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**Sects and
in Jewish** **Sectarianism
History**

Edited by
Sacha Stern



BRILL

Sects and Sectarianism in Jewish History

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Sects and Sectarianism in Jewish History

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Dedicated to the memory of
Helen Lee z"l
By her loving husband, children
and grandchildren

Committed to instilling her own values into future generations, may
her integrity, devotion to communal service and exemplary life be
a source of lasting inspiration to all who knew her

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INTRODUCTION

Sects and sectarianism are popular themes in Jewish history, but they are also tremendously problematic. The precise, sociological and cultural meaning of these terms, or of how these terms are chosen to be used, is rarely given much attention. Yet the standard narrative of Judaism in the Second Temple period is about division into sects and sectarian ideologies, prominent among which are the Dead Sea Scrolls and the so-called 'Qumran sect'. The related concept of 'heresy' emerges in late Antiquity and dominates from this point onwards the history of Christianity, but not without an effect on Jewish history: heresy and sectarianism become the standard paradigm for the interpretation of early medieval Qaraism—whereas the later medieval Hasidei Ashkenaz, in contrast, are sometimes viewed as sectarian but always absolved from the charge of heresy. Sects and sectarianism figure again in the historiography of the early modern period, with Marranos, Sabbateans, Frankists, and the Hasidic movement, and the paradigm of sectarianism persists unabated as Jews and Judaism diversify further in today's society. Sects and sectarianism pervade Jewish history in a wider sense, as in their Diaspora existence, the Jews have appeared to some as a sect in relation to dominantly Christian and Muslim societies.

The purpose of this volume, proceedings of a conference held at the Institute of Jewish Studies, University College London, in the summer of 2008, is to open up the discussion on sects and sectarianism and make a small contribution towards their elucidation. Speakers at the conference were asked to consider a wide range of groups from all periods of Jewish history that have been traditionally identified as 'sects' or as 'sectarian', to examine how the notions of 'sect' or 'sectarianism' have been used in earlier scholarship, and whether these notions are appropriate or useful as historical categories. It was felt that absolute, universal definitions of these terms were likely to remain forever elusive, but that it was still important to clarify the meaning of these terms as used in the context of Jewish history. Many speakers questioned the identification of various Jewish religious groups and movements as 'sects' or as 'sectarian'. Questions were also raised about the value, effectiveness, and appropriateness of these concepts or categories for the interpretation of social and religious movements in Jewish history.

Among the first scholars to have questioned the identification of the Qumran scrolls as ‘sectarian’, and indeed the general characterization of Second Temple Judaism—largely derived from Josephus—as divided into ‘sects’, was Albert Baumgarten in his appropriately entitled *The Flourishing of Jewish Sects in the Maccabean Era* (1997). It seemed appropriate to open the conference with his contribution, which appears also as the first article in this volume. In this article, Baumgarten discusses whether sociological models such as the church-sect typology can or should be applied to the Qumran community, and what criteria can be used to establish whether or not this typology is useful or valid. Reflecting on the membership rules of the Qumran community and on the layout of its cemetery, he argues that in Essene communities and at Qumran, sectarian brotherhood may have served as a substitute for biological kinship.

In the next article, Martin Goodman considers the attitudes and relationship of first-century CE Jewish groups to the Jerusalem Temple. He sees the Temple as a unifying focus for such groups—which he insists, therefore, on not calling ‘sects’—although the Temple also served as the focus for the public display of disputes and of competing claims to legitimacy in the interpretation of the Torah. The destruction of the Temple would have led, after 70 CE, not to the disappearance of these groups but to a different relationship between them. This paper appeared originally in 2009 in the *Journal of Jewish Studies* (60: 202–13), and is reprinted here by kind permission of the editors.

The sectarian identity of the Qumran community is probed further in my article, in which I challenge the commonly accepted view that the calendar assumed in the Dead Sea Scrolls, which was not lunar but based on a 364-day year scheme, caused the community to break away from mainstream Jewish society. I argue that on close examination, there is no evidence of calendar-based sectarianism in the Scrolls, and it is similarly absent in contemporary sources such as Josephus. The authors of the Scrolls certainly differed with other Jews on calendar matters, as indeed on many others, but the calendar did not play a particular role in forging any sectarian identity.

The question of whether sectarianism, and more specifically sectarian self-definition, can be read into Second Temple-period pseudepigraphic literature such as the Ethiopic Enoch’s Book of Watchers is addressed in detail by Ida Fröhlich. In her article, the narrative of 1 Enoch 1–11 is closely analyzed and compared to related sources such as Jubilees 5 and 10, with particular attention to the notions of

impurity and the demonic realm, and the implications that these may have had to sectarian self-identity.

Joan Taylor discusses the identity of the early followers of Jesus (or 'Nazoreans') as a 'sect', and how this group may have been related to other Jewish 'sects' of first-century Judaea—if indeed this terminology is at all appropriate. She presents an in-depth analysis of the terms *hairesis* (Greek) and *secta* (Latin) and their range of meanings in contemporary literary sources, and discusses how these terms might have been used and interpreted in the first century with reference to Jewish and early Christian groups.

The 'ancient' section concludes with an article by Christine Hayes on attitudes to *minim* or 'heretics' in early rabbinic literature, which she approaches from the perspective of theory of law. Drawing on Daniel Schwartz's suggestion that Qumran and Sadducee law tended to be 'realist' and rabbinic law 'nominalist', Hayes shows how heretics in Talmudic sources are depicted as challenging the nominalist tendency of rabbinic law and its reliance on extravagant Biblical exegesis. In citing these heretics, rabbinic literature evinces self-awareness of its own weaknesses, whilst perpetuating a polemic that had historical roots in the Second Temple period.

Progressing into the Middle Ages, Marina Rustow deconstructs the long-standing scholarly identification of the Qaraïtes as a 'sect', which she traces to early modern precedents and more recently to a certain reading of Weberian sociology, and which she argues has had adverse consequences on the interpretation of Qaraïtes in modern scholarship. She questions the notion of a 'Qaraïte schism' in the first centuries of the Qaraïte movement, and argues that the complex relationship between Qaraïtes and Rabbanites within the Jewish communities of the Near East and the Iberian peninsula had far more to do with political power than with religious ideology.

The question of terminology comes back to the fore in Francis Schmidt's paper on an early 17th-century controversy between three Christian scholars regarding the identity of the (second-century BCE) Hasidæans as either Pharisees, Sadducees, or Essenes. Schmidt explains the political and theological background to this controversy—the real issues that were at stake—but also shows how the definitions of *secta* and *hairesis*, together with the Hebrew terms *minim* and *chalakim*, were implicated in the controversy. Drusius and Scaliger (both writing in 1605) concluded with the view that the Hasidæans preceded the rise of Jewish sectarianism and were only an 'order' or a 'brotherhood'.

This article reveals how the category of 'sect' was treated as a scholarly problem already in the early modern period. (Further papers on the early modern period were presented at the conference, but unfortunately it has not been possible to include them in this volume).

The 'Jews for Jesus' movement may be regarded as one of the most recent examples of Jewish sectarianism, but Elliot Cohen criticizes in this context the use of pejorative labels such as 'sect' and 'cult'. Considering a range of perspectives from insiders and outsiders on the Jews for Jesus, Cohen argues that the Jewish (as opposed to Christian) credentials of this religious group and its traditional legitimacy are critical issues in its relationship with the mainstream Jewish communities and the formation of its own identity. Reference is also made in the article to the work of Eileen Barker, who attended the conference and concluded with a general paper on religious cults and sects, more appropriately termed 'New Religious Movements', at the turn of the 21st century.

Contrary perhaps to normal practice, this volume ends with a section on theory. My decision to postpone the theoretical articles to the end of the volume has been to prevent the misleading impression that the other contributions were informed, in some way, by the sociological theory presented here—but nothing could be further from the truth. The dearth of theory in the main contributions was noted at the conference, for example, by Eileen Barker, and it is precisely the question of whether the more rigorous framework of modern sociological theory can assist or enrich the study of sects and sectarianism in Jewish history that needs, in conclusion, to be addressed. David Chalcraft, author of the important study *Sectarianism in Early Judaism: Sociological Advances* (2007) which was published not long before the conference, concludes in the affirmative that 'a historical comparative sociology of sects is possible'. He attempts a sociological definition of 'sect' and 'sectarianism' and discusses their application, in particular, to Qumran; he assesses the value of ideal typology for comparative sociological analysis, as exemplified in the works of Weber and Wilson for which he provides fresh and in-depth readings; and he argues that although rooted in modernity, modern sociology provides a useful perspective for the study of sectarianism and its place in wider society in different historical periods. Paul-François Tremlett, in contrast, is considerably more sceptical. He argues that Weber's critique of 'disenchanted modernity', a concept fundamental also to Nietzsche and Foucault, has adversely dominated sociological interpretations of religion and

has determined sociological approaches to sects and sectarianism. The sociological category 'sect' is consequently not value-neutral but value-saturated; its uncritical re-deployment by historians assumes a universal lexicon of scholarly categories that simply does not exist.

I end my preface, appropriately, on this sceptical note. As many contributors to this volume argue with clarity and conviction, the study of sects and sectarianism in Jewish history raises a range of unanswered questions about the methodological value of standard but poorly defined concepts and terms, and the advantage, if any, of using such concepts and terms for furthering our understanding of the social context of Jewish religion and its variety throughout the ages. If it becomes essential to explain, each time they are used, what exactly is meant by 'sect' and 'sectarianism', and if—as this volume itself suggests—the resulting definitions are likely to vary considerably, these concepts may lose their value as universal sociological and historical categories. It is perhaps best, following the example of many contributors in this volume, to trace the history of the terms 'sect' and 'sectarianism' and the role they have played in Jewish historical scholarship as the basis for discussing what they might still contribute to the study of Jewish history.

Thanks are due to the Institute of Jewish Studies, under the directorship of Professor Mark Geller, for hosting this conference and facilitating the publication of its proceedings; to Jim Dingley, for his diligent copy-editing; and to all the contributors to this conference and rewarding volume.

Sacha Stern
London, December 2010

PART ONE

ANCIENT

PROLOGUE:
HOW DO WE KNOW WHEN WE ARE ON TO SOMETHING?¹

Albert I. Baumgarten

The invitation to the conference whose papers are gathered in this volume noted the problems of different sorts associated with the notions of “sects” and “sectarianism.” In light of these difficulties, the participants were invited to address a series of questions concerning the application of these ideas to a range of moments in Jewish experience, from antiquity to contemporary times. In framing the issues this way, the conference organizers expressed an on-going hesitation by scholars in Jewish Studies concerning the applicability of notions of “sects” and “sectarianism” in their field, despite decades in which the hitching of the social sciences to historiography has become more and more widely accepted and its value recognized. Not surprisingly, many of the papers presented at the conference, reflected in the written versions collected in this volume, are examples of what anthropologists call the phenomenon of “not in my tribe.” That is, after one scholar presents his or her ethnographic study and suggests the potential wider significance of these results, someone in the audience objects loudly by saying that perhaps the conclusions just proposed may be valid for the tribe studied by the scholar in question, but “not in my tribe.”² “Sects” and “sectarianism,” any number of our colleagues proclaim, might be helpful notions in various corners of Jewish history, *usually far from their own*, but not that useful, for differing reasons, for the specific material they study.

The problematic status of the notions of “sects” and “sectarianism” across the spectrum of those who study the Jewish past raises the bar of proof even higher than usual for those scholars who elect to utilize

¹ In this written version, to the fullest extent possible, I preserve the oral style, character, and rhetoric of the presentation at the conference.

² For one example, note Gellner’s comment that the Weberian distinction between sect and church would look completely different, inside out, if the examples taken to define the paradigm were the cases he studied in North Africa: E. Gellner, *Saints of the Atlas* (London and Chicago, 1969) 11.

these concepts in their research, who think that these notions are useful for better understanding “their tribe,” at the very least. How can we convince ourselves and others that employing these categories is fruitful, despite all the legitimate reasons for doubt? How do we identify scholarly success? In short, to put the point in colloquial terms, “how do we know when we are on to something?”

The difficulties are multiple. The cry of “not in my tribe” is a serious warning, but only a first indication of the perils that await a scholar who analyzes an aspect of the Jewish past from the perspective of “sects” and “sectarianism.” Not only are these notions far from universal (“regional,” at best, if one may push the geographic metaphor), but their merit on their home sociological turf as ideal types has been challenged. On the one hand, for many scholars, the sect-church distinction is too closely linked to the pre-eighteenth century Western European Christian examples that served as the basis for the paradigm to be useful for any other context. For example, must a dominant church exist in order for there to be sects? That was the case in the examples Weber and Troeltsch studied, and if a church is a necessary condition for the existence of sects then perhaps even the Qumran group is not a sect, as S. Talmon has argued in at least one place.³ However, there seem to be numerous sects in the USA, despite the fact that there is no one dominant church. As Wilson wrote about four of the most prominent examples of sects in the American experience (Mormons, Seventh Day Adventists, Jehovah’s Witnesses, and Christian Science), “once the independent basis of sect origins was recognized, it was possible to consider other forms of sectarianism without reference to the church.”⁴

Must sects always be protest movements of the lower classes, as Troeltsch posited? This was not always true in seventeenth-century Britain.⁵ At the very least, it does not fit what little we know of specific

³ See S. Talmon, ‘Qumran Studies: Past, Present and Future,’ *Jewish Quarterly Review* 85 (1994) 6. Talmon insists on calling the Qumran group “The Community of the Renewed Covenant.” Cf. however, S. Talmon, ‘The Emergence of Jewish Sectarianism,’ in P.B. Miller Jr. and S.D. McBride (eds.), *Ancient Israelite Religion: Essays in Honor of F. M. Cross* (Philadelphia, 1987) 587–616, esp. 605, where Talmon considers the Dead Sea Scroll community to be a sect.

⁴ B. Wilson, ‘Historical Lessons in the Study of Sects and Cults,’ in D.G. Bromley and J.K. Hadden (eds.), *Religion and the Social Order—The Handbook on Sects and Cults in America*, vol. 3, 1993 (Part A) (Greenwich, CT, 1993) 53–73, quote 56.

⁵ See P. Collinson, *The Religion of Protestants: The Church in English Society* (Oxford, 1982) 149–150, 177–178, 187–188; also B. Reay, ‘Radicalism and Religion in the

examples of ancient Jews who joined various groups (whether one considers them “sectarian” or not, a point that has been debated; see below, n. 12), such as the well-educated Jerusalem priest Josephus, who came from a world in which literacy was the rule not the exception and who was related on his mother’s side to the Hasmonean house (*Life* 10–12). The same is true of the Pharisee Simon b. Gamaliel, whom Josephus described as coming from a very illustrious family and as one of the leaders of outstanding reputation (*Life* 191), a member of the group in “supreme control” of the revolt (*War* 2.563), together with the most eminent of the High Priests, including Anan son of Anan, the Sadducee (*War* 4.159–161). Along the same lines, Honi, the aspiring new member, whose property was registered on the ostrakon found at Qumran, owned a house, olive groves, date trees, and a slave named Hasdai.⁶

Another objection is that the church-sect typology is too simple: it masks more complex realities. Yet, to deal with these realities requires creating sub-groups and sub-categories in order to take account of numerous discrepancies that exist between individual cases (Wilson’s seven types of responses to the world, noted below, for example). This proliferation, however, reduces the interpretive power of the original typology, reducing it to a low common denominator that seems virtually meaningless and useless. This process also multiplies even further the cries of “not in my tribe,” since every sub-group or sub-type is specific to particular cases and inapplicable to other tribes. Perhaps then, the whole notion of church-sect is inherently flawed, bad sociology from the outset? It is therefore not surprising that some scholars have concluded that the church-sect typology engenders such serious confusion that it is a “dead concept, obsolete, sterile and archaic.”⁷

English Revolution: An Introduction,’ in J.F. McGregor and B. Reay (eds.), *Radical Religion in the English Revolution* (Oxford, London, New York, 1984) 9–10.

⁶ See F.M. Cross Jr. and E. Eshel, ‘Ostraca from Khirbet Qumrân,’ *Israel Exploration Journal* 47 (1997) 17–28. Cf. A. Yardeni, ‘A Draft of a Deed on an Ostrakon from Khirbet Qumran,’ *Israel Exploration Journal* 47 (1997) 233–237; G. Doudna, ‘Ostraca KhQ1 and KhQ2 from the Cemetery of Qumran: A New Edition,’ *The Journal of Hebrew Scriptures* 4 (2004) 1–46; E. Puech, ‘L’ostrakon de “Khirbet” Qumrân (KHQ1996/1) et une vente de terrain à Jéricho, témoin de l’occupation essénienne à Qumrân,’ in A. Hilhorst, E. Puech and E. Tigchelaar (eds.), *Flores Florentino; Dead Sea Scrolls and Other Early Jewish Studies in Honour of Florentino García Martínez* (Leiden and Boston, 2007) 1–29.

⁷ E. Goode, ‘Some Critical Observations on the Church-Sect Typology,’ *Journal for the Scientific Study of Religion* 6 (1967) 77.

Nevertheless, the heuristic value of the church-sect typology remains. In one variation or other, it continues to be a part of sociological discourse, at both the theoretical and empirical levels. The contributions of Benton Johnson, who emphasized that a sect is a religious group that rejects the social environment in which it lives,⁸ were then elaborated by Stark and Bainbridge, who specified this rejection in terms of difference, antagonism, and separation.⁹ This allows analysis, comparison, and contrast of the various ways in which particular groups express their difference, antagonism, and separation, creating useful scales of relative sectarian behavior across cultures, times, and places. Bryan Wilson proposed a division into seven paths to salvation opened by different groups in opposition to the main institutions of the society—the conversionist, revolutionist, introversionist, manipulationist, thaumaturgical, reformist, and utopian. Each path generated specific and distinctive forms of social organization. Wilson's classification is often taken as the point of departure for historical work.¹⁰ Yet, even here, the question, in sociological terms, remains “when the discrepancies discovered by the use of a type or typology warrant replacing it.”¹¹ In effect, the sociologists are also puzzled by the difficulty of determining when and how they know that they are on to something.

The focus in this paper on “how do we know when we are on to something” is a deliberate attempt to skip over some of the theoretical difficulties and to focus on the end of the process concerning Jewish sectarianism. Let us therefore assume that despite all the reasons for

⁸ See the summary of his views, B. Johnson, ‘Church and Sect Revisited,’ *Journal for the Scientific Study of Religion* 10 (1971) 124–187.

⁹ R. Stark and W.S. Bainbridge, ‘Of Churches, Sects and Cults: Preliminary Concepts for a Theory of Religious Movements,’ *Journal for the Scientific Study of Religion* 18 (1979) 117–133.

¹⁰ B. Wilson, *Religious Sects: A Sociological Study* (London and New York, 1970); idem, *Magic and the Millennium* (New York, 1973); idem, ‘The Sociology of Sects,’ *Religion in Sociological Perspective* (Oxford and New York, 1982) 89–120. For one application of Wilson's definitions to the Jews of antiquity see, for example, M. Broshi, ‘The Essene Sect and Other Second Commonwealth Jewish Religious Movements: Sociological Definitions,’ *Megillot* 4 (2005/6) 13–14 [Hebrew].

¹¹ L. Dawson, ‘Church-Sect-Cult: Constructing Typologies of Religious Groups,’ in P. Clarke (ed.), *The Oxford Handbook of the Sociology of Religion* (Oxford and New York, 2009) 525–544, quote 535. My summary comments above on sect-church theory and its dilemmas are deeply indebted to and dependent on Dawson's essay. For a vigorous analysis and defense of Weber's contribution to the church-sect typology and an extended application of Weber's ideas to ancient Jewish groups see D. Chalcraft, ‘Max Weber on Sects and Voluntary Associations with Specific Reference to Second Temple Judaism,’ in idem (ed.), *Sectarianism in Early Judaism: Sociological Advances* (London and Oakville, CT, 2007) 26–113.

hesitation, indicated briefly above, one has defined sectarianism to one's own satisfaction, decided that this notion was applicable or inapplicable to some point in the Jewish past or present, and then gone on to analyze the relevant sources with the help of that definition.¹² I propose three criteria for determining whether the results of that effort are of value. Of these three criteria, the first is the most important. There is no point in continuing to the second or third gate if one has not passed the first.

To begin, it is naïve to imagine that this problem of how to identify scholarly success is uniquely ours. Physical scientists also must confront an analogous issue, which I would like to address on the basis of the ideas put forward by Imre Lakatos (1922–1974), a “heretical Popperian,” in his essay ‘Falsification and the Methodology of Scientific Research Programmes.’¹³ According to Lakatos, one of the characteristics of research in the physical sciences is the co-existence of competitive

¹² As a matter of fair disclosure, this is what I attempted in my research on ancient Jewish sectarianism, offering a “rough and ready” definition of sect, and then studying specific examples in light of that definition. See A.I. Baumgarten, *The Flourishing of Jewish Sects in the Maccabean Era: An Interpretation* (Leiden, 1997) and idem, *Second Temple Sectarianism: A Social and Religious Historical Essay* (Tel Aviv, 2001) [Hebrew]. Following the lead of the scholars discussed above, I suggested that a sect was a voluntary organization of protest. This protest found expression in the sect's creating a new class of aliens, composed of fellow members of their group to whose way of life they objected. The old boundary marking mechanisms distinguishing insiders from outsiders were then employed or transformed as appropriate against this new class of aliens.

Cf. M. Broshi, ‘The Essene Sect,’ 13–23. Broshi disagrees with my classifying Sadducees, Pharisees, followers of John the Baptist, and early Christianity as sects. In his view, only the Qumran=Essenes and the Fourth Philosophy were sects. Against Broshi, I note that by his definition of sect any ancient Jewish group that experienced significant internal disagreement and fragmentation was a sect (*ibid.*, 20–21). By that standard, however, what is one to make of the Rabbinic traditions about the Shammaites who supposedly killed the Hillelites to prevent them from voting on the day the “eighteen decrees” were passed, a day that was as disastrous for Israel as the day the Golden Calf was made? See *yShabb.* 1.4.70c and the discussion in S. Lieberman, *Hayerushlami Kīphshuto* (Jerusalem, 1934) 37–38; V. Noam, *Megillat Ta'anit Versions, Interpretations, History, with a Critical Edition* (Jerusalem, 2003) 334–336 [Hebrew]. Isn't this evidence sufficient to classify the Pharisees as a sect, even in Broshi's terms? As for the Sadducees, according to Josephus, *War* 2.166: “The Sadducees...in their intercourse with other Jews are as rude as to aliens.” Creating a new class of aliens out of fellow Jews is fundamental to my understanding of sectarianism, even if the Sadducees were often in control of the central institution of Jewish life, the Temple. See further Baumgarten, *Flourishing*, 5–11, esp. 9, and idem, *Second Temple Sectarianism*, 25–26. I concede, however, that the question of whether the followers of John the Baptist were a movement of any sort, or just a crowd that came to hear the preacher, remains open. For further discussion of differences between Broshi and myself in our approach to the ancient Jewish groups see below, n. 19.

¹³ I. Lakatos, ‘Falsification and the Methodology of Scientific Research Programmes,’ in John Worrall and Gregory Currie (eds.), *The Methodology of Scientific Research Programmes*, Philosophical Papers, vol. 1 (Cambridge, 1980) 8–101.

research programs. Each program has to cope with anomalies that it cannot explain; but it disregards them, at least for the moment, and gets on with its work. Anomalies or some falsifications are never a reason for a theory to fail. In fact, Lakatos insists, anomalies are recognized as fatal to a theory only after the fact, when a theory has already been replaced. Accordingly, these programs inspire research activity of their own until the point when the cumulative evidence brings the collective community to conclude that one program is preferable. That moment is reached when it becomes clear that one theory has “excess empirical content.” This means one of two things. First, a specific theory explains already known research results which the other research program could not adequately elucidate, and that were anomalous according to this competing research program. This insistence on the anomalous nature of the facts which form the “excess empirical content” of one theory vs. another is important. It helps guarantee that the results are not trivial, that we do not mistake innumerable minor confirmations for the grander nature of “excess empirical content,” that has a decisive factor in research. The second possibility of “excess empirical content” is that the predictions of one research program are confirmed by unexpected future experiments. The key to “excess empirical content” is either explaining old facts, which were previously in an anomalous limbo, and/or predicting unexpected new ones.

What can we learn from this for research in the human sciences, historical research in particular? We have our occasional moments of new information, such as the Cairo Geniza and the texts of the Judean Desert, both discussed in detail in other papers in this volume. But unexpected new information that fits better with one research program than another is very rare in our business. For that reason, perhaps, we are also not as accustomed as our colleagues in the physical sciences to make predictions to be confirmed or denied by new evidence. Last of all, we often seem desperate to insist that whatever new evidence might be found is no reason to change our minds. We are all too often like the stolid German historians of the Weimar era, characterized by Peter Gay as people who engaged in exhaustive research in order to enjoy discovering “how few of one’s inherited ideals one had to give up.”¹⁴ In this context, I recall an idea that failed to be realized at the Orion Center and Israel Museum a few years ago. A group of

¹⁴ P. Gay, *Weimar Culture: The Outsider as Insider* (New York, 2001) 93.

Qumran specialists, who had each proposed some theory about the group, would be invited to address the question “what evidence would convince you that you were wrong and had to change your mind concerning the theory you proposed about Qumran?” It soon became clear that too many potential participants responded by saying that nothing but the Lord Almighty out of the whirlwind (and maybe even not that!) would be sufficient.

Nevertheless, all is not lost. We also have competitive research programs, and studying a specific case of Jewish experience through the prism of sects and sectarianism would be one of them. We also have our own version of “excess empirical content,” very close to its analogue in the natural sciences, which can indicate when we are really on to something. If historians cannot often or usually predict results that will be discovered by future research, they can explain old facts previously unexplained, in anomalous limbo. In our work, we can identify “orphan passages,” a term I learned from Professor Maxine Grossman of the University of Maryland. Scattered in our sources are pieces of data that have not been properly appreciated or understood because we lacked the conceptual context to make them meaningful. If some new conceptual notion then makes these passages comprehensible that is an important result. To return to the discussion of sects and sectarianism, in spite of all the difficulties associated with the notion of sectarianism and applying it to specific Jewish examples, past or present, if a particular notion of sectarianism can help identify a number of “orphan passages” in the sources then it has proven its worth.

Let me illustrate this with a few points drawn from my own work. Louis Coser is perhaps best known as the tradent of European social scientific theory to English readers, translating Halbwachs,¹⁵ and elaborating the ideas of Simmel about conflict.¹⁶ On his own, however, he studied *Greedy Institutions*, a wild book that breaks every boundary of common sense and the limits of comparative research, stretching from eunuchs in China, to Jesuits, communists, Shakers, and British household servants in the west.¹⁷ Coser’s point is that some institutions demand a sacrifice of identity, sexual identity in particular, as proof of utter and total loyalty. While Coser does not elaborate in any detail,

¹⁵ M. Halbwachs, *On Collective Memory*; edited, translated, and with an introduction by Lewis A. Coser (Chicago, 1992).

¹⁶ L. Coser, *The Functions of Social Conflict* (Glencoe, IL, 1964).

¹⁷ L. Coser, *Greedy Institutions: Patterns of Undivided Commitment* (New York, 1974).

it is clear that greedy institutions need not be limited to demanding sexual identity as proof of loyalty. For example, a greedy institution can also insist on a sacrifice of economic identity, as in the example of the Shakers, whose members were required to transfer their property to the common fund, or biological identity, where one's "real" brother and sister are no longer biological kin, but fellow sectarians.

With this notion in hand, let us look at Josephus on the Essenes:

They have a law that new members on admission to the sect shall *confiscate their property to the order*, with the result that you will nowhere see either abject poverty or inordinate wealth; the individual's possessions join the common stock and all, *like brothers*, enjoy a single patrimony (*War* 2.122–123).

There is no buying and selling among themselves, but each gives what he has to any in need and receives from him in exchange something useful to himself; they are, moreover, *freely permitted to take anything from any of their brothers* without making any return (*War* 2.127).

These sources discuss sacrifice of economic identity. They also contain the explicit statement that members treat each other as brothers. A number of scholars noticed the point that Essenes and other ancient Jewish groups replaced biological kinship with sectarian brotherhood.¹⁸ What they did not do is draw the implications for understanding *War* 2.134, a page or so later in Josephus' excursus on Jewish groups, which was left as an "orphan passage," even though Josephus' account of the Jewish "philosophies" is a source that has been subject to intensive study and commentary:

Members may of their own motion help the deserving, when in need, and supply food to the destitute, but presents to relatives are prohibited, without leave from the managers.

Once one realizes the importance of substituting sectarian brotherhood for biological kinship, this passage becomes immediately comprehensible. Operating on the assumption of sectarian brotherhood replacing biological kinship, remnants of loyalty to the biological family are a severe challenge to the sectarian structure. For that reason, while Essenes may help people in need at their own discretion, presents to relatives require the consent of the leaders of the group.

In the same vein, without intending to support the identification of the Qumran group with the Essenes, against which I have argued in

¹⁸ See e.g., W. Meeks, *The First Urban Christians* (New Haven, 1983) 87.

the past,¹⁹ I would like to discuss the Qumran cemetery. Following the Bible, Jews expected to be “gathered unto their fathers” after their lives were over. That is, family members were buried in a cave, at the back of which were the collected bones of all the deceased family members over the ages. The body of the latest family member to die was left at the front of the cave until nothing was left but bones. These bones were then moved to the pile at the back of the cave, and the deceased was then “gathered unto his fathers,” in every sense of the word. When tombs became more complicated, with individual burials such as in ossuaries, the family principle remained dominant. The oldest members of the family were in the first chamber (whether natural or man-made). As time went on and additional space was needed chambers were added. In fact, one way of understanding a typical family tomb is to perceive it as the family tree translated into stone.²⁰

Burial in the family tomb was paramount. Judah Maccabee was supposedly scrupulous on this matter after the battle with Gorgias: “Next day they went, as had by now become necessary, to collect the bodies of the fallen in order to bury them with their relatives in the ancestral graves (2 Macc 12:39).” On the other hand, not being buried in the family tomb until the stage of gathering the bones was one of the punishments meted out to someone executed by the court, according to the Mishnah:

They used not to bury him in the burying-place of his fathers, but two burying-places were kept in readiness by the court, one for them that were beheaded or strangled, and one for them that were stoned or burnt.

¹⁹ See A.I. Baumgarten, ‘Who Cares and Why Does it Matter? Qumran and the Essenes Once Again,’ *Dead Sea Discoveries* 11 (2004) 174–190. See also M. Broshi, ‘Essenes at Qumran? A Rejoinder to Albert Baumgarten,’ *Dead Sea Discoveries* 14 (2007) 25–33. I intend to write a full-scale response to Broshi’s arguments elsewhere. For the moment, I note that I fail to understand why in a paper of nine pages, one and a half are devoted to the stranger theories of Qumran origins (*ibid.*, 27–28). These theories have nothing to do with the case I argued and are theories which I also reject.

