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## THE PHARISEES.<sup>1</sup>

PHARISEES—Hypocrites. How deep the assumed identification has bitten. And then there is the current assumption that Jews are Pharisees and Judaism Pharisaism. But were the Pharisees, or at least anything like all the Pharisees, what we mean by hypocrites? Is the Modern Jew (orthodox as well as liberal) a Pharisee, or does he bear much resemblance at all to the Pharisees of the first century A.D.? This article is an attempt to discuss the Pharisees from the point of view of history, not from that of polemic. It is a difficult thing for either Christian or Jew to think dispassionately about the Pharisees. The one side attacks, and the other has naturally come to be on the defensive. Too much has been urged against the Pharisees in the last nineteen centuries. In the last fifty years amends have been made and perhaps too much has been claimed for the Pharisees. The first-century Pharisees, one fears, would recognise themselves neither in the verbal pictures of their detractors which dwell on their shortcomings to the exclusion of all else, nor in those of their admirers which accredit them with all the qualities which we in the twentieth century regard as virtues, and are strangely silent about much that the old Pharisee thought really important. We must see them as they were, in the setting of their own time. "Ah, but what is the importance of the Pharisees for us? That's what we are interested in", too many in effect say. And that, one would point out, is why fanciful pictures of the Pharisees have come into being. Unfortunately people who have written or write, have spoken or speak of the Pharisees, have not been and are not always primarily interested in the Pharisees for themselves, but use them, one fears, to justify their own convictions.

### I

In our primary sources we have not much clear and definite evidence about the Pharisees. This may seem to many an amazing, in fact an absurd thing to say. Have we not got the

<sup>1</sup> This paper was read in the first instance to the Leeds Lodge of *B'nai B'rith* in June, 1947—a fact which explains its Jewish emphases. We are glad to publish it here as a treatment of a subject of interest to all students of Scripture, by a Christian scholar who has made a special study of Rabbinical literature.

Mishnah, Tosefta, Talmud Babli, Talmud Jerushalmi, Aboth de Rabbi Nathan and all the Midrashim? Yes, but to say *a priori* that they are the works of the Pharisees is to beg the question. Search too the Rabbinic works and you will find we have surprisingly few mentions of the Pharisees, and not every time the word *Parush* appears (and it is not often) can we be certain that it is used as a proper name. It is hardly an exaggeration to say that had we not the Gospels and Josephus but just Mishnah and Gemara we might not have thought we had any good reason for identifying all the Rabbis of even the first century with the Pharisees; but even from Rabbinic sources alone have we reason to think that the Talmudic Rabbis, from the second century A.D. on, ever identified themselves with the Pharisees? The Rabbis do not use the name themselves.

If we had only the Talmudic literature alone, we would certainly never have believed that the Pharisees were so responsible as they are now so often credited with being, for creating Rabbinic Judaism. The Oral Law (תורה שנעל פה) went back with the Written Law to Sinai, so the Talmud assumes. There was nothing new in the Oral Law; any apparent innovations were really rediscoveries. Yet the Talmud does here and there admit that it knows of innovations, e.g. בראשונה they did this<sup>1</sup>; but when the Transgressors grew many (M. Shekalim i. 2), or when the Temple was destroyed (M. Moed Katan iii. 6), they changed the legislation on this or that. In Mishnah and Tosefta we have several examples of Joshua ben Hananiah (and of first century A.D.) saying on hearing halakah, "The Scribes have invented a new thing and I have nothing to reply" (cf. M. Kel. xiii. 7; M. Teb. Yom. iv. 6; Tos. Kel. B.M. iii. 14; Tos. Teb. Yom. ii. 14). We hear in the Tosefta of Rabbi and his Beth Din permitting sometimes what formerly had been prohibited. Mishnah Eduyoth i. 5, though restrictive, at least implies the possibility of a Beth Din changing the Halakah. Mishnah Horayoth i. 3 recognises the possibility of the court abrogating even Scriptural laws. We know that John Hyrcanus had simplified the tithe law<sup>2</sup> to the extent of abrogating the scriptural declaration of individual responsibility,

<sup>1</sup> Of the phrases clearly denoting change and development in the Law, by far the most frequent is בראשונה "formerly". It occurs 20 times in the Mishnah, and over 30 times in the Tosefta. The phrase occurs also in Baraithoth in Babli 12 times to introduce teachings since changed. I cannot find more than half a dozen occurrences in Jerushalmi.

<sup>2</sup> M. Maas. Sh. v. 15; Sot. ix. 10: "did away with the avowal concerning the tithe."

putting the onus for tithing on the person who bought produce from the Am ha-Aretz (cf. Sota 48a). Prosbul, Hillel's innovation, virtually annulled Deut. xv. 2 (cf. M. Gittin iv. 3; M. Shebiith ix. 3). It is strange too, as Weiss (Dor. i, p.74) pointed out, that if the entire Oral Law is from Sinai a few individual and specific halakoth on writing of phylacteries, Mezuzoth and Bible manuscripts should need to be designated הלכות למשה מסיני. The Talmud does occasionally admit change, but the Pharisees as a body are not mentioned as innovators, as progressives, as some nineteenth-century scholars of the age of belief in the inevitability of progress liked to see even them. Of course the Talmud may have been wrong in not assigning greater importance to the Pharisees as a body, as shapers of Judaism. It may be wrong in not assigning a greater place to the work of Ezra, though it does tell us something of this work and regards him, like Akiba afterwards, as a restorer of the Law. But it is a hazy picture.

