

Winter Week of Learning - Wednesday, December 23, 2015

Dead Sea Scrolls within the Babylonian Talmud? The Rift with the Pharisees
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Josephus, *Ant.* 13.288-298

(288) As for Hyrcanus, the envy (φθόνον) of the Jews was aroused against him by his own successes (εὐπραγία) and those of his sons; particularly hostile to him were the Pharisees, who are one of the Jewish schools, as we have related above. And so great is their influence with the masses that even when they speak against a king or high priest, they immediately gain credence. (289) Hyrcanus too was a disciple of theirs, and was greatly loved by them. And once he invited them to a feast and entertained them hospitably, and when he saw that they were having a very good time, he began by saying that they knew he wished to be righteous and in everything he did tried to please God and them—for the Pharisees profess such beliefs; (290) at the same time he begged them, if they observed him doing anything wrong or straying from the right path, to lead him back to it and correct him. But they testified to his being altogether virtuous, and he was delighted with their praise. (291) However, one of the guests, named Eleazar, who had an evil nature and took pleasure in dissension (κακοήθης ὢν φύσει καὶ στάσει χαίρων), said, “Since you have asked to be told the truth, if you wish to be righteous, give up the high-priesthood and be content with governing the people” (τὴν ἀρχιερωσύνην ἀπόθου, καὶ μόνον ἀρκείτω σοι τὸ ἄρχειν τοῦ λαοῦ). (292) And when Hyrcanus asked him for what reason he should give up the high-priesthood, he replied, “Because we have heard from our elders that your mother was a captive in the reign of Antiochus Epiphanes.” But the story was false, and Hyrcanus was furious with the man, while all the Pharisees were very indignant (καὶ πάντες δ' οἱ Φαρισαῖοι σφοδρῶς ἠγανάκτησαν). (293) Then a certain Jonathan, one of Hyrcanus' close friends, belonging to the school of Sadducees, who hold opinions opposed to those of the Pharisees, said that it had been with the general approval of all the Pharisees that Eleazar had made his slanderous statement; and this, he added, would be clear to Hyrcanus if he inquired of them what punishment Eleazar deserved for what he had said. (294) And so Hyrcanus asked the Pharisees what penalty they thought he deserved—for, he said, he would be convinced that the slanderous statement had not been made with their approval if they fixed a penalty commensurate with the crime--, and they replied that Eleazar deserved stripes and chains; for they did not think it right to sentence a man to death for calumny, and anyway the Pharisees are naturally lenient in the matter of punishments. (295) At this Hyrcanus became very angry and began to believe that the fellow had slandered him with their approval. And Jonathan in particular inflamed his anger, and so worked upon him (296) that he brought him to join the Sadducean party and desert the Pharisees, and to abrogate the regulations which they had

established for the people, and punish those who observed them. Out of this, of course, grew the hatred of the masses for him and his sons, (297) but of this we shall speak hereafter (περὶ μέντοι τούτων ἀθῆς ἐροῦμεν). For the present I wish merely to explain that the Pharisees had passed on to the people certain regulations handed down by former generations (ὅτι νόμιμά τινα παρέδωσαν τῷ δήμῳ οἱ Φαρισαῖοι ἐκ πατέρων διαδοχῆς) and not recorded in the Laws of Moses, for which reason they are rejected by the Sadduceean group, who hold that only those regulations should be considered valid which were written down (in Scripture), and that those which had been handed down by former generations need not be observed (τὰ δ' ἐκ παραδόσεως τῶν πατέρων μὴ τηρεῖν). (298) And concerning these matters the parties came to have controversies and serious differences, the Sadducees having the confidence of the wealthy alone but no following among the populace, while the Pharisees have the support of the masses. But of these two schools and of the Essenes a detailed account has been given in the second book of my *Judaica*.

