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The Am Ha Arez in Soferic and Tannaitic times, 1915.

THE AM HA AREZ IN SOFERIC AND TANNAITIC TIMES .

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THE AM HA AREZ IN SOFERIC AND TANNAITIC TIMES

Foreword

Between the first occurrence of the term Am Ha Arez in the J and E documents, as applied to the Jewish nation collectively, and its ultimate appearance with Hillel as a proper noun used singularly a period of over eight centuries intervenes. That words may vary and change in meaning and significance is philologically axiomatic, and that this word in particular has shed and assumed different connotations during the long process of development needs no great demonstration. The very fact that a term which was originally applied to the whole nation as a collective body had come, in due time, to designate only a specific part of that people is in itself the clearest proof of the evanescence in the meanings of the word. How this term had, from time to time, assumed new or additional significations and the conditions which influenced the development of the term are the subjects of this monogram.

We shall, however, confine the scope of our research to the periods of the Soferim and the Tannaim (444 B.C. - 220 A.D.), thereby excluding from our consideration those Biblical writings which antedated the time of Ezra.

The Am ha Arez in the Period of the Soferim

THE NAME AM HA AREZ.

In the post-exilic writings the term Am ha Arez, when applied to the Jewish people, no longer has the meaning which it often had in the pre-exilic writings as that of "nation" or of the "whole people"¹. Am ha Arez is now the appellation of the untitled non-professional laymen as contrasted with the priests and nobles.² This distinction is already found in pre-exilic writings³ but it is restricted almost exclusively to this sense in post-exilic works.⁴

1 Ex. V 5

2 Ezek. Vii 27, XII 19, XXII 29, XLV 22, XLVI 3,9. 17. 18. 27

Lev IV 27.

3 Jer. I 18, XXXIV 19.

4 It is not in the province of our investigation to discuss in full Sulzberger's interesting booklet on the subject of the pre-exilic Am ha Arez, for his conclusions do not at all affect the course of our procedure. A critical study of the work reveals many points of weakness in the construction of his theory. It is not our purpose here to point these out for we are interested primarily in the post-exilic Am ha Arez. Since we have however taken exception to the author's opinion in interpreting the Am ha Arez of Lev IV 27 אִם הָאֶרֶץ אֶחָת תִּחְטָא בְּשִׁלְלָהּ מִנֶּחֱם הָאָרֶץ to mean an untitled layman and not a member of a Parliamentary body, we would give our reasons for it. In appropriating the term Am ha Arez for a member of a judicial or legislative body the real אֶרֶץ, the people of the land, the common people, are unaccounted for. What is the sacrifice which a common man must bring if he commits a sin through ignorance? If the author of Lev. IV 27, writing after the exile, knew of the existence of

The connecting link between this Am ha Arez and the Am ha Arez of the Tannaitic period which designated an individual of a well defined class is difficult to discover. The Biblical authors of the Soferic period betray no knowledge of the existence of a distinct class of Jews, the individual member of which is known as an Am ha Arez. The sources, then, are very meager and we are consequently forced to historical rather than textual data for the solution of our problem. Using these historical evidences as a starting point, attempts have been made to account for the peculiar signification which the word assumed in course of time and, if possible, to determine the exact point of transition.

The most familiar explanation forwarded by scholars is that which identifies the Am ha Arez with the "Landvolk", the rural inhabitants⁵. Our English "pagan" and "heathen" are close parallels, in the manner of their development, to the Am ha Arez. This class inaccessible as it was, by virtue of ^{its position to the influences of} the religious schools and teachers whose activities were limited mainly to the larger communities, gradually grew lax in the religious discipline and ignorant of the Law. This would naturally lead the religious teachers to discriminate against this class in defining the religious and formal relations between men. Once the Am ha Arez had gained this significance, the term would

a Hebrew Parliament composed of representatives from the people and took care to decree special laws for that body, why do we not find any trace of such a body in the books of Nehemiah and Ezra, and why do we not hear of any attempts made to reorganize it?

5 J.E. Am ha Arez, vol.I; Hastings E.R.E. Am ha Arez vol. I; Graetz: Jost, and others.

~~also~~ come to include Jews of other classes of society, ^{also} whose religious attitude was similar to that of the Am ha Arez. The Am ha Arez then, in the period of the Soferim, gradually crystallized into a distinct class of Jews distinguished by its religious laxity and by its ignorance of the law. The enactment of discriminatory legislation against this class necessitated the use of the term Am ha Arez for a single member of the class, and ~~בן ישראל~~ like the term ~~בן ישראל~~ was coined to meet requirements.

The one serious objection to this theory was that the Am ha Arez is employed nowhere to designate the agricultural or rural population in contra-distinction to the urban population. There is, however, clear evidence in the Bible to show that the term Am ha Arez was, at times, identified with the peasants and agriculturists. In the accounts given in the second book of Kings and in the book of Jeremiah⁶ of the second deportation, a distinction is clearly made between the ~~דליות~~ who were exiled by Nebusaradon and the ~~דליות~~ or rather the ~~דליות~~ who were permitted to remain to be vinedressers and husbandmen. ~~ומדליות העם ואת יתר העם העשירים בניו ואת~~

~~הנפלים אשר נפלו אל מלך בבל ואת יתר האמין האלה ובזוראדן יב שבחים. ומדליות הארץ השאיר ובזוראדן יב שבחים לכרמים וליגבים.~~

The ~~דליות~~ must then have represented a class of people who were not included under the general class of ~~דליות~~. The second verse describes this class as composed of vintagers and husbandmen⁹.

6 II Kings XXV 11, 12; Jer. LII 15, 16.

7 In the account of the first exile (597 B.C.) in II Kings XXIV 14

~~דליות~~ is expressly used.

8 Jer LII 15, 16.

9 Sulzberger, of course, fails to account for this. While he explains

the parallel account of the second deportation given in Jer. XXXIX 9, 10

That this class was looked upon with contempt and was considered as forming the lowest stratum of society is further borne out by Biblical sources. In denouncing King Jeroboam for setting up idols in Dan and Beth'el and for appointing as priests those who were not of the sons of Levi, the author of Kings takes occasion to say

10 את בית בטות ויעש כהנים מקצות העם אשר לא היו שבני לוי

This thought is further elaborated in the following chapter

11 ויעש מקצות העם כהני בטות חפץ וטלא את ידו ויהי כהני בטות

The מקצות העם are here evidently the lowest of the people. 12

The different phraseology which the Chronicle^a three centuries later, uses in narrating the same incident, gives us a clue to the historical development of the Am ha Arez, and incidentally to his social position.

הלא הרוחתם את כהני ה' את בט אהרן והלויים ותעשו לכם כהנים כעמי הארצות כל הבא

13. למלא ידו בפסח בקר ואילים שבצק והיה כהן ללא אל הים

The words כעמי הארצות should be amended to read either סעמי הארץ

or ממני הארץ. The Septuagint correctly reads ἀπὸ τοῦ λαοῦ

ἐκ τοῦ λαοῦ τῆς γῆς παλαιῆς.

By saying that "having made way with the Elim or magnates of the Am ha Arez, he invited the Dallim (the poor members) with the powers of that body and gave them vineyards and fields (which doubtless had belonged to the patrician section) P. 34, he loses sight of the fact that in Jer. III 15, 16, it is expressly stated that even the דלית

העם were deported.

10 I K. XII 31.

11 ibid XIII 33.

12 קצת and קצות often have this significance. Commenting on "תבצר"

בקצה המחנה - בטוקצין Num XI 1 Rashi remarks "בם אש ה' ותאכל בקצה המחנה"

"שבהם לשפלות - אלן ערב רב"

13 IICH. XIII 9.

The term Am ha Arez is here used synonymously with אַמְהָאֵרֶז and evidently refers to a distinct class which was politically or socially inferior to the rest of the people, on the very lowest rung of the social ladder.

The term Am ha Arez had as yet no religious significance; that is to say, the Am ha Arez was so designated not because of his religious laxity or ignorance of the Law. It was not until the time of Ezra, during the great religious revival, that the term Am ha Arez began to have a religious implication and became the nomenclature of a class distinguished by its attitude towards matters of religion. The returned exiles had been purged in the crucible of suffering and had entered their beloved land determined never to swerve again from the path of religious piety. The precarious position in which the small community of Jews found itself immediately following the return and the imminent dangers which threatened the purity of their faith called forth a body of men, zealous and ardent enthusiasts whose first concern was complete segregation from the gentile neighbors and half-Jews and the establishment of the sovereignty of the Law of God. In their intense zeal and ardor these patriots and religious zealots treated the less enthusiastic, the indifferent and the non-observant with contempt and applied to them the opprobrious epithet of אַמְהָאֵרֶז the term which had come to imply social inferiority and to some extent moral degeneration ¹⁴.