²⁰ See R. Hachlili, ‘Ancient Jewish Burial Customs,’ in D.N. Freedman (ed.), *Anchor Bible Dictionary*, vol. 1 (New York, 1992) 789–793; *eadem*, ‘Burial Practices at Qumran,’ *Revue de Qumran* 16 (1993) 247–264. See also B. Berkowitz, *Execution and Invention* (Oxford, 2006) 135–136. In the rare instances in which a complex of dug field graves, with a deep shaft, has been found outside of Qumran, the likelihood that it was created by some sort of Essene/Qumran type community has been suggested. See e.g. B. Zissu, ‘“Qumran Type” Graves in Jerusalem: Archeological Evidence of an Essene Community?’ *Dead Sea Discoveries* 5 (1998) 158–171. See also H. Eshel, ‘Hiam el-Sagha, A Cemetery of the Qumran type, Judaean Desert,’ *Revue Biblique* 100 (1993) 252–259.

When the flesh had wasted away they gathered together the bones and buried them in their own place (*mSanh* 6:5–6).

Whether the Mishnah reflects reality or wishful thinking is irrelevant for the moment, as Josephus also knew that executed criminals were buried “ignominiously and in obscurity (*Ant.* 4.202).”²¹

When the Qumran cemetery, with its more than one thousand burials,²² is seen from this vantage point, it is making a statement of great importance. Sectarian brotherhood mattered much more than biological kinship not only in life, but for ever after.

The emphasis on sectarian kinship at Qumran opens the door to further insights. Since the days of Weber and Troeltsch, the voluntary nature of sectarian groups has been a key aspect of scholarly analysis of their dynamics. This point was recognized concerning the ancient Jewish groups by Philo of Alexandria (even if he had not read Weber or Troeltsch). Philo insisted that Essene identity was based on choice, not birth (*Hyp.* 11.2). Voluntary groups, however, suffer from weak

²¹ This was the case in ancient Rome, as summarized by Berkowitz, *Execution and Invention*, 137–138. This aspect of executions continued in Britain until modern times. As recorded by D. Sayers, *Busman’s Honeymoon* (London, 1974) 387, the standard formula for delivering a death sentence included: “being hanged there by the neck until you be dead and *your body buried in the precincts of the prison in which you shall last have been confined*, and may the Lord have mercy upon your soul.”

This comparative perspective shows that not being buried in the family tomb was part of the package of punishments suffered by the condemned person. Not only was s/he executed, but their body was only returned to its eternal familial resting-place after a delay, if at all. This was a post-mortem humiliation (compare the public hanging of the person who was stoned), intended to assert the public transcript against both the executed criminal who violated it, and the criminal’s family, which might be inclined to object to the execution and thereby continue the criminal’s affirmation of some hidden transcript. When the family, according to the Mishnah, has to ask after the welfare of the judges and the witnesses (*mSanh* 6:6), it is a demonstrative affirmation of the legitimacy of the public transcript and confirmation that the Rabbinic transcript is the public one (Berkowitz, *Execution and Invention*, 140–142), much like the confessions, usually followed by execution, in the Stalinist purges and show trials. See further J. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven and London, 1990) 55–58.

²² See H. Eshel et al., ‘New Data on the Cemetery East of Khirbet Qumran,’ *Dead Sea Discoveries* 9 (2002) 135–165. I am not convinced by the ingenious arguments of G. Avni, ‘Who Were Interred in the Qumran Cemetery? The Ethnic Identity of Ancient Populations in Light of the Archeological Findings in Burial Sites,’ *Cathedra* 131 (2009) 43–64 [Hebrew], intending to show that there was nothing really unusual about the burial practices followed for those interred in the Qumran cemetery. Even if all the dead found there were not Jews of the Second Temple era, at least some were. Even Avni must concede that the way these Jews were buried was very different from the usual Jewish Second Temple burial practices, particularly as we know them from Jerusalem.

leadership. There are few if any absolute constraints on members. Discipline is hard to maintain, in the absence of the legitimate coercive powers of a state. Whether it was more or less difficult in practical terms, members could always leave. Nothing required them to stay.²³ Under these conditions, with everyone under constant suspicion, it is not surprising that Josephus reports that an Essene was expected to expose liars and conceal nothing from members of the sect (*War* 2.141). In effect, an Essene was to be a permanent spy on the activities of other Essenes.

How did many voluntary groups, sects included, deal with offenders whose misdeeds had been revealed? Expulsion was one possibility (Josephus, *War* 2.143) but it came at a price. The group could reduce itself to below the critical mass required for survival. Rebuke and admonition were another and were widely employed, from ancient Greek philosophical associations such as the Epicureans to “puritan” movements in seventeenth century England.²⁴ In light of the demand for sacrifice of biological identity in ancient Jewish sectarian groups, with sectarian brotherhood replacing biological kinship (following Coser, as discussed above), one obvious reason for rebuking someone would be for showing remnants of loyalty to his or her biological family and not being willing to sacrifice that family tie to the movement. Indeed, these notions help make better sense of 4Q477 as published by Esther Eshel more than a decade ago.²⁵ In 4Q477, frag. 2, ii, 8, Hananiah Notos was reprimanded for loving “his near kin.” He did something, we don’t know exactly what, that indicated that he still felt connected to them, rather than being totally devoted to the movement, and for this he was censured.

²³ For an extended analysis of the consequences of weak leadership in one specific sort of voluntary group, enclave cultures, see E. Sivan, ‘The Enclave Culture,’ in G.A. Almond, R.S. Appleby and E. Sivan, *Strong Religion: The Rise of Fundamentalisms Around the World* (Chicago, 2003) 23–89. The notion of enclave culture was first elaborated by Mary Douglas, as part of her grid/group theory, in M. Douglas, *Natural Symbols: Explorations in Cosmology* (New York, 1970), then applied by her to Biblical material in M. Douglas, *In the Wilderness* (Sheffield, 1993). An enclave is high group/low grid, in which group identity is high, but internal differentiation low, the quadrant to the lower right on the grid/group plot. A collection of papers exploring the significance of the notion of enclave culture in a number of different directions appeared as M. Douglas (ed.), *Essays in the Sociology of Perception* (London and Boston, 1982). For the purposes of this paper, “sects” are one kind of enclave.

²⁴ See Baumgarten, *Flourishing*, 110–112, 204.

²⁵ E. Eshel, ‘4Q477: The Rebukes of the Overseer,’ *Journal of Jewish Studies* 45 (1994) 111–122.

“Orphan passages,” I submit, are the most important of the tests of how we might know that we are on to something. As noted above, if research does not reveal any orphan passages, I am not certain it is worth continuing to the other tests proposed below. I assign this high value to “Orphan passages” for two reasons. First, in utilizing concepts from the social sciences to understand ancient Jewish groups there is the danger that the results will be trivial—that one may pile up relatively insignificant parallels and become an example of the old saw directed against sociologists that they never teach anything both interesting and new. If their results are interesting they are not new, and if they are new they are not interesting. Since “orphan passages” were overlooked by numerous scholars, saying something about them cannot be dismissed as a trivial parallel: it is both new and interesting. Next, identifying “orphan passages” meets the standards of old-fashioned philological research. If sources that existed for ages were neglected until we came along with some new conceptual insight, this is a result of great significance. For all the newness of the result, we are, nevertheless, still solidly in the realm of conservative textual analysis.

The second test is whether one can reverse direction. Does the analysis of the texts enhance the theory? A simple way of putting this point is conceiving the theoretical model and the specific texts as two points in a circle. Can one go around the circle from one point to the other numerous times? That is, beginning perhaps with the theory, can one go to the texts, but then back to the theory with added insights based on the analysis of the sources? If possible, one should be able to go around the circle numerous times, enhancing the understanding of the texts each time round on a basis of improved theoretical clarity, at the same time that the theory is improved each time by deeper appreciation of the contribution of the sources. This is a difficult test, an achievement at a very high level. In effect, it demands that we contribute to sociological theory of sectarianism on the basis of our analysis of Jewish cases. It is a daunting challenge, rarely met, for the very small guild of scholars studying ancient Judaism to have something useful to say to the much larger academic collective of sociologists.

The second test is difficult for another reason: Judaica specialists are regularly eclectic borrowers of the ideas of others.²⁶ For example, in

²⁶ For a full-scale attack against the eclectic nature of the utilization of the social sciences in writing history see Philippe Buc, *The Dangers of Ritual: Between Early Medieval*

the presentation of my own work, just concluded, I borrowed extensively from Coser and a range of others, from Weber and Troeltsch to Douglas, and Sivan. As eclectic borrowers, however, perhaps the best we can hope to do is to return the intellectual tools we borrowed intact. Improving them is highly unlikely. For that to happen we would need to steal the tools, make them entirely our own, unrecognizable perhaps to their original owners. Then, if we chose to return the tools, or were asked/forced to do so, we might return something improved. This is very rare. As Clifford Geertz wrote, quoting T. S. Eliot, "bad poets borrow, good poets steal." Describing his own work, Geertz announced: "I have tried in what follows to be, in this respect anyway, a good poet, and to take what I have needed from certain others and make it shamelessly my own."²⁷ The problem, however, as Geertz realized implicitly, is that there are many more bad poets than good ones. In general, the number of scholars of Judaica, in any corner of the different disciplines, whose work is regularly cited and taken as an example by those in other fields is very small. Gershom Scholem is perhaps the most significant figure who fills this role.²⁸

Last, the third test: what do you do with the remainder? By this, I mean, that in the process of analyzing our batch of Jewish material in the light of some definition of sectarianism some things will not fit. No matter how powerful the light shed by the new set of ideas, it will not reach every corner. I take this result as a good sign, not as one that the whole effort was flawed from the outset. In fact, a fair number of pieces that do not fit are a sign that we have not written paradigm

Texts and Social Scientific Theory (Princeton, NJ, 2001). This is not the place for a comprehensive discussion of Buc's argument, but I consider Buc an intellectual nihilist. Suffice it to say that eclecticism is not a flaw, but a *necessary aspect* of the application of social scientific ideas to the analysis of moments in the past that are very different than the examples on which the social scientific models are based. Eclecticism is recognition of the truth of the gap between the subject of historical research and the models. Indeed, if any historian ever met Buc's demands for absolute consistent dependence of his or her historical research on one and only one social scientific approach, I would consider that work inherently flawed. For reviews of Buc see A. Walsham, 'The Dangers of Ritual,' *Past and Present* 180 (2003) 277–287; G. Koziol, 'The Dangers of Polemic: Is Ritual Still an Interesting Topic of Historical Study?' *Early Medieval Europe* 11 (2002) 367–388; J. Nelson, 'Review of Phillippe Buc, *The Dangers of Ritual: Between Early Medieval Texts and Social Scientific Theory*,' *Speculum* 78 (2003) 847–851.

²⁷ C. Geertz, *Islam Observed: Religious Development in Morocco and Indonesia* (New Haven, 1968) ix.

²⁸ See, for example, S. Wasserstrom, *Religion After Religion: Gershom Scholem, Mircea Eliade and Henry Corbin at Eranos* (Princeton, NJ, 1999).

driven history and that we are on to something worthwhile. But, what do we do with the remainder? What can it teach us? Perhaps something about the limits of the analysis attempted? Perhaps something about why what seemed to work did, in fact? It is highly probable that the remainder should help indicate the difference between the set of examples on which the definition of sectarianism was based and the specific Jewish cases studied.²⁹

The third test might seem an excuse to refuse to face failure. If there is always a remainder then how will we ever know if and when we are wrong? Two replies seem appropriate. First, the test of what one does with the remainder only comes into play after one has identified “orphan passages.” It is a second level test, at best. Next, to return to Lakatos discussed above, every scientific research program has its anomalies. They are not an indication of failure, for if they were every theory would be falsified and all science would reach a dead end or never even begin. Furthermore, as Lakatos argued, the problematic anomaly that indicates that a specific research program was flawed is usually only identified by hindsight, after that research program has already been surpassed and replaced by another on the basis of the “excess empirical content” of the winning research program. For that reason, scientific research programs tolerate their anomalies and continue despite them. The remainder in historical research is the equivalent of Lakatos’ anomalies and is no more an indication of failure than anomalies in any other scientific research program. However, the ability to exploit the remainder, especially after “orphan passages” have been identified is significant. It indicates a level of deep understanding not only of the similarities between the examples taken to set the definition of sectarianism and the specific cases studied, but also of the differences.

Conclusion

Historical work in particular has a paradoxical quality. The goal, as in all intellectual endeavor, is to learn something new and enjoy the

²⁹ For one example of an attempt to deal with what seemed to be a remainder see A.I. Baumgarten, ‘Information Processing in Ancient Jewish Groups,’ in Chalcraft (ed.), *Sectarianism in Early Judaism*, 247–256.

pleasure we derive from that discovery. Yet, history is about the past. How can we learn something *new* on the basis of the *past*? With new tools, borrowed or stolen from neighboring disciplines, such as the idea of sect transported from sociology to the study of Jewish groups, with the tests proposed above as a means to check the significance of the results, we can increase our odds of enjoying that gratification.³⁰

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³⁰ See E. Bickerman, "Why History?" in E. Bickerman and M. Smith, *The Ancient History of Western Civilization* (New York, 1976) 8–9.

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RELIGIOUS VARIETY AND THE TEMPLE IN THE LATE SECOND TEMPLE PERIOD AND ITS AFTERMATH*

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For the past quarter of a century, since the publication of an influential article by Shaye Cohen in 1984, the standard narrative of the history of variety within Judaism in the first two centuries CE has assumed a radical change following the destruction of the Temple in Jerusalem in 70 CE.¹ According to this narrative, Judaeon Judaism was fractured before 70 CE into a number of groups, most importantly the Pharisees, Sadducees and Essenes described by Josephus in *B* 7 2 and in *A* 7 18, and the Dead Sea sect; these groups confronted each other in competition for the allegiance of ordinary Jews, the main focus for competition being the service in the Temple itself, to the extent that the most extreme groups separated themselves altogether from the Temple cult; finally, after 70 variety was replaced by unity because the rabbis at Yavneh, in response to the crisis, created a new broad church within which dissent was both permitted and possible because the lack of Temple removed the grounds for dispute which had so dominated Jewish life while the Temple stood. The aim of this study is to re-examine this analysis, in particular by questioning whether any of the groups attested from pre-70 Judaism really separated themselves from the Temple, and whether variety within Judaism really came to an end after 70 when the Temple was destroyed.² The basis of this re-evaluation will lie in the application of two principles: the need to avoid hindsight from later Jewish and Christian traditions in

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¹ S.J.D. Cohen, 'The significance of Yavneh', *HUCA* 55 (1984), 28–36.

² This study was written originally for the conference on Sects and Sectarianism in Jewish History held in University College London in June 2008 and as the keynote lecture for the BAJIS conference held in Manchester in July 2008 on the theme of Normative Judaism. I am grateful to the organisers of both these conferences for their invitations to bring together in a single study ideas which I have published elsewhere piecemeal, and I am grateful to the participants in both conferences for many helpful and perceptive comments and criticisms.

the interpretation of evidence from this period, and the need to take account of the preservation of almost all such evidence through those traditions (and the implications of absence of evidence in light of this process of preservation).

It is of course a truism that Judaism by the first century CE was very varied. The caution of those who resist any tendency to reduce the history of Judaism to a narrative about one strand, as if that constituted the essence of the religion, is justified.³ On the other hand, to talk about 'Judaisms' in the plural has no ancient warrant, and outsiders at least seem to have thought that the different types of Jewish piety overlapped sufficiently for it to be possible to refer to 'Judaism' in the singular.⁴ It is possible to find at least one type of Jew from this period who was presumably pious in his own eyes but who failed to conform to most of the characteristics identified by Ed Sanders as constitutive of 'common Judaism' (most obviously the extreme allegorists attacked by Philo in *De Migratione Abrahami*),⁵ but a lowest common denominator which includes even such Jews remains: it is empirically the case that all those individuals and groups who presented themselves in this period as pious Jews worshipped the God who was worshipped in Jerusalem, and accepted that the Torah, enshrined in the Pentateuch, encapsulates a covenant between God and Israel incumbent on all Jews. Variety began with interpretation of that Torah, which could lead in very many directions. Some preoccupations, such as an interest in purity or apocalyptic, or the correct way to keep the laws of shabbat and kashrut, or the right attitude to the making of oaths, were shared by Jews of many different persuasions, but these common trends can be distinguished from the emergence of groups which defined themselves in contrast to other Jews as distinctive or superior, or (in extreme cases) cut themselves off from other Jews.⁶

³ So, for example, M.L. Satlow, *Creating Judaism: history, tradition, practice* (New York, 2006).

⁴ For the earliest recorded references to *ioudaismos* as a word, see 2 Macc. 2:21, 8:1, 14:38 (cf. S.J.D. Cohen, *The Beginnings of Jewishness: boundaries, varieties, uncertainties*, Berkeley, 1999); for *ioudaismos* as compared to *christianismos*, see Ignatius, *Magn.* 8.1, 10.3; *Philad.* 6.1 (cf. J.M. Lieu, *Christian Identity in the Jewish and Graeco-Roman World*, Oxford, 2004, p. 252).

⁵ E.P. Sanders, *Judaism: practice and belief, 63 BCE–66 CE* (London/Philadelphia, Pa., 1992); Philo, *De Migratione Abrahami* 89–93.

⁶ M. Goodman, 'Josephus and variety in first-century Judaism', *The Israel Academy of Science and Humanities: Proceedings*, vol. VII, no. 6 (Jerusalem, 2000), 201–13 (= M. Goodman, *Judaism in the Roman World: collected essays* (Leiden, 2007), 33–46).

A straight reading of the Pentateuch can leave no doubt about the centrality of sacrifices and other offerings on an altar in the worship demanded by God from his people. The Torah lays down precise stipulations for the sabbath, festivals and the new moon, leaving no room for uncertainty what God requires and when it is to be offered.⁷ The Pentateuch is slightly less clear about precisely where such offerings are to be made, although it is evident that this is to be somewhere selected not by worshippers for their convenience but at ‘the place that the Lord will choose’.⁸ Such worship, through sacrifices, libations and incense, was standard in the ancient world, both in the Near East and among Greeks and Romans. The ancient landscape was littered with altars to a plethora of deities, and the building of temples to provide a dwelling-place for the god beside the altar was common.⁹ Of all the aspects of Jewish religiosity treated by Greeks and Romans as absurd, stupid or disgusting, worship with a Temple and altar was not one.¹⁰ On the contrary, pagans admired the Jerusalem Temple for its size and magnificence. In c. 300 BCE Hecataeus of Abdera, according to a citation found in the histories of Diodorus Siculus, noted with apparent approval that worship in the Temple in Jerusalem had been instituted by Moses, who was ‘outstanding both for his wisdom and for his courage’;¹¹ in the mid second century BCE Polybius referred to the ‘renown of the Temple’;¹² when in 15 BCE Marcus Vipsanius Agrippa visited Herod in Judaea, he himself made a sacrifice in the Temple.¹³ The main reason for the impressiveness of the Jerusalem Temple—that Jews from all over the land of Israel and the diaspora made contributions to sacrificial worship in one place rather than (as for other cults) in local shrines—does not seem to have attracted attention, although Romans were well aware of the transfer of wealth to Jerusalem from diaspora communities in Italy and Asia.¹⁴

⁷ Num. 28:1–29: 39.

⁸ Deut. 12:26–27.

⁹ R. MacMullen, *Paganism in the Roman Empire* (New Haven/London, 1981); M. Beard, J. North and S. Price, *Religions of Rome*, 2 vols. (Cambridge, 1998).

¹⁰ For pagan attitudes to Judaism, see M. Stern, *Greek and Latin Authors on Jews and Judaism*, 3 vols. (1974–1984), and M. Goodman, *Rome and Jerusalem: the clash of ancient civilizations* (London, 2007), ch. 10.

¹¹ Hecataeus, ap. Diodorus Siculus, *Bibliotheca Historica* 40.3 (= Stern, *Greek and Latin Authors*, vol. 1, p. 26).

¹² Polybius, ap. Jos. *AJ*. 12. 136.

¹³ Jos. *AJ* 16. 12–15.

¹⁴ Cic. *Pro Flacco* 28.67.

Both Greeks and Romans could refer neutrally (as Hecataeus) or with disapproval (as Cicero) to the Jewish sacrificial system as different from that of other nations,¹⁵ but it would not have occurred to them to question the principle of worship through sacrifices. They will probably have been unaware of one of the most distinctive characteristics of the ritual carried out in Jerusalem, which was that, in contrast to pagan priests whose task was to determine, by following precedent, interpreting auguries, or enquiring from oracles, which offerings would be acceptable to the gods,¹⁶ the priests in Jerusalem simply followed divine instructions as mediated through Moses.¹⁷ To the outsider, the Jerusalem cult looked simply like a particularly fine example of normal worship, and Josephus capitalised on this in his description of Judaism for Roman readers in *C. Apionem*: 'We have just one Temple for the one God [...], common to all as God is common to all. The priests are continually engaged in his worship [...] Our sacrifices are not occasions for drunken self-indulgence [...] but for sobriety [...]'.¹⁸

In this description of Jewish sacrificial worship, Josephus stressed the importance of community: 'at these sacrifices, prayers for the welfare of the community must take precedence over those for ourselves, for we are born for fellowship (*koinonia*)'.¹⁹ Josephus laid great stress in *C. Apionem* on the harmony to be found among Jews, and on the importance of such harmony:

To this cause above all [i.e. our education in our laws] we owe our admirable harmony. Unity and identity of religious belief, perfect uniformity in habits and customs, produce a very beautiful concord in human character. Among us alone will be heard no contradictory statements about God, such as are common among other nations, not only on the lips of ordinary individuals under the impulse of some passing mood, but even boldly propounded by philosophers; some putting forward crushing arguments against the very existence of God, others depriving Him of His providential care for mankind. Among us alone will be seen no difference in the conduct of our lives. With us all act alike, all profess the same doctrine about God, one which is in harmony with our Law and affirms that all things are under His eye. Even our womenfolk and

¹⁵ Hecataeus, ap. Diodorus Siculus, *Bibliotheca Historica* 40.3 (= Stern, *Greek and Latin Authors*, vol. 1, p. 26); Cic. *Pro Flacco* 28.69.

¹⁶ M. Beard and J.A. North, eds., *Pagan Priests* (London, 1990).

¹⁷ Num. 30: 1 (Heb).

¹⁸ Jos. *C. Ap.* 2.193–95.

¹⁹ Jos. *C. Ap.* 2.196.

dependants would tell you that piety must be the motive of all our occupations in life.²⁰

In light of such comments, the standard picture of Judaism as fractured into numerous competing sects seems to fly in face of the ancient evidence, but Josephus evidently saw no contradiction between this picture of unity and uniformity and his account of the Jewish *haireseis* in his earlier writings, for in Book 1 of *C. Apionem* he specifically drew the attention of his readers to the excellence of his history of the Jewish war,²¹ which (he claims) he had composed as an eyewitness and participant,²² and the accuracy of his *Antiquities*, which he had interpreted correctly because of his status as a priest.²³ The extraordinary unanimity among Jews to which Josephus drew attention in his account of the Jewish constitution in Book 2 of *C. Apionem* impressed only by contrast to Greeks, whose varied ideas about the gods and the right way to worship them were subjected to a sustained attack later in the book. Compared to Greeks, one thing Jews had genuinely in common, in a way that marked them out as special, was the ‘one Temple for the one God, for like always loves like’.²⁴ On the temple in Leontopolis, see below, n. 67.

Nothing in Josephus’ description of the *haireseis* in *Bḡ* and *Aḡ* suggests the Temple as the main focus for disagreement between Pharisees, Sadducees and Essenes. The reason may, of course, in part lie in a different kind of idealisation of Jews and Judaism in these earlier works, since Pharisees, Sadducees and Essenes are portrayed (at times explicitly) as equivalent to Greek philosophies, and this may account for the emphasis on abstract points of doctrine—especially the relationship of fate to free will—rather than practical issues to do with the practice of the Torah.²⁵ This is not to suggest that Josephus disguised disagreements on how the Temple should be run—evidence for precisely such disagreement will be presented below, although the interest of the early rabbis in describing and prescribing the Temple service accounts for the preponderance of the rabbinic testimony on this issue—but that it did not, in his view, prevent unanimity between

²⁰ Jos. *C. Ap.* 2.179–81 (Loeb translation).

²¹ Jos. *C. Ap.* 1.47–52.

²² Jos. *C. Ap.* 1.55.

²³ Jos. *C. Ap.* 1.54.

²⁴ Jos. *C. Ap.* 2.193.

²⁵ Jos. *Bḡ* 2.119–61; *Aḡ* 18.11–22.

these groups on the value of the worship carried out in Jerusalem by the priests on behalf of the whole nation. If we take seriously his emphasis on the Temple in *C. Apionem* and the importance, according to the Torah, of bringing the required offerings to the place stipulated by God, it seems wholly implausible that any of these Jewish groups could have cut themselves off from the Jerusalem Temple without this aspect of their identity being mentioned by Josephus as the primary mark of their distinctiveness, in the same way as Samaritans were distinguished, both by themselves and by Jews, as those who worshipped the God of Israel on Mt Gerizim.²⁶

From where, then, comes the common notion that some Jewish sects, specifically Essenes and the Dead Sea *yahad*, abandoned the Temple in Jerusalem? It will be part of the burden of this study that this notion is probably wrong, and that ultimately it depends on anachronistic assumptions derived from later religious developments, but the idea is not without a basis in ancient sources, even if (I shall suggest) their interpretation is not as straight forward as is often thought. What appear to be the most explicit texts refer to the Essenes. In the Latin version of Josephus, *AJ* 18.19, the text states specifically that the Essenes 'send votive offerings to the Temple but do not offer (*non celebrant*) animal sacrifices';²⁷ this reading is followed also in the Greek Epitome of Josephus' text;²⁸ and Philo in one passage describes the Essenes as 'utterly dedicated to the service of God (*therapeutai theou*), not offering up animals, but judging it more fitting to render their minds truly holy'.²⁹ To read these texts as evidence that the Essenes avoided participation in Temple worship altogether is patently possible,³⁰ but it is not inevitable, and in light of the centrality of the Temple in Judaism it seems to me that such an interpretation should be the last resort. And in fact other interpretations prove to be quite possible. Thus the

²⁶ P. Bruneau, 'Les Israelites de Délos et la Juiverie Délienne', *Bulletin de Correspondence Hellénique* 106 (1982), 466–504; A.T. Kraabel, 'New evidence of the Samaritan diaspora has been found on Delos', *The Biblical Archaeologist* 47.1 (March 1984), 44–46.

²⁷ For the reading, see B. Niese, *Flavii Iosephi Opera* (Berlin, 1955), vol. 4, p. 143, note ad loc. On the manuscript tradition behind the Latin text, see F. Blatt, *The Latin Josephus*, vol. 1: *Introduction and Text. The Antiquities Books I–V* (Aarhus and Copenhagen, 1958).

²⁸ See Niese, *ibid.*

²⁹ Philo, *Q.o.p.* 75.

³⁰ As in E. Schürer, rev. and ed. G. Vermes *et al.*, *The History of the Jewish People in the Age of Jesus Christ*, 3 vols. (Edinburgh, 1973–1987), vol. 2, p. 570, n. 56.

Greek manuscripts of *Aḡ* 18.19 state that the Essenes 'sending votive offerings to the Temple perform sacrifices with a difference of purifications' and that 'because of this they carry out sacrifices by themselves, being banned from the common precinct', which would suggest that the Essenes participate as much as they are allowed to in the Temple cult, with their own place for free-will and other voluntary sacrifices somewhere in Jerusalem near the Temple site (perhaps near the Essene gate?).³¹ It has long been recognised that the meaning of Philo, *Q.o.p.* 75 is not necessarily that Essenes disapproved of animal sacrifices but only that, as idealised philosophers, they showed their special dedication to God through sanctification of the mind rather than only through the offering of animal sacrifices which was the standard way to worship.³²

The similar notion that the Dead Sea *yahad* cut itself off from the Temple seems to have become established in part less because of the evidence of the Dead Sea scrolls themselves than because of the widespread view that the members of the *yahad* were Essenes and that Essenes were separated from the Temple.³³ The consensus view was stated clearly in 1979 in the new Schürer: 'For the desert sectaries of Qumran, the Temple of Jerusalem was a place of abomination; its precincts were considered polluted, its priests wicked, and the liturgical calendar prevailing there, unlawful. The sect therefore offered spiritual worship until the time when the sacrificial cult, properly performed, could be restored in the seventh year of the eschatological war [...] The sacred meal of the sect was no doubt a substitute for the sacrificial meals of the Temple'.³⁴ It is, however, far from clear that the undoubted evidence for disapproval of the Jerusalem authorities to be found in the scrolls, and the clear signs that the *yahad* believed themselves to have separated from the majority in some sense and to have

³¹ A.I. Baumgarten, 'Josephus on Essene sacrifice', *JJS* 45 (1994), 169–83; on the Essene gate, *Jos. Bḡ* 5.145.

³² R. Marcus, 'Pharisees, Essenes and Gnostics', *JBL* 73 (1954), 158; J.E. Taylor, 'Philo of Alexandria on the Essenes: a case study on the use of classical sources in discussions of the Qumran—Essene hypothesis', *Studia Philonica Annual* 19 (2007), 11–14.

³³ J.M. Baumgarten, 'The Essenes and the Temple: a reappraisal', in *idem*, *Studies in Qumran Law* (Leiden, 1997), 59–62.

³⁴ Schürer, *History*, vol. 2, p. 582.

established a new covenant, should be read as an indication that the sectarians had cut themselves off from the Temple.³⁵

There are, of course, a number of references in the sectarian scrolls to a time in the past when the community fell out with a Wicked Priest,³⁶ and to a time in the future when corrupt priests will suffer for their sins,³⁷ and at times the community could present itself as comprising within itself an atonement for the land as 'a holy house for Israel and the foundation of the holy of holies for Aaron'.³⁸ But such notions should not preclude the sectarians continuing to treat the Jerusalem Temple and its worship as central to their lives. Among the non-biblical Dead Sea scrolls there are 63 references to Jerusalem and few to other cities.³⁹ The Temple Scroll provides detailed rules for the Temple cult, buildings and furnishings.⁴⁰ The *mishmarot* contain calendars for the priestly courses.⁴¹ There are frequent references in a variety of texts to priests, to Aaron and to Zadok.⁴² The Copper Scroll contains a list of what appear to be Temple treasures.⁴³ The Damascus Document legislates on sacrifices and offerings in the Temple,⁴⁴ and MMT contains helpful advice directed (apparently) to the High Priest on how he should administer the Temple, and especially its purity laws.⁴⁵ Above all, the popularity of Deuteronomy among the biblical scrolls found at Qumran, with its explicit injunctions to cultic sacrifices and pilgrimage,⁴⁶ renders deeply implausible the notion that

³⁵ For the separation of the Yahad from the rest of Israel, see IQS 8:12–13; for the notion of the 'new covenant', see 1QpHab 2:3; CD8: 21,35; for the issue of their relation to the Temple in general, see M. Goodman, 'The Qumran sectarians and the Temple in Jerusalem', in C. Hempel, ed., *The Dead Sea Scrolls: Texts and Context* (Leiden, 2010), 263–73.

