

Class 1: Conceptions of Torah and Law in Second Temple Judaism

Law in Second Temple Judaism
Drisha Institute
Dr. Malka Z. Simkovich
April–May 2024

What is Second Temple Literature?

Josephus c.37-100

Antiquities of the Jews – 20 volume work, late 90s CE

The Jewish War – 7 volume work , 70s CE

Vita (Life) – autobiography

Against Apion – first systematic defense of the Jewish religion

Philo of Alexandria (20 BCE–50 CE)

New Testament

Dead Sea Scrolls

Pseudepigrapha

Apocrypha

Works of the Apocrypha

Law:

[Jubilees]

Histories and Stories:

1 Esdras

Greek Esther

Tobit

Judith

1 Maccabees

2 Maccabees

3 Maccabees

Prophecies:

Letter of Jeremiah

Baruch

Additions to Daniel:

The Prayer of Azariah/The Song of the Three Companions

Susanna

Bel and the Dragon

4 Ezra

Poetry and Wisdom:

Psalm 151

Prayer of Manasseh

Wisdom of Solomon

Ben Sira

4 Maccabees

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Intro: Torah as Divine Writing

1. Shemot 31:16–18:

טז וישמרו בני ישראל, את-השבת, לעשות את-השבת לדורותם, ברית עולם. יז בני בני ישראל--אזת הוא, לעולם: כי-ששת ימים, עשה יהוה את-השמים ואת-הארץ, וביום השביעי, שבת וינפש. } ס { יח ניתן אל-משה, ככלתו לדבר אתו בהר סיני, שני לוחות העדת--לוחות אבן, כתבים באצבע אלהים.

¹⁶Therefore the Israelites shall keep the sabbath, observing the sabbath throughout their generations, as a perpetual covenant. ¹⁷It is a sign for ever between me and the people of Israel that in six days the Lord made heaven and earth, and on the seventh day he rested, and was refreshed.’ ¹⁸ When God finished speaking with Moses on Mount Sinai, he gave him the two tablets of the covenant, tablets of stone, written with the finger of God.

2. Shemot 32:15–16:

טו ויפן נירד משה, מן-ההר, ושני לוחות העדת, בידו: לוחות, כתבים משני עבריהם--מזה ומזה, הם כתבים. טז והלוחות--מעשה אלהים, המה; והמכתב, מכתב אלהים הוא--חרות, על-הלוחות.

Then Moses turned and went down from the mountain, carrying the two tablets of the covenant in his hands, tablets that were written on both sides, written on the front and on the back. The tablets were the work of God, and the writing was the writing of God, engraved upon the tablets.

3. Shemot 34:1–2:

א ויאמר יהוה אל-משה, פסל-לך שני לוחות אבנים כראשונים; וכתבתי, על-הלוחות, את-הדברים, אשר היו על-הלוחות הראשונים אשר שברת. ב ויהי נכון, לבקר; ועלית בבקר אל-הר סיני, ונצבת לי שם על-ראש ההר. ג.

The Lord said to Moses, ‘Cut two tablets of stone like the former ones, and I will write on the tablets the words that were on the former tablets, which you broke. ²Be ready in the morning, and come up in the morning to Mount Sinai and present yourself there to me, on the top of the mountain.

4. Devarim 9:9–11:

ט בעלתי ההרה, לקחת לוחות האבנים לוחות הברית, אשר-פרת יהוה, עמכם; ואשב בהר, ארבעים יום וארבעים לילה--לקחם לא אכלתי, ומים לא שתיתי. י ניתן יהוה אלי, את-שני לוחות האבנים--כתבים, באצבע אלהים; ועליהם, ככל-הדברים אשר דבר יהוה עמכם בהר מתוך האש--ביום הקהל. יא ויהי, מקץ ארבעים יום, וארבעים, לילה; נתן יהוה אלי, את-שני לוחות האבנים--לוחות הברית.

⁹When I went up the mountain to receive the stone tablets, the tablets of the covenant that the Lord made with you, I remained on the mountain for forty days and forty nights; I neither ate bread nor drank water. ¹⁰And the Lord gave me the two stone tablets written with the finger of God; on them were all the words that the Lord had spoken to you at the mountain out of the fire on the day of the assembly. ¹¹At the end of forty days and forty nights the Lord gave me the two stone tablets, the tablets of the covenant.

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5. Devarim 31:9–12:

ט ויכתב משה, את-התורה הזאת, ויתנה אל-הפנהגים בני לוי, הנשאים את-ארון ברית יהוה; ואל-כל-זקני ישראל. **י** ויצו משה, אותם לאמר: מקץ שבע שנים, במעד שנת השמיטה--בחג הספות. **יא** בבוא כל-ישראל, לראות את-פני יהוה אלהיה, במקום, אשר יבחר: תקרא את-התורה הזאת, נגד כל-ישראל--באזניהם. **יב** הקהל את-העם, האנשים והנשים והטף, וגרף, אשר בשעריך--למען ישמעו ולמען ילמדו, ויראו את-יהוה אלהיכם, ושמרו לעשות, את-כל-דברי התורה הזאת.