14 The term Am ha Arez in its various stages of development which we have enumerated, viz. - (a) The people of the land- the nation. (b) The untitled laymen as distinguished from the King, nobles, and priests. (c) The lowest of the people, and (d) The religiously lax and the non-observant, can be duplicated by the Greek word ὄχλος. Like אַמְהָאֵרֶז it was originally used in the sense of a nation, a people. In translating אַמְהָאֵרֶז Jer. XLVIII 42

(Note)

the Septuagint reads ἀπο λείπει Μωλβ ἀπὸ ὄχλου. ὄχλος is again used to translate אָב in יְשׁוּעָה / יְהוֹשֻׁעַ בְּיָמָיו

יְשׁוּעָה אָב אֲבִי הָעָם / יְהוֹשֻׁעַ. ἐπὶ τὸν ὄχλον Jer XXXVIII 1

(we use Biblical references on purpose). The word gradually degenerates and shades off into the meaning of common people in contrast to the titled class of priests. When the author of the first Book of Esdras states ὁ γὰρ ὄχλος ᾗν (ὁ) σαλπίζων μέγας he clearly refers to the γράμμαι the common people in contra-distinction to the priests, Levites, chiefs of families, and ancients who "had come to the building with weeping and great crying" (1 Es. IV. 65) (Nor does ὄχλος here mean "crowd" or "great multitude" for πλῆθος is the term used to imply this as in (1 Es. IX 6) Likewise in ἐπερο μένων δὲ τῶν ὄχλων (II Macc IV 40) ὄχλος is used for the common people. (πλῆθος is here again used for crowd or multitude, ibid. XXXIX 1). The lowest stage in the development of the word is reached in such statements as ἐκ κλησίων ὄχλου where ὄχλος refers to the socially inferior, to the unruly mob (Si XXVI 5). It is undoubtedly true that the ὄχλος of the Apocrypha when it is brought into contrast with other classes of Jews or when the discriminatory implication is especially desired almost invariably translates the Hebrew יְרֵכָה . Geiger (Urschrift p. 151) correctly states that while ἔθνος is used in the Apocryphical writings in the sense of gentiles or אֲרָם, ὄχλος almost always refers to the lowest of the people among the Jews, the Am ha Aretz. It is sufficient, for the present, to note here that the "Multitude" occurring so frequently in the Gospels and forming such a striking background for the teachings of Jesus is invariably a translation of ὄχλος.

This is the theory of the philological evolution of the term Am ha Arez. However another theory has been propounded by scholars whereby the subsequent signification of the term is a result not of a gradual development but of a particular event that occurred at a particular time. This theory coincides with the previous one inasmuch as it, too, posits the origin of the religious connotation of the term in the period of the religious reforms of Ezra and Nehemiah. It differs however, in this, that it does not recognize in the Am ha Arez prior to this period any signification other than that of "nation" or "people of the land".

When in 458 B.C. Ezra at the head of a body of returning exiles, came to Judea, he discovered to his great consternation that the religious life of the people in Judea was at a very low ebb. The Jews who had not been molested during the three deportations (597, 586, 582-81 B.C.) by the King of Babylon¹⁵ *and who probably formed over three-fourths* of the original population of the land had, during the century of depression and suffering that followed, gradually lost hold of the higher principles of prophetic Judaism and, entertaining the conviction of their own helplessness and the suspicion of the impotency of Jahve¹⁶, had entered upon a career of assimilation with the neighboring peoples. There was no strong, sustaining influence in this hour of need to prop up their faint courage and their drooping hopes. "For them barbarism was the first danger, They had all they could do to wring a living out of the reluctant soil. The Bedouin from the East and from the South overran the country. Edom was crowd-

15 See J.E. "Captivity"

16 The remnant of Israel in Judea might well have re-echoed the plaintful confession of their unfortunate brethren in Babylon "Dried are our bones, and lost is our hope, we are quite cut off."

ed upon ^{by the} Nabateans and pushed out into Judah. A half century later almost the whole of Judah's territory belonged to these invaders¹⁷...". Judaism in Judea was doomed; and were it not for those true souls in the exile whose faith in Jahve had never wavered but had become deeper and purer in the years of tribulations, who had flocked back in joyous bands to their beloved land when the first opportunity presented itself, the remnant of Israel in Judea would have been forever lost. With the arrival of the first band of exiles under Zerubabel (537 B.C.) a change for the better seems to have taken place. The influx of the new ideals of the returned exiles into the life of the people tended to check temporarily the process of assimilation and to draw the people back to the true worship of Jahve. Urged on by the inspiring exhortations of Haggai and Zechariah, the work of rebuilding the temple was begun (536 B.C.), and after a compulsory cessation of the work caused by the malignant libels of the "enemies of Judah" the work was resumed, and in 516 B.C. the temple was dedicated.

The influence, however, which the returned exile exerted upon the Jewish community in Judea was temporary and not lasting. The opposing physical and spiritual forces were too strong and Zerubabel was not sufficiently qualified to cope with the situation so as to make his work of enduring value¹⁸. In time, even the returned exiles themselves fell victims to the deleterious influences which they had at first so bravely resisted. The little book of Malachi is a miniature in most vivid colors of the period which succeeded the short-lived reformation under Zerubabel. The priests had neglected the service in the temple¹⁹.

17 Smith "Old Test. Hist" p 300.

18 See Rosen weig's "Das Jahve nach dem babylon. Exile" p.51.

19 Malachi I 7. Also Neh XIII 16, 11.

The people had become indifferent to the sanctuary and had ceased to bring their tithes and offerings ²⁰. The custom of intermarriage, which at all times threatened the integrity and religious individuality of the Jewish people, had again been introduced ²¹. Spiritual depression and physical oppression alike were crushing the spirit of the people. Such was the state of affairs in Judea which confronted Ezra and the second band of returning exiles (459 B.C.)

Fully aware of the fact that religious separatism alone could ensure the preservation of the Judean community and of Judaism, Ezra ~~uncompromisingly~~ determined upon a vigorous course of action. "Neither the inward nor the outward religion of that time was firmly enough established to assimilate without debasement or retrogression, a large influx of elements from a lower religious plane ²². The prevailing custom of intermarriage, which was the root of all evils, must be eradicated once and forever. No considerations whatsoever were allowed to interfere with the work of this zealous reformer. The mixed marriages must be annulled and complete separation from the surrounding people ²³ must be effected ²³. הַבְּדִלָה מֵעַמֵּי הָאָרֶץ מִן הַנָּשִׁים הַנִּכְחָזוֹת was the battle cry of this zealous Zadokite. The passionate threats and entreaties of Ezra were not without effect. The greater number of the people pledged themselves to the separation from their strange wives and from "uncleanness of the surrounding nations ²⁴" The separation followed ²⁵. He who joined the ranks of the separatists was henceforth known as a בְּדִל מֵעַמֵּי הָאָרֶץ ²⁶ Those, however, who would not surrender their strange wives and clung to the customs of the heathen about them ²⁷ (the אֲשֵׁרֵי הָאָרֶץ) were henceforth distinguished from their

²⁰ Ibid. III 8

²¹ Ibid II 10-16 Ezra IX 1

²² Montefiore - Hibbert Lectures VI 1892.

²³ Ezra X 11.

²⁴ Ibid X 15

²⁵ Ibid X 16.

²⁶ Ezra VI 21; IX 1; X 11 Neh IX 2; X 29

²⁷ Ezra IX 1

brethren who had subjected themselves to the separation by the epithet-
 ical nomen of עמי הארץ, "heathen" whence in course of time developed
 the singular form עמי הארץ. As a rule "Am ha Arez" was hence
 forth used to denote Jews only while אֱלִי was reserved for gentiles
 and heathens ²⁶. Out of the term אֱלִי developed the singular

אֱלִי. Whatever explanation of the term we accept, whether the philo-
 logical development theory or that of being a derivative from
 -"heathens", we must bear this fact in mind that the term Am ha Arez
 was not at all restricted subsequent to the time of Ezra, as scholars
 would have us think, to the Landvolk or agricultural class, but that it
 was applied promiscuously to people of all classes of society who would
 not separate themselves from the customs and uncleanness of the heathens ²⁸
 For a proper appreciation of the status of the latter-day Am ha Arez
 this fact is of utmost importance.

Ezra was assisted in his work of reform by the resolute Nehemiah.
 The law was enforced. The profanation of the Sabbath was stopt ²⁹. The
 observance of the festivals and of the sabbatical year was insisted upon. ³⁰

ולקחנשים אשר דבקו בשניות לבם בפותים ובצמי הארץ ולא נבדלו מהם ²⁶
 קראו לטן היום היום "עמי הארץ" וליחיד "עמי הארץ" זאמנא אוש הדבק
 בשטאת העצמות הקטנים והנבדים שכן והודק וצוריה אשר להם קראו בני ישראל עמי
 Jawitz הארץ vol III p.151 ספר תולדות ישראל

and especially Geiger's "Urschrift" p. 151; Weiss לך דרך ארשיו
 vol.I Ch.13; Schürer "Ges.Jüd. Volk. im za.Jesu II p 400 note 54.

²⁸ "From this time (of Nehemiah) the stricter Jews began to regard
 their adversaries as the "people of the land" against which their
 earlier lawgivers warned them".

Smith "B.T. Hist". p. 389.

²⁹. Neh. XIII 15, See also Is. LVI 4 ff LVIII 13.

³⁰ Ez. VI 19; Ne. VIII 14; Zec.XIV 16; Ne. X 32.

