeemable by a money payment],
- (2) and devoted property [vowed to the Temple and not redeemable],
- (3) and [other] votive offerings to the Temple,
- (4) and the second⁶⁰ tithe [they redeem],

of gates to the Court of Women, and so speak of the thirteen gates (of the inner Temple) (M. Midd. ii.6; M. Shek. vi.3, a saying of Abba Jose b. Hanan) and of thirteen *gizbārīm* [*sic!*] (b. Tam. 27a, a saying of R. Nathan).

⁵⁹ See e.g. *Ant.* 14.106ff.; *Bḥ* 6.390ff.; Bill. II, 37–45 for the treasure chambers in the Temple and deposits of money there. For the ninety-three vessels see M. Tam. iii.4, and for the treasurer's responsibility for these, M. Shek. v.6.

⁶⁰ So the Vienna MS and the editions.

(5) [in short] all the [financial] transactions of the Temple were carried out by them' (T. Shek. ii.15, 177).

It was therefore first and foremost the Temple income which the treasurers had to administer. We are told that they received the grain dedicated to the Temple (M. Peah ii.8), that they took payment of the equivalent of dedicated grain (M. Peah i.6), produce (M. Peah iv.8; M. Hall. iii.4) and dough (M. Hall. iii.3), that they were responsible for the use of equipment donated to the Temple (M. Shek. vi.6) and that they were entrusted with administration of the Temple tax (M. Shek. ii.1),⁶¹ in the amount of a didrachma (Matt. 17.24), which every Israelite had to pay annually. As well as Temple income they administered Temple expenditure. They bought in wood (M. Meil. iii.8) and received the wine for the drink-offering for testing (M. Men. viii.7), as well as flour for the two loaves baked from the first-fruits at Pentecost (M. Men. viii.2).⁶² Finally it was their duty to administer the stores and treasure of the Temple (see p. 166 n. 59), of which the most sacred part was the high-priestly vestment (*Ant.* 15. 408; 18. 93; cf. pp. 148f.).

Further details about the Temple overseers and treasurers which we have been discussing can be found in two extremely valuable lists of 'chief men', the older of which is given below.⁶³

These were the 'chief men' in the Temple:⁶⁴

*[1] 'Joḥanan b. Gudgeda⁶⁵ was chief doorkeeper.'

*[2] 'Ben Totaphath had charge of the keys.'

*[3] 'Ben Diphai was supervisor for the festal branches for the feast of Tabernacles.'

⁶¹ If money was lost or stolen, the messenger had to swear an oath before the Temple treasurer in case the *terūmah* had already been taken from the treasure chamber (with the first collection of the fifteen days before Passover, the entire Temple tax for the current year passed legally into the possession of the Temple), as to the reason for the loss. If it could be proved that the messengers were guiltless, the Temple treasury bore the cost. Further see j. Shek. iii.2, 47c.31 Bar., where the temple treasurers examine the man who removes the *terūmah* (this took place a half month before the three pilgrim festivals).

⁶² From the dating (grain for the meal had to be sown seventy days before Passover), it seems to me, in connection with viii.1, that this deals not with the meal of the food offering in general, but only with that for the bread of the first-fruits.

⁶³ T. Shek. ii.14, 177: I follow the Erfurt MS, now in Berlin State Library, MS or. 2^o 1220.

⁶⁴ The numbers in square brackets indicate Levites, those in round brackets indicate priests, * = overseer, and ^o = treasurer.

⁶⁵ A Levite, b. Arak. 11a.

*[4] 'Arza⁶⁶ was director of music' (literally—'he was set over the *dūkān*', i.e. the platform on which the Levite singers and musicians stood).

⁰5. 'Samuel⁶⁷ was set over the bakery.'

⁰(6) 'Benjamin was responsible for the baked loaves for the high priest's offering.' Obviously a priest, according to M. Tam. i.3, for the bakers of the baked loaves were called to work before sunrise (cf. iii.2), a time when their chamber near the Nicanor Gate (see p. 164 n. 52) was accessible only to priests.

⁰(7) 'Ben Maqlit was over the salt.' Again, a priest, for the Parwah-chamber (next to the salt-chamber in the north of the Court of Priests) where the hides of sacrificial animals were salted (M. Midd. v.3) lay in the sacred precincts (M. Yom. iii.3).

⁰(8) 'Ben Pelak was over the wood store.' Again, a priest, for the wood-chamber (M. Midd. v.4) lay in the sacred precincts, accessible only to priests, next to the gate through which fuel was brought in the south-west of the Court of Priests. There was also a woodshed in the north-east of the Court of Women, where the wood was inspected for worms (M. Midd. ii.4).

We have reliable criteria for determining the age of this list. To be sure, Hoffmann's attractive argument⁶⁸ that our list belongs to the period immediately before the destruction of the Temple, since it mentions as chief doorkeeper (see (1)) Johanan b. Gudgeda who survived the destruction, is not fully convincing, for this conclusion that Johanan survived the destruction of the Temple is based on a statement in the Babylonian Talmud (b. Hor. 10a-b), which, as the parallel passage in the Siphre Deut. 1.16 shows, was originally concerned not with Johanan b. Gudgeda but with Johanan b. Nuri.⁶⁹ On the other hand, we know that Johanan b. Gudgeda had been in office at some time before the destruction of the Temple.⁷⁰ Now there

⁶⁶ So the Erfurt MS in contrast to the Vienna MS (Vienna Nat. Library, Heb. 20), and the *ed. princ.* Venice 1521, which read 'ben Arza'.

⁶⁷ In the Vienna MS (Vienna Nat. Library, Heb. 20) and in the *ed. princ.* the names in 5 and 6 are exchanged.

⁶⁸ *Magazin für die Wissenschaft des Judenthums* 9, 1882, 96ff.

⁶⁹ Siphre Deut. 1.16, 30d. The Eleazar *hismā* mentioned at the same time was a contemporary of Johanan b. Nuri, so only his name fits the context. For the original reading of the Siphre see Bacher, *Ag. Tann.* I, 368 n. 4; G. Kittel, *Sifre zu Deuteronomium*, Stuttgart 1922, 24 n. 4.

⁷⁰ b. Arak. 11b, where he instructs the Levite Joshua b. Hananiah in the execution of his duties. This shows that the latter was still inexperienced, i.e. he

was an age limit of fifty years for Levites (Num. 8.25, cf. 4.3, 23, 30, 35, 39, 43, 47; j. Ber. iv.1, 7b, 63), so that Johanan, if he really did survive the destruction, was then no longer in office. The mention of this man's name in our list is therefore no certain proof that the list dates from the last years before the destruction, but rather that it points backwards to an even earlier time (see n. 70). A more reliable criterion for the dating of the list is provided by Item (3). As long as the Temple stood the festal branches were brought there on the six weekdays of the seven-day feast of Tabernacles,⁷¹ but not on the sabbath. Now in the first ten years of the century, if the first day of the festival fell on a sabbath, the festal branch was shaken in the Temple on all seven days (M. Sukk. iv.1-2), and therefore also on the sabbath. Since it was forbidden, however, to bring anything from a private place into a public place on the sabbath, the branches were brought to the Temple beforehand on the Friday, and handed over to one of the Temple servants, a Levite (*ḥazzānīm*), who arranged them in the porch of the Outer Court (M. Sukk. iv.4). The next morning the Temple servants threw the branches to the people and each person caught a branch for himself. The resultant brawling was a danger to lives, so the law court ordered that the branches should no longer be shaken in the Temple on the sabbath (even when the first day of the festival fell on a sabbath), but only in the home (M. Sukk. iv.4). Since under Item (3) of our list a certain Ben Diphai is mentioned as supervising the festal branches in the Temple, the list belongs to a time before the court had altered the rules. This fits in with the fact that in the second list (below) this office no longer appears.

The fact that it mentions a smaller number of officials is further evidence of the greater age of the Tosephta list. Finally it should be noted that the director of music in the Erfurt MS bears the name Arza (see p. 168 n. 66), while in the second list the son of Arza appears as director of music. If the reading of the Erfurt MS is the original (the Vienna MS as well as the *editio princeps* of Venice, 1521, read Ben-Arza in the Tosephta list as well) then in the meantime the

had just reached the canonical age of twenty (Ezra. 3.8; see p. 158 n. 37) when Levites were allowed to serve. However, Joshua b. Hananiah was already a famous teacher before the destruction of the Temple (j. Hag. ii.1, 77b.32), so it is clear that the episode in b. Arak. is concerned with a period before AD 70. At that time Johanan b. Gudgeda was chief doorkeeper and consequently a man of mature age. He must therefore have already taken office in the first half of the first century.

⁷¹ The eighth day of the festival, the closing feast, was kept as a special feast on its own. On this day the branches were not carried.

office had passed from father to son. The fact that this Arza is an otherwise entirely unknown person speaks for the originality of the Erfurt reading, although of course there is always the possibility of an inadvertent omission in the Erfurt MS. All this suggests that our list originated a few decades before the destruction of the Temple.

The second list is found in M. Shek. v.1f. ⁷²

v.1: 'These were the "officers" in the Temple:

⁰1. Joḥanan b. Phineas was over the seals.' Drink offerings and other offerings came under one rule in the Temple (see no. 4 below). If anyone wished to bring a drink offering, he made a payment to Joḥanan and was given a seal as receipt (M. Shek. v.4). Joḥanan's office was the Chamber of Seals (M. Tam. iii.3), the north-eastern room of the Chamber of the Hearth, which lay to the north-west of the Court of Priests, and was actually upon secular ground.

⁰2. 'Ahijah was over the drink offering.' In return for the receipt (see last paragraph) he handed over the corresponding drink offering.

*(3) 'Mattiah b. Samuel was over the lots.' For the casting of lots to choose priestly duties, see pp. 201ff. We can deduce from M. Tam. i.3 and vi.3 that this official was a priest: He had access to the Court of Priests. Not only had he the duty of casting the lots to determine duties, but he was also responsible for the direction and supervision of the whole ceremony of daily sacrifices (*tāmīd*) in the morning and evening (M. Tam. i.2-3; iii.1-3; v.1-2; vi.3).

⁰(4) 'Petaḥiah was over the bird offerings.' He watched over the payments of money equivalents in the third of the thirteen trumpet-shaped⁷³ containers, placed on one of the colonnades surrounding the Court of Women. He also took care that the doves were presented properly. He was a priest (T. Shek. iii.2, 177).⁷⁴

⁰5. 'Ben Ahijah was Temple physician' (literally 'he was set over the bowel-sickness'). Because of the unusually rich meat diet of the priests, who were also forbidden wine during their days of

⁷² Signs as in List 1 (see above, p. 167 n. 64).

⁷³ Cf. 'sound a trumpet' in Matt. 6.2. This form of words is based on the shape of the receptacles for alms in the Temple, i.e. like a trumpet, wide below, and with a narrow opening to prevent thieves putting in their hands.

⁷⁴ The text here gives a later marginal note: 'This same Petaḥiah was Mordecai. Why was he given the name Petaḥiah? Because he was to "open", or interpret, sayings since he knew seventy languages.'

duty,⁷⁵ such sickness was by no means unusual, as j. Shek. v.2, 48d.26 rightly says.

*6. 'Nehemiah was over the water' (lit. 'trench-digger'), in charge of the aqueduct and the Temple cisterns, and to look after the baths.⁷⁶

*7. 'Gabini was the herald.'

*[8] 'Ben Geber [a Levite] was over the shutting of gates.'

*[9] 'Ben Bebai was the jailer.' 'He was set over the scourge', for he had to chastise priests who sought to gain an advantage at the casting of the lots (b. Yom. 23a).⁷⁷

*[10] 'Ben Arza was director of music' (literally 'held the cymbals') i.e. during the service he gave the Levites the signal with cymbals when to begin singing. He was most probably a Levite.

*[11] 'Hygdas (= ὄγδοος) ben Levi was director of the Levite singers.' He was probably a Levite, as the patronymic as much as the function indicates. Singing was practised by Levites exclusively, and Ogdoos had a special gift for it (M. Yom. iii.11; b. Yom. 38b etc.).⁷⁸

⁰(12) 'The (priestly) house of Garmu was over the preparation of shewbread.' This could obviously concern only priests, since the 'Chamber of Shewbread-makers', which was the south-eastern room of the Chamber of the Hearth lying in the north-western corner of the Court of Priests, lay in holy ground accessible only to priests (M. Midd. i.6).

⁰(13) 'The (priestly) house of Abtinias (*Εἰθύνος* or *Εὔθυνος*) was over the manufacture of incense'. A priestly family, since in the 'Chamber of Abtinias' the priests kept watch at night (M. Midd. i.1; M. Tam. i.1), which shows that it lay within the Court of Priests, therefore on holy ground (cf. M. Yom. i.5).

⁷⁵ Lev. 10.9; Ezek. 44.21. According to M. Taan. ii.7, this ban applied to the priests of the weekly course for the daytime only, but to those of the daily course for both day and night time.

⁷⁶ Graetz, *art. cit.*, *MGWJ* 34, 1885, 204, has realized this last point.

⁷⁷ A variant translation is, 'He was over the (preparation and fixing of) wicks' (j. Shek. v.2, 48d.46), which were made from the outworn breeches and girdles of the priests (M. Sukk. v.3). However, this second meaning was disclaimed even by Abbaiah who had defended it (b. Yom. 23a).

⁷⁸ However, we come across the expression, 'his brethren the Levites' (Cant. R. 3.6, Son. 159), and also, 'his brethren the priests' (b. Yom. 38b; j. Shek. v.2, 48d. 53).

⁰(14) 'Eleazar was superintendent of curtains.' The superintendent of curtains was a priest (*Ant.* 14.106f.). For the curtains themselves see above p. 25.

⁰15. 'Pinḥas was superintendent of priestly vestments' (M. Midd. i.4; *Bḥ* 6.390).

v.2: 'There must never be less than seven 'amarkelin, and three treasurers. Nor were less than two persons suffered to hold office over the public in aught concerning the community,⁷⁹ save only Ben Ahijah the physician (5) and Eleazar the superintendent of curtains (14) whom the community agreed to accept.' Obviously these other officials had at least one assistant, if not more, to work with them (as e.g. nos. 1 and 2).

It is possible to place this list in a later period than the first, partly because of the omission of office no. 3 in the first list, which had been abolished, but more conclusively because of the greater number of officials. To this, we can add Josephus' report that 'the treasurer of the Temple, Phineas,' was captured in AD 70, a few days after the destruction of the Temple, and he had disclosed to the Romans 'the tunics and girdles of the priests, and an abundance of purple and scarlet cloth kept for necessary repairs to the Temple hangings, along with a mass of cinnamon, cassia and other spices, which they mixed and burnt daily to God. Many other treasures also were delivered up by him with numerous sacred ornaments' (*Bḥ* 6.390f). There can be no doubt that this 'treasurer of the Temple, Phineas' is the same official mentioned in the second list (15) as 'Pinḥas, superintendent of priestly vestments'.⁸⁰ This means that he was in office at the time of

⁷⁹ 'In money (property) matters'. This is lacking in the text of the Mishnah *ed. princ.* of the Jerusalem Talmud, Venice 1523, but it is found in *ed. Riva di Trento*, 1559, and in the Cambridge MS, *ed. Lowe* 1883, and in j. Shek. v.3, 49a.37 (*ed. princ.*).

⁸⁰ There is no proof of the suggestion that there were fixed names for each office, independent of the actual names of the officials e.g. that each keeper of vestments was called Pinḥas. True there was a 'chamber of Pinḥas, keeper of the vestments' (M. Midd. i.4) near the Nicanor Gate, but this designation does not mean that the keeper of the wardrobe was always called Pinḥas. The more likely explanation is that the last holder was in office for a considerable time and was an outstanding personality. It was not surprising that the name of the priest in charge of curtains was Eleazar in 54 BC, when M. Licinius Crassus plundered the Temple treasury (*Ant.* 14.106f.), and also in our list a hundred and twenty years later, since it was a common name. The fact that a certain Jesus, son of Thebuthi, in AD 70 handed over two lamps, tables, Temple furniture, curtains, priestly vestments and other treasures (*Bḥ* 6.387-9) does not mean that he was a treasurer; he would, in that case, have been the holder of the office 14 in the second list, and

the destruction of the Temple, and so this second list gives us the names of the last group of officials at the Temple before its destruction.

The evidence of Josephus justifies another important conclusion. He calls the Temple official, no. 15 in our list, the 'Temple Treasurer', and gives the same title on another occasion to the man in charge of curtains, no. 14 (*Ant.* 14.106f.). Now if we consider this together with the note in the second list, to the effect that there could not be less than seven Temple overseers and three Temple treasurers, it follows that our second list gives us the names and official duties of the Temple overseers and treasurers. This also applies to the first list, since both lists agree on the important officials, by somewhat different titles.

We must accordingly study the lists more closely. First, it is noteworthy that both lists give us quite a number of Levites. In the first list the doorkeeper (1) is certainly a Levite, and so most probably was the director of music (4) in charge of the Levite singers, as well as the official in charge of the Levite Temple servants at the Feast of Tabernacles (3) who would no doubt have other duties on other occasions; presumably also the keeper of the keys (2) who is named amongst these other three Levites. In the second list were two chief officials over the Levite musicians (10 and 11), two over the Levite Temple servants (8 and 9). It seems a likely conjecture that in the first list too there were two chief officials over the musicians in addition to the two overseers of the Levite Temple servants (1 and 2). This is in keeping with 4. In this case we may conjecture that the keeper of the keys (2) had the key to the room beneath the Court of Israel which opened into the court of women, where the harps, flutes, cymbals and other musical instruments of the Levites were kept (*M. Midd.* ii.6). In the second list the following were Levites: the man 'over the shutting of gates' (8), the director of music (10) and the director of the singers (11). Again, amongst these three chief Levites we find another office, that of jailer, (9). We may with reasonable certainty recognize in this official the head supervisor, no. 3 in the first list, whose office must have a different title since the supervision of festal branches had fallen into disuse as a result of the decision of the court (p. 169). These four chief Levites (8-11) will be discussed in a separate section (pp. 207ff.). The remaining officials in both lists must have been mostly priests, since the Temple finances were in the hands of the priests.

the discrepancy in names would be extraordinary. He is, however, called 'one of the priests'.

In general, it is possible to establish that they were priests from the position of the places where they worked.

From the lists themselves it is possible to see which of the officials mentioned were treasurers and which *'amarkelīm* (overseers). In the first list numbers 5 to 8 have to do with Temple finances, while 1 to 4 have to do with the oversight of the Levite musicians and Temple servants. In the second list, as far as the physician (5) and the supervisor of curtains (14) are concerned we have the evidence of the text itself (M. Shek. v.2) that they held office as 'concerning property'. The former would in fact have to do with Temple finance, in so far as medicaments, particularly wine (j. Shek. v.2, 48d.28), were obviously provided by the Temple. For 14 and 15, we have the evidence of Josephus that they were treasurers (pp. 172f.). Besides this the keeper of the seals (1), the officials 'over drink offerings' (2) and 'over bird offerings' (4) and those who prepared the shewbread and the incense (12 and 13) dealt with Temple money and Temple stores, and so belong among those who held office as 'concerning property'. The fact that the number of remaining officials in the second list (3, 6, 7, 8, 9, 10, 11), for whom there is no record of connection with Temple finance, comes to seven, shows that we have here the seven *'ammarkelīm* with whom the paragraph at the end of the second list is concerned. This agrees both with our earlier consideration of the meaning of the word *'ammarkāl* (p. 166) and also with the fact that these seven men, are officials concerned with the oversight of the Temple. We see again, then, that the accepted interpretation of the word *'ammarkelīm* as treasury officials (p. 165) is not tenable.

Now we can go into more detail about the Temple overseers and treasurers. Under the first heading comes the priest (List 2.3) who dealt with the daily casting of lots to choose the officiating priests of the daily course, and, as the tractate Tamid shows (p. 170), with the arrangements for the entire morning and evening services each day. Here also are the 'trench digger' (List 2.6) responsible for the maintenance of the baths for ablutions, the cisterns and the conduits, and the herald (List 2.7) who called priests, Levites and people to worship; and finally the four chief Levites (List 1.1-4; 2.8-11), in charge of the Levite musicians and Temple guards.

As for the treasurers, we get a complete confirmation of their duties as derived earlier from the sources on pp. 166f. They administered the Temple stores and issued them for use in the cultus (List 1.5-8; 2.12-13), also the Temple treasure (List 2.14-15); and after the

management of the Temple revenues, their other chief concern was the control of the Temple monopoly of the trade in drink-offerings and other offerings (List 2. 1, 2 and 4).

The three spheres of duty devolving on the chief priests and chief Levites were fulfilment of the cultus, administration of Temple finances and supervision of the Temple.

In this section on the chief priests we must include an inquiry into the remarkable usage of the term 'high priest' in the New Testament, in Josephus and in the Talmud. In the Gospels and Acts alone there are no less than sixty-four references to the high priests, in the plural, although there was only one high priest at a time in office. In fact, a common expression in the New Testament is 'the high priests and elders'. We may be able to explain the use of the plural by supposing that the term 'high priests' refers not only to the high priest then in office (*kōhēn-ha-mešammēš*), but often also the high priest no longer in office (*kōhēn še'ābar*).⁸¹ This solution, however, breaks down since all the sources repeatedly name as high priests men who do not appear in Josephus' complete list of high priests. There was for instance Skeva 'a high priest of the Jews' whose seven sons practised exorcism in Ephesus (Acts 19.14); Jesus, son of Sapphia, 'one of the high priests' (*Bḥ* 2.566); Simon, 'from the number of the high priests' (*Vita* 197); Matthias, son of Boethus, (*Bḥ* 4.574; 5.527–531; 6.114); the 'high priest' Levi, who rebuked Jesus for entering the Holy Place without observing the Pharisaic rules of cleanliness (Oxyrhynchus Fragment, 1908, v. 840); in the Talmud, Zadoq⁸² (Lam. R. 1.49 on 1.16, Son 1.46, 127f.) and Issachar from Kephars Barqai⁸³ (b. Pes. 57a. Bar), are called 'high priests'.

E. Schürer, that distinguished and learned pioneer in the field of New Testament history, has attempted to solve the riddle, and the moderns all follow him⁸⁴ with the explanation that these 'high priests' were 'members of the privileged families from which the high priests were taken',⁸⁵ He appeals to *Bḥ* 6.114, Acts 4.6 and two passages in the Mishnah (M. Ket. xiii.1–2; M. Ohol. xvii.5). To begin with, the

⁸¹ M. Hor. iii.4. The precise description of the retiring priest, in T. Sanh. iv.1, 420 is *ha-kōhēn se'ābar migge dūlātō*.

⁸² The name Ishmael b. Elisha appears in the slightly different parallel passage in b. Gitt. 58a.

⁸³ There is also a report of a 'high priest' upon whom the lot fell to administer the 'waters of bitterness' (*Pesiqta Rabati* 26, 129b.5), but the high priest in office was not subject to the lot (M. Yom. i.2).

⁸⁴ With the one exception of Schlatter, as I observe below, p. 177 n. 90.

⁸⁵ Schürer II, 275–77, ET II.1, 203–6.

Mishnah passages can be disregarded since, as will be shown, Schürer has mistranslated them. The passage from Josephus reads as follows: 'Among these (apostates) were the high priests Joseph and Jesus, and certain sons of high priests, namely three sons of Ishmael who was beheaded in Cyrene, four of Matthias and one of another Matthias; the last had escaped after the death of his father, who had been slain with three of his sons by Simon, son of Gioras, as related above. Many others also of the aristocracy went over with the high priests' (*B*76.144).

Here it is in fact possible, as Schürer thought, to include in the term 'high priests' in the last sentence the two previously mentioned retired high priests and the eight sons of high priests, so that the term 'high priests' here might include the nearest blood-relations of the high priest. But the term 'high priests' in the last sentence could equally well indicate only the two retired high priests mentioned at the outset, and in this case the title would imply nothing else than 'the high priests no longer in office.' This passage then, is not without difficulties from Schürer's viewpoint. He does better to appeal to Acts 4.6 where 'all who were of the high-priestly family' appears as a group in the Sanhedrin, while elsewhere in the New Testament this is abbreviated to 'the high priests'. Even this passage, however, does not appear a convincing argument for calling members of the high-priestly family 'high priests'; for the question arises whether the men 'of the high-priestly' family referred to in Acts 4.6 had their seats and votes in the Sanhedrin by virtue of their family background, as Schürer has to assume, or rather by virtue of their office.⁸⁶

So the proof texts for Schürer's hypothesis are all defective, and apart from that it is open to serious doubt. Johanan b. Zakkai met a *kōhēn gādōl*⁸⁷ in Beth Rama (Rec. B: *Rāmat bēnē 'anāt*), presumably in Galilee.⁸⁸ Did members of the reigning high-priestly families live in Galilee before AD 70? Highly unlikely! Furthermore, according to Schürer these men 'of the high priestly family' had seats and votes in the Sanhedrin.⁸⁹ Had this body of seventy-one members room

⁸⁶ Cf. the conference mentioned in Acts 4.6, and the nepotism practised by the illegal hierarchy in connection with the chief priestly offices, both discussed in the next section, the priestly aristocracy on pp. 181ff.

⁸⁷ *ARN*, Rec. A, ch. 12, Rec. B, ch. 27 (Goldin 71).

⁸⁸ *Bēt 'anāt* is confirmed as being in Galilee in T. Mikw. vi.3, 658. See Schlatter, *Jochanan ben Zakkai*, 27 n. 1. The Zeno Papyrus, *Papiri greci e latini* [Pubblicazioni della Società Italiana.] vol. VI, Florence 1920, 3, no. 594 line 18, describes a Bait(i)anata in Galilee.

⁸⁹ Schürer II, 276 (ET. II.1, 205) based on Acts 4.6.

for all? If not, by what criterion, which is nowhere mentioned, were they chosen? However, the most serious objections (see also n. 83) to Schürer's argument are philological. *Kōhēn gādōl* (ἀρχιερεύς) means archpriest and nothing more. How, without further explanation, would ἀρχιερεύς to a Greek reader, and *kōhēn gādōl* to a Jewish reader, have conveyed 'a member of the high-priestly family'?