בבלי קידושין סו ע"א¹

דתניא

- 1 מעשה בינאי המלך שהלך לכוחלית שבמדבר וכבש שם ששים כרכים
- 2 ובחזרתו היה שמח שמחה גדולה וקרא לכל חכמי ישר' <אל> ואמ' להם,
- 3 אבותינו היו אוכלים מלוחים בזמן שהיו עוסק <ים> בביניין בית המקדש
- 4 אף אנו נאכל מלוחי <ם> זכר לאבותינו
- 5 והעלו מלוחין על שולח <נות> של זה <בן> ואכלו
- 6 והיה שם אדם אחד לץ רע ובליעל ואלעזר בן פוערא שמו
- 7 ויאמר אלעזר בן פוער' לינאי המלך ינאי המלך <לבם> של פרוש <ים> עליך
- 8 ומה אעשה, א'ל הקם להם בציץ שבין עיניך, הקים להם בציץ שבין עיניו
- 9 היה שם זקן אחד ויהוד' בן גדירא שמו ויאמר יהוד' בן גדירא <לינאי המלך>
- 10 <ינאי המלך> רב לך כתר מלכות הנח כתר כהונה לזרעו של אהרן
- 11 שהיו או' <אמו נשבית> במודעית
- 12 ויבקש הדבר ולא נמצא ויבדלו חכמי ישר <אל> בזעם
- 13 ויאמר אלע <זר> בן פועירא לינאי המלך
- 14 ינאי המלך הדיוט שביש' כך הוא דינו ואתה מלך וכהן גדו' כך הוא דינך
- 15 אמ' לו ומה אעשה אמ' לו אם את שומ' לעצתי רומסם
- 16 אמ' לו ותורה מה תהא עליה
- 17 אמ' לו והלא היא כרוכה ומונחת בקרן זוית וכל הרוצה ללמ <וד> יבא וילמד
[....]²
- 18 ותיו(ע) [צ]ץ הרעה על ידי אלעזר בן פוערא ועל ידי יהודה בן גודגדא
- 19 ויהרגו כל חכמי ישר' והיה <העולם משתומם>
- 20 עד שבא שמעון בן שטח והחזיר את התורה ליושנה

9 גזירא] גזירא או גריר' מי גזירא ספ גדידי' ונ גדידיה וי גזירא² כאן מתחיל קטע הגניזה גודגדא ג גזירא או גריר' מי גזירא ספ גדידיא ונ גדידיה וי 11 במודעית] לבין המודעים ג במודיעית או ספ במודיעי מי במודיעים ונ וי 18 ותיו(ע) [צ]ץ] מיד ותיוצץ ג ותוצץ או ותיוצץ מי ותצץ ספ מיד ותוצץ ונ וי ועל ידי... גודגדא] חסר ונ וי גודגדא] גזיר' או גדיד' מי גזירא ספ

¹ נוסח הפנים על פי וטיקן 111 עדי הנוסח: ג = Cambridge, CUL: T-S Misc. 28.265 קיים רק מאמצע הטקסט ואילך]; וט = וטיקן 111; או = אוקספורד 367; מי = מינכן 95; ספ = דפוס ספרד גודלחרה [1480?]; ונ = דפוס ונציה; וי = דפוס וילנה.

² כאן מצויה תחיבה של שיחה אמוראית מאוחרת אל תוך הברייתא.

B. Qiddushin 66a

... it was taught: It once happened that King Yannai went to Kohalith (כוהלית) in the desert and conquered sixty towns there. On his return he rejoiced exceedingly and invited all the Sages of Israel. Said he to them, 'Our forefathers ate mallows (מלווחים) when they were engaged in the building of the [second] Temple; let us too eat mallows in memory of our forefathers.' So mallows were served on golden tables, and they ate.