Then Moses wrote down this law, and gave it to the priests, the sons of Levi, who carried the ark of the covenant of the Lord, and to all the elders of Israel. ¹⁰Moses commanded them: ‘Every seventh year, in the scheduled year of remission, during the festival of booths, ¹¹when all Israel comes to appear before the Lord your God at the place that he will choose, you shall read this law before all Israel in their hearing. ¹²Assemble the people—men, women, and children, as well as the aliens residing in your towns—so that they may hear and learn to fear the Lord your God and to observe diligently all the words of this law, ¹³and so that their children, who have not known it, may hear and learn to fear the Lord your God, as long as you live in the land that you are crossing over the Jordan to possess.’

I. The Written Torah and its Laws

1. Jeremiah 36:1–32

א ויהי בשנה הרבעית, ליהויקים בן-יאשיהו מלך יהודה; היה הדבר הזה, אל-ירמיהו, מאת יהוה, לאמר. **ב** קח-לך, מגלת-ספר, וכתב את-כל-הדברים אשר-דברתי אליך על-ישראל ועל-יהודה, ועל-כל-הגוים--מיום דברתי אליך, מימי יאשיהו, ועד, היום הזה. **ג** אולי ישמעו, בית יהודה, את כל-הרעה, אשר אנכי חשב לעשות להם--למען ישובו, איש מדרכו הרעה, וסלחתי לעונם, ולחטאתם. **ד** ויקרא ירמיהו, את-ברוך בן-נריה; ויכתב ברוך מפי ירמיהו, את כל-דברי יהוה אשר-דבר אליו--על-מגלת-ספר. **ה** ויצוה ירמיהו, את-ברוך לאמר: אני עצור--לא אוכל, לבוא בית יהוה. **ו** ויבאת אהה וקראת במגלה אשר-כתבת מפי יהוה באזני העם, בית יהוה--ביום צום; וגם באזני כל-יהודה הבאים מעריהם, תקראם. **ז** אולי תפל תחנתם, לפני יהוה, וישובו, איש מדרכו הרעה: פי-גדול האף והחמה, אשר-דבר יהוה אל-העם הזה. **ח** ויעש, ברוך בן-נריה, ככל אשר-צוהו, ירמיהו הנביא--לקרא בספר דברי יהוה, בית יהוה. } פ {

ט ויהי בשנה החמישית ליהויקים בן-יאשיהו מלך-יהודה, בחדש התשעי, קראו צום לפני יהוה כל-העם, בירושלם; וכל-העם, הבאים מערי יהודה--בירושלם. **י** ויקרא ברוך בספר את-דברי ירמיהו, בית יהוה--בלשכת גמריהו בן-שפן הספר בחדר העליון, פתח שער בית-יהוה החדש, באזני, כל-העם. **יא** וישמע מניהו בן-גמריהו בן-שפן, את-כל-דברי יהוה--מעל הספר. **יב** ויגד בית-המלך, על-לשכת הספר, והנה-שם, כל-השרים יושבים: אלישמע הספר ודליהו בן-שמעיהו ואלנתן בן-עקבוור וגמריהו בן-שפן, וצדקיהו בן-חנניהו--וכל-השרים. **יג** ונגד להם מניהו, את כל-הדברים אשר שמע, בקרא ברוך בספר, באזני העם. **יד** וישלחו כל-השרים אל-ברוך, את-יהודי בן-נתניהו בן-שלמיהו בן-כושי לאמר, המגלה אשר קראת בך באזני העם, קסנה בידך ולך; וישח ברוך בן-נריהו את-המגלה, בידו, ויבא, אליהם. **טו** ויאמרו אליו--שב נא, וקראנה באזנינו; ויקרא ברוך, באזניהם. **טז** ויהי, כשמעם את-כל-הדברים, פחדו, איש אל-רעהו; ויאמרו, אל-ברוך, הגיד נגיד למלה, את כל-הדברים האלה. **יז** ואת-ברוך--שאלו, לאמר: הגד נא לנו--איה כתבת את-כל-הדברים האלה, מפיו. **יח** ויאמר להם, ברוך, מפיו יקרא אלי, את כל-הדברים האלה; ואני פתב על-הספר, בדיו. } ס {

יט ויאמרו השרים אל-ברוך, לך הסתר אהה וירמיהו; ואיש אל-ידע, ואיפה אתם. **כ** ויבאו אל-המלך, ואת-המגלה הפקדו, בלשכת אלישמע הספר; ויגידו באזני המלך, את כל-הדברים. **כא** וישלח המלך את-יהודי, לקחת את-המגלה, ויסקנה, מלשכת אלישמע הספר; ויקראה יהודי, באזני המלך, ובאזני כל-השרים, העמדים מעל המלך. **כב** והמלך, יושב בית החרף, בחדש התשעי; ואת-האח, לפניו מבערת. **כג** ויהי פקרוא יהודי, שלש דלתות וארבעה, יקרעה בתער הספר, והשלך אל-האש אשר אל-האח: עד-תם, כל-המגלה, על-האש, אשר על-האח. **כד** ולא פחדו, ולא קרעו את-בגדיהם--המלך, וכל-עבדיו,