There are two passages in the Mishnah which can help us to clarify the position. In one of these, the 'sons of the high priests' made decisions in civil law (M. Ket. xiii, 1-2), and in the other they received letters from abroad (M. Ohol. xvii.5). It is a philological error when the otherwise dependable Schürer takes 'sons of the high priests' to mean 'men of importance and authority' (n. 89). For other passages, and in fact variant readings, show that the term *benē kōhānīm gēdōlīm* does not mean 'sons of the high priests' as Schürer thought, but 'the high priests' themselves. In the same way, in the Old Testament (I Kings 20.35 etc.) the prophets were called 'sons of the prophets', and in the New Testament (Matt. 12.27) the scribes were called 'sons of the scribes'. In other words, the term 'sons of' denotes not descent but membership of a class.⁹⁰ If we apply this to the sources, we find that *benē kōhānīm gēdōlīm*, i.e. the high priests, held a court which arrived at decisions of civil law for the priesthood. We find elsewhere a decision of this same court, that on the Day of Atonement only a priest or a Levite had the right to take the goat for Azazel into the wilderness (M. Yom. vi.3).⁹¹ The same court is in question, as the subjects of proceedings show, when statements are made about a 'court of priests', and before this forum were heard questions concerning, on the one hand, laws affecting priests

⁹⁰ In j. Shek. iv.48a. 35 the high priests officiating at the ceremony of the Red Heifer (five times since 200 BC according to M. Par. iii.5) are grouped together as 'sons of the high priests'. For 'the high priests' in ARN, *Rec. A*, ch. 4 (Goldin 37), *Rec. B*, ch. 7 has 'sons of the high priests', so the two expressions are identical. Siphra Lev. 2.3, 6d, says, 'As the high priest Aaron eats [his part of the meal offering] without strife [because he had the choice], likewise the *benē kōhānīm gēdōlīm* eat without strife.' Here the successors, the officiating high priests since Aaron, are contrasted with the first high priest, and once again it is clear that the subject is not sons of the high priests, but the high priests themselves. Schlatter, *Jochanan ben Zakkai*, 25, rightly translates *benē kōhānīm gēdōlīm* (M. Ket. xiii. 1-2) as 'high priests'.

⁹¹ The variant reading, 'the *priests* had established a custom', for 'the *high priests* had established' (ed. princ. Naples 1492; ed. Venice 1609; Cambridge MS, ed. Lowe 1883; *Cod. Orient.* Berlin 567. 4; ed. princ. of Jerus. Venice 1523) is either a correction or an inadvertent omission.

(marriage laws, M. Ket. i.5)⁹² and on the other hand matters of the cultus (enquiries about signs of the new moon, i.e. the fixing of the calendar, M.R. Sh. i.7).⁹³ (On the other hand, when it came to condemning a priest's daughter to death for unchastity [b. Sanh. 52b] in the reign of Agrippa I, it was the Sanhedrin that acted as the court.)⁹⁴ Who were the 'archpriests' who constituted this court? They were distinguished priests, as their Sadducaic theology shows (see n. 93). They formed a well-defined body; they gave authoritative decisions on the priesthood and on questions of cultus. In other words, this court was composed of the chief priests of the Temple at Jerusalem.

This in fact is the answer to the riddle. The term *kōhēn gādōl* means the archpriest, the priest made prominent by his position over the main body of priests, and absolutely nothing else; indeed in the narrower sense the term means *the* archpriest, or high priest, and in the wider sense the archpriests or chief priests of higher rank than the majority. After the *kōhēn gādōl*, who was 'in office' (in the Holy of Holies, M. Hor. iii.4; M. Meg. i.9), who 'is dedicated by many garments' (M. Hor. iii.4; M. Mak. ii.6; M. Meg. i.9; Siphra Lev. 21.12, 47c; j. Yom. i.1, 38d.39, etc), came the other (*bēnē kōhānīm gēdōlīm* the chief priests (1 QM 2.1;⁹⁵ cf. above n. 42). This linguistic interpretation is incontestable, and nowhere does it break down. It now becomes clear how the term 'high priests' could be used in the plural; how the names of 'high priests' are used which do not appear

⁹² The priestly court fixed the price of the *ketubbāh* (marriage contract) of a virgin who was either of a priestly family or wished to marry a priest, at 400 denarii, that is, double the usual price.

⁹³ When the passage speaks of two courts fixing the calendar, the college of priests and the Sanhedrin, the explanation is that originally the priests were responsible, but as they were mainly Sadducees, the Sanhedrin intervened to insist on the acceptance of Pharisaic rulings. The same two courts appear in M. Yom. i.5, where the 'elders of the court' appear with the 'elders of the priesthood'.

⁹⁴ With regard to this the following facts are certain: (a) Criminal law was administered without interference by the Jewish authority, which points to the time of Agrippa I (Schlatter, *Tage*, 80ff.). This dating is confirmed by the evidence that R. Eleazar b. Zadoq as a small boy, had seen the execution of the sentence (T. Sanh. ix.11, 429), p. 143. (b) The sentence was passed, not according to Pharisaic law (M. Sanh. vii.2: 'The court at that time had not right knowledge', i.e. of the law) but according to Sadducaic (b. Sanh. 52b); for whereas the Pharisees taught that the sentence of death by burning in Lev. 21.9 required that molten lead be poured down the throat, thus burning from inside, the Sadducees taught that it should be done by heaping faggots round the accused, thus burning from outside, and this was done to the priest's daughter.

⁹⁵ Here a high priest (*kōhēn hārōš*) and chief priests (*rāšē ha-kōhānīm*) are mentioned together.

in the list of officiating high priests; how a 'high priest' could live in Galilee; how he could be subject to the lot;⁹⁶ how the high priest Pinhas was indeed descended from a high-priestly family though he did not belong to 'the high priests' (*Bḥ* 4.155); and how the Sanhedrin had room for the 'high priests', this being in every case a reference to the chief priests of the Temple.

In particular this explains those passages in the Gospels and Acts, of which there are no less than sixty-four, which speak of 'high priests'. For the most part this applies to the passages where they appear as members of the council in association with scribes and elders. In the trial and judgement of Jesus, and later of the apostles, and in the examination of Paul, the 'high priests' took part in their capacity as members of the Sanhedrin. They were the permanent chief priests of the Temple, who by virtue of their office had seats and votes in the Sanhedrin where they formed a well-defined group. In fact we find in one place a captain of the Temple (*Acts* 4.5–6; see pp. 196f., esp. n. 165) and in another a Temple treasurer (*Ant.* 20.189ff.) who belonged to the Sanhedrin. The minimum number of this chief priestly group (this is the only one we know) amounted to one high priest, one captain of the Temple, one Temple overseer (a priest), and three treasurers—six in all, to which were added the retired high priests, and those priests who were employed as overseers and treasurers. This gives a credible number in relation to the seventy-one members of the court.

At the same time there are passages in the New Testament mentioning chief priests in other combinations, either chief priests and overseers of the Temple (*Luke* 22.4) or chief priests and their attendants (*Acts* 5.17, 21). Here we are dealing with the chief priests as the independent legal and administrative authority in the Temple.⁹⁷ We have already seen from Talmudic sources that the chief priests formed an independent body competent to deal with affairs of the Temple and the priesthood (pp. 177f.). It was as the executive body of the Temple that the chief priests came to a decision over the expenditure of the money paid to Judas for his treachery, which he had returned, namely that it was the 'price of blood' and could not go into the Temple treasury (*Matt.* 27.6; cf. above p. 139).

⁹⁶ *Pesiḡta rabbati* 26, 129b.5; p. 175, n. 83.

⁹⁷ The only exception to these passages, as context or parallels show, are those which refer to 'chief priests' in the Sanhedrin *a parte potiori*: *Mark* 15.3 (cf. *Matt.* 27.12); 15.10 (cf. 15.1); 15.11 (cf. *Matt.* 27.20, 'chief priests and elders'); *John* 12.10.

As principal authority over the Temple police they made the arrangement with Judas for Jesus' arrest (Matt 26.14-15; Mark 14.10-11; Luke 22.4-5), which had previously been approved by the Sanhedrin (Matt. 26.3f. and par.); they gave the orders for the apostles' arrest in the Temple court (Acts 5.17, 21); they received from the guard at the sepulchre the report of Jesus' resurrection (Matt. 28.11)⁹⁸ and from the prison watch news of the apostles' escape from the custody of the Temple police (Acts 5.24). In a similar capacity they provided the Pharisaic zealot Saul with a contingent of Temple police for the purpose of persecuting Christians (Acts 26.12; cf. 9.14, 21; 26.10).

So we receive the following picture. The captain of the Temple, who was responsible for the conduct of worship and external arrangements in the Temple, was the most important priest immediately below the high priest, and was the head of the chief priests. After him came the leader of the weekly course of priests, whichever course was on duty, and the leaders of the four to nine daily courses of this week. The organization of external arrangements in the Temple was in the hands of the seven permanent Temple overseers, to which belonged four chief Levites; financial arrangements were entrusted to the three permanent Temple treasurers and their colleagues. The chief priests permanently employed at the Temple formed a definite body who had jurisdiction over the priesthood and whose members had seats and votes on the council.

Now this conclusion, that the Jerusalem chief priests formed a definite body, is greatly strengthened by the statement in Acts 4.6 that the chief priests belonged to the priestly aristocracy. Thus not every priest had access to this position. The social gulf within the priesthood, which has been made perceptible here, is confirmed by other evidence. Between the chief priests of Jerusalem (*οἱ ἀρχιερεῖς* of the New Testament) and the rest of the priesthood an intense antagonism had grown up in the period just before the destruction of the Temple, as both the Talmud and Josephus agree. The Talmud is full of complaints about the violence of the high priests who forcibly appropriated the hides of the sacrifices, which were distributed each evening among the priests of the daily course on duty in a Temple chamber (p. 106 above), and the measures taken against

⁹⁸ It is scarcely possible to imagine Roman soldiers keeping watch at the sepulchre, since they would hardly have been ready to admit that they had been asleep at their posts (Matt. 28.13). The report being made to the chief priests points rather to Temple police (28.11). The *ἔχερε* in Matt. 27.65 is, therefore, taken as indicative and not imperative.

this kind of violence, namely the procedure of having the hides distributed only once a week in the presence of the whole weekly course, did not succeed in preventing it. Complaints were also made of tyranny and nepotism (b. Pes. 57a, Bar.; T. Zeb. xi.16, 497). Quite independently Josephus reports the violent plunder of tithes due to the priests by the servants of the high priest, who raided the farmers' threshing-floors (*Ant.* 20.181, 206f.). The social gulf between the chief priests and the main body of the priesthood, revealed by these reports, only becomes intelligible if we attempt to obtain a clear conception of the priestly aristocracy.

C. THE PRIESTLY ARISTOCRACY

The high priest, and in most cases the Jerusalem chief priests, belonged to 'those who were of the high-priestly family' (Acts 4.6; *Ant.* 15.39-40), i.e. to the priestly aristocracy, about which there exist a number of inaccurate and even false conceptions, which can be corrected only by an historical review.

According to the historical conception of the Judaism of the time of Jesus, the Zadokite high-priestly family, so called after the Zadoq who was the chief priest in office under Solomon and David (II Sam. 8.17, 15.24 etc; I Kings 1.8 etc., particularly 2.35), had held the high priesthood in unbroken succession since the time of Aaron. (In actual fact the legality of the Zadokite priesthood, at least as far as we know, went back only to Solomon's time.)⁹⁹ I Chron. 6.3-15 traces their uninterrupted line from Aaron to the exile.¹⁰⁰ Neh. 12.10-11 gives it, likewise without a break, until the fourth century BC, and Josephus in his *Antiquities*¹⁰¹ from then on to the high priest Menelaus (172-162 BC) who was in his view, certainly a mistaken one (see below), the last legitimate Zadokite high priest (*Ant.* 20.235).¹⁰² Fourteen generations of high priests of the house of Zadoq were reckoned from the setting up of the Tabernacle of the congregation until the building of the first Temple.¹⁰³ Nine Zadokite high priests¹⁰⁴ must have held office in

⁹⁹ Wellhausen, *Pharisäer*, 47ff.

¹⁰⁰ I Chron. 6.50-53 gives a parallel list agreeing in all particulars up to Solomon's time.

¹⁰¹ 11.347 to 12.239. For a critical appraisal see n. 112 below and n. 7 above.

¹⁰² In *Ant.* 20.224-51 Josephus gives a summarized account of all the high priests from Aaron to the destruction of the Temple.

¹⁰³ I Chron. 6.3-10; Josephus, *Ant.* 20.228, reckons thirteen.

¹⁰⁴ So says I Chron. 6.3-15: eighteen according to the Talmud, j. Yom. i.1, 38c.37, and Josephus, *Ant.* 20.231.

rightful succession in the first Temple (of Solomon), fifteen from the exile to Menelaus (inclusive) in the second (post-exilic) Temple (*Ant.* 20.234). We do not intend to examine here the historical authenticity of these lists,¹⁰⁵ apart from the last of the line. We will content ourselves with establishing the historic conception of the first century AD, according to which there was an uninterrupted succession of Zadokite high priests from Aaron to the time of the Seleucid Antiochus Epiphanes IV (175–164 BC),¹⁰⁶ whose interference in appointments to the high-priestly office, and religious persecution, brought to an end the Zadokite line of high priests. The last high priests of the Zadokite era were:

	Term of Office	Descent	Appointed by
Onias II	to 175 BC	Son of high priest Simon	Succession
Jesus (Jason)	175–172	Son of high priest Simon	Antiochus IV Epiphanes
Menelaus	172–162	Non-Zadokite priest	Antiochus IV Epiphanes
Jacim (Alcimus)	162–159	Illegitimate Zadokite	Antiochus V Eupator (?)

EXCURSUS

THE CHRONOLOGY OF THE BOOKS OF MACCABEES

Before explaining this list, to justify the dates in it we must say something on the calculation of the Seleucid era in the two books of Maccabees. As is well known, there is great controversy as to whether the Seleucid era, which both books use for dating, should be reckoned from the spring

¹⁰⁵ The conclusion arrived at by Josephus, historian of late Judaism, that the Zadokite family held office as high priest in direct succession is correct for the post-exilic period to the time of Onias II. To trace the genealogy back to Aaron is erroneous (p. 181 n. 99), as it also is to assume that the chief priest of the Temple at Jerusalem held the primacy in the same way before the exile as after, (for detailed criticism see p. 184 n. 112).

¹⁰⁶ According to the list of Seleucids, B.M. 35603, published by A. J. Sachs and D. J. Wiseman, 'A Babylonian King List of the Hellenistic Period', *Iraq* 16, 1954, 202–12, Antiochus IV died between 19 November and 19 December 164 BC. This agrees with I Macc. 6.16: the year of his death was the Seleucid year 149 = autumn 164 to autumn 163.

of 311 BC¹⁰⁷ or 312 BC,¹⁰⁸ or from the autumn (1 Tishri) of 312 BC;¹⁰⁹ or even whether there are not two systems of numbering in I Maccabees, corresponding to the different scales in Babylonia and Syria-Macedonia, giving (a) a time-scale for political events, beginning with the autumn of 312; (b) a time-scale for use within Judaism, for ecclesiastical events, beginning in the spring of 311. On the basis of the list of Seleucids referred to in n. 106, J. Schaumberger¹¹⁰ has put forward this last solution. In fact this acceptance of a double time-scale in I Maccabees may well prove right, since it is the best explanation of the variations in dating political events in I and II Maccabees. Two examples may serve to illustrate this double enumeration in I Maccabees. (In II Maccabees the whole thing is much simpler, since there the dating follows the Jewish numbering apart from the two letters in ch. 11.) The first example refers to a political event, the second to an 'ecclesiastical' one within Judaism.

1. In both I Macc. 6.20–63 and II Macc. 13.1 there are reports of the campaign of Antiochus V Eupator against Judaea. According to I Maccabees it took place in the 150th year of the Seleucid era; according to II Maccabees it was the year 149. If we follow Schaumberger¹¹¹ it means not so much that one of the books of Maccabees gives false evidence, but rather that each one is based on a different reckoning of the Seleucid era. Actually they agree more readily if the campaign took place in the autumn of 163 BC, since this autumn, besides belonging, according to the Jewish reckoning used in II Maccabees, to the year 149 in the Seleucid era (i.e. spring 163 to spring 162), also belongs to the Seleucid year 150, according to the Syrian-Macedonian reckoning for political events (i.e. autumn 163 to autumn 162).

2. An examination of the report of events in the 160th Seleucid year, in I Macc. 10.1–21, shows that Jewish 'ecclesiastical' events in this book too are reckoned from the spring (of 311). After Alexander Balas set himself up as king (v. 1) Demetrius I Soter tried to win the friendship of the Jews (vv. 2–7), and as a result Jerusalem was fortified (vv. 8–14). Thereupon Alexander Balas made similar offers to the Jews (vv. 15–20). In this favourable political situation Jonathan assumed the high-priestly vestments

¹⁰⁷ W. Kolbe, *Beiträge zur syrischen und jüdischen Geschichte*, Stuttgart 1926, 47–57.

¹⁰⁸ Schürer I, 32–38 (ET I.1, 36–45), retracting his earlier opinion, and many others.

¹⁰⁹ Meyer, *Ursprung* II, 248 n. 1, *et alia*. According to S. Zeitlin, 'Megillot Taanit as a Source for Jewish Chronology and History in the Hellenistic and Roman Periods', *JQR*, NS 9, 1918–19, 81, the reckoning should be from the autumn of 313 BC, but this is impossible.

¹¹⁰ 'Die neue Seleukidenliste B.M. 35603 und die makkabäische Chronologie', *Biblica* 36, 1955, 423–35; cf. R. Hanhart, 'Zur Zeitrechnung des I und II Makkabäerbuches', in A. Jepsen and R. Hanhart, *Untersuchungen zur israelitisch-jüdischen Chronologie* (BZAW 88), 1964, 49–96.

¹¹¹ Schaumberger, *art. cit.*, 429f.

at the feast of Tabernacles (v. 21), which was celebrated from the 15 to 21 Tishri. If the Seleucid year began in the autumn, all the principal events of the Seleucid year 160 must have taken place between 1 and 14 Tishri! But this is out of the question. On the other hand, all difficulties are removed if the Seleucid year 160 is here reckoned as 'ecclesiastical' from spring (311), in which case the Seleucid year 160 fell in the period between spring 152 and spring 151. The conclusion is that I Maccabees uses a double reckoning of the Seleucid era; political events were dated from autumn 312, and Jewish 'ecclesiastical' ones from spring 311.

To return to our list of the last high priests, on p. 182: Onias II was the last legitimate high priest in the rightful Zadokite succession, according to the reliable interpretation of the book of Daniel (9.25f.; 11.22).¹¹² He was replaced, at the command of Antiochus IV, in 175 BC by his brother Jesus¹¹³ (he had adopted the name Jason) who had promised the king in return a considerable sum of money and the introduction of Greek customs into Jerusalem; and this in spite of the fact that according to the Law Onias II had a life-long right to his office, and that his son, also called Onias (III), was next in succession (II Macc. 4.7-22).¹¹⁴ The disruption of the high-priestly succession began with the illegitimate appointment of Jason as high priest in 175, for the fact that Jason too had high-priestly blood in his veins did not, in the people's sense of right, alter the illegality of his assumed rank (cf. the judgment of Daniel, 9.26f.; 11.22).

However, Jason did not enjoy for long his wrongfully acquired

¹¹² According to Josephus' numbering he is the third of his name. Actually this Onias is the son of the high priest Simon ('the Righteous', after 200 BC), and Josephus mistakenly duplicates him, as he did Simon, cf. p. 149 n. 7 and further H. Guthe, *Geschichte des Volkes Israel*, 3rd ed., Tübingen 1914, 318. For what follows cf. I and II Macc., *Ant.* 12.237-434; *B7* 1.31-47; also O. Holtzmann, *Neutestamentliche Zeitgeschichte*, 2nd ed., Tübingen 1906, 27-29; Schürer I, 194-226; ET I.1, 202-37; B. Stade and A. Bertholet, *Biblische Theologie des Alten Testaments* II, Tübingen 1911, 203-7, 276-9; Guthe, *op. cit.*, 318, 322-7; S. Zeitlin, 'Megillot Taanit as a Source for Jewish Chronology and History in the Hellenistic and Roman Periods', *JQR*, NS 9, 1918-19, 71-102; *ibid.* 10, 1919-20, 49-80 and 237-90; above all Meyer, *Ursprung* II, 131-66, 205-52; Schlatter, *Geschichte Israels*, 102-29.

¹¹³ With regard to dating: Jason was appointed by Antiochus IV Epiphanes, who was king in 175, and was three years in office (II Macc. 4.23). According to Dan. 9.26f. (see p. 185 n. 117) Menelaus was already high priest by the end of 172 (murder of Onias II). Thus Jason was high priest from 175-172.

¹¹⁴ Josephus' account in *Ant.* 12.237 seeks to conceal the irregularity in the succession of Jason, in that he lets Onias die a natural death in 175 and adds that his son Onias III was still a minor when his father died. This version is obviously wrong. The violent death of Onias II is certified in Dan. 9.26 and 11.22 and thus the version in II Macc. is confirmed.

title. After three years of office (II Macc. 4.23) Antiochus IV deposed him in 172 and replaced him with a non-Zadokite—an unheard-of outrage to the religious feelings of the people—one Menelaus from the priestly clan of Bilga, who had promised the king an ever higher fee (II Macc. 4.23ff.).¹¹⁵ Since the people rightly saw in Onias II, still living, the rightful high priest,¹¹⁶ Menelaus had him treacherously murdered at the end of 172 or early in 171 (II Macc. 4.34).¹¹⁷ Onias,¹¹⁸ enraged at the murder of his father, and now the rightful successor to the high-priestly title, resorted to force and succeeded in taking Jerusalem by a surprise attack, apart from the fortress¹¹⁹ where Menelaus had taken refuge (II Macc. 5.5). But Onias could not hold out against Antiochus IV, who recaptured Jerusalem in 169,¹²⁰ and Onias III had to flee, while Menelaus was reinstated in office. In this desperate situation Onias

¹¹⁵ He was not of Zadokite descent—v. 23, cf. 3.4 Armenian and Latin versions. Josephus tries to gloss over the fact that the legitimate succession had been broken, and speaks of Menelaus as brother of Onias II and Jason, and says that he was also called Onias (*Ant.* 12.238f; 15.41; 19.298; 20.235). It is highly unlikely, however, that the high priest Simon had two sons called Onias, i.e. Onias II and 'Onias Menelaus'. Josephus' purpose, as we have seen in n. 114 is quite obvious. His evidence on Menelaus' descent is, according to Meyer, a clumsy falsification to make the usurper Menelaus appear legitimate (Meyer, *Ursprung* II, 133).

¹¹⁶ The verdict of the people, e.g. in *Ass. Mos.* 5.4: 'Those . . . who are not priests, but slaves, sons of slaves.'

¹¹⁷ The account in II Macc. is preferable to Josephus's presentation in *Ant.* 12.237, where he says Onias II died a natural death in 175 BC, since both Dan. 9.26; 11.22 and possibly also Zech. 12.10ff., confirm Onias' death by violence; Dan. 9.26f. gives the date of Onias' murder as the beginning of the seven-year period Dec. 171 to Dec. 164.

¹¹⁸ III: *Bḡ* 1.31; 7.423 wrongly speak of Onias II, who was then already dead, see n. 117.

¹¹⁹ Josephus' account in *Bḡ* 1.31f., which probably goes back to Nicholas of Damascus, Herod the Great's court historian, though unquestionably preferable to the distorted account in *Ant.*, should be treated critically and with caution (see n. 118 and 120). According to *Ant.* 12.239f. and II Macc. 5.5–10 the previous high priest Jason had attempted an attack on Jerusalem. But the statement in II Macc. 5.8, that Jason had had to flee to Egypt, makes it seem likely that this originally referred to Onias III, who fled to Egypt and founded a temple at Leontopolis. The account in *Ant.* is completely distorted and prejudiced, since the account in *Ant.* 12.237ff. is dominated by the determination to conceal any irregularity in the succession of high priests (see nn. 114, 115 and 117) for which reason Josephus represented there the previous high priest, Jason, and not Onias III, as making the attack on Jerusalem in 170 BC.

¹²⁰ On his return from the first Egyptian campaign, according to I Macc. 1.20; *Ant.* 12.246 says in the Seleucid year 143, i.e. autumn 170—autumn 169 BC. According to *Bḡ* 1.31ff. and II Macc. 5.1–10, on his return from the second Egyptian campaign in 168 BC, but see dating in next note.

III turned to Egypt, where the Jewish community venerated him as the legitimate high priest, and obtained permission from Ptolemy VI Philometor (181–145) and his consort Cleopatra to build the temple at Leontopolis (*Bḡ* 1.33)¹²¹ The fact that Onias III resolved to build a temple in a heathen land, and moreover found priests, Levites, a community and the very considerable resources necessary to pursue his plan, and finally that this rival temple in a heathen land existed for 243 years, until its destruction by the Romans in AD 73, all would be completely incomprehensible if we did not know how ingrained in the Jewish race was the awareness that Onias III, as the son of the last rightful Zadokite high priest, Onias II, was the legitimate heir to the high priesthood.¹²² The legitimacy of the high priest, and the fact that the Temple of Jerusalem was desecrated by the Syrians, allayed all misgivings which must have arisen over the unhallowed place where the new temple was built. In the meantime the storm of religious persecution broke over Israel (169, or 167, to 164), with the Maccabean revolt, and in December 164 the desecrated Temple at Jerusalem was reconsecrated.

Josephus gives the impression that the Maccabees did not impugn the position of Menelaus as high priest.¹²³ This tolerance is not easy to explain, but may be due to an infinite respect for the authority of the high priest as such. It may also be due to the feeling that Onias III, the legitimate heir, had forfeited his claims by setting up a rival temple in Egypt, as also to the fact that the Maccabees were by no means as yet the undisputed masters of the situation: in 162, for example, they had to endure the appointment of a high priest by the Syrian king. Some such factor may underlie Josephus' account of the peaceful relations that ensued between the Maccabees and Menelaus.