We are faced with a dilemma. Either the whole Oral Law goes back without change or innovation to Sinai, in which case the Pharisees are not important in the development of Judaism (though they may have helped to conserve it); or, if the Pharisees are so important as creators of Rabbinic Judaism, as is now asserted by those for whom Pharisaism and Judaism mean the same, then let us be logical. We, in assigning such a prominent place or even any place of importance to the Pharisees, allow that Judaism changed and developed at least from what it had been before then. We must then allow at least the possibility of development too after the time of the Pharisees of the first century. What of the second-century Tannaim, the Amoraim from the third to the fifth centuries, who did so much to compile Mishnah and Talmud respectively, and whose names and decisions are mentioned so often in Rabbinic literature? What of the Geonim? Did they not contribute anything new to Judaism with their Responsa? What of the compilers of the Halakoth Pesukoth and the Halakoth Gedoloth? What too of Saadia, and later Albo, and Rambam? Did they not bring new ideas, new emphases, new interpretations to Judaism? Judging by the opposition offered in some quarters by the Orthodox Judaism of the time to Rambam, he was not considered as just having repeated what others had said from time immemorial; yet Abrahams can talk of him as a Pharisaic writer.

Judaism did not stop with the Pharisees, just as Judaism did not stop with Ezra, or come full grown with Moses. Judaism is not static, it is dynamic. It is not assent to a dead creed; it is, for the Jew, life. The glory of Judaism is that while remaining true to its essential principles it can evolve and adapt itself. Think of what the loss of the Temple meant to Judaism. What other religion could have survived such a shattering blow? Despite what some Christian and Jewish scholars say of the importance of the synagogues even before the destruction of the Temple, the Temple was still the centre of Judaism. The synagogue was more important in the Diaspora than in Palestine, but even in the Galuth they prayed towards the Temple. Round the temple and sacrificial system, Judaism revolved. The greater part of the legislation relating to purity and expiation was inextricably bound up with the Temple. We know how many Pharisees (and they are called *Perushim*,<sup>1</sup> though some would translate here as "ascetics"), refused to eat meat and drink wine after the destruction of the second House, because there were of course no more sacrifices or drink offerings, and how Rabbi Joshua ben Hananiah showed them that if they were to be consistent they should likewise stop even eating bread or drinking water as there were no more first-fruits offered, nor water-pouring ritual. Thus he convinced them that they must move with the times. We know how the Jeremiah-like Rabban Johanan ben Zakkai,<sup>2</sup> who can hardly have been a typical Pharisee, seeing that all was up with besieged Jerusalem and that his more militant brethren were heading for disaster, escaped out of Jerusalem in the somewhat amazing role of a pretended corpse. He had to adopt this rather desperate expedient to escape the holocaust and make terms with the Romans that Judaism might not perish, but be replanted in the Vineyard of Jabneh. And we know how, despite some opposition, he claimed for his school of Jabneh special privileges formerly belonging to the Temple, and declared vested in it all the power of the pre-destruction Sanhedrin (which by the way had never been a one-party council). He seems boldly to have initiated changes on his own authority. What happened at Jabneh and what Rabban Johanan ben Zakkai carried through was nothing less than a

<sup>1</sup> Tos. Sota xv. 11; T. B. Baba Bathra 60b. In T. B. Pesahim 70b, the name *Perushim* is used as "seceders".

<sup>2</sup> T. B. Gittin 55b-57a. According to the Haggada, the Rabbis were in favour of surrender, but the Biryonim refused.

*coup d'état*, a revolution. Later, "on that day" at Jabneh when Gamaliel II was deposed, further reforms were effected. The differences between Beth Hillel and Beth Shammai, which had grown so greatly throughout the first century<sup>1</sup> so as not only to endanger unity, but even to produce what amounted to two Torahs, were settled by giving preference to the rulings of the generally milder Hillelites. One wonders how in view of the radically opposed views of Beth Hillel and Beth Shammai on the right of the brother-in-law to marry the co-wives of the wife of the deceased brother (M. Yeb. i. 4), they ever lived at peace. The Gemara (T.B. Yeb. 15a) tells us that Gamaliel of the house of Hillel actually acted according to the ruling of Beth Shammai on this point. Maybe Beth Shammai's views represent the earlier halakic position.

Those like Moore who talk of Normative Judaism in the first century, minimise the fact of the wide divergencies of that period; Sadducees, Pharisees of two opposing schools and with gradations within the schools themselves, Zealots, Essenes, Daily Baptists (טובלי שחרין) and a sect like that which the Zadokite fragment tells us of, of which we had no knowledge over fifty years ago. Rabban Johanan ben Zakkai made possible Normative Judaism, but he was probably helped by the fact that most of the main opposing party, the Sadducees, were discredited, if not annihilated, in the destruction of Jerusalem in A.D. 70; and many of his own Pharisaic party had perished too, so that he had a comparatively free hand to take his own line. I dwell on the destruction of the Temple and the work of Johanan ben Zakkai because from him and his school, Orthodox Rabbinic Judaism as we know it descends. To say that Judaism after him was exactly the same as before, is to make light of the upheaval, and to belittle the great work of a man whose service to Judaism is probably greater than Hillel's, and almost as great as Ezra's. Though Johanan ben Zakkai was a disciple of the school of the Hillelites, he was not quite typical. There were lots of other disciples of Hillel, but one Johanan ben Zakkai. One must hasten to add that Judaism as remodelled by him to fit the circumstances with which he was faced, did not remain, and has not remained just as he left it. He was a master-builder but Judaism has had many master-builders; others in other

<sup>1</sup> Cf. Er. 13b; Tos. Yeb. i. 13; M. Eduy. ii. 2; Yeb. 9a; Tos. Eduy. i. 1 (of the confusion); cf. also T. B. Ber. 28a.

generations were to add throughout the centuries to the stately and enduring edifice of Judaism. Why, even Rabbi Eliezer ben Hyrkanos, the firm and intransigent traditionalist, "the cistern that lost not a drop" (Aboth ii. 8; cf. T. B. Sukkah 28a), a student of Rabban Johanan ben Zakkai,<sup>1</sup> had to go by the board in the generation after, because he refused to move with the times. We have the story of his excommunication in T. B. Baba Metzia 59a-59b. He was not heterodox but out of date. With the great Akiba we see less emphasis on tradition and more and more on deducing laws, sometimes quite academic laws, by highly artificial principles of hermeneutics of which the most important tool was Ribbu'i u-Mi'ut. With Akiba and his followers, I repeat, we have less emphasis on tradition so dear to the excommunicated Eliezer, than on deducing from the Written Torah as many halakoth as possible, laws desirable, what ought to be or have been, whether they ever had been. The story<sup>2</sup> of the Holy One, Blessed be He, on Sinai affixing crowns to the "Shins", and on Moses asking why he was doing this, vouchsafing to Moses to be present at Akiba's Beth Ha-Midrash is not irrelevant here; we are told how Moses was puzzled and could not recognise his own law.<sup>3</sup> Perhaps Akiba would have felt just as lost if he had been presented with the complete Gemara or the Shulhan Arukh.