Now, there was a man there, frivolous, evil and a scoundrel (ליץ רע ובליעל), named Eleazar son of Po'irah. Said (ויאמר) Eleazar Ben Po'irah to King Yannai. 'O King Yannai, the hearts of the Pharisees are against thee (לבם של פרושים עליך)'. 'Then what shall I do?' He said to him: 'Make them swear (הקם להם) by the plate (בציץ) between your eyes.' [So] he made them swear by the plate between his eyes.

Now, an elder, named Yehudah son of Gudgeda, was present there. Said he (ויאמר) to King Yannai. 'O King Yannai! let the royal crown suffice thee (רב לך כתר) (מלכות), and leave the crown of priesthood to the seed of Aaron.' For it was rumored that his mother had been taken captive in Modi'im. [Accordingly,] the matter was investigated, but not sustained (ויבוקש הדבר ולא נמצא), and the Sages of Israel separated themselves in anger (ויבדלו חכמי ישראל בזעם).

Then said Eleazar b. Po'irah to King Yannai: 'O King Yannai! That is the law even for a commoner in Israel, and thou, a King and a High Priest, shall that be thy law [too]?' 'Then what shall I do?' He told him: 'If thou wilt take my advice, trample them down (רומסם)'. 'But what shall happen with the Torah?' 'Behold, it is bound up and lying in the corner (כרוכה ומונחת בקרן זוית), whoever wishes to study, let him come and study!' [...]

Straightway, the evil burst forth (ותוצץ הרעה) through Eleazar son of Po'irah and through Yehudah Ben Gudgeda. All the Sages of Israel were massacred (ויהרגו כל) (חכמי ישראל), and the world was desolate until Simeon b. Shetah came and restored the Torah to its pristine [glory].

The Context in Josephus

<p><i>War</i> 1.67-69</p>	<p><i>Ant.</i> 13.288-300</p>
<p>The envy (φθόνος) aroused by the prosperous fortunes (εὐπραγίας) of John and his sons, however, provoked a sedition (στάσις) among his countrymen, large numbers of whom held meetings to oppose them and continued to agitate, until the smouldering flames burst out in open war</p>	<p>As for Hyrcanus, the envy (φθόνον) of the Jews was aroused against him by his own successes (εὐπραγία) and those of his sons;</p> <p>particularly hostile to him were the Pharisees, who are one of the Jewish schools...and so great is their influence with the masses that even when they speak against a king or high priest, they immediately gain credence.</p>
	<p>289-298: <i>Interpolation—Hyrcanus and the Pharisees</i></p>
<p>and the rebels were defeated</p> <p>For the rest of his days John lived in prosperity (εὐδαιμονία), and, after excellently directing the government (τὴν ἀρχὴν κάλλιστα διοικήσας) for thirty-one whole years, died leaving five sons; truly a blessed individual and one who left no ground for complaint against fortune as regards himself. He was the only man to unite in his person three of the highest privileges: the supreme command of the nation, the high priesthood, and the gift of prophecy (τὴν τε ἀρχὴν τοῦ ἔθνους καὶ τὴν ἀρχιερωσύνην καὶ προφητείαν).</p>	<p>And so Hyrcanus quieted the outbreak (τὴν στάσις),</p> <p>and lived happily (εὐδαιμόνως) thereafter; and when he died after administering the government excellently (τὴν ἀρχὴν διοικησάμενος ἄριστον τρόπον) for thirty-one years, he left five sons.</p> <p>Now he was accounted by God worthy of three of the greatest privileges, the rule of the nation, the office of high-priest, and the gift of prophecy (ἀρχῆς τοῦ ἔθνους καὶ τῆς ἀρχιερατικῆς τιμῆς καὶ προφητείας).</p>
<p>The story of their downfall (τὴν καταστροφὴν) is worth relating (ἄξιον ἀφηγήσασθαι), and will show how great was the decline from their father's good fortune (ὅσον τῆς πατρῶας εὐδαιμονίας ἀπέκλιναν).</p>	<p>And the story of their downfall (τὴν καταστροφὴν) is worth relating (ἄξιον ἀφηγήσασθαι), to show how far they were from having their father's good fortune (ὅσον τῆς τοῦ πατρὸς ὑπέβησαν εὐτυχίας).</p>