¹²¹ Further *Bḡ* 7.436, (where only at 7.423 is Onias III confused with his father Onias II): the temple at Leontopolis was destroyed after 343 (read 243) years of existence, in AD 73. It was therefore founded in 170 or 169 BC. According to *Ant.* 12.387; 20.236, Onias III fled to Egypt only after the high priest Menelaus was murdered and Alcimus appointed (162). This later dating is not reliable, since we have found elsewhere in *Ant.* statements which are suspect (see nn. 114, 115, 117 and 119). There is the further objection that the year 169, at the beginning of the religious persecution, is much more reasonable than 162, two years after it was over. Finally the length of time already quoted for the existence of the Temple at Leontopolis does not support the chronology in *Ant.*

¹²² Cf. *Bḡ* 7.423–432 on Onias III's hope to bring the whole Jewish nation to his side by building this temple.

¹²³ *Ant.* 12.382 ff., esp. 385, says that Menelaus held the office for ten years to the beginning of 162 (when peace was concluded between Antiochus V and the Jews, for the dating of which see p. 184 n. 113.)

However, it is not certain that the Maccabees did tolerate the collaborator Menelaus as high priest, especially as I Macc. 4.42 reads: 'So he [Judas] chose priests of blameless conversation, such as had pleasure in the law.' The most we could say is that Menelaus was nominally high priest until 162.¹²⁴ It is certain that in the year 162 the ten-year-old Antiochus V Eupator, at the instigation of his guardian, the general Lysias, had Menelaus put to death in order to gain favour with the Jews.¹²⁵ The priest Jacim (Alcimus), who had by this time (162) been made high priest by the Syrians,¹²⁶ was certainly not in the direct line of succession to the last lawful high priest Onias II, but he was at least a Zadokite.¹²⁷ The fact that now, after Menelaus, there was again a man with Zadokite ancestry as high priest was enough to revive the hopes of the people, and the Hasidim (Pharisees) deserted the Maccabees and joined him (I Macc. 7.12ff.). However, they were bitterly disappointed in the man on whom they had set their hopes (I Macc. 7.16ff.; 9.54-57; II Macc. 14.3f.; *Ant.* 12.395ff.), and moreover his term of office soon ended with his death in May 159.¹²⁸

¹²⁴ Schürer I, 215 (ET I.1, 225f.) n. 16, assumes that Menelaus 'was naturally unable, in the presence of Judas who was in possession of the actual power, to exercise the functions of the high priest's office', similarly Schlatter, *Geschichte Israels*, 116. On the other hand Meyer (*Ursprung* II, 211, 214, 224, 233) presumes that Menelaus remained in office. Unfortunately we have no source which gives clear information on the attitude of the Maccabees to Menelaus.

¹²⁵ *Ant.* 12.385; 20.235; II Macc. 13.3-8. On the dating, the execution took place in connection with the peace treaty between Antiochus V Eupator and the Jews, at the beginning of 162 according to Josephus' account, but II Macc. puts it before Antiochus V's campaign against Judaea in the late summer of 163, which sounds less likely.

¹²⁶ According to *Ant.* 12.385; 20.235 Alcimus was appointed by Antiochus V Eupator (163-autumn 162); according to I Macc. 7.5ff. and II Macc. 14.3ff., however, he was appointed by Demetrius I Soter (autumn 162-150). But II Macc. as well as Josephus (see last note) has Menelaus, Alcimus' predecessor, executed earlier under Antiochus V in 162 (II Macc. 13) and has Alcimus (14.3, 7) already appointed high priest before the time of Demetrius. Since the change of high priest was connected with the peace treaty between Antiochus V and the Jews at the beginning of 162 (*Ant.* 12.383ff.) Josephus' dating is certainly right (as against Schürer I, 216 (ET I.1, 227) n. 23, but giving no reason), and Alcimus' appointment took place as early as the beginning of 162 and not in the autumn of that year.

¹²⁷ *Ant.* 20.235: 'of Aaron's line', though not of the reigning high-priestly family. *Ant.* 12.387: 'he was not of the family of high priests'. I. Macc. 7.14: 'a priest of the line of Aaron'. In II Macc. 14.7 Alcimus describes his high priestly authority to Demetrius I as *προγονική δόξα*.

¹²⁸ According to I Macc. 9.54, it was in the Seleucid year 153, i.e. spring 159-spring 158, in the second month.

The situation in Jerusalem had now become very confused as a result of the arbitrary interference by the Syrian kings in the high priestly succession, and of the fact that the legitimate successor, Onias III had gone to Egypt. This confusion is shown most clearly from Josephus' report that from 159–152 the highest priestly office in Judaism remained vacant (*Ant.* 20.237).¹²⁹

Let us review again the high-priestly succession in the sixteen years in question (175–159 BC). After the deposition of the last lawful high-priest of Zadok's line, Onias II (175) there followed: (1) A Zadokite usurper, Jesus-Jason, (175–172). (2) A priest from the clan of Bilga, Menelaus, (172–162). (3) A Zadokite who was not of the lawful succession, Jacim-Alcimus (162–159). The lawful Zadokite successor to the high priesthood, Onias III, had fled to Egypt and founded a rival temple in Leontopolis, so in 159 Jerusalem was without a high priest.

For seven years this state of affairs continued, with Jewry lacking a religious leader, until autumn 152, when at the feast of Tabernacles¹³⁰ Jonathan the Hasmonean (161–143/2), then ruler of the Jews,¹³¹ assumed the high priestly vestment. Until then the *bēt hašmōnay*¹³² had been merely a family of priests within the

¹²⁹ However, according to *Ant.* 12.414 and 434 the people had already handed over the high priesthood to Judas the Maccabee after the death of Alcimus, presumably in 161, and he held the office for three years (161–158), and accordingly *Ant.* 13.46 reckons the interregnum as four years, not seven. That is obviously tendentious and cannot possibly be right, since I Macc. knows nothing of Judas being high priest and according to the dating in I Macc. 9.3, which is assuredly correct, Judas had already been killed in the first month (i.e. Nisan) of the Seleucid year 152 = April 160 BC. (This calculation assumes that the 'ecclesiastical' Seleucid years were from spring to spring, see p. 183, thus 152 was from spring 160 to spring 159. But even if the Seleucid year is reckoned from the autumn, so that the Seleucid year 152 runs from autumn 160 to autumn 159, in which case Judas' death (Nisan of the Seleucid year 152) took place in April 159, he would still have been killed before the death of Alcimus which, according to I Macc. 9.54 occurred in the following Seleucid year, 153 (see previous note).

¹³⁰ I Macc. 10.21: 'In the seventh month [Tishri] of the one hundred and sixtieth year at the feast of Tabernacles'. The Seleucid year 160 is from spring 152 to spring 151. The seventh month is Tishri (September–October), and the feast of Tabernacles was held from 15–22 Tishri. Therefore, it was the beginning of October 152.

¹³¹ The Hasmoneans later took the title of king, according to *Bḡ* 1.70; *Ant.* 13.301, with Aristobulus I (104–103); but according to the evidence of coins and of Strabo (XVI, 2.40) only with Alexander Jannaeus (103–76). This is not a contradiction, for an internal use of the royal title may have preceded the official proclamation.

¹³² Targum Pseudo-Jonathan I Sam. 2.4 says *hašmannay*. *Ant.* 12.265 calls Mattathias, the valiant priest and father of five Maccabees, 'Son of John the son

priestly clan of Joiarib, one of the daily courses of which there were four to nine in each priestly clan (weekly course).¹³³ The Hasmoneans earned their right to the high-priestly title, which the Syrians offered them, by their services to the people in preserving them from danger of religious extinction by the Syrian persecution. Also of influence was the fact that the Oniads, lawful successors to the high-priesthood, were serving in the temple of Onias at Leontopolis, which was not recognized in Jerusalem.

However, the origin of the Hasmonean family had not been forgotten. There were the Pharisees who regarded with suspicion the Hasmonean high priests and princes, as descendants of an ordinary priestly family, and disputed their right to the office. When they sought to bring about the resignation of the Hasmoneans from the high priesthood, by opposing John Hyrcanus (134–104) and Alexander Jannaeus (103–76) on the grounds that John's mother had been a prisoner of war (see above pp. 155f.), we must not forget that this objection was only part of their protest. Their opposition was not simply against sons of a prisoner of war, but against any descendant of an ordinary priestly family taking upon himself an office to which he was not entitled. The deep conviction of the unlawfulness of the Hasmonean high priesthood, which stemmed from an ordinary priestly family and one which had only returned to the homeland a considerable time after the end of the Exile, is shown in the following Tosephta passage:¹³⁴ 'And so they [the Jerusalem prophets] agreed with them [the twenty-four weekly courses of priests]: "Moreover if Joiarib [the priestly stock to which the Hasmoneans belonged] should have come back from the Exile, not one [weekly course] may be set aside for their sake, but they shall be simply an appendix to it [one of the weekly courses]".' This means that the Hasmoneans had not even a claim to full membership of a priestly course, not to mention the title of high priest. But the Hasmoneans made good their position, and from the first incumbent of the new position, Jonathan, it passed to his brother Simon (142/1–134) and from then on remained hereditary in the Hasmonean family.

of Simeon, the son of Asamoniaios'; *Bḥ* 1.36. however calls Mattathias 'the son of Asamoniaios'. A comparison of the three statements shows that the name Asamoniaios (*ḥašmōnay*) was possibly not the name of his great-grandfather but a family name.

¹³³ T. Taan. ii.2, 216; j. Taan. iv.2, 68a.14, says five to nine daily courses.

¹³⁴ T. Taan. ii.1, 216; j. Taan. iv.2, 68a.8–12; b. Taan. 27b; b. Arak. 13a.

For 115 years, until the conquest of Jerusalem by Herod the Great and C. Sosius the Roman governor of Syria in July 37 BC, the Hasmoneans were high priests in unbroken succession, and provided eight high priests during this time. Then they were exterminated by Herod, for the Idumean upstart rightly saw in them the principal threat to his rule. In 35 BC there was just one more Hasmonean high priest, the seventeen-year-old Aristobulus, appointed by his brother-in-law Herod. As he walked to the altar, at the feast of Tabernacles in 35 BC, the people acclaimed him tumultuously, even with tears (*Ant.* 15.50–52; *Bḡ* 1.437). That was reason enough for Herod to have the young man drowned immediately after the festival, in a pool near Jericho (*Ant.* 15.53–56; *Bḡ* 1.437). Aristobulus was the last high priest of his family. Herod wallowed in blood. He put to death even the distant relatives of the Hasmonean line,¹³⁵ so that no single male Hasmonean was left alive to be considered as ruler and consequently as high priest.¹³⁶

A third epoch began with the sack of Jerusalem in 37 BC, with the abolition of the life-long nature of the high priestly office together with the principle of succession. With two exceptions, Herod nominated 'insignificant persons who were merely of priestly descent' to the high priesthood (*Ant.* 20.247; *T. Yom.* i.7, 180), the exceptions being Ananel the Babylonian (see p. 193) and Aristobulus the Hasmonean mentioned above. He deposed the high priests and appointed others at will. This anomalous state of affairs continued until the destruction of the Temple in AD 70, and in this way no less than twenty-eight high priests filled the highest priestly office during the 106 years from 37 BC to AD 70, of whom twenty-five were of ordinary priestly families. This number should be compared with the eight Hasmonean high priests who held office in the longer period of 115 years.

We will summarize the findings in numbers once again, and for this we follow Josephus' evidence (*Ant.* 20.224ff.), whereby we observe that he reckons Menelaus as the fifteenth Zadokite to serve in the Temple, though actually his nine years of office should be re-

¹³⁵ The 'sons of Baba', murdered by Herod, were hidden at first by a leading Idumean called Costobar, but fell victim to Herod's vengeance in 28 or 27 BC. They must have been very distant relatives of the Hasmonean line, since the name does not occur anywhere else. Even so, they did not escape. They were the last surviving male members of the Hasmonean line (*Ant.* 15.260–266.)

¹³⁶ *Ant.* 15.266: 'so that none was left alive of the family of Hyrcanus'. The complete extermination of the Hasmoneans is also reported in *b. B.B.* 3b.

garded as an interregnum since he was not a Zadokite. Josephus calculates 83 high priests¹³⁷ from Aaron to the destruction of the Temple.

Complete List of High Priests According to Josephus

		High priests	Years
<i>First period:</i> Zadokite	(a) From the Exodus ¹³⁸ to the building of the First Temple (Solomon's)	13	612
	(b) In the First Temple	18	466½
	The Exile	—	70
	(c) In the Second Temple (Menelaus included)	15	412
		46	1560½
Interregnum	(a) The priest Alcimus	1	3
	(b) Period without high priest	—	7
<i>Second period:</i> ¹³⁹ Hasmonaean		8	113½
<i>Third period:</i> ¹⁴⁰ Herodian and Roman (37 BC to AD 70)		28	107
	TOTAL	83	1791

This historical survey makes it possible to achieve a clear concept of the priestly aristocracy. There were in the first century AD two groups of high priestly families, one legitimate, one illegitimate. The

¹³⁷ *Ant.* 20.227. For this figure, see the Talmud, where in the second Temple (Exile to AD 70) some passages give 80, some 81, 82, 83, 84 and 85 officiating high priests (j. Yom. i.1, 38c.39).

¹³⁸ *Ant.* 20.230; Josephus counts from the Exodus, not from the building of the Tabernacle.

¹³⁹ Feast of Tabernacles 152 to July 37, so really 114¾ years.

¹⁴⁰ July 38 BC to 10 Ab (roughly August) AD 70, so really 106 years 1 month.

legitimate group comprised simply and solely the Zadokites serving in the Temple of Onias at Leontopolis and the families descended from this ruling line. The illegitimate were the priestly families from the midst of whom one or more members had been raised to the highest spiritual dignity by variable winds of chance and politics since 37 BC, since the Hasmoneans, who formed a group between these two and had held the high priesthood for more than a century, though descended from an ordinary priestly family, were finally exterminated. This is indeed the picture which the sources give us.

In the fourth book of his *Jewish War* Josephus describes how the Zealot leader John of Giscala took possession of Jerusalem in early November AD 67, and how the Zealots soon altered the arrangements for electing the high priest. These public benefactors, to whom nothing came amiss which would increase their own power, gambled in their dealings on the sentiments of the law-loving sector of the populace; but they may also have been partly in earnest. First, 'abrogating the claims of those families from which in turn the high priest had always been drawn, they appointed . . . low-born individuals' (*Bḥ* 4.148, cf. 153). This refers to the priestly families just mentioned, from whom the high priests had been nominated since 37 BC. The Zealots were right: these families were ordinary priestly families and as such illegitimate. In their stead the new masters appealed to ancient custom, whereby the high priest was chosen by lot. 'They accordingly summoned one of the high-priestly clans, called Eniachin, and cast lots for a high priest' (*Bḥ* 4.155).

A 'high-priestly clan'—Josephus deliberately uses the word clan as the one most suitable in this connection—can only be a family which was descended from the legitimate Zadokite high-priestly family, which had provided the high priests in Jerusalem until 172 BC, and after that in Leontopolis. This high-priestly clan lived in the country and was no different from other priestly families, particularly with regard to the training of its members. Phanni, the high priest chosen by lot who came from the village of Aphthia (Pinhas from Ḥabtā' in the Rabbinic tradition), was a stonemason¹⁴¹ and a wholly

¹⁴¹ According to T. Yom. i.6, 180; Lev. R. 26.9 on 21.10 (Son. 338); Siphra Lev. 21.10, 47c, priestly emissaries took him away from his stone-cutting to Jerusalem. His relation Hananiah b. Gamaliel II (c. AD 120) maintained, by appealing to I Kings 19.19, 'that he had been brought from the plough to his new authority' (T. Yom. i.6, 180; Siphra Lev. 21.10, 47c) but this is a picture coloured by I Kings 19.19.

uneducated man (*Bḥ* 4.155). But this clan had the advantage of Zadokite descent, and this was why it came to the Zealots' minds.¹⁴² If we disregard the high priest Eleazar of the bar Kochba rebellion, the last high priest of Jewish history was thus a Zadokite.

The Eniachin were not the only Zadokite clan. Another priestly family, descended from the lawful high priestly line, lived in Babylonia. It produced Ananel, whom Herod appointed first high priest after the sack of Jerusalem in 37 BC.¹⁴³ Thus Herod, too, as would the Zealots later, played the role of guardian of tradition, when he appointed a descendant of the legitimate Zadokite family as high priest in place of the Hasmonean 'usurper', even though he prudently chose a man of no importance.¹⁴⁴ Hence it follows from what has been said that in the first centuries before and after Christ there were priestly families descended from the lawful Zadokite line,¹⁴⁵ and that the first and the last high priest to hold office between 37 BC and AD 70 were of Zadokite descent. It is very enlightening to see that the Zadokite family, though politically obscure, stood in the popular view high above the influential but illegitimate high-priestly families. In the east, ancestry has always counted more than power, in fact it is regarded as divinely ordained, and this is something we shall have to establish again and again.

Influence and power were certainly on the side of the illegitimate high-priestly families, and thus of those from which, with three exceptions, the high priest had been nominated since 37 BC. Of the last twenty-eight Jewish high priests who were in office from 37 BC to AD 70, only the first and the last belonged, as we have seen, to a legitimate family: the Babylonian Ananel (37–36/5 BC; from 34 the second time), and the stonemason Pinḥas of Ḥabtā (AD 67/8–70). There had been, moreover, one more Hasmonean high priest in 35 BC in the person of Aristobulus. All the other twenty-five high priests

¹⁴² Schürer I, 618 (ET I.2, 228): 'He was a man from the people; and this was the main thing'—but this opinion ignores the main thing, which was the ancestry of the high priest chosen by lot.

¹⁴³ *Ant.* 15.40, cf. 22; M. Par. iii.5 calls him an Egyptian.

¹⁴⁴ It is entirely wrong to explain the passage in *Ant.* 15.22, which says that Herod nominated none of the influential native priests, but an undistinguished foreigner, by saying, against Josephus, that Ananel came from 'an inferior priestly stock' (Schürer II, 269, ET II.1, 197, similarly Otto, *Herodes*, col. 38). That is certainly not true.

¹⁴⁵ To such a family belonged the celebrated priest R. Zadoq, who taught in Jerusalem before AD 70. *ARN* Rec. A, ch. 16 (Goldin 84,) reports that he was of high-priestly descent. It is no accident that he was called Zadoq!

belonged to ordinary priestly families. These families, so suddenly raised to the nobility, who came partly from abroad, partly from the provinces,¹⁴⁶ quickly formed a new and powerful, if illegitimate, hierarchy. There were essentially four families in this hierarchy, each of which strove to keep the highest priestly office to itself for as long as possible. Of the twenty-five illegitimate high priests of the Herodian-Roman epoch no fewer than twenty-two belonged to these four families: eight from the family of Boethus,¹⁴⁷ eight of Hannas, three of Phiabi and three of Kamith. It can be assumed that the three remaining high priests had some connection with these families.¹⁴⁸

Originally the most powerful of the four families was that of Boethus.¹⁴⁹ This family came from Alexandria. Its first representative was the high priest Simon,¹⁵⁰ the father-in-law of Herod.¹⁵¹ This family managed in time to come, to produce seven further members for the high priesthood, and its powerful influence can be seen, too, in the name 'Boethuseans' by which a section of the Sadducees, and probably even the whole party, was known (T. Sukk. iii.1, 195; b. Sukk. 43b; T. Yom. i.8, 181 etc.).

In the following period, the family of Boethus was overtaken by the house of the high priest Annas¹⁵² whose five sons, along with his

¹⁴⁶ The house of Boethus came from Alexandria. The high priest Joseph b. Elam, who deputized on the Day of Atonement in 5 BC and so was included in the list of twenty-eight high priests, came from Sepphoris (T. Yom. i.4, 180; b. Yom. 12b; j. Yom. i.1, 38d.1). The high-priestly family of *bet^alōbay* (j. reads '*a*nōbay) came from *ṣ^ebiyīm* (j. reads *bet ṣ^ebō'īm*); the high-priestly family of *bet qayyāphā* (j. reads *n^eqīphī*) came from *beth m^eqōṣeš* (j. reads *bet qōṣēš*): T. Yeb. i.10, 241; j. Yeb. i.6, 3a.46. (b. Yeb. 15b takes the place names as proper names.) The last-named family could be that of the high priest Caiaphas, cf. p. 194 n. 21.

¹⁴⁷ Apart from the six members of the house of Boethus mentioned in Schürer II, 275 (ET II.1, 204); Matthias, son of Theophilus (5–4 BC), who according to *Ant.* 17.164 was the son-in-law of Simon called Boethus (22–5 BC), must be reckoned with the house of Boethus, together with Joseph, son of Elam (5 BC), who was related to Matthias, and indeed closely related since he deputized for him (*Ant.* 17.164).

¹⁴⁸ The three were: Jesus son of See (to AD 6), Ananias son of Nebedaeus (from c. AD 47 onwards) and Jesus son of Damnaios (c. AD 62–63).

¹⁴⁹ In b. Pes. 57a Bar. it is named as the first, and after it the kindred family of Qathros (Kantharas).

¹⁵⁰ He was occasionally called after his family, Boethus, e.g. in *Ant.* 19.297.

¹⁵¹ 22–5 BC,—note the long term of office, seventeen years. On the dating: Simon was appointed after the end of the famine (*Ant.* 15.319ff.) which can be placed in 24–22 BC on the basis of the chronology of the sabbatical years (cf. my article 'Sabbathjahr', *ZNW* 27, 1928, 98f. = *Abba*, 233f.).

¹⁵² AD 6–15, so nine years in office, Luke 3.2; Acts 4.6; John 18.13, 24.

son-in-law Caiaphas¹⁵³ and his grandson Matthias (AD 65), held the premier rank. The house of Kamithos, like that of Phiabi, provided three high priests according to Josephus, but the legendary account of the Talmud says seven, who were said to have been brothers, of whom at least one, and possibly two, must have held office as deputy for his brother who was prevented from officiating by ceremonial defilement.¹⁵⁴ The foundation of the power of these few families can be found in the famous lament (b. Pes. 57a Bar.; T. Men. xiii.21, 533) raised against the new hierarchy of Abba Saul b. Batnith (living in Jerusalem before AD 70—according to b. Betz. 29a Bar., before the destruction of the Temple—and teaching until about 100), in the name of (Tos: ‘and’) Abba Joseph b. Hanin¹⁵⁵ (before 70, in Jerusalem):

‘Woe unto me because of the house of Baithos [Boethus]; woe unto me for their lances [or ‘evil-speaking’]!

Woe unto me because of the house of Hanin,¹⁵⁶ woe unto me for their whisperings [or ‘calumnies’]!

Woe unto me because of the house of Qathros [Tos: Qadhros, meaning Kantheras],

woe unto me because of their reed pens!¹⁵⁷

¹⁵³ c. AD 18–37, so nineteen years in office. Frequently referred to in the New Testament. Cf. also p. 194 n. 146. The usual dating of Caiaphas’ retirement in AD 36 is unthinkable. According to *Ant.* 18.89 Vitellius, governor of Syria, sent Pilate to Rome to give account of himself, and afterwards (18.90ff.) went to Jerusalem for the Passover and on this occasion deprived Caiaphas of office (95). Now Pilate did not get to Rome until after 16 March, AD 37, after the death of Tiberius, and was therefore not dismissed from office before the end of 36, probably early in 37. This being so, Vitellius was in Jerusalem at the Passover of AD 37, and Caiaphas was then deposed. Cf. Otto, *Herodes*, col. 193ff., and notes; his mistake is simply that he confuses the first visit of Vitellius with his second, *Ant.* 18.122ff. This is quite wrong, because at this second visit Caiaphas’ successor Jonathan was deprived of office. Since Vitellius received news of Tiberius’ death at the second visit, when the voyage from Rome to Palestine took one to three months because of changeable winds, the second visit was definitely at Pentecost 37. Jonathan, Caiaphas’ successor, was only fifty days in office, from Passover to Pentecost 37.

¹⁵⁴ b. Yom. 47a gives the brothers who deputized as Jeshebab and Joseph. The parallel in T. Yom. iv.20, 189, mentions only one brother as deputy; and those in Lev. R. 20.7 on 16.1–2 (Son. 20.11, 263), in j. Yom. i.1, 38d.6, in j. Meg. i.12, 72a. 49, and *Tanhuma aḥare mot* 7, 117a. 24 etc., call him Judah.

¹⁵⁵ Tos.: ‘Abba Jose b. Johanan, citizen of Jerusalem.’ The name is the same, only the style is different. Possibly Tos. is thinking wrongly of the scribe of this name, mentioned in M. Ab. i.4, who lived about 150 BC.

¹⁵⁶ Tos: Alhanan, also meaning Annas. Variant reading in b., Hanin, is better.

¹⁵⁷ Tos. adds, ‘Woe unto me because of the house of Elisha, woe unto me because of their fist!’

Woe unto me because of the house of Ishmael b. Phiabi,
 woe unto me because of their fist!¹⁵⁸
 For they are high priests and their sons are treasurers
 and their sons-in-law are Temple overseers [*'amarkelīn*, pp. 165ff.],
 And their servants smite the people [Tos: 'us'] with sticks.'¹⁵⁹

This lament reveals the characteristic complaint of the people and the *clerus minor* against the illegitimate new hierarchy, and also contains excellent historical material. Both author and writer belong to the Jerusalem before the destruction of the Temple, and the passage mentions the same three high-priestly families (Boethus, Annas and Phiabi) which as we see from Josephus were the actual power in the land.¹⁶⁰

From this cry of woe we learn that the influence of the new aristocracy depended on their power politics, exercised sometimes ruthlessly ('lances', 'fist') sometimes by intrigue ('whisperings', 'reed pens'), and that by this means they were able to control the most important offices in the Temple as well as the taxes and money: this meant all the permanent chief-priestly offices at Jerusalem, such as that of captain of the Temple—we see on p. 162 that this was usually filled by a near relative of the high-priest—and the Temple overseer immediately below him, as well as the office of Temple treasurer. Thus the text shows that they took care to choose all the chief priests from among the sons and sons-in-law of the high priests and former high priests.