When one reads the Mishnah one wonders just how much of it or how little really represents first century practice. The names and the rulings of the Tannaim of the second century are certainly more numerous than those of individual Tannaim, Hillelites, Shammaites, and Pharisees of the first century. If Johanan ben Zakkai initiated the work of adapting Judaism to the new situation of no Temple and no statehood, Akiba and, to a lesser extent, Ishmael ben Elisha (despite his dictum *תורה לומד בלשון אדם*), by their new development and emphasis on hermeneutics to ascertain the law, and less reliance on tradition, carried on the work of adaptation—a work of adaptation which has never really stopped. It seems likely that Judah ha-Nasi in editing the Mishnah did not merely codify but adapted the Halakah, and occasionally, it would seem, made his own individual opinions "Setam" or authoritative. But even the

<sup>1</sup> Shab. 130b regards Eliezer as a Shammaite.

<sup>2</sup> T. B. Menahoth 29b.

<sup>3</sup> Akiba's teaching affected practice too; occasionally in Mishnah and Tosefta we have the phrase, "They did this until Rabbi Akiba came and he changed it" (M. Maaser Sheni v. 8; M. Nedarim ix. 6; Tos. Nedarim v. 1).

Mishnah does not speak with one voice; and the work went on through the whole period of the Amoraim who tried to decide what opinion, out of several, on most laws, was the authoritative halakah, and in so doing adapted and modified the law. The process went on after the close of the Talmud, a process which led finally to the Shulhan Arukh. Even the sixteenth-century Shulhan Arukh brought in here and there some purely local Minhagim and made them authoritative, so modifying the law. And since Haskalah (the Enlightenment) in the eighteenth century, and later Reform in the nineteenth century, Judaism has again been subtly adapting itself to its circumstances. The nineteenth-century *Jüdische Wissenschaft* put more emphasis on Theology (emphasis on Haggada rather than on Halakah) in its apologetics, than had been done before, and this among other things in turn led to a correspondingly less emphasis on Halakah even among the Orthodox, though historically Halakah, right practice, not Theology, not so-called right belief, not assent to a fixed credal statement, had been the keynote of Judaism. Even when the Mishnah was compiled much of it could not be observed because there had not been a Temple for a hundred and thirty years. The last hundred years have been a steady narrowing down of the scope of observed Halakah. More laws than before, owing to changes in environment and manners of living, are tacitly forgotten and by-passed. One wonders just how many Jews of to-day are as orthodox in their *keeping* of the Law as were their great-grandfathers. And the Pharisees, one suspects, would not acknowledge many even of the most orthodox of to-day; but then one doubts if many thorough-going Pharisees of the first century would have recognised even the orthodox great-grandfathers of a modern Jew. But then conditions have changed and Judaism has changed, but its devotion to the law, the fundamental thing, has not changed; though there may be many who forget it. One feels convinced, however, that Johanan ben Zakkai and Joshua ben Hananiah, had they been alive to-day, would agree that as long as a Jew holds to Kashruth, Tohoroth Mishpahah, Shabbath and the B'rith, not forgetting a genuine, definite belief in, and worship of, the one God, he might dispense with other things. But even Shabbath they would probably have modified, and regularised switching on the electric fire and having a smoke. R. Akiba might not have agreed, but then he was always an ardent devotee of ideal perfection, and enjoyed devising new

halakoth. He would, however, have said, " Study the Law even though you have not the opportunity of fulfilling it at present ". Undoubtedly there is a lot to be said for Akiba and his followers down the ages. Study sharpened their minds and ennobled their thoughts.

Now all this is not about the Pharisees. Yes and no. It had to be said to give us our perspective. The Jew of to-day is not a Pharisee in that he does not keep the Law, or cannot keep it like the Pharisees; for one thing he has not got the Temple, and the old-style first-century Pharisees really went with the Temple. The Pharisaic contribution to Judaism was not entirely lost; it was greatly modified. Judaism of to-day, or even Judaism of the Amoraim, is not first-century Pharisaism. Modern Christianity is not the same as first-century Jewish Christianity. The tree may be in a sense in the seed, but the size of the tree depends on the ground, on the degree of exposure, on the water available. The wind may warp and twist it, men may truncate it. But in any case the metaphor is not adequate. God works through individuals more than through events; this is deliberately said in defiance of the dialectical materialists, and in opposition to those who apply such a theory to the explanation of differences of opinion on halakah in the Talmud, reducing the Talmud to the record of mere class struggle. God works through men, individuals like Johanan ben Zakkai, Joshua ben Hananiah, Akiba, Judah ha-Nasi, and so on. It looks so obvious after it has happened. It could not have been different, we feel; but it might have, had it not been for their masterly individual contributions.

## II

The New Testament and Josephus tell us something about the Pharisees. They are valuable contemporary sources for the history of the first century A.D.; and besides, the New Testament is the earliest literary source for evidence about the Pharisees. The earliest Gospel, Mark, and the so-called " Q " source in Matthew and Luke do not classify all Pharisees as hypocrites. It is very questionable whether this is done even in Matthew xxiii, with its refrain which runs in the English Versions, " Woe unto you, scribes and Pharisees, hypocrites." This may well mean " hypocritical scribes and Pharisees " (i.e. those of their number who were hypocrites); and if we understand " Woe

unto you", in the sense of "Alas for you" (as we should), the note of denunciation is transformed into one of lament for their hopeless condition. Mark makes it clear that scribes are not simply to be equated with Pharisees. It would appear, too, that he did not think of the synagogue as a purely Pharisaic institution. The scribes, the priests and the elders bring Jesus to trial; it is interesting that in Mark the Pharisees are not mentioned in connection with the arrest, trial and death of Jesus. This is all the more significant when we see how Mark and "Q" distinguish between scribes and Pharisees. True, Mark mentions scribes of the Pharisees, but he knows that scribe was a much wider term than Pharisee and could include Sadducean scribe. It would appear that the New Testament distinguishes between the scribes and lawyers as students and makers of the Law and the Pharisees as popularisers and doers of their injunctions.