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הַשְׁמָעִים, אֶת כָּל-הַדְּבָרִים הָאֵלֶּה. כִּי נָגַם אֶלְנָתָן וּדְלִיָּהוּ וּגְמַרְיָהוּ הַפְּגַעוּ בַּמֶּלֶךְ, לְבַלְתִּי שָׂרֵף אֶת-הַמְּגִלָּה; וְלֹא שָׁמַע, אֲלֵיהֶם. כִּי וַיִּצְנֶה הַמֶּלֶךְ אֶת-יְרֵחֵמָאֵל בֶּן-הַמֶּלֶךְ וְאֶת-שָׂרֵיָהוּ בֶן-עֲזַרְיָאֵל, וְאֶת-שְׁלֹמִיָּהוּ בֶן-עֲבַדְאֵל, לְקַחַת אֶת-בְּרוּךְ הַסֹּפֵר, וְאֶת יִרְמְיָהוּ הַנְּבִיא; וַיִּסְתַּרְם, יְהוֹנָה. } ס { כִּי וַיְהִי דְבַר-יְהוָה, אֶל-יִרְמְיָהוּ--אֲחֵרֵי שָׂרֵף הַמֶּלֶךְ, אֶת-הַמְּגִלָּה וְאֶת-הַדְּבָרִים, אֲשֶׁר כָּתַב בְּרוּךְ מִפִּי יִרְמְיָהוּ, לֵאמֹר. כִּי שׁוּב קַח-לֶךָ, מְגִלָּה אֲחֵרָת; וּכְתַב עָלֶיהָ, אֶת כָּל-הַדְּבָרִים הָרְאשׁוֹנִים, אֲשֶׁר הָיוּ עַל-הַמְּגִלָּה הָרְאשׁוֹנָה, אֲשֶׁר שָׂרֵף יְהוֹנָקִים מֶלֶךְ-יְהוּדָה. כִּט וְעַל-יְהוֹנָקִים מֶלֶךְ-יְהוּדָה תֹּאמַר, כֹּה אָמַר יְהוָה: אִתָּה שָׂרַפְתָּ אֶת-הַמְּגִלָּה הַזֹּאת, לֵאמֹר, מִדּוּעַ כָּתַבְתָּ עָלֶיהָ לֵאמֹר בֹּא-יָבוֹא מֶלֶךְ-בָּבֶל וְהִשְׁחִית אֶת-הָאָרֶץ הַזֹּאת, וְהִשְׁבִּית מִמֶּנָּה אָדָם וּבְהֵמָה. } ס { ל לָכֵן כֹּה-אָמַר יְהוָה, עַל-יְהוֹנָקִים מֶלֶךְ יְהוּדָה, לֹא-יְהִי-לוֹ יוֹשֵׁב, עַל-כִּסֵּא דָוִד; וְנִבְלָתוֹ תִּהְיֶה מִשְׁלָכָת, לְחָרֹב בַּיּוֹם וּלְקָרָח בְּלִילָה. לֹא וּפְקַדְתִּי עָלָיו וְעַל-יָרְעוֹ וְעַל-עֲבָדָיו, אֶת-עֹנֹנָם; וְהִבֵּאתִי עֲלֵיהֶם וְעַל-יֹשְׁבֵי יְרוּשָׁלַם וְאֶל-אִישׁ יְהוּדָה, אֶת כָּל-הָרָעָה אֲשֶׁר-דִּבַּרְתִּי אֲלֵיהֶם--וְלֹא שָׁמְעוּ. לֵב וַיִּרְמְיָהוּ לְקַח מְגִלָּה אֲחֵרָת, וַיִּתְּנֶהָ אֶל-בְּרוּךְ בֶּן-נְרִיָּהוּ הַסֹּפֵר, וַיְכַתֵּב עָלֶיהָ מִפִּי יִרְמְיָהוּ, אֶת כָּל-דְּבָרֵי הַסֹּפֵר אֲשֶׁר שָׂרֵף יְהוֹנָקִים מֶלֶךְ-יְהוּדָה בְּאֵשׁ; וְעוֹד נֹסֵף עֲלֵיהֶם דְּבָרִים רַבִּים, כִּהְמָה. } פ {

In the fourth year of King Jehoiakim son of Josiah of Judah, this word came to Jeremiah from the LORD: ²Take a scroll and write on it all the words that I have spoken to you against Israel and Judah and all the nations, from the day I spoke to you, from the days of Josiah until today. ³It may be that when the house of Judah hears of all the disasters that I intend to do to them, all of them may turn from their evil ways, so that I may forgive their iniquity and their sin.