The New Testament attests this nepotism of the new hierarchy in a passage which is often misinterpreted. Acts 4.5–6 describes a con-

¹⁵⁸ These last words are missing in Tos. but they have already appeared in the sentence before (cf. n. 157).

¹⁵⁹ The Tosephta text is less good, see nn. 155, 156; note especially the sudden, extraordinary appearance of a house of Elisha. No high priest Elisha, or the son of Elisha, is to be found in the complete list of high priests for the last 100 years before the destruction of the Temple, which Josephus gives us. Now we have the following rabbinic references: (1) in our passage, a high-priestly house of Elisha; (2) b. Ber. 7a Bar. and b. Gitt. 58a, we find a certain Rabbi (sic!) Ishmael b. Elisha, ministering as high priest in the Holy of Holies; this can only mean one of the two similarly named high priests Ishmael b. Phiabi (I, about AD 15–16; II, to AD 62), who has been confused with R. Ishmael b. Elisha (d. AD 135); (3) The R. Ishmael b. Elisha who was executed in AD 135 swore (T. Hall. i.10, 98) by the high-priestly robe of his *abbā*, but he could not have meant his father since there was no high priest Elisha, but his forefather, presumably the high priest Ishmael b. Phiabi II. We must therefore conclude that, by the house of Elisha the Tos. text means the house of Phiabi, and has duplicated it.

¹⁶⁰ The high priest Simon Kantheras was a son of Boethus, so his house belonged to the house of Boethus.

vening of the Sanhedrin in the following way: v.5: 'On the morrow . . . their rulers and elders and scribes were gathered together in Jerusalem'. v.6: 'and Annas the (former) high priest was there, and Caiaphas, and Jonathan,¹⁶¹ and Alexander, and as many as were the kindred of the high priest.' Verse 5 lists the three groups known to form the Sanhedrin, chief priests, elders and scribes, but the word 'rulers' is used here, as in v.8 of the same chapter (cf. v.8 with v.23)¹⁶² and again and again in Josephus,¹⁶³ in place of the otherwise more favoured ἀρχιερεῖς.

Now v.6 does not introduce a different group of members, other than Sanhedrin, but as the appositional nominative shows simply mentions individually the members of the first, most important group, the 'high priests', i.e. the Jerusalem chief priests (see pp. 178ff.). In this group were (a) the former high priest Annas (in office AD 6–15), mentioned first because of his age and influence; (b) the reigning high priest, his son-in-law Caiaphas (c. AD 18–37); (c) Jonathan, son of Annas (AD 37), who succeeded his brother-in-law Caiaphas as high priest a few years after the events narrated in Acts 4,¹⁶⁴ and so was in all probability captain of the Temple at the time;¹⁶⁵ (d) an otherwise unknown Alexander; and (e) those members of the high-priestly family who held chief-priestly offices at the Jerusalem Temple.

Here again Acts 4.5–6 confirms the Talmudic statement, that the new hierarchy filled all the chief influential positions in the Temple with their own relations as a matter of course. Not only was the son-in-law of the former high priest Annas the reigning high priest, and his son captain of the Temple, but the ruling house of Annas had others, and perhaps all, of the chief-priestly positions in its control.

The strength of this power which the new hierarchy had taken

¹⁶¹ Most MSS read Ἰωάννης, but *D, d, g, p, prov., tepl., Ἰωνάθας*. Since John occurs about 135 times in the NT, and Jonathan otherwise not at all, and since the names are interchanged elsewhere (Zahn, *Die Apostelgeschichte* 1, 3rd ed., Leipzig 1922, 167 n. 88; Kirsopp Lake, *Beginnings* IV, 42; C.S.C. Williams, *Acts*, London 1957, 83), there is evidence for accepting the Western variant Jonathan.

¹⁶² Perhaps this same usage occurred earlier in I Macc.; cf. 1.26 'rulers and elders' with 7.33; 11.23, 'priests and elders'. 14.28 is somewhat different, where 'priests, rulers of the people and elders of the land' appear side by side.

¹⁶³ See the examples in Schürer II, 252 nn. 41f.; ET. II 1, 178 nn. 483f.

¹⁶⁴ *Ant.* 18.95, See p. 195 n. 153 on his brief office of only 50 days.

¹⁶⁵ *J. Yom.* iii.8, 41a.5: 'The high priest was not nominated to the office unless he had first been captain of the Temple', see p. 162. This must have been all the more so when the family of Annas was in office, for they at that time in particular had great power at their command: no other high priest of the first century AD had so long a period of office as Caiaphas.

to itself—whereby they controlled not only the Temple, the cultus, the priestly court (pp. 177f.), a considerable number of seats in the highest governing body, the Sanhedrin (see p. 179), but also the political leadership of the whole nation¹⁶⁶—can best be gauged from the distribution of command at the outbreak of the rebellion against Rome in AD 66. In fact, one of the two commanders in Jerusalem was the former high priest Ananus. Of the two commanders of Idumaea one was a chief priest, the other the son of the high priest Ananus. While there were three priests in command over Galilee we do not know the background of the four remaining commanding officers in Jericho, Perea, Thamna and Gophna with Acrabatta (*Bj* 2.562ff.; Galilee—*Vita* 29). Along with the political power, the priestly aristocracy through family influence obtained possession of the administration of Temple finances, a circumstance of no small importance. ‘Their sons are treasurers, . . . and their servants smite the people with sticks,’ says the lament of Abba Saul, which calls to mind the complaint of violence on the part of the servants, described on p. 181, in forcibly and unlawfully taking from the priests of the twenty-four weekly courses their rightful share of tributes and offerings. In fact, we have proof that most of the families in the new hierarchy had control of great wealth, as did the houses of Boethus, Annas and Phiabi.¹⁶⁷

Riches and power the new hierarchy had in plenty, but these could in no way make up for their lack of legitimacy.

D. THE ‘ORDINARY’ PRIESTS (*kōhēn hedyōt*)

Over against this priestly aristocracy there stood the majority of the priesthood. At the heart of Jewry, they formed a closed circle, an hereditary community tracing its genealogy back to Aaron and inheriting thus the dignity of office. They were divided into priestly clans by ancient tradition. Already in the year 445 BC, when the Law was solemnly ratified, there were twenty-one priestly classes, or courses (*Neh.* 10.3–9). In the fourth century, near the end of the Persian period, there appears a second list, mentioning twenty-two; five of the older classes have disappeared, and six new ones have

¹⁶⁶ Leading priests nearly always took part in delegations, e.g. *Ant.* 20. 194, etc.

¹⁶⁷ I have collected the evidence on pp. 96ff. above. Cf. the precept in *T. Yom.* i.6, 180, that the wealth of the high priest had to exceed that of the rest of the priesthood.

been added (Neh. 12.1-7, 12-21). I Chronicles mentions for the first time twenty-four classes; again, twelve older classes have disappeared and fourteen new ones have appeared (I Chron. 24.1-19). In I Chron. 24.7 the priestly family of Jehoiarib, to which the Maccabees belonged (I Macc. 2.1; 14.29), is named in the first place, while it is completely absent in Neh. 10.3-9 and appears in Neh. 12.1-7 and 12-21 in a subordinate position. Consequently this third list must have been compiled during the Maccabean period.¹⁶⁸

The division of the priesthood into twenty-four courses, each of which did service for one week in Jerusalem from sabbath to sabbath (CA 2.108; *Ant.* 7.365; Luke 1.8)—for which reason they were called weekly courses—was the system prevailing at the time of Jesus.¹⁶⁹ These twenty-four priestly clans included all the priests living in Judaea and Galilee.¹⁷⁰ Each priestly clan (weekly course)¹⁷¹ was divided into four to nine priestly families (daily courses),¹⁷² carrying out in turn their section of the weekly course during the seven days of their turn of duty. We have already come across an example of this division (pp. 188f.) in the form of *bēt hašmōnay*, a daily course forming part of the weekly course of Jehoiarib. At the head of the weekly course stood the *rōš hamišmār*, and of the daily course the *rōš bēt 'āb* (see pp. 163ff.). Thus we see the priesthood divided into twenty-four weekly courses, which in their turn were divided into about 156 daily courses.

This enquiry is not concerned at this point with a description of the liturgical activities of the priests, but in connection with the social structure of the priesthood we must discuss the question of the number of Jewish priests.

The Talmud exaggerates wildly when it says that the smallest of the weekly courses, belonging to Shihin in Galilee, alone produced

¹⁶⁸ The text of Tosephta cited above, p. 189, also shows that the classification in I Chron. 24. 7-8, which puts the priestly clan of Jehoiarib in the first place, must be of a later date.

¹⁶⁹ *Ant.* 7.365f.; *Vita* 2; T. Taan. ii.1, 216 and par. (p. 189 n. 134); Luke 1.5-8; Cant. R. 3.12 on 3.7 (Son. 161), *et passim*.

¹⁷⁰ Priests in Galilee: Shihin in Galilee: j. Taan. iv.8, 69a.53; Sepphoris: p. 194 n. 146; T. Sot. xiii.8, 319; j. Yom. iv.3, 43c.58; b. Yom. 39a; Schlatter, *Geschichte Israels*, 136; Büchler, *Priester*, 196-202.

¹⁷¹ *Mišmār* (watch); *Vita* 2: ἐφημερίς, πατριά; Luke 1.5, 8: ἐφημερία.

¹⁷² *Bēt āb*; *Vita* 2: φυλή. Oddly, Josephus' Greek wrongly transposes the appellations, calling the weekly course the 'daily course' (ἐφημερίς) and, on the other hand, describing the daily course under the general term 'clan' (φυλή). We find the number of daily courses to one weekly course in T. Taan. ii.1-2, 216: four to nine daily courses; and in j. Taan. iv.2, 68a.14: five to nine courses.

some 85,000 young priests (j. Taan. iv.8, 69a.53). In contrast, according to Pseudo-Hecateus¹⁷³ the number of priests was only 1,500 (CA 1.188). But this number too cannot be accepted, for, as Büchler has rightly seen,¹⁷⁴ this may well be only the number of priests living in Jerusalem.¹⁷⁵ This concurs with the evidence in Neh. 11.10–19, where there were 1,192 priests living in Jerusalem in 445 BC.¹⁷⁶ On the other hand, we have useful evidence in the letter of Pseudo-Aristeas, written in the last decades of the second century BC, that during his visit to the Temple, 700 priests were on duty besides the vast number of those who offered the sacrifices (Arist. 95). He intends the number 700 to represent the number of priests and Levites in the *weekly* course; to them he adds those offering the victims, i.e. the priests of the *daily* course. Thus, from Pseudo-Aristeas, we arrive at a total of about $750 \times 24 = 18,000$ priests and Levites.

It is encouraging that this number fits in with Old Testament evidence. According to Ezra 2.36–39 = Neh. 7.39–42, there returned from exile with Zerubbabel and Joshua four families of priests, comprising 4,289 men, together with 74 Levites (Ezra 2.40–42; Neh. 7.43–45), 128 singers (Neh. has 148) and 139 doorkeepers (Neh. has 138). This gives 4,630 priests and Levites (Neh.: 4,649). The historical situation explains the smallness of the number of Levites, for the priests of the high places reduced by the Deuteronomic code to the rank of Levites naturally had no desire to return from exile, and only gradually came back to Palestine. It is of a later time that I Chron. 12.26ff. speaks, when mentioning more than 3,700 priests and 4,600 Levites. (On the other hand, the number of 38,000 Levites in I Chron. 23.3–5 is an unnecessary exaggeration.) This increase in the number of Levites is explained by the fact that in the meantime the singers and doorkeepers, still distinct from the Levites in Ezra. 2.41–

¹⁷³ For the ascription of the memorandum quoted in n. 175 to Pseudo-Hecateus, who must have written late in the second century BC, see the article by B. Schaller, 'Hekataios von Abdera über die Juden', *ZNW* 54, 1963, 15–31.

¹⁷⁴ *Priester*, 48ff.

¹⁷⁵ Pseudo-Hecateus says: 'The total number of Jewish priests who received tithes and administered public affairs was at least 1,500.' Apart from the smallness of the number, the reference to administrative activity points to Jerusalem.

¹⁷⁶ The number agrees very well. The increase in the number of priests in Jerusalem was relatively small, in view of the time-lapse of about three hundred years. This is explicable if we bear in mind that with the growth of the Jewish community many families had to move out into the country (cf. Neh. 11.2). Thus, according to Neh. 11.10, the priests of the family of Jehoiarib lived in Jerusalem; while I Macc. 2.1, 18–20, 70; 13.25 says they lived partly in Modein.

58, had now become Levites, and at the same time there had been a large-scale return of priests of the high places from Babylon. The decrease in the number of priests, on the other hand, can be explained by the assumption that a large number of the families counted as priests in Ezra 2.36–39 and par. have been reckoned as Levites in our list. If we take into account the interval of time between the writing of the book of Chronicles (before 300 BC) and the writing of the letter of Pseudo-Aristeas (before 100 BC)¹⁷⁷ we can accept as quite reasonable the increase in the number of the priesthood from 8,300 to 18,000.

There is a second method of reckoning the numbers of the priesthood. According to M. Yom. ii.1–5 lots were cast on the morning of days of ordinary service, in four stages: $1 + 13 + 1 + 9 = 24$ services. Thus were chosen the priests who were to take part in preparing and offering the daily morning sacrifice, which consisted of the incense offering, the burnt offering of a lamb, the food offering, the baked meal offering of the high priest, and the drink offering. To these twenty-four officials three others were added¹⁷⁸ who were not chosen by lot, so that there were twenty-seven altogether. The same sacrifices were repeated in the evening. The purification of the Altar of Burnt Offering, which a priest must see to in the morning, appears to have been omitted in the evening, but this was compensated for by the provision of a second assistant in the evening at the Altar of Incense. Furthermore, in the evening two more priests were needed to carry the wood to the Altar of Burnt Offering (M. Yom. ii.5).

¹⁷⁷ For the dating of this letter see p. 200.

¹⁷⁸ For the incense offering two priests had to help the officiating priest who was chosen by lot for the office (cf. Luke 1.9). One brought glowing coals on a silver firepan from the Altar of Burnt Offering to the Altar of Incense in the Holy Place (M. Tam. v.5; vi.2; vii.2). The second took from the officiating priest the bowl in which the dish of incense had lain until the censuring was finished (M. Tam. vi.3; vii.2). The priest who had to offer the incense chose this second assistant himself (M. Tam. vi.3). There are two traditions regarding the first assistant. According to R. Judah (b. Eli, c. AD 150) the officiating priest chose him as well (T. Yom. i.11, 181). But the tractate Tamid says of him: 'he whose lot it was to bear the firepan' (v.5; vi.2). The first assistant is thus identified with the priest who was chosen first in the four lots to purify the Altar of Burnt Offering (cf. M. Tam. i.4). The difference between these two accounts is explained by the fact that the Altar of Burnt Offering was cleaned only once each day, in the morning. Indeed M. Tam. describes the morning service, and R. Judah obviously the evening service, for only in the evening was it necessary to ask a priest to act as assistant for the incense offering, since in the evening there was no service of purification of the Altar of Burnt Offering. Again, two priests blew silver trumpets during pauses in the Levites' singing at the drink offering which ended the *tāmīd* sacrifice (M. Tam. vii.3). Thus in the morning there were three, and in the evening four, priests co-opted to those chosen by lot.

For the evening sacrifice, then, there were twenty-nine priests serving. True, the same priest might find himself with more than one office per day, through the casting of lots and apportioning of services; even if we are scarcely justified in assuming that the lots cast in the morning were valid for the evening service, too, we cannot conclude from these numbers that each day there were $27 + 29 = 56$ different priests officiating. We know, however, that the priests of the daily course who were not chosen by lot that morning, were free from duty and took off their sacred vestments (M. Tam. v.3). This information implies that generally there were more than thirty priests on each daily course.

We must remember, however, that sabbaths and festivals needed a much greater number of priests than ordinary days, for on these special days, apart from the morning and evening sacrifices just dealt with (M. Tam. calls them 'perpetual'), there were other public sacrifices which reached their highest number on the first day of the feast of Tabernacles. We need not deal here with the three pilgrim festivals for, as we know, the twenty-four weekly courses of priests were all in Jerusalem at those times, and the courses not on duty were then called to help the weekly course who was (M. Sukk. v.7). We can also leave the other festivals, New Moon, New Year and Day of Atonement, since it seems likely that the daily course on duty was helped on these days by the other daily courses of the weekly course.

We will confine ourselves to the sabbath. On this day, apart from the morning and evening *tāmīd*, two more lambs would be sacrificed in public, and for each would be needed one priest to kill, one to sprinkle the blood and eight to offer the sacrifice (these numbers are found in M. Yom. ii.3-5). Furthermore, on the morning of the sabbath two more priests would be chosen by the fourth lot (M. Yom. ii.5), and together with six assistant priests they would renew the two bowls of incense on the shewbread table, and the twelve loaves of shewbread (M. Men. xi.7). So we see that on the sabbath twenty-eight other officials were added to those needed daily.

Over and above the public sacrifices we have now mentioned there was a large number of private sacrifices to offer daily. These were divided into burnt offerings, sin offerings, guilt offerings and meal offerings. Each Israelite had to pay for these offerings himself, while the public sacrifices, according to the prevailing Pharisaic opinion, were generally paid for from Temple funds. There was no apportioning of duty by lot for these private sacrifices; on the con-

trary, the laity themselves, on the basis of Lev. 1.5, had to do the slaughtering,¹⁷⁹ then the flaying and cutting up of the animal (M. Yom. ii.7). It was left entirely to the priests which one of them would undertake the actual offering (M. Yom. ii.7). We can obtain some idea of the vast number of private sacrifices offered in the Temple when we realize that whole hecatombs were repeatedly offered in the Sanctuary at Jerusalem.¹⁸⁰ We may presume that the daily course on duty in such circumstances was assisted at these private sacrifices by the other daily courses of the same weekly course.

Looking back on the evidence, especially that concerning the numbers on duty for the daily public sacrifices, we shall not be excessive in estimating the number of priests for one daily course at at least fifty. One weekly course comprised about six daily courses (see p. 163), and thus we have about three hundred priests for each weekly course. This number is corroborated by such evidence as this: when the veil of the Temple needed to be purified, it had to be immersed in a tank of water, and three hundred priests were needed for this (M. Shek. viii.5); and again, once three hundred priests were engaged in work on the golden vine which was above the entrance to the Holy Place (M. Midd. iii.8). Both of these illustrations come from reliable and well-informed sources: the first from Simeon, son of the captain of the Temple,¹⁸¹ the second from R. Eleazar b. Zadoq, priest, scribe and merchant living in Jerusalem while the Temple was still standing (see p. 143). Thus the number 300 cannot possibly be an invention. We must regard it as the approximate number on each weekly course, and this confirms our calculations. Since there were twenty-four weekly courses, the total number of priests amounts to $24 \times 300 = 7,200$ priests. Then there is the number of the Levites. They also, as we have seen, were divided into twenty-four courses, and their number was considerable. According to Josephus, two hundred were needed each evening to close the Temple doors (*CA* 2.119). This number may include those Levites in service for the weekly course who were needed as doorkeepers and guards of the

¹⁷⁹ M. Zeb. iii.1; b. Zeb. 32a; Siphra Lev. 1.5 (Bill. II, 193). On p. 79 above I have quoted references where the laity slaughtered their own paschal victims.

¹⁸⁰ *Ant.* 16.14 (Marcus Agrippa, autumn 15 BC); 15.422 (Herod, 10 BC); Philo, *Leg. ad Cai.* 356 (three hecatombs during Caligula's reign); Lev. R. 3.5 on 1.16 (Son. 39); *Orac. Sib.* III, 576 and 626.

¹⁸¹ M. Shek. viii.5 (ed. princ. of Jerusalem Talmud, Venice 1523) and M. Men. xi.9: (var. + Rabbi) Simeon *ben ha-sāgān*. b. Hull. 90b: R. Simeon *ha-sāgān*. This last reading must be rejected as being least attested, and improbable.

temple. To these Temple guards were added Levite singers and musicians, and their number too was large. We can reckon it too as about two hundred since, in the tradition of I Chron. 23.5, the number of Levite doorkeepers and of Levite singers was the same. Thus we arrive at a figure of around $400 \times 24 = 9,600$ Levites.

In I Chron. 12.26–28 we have striking proof that these figures, of 7,200 priests and 9,600 Levites, are right and in proportion with each other. As we have seen (p. 200) this text mentions 3,700 priests and 4,600 Levites, so the number of Levites surpassed that of priests, while after the exile they were very much in the minority. Thus in I Chron. the proportion of priests to Levites is 37 to 46 and for 9,600 Levites this gives us 7,722 priests, a number very close to the 7,200 we have obtained by a totally different method. Remember finally that we arrived at a total of 18,000 priests and Levites (p. 200) on the evidence of the letter of Pseudo-Aristeas, while our second calculation gives us $7,200 + 9,600 = 16,800$. We may thus claim to have obtained, in this result, such historical certainty in this difficult field as can be reached with the help of the sources at our disposal today. In the time of Jesus the Jewish clergy numbered round about 18,000 priests and Levites.¹⁸²

I have deliberately left until now the discussion of a passage in Josephus. It is much disputed because of its obscurity, but we cannot now reasonably doubt its authenticity. In a passage of his *Contra Apionem* (2.108), extant only in the Latin version, Josephus states: 'For although there are four priestly tribes, each comprising upwards of five thousand members, these officiate for one day only, and after that others succeed them.' It is clear that the last few words refer to the weekly courses. We may easily suppose that there is a textual corruption, that 'four' originally read 'twenty-four', and that Josephus in another of his exaggerations wishes his readers to believe that there were $24 \times 5,000 = 120,000$ priests.¹⁸³ But our preceding conclusion justifies caution and warns against a hasty rejection of the number $4 \times 5,000 = 20,000$. In any case, it is not impossible that

¹⁸² This result was reached by a different method by L. Herzfeld, *Geschichte des Volkes Israel* III, Nordhausen 1857, 193. He reckons a total of 24,000 on the basis of three documents: (a) a text of j. Taan. iv.2, 67d.46 Bar., where the (lay) *ma'amād* (n. 53) of Jerusalem is 24,000, of Jericho 12,000; (b) an apocryphal letter from a consul Marcus describing the celebrations on the Day of Atonement, which speaks of 24,000 priests; (c) the text of CA 2.108, which will now be discussed. Büchler, *Priester*, 49f., on the basis of CA 2.108 and Pseudo-Aristeas 95, reckons 20,000 priests.

¹⁸³ Schürer II, 288f., ET II.1, 219f.: we should read *tribus quattuor* (*sc. viginti*).

Josephus has in mind in this passage a quadripartite division of the clergy, and the fact that he does not use the term 'tribe' (*tribus*) elsewhere for the weekly course, confirms this hypothesis. Indeed, T. Taan. ii.1, 216, relates how the four courses of priests who returned from exile under Ezra-Nehemiah¹⁸⁴ are said to have been divided into twenty-four weekly courses by the prophets of Jerusalem, and were then divided by lot into four groups of six weekly sections each. This information permits the conjecture that the ancient quadripartite division of the clergy was preserved to the first century AD in the priestly tradition, as a scheme of classification for the whole priesthood. If that is correct, the number of 20,000, which results from this text, provides us with yet another confirmation of our conclusion.

Knowledge of the number of clergy is not without importance in estimating the size of the Palestinian population at the time of Jesus. Let us consider this in a brief appendix. The priests and Levites, with women and children, would number about 50,000 to 60,000. The priests and Levites returning from exile with Joshua and Zerubbabel made up about one-tenth of the entire community (Ezra 2.36-42, cf. 2.64 = Neh. 7.39-45, 66), a generally credible proportion. Thus, Palestine in the time of Jesus had a Jewish population of $10 \times 50,000$ (or 60,000), about 500,000 or 600,000. In my opinion this is a more likely number than the million often assumed.¹⁸⁵ Thus for example, the official number of inhabitants in Palestine given by the British mandate¹⁸⁶ in 1926 was 865,000, but this included Transjordan, Samaria and other regions which at the time of Jesus were inhabited mainly or exclusively by Gentiles, and also included 103,000 Bedouin nomads. The hypothesis of a million Jews in Palestine at the time of Jesus supposes that at that time Palestine was twice as thickly populated as in 1926. This is quite improbable. On the other hand a Jewish population of 500,000 to 600,000 corresponds to the density of population in Palestine after the First World War.¹⁸⁷ This is a new and final confirmation of the

¹⁸⁴ According to Ezra 2.36-39 = Neh. 7.39-42 our priestly families returned from exile with Zerubbabel and Joshua. Still, in the time of Ezra 10.18-22, these four families formed the priesthood.

¹⁸⁵ E.g. R. Knopf and H. Weinell, *Einführung in das NT*, 2nd ed., Giessen 1923, 182: 'In the most generous estimation including Transjordan, less than a million Jews.'

¹⁸⁶ *ZDPV* 51, 1928, 238.

¹⁸⁷ A. v. Harnack, *Die Mission und Ausbreitung des Christentums I*, 4th ed., Leipzig 1924, 12, rightly reckons about 500,000 Jews in Palestine in the time of Jesus.

number 18,000, excluding women and children, which we have obtained for the whole priesthood.

In each of the twenty-four weeks, and in addition at the three annual pilgrim festivals, one of the weekly courses of priests went up to Jerusalem to officiate from one sabbath to the next. Each course consisted of an average of 300 priests and 400 Levites, and was accompanied by a group of lay representatives from its district.¹⁸⁸ The keys of the Temple and the 93 vessels were ceremonially handed over by the course going off duty (*CA* 2.108). In this way the weekly course of Abia, eighth in order, travelled from the hill-country of Judaea¹⁸⁹ to the Temple, in the last years of the reign of Herod. On the day when his daily course was on duty, the priest Zechariah had been chosen for the privilege of offering the incense, probably at the evening *tāmīd*,¹⁹⁰ and it was then he had his vision in the Holy Place.