Even in the earliest level of the Gospel narratives, however, there is evidence of a clash between Jesus and the Pharisees. Whether it was with all the Pharisees or only with some is not clear. The Pharisees are described by Jesus as righteous men—but righteous men whose righteousness falls short of the righteousness required for entry into the kingdom of heaven. Nor does Jesus condemn the Oral Law *per se*: "The scribes and the Pharisees sit in Moses' seat; all things therefore that they say to you, do and keep" (Matt. xxiii. 1). He condemned it when its injunctions clashed with weightier injunctions such as respect for parents (cf. the *Qorban* question in Mark vii. 10 ff.); in such cases as these they made the Word of God null and void by their tradition. We do not know what Pharisees Jesus encountered; they may well have been Shammaites.

The New Testament knows that Sadducees as well as Pharisees were in the Sanhedrin, whereas the Mishnah gives the impression that there were only Rabbanites on it—a state of affairs possible only after A.D. 70. In fact, the Mishnah largely projects Rabban Johanan ben Zakkai's Sanhedrin at Jabneh into the past, imagining or desiring that what is must always have been.

While the New Testament conveys the atmosphere of the first half of the first century, it leaves a lot of questions unanswered regarding the Pharisees; but then the New Testament was not written to tell us about the Pharisees, except only in so far as they impinge on Jesus and His teaching.

Josephus is very important for our knowledge of the Pharisees, though he has to be used with caution. Josephus, though he himself doubtless knew a great deal about the Pharisees, being both priest and Pharisee, was an apologist. There are those who regard him as a fifth columnist and traitor. Maybe he was, but in his heart he never forgot that he was a Jew, and it appears that he was loyal to his Judaism to the end. He, however, when he is writing with Greeks and Romans especially in view, puts things in a way they will understand. The Roman world had its philosophical schools, so Josephus in speaking of Pharisees and Sadducees and Essenes tends to describe them as if they were philosophical schools. (Cf. the *Life*, 2, where he says of the Pharisees that they are "a sect having points of resemblance to that which the Greeks call the Stoic school"; or again the *War*, II. viii. 2, 14.) We must make allowance for this tendency. What is clear is that the Pharisees are a *sect* of the Jews (cf. *Ant.* XVII. ii. 4)—about 6,000 in number, not all the religious Jews. "The Pharisees are," he says, "considered the most accurate interpreters of the Laws" (*War*, II. viii. 14). We know that Josephus sometimes makes use of a very valuable source, Nicolas of Damascus, and when he does, he is more reliable. Josephus is very important as providing a historical framework from the point where 1 Maccabees ends, right down through the later Hasmonean dynasty, the coming of the Romans, the rise to power of the Herods, through the first century up to A.D. 70. We are apt to forget that were it not for Josephus and the preservation of his works we would be at a complete loss to fit together the scant references to the Hasmoneans in Rabbinic sources, indeed to know what Hasmonean followed which, or to know the history of the Herods or what led up to the war of 66-70, culminating in the destruction of the Temple.

Josephus is important for his material for the history of the Pharisees, but his descriptions of the Pharisees may be, even when he is not consciously assimilating them to Greek philosophers, but a reflection of what they were like in his own day, read back into the past. Josephus, too, leaves us with a lot of questions unanswered. Whilst some of the historic material in Josephus on the Pharisees is in part paralleled by some scattered references to the Pharisees in Talmudic literature, there are divergencies. Graetz made use of Josephus as the basis of the history of the first century B.C. and first century A.D., but when he could get

any Rabbinic material on specific events, no matter from how late an authority, he discarded Josephus for the latter. This *may* be defensible, but we must remember that, though Josephus may have made errors, he was trying to write a history. The Talmud was not interested in history, but in Halakah. While it is true that the Talmud does in the Haggada have examples of historical Haggada, we must remember that Haggada is not history, but allegory, fable, religious and ethical teaching. The historical is incidentally used in illustration of moral truth. Take the story of the fall of Jerusalem (T. B. Gittin 55b to 57a): history and fable are intertwined. Can one trust the obviously legendary details of what happened to Titus? It is difficult to draw the line between legend and allegory. In any case the fall of Jerusalem and Bar Cocheba's revolt are mixed up. Even when we get an apparently genuine historical account as the Talmudic story of the secession of the Pharisees<sup>1</sup> at Jannai's banquet, it is important to note that this is told *not* because the Amoraim were primarily interested in the history of the origin of the Pharisees, but because it illustrated a legal point as to whether the testimony of one witness was valid—a point they happened to be discussing. In Josephus the secession of the Pharisees and the king's estrangement from them is put in the reign of John Hyrcanus who was father of Jannai or Alexander Jannaeus. Some modern scholars would choose to follow the Talmudic version but it is likely that Josephus is more accurate, for the Amoraim<sup>2</sup> do not seem to know whether Jannai refers to John Hyrcanus or Alexander Jannaeus. I am not blaming the Talmud because it does not give us the history of the Pharisees. The Talmud was interested neither in their history nor in history in general, but in explaining and developing the Halakah.

### III

Having cleared the ground, let us proceed. Who were the Pharisees and when did they emerge? Probably it was some time shortly after the Maccabean revolt. As to who they were, there are many theories, but the facts are few. That is why so

<sup>1</sup> T. B. Kiddushim 66a. Here they are identified outright with the sages of Israel; and the fortunes of the Oral Law are recognised as linked up with theirs, especially in the comment of Rabbi Nahman ben Isaac (d. 356).