Proper Temple services were reinstituted³¹. The priests who could not produce their credentials entitling them to the priesthood were disqualified.³² The priests and Levites purified themselves.³³ The laws of tithing and the offering of the first fruits and the first-born and many other laws were subscribed to by the majority of the people³⁴. As a result of this religious revival and the insistence upon the strict observance of the Law and upon the purity of blood the separation between the conformists and the קראי became even more pronounced.³⁵

31 Ne. XIII

32 Ez. II 62. Ne. VII 64.

33 Ne. XII 30, XIII 22

34 Ne X 33 ff. XIII 12

35 The Samaritan schism is a product of this same restrictive tendency of the party of the pious.



II. The Persian Period (539 - 333)

Mr. Kennet adequately expresses the religious status of the post-exilic Israelitish community in the following statement." The isolation of the Jews of Judea during the period (i.e. from the time of the publication of the law by Nehemiah to the conquest of Canaan by Alexander) tended to confirm the nation in those peculiar observances which have made it to this day a people apart, Nehemiah's quarrel with the Samaritans produced for his people a sort of ghetto-like isolation in which the shell of Judaism hardened sufficiently to enable the Church finally to issue unscathed from the dangers of Hellenism³⁶ The marked tendency of the Persian Period was towards legalism, separation and greater rigorism in the observance of the Law. It is quite natural to expect that the circle of strict conformists would narrow proportionally to the insistence upon the stricter observance of a greater number of Laws. Thus while the number of those who could be called the strictly conforming Jews would gradually decrease, the number of those who could ^{not} or would not live up to the standard set by the strictly pious, would continually increase. As a result the Am ha Arez, who during the age of Ezra and Nehemiah was probably the exception and composed but a small fraction of the whole people now gradually began to include an ever greater proportion of Jews and as the laws which distinguished the strict conformant from the Am ha Arez

36 Robert Hatch Kennet "Hist. of the Jew. Church from Nebuchadnezzar to Alexander the Great" -- Cambridge Biblical Essays 1909.

increased he grew to be the rule.

We shall soon reach the time when the members of the strictly pious Jews had, comparatively speaking become so small a minority that it no longer represented the great majority of the people but had deteriorated to the position of a sect or a party which was looked upon by the great majority of the people - the עמי הארץ as a sect of separatists or ultra-pious.



III THE GREEK PERIOD(333-165.)

"The aggressive power of the Greek art and literature implied aggressive power also in Greek religion.³⁷ The great majority of the people, either attracted to the alien civilization by the new elements of thought and the new outlook on life which it offered, or desiring to escape the various confines of ~~legislative~~ ^{legalistic} Judaism, fell an easy prey to it. In the eagerness to become completely Hellenized the party of Hellenizers did not pause to sift and examine the elements of this newer culture so as to appropriate for themselves what was good in it and what was worthy of assimilating but voraciously absorbed it, dregs and all. The corruptive influences were soon at work and their dire consequences were becoming apparent.

Greater rigorism was the only antidote to the unrestrained license. The growing laxity on the one hand called forth a corresponding rigorism on the other. The tendency towards separatism and particularism which marked so characteristically the Persian period was even more accentuated during the Greek.

The representatives of this opposition ^{to} ~~against~~ the spread of paganism, and the exponents of the supreme authority of the Law were already looked upon as a distinct sect - the chassidim³⁸ ~~who were~~ ^{which was} soon to crystallize into the party of the Pharisees. The strictly religious party among the Jews ^{which was} ~~who were~~ amplifying the Law and were "building up hedges" about it encountered not only the passive re-

³⁷ Smith O.T. Hist. p. 418 See also Geiger Judaism and its History.

³⁸ of *A'odaiot* I Macc II 42; VII, 12 ff.

sistance but also the active opposition of the aristocracy and the priestly hierarchy.

The Am ha Arez, then, of this period included all those who were not included in the circle of Chassidim, that is to say, all who did not pledge their allegiance to the Law^w as developed and interpreted traditionally by the religious teachers of conservative Judaism.³⁹

39 So far we are in full accord with Chwolson (Beiträge zur Entwicklungsgeschichte des Judentums p. 1-55) The Sadducees were undoubtedly looked upon by the Pharisees as צמ' קארץ. It mattered little to the Pharisees whether one disobeyed the laws of their religious teachers on principle or through mere neglect and indifference as regards religious matters, both alike were considered צמ' קארץ. But in describing all צמ' קארץ as Sadducees (p.9) and in consequently protracting the political and religious struggles of the Pharisees and the Sadducees more than three centuries after the destruction of the temple we must take issue with him. This statement is made in the face of a mass of contradicting evidence. All צמ' קארץ were not Sadducees. Chwolson arrives at his conclusion by a process of elimination which does not eliminate. "The Am ha Arez", he argues, "was evidently, one who did not accept the Pharisaic or Rabbinic precepts. What religious dicta did he then follow? He must have followed some. He certainly could not have been an Essene. He must therefore have been a Sadducee - tertium non datur". (p. 9,10) But there is another alternative. Chwolson loses sight completely of the fact that there existed along side of the Pharisees and Sadducees and Essenes the great mass of the people who were neither Pharisees nor Sadducees

nor Essenes but simply Jews. As against the Sadducees, these fully recognized the Pharisaic teachers as their authoritative law-givers, but the circumstances of their daily life prevented them from living up to the standard set and required by those strict teachers and in consequence of this they were considered by the latter as *אֲנִי אֵלֹהִים*. In prolonging the struggle between the Sadducees and Pharisees into the third or fourth century of our Era, Chwolson is of course working on hypotheses and is contradicted by historical facts. The destruction of the temple practically sounded the death-knell of Sadducaism not only as a political governing force but also as a principle of religious control. Faint echoes of Sadducaic principles are heard centuries later in Karaitic teachings but during the centuries immediately following the great national disaster, Pharisaism was more than ever the predominating force in the religious life of the people. If Sadducaism existed at all in the second and third centuries of the common Era it was too impotent and of too little consequence to ~~elicit~~ evoke the strenuous opposition and bitter animosity of the teachers which we find directed at the *אֲנִי אֵלֹהִים*. Such ~~enmity~~ ^{animosity} between Sadducees and Pharisees could be accounted for when met with in the turbulent time of John Hyrcan I or Alexander Jannaeus, but when, after a century, during which no references whatsoever are made to any such hostilities we meet with them ⁱⁿ with R. Akiba, R. Meir, and others they are simply inexplicable (Chwolson attempts an explanation which on the face of it is impossible, see *ibid* p.48). And finally this conception of the Am ha Aretz as we shall see (Ch. III) does not at all tally with Talmudic data.

Am ha Arez was one who could not say with the psalmist of that period⁴⁰

חבר אני לכל אשר יראוך ולשמרי פקודיך.

With the growing exclusiveness of the pious and the corresponding decrease in their numbers, the schism between the Am ha Arez and the strict conformists ~~and~~ ^{or} the Chassid was widening. To insure the correct observance of all laws, ritualistic and otherwise in face of the growing laxity of the times the Chassid soon developed into a Parush⁴¹ and began to restrict the movements of his religious life to a sphere composed exclusively of ~~his co-religionists~~ ^{those}, whose religious attitude tallied with his.

40- Ps. 119, 63 The use of the term חבר in this psalm is significant.

41- Attempts have been made to trace the rise of the Pharisean party

back to the time of Ezra. The נבדלים spoken of in the books of Ezra and Nehemiah are said to be the Pharisees (פרוש is the Aramaic for נבדל). Weiss (דור דור ודור רשיו vol 1 Ch. 13)

concurrs ^{with} this theory. ואולי כבר בפת הקיץ (ימי נדורא) היה השם "נבדלים" לכונו מיוחד לכל אשר ה' בלבבו ואחריו כן נהפך זה השם לתרגומו קאמי וקא"פ כושים" בו במושגם נבדלים ופוששים אחד הם.

Jawitz (vol III ספר תולדות ישראל) bravely champions this view and analyses in detail the scriptural references to נבדלים to uphold his theory. ואם כן אין לנו דרך

אחרת בלתי אם להקדיק בדעה קבועה וקטגורית כי, Notwithstanding the striking similarity between the term נבדל used in the text and the latter day פרוש we are forced, upon close examination, to regard this as a mere coincidence. We have no historical data to justify us in tracing back the birth of the Pharisees farther than the Greek period (about the latter half of the third or the earlier half of the second century B.C.)

(Foot note)

Wellhausen (Pharisäer und Sadducäer p. 76 et seq.) fully grasps the situation when he states that the "Separatism recorded in Ezra, to which most of Israel then submitted, had about it nothing characteristic of the Pharisees. For the Pharisees must have their name from a separation which the bulk of the nation did not undergo with them; in other words, from a separation made by them in consequence of their view of the notion of uncleanness, not only ~~from~~ the uncleanness of the heathen but also from that which, according to their view, a great portion of the people were effected!" (Given in Schürer, Eng. II Division p.20.)



IV FROM THE MACCABEAN WARS TO THE DESTRUCTION OF THE TEMPLE .

(165 B.C. to 70 A.D.)

The Hellenistic persecutions under Antiochus and the subsequent Maccabean wars threw the control ~~over~~ the political and religious life of the people into the hands of the conservative anti-Hellenic party. "The Maccabean revolt drove out Hellenism and prepared the way for the full development of Rabbinism. It left the Law triumphant and supreme"⁴² The struggle between the מלכות כהן and the מלכות בית דין ended in a great victory for the latter. (Dan XI, 32, 33) Their great point of contention in the pre-Maccabean period - that foreign cultures endangered the interests of the national religion - had been established. No wonder then that the Chassidim were encouraged in their policy of religious exclusiveness. This work was carried on even with greater zest after the Maccabean revolt. The line of demarcation between the truly pious Jew and the אֱלֵלֵי חָרֶץ was most clearly drawn. To be counted among the true Jews, they held, was to submit unconditionally to the sovereignty of the Law as interpreted by the religious teachers. This restrictive policy soon transformed the Chassidim into the Pharisees; for it must be remembered that the people at large could not and did not comply with their ever-increasing legalistic minutiae. The distance that separated them from the אֱלֵלֵי חָרֶץ became ever greater⁴³:

42- Montifiore (Hibbert Lectures VII p.412)

43- Schürer exhibits his usual brilliancy in accounting for this transformation of the Chassidim into אֱלֵלֵי חָרֶץ. "Die gesetzestreue Richtung der Chasidäer" ~~IMM~~ gewann mehr und ~~mehr~~

The struggle of the Sadducees in the following century against the acceptance of Pharisaic principles as tenets of authoritative Judaism was an unsuccessful one. Although they succeeded to remain in control of the political affairs of the state even after the fall of the Hasmonean Dynasty and the office of the High Priest was still restricted to them, they were slowly losing ground.