The Context in Bavli Qiddushin

איבעיא להו אשתו זינתה בעד אחד ושותק מהו, אמר אביי נאמן, רבא אמר אינו נאמן - הוי דבר שבערוה ואין דבר שבערוה פחות משנים. אמר אביי: מנא אמינא לה, דההוא סמיא דהוה מסדר מתנייתא קמיה דמר שמואל, יומא חד נגה ליה ולא הוה קאתי. שדר שליחא אבתריה אדאזיל שליח בחדא אורחא אתא איהו בחדא כי אתא שליח, אמר: אשתו זינתה. אתא לקמיה דמר שמואל א"ל אי מהימן לך זיל אפקה ואי לא לא תפיק. [...] ואמר אביי מנא אמינא לה, דתניא: מעשה בינאי המלך שהלך לכוחלית שבמדבר וכיבש שם ששים כרכים [...] עד שבא שמעון בן שטח והחזיר את התורה ליושנה.

היכי דמי? אילימא דבי תרי אמרי אישתבאי ובי תרי אמרי לא אישתבאי, מאי חזית דסמכת אהני, סמוך אהני! אלא בעד אחד, וטעמא דקא מכחשי ליה בי תרי. הא לאו הכי – מהימן.

The scholars propounded: What if his wife [is charged with having] committed adultery on the testimony of one witness, and he [the husband] is silent? — Abaye said: He is believed; Raba said: He is disbelieved, because it is a sexual matter, and no sexual matter can be established by less than two. Abaye said: Whence do I know it? For there was a certain blind man who used to recite Baraitas in systematic order before Mar Samuel. One day it was late, but he did not come; so he sent a messenger for him. While the messenger was going by one road, he came by another. When the messenger returned, he stated that his [the blind man's] wife had committed adultery. When he came before Mar Samuel he said to him, 'If you believe him, go and divorce her; if not, do not divorce her.' [...] Abaye also said: Whence do I know it? Because it was taught:

It once happened that King Jannai [...]until Simeon b. Shetah came and restored the Torah to its pristine [glory].

Now, how was it? Shall we say that two testified that she was captured and two that she was not? what [reason] do you see to rely upon the latter rely upon the former? Hence it must surely mean [that her captivity was attested] by one witness, and the reason [that his evidence was rejected] was that two rebutted him; but otherwise, he would have been believed

Esther 2: 17, 23

And the king loved Esther more than all the other women, and she met with his loving approval more than all the other young women. So he placed the royal crown **כתר מלכות** on her head and appointed her queen in place of Vashti.

And when inquisition was made of the matter, and it was found to be so, **ויבקש הדבר וימצא** they were both hanged on a tree

Numbers 16

16:1 Now Korah son of Izhar, the son of Kohath, the son of Levi, and Dathan and Abiram, the sons of Eliab, and On son of Peleth, who were Reubenites, took men 16:2 and rebelled against Moses, along with some of the Israelites, 250 leaders of the community, chosen from the assembly, famous men.

16:3 And they assembled against Moses and Aaron, saying to them, “You take too much upon yourselves, **רב לכם** seeing that the whole community is holy, every one of them, and the Lord is among them. Why then do you exalt yourselves above the community of the Lord?” 16:4 When Moses heard it he fell down with his face to the ground. 16:5 Then he said to Korah and to all his company, “In the morning the Lord will make known who are his, and who is holy. He will cause that person to approach him; the person he has chosen he will cause to approach him. 16:6 Do this, Korah, you and all your company: Take censers, 16:7 put fire in them, and set incense on them before the Lord tomorrow, and the man whom the Lord chooses will be holy. You take too much upon yourselves, you sons of Levi!” 16:8 Moses said to Korah, “Listen now, you sons of Levi! 16:9 Does it seem too small a thing to you that the God of Israel has separated you from the community of Israel to bring you near to himself, to perform the service of the tabernacle of the Lord, and to stand before the community to minister to them? 16:10 He has brought you near and all your brothers, the sons of Levi, with you.