³⁶ 1QpHab 11:4–6.

³⁷ E.g. 1QpHab 11:13–15.

³⁸ 1QS 8:5–7.

³⁹ E. Tov *et al.*, *Discoveries in the Judaean Desert: Introduction and Indexes* (Discoveries in the Judaean Desert, vol. 39) (Oxford, 2002), p. 232.

⁴⁰ 11QT^a 46:9–12, and *passim*.

⁴¹ 4Q320–330.

⁴² 1QS8:8–9; 4QS^d 6:2–3; 4QS^c2:16–18.

⁴³ 3QCopper Scroll 11.7.

⁴⁴ CD 11:19–20.

⁴⁵ E.g. 4Q395:8–10.

⁴⁶ Tov, *Discoveries: Introduction and Indexes*, pp. 169–70 (30 manuscripts); it is probably just a chance result of the fragmentary nature of these manuscript remains that the injunction to pilgrimage three times a year in Deut. 16:16–17 does not happen to be included in any of the surviving passages of Deuteronomy (cf. Tov, *Discoveries*, p. 190); the parallel text at Exod. 34:23 survives (albeit in very fragmentary form) in

those who treated this text as authoritative will simply have ignored its injunctions.

Doubtless interpretation of the scrolls evidence can and should be complicated by taking into account the possibility that the scrolls represent more than one sectarian community, and that some of the scrolls are not sectarian either in origin or in use, but the notion that any of these sectarians could simply spiritualise the notion of sacrifices, and stop doing them in practice, would be very difficult for anyone to hold without knowledge that this was precisely the interpretive move made by later rabbinic Judaism and by Christians. Nothing prevented sectarians from combining the continued practice of sacrifices with the notion that their own community could also be like a Temple—indeed the notion might seem to be all the more powerful precisely because it could draw on the imagery of existing practice. According to the Community Rule the *yahad* should ‘establish the spirit of holiness in truth eternal to atone for the guilt of iniquity and for the unfaithfulness of sin [...] without the flesh of burnt offerings and without the fats of sacrifice—the offering of the lips in compliance with the decree will be like the pleasant aroma of justice and the perfectness of behaviour will be acceptable like a freewill offering’,⁴⁷ but this notion is no different from that expressed by the prophets without implying opposition to the Temple cult. The book of Isaiah, which was very popular at Qumran, could declare that the Lord protests ‘I do not delight in the blood of bulls, or of lambs, or of goats [...] bringing offerings is futile’, but only because sacrifice is useless without morality: ‘Remove the evil of your doings from before my eyes; cease to do evil’.⁴⁸ Prayers, as described by Hosea, are ‘the calves of our lips’ which are offered up like sacrifices, but that did not make the offering of real sacrifices redundant.⁴⁹ In the extended attack by Philo to which I have already referred (above, n. 5), his assault on the extreme allegorists who taught that only the symbolic meaning of the biblical text mattered and not the literal, the last and most extreme example chosen to demonstrate the foolishness of their approach was the effect it would

4QpalaeoExodm (see P.W. Skehan, E. Ulrich and J.E. Sanderson, eds., *Qumran Cave 4, IV: Palaeo-Hebrew and Greek Biblical Manuscripts*, DJD IX, Oxford, 1992, p. 128).

⁴⁷ 1QS 9:3–5.

⁴⁸ Isaiah 1:11–15, 16; on the copies of the text of Isaiah found at Qumran, see Tov, *Discoveries: Introduction and Indexes*, pp. 167–70.

⁴⁹ Hos. 14:2.

have on attitudes to the Temple: 'We shall ignore the sanctity around the Temple and a thousand other things, if we are going to pay heed only to what is shown through covert meanings'.⁵⁰

By implication, of course, these extreme allegorists opposed by Philo will, very unusually among first-century Jews, have believed it unnecessary to participate in the Jerusalem Temple cult because the real interpretation of the laws of sacrifice is symbolic. All other Jews we should expect to have felt a duty to attend the Temple and to send offerings there, even if in practice they went infrequently because they lived too far away.⁵¹ And if the Dead Sea sect was no different from other Jews in this respect, they will also have been no different from many other Jews in considering the Temple cult, which was so important to them, as flawed.

That this sense of dissatisfaction must have been widespread can be deduced from the comments of Josephus, the rabbis and the New Testament about the relationship of Pharisees and Sadducees to the Temple. That Sadducees went to the Jerusalem Temple is not in doubt, and Josephus states explicitly that one Sadducee, Ananus son of Ananus, was High Priest in the early sixties CE.⁵² If Ananus was conscientious in his Sadducaic interpretation of the Torah, which according to Josephus involved a fundamentalist return to the written text of scripture and a refusal to accept the validity of traditional interpretation,⁵³ he will have found himself compelled by popular opinion to serve at the altar in a fashion that he himself believed invalid. According to Josephus, whenever the Sadducees came to office, they submitted to 'what the Pharisee says', since otherwise 'they would not be tolerated by the masses';⁵⁴ in the same passage, Josephus explains that the Pharisees are 'very influential among the people' and that 'all divine matters both of prayers and of the performance of sacred rites are done following their exposition',⁵⁵ a claim that is probably to be believed since (according

⁵⁰ Philo, *De Migr. Abr.* 92.

⁵¹ On practical difficulties for most Jews in attending the Temple, see Sanders, *Judaism*, pp. 130–31.

⁵² Jos. *AJ* 20.199.

⁵³ On the basis of Sadducean interpretation of the Torah, see Jos. *AJ* 13. 297 (on their insistence on relying on written laws alone and refusal to follow ancestral customs); see M. Goodman, 'The Sadducees in first-century Judaism', in *idem*, *Judaism in the Roman World*, pp. 123–35.

⁵⁴ Jos. *AJ* 18.17.

⁵⁵ Jos. *AJ* 18.15.

to Josephus elsewhere) the special characteristic of the Pharisees was their conservative acceptance of ancestral tradition.⁵⁶

Scholars have not often attempted to empathise with the crisis of conscience that might afflict a scrupulous Sadducee high priest as a result, but there is no need to doubt the evidence of the Mishnah that Sadducees, like Essenes and Pharisees, had specific views about purity rules, and (even if the historicity of this particular story is unprovable) the Mishnah gives some idea of the sort of problem that a Sadducee high priest might face if he believed that the ashes of the red heifer, which alone could provide the purification from corpse pollution essential before he approached the divine presence in the Holy of Holies on the Day of Atonement to make the offering on behalf of all Israel, had themselves been created by a priest whose fitness to perform the ritual was in doubt because he was not in a sufficient state of purity.⁵⁷ And calendar disputes will always have left some Jews who attended the Temple uneasy that the prescribed offerings were not being made on the correct day: disagreement on the meaning of the biblical injunction to start counting the omer from ‘the day after the Sabbath’,⁵⁸ which most Jews understood as the day following the festival of Pesach but (according to the Mishnah) Boethusians, who are perhaps to be identified with Sadducees, took to mean the first Sunday after the start of the festival, will have led to the pilgrimage festival of Shavuot, and its associated offerings as stipulated in the Torah, almost always being celebrated in the Temple on a day which some of those present believed to be wrong.⁵⁹ As Sacha Stern has noted,⁶⁰ different ideas about the calendar were rife in the ancient world without necessarily leading to conflict of any kind—if various

⁵⁶ Jos. *AJ* 13.297; see M. Goodman, ‘A note on Josephus, the Pharisees and ancestral tradition’, *JJS* 50 (1999), 17–20 (= *idem*, *Judaism in the Roman World*, 117–21). I assume that ordinary people followed what Josephus called ‘ancestral tradition’ simply because that is how other ancient Mediterranean societies, as described by Greeks and Romans, worked, and there is no obvious reason to doubt Josephus’ account in this respect. This would not, of course, preclude local variations on ancestral tradition, such as the differences between Judaeon and Galilean customs recorded in tannaitic texts (cf. M. Goodman, ‘Galilean Judaism and Judaeon Judaism’, in W. Horbury, W.D. Davies and J. Sturdy, eds., *The Cambridge History of Judaism*, vol. 3 (1999), pp. 596–617).

⁵⁷ *m.Parah* 3:7.

⁵⁸ Lev. 23:11, 15–21.

⁵⁹ *m.Menahot* 10:3.

⁶⁰ S. Stern, *Calendar and Community: a History of the Jewish Calendar, 2nd Century BCE to 10th Century CE* (Oxford, 2001).

communities in Palestine and the Diaspora kept the same festivals on different days, this did not matter much to anyone⁶¹—but it is hard to imagine the same insouciance about the national offering of the festival sacrifices for Shavuot, which were, at least in principle, paid for out of the annual half-shekel offerings of all adult male Jews.

The Jerusalem Temple permitted all sorts of quarrelsome and discontented groups to worship at the national shrine, including (according to Acts) the early followers of Jesus, who ‘spent much time together in the Temple [...] praising God and having the goodwill of all the people’,⁶² even though the burden of their message, when ‘every day in the Temple [...] they did not cease to teach and proclaim Jesus as the Messiah’, will hardly have been accepted by all.⁶³ The worst that might happen to a group like the Essenes was, as we have seen, exclusion from some parts of the Temple site because of their idiosyncratic purity laws.⁶⁴ The relationship of such Jews to the Temple should be contrasted to the real sectarians who broke away totally from Jerusalem, such as the Samaritans,⁶⁵ or the priest Onias in the second century BCE, whose temple in Leontopolis was built, according to Josephus, precisely in order ‘to rival the Jews at Jerusalem, against whom he harboured resentment for his exile [...] He hoped by erecting this temple to attract the multitude to it and away from them’.⁶⁶ Onias can be said to have failed, since, although both Josephus and the rabbis were aware of his temple, neither saw it as a real threat to Jerusalem, and it seems to have been ignored by the Alexandrian Philo.⁶⁷

Most Jews, then, continued to look towards Jerusalem, imperfect though they believed the Temple cult to be. The Temple was for them not the cause of sectarian strife by groups which refused to view their opponents as valid Jews—Josephus did of course write in his account of the war of 66–70 about real struggles for control of the Temple in the last years of the struggle, but this was for *political* advantage not

⁶¹ S. Stern, ‘The “Sectarian” Calendar of Qumran’, in S. Stern, ed., *Sects and Sectarianism in Jewish History* (Leiden & Boston, 2011), 39–62.

⁶² Acts 2:46–47 (but note that a theological and a literary motivation for the location of these events in the Temple by the narrator is not impossible).

⁶³ Acts 5:42.

⁶⁴ See above, n. 31.

⁶⁵ On the Samaritan schism, see Jos. *AJ* 9.288–91, 12.10, 13.74–79.

⁶⁶ Jos. *BJ* 7.431.

⁶⁷ On attitudes to the Leontopolis temple there has been a large amount of scholarship, much of it speculative. For a recent study, see L. Capponi, *Il Tempio di Leontopoli in Egitto: identità politica e religiosa dei Giudei de Onia (150 a.c.–73 d.c.)* (ETS, 2007).

to impose a *religious* agenda⁶⁸—but a shared public space about which each group argued as it struggled to shape it to conform it to its own notions of how it should be run.

Thus any change in the evidence for continued disagreements between groups after the destruction of the Temple in 70 should be interpreted not as evidence of the end of variety within Judaism but as evidence of the end of a public stage on which such variety was visible. When groups of Jews disagreed with each other after 70, they did not need to confront each other with their differences since each group could exist in untroubled isolation from other Jews. Other changes in the preservation of evidence about Judaism after 70 have added to the illusion that variety diminished, such as the end of Christian preservation of non-Christian Jewish Greek literature composed after about 100 CE because non-Jewish Christians started to have a literature of their own;⁶⁹ the failure of the rabbinic tradition, whose medieval manuscripts provide the basis of most of our knowledge of Judaism after 70, to preserve anything composed by Jews in Greek;⁷⁰ and the solipsism of the rabbis which discouraged interest in other groups except in so far as they had an impact on adult male rabbinic Jews.⁷¹

All these factors make not only valid but desirable a search for any hints of continued variety after 70 even if evidence of variety does not dominate the surviving narratives in the way that the differences between Pharisees, Sadducees and Essenes emerge so prominently in the historical narratives of Josephus. Doubtless, since many Judaeans died in the revolt, there were fewer members of each group after 70 than before, but it is not necessary for a group to be large in order for its ideas to continue. In principle, one might expect the reaction of many intense Jews to the fall of the Temple to have been a closer adherence to their favoured interpretation of the Torah, following the Deuteronomistic logic that disaster would have been avoided if

⁶⁸ On Josephus' discussion of *stasis* in Jewish society during the revolt, see M. Goodman, *The Ruling Class of Judaea: the origins of the Jewish revolt against Rome, AD 66–70* (Cambridge, 1987), ch. 9; J.J. Price, *Jerusalem under Siege: collapse of the Jewish state, 66–70 CE* (Leiden, 1992).

⁶⁹ G. Vermes and M. Goodman, 'La littérature juive intertestamentaire à la lumière d'un siècle de recherches et de découvertes', in R. Kuntzmann and J. Schlosser, eds., *Etudes sur le Judaïsme Hellénistique* (Paris, 1984), 19–39.

⁷⁰ On the continuation of Jewish Greek traditions into Byzantium, see S. Bowman, 'Jews in Byzantium', in S.T. Katz, ed., *The Cambridge History of Judaism*, vol. 4 (Cambridge, 2006), pp. 1050–51.

⁷¹ S. Stern, *Jewish Identity in Early Rabbinic Writings* (Leiden, 1994), pp. 199–223.

only Israel had not sinned. To abandon altogether their earlier beliefs might seem perverse, except in the case of those Jews (and there must have been some) who gave up altogether their faith in the power of the God of Israel to save his people. That Pharisees, Sadducees and Essenes were still the main philosophies of Judaism in the nineties CE was of course explicitly asserted by Josephus in the *Antiquities* and in his *Vita*, and there is no reason whatsoever to read his account of the present state of Judaism as an historical report on Jewish philosophies which had ceased to exist.⁷² In the Mishnah, R. Yose is reported in the mid second century as ruling (rather leniently) on the status of 'the daughters of the Sadducees,' although whether this reflected a current issue or just a theoretical problem is impossible to tell.⁷³ The rabbis were not interested in differentiating between different kinds of *minut*, a catch-all category which included any Jew whose ideas or behaviour were deemed potentially dangerous, through example, to a conscientious *talmid hakham* or his family, from incorrect wearing of tefillin,⁷⁴ and ritual slaughter of animals⁷⁵ to asserting that there is only one world (and thus no world to come)⁷⁶ and, through false evidence, deliberately misleading a rabbinic court when it tries to fix the calendar by the new moon.⁷⁷ It is perfectly possible that among the undifferentiated mass of 'bad' Jews to which the rabbinic texts darkly refer there were some who continued to think of themselves as Sadducees or Essenes: for the adherent of neither of these varieties of Judaism was it necessary for the Temple still to be standing for them to continue to interpret the Torah in the way they had done before 70, and in the case of the Sadducees, who were said to be positively boorish to each other,⁷⁸ it was not even necessary to be part of a wider group. It would be possible to be a Sadducee down to the end of antiquity, and

⁷² Note the use of the present tense about Jewish philosophies in Jos. *Bʿ* 2.119; *Aʿ* 18.12, 16, 18; *Vita* 10.

⁷³ *m. Niddah* 4:2.

⁷⁴ *m. Megillah* 4:8; on *minim* in early rabbinic thought more generally, see M. Goodman, 'The function of minim in early rabbinic Judaism', in H. Cancik, H. Lichtenberger and P. Schäfer, eds., *Geschichte—Tradition—Reflexion (Festschrift für Martin Hengel zum 70. Geburtstag)* (Tübingen, 1996), vol. 1, pp. 501–10 (= *idem*, *Judaism in the Roman World*, 163–173).

⁷⁵ *m. Hullin* 2:9.

⁷⁶ *m. Berachot* 9:5.

⁷⁷ *m. Rosh HaShanah* 2:1.

⁷⁸ Jos. *Bʿ* 2.166.

indeed beyond.⁷⁹ That this picture of the importance of *minut* differs from Shaye Cohen's claim, discussed at the beginning of this article, of a broad church within Judaism after 70 CE, should be clear.

How, then, did variety within Judaism relate to the Jerusalem Temple? The strong sense of group identity among members of the Qumran *yahad*, Essene communities, *talmidei hakhamim*, and early Jewish Christians seems clear (although the borders of the Pharisee community, let alone of the Sadducees, if there was indeed a Sadducee 'community' of any kind, are less certain), but group solidarity did not require separation from the shared (and biblically mandated) institution of the Temple. Later rabbis were to assert that 'causeless hatred' between Jews had led to the destruction of Jerusalem,⁸⁰ and the value placed by Josephus in *C. Apionem* on unity for its own sake⁸¹ may be read as a reaction to the disunity and faction fighting among the defenders of Jerusalem which came to the attention even of the Roman historian Tacitus.⁸² In one of the more high-flown speeches in Josephus' *Bj* put into his own mouth in his record of events in Jerusalem on 17th Tammuz in 70 CE, he quoted 'the records of the ancient prophets and that oracle which threatens this poor city and is even now coming true', that 'the city would be taken whenever someone begins to slaughter his own countrymen': 'God it is then, God himself, who with the Romans is bringing the fire to purge his Temple and exterminating a city so laden with pollutions'.⁸³ But the religious civil strife, with the mutual violence and sometimes slaughter which disfigured Christian history in late antiquity and beyond, was precisely not standard among Jews. On the contrary, the most striking aspect of Jewish religious history in this period is not violence but the continual theme of grumbling tolerance. Where Christian history has often been a Shakespearian tragedy, with dead bodies strewn across the stage in the final act, the history of Judaism has more resembled a

⁷⁹ For arguments in more detail, see M. Goodman, 'Sadducees and Essenes after 70 CE', in S.E. Porter, P. Joyce and D.E. Orton, eds., *Crossing the Boundaries: essays in biblical interpretation in honour of Michael D. Goulder* (Leiden, 1994), 347–56 (= *idem*, *Judaism in the Roman World*, 153–62).

⁸⁰ On 'causeless hatred' as the cause of the disaster, see *b.Yoma* 9b.

⁸¹ *Jos. C. Ap.* 2.179.

⁸² *Tac. Hist.* 5.12.3–4.

⁸³ *Jos. Bj* 6.108–10.

tragedy by Chekhov, with all the actors still alive and together at the end—but miserable.⁸⁴

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⁸⁴ This comparison between different types of tragic outcome I owe to a talk in Wolfson College, Oxford, by Amos Oz some time in the 1990s, with reference to the current conflict in the Middle East.

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THE 'SECTARIAN' CALENDAR OF QUMRAN

Sacha Stern

In their insularity and over-specialization, Qumran scholars have unwittingly mimicked their own object of study—I am probably not the first to have remarked this. But if Qumran Studies has become a sect within Biblical and Jewish Studies, scholars of Qumran calendars have become a sub-sect within it—probably because of the perceived complexity of the Qumran calendars and calendar texts. And yet this has not prevented Qumran scholars, and Jewish historians in general, from recognizing the centrality of the calendars to Qumran culture and more particularly to Qumran sectarianism. Already in the first decade of Qumran scholarship, Shemaryahu Talmon went as far as arguing that the calendar was one of the cornerstones of Qumran's sectarian schism.¹ This argument has been reiterated many times since, but perhaps not subjected to the same level of criticism as have been the other early Qumran theories (such as the Essene identification, the interpretation of the Qumran site, etc.). The purpose of this article is to reconsider whether the calendar of Qumran was itself sectarian, and to what extent it contributed to the sectarian identity of the Qumran community.

The scrolls discovered near Qumran, or at least a significant proportion of them, have traditionally been labelled as 'sectarian', but without much attention given to the meaning of this term.² This is not

¹ S. Talmon, 'Yom Hakippurim in the Habakkuk Scroll', *Biblica*, 32 (1951), 549–63 (= Talmon 1989: 186–99); *idem*, 'The Calendar of the Covenanters of the Judean Desert', in C. Rabin and Y. Yadin (eds.), *Aspects of the Dead Sea Scrolls, Scripta Hierosolymitana*, 4 (1958), 162–99 (= Talmon 1989: 147–85).

² More recently, scholars have been identifying Qumran texts as 'sectarian' and 'non-sectarian' on the basis of linguistic and literary features, without attempting to make any historical or sociological claim about the contents of these works, their authors, and their background. 'Sectarian' and 'non-sectarian' thus become purely literary categories, but the choice of these labels and their inherent meaning are not questioned or discussed. See D. Dimant, 'Sectarian and Non-Sectarian Texts from Qumran: The Pertinence and Usage of Taxonomy', *Revue de Qumran* 24/1 (2009), 7–18; F. Zanella, 'Sectarian' and 'Non-Sectarian' Texts: A Possible Semantic Approach', *ibid.*, 19–34.

the place to survey the various uses that have been made of this term in relation to the Dead Sea Scrolls, or of the various interpretations that have been assumed with regard to sectarianism in Qumran scholarship, although a survey of this kind would be quite instructive.³ The principal reason why texts such as the *Community Rule* and *Damascus Rule* have been identified as sectarian is perhaps their distinctive calls for separatism, insularity, and rejection of the outside world, which are commonly regarded as essential features of sectarian religious groups.⁴ These features will be treated in this present article as definitional of sectarianism, even if this definition is arbitrary and only reflects what I believe, without much evidence, to reflect a certain scholarly consensus.

Another reason why some Qumran sources have been labelled as sectarian is that their contents—halakhic, exegetical, ideological—appears original and differs from what is found elsewhere in ancient Judaism. This criterion, however, is highly problematic, because ancient Judaism is generally known—through its literature (biblical, apocryphal, pseudepigraphical, Hellenistic, early Christian, rabbinic, etc.) and through historical accounts (especially Josephus)—as varied, divided, and diversified. One should be reluctant to characterize the whole of ancient Judaism as ‘sectarian’ purely because Jews in the Hellenistic and early Roman periods frequently disagreed on the interpretation of the Bible and specific laws: rarely does one find evidence, indeed, that differences of opinion or practice among various Jewish groups were associated with the other ‘sectarian’ features enumerated above, i.e. insularity and rejection of the outside world. In this light, the original, peculiar aspects of Qumran literature in terms of ideology, biblical interpretations, and religious teachings cannot be regarded *ipso facto* as sectarian. In this article, I shall argue the same regarding the calendar of Qumran: although its structure differed radically from that of other, contemporary Jewish calendars, the assumption that this difference was ‘sectarian’ or the foundation of Qumran sectarianism remains entirely to be justified.

³ Seminal studies of ‘sectarianism’ in the Qumran context are A.I. Baumgarten, *The Flourishing of Jewish Sects in the Maccabean Era: an Interpretation*, Leiden: Brill, 1997, and more recently D. Chalcrafft (ed.), *Sectarianism in Early Judaism: Sociological Advances*, London: Equinox, 2007.

⁴ D. Chalcrafft, ‘Towards a Weberian sociology of the Qumran sects’, in Chalcrafft (ed.) 2007: 74–105.

It is not my intention, in this paper, to present the Qumran calendars in any technical detail. Suffice it to say that there is no single 'Qumran calendar'—a variety of schemes and synchronisms are represented in the sources, each with their own level of detail and complexity—but that Qumran calendars can almost all be reduced to a single, common denominator: the 364-day year. This calendar is attested in the books of Enoch and Jubilees and in Qumran calendar sources, as well as in many other Qumran sources that imply it (all dating from the 3rd century BCE–1st century CE). The 364-day calendar is a completely fixed scheme; its advantages are simplicity and regularity, as well as some useful properties (such as being dividable in seven, so that the year equals exactly 52 weeks, and the New Year and festivals always occur on the same days of the week).⁵ The calendar texts from Qumran, mostly dating from the 1st century BCE, lay out this calendar and its derivative cycles in exceptional detail, and constitute a literary genre in its own right. These texts are often extant in multiple copies, and demonstrate that calendars at Qumran were far from a peripheral concern.

Although the 364-day year is, in itself, relatively simple, in Qumran sources it is almost invariably synchronized with other calendar schemes including lunar calendars, priestly courses, and sometimes sabbatical and jubilee cycles, which leads to the construction of complex calendars arranged in 6-year cycles or—in the case of the *Otot* text—a grand cycle of 294 years.⁶ Modern scholarship has not sufficiently recognized (if at all) that the complexity and sophistication of these cycles far exceeds whatever had been composed and designed until then throughout the ancient world—even within the great, astronomically-minded civilizations of Babylonia and Egypt, or even

⁵ For introductions to the 364-day calendar and Qumran calendar texts, see J.C. VanderKam, *Calendars in the Dead Sea Scrolls: Measuring Time*, London: Routledge, 1998; U. Glessmer, 'Calendars in the Qumran Scrolls', in P. Flint and J.C. VanderKam (eds.), *The Dead Sea Scrolls after Fifty Years. A Comprehensive Assessment* (2 vols.), Leiden: Brill, 1999, ii, 213–78; and S. Stern, 'Qumran calendars and sectarianism', in T. Lim and J.J. Collins (eds.), *The Oxford Handbook of the Dead Sea Scrolls*, Oxford: Oxford University Press, 2010, 232–53. For a recent survey of scholarship, see J. Ben-Dov and S. Saulnier, 'Qumran calendars: a survey of scholarship 1980–2007', *Currents in Biblical Research*, 7 (2008), 131–79.

⁶ The main calendrical texts from Qumran are 4Q319–30, 4Q337, and 4Q394 1–2 (= 4Q327), published in S. Talmon, J. Ben-Dov, and U. Glessmer, *Discoveries in the Judaean Desert*, vol. 21: *Qumran Cave 4 (XVI). Calendrical Texts*, Oxford: Clarendon Press, 2001 (henceforth *DJD* 21).

by comparison with the complex Greek ‘astronomical calendars’ of the Hellenistic period. Within the Jewish tradition, likewise, the complexity and sophistication of the Qumran calendar and calendar texts was not to be rivalled until the redaction of Jewish calendar monographs in the later Middle Ages. The unique position of Qumran within the general history of calendars in Antiquity raises, above all, important questions about Qumran itself: why and how should sophisticated calendars have been designed and promoted in a community that was not otherwise renowned for either astronomical or mathematical expertise? Moreover—and more directly relevant to the subject of this article—can one legitimately identify as ‘sectarian’, and thus by implication insular and marginal, a set of calendars that necessarily depended on at least a modicum of scientific knowledge that must have been borrowed from surrounding cultures and society?⁷

The Qumran Calendar and Social Reality

It is largely recognized that in the period under study, most Jews in Judaea and elsewhere did not follow the 364-day calendar, but used instead a lunar calendar. This lunar calendar was Babylonian in origin, and standard among all peoples of the ancient Near East. It had originally served as official, imperial calendar in the great empires of the Near East (Assyrian, Babylonian, Persian Achaemenid, and Seleucid), and was maintained, with only slight local variations, throughout the kingdoms and city-states of the post-Seleucid Near East.⁸ Evidence of its use in Judaea or by Jews goes back to the post-exilic, late biblical accounts of the Achaemenid period (e.g. the books of Zechariah, Ezra, and Esther). That a Babylonian-type calendar was still used by the Hasmonaean and Herodian dynasties, as it was in other post-Seleucid states, is almost beyond doubt; the evidence is limited, but there is no reason to believe otherwise. Babylonian month names, indeed, are well attested throughout this period in Judaea, and have remained in

⁷ The astronomical, solar and lunar schemes assumed in the book of Enoch and some Qumran texts are most probably of Mesopotamian origin: see J. Ben-Dov, *Head of All Years. Astronomy and Calendars at Qumran in their Ancient Context* (STDJ 78), Leiden: Brill, 2008.

⁸ See Chapter 5 of my forthcoming *Calendars in Antiquity*. In the Seleucid and post-Seleucid periods, the Macedonian calendar—largely assimilated to the Babylonian calendar—was also used throughout this region.

use among the Jews until today. Several dates in Josephus, in inscriptions, and in documentary sources from this period confirm that the Judaean calendar was lunar, and that its months were generally in line with those of the Babylonian calendar.⁹

In Hasmonaean, Herodian, and early Roman Judaea, the lunar calendar was used not only for public, official purposes, but also determined the dates of the festivals (as it did in the Jewish Diaspora—for which there is also evidence), and thus must have regulated the Jerusalem Temple cult. It was largely empirical and irregular, as its months were based on sightings of the new moon, and its year length varied from twelve to thirteen lunar months. It thus differed from the 364-day calendar in terms of its structure (month and year lengths) as well as in its inherent flexibility and unpredictability—in contrast to the 364-day scheme which, as we have seen, was completely rigid and fixed. In Qumran calendar sources, in contrast, the festivals are consistently and only dated according to the 364-day calendar.

Before discussing whether the observance of a different calendar by a minority group such as 'the Qumran community' would have determined it as marginal, dissident, and even perhaps sectarian, we need first to establish whether this calendar was ever used in practice, or intended for practical use, by any Judaean community. If, instead, this calendar was never more than a literary tradition preserved in the Dead Sea Scrolls—a possibility that deserves serious consideration—its role in shaping the sectarian identity of its proponents is likely to have been limited.¹⁰

⁹ S. Stern, *Calendar and Community. A History of the Jewish Calendar, 2nd century BCE–10th century CE*, Oxford: Oxford University Press, 2001, 27–31, 55–62.

¹⁰ The much debated question of the origins of the 364-day calendar is of limited relevance to this article, as we are only concerned with the situation at the time when the Qumran scrolls were produced and when the Qumran community putatively existed. I would agree with Ben-Dov's (2008: 2) assumption that the 364-day calendar is unlikely to pre-date its earliest attestation, which is in the book of Enoch (not earlier than 3rd century BCE). The theory of A. Jaubert (*La Date de la Cène*, Paris: Gabalda, 1957) that the 364-day calendar was an ancient Israelite, priestly calendar which regulated the cult of the Jerusalem Temple in the Persian and Hellenistic eras and was assumed in the late priestly narratives of the Hebrew Bible, is still espoused by some (e.g. VanderKam 1998: 54–58) but has been convincingly refuted on more than one count: see in particular P.R. Davies, 'Calendrical Change and Qumran Origins: an Assessment of VanderKam's Theory', *Catholic Biblical Quarterly*, 45 (1983), 80–89; B.Z. Wacholder and S. Wacholder, 'Patterns of Biblical Dates and Qumran's Calendar: the Fallacy of Jaubert's Hypothesis', *Hebrew Union College Annual*, 66 (1995), 1–40; and my forthcoming *Calendars in Antiquity*, ch. 4.