We are now approaching the period of the Tannaim, a period which offers us far greater assistance in the pursuance of our subject. Let us, however, pause here a moment and reflect upon the attitude of the Am ha Aretz of this period to the Chassid or Perush.

Great as the schism between the Chassid and the Am ha Aretz may have been at this time we find ^{as yet no} traces of hostility exhibited on either or both sides. The attitude of the Am ha Aretz as a whole towards the Chassidim and Perushim was one of deepest regard and veneration. The Chassidim and Perushim were looked upon by the Am ha Aretz as the true representative^e and qualified teachers of authoritative Judaism. The very fact of the inability or even unwillingness of the Am ha Aretz to comply with stricter religious regulations caused him to revere and admire his ^fbrother who, notwithstanding the many inconveniences involved in stricter religious observances, would gladly submit himself to them that he may, by means of them, attain to a higher and purer worship

mehr an Einfluss. Und damit steigerten sich auch ihre Ansprüche...
Es scheint also gerade der religiöse Aufschwung der makkabäischen Zeit zu einer festeren Consolidierung der Parteien geführt zu haben. Die Chasidäer zogen die Konsequenzen ihres Principes und wurden zu Pharisäern. (Gesch. Judisch. Volk im Zeit Jesu II 417.)

of the God of Israel.

"The Pharisees have the multitude($\pi\lambda\eta\theta\omicron\varsigma$), as their co-adjutors⁴⁴" writes Josephus on one occasion. On another occasion he speaks of the Pharisees as men "who are able greatly to persuade the body of the people, and whatsoever they do about divine worship, prayers, and sacrifices, they perform them according to their directions; insomuch that the cities gave great attestations to them on account of their entire virtuous conduct, both in the actions of their lives and their discourses also⁴⁵". "The Sadducees," continues Josephus, "are unwillingly obliged to addict themselves to the notions of the Pharisees, because"the multitude would not otherwise bear them"⁴⁶.

The Pharisee would naturally reciprocate this sentiment. Though at times he would be forced, for ritualistic reasons, to be reserved and exclusive in his relations with the Am ha Arez, he would nevertheless look upon him as a brother, an erring brother, true, but still a brother, deserving of consideration and love.

44- Antiq. XIII 10,6

45- ibid XVIII 1,3

46- ibid XVIII 1,4

PART II

THE CHABERIM

For a better appreciation of the peculiar characteristics of the Am ha Arez, of his social, political, and religious status in the period of the Tannaim, a knowledge of the Chaberim, their organization, purpose and religious dicta is essential. The Am ha Arez is, very often ~~in other writings and almost invariably~~ ^{and especially} in the Mishna and Tosefta, placed in an antithetical position to the Chaber, and the points which differentiate them are constantly insisted upon. The term "Chaber" has a variety of meanings in Talmudic writings⁴⁷, but we shall restrict our investigation to the term "Chaber" used technically in opposition to the Am ha Arez.

To determine the identity of the "Chaber" is a matter of no great ease. In fact the many views presented by scholars of note have been so conflicting as to discourage any hope of ever arriving

47- "Chaber" is used very often in Talmudic writings in the sense of a friend, neighbor, and associate (Ab. II, 9 ibid II, 10 Tosefta BK. V, 6) The term is also used to designate a fellow-student, pupil or scholar (San. 88b; Tosef Taan. IV, 12) The study of the Law in groups and companies is always urged and commended — "חסכת"

צטו כתות, כתות וצסקל בתורה לפי שאין
תלמיד חבר (Ber 63b) When חתום נקטת אלך בחבובת
is used the honorary implication of colleague is added to that of pupil (Jer. Shak. III 47b: also Jer BB. IX 17b for which the Babli B.B. 158b has תלמיד חבר; Ber. 27b) As a scholastic degree Chaber was inferior to that of Chacham (חכם). אתו

Chaber is
often synonymous with חכמים (Kidd. 33b) חכמים אלא חבר
(B.B. 75a) — אין חברים אלא תלמידי חכמים; תלמיד חכם

at the truth. However, after a process of comparison and elimination and after a careful revision of these views we trust to be able to present a fairly satisfactory interpretation of the term.

The "Chaber" has been identified by some with the Essene. Frankel contends that Josephus, when writing of the Essene had the Chaberim in mind, but holding some Greek sect before him as a model he applied some of its characteristics to the Chaberim/ The Essenes were none other than the extremely rigorous wing of the Pharisees, i.e. Chaberim.⁴⁸

The opinion most generally subscribed to is that "Chaber" is synonymous with "Parush" and that the Chaberim were the Pharisees. The term פרוש says Schürer, was applied, by the people, contemptuously, to those who had banded themselves together into close associations for the purpose of fostering the tradition of the fathers and of observing more rigorously the laws of Levitical purity and of tithe offering.

This accounts for the fact that the term "Parush" is so very rarely mentioned in the Mishna. In time the Pharisees, too, came to accept this appellation as designating their party⁴⁹. The clearest evidence of this identity, according to Schürer, is found in a comparison of two Mishnaic passages

48- "Der Essäer" ist der ^{in der} Mischna und Baraita oft vorkommende פרוש. Josephus hat, um griechische Muster anzupassen, ein starkes Colorit aufgetragen und den Essäismus in seiner überschwänglichkeit zur Staffage genommen". Frankel - Monatschrift 1853 p.31

אבל באמת אנשי כתה דאז (האס"ם) האם... אחת בפיקוח איסורם נם

אבל באמת אנשי כתה דאז (האס"ם) האם... אחת בפיקוח איסורם נם

49 - Ihre Gegner aber nannten sie die "Separitisten"...Sie nannten

המקבל עליו להיות חבר אינו מוכר לע"ה לח איבש ואינו לוקח ממנו
50. לח, ואינו מתארח אצל ע"ה ולא מארחו, אצלו בכסותו.

בגדי ע"ה מדרס לפחושין, בגדי פחושין מדרס לאוכלי, תרומה, בגדי אוכלי.
51. תרומה מדרס לקודש, בגדי אוכלי קודש מדרס לחטאת.

sich schlechtweg "Genossen"; dieser Begriff ist nämlich
für den Sprachgebrauch der Mishna und überhaupt der älteren rab-
binischen Literatur geradezu identisch mit dem der "peruschim".

- E. Schürer.- Gesch. des Jüdischen Volk. im Za. Jesu Chris. II p399.

So Kohler (J.E. "Pharisees") "They called their members "haberim"
while they passed under the name of "Perishaya" or "Perushim".

See also Fairweather "The Background of the Gospels". P. 138

50- Demai II, 3.

51- Chagiga II, 7.



In both places the touch of the garments of the Am ha Arez is considered defiling; ~~but~~ in the former it is the Chaber who is defiled and in the latter it is the Parush. Schürer considers this to be sufficient evidence for establishing the identity of the Chaber and the Parush ⁵².

This is also the traditionally accepted view. So Maimonides in defining "Pharisees" says הן החברים שפארשין טעם הארץ

כה לאכול חולין בטקרה. Bertinoro likewise identifies

the two - ⁵³ להיות חבר לצנין טהרות - דה"נ פרוש

and Nathan ben Jehiel defines the Pharisees as ⁵⁴ החברים האוכלין

ודבר פשוט הוא שפרוש - סט רא"ש. חוליקן בטקרה

⁵⁵ לא ואכל בבית צ"ה דאף בבית ת"ח שלא קיבל עליו דברי חבילות אינו אוכל.

Along side of this view there exists another view which although it concedes that all Chaberim were by virtue of their self-imposed restrictions, Pharisees, takes issue with the ^{statement} ~~view~~ that all Pharisees were necessarily Chaberim. Thus Weiss contends that חברים

כלם פלשים, אבל נוקלים בפרושותם במדת חסידות, אבל לא

⁵⁶ כל הפלשים הן חברים And Mendelsohn ⁵⁷ in the J.E.

likewise subscribes to this view by saying that "The term Chaber is by no means synonymous with Parush since not all Pharisees were Chaberim, though sometimes the generic term פרוש is used in its stead."

To identify the Essenes ^{with} ~~and~~ the Chaberim is impossible. The

52- So Jost-Gesh. des Juden I.

53- Demai II 3

56- ד"ר ד"ר אורשון Vol.I Ch 13

54- Aruch "Chaber"

57- J.E. "Haber"

55- רא"ש Demai II 3. The רא"ש however differentiates between a פרוש and a חכם.
תלמוד חכם

points of dissimilarity e.g. the Essenean indifference to sacrifice, their celibacy, their communistic philosophy are so basic as to preclude any suggestion of identity.

The theory that the Chaberim are identical with the Pharisees is likewise open to objection. The striking similarity between the two passages of Demai and Chagiga which is the main prop for this theory of identity becomes less convincing when we consider that in the Chabura were such to whom even a Parush was contaminating בגד פרוש ^{that} and the Chaber spoken of in Demai — המקבל עליו להקלף חבר might just as well refer to an אוכל קדוש or an אוכל תרומה as to a Parush. The mere fact of being a Parush did not qualify a man for admittance into the Chaburot. Were all Pharisees Chaberim, why should a תלמיד חכם (who undoubtedly is a Pharisee) be required to declare his intentions of becoming a Chaber before a body of three men and to pledge himself to the observance of specific דברי חבירות ⁵⁹?