<sup>2</sup> The Baraitha on the secession in T. B. Kidd. 66a is on Abaye's authority. In T. B. Ber. 22a, Abaye held that Johanan the High Priest and Jannaeus were one and the same person.

many attempts have been made to learn more about the Pharisees from the etymology of their name. Expounders, Persianisers, Separatists have all been suggested. What would you learn of the nineteenth-century Tory party from the name "Tory"? "Tory" was first used *c.* 1680 in a political sense. The Irish State papers in 1656 mentioned Tories and other lawless persons as meaning one and the same.

We can set aside the story in the *Aboth de R. Nathan* that the Sadducees were the heretic followers of Zadok and Boethus, the students of Antigonus of Socho, who misunderstood his teaching about not worrying about the reward in the world to come. Actually the Sadducees were the "old believers". They did not believe in angels nor in the resurrection of the body, and probably not in personal immortality, though this last is not so certain. But if the Sadducees did not believe in the resurrection of the body, they could point to the absence of any reference to resurrection in most of the earlier writers of the Old Testament. It is generally held that the Sadducees were a priestly group claiming descent from the pre-exilic priestly line of Zadok. Josephus gives us to understand that they were a wealthy group,<sup>1</sup> and it is generally inferred that they were irreligious. To dogmatise about their lack of religion on the basis of such scanty evidence as we have, is most dangerous. They may have contained Hellenists in their ranks. They may have been worldly-minded, but the mere fact that they were wealthy or that the term Sadduki in later times became the equivalent of Apikoros,<sup>2</sup> does not argue much regarding the religious standards of the early Sadducees. Unfortunately, we have even less knowledge of them than of the Pharisees. We have no Sadducean sources. Josephus was a Pharisee, and though he claimed to have been Sadducean at one time, he had no love for the Sadducees. The Gospels are more anti-Sadducean than anti-Pharisaic. The Talmud is obviously opposed to them. On the basis of an ambiguous statement in Josephus (*Ant.* XIII. x. 6), it is commonly argued that the Sadducees had no Halakah but accepted the Bible as their supreme and only standard. It may be that they only rejected Pharisaic tradition. The Pharisees set their Oral Law alongside the Bible as complementary and of the same authority at least. We know, however, from the few

<sup>1</sup> *Ant.* XIII. x. 6.

<sup>2</sup> Practically meaning "infidel", from the name of the Greek philosopher, Epicurus.

recorded controversies between Pharisees and Sadducees in Talmudic<sup>1</sup> sources that they argued halakic matters with the Pharisees, and not merely negatively, for they seemed on some points at least to have had a traditional interpretation and application<sup>2</sup> of the Biblical law in much the same way as the Pharisees; so too had the Qaraites of later times who claimed to dispense with tradition and make the Bible the only Norm. The difference between Pharisee and Sadducee in their attitude to their respective Halakahs, is that the Pharisees give greater authority to their Halakah than the Sadducees to their own.

We cannot say exactly when Pharisaism began. It may have arisen among those who stood firm for the law against the insidious encroachment of the Hellenists and crypto-Hellenists. The "Assidaioi" of 1 Maccabees ii. 42; vii. 13, may have been proto-Pharisees, but we really do not know anything definite enough about the Assidaioi even as to whether they were a separate group or not. They may just have been pious Jews in general. In 2 Maccabees xiv. 6, they are identified with all the followers of the Maccabees. The Assidaioi, in their trustful faith in Alcimus because he was a Priest of Aaronid descent, show that they were a priestly party, or had priestly leanings. After the Maccabean revolt, if not a result indeed of the persecution leading up to it, there must have been generally a stricter attitude towards the Law, and at the same time a great attachment to it. The earliest mention of the Pharisees (who may or may not have had any direct connection with the Assidaioi of the Maccabean revolt) is in the reign of John Hyrcanus (135-105 B.C.). They appear as a group with definite ideas of their own. Whether they were called *Perushim* before they broke with Hyrcanus, or afterwards as a result of the affair, is uncertain. They seemed to object to Hyrcanus as not fit for the high priestly office, not because he was king as well, but because of doubt as to the legitimacy of his birth. They were obviously concerned about the priesthood and its purity. Despite all the assertions by many moderns that they were a democratic lay party (if indeed these words meant anything in the second century B.C.), there is a distinct possibility that they sprang from a priestly group. Not

<sup>1</sup> About fifteen controversies in all, as against 316 controversies between Beth Hillel and Beth Shammai in the Pharisees' own camp.

<sup>2</sup> E.g. their controversy as to whether false witnesses should be executed (*M. Makkoth* i. 6; *Sifre* on Deut. xix. 19) or whether the high priest might light the incense before going into the sanctuary (*Sifra* on Lev. xvi. 12f.).

all the priesthood were worldly Hellenisers. The pious brave father of the Maccabees was a priest. The book of Jubilees xlv. 16 assumes that knowledge of the law and tradition was from the sons of Levi. Even afterwards when they did have many laymen in their ranks, there were priestly Pharisees too. The Pharisees, in their desire to be meticulous about tithing, were certainly not anti-priestly. They saw that the priest got his due, though they probably made him work for it, by keeping him up to the scratch as to levitical purity.

Alexander Jannæus (104-78 B.C.), Hyrcanus's son, clashed with the Pharisees over the question of the water-pouring ritual at Sukkoth, which led to a revolt, an indication of the political power of the Pharisees. Jannæus may have been a bad man, but it is hard to believe that he went against the Pharisees just to be awkward. He must have had different convictions about the manner of the water-pouring or the validity or appropriateness of the ritual act. The Talmud (M. Sukkah iv. 9) mentions the incident, but does not mention who was responsible. Josephus's account enables us to identify the High Priest as Jannæus. Jannæus on his death bed realised the great political power of the Pharisees and enjoined<sup>1</sup> his wife Salome to curry favour with them. His description of the Pharisees is candid, and considering they were his enemies, remarkably generous, for he does not denounce all the Pharisees, but only those who pretended to uphold the Pharisaic ideal; the genuine he admired, though he regarded them all as trouble-makers. He was only too well aware of their terrific power with the masses.