⁴ Then Jeremiah called Baruch son of Neriah, and Baruch wrote on a scroll at Jeremiah's dictation all the words of the LORD that he had spoken to him. ⁵And Jeremiah ordered Baruch, saying, 'I am prevented from entering the house of the LORD; ⁶so you go yourself, and on a fast day in the hearing of the people in the LORD's house you shall read the words of the LORD from the scroll that you have written at my dictation. You shall read them also in the hearing of all the people of Judah who come up from their towns. ⁷It may be that their plea will come before the LORD, and that all of them will turn from their evil ways, for great is the anger and wrath that the LORD has pronounced against this people.' ⁸And Baruch son of Neriah did all that the prophet Jeremiah ordered him about reading from the scroll the words of the LORD in the LORD's house.

⁹ In the fifth year of King Jehoiakim son of Josiah of Judah, in the ninth month, all the people in Jerusalem and all the people who came from the towns of Judah to Jerusalem proclaimed a fast before the LORD. ¹⁰Then, in the hearing of all the people, Baruch read the words of Jeremiah from the scroll, in the house of the LORD, in the chamber of Gemariah son of Shaphan the secretary, which was in the upper court, at the entry of the New Gate of the LORD's house.

¹¹ When Micaiah son of Gemariah son of Shaphan heard all the words of the LORD from the scroll, ¹²he went down to the king's house, into the secretary's chamber; and all the officials were sitting there: Elishama the secretary, Delaiah son of Shemaiah, Elnathan son of Achbor, Gemariah son of Shaphan, Zedekiah son of Hananiah, and all the officials. ¹³And Micaiah told them all the words that he had heard, when Baruch read the scroll in the hearing of the people. ¹⁴Then all the officials sent Jehudi son of Nethaniah son of Shelemiah son of Cushi to say to Baruch, 'Bring the scroll that you read in the hearing of the people, and come.' So Baruch son of Neriah took the scroll in his hand and came to them. ¹⁵And they said to him, 'Sit down and read it to us.' So Baruch read it to them. ¹⁶When they heard all the words, they turned to one another in alarm, and said to Baruch, 'We certainly must report all these words to the king.' ¹⁷Then they questioned Baruch, 'Tell us now, how did you write all these words? Was it at his dictation?' ¹⁸Baruch answered them, 'He dictated all

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these words to me, and I wrote them with ink on the scroll.’¹⁹ Then the officials said to Baruch, ‘Go and hide, you and Jeremiah, and let no one know where you are.’

20 Leaving the scroll in the chamber of Elishama the secretary, they went to the court of the king; and they reported all the words to the king.²¹ Then the king sent Jehudi to get the scroll, and he took it from the chamber of Elishama the secretary; and Jehudi read it to the king and all the officials who stood beside the king.²² Now the king was sitting in his winter apartment (it was the ninth month), and there was a fire burning in the brazier before him.²³ As Jehudi read three or four columns, the king would cut them off with a penknife and throw them into the fire in the brazier, until the entire scroll was consumed in the fire that was in the brazier.²⁴ Yet neither the king, nor any of his servants who heard all these words, was alarmed, nor did they tear their garments.²⁵ Even when Elnathan and Delaiah and Gemariah urged the king not to burn the scroll, he would not listen to them.²⁶ And the king commanded Jerahmeel the king’s son and Seraiah son of Azriel and Shelemiah son of Abdeel to arrest the secretary Baruch and the prophet Jeremiah. But the LORD hid them.

27 Now, after the king had burned the scroll with the words that Baruch wrote at Jeremiah’s dictation, the word of the LORD came to Jeremiah:²⁸ Take another scroll and write on it all the former words that were in the first scroll, which King Jehoiakim of Judah has burned.²⁹ And concerning King Jehoiakim of Judah you shall say: Thus says the LORD, You have dared to burn this scroll, saying, Why have you written in it that the king of Babylon will certainly come and destroy this land, and will cut off from it human beings and animals?³⁰ Therefore thus says the LORD concerning King Jehoiakim of Judah: He shall have no one to sit upon the throne of David, and his dead body shall be cast out to the heat by day and the frost by night.³¹ And I will punish him and his offspring and his servants for their iniquity; I will bring on them, and on the inhabitants of Jerusalem, and on the people of Judah, all the disasters with which I have threatened them—but they would not listen.

32 Then Jeremiah took another scroll and gave it to the secretary Baruch son of Neriah, who wrote on it at Jeremiah’s dictation all the words of the scroll that King Jehoiakim of Judah had burned in the fire; and many similar words were added to them.