The cultic functions of the priests were, then, confined to two weeks in the year, and the three pilgrim festivals. The priests lived at their homes for ten or eleven months (according to whether the distance from Jerusalem, and the journey to and fro five times a year, took up more or less time). Only very occasionally did they exercise any priestly function at home, such as declaring a leper clean after his healing¹⁹¹ before he went up to Jerusalem to obtain a final declaration of cleanness after offering the prescribed sacrifice. The tithes and other special taxes were the priests' income, but these were by no means sufficient to keep them in idleness throughout the year (see p. 108). On the contrary, they were obliged to follow some profession in their own district, mostly manual work. Herod had a thousand priests trained in carpentry and masonry, and during the renovations to the Temple he employed them in the Temple court and in building the Sanctuary, since no one but a priest might enter there (*Ant.* 15.390). We have already come across Phanni, a priest who was a stone-mason (p. 192 n. 141); R. Eleazar b. Zadoq carried

¹⁸⁸ Cf. *M. Bikk.* iii.2, account of the journey to Jerusalem with the first-fruits; it says that the whole population from the district of a weekly course went to Jerusalem with the course.

¹⁸⁹ Luke 1.39, *εἰς πόλιν Ἰούδα*, as C. C. Torrey rightly says (*HTR* 17, 1924, 83ff.), is an error in translation; *medīnāh* is inadvertently translated as 'city' instead of 'province'.

¹⁹⁰ Luke 1.10, cf. Acts 3.1, infers that he was on duty in the afternoon.

¹⁹¹ Matt. 8.4; Luke 17.14. *T. Neg.* viii.2, 628, states that the leper must first show himself to the local priests; *j. Sot.* ii.2, 18a.11; also *Siphra Lev.* 14.3, 34c, *et passim*.

on a business in Jerusalem, obviously in oil.¹⁹² A priest of Jerusalem, whose son Zechariah we meet later on, was a butcher in the Holy City (M. Ket. ii.9; see below p. 220); the priest Eleazar b. Azariah went in for wholesale cattle-breeding; and finally we shall come across a large number of priests who were scribes.

In many places, priests assisted in the local courts of justice, probably in an honorary capacity (b. Yom. 26a). Sometimes they were called there out of respect for their priestly status (CA 2.187), sometimes if they were trained as scribes, because of their learning (b. Yom. 26a),¹⁹³ and sometimes to satisfy biblical precepts: e.g. in cases of assessment of votive offerings which biblical precept said must be done by a priest, it was usually the duty of a priest to sit at the court (M. Sanh. i.3: because of the precept in Lev. 27.12) to defend the interests of the Temple, which claimed the equivalent of anything vowed to God (i.e. to the Temple).¹⁹⁴ There were, as Philo states, priests living in the country well versed in scriptural learning, who were entrusted during the synagogue worship (Bill. IV, 153ff.) with the reading and expounding of the Law,¹⁹⁵ but it is understandable that there were others who were not educated men.¹⁹⁶

As we have already mentioned (pp. 180f.), there were profound contrasts between the great majority of priests and the senior priests who belonged generally to the priestly aristocracy. It is not surprising, then, that the mass of priests, together with the young hotheads of the aristocracy, but in opposition to the leading members of the priesthood (*Bḥ* 2.408ff.), threw in their lot with the people at the outbreak of the anti-Roman rebellion in AD 66.

E. THE LEVITES (CLERUS MINOR)

The Levites, descendants of the priests of the high places deposed by

¹⁹² T. Betz. iii.8, 205. Comparison of this text with b. Betz. 29a Bar. implies that he traded in oil.

¹⁹³ Because of such OT texts as Deut. 17.9ff.; 21.5; Ezek. 44.24; I Chron. 23.4; cf. 26.29; Ecclus. 45.17, where the priesthood provided the judges, it is quite probable that later, too, priests tended to be nominated as judges. But in the last centuries before the destruction of the Temple, training as a scribe was the decisive factor in qualifying to be a judge.

¹⁹⁴ As distinct from 'the devoted thing', *ḥērem*, in which the vow must be paid in kind.

¹⁹⁵ Eusebius, *Praep. ev.* VIII, 7.12–13 (GCS 43.1 = Eus. VIII.1, 431f.), cites this passage of Philo.

¹⁹⁶ *Bḥ* 4.155 states that Phanni, whom the Zealots chose by lot as high priest, was so bucolic that he did not even know exactly the function of a high priest.

the Deuteronomic code, formed an inferior clergy. In theory they passed for descendants of Levi, one of the twelve patriarchs of Israel. Their relationship with the priesthood was conceived of in the following manner: the priests were the descendants of one prominent Levite, Aaron, so that they formed a privileged class within the descendants of Levi; while the legitimate high priests, as the descendants of one prominent Aaronite, Zadoq, formed a privileged class within the priesthood. Thus the Levites stood lower in rank to the priests, as a *clerus minor*, and as such took no part in the offering of sacrifice; they were entrusted solely with performing the Temple music and carrying out inferior duties. One fact particularly is characteristic of their standing: like the laity, they were forbidden, on pain of death, access to the Temple building and to the Altar (Num. 18.3; Num. R. 7.8 on 5.2, Son. 195).

The Levites, numbering about 10,000 (p. 204), were like the priests divided into twenty-four weekly courses (*Ant.* 7.367; M. Taan. iv.2: T. Taan. iv.2, 219); they took turns for service each week and each had a leader (I Chron. 15.4–12). As we have already seen (p. 173) there were in the Temple four permanent Levite officials: two overseers of the Levite musicians, namely the director of music and the director of singers, and two overseers of the Levite servants of the Temple, the chief doorkeeper and a Levite 'over the knouts'.¹⁹⁷ These two pairs of officers corresponded to the division of the Levites into musicians and servants, both groups roughly the same in number (see p. 204).

The singers and musicians formed the upper stratum among the Levites, and only for them was proof of pure descent necessary when they wished to be admitted to office.¹⁹⁸ They had to provide the singing and instrumental music for the daily morning and evening services, and on other festal occasions. At the daily services the leader of the singers and the Levite musicians and singers¹⁹⁹ (together with two to twelve players on reed-pipes at the feasts of Passover and Tabernacles M. Arak. ii.3–4; M. Sukk. v.1: T. Arak. i.15, 544), stood on a platform which marked the division between the Court of Priests and the Court of Israel. This was one cubit above the latter and one and a half cubits below the former (M. Midd. ii.6; *Bḥ* 5.226).

¹⁹⁷ Earlier called 'overseer in charge of the *lūlāb* at the feast of Tabernacles'.

¹⁹⁸ See in the next section, under The Hereditary Character of the Priesthood, pp. 215f.

¹⁹⁹ M. Arak. ii.6. There must be no less than twelve singers.

During the joyful nocturnal ceremonies which formed part of the feast of Tabernacles an imposing choir of Levites performed, standing on the fifteen steps leading from the court of women to the court of Israel (M. Sukk. v.4). But these levitical musicians never stood in the Court of Priests which enclosed the Temple building, for this was reserved for the priests alone. A Levite was permitted to enter that court only when he had a sacrifice to offer, like any layman (M. Kel. i.8).

The Temple servants had to discharge all the humbler duties which resulted from the function and maintenance of the Temple, especially those connected with the cultus. For example, these servants had to help the priest on and off with his vestments: 'The other priests [i.e. who were allotted no part in the service of the day and were thus free] they delivered to the ministers of the Temple (*ḥazzānīm*). These stripped them of their raiment' (M. Tam. v.3). They had other auxiliary duties, such as preparing the Book of the Law for reading of lessons on feast days (M. Yom. vii.1; M. Sot. vii.7-8), and arranging the *lūlāb* at the feast of Tabernacles when its first day fell on a sabbath (M. Sukk. iv.4; cf. p. 169 on the alteration in this rite). Furthermore these servants of the Temple were responsible for cleaning it (Philo, *De spec. leg.* I, 156. 'Others swept the porches and those parts of the Temple area open to the sky'), but again with the exception of the Court of Priests, which the priests themselves had to clean (M. Pes. v.8), since the Levites were not allowed there except when sacrificing (M. Kel. i.8).

Finally, the Levites formed the police force of the Temple. Philo describes their functions in great detail: 'Some of these [Levites] are stationed at the doors as gatekeepers at the very entrances, some within [the Temple area] in front of the sanctuary [*πρόναο*—i.e. the *ḥēl* or rampart which enclosed that part into which Gentiles were not allowed to pass] to prevent any unlawful person from setting foot thereon, either intentionally or unintentionally. Some patrol around it turn by turn in relays by appointment day and night, keeping guard at both seasons' (Philo, *De spec. leg.* I, 156). From this graphic description, completed by M. Midd. i.1, it appears that by night as well as by day the Levite Temple guard was arranged in three groups: (a) doorkeepers at the outer doors of the Temple: (b) guards at the 'rampart'; (c) patrols in the Court of Gentiles, and no doubt by day in the Court of Women also. In the evening the Levite Temple servants closed the doors under the supervision of the chief doorkeeper (CA 2.119; B7 6.294; b. Arak. 11b), and then the night watchmen

went to their posts, 21 in number, all lying in the secular area at the outer gates and in the Court of Gentiles (M. Midd. i.1).²⁰⁰ In addition, the Temple police force was called upon for other duties. They were at the disposal of the Sanhedrin, which met in the Chamber of Hewn Stone, one of the south-western chambers of the Court of Priests.²⁰¹ They made arrests under the orders of the Temple overseers, and executed punishments under the direction of their leader (see pp. 171, 173).

If we remember that the Sanhedrin usually held their sessions in the Temple area, we can have little doubt that the band sent by this authority to arrest Jesus (Mark 14.43; Matt. 26.47; Luke 22.47; John 18.3, 12), consisted of these levitical police from the Temple, reinforced by servants of the high priest (Matt. 26.51 par.), and according to John by Roman soldiers (John 18.3, 12). John very properly distinguishes between the servants (of the high priest) and the officers (Levite Temple police). Furthermore, Jesus' words of reproach uttered at his arrest, that day after day he was in the Temple teaching and was not taken (Matt. 26.55), become most clearly understood if it was the Temple police who came to arrest him. We must also take it that the servants sent earlier by the Sanhedrin to arrest Jesus (John 7.32, 45, 46) were the Levite police from the Temple, as were the men who, at the order of 'the priests and the Captain of the Temple and the Sadducees' (Acts 4.1), arrested the apostles and brought them before the Sanhedrin (Acts 4.5-12; 5.17-18), who guarded them in prison (5.23, and esp. 24) and who scourged them (5.40). Finally, the men who dragged Paul out of 'sanctuary' (i.e. the Court of Women) and closed the gates leading to the Court of the Gentiles (Acts 21.30), during the riot leading to his arrest, were obviously members of the Temple police, more precisely the posts mounted at the 'rampart' during day-time.

²⁰⁰ It appears from M. Tam. i.3 that the Court of Women, where the bakery was which prepared the baked cakes for the high priest's offering, was closed at nights and was part of the sector guarded by the priests: the priests themselves guarded the holy area (M. Midd. i.1; M. Tam. i.1).

²⁰¹ So says the Mishnah very definitely (M. Midd. v.5; cf. M. San. xi.2; M. Tam. ii.5; iv.3 to end). According to b. A. Zar. 8b. par. b. Shab. 15a; b. San. 41a, the Sanhedrin was exiled 'forty years' (a round number) before the destruction of Jerusalem from the Chamber of Hewn Stone to a bazaar. If Josephus means the Sanhedrin by the *βουλή* (or *βουλευτήριον*), which adjoined the sanctuary on the west side (*Bḥ* 5.144; 6.354) he makes the same assumption, as does Acts 23.10. But we have no basis for assuming that the transfer had already taken place at the time of Jesus.

Apart from the chief doorkeeper and the Levite 'over the knouts', there is mentioned a leader of Temple servants called 'iš *har ha-bayit*, 'man of the Temple mount'. The Mishnah states that in the outer court there were twenty-one guard posts manned by the weekly course of Levites on duty, and 'the man of the Temple mount' had to inspect them every night, when each guard had to give the greeting of peace to show that he was awake. If the official found a sentry asleep he beat him with his stick, and indeed had the right to wake him brutally by setting fire to his clothes (M. Midd. i.1-2). It was this same official of whom Josephus tells us, that one night during the Passover feast in AD 66 the guards told the Temple overseer (τῷ στρατηγῷ) that the Nicanor Gate was standing open (BJ 6.294). We may assume that this leader of the levitical night-watch is the same as the chief doorkeeper.²⁰² Finally, it is probable that such leaders of the levitical Temple servants were the στρατηγοί with whom, according to Luke 22.4, the arrest of Jesus was arranged, and under whom it was carried out (Luke 22.52), for as we have just seen, Josephus used the same word στρατηγός to designate the leader in charge of the night watch.

By contrast the 'iš *ha-birā*, commander of the Temple fortress (M. Orl. ii.12), had nothing to do with the officials who had oversight of the Temple, contrary to what is often suggested.²⁰³ The *birā* is the fortress to the north of the Temple, otherwise called the Antonia, and Schlatter²⁰⁴ has recognized that this man commanded the fortress of Antonia during the period of independence under Agrippa I (AD 41-44). This accords with the fact that he was a contemporary of Rabban Gamaliel I, who as we know from Acts. 5.34-39 was active in the fourth decade, and possible also the fifth, of the first century AD.²⁰⁵ Thus the 'iš *ha-birā* was a military commander and not a chief priest or chief Levite. Again it is a mistake, repeated time and again,²⁰⁶ to identify the chief priests or Temple overseers with the

²⁰² Or as the man 'over the knouts', the opinion of I. M. Jost, *Geschichte des Judenthums* I, Leipzig 1857, 151f., and 152 n. 4.

²⁰³ Schürer II, 331, ET II.1, 267, gives him the surveillance of the whole Temple.

²⁰⁴ *Geschichte Israels*, 271 and n. 243.

²⁰⁵ According to M. Mielziner, *Introduction to the Talmud*, 3rd ed., New York 1925, 24. Gamaliel died 18 years before the destruction of the Temple, in AD 52; Bill. II, 636, dates his activities at AD 25-50.

²⁰⁶ Maimonides explains: 'the *paḥōt* are priestly *s'gānīm*'; J. J. Rabe, *Mischnah* I, Onolzbach 1760, 265: 'the most distinguished priests'; A. Sammter, *Mischnaioth* I, Berlin 1887, 192: 'the deputies of the priests'; K. Albrecht, *Bikkurim* (coll. *Die Mischna*), Giessen 1922, 43: 'the priestly representatives'; Schürer II, 322, ET II.1, 259, and Bill. II, 631: 'the chief priests'; Bill. IV, 644: 'the chief priests (?commanders)'. This last parenthesis contains the true solution.

paḥōt, by appealing to M. Bikk. iii.3 which says that the *paḥōt*, with the Temple overseers and chief treasurers, used to meet the processions of first-fruits at their entry into Jerusalem. Everywhere, in the Old Testament as elsewhere, the word *pehāh* means nothing other than the Pasha, the governor with military power. The context of M. Bikk. iii.3 shows (M. Bikk. iii.4) that it describes an event during the reign of Agrippa I, that is to say during a period when there were Jewish military commanders and state officials. In the east it would be a matter of course for these men to meet the procession along with the chief priests. In 1913 I myself saw the Turkish Pasha, together with the heads of the Mohammedan clergy, go to meet the pilgrims of the Nebi-Musa festival as they entered Jerusalem.

Between the Temple musicians and the Temple servants there was a social gulf which was grounded in history. For as late as the time of Ezra neither 'singers' nor 'doorkeepers' were associated with the Levites (Ezra 2.40ff.; 7.7, 24; 10.23f.; Neh. 10.29 *et passim*) since they were not of Levite extraction.²⁰⁷ The singers were first to obtain membership in the company of Levites (Neh. 11.17, 22f.; 12.8f., 24f.), and in contrast to the doorkeepers kept their higher position among the Levites. The gulf which separated the two groups at the time of Jesus is illustrated in the following sentence: 'We have it on tradition that a singing Levite who does his colleague's work at the gate incurs the penalty of death' (b. Arak. 11b). True, the actual practice was not so stringent; as we see in a Baraita passage in the same context: 'It happened that R. Joshua b. Ḥananiah [Levite and scribe] went to assist R. Johanan b. Gudgeda [Levite and chief doorkeeper] in fastening the Temple doors. Whereupon Johanan said to him: My son, turn back, for you are of the [class of] choristers, not of the Temple servants [literally, doorkeepers]' (*ibid.*).

In this context the class struggle which the Levites successfully carried out in AD 64 is instructive, and throws light not only on the division among the Levites but also on the resentment they felt against the priests, and on the revolutionary spirit stirred up in the confused years before the outbreak of rebellion against Rome. Oversight of the Temple had been transferred by the Romans to Agrippa II, and the Levite musicians, the 'psalm singers', says Josephus, demanded from him the right to wear henceforth the white linen vest-

²⁰⁷ E.g. the Korahites were originally of Edomite descent, according to Gen. 36.5, 14, 18; I Chron. 1.35. I Chron. 2.42-43 said they descended from Caleb. Thus they were non-Israelites. But I Chron. 12.6 said they were Benjaminites. They were employed first as doorkeepers, I Chron. 26.1, 19; 9.19; II Chron. 31.14; then as singers, II Chron. 20.19; Pss. 42-49; 84f.; 87f.

ment of priests. Formerly the Levites had no official dress.²⁰⁸ Similarly the Levite Temple servants claimed the right 'to be taught to sing hymns', thus to be on the same footing as the levitical musicians (*Ant.* 20.216ff.). Agrippa II was at that time on bad terms with the priests, who in AD 62 had gone so far as to send an envoy to Caesar who had decided their case against the king in their favour (*Ant.* 20.189ff.); so, with the agreement of the Sanhedrin, Agrippa allowed the demands of the Levites. But the people regarded these innovations in the social position of the Levites as contrary to the Law of their fathers. We see once again from this account that the musicians formed an upper stratum among the Levites; they wished to secure a position similar to the priests', whereas the doorkeepers aspired to equality with the musicians. The revolutionary spirit of the sixties allowed a partial fulfilment of their wishes, for a short period of six years.

We have very little evidence on the training of Levites. The Levite Joseph Barnabas, a leading member of the primitive Christian church, a prophet, teacher and missionary, was an outstanding man in the intellectual sphere and well versed in scripture (Acts 9.27; 11.22ff.; 12.25; 13.1ff.; 14.12ff.; 15.2ff.; I Cor. 9.6; Gal. 2.1ff.; Col. 4.10). Since he came from Cyprus (Acts 4.36) his father seems to have been one of those Levites who never served in Jerusalem, such service being in no way compulsory. We know of several Levites who were scribes (cf. CD x.5) for example the singer Joshua b. Ḥananiah who in private life was a nailsmith, and the chief doorkeeper Joḥanan b. Gudgeda.

On the whole the evidence about Levites is extraordinarily meagre,²⁰⁹ but it is sufficient to enable us to form a general picture of the social position of this lower part of the clergy.

F. THE HEREDITARY CHARACTER OF THE PRIESTHOOD

The foregoing picture of the social structure of the priesthood in the Temple at Jerusalem would be incomplete if we did not conclude with a few words on its hereditary character.

²⁰⁸ Cf. Targum Pseudo-Jonathan Ex. 29.30.

²⁰⁹ The name Levi was generally borne by Levites, e.g. R. Joshua b. Levi who according to j. M. Sh. v.5, 56b.37, was friendly to the Levites. Exceptions, perhaps in appearance only: *Bḥ* 4.141 cites a Levi of the royal (Herodian) family; and the name Levi occurs twice in the genealogy of the Davidic Joseph, Luke 3.24, 29.

Since the offices of priest and Levite were hereditary and could be obtained in no other way than by inheritance, it was of the greatest importance that the purity of line remain unblemished. To this end, in the first place, great care was taken in tracing genealogy, and in the second there were rigid rules of marriage; if a priest could not prove his legitimate descent, he lost his rights to priestly office, both for himself and for his descendants, and to priestly revenues. If he contracted an illegitimate marriage, the son of such a marriage could not hold office.

There was in the Temple at Jerusalem a kind of archive in which the genealogies of the priesthood were kept.²¹⁰ In many cases tradition has given us genealogical tables on the forebears of the priests.²¹¹ Thus the priest Josephus gives his genealogy on his father's side for a period of about 250 years, from two generations before the time of the high priest John Hyrcanus (134–104 BC) to the time of writing his *Vita* (after AD 100): 'with such a pedigree, which I cite as I find it recorded in the public registers. . . .' (*Vita* 6), with the record of dates of birth of his forbears.²¹² This same Josephus asserts positively that, after such great wars as occurred under Antiochus Ephiphanes, Pompey, Quintilius Varus, Vespasian and Titus, the surviving priests established new genealogies from the ancient records (*CA* i.34f.). These measures were taken partly because genealogies were lost in the confusion of war, and also because they must ensure that none of the priests' wives had been made prisoners of war. In this last case they could no longer be considered legitimate wives of priests and any offspring born to them since their capture did not qualify for priestly office.

When a priest's son reached the canonical age of twenty years (p. 158 n. 37), the Sanhedrin, in session at the Temple in the Chamber of Hewn Stone, at the south side of the court of priests, examined him (M. Midd. v.4) on his bodily fitness,²¹³ and on the legitimacy of

²¹⁰ Siphre Num. Korah 116 on 18.7; further see p. 215.

²¹¹ In OT cf. the lists in I and II Chron., Ezra, Neh. On the genealogy of the high priests, see pp. 181ff.

²¹² This list contains several inaccuracies which are easily explained by the omission of two names. The long space of time between 'Matthias the hunchback' (born 135–134 BC) and Joseph (born 67 BC) and also between the latter and Matthias (born AD 6), shows that there must in each case have been a name omitted. Schürer I, 77 n. 4 (ET I.1, 81 n. 3) gives a different explanation, suggesting a textual corruption (or negligence) and an author's error.

²¹³ Lev. 21.16–23. These provisions were extended by rabbinic law to distinguish 142 bodily blemishes that rendered a priest unfit for service (Schürer II,

his descent before admitting him for ordination. Only after he was found fit was he ordained. After a ceremonial bath of purification, he was invested with the priestly robes: 1. the long garment of byssus, 2. breeches of byssus, 3. girdle, 4. turban, and there was a series of sacrifices involving special rituals. (Ex. 29; Lev. 8). These solemn ceremonies lasted for seven days.

It is certain that a similar examination of legitimate descent was required for the Levite musicians, before being admitted to office (M. Kidd. iv.5), and there was also a canonical age for them. The Old Testament speaks of thirty years (Num 4.3, 23, 30, 35, 39, 43, 47; I Chron. 23.3), of twenty-five years (Num. 8.23–26) and of twenty years (Ezra 3.8; I Chron. 23.24, 27; II Chron 31.17); the first of these seems to have been the current practice at the time of Jesus (T. Shek. iii.26, 179). The examination of the young Levites also took place in the Chamber of Hewn Stone, where ‘sat those who certified the genealogy of priests and Levites’ (T. Sanh. vii.1, 425; T. Hag. ii.9, 235; b. Kidd. 76b.). In fact the examination seems to have been confined to the Levite musicians. Only so can the following facts be understood: it was said of the daughter of a Levite whose father had stood on the ‘platform’²¹⁴ that her descent was considered pure without further examination (M. Kidd. iv.5); and the daughters of the flute-players who stood there for the feasts of Passover and Tabernacles were considered fit to marry priests, which presupposes that their fathers’ descent was pure.²¹⁵ Both examples show that for the lower ranks of Levite proof of purity of descent was not required.

283f., ET II. 1, 214). The priest disqualified in this way had access to the Court of Priests, with the exception of the space between the porch and the altar (M. Kel. i.9) where he could not walk except during the procession of willow branches round the altar of burnt offering at Tabernacles (j. Sukk. iv.5, 54c.3; b. Sukk. 44a). They had a share in the revenues, but could not wear the priest’s tunic (*Bḥ* 5.228). For their duties while the other priests were officiating see pp. 133f. The case of the high priest Hyrcanus II (76–67, 63–40 BC) is famous; Antigonus (40–37 BC) mutilated him by cutting off his ears (*Ant.* 14. 366), or biting them off (*Bḥ* 1.270) to disqualify him for service.

²¹⁴ For Levite singers and musicians, see p. 208.

²¹⁵ In M. Arak. ii.4 we find several points of view, on the origin of these flute-players: (a) ‘they were the slaves of priests’, says R. Meir. But (b) R. Jose says, ‘they were from the (two) families of *bēt ha-pegārīm* and *bēt Šippārayyā* from Emmaus, whose daughters could marry priests. (c) As for R. Hananiah b. Antigonus, he says, ‘They were Levites.’ We can ignore (a), since these Temple slaves owe their existence to a purely theoretical conclusion from certain OT passages. (b) and (c) are not mutually exclusive. R. Jose (b) refutes R. Meir’s opinion by unassailable historic evidence that they were not slaves but free Israelites of pure descent. R

If a priest or a Levite singer married, it was therefore necessary to examine the genealogy of his wife, in order to ensure thereby that the descendants of the marriage could qualify for priestly or levitical office. This examination of the wife's descent before the marriage took place not only in Palestine but also in Egypt, Mesopotamia and elsewhere, as Josephus affirms: 'A statement is drawn up . . . and sent to Jerusalem, showing the names of the bride²¹⁶ and her paternal ancestors, together with the names of witnesses (CA 1.33).

This is evidence of the great care which was taken. According to Philo, there must be examination of the purity of blood in parents, grandparents and great-grandparents (Philo, *De spec. leg.* I, 101); the Mishnah says this was necessary for four generations back of both paternal and maternal ancestry if the bride was of a priestly family, and for five if she was the daughter of a Levite or an Israelite.²¹⁷ For the daughters of serving priests and Levite musicians, as for a bride whose father was a member of a governing body (the Sanhedrin, the judiciary, or social services), examination of origin was omitted, since in such cases the father would have had to prove his legitimacy before taking office (M. Kidd. iv.5).