Alexandra Salome (78-69 B.C.) succeeded her husband on the throne. She followed her husband's advice in placating and flattering the Pharisees. In return they magnanimously gave Jannai a fine funeral. Under Alexandra Salome the Pharisees got great political power; according to Josephus they did what they liked. The Talmud (Taanith 23a) looks back on her reign as a time of plenty, a golden age when ears of corn were an unbelievable size. While it is certain that the Pharisees had great power in Salome's reign, the Sadducees held the key fortresses and were sheltered from their enemies' vengeance. However, by the end of Alexandra Salome's reign the Pharisees had probably almost complete control. After her death the Sadducees again seized power. The picture of the Pharisees of this time is

<sup>1</sup> *Ant.* XIII. xv. 5 ; T. B. Sotah 22b.

not of pietistic quietists, but a party as much political as religious. We do not know much of their succeeding history. We hear of them when Herod was climbing to power. Two Pharisees, Pollion and Sameas (*Ant.* XVI. i) are mentioned as members of the Sanhedrin. Possibly Abtalion and Shemaiah, the Zugoth before Hillel and Shammai (*M. Hag.* ii. 3), are meant; if so, Josephus does not know that one was Nasi, the other Ab Beth Din of the Sanhedrin, unless it was a shadow one of their own. They had little chance, under Herod the Great (37-4 B.C.), to indulge in politics. Their interests now, if not earlier, after the coming of Roman power, were probably restricted to religion and the inculcating of religious ordinances. We know that the Pharisees stood out boldly against taking an oath of allegiance to Caesar and Herod (*Ant.* XVII. ii. 4), and even Herod had to respect their stand. They appear too as dabblers in the court intrigue of Herod's reign and as filling a eunuch's head (Bagoas) with thoughts of potency and Messianism. During Herod's reign, the Pharisees, if they lost political power, seem to have gained a popular following. They stood for the practice of the whole law, and if they were strict in their demands, at least they did not demand more from others than from themselves. They were witnesses for the law of God. Herod, despite his building of the Temple, did not always remember God; it was well that there were the Pharisees who did.

During the first century A.D. there was great anger and despair felt at the status of the Jewish community under the Romans. It is difficult to draw a line between Pharisees and the Zealots. The Shammaites must have been very close to the Zealots. Professor Finkelstein<sup>1</sup> maintains that the party which Josephus called the Pharisees, was in reality the Hillelite wing of that sect. Be that as it may, probably most of the Pharisees, including Hillelites, grew more restive under the harsh alien yoke. We know that the eighteen restrictive decrees<sup>2</sup> aimed in the main at separation from the foreigner were forced on the Hillelites by the Shammaites. These decrees were born of hatred of the cruel Roman yoke and probably are to be dated just before the conflagration in A.D. 70. As said above, Rabban Johanan ben Zakkai was probably an exception among the great scholars in his generation in his pacifist tendencies, otherwise he

<sup>1</sup> *Akiba*, p. 257.

<sup>2</sup> *M. Shabbath* i. 4; *T. B. Shab.* 13b-14a; *T. J. Shab.* i. 3c.

surely would not have needed to adopt the desperate measures he did to escape from the fighting in Jerusalem. While Josephus tells of the great influence of the Pharisees even over the Sadducean priesthood, we see also from his *Life* that the Sadducees were not a negligible factor and that they associated with the Pharisees in the fight with Rome once it began. We know too from Josephus and the New Testament that the Sadducees were a powerful factor in the Sanhedrin. We know enough of the history of the Pharisees to see that throughout the centuries their emphasis if not their ideals changed.

#### IV

Pharisee means "separated", very likely separated from all ritual impurity, separated from people in a state of impurity, to wit, the Am ha-Aretz. Am ha-Aretz would mean on the one hand Sadducee, and on the other the ignorant boors who were not interested in the Law. The Am ha-Aretz might be rich or poor. It was not a term of social connotation, but of intellectual attainment (or rather the lack of it). The term Am ha-Aretz at different times came to mean different things (cf. T. B. Berakhoth). In fact at a later time if one did not know the whole Oral Law one might be regarded as an Am ha-Aretz. Earlier the Am ha-Aretz was the man who did not keep or know the rules of levitical purity and tithing, whether he was priest or not.

It is usually taken for granted that a Pharisee and a Haber was one and the same.<sup>1</sup> This is not at all certain. Perhaps only some who might be called Pharisees had attained to full membership of Haburah. The minimum *sine qua non* of Habership was the washing of hands, not the giving of tithes. In fact in M. Demai vi. 6 the Haber is distinguished from the Maaser who gives tithes. It is true that while the Mishnah Demai ii. 3 account of what is necessary to become a full Haber does not mention tithes, the Tosefta Demai ii. 2 does. The requirements seem to have changed at different times, perhaps in the second century. What is clear is that a man could be a Talmid Hakam and not a Haber (Tos. Demai ii. 13). Further, according to T. B. Bekhoroth 30b, a Talmid Hakam had to be accepted in the very same way as an Am ha-Aretz. Another thing that is clear

<sup>1</sup> The first to do so was probably Nathan ben Jehiel in his Arukh. In T. B. Ber. 47b we actually hear of a Samaritan Haber.

is that even the qualifications for the full grade Haber do not cover the whole of the Law. The technical term Haber did not imply a degree awarded for knowledge of the Law. It was the name of a member of a guild that specialised in keeping certain aspects of the Law. Wellhausen once suggested that the title Haber originally belonged to the members of the Sanhedrin, and after A.D. 70 was appropriated by the Rabbi like the term Nasi. But the very many different early connotations of Haber, e.g. friend, member of a haburah, scholar, show the term was not reserved for the pre-destruction Sanhedrin.