2. Nehemiah 8:1–18

א וַיֵּאָסְפוּ כָל-הָעָם, כְּאִישׁ אֶחָד, אֶל-הֶרְחוֹב, אֲשֶׁר לִפְנֵי שַׁעַר-הַמַּיִם; וַיֹּאמְרוּ, לְעֹזְרָא הַסֹּפֵר--לֵהֲבִיא אֶת-סֵפֶר תּוֹרַת מֹשֶׁה, אֲשֶׁר-צִוָּה יְהוָה אֶת-יִשְׂרָאֵל. ב וַיְבִיא עֹזְרָא הַכֹּהֵן אֶת-הַתּוֹרָה לִפְנֵי הַקָּהָל, מֵאִישׁ נֶעֱד-אִשָּׁה, וְכֹל, מִבֵּין לְשֹׁמֵע--בְּיוֹם אֶחָד, לְחֹדֶשׁ הַשְּׁבִיעִי. ג וַיִּקְרָא-בּוֹ לִפְנֵי הֶרְחוֹב אֲשֶׁר לִפְנֵי שַׁעַר-הַמַּיִם, מִן-הָאֹר עַד-מִחְצִית הַיּוֹם--נֹגֵד הָאֲנָשִׁים וְהַנְּשִׁים, וְהַמְּבִינִים; וְאֲזַנֵּי כָל-הָעָם, אֶל-סֵפֶר הַתּוֹרָה. ד וַיַּעֲמֵד עֹזְרָא הַסֹּפֵר, עַל-מַגְדָּל-עֵץ אֲשֶׁר עָשׂוּ לְדָבָר, וַיַּעֲמֵד אֶצְלוֹ מִתְתִּיבָה וְשָׁמַע וַעֲבָיָה וְאוֹרִיָּה וְחִלְקִיָּה וּמְעִשִׂיָּה, עַל-יְמִינוֹ; וּמִשְׁמָאלוֹ, כְּדָנְיָה וּמִיִּשְׁשָׁאֵל וּמִלִּפְתָּיָה וְחִשָּׁם וְחִשְׁבַּדְנָה--וְזַכְרִיָּה מִשְׁלֵם. {פ} ה וַיִּפְתַּח עֹזְרָא הַסֹּפֵר לְעִנְיֵי כָל-הָעָם, כִּי-מַעַל כָּל-הָעָם הָיָה; וּכְפֹתָחוֹ, עָמְדוּ כָל-הָעָם. ו וַיִּבְרָךְ עֹזְרָא, אֶת-יְהוָה הָאֱלֹהִים הַגָּדוֹל; וַיַּעֲנוּ כָל-הָעָם אָמֵן אָמֵן, בְּמַעַל דִּבְיָהֶם, וַיִּקְדּוּ וַיִּשְׁתַּחֲוּוּ לַיהוָה, אַפַּיִם אָרְצָה. ז וַיִּשְׁוַע וַיְבַגֵּי וַיִּשְׁרַבְּנָה זִמְיִן עֲקוֹב שְׁבַתֵי הַיּוֹדֵיָה מְעִשִׂיָּה קְלִיטָא עֲזַרְיָה יוֹזְבֵד חֲנָן פְּלִאֲיָה, וְהַלּוּיִם--מְבִינִים אֶת-הָעָם, לְתוֹרָה; וְהָעָם, עַל-עֲמֻדָם. ח וַיִּקְרָאוּ בַסֵּפֶר בְּתוֹרַת הָאֱלֹהִים, מִפְּרֹשׁ; וְשׁוֹם שָׁכַל, וַיְבִינּוּ בַמִּקְרָא. ט {ס} וַיֹּאמֶר נְחֵמְיָה הוּא הַתַּרְשֵׁתָא וְעֹזְרָא הַכֹּהֵן הַסֹּפֵר וְהַלּוּיִם הַמְּבִינִים אֶת-הָעָם לְכָל-הָעָם, הַיּוֹם קֹדֶשׁ-הוּא לַיהוָה אֱלֹהֵינוּ--אֶל-תִּתְאָבְלוּ, וְאֶל-תִּבְכוּ: כִּי בּוֹכִים כָּל-הָעָם, בְּשִׁמְעֵם אֶת-דְּבָרֵי הַתּוֹרָה. י וַיֹּאמֶר לָהֶם לִכּוּ אֲכָלוּ מִשְׁמָנִים וּשְׂתוּ מִמַּתְקִים, וְשִׁלְחוּ מְנוֹת לְאֵין נָכוֹן לוֹ--כִּי-קֹדֶשׁ הַיּוֹם, לְאֲדֹנָינוּ; וְאֶל-תַּעֲצֹבוּ, כִּי-תִדְוֹת יְהוָה הִיא מְעֻזָּכֶם. יא וְהַלּוּיִם מְחַשִּׁים לְכָל-הָעָם, לֵאמֹר הֲסוּ--כִּי הַיּוֹם, קֹדֶשׁ; וְאֶל-תַּעֲצֹבוּ. יב וַיִּלְכוּ כָל-הָעָם לְאָכַל וּלְשִׂתוֹת, וּלְשַׁלַּח מְנוֹת, וּלְעִשׂוֹת, שְׂמֵחָה גְדוֹלָה: כִּי הִבִּינוּ בְּדָבָרֵינוּ, אֲשֶׁר הוֹדִיעוּ לָהֶם. {ס} יג וּבַיּוֹם הַשֵּׁנִי נֶאֱסָפוּ רָאשֵׁי הָעָבֹת לְכָל-הָעָם, הַכֹּהֲנִים וְהַלּוּיִם, אֶל-עֹזְרָא, הַסֹּפֵר--וּלְהַשְׁפִּיל, אֶל-דְּבָרֵי הַתּוֹרָה. יד וַיִּמְצְאוּ, כְּתוּב בְּתוֹרָה: אֲשֶׁר צִוָּה יְהוָה