Do you now seek the priesthood also? **ובקשתם גם כהונה?**

16:20 The Lord spoke to Moses and Aaron: 16:21 “Separate yourselves from among this community, **הבדלו מתוך העדה הזאת** that I may consume them in an instant.”

Numbers 17 :8 On the next day Moses went into the tent of the testimony – and the staff of Aaron for the house of Levi had sprouted, and brought forth buds, and produced blossoms **ויצין ציץ**, and yielded almonds

1

ועשיתה על פי התורה אשר יגידו לכה ועל פי הדבר 3
אשר יואמרו לכה vac מספר התורה ויגידו לכה באמת 4

Then you shall do according to the law that they declare to you and according to what they say to you *vacat* from the **book of the law** and declare to you in sincerity (11Q19 (11QTemple-a) LVI:3—4)

2

8 פשרן ע]ל מתעי אפרים vac אשר בתלמוד שקרם ולשון כזביהם ושפת מרמה יתעו רבים
9 מלכים שרים כוהנים ועם עם גר נלוה ערים ומשפחות יובדו בעצתם נ[כ]בדים ומוש[לים]
10 יפולו [מז]עם לשונם

[Its] interpretation [con]cerns the misleaders of Ephraim, *vac* who mislead many by their false teaching, and their lying tongue and their wily lip; kings, princes, priests, and populace together with the resident alien. Cities and ‘*clans*’ will perish through their counsel, n[ob]les and rul[ers] will fall [by the fur]y of their tongue (4Q169 (4QpNah) 3–4ii:8—10)

3

וידוע לדורות אחרונים את אשר עשה בדור אחרון בעדת בוגדים הם סרי דרך היא העת אשר היה כתוב עליה
כפרה סורירה כן סרר ישראל בעמוד איש הלצון אשר הטיף לישראל מימי כזב ויתעם בתוהו לא דרך
He taught to later generations what God did to the generation deserving wrath, a company of traitors. They are the ones who depart from the proper way. That is the time of which it was written, ‘*Like a rebellious cow, so rebelled Israel*’ (Hos 4:16).
When the Man of Mockery appeared, who sprayed on Israel lying waters, ‘*he led them to wander in the trackless wasteland*’ (Ps 107:40; Job 12:24).
(CD I:11—15)

4

לכן הרחיבה שאול נפשה ופערה פיה לבלי חוק וירד הדרה והמנה ושאנה עליו בא vac אלה הם אנשי הלצון
אשר בירושלים הם אשר מאסו את תורת יהוה ואת אמרת קדוש ישראל נאצו
Therefore Sheol has widened its throat and stretched open its mouth beyond bounds. Her glory shall go down, the multitude and the crowds, exulting into it. (5:11-14) *vac*
These are the Scoffers who are in Jerusalem, the ones who ‘*despised the Torah of the Lord, and rejected the word of the Holy One of Israel.*’
(4Q162 (4QpIsa-b) ii:5—8)

5

ואנה א״ש ארור אחד בליעל עומד להיות פ[ח] י[ק]וש לעמו ומחתה לכול שכניו
And behold, ^{a man} accursed, a man of Belial, shall arise to be a fowl[er's sn]are to his people, and destruction to all his neighbors
(4Q175 (4QTest) 1:23—24)

6

וזה הסרכ לאנשי היחד המתנדבים לשוב מכול רע ולהחזיק בכול אשר צוה לרצונו להבדל מעדת אנשי העול
This is the rule for the men of the *Yahad* who volunteer to repent from all evil and to hold fast to all that He, by His good will, has commanded. They are to separate from the congregation of perverse men.
(1QS V:1—2)