The reason why this question needs to be raised is the 364-day calendar's inherent impracticality: since its year length is $1\frac{1}{4}$ day shorter than the solar or seasonal year (of approximately $365\frac{1}{4}$ days), this calendar does not agree with the seasons, or indeed with any other real-life empirical phenomena. Consequently, the observance of the 364-day year over a protracted period would have caused the Biblical festivals to occur progressively earlier (at a rate of $1\frac{1}{4}$ day per annum, or over one month per 25 years, within an individual's lifetime) and hence in the wrong agricultural seasons, e.g. Passover in the winter, etc. It seems unlikely that any Jews would have tolerated this violation of Mosaic Law: even in the Qumran scrolls, where the 364-day calendar is prominent, the seasonal and agricultural significance of the Biblical and other festivals is emphasized and apparently treated as important.¹¹

Some have been led to conclude, therefore, that if the 364-day calendar was ever followed in practice, it would have been abandoned early on, as soon as these discrepancies became excessive.¹² Others have argued that the 364-day calendar could have been adjusted through regular or occasional intercalations (and they suggest various ways how this could have been done); however, this hypothesis is inherently unlikely, as any intercalation would have entailed considerable disruption to the highly structured 6-year cycle, and it is not supported by any textual evidence.¹³

¹¹ Note in particular the non-Biblical, agricultural festivals of the wine and oil harvests (described in detail in the Temple Scroll cols. 17–29, and included in the calendrical texts). The agricultural significance of festivals is also emphasized in liturgical texts (e.g. 4Q509: the 'first fruits' festival, i.e. *Shavuot*), and agricultural seasons are mentioned in the context of festivals in the *Community Rule* (1QS 10:7–8). Note also Jubilees 6:21 (and parallel in Temple Scroll 19:9): 'it is the festival of weeks and it is the festival of first fruits. This feast is twofold and of two kinds' (VanderKam transl., below in note 32).

¹² R.T. Beckwith, 'The Essene Calendar and the Moon: a Reconsideration', *Revue de Qumran*, 15 (1992), 457–66.

¹³ For a summary of the various intercalation models that have been suggested, see R.T. Beckwith, 'The Modern Attempt to Reconcile the Qumran Calendar with the True Solar Year', *Revue de Qumran*, 7 (1970), 379–96; for a more recent model—still purely hypothetical—see U. Glessmer, 'The Otot-Texts (4Q319) and the Problem of Intercalations in the Context of the 364-Day Calendar', in H.J. Fabry, A. Lange, and H. Lichtenberger (eds.), *Qumranstudien: Vorträge und Beiträge der Teilnehmer des Qumranseminars auf dem internationalen Treffen der Society of Biblical Literature, Münster, 25–26 Juli 1993*, Schriften des Institutum Judaicum Delitzschianum 4, Göttingen: Vandenhoeck & Ruprecht, 1996, 125–64. For a refutation of this hypothesis, see Wacholder and Wacholder 1995: 28–29, 36–37; *DJD* 21, 2001, 210–11, and Ben-Dov 2008: 18–20. On A. Jellinek's interesting suggestion that the original, Hebrew text of Jubilees 6:31 and 33 may have been a prohibition on intercalation of the 364-day calendar, see VanderKam 1989 (below in note 32): 42 nn.

Others still have argued that the discrepancy between the 364-day calendar and the seasons would have found some sort of justification from a passage in *Enoch* (80:2–8), which says that in the days of sinners the years shall be shortened, so that rain and vegetation will come 'late'. According to this passage, the discrepancy is not due to a fault in the calendar, but rather a fault of the seasons (disrupted by human sin). Such a perspective may have justified the observance of a calendar that was falling behind the seasons.¹⁴

Alternatively, it has been proposed that the 364-day calendar may have been no more than a theoretical model, which was never applied by anyone in practice (or indeed intended for this purpose), but constituted rather a purely literary tradition. In the book of *Enoch*, where it is first attested, the 364-day calendar certainly appears as a purely theoretical, astronomical calendar: its context is an account of the courses of the sun and moon, and no mention is made of any other possible calendar use (such as the dating of festivals).¹⁵ Dates of festivals are prominent, in contrast, in Qumran calendar texts; but the 364-day calendar may still have been intended as the representation of some cosmological (or eschatological?) ideal where solar years, lunar months, priestly weeks, and liturgical days would combine in perfect harmony. Many scholars have noted the ideological implications that the Qumran calendar may have been invested with. It has thus been described as a 'sacred time-scheme from *Urzeit* to *Endzeit*',¹⁶ an expression of 'the theological and ideological conviction that the courses of the luminaries and the cycles of festivals and priestly duties operate in a cosmic harmony imposed upon them by the creator God himself';¹⁷ some have even suggested that the measure of time, with the use of synchronistic calendars, was treated at Qumran as a religious act. These interpretations, it should be emphasized, are speculative because the sources do not provide much more than the calendars themselves. But if the Qumran calendar was invested with ideological meaning, it becomes

¹⁴ Beckwith 1970: 392–95, followed by Wacholder and Wacholder, *ibid.*; but this is only one possible interpretation of this *Enoch* passage, which may be referring, in fact, to a 360-day calendar.

¹⁵ 1 *Enoch* 72–82. On *Enoch's* calendar as theoretical or ideal, see J.T. Milik, *The Books of Enoch: Aramaic Fragments of Qumran Cave 4*, Oxford: Oxford University Press, 1976, 14 and 277; Stern 2001: 7, 14–16.

¹⁶ Wacholder and Wacholder 1995: 37; *DJD* 21 2001: 9.

¹⁷ VanderKam 1998: 112. See further details on this whole section in Stern, forthcoming.

more conceivable to regard it as a theoretical model or an ideal, rather than as a calendar intended in real life for practical, liturgical use.

These various approaches, however, are all inconclusive, and it is therefore impossible to establish whether the 364-day calendar was used in practice, and if so by whom, when, and under what conditions. Whether we attribute this calendar to a social, historical community or only to a literary tradition will have a significant impact on its interpretation as 'sectarian'. Nevertheless, its complete divergence from the Babylonian-type lunar calendar that was dominant in Judaea, in the Jewish Diaspora, and throughout the Near East may be sufficient to regard it in a certain sense as sectarian and separatist, even if only intended as a speculative ideal.¹⁸

Calendar Polemics in Sectarian Qumran Sources

Separatism, insularity, and rejection of the outside world, which I have taken above as essential features of sectarianism, often find expression in polemics directed against the outside world. Polemics are well represented in Qumran literature, especially in sources identified as sectarian (including for example 4QMMT and, allegorically, the War Rule), and are often treated themselves as indicative of a sectarian stance. Polemics about the calendar could thus be taken as evidence of the calendar as a sectarian issue—a proposition that I shall now probe.

Ever since the beginnings of Qumran scholarship, polemical references to the calendar—contrasting the Qumran, 364-day scheme to the lunar calendar of mainstream Jewish society—have been read into a number of texts identified more generally as sectarian, especially the Damascus Rule, the Community Rule, and the Habakkuk Peshier. These passages have been routinely invoked as evidence that the calendar and the way it was reckoned formed an important part of the 'Qumran community's' sectarian identity. On close inspection, however, it emerges that most of these readings—if not all—are

¹⁸ There is no good reason to surmise that the 364-day calendar was reserved for cultic purposes and the mainstream lunar calendar for 'civil' purposes (cf Jaubert 1957: 156–57 and 35, note), even though it is likely that if a 'Qumran community' followed the 364-day calendar, in its commercial dealings with outsiders the lunar calendar must have been used.

over-interpretations and sometimes even, quite frankly, misinterpretations. This tendentious reading of the sources, I shall argue, has been determined in a rather circular way by the assumption that the calendar must have been at the root of Qumran sectarianism.

Let us begin with the Damascus Rule, where God is said to have revealed to the 'remnant of Israel' the Sabbaths and festivals in which the rest of Israel had gone astray (CD 3:13–15), and where God enjoins the observance of the Sabbath and the festivals as according to the findings of the New Covenant (CD 6:18–19). The common interpretation is that these passages refer to the calendar dates of these festivals, and intimate that the rest of Israel have gone astray with the observance of the wrong calendar.¹⁹ In actual fact, however, these passages make no reference to calendars or dates, and are far more likely referring to the festivals themselves and the way they are observed (in terms of ritual, acts of worship, prohibitions, etc.):

Damascus Rule, CD 3:12–16²⁰

ובמחזיקים במצות אל	<i>vacat</i>	12
אשר נותרו מהם הקים אל את בריתו לישראל עד עולם לגלות		13
להם נסתרות אשר תעו במ כל ישראל	<i>vacat</i>	14
שבחות קדשו ומועדי		15
כבודו עידות צדקו ודרכי אמתו וחפצי רצונו אשר יעשה		16
האדם וחיה בהם	<i>vacat</i>	פתח לפניהם

And with the remnant who adhered to the commandments of God, God established his covenant with Israel forever, to reveal to them hidden matters in which all Israel had gone astray. His Sabbaths of holiness and his festivals of glory, his testimonies of righteousness, his ways of truth, and the desires of his will, which man shall perform and live therein—he opened before them.

The opposition between the remnant who adhered to God's commandments and the rest of Israel who had gone astray is sufficient to mark out this passage as polemical. But is the 364-day calendar at stake here? It is perhaps debatable whether the 'holy Sabbaths and glorious festivals' correspond to the 'hidden matters in which all Israel had gone astray' of the previous sentence, especially as both sentences are separated by an empty space (*vacat* on line 14—though judging by

¹⁹ Talmon 1958 = 1989: 151, VanderKam 1998: 48. This interpretation also finds its way into the standard textbook of G. Vermes, *The Complete Dead Sea Scrolls in English*, London: Penguin Press, 1997, 78.

²⁰ Text citations of CD are from E. Qimron, 'The text of CDC', in M. Broshi (ed.), *The Damascus Document Reconsidered*, Jerusalem: Israel Museum, 1992, 9–49.

the next *vacat* in line 16, this is not necessarily a sentence breaker). In any event, the calendar or dates of the Sabbaths and festivals are not mentioned in this whole passage. If all Israel ‘going astray in hidden matters’ refers to anything specific, it is most likely not the calendar, but rather the laws of Sabbath and festival observance—cult, worship, prohibited works—that are outlined elsewhere in the Damascus Rule.

The same applies to the next passage, which begins with a polemical call on those of the covenant to separate from the people of the pit, from the wealth of wickedness, from the wealth of the Temple, from theft and impurity (ll.11–18), and then goes on:

Damascus Rule, CD 6:18–19

18 ולשמור את יום השבת כפרושה ואת המועדות
19 ואת יום התענית כמצאת באי הברית החדשה בארץ דמשק

And to observe the day of the Sabbath in its detail and the festivals and the day of fast as according to the findings of the joiners of the new covenant in the land of Damascus.

Again, there is no mention here of dates or calendar.

A further passage in the Damascus Rule is often said to prescribe observance of the calendar that is ‘strictly defined in the book of Jubilees’, in other words, the 364-day calendar.²¹ On inspection of the text, however, it is evident that the passage says nothing of the sort:

Damascus Rule, CD 16:2–4 (= 4Q270 frg. 6, 2:17, 4Q271 frg 4, 2:5)

2 vacat ופרוש קציהם לעורון
3 ישראל מכל אלה הנה הוא מדוקדק על ספר מחלקות העתים
4 ליובליהם ובשבועותיהם

And as to the determination of all these periods of blindness of Israel, behold, it is strictly defined in the book of *The Divisions of Times into Jubilees and Weeks*.

The title that is given here, in all likelihood, to the book that we call ‘Jubilees’, suggests a particular interest in the division of time into periods of fifty years (jubilees) and seven years (‘weeks’), which indeed is one of the themes of the book of Jubilees; but there is no hint at its calendar of 364 days. Further, and more importantly still, the Damascus Rule is referring to Jubilees for the determination of the ‘periods

²¹ Talmon 1958 = 1989: 161, Vermes 1997: 41, VanderKam 1998: 47–8, followed by Stern 2001: 12.

of the blindness of Israel'—i.e. certain periods (in the past or future) of Israel's history; this has nothing to do with the calendar or the dates of festivals. This passage is about long-term chronology, not about the annual calendar.²²

A clearer reference to the calendar appears in a short passage of the Community Rule, in which the various Hebrew words for 'times' mean, in all likelihood, specific calendar dates such as those of festivals:

Community Rule, 1QS 1:13–15

ולא לצעוד בכול אחד
מכול דברי אל בקציהם ולוא לקדם עתיהם ולוא להתאחר
מכול מועדיהם

They shall not step away from any of the words of God concerning their times, they shall neither advance their times, nor postpone any of their appointed times.

This passage may be read again as a polemical statement, but it only means that the calendar must be *accurately* reckoned. Any Jew, even a lunar calendar user, could have made this statement in this period, and it could have been addressed to the users of a same calendar.²³ Contrary to the common interpretation,²⁴ this passage does not imply in any way competing calendar systems such as lunar versus 364-day.

The text most frequently cited as 'evidence' of calendar polemics, and hence by implication of calendar sectarianism, at Qumran is Habakkuk Peshier (11: 2–8). This text, undoubtedly polemical, refers generally to the Wicked Priest's persecution of the Teacher of Righteousness, and then goes on:

Peshier Habakkuk 11:6–8

...ובקץ מועד מנוחת
יום הכפורים הופיע אליהם לבלעם
ולכשילם ביום צום שבת מנוחתם

²² So correctly J.M. Baumgarten, *Discoveries in the Judaean Desert*, vol. 18. *The Damascus Document (Qumran Cave 4 XIII)*, Oxford: Clarendon Press (1996), 156–57, 178–79.

²³ As is probably the case in b.Berakhot 28a and Targum Jonathan to Zeph. 3: 18, on those who 'delayed the times of the festivals'.

²⁴ E. Qimron and J.H. Charlesworth, 'Rule of the Community', in J.H. Charlesworth (ed.), *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations*. Vol. 1: *Rule of the Community and Related Documents*, Tübingen: Mohr Siebeck, 1994, 1–51, on p. 7 n. 16, from where my Hebrew text is cited; cf Talmon 1958 = 1989: 151, VanderKam 1998: 45–46.

And at the time of the festival of rest of the Day of Atonement, he [the Wicked Priest] appeared to them to consume them and cause them to stumble, on the day of fast, their Sabbath of rest.²⁵

From the earliest days of Qumran scholarship, this passage has been taken to mean that Wicked Priest and Teacher of Righteousness observed the Day of Atonement on different dates, that this difference was due to the Teacher's use of the sectarian, 364-day calendar, and that the Wicked Priest deliberately exploited this difference by desecrating his opponent's day.²⁶ This interpretation has rarely been seriously challenged;²⁷ and yet, it is obvious that many other interpretations are equally possible:

1. The Wicked Priest is not said, in this passage, to be using a different calendar or observing the Day of Atonement on a different (and therefore 'wrong') date. He is only accused of *desecrating* the day of rest: for although his 'appearance' before the Teacher and his followers would not have been, in itself, a forbidden act,²⁸ the Pesher clearly implies that his choice of the Day of Atonement to 'consume' the Teacher and his followers and 'cause them to stumble'—whatever this exactly means—constituted a form of desecration. The possessive 'their' at the end of the passage, 'their Sabbath of rest', means that only the Teacher and his followers observed it, but not the Wicked Priest. It does not necessarily mean, however, that the Wicked Priest reckoned and observed the Day of Atonement on another day.²⁹

²⁵ Alternative translations may be: 'And at the *end* of the festival of rest of the Day of Atonement...on the day of fast, the Sabbath of *their* rest' (or again: '...on *their* day of fast, the Sabbath of rest'); see B. Nitsan, *Pesher Habakkuk*, Jerusalem: Bialik Institute, 1986 [Hebrew], 190–91, from where my Hebrew text is cited; Vermes 1997: 484.

²⁶ This interpretation was laid down in two seminal articles by Talmon, to which I shall return below: Talmon 1951 (*passim*) and 1958 = 1989: 152–53.

²⁷ It is followed entirely by Nitsan 1986: 135–6, 190–1, and VanderKam 1998: 44–45. Even a revisionist like M.L. Grossman (*Reading for History in the Damascus Document*, Leiden: Brill, 2002, 85–86) only questions the historicity of the story, but accepts in all other ways this now traditional interpretation, as well as the assumption that the CD passages referred to above demonstrate that the calendar was a sectarian issue.

²⁸ It might have been considered a forbidden act if the Priest had travelled on that day, for example, from Jerusalem to the Qumran village, insofar as CD 10: 20 prohibits journeys on the Sabbath of more than a thousand cubits; yet there is no indication, in this passage, that such a journey was made.

²⁹ As Talmon (both 1951 and 1958 = 1989: 152–53) interpreted the possessive, using it as a cornerstone to his argument (an interpretation followed also by Nitsan 1986). If the Wicked Priest represents, as is commonly interpreted, the Jerusalem High Priest, then on the Day of Atonement one might have expected him to attend the

2. Even if the Wicked Priest reckoned the Day of Atonement on another day, this would not necessarily mean that the Wicked Priest and the Teacher of Righteousness used fundamentally different calendars. They could both have been using, for example, the same lunar calendar based on sightings of the new moon, but on this occasion happened to have sighted the new moon on different days. Such a scenario was extremely common in the ancient world, among Jews as well others who used lunar calendars, and this often led to discrepancies in the way the lunar calendars were reckoned.³⁰
3. Even if the Teacher did reckon a fundamentally different, 364-day calendar, this would still not be the polemical issue in this passage. The main issue in this passage is the Wicked Priest's persecution of the Teacher. There is no indication that had the Priest not made his vexatious appearance on the Day of Atonement, the difference of calendars—if indeed there was one—would have been *in itself* the object of a polemical dispute.

We are thus left, in conclusion, with very little evidence to support the popular perception that the calendar, and more specifically the contrast between the mainstream lunar calendar and Qumran's 364-day scheme, was the object of polemics in Qumran sectarian sources.

Temple and conduct the sacrificial ritual of the day, and not to be attacking his foes elsewhere; however, the historical implausibility of this narrative does not matter much if we regard the Peshar as a polemical and edifying tale, rather than as a factual and 'true' historical account (on whether *peshar* and other Qumran texts should be read as 'historical' narratives, see Grossman 2002).

³⁰ See Stern 2001, and for the broader context, my forthcoming *Calendars in Antiquity*. A discrepancy between lunar calendars could also have arisen from the intercalation of a thirteen month at different times. A similar (though unrelated) story that is frequently quoted in this context, and that clearly inspired the common interpretation of the Peshar Habakkuk passage (e.g. Talmon (both 1951 and 1958 = 1989), Vermes 1997:79, Grossman 2002) is found in the Mishnah (m.Rosh Ha-Shanah 2: 9): two rabbis disagreed as to whether the new moon had been seen, and consequently, as to when the Day of Atonement should be observed; R. Yehoshua was forced to submit to R. Gamaliel, and to publicly desecrate the day that he had reckoned as the fast. But this story illustrates, if anything, the way disagreements could arise even within the same calendrical tradition (this significant point was missed by Talmon and his successors). Another rabbinic source, equally relevant though never quoted in this context, is in the Babylonian Talmud (b.Rosh Ha-Shanah 21a; see Stern 2001: 245), where we are told of occurrences when the Jews of Babylonia observed the Day of Atonement on the 'wrong' day, even though their calendar was in principle the same.

Calendar Polemics in Jubilees

The only ancient text where, in an unambiguous way, the 364-day calendar is polemically contrasted to the lunar calendar is Jubilees. To cite the key passage in full:³¹

Jubilees 6:30–8

- 30 All the days of the commandment will be 52 weeks of days; (they will make) the entire year complete.
- 31 So it has been engraved and ordained on the heavenly tablets. One is not allowed to transgress a single year, year by year.
- 32 Now you command the Israelites to keep the years in this number—364 days. Then the year will be complete and it will not disturb its time from its days or from its festivals because everything will happen in harmony with their testimony. They will neither omit a day nor disturb a festival.
- 33 If they transgress and do not celebrate them in accord with his command, then all of them will disturb their times. The years will be moved from this; they will disturb the times and the years will be moved. They will transgress their prescribed pattern.
- 34 All the Israelites will forget and will not find the way of the years. They will forget the first of the month, the season, and the sabbath; they will err with respect to the entire prescribed pattern of the years.
- 35 For I know and from now on I will inform you—not from my own mind because this is the way the book is written in front of me, and the divisions of time are ordained on the heavenly tablets, lest they forget the covenantal festivals and walk in the festivals of the nations, after their error and after their ignorance.
- 36 There will be people who carefully observe the moon with lunar observations because it is corrupt (with respect to) the seasons and is early from year to year by ten days.
- 37 Therefore years will come about for them when they will disturb (the year) and make a day of testimony something worthless and a profane day a festival. Everyone will join together both holy days with the profane and the profane day with the holy day, for they they will err regarding the months, the sabbaths, the festivals, and the jubilee.
- 38 For this reason I am commanding you and testifying to you that you may testify to them because after your death your children will disturb (it) so that they do not make the year (consist of) 364 days only. Therefore, they will err regarding the first of the month, the season, the sabbath, and the festivals.

³¹ This translation is from J.C. VanderKam, *The Book of Jubilees* (CSCO 510–511, *Scriptores Aethiopici* 88), 2 vols., Leuven: Peeters, 1989, ii. 42–43.

After referring to the 364-day calendar and emphasizing the need for its exact observance (31–2), the passage repeatedly warns that any deviation from this calendar would lead to the disruption of the years, months, Sabbaths, and seasons (33–4) and to the celebration of the Sabbaths, new moons (i.e. beginnings of months), and festivals on the wrong days (37–8). The narrator predicts that after Moses' death (38; cf. Jub. 1:14) the Israelites will forsake the 364-day calendar and observe instead a lunar calendar, and thus 'forget the feasts of the covenant and walk according to the feasts of the nations' (35). This passage of Jubilees implies quite clearly that in the 2nd century BCE, when the work is thought to have been composed, the dominant calendar among the Jews was lunar, even though the author favours against it a 364-day calendar. This passage also reveals that the calendar could be the object of polemical disputes among Judaeans, even if, as we have seen, this is not reflected in the Qumran sources.³²

It is probably this passage, in fact, that has conditioned modern scholars to read calendar polemics into the Qumran sources. Thus a polemical passage in the Hosea Peshier which seems to condemn those who cause to 'walk in festivals of the nations' has been associated with the same phrase in Jubilees 6: 35 (see above), and hence interpreted as a reference to the observance of (Jewish) festivals on the wrong dates.³³

Peshier Hosea (4Q166) 2:14–16

והשבתי כול משושה...
 ח[גה חד]שה ושבתה וכול מועדיה פשרו אשר
 [עדות יוליכו במועדי הגואים]
 [נהפכה להם לאבל]

³² The principal objection, in this passage, to a calendar based on observations of the moon is that in a lunar calendar, the year is ten days too short (36). The prohibition on adjourning Passover 'from day to day' and 'from month to month' in Jub. 49: 7–8 and 14 may be interpreted as a further objection to the lunar calendar, namely the celebration of Passover on varying weekdays (as opposed to the 364-day calendar, where the festival occurs always on Wednesday) and the postponement of the festival by one month when, in the lunar calendar, there is an intercalation. See U. Glessmer, 'Explizite Aussagen über kalendarische Konflikte im Jubiläenbuch: Jub 6,22–32.33–38', in M. Albani, J. Frey, and A. Lange (eds.), *Studies in the Book of Jubilees*, Tübingen: Mohr Siebeck, 1997, 127–64.

³³ M.J. Bernstein, "'Walking in the festivals of the gentiles": 4QpHosea^a2.15–17 and Jubilees 6.34–38', *Journal for the Study of Pseudepigrapha*, 9 (1991), 21–34, in an otherwise excellent study of this text (from where my text is cited). More briefly Vermes 1997: 78. But see the reservations of A.I. Baumgarten 1997: 85–86, n. 17 (above in note 3).

‘And I shall cause all her joy to cease, her festivals, her new moons, her sabbaths, and all her appointed times’ (Hosea 2:13)—its interpretation (*peshet*) is that... they will make walk in the festivals of the nations... has been turned for them into mourning.

On its own, however, this Hosea Peshet passage is much more simply interpreted as condemning the observance of pagan, non-Jewish festivals. Indeed, this may also be the meaning of the phrase in Jubilees 6: 35 itself. But even if we insist on interpreting Jubilees 6: 35, because of the context of the passage as a whole, as referring to the observance of Jewish festivals on the wrong dates, this parallel is far less significant to the Hosea Peshet than has been made out. As is known from all literatures, stock phrases can often be shared from one work to the next but in totally different contexts and with very different meanings. There is thus no good reason to read calendar polemics in the Hosea Peshet.

A few scholars have argued that the book of Jubilees, with its unique, explicit calendar polemics, stands far apart from Qumran literature and perhaps should be dissociated from it.³⁴ Although more than a dozen copies of the book are attested at Qumran, which may be taken as an indication of esteem and justify in a certain sense the inclusion of Jubilees within the Qumran ‘corpus’, the attribution of the book to a ‘Qumran authorship’ remains debatable.³⁵ To what extent the calendar polemics in Jubilees reflect what a Qumran community might have done or thought is difficult, therefore, to ascertain.

Calendars and Qumran Sectarianism

We now return to the question of the significance of calendars to Qumran sectarianism. As stated in the introduction, the calendar at Qumran was clearly different from the mainstream Jewish lunar calendars; but whether this difference should be interpreted as ‘sectarian’ remains to be justified. Indeed, Jews from the Hasmonaean to early

³⁴ J.M. Baumgarten, ‘The Calendar of the Book of Jubilees and the Temple Scroll’, *Vetus Testamentum*, 37 (1987), 71–78. The strong anti-lunar stance of Jubilees is another significant difference from the Qumran calendar sources, where lunar elements are regularly included (see Glessner 1997: 145–58).

³⁵ The relevant passages from Jub. 6 are not attested in any of the Qumran fragments, but this is obviously of no particular significance.

Roman periods frequently disagreed on matters of religious practice, but these disagreements did not necessarily mark them out as separatist groups or 'sects'. The question is, therefore, whether observance of festivals on the same dates was considered essential in ancient Judaism (as it later became in rabbinic Judaism),³⁶ so as to make calendar diversity a significant threat to Jewish social and religious cohesion. The absence of calendar polemics in Qumran sources raises our suspicion that calendar difference was not regarded as a major social issue, and hence that the 364-day calendar would not have defined the Qumran community as essentially separatist or different. However, the formation and maintenance of a separatist, sectarian identity is not necessarily dependent on polemics against the outside world; so the possible relationship between the 364-day calendar and Qumran sectarianism needs now to be probed further.

As stated earlier, Shemaryahu Talmon was the first to argue (in 1951 and 1958) that the 364-day calendar was one of the main cornerstones of Qumran's sectarian schism, and his theory has rarely been challenged since.³⁷ Talmon reiterates it in the *DJD* volume on calendars, where he writes: 'the [calendar] difference caused the members of the community to abstain from participation in the Temple cult', and again:

The discrepancies between the solar and lunar calendrical schedules inevitably undermined the social order and communal life of Judaism at the height of the Second Temple period, and effected an unbridgeable gap between the "Community of the Renewed Covenant" and its opponents. It may be said that the calendar controversy was a major cause, possibly the *causa causans* of the *Yahad's* separation from mainstream Judaism. (*DJD* 21: 3, 6)

The argument was presented more fully in his article of 1958, where he emphasized, quite plausibly, that reasons for the schism should be sought in the 'sphere of action' (i.e. religious practices) rather than of ideas, but then went on:

³⁶ Stern 2001: 241–47, where I argue that this was a peculiarity of rabbinic Judaism.

³⁷ It is endorsed for example by VanderKam 1998: 113–16, with an elaborate historical narrative (concededly hypothetical) to go with it. Davies (1983: 85, above in note 11) and A.I. Baumgarten (1997: 78, 109) are alone, to my knowledge, in having challenged it.

No barrier appears to be more substantial and fraught with heavier consequences than differences in calendar calculation, to quote the French sociologist E. Durkheim, since a common calendar “expresses the rhythm of collective activities”. An alteration of any one of the dates that regulate the course of the year inevitably produces a breakup of communal life, impairing the coordination between the behaviour of man and his fellow, and abolishes that synchronization of habits and activities which is the foundation of a properly functioning social order.³⁸

The appeal to Durkheim is particularly suited to Talmon’s argument, since (to simplify somewhat) Durkheim assumed collective cohesion or ‘solidarity’ to be essential to society, and breach of this cohesion to be anomalous and problematic. But in our post-modern age of global but plural, often fractured multi-culturalism, this simplified view of Durkheim’s notion of solidarity has become rather outdated: we now tend to assume that societies can thrive on internal, irreconcilable divisions and differences.³⁹ Although a common calendar expresses, no doubt, the rhythm of collective activities, there is no good reason to assume that a society is unable to function or exist without it, and hence that a variety of calendars necessarily leads to social break-up and schism.

Let us adopt a more empirical approach, and assess whether there is any evidence in the sources themselves to support Talmon’s contention that the calendar was associated, directly or indirectly, with Qumran sectarianism. Most of the ‘evidence’ cited by Talmon in his works are polemical sources from Qumran that have been dealt with above in this article and that, as we have seen, turn out to be largely irrelevant. Another passage cited by Talmon in this context refers more directly to the separation of Israel from Judah (which is interpreted as the separation of the Qumran sect from mainstream Judaism); however, this passage again is irrelevant to the calendar:

Damascus Document, CD 4:10–12

ובשלוש הקץ למספר השנים 10
האלה אין עוד להשתפח לבית יהודה כי אם לעמוד איש על 11
מצודו ובנתה הגדר רחוק החוק 12

³⁸ Talmon (1958 = 1989: 148–49), adding further that deviation from the calendar of the mainstream community may have been, for the Covenanters, a sign of civic and political dissidence. See also *idem* (1951 = 1989: 193–94).

³⁹ For a post-modern re-evaluation of Durkheim’s notion of solidarity, see for example M. Maffesoli, *The Time of the Tribes. The Decline of Individualism in Mass Societies* (trans. D. Smith), London: Sage, 1996. See also Marina Rustow’s article in this volume, 149–86.

But when the age is completed, according to the number of those years, there shall be no more joining the house of Judah, but each man shall stand on his watchtower: 'the wall is built, the boundary far removed' (cf Micah 7:11).

Talmon interpreted 'the age completed according to the number of those years' as a reference to the 364-day calendar;⁴⁰ but actually, it bears no relationship to it. This is a chronological marker that refers to a count of years, and is completely irrelevant, therefore, to the annual calendar.⁴¹

More relevant to calendar and sectarianism and their possible relationship is the intriguing fact that the calendrical *Otot* text (4Q319), where the 364-day calendar is worked into a grand 294-year cycle, appears in the same manuscript as one of the versions of the Community Rule, 4QS^c = 4Q259. It is widely accepted that in this version, *Otot* constitutes an integral part of the Rule, where it appears instead of the Maskil's hymn in the other versions.⁴² Metso has argued that *Otot* may even have belonged to the original version of the Community Rule, later to be replaced by the Maskil's hymn; but this remains contentious and speculative.⁴³ In any case, the appearance of a calendar text in one of the most important sectarian writings from Qumran must surely be significant, even if this is insufficient for a whole theory such as Talmon's to be built.

⁴⁰ Talmon 1958 = 1989: 151, and *DJD* 21: 6.

⁴¹ Cf my remarks on CD 16: 2–4, above.