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בֵּי-מִשְׁכָּה, אֲשֶׁר יָשְׁבוּ בְנֵי-יִשְׂרָאֵל בְּסֻכּוֹת בְּחָג בְּחֹדֶשׁ הַשְּׁבִיעִי. וַיֹּאמֶר יְשׁוּעָה, וַיַּעֲבִירוּ קוֹל בְּכָל-עַרְיָהֶם וּבִירוּשָׁלַם לֵאמֹר--
צֵאוּ הָהָר וְהִבִּיאוּ עֲלֵי-זֵית וְעֲלֵי-עֵץ שָׁמֹן, וְעֲלֵי הַדָּס וְעֲלֵי תְּמָרִים וְעֲלֵי עֵץ עֵבֶת: לַעֲשׂוֹת סֻכּוֹת, כַּכְּתוּב. }פ{
שֶׁזָּרְעוּ וַיִּבְיֵאוּ, וַיַּעֲשׂוּ לָהֶם סֻכּוֹת אִישׁ-עַל-גַּגּוֹ וּבַחֲצֵרֵיהֶם, וּבַחֲצֵרוֹת בֵּית הָאֱלֹהִים--וּבִרְחוֹב שַׁעַר הַמַּיִם, וּבִרְחוֹב שַׁעַר
אֶפְרַיִם. יָז וַיַּעֲשׂוּ כָל-הַקְּהָל הַשְּׁבִיעִים מִן-הַשְּׁבִיעִי סֻכּוֹת, וַיָּשְׁבוּ בְּסֻכּוֹת--כִּי לֹא-עָשׂוּ מִיָּמֵי יִשׁוּעָה בֶן-נָוִן כֹּן בְּנֵי יִשְׂרָאֵל, עַד הַיּוֹם
הַהוּא; וַתְּהִי שִׂמְחָה, גְּדוּלָה מְאֹד. יח וַיִּקְרָא בְּסֵפֶר תּוֹרַת הָאֱלֹהִים, יוֹם בְּיוֹם--מִן-הַיּוֹם הַרְּאִשׁוֹן, עַד הַיּוֹם הָאַחֲרוֹן; וַיַּעֲשׂוּ-חֵג
שִׁבְעַת יָמִים, וּבִיּוֹם הַשְּׁמִינִי עֲצַרְתָּ כַּמִּשְׁפָּט. }פ{

¹All the people gathered together into the square before the Water Gate. They told the scribe Ezra to bring the book of the law of Moses, which the LORD had given to Israel. ²Accordingly, the priest Ezra brought the law before the assembly, both men and women and all who could hear with understanding. This was on the first day of the seventh month. ³He read from it facing the square before the Water Gate from early morning until midday, in the presence of the men and the women and those who could understand; and the ears of all the people were attentive to the book of the law. ⁴The scribe Ezra stood on a wooden platform that had been made for the purpose; and beside him stood Mattithiah, Shema, Ananiah, Uriah, Hilkiyah, and Maaseiah on his right hand; and Pedaiah, Mishael, Malchijah, Hashum, Hash-baddanah, Zechariah, and Meshullam on his left hand. ⁵And Ezra opened the book in the sight of all the people, for he was standing above all the people; and when he opened it, all the people stood up. ⁶Then Ezra blessed the LORD, the great God, and all the people answered, ‘Amen, Amen’, lifting up their hands. Then they bowed their heads and worshipped the LORD with their faces to the ground. ⁷Also Jeshua, Bani, Sherebiah, Jamin, Akkub, Shabbethai, Hodiah, Maaseiah, Kelita, Azariah, Jozabad, Hanan, Pelaiah, the Levites, helped the people to understand the law, while the people remained in their places. ⁸So they read from the book, from the law of God, with interpretation. They gave the sense, so that the people understood the reading.

And Nehemiah, who was the governor, and Ezra the priest and scribe, and the Levites who taught the people said to all the people, ‘This day is holy to the LORD your God; do not mourn or weep.’ For all the people wept when they heard the words of the law. ¹⁰Then he said to them, ‘Go your way, eat the fat and drink sweet wine and send portions of them to those for whom nothing is prepared, for this day is holy to our LORD; and do not be grieved, for the joy of the LORD is your strength.’ ¹¹So the Levites stilled all the people, saying, ‘Be quiet, for this day is holy; do not be grieved.’ ¹²And all the people went their way to eat and drink and to send portions and to make great rejoicing, because they had understood the words that were declared to them.