To determine definitely the identity of the Chaberim let us for a moment consider the aims of the Chaburot. It should be remembered that the Chaburot, originally, had nothing to do with the proper tithing of produce. Not that the Chaberim or rather the laymen among the Chaberim disregarded the agrarian laws. On the contrary

59- תנו רבנן: הבא לקבל דברי חבירות צריך לקבל בפני שלשה חברים ואפילו ת"ח צריך לקבל בפני ג' חברים. דקן אושב בוישוב אמן צריך לקבל בפני שלשה חברים שבו קבל עליו משנה שש

Baraita Bakhor. 30b.

Tosef, Demai. II. 13.

Jer. II 22^d 75.

the Chaberim whose piety induced them to submit to the most rigorous dicta of the Rabbis in regards to the laws of ritual cleanness would not think of violating the laws of Maaser and Teruma which are Biblical injunctions. But the agrarian laws were no more the causes ^{for} the organization of the Chaburot than were the Sabbatical or dietary laws⁶⁰.

The one great principle of the Chaburot which is insisted upon throughout is the proper observance of the Laws of Levitical purity. An examination of all the references to early Chaberim and Chaburot reveals the fact that the only questions which absorbed the interests of these Chaburot were those of טחוקה and טחוקה. The three references to the דברי חבירות in Demai II 3, Tosef. Demai II 2, and Abot^h di R. Nathan XLI make no mention of any regulations imposed on a "chaber" as regards the observance of the agrarian laws.

המקבל צליל להיות חבר: אינו מוכר לצ"ה לח יבש ואינו לוקח חטט לח ואינו מתאיר
המקבל צליל איבער
דברים מקבלין אותו להיות חבר שלא יתן תרומה ומעשרות לצ"ה ושלא יעשה
כל המקבל צליל
איבער דברים מקבלין אותו להיות חבר, אינו הלך לבית הקבלת ואינו טוגל בהמה דקה
ואינו נותן תרומה ומעשרות לכבן ⁶¹ צ"ה ואינו עושה שהלות אצל צ"ה ואוכל חולין בשקרה ⁶²

60- Those who pledged themselves to a rigid compliance with the agrarian laws were originally known as the טעשרים, the טעשרים, or simply the נאמנים. In opposition to these were the אינים or the אין נאמנים (Dem. II 2-3 ibid IV 5: Tosef. ibid V 3 ibid V 5; Dem IV 1-25) A נאמן was not necessarily a chaber. An interesting statement in the Mishna throws light on the relative position of the chaber and the נאמן or טעשר: בית שמואל אומר: לא יאמר אדם את דעתו אלא לחבר. ובית הלל אומר: אף למעשר: וצנוני בית הלל קול

נאמן (Dem. VI 6) - The טעשר is here in a class by himself and outside the circle of the "chaber".

61- Why a "chaber" should not give his Maaser and Teruma to a priest who is an Am haArez is evident. The Am ha Arez might render them unclean and it is a Rabbinic injunction אין אורמים שומא אף לחולין שבג"י

62- Büchler is perplexed over the fact that the requirement for the proper observance of the agrarian laws is not included

Wherever, in the earlier sources, the ~~Chaber~~^{to} is placed in juxtaposition ~~with~~ the Am ha Arez, it is in ~~the~~^a matter of ~~מכירת~~^{מכירת} and ~~מכירת~~^{מכירת}

We must not lose sight of the fact that the highly developed laws of clean and unclean were originally incumbent upon the priests only. The layman was completely exempt from these laws except in so far as they were Scriptural ordinations^{rules} incumbent upon all.

Among the ~~דברי חכמים~~^{דברי חכמים}. He suggests a way out of this difficulty by saying that since the proper tithing of the produce is a requisite ~~of~~^{for} the ~~מכירת~~^{מכירת} it is undoubtedly^{ed} so for the Chaber and therefore its inclusion among the stipulations for admittance into the Chabura is superfluous (Büchler - Der. Galil. Am ha Arez p. 158 Note 3) This is altogether unnecessary. Whether an applicant for admission into the "Chabura" tithed his produce properly was of no more concern to the Chabura than was the question whether he wore Tefillin or Zizith or conformed^{plied} with ~~the~~^{the} laws of Sabbath observance. To be sure the chaberim were observant of all other laws, for it would be preposterous to think that Pharisees who were so scrupulous in the observance of the laws of Levitical cleanliness would disregard all other laws some of which are of equal or of even greater religious importance. It is but logical to infer that men who found it necessary to add this new precaution for their religious safe-being readily complied with all the old laws that were then prevalent.

When the secular teachers, during the Hellenic period, became a body distinct from the priests, some among them voluntarily accepted the priestly prescriptions of ritual cleanness.⁶³ With the destruction of the temple this movement among the religious teachers to attain to the degree of holiness⁶⁴ by means of the self-imposed priestly laws of ritual cleanness received a great impulse because of the growing laxity in religious life due to the unsettled state of the country.

But Büchler's conclusion that all the laws of Levitical cleanness so minutely elaborated in Rabbinic Literature were made for and refer exclusively to the priests and the Teruma in the period following the destruction of the Temple is erroneous⁶⁵. Apart from the fact that the relations of the chaber to the Am ha Arez in regards to the laws of ritual cleanness were subject of discussion ~~among~~ ^{early part} with Rabbis⁶⁶ in the ~~first half~~ of the first century and in the schools of Shamai and Hillel,⁶⁷ by far the greater number of these

63- (See Montefiore Hibbert Lect. IX P. 275)

64- $\pi \psi \iota \delta \iota \kappa \alpha \iota \beta \alpha \rho \iota \tau \alpha \iota$ (Jer. Sab. I 3 c Sot. IX 5.)

65- Dazu haben wir noch erkannt, dass das ganze Gesetz über die levitische Reinheit in den ²Erörterungen der Tannaiten fast ausschliesslich mit den Priestern und der Priesterhebe sich befasst, weil die Ahroniden allein die levitische Reinheit zu ²beobachten hatten; das dagegen nicht Priester die den Priestern ²gleich das levitische Reinheits-gesetz beobachteten, seltene ausnahmen waren (Der Gali. Am ha Arez P. 12, also P. 85)

66 Tos. Maaser III 13, Jer. Dem IV 25c70. Tos Ab Zor. III 10 and others.

67- Dem VI 6 Tos. Sab. I 14; Tos. Dem. II 12, and others.

laws as developed in the Halacha have nothing whatsoever to do with prebends or with the Teruma. The Levitical regulations affecting the cleanness of pots and vessels as enumerated in the tract Kelim are not at all restricted to the Ahronides. Büchler realizes this and avoids the issue by a tentative remark "Dass es hierbei in Erster Reihe um die Gefässe und Geräte der Ahroniden handelt haben wir bereits gesehen"⁶⁸.

The prescription for the washing of the hands before partaking of profane food was also not a priestly predicative only. Chagiga II 5 clearly states נוסטין לידים לחלין ולטעם ולתכומם לילקדש. Washing of the hands is here clearly indicated as a prerequisite for ~~the~~ the eating of ^{all} profane food⁶⁹. Likewise the discussion in Ber. VIII 2-4 between the schools of Shamai and Hillel as to which precedes in the order of the meal, the filling of the goblets, or the washing of the hands, etc., indicates the prevalent custom of hand-washing among the Pharisees⁷⁰. Those portions of the New Testament which are conceded to be products of the first century clearly bear out this fact⁷¹. R. Meir's statement כל שאינו אוכל לחלין בשוקה and the appended remark of the chanhamim כל שאינו טעם⁷² is conclusive proof that the subjects of discussion are here not priests but laymen, for just as the laws of the tithes are applicable only to laymen so

68- Der Gal. Am ha Arez. P.91 Note.

69- Büchler's (P.116) attempts to restrict the use of לחלין here to the profane food of priests is of course a mere conjecture, not at all implied in the text.

70- Here, too, Büchler (P.134) endeavors to subvert a self-evident truth by saying that the handwashing mentioned here is not a religious duty but a requisite of table etiquette. 71-Matt Xv 2 Mk Vii 3.

72- Ber. 47b; Tos. Ab. Zar. III 10.

PART THREE.

THE AM HA AREZ IN THE PERIOD OF THE TANNAIM.

As we enter the Tannaitic period a mass of bewildering matter bearing on our subject confronts us. The Mishna, the Tosefta, the many old Baraithas scattered through the Talmud, and other Talmudic writings present an embroglio of information so conflicting as to discourage any hope of ever identifying the Tannaitic Am ha Arez and of ever determining his true position in society. No wonder then that a writer of a Tosephot, unable to harmonize the many contradictory statements on the legal status of the Am ha Arez, in order that he might escape from a conundrum, was forced to declare that there were various classes of Am ha Arez⁷⁵. How much truth there is in his assertion, we shall realize as we proceed in our analysis of the sources.

In the previous chapter we have seen that a Talmid Chacham was not necessarily a chaber. The relations of a chaber to an Am ha Arez would then not necessarily be identical with those of a Talmid Chacham to an Am ha Arez. We must accordingly distinguish in our sources between the Am ha Arez who is brought into relation with a chaber and the Am ha Arez who is correlated with a Talmid Chacham.

Only by differentiating the two may we hope to ever attain at some systematic knowledge of the Tannaitic Am ha Arez.

We have briefly sketched in the preceding chapter the character and make-up of the "chaber". The strict observance of the laws of

שומא and שוקרה was his great aim and the aim of his chabura.