The Pharisees too were probably not all scholars. The scribes of their persuasion would be, and such scribes might be, priests or laymen. The laymen would have to earn a livelihood in trade, and study when they could. It is wrong to think of the Pharisees as Proletarians. They were middle-class and the backbone of the country, in business for themselves, probably not a dissimilar group in social standing to the Quakers founded by Fox in the seventeenth century. And the Pharisees were not anti-priestly; much as synagogue would mean for them, the Temple was paramount. The Pharisees were good men, righteous men, who popularised the law as evolved and taught by the scribes. To say *simpliciter* that they were progressives may give a quite wrong impression. They probably thought of themselves as the real conservatives, claiming Moses' authority or at least their teachers' name for all they did. They went further than their ancestors or their contemporaries the Sadducees in bringing all of life under influence of religion. If they made some points of Halakah easier they probably brought more departments of life under their watchful eye. They believed in the resurrection of the body, a recent belief in Judaism of their day. This is probably their greatest claim to progressiveness. The Pharisees and indeed possibly the Sadducees believed in the coming of the Messiah and cherished an apocalyptic hope. This is clearer in the New Testament than in our other sources. Josephus does not dare to mention Messianism for fear the Romans misunderstood. The Mishnah does not say much about it; its scope is however Halakah, not Haggada. Further the Mishnah (c. 200) as we have it comes from a generation after the disastrous Bar-Cocheba revolt which was Messianic, and as a result Messianism was for the time not in favour. Remember that the Halakist Akiba, so important for Talmudic Judaism's development as we know it,

was the chief supporter of Bar Cocheba. The Pharisees of the first century, feeling that things could not be worse politically and nationally, found solace in delighting themselves in fulfilling God's law in a lawless world, and in fixing their hope for the future in God one day soon intervening and freeing them from national subjugation.

The Pharisees were righteous men according to their lights, undoubtedly sincere in their convictions. There may well, however, have been a tincture of professionalism in their attitude to religion. There may have been among them as there have been among their critics of later times the "unco' guid". The New Testament and Josephus, yes and the Talmud, join in agreeing that some Pharisees were not all that they ought to have been. Out of the seven types of the Pharisees enumerated in the Gemaras of Babli and Jerushalmi,<sup>1</sup> one only, the Pharisee from love of God, is commended. Joshua ben Hananiah protested in the Mishnah (Sota iii. 4) about the plagues of the Pharisees. But in fairness to them we must remember they were men, men like ourselves. There seem to have been those who carried things to extremes and lost a sense of proportion verging on fanaticism, who specialised on some aspects of religion to the exclusion of all else. But most religions to-day could benefit from a dash of their spirit of seriousness. Others probably sincere enough to begin with began to concentrate on acquiring "the name". The Rabbis knew this as a dangerous tendency. All these, however, are dangers to all men in either Christianity or Judaism. The movement as a whole was certainly not rotten or hypocritical. It produced heroes and scholars, but Pharisaism was not more free than Christianity of camp-followers. A later age like the last generation Tannaim or more so the Amoraim of the third and fourth centuries might look back critically on the movement and characterise as Nasi did on one occasion<sup>2</sup> an instance of sharp conduct, as "the plagues of the Pharisees".

## V

As was said at the beginning of this article, the Talmud is not very interested in the Pharisees. Christians met the term in the Gospels and used the name as a term of reproach without

<sup>1</sup> T. B. Sota 22b ; T. J. Ber. ix. 14b and T. J. Sota v. 20c.

<sup>2</sup> Cf. T. J. Sota v. 20c.

reference to Jews as such. Actual interest in the Pharisees among both Christians and Jews as to who they were, arose as a result of two Reformations—in Christianity at the Protestant Reformation in the sixteenth century; in Judaism as a result of the Reform Movement in the 1830's. Both movements were interested in history, e.g. the first Jewish history by a Jew since the time of Josephus was written about this time by Marcus Jost.<sup>1</sup> Neither of these Reformations was interested in just history for its own sake. At the Protestant Reformation the Protestant, as opposed to the Roman Catholic, stood by the Bible and that alone as the sole Revelation of God. The Roman Catholics regarded the tradition of the Church, their Church, as on a level with the Bible. The Protestants knew that the Pharisees of the New Testament had had likewise an Oral tradition. When the Reformers like Calvin are speaking of the Pharisees they often associated them, strange as it may seem, with their enemies the Roman Catholics. For "Pharisees" in the commentaries<sup>2</sup> of the sixteenth century one should often read Roman Catholics. The early Protestant spleen against Pharisees is sometimes the backwash of their hate of the Roman tradition.

Very few Jewish scholars at this time had a common platform with Christians, as the bulk of European Jewry consisted still and for long afterwards of unenfranchised Ghetto-dwellers. Leon of Modena<sup>3</sup> in Renaissance Italy was a notable exception as he was in intercourse with Christians, and as a result he knew of their interest in the Pharisees as to who they were. He too became interested. In his *Behinath ha-Qabbalah*, he took a critical view of the Oral Law and saw that if Sadducee and Pharisee were at loggerheads as to the Oral Law in the first century A.D., the Oral Law could not be so venerable and ancient as claimed. But Leon found little interest evoked by his work among his co-religionists of his time. In the seventeenth century Uriel da Costa<sup>4</sup> the Marrano, who held office in the Roman Catholic Church in Spain, went to Holland to Amsterdam to

<sup>1</sup> *Geschichte der Israeliten seit der Zeit der Makkabäer bis auf unsre Tage*, 9 vols., 1820-8.

<sup>2</sup> Cf. Calvin on Mt. xxiii. 2 : speaking of the Pharisees he says " Simul tamen legitime vocatio hic notatur : quia ideo audiri scribas iubet Christus quod publici essent Ecclesiae doctores, *Papistis* satis est titulo praeditos esse, ac locum occupare qui *leges imponunt*." For John Lightfoot in the next century the Pharisees are Nonconformists of his time : cf. *Horae Hebraicae et Talmudicae* on Matt. iii. 7.

<sup>3</sup> Juda Aryeh, 1591-1648, b. Venice.