On the second day the heads of ancestral houses of all the people, with the priests and the Levites, came together to the scribe Ezra in order to study the words of the law. ¹⁴And they found it written in the law, which the LORD had commanded by Moses, that the people of Israel should live in booths during the festival of the seventh month, ¹⁵and that they should publish and proclaim in all their towns and in Jerusalem as follows, ‘Go out to the hills and bring branches of olive, wild olive, myrtle, palm, and other leafy trees to make booths, as it is written.’ ¹⁶So the people went out and brought them, and made booths for themselves, each on the roofs of their houses, and in their courts and in the courts of the house of God, and in the square at the Water Gate and in the square at the Gate of Ephraim. ¹⁷And all the assembly of those who had returned from the captivity made booths and lived in them; for from the days of Jeshua son of Nun to that day the people of Israel had not done so. And there was very great rejoicing. ¹⁸And day by day, from the first day to the last day, he read from the book of the law

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of God. They kept the festival for seven days; and on the eighth day there was a solemn assembly, according to the ordinance.

3. Daniel 9:8–13

ח יהוה, לנו בַּשָּׁת הַפְּנִימִים, לְמַלְכֵינוּ לְשָׂרֵינוּ, וְלְאַבְתֵּינוּ: אֲשֶׁר חָטְאנוּ, לָךְ. ט. לֹאֲדַנִּי אֱלֹהֵינוּ, הָרַחֲמִים וְהַסְּלֵחוֹת: כִּי מָרְדְּנוּ, בּוֹ. י. וְלֹא שָׁמַעְנוּ, בְּקוֹל יְהוָה אֱלֹהֵינוּ--לְלֶכֶת בְּתוֹרֹתָיו אֲשֶׁר נָתַן לַפְּנִינֹו. בְּיַד עֲבָדָיו הַגְּבִיאִים. יא. וְכָל-יִשְׂרָאֵל, עָבְרוּ אֶת-תּוֹרַתְךָ, וְסוּר, לְבַלְתִּי שְׁמוֹעַ בְּקוֹלְךָ; וְנִתְמַד עָלֵינוּ הָאֱלֹהִים וְהַשְּׁבַעָה, אֲשֶׁר כָּתוּבָה בְּתוֹרַת מֹשֶׁה עֶבֶד-הָאֱלֹהִים--כִּי חָטְאנוּ, לוֹ. יב. וַיִּקָּם אֶת-דְּבָרֶיךָ דָּבָר אֲשֶׁר-דָּבָר עָלֵינוּ, וְעַל שְׁפָטֵינוּ אֲשֶׁר שִׁפְטוּנוּ--לְהֵבִיא עָלֵינוּ, רָעָה גְדוֹלָה: אֲשֶׁר לֹא-נִעְשְׂתָה, תַּחַת כָּל-הַשָּׁמַיִם, כְּאֲשֶׁר נִעְשְׂתָה, בִּירוּשָׁלַם. יג. כְּאֲשֶׁר כָּתוּב בְּתוֹרַת מֹשֶׁה, אֵת כָּל-הָרָעָה הַזֹּאת בָּאָה עָלֵינוּ; וְלֹא-חִלִּינוּ אֶת-פְּנֵי יְהוָה אֱלֹהֵינוּ, לְשׁוּב מִעֲוֹנוֹ, וּלְהִשְׁכִּיל, בְּאַמְתָּךְ.

⁸Open shame, O Lord, falls on us, our kings, our officials, and our ancestors, because we have sinned against you. ⁹To the Lord our God belong mercy and forgiveness, for we have rebelled against him, ¹⁰and have not obeyed the voice of the Lord our God by following his laws, which he set before us by his servants the prophets.

¹¹ All Israel has transgressed your law and turned aside, refusing to obey your voice. So the curse and the oath written in the law of Moses, the servant of God, have been poured out upon us, because we have sinned against you. ¹²He has confirmed his words, which he spoke against us and against our rulers, by bringing upon us a calamity so great that what has been done against Jerusalem has never before been done under the whole heaven. ¹³Just as it is written in the law of Moses, all this calamity has come upon us. We did not entreat the favour of the Lord our God, turning from our iniquities and reflecting on his fidelity. ¹⁴So the Lord kept watch over this calamity until he brought it upon us. Indeed, the Lord our God is right in all that he has done; for we have disobeyed his voice.

4. Ben Sira Prologue

Many great teachings have been given to us through the Law and the Prophets and the others that followed them, and for these we should praise Israel for instruction and wisdom. Now, those who read the scriptures must not only themselves understand them, but must also as lovers of learning be able through the spoken and written word to help the outsiders. So my grandfather Jesus, who had devoted himself especially to the reading of the Law and the Prophets and the other books of our ancestors, and had acquired considerable proficiency in them, was himself also led to write something pertaining to instruction and wisdom, so that by becoming familiar also with his book those who love learning might make even greater progress in living according to the law.