75 - Tosephot Sota 22a. היבוק עניני עם הארץ ה

In the light of this, his relation with the Am ha Ares can be fully comprehended. In the eyes of the chaber every Jew who did not obey the laws of Levitical purity in their highly developed traditional form was an Am ha Ares. An Am ha Ares to the chaber need not all be an ignorant irreligious man of a disposition inimical to him. From the fact that even a Talmid Chacham had to subscribe to the חברותא before he could be considered a chaber⁷⁶ we are led to infer that, if he failed to do so, he would remain outside the limits of the Chabura and even he would, accordingly, be considered by the chaber as an Am ha Ares. An Am ha Ares may be a teacher of the Law to the children of a Chaber⁷⁷. The marriage of the son of a Chaber to the daughter of an Am ha Ares or vice versa is considered as a matter of common occurrence.⁷⁸ One Tosefta relates that Rabbi Gamaliel the elder married his daughter to Simeon ben Nathaniel - a priest and an Am ha Ares⁷⁹. A Chaber and an Am ha Ares, moreover, belong to the same family⁸⁰. An Am ha Ares may at will join the Chabura and the doors of the chaburot were always open to welcome him into their folds⁸¹.

The mass of highly particularized laws of ritual cleanliness which entered so considerably into the daily life of the Chaber -

76- Baraita Bechor 30b. Tosef. Demai II, 3;

77- Tosef. Demai II 18. בן חביר שלמד אצל נחמיה ארץ, וברו שלמד אצל צ"ה

הכי קר בחזקתו צר שיחשן. Büchler's contention that שלמד does not mean here the study of the Law but the study of some art or craft (wishing to remove thereby the great argument against his theory that an Am ha Ares could not have been a scholar) is of course arbitrary and unfounded.

(Footnotes from preceding page)

- 78- Tosef Demai II 5... **בן חבר שהיה הולך אצל אביו אמן ל"ה**
ibid II 16... **בת ל"ה שטשאת לחבר, אשת ל"ה שטשאת לחבר**
ibid II 17... **בת חבר שנישאת ל"ה, אשת חבר שטשאת ל"ה**
79- Tosef Ab. Zora III 10
80- Demai I 9... **חבר ול"ה שורשן את אבוקה ל"ה**
81 - ~~דף~~ Tosef Demai II 3... **ל"ה שקיבל עליו דברי חביות**

So also ibid. II 5

Becho. 30 b.



perforce interfered with an amicable or neighborly intercourse between the Chaber and the Am ha Arez but that this led to animosity and bitterness we have no reason to think. On the contrary we have evidences to the effect that the chaber respected the feelings of the Am ha Arez and made allowances for him. Thus, during the Passover, Pentecost, and Feast of the Tabernacles the laws which might have prevented the Am ha Arez from full participation in the ceremonies at Jerusalem were suspended⁸².

82- Chag 26a; Nid. 34a.



III. The Am ha Arez and Teruma

The safeguarding of the Teruma from all manner of uncleanness was the chief motive that actuated the enactment of that intricate system of legal preventatives. The destruction of the Temple⁸³ and the growing laxity in the safe-keeping of the ritual cleanness of the Teruma on the part of both priests and laymen evoked still greater efforts from the religious teachers in the direction of counteracting this tendency by more stringent laws and greater precautions⁸⁴. For the Teruma to be in a state of ritual cleanness two conditions must be fulfilled: the priest when partaking of it must himself not render it profane and the farmer when appropriating it, must likewise take precautions not to render it unclean.

The Chaburot and the religious teachers accordingly declared a boycott against the קצק / קצק the priest who was negligent in the laws of שטא and שק. One of the principle clauses to

83- It must of course be remembered that with the destruction of the Temple only such dues as went originally for the direct maintenance of the Temple sacrifices were suspended. The dues for the personal support of the priests and Levites continued. השקלים והבכורים אין

נוהגין אלא בפני הבית. אבל טעמי דגן ומעשר בקמח והבכורות נוהגין בין בפני הבית
(Sheka. VIII 8) The Teruma likewise remained in force. בין שלא בפני הבית.

שחיתותה והמעשר אסורין את הגורן... ונוהגין בכל הפירות בפני הבית
(Bik. II 3). ושלא בפני הבית.

So also did the duties of offering the right foreleg, the cheeks and the stomach remain in vogue. הדור והלחיים והקבה
נוהגין בארץ ובחוצה לארץ בפני הבית ושלם בפני הבית. (Ch^v 1. XI)

84- Bech. 30a where שקל clearly refers to the cleanliness of the Teruma. See Büchler p.146ff.; see also Chag. III 4.

which a Chaber had to subscribe was ⁸⁵שלא יתן תרומה למעשרות לכהן ע"ה
 and not to allow a ⁸⁶כהן ע"ה to prepare his מעשרות, that is to say,
 appropriate the Teruma for him. The religious teachers urged those
 of the farmers who recognized their authority to give their dues to a
 Chaber-priest only⁸⁷. In the school of R. Eliezar b. Jacob of
 Sepphoris (or Tiberias) they taught that he who gives his dues to a
 כהן ע"ה burdens him with the sin of improper handling of the
 priestly dues. According to R. Jochanan he causes the priest's death⁸⁸.
 The כהן ע"ה enjoyed less favor in the eyes of the teachers and the
 Chaburot than the ⁸⁹ישראל ע"ה.

The priest, as an ultimate precaution, was required to eat
 even his profane food in a state of ritual cleanness. נשילת ידיה לחולין.
⁹⁰מפני סכך תרומה.

In as much as the farmer was not always precautionous in handling
 that portion of his produce which he set aside as Teruma, the priest
 was required to ask before accepting it whether the offering is Lev-
 itically clean. Nor could the priest accept his dues from every
 farmer but had to discriminate between the farmer who could be trusted
 to keep the Teruma he appropriates ritually clean and the farmer who
 could not.

85- Tosef. Demai. II 2.

86- Aboth. di R. Nathan XLI 66b. Also Tosef. Demai. II 2.

87- מה אהרן חבר אף הכהנים חברים; מכאן אמרין אין נותנים מתנות אלא
 לחבר (Sifre Num. 121 p. 41 a)

88- San. 90 b אף משיאן עון אשמה

89 מפקידין תרומה אצל ישיאל ע"ה ואין מפקידין תרומה אצל כהן ע"ה מפני טעם אס ג"ה
 כשם שאין נותנין (Tosef Demai IV 28) Likewise in Tosef. Demai III 1.

and Tosef. תרומה אלא לכהן תבר כך אין משלמן קין וחוטא אלא לכהן חבר

Demai II 20-22; Terum. VII 4. A warning is sounded for other priests.

אל תהי רגיל אצל כהן ע"ה שספק להאכילך תרומה (שם) (Nedar. 20 a. 0)
 90- Chul. 106 a.

The Am Ha Arez and the Tithes.

With the destruction of the Temple and the cessation of sacrificial worship, the priesthood began to recede gradually from its position of importance and influence in the public and religious life of the people. But just as the hope of a speedy redemption during the first exile in Babylon had called into being that elaborate code of priestly legislation so now did the anticipation of a quick resumption of the priestly services tend to encourage the work of the Rabbis in amplifying and particularizing the ecclesiastical functions and duties. But the priesthood, as might be expected, was losing its importance in the eyes of the people and the Rabbis exerted themselves to the utmost in their endeavors to prop up the crumbling institution. The heavy taxes and tribute which the Roman government extorted likewise contributed to the neglect of the law of tithes.

From the numerous complaints of the Rabbis of the second century, especially those of Galilee where the religious life of the people was always at its lowest ebb⁹¹, we may conclude that the agrarian laws were generally neglected. R. Josiya (of the first half of the second century) declares that בבין תלולות ומעשרות נעזו השמיםמלכות על אשך⁹². R. Simon b. Eleazar of Sepphoris (160-200) attributes the loss of the fine taste and odour in the soil product to the violation of the Levitical laws of cleanliness, and the leanness of the crop to the neglect of the laws of tithes.⁹³ An anonymous

91- "Galilee became, therefore, notorious in Judea for the stupidity of its inhabitants, but also for their irreligion."
A.M. Fairbairn, "Studies in Religion and Theology".

92- Aboth di R. Nathan XXXVIII 57 a.

93- Sota IX 13.

Tanna, probably of the same period, attributes the then prevalent disease of croup to the neglect of the tithes⁹⁴. In Aboth V we read

מקצתם מצשרים ומקצתם אינם מצשרים רצב של בצורת בא. On the other hand praise is abundantly showered upon him who tithes his produce properly⁹⁵.

The Chaburot threw the weight of their prestige in with the religious teachers to counteract the tendency of neglecting the agrarian laws. The proper tithing of the produce was made a requisite for admission into the Chaburot and one who did not conform with the agrarian laws was considered an Am ha Arez even as he who did not obey the laws of Levitical cleanliness⁹⁶. The Chaber was forbidden to dine with any one whose products were under suspicion of not having been tithed⁹⁷.

94- Sab. 33 ab תנו רבנן: אסברה באה לעולם על המעשר. See also

Jer. Beroch. IX 13039.

95- Pesach. 113 a ; See also

Aboth di R. Nathan xxxv 39b.

96- ואזדה/ צ"ה כל שאינו אוכל חליל בשהיה דבר ר' מאיר: וסכמים אחרים כל שאינו מעשר.

Beroch. 47 b Tosef. Ab. Zora III 10.

97- לא ישתמש חבר במטתא של צ"ה ולא בספודת צ"ה אלא אם כן הו' מתקנין הכל

Tosef. Demai III 6 תחת ידיו

The Talmid Chacham and the Am ha Arez.