Lev. 21.7 gives the rules for the choice of a wife by priests: 'They shall not marry a harlot or a woman who has been defiled; neither shall they marry a woman divorced from her husband.' This proof passage has been interpreted in this manner:²¹⁸ By 'defiled' (*ḥalālāh*) they meant the daughter of a priest's illegitimacy marriage (with a woman not of equally pure descent, forbidden in Lev. 21.7); while 'harlot' included proselytes, manumitted slaves and women who had been seduced.²¹⁹ As a result there was a considerable part of the

Hananiah (*c*), himself a priest and according to T. Arak.i.15, 544 personally acquainted with Levites who played flutes at the altar, amplifies R. Jose's statement. (*b*) and (*c*), therefore, taken together, contain the true solution: they were Levites of pure descent, members of two well-known families from Emmaus, who played the flutes at the feasts of Passover and Tabernacles on the 'platform' reserved for the Levites.

²¹⁶ Laurentianus: τῆς γεγραμμένης, Latin: *nuptae*. This last is better; read τῆς γαμετῆς.

²¹⁷ M. Kidd. iv.4. For priests' daughters, they examined eight female ancestors for purity of line: (*a*) the mother, (*b*) the two grandmothers, (*c*) the two paternal and one maternal great-grandmothers, and (*d*) one of the great-great-grandmothers on each side. In the other cases a further generation was added. How can one explain this scheme, which seems entirely arbitrary?

²¹⁸ For what follows see Bill. I, 2f.

²¹⁹ Siphra Lev. 21.7, 47b; M. Yeb. vi.5. In detail this means: (*a*) the *ḥalālāh*: she indeed may not herself marry a priest, but if she marries an Israelite, the

population ineligible for marriage with priests, that is, all Israelites whose descent was not pure, of whom more details are given later.²²⁰ Only the daughter of a priest or Levite qualified to officiate, and the daughter of a pure-bred Israelite, were fit for legal marriage with a priest (M. Kidd. iii.12).

But even within this circle of legitimate families there were women excluded from marriage with a priest: a divorced woman,²²¹ the *ḥ^alūṣāh* (i.e. the woman who, after the death of her husband, is set free from levirate marriage by the ceremony of 'drawing off the shoe', Deut. 25.9) who was reckoned as divorced,²²² and the barren woman whom a priest could marry only if he already had a wife and child.²²³ Ezek. 44.22 forbids also marriage of a priest with a widow unless she was the widow of a priest, while Lev. 21.14 makes this restriction only in the case of the high priest, and knows nothing of a general ban on marriage with widows for the rest of the priesthood. Later ages did not follow Ezekiel. Josephus (*Ant.* 3.277) says definitely that all priests, with the exception of the high priest, may marry

daughter of this marriage may marry a priest (M. Kidd. iv.6). (b) The proselyte: because of her pagan ancestry she may not marry a priest; but if she marries an Israelite, the daughter born of this marriage may marry a priest (so R. Judah b. Eli, c. AD 150; R. Eleazar b. Jacob, c. AD 150, will allow only the daughter of a male proselyte married to an Israelite; R. Jose b. Halafta, also c. AD 150, will allow even the daughter of a marriage of two proselytes). See M. Kidd. iv.6f. and similarly M. Bikk. i.5. One isolated voice (R. Simeon, c. AD 150) invokes Num. 31.18 to allow the marriage of a priest with a proselyte converted to Judaism before the age of three years and one day (j. Kidd. iv.6, 66a.10). (c) Manumitted slaves, as (b). (d) Women seduced by an act of prostitution: here among others belong the prostitutes (Targum Pseudo-Jonathan Lev. 21.7; *Ant.* 3.276), the women who were publicans or innkeepers (*Ant. ibid.*), and those who had been prisoners of war (*Ant. ibid.*; CA 1.35; cf. pp. 155f., attacks on the high priests John Hyrcanus and Alexander Jannaeus). It was disputed whether or not a Jewish girl seduced by an Israelite of pure descent came in category (d): M. Ket. i.10 permits this girl to marry a priest; but R. Eliezer (c. AD 90) explains that she must be regarded as a 'harlot' and so could not marry a priest (Siphra Lev. 21.7, 47b; b. Yeb. 61b Bar.). Now this particular teacher always represents the old tradition; thus, while the Temple was still standing, the stricter opinion was in force.

²²⁰ See ch. XV, 'Illegitimate Israelites', pp. 317ff. below.

²²¹ Lev. 21.7; Ezek. 44.22; M. Kidd. iii.12; M. Makk. i.1; iii.1; M. Ter. viii.1, *et passim*. The woman whose husband is declared dead and who marries again must, if her first husband returns, go back to him; she is not considered divorced from the second man since this marriage has become invalid (M. Yeb. x.3; Siphra Lev. 21.7, 47b).

²²² M. Yeb. ii.4; M. Kidd. iii.12; M. Makk. iii.1; M. Sot. iv.1; viii.3; Targum Pseudo-Jonathan Lev. 21.7; Siphra Lev. 21.7, 47b, *et passim*.

²²³ M. Yeb. vi.5; R. Judah b. Elai, c. AD 150, forbids it in all cases; Siphra Lev. 21.7, 47b.

widows. These restrictions did not apply to the Levites; they were forbidden marriage only with women of grave impurity (pp. 317ff.) such as a bastard, a Temple slave, one whose father was unknown, or a foundling (M. Kidd. iv.1.).

So much for the laws; now the actual practice: it was customary for a priest to marry the daughter of a priest, particularly in the circles of priestly aristocracy and among the priests of Jerusalem whose prestige and education gave them a superior standing. The high-priestly families especially preferred their daughters to marry priests: the complaint quoted on pp. 195f., that the high priests pushed their sons-in-law into the lucrative posts in the Temple, implies that they were priests. We know of several high priests who themselves were sons-in-law of officiating high priests; here chiefly we must mention the high priest Matthias, son of Theophilus, and Caiaphas (evidence on pp. 154f.). Again in two families of the priestly aristocracy who produced high priests, among whom perhaps was the high priest Caiaphas (p. 194 n. 146; cf. p. 94 n. 21), we hear of a girl marrying her paternal uncle. This led to serious controversy since both women were left widowed and childless. A levirate marriage with a woman's own father was obviously impossible; but the question which inflamed the minds of Hillelites and Shammaites was whether or not the father could contract a levirate marriage with the concubine of his daughter's husband.²²⁴ The point of interest here is the evidence that, in two important families of the high priestly aristocracy in Jerusalem, a daughter was married to her father's brother, thus that both parties in the marriage came from leading priestly families. There is another instance, in the marriage of Martha, of the high priestly family of Boethus, to the high priest Joshua b. Gamaliel II, which has already been mentioned (p. 155). In this case too both parties came from leading priestly families.

The rest of the priesthood also preferred marriage with the daughters of priests. Thus the priest Zachariah, of the priestly class of Abia, was married to Elizabeth, the daughter of a priest (Luke 1.5). R. Tarphon himself a priest, had in Jerusalem a maternal uncle called Simeon or Simšon²²⁵, who again was a priest,²²⁶ so that parents of the Rabbi were both of priestly families.

²²⁴ b. Yeb. 15b. See pp. 93f., where the case is considered in a discussion of polygamy in Jerusalem in the time of Jesus.

²²⁵ Simeon according to j. Hor. iii.5, 47d.37; Simšon according to Eccles. R. 3.15 on 3.11 (Son. 93).

²²⁶ j. Yom. i.1, 38d.32; j. Hor. iii.5, 47d.37. Although lame, this uncle, as a

However, this intermarriage among priestly families was by no means exclusive; there were unions between the descendants of priests and those of Levites, as well as Israelites. Thus we see that in Jerusalem the Levite singer R. Joshua, the nailsmith, who survived the capture of Jerusalem, married a priest's daughter. As for marriages with the laity, we find (p. 155 n. 28) that the high priest Alexander Jannaeus is said to have married a sister of R. Simeon b. Shetah. Simeon b. Nathaniel, the priest and scribe, had for his wife the granddaughter²²⁷ of R. Gamaliel I the famous Jerusalem scholar and member of the Sanhedrin (T. A.Zar. iii.10, 464); the well-known teacher and priest Eliezer b. Hyrcanus (j. Sot. iii.4, 19a.3ff.) was married to a sister of Gamaliel II (b. Shab. 116a, *et passim*), and the priest Pinḥas of Ḥabta, later high priest (AD 67), was claimed as a relation by marriage by R. Ḥanina b. Gamaliel II (Siphra Lev. 21.10; 47c). Here are three priests who married daughters of the house of Gamaliel; thus it appears that among the laity the priests preferred the families of scribes. A final example: the priest and famous scribe R. Zadoq most probably had a Benjaminite wife, whose father's house was one of the distinguished families responsible for the supply of wood for the altar (pp. 286f.). Marriages, therefore, between priests and daughters of the laity were not rare, even though the Talmud occasionally frowns on such marriages (b. Pes. 49a Bar; b. Pes. 49a). We have little information on the ancestry of Levite wives; the marriage of the Levite Joshua with a priest's daughter has already been mentioned, and on p. 215 n. 215 we spoke of the legitimacy of the two Levite families from Emmaus who played the flute.

If a priest or a Levite musician contracted a marriage forbidden by law²²⁸ ruthless action was taken: the marriage was declared illegitimate, i.e. as concubinage (b. Ket. 3a, and on this point Bill. III, 343 b), and the children barred from priestly office. Such a priest's son was called *ḥālāl* (profane) and was relegated to the group of illegitimate Israelites; his sons could no more than he take priestly office. The daughters of a priest's illegitimate marriage could not marry a priest (M. Kidd iv. 6, cf. p. 216 n. 219 (a)).

priest, blew the trumpet in the court at the feast of Tabernacles (Eccles. R. 3.15 on 3.11, Son. 93). He stood with his nephew on the platform in the court.

²²⁷ The MS Erfurt, now in Berlin, Staatsbibl. MS or. 2^o. 1220, says 'daughter'; but this is chronologically unlikely; see Bacher, *Ag. Tann.* I, 75 n. 3.

²²⁸ As e.g. the scribe and priest Josephus, who, as a prisoner of war between AD 67 and 69, married, allegedly at Vespasian's command, a Jewish woman, also a prisoner of war, which was against the law, see p. 216 n. 219 (d): *Vita* 414.

These rules were by no means a dead letter. Even under Ezra (Ezra 2.61–63; Neh. 7.63–65) three priestly families who could not provide their genealogy were excluded from the priesthood. The Hasmonean high priests were forced to undergo criticism from the Pharisees of the legitimacy of their priesthood, because the mother of John Hyrcanus was said to have been a prisoner of war under Antiochus IV Epiphanes (pp. 155f.; 189f.); and later we hear of several legal proceedings against priests to deprive them of their right to office.²²⁹ Examples will show the serious view taken on the purity of the clergy.²³⁰ ‘R. Zachariah, son of the butcher, said: “By this Temple [I swear]! Her hand [his wife’s] stirred not out of mine from the time the Gentiles entered Jerusalem [doubtless when the city was taken in the Bar Kokhba war of AD 133–4] until they left.”’²³¹ They answered him: “None may testify for himself” (M. Ket. ii.9).

Thus, not only was a priest forbidden to marry a woman who had been prisoner of war, because she could not give him legitimate sons fit for the priesthood (see p. 216 n. 219), but he could not continue to live with his wife if she had merely lived in a town occupied by the enemy, and could not prove her integrity by unprejudiced evidence.²³² If he persisted in the marriage, it was regarded as concubinage and the children of the marriage were illegitimate. This rule was inexorably applied, even if her own husband could swear to her chastity on oath. Indeed the members of one family—clearly a priestly family—went so far as to refuse marriage with a priest to a young girl who had been ‘left as a pledge’ in Askalon (or had been taken there as hostage), even though there were witnesses to her chastity (‘that she had not gone aside in secret with a man and been defiled’), and though the scribes decided this ban was not justified (M. Eduy. viii.2). Here we have a case where not only was a hostage treated as a prisoner of war, which is by no means a matter of course,²³³ but her

²²⁹ General provision for these is made in M. Makk. i.1; M. Midd. v.4. Later pages deal with special cases.

²³⁰ For what follows cf. A. Büchler, ‘Familienreinheit und Familienmakel in Jerusalem vor dem Jahre 70’, *Festschrift Schwarz*, 133–62; ET, ‘Family Purity and Family Impurity in Jerusalem before the Year 70 C.E.’, *Studies in Jewish History. The Büchler Memorial Volume*, London 1956, 64–98.

²³¹ For this Rabbi’s date, see Schlatter, *Tage*, 41. The Bar Kokhba war is to be dated 132 to 135 or 136; see C.-H. Hunzinger, *RGG*. V, 3rd ed. 754f.

²³² In this case a slave was allowed to testify, M. Ket. ii.9, but not her own husband.

²³³ M. Ket. ii.9; ‘If a woman was imprisoned by Gentiles for an offence concerning property (as hostage) she is still permitted her husband.’

own family actually increase the sentence on one of its members to remove from itself any suspicion of defilement. It was therefore the priests themselves who, despite protests from the scribes, were so concerned with family purity as to take the precept to such rigorous extremes.

It was the rule rather than an exception, that the priests themselves, contrary to the scribes' judgment, were so inexorably severe. Thus we hear that the scribes allowed the daughters of 'issāh families (probably priestly families where the legitimacy of one member was in doubt) to marry priests,²³⁴ but that the priests would have none of it (M. Eduy. viii.3); the mere suspicion was enough for them to hold aloof from the daughters of 'issāh families. It was quite justifiably, therefore, that the complaint was raised by R. Johanan b. Zakkai—a man active in Jerusalem before the destruction of the Temple—that the priests followed the scribes' decisions only when they dealt with people unfit for priestly office or for marriage with priests, and ignored them when they decided in favour of leniency (*ibid.*).²³⁵ It was this same inexorable concern for purity of priestly families which caused these priests, under Agrippa I (AD 41–44), when the Jews could exercise criminal justice, to burn publicly in Jerusalem a priest's daughter guilty of adultery (M. Sanh. vii.2; b. Sanh. 52b cf. details on p. 178 n. 94 above). For the priests offered the sacrifice as the representatives not of the people but of God (b. Kidd. 23b), and on this basis formed the sacred leadership of the people, chosen by God. All the more in the age to come would this purity be complete: 'When the Holy One, blessed be he, purifies the tribes, he will first purify the sons of Levi' (b. Kidd. 70b–71a).

²³⁴ The word 'issāh means 'dough' or 'mixture'. It is not easy to arrive at an exact translation. R. Meir (c. 150) defines it thus (b. Ket. 14b Bar.): 'Which is the widow of an 'issāh family? She whom possibly an illegitimate son of a priest [ḥālāl] is mixed.' This passage makes no sense. The word 'widow' is probably introduced inadvertently from M. Eduy. viii.3, which speaks of the 'issāh-widow, hence the error. If we may strike out the word 'widow' in b. Ket. Bar., the sense becomes clear; a 'mixed' family is one where there is doubt over the legitimacy of one member. Büchler's explanation mentioned above, overlooks this simple solution and is therefore unconvincing; he understands by 'issāh the illegitimate families with only a very slight blemish (see below), i.e. profane (ḥālālīm), proselyte or freed slaves.

²³⁵ M. Eduy. viii.7 recounts the case of a certain Ben Šion (doubtless before AD 70 since the tradition goes back to Johanan b. Zakkai) who had unjustly and by force 'removed a family and restored another'—obviously priestly families from the context—i.e. declared them illegitimate and legitimate.

IX

THE LAY NOBILITY

IN ADDITION TO THE priestly nobility there was a lay aristocracy; true, its importance was not very great, as the meagreness of evidence shows.

It is advisable to begin by examining the composition of the Sanhedrin. According to New Testament sources this supreme court of Judaism, consisting of seventy-one members, fell into three groups: the chief priests who, in the person of the high priest, held the presidency, the scribes and the elders.

Who made up this group of 'elders'?¹ The history of Jewish government gives us the answer. After the exile those who reorganized the people, by this time without a king, made the ancient ruling families the basis of order. Originally, these had held the leadership of the tribes and even after the settlement in Canaan their influence had never entirely disappeared. It is probable that already in exile, that is, with the disappearance of the monarchy, the heads of the predominant families assumed the leadership of the people, directing the settlement of the exiled in Babylon and governing them as leaders and judges (Ezek. 8.1; 20.1).² After the return from exile these heads of families, the 'elders of the Jews' (*sābē y^hūdāyē*), functioned as representatives of the people, negotiated with the Persian provincial governor (Ezra 5.9ff.) and in association with the 'governor of the

¹ In a wider sense the word meant a non-priestly member of the Sanhedrin, both in the New Testament (Matt. 21.23; 26.3, 47; 27. 1.3, 12, 20; 28.11f.; Luke 22.52; Acts 4.23; 25.15 cf. 24.1) and in rabbinic literature (M. Yom. i.5; M. Par. iii.7 cf. T. Par. iii.8, 632, where the elders as representatives of the Sanhedrin and guardians of the Pharisaic tradition appear as observers of the rites on the Day of Atonement and the burning of the Red Heifer). This wider sense of the word, which links the two groups of scribes and elders (in the narrower sense) in the Sanhedrin, must be distinguished from the narrower sense which we shall examine later, which sets the elders as a group within the Sanhedrin as distinct from the chief priests and scribes.

² Cf. I. Benzinger, *Hebraische Archäologie*, 3d ed., Leipzig 1927, 269, and the dissertation of O. Seesemann, *Die Ältesten im AT*, Leipzig 1895.

Jews' directed the reconstruction of the Temple (Ezra 5.5, 9; 6.7, 8, 14).

The Sanhedrin, supreme assembly of post-exilic Judaism, grew out of the union of these non-priestly heads of families, representatives of the 'secular nobility',³ with the priestly aristocracy. On this point the description of Jehoshaphat's judiciary reform (II Chron. 19.5-11), which reflects the post-exilic situation, is informative; here the supreme judicial authority in Jerusalem is composed of Levites, priests and heads of families.⁴ Thus it is an aristocratic senate composed of representatives of the priestly and lay aristocracy who, in the Persian and Greek periods, came to the forefront of the Jewish people. Only later, probably in the time of Queen Alexandra (76-67 BC), who held Pharisaic opinions,⁵ were Pharisaic scribes admitted to this supreme assembly which until then had been wholly aristocratic. There can therefore be no doubt about the composition of the group of 'elders' in the Sanhedrin: they were the heads of the most influential lay families.⁶

The New Testament, as well as Josephus and Talmudic literature, knows this lay nobility. In the New Testament the 'principal men of the people' (Luke 19.47) appear once in place of the 'elders', as a third group in the Sanhedrin; this synonym is very informative. As a representative of this group we meet Joseph of Arimathea (Mark 15.43; Matt. 27.57; Luke 23.50f.; John 19.38-42)⁷ who was a rich landowner.⁸

³ I use the word to express the hereditary principle.

⁴ Cf. further I Macc., where priests and elders of the people (7.33; 11.23) appear as representatives of the people; and especially 14.28 where the assembly of the people making a decision is composed as follows: ἐπὶ συναγωγῆς μεγάλης ἱερέων καὶ λαοῦ καὶ ἀρχόντων ἔθνους καὶ τῶν πρεσβυτέρων τῆς χώρας: Clerical and lay nobility (ἄρχοντες ἔθνους) lead the people; the elders of the community (πρεσβύτεροι τῆς χώρας) and the body of people unite with these leaders to form the assembly of the people.

⁵ We meet Pharisaic members of the Sanhedrin for the first time in *Ant.* 13.428. As the context shows, those who in this passage are called 'elders of the Jews' (members of the Sanhedrin) are assuredly Pharisees.

⁶ This what E. Meyer rightly saw in *Die Entstehung des Judenthums*, Halle 1896 (reprinted Hildesheim 1965), and *Ursprung* II, 12 and 29. See further J. Wellhausen, *Das Evangelium Marci*, Berlin 1909, 65: 'the lay nobility of Jerusalem'; Bill. II, 631: 'the lay members of the supreme court'. Schürer II, 252, ET II.1, 178, says: 'Such other members as did not belong to one or other of these two special classes just referred to [ἀρχιερεῖς and γραμματεῖς] were known simply as πρεσβύτεροι.' It was a way out of a dilemma.

⁷ As he is called neither priest nor scribe, we must count him among the group of 'elders' in the Sanhedrin.

⁸ He possessed property with a garden (John 19.41; 20.15; Matt 27.60) immediately north of the second northern wall, on the site of the present Church

In Josephus there appear, besides the chief priests, as the most influential men in Jerusalem: 'the first of the city' (*Vita* 9); 'leaders of the people' (*Vita* 194); 'the notables' (*Bḡ* 2.410 *et passim*), 'the leading men' (*Bḡ* 2.316 *et passim*); 'the nobles and the most eminent citizens' (*Bḡ* 2.301). These people are the 'elders' of the New Testament, and we have assurance of this from a passage in Josephus showing this tripartite division of the Sanhedrin which is common in the New Testament. The three groups are there called 'the principal citizens . . . the chief priests and the most notable Pharisees' (*Bḡ* 2.411).⁹ This establishes beyond question the identity of Josephus 'nobles' as the New Testament 'elders'. In other passages the 'leading citizens' are distinguished from the members of the supreme council (*Bḡ* 2.336),¹⁰ and this shows that part only of the heads of leading families, certainly as representing their class, had a voice in the Sanhedrin. A comparison of two passages in Josephus confirms that the 'elders' are indeed heads of notable lay families. After his rise to power in 37 BC Herod put to death, according to *Ant.* 14.175, 'all¹¹ the members of this Sanhedrin'. According to *Ant.* 15.6, he put to death 'forty-five of the principal men of the party of Antigonus' (he was both king and high priest). Comparing these two passages, we gather that the principal members of the lay nobility, Hasmonean sympathisers, had a voice in the Sanhedrin. A second synonym is even more explicit. Those men called, in *Bḡ* 2.237, representatives of 'the magistrates of Jerusalem' are called, in the parallel passage in *Ant.* 20.123, 'those who were by rank and birth the leaders of the inhabitants of Jerusalem'. Again comparison of these two passages shows that the heads of patrician families had a voice on the Sanhedrin.

Examination of rabbinic literature leads us to the same conclusion, since it too speaks of representatives of lay nobility as a group in the Sanhedrin. Thus we have sure and certain historic evidence on the

of the Holy Sepulchre (see my *Golgotha*, Leipzig 1926, 1-33). Furthermore, the term *εὐσχήμων* (15.43) used in the papyri suggests perhaps a rich landowner (cf. J. Leipoldt in *Theologisches Literaturblatt* 39, 1918, col. 180f.).

⁹ *συνελθόντες γοὺν οἱ δυνατοὶ τοῖς ἀρχιερεῦσιν εἰς ταὐτὸ καὶ τοῖς τῶν Φαρισαίων γνωρίμοις*. Cf. 2.301: *οἱ τε ἀρχιερεῖς καὶ δυνατοὶ τό τε γνωριμώτατον τῆς πόλεως*.

¹⁰ 'The chief priests of the Jews, the leading citizens and the council'; 2.627: 'their leaders, with some of the magistrates'.

¹¹ Not to be taken literally: the Sanhedrin had seventy-one members. S. Funk, 'Die Manner der grossen Versammlung und die Gerichtshöfe im nachexilischen Judentum', *MGWJ* 55, 1911, 37-39, supposed this passage to refer to the little Sanhedrin composed, he thought, of forty-five members, but he could scarcely be right.

nature of the 'elders'. Many times in rabbinic literature there appear 'the eminent men of the generation', 'the eminent men of Jerusalem', 'the leading men of Jerusalem.' Detailed references show that they formed a limited group: the legendary tale in the Midrash in which Vespasian filled three boats with 'eminent men of Jerusalem' to deport them (Lam. R. 1.48 on 1.16, Son. 1.45, 124), is to the purpose here. There are other instances in the light of history. 'R. Zadoq, the leader of his generation' (*ARN* Rec. A, ch. 16, Goldin, 84) '*The noble women* of Jerusalem used to donate and bring it [the narcotic drink for those condemned to death]' (b. Sanh. 43a Bar.; see p. 95). 'Abba Saul (c. AD 150) said: "The *notable woman* of Jerusalem fed them and maintained them" (i.e. the women who brought up their children for the rite of the Red Heifer, Num. 19)' (b. Ket. 106a). Although children under age were not allowed into the Court of the Israelites (M. Arak. ii.6; T. Arak. ii.1, 544), the sons under age of the 'leading men of Jerusalem' (T. Arak. ii.2, 544.14) had a right to join in the singing of the Levites during the daily sacrifice, and so stood in the Court of the Israelites, at the feet of the Levites who were on the platform between the Court of the Israelites and the Court of Priests.¹²

One statement by the apostate Elisha b. Abuyah, born in Jerusalem before AD 70, is particularly important. 'My father Abuyah was one of the notable men of Jerusalem.'¹³ At my circumcision he invited all the notables of Jerusalem.'¹⁴ This invitation shows that the father, a patrician of Jerusalem, was a very well-to-do man; and the word 'all' indicating that all the notables of Jerusalem could gather in one room, shows that the heads of leading Jerusalem families formed a small close circle.

It was members of this group who are depicted in the well-known story of three Jerusalem merchants. At the outbreak of the rebellion against the Romans they are said to have pledged themselves to provide food and wood for Jerusalem for twenty-one years (see pp.

¹² According to T. Arak. ii.2, 544, they were in the Court of Women. But, as ii.1, 544 shows, the true picture is in M. Arak. ii.6: 'nor did they stand on the Platform; but they used to stand on the ground so that their heads were between the feet of the Levites [who stood on the platform raised 1½ cubits (75 cm., about 30 ins.) above the Court of the Israelites].' G. Dalman, 'Der zweite Tempel zu Jerusalem', *PJB* 5, 1909, 43 n. 6, also rejects the placing in T. Arak. ii.2, 544.