You are invited therefore to read it with goodwill and attention, and to be indulgent in cases where, despite our diligent labour in translating, we may seem to have rendered some phrases imperfectly. For what was originally expressed in Hebrew does not have exactly the same sense when translated into another language. Not only this book, but even the Law itself, the Prophecies, and the rest of the books differ not a little when read in the original.

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When I came to Egypt in the thirty-eighth year of the reign of Euergetes and stayed for some time, I found opportunity for no little instruction. It seemed highly necessary that I should myself devote some diligence and labour to the translation of this book. During that time I have applied my skill day and night to complete and publish the book for those living abroad who wished to gain learning and are disposed to live according to the law.

II. The Unwritten Laws

1. Philo of Alexandria, *On the Migration of Abraham*

4-6: These (patriarchs) are such men as lived good and blameless lives, whose virtues stand permanently recorded in the most holy scriptures, not merely to sound their praises but for the instruction of the reader and as an inducement to elicit emulation; for in these men we have laws endowed with life and reason, and Moses extolled them for two reasons. First he wished to show that the enacted ordinances are not inconsistent with nature; and secondly that those who wish to live in accordance with the laws as they stand have no difficult task, seeing that the first generations before any at all of the particular statutes was set in writing followed the unwritten law with perfect ease, so that one might properly say that the enacted laws are nothing else than reminders of the life of the ancients, preserving to a later generation their actual words and deed. For they were not scholars or pupils of others, nor did they learn under teachers what was right to say or do: they listened to no voice or instruction but their own: they welcomed conformity with nature, holding that nature itself was, as indeed it is, the most venerable of statutes, and thus their whole life was one of happy obedience to law.

87-95: There are some men, who, looking upon written laws as symbols of things appreciable by the intellect, have studied some things with superfluous accuracy, and have treated others with neglectful indifference...for although the seventh day is a lesson to teach us the power which exists in the uncreated God, and also that the creature is entitled to rest from his labours, it does not follow that on that account we may abrogate the laws which are established respecting it, so as to light a fire, or till land, or carry burdens, or bringing accusations, or conduct suits at law, or demand a restoration of a deposit, or exact the repayment of a debt, or do any other of the things which are usually permitted at times which are not days of festival. Nor does it follow, because the feast is the symbol of the joy of the soul and of its gratitude towards God, that we are to repudiate the assemblies ordained at the periodical seasons of the year; nor because the rite of circumcision is an emblem of the excision of pleasures and of all the passions, and of the destruction of that impious opinion, according to which the mind has imagined itself to be by itself competent to produce offspring, does it follow that we are to annul the law which has been enacted about circumcision.

274-276: So, then the man of worth is elder and first, and so must he be called; but younger and last is every fool who pursues the ways which belong to rebellious youth and stand lowest in the list. So much for all this, but to these praises of the Sage, so many and so great, Moses adds this crowning saying 'that this man did the divine law and the divine commands'. He did them, not taught by written words, but unwritten nature gave him the zeal to follow where wholesome and untainted impulse led him. And when they have God's promises before them what should men do but trust in

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them most firmly? Such was the life of the first, the founder of the nation, one who obeyed the law, some will say, but rather, as our discourse has shown, himself a law and an unwritten statute.

2. Josephus, *Antiquities of the Jews*, 13.293–298

Now there was one Jonathan, a very great friend of Hyrcanus, but of the sect of the Sadducees, whose notions are quite contrary to those of the Pharisees. He told Hyrcanus that Eleazar had cast such a reproach upon him, according to the common sentiments of all the Pharisees, and that this would be made manifest if he would but ask him the question, What punishment they thought this man deserved? ²⁹⁴ for that he might depend upon it, that the reproach was now laid on him with their approbation, if they were for punishing him as his crime deserved. So the Pharisees made answer, that he deserved stripes and bonds; but that it did not seem right to punish reproaches with death; and indeed the Pharisees, even upon other occasions, are not apt to be severe in punishments. ²⁹⁵ At this gentle sentence Hyrcanus was very angry, and thought that this man reproached him by their approbation. It was this Jonathan who chiefly irritated him, and influenced him so far, ²⁹⁶ that he made him leave the party of the Pharisees, and abolish the decrees they had imposed on the people, and punish those that observed them. From this source arose that hatred which he and his sons met with from the multitude; ²⁹⁷ but of these matters we shall speak hereafter. What I would now explain is this, that the Pharisees have delivered to the people a great many observances by succession from their fathers, which are not written in the law of Moses; and for that reason it is that the Sadducees reject them and say that we are to esteem those observances to be obligatory which are in the written word, but are not to observe what are derived from the tradition of our forefathers; ²⁹⁸ (13.10.6) and concerning these things it is that great disputes and differences have arisen among them, while the Sadducees are able to persuade none but the rich, and have not the populace obsequious to them, but the Pharisees have the multitude of their side; but about these two sects, and that of the Essenes, I have treated accurately in the second book of Jewish affairs.

3. T. Levi 10:1

Therefore, observe now whatever I command to you, children: because whatever things I heard from my fathers, I declared to you.