The Am ha Arez whom we have just considered was an arbitrary creation of the many agrarian ~~laws~~ and purity laws, and represented all the elements which were not included in the chaburot. Just as the chaburot counted among their constituents men from every rank and file of the people, so did the Am ha Arez include men from all classes of society; ~~the~~ scholar, and the priest, the merchant and the farmer, the rich and the poor. But the Am ha Arez whom we found existing in the pre-Tannaitic period - the Am ha Arez who was so called not because of his neglect of one or two specific laws but because of his general laxity in religious observances and of his ignorance of the Law and the teachings of the sages, we, of course, meet with him in the Tannaitic period also. This Am ha Arez had included in turn those who had refused to separate themselves from the gentiles and the half-Jews in the days of Ezra, the Hellenizers in the Greek period, the Sadducees in the period antedating the destruction, and alongside of them all those who disobeyed the Law as interpreted by the religious teachers not on principle but through mere indifference and neglect. The term, as we shall soon see, came to include those Judeo-Christians of the first, second and third centuries who, like the Sadducees of old, had begun to doubt the validity of the traditional interpretation of the Law as set forth by the Pharisaic teachers, and ultimately to oppose them.

Practically none of the references to this Am ha Arez in Talmudic sources can be traced back to the period preceding the Destruction. Even the authorship of the famous statement attributed to Hillel

7'077 7'9 7'9 98 is doubtful. In Aboth di R. Nathan the statement is attributed to R. Akiba and, we think, with greater likelihood⁹⁹.

7'9 98- Aboth II 5.

99- Aboth di R. Nathan - Ed. Schechter p. 82.

The Destruction of the Temple dealt a terrible blow to the religious organization of the people and we hear R. Eliazar the Great the pupil of R. Jochanan b. Saccai complaining bitterly

חילום שחורב בית המקדש

שני חכמים למקלו כספריא, וספריא כחזנא, וחזנא כצמא דאירעא, וצמא דאירעא

אדלג ורלדלג אין שואל אין מבקש על מי ושל קשען? על אבינו שבשמים

100

But the national disaster and the religious laxity that followed in its wake called forth renewed efforts at stringency on the part of the religious teachers. The spread of Christianity in the period that followed the destruction of the Sanctuary when the Messianic hope drew new strength and gained more ground among the people likewise urged the Rabbis on in their efforts at stringency and rigor.

100- Sota 49 a.



The Reciprocal attitudes of the Talmid Chacham and the Am
ha Arez.

We noticed very little friction or bitterness in the relations between the Pharisees and the Am ha Arez in the century preceding the common era. Nay, more, judging from Josephus, they were mutually well disposed and on a very friendly footing. The rigorous observance of all legal minutiae was not an issue between them to be attacked by the one and defended by the other. It was a case of scrupulous observance on the one hand and neglect and laxity - in most cases involuntary - on the other. With the rise of Christianity conditions were changed. Pharisaic legalism, especially in Pauline Christianity, was made an issue. The Am ha Arez instead of considering himself as heretofore a religiously recalcitrant Jew was now made conscious of a certain moral right to disregard Pharisaic ~~teaching~~ practices and to disobey their teachings. Such an attitude was bound to evoke the determined opposition of the Pharisees and friction was inevitable.

The friction became more pronounced in the second century. Pauline Christianity had become aggressive and was rapidly crowding the less militant and more closely Jewish teachings of the founder of Christianity to the background. The intellectual life of the people was now shifting from Judea to Galilee. The religious laxity of the Galileans was proverbial. Lacking the sustaining influence that comes from the presence of great religious schools in their midst, and they had fallen far below their Judean brethren in educational and religious ideals and practices. Their life was coarse and to the refined sensibilities of the Rabbis who were accustomed to a higher standard of life and conduct, they were at times repulsive. Add to this the disorganization of the religious life of the people which had followed

in the wake of the ^אBar Kochba revolution and we are in a position to account for the widening of the gap between the Am ha Arez and the Talmid Chacham. The attitude of the scholars of the second century towards the Am ha Arez is best illustrated by the saying of R. Jehuda:

101 אין פורענות בא לעולם אלא בשביל צ"ה A Talmid Chacham was not to be found in the company of an Am ha Arez¹⁰², should not partake of his food¹⁰³ nor give of his food to an Am ha Arez¹⁰⁴, must not accompany him on his way¹⁰⁵. Marriage with an Am ha Arez was tabooed¹⁰⁶. An Am haArez was not to be trusted with a secret, was disqualified to serve as a witness, and could not be appointed as a guardian for the estate of orphans or as the keeper of the charity box¹⁰⁷. In their moments of exasperation the scholars went to great extremes in their denunciation of the Am ha Arez. These sayings cannot of course be taken too literally but attempts at interpreting such statements as

101 - B.B. 8 a. Compare this with the saying of R. Jonathan אין

פ. פורענות באה לעולם אלא בדמיון שהרשעים בעולם

102- Berach. 43 b. ת"כ: עשה דברים גנאו לך... ואם וסב בחברה של עמי הארץ

103- San 52 b. אמר אליעזר (בחבורת חסידים נסמך - צ"ל אל עזרי) למה ת"ה דומה לפני

צ"ה? בתחלה דומה לקותלן של ירב; סופר הימנו דומה לקותלן של כסף; נהנה מחנו. דומה לקותלן של חרש

104- B.B. 8 a. ג. בתירושק יתיב רבי וקא מצטאר ואמר "אולי שנתתי פתו לצ"ה"

105- Pesach 49b. The reason is אמר ל אלעזר: צ"ה אמר להתלל עמו בדרכ. ש.נאמר - כי הוא חייך ואורך וטורך על חיל לא חס, על ח" חבול לא כל שכן. interesting.

106- Pesach 49b. תנא, למאור אומר: כל המשא בתו לצ"ה כאילו כופתה ומנוחה לפני ארו and also ת"כ: לעולם וטור אדם כל מה שיש לו /ושא בת ת"ח... ולא ושא בת צ"ה

These statements are of course grossly exaggerated. חפץ שכן שקץ ונשמותיו שרץ ועל בנותיהן הוא אומר: אלו שוכב עם כל בהמה.

107- Pesach 49.b.

were school jests without any serious implications¹⁰⁸ or offering apologetic interpolations to them like those suggested by the Rabbis of the Middle ages¹⁰⁹ are unwarranted. That animosity between the scholars and the Am ha Arez at this period existed is indisputable. The sayings of the Rabbis, however, in which these bitter sentiments find expressions are of course exaggerated. The very wording and style of these sayings betray their partial sincerity. The saying of R. Jehuda "an Am ha Arez is forbidden to eat meat"¹¹⁰ can only be appreciated when taken as a jest. With the lines of demarkation between Judaism and Christianity being ever more clearly drawn in the third and fourth centuries, with the agrarian and purity laws becoming

108- Like that of Lazarus - "Die Ethik des Judenthums" Note 9 P. 372.

109- Thus Alfasi endeavors to read legalism into this apparent sarcastic remark of R. Elazar

עם הארץ מותר לנהל
בשוק רץ אחי צרכה המאוששה
ביומם הכפרות שחל להיות בשבת

The entire discussion in Pesachim 49 b as to the attitude of the Talmid Chacham to the Am ha Arez has caused much discomfiture to Rabbis who missed the sarcasm of the remarks and considered them as spoken in all seriousness. In a responsum to the *Ben Kuran* dated 992 (Harkavy *משניות הגאונים* p.197) a Gaon, commenting

on the passage just quoted, writes: *אין אדם שיש לו חלק בקדוק סבור שכל*
זה מותר לעשות בו כן. אלא כך הוא אומר פעמים ש"ה ד"ץ אחריו להכליל
And applying the same *legislative* interpretation to R. Jehuda's saying "An Am ha Arez is forbidden to eat meat" he declares

אלא כך הוא אומר: פעמים שהבנה מצויה לשחטה וע"ה אסור לאכול שטח
.... When treated in this light the statements in Pesach 49 b become impossible.

110- Pesach 49 b The method of deducing this rule from the Thora is the clearest proof of it.

obsolete and with the transfer of the seat of Rabbinic activity to Babylonia, the factional strifes between the scholars and the Am ha Araz gradually died away. Already in the second century we find traces of a more conciliatory and complaisant attitude¹¹¹. But statements by Barais of the third century like the following כל הטלטר ושנאת הבריות כיצד? and ¹¹²בן צ"ה תאמר אפילו הקב"ה מזהר לבטלה בשביל מלטר שלא יכון אדם לוטר אקוב את החכמים ושנא את התלמידים; אהל ב את ¹¹³clearly indicate that the great storm of passion and antipathy had subsided¹¹⁴. Faint echoes of the struggle are heard in the fourth century¹¹⁵, but never after that¹¹⁶.

111- The saying of R. Jehuda b. Illai in B.M. 33 b.

112- B.M. 85 a.

113 Aboth di Nathan p. 64 Ed. Schechter.

114- Such statements as these are, however, still found: ¹¹⁴א"י שמעון בן לקויש; את תלמיד חכם נוקם ונוטר כנחש הוא חלוקה על סתמך; אם צ"ה הוא

(Sab. 63 a) and the gross exaggerations of R.

Jochanan of Sepphoris and R. Eleazar b. Pedath. (Pesach. 49 B)

115- Menach. 99 b.

116- Compare Rabba bar Huna's (320-375 circa) statement

(Shebu. 30 b) with any of the violent expressions of hatred of the Palestinian Tannaim of the second century.

The Publican as an Am ha Arez.