<sup>4</sup> Cf. Porges, " Gebhardt's Book on Uriel da Costa ", *J.Q.R.*, N.S. 19 (1928), pp. 37-

have freedom to return to the faith of his ancestors. His Christian outlook stuck, and he criticised the validity of the Talmudic ordinances and the force of the Oral Law. He was excommunicated eventually by the long-suffering Dutch Jews as a Sadduki. He took the reproach and turned it into a proud boast. Yes he was a Sadducee, but the Sadducees had been the supporters of Scripture; the Pharisees had obscured Scripture by the amassing of Oral traditions and later non-scriptural ordinances; and his opponents, they were Pharisees.

Uriel da Costa was the first to equate clearly modern Rabbinic Jews with Pharisees. The reproach—and it was meant as a reproach—stuck.<sup>1</sup> For some time thereafter Dutch Jews were known as Pharisees. Before this Jews had not regarded themselves as such. In mediaeval Jewish polemic with Christians, Christian monks are called *Perushim* and monasteries, *Batte Perishuth*. Christians adopted Uriel da Costa's equation of modern Jews and Pharisees; especially so is this the case with Basnage, the French Protestant who settled in Holland, in his *History of the Jews from Jesus Christ to the present time* (translated by Thomas Taylor in 1708 from the French original of 1707). It was a good stick to belabour the Jews with just to call them Pharisees and all that the word had come to mean. Anyway, were not the Qaraites possibly Sadducees? So Basnage appears to have thought. It thereafter became traditional among Christian scholars to regard modern Jews as Pharisees *simpliciter*.

Now, when at the beginning of last century the Ghetto walls went down in Germany and elsewhere, and Jews were allowed to enter the Universities, and full civic rights were before their eyes, there was a falling away from traditional Judaism—a reaction rather than a Reformation. The Reform movement was both a symptom and a symbol of this. However, to Reform perhaps we owe the inception of the German *Jüdische Wissenschaft* movement. This movement did a great service to Judaism in making Jews conscious of their marvellous heritage; and at the same time the movement enlightened the eyes of the Gentiles to the culture of Judaism. Perhaps the early authors of the movement had their eyes too much on the possible advantages of impressing the Gentiles, though there was an inwardising of the movement when orthodox scholars grasped the weapons of

<sup>1</sup> Manasseh ben Israel accepted the name and said in 1639, "We Jews belong to the sect of the Pharisees." Spinoza (also of Amsterdam) referred to the Rabbanites of his time as Pharisees (cf. his *Theologico-Politicus Tractatus*).

modern historical scholarship. Jews, with the granting of civic rights and the opening of the Universities, had a common platform with the Christian. I submit that, paradoxical as it may seem, modern Jewish interest in the Pharisees was in large measure due to Christian preoccupation with the Pharisees. Modern Jews were Pharisees: so the Christians had taught. This had to be examined and not allowed to pass unnoticed. The critical students of Reform in their eagerness to justify the abandoning of what they considered the burdens of the law, applied the new-found historical principle of development which was in the air at the time to Judaism. Leon of Modena's work was rediscovered by Geiger and inspired him in no small measure in his *Urschrift und Übersetzungen der Bibel* to show the importance of Pharisee and Sadducee in the development of Judaism. The subject was of perennial interest with Christians. Christians still said modern Jews were Pharisees. The identification was too facilely adopted by Jewish scholars; but the slight was examined and as the century advanced the Pharisees were gradually re-instated. It is interesting to compare the change that came over Jost in his *Geschichte des Judenthums und seiner Sekten* (three volumes 1857-9), from what he had written in his earlier history. More significant are the omissions in the English translation (London, 1912) of Graetz's history of some of his qualifications of Pharisaic perfections. Even so the Pharisees had already found a champion in Graetz himself, not to mention his translators. The slight became the slogan. In our own times we had Abrahams, Montefiore, Loewe, and the Gentile scholar Dr. Travers Herford making greater and greater claims for the Pharisees. Their beatification is perhaps complete in Dr. James Parkes's work *Jesus, Paul and the Pharisees* which comes near to taking the line that a word of criticism against them, if not tantamount to blasphemy, is certainly verging on anti-semiticism. Unfortunately some of the practices alleged against them, and of which these scholars would acquit them, they would, I feel, acknowledge as important in their eyes; perhaps they would say that if they had been misunderstood by hostile critics they had likewise been misunderstood by would-be friends.

But the Pharisees can stand on their own legs and give an account of themselves. A historic problem is a historic problem and has to be approached as such. The modern Jews are not

Pharisees, just as the present writer is not a first-century Christian; just as there never was in the first-century church the developed Presbyterianism of Geneva and Scotland, though the Protestant Reformers thought there had been, and that they were not evolving a system but merely re-instituting it. The Christians were wrong in following Uriel da Costa in calling Modern Jews Pharisees. Already there was a disclaimer<sup>1</sup> of this exact identification in Simon's book on *Cérémonies et coutumes religieuses de tous les peuples du monde etc.* (Amsterdam, 1723-43). Those nineteenth-century Jewish scholars were wrong who accepted the identification. The defence of the Pharisees was natural; but we must distinguish between history and a new haggada. While we rejoice in the re-installation of the Pharisee as one of the religious leaders of mankind, we must not claim too much for him, otherwise the picture is distorted. While we acknowledge the importance of the Pharisees of the first century B.C. and first century A.D. we must say that great as may have been their influence then, they have been but one of many influences which at varying times both before and certainly after the Pharisees, have under God moulded Judaism. It is sometimes said that Christian scholars in their attitude to the Pharisees have approached them from a purely Christian angle; but Jewish scholars in their anxious apology for the Pharisees show how even they are not immune to the effect of the Christian theologians' approach. Judaism did not set finally into something fixed in the first century A.D. Even after Christianity and Judaism parted company great things have been done in Judaism, great advances made. Why then should Jewish scholars talk as if Judaism stopped with the Pharisees? It gives the impression that they must be proud only of that which they have in common with the Christians. Or is it that there are no great names in Judaism, no great movements after the first century simply because the Christian masses have not heard of them?

<sup>1</sup> Statements in Prideaux's *Connection* (London, 1716-18) are specifically criticised by Simon.

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