¹³ Variant in Eccles. R. and Ruth R.: 'One of the notable men of his generation'.

¹⁴ Eccles. R.: 'And all the eminent men of the generation'. j. Hag. ii.1, 77b.33, says: 'and placed them in one room'. The par. in Ruth R. 6.6. on 3.13 (Son. 6.4, 77) and Eccles. R. 7.18 on 7.8 (Son. 184) omit these words.

38f., 95f.). They are sometimes called 'three men of great wealth' (b. Gitt. 65a), sometimes 'the great ones of Israel' (*ARN* Rec. A, ch. 6, Goldin 44) or 'greatest of the town' (Gen. R. 42.1 on 14.1, Son. 340; *ARN* Rec. B, ch. 13; *Pirke R. Eliezer* 2), and sometimes 'councillors' (Eccles. R. 7.25 on 7.12, Son. 193; Lam. R. 1.32 on 1.5, Son. 1.31, 101).¹⁵ Some details of this story may be legendary; but there is a kernel of historical fact (see p. 96 n. 28) which contains the indication that the 'great ones of the city' sat in the Sanhedrin. This is all the more likely as 'the principal men of Jerusalem', on the Day of Atonement, had an official function to perform in connection with the rites. They accompanied, obviously as members of the Sanhedrin (cf. M. Yom. i.5), the man who led the 'Goat for Azazel' into the wilderness, as far as the first of the ten booths placed along the route (M. Yom. vi.4). A final comparison of two Midrashic passages shows that the titles 'great ones of the city' (or 'of their generation') and 'elders' appear to be synonymous.¹⁶ This closes the circle of evidence, that in the Sanhedrin the group of 'elders' was composed of the *heads of the leading families of Jerusalem*.

During our enquiry into the composition of the Sanhedrin we have discovered convincing evidence of the existence of a lay nobility in Jerusalem, and it now remains for us to ask if we can arrive at a more precise knowledge of this section of the population. We can indeed do so. M. Taan. iv.5 hands down to us a very valuable list of the privileged families¹⁷ who were entitled to supply wood for the altar: 'The wood offering of the priests and the people was brought nine times (in the year):

- (1) on the 1st of Nisan by the family of Arah of the tribe of Judah [cf. Ezra 2.5; Neh. 7.10];
- (2) on the 20th of Tammuz, by the family of David of the tribe of Judah [cf. Ezra 8.2];
- (3) on the 5th of Ab, by the family of Parosh of the tribe of Judah [cf. Ezra 2.3; 8.3; 10.25; Neh. 3.25; 7.8; 10.15];

¹⁵ In the last passage *four* councillors are mentioned through wrongly treating Naqdimon b. Gorion as two names.

¹⁶ Lev. R. 30.7 on 23.40 (Son. 389) lists: (a) great ones of the city [of their generation], (b) private persons, (c) men, women and children. Cant. R. 6.11 on 6.5 (Son. 263), lists: (a) private persons, (b) children, (c) the *zēqēnīm*. Comparison of these two shows that *zēqēnīm* probably does not indicate age but honour; cf. A. Büchler, *The Political and Social Leaders of the Jewish Community of Sepphoris*, London 1909, 10.

¹⁷ In Neh. 10.35 we find the choice is made by lot, cf. b. Taan. 28a.

- (4) on the 7th of the self-same month, by the family of Jonadab the son of Rechab [cf. II Kings 10.15, 23; Jer. 35.8; I Chron. 2.55];
- (5) on the 10th by the family of Senaa of the tribe of Benjamin [cf. Ezra 2.35; Neh. 3.3; 7.38; 11.9];
- (6) on the 15th by the family of Zattuel of the tribe of Judah [cf. Zattu: Ezra. 2.8; 10.27; Neh. 7.13; 10.15] together with the priests and Levites and all whose tribal descent was in doubt¹⁸ and¹⁹ the family of the Pestle-smugglers [or Mortar-smugglers: b. Taan. 28a] and the family of Fig-pressers;
- (7) on the 20th of the same month [it was brought] by the family of Pahath Moab of the tribe of Judah [cf. Ezra 2.6; 8.4; 10.30; Neh. 3.11; 7.11; 10.15];
- (8) on the 20th of Elul, by the family of Adin of the tribe of Judah [cf. Ezra 2.15; 8.6; Neh. 7.20; 10.17];
- (9) on the 1st of Tebet . . . an additional offering, and a wood offering [by the family of Parosh].'

First, it is surprising to find in this list mention of a Rechabite family; indeed the latest historical record of the Rechabites is found in Neh. 3.14 and I Chron. 2.55, for there is very grave suspicion about Hegesippus' statement, quoted by Eusebius, *HE* II, 23.4–18, that James the brother of Jesus was put to death by a Rechabite priest [*sic!*]. It is surprising, too, that together with the Rechabite family only families mentioned in Ezra and Nehemiah are named. These two points together suggest that this list dates from a period not long after the return from exile; probably it derives directly from the description, in Neh. 10.35–37 and 13.31, of the casting of lots to provide wood for the altar fire. We see therefore that the Talmudic account²⁰ is quite right in saying that the privilege of bringing wood was an ancient prerogative dating back to the time of the reorganization of the Jewish community after the Babylonian exile. This prerogative was jealously guarded by the privileged families through the centuries. Thus we have every reason to assume that this list preserves the names of eminent patrician families whose precedence was based on centuries-old privilege.

¹⁸ Perhaps a euphemism for 'whose ancestry is not quite free from impurity'.

¹⁹ Or 'namely'; there is no indication of tribe for the next two pseudonyms, so they are an explanation of the preceding phrase.

²⁰ b. Taan. 28a; T. Taan. iv.5, 219; j. Taan. iv.2, 68a.38.

It follows that these privileged families were originally *landowning families*, as is shown by their supplies of natural products to the Temple. This accords with the fact that in Jesus' time the lay nobility consisted mostly of rich families. In the Midrash we find the sentence, 'So-and-so is rich, we will make him a city magistrate',²¹ attributed to Roman officials. We shall understand this sentence if we bear in mind that the procurator was careful to choose his officials from among the 'elders' of the Sanhedrin and other heads of families—his tax officials,²² the *dekaprotai* (*Ant.* 20.194). These were charged with assessing the citizens liable to taxation, the tribute which Rome imposed on Judaea, and guaranteed the correct payment from their own resources.²³ This 'liturgical'²⁴ office of the *dekaprotos* required men of considerable means, principally men who were landowners, as we know in Egypt; this shows that the heads of patrician families, at any rate those with seats in the Sanhedrin, were men of great wealth. This appears to be true of Joseph of Arimathea and of the three great merchants of Jerusalem mentioned on pp. 225f.

In this context too is a difficult passage of the Midrash: it says that the councillors of Jerusalem with great cunning sought to persuade rich inhabitants of Bitter to accept posts as councillors, and by this means stole their property (*Lam. R.* 2.5 on 2.2, *Son.* 2.4, 160; 4.22 on 4.18, *Son.* 4.21, 231; *j. Taan.* iv.8, 69a.22). This meagre and exaggerated statement does at least tell us that the lay members of the Sanhedrin were generally men of means and—this seems to be the kernel of truth—that their office could involve financial sacrifice.

There are statements in Josephus to give us information on the intellectual and religious position of the lay nobility. 'This doctrine is received but by a few, yet by those still of the greatest dignity', he says of the Sadducees (*Ant.* 18.17); and again, 'The Sadducees have the confidence of the wealthy alone, but no following among the

²¹ *Gen. R.* 76.5 on 32.12 (*Son.* 76.6, 706); see further *b. Gitt.* 37a: 'R. Hisda (d. 309) says, 'Būlē, those are the rich.' For it is written (Lev. 26.19), 'I will break the pride of your power', and as R. Joseph (d. 333) explained, this means the city councillors or judges, (*būlā'ōth*; on this point see Bacher, *Ag. Tann.* I, 52 n. 6). In this reference too the councillors are rich men.

²² *Bḥ* 2.405: archontes and councillors collect taxes; 407: archontes and patricians are presented to the procurator for nomination as tax officials.

²³ On the office of *dekaprotos* see C. G. Brandis, Δεκάπρωτος, in Pauly-Wissowa, *Real-Encyclopädie* IV, 1901, 2417ff.; O. Seeck, *Decemprimat und Dekaprotie*, in *Beiträge zur alten Geschichte*, ed. C. F. Lehmann, I, Leipzig 1902; Mitteis-Wilcken, I.1, 218.

²⁴ This term denotes an official charge enforced by lawful authority.

populace' (*Ant.* 13.298).²⁵ Josephus' historical perspective confirms very convincingly these statements that the lay nobility consisted for the most part of Sadducees.²⁶ He depicts, for example, the Sadducees as the most distinguished and important people in the entourage of King Alexander Jannaeus (103–76 BC), who held Sadducean ideas (*Ant.* 13.411; *Bḥ* 1.114).

The still prevalent view that the Sadducees were a clerical party recruited, partly if not exclusively, from higher circles in the priesthood, thus stands in need of correction. It is certainly true that the later Hasmoneans and the families of the illegitimate high-priestly aristocracy, in contrast with the majority of priests, were for the most part of Sadducean opinions.²⁷ Thus the high priest and prince of the Jews John Hyrcanus (134–104 BC) who at the beginning of his reign favoured the Pharisees, went over in the end to the Sadduceans (*Ant.* 13.288ff.; *b. Ber.* 29a), thus Alexander Jannaeus (103–76 BC), high priest and king (*Ant.* 13.371f.),²⁸ also the high priest Simon, son of Boethus (c. 22–5 BC, see n. 33), the high priest Joseph, surnamed Caiaphas (AD 18–37)²⁹ and Ananus the younger, son of Ananus (AD 62, *Ant.* 20.199), and finally the two Sadducean high priests of rabbinic tradition whose names are not mentioned, but one of whom we must identify as Ishmael b. Phiabi II (up to AD 62).³⁰

²⁵ Cf. in this connection *ARN*, Rec. A, ch. 5 (Goldin 39): 'And they [the Sadducees and Boethusians] used silver vessels and gold vessels all their lives' [because they denied the resurrection of the dead and thus wished to make the most of earthly life]. It is true that followers of the Sadducees belonged to wealthy circles. Let us remember too that the Hellenistic influence was evident in the theology and philosophy of life of the Sadducees, and this also indicates the wealthy classes since it was they who were most influenced by Hellenistic culture.

²⁶ For literature on the Sadducees see ch. XI below. Here we may mention Wellhausen, *Pharisäer*; Schlatter, *Geschichte Israels*, 165–70; R. Leszynsky, *Die Sadduzäer*, Berlin 1912.

²⁷ The precautionary measures in *M. Yom.* i.5; iv.1 and *M. Sukk.* iv.9 are correctly explained in *b. Yom.* 19b—the high priest was suspected of Sadducean tendencies.

²⁸ Cf. *b. Sukk.* 48b, where the high priest called 'a certain Sadducee' means Alexander Jannaeus.

²⁹ Acts 5.17 calls the Sadducees 'all they that were with him' i.e. with the high priest, who was then Caiaphas: Acts 4.6.

³⁰ This tradition refers to (1) a Sadducean high priest who offers the incense on the Day of Atonement, according to the Sadducean rite, *b. Yom.* 19b *Bar.*; *j. Yom.* i.5, 39a.45; *T. Yom.* i.8, 181; and (2) a Sadducean high priest who burnt the Red Heifer, *T. Par.* iii.8, 632, in the presence of R. Johanan b. Zakkai. This second event, therefore, could not have happened long before AD 70. Now according to *M. Par.* iii.5, in the first century AD there were only two high priests who prepared the Red Heifer: Elionaios, son of Kantheras (c. AD 44) and Ishmael, son of Phiabi (up to AD 62); thus it could only be Ishmael.

The chief priests, too, were generally Sadducees;³¹ even in the time of Agrippa I their court seems to have given judgment according to the severe Sadducean law.³² It is true moreover that these high-ranking priests took the leadership among the Sadducees; Acts shows the Sadducees as supporters of the high priest (Acts 5.17, cf. 21), and a group of Sadducees—perhaps even the whole group³³—were called ‘Boethusians’ after the high priest Simon, son of Boethus.³⁴ But all this does not in any way prove that the Sadducees consisted exclusively, or even predominantly, of priests. Indeed, this possibility is precluded by the absence of any such affirmation in Josephus’ presentation of the Sadducees; and also by the distinction drawn in Acts between priests of Sadducean opinions and Sadducees themselves (Acts 4.1).³⁵ It is Acts 23 which reveals the true situation. When Paul was brought before the Sanhedrin he saw that it was divided into two groups, Sadducees and Pharisees. He declared, ‘I am a Pharisee, a son of Pharisees: touching the final hope and the prophecy of resurrection of the dead I am called in question’ (Acts 23.6), and these words rallied the Pharisees to his side. Next day a Zealot plot was formed against Paul’s life and received support from ‘the chief priests and elders’ (Acts 23.12–14). Since the Pharisees were on Paul’s side, the plotters could only have been the Sadducean group in the Sanhedrin.

We see then that the Sadducean party was made up of chief priests and elders, the priestly and the lay nobility. Thus the patrician families stood in the same relationship to the priestly nobility as the Pharisees to the scribes. In both cases the laity formed the mass of supporters; the ‘men of religion’—Sadducean clergy, Pharisaic theologians—were the leaders.

The Sadducees formed a tightly closed circle,³⁶ and this observa-

³¹ It is probable that there were Pharisees among the higher ranks of priests (see pp. 256f. in the chapter on the Pharisees); but this was by no means the rule.

³² See p. 178 n. 94.

³³ Parallel passages often use the terms Sadducees and Boethusians synonymously. In *ARN*, *loc. cit.* (n. 25), the distinction between them is false.

³⁴ T. Sukk. iii.1, 195; b. Sukk. 43b; T. Yom. i.8, 181; T.R. Sh. i.15, 210; b. Shab. 108a; b. Men. 65a; *ARN*, *loc. cit.* (n. 25); Bill. II, 849f., 599a.

³⁵ A corresponding distinction between a high priest and a Sadducee is found in T. Nidd. v.3, 645; b. Nidd. 33b. For the original text of the passage (Arab sheikh instead of Sadducee) see p. 153 n. 24.

³⁶ Although some details of his treatment are open to question, B. D. Eerdmans, ‘Farizëen en Sadducëen’, *Theologisch Tijdschrift* 48, 1914, 1–26 and 223–30, saw this correctly, in contrast to Wellhausen, *Pharisäer*. It is therefore wrong to refer to Pharisees and Sadducees as ‘sects’, since neither group separated itself from the

tion is particularly helpful in understanding the awareness of tradition among patrician families. These facts emerge from the information that the number of Sadducean supporters was small, as Josephus says (*Ant.* 18.17), and that they possessed a *halākāh* (tradition), based on an exegesis of Scripture, which the members must follow in their conduct of life. The exclusive character of the Sadducean group is shown even more clearly by the fact that Josephus classes them with Pharisees and Essenes. In his autobiography he tells how he made a comparative survey of Pharisees, Sadducees and Essenes, in order to obtain practical knowledge of all three, and finally decided for the Pharisees (*Vita* 10ff.). We know definitely that the Pharisees and the Essenes were clearly defined communities, with conditions of admission and definite principles; it follows then that the same must be true of the Sadducees. Not everyone could gain admission to this tight circle of Sadducees.

The Sadducean 'theology' is equally instructive in understanding the lay nobility's position as guardian of tradition. They held strictly to the literal interpretation of the Torah,³⁷ in particular to the precepts on the cultus and the priesthood, and thus found themselves in direct opposition to the Pharisees and their oral *halākāh* which declared that the rules of purity for priests were binding on the pious laity too.³⁸ The Sadducees had formulated this theology in a fully developed *halākāh* based on exegesis (cf. Matt. 16.12 'the teaching of . . . Sadducees'). In addition they had their own penal code,³⁹ and we have much evidence of its extreme severity.⁴⁰ We have already met (p. 178) a Sadducean tribunal of chief priests, and we are reminded in several places of sentences passed according to Sadducean laws (*Ant.* 20.199; b. Sanh. 52b). This makes the existence of Sadducean scribes quite definite; indeed we cannot really contest it, since the sources make particular mention of Sadducean scribes.⁴¹ It shows again that

community; moreover it is wrong to dispute the aristocratic character of the Sadducees.

³⁷ R. Leszynsky, *Die Sadduzäer*, Berlin 1912, has given proof of this.

³⁸ See pp. 265f. in the chapter on the Pharisees.

³⁹ Meg. Taan. 10, on 14 Tammuz. cf. the Scholia on Meg. Taan. 10.

⁴⁰ Ps. Sol. 4.2; *Ant.* 20.199; Bill. IV, 349-52.

⁴¹ *Ant.* 18.16; cf. further Acts 23.9: 'scribes of the Pharisees' party'; Mark 2.16 par. Luke 5.30: 'the scribes of the Pharisees'. Such expressions suppose that, in contrast, there were Sadducean scribes, on whom see Bill. I, 250; IV, 343-52; Meyer, *Ursprung* II, 286ff.; Schürer II, 380f., 457, ET II.1, 319f., II.2, 11; G. F. Moore in *HTR* 17, 1924, 350f.; L. Baeck, 'Die Pharisäer', in 44. *Bericht der Hochschule für die*

the patrician families of Sadducees formed a tightly closed group, with an elaborate tradition of theology and doctrine; they kept strictly to the exact text of Scripture, which shows the conservative character of these circles.

Thanks to their ties with the powerful priestly nobility, the rich patrician families were a very influential factor in the life of the nation. Especially under the Hasmoneans, up to the beginning of Queen Alexandra's reign (76 BC), was political power in their hands. Together with the leading priests they made up the Sanhedrin, and consequently they, together with the sovereign, possessed judiciary power and authority to govern. The decline of their power dates from the time of Alexandra; under her the Pharisees gained a foothold in the Sanhedrin, and the mass of people rallied more and more to them. The Sadducees were involved in hostilities with Herod the Great, in particular during the long pontificate of the high priest Simon (22–5 BC), son of Boethus after whom they were called Boethusians; this seems to have given them an opportunity of strengthening themselves internally but this could not deflect the tide of change. The decline in the political importance of the high priests during the first half of the first century AD was the cause of the decline of the lay nobility, and the Pharisees, relying on their large number of supporters among the people, saw their power in the Sanhedrin becoming stronger and stronger (*Ant.* 18.17).

Once more chance seemed to have decreed that the nobility should lead the people, in AD 66, when the uprising against Rome began, and the young nobles took into their hands the people's destiny. But it was for a matter of months only, for by AD 67 the Zealots had taken command. The decline of the state marked the decline of the lay nobility and of the Sadducean influence, which had grown from the union of the priestly and the lay nobility. The new and powerful ruling class of the scribes had everywhere overtaken the ancient class of priestly and lay nobility, founded on the privileges of birth.

Wissenschaft des Judentums in Berlin, Berlin 1927, 70 n. 87, ET, *The Pharisees and Other Essays*, New York 1947, 23.

X

THE SCRIBES

TOGETHER WITH THE old ruling class composed of the hereditary nobility of priests and laity, there grew up in the last centuries BC a new upper class, that of the scribes. At the time with which we are dealing, the first century AD until the destruction of the Temple, the struggle for supremacy between the ancient ruling class and the new reached its peak, and the balance began to be tipped by degrees in favour of the new class. How was this possible? From which circles did this new ruling class recruit its members? Upon what did their power and prestige rest that they could dare to compete with hereditary nobility of such long standing? Such are the questions which now arise.

To find answers for them we must first examine the company of the scribes of Jerusalem.¹ When we look for the origin of these scribes a varied picture emerges. In Jerusalem before AD 70 we can prove the existence of a large number of priests who were scribes (pp. 207, 243 n. 32). Among these were such leading priests as the captain of the Temple, R. Ḥananiah (M. Ab. iii.2 *et passim*), the chief priest Simon (Josephus, *Vita* 197), another Simon, son of a Temple captain (p. 203 n. 181),² Ishmael b. Elisha, grandson of a reigning high priest,³ R. Zadoq (p. 193 n. 145) a distinguished priest of an old high-priestly family, and his son R. Eleazar (p. 203), and the writer Josephus who belonged to the first weekly course of Jehoiarib (*Vita* 1ff.).

¹ For the scribes and Pharisees as a factor in the community, see M. Weber, *Religionssoziologie* III, 401–42; E. Lohmeyer, *Soziale Fragen im Urchristentum*, Leipzig 1921, largely follows him.

² The word Rabbi as a title does not occur in every testimony.

³ In T. Hall. i.10, 98 he swears by the vestments of his forefather (*'abbā*); this could not have been his father because in the first century AD there was no high priest called Elisha. It could be only his grandfather, probably Ishmael b. Phiabi II (until AD 62), see p. 196 n. 159. It was in Jerusalem before AD 70 that Ishmael b. Elisha began his study of the Bible, before the Romans took him captive while still a boy (b. Gitt. 58a Bar.; Lam. R. 4.4 on 4.2, Son. 218).

Besides these members of the priestly aristocracy, ordinary priests wore the robe of a scribe: the priest R. Jose b. Joezer, an expert in matters of purity (M. Hag. ii.7), priests in whose family the post of leader of the Hellenist synagogue in Jerusalem was hereditary (p. 66), the priest R. Jose, pupil of Johanan b. Zakkai (M. Ab. ii.8 *et passim*), R. Eliezer b. Hyrcanos, a very cultured priest who lived in Jerusalem before the destruction of the Temple (j. Sot. iii.4, 19a.3ff. shows that he was a priest), the priest Joezer (*Vita* 197)⁴ and his father (*Bḥ* 2. 628), the priest R. Tarphon who in his youth had witnessed the Temple cultus (T. Neg. viii.2, 628 shows he was a priest). We do not know whether the priests Zachariah b. Qebutal (M. Yom. i.6) and Simeon the Discreet (T. Kel. B.K. i.6, 569) were ordained scribes, since the texts do not give them the title of Rabbi.

Among the scribes who lived in Jerusalem before the destruction of the Temple, we find also, members of the lower orders of clergy (p. 213): Johanan b. Gudgeda, the chief doorkeeper,⁵ R. Joshua b. Hananiah, a Levite singer plying the trade of a nailmaker (b. Arak. 11b; j. Ber. iv.1, 7d.19; b. Ber. 28a), the Levite Barnabas, prophet and teacher of the early Christian community (Acts 13.1), R. Eleazer b. Jacob, nephew of a Levite (M. Midd. i.2). There were besides, as we have seen (p. 231) scribes, who came from the circle of patrician families who developed the Sadducean tradition.

Next came men from every other class of people, and these far outnumbered the rest. These other Jerusalem scribes presented in their professions a varied and multicoloured picture. We must mention Joezer, commander of the Temple fortress under Agrippa I, who was a Shammaite (M. Orl. ii.12). There were several merchants (p. 113, Johanan b. Zakkai), among them a wine merchant (*ibid.*, Abba Saul b. Batnit). There were artisans of different trades, a carpenter (p. 112, Shammai), a flax comber (Simeon b. Shetah, j. B.M. ii.4, 8c. 18), a tent maker (Paul, Acts 18.3; cf. p. 3), even a day labourer, Hillel, afterwards a very famous teacher (pp. 112f.). These petty town-folk belonged for the most part to the unprivileged part of the population (pp. 111ff.). Among the scribes of Jerusalem, alongside men of ancient families such as Paul (Phil. 3.5; Rom. 11.1), we find even

⁴ Γόζοπος (var. Γόζαπος); the correct form of his name occurs in the parallel passage, *Bḥ* 2.628: Ἰώεσδρος = Joezer.

⁵ On his office, see pp. 173f. According to M. Yeb. xiv.3; M. Gitt. v.5; b. Arak. 11b; b. Gitt. 55a, he was a Rabbi. b. Hor. 10a, b tells us he possessed amazing knowledge of mathematics. But the parallel, Siphre Deut. 1.16, speaks instead of R. Johanan b. Nuri, which is assuredly right, see p. 168 n. 69.

men who were not of pure Israelite descent—and the course of our investigation will show what that means—such as Shemaiah and Abtalion, the famous teachers of the middle of the first century BC, who were said to have descended from proselytes (b. Yom. 71b; b. Gitt. 57b).⁶ Two other Jerusalem teachers appear to have had pagan blood in their veins, at least on their maternal side: R. Johanan, 'son of the Hauranite', c. AD 40 (M. Sukk. ii.7 *et passim*), and Abba Saul, 'son of the Batanean', c. AD 60 (b. Betz. 29a Bar. *et passim*).⁷ These surprising surnames are scarcely to be explained otherwise than that their mothers were respectively Hauranite and Batanean proselytes (p. 322). Thus it is clear that if all these scribes played a prominent role, it was not as a result of their origin, but in spite of their obscure birth, in spite of their poverty, in spite of their standing as petty townsfolk.

It was knowledge alone which gave their power to the scribes. Anyone who wished to join the company of scribes by ordination had to pursue a regular course of study for several years. The young Israelite desirous of dedicating his life to such scholarship began his education as a pupil (*talmīd*). Many examples show that instruction usually began at an early age. Josephus makes this clear, even if we set aside a good part of his immeasurable self-praise. From the age of fourteen he had already mastered the interpretation of the Law (*Vita* 9). It is also clear from the story in b. Gitt. 58a Bar. and parallels about R. Ishmael b. Elisha, that he had already a thorough knowledge of Scripture when the Romans took him captive as a young man.⁸

The student was in personal contact with his teacher and listened to his instruction. When he had learned to master all the traditional material and the halakic method, to the point of being competent to take personal decisions on questions of religious legislation and penal justice, he was a 'non-ordained scholar' (*talmīd ḥākām*). It was only when he had attained the canonical age of ordination fixed—surely too late—at 40 by a post-Tannaitic reference (b. Sot. 22b), that he could by ordination (*semikāh*)⁹ be received into the company of

⁶ Later, R. Aqiba was also considered to be a descendant of a proselyte, but this is not true.

⁷ Perhaps Nahum the Mede (c. AD 50), in M. Shab. ii.1, *et passim*, came into this category too.