Great as was the hatred of the scholars to the Am ha Arez it was not equal to that fierce and inexorable hatred which they entertained towards some of the Am ha Arez who had allied themselves with the exacting Roman conquerors and were extorting mercilessly the burdensome tributes from the people. The publicans or מכסנים were considered as veritable outcasts and the scum of society. These מכסנים had no limited tax levy which they collected everywhere alike but they exorted as much as they wished¹¹⁷. Having to satisfy the demands of the ἑρμιστάρχαι, they were not scrupulous about using the severest measures in extracting their taxes. That such measures would incur the hatred of the people and especially of the patriots^{ic} and justice loving scholars is self evident.

In the eyes of the scholar the publican represented the lowest ~~station~~ ^{stratum} of the Am ha Arez¹¹⁸. He was not admitted into the Chaburot and a Chaber on becoming a "gabai" or a "Moches" was suspended from the chaburot¹¹⁹. He was disqualified as a witness¹²⁰. The entire family of a publican shared the same legal and social status with him¹²¹. The coffers of a publican were looked upon as filled with

117 - See Luke III 13 : "Extort no more than that which is appointed".

118- The contrast in the following Tofesta brings out this point well:

וכן היה לשמעון בן אלעזר אושרמלסם ל מאני: מעשה באשה אחת שנשאת לתבכא היתה

קאמעת על ידין תפולין, נשאת למאכס וקשה על ידין קשונים...

Tosefta Dem II 7.

119- Berach 30 b; Tosef. Dem. III 4.

120- San 25b.

121- Shebu, 39a....

stolen goods¹²². To lodge with a publican or partake of his board was considered disgraceful¹²³.

122- B. K. X 1.

123- The New Testament abounds in illustrations See. Mat. IX 11;

Mk. II 16; Luke V 30; XIX 7; See also Mat. XVIII 17, V 46.



The Judeo-Christian Am ha Arez.

Some Talmudic references to the Am ha Arez in the first century and especially in the second century are directly aimed against the Judeo-Christians. Else the statement of R. Dosa b. Hyrcanus (about 100)

אֲשֶׁר בְּתוֹכָם כְּנִסְיֹת שֶׁל עַמּוּי הָאָרֶץ מוֹצִיאִין אֶת הָאָדָם מִן הַצִּוִּילִים remains inexplicable¹²⁴, and the well known saying in Aboth: אָבֹת שֶׁלֹּא בָאָדָם:

125 is likewise an enigma. When, however, we bear in mind that the early Judeo-Christians had synagogues of their own which, through Pauline influence, were

124- Aboth III 10: The traditional interpretation אֲשֶׁר בְּתוֹכָם כְּנִסְיֹת כִּי־עַל?

אֲשֶׁר בְּתוֹכָם כְּנִסְיֹת כִּי־עַל? and likewise מַלְטָד שֶׁלֹּא יוֹשֵׁב אָדָם עִם אֲשֶׁר בְּתוֹכָם כְּנִסְיֹת כִּי־עַל

that of Zunz (Gottesdienstl. Wort. p. 1 ff.) "das in dem Worte

welches Versammlung oder "Gemeinde" bedeutet, durchaus ^{eines Gottesdienstlichen Aktes oder einer religiösen Bestimmung} keine Bezeichnung ^{enthaltend} ist" is of course untenable. בית כנסת

means a house of prayer. Friedländer (Die Religiösen Bewegungen"

p. 82, note 4) suggests that the ^{synagogues of the Hellenistic Jews who were looked upon as ה"ב by the Pharisaic teachers, in} ^{which} ^{synagogues} Jesus and later Paul, Barnabas, and others preached. From

the reception, ^{to} these synagogues of Greek Jews gave, Jesus and his disciples we have no reason to think that they were ^{Am} ha Arez. On

the contrary the accounts given of the attitude of the members of these synagogues (such as that in Acts VI 9ff.) would clap them as zealous Pharisees rather than lax Am ha Arez.

125- Abot V 10: Dr. Bäck (Litter. Blatt Jhrg 14 p 121) and Dr. Caro (ibid Jhrg. 10 no. 29) both have an inkling of the truth when they say that this statement clearly refers to a sect of communists.

But when they represent the Chaberim as exponents of individualism and the Am ha Arez as members of an Essaic commune they are, of course, far off the mark.

later called *ἐκκλησία* ¹²⁶ and that, according to Paul, to be a member of such a church meant to be *above* the law¹²⁷ the saying of R. Dosa is easily explained. And when we recall the Essenean philosophy of early Christianity "all things that are mine are thine and thine are mine" the statement in Abot gains in meaning and significance. In the definitions of the Am ha Arez given in Beroch. 47 b and Sota 22 a (nearly all by Rabbis of the second century) we can detect in each one a direct reference to the Judeo-Christians who began to neglect the laws enumerated¹²⁸. The insistence of the Rabbis upon the daily recital of the Shema is self-explanatory. The early Christians were likewise inclined to slight the laws of Phylacteres and Zizith¹²⁹. The great

126- *Συναγωγή* only expresses the empiric matter of fact, *ἐκκλησία* contains as well a dogmatic judgment of value. From this distinction between the terms which, as it seems, soon became a prevailing one even in Judaism, it is easily understood that Christian usage took possession almost exclusively of the latter expression" Schürer- II Div. II note 47.

127- Rom. VII 4-6.

128- ת"ר: אידהו? כל שאינו קורא ק"ש שחיות ועובית בביתו, דבריו לטאור; וכן א"א
כל שאינו מנוח תפולין, בן עדאי אומי כל שאוקף לו ציצית בבגדו, אחריות
אומיות אפילו קורא ומונה ולא שוש תלמוד חכמים דהו' ע"ב
ק. ארץ. Sota 22a. The reading in Berachot is slightly different.

129- Mat. XXVIII 4-6: Friedländer (Die Religiösen Beweg. pl11 Note 5) approaches the truth when he says "Diesen Protest allein schon lässt den Am ha Arez, der sich über äussere religiöse Zeremonien leicht hinwegsetzt, erkennen..."

stress laid upon *שימוש תלמודי חכמים* in the second and the third centuries is, we think, due also to the spread of Pauline Christianity which was hostile to the Law as interpreted by the Phariseic teachers. The student must serve ~~as~~ a Talmid Chacham in order that he might learn how to act in the true spirit of the Law. The statements from the mouth of R. Akiba, the champion of Rabbinism against Christianity are significant *מי שאינו ששט יצא אין לו חלק לעולם הבא*¹³⁰ and *אלא ששט חכמים וכו' קטל חייב*¹³¹.

130- Aboth di R. Nathan XXVI

131- Jer. Naz. VII 1: So likewise Aboth di R. Nathan p. 56 Ed.

Schechter; San. 88 b.; Sota 22 a.



The Am ha Arez in the New Testament.

While the Pharisaic teachers have it all their own way in Talmudic writings the Am ha Arez finds his champions in the New Testament authors. Jesus is depicted by these writers as the very spokesman and champion of the Am ha Arez - "the multitude which knoweth not the law"¹³² against "those that bind heavy burdens and grievous to be born and lay them on men's shoulders"¹³³. His disciples Matthew and Levi were publicans¹³⁴ and Zacheus was an ἀρχιτελώνη¹³⁵, Peter and John were unlearned and ignorant men¹³⁶. It is the Am ha Arez, the publicans and the sinners that flock around Jesus and protect him¹³⁷. In defiance of the Talmudic injunction ה'י ש'ש תרבו ב'ב' ו'א ה'ת Jesus is made to sit and dine with them to the great vexation of the Pharisees¹³⁸. In the face of the great endeavors of the chaburot

132- John VII 49

133- Mat. XXIII 4.

134- Mat. X 3; Luke V 27

135 Luke XIX 2

136- Acts IV 3.

137- Luke XXII 6, XXIII 1; Mat. VIII 1 and many others.

138- Mat. IX 10, 11 etc. See Shailer Matthews "A History of New Testament times" p. 172.

and the innumerable Pharisaic laws of ritual cleanliness the import of a statement such as the following is self-evident: "And yet unto me hath God showed that I should not call any man common or unclean". To the Pharisaic declaration ^{"He Ameha arez have no future life"} ~~that the Pharisees~~ the retort is hurled back... "Woe unto you, scribes and Pharisees, hypocrites! because you shut the kingdom of heaven against men; for ye enter not in yourselves neither suffer ye them that are entering in to enter." 140 112.

There is no doubt that many expressions of antipathy against the Pharisees found in the Gospels are products of the second if not of the third century. The Judeo-Christians of the second century incurred the hostility of the Pharisees because they refused to participate in the Bar Kochba uprising¹⁴¹ and we have reasons to think that the patriotic Pharisees persecuted them.¹⁴²

112. 189- Acts X 28.

113. 140 Mat. XXIII 13; It is doubtful whether the "Assumptio Mosis" likewise voices the sentiments of the Am ha Arez against the Pharisaic teachers. (Rosenthal Vier. ^{Apok.} Bücher aus der Zeit und Schule R. Akibas p.24ff.) Bousset's (Religion des Judenthums 101.4) objection seems to be a valid one. "Ich halte es für ganz unmöglich, dass mit dieses Polemik Pharisäer gemeint sein könnten. Der Satz, der allein zu dieser Vermutung Anlass gibt" Rühre mich nicht an, damit du mich nicht verunreinigst" kann sich ebenso auf den Hochmat der Priester beziehen".

141- The Judeo-Christians who ~~denied~~ Jewish nationality and "who could not deny their own Messiah by recognizing the political revolution as such" (Schröter) could not of course participate in the uprising.

142 Eusebius-"chronicon" ed. Schoene II 168 "Qui dux ~~rebellionis~~ Judaeorum erat Chochebas multos e Christianis diversis suppliciis affecit quia volebant procedere cum illo ad pugnam contra Romanos".