⁴² S. Metso (*The Textual Development of the Qumran Community Rule*, Brill: Leiden, 1997, 48–51, 140–47) and P. Alexander and G. Vermes (*Discoveries in the Judaean Desert*, vol. 19. *Serekh ha-Yahad (Qumran Cave 4 XIV)*, Oxford: Clarendon Press, 1998, 129, 150–52), all suggesting also that (1) inasmuch as the Community Rule was mainly a handbook for the Maskil, it would have been important to include information about the calendar, and (2) the Maskil's hymn that appears instead in the other versions opens with calendrical material—at least with a cursory reference to the times of the day, new moons, festivals, and four days of remembrance when various prayers are to be recited (1QS 10: 1–5; Alexander and Vermes 1998: 120–24)—and thus occupies a similar functional slot within the Rule.

⁴³ Metso 1997: 140–47, treating 4QS^c as the earliest version extant of the Community Rule; but Alexander 1996, esp. 444–45 has argued in reverse, that 4QS^c represents a later version. Metso suggests that the *Otot* text, originally part of the Community Rule, was dropped at a later date because the priestly courses that are listed in *Otot* had become less relevant at Qumran after the rejection of the Jerusalem Temple cult; but since prayer had risen in importance instead, the Maskil's hymn, with the calendar times when prayers are recited, was substituted. Attractive as it may seem, this suggestion runs counter to the evidence at Qumran of numerous calendrical texts with priestly courses well into the 1st century BCE.

A similar, though less convincing, argument may be applied to the polemical (and perhaps also ‘sectarian’) letter known as *Miqtzat Maase ha-Torah*. In one of its manuscripts, 4Q394, the first surviving lines refer to the year being complete in 36[4?] days.⁴⁴ But it is questionable whether these lines, which look like the tail piece of a calendrical roster, belonged to the same literary composition as *MMT* (as in the case of *Otot* and the Community Rule) or rather just happened to have been included in the same manuscript.⁴⁵

Leaving aside the evidence from Qumran, which as we can see is very meagre, external evidence of calendar-based sectarianism in ancient Judaism is equally meagre, indeed almost non-existent. There is nothing about the calendar in either Philo’s or Josephus’ descriptions of the Essenes, or indeed of any Jewish sectarian group. This omission is highly significant, particularly in the case of Josephus who was keenly interested in sectarian difference and would certainly have mentioned sectarian calendars if he had known of their existence.

Talmon himself acknowledges this omission—especially problematic if the Qumran community is identified as Essene—but does little to explain it away. The only external source he can point to is Mishnah *Menahot* 10: 3 (see also Tosefta *Rosh Ha-Shanah* 1: 15), according to which the *Baytusim* (Boethusians) believed that the reaping of the *omer* sheaf, and seven weeks later the festival of Weeks (*Shavuot*), should always occur on Sundays, whereas according to the rabbis the *omer* was on the second day of the festival of Unleavened Bread, regardless of its weekday; Talmon points out that in the 364-day calendar, likewise, the *omer* and *Shavuot* also occur always on Sundays.⁴⁶ However, the identification of the Boethusians with the Essenes and/or the Qumran sect

⁴⁴ E. Qimron and J. Strugnell, *Discoveries in the Judean Desert*, vol. 10. *Miqsat Ma’ase ha-Torah* (Qumran Cave 4 V), Oxford: Clarendon Press, 1994, 44–45; VanderKam 1998: 65; *DJD* 21: 157.

⁴⁵ Strugnell in Qimron and Strugnell 1994: 203; VanderKam 1998: 116. Strugnell is actually referring to a much longer calendrical text known since as 4Q394 1–2 (previously 4Q327), which he and Qimron (1994: 7–9, 44–45, and 109–10) took to be part of 4Q394 (*MMT*) and published together with it. However, this reconstruction has now been discredited: 4Q394 1–2 is not only a separate literary work (as sensed already by Strugnell himself in *ibid.*: 203) but indeed a completely separate manuscript (VanderKam 1998: 75–76; *DJD* 21: 160–61, with re-edition of the text *ibid.*). Nevertheless, Strugnell’s discussion applies equally well to the first lines of 4Q394 (proper), where only a reference to the 364-day year is extant. See also A. Baumgarten 1997: 109 n. 81.

⁴⁶ Talmon (1958 = 1989: 184–85); see Stern 2001: 18.

is contentious and far from secure.⁴⁷ Moreover, these rabbinic sources suggest that the disagreement between the Boethusians and the Sages (the rabbis) concerned only the two, interrelated dates of the *omer* and *Shavuot*, not the structure of the calendar as a whole; the Boethusian interpretation of Leviticus 23: 15–16 as referring to 'Sunday' would have been equally possible in the framework of a lunar calendar, and does not imply in any way a 364-day year. Furthermore, although the rabbinic sources suggest that disagreements over festival dates, especially in the Temple period, could lead to major disputes between sectarian groups, there is no indication that calendar disagreement was the *cause* of the Boethusian sectarian schism.⁴⁸ The relevance of these rabbinic sources to Qumran, and all the more so to Talmon's theory, is therefore rather limited.

The notion that the calendar was at the root of Qumran sectarianism remains no more than a modern scholarly assumption, which the silence of our sources does little to support. This conclusion comes as no surprise. Calendar diversity was a fact of life in ancient society, not only among the Jews—as my study of the Jewish calendar has amply demonstrated—but also throughout the cities of the Hellenistic world and the Near East.⁴⁹ Although it is likely that within the territory of pre-70 CE Judaea, and certainly within the Temple itself, a single lunar calendar—controlled in Jerusalem by the High Priest—was consistently observed,⁵⁰ no one could have expected the same calendar to be observed in more distant Jewish communities. Because of the empirical nature of the lunar calendar, based on new moon sightings and on *ad hoc* decisions about whether to intercalate the year, Diaspora Jewish communities were bound to observe Passover sometimes a few days or even a whole month apart.⁵¹ No one community would have considered the other, for that reason, to be divisive or 'sectarian':

⁴⁷ See A. Schremer, 'The name of the Boethusians: a reconsideration of suggested explanations and another one', *Journal of Jewish Studies*, 48 (1997), 290–99.

⁴⁸ The schism of the Boethusians, together with that of the Sadducees, is accounted in the various recensions of *Avot de-Rabbi Nathan* (Schechter ed., p. 26)—a somewhat later text—as the result of a purely theological dispute regarding reward after life and in the next world; the calendar is not mentioned at all in this source.

⁴⁹ Stern 2001 and *Calendars in Antiquity* (forthcoming); A.E. Samuel, *Greek and Roman Chronology. Calendars and Years in Classical Antiquity*, Munich: C.H. Beck, 1972.

⁵⁰ See, in general, Martin Goodman's article in this volume, 21–37.

⁵¹ This has been shown, for example, in the case of the late antique Jewish communities of Alexandria, Antioch, and even Zoar in southern Palestine: Stern 2001:72–79, 87–98, 146–53.

the rationale would appear to have been that as long as the Mosaic festivals were observed on appropriate dates, it did not matter much whether the dates were the same for all. If then an entirely different calendar was followed in the Qumran community, it comes as no surprise that, as the evidence suggests, this did not attract any attention in the ancient sources (either at Qumran or outside it). We tend to regard the use of a single calendar as essential for society or social cohesion, but clearly, calendar diversity did not bother ancient societies and ancient Jews in the same way. To them, calendar diversity was normal and largely a matter of indifference.

The 364-day calendar, with the complex sources describing it, should therefore be regarded as just one of many peculiarities of the Qumran literature and (perhaps) Qumran community. But it does not appear, in Qumran sources, as a polemical issue, nor does it appear to have played a particular role in forging the Qumran community's sectarian identity. Further study may reveal that the calendar is not the only aspect of Qumran literature for which the notion of sectarianism, with all the assumptions that accompany it, has not really been a helpful paradigm.⁵²

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⁵² This paper was later presented at the Annual BAJS Conference, Manchester 2008. A shorter version of it forms part of Stern 2010; I am grateful to Jonathan Ben-Dov, Charlotte Hempel and the editors of *The Oxford Handbook of the Dead Sea Scrolls* (Timothy Lim and John Collins) for their critical comments on earlier drafts of that paper.

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DEFINING SECTARIAN BY 'NON-SECTARIAN' NARRATIVES IN QUMRAN

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Definitions of religious groups vary greatly depending on the person or group who or which determine them: terms used in definitions shaped by “the other” and those of self-identification are determined by the cultural and social background of the speaker, as well as by the auditory to which the definition is addressed to. Self-identification means at the same time differentiation, and separation from the other, from the mainstream and/or from other religious groups.

An example of identification of the Qumran sect as “the other” is Josephus Flavius’ (BJ II.8.2–13; Ant XVIII.1.5) description of the various religious schools (*haireses*) of Hellenistic Judaism, which he characterizes on the basis of their concepts and beliefs. He presents them as varieties within Judaism, not distinguishing a mainstream and minor tendencies among them (even if the Temple and its priesthood must have been a decisive factor in religious matters since Hellenistic times). On the other hand he nowhere refers in his description to the history of any of the religious groups, and to the schisms which had given rise to them.

Josephus’ angle in describing these groups is their concepts and beliefs, and he never speaks of any special way of interpreting the Mosaic law as a difference between them (although practically he does so when relating that the members of the Essene community were allowed to accept food exclusively from the members of their group which is a reference to the common way of their keeping the food laws). Josephus’ description was destined for readers of Greek culture who were not acquainted with the Jewish purity system and for whom this passage may have been a curiosity.

Self-definitions of a group open quite different perspectives to the reader. Self-definition represents a continuous element in the life and history of any religious community. These definitions are not one-off events, they were shaped in various forms and at various times during the history of the community. The texts found at the Qumran site contain writings of a religious community, written at various times.

Several works go back before the middle of the second century when the Qumran settlement was established.¹ Most of the texts originate from between the middle of the second century BCE and the first half of the first century CE. The Qumran group, the library of which was found in the caves neighbouring the Qumran site, came into existence in the middle of the second century BCE when the Qumran site was established as the separate center of a religious community.² The date of physical separation from their environment is generally mentioned as the beginning of the Qumran sect. At the same time this event might have been the result and the closure of a preceding process which meant their spiritual deviation from their environment. During that process they must have attested even several acts of self-definition.

The First Jewish Sects

The history of the Jewish sects begins with the Persian period.³ The impacts of social and cultural changes—the termination of the Judean state and state cult (even if temporarily), the exilic existence—required a new statement of identity of the exiles, as well as of people who had remained in Judah. These tendencies resulted in the formation of new socio-religious groups in the diaspora as well as in Judah.⁴ The main characteristic and the way for these groups to survive was to preserve their identity by means of forced segregation from the local

¹ E.g. the Testament of Qahat, the Aramaic Levi document: see Michael Stone, 'Qahat,' in *Encyclopedia of the Dead Sea Scrolls*, ed. by L.H. Schiffman and J.C. VanderKam, 2 vols. (Oxford: Oxford University Press, 2000) pp. 731–32; Michael Stone, 'Levi, Aramaic,' in *ibid.*, pp. 486–88. Radiocarbon tests confirmed the early dating of several texts, see G. Bonani *et al.*, 'Radiocarbon Dating of the Dead Sea Scrolls,' *Atiqot: English Series*, 20 (1991), pp. 27–32.

² The Qumran site bears archaeological evidence for the presence of a group in the Judean desert between the middle of the 2nd century BCE and about 70 CE. At the same time people belonging to this group lived in various cities of the country: see Josephus' report on their branch living in families, Jos. BJ 2: 119–26.

³ Socio-religious sub-groups like the "sons of prophets", the Rechabites, and the Nazirites are also documented from the period of the divided monarchy.

⁴ Called 'Glaubensgemeinschaft', and 'Bekennnissgemeinde' by Max Weber, *Gesammelte Aufsätze zur Religionssoziologie: III. Das antike Judentum* (Tübingen: J.C.B. Mohr (Paul Siebeck), 1923).

population.⁵ The marks of identity were ritual segregation by strict observance of religious prescriptions like circumcision, dietary laws, and the sabbath.⁶ Another means was strictly enforced endogamy, the prohibition of commensality with outsiders, the complete incorporation of resident aliens (*grym*) into the cult community, and the enforcement of physical and ethnic disqualifications—means well known from the sociology of sects.⁷ Biblical sources reflect the presence of several groups from the early stages of the exile. The mention of the *haredim* in Trito-Isaiah refers to a separate religious group.⁸ Similar to this, the reference to “those who had separated themselves from the peoples of the lands”, mentioned in reference to Nehemiah’s covenant, implies a socio-religious group.⁹ Morton Smith saw in this “the first example

⁵ Survival of diaspora communities was challenged pre-eminently in the exilic milieu. As to the homeland, archaeological finds and epigraphy reflect from the 6th century an increasing Edomite presence in the southern part of Judah. This leads us to assume that there may have been alterations in the ethnic map of the territory, see Oded Lipschits, *The fall and rise of Jerusalem: Judah under Babylonian rule* (Winona Lake, IN: Eisenbrauns, 2005), pp. 141–146; see also Oded Lipschits, ‘Demographic changes in Judah between the Seventh and the Fifth Centuries BCE.,’ in *Judah and the Judeans in the Neo-Babylonian Period*, ed. by O. Lipschits and J. Blenkinsopp (Winona Lake, IN: Eisenbrauns, 2003), pp. 323–77, esp. 336.

⁶ These requirements appear in the literature of the Persian period as special virtues among Jews living in the Diaspora. Chs. 2–6 of the Aramaic parts of Daniel (to be dated to the Persian period) refer to Jews refusing to revere idols (Dan. 3:1–18), and to Daniel praying three times a day in his house (Dan. 6:10). See W. Lee Humphreys, ‘A Life-Style for Diaspora: A Study of the Tales of Esther and Daniel,’ *Journal of Biblical Literature*, 92 (1973), pp. 211–23; Daniel L. Smith-Christopher, ‘Prayers and Dreams: Power and Diaspora Identities in the Social Setting of the Daniel Tales,’ in *The Book of Daniel: Composition and Reception*, ed. by J.J. Collins and P.W. Flint (Leiden: Brill, 2001), pp. 266–90 [Supplements to Vetus Testamentum, 83/1–2]; Mary E. Mills, ‘Household and Table: Diasporic Boundaries in Daniel and Esther,’ *Catholic Biblical Quarterly*, 68 (2006), pp. 408–20. Tobit is united with his compatriots in the exile, burying the dead and giving alms: see Tobit 1:8. The ideal of endogamic marriage of Tobias with his cousin Sarah is one of the main themes in Tobit. See Amy-Jill Levine, ‘Teaching Jews How to Live in the Diaspora,’ *Bible Review*, 8 (1992), pp. 42–51+64; Helmut Engel, ‘Auf zuverlässigen Wegen und in Gerechtigkeit: Religiöses Ethos in der Diaspora nach dem Buch Tobit,’ in *Biblische Theologie und gesellschaftlicher Wandel*, ed. by G. Braulik (Freiburg im Breisgau: Herder Verlag, 1993), pp. 83–100; Beate Ego, ‘The Book of Tobit and the Diaspora,’ in *The Book of Tobit—Text, Tradition, Theology*, ed. by G. Xeravits (Leiden: Brill, 2005), pp. 41–54.

⁷ Listed in Deut. 23:2–9.

⁸ According to J. Blenkinsopp, most recently in his *Isaiah 56–66: A New Translation with Introduction and Commentary* (New York: Doubleday, 2003) [The Anchor Bible 19B].

⁹ Neh. 10:1–40.

of Jewish sectarianism.”¹⁰ Another example of a group of God-fearers is offered in Mal. 3:16–21. They are depicted as those who confer together (*ndbrw*), and whose names are written on a “memorial book” (*spr zkrwn*), and who await a divine judgment between the sinner and the righteous.¹¹ At the same time the golah-communities were not untouched by local influence; Mesopotamian culture had a strong impact on the exiles. Interestingly enough self-determination of the exiles was shaped by the themes and terms of the majority culture, and against its background.¹²

The picture changes in the 4th–3rd centuries BCE, which are very poorly documented. However, there are signs of ongoing literary activity in this period, of interpretation and complementing of texts, and “it is undeniable that some biblical texts do date from the Hellenistic period, and that additions were made to others at that time.”¹³ Social movements of that era are not known. Hasidism and Qumran, in turn, emerge apparently suddenly in the second century BCE, but their emergence is certainly the result of long-standing tendencies in the previous centuries. The Hasidim (*synagōgē asidaion*, 1 Macc. 2.42) emerging on the eve of the Maccabean revolt are not an extemporaneous group, but represent the core force of the revolt. Their movement has its background in an earlier time, and must be dated to the third,

¹⁰ Morton Smith, ‘The Dead Sea Sect in Relation to Ancient Judaism,’ *New Testament Studies*, 7 (1961), pp. 347–60; *idem*, *Palestinian Parties and Politics That Shaped the Old Testament* (New York: Columbia University Press, 1971), pp. 173–74.

¹¹ Joseph Blenkinsopp, ‘A Jewish Sect of the Persian Period,’ *Catholic Biblical Quarterly*, 52 (1990), pp. 5–20.

¹² Just two examples; the first is the method of interpretation of dreams, well known from Mesopotamian tradition. The true and successful method of dream interpretation is said in Dan. 2 to be inspired by God, and reserved for His following. For an analysis of the story, see Ida Fröhlich, ‘Time and Times and Half a Time’: *Historical Consciousness in the Jewish Literature of the Persian and Hellenistic Eras* (Sheffield: Sheffield Academic Press, 1996), pp. 21–26 [Journal for the Study of the Pseudepigrapha Supplement Series 19]. The second one is the example of the themes in Gen. 1–11, echoing themes of the Mesopotamian literature of the Neo-Babylonian era, and answering the questions in an autonomous way. On Mesopotamian themes in the exilic culture, see Kenton L. Sparks, ‘Enūma Elish and Priestly Mimesis: Elite Emulation in Nascent Judaism,’ *Journal of Biblical Literature*, 126 (2007), pp. 625–48.

¹³ Joseph Blenkinsopp, ‘The Qumran Sect in the Context of Second Temple Sectarianism,’ in *New Directions in Qumran Studies: Proceedings of the Bristol Colloquium on the Dead Sea Scrolls, 8–10 September 2003*, ed. by J.G. Campbell, W.J. Lyons and L.K. Pietersen (London: T & T Clark, 2005), pp. 10–25, esp. p. 16 [Library of Second Temple Studies 52].

and perhaps even the fourth century.¹⁴ About the same period we see the emergence of the Damascus sect who call themselves the members of a "new covenant made in the land of Damascus" (CD 6.19).¹⁵ The members were penitents (*šby*), led by Zadokite priests who formed the core of the group and were their spiritual leaders, and probably authors of the halakhic material inserted in the Damascus Document.¹⁶ The events of the second century BCE—and especially the abolition of the legitimate Oniad high priesthood—might have been a decisive factor in preparing the schism, the separation of the group.¹⁷ Many Mesopotamian elements in their literature indicate that the origins of the group might have been in the Mesopotamian Diaspora.¹⁸ The Damascus Document also speaks of the group as "a root for planting to occupy the land" (CD 1.7–8).¹⁹

¹⁴ *Ibid.*, p. 18.

¹⁵ According to the inner chronology of the Damascus Document the group was established 390 years after the fall of the kingdom of Judah (586 BCE), cf. CD 1.5–6.

¹⁶ On the role of the priests in Qumran literature and practice of the community, see Jacob Liver, 'The "Sons of Zadok the Priests" in the Dead Sea Sect,' *Revue de Qumrân*, 6 (1969), pp. 3–30; Geza Vermes, 'The Leadership of the Qumran Community: Sons of Zadok—Priests—Congregation,' in *Geschichte—Tradition—Reflexion. Judentum: Festschrift für Martin Hengel zum 70. Geburtstag*, ed. P. Schäfer (Tübingen: J.C.B. Mohr (Paul Siebeck), 1996), pp. 375–84; R.C.T. Hayward, 'Behind the Dead Sea Scrolls: The Sons of Zadok, the Priests and Their Priestly Ideology,' *Toronto Journal of Theology*, 13 (1997), pp. 7–21; Cana Werman, 'The Sons of Zadok,' in *The Dead Sea Scrolls Fifty Years after Their Discovery: Proceedings of the Jerusalem Congress, July 20–25, 1997*, ed. by G. Marquis and L. H. Schiffman (Jerusalem: Israel Exploration Society with the co-operation of The Shrine of the Book, Israel Museum, 2000), pp. 623–30.

¹⁷ Blenkinsopp, 'The Qumran Sect in the Context of Second Temple Sectarianism,' pp. 21–22.

¹⁸ The theory of Mesopotamian origins was elaborated by Jerome Murphy-O'Connor; see his 'The Essenes and their History,' *Revue biblique*, 81 (1974), pp. 215–44; *idem*, 'The Damascus Document Revisited,' *Revue biblique*, 92 (1985), pp. 223–46; *idem*, 'Damascus,' in *Encyclopedia of the Dead Sea Scrolls*, ed. by Schiffman and VanderKam, 1:165–66. See also P.R. Davies, *The Damascus Covenant: An Interpretation of the 'Damascus Document'* (Sheffield: JSOT Press, 1983) [Journal for the Study of the Old Testament Supplement Series 25], pp. 90–104; *idem*, 'The Birthplace of the Essenes: Where is "Damascus"?' *Revue de Qumrân*, 14 (1990), 1989, pp. 503–19, reprinted in *idem*, *Essays on Qumran and Related Topics* (Atlanta, GA: Scholars Press, 1996), pp. 95–111.

¹⁹ On the metaphor of the plant, based on Isa. 60:21, see Shozo Fujita, 'The Metaphor of Plant in Jewish Literature of the Intertestamental Period,' *Journal for the Study of Judaism*, 7 (1976), pp. 30–45; L. T. Stuckenbruck, 'The Plant Metaphor in Its Inner-Enochic and Early Jewish Context,' in *Enoch and Qumran Origins: New Light on a Forgotten Connection*, ed. by G. Boccaccini *et al.*, (Grand Rapids, MI: William B. Eerdmans, 2005), pp. 210–12.

Qumran Texts and the Problem of “Sectarian”

Due to the limited and selected nature of the sources almost nothing is known about the sociology of the Qumran community. A sociological approach to Qumran studies is extremely necessary but seriously limited due to the bias of the primary sources.²⁰ Thus, “converting texts into sects” needs extreme caution with a critical and reflective methodology.²¹ The resources we have are texts with a rather blurred background. A core group of Qumran writings is imbued with a clear sectarian terminology; they seem to be (and are called by modern scholars) “sectarian” texts.²² At the same time there is a large group of texts in the Qumran library which lacks sectarian characteristic nomenclature and style but embraces notions shared with the sectarian ideology. However, building on texts only when dealing with a socio-religious group with a relatively long history is not satisfactory. Any attempt at describing texts as “sectarian” and “non-sectarian” on the basis of their vocabulary and content is misleading.²³ In order to

²⁰ For a sociological approach, see E. Regev, *Sectarianism in Qumran: A Cross-Cultural Perspective* (Berlin: de Gruyter, 2007) [RS 45].

²¹ Philip R. Davies, ‘Sects from Texts: On the Problems of Doing a Sociology of the Qumran Literature,’ in *New Directions in Qumran Studies*, ed. by Campbell, Lyons and Pietersen, pp. 69–82, esp. p. 82.

²² D. Dimant, ‘Qumran Sectarian Literature,’ in *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran Sectarian Writings, Philo, Josephus*, ed. by M. Stone (Assen: Van Gorcum, Philadelphia: Fortress Press, 1984), pp. 483–550, esp. 487 [CRINT 1; The Jewish People in the First Century 2]; Carol A. Newsom, ‘“Sectually Explicit” Literature from Qumran,’ in *The Hebrew Bible and its Interpreters*, ed. by W.H. Propp, B. Halpern and D.N. Freedman (Winona Lake, IN: Eisenbrauns, 1990), pp. 167–187 [BJSUCSD 1]; E.G. Chazon, ‘Is Divrei ha-me’orot a Sectarian Prayer?,’ in *The Dead Sea Scrolls: Forty Years of Research*, ed. by D. Dimant and U. Rappaport (Leiden: Brill, Jerusalem: Magnes Press 1992), pp. 3–17 [STDJ 10]; D. Dimant, ‘The Qumran Manuscripts: Contents and Significance,’ in *Time to Prepare the Way in the Wilderness: Papers on the Qumran Scrolls by Fellows of the Institute for Advanced Studies of the Hebrew University, Jerusalem, 1989–1990*, ed. by D. Dimant and L.H. Schiffman (Leiden: Brill, 1994), 23–58 [STDJ 16]; A. Lange, *Weisheit und Prädestination: Weisheitliche Urordnung und Prädestination in den Textfunden von Qumran* (Leiden: Brill, 1995), pp. 6–20 [STDJ 18]; J.M. Jokiranta, ‘“Sectarianism” of the Qumran “Sect”: Sociological Notes,’ *Revue de Qumran*, 78/20 (2001), pp. 223–39.

²³ The inefficiency of the method is indicated by the necessity of introducing a third, intermediate category, between sectarian literature proper and writings devoid of any connection to the community: see D. Dimant, ‘Between Sectarian and Non-Sectarian: The Case of the Apocryphon of Joshua,’ in: *Reworking the Bible. Apocryphal and Related Texts at Qumran: Proceedings of a Joint Symposium by the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature and the Hebrew University Institute for Advanced Studies Research Group on Qumran, 15–17 January, 2002*, ed. by E. Chazon, D. Dimant

define the character and place of a work in a tradition and in a human community one has to consider as many factors as possible. Terms and vocabulary in communities and in languages change rather quickly during the history of humanity. "Sectarian" terminology is a crystalized form of a common system of communication among members, and is the result of a longer process. A text taken as "non-sectarian" can express basic ideas of the sect, shaped in a different form than the "mainstream" forms of expression known from the heyday of the group. So-called "sectarian" Qumran texts from the second-first centuries BCE and their vocabulary represent only the tip of the iceberg. Archaeology proves that the secluded site was established in the middle of the second century.²⁴ It is beginning with this time that one can speak of a separate sect and a sectarian literature written on the site. Paleography proves that not all manuscripts were written on the site; one can find among them earlier ones, coming from the third, and even from the fourth centuries BCE. These writings are the products of a preceding period when the site of Qumran had not yet hosted members of the group. History, and history of the texts in the library must be taken into consideration when discussing Qumran as a sect. Results can be reached only by a complex method using the results of historical, philological, literary and sociological analyses. Non-sectarian texts may have a key role in these issues because they may concern their self-definition.

Where to Find Self-Definition?

Works taken as non-sectarian—like the Temple Scroll²⁵—were present in the Qumran library continuously, and often in several copies. They were known, cited, and paraphrased; the Temple Scroll was an authoritative basis for sectarian halakhah. The same is for some works

and R.A. Clements (Leiden: Brill, 2005), pp. 105–34 [STDJ 58]. See also: D. Dimant, 'Qumran Sectarian Literature,' in *Jewish Writings of the Second Temple Period*, ed. Stone, pp. 483–550; D. Dimant, 'The composite character of the Qumran sectarian literature as an indication of its date and provenance,' *Revue de Qumrân*, 22 (2006), pp. 615–30.

²⁴ On the archeology of the Qumran site and theories of interpretation, see Magen Broshi, 'Qumran. Archaeology,' in *Encyclopedia of the Dead Sea Scrolls*, ed. Schiffman and VanderKam, pp. 733–39.

²⁵ Dimant, 'Between Sectarian and Non-Sectarian,' p. 106.

known as Old Testament Apocrypha (or Pseudepigraphic works) like the books of Tobit, Ben Sira, 1 Enoch, Jubilees. Remnants of fragments issuing from various ages show that these works were copied and transmitted during the history of the religious group which left behind the library in the caves of Qumran.²⁶ Texts serving for self-definition can also be texts not considered to belong to the core “sectarian” tradition. Cherished traditions of a group—works which were read, copied, retold, transformed, or interpreted during their history—can also serve for their self-description and identification. The reason for keeping and transmitting such traditions is that the work transmitted represents some special value, and it was important for the transmitters.²⁷ Books which were “brought into the community” are sometimes considerably earlier than the community which made use of them.²⁸ These works are labelled by scholars as non-sectarian and pre-sectarian. Non-sectarian works are described as “socially disembodied”²⁹ in that they make no direct reference to any movement or following with which they were associated. However, these works showing signs of special attention on the part of the group may be of special significance from this point of view. The Enochic collection is a writing with one of the oldest and longest traditions which can be traced in the manuscript tradition of the Qumran library.³⁰

Based on the number of fragments found, one may suppose that the work was not merely known at Qumran, but that it must have been

²⁶ J.C. VanderKam, ‘Jubilees, Book of,’ in *Encyclopedia of the Dead Sea Scrolls*, ed. Schiffman and VanderKam, pp. 434–38, esp. p. 435. See also Jonathan Stökl, ‘A list of the extant Hebrew text of the Book of Jubilees, their relation to the Hebrew Bible and some preliminary comments,’ *Henoch*, 28 (2006), pp. 97–124.

²⁷ The number of the copies of a work can indicate also its importance. Biblical books were not represented by an equal number of copies in Qumran: Psalms and Isaiah were represented in more copies than any other book. The number of the copies of the book of Daniel indicates a strong interest in the book; besides, the presence of a rich Pseudo-Danielic literature among the fragments of Cave 4 attests in Qumran the presence of a wider literary tradition related to Daniel.

²⁸ Besides the Testament of Qahat and the Aramaic Levi Document (see note 1), the Temple Scroll was supposedly composed before the physical separation of the Qumran community. See F. García-Martínez, ‘Temple Scroll,’ in *Encyclopedia of the Dead Sea Scrolls*, ed. Schiffman and VanderKam, pp. 927–33, esp. p. 931.

²⁹ Steven D. Fraade, ‘Interpretive Authority in the Studying Community at Qumran,’ *Journal of Jewish Studies*, 44 (1993), pp. 46–69, esp. p. 48.

³⁰ On the background of early Enochic literature, see Helge S. Kvanvig, ‘Cosmic Laws and Cosmic Imbalance: Wisdom, Myth and Apocalyptic in Early Enochic Writings,’ in *The Early Enoch Literature*, ed. G. Boccaccini (Leiden: Brill, 2007), pp. 139–58.

an important work in the tradition of the community. On the basis of the oldest Qumran Aramaic manuscripts of the Enochic tradition (4Q En.ar^a) the writing of this work can be dated to before the end of the third century BCE.³¹ Later manuscripts prove that the work was continually transmitted until the first century BCE, and that in the course of this transmission the collection was enriched by additional pieces. The oldest part contains the story of the Watchers (1 En. 6–11) and the introduction written to it (1 En. 1–5). The story reports about the relation of a group of heavenly beings with earthly women producing giants, originators of violence and destruction. The Flood smiting mankind is considered as a punishment of their sins.

Later pieces of the Enochic collection seem to be well-acquainted with the tradition shaped in the story of the Watchers.³² The Book of Giants known only from the Aramaic Qumran Enochic tradition—unfortunately its text has come down to us in a very fragmentary form—relates a rich tradition of narratives and visions (dreams) about the Giants, offspring of the Watchers.³³ Another piece—dated to the middle of the second century BCE—of the Enochic collection interprets the tradition of the Watchers, attributing to them the origin of the demons (Eth. *nafsat*). In other parts of the Enochic collection the story is used to define the relation between Israel and foreign peoples (“the other”): the vision of the Animal Apocalypse (1 En. 85–90),

³¹ In his edition Milik identified seven manuscript copies on the basis of the fragments found in cave No. 4, including four manuscripts from the Astronomical Book: see J.T. Milik, *The Books of Enoch: Aramaic Fragments of Qumrân Cave 4* (Oxford: Clarendon, 1976), pp. 139–317. See also E. Eshel and H. Eshel, ‘New Fragments from Qumran: 4QGen^f, 4QIsa^b, 4Q226, 8QGen, and XQpapEnoch,’ *DSD*, 12 (2005), pp. 134–57. On the significance of the Aramaic fragments, see F. García-Martínez, ‘Contributions of the Aramaic Enoch-Fragments to Our Understanding of the Books of Enoch,’ in *Qumran and Apocalyptic: Studies on the Aramaic Texts from Qumran*, ed. F. García-Martínez (Leiden: Brill, 1992), pp. 45–96 [Studies on the Texts of the Desert of Judah 9]. Milik dated the earliest manuscript to the end of the third century BCE (*ibid.*, p. 140). Milik also supposes that the writer of the text followed the Northern Syrian or Mesopotamian scribal customs; this may also indicate the origin of the tradition. The fragments also prove that besides chapters 6–36, chapters 1–5 already belonged to the so far known earliest Enoch tradition.

³² For commentaries of the Enochic collection, see G.W.E. Nickelsburg, *1 Enoch 1: A Commentary on the Book of 1 Enoch, Chapters 1–36; 81–108* (Minneapolis, MN: Fortress Press, 2001) [Hermeneia: a critical and historical commentary on the Bible]; L.T. Stuckenbruck, *1 Enoch 91–108* (Berlin and New York: de Gruyter, 2007).

³³ Milik, *The Books of Enoch: Aramaic Fragments of Qumrân Cave 4* contains the fragments. For a separate edition, see L.T. Stuckenbruck, *The Book of Giants from Qumran: Texts, Translation, and Commentary* (Tübingen: J.C.B. Mohr (Paul Siebeck), 1997) [Texte und Studien zum Antiken Judentum, Texts and Studies in Ancient Judaism 63].

following the Genesis tradition, retells the primeval history of mankind, using animal symbols for human characters.³⁴ The earthly women represented by cows mingle with stars, symbols of the Watchers. Their union results in the birth of wild animals who re-appear in the following parts of the narrative as representing foreign peoples, enemies of Israel (represented by sheep), and attacking the elect time and again with a demonic fervor.

The tradition on the heavenly beings and earthly women is often referred to in Qumran “sectarian” works, in particular 4Q180–181 (4QAgasCreat A-B), an overview on human history in which the origin of iniquity (*ʾwlh*) and wickedness (*rsʿh*) is attributed to “ʾAzazʾel and the angels wh[o went in to the daughters of humankind and] they [b]ore to them mighty ones” (4Q180 1:7–9).³⁵ Certain expressions in “sectarian” texts like *rwḥwt mmzrym* (“bastard spirits”) in 4Q510–11 are not understandable without an acquaintance with the Enochic tradition, the story of the Watchers and its afterlife in the Enochic tradition, where the origin of the demons is attributed to the mixed marriage of heavenly and earthly beings.

The Story of the Watchers: A Paradigm

Looking for the exact meaning and message of the story of the Watchers, and defining its significance in the ‘non-sectarian’ (Enochic) and ‘sectarian’ Qumran tradition, one has to make allowance for the context of the story, and to survey and analyze its constituents. The narrative of the story of the Watchers is augmented with an Introduction (1 En. 1–5), its narrator being Enoch. The introduction introduces the story as a revelation, for an elect group.³⁶ The text following it (1 En. 6–11) contains a parable on the sinner (belonging to the group of “the other”), which is at the same time a definition of the “we-group” (who do not belong to the sinners). The text presents two parallel

³⁴ For a commentary on the Animal Apocalypse, see Patrick A. Tiller, *A Commentary on the Animal Apocalypse of 1 Enoch* (Atlanta, GA: Scholars Press, 1993) [Early Judaism and its Literature 4].

³⁵ Devorah Dimant, ‘Ages of Creation,’ in *Encyclopedia of the Dead Sea Scrolls*, ed. Schiffman and VanderKam, pp. 11–13.

³⁶ The Introduction (1 En. 1–5) postdates the story but belongs also to the early layer of the Enochic tradition. See C.A. Newsom, ‘The Development of 1 Enoch 6–19: Cosmology and Judgment,’ *Catholic Biblical Quarterly*, 42 (1980), pp. 310–29.

traditions on the same subject, the origin of sin and evil. The bulk of the tradition is contained in the Shemihazah story (1 En. 6:1–7:62); the so-called Asael story is a reference to Asael and his companions as originators of sin. According to the Shemihazah-story a group of the sons of heaven (6:2), whom the text calls Watchers (*šryn*), glimpse the daughters of men, desire them, and decide to descend to them. Their leader Shemihazah (*šmyhzh*) considers the plan to be sinful, for which he does not want to bear the responsibility alone (6:3). Therefore, the Watchers, in order to fulfill their plan, swear to unite on Mount Hermon (1 En. 6:6). Then the Watchers "...began [to go in to them, and to defile themselves with them and (they began) to teach them] sorcery and spellbinding [and the cutting of roots; and to show them plants...] (7:1). The women were impregnated by them and bore children, who became giants. The giants "were devouring [the labour] of all the children of men and men were unable to supply [them]." (7:4). After this the giants begin to devour men, then "...they began to sin against all birds and beasts of the earth] and reptiles...and the fish of the sea, and to devour man, and to devour the flesh of one another; and they were] drinking blood. [Then the earth made the accusation against the wicked concerning everything] which was done upon it" (7:5–6). These then are the transgressions, which finally bring about the punishment of the flood (1 En 9:1ff).³⁷

The Sins and Their Nature

Thus the story serves as a justification for the catastrophic punishment wreaked upon humanity. The sins of the Watchers are their transgression of the cosmic order and mixing with earthly women. The writer sets out that they became *impure* by mixing with the women (1 En. 7:1, cf. 4Q531 5.1). The Book of Giants qualifies their relation as a case of *zenūt* (4Q203 = 4QEnGiants^a 8,9).³⁸ Their further sins are the teaching and practice of magic.

The sins of the Giants, sons of the Watchers, are homicide and cannibalism, and "sins committed against the animals" which is probably

³⁷ Translation of J.T. Milik, based on his reconstruction of the Aramaic text, see Milik, *The Books of Enoch: Aramaic Fragments of Qumrān Cave 4*, pp. 166–67.

³⁸ On an analogical basis the mixing of heavenly and earthly beings can also be meant as a violation of the *kilayim*, prohibition of the mixing of categories.

a violation of the prohibitions concerning food. This interpretation is confirmed by the report on their consuming blood, which is a clear reference to the violation of the biblical prohibition (Gen. 9:3–4). These are the sins of the Watchers and their offspring which made the earth impure. The flood following this is not only a punishment for these sins but, at the same time, a purification of the earth.

Background of the Story: Impurity and the Realm of the Demonic

The story of the Watchers in 1 En. 1–11 is a myth on the origin of evil in the world.³⁹ According to the narrative of the Enochic collection this is the first event following the Creation (the material of Gen. 2–5 is not included in the Enochic collection). The first stage of the birth of evil is the dysfunction of the cosmic order, the mixing of the heavenly and earthly beings. The deeds of the Watchers mentioned in the story have special importance not worded openly in the text. The story has thorough meaning in the light of the biblical system of impurities. The biblical system knows physical impurities like those caused by blood, leprosy, fluxes and corpses. Besides physical impurities there are also ethical impurities.⁴⁰ The main list of ethical impurities is to be found in the Holiness Code (Lev. 17–26). These are: improper forms of sacrifice, consumption of blood, sins related to sexual relations, cases of the *zenūt* (usually translated as fornication)⁴¹ and magic.⁴² Results of ethical impurities are summarized in Lev. 18:27–30: “The people who were there before you did those abominable things and the land became unclean.

³⁹ As established first by M. Delcor, ‘Le mythe de la chute des anges et de l’origine des géants comme explication du mal dans le monde dans l’apocalyptique juive: histoire des traditions,’ *Revue de l’histoire des religions*, 95 (1976), pp. 3–53. On the problem see Gabriele Boccaccini, *Beyond the Essene Hypothesis: The Parting of the Ways between Qumran and Enochic Judaism* (Grand Rapids, MI: William B. Eerdmans), 1998, pp. 72–73.

⁴⁰ For a good general overview of the system, see P.D. Wright, ‘Unclean and Clean. Old Testament,’ *The Anchor Bible Dictionary*, 6:729–41.

⁴¹ I.e. all kinds of illicit sex (sex among blood relatives, sex with another’s wife, homosexual relations, sex with menstruating women, prostitution (see Lev. 18:1–30; 19:29). A special case in the list is *kilayim*, the prohibition of mixing together different kinds of animals, plants, and materials in human clothing (Lev. 19:19, Deut. 22:9–11). A special case of *zenūt* not listed in Lev. 17–26 is remarriage with one’s divorced wife, meanwhile remarried, and later on divorced or widowed (Deut. 24:1–4; cf. Jer. 3:1).

⁴² “Do not resort to ghosts and spirits or make yourselves unclean by seeking them out. I am the Lord your God” (Lev. 19:31). Magical practice is sometimes conceived as *zenūt* (Lev. 20:6), and those who practice it are to be killed (Ex. 22:17).

So do not let the land spew you out for making it unclean as it spewed them out. Observe my charge, therefore.”⁴³

Dozens of Pentateuchal and other (especially prophetic) texts can be cited to prove that besides the above, other ethical sins like bloodshed⁴⁴ were considered as sins defiling the land and resulting in the expulsion (exile) of its inhabitants.⁴⁵

The deeds of the Watchers and those of the Giants described in 1 En. 6–11 are *zenūt*, magic, bloodshed, violation of prescriptions concerning food—all of them reckoned in the biblical system as ethical impurities. Initiators of the sins in 1 Enoch are the heavenly beings who descend to the earthly women, driven by their desire. The Watchers are conscious of the nature of their deeds. They even agree to commit the sin collectively. The narrative does not mention human responsibility. The authors and agents of the deeds are the Watchers. The Giants, the beings born from the cosmic dysfunction, start further anomalies in the world. The anomalies are further ethical sins resulting in the defilement of the earth. Impurity is an overall element in the story: it is the impurity of the earth which calls up the punishment of the flood. The Flood means at the same time the purification of the earth.

Although the story of the Watchers does not mention any demons, the motifs of the story are related to the realm of the demonic. The characteristics of the Giants, namely, insatiability and a supernatural appetite, evoke beliefs in demons well documented from ancient near eastern (Mesopotamian) written tradition where demons are said to be huge and obtrusive beings, roaming in bands, attacking their victims indiscriminately, ravaging the work of humans,⁴⁶ devouring the flesh of animals and humans, and consuming their blood. They are born from the relation of heavenly and earthly beings, considered in the Enochic story to be impure. The motif of the punishment of the Watchers, their binding, also has demonic connotations: in magical arts demons are made ineffective by binding them.

⁴³ The citation is a summary of the Holiness Code in Lev. 17–26. The land is the Land of Canaan which the people were about to enter.

⁴⁴ Bloodshed (Deut. 21:1–9, Gen. 4:10, Ps. 106:38f.); Sins related to the dead: corpse left on the tree for the night (Deut. 21:22–23), cf. also 11QTS (LXIV.11–12).

⁴⁵ For an exhaustive list of biblical references see P.D. Wright, 'Unclean and Clean. Old Testament,' pp. 733–34.

⁴⁶ 4Q531 5,1 mentions, more concretely than the Shemihazah story, that the Giants were devastating fruit, wheat, trees, sheep, and cattle.

Meaning and Function of the Story of the Watchers

To epitomize the points of the story of the Watchers, one can assert that the story is a rationale for the origin of demonic evil, shaped in the postexilic age. Its message is:

- evil (represented in demonic form) was caused in the beginning of human history by a series of moral impurities;
- moral impurities mean the violation of the Mosaic law;
- impurity was brought into the human world by celestial being (the Watchers);
- consequently evil originates from the non-human sphere and is not the result of free will;
- the author and his audience belong to the sphere of purity.

Thus 1 En. 1–11 is a means of constructing, with the help of a theology on the origin of evil, the identity of a “pure” group. Defining the origin of the evil is the first object of any sect in the beginning of their history when no crystallized “sectarian” terminology is yet present. The significance of the Enochic origin of evil is that it speaks (even in a metaphoric form) of demons (contrary to the Deuteronomic redactor who tries to eliminate everything related to them). This picture differs basically from that known from Genesis on the same subject, the origin of evil. Genesis claims that evil is the result of free will, in particular of the fact that Adam and Eve disobeyed the divine prohibition.⁴⁷ The Priestly redactor (P) placed this story at the beginning of human history, a story following immediately the act of creation. The Enochic collection never refers to the Biblical tradition of the Fall.⁴⁸ The origin of evil is contained here by the story of the Watchers, the first event in human history (and cause of the punishment of the Flood). Sin was brought to the earth by heavenly beings, according to the Shemihazah narrative. Humans had a passive role in originating sin, even in the Asael tradition where it is Asael who teaches men to make weapons (means of bloodshed) and women to use cosmetics

⁴⁷ David J.A. Clines, ‘The Significance of the “Sons of God” Episode (Gen. 6:1–4) in the Context of the “Primeval History” (Gen. 1–11),’ *Journal for the Study of the Old Testament*, 13 (1979), pp. 33–46.

⁴⁸ Human history begins in the Animal Apocalypse with Adam and Eve but the text does not refer to the Fall, cf. 1 En. 85:3.

(means of seduction and sexual sins). Heavenly beings are responsible for human sins. The theology of the Priestly redactor (P) and that of the author(s) of 1 Enoch are diametrically opposed.

Enoch and Genesis

There are indications that the author of 1 En. 1–5 was acquainted with the themes of Genesis when describing the world order. Conversely, the theme of the Watchers appears in Gen. 6:1–4. It is generally assumed that the story of the Watchers is an exegesis of Gen. 6:1–4.⁴⁹ The story of the Watchers shows striking similarities with Gen. 6:1–4. However, considering Gen. 6:1–4 as a narrative text it can be established that it is a continuous enumeration of events rather than a continuous narrative.⁵⁰ It is rather a series of glosses, which can be interpreted with the help of the text of Enoch 6–7, or in the light of a tradition similar to it in content, as it seems to be debating with it.⁵¹

⁴⁹ Devorah Dimant, '1 En. 6–11: A Fragment of a Parabiblical Work,' *Journal of Jewish Studies*, 53 (2002), pp. 223–37. Similarly S. Bhayro, 'Daniel's "Watchers" in Enochic Exegesis of Genesis 6:1–4,' in *Jewish Ways of Reading the Bible*, ed. G.J. Brooke (Oxford: Oxford University Press, 2000), pp. 58–66 [JSS Supplement 11], and Archie T. Wright, *The Origin of Evil Spirits: the Reception of Genesis 6.1–4 in Early Jewish Literature* (Tübingen: J.C.B. Mohr (Paul Siebeck), 2005) [Wissenschaftliche Untersuchungen zum Neuen Testament: 2. Reihe 198]. For a different view see P.R. Davies, 'And Enoch Was Not, for Genesis Took Him,' in *Biblical Traditions in Transmission: Essays in Honour of Michael A. Knibb*, ed. by Charlotte Hempel and Judith M. Lieu (Leiden: Brill, 2006), pp. 97–107 [Supplements to the Journal for the Study of Judaism 111].

⁵⁰ The text of Gen. 6:1–4 tells of how people multiplied on earth "and daughters were born to them." Seeing this the "sons of gods" (*bny 'lhyim*) took those women who attracted them. At the time when this happened, the *npylym* lived on earth; they (i.e. the *npylym*) were heroes (*gbrym*), they were the "heroes of old, people of renown" of that era. The comment following the story—i.e. that "when the Lord saw how great was the wickedness of human beings on earth and how their every thought and inclination were always wicked" (Gen. 6:5) serves as the justification for the punishment of the Flood, the description of which follows the story about the sons of gods. On the problems of the interconnections see C. Westermann, *Genesis 12–50: A Commentary* (Minneapolis: Augsburg Publishing House, 1985), pp. 494–96.

⁵¹ According to Milik, *The Books of Enoch, Aramaic Fragments of Qumrân Cave 4*, pp. 30–32 the tradition of the Enochic Book of Watchers may be older than that of the Genesis, and he bases this supposition on the "abridged and allusive formulation" of the text of Gen. 6:1–4, which he considers to be a short summary of the Enochic tradition. Similarly Matthew Black, in M. Black and J.C. VanderKam, *The Book of Enoch or 1 Enoch: A New English Edition* (Leiden: Brill, 1985), pp. 124–25 [SVTP 7]; M. Black, 'The Strange Visions of Enoch,' *Bible Review* 3:2 (1987), pp. 20–33, 38–42, thinks that Enoch may be the source for the episode of Gen. 6:1–4, and not a derivative of it.

In connection with this narrative two factors are to be kept in mind: the first is that according to the narrative the *npylym*, whom the text calls “men of renown” (*ḥšy ḥšm*)⁵² (Gen. 6:1–4), are merely contemporaries, witnesses of the story; between them and the daughters of men there is no relationship whatsoever. The second is that their appearance has no continuation or consequence in human history. In the tradition of the Book of Enoch, however, it is the very appearance and activities of the giants (born from earthly women) that brings about events of decisive importance from the point of view of human history. With this comment the text of Genesis simply cuts off the flow of the narrative, and excludes the consequences of the relationship of “sons of god” and the daughters of men from the history of humankind.

Who knew whom—or, who reflected on/reacted to whom? Is 1 En. 6–11 an interpretation of Gen. 6:1–4 or is Gen. 6:1–4 a reflexion on 1 En. 6–11? The majority of scholars subscribe to the first opinion. The question of the relation of the two texts cannot be decided by simply paralleling them (and saying that the longer text is a commentary). Considering the message and background of the Enochic tradition the second opinion seems to be plausible, namely that Gen. 6:1–4 is a reflexion of the Priestly redactor, whose aim is to discard the Enochic tradition of the origin of evil.

Authors of the Enochic Tradition

The redactors who determined the overall meaning and theology of Genesis by their redactional work were members of a priestly group. The tradition and theology of Genesis later on became the “main-stream” tradition of Judaism while other parallel traditions became “sectarian”. Who were the authors of 1 En. 1–11? Considering the

Milik also hypothesized that at Qumran Enoch was transmitted as a work consisting of five books, a kind of “Enochic Pentateuch”. His hypothesis was strongly and rightly criticized by his reviewers: see J.C. Greenfield and M. Stone, ‘The Enochic Pentateuch and the Date of the Similitudes,’ *Harvard Theological Review*, 70 (1977), pp. 51–65. Nevertheless, questions pertaining to Gen. 6:1–4 and the Book of Watchers have not been settled.

⁵² The interpretation of the expression is problematic, as in compounds which mean “reputation” the noun *šm* always appears without an article; Gen. 6:1–4 and Num. 16:2 constitute exceptions. Professor A. Malamat was kind enough to call my attention to this problem. It is possible that the pronominal form is related to the name of a deity. In any case the problem requires further study.

sophisticated construction of the story and its message, the extreme demand of purity—making impurity the main cause of the origin of demonic evil in the human world—it can be supposed that 1 En. 1–11 was formulated by professionals, probably by a priestly circle. They constructed with their story the identity of their own group, its central principle being the demand for purity.⁵³ Their tradition, the Enochic tradition of the origin of evil, did not later transgress the borders of a sect.⁵⁴ 1 Enoch 6–11 is a typical example of a “precursor” for later self-definitions of the group based on the demand for purity to be realized by the right observation of the Mosaic law.⁵⁵ The manuscript containing 1 En. 6–11 was written outside the Qumran site, and brought there only later on, following the establishment of the site. No sectarian terminology is reflected in the text. At the same time it is a basic work of sectarian thinking. It fits well with A. Baumgarten’s formulation, namely: “What separates any one stage from the others is the extent to which the idea or institution served as a basis for social cohesion and action. This determination is only possible with the benefit of hindsight: a historian must know when full maturity was reached, and only then can the story be organized in a meaningful way.”

The tradition shaped in 1 En. 1–11 was frequently re-told and re-interpreted in later works; however, this tradition never gave rise to an “Enochic Judaism”, supposed to be a widespread sectarian apocalyptic movement of which Qumran were likely a part. The thesis of “Enochic Judaism” is that that sect claimed to have received authoritative literature by revelation and that the possession of such literature validated it as the elect community of God. According to the thesis the writings from the Qumran library, which are identified as Qumran sectarian, were part of the large community of Enochic Judaism. The main representative of this thesis, G. Boccaccini, even supposed a schism between Enoch and Qumran.⁵⁶ The decisive factor in sectarian

⁵³ I would refer only briefly to the story of Asael, which may be another “sanitized” tradition of Asael and the origin of magic among human beings.

⁵⁴ The Book of Watchers was very important in the history of the community and its interpretation served on several occasions as a means of constructing their identity. Nevertheless, it was not the only tradition they knew. It was a part of their traditions, but it was not the only tradition whose maintenance construed the group.

⁵⁵ On this phenomenon see Mary Douglas, *How Institutions Think* (London: Routledge, 1987), pp. 69–90.

⁵⁶ G. Boccaccini, *Beyond the Essene Hypothesis: The Parting of Ways between Qumran and Enochic Judaism* (Grand Rapids, MI: William B. Eerdmans, 1998). See also David R. Jackson, *Enochic Judaism: Three Defining Paradigm Exemplars* (London: T & T Clark 2004);

tradition and self-identification is the message, and not the form of its core works. The fiction of revealed knowledge and the literary forms of revelation are characteristic of the majority of sectarian literatures. The demand of purity can be worded in various forms: in a narrative, as in the story of the Watchers, or in legal exegesis as in later Qumran literature.

Jubilees, a Reconciliation of 1 En. 1–11 with the Priestly Tradition

Incidentally, the factor that opposed the authors of 1 En. 6–11 to the Priestly redactors of Genesis, i.e. the theological message of the Enochic tradition, was re-evaluated in the Book of Jubilees, another Pseudepigraphic work which is dated to the middle of the second century BCE.⁵⁷ Like 1 Enoch it survived in a shorter Greek and a longer Ethiopic text.⁵⁸ In earlier scholarship Jubilees was also thought to have been written in Hebrew or Aramaic. A number of Qumran Hebrew fragments, mostly from Cave 4, were identified as fragments of the Hebrew original of Jubilees.

The spiritual milieu of Jubilees was not far from Qumranic views, it seems.⁵⁹ This is strongly suggested by the large number of copies of Jubilees in the Qumran library, and the influence of Jubilees on other writings preserved in the community's written traditions. Jubilees uses, like other Qumran works (11QT, 4Q320–09), a 364-day schematic calendar.⁶⁰ Jubilees is one of the earliest examples of the

P. Sacchi, *Jewish Apocalyptic and Its History* (Sheffield: Sheffield Academic Press, 1990) [Journal for the Study of the Pseudepigrapha Supplement Series 20].

⁵⁷ The earliest Hebrew fragments of Jubilees from Qumran have been defined as "late Hasmonean", and as such they are dated to around 125 BCE. As the writing of the fragments is semicursive, according to J.C. VanderKam, they must have been preceded by an earlier written tradition: see J.C. VanderKam, *Textual and Historical Studies in the Book of Jubilees* (Atlanta, GA: Scholars Press, 1977) pp. 215–17 [Harvard Semitic Monographs (Harvard Semitic Museum) 14].

⁵⁸ R.H. Charles, *The Ethiopic Version of the Hebrew Book of Jubilees* (Oxford: Clarendon, 1895).

⁵⁹ See J.C. VanderKam, 'Jubilees,' *Encyclopedia of the Dead Sea Scrolls*, ed. Schiffman and VanderKam, pp. 434–38, esp. 436–37.

⁶⁰ On the schematic calendar, see Clemency Williams, 'Signs from the Sky, Signs from the Earth: The Diviner's Manual Revisited,' in *Under One Sky: Astronomy and Mathematics in the Ancient Near East*, ed. by J.M. Steele and A. Imhausen (Münster: Ugarit-Verlag, 2002), pp. 473–85 [Alter Orient und Altes Testament—Veröffentlichungen zur Kultur und Geschichte des Alten Orients und des Alten Testaments 297].

genre of "rewritten Bibles", retelling narratives of Genesis and Exodus, with both *lacunae* and additions.

At the same time the Enochic tradition is systematically absorbed in Jubilees. In Jubilees, God creates angels when creating the world: the angel of divine Presence, the angel of holiness, and the angels over the works of the cosmos and natural phenomena. According to the story of the Watchers told in Jubilees (Jub. 5:1–19), the Watchers were angels who came to the earth in order to teach righteousness, but their intention turned to the opposite (Jub. 4:15). The children born from angels and earthly women became giants. On the other hand they had nothing to do with the sins which began to spread following their birth (Jub. 5:1–2). Jubilees does not speak further about the offspring of the angels and giants.

Following the Flood, impure demons began to lead astray the children of Noah, to lead them to folly and to destroy them (Jub. 10:1). The demons were leading astray, blinding and killing Noah's grandchildren. Following this, it is recurrently and definitively stated that the demons originate from the Watchers (Jub. 10:4–5; 19:8–10). The elect have power over the demons: as a result of Noah's prayer the Lord bound nine-tenths of the demons; one tenth was allowed to work in the world under Mastema's leadership (Jub. 10:7–14).⁶¹ Abraham acts successfully against them; they have no power over Moses, etc.

Jubilees presents a hierarchical world of supernatural beings, angels and demons. Demons have multiple functions: they are the cause of illnesses, afflictions and death. At the same time, they cause blindness and spiritual error—a synonym for unproper religious practice, a topic that pervades Qumran "sectarian" literature.⁶² The prince (*šr*) of the demons is Mastema, the instigator, a relative of the Satan of the Old Testament. Jubilees reflect a relative dualism: Mastema is not an independent power. God has power over Mastema, like his power

⁶¹ The name originates from the Hebrew verb *štm* "bear a grudge, cherish animosity against" (Ar. *štn*). Hosea 9:7, 8 uses it as a common noun meaning "enmity".

⁶² The historical survey of 1 En. 85–90 represents Israel as a flock of sheep. In the period preceding the Maccabean revolt, many of the sheep became blind and fell victim to birds of prey. Finally white lambs appeared among the herd and began to open the eyes of the blind and lost sheep. The Damascus Document refers to a group of the exiled who "perceived their iniquity and recognized that they were guilty men, yet for twenty years they were like blind men groping for the way. And God observed their deeds, ... and He raised for them a Teacher of Righteousness to guide them in the way of His heart" (CD 1.7–11). Uncovering of ears and eyes is a metaphor for religious teaching (CD 2.3, 14).

over the angels. At the same time, Mastema is a dangerous enemy, the chief demon in Jubilees.

Jubilees is a theological reconciliation with Genesis; supernatural beings are not the cause of evil (the intention of the angels “turned to the opposite”), ethical impurities are not mentioned as the main causes of evil in the world (however, the demand of ethical purity appears in other themes of Jubilees, especially when interpreting Genesis pericopes). At the same time the demonic factor which was present in 1 En. 6–11 had developed in Jubilees into a detailed and hierarchized demonology.

Further Self-Definitions

When speaking of sects and religious groups one focuses usually on a single schism and a single self-definition of the group—although self-definition of the sects is continuous, according to the changing background and history of the group. As M. Grossman says “...identity is not a static concept or a fixed point. Individuals and communities define themselves in multiple ways, in terms of multiple factors, and often with respect to others.”

Documents found in the Qumran caves were written over a period of possibly 300 years. In some of them a continuous identity construction can be traced, in various forms and using various genres: narrative, interpretation of legal and non-legal matter (*halakhah*; interpretation of prophetic works and Psalms). The identity of a group or of a religious sect is not a fixed, distinctive, or easily identifiable thing. In my paper I have tried to present a “precursor” tradition and the identity of its principles, as opposed to other forms of construction of identity—the Temple Scroll, and the Damascus Document, which use mainly legal matter for shaping their demand of physical and ethical purity (the latter one for a group of “covenanters”, members of a New Covenant made in the land of Damascus).

Identity construction in a purely legal exegetical form appears in 4QMMT. The letter was written, in all probability, following a schism resulting in the physical separation of an Essene group settling in the Qumran estate. Although the work does not refer to any schism, the introduction (“These are some of our teachings”), and the iterative form at the beginnings of the paragraphs (*’nhnw ’wmyrm* “we say”) leads one to infer that these statements were shaped by a separate group

with its own principles concerning purity, and with its own practice based on these principles. Their special practices differentiated them from other contemporary groups, first of all from "mainstream" Judaism represented in the Temple practice. The addressees of the letter were, in all probability, the Zadokite priesthood of the Temple. The cause of their schism is not known—whatever happened, Qumran people could look back to an at least a hundred-year-old tradition dealing with problems of purity and self-identification based on its principles.

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THE NAZORAEANS AS A 'SECT' IN 'SECTARIAN' JUDAISM? A RECONSIDERATION OF THE CURRENT VIEW VIA THE NARRATIVE OF ACTS AND THE MEANING OF *HAIREISIS*

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In recent years, especially since the discovery of the Dead Sea Scrolls, it has become commonplace for us to consider Second Temple Judaism as being divided into sects: 'sectarian'. It is nevertheless important to test continually whether such categories of analysis truly describe facets of any given society and religion at any time, according to the primary evidence at hand. We need to engage in scrutiny of the basic building blocks of a conceptualisation, to carefully review fine details of language, rhetoric and context, in order to make sure we have understood our sources correctly.

In this paper the question of the definition of the early Jewish-Christian followers of Jesus as a αἵρεσις (*haireisis*)—a term usually translated as 'sect'—will be considered by reference to this word's use in the narrative of the Acts of the Apostles, written c. 69–96.¹ In order to contextualise this examination, I will also explore the definition of the Sadducees, Pharisees, Essenes and 'Galileans' (or 'Zealots') as αἱρέσεις (*haireseis*) in Acts and the works of Josephus. I adopt an extremely narrow method of analysis, in turning the entire investigation on the axis of a single word. The word *haireisis* will be reviewed in terms of its placement in the narrative of Acts, and also in terms of the way it is used to convey a particular meaning. Having assessed the meaning, I will finally consider some historical ramifications, most particularly the word's common translation as 'sect' and the implications of this in terms of understanding of Second Temple Judaism as being in some way 'sectarian' in nature.

¹ Using the assessment of F.F. Bruce, *The Book of Acts* (Grand Rapids: Eerdmans, 1988), 11–12.

Acts of the Apostles

In Acts 24: 5, the Jewish disciples of Jesus are called Ναζωραῖοι (*Nazōraioi*), usually rendered in English as ‘Nazoraeans’, following the designation of Jesus as Ναζωραῖος (*Nazōraios*), ‘Nazoraean’.² Matthew connects the designation with the name of the town, ‘Nazareth’, which Jesus goes to as a Davidic refugee (fleeing Herod), and uses an unknown proof text: ‘He shall be called a Nazoraean’. It is usual to associate this text with Isaiah 11: 1, ‘Then a shoot (נֹצֵר, *netser*) will spring from the stem of Jesse and a branch from his roots will bear fruit’, which refers to a scion of the house of David.³ At any rate, *Nazōraios* appears to be another way of saying Ναζαρήνος (*Nazarēnos*), ‘a man from Nazareth/Nazara(t)/Nazora(t)’, the name of the town being a variant of *netser*.⁴ That Jesus’ followers were designated *Nazōraioi* would indicate they were dubbed ‘*Nazoraioi*-people’ after Jesus’ own popular designation. These disciples of Jesus are described as being a *hairesis* in two places: in Acts 24: 5–6 (reflected in 24: 14) and also in Acts 28: 22.

² In Acts—as in the Gospels of Matthew, Luke and John (Matt. 2: 23; 26: 71; Luke 18: 37, 24: 29 (probably); John 18: 5ff; 19: 19)—Jesus is called *Nazōraios* (Acts 2: 22; 3: 6; 4: 10; 6: 14; 22: 8; 26: 9), and hence the *Nazōraioi* are his disciples. *Notsrim* was the designation for Jewish-Christians, often in fact for all Christians, in the Babylonian Talmud, see b.Taan. 27b; b.A.Z. 6a and 7b (also, amended b.Git. 57a) on the basis of Jesus being called *ha-Notsri*: b.A.Z. 17a; b.Sanh. 43a; b.Ber. 17b; b.Sota 47a; b.Sanh. 103a, 107a et al.; Tertullian, *adv. Marc.* 4: 8 and for cognates see H.H. Schäfer, ‘Ναζαρήνος / Ναζωραῖος’, in Gerhard Kittel (ed.), *Theological Dictionary of the New Testament* (Michigan/London: Eerdmans, 1964–76), IV: 874–79. Mark Lidzbarski, *Mandäische Liturgien* (Berlin: Weidmann, 1920, repr. Hildesheim, Olms, 1971), xvi–xvii, noted that the Mandaeans could call themselves *naṣorayya*.

³ H.P. Rüger, ‘ΝΑΖΑΠΕΘ / ΝΑΖΑΠΑ, ΝΑΖΑΦΝΟΣ / ΝΑΖΩΠΑΙΟΣ’, *Zeitschrift für die Neutestamentliche Wissenschaft* 72 (1981), 257–63, but see *inter alia* K. Berger, ‘Jesus als Nasoräer/Nasiräer’, *Novum Testamentum* 38 (1996), 323–35, esp. 330–31 and Maarten J.J. Menken, ‘The Sources of the Old Testament Quotation in Matthew 2:23’, *JBL* 120 (2001), 451–68, who argue that it derives from Judges 13: 5, 7 and is a misquote of ναζιραῖος, ‘nazirite’.

⁴ W.F. Albright, ‘The Names Nazareth and Nazorean’, *JBL* 65 (1946), 397–401; Menken, ‘Sources’, 455. For references to Nazareth in ancient literature from the 2nd century onwards see Michael Avi-Yonah, *Gazetteer of Roman Palestine* (Jerusalem: Carta/Institute of Archaeology, Hebrew University, 1976), 82–83, and see also Jerome’s (4th-cent.) note that it was called Nazara (Jerome, *Lib. Loc.* 141). Some have sought to differentiate the meaning of *Nazōraios* from *Nazarenos* (found in Mark 1: 24; 10: 47; 14: 67; 16: 6). Matthew Black, *An Aramaic Approach to the Gospels and Acts*, 3rd ed. (Oxford: Blackwell, 1967), 197–200, derives it from the Hebrew root נָצַר meaning ‘guard, observe’ and links it with Epiphanius’ naming of the Jewish Nasaræans (*Pan.* 1: 18).

The narrative context of these focuses on intense Judaeen hostility to the Nazoraeans, the disciples of Jesus. The instances of the term *hairesis* occur in a sequence of incidents in Paul's life that takes him from Jerusalem to Rome (Acts 21–28), where the book of Acts concludes. The entire narrative sequence involves Paul being in Roman custody as a result of Judaeen accusations against him. It is important that this narrative context is kept in mind, since some fierce hatred of the 'sect' of the disciples of Jesus is described here, and it is important to recall who hates the Nazoraeans and who does not, and why.

The story goes that Paul of Tarsus comes to Jerusalem after many years in Asia Minor and Greece, and is confronted by James, Jesus' brother, who insists that Paul go to the Temple with four men under a nazirite vow, that he may be purified with them and pay all the expenses connected with the shaving of the heads ceremony (Acts 21: 23) as a kind of public example of his obedience to the Law. Paul is purified, and he notifies the Temple of the period of purification and the date of the offering (Acts 21: 26). These seven days are nearly over when certain people identified as 'Jews from Asia' (Acts 21: 27) recognise Paul, and claim that he teaches 'against the Law and against this place' and has 'profaned this holy place by bringing Greeks into the Temple' (Acts 21: 28), since they had seen a certain 'Trophimos the Ephesian' with him in the city. The crowd seizes Paul, drags him out of the Temple, and beats him. The doors of the Temple are shut, and Paul is then arrested by Roman troops, who put him in chains.

The commander of the Roman troops, the tribune Claudius Lysias, initially conducts a public enquiry on the spot. Not getting clear answers, he takes Paul to the barracks, but allows him to have a right of reply to the mob. Paul stands on the steps (of the Fortress Antonia) and speaks in 'Hebrew' (Acts 21: 40; 22: 2) to the crowd. The content of the speech is summarised in what follows, which provides one of the autobiographical testimonies of Paul concerning his initial persecution of 'the Way', as an emissary of the High Priest and 'the council of elders' (πρεσβυτέριον: Acts 22: 4–5), his conversion, and also his missionary activity. This complements the story of Paul's persecution of Christians and conversion described in Acts 9: 1–30, 22: 3–21 and 26: 2–20.

In this story told in Acts, Paul—like the crowd who now are incensed by him—was himself once deeply offended and outraged by the disciples of Jesus. A Jew born in Tarsus in Cilicia, brought up

and educated in Jerusalem as a disciple of the Pharisee teacher Gamaliel (cf. Phil. 3: 5–6), he was zealous for God and Torah (Acts 22: 3; 26: 4–5). Acting as cloak attendant, Paul had watched approvingly when Stephen was stoned to death for blasphemy (Acts 7: 58; 8: 1). Under the authority of the High Priest and the ‘council of elders’, he had rounded up men and women disciples of Jesus and put them in prison (Acts 8: 3; 22: 4). He had gone with letters from the High Priest to the synagogues of Damascus, to arrest ‘those belonging to the Way, men or women’ to bring them back to Jerusalem as prisoners (Acts 9: 1–2; 22: 5). Responding to a vision of Jesus, Paul could claim that ‘in every synagogue I imprisoned and beat those who believed in you, and when the blood of Stephen your witness was shed, I too was standing by, approving, and keeping the cloaks of those who killed him’ (Acts 22: 20).

The crowd is not impressed by Paul’s testimony, and Claudius Lysias decides to examine him by scourging, at which point Paul defines himself as a Roman citizen from birth (Acts 22: 25–29), which qualifies him for judgement according to Roman law. The commander then orders the chief priests and ‘all the council’ (πάν τὸ συνέδριον) to assemble and consider Paul (Acts 22: 30). This council as a totality is comprised of one part Pharisees and another part Sadducees (Acts 23: 6–9). At the head of this council is the High Priest Ananias. Presumably here, as before, the implication is that the conversation takes place in ‘Hebrew’. The Pharisees are prepared to accept Paul as inspired by a spirit or an angel; the Sadducees are not prepared to do so. Such a terrible dispute breaks out that Lysias—who is present with his soldiers—is concerned Paul might be ‘torn to pieces’ by the council (note the literary language of the arena) and he takes him back to the barracks.

Overnight forty Jews bind themselves under an oath to say they will go on a hunger strike until they kill Paul. They tell the High Priest of this vow, and inform him that they will ambush Paul if Ananias calls him down to the council again, but the extremely mysterious figure of the son of Paul’s sister hears of the ambush and warns his uncle and also Lysias. Lysias then orders that Paul be taken to Caesarea by night with a huge party of 200 foot-soldiers, 70 horsemen and 200 spearmen, to bring him to the governor Felix (ruled 52–60 CE; Acts 23: 12–24, and see also a ‘letter’ that is quoted in the text at Acts 23: 26–30).

So Paul is transferred under the cover of darkness to Antipatris and then the next day to Caesarea. Felix orders his accusers to come for a hearing, and keeps Paul incarcerated in 'Herod's Praetorium'. After five days the High Priest Ananias comes from Jerusalem with 'some elders' and a 'rhetor' (ῥήτωρ), an advocate called Tertullus (Acts 24: 1–2).⁵ Here, unlike on other occasions, the language is not defined (cf. the Greek which Lysias uses in Acts 21: 23: our author is interested in shifts in language). However, the fact that a man with the distinctly *Latin* name of Tertullus is appointed as a legal advocate appears to indicate someone adept in Roman law, who could perhaps impress the Roman procurator with legal Latin, in addition to the *lingua franca* of Greek that was presumably spoken by the chief priests and other educated people (if Josephus is normative). John Crook has shown how trained advocates were used more and more in Roman legal settings during the imperial period, since they could expertly navigate the increasingly complex technicalities of the courtroom.⁶ Therefore, we need to factor in the linguistic possibility of some Latin usage in the colonial setting of Caesarea: the language of the Roman state, a language used on inscriptions here to champion the Roman imperial cult and the apparatus of Roman authority.⁷

Studies of the hearing have shown that it clearly follows the pattern of an *extra ordinem* Roman trial in which accusers must state the case as a *captatio benevolentiae* and the defendant is permitted an *apologia*.⁸ The accusation is that 'we find this man a pest (or plague: λοιμός) and one who stirs up unrest among all the Jews of the world, and

⁵ Bruce (*Acts*, 438) states that the Jewish leaders 'enlisted the services of an advocate named Tertullus to state [the case] in the conventional terms of forensic rhetoric'; Ben Witherington III, *The Acts of the Apostles: a Socio-Rhetorical Commentary* (Grand Rapids, Mich.: Eerdmans, 1997), 702, says that the Jewish authorities, 'took the trouble of bringing a professional rhetor', the term defining a legal advocate in Dio Chrysostom, *Or.* 76: 4 and Josephus, *Ant.* 17: 226. Further textual additions in certain manuscript traditions aim to link Tertullus even more closely with the High Priest, resulting in a spurious verse 7 that is normally removed in modern editions: 'and we would have judged him according to our Law but the chief captain Lysias came and with great violence took him out of our hands.' This verse does not appear in the earliest manuscripts p74, 8, A, B, H, L, P.

⁶ John A. Crook, *Legal Advocacy in the Roman World* (Ithaca: Cornell University Press, 1995), 195–97.

⁷ See for example the inscription of Pontius Pilate: Joan E. Taylor, 'Pontius Pilate and the Imperial Cult in Roman Judaea,' in *NTS* 52 (2006), 555–82.

⁸ Bruce Winter, 'The Importance of the Captatio Benevolentiae in the Speeches of Tertullus and Paul in Acts 24:1–21', *JTS* 42 (1991), 505–31, and see Witherington, *Acts*, 702–9.

a leader of the *hairesis* of the Nazoraeans (πρωτοστάτην τε τῆς τῶν Ναζωραίων αἵρέσεως), [a man] who also tried to violate the Temple' (Acts 24: 5–6). When Paul presents his defence to Felix, Paul echoes the language. He states: 'I admit this to you, that according to the Way, which they call a *hairesis* (κατὰ τὴν ὁδὸν ἣν λέγουσιν αἵρεσιν) I serve the ancestral God, believing everything that is in the law and what is written in the prophets...' (Acts 24: 14). He states his purposes in coming to Jerusalem, to bring relief 'to my nation and to make offerings'. The Temple focus is made explicit. He insists he had been purified, and there was no crowd or disturbance until some Asian Jews accused him.

It is usually thought by New Testament commentators that Paul or the author of Acts is here uncomfortable about the designation of the Way⁹ as a αἵρεσις, which is translated invariably as 'sect'. For example, F. F. Bruce has noted that Paul defends 'that Way which his accusers described as a party or sect, although in fact it embraced and fulfilled most faithfully Israel's national hope.'¹⁰ C.K. Barrett states: 'The implicit disavowal of *sect* means that Christianity regards itself not as a group or party within the people of God; it *is* the people of God, and its way is the way (the halakah) for all Israel'.¹¹ Both Hans Conzelmann and Ernst Haenchen read the word *hairesis* as 'contemptuous'.¹²

⁹ The Way, ἡ ὁδός (Acts 9: 2; 16: 7; 18: 26; 19: 9, 23; 22: 4; 24: 5, 14, 22; 28: 22) is the teaching of the *Nazōraios* Jesus. In the Didache it is the Way of Life (Did. 1:1–4: 12), or simply the 'teaching' (διδασχὴ 2: 1), or the 'way of the teaching' (Did. 6: 1). Likewise, the Epistle of Barnabas has the 'two ways of instruction', one of light and the other of darkness, as with those who followed the way of the Teacher of Righteousness, evidenced in the Dead Sea Scrolls (e.g. 1QS 4: 2, 12; 9: 16–21; CD 1: 9, 13, cf. 16, 20–21). The 'Way' occurs in the proclamation of John the Baptist, who is preparing 'the Way of the Lord' (Mark 1: 203; Matt. 3: 3; Luke 3: 4; John 1: 23), from Isa. 40: 3, a phrase found already in Gen. 18: 19 to indicate God's will: LXX ὁδός κυρίου. Proverbs 8: 20 has, 'let us walk in the teaching of the law of YHWH'. To follow 'the way' is to walk along the right path, and here we have a reflection of the Hebrew word *halakha*, likewise deriving from the verb, *halak*, to walk. See for further, Joan E. Taylor, *The Immerser: John the Baptist within Second Temple Judaism* (Grand Rapids, Mich.: Eerdmans, 1997), 103–5, 108.

¹⁰ Bruce, *Acts*, 444.

¹¹ C.K. Barrett, *The Acts of the Apostles* (Edinburgh: T. & T. Clark, 2002), 368, so also Howard I. Marshall, *The Acts of the Apostles: An Introduction and Commentary* (Leicester: Inter-Varsity Press, 1980), 377: 'They regarded him as belonging to a *sect* within Judaism. Paul and his fellow Christians, however, preferred to think of themselves as belonging to *the Way*.'

¹² Ernst Haenchen, *The Acts of the Apostles*, transl. from 14th ed. (Oxford: Blackwell, 1971), 655: 'He concedes his membership of the ὁδός contemptuously called a 'sect' by his opponents'; Hans Conzelmann, *Acts of the Apostles*, transl. from 1972 ed.

Ben Witherington believes that here in Acts the word seems to begin to have its later pejorative sense of 'heresy'.¹³

The idea is that the High Priest is defining the Way as a mere opinion, or even a wrong opinion, but, on the face of it, in this narrative, Paul notes the language as part of his *apologia*, in which everything he states should be a defensive appeal. It would read as a very ineffective way of defending himself before the powerful Roman procurator Felix if Paul were taking umbrage about a mere word when so much was at stake. It would be more appropriate if his highlighting of the word functioned in this story in some way as a positive rather than a negative.¹⁴ We will return to this point, but firstly note the second instance in which *hairesis* is used of the Nazoraeans.

As the story of Acts continues, Felix decides that when the tribune Lysias himself comes down from Jerusalem he will make a judgement about the case, but actually he keeps Paul in custody for two years. Accusations come again when the new governor Festus arrives. Paul appeals to 'Caesar' (the emperor Nero), and is told he can go to Rome (Acts 25: 12). They sail for Italy and, after a shipwreck on Malta, they finally get to their destination, where Paul addresses 'the leading men of the Jews [of Rome]' (Acts 28: 17), and they reply, 'we want to hear from you what you think, for actually about this *hairesis* (περὶ μὲν γὰρ τῆς αἰρέσεως)—it is known to us that it is spoken against everywhere' (Acts 28: 22). Here the term clearly does not mean 'mere opinion' or even 'wrong opinion', but rather a kind of teaching (cf. 'the Way'), and Paul does not highlight the usage at this point by taking umbrage. It seems clear that the Jewish elders here want to make up their own minds and ask Paul to make a case for this teaching. In being neutral, despite what they have heard, they are employing a neutral word.

As I noted at the beginning, the specific meaning of the word *hairesis* in a particular narrative needs to be understood in terms of its usage in that context, but we would at the outset expect it to mean more or less what it usually means elsewhere in contemporaneous literature. The basic meaning of *hairesis*, deriving from the verb αἰρέω, 'take', is

(Philadelphia: Fortress, 1987), 199: 'The contemptuous designation αἵρεσις 'sect'...is corrected by the term ὁδός 'way'. The explanation about the essence of Christianity is fundamental: it is the true fulfillment of Judaism.'

¹³ Witherington, *Acts*, 708.

¹⁴ Note also that the author, if assuming Latin usage, tells us nothing about how Paul's words were translated, or who translated Tertullus for him.

something ‘grasped’ or ‘taken’, in the same way that ‘apprehension’ comes from Latin ‘*apprehendere*’, ‘to lay hold of’, or ‘tenet’ comes from *tenere*, ‘to hold’. It can then be a ‘choice’, especially in terms of a form of philosophy, and so ‘school of thought’, but also more commonly any ‘taking’, or ‘grasping’ (intellectually or physically), including a ‘taking’ or ‘seizure’ of a town in war,¹⁵ in the same way that English ‘apprehension’ can mean a variety of different things depending on context, from ‘grasping’ the meaning of something, to an ‘act of capturing or arrest’, to ‘fear’. The word *hairesis* then does not have one simple sense and needs to be assessed carefully in each case it is used.

Elsewhere in the New Testament *hairesis* appears in the neutral sense of ‘choice’, or ‘grasping’ of some interpretative position, in 1 Corinthians 11: 19, where Paul notes negatively that there are different ‘factions’, *σχίσματα* (1 Cor. 11: 18), but then ironically comments: ‘for their must be different *haireseis* (‘interpretative apprehensions’?) among you, in order that those who are approved may have become manifest.’ Here the term embraces both right and wrong ‘choices’, in theory, but there is an underlying presupposition that there is only one true way.¹⁶ In Galatians 5: 19–21 *haireseis* appears in a list of ‘works of the flesh/body’: ‘erotic actions, impurity, sensuality, idolatry, magic (φαρμακεία), enmities, contention, jealousy/zeal, desires, strugglings for gain, dissensions, *haireseis*, malicious envies, inebriations, revelling, and all such things... those who do such things will not inherit God’s kingdom.’ Since the sense here has to indicate something that is actually done or practised, then the word *haireseis* would have its fundamental meaning of ‘graspings’, ‘seizures’, ‘takings’, ‘captures’, not a sense that would result in the usual translation of ‘factions’ or the King James Version’s rendering: ‘heresies’.¹⁷

In Christianity the word did indeed soon develop into a negative one referring to a false teaching or opinion, or a body of people holding a

¹⁵ Henry George Liddell, Robert Scott and H. Stuart Jones, *A Greek-English Lexicon*, 9th ed. (Oxford: Clarendon, 1968), 41–2 [henceforth LSJ].

¹⁶ See Max Meinertz, ‘*Schisma und Hairesis im Neuen Testament*’, *Biblische Zeitschrift* 1 (1957), 114–18.

¹⁷ For the translation ‘factions’—making it an equivalent to Paul’s term *σχίσματα*—see for example: F.F. Bruce, *The Epistle of Paul to the Galatians: A Commentary on the Greek Text* (Grand Rapids, Mich.: Eerdmans, 1982), 249; Ben Witherington III, *Grace in Galatia: A Commentary on St. Paul’s Letter to the Galatians* (Grand Rapids, Eerdmans, 1998), 391–408; Alan Cole, *The Letter of Paul to the Galatians: An Introduction and Commentary* (Grand Rapids, Mich.: Eerdmans, 1989), 215.

false doctrine,¹⁸ but it would surely be wrong to import the meaning of the word used by later writers into Acts, even to import its usage by Paul, since Paul is not the author of Acts. 'Paul' functions only as a narrative character in this story, and the language of Acts needs to be understood in its own right.

Elsewhere in Acts the word *hairesis* means a 'school' of thought, in line with common Hellenistic usage, so that it relates not only to a particular body of teaching, but also to a group of people who promulgate this body of teaching and follow a particular life-style in accordance with its tenets.¹⁹ The Pharisees who are also disciples of Jesus are a *hairesis* in Acts 15: 5: *τινες τῶν ἀπὸ τῆς αἰρέσεως τῶν Φαρισαίων πεπιστευκότες*, 'some of those from the school of the Pharisees who had believed'. Pharisees are elsewhere defined in a speech of Paul as 'the strictest *hairesis* of our religion' (Acts 26: 5): the larger body of which the Pharisees are a *hairesis* is defined here as a *θρησκεία*, *thrēskeia*, which means 'religious worship, cult'.²⁰ The others similarly described as being a *hairesis* of Judaeian religion are the Sadducees (Acts 5: 17). In all these cases a neutral translation of 'school' would suffice, though for the author of Acts to define it as a 'school of religion' specifically, rather than a 'school of philosophy', is striking, since in antiquity there was a fundamental distinction between philosophy and religious cult, as Arthur D. Nock explored.²¹ This usage reflects

¹⁸ The word *αἵρεσις* appears as '(false) opinion' already in Ignatius, *Eph.* 6:2 and *Trall.* 6:1, see Joachim Rohde, 'Häresie und Schisma im Ersten Clemensbrief und in den Ignatius-Briefen', *NT* 10 (1968), 217–33; Marcel Simon, 'From Greek *Hairesis* to Christian Heresy', in W.R. Schödel and Robert L. Wilken (eds.), *Early Christian Literature and the Classical Intellectual Tradition. In Honorem Robert M. Grant* (Théologie Historique 54, Paris: Beauchesne, 1979), 101–16; G.W.H. Lampe, *A Patristic Greek Lexicon* (Oxford: OUP, 1961), 5; Walter Bauer and Frederick William Danker, *A Greek-English Lexicon of the New Testament and other Early Christian Literature*, 3rd ed. (Chicago: University of Chicago Press, 2000), 27–28. In Titus 3: 10 *αἰρετικός ἄνθρωπος* seems to foster variant (false) opinions, see Oskar Skarsaune, 'Heresy and the Pastoral Epistles', *Themelios* 20 (1994), 9–14.

¹⁹ See David Runia, 'Philo of Alexandria and the Greek *Hairesis* Model', *Vigiliae Christianae* 53 (1999), 117–47, esp. 118–24.

²⁰ LSJ 806. *θρησκεία* is found in Wisdom (LXX) 14: 18 referring to an idolatrous cult, and in Paul's Letter to the Colossians 2:18 in terms of the worship of angels, but occurs positively in the Letter of James 1: 26 as referring to the true religion disciples of Jesus should aspire to. See also Josephus, *Ant.* 12: 253.

²¹ A. D. Nock, *Conversion: The Old and the New in Religion from Alexander the Great to Augustine of Hippo* (Oxford: OUP, 1933). Judaism was unusual in combining both cult and philosophy; see Joan E. Taylor, 'The *Philosophia* of *Ioudaismos*', in *Jewish Women Philosophers of First Century Alexandria: Philo's 'Therapeutae' Reconsidered* (Oxford: OUP, 2003), 105–25.

the fact that the Judaeen schools were concerned with matters of the cult and cultic law. In the usage of Acts, then, we might best render *haireisis* as having a neutral meaning a 'school [of religion]'. But more than this, it is important to note that the Pharisees and Sadducees are identified as participating in religious *authority*: they sit in the 'council of elders', under the ultimate authority of the High Priest, a council which is defined in its totality as containing one part Pharisees and another part Sadducees (Acts 23: 6–9). These two parties at the pinnacle of the religious hierarchy are the entities defined as *haireseis*, 'schools', of Judaeen religion.

The association of the Pharisees and Sadducees with religious authority is found also in the Gospel of Luke, the 'first part' of the narrative entity Luke-Acts. Pharisees are identified as an urban elite who have the 'first seats' in synagogues (Luke 7: 36; 11: 37, 43; 14: 1, 7–11, 12–14).²² They are actively concerned with defining the correct interpretation of Torah, and function as teachers of the Law (Luke 5: 17 and see Gamaliel: Acts 5: 34; 23: 6, 9). The Sadducees are more strongly linked to religious authority in Jerusalem, appearing only in Jerusalem (in Luke 20: 27–40).

In Acts 4: 1 priests come with the captain of the Temple 'and the Sadducees' to arrest Peter and John in the Temple, and in 5: 17 the High Priest acts with 'all his supporters from the *haireisis* of the Sadducees' to arrest the apostles and put them in prison. A 'school of Judaeen religion' would appear to be an elite with active legal authority in regulating the religion, and in teaching it, in terms of the usage of the author of Acts. As Mason has pointed out after analysing the portrayal:

Luke's strategy to unite Christianity and Judaism is his portrayal of the church as a Jewish *philosophical school* alongside the Pharisees and the Sadducees... Christians appear as a philosophical school within Jewish

²² Amy-Jill Levine, 'Luke's Pharisees', in Jacob Neusner and Bruce Chilton (eds.), *In Quest of the Historical Pharisees* (Waco, TX: Baylor University Press, 2007), 113–30, at 129. The Sadducees and the Pharisees are of course not at all the same. Steve Mason ('Chief Priests, Sadducees, Pharisees and Sanhedrin in Acts', in Richard Bauckham (ed.), *The Book of Acts in its Palestinian Setting* (Grand Rapids: Eerdmans, 1995), 115–77, rightly differentiates, in the Gospel of Luke and in Acts, between the kind of authority enjoyed by the Pharisees—who are influential over the common people—and the Sadducees—who are influential over the chief priests in Jerusalem. This is a significant differentiation that remains even when in Acts they are both portrayed as being in the High Priest's council.

culture, bearing the standard of truth against the rhetoric and sophistry of the others. They are persecuted in the same way that all truth-telling philosophers have always been persecuted by sophists.²³

So, when suddenly the Nazoraeans are defined as a *hairesis* in the narrative of Acts this comes across not actually as insulting but as *elevating*. Clearly, the Nazoraeans are not legal exegetes with an active involvement in the 'council of elders' in public life; they are the very people that the High Priest and the council have wanted to attack, with the youthful Pharisee Paul himself being an example of anti-Nazoraean zealotry. The Nazoraeans are outsiders in terms of authority, and they are hunted down by the High Priest and outraged Jews from Asia as intolerable violators of the Law.

As noted above, in the narrative of Acts Paul's comment that 'they call' (λέγουσιν) the Nazoraeans a *hairesis* is part of his *apologia* and therefore would most naturally be read as defensive, rather than as an affronted aside. On the basis of how *hairesis* is used in Acts, Paul can use the word defensively because the supposedly eloquent spokesman for the hierarchy, Tertullus, is inadvertently granting the Nazoraeans the same status as another 'school' of Judaeian religion, i.e. as the Pharisees or Sadducees, and such a school should be considered a legitimate entity. Why is it then that Nazoraeans have no share in judicial authority, except insofar as some disciples of Jesus are Pharisees themselves, as we find in Acts 5: 15? For the author of Acts, the disciples of Jesus should be counted as *the* definitive Judaeian *hairesis*—the correct 'Way' which validly interprets Torah, judging Israel—but instead they are excluded.

Paul's defence in full reads: 'I admit this to you, that according to the Way, which they call a 'school', I serve the ancestral God, believing everything that is in the law and what is written in the prophets, having a hope that these men cherish themselves, that there shall certainly be a resurrection of both the righteous and the wicked. In view of this, I also practise the maintenance of a pure conscience before God and before humanity' (Acts 24: 14–16). It is a case of an *ego quoque* argument: *I too* belong to a 'school' as they (the chief priests, as represented by Tertullus) themselves call it; *I too* serve the ancestral God; *I too* believe everything that is in the law and prophets; *I too* have a hope in the resurrection of the dead; *I too* practise the maintenance of a

²³ Mason, 'Chief Priests', 153–54.

pure conscience before God and humanity. Paul is attempting to show commonality between himself and his accusers—partly by appealing to a Pharisaic tenet of resurrection of the dead. To highlight to Felix that ‘they call’ his beliefs a ‘wrong opinion’ or ‘heresy’—as if *offended*—would not be a very effective method of defence and would not fit the thrust of the argument here. The strategy of argument in terms of *hairesis* is classic *ipse dixit*. Tertullus ‘himself says’ that Paul belongs to a ‘school [of Judaeon religion]’, with its implications of legitimacy and authority, and Tertullus’ own credibility is agreed in this circumstance; therefore, Paul can use the language of Tertullus in his *apologia*, turned against his accusers.

Throughout Acts, the Nazoraeans do claim an authority of autonomy and leadership, on the basis of Jesus as Messiah, that was otherwise the prerogative of the High Priest, in association with his council (containing apparently Pharisees and Sadducees). For example, in Stephen’s speech to the council, Stephen scorns the validity of the Judaeon authorities, defining them as betrayers and murderers of the righteous one; thus they would be replaced (Acts 7). In the inaugurated eschatology of the Gospel of Luke, the authority to govern Israel was actually transferred to Jesus and the Twelve, a situation that would be manifested wholly in an imminent time of renewal. Jesus says: ‘Just as my Father has granted me a Kingdom, I grant you that...you will sit on thrones judging the twelve tribes of Israel’ (Luke 22: 29–30; cf. Matt. 19: 28).²⁴ Along with this, the language used of the earliest followers of Jesus in Luke-Acts is redolent with terms appropriate to being a *hairesis* in Greek terms: here was a group of disciples of a certain teacher, who adopted a particular way of life in accordance with the teachings of their master. Early Christian literature as a whole was comfortable with the language of a philosophical school: in the Gospel of Thomas, Jesus asks who he is like, and Peter replies: ‘You are like a wise philosopher’ (Log. 13).

Likewise, in Acts 28: 22, the Jewish leaders in Rome use the term *hairesis* neutrally but respectfully; they have heard that this ‘school’ is spoken against everywhere, but since they have not themselves received letters from the High Priest, and since they now have the opportunity to hear the case from Paul, they are going to make up

²⁴ In the Gospel of Mark they could even argue about who was the greatest among them, as if sorting out a seating order of those ‘thinking to rule over Israel’ (Mark 9: 33–37; 10: 35–40, cf. Matt. 20: 20–23).

their own minds. In other words, despite what they have heard, they are willing to credit the Way as being as legitimate as the *haireseis* of the Pharisees or the Sadducees in Judaea; they are not denouncing it as a mere opinion by using this language. They come to Paul's lodgings, hear what he has to say, and some are even persuaded (Acts 28: 23–24).

This 'friendly' side of Judaism is in fact present throughout Acts. While the Nazoraeans manage to exist in Jerusalem and elsewhere, their situation is continually seen by the author of Acts as precarious, dependent on certain Pharisees in the 'council of elders' staying the hand of the High Priest, a situation encapsulated in the words of Gamaliel in Acts 5: 34–40. Gamaliel does not classify the Nazoraeans as being in error because of any peculiar beliefs and lifestyle choices: 'Take care not to find yourselves fighting against God,' he says to the council. He places the Nazoraeans in the category of the followers of similar 'prophetic' figures: Theudas (c. 44–46 CE, in the time of Fadus), and Judas the Galilean, at the time of the census (6 CE), both of whom attracted hundreds of people (6 CE, at the time of the census 5: 36–37). But in Acts these prophetic movements are not designated as *haireseis*; that term is reserved only for the powerful Sadducees and Pharisees, and (with a slip) for the Nazoraeans whose authority should supersede theirs.

Josephus

The way Acts uses the word *hairesis*, as a 'school [of Judaeian religion]' implying an authoritative position, raises the question of how *hairesis* may be read elsewhere in sources about Judaeian religion, particularly in Josephus. As Steve Mason has explored, Josephus uses *hairesis* in the non-technical, general sense of a 'grasping', 'taking' or 'seizure' in terms of towns being captured (*Ant.* 7: 160; 10: 79, 133, 247; 12: 363, etc.), and also in the sense of a 'choice' (as in *War* 1: 99; 6: 352; *Ant.* 1: 69; 6: 71, etc.), but in 13 of the 31 occurrences it means 'philosophical school' (*War* 2: 118, 122, 137, 142, 162; *Ant.* 13: 171–3; *Life* 10–12, 191, 197), with such usage interchanging with *philosophia* and its cognates (*War* 2: 119, 166; *Ant.* 18: 11, 23, 25),²⁵ though Josephus can also

²⁵ Steve Mason, 'Josephus's Pharisees: The Philosophy', in Neusner and Chilton (eds.), *Pharisees*, 41–66, 433–36 at 434 n. 4; id., *Life of Josephus: Translation and*

use the term σύνταγμα, *suntagma*, ‘order’. The Pharisees are called a *suntagma*, ‘contingent’ or ‘order’, in *War* 1: 110, and the Sadducees are τὸ δεύτερον τάγμα, *to deuteron tagma*, ‘the second order’ in *War* 2: 164. In *War* 2: 122 *hairesis* and *tagma* are used as synonyms. The word *tagma* is found also in *War* 2: 125, and in *War* 2: 160–162, where there is ‘another order of Essenes’ (ἕτερον Ἑσσηνῶν τάγμα) who do marry and whose wives adopt the same manner of life in regard to purity.²⁶

Josephus uses the word *hairesis* as part of his presentation of Judaism as philosophy,²⁷ and just as Graeco-Roman philosophy is composed of various schools, so is Judaism. These are generally presented as being three in number: the Pharisees, the Sadducees and the Essenes.

That legal interpretation is the *raison d'être* of these *haireseis* is indicated by the comment that ‘the Pharisees appear the most accurate [of these schools] in *interpreting the law*’ (*War* 2: 163). According to Josephus, ‘all [public] prayers and sacred rites’ are performed according to Pharisaic instructions (*Ant.* 18: 15), with even the Sadducees submitting to their rulings in public office (*Ant.* 18: 17). Arguing against the propositions of Morton Smith, who considered that the Pharisees withdrew from public life in the Herodian period, Mason notes that, after the hiatus of their jurisprudential authority under Hyrcanus I, it was reinstated by Queen Alexandra (*Ant.* 13: 408); readers did not need to be constantly reminded of this, and ‘he gives no narrative reason why their position waned appreciably through the period of his history’.²⁸ As such, despite the actual religious rule of Israel supposedly being in the hands of the High Priest and his priestly associates, as Josephus states (*Apion* 2: 185–6; cf. *Life* 190), the *haireseis* appear to be in competition for influence in terms of Temple, synagogue and public

Commentary (Leiden: Brill, 2000), 15–16. The adherents of the school are αἰρετισταί (*War* 2: 119, 2: 124, 141).

²⁶ That there are ‘more than 4000’ Essenes (*Ant.* 18: 20) agrees with Philo, *Prob.* 75. Josephus notes comparatively that there are ‘over 6000’ Pharisees (*Ant.* 17: 42), and ‘a few’ Sadducees (*Ant.* 18: 17), giving a total number of a little over 10,000 in the three *haireseis*. The figures would be commensurate with a scholarly class of men. Josephus writes elsewhere that there were 18,000–20,000 priests and Levites (*Apion* 2: 108) of which 1500 received a tithe to administer public affairs (*Apion* 1: 188).

²⁷ Steve Mason, ‘*Philosophiai*: Graeco-Roman, Jewish and Christian’, in John S. Kloppenborg and Stephen G. Wilson (eds.), *Voluntary Associations in the Graeco-Roman World* (London/New York: Routledge, 1996), 31–58.

²⁸ Steve Mason, ‘Josephus’s Pharisees: The Narratives’, in Neusner and Chilton (eds.), *Pharisees*, 3–40, 429–33, at 430.

office, though of course the *haireseis* as groups and the priesthood as a group could overlap.

That Josephus does not mean to refer to *any* Jewish group expressing a particular teaching, tradition or ideology as a *hairesis* is clear. None of the diverse men dubbed 'prophets' or leaders (e.g. *War* 2: 258–63; *Ant.* 20: 167–72), like Theudas (*Ant.* 20: 97–8), John the Baptist (*Ant.* 18: 116–19) or even James (*Ant.* 20: 200–201), are identified as founding *haireseis*. In *Life* 1: 10–12 Josephus pointedly states that he as a young man investigated the three *haireseis*, before deciding to follow the rules of the Pharisees in his own role in public life.²⁹ Josephus is emphatic about the limited numbers of choices available for him. He begins by informing his audience that 'there are three *haireseis*: the Pharisees, the Sadducees and the Essenes'. The number three is repeated twice at the beginning of this passage. Not content with being toughened in this way among the schools, Josephus becomes a ζηλωτής, *zelōtēs*, (a 'zealous disciple') of Bannus, following this wilderness ascetic who presumably had disciples other than Josephus. Josephus very pointedly does not count the Bannus group as a *hairesis*. Yet, here was a lifestyle option, a form of interpretation of religion, a kind of philosophy, in which Josephus was a disciple determined to toughen himself. The reason it was not counted as a *hairesis* seems to be that for Josephus the three schools proper not only interpret the law but play a role in public life within the city: after being with Bannus, Josephus then states that 'I returned to the city (*Life* 12).' Josephus, in preparing to enter public life, felt bound to choose one or the other *hairesis* to follow. By implication, if you opt out, and go and live in the wilderness, then you do not follow a *hairesis* because you are no longer engaging in a school of Judaeian religion connected with public life.

The association of these groupings with the potential to assume public office and act in law courts is found in *Ant.* 20: 199. The younger Ananus, new in the office of High Priest, 'followed the school of the Sadducees, who are more savage concerning judgements than all the other Jews. In this instance, judging James, Sadducees exercised their power, but in *Ant.* 18: 17 it is stated that when they assume rule, they still have to do 'what the Pharisee says', because of the Pharisees'

²⁹ As Mason notes, he does not become a Pharisee himself, but simply follows their rulings as a necessity, *ibid.*, 31–33; id., 'Was Josephus a Pharisee? A Reconsideration of *Life* 10–12', *JJS* 40 (1989), 31–45.

influence over the masses. The Sadducees are clearly identified as a small number of men who were situated in the most influential echelons of society (*Ant.* 13: 297–298; 18: 17), wielding judicial power, unless their hand was stayed by the Pharisees. That the Pharisees' role at the heart of Judaeen religious authority is not overly stressed by Josephus might well result from Josephus' problematic relationship with this school of law. As Steve Mason has also shown, several Pharisees, including Simon son of Gamaliel, tried to remove him from office in Galilee (*Life* 191–8), and the Pharisees were, according to Josephus, largely responsible for the collapse of the Hasmonean dynasty (*War* 1: 110–14; *Ant.* 13: 288–98), to which he traced his roots.³⁰ His repeated stress on how influential they were over the masses (e.g. *Ant.* 13: 400) is no compliment from an aristocrat; he mentions the Pharisees to 'express annoyance at their influence and tactics'.³¹ His acceptance of Pharisaic rulings in his public life, despite his preferring the Essenes, seems a kind of acceptance of the inevitable, because they were so much in control.

This association with actual juridical authority is true for Josephus' Essenes also. Josephus states that the Essenes had their own court made up of no less than 100 men (surely in Jerusalem, cf. the 'Essene Gate', *War* 5: 145) to decide verdicts, even a sentence of death for blasphemy (*War* 2: 143–5), the implication being that they did not accept the authority of the High Priest, just as they did not accept the purity arrangements in the Temple and sacrificed separately (Josephus, *Ant.* 18: 19).³² Josephus states that 'while sending votive offerings

³⁰ See Steve Mason, *Flavius Josephus on the Pharisees: A Compositional-Critical Study* (Leiden: Brill, 1991), 325–53, id., 'Narratives', in Neusner and Chilton (ed.), *Pharisees*, 34–38.

³¹ *Ibid.* 38.

³² The earliest extant manuscript of *Antiquities* 18 (A, the Codex bibl. Ambrosianae F 128 at Milan) is from the 11th century, but it is one example from a family of manuscripts less reliable than what is available for chapters 1–15. Because of this, attention has focused on the epitome (E) used for the *Chronicon* of Zonaras (12th cent.) and the Latin version made by order of Cassiodorus in the 5th–6th centuries, in which it is stated slightly nonsensically that Essenes 'do not sacrifice' with very different purifications (18: 19). However, all Greek manuscripts indicate that they do so: see Todd S. Beall, *Josephus' Description of the Essenes Illustrated by the Dead Sea Scrolls*. Cambridge: Cambridge University Press, 1988), 115. It is hard to read even in the Latin version that the Essenes do not sacrifice or participate in the Temple cult at all, and in fact it would be perverse to credit that Josephus' eulogy of the Essenes as the optimum Judaeen school would contain any suggestion that they either rejected the Temple or refused to sacrifice.

to the Temple, they [the Essenes] perform sacrifices with very different³³ purifications, which they hold as a customary law, and because of this they perform the sacrifices by themselves, keeping away³⁴ from the common precincts'.³⁵ The sending of special gifts to the Temple indicates that, for Josephus, they wished to honour it (and had the money to do so in terms of sending votive gifts). In his view the Essenes kept away from the common precincts, τοῦ κοινοῦ τεμενίσματος—which would refer to the Court of the Gentiles where most people were permitted—but nevertheless not from the Temple proper, and one is therefore led to imagine that Essene priests engaged in Essene sacrifices separately to one side of the altar. The main point is that the Essenes had particular practices of purification/purity (ἀγνεΐα) that entailed some kind of separation from others. However, Josephus does not consign the Essenes to the margins. They are, rather, an important and ancient (*Ant.* 18: 20) school whose virtue is paramount and who are—paradoxically—given special exemptions by Herod (*Ant.* 15: 371–9), who honoured them more than one might expect 'mere mortals to be honoured'. According to Josephus, in taking up public office, (in the city?) an Essene will not abuse his authority or show superiority in clothing or in any other way; he will always love truth and expose liars; he will not steal or gain (from his position), nor will he publicly critique rulers, accepting that all rulers were placed in power by God (*War* 2: 140), though Josephus' Essenes are not averse to predicting the downfall of rulers: in *War* 2: 112–3 and *Ant.* 17: 345–48 the ethnarch Archelaus is warned of his impending doom by Simon the Essene. They are presented by Josephus as a kind of exemplary opposition

³³ Note the comparative intensification which can be read as superlative 'most different'.

³⁴ Louis H. Feldman, *Josephus Antiquities XVIII–XX* (Loeb Classical Library; Cambridge, MA: Harvard University Press, 1965), 17, translates the word εἰργόμενοι as 'excluded', which means reading a passive rather than the perfectly appropriate middle form (even if not evidenced elsewhere in Josephus). There appears no reason to read a passive when this would mean that the Essenes were excluded by others on account of their particular concern with purity, since fastidiousness with purity would mean that the Essenes themselves must surely have wanted to keep away from those who did not share their customs for fear of being rendered impure.

³⁵ As Beall has concluded from his examination of this passage, 'both Josephus and Qumran literature present a picture of a group that did offer sacrifices, though with a greater concern for ritual purity in the process', Beall, *Essenes*, 119. See also Kenneth A. Matthews, 'John, Jesus and the Essenes: Trouble at the Temple,' *Criswell Theological Review* 3 (1988): 101–26 at 105–14; Joseph M. Baumgarten, 'The Essenes and the Temple: A Reappraisal', in id., *Studies in Qumran Law* (Leiden: Brill, 1977), 59–62.

party as regards religious authority, avoiding legal associations with the chief priests and being especially careful about the purity practices of the Temple, while astutely enjoying royal favours and protections and participating in certain roles of public life.

Finally, even though he himself only really recognised three valid legal schools—Pharisees, Sadducees and Essenes (*War* 2: 119; *Ant.* 18: 10; *Life* 10)—Josephus adds as a *hairesis* the followers of Judas the Galilean (leader of revolt in 6 CE), whom he calls a ‘sophist’, σοφιστής (*War* 2: 118) and teacher (*War* 2: 433) ‘of a *hairesis* of his own not like the others’ (*War* 2: 118). This new group can be said by Josephus to constitute a *hairesis* because—given when Josephus is writing—this ‘fourth’ philosophy (*Ant.* 18: 9, 23–25) had enjoyed legal authority in Jerusalem, at the time of the Jewish Revolt, much to Josephus’ disapproval. As Josephus notes, while this *hairesis*—probably known as ‘Galileans’ from the epithet of their founder Judas (*War* 2: 433; *Ant.* 18: 23; 20: 102; Acts 5: 37)—was established in the time of Archelaus, ‘it began to sicken the nation after Gessius Florus...provoked it to rebel against the Romans’ (*Ant.* 18: 25). The ‘teacher’ Menahem (*War* 2: 445), who took over besieging the Jerusalem praetorium in 66 CE, was a son or grandson of Judas (*War* 2: 433), as was Eleazar, son of Jairus, commander of Masada (*War* 7: 433),³⁶ but actually Josephus lumps all the revolutionary factions (*War* 7: 262–70) together under the aegis of this ‘school’: those who follow the anti-Roman teachings of the Galilean Judas. For Josephus it is a poisonous philosophy which underpins the warring revolutionary governments. It is important to note that the revolutionary factions themselves are not individual *haireseis*, by Josephus’ definitions. The over-arching ‘school’ of radical theocracists then actually belongs to the period of the Revolt, the language of *hairesis* being retrojected to the time of Judas the Galilean himself, as David Rhoads has pointed out, as part of a simplifying theory of causation.³⁷

In summary, Josephus defines three legal schools of public life in Judaeon politics and law—the Pharisees, Sadducees and Essenes—as *haireseis* in the pre-Revolt period. He does not include the followers of his esteemed Bannus, or John the Baptist, or Theudas, or any other

³⁶ See David M. Rhoads, *Israel in Revolution 6–74 CE: A Political History Based on the Writings of Josephus* (Philadelphia: Fortress, 1979), 54.

³⁷ Rhoads, *Revolution*, 57.

messianic or prophetic figures as constituting a *hairesis* because—unlike the 'Galilean' revolutionaries of 66–70 CE who became the 'fourth philosophy'—they never actually held jurisprudential power and public office in Jerusalem.

Historical and Sociological Considerations

Historically, the dating for Paul's trial described in Acts is 58 CE, allowing for Paul to be two years in prison in Caesarea (Acts 24: 27) before Festus assumed the prefecture in 60 CE. Importantly, Acts was very likely written after the fire of Rome in 64 CE, in which Christians were condemned and killed by order of the emperor Nero.³⁸ The accusation by Tertullus—'we find this man a pest (or plague: λοιμός) and one who stirs up unrest among all the Jews of the world'—has a curiously universal ring to it, reflective of Roman worries about Jewish disturbances: Suetonius (*Life of Claudius* 25: 4) writes that Jews in general were expelled from Rome because they 'constantly made disturbances at the instigation of Chrestus'. Moreover, the language reflects the 'Letter of Claudius to the Alexandrians', dated Nov. 10, 41 CE, which uses exactly the same word, λοιμός, though here it is the Jews who are guilty of stirring up a 'plague throughout the world'.³⁹

In Christian memory Paul was definitely accused in Roman courts. Prior to his death he 'had borne his testimony before the rulers', according to 1 Clement 5: 5–6. It may be that in Acts the accusation of Tertullus reflects a post-fire charge against Paul and other Christian leaders by the Roman legal authorities, put into the mouth of a

³⁸ Acts ends: 'he remained two whole years at his own expense' (Acts 28: 30), which brings the historical sequence to about 63–4 CE.

³⁹ P. Lond. VI 1912; CPJ II: 153, lines 99–100. If the language does reflect a historical accusation against Paul in Caesarea, made by the Roman rhetor Tertullus, we do not need to believe it occurred exactly as the author of Acts has it. While it is clearly important to the author that Tertullus represents only the High Priest and elders, with Lysias acting as Paul's rescuer rather than his accuser, the circumstantial evidence provided here—that Paul was put in chains by Lysias, that Lysias would have flogged him to gain evidence except that he was restrained by Paul's Roman citizenship, that Lysias sought an accusation from the council of elders, that Lysias took him to Caesarea under massive guard, and brought him before Felix for trial—does rather indicate that Lysias himself considered Paul dangerous. In the narrative of Acts, the enormous number of soldiers around Paul was a kind of protection, and not reflective of the actual danger he presented for fomenting trouble.

Roman rhetor apparently representing the High Priest Ananias. However, unlike in a Roman context, where the disciples of Jesus were called *Christiani* (Tacitus, *Annals* 15: 44: 3; Suetonius, 16: 1–2), as they were first dubbed in Antioch (Acts 11: 26), in Acts 24: 5 the original Judaeac terminology is employed; for all his work among Gentiles, Paul is a leader of the *Nazōraioi*. How would Romans have defined them as a group in society?

Unfortunately, there is little to help in Latin literature on the fire of Rome and its aftermath that might illuminate how precisely Christians were categorised as a social entity. Tacitus, *Annals* 15. 44. 3 writes: *ergo abolendo rumori Nero subdidit reos et quæsitissimis poenis adfecit quos per flagitia invisos vulgus Christianos appellabat*: ‘Therefore, to quash the rumour, Nero subdued and punished by the choicest penalties a party (*reus*) which is hated for outrages, called ‘Christians’ by the mob.’ As in law today, the word *reus*, ‘party’, here is legal, as we may say ‘the injured party’. Suetonius (*Life of Nero* 16: 2) writes of Christians as ‘a *genus* of people given to a new and wicked superstition’.

As noted above, Tertullus’ emphatically Latin name and the identification that he is a ‘rhetor’ appears to indicate some appropriate expertise in a Roman legal setting that would have enabled the chief priests’ advocate to state a case to the procurator utilising the language of Rome where appropriate. If so, Tertullus may have used the Latin loan word *haeresis*,⁴⁰ but the far more common Latin word for what Paul understood as Greek *hairesis* was *secta*, and we march along in Latin footsteps by using the same Latin-derived word today when we translate *hairesis* as ‘sect’. This is interesting because the word *secta* does not carry exactly the same meaning as the word *hairesis*. In Latin, *secta* has been defined as deriving from the perfect participle of *seco* (‘to cut’), so that *secta* indicates a trodden or cut-through pathway, figuratively referring to a mode of life, or to a philosophical, jurisprudential, or medical school.⁴¹ In Latin, *secta Nazoraeorum* may well have translated Hebrew דרך־הנוצרים, ‘the way of the Nazoraeans’, literally.

⁴⁰ Charlton T. Lewis and Charles Short, *A Latin Dictionary*, rev. ed. (Oxford: Clarendon, 1969). 838; *OLD* 784.

⁴¹ Lewis and Short, 1653. Latinists disagree on this point, however, since in *OLD* 1718–9 it is defined as an obsolete participle of *sequor* (‘follow’), meaning a line someone travels, including in politics, though effectively a line someone follows is a ‘way’.

Remarkably, when the Greek text of Acts was rendered into Latin, certain linguistic anomalies became evident, so that Jerome (fluent in Hebrew, Greek and Latin), for the Vulgate, translated ἡ ὁδός in Paul's retort to Tertullus as *secta*, followed by the Greek loan word *haeresis*, when by this time in Christianity *haeresis* had a heavily pejorative meaning, in referring to a deviant doctrine or lifestyle from the orthodox position of the Church, indeed a wrong opinion. Thus in the Vulgate Tertullus refers to the *sectae Nazarenorum*⁴² (Acts 24: 4) and Paul retorts by saying, '*secundum sectam quam dicunt haeresim...*', 'according to the *secta* which they call a *haeresis*...' (Acts 24: 14) when Tertullus has not called it a *haeresis* at all, but a *secta*, indeed 'the Way' being precisely that, literally. In the narrative of Acts in the Vulgate Paul differentiates the *correct* definition of Tertullus ('*secta*' = way) from the *disparaging* definition of the chief priests ('*haeresis*' = opinion) whose language he somehow knows even though it is not stated. It is important to remember that Jerome believed that Jews were defining and cursing Christians.⁴³ It seems that here in Acts he has the Judaeen authorities prefigure this apparent condemnation. It is this sense of 'opinion' or even 'wrong opinion' in the Vulgate, however, that has guided subsequent interpretation of this passage.

In Acts 26: 22, in order to reflect the neutral position of the Jews of Rome, Jerome translates the Greek as *nam de secta hac notum est nobis quia ubique ei contradicitur*, using *secta*, and also uses *secta* in relation to the Pharisees in the mouth of Paul, in terms of their being the 'strictest school/way of our religion' (Acts 26: 5), but in terms of the Pharisees in Acts 15: 5 and the Sadducees in 24: 14 *haeresis* is used, meaning 'opinion'.

Secta, in Latin, used of philosophical schools, was a neutral term, and it is important to note that it did not at all carry the resonances

⁴² Note that Jerome also fuses the designations *Nazarenoi* and *Nazoraioi*.

⁴³ Jerome states that the 'Pharisees' (= rabbis) called the 'Nazarei' (Jewish-Christians or Christians in general) 'Minaci' (*Ep.* 112: 13). In b.Rosh ha-Shanah 17a the *minim* are identified as being those who have deviated from the communal norms. Already Justin, in his Dialogue with Trypho, wrote that Christians were called by Jews: αἱρεσις τις ἄθεος καὶ ἄνομος ἐγγέρεται ἀπὸ Ἰησοῦ τίνος Γαλιλαίου πλάνου (*Dial.* 108: 2): 'a certain godless and lawless school has sprung from a certain Jesus, a Galilean deceiver'. This possibly reflects a form of the Birkat ha-Minim, part of the daily Amidah, a curse that supposedly goes back to the end of the 1st century CE, written by Rabbi Samuel ha-Katan and approved by Rabban Gamaliel II (b. Ber. 28b). See Joan E. Taylor, *Christians and the Holy Places: The Myth of Jewish-Christian Origins* (Oxford: Clarendon, 1993), 26–31.

of our word 'sect', which tends to imply separation from normative standards.⁴⁴ Ordinarily, for both Latin *secta* and Greek *hairesis*, the assumption is that you choose a way of life compatible with your particular *philosophia*, which, as we know from the different schools of philosophy in antiquity could involve dress, food, community, financial arrangements, code of conduct and so on. But if you were a Stoic and therefore following the way of life espoused by the *secta*, it did not mean you separated yourself other than by a particular conduct, and in fact you could be extremely involved in society in one way or another. However, philosophy as a whole could be viewed with suspicion by various Roman rulers in the latter part of the first century, and it may be no coincidence at all that it was Nero who executed Seneca (Cassius Dio, *Hist. Rom.* 62: 24: 1, cf. 62: 26: 1) as well as (probably) Paul. Vespasian apparently expelled all philosophers from Rome except Musonius Rufus, and Domitian could execute and evict people on the charge of 'philosophy' alone (Cassius Dio, *Hist. Rom.* 65: 12: 1–2; 13: 1–2), with Dio Chrysostom forced to wander pennilessly until the time of Trajan.⁴⁵ In other words, from Nero in the 60s through to Trajan in 96 CE—the very time that Acts was written—it was not so much that the word *hairesis* had negative connotations as meaning a 'wrong opinion', but that philosophy of any kind could be identified as threatening to the Roman emperors. For the Roman authorities to identify Christians as being a *secta philosophiae*, 'a school of philosophy'—especially one that was new—was not really a good thing.

Nevertheless, we have seen that the *haireseis* of both Acts and Josephus are part of a small but privileged category at the heart of public life.⁴⁶ To what extent is then 'sect' an appropriate translation of *hairesis* in these texts? In his conceptualisation that differentiated 'sect' from 'church', Max Weber noted that, '[a] man was called *perusha* . . . when he segregated himself from impure persons and objects' and '[s]ince

⁴⁴ Bruce (*Acts*, 444) assumes that in Acts 24: 5, 14 it did imply separation from such standards, when he states that Paul defended his faith by stating that '[f]ar from deviating in any particular from the basis of Israel's ancient faith' he believed he was following it.

⁴⁵ Mason, '*Philosophia*', 36.

⁴⁶ Martin Goodman, *The Ruling Class of Judaea: The Origins of the Jewish Revolt against Rome, AD 66–70* (Cambridge: CUP, 1993), 74, defines them as 'small sects' on the basis of the numbers given in Josephus, *Ant.* 17: 42, but 'over 6000' legal experts—as opposed to 'sectarians'—is a large figure. The size of the groups in question is a pointer to the fact that we are not talking about population figures in terms of sectarian membership; we are talking about interpreters of the law.

they lived in the same purity as the priests, its members claimed holiness equal to those who lived correctly and superior to that of incorrect priests. The charisma of the priest was depreciated in favor of personal religious qualification as proven through conduct. Naturally, this was brought about only gradually.⁴⁷ For Weber then the Pharisees were a sect by means of a separation based on purity, which differentiated them from other Jews, endorsing Weber's church/sect dichotomy.

But if Acts and Josephus are reflective of the actual circumstances of Judaeon religion then the historical Pharisees were effectively part of the 'church', in Weberian terms, not a 'sect' at all. While there have been many reinterpretations of where the Pharisees should be placed in terms of judicial authority in the period of later Second Temple Judaism,⁴⁸ Anthony Saldarini—who used the sociological model presented by Gerhard Lenski—argued that the Pharisees and

⁴⁷ *Ancient Judaism*, transl. and ed. by Hans H. Gerth and Don Martindale (Glencoe, Illinois: The Free Press, 1952), 386.

⁴⁸ Jacob Neusner, *The Rabbinic Traditions about the Pharisees before 70*, 3 vols. (Leiden: Brill, 1971) argued that the Pharisees withdrew from public life during the Herodian period. Steve Mason, *Flavius Josephus on the Pharisees: A Composition-Critical Study* (Studia Post-Biblica 29; Leiden: Brill, 1991) likewise does not see the Pharisees as authoritative, but nevertheless very influential, and argues against the notion that they withdrew from public life; Albert I. Baumgarten, *The Flourishing of Jewish Sects in the Maccabean Era: An Interpretation* (Supplement To the Journal for the Study of Judaism 55; Leiden: Brill, 1997) focuses on the Pharisees as a reformist sect in the period from the 2nd cent. to 1st cent. BCE. The essays in Neusner and Chilton (eds.), *Pharisees*, show how differently the Pharisees can be presented. Roland Deines, however, has revived the stance of Ellis Rivkin (*The Hidden Revolution: The Pharisees' Search for the Kingdom Within* [Nashville: Abingdon, 1978]), in seeing the Pharisees as encapsulating normative Judaism both pre- and post-70: Roland Deines, *Die Pharisäer. Ihr Verständnis als Spiegel der christlichen und jüdischen Forschung seit Wellhausen und Graetz*. I (WUNT 101; Tübingen: Mohr-Siebeck, 1997), 540–55, so also Martin Hengel and Roland Deines, 'E.P. Sanders' 'Common Judaism', Jesus and the Pharisees', *JTS* 46 (1995), 1–70 and Roland Deines, (2001) 'The Pharisees between "Judaisms" and "Common Judaism"', in D.A. Carson, P.T. O'Brien and M.A. Seifrid (eds.), *Justification and Variegated Nomism: Volume 1—The Complexities of Second Temple Judaism* (Tübingen / Grand Rapids, Mohr Siebeck / Baker Academic), 443–504. This tends to cohere also with the presentation of E.P. Sanders, *Judaism: Practice and Belief 63 BCE–66 CE* (London / Philadelphia, SCM, 1992). Also supportive of seeing the Pharisees as a powerful scholarly class are Gedalyahu Alon, *Jews, Judaism and the Classical World: Studies in Jewish History in the Times of the Second Temple and the Talmud* (Jerusalem: Magness, 1977) and Daniel R. Schwartz, 'Josephus and Nicolaus on the Pharisees', *JSS* 14 (1983), 157–71. Hillel Newman, *Proximity to Power and Jewish Sectarian Groups of the Ancient Period: A Review of the Lifestyle, Values and Halakhah in the Pharisees, Sadducees, Essenes and Qumran* (Leiden: Brill, 2007) resists the term 'sect', preferring 'group', and defines the Pharisees as a 'regime-powered dissenting group', meaning they functioned at the centre of Judaeon religious life.

Sadducees were located in the category of the 'retainer class' high up in the social 'pyramid'.⁴⁹ Given that a 'sect' in modern sociological categories of analysis is defined—thanks to Weber—in terms of separation and minority status deviating from a wider social norm,⁵⁰ then this certainly does raise the question about whether the Greek word *hairesis* should be translated as 'sect' for the three or four *haireseis* that Josephus places in authority within the Judaeian religious judiciary and public life as a whole. If the Sadducees and the Pharisees did hold the position of legal authorities on the advisory council of the High Priest, then these *haireseis* are not 'sects' in a manner that would quite conform to modern sociological categories of analysis, in that they are not alternatives to the mainstream norm but actually *are* mainstream and normative themselves. They exercise legal power, whether under the High Priest (as did the Pharisees and Sadducees), or alternatively (Essenes), or by seizure ('Galileans', during the Jewish Revolt).

However, the Nazoraeans—in not having the authority they believed was rightfully theirs—conform perfectly to the modern definitions, so much so that it would appear that our concept of 'sect' is itself *defined by the character of the Nazoraeans themselves*. Jesus emphasised the need for his disciples to break family ties, when the extended family unit was the basis of society in the ancient world.⁵¹ The break with the village and town was also advocated, on the example of Jesus and his envoys. They were peripatetic, citizens of the Kingdom of God rather than any place on earth. Community living meant surrender of personal funds, with terrible consequences for those who held back, as we see with Ananias and Sapphira, who were apparently struck dead by God for retaining some of the price for selling a property (Acts 5: 1–11).

⁴⁹ Anthony Saldarini, *Pharisees, Scribes and Sadducees in Palestinian Society* (Grand Rapids, Mich.: Eerdmans, 1988); Gerhard Lenski, *Power and Privilege: A Theory of Social Stratification* (New York: MacGraw, 1966). Saldarini draws on