⁸ Cf. Bacher, *Ag. Tann.* I, 166 n. 1.

⁹ The corresponding custom in primitive Christianity (Acts 6.6, *et passim*) is a guarantee of the antiquity of this rite.

scribes¹⁰ as a member with full rights, an 'ordained scholar' (*ḥākām*). Henceforth he was authorized to make his own decisions on matters of religious legislation and of ritual (b. Sanh. 5a), to act as judge in criminal proceedings (*ibid.* 3a), and to pass judgement in civil cases either as a member of the court or as an individual (*ibid.* 4b Bar.).

He had the right to be called Rabbi, for it is certain that this title was already used for scribes at the time of Jesus (Matt. 23.7–8).¹¹ However, other men who had not gone through the regular course of education for ordination were also called Rabbi, and Jesus of Nazareth is an example. This is because the title, at the beginning of the first century AD, was undergoing a transition from its former status as a general title of honour to one reserved exclusively for scribes. At all events, a man who had not completed a rabbinic education was known as *μὴ μεμαθηκώς* (John 7.15), and he had no right to the privileges of an ordained teacher.

Only ordained teachers transmitted and created the tradition derived from the Torah which, according to Pharisaic teaching which the mass of the people respected, was regarded as equal to (Bill. I, 81f.), and indeed above the Torah (*ibid.* 691ff.). Their decision had the power to 'bind' or to 'loose' (cf. Matt. 16.19; 18.18) for all time the Jews of the entire world. To such a student, such an 'academic', as the bearer of this knowledge and authority, there were opened key positions in the administration of justice, in government and in education. 'Academic professions' thus made their appearance, and the scribes practised them along with their teaching and their civil profession.

Apart from the chief priests and members of patrician families the scribe was the only person who could enter the supreme court, the Sanhedrin. The Pharisaic party in the Sanhedrin was composed entirely of scribes.¹² This Sanhedrin, we reflect, was not merely a court of government, but primarily one of justice.¹³ Now the know-

¹⁰ Cf. the 'families of the scribes' (I Chron. 2.55, *mišpəḥōt*), a 'company of scribes' (I Macc. 7.12, *συναγωγή*), *et passim*.

¹¹ See G. Dalman, *WJ*, 274, ET 333f.; *Jesus-Jeschua*, Leipzig 1922 (reprinted Darmstadt 1967), 12; ET, *Jesus-Jeshua*, London 1929, 13.

¹² In the NT the Pharisaic group in the Sanhedrin is always called 'the Pharisees', or 'the scribes' (cf. e.g. Matt. 21.45, 'the chief priests and the Pharisees', with the parallel in Luke 20.19, 'the scribes and the chief priests'); whereas nowhere do the Pharisees and scribes appear together as groups within the Sanhedrin.

¹³ Matt. 26.57–66; Acts 5.34–40; *Ant.* 14.172, and the abundance of rabbinic documents.

ledge of scriptural exegesis was the determining factor in judicial decisions. Add to this the great influence that the Pharisaic group in the Sanhedrin had managed to gain in its administrative activity, and we can appreciate the importance of the scribes' privilege in forming part of the court of seventy-one. Thus, we meet in the Sanhedrin the principal scribes: Shemaiah (*Ant.* 14.172), Nicodemus (John 3.1; 7.50), R. Gamaliel I (Acts 5.34) and his son Simeon (*Vita* 190; *Bḥ* 2.627). Other scribes were members of tribunals: Johanan b. Zakkai (M. Sanh. v.2) and Paul (Acts 26.10–11), who had served as judges in criminal proceedings. Three other scribes made up a civil tribunal in Jerusalem (M. Ket. xiii.1ff.; b. B.K. 58b).

When a community was faced with a choice between a layman and a scribe for nomination to the office of elder to a community, of 'ruler of the synagogue', or of judge, it invariably preferred the scribe. This means that a large number of important posts hitherto held by priests and laymen of high rank,¹⁴ had, in the first century AD passed entirely, or predominantly, into the hands of scribes.

However, the decisive reason for their dominant influence over the people has yet to be stated. The deciding factor was not that the scribes were the guardians of tradition in the domain of religious legislation, and because of this, could occupy key positions in society, but rather the fact, far too little recognized, that they were the guardians of a secret knowledge, of an esoteric tradition.¹⁵ 'The forbidden degrees may not be expounded before three persons, nor the story of Creation before two, nor (the chapter of) the Chariot (Ezek. 1.4ff.) before one alone, unless he is a sage that understands his own knowledge. Whosoever gives his mind to four things, it were better¹⁶ for him if he had not come into the world—what is above? what is beneath? what was beforetime? and what will be hereafter?' (M. Hag. ii.1; T. Hag. ii.1.233; ii.7.234). Esoteric teaching in the strict sense thus had as its object, as a great deal of other evidence confirms, the deepest secrets of the divine being (the vision of the

¹⁴ Priests as judges before and after the exile: Deut. 17.9–13; 21.5; Ezek. 44.24. Priests as teachers: Deut. 33.10; Jer. 18.18; Mal. 2.7; Ecclus. 45.17. Levites as judges: I Chron. 23.4; 26.29. Priests, Levites, and heads of family as judges: II Chron. 19.5–11. See pp. 222f.

¹⁵ On the esoteric tradition in late Judaism and Christianity, see my *Eucharistic Words of Jesus*, 2nd ed., ET, London 1966, 125ff. In what follows, only the most important points can be dealt with.

¹⁶ Jerus. Talmud, Venice 1523, and Cambridge MS: *rātūy*. The reading *rā'ūy* is a correction, Bill. I, 989 n. 1.

Chariot).¹⁷ Probably the holy name, endued with magical virtues¹⁸ was part of this, and the secrets of the marvels of Creation.¹⁹ Only in private, between the teacher and his most intimate pupil, were there discussions on theosophy and cosmogony as they had been transmitted in the first chapters of Ezekiel and Genesis; they spoke very softly, and during the discussion of the most sacred vision of the Chariot, they went so far as to cover their heads (b. Yeb. 6b) as a sign of deep reverence before the secret of the divine being.

It would be possible to explain as anti-gnostic polemic the later part of the text just quoted, which, in the four questions, forbids all speculation either on cosmic topography with its predictions on the celestial and the lower world, or on eternity before the creation of the world, and upon the last things.²⁰ But in fact apocalyptic, preserved in the pseudepigraphical writings of late Judaism, with their descriptions of eschatological events and the cosmic topography of the celestial and the lower world, formed part of the esoteric tradition of the scribes. This much is clear, if only from the repeated descriptions in the writings of the most holy vision of the Chariot (I Enoch 14.9ff.; 71.5ff.; II Enoch 20–22),²¹ and of the story of Creation (Jub. 2.1–22; I Enoch 69.16–25; II [4] Esd. 6.38–56)—but there is no lack of direct evidence.

The fourth book of Esdras ends with the order given to Pseudo-Esdras to publish the twenty-four books that had been written down by him, the twenty-four canonical writings of the Old Testament, 'that the worthy and unworthy may read it' (II [4] Esd. 14.45), but the text continues,²² 'But keep the last seventy (books), that thou mayest deliver them only to such as be wise among the people: For in them is the spring of understanding, the fountain of wisdom and the stream of knowledge.' This refers to the esoteric apocalyptic

¹⁷ *ma'aseh merkābāh*, Ezek. 1 and 10.

¹⁸ I Enoch 69.14–25: wonderful works of the holy name whereby God created the world, and revelation of the secret to men. Much material in Bill II, 302–333. See also my *Golgotha*, Leipzig 1926, 51.

¹⁹ *ma'aseh berēšit*, Gen. 1.

²⁰ On the hesitancy of Talmudic literature to describe the celestial paradise and the joy of its inhabitants, see Bill. IV, 1146.

²¹ The Hebrew text of the book of Enoch, edited by H. Odeberg, *3 Enoch or the Hebrew Book of Enoch*, Cambridge 1928, begins with the 'taking' of Enoch (Gen. 5.24), and continues, 'R. Ishmael says, As I climbed up to the heights to look upon the vision of the Chariot' (Odeberg, 3).

²² II (4) Esd. 14.45–46. Cf. further, the keeping secret of apocalyptic writings in *Ass. Mos.* 1.17; *Testament of Solomon* Rec. C 13. 13f. (ed. McCown, Leipzig 1922, 87*), and my *Golgotha*, Leipzig 1926, 51 n. 4.

writings to which the majority of men were denied access. They were inspired, like the books of the canon, but surpassed these in value and sanctity.

The apocalyptic writings of late Judaism thus contained the esoteric teaching of the scribes, and knowing this fact, we can immediately perceive the extent of such teaching and the value that was set upon it. Esoteric teachings were not isolated theological writings, but great theological systems, great doctrinal constructions, whose content was attributed to divine inspiration.

We are now in a position to define the boundaries in rabbinic tradition between matters esoteric and exoteric. All the teaching of the apocalyptic literature of the pseudepigraphal writings, foreign to Talmudic tradition, or occurring there only in isolation, belongs to the esoteric tradition. Such, for example, is the teaching on the saviour *bar nāšā* ('son of man'), a fact of considerable importance in understanding the message of Jesus. It is the knowledge of the esoteric character of apocalyptic that, above all, enables us to understand rightly the organic connection between apocalyptic and Talmudic literature. Statements such as Bousset's, that apocalyptic literature contained the religion of the people and Talmudic the theology of the scribes, turns truth upside down.²³

Certain esoteric teaching of an exegetical and juridical order was added to the theosophical, cosmological and apocalyptic esoteric teaching. Some was kept secret because of its holiness. This is particularly true of the 'Reasons of the Torah', i.e. the reasons which led God to establish particular legal prescriptions (b. Pes. 119a; b. Sanh. 21b, *et passim*). God has made known by the silence in Scripture concerning these 'Reasons of the Torah', that it is his will to leave the mass of the people in ignorance of the reasons why he had established these particular legal requirements.

Certain other teachings of this exegetical-juridical order were not divulged to the mass of people for pedagogical reasons, to avoid wrong use. This is the explanation of the prescription mentioned

²³ W. Bousset, *Die Religion des Judentums im neutestamentlichen [späthellenistischen] Zeitalter*, Tübingen 1902, 3rd ed., by H. Gressmann, Tübingen 1926. Against this conception of Bousset and Gressmann see, among others, G. Kittel, *Die Probleme des palästinischen Spätjudentums und das Urchristentum*, Stuttgart 1926, 11 ff. Apocalyptic literature was none other than midrash and haggadah arising from scripture. A. Schlatter has rightly emphasized this, but only the addition of 'esoteric' midrash and 'esoteric' haggadah makes fully clear the distinction between apocalyptic and Talmudic literature.

above (p. 237) that the laws of forbidden degrees should not be explained except before two listeners. The same explanation accounts for the prescriptions on reading certain offensive stories or expressions from the Old Testament during a synagogue service. Some of these might not be read even in Hebrew; others might be read only in Hebrew without translation into the common tongue, Aramaic; and finally, others might be read only if certain coarse expressions were replaced by more acceptable circumlocutions (M. Meg. iv.10; T. Meg. iv.31ff., 228).

Pedagogic reasons also explain why there was secrecy about the miraculous magical formulae used by the Rabbis (b. Hag. 13a; cf. n. 18), and about the prescriptions that were intended to ameliorate the laws of purity (b. Ber. 22a Bar.), and those concerning work on the 'middle days' of feasts (j. Bez. i.11, 60d.64), keeping holy the sabbath (b. Hull. 15a), etc. Finally, pedagogic reasons led to the concealment of genealogical traditions of a kind likely to bring public discredit upon well-known families (b. Kidd. 70b-71a; cf. b. Pes. 62b).

As a supplementary proof of the correctness of the preceding pages we must remember the role that is played by esoteric in the New Testament writings. First, as concerns the pronouncements of Jesus, the synoptists have without doubt preserved a very exact recollection when they distinguish Jesus' words to the crowd from those to the disciples, and his pronouncement before Peter's confession at Caesarea Philippi from that which followed this event. The Fourth Gospel confirms this, and K. Bornhäuser²⁴ has recognized that Nicodemus comes to find Jesus by night (John 3.1ff.) to receive from him, in the course of secret converse, teaching on the innermost mysteries of the kingdom of God (3.3), of regeneration (3.3-10), and redemption (3.13ff.). In the closing discourse of John's Gospel Jesus reveals the mystery of his mission and sufferings in the course of intimate converse with his disciples (John 13-17).

The importance of esoteric is still greater in primitive Christianity. It comprises: (a) The ultimate secrets of Christology (the silence of Mark on the Resurrection appearances; the fact that all the Gospels avoid describing the Resurrection; Heb. 6.1ff., where the whole section, 6.3-10.18 reads like a lesson which must be revealed only to those capable of understanding Heb. 5.14 cf. Col. 2.2). (b) Esoteric extended to the mystery of the divine being (II Cor. 12.1-7, esp. 4), and of his plan of redemption (Rom. 11.25 *et passim*) particularly in its eschatological aspect (I Cor. 2.6-3.2;

²⁴ *Das Johannesevangelium*, Gütersloh 1928, 26.

15.51; all of Revelation, according to 10.7; 17.5, 7). (c) Even in the first century, men began to preserve the words of institution from profanation.

We have just spoken of the esoteric teachings of the scribes in the narrowest sense, which might not be divulged to unauthorized people. We must not forget, however, a still more important fact, that at the period we are studying, the whole of the oral tradition, particularly the *halākāh*, was an esoteric doctrine to the extent that, although taught in places of instruction and in synagogues, it could not be propagated by the written word since it was the 'secret of God',²⁵ and could only be transmitted orally from teacher to pupil, because it was forbidden to mingle Scripture with tradition (Ex. R. 47.1 on 34.27, Son. 536).²⁶ It was not until the second century AD that, in order to counter the New Testament canon, the Jews produced a parallel complement to the Old Testament by writing down the oral Torah, which would make it accessible to all. In this way, most of the doctrine was stripped of its character of esoteric tradition.

Finally, the sacred writings of the Old Testament themselves were not immediately accessible to the masses, for they were written in the 'sacred language', Hebrew, while the common language was Aramaic. In the first century AD the leading scribes were still fighting against the spread of Aramaic translations of the Old Testament. This story about R. Gamaliel I (c. AD 30) shows the attitude in Jerusalem: Whilst in the Temple, a man brought him a copy of a targum on the book of Job (and Aramaic translation): he had it buried in a wall, as if it were a forbidden book (b. Shab. 115a).

It is only when we have realized the esoteric character of the teaching of the scribes, not only in the narrowest sense, but as concerning the whole of the oral tradition, even with respect to the text of the Old Testament, that we shall be able to understand the social position of the scribes. From a social point of view they were, as possessors of divine esoteric knowledge, the immediate heirs and successors of the prophets. 'The prophet and the scribe, to whom

²⁵ *Pesiqta rabbati* 5, 14b, 3; *Tanḥuma, wayyar*, 5, 65.30; *Tanḥuma ki thissa*, 34, 329.4.

²⁶ For the prohibition on writing', see Strack, *Einleitung*, 9-16. On this point we must carry Strack's excellent account (p. 14) still further, for in it the esoteric character of the scribes' knowledge is not sufficiently recognized as the decisive reason for the prohibition on transmitting by written words the oral tradition. This may be compared with Jesus' reproach to the scribes, that they took for themselves 'the key of knowledge' (Luke 11.52, par. Matt. 23.13), and so hindered other men from entering the kingdom of God.

shall we liken them? To two messengers of one and the same king', says the Palestinian Talmud (j. Ber. i.7, 3b.56).²⁷ Like the prophets, the scribes are servants of God along with the clergy; like the prophets they gather round themselves pupils to whom they pass on their doctrine; like the prophets, they are authorized in their office, not by proving their origin as the priests were, but solely by their knowledge of the divine will which they announce by their teaching, their judgements and their preaching. It may be that a scribe is of very doubtful origin, even of non-Israelite, but that does not affect his prestige in the slightest. It may be that he is a beggar, like Hillel the day-labourer from Babylonia, but his learning makes him world-famous.

From all corners of the world young Jews streamed to Jerusalem to sit at the feet of the masters whose teaching resounded throughout Jewry. At the time of Herod, Hillel came from Babylonia to hear Shemaiah and Abtalion (b. Yom. 35b), not flinching from a journey on foot of several weeks.²⁸ Hanan b. Abishalom came from Egypt to Jerusalem where later he was a judge (M. Ket. xiii.1-9; b. Ket. 105a), and from Media came Nahum, his colleague on the same tribunal (M. Shab. ii.1; M. Naz. v.4; M.B.B. v.2; b. A. Zar. 7b). Paul came from Tarsus in Cilicia and studied in Jerusalem under Gamaliel I (Acts 22.3).

In the time of Jesus, then, Jerusalem was the citadel of theological and juridical knowledge of Judaism. To be sure, at this time the Babylonian schools were important, and from them came the *benē betīrā*²⁹ who, until the time of Hillel, were the leading scribes in Jerusalem, and to whom Hillel himself owed his grounding in scribal lore.³⁰ But, important as the Babylonian schools were, they could not vie with those of Jerusalem. It is said that Hillel alone gathered eighty pupils around him (b. Sukk. 28a Bar.). They learned from their master in daily life as well as in the lecture room; their master's

²⁷ The context develops the idea that the authority of the scribe is greater than that of the prophet, as he has no need of proof of authenticity.

²⁸ *ARN*, Rec. A, ch. 12; Rec. B, ch. 27 (Goldin 70). See p. 59.

²⁹ Their name probably comes from the colony of Bathyra in Batanea, an establishment of Babylonian Jews set up by Zamaris of Babylon with Herod the Great's permission (*Ant.* 17.23ff.; Strack, *Einleitung*, 118). In support of this explanation, R. Judah b. Bathyra, living while the Temple was still standing, had his lecture room in Nisibis in Babylonia (b. Pes. 3b); in this town, a teacher of the same name was active at the time of the persecution by Hadrian (b. Yeb. 108b; Siphre Deut. 12.29, 80).

³⁰ Bacher, *Ag. Tann.* I, 2f.

actions, even his gestures (M. Sukk. iii.9) were closely watched, and they drew from them guidance on ritual questions. The decisions and teachings of the master were propagated beyond the borders of the land (M. Yeb. xvi.7); the pupils cherished them as a precious treasure, and transmitted them by the chain of tradition.

We understand therefore that the scribes were venerated, like the prophets of old, with unbounded respect and reverential awe, as bearers and teachers of sacred esoteric knowledge; their words had sovereign authority. The Pharisaic communities especially gave their scribes unconditional obedience, and Pharisaic scribes were by far the most numerous. If the teachings of most of the Sadducean scribes disappear from tradition, the main reason is that the Sadducean role ended with the fall of Jerusalem, and the tradition handed down to us, and fixed by the written word from the second century, came exclusively from their enemies the Pharisees. It was a fact, moreover, that even before the destruction of the Temple the Sadducean scribes exercised in public life a very much less important role than the Pharisaic scribes (*Ant.* 18.17). The allegiance of the Pharisaic groups encouraged the influence of Pharisaic scribes over the people.

We have a mass of evidence attesting to the high esteem in which the majority of people held the scribes.³¹ Here are some examples: According to a story in the Talmud (b. Yom. 71b), one year on the eve of the Day of Atonement, when the crowd was escorting the high priest to his home, Shemaiah and Abtalion approached; whereupon the crowd left the high priest, to his great annoyance, to go with the beloved scribes. In the days immediately before the eclipse of the moon (the night of 12 or 13 March) in 4 BC, Herod was mortally ill with the sickness of which he died some three weeks later. There were two scribes 'with a reputation as profound experts in the laws of their country, who consequently enjoyed the highest esteem of the whole nation. . .'; 'their lectures on the laws were attended by a large youthful audience, and day after day they drew together an army of men in their prime.' Herod had caused a golden eagle to be placed over the door of the sanctuary.³² In spite of the evident mortal

³¹ Josephus says of the masses (*Ant.* 20.264), 'They give credit for wisdom only to those who have an exact knowledge of the Law, and are capable of interpreting the meaning of the Scriptures.'

³² *Ant.* 17.151: ὑπὲρ τοῦ μεγάλου πυλῶνος τοῦ ναοῦ; *B´* 1.651: καθιμήσαντες σφᾶς αὐτοὺς ἀπὸ τοῦ τέγους. If this referred to the entry into the Sanctuary, the authors of the deed, pupils of the teachers, must have been priests, since only priests could go on to the Temple roof.

danger, their pupils were inspired by these two scribes to destroy it (*Ant.* 17.149ff.; *Bḥ* 1.648ff.). Several decades later, Josephus recounts (*Ant.* 19.332ff.), a scribe called Simon dared to incite the people publicly against King Agrippa I. Again, it is said that once when a murder had taken place, R. Zadoq, a highly respected scribe, addressed a strong appeal to penitence directed at the priests from the steps of the Temple porch.³³ During the first years of the rebellion in AD 66–70 we find at the forefront of the movement such scribes as Simeon, son of Gamaliel I (*Vita* 191, *et passim*), and the writer Josephus.

A number of smaller indications appear in the sources typifying the esteem which the man in the street felt for the scribes. We see people rising respectfully when a scribe passed; only tradesmen at their work were excused this (b. Kidd. 33a). We hear them greet the scribe very respectfully as 'Rabbi',³⁴ 'Father' (cf. Matt 23.9),³⁵ 'Master' (b. Makk. 24a, *māri*),³⁶ when he passed before them in his scribe's robe,³⁷ which was a long mantle reaching to the feet and provided with a long fringe (Matt. 23.5). When the important men of Jerusalem gave a feast, it was an ornament to the feast to see, for example, two such pupils and future teachers as Eliezer b. Hyrcanos and Joshua b. Ḥananiah (j. Hag. ii.1, 77b.34). The highest places are kept for the scribes (Matt. 23.6 and par.), and the Rabbi has precedence in honour over the aged, even over parents. In the synagogue too, he had the seat of honour; he sat with his back to the cupboard containing the Torah, in full view of the people (*ibid.*). Finally, when it came to marriage, the daughter of a man unversed in the Law was considered by him only in exceptional circumstances (Bill. II, 378).

But for an exact impression of the veneration which the people accorded to the scribes, and of the boldness of Jesus' attack upon them, we must study Talmudic traditions relating to the sacred tombs in Palestine,³⁸ we must follow the literature to see how, alongside the

³³ T. Yom. i.12, 181; j. Yom. ii.2, 39d.13; b. Yom. 23a; T. Shebu. i.4, 446; Siphre Num. 35.34 (Levertoff 149).

³⁴ Mark 12.38; Matt. 23.7; Luke 20.46; j. Ber. ii.1, 4b.24, see also p. 236.

³⁵ Bill. I, 918f. gives, for olden times, examples of 'abbā as a title of honour taken by some teachers as a permanent title. According to A. Büchler, *Der galiläische 'Am-ha-'Ares des zweiten Jahrhunderts*, Viena 1906, 332ff., 'abbā would be a title of teachers ordained in Galilean schools. This may be true, but it does not exclude the use, as in b. Makk. 24a, of the title 'abī for other teachers.

³⁶ *καθηγητής* (Matt. 23.10) has no equivalent as a title in rabbinic literature, but the corresponding *ὁδηγός* surely appears in Matt. 23.16 as a title.

³⁷ Mark 12.38; Luke 20.46; Bill. II, 31–33; IV, 228b.

³⁸ See my *Heiligengräber in Jesu Umwelt*, Göttingen 1958.

tombs of patriarchs and prophets, it was mainly the tombs of the Rabbis, surrounded by legend and saga, which were everywhere venerated and guarded with superstitious awe.³⁹ This gives us an inkling of how it was possible that the hereditary Jewish aristocracy had to endure competition from an intellectual aristocracy and, after the destruction of Jerusalem, finally to be overtaken. Tomb of Rabbi and tomb of prophet side by side; here is the solution of the enigma we encountered at the beginning of this chapter.

³⁹ *Heiligengräber*, 141.

XI

APPENDIX: THE PHARISEES¹

SOCIOLOGICALLY 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, 'Farizëen en Sadducëen', *Theologisch Tijdschrift* 48, 1914, 1–26, 223–30, saw clearly the corporate character of Pharisaism. A. Büchler, *Der galiläische 'Am-ha-'Areš 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; 1 QM xiii.8; xiv.8–9; 1 QH vi.8), as the 'escaped' (CD ii.11); their members must 'separate' themselves (1 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 Phariseer', 36f., ET, 5–8. Siphra Lev. 19.2, 44b: 'Be *qədōšim*, that is to say, *pərūšim*'; Siphra Lev. 11.44, 39a: 'Be *qədōšim* for I am *qādōš*', that is: 'As I am *qādōš*, so should you be *qədōšim*; as I am *pārūš*, so should you be *pərūšim*.' 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 hā-āreš* (a non-Pharisee)? He who does not recite the *Shema* 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. Horovitz, *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 Horovitz' 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 hebraeae* 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 incontestably 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 *heber '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 *heber '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 feastings 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' (*benē ha-kenēset*, 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 to 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 *benē 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, Joḥanan 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*. Joḥanan 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. Joḥanan 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, off. A grave mistake! Other passages also (b. Men. 65a *et passim*) show unmistakably that Joḥanan 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 Oxyrrhynchus 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 hā-'āreṣ*'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 *ḥasidīm* 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 Judaean 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 (*mebaqqēr*) 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 ἄρχοντες (Luke 14.1), on which the sources tell us very little, as analogous to the functions of the Essene *mēbaqqēr*. The fact that this *mēbaqqēr* 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 *mēbaqqēr* corresponds literally with the Greek ἐπίσκοπος; and next, the position and the functions of the *mēbaqqēr* 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 *mēbaqqēr*, 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 *mēbaqqēr lekol ha-maḥanōt* (xiv.

⁵¹ A. Schlatter, *Geschichte der ersten Christenheit*, Gütersloh 1926, 95; M. Dibelius, *An die Philippper*, 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'āreṣ*' 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-āreṣ* 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'āreṣ* or receiving him as a guest while he is wearing his own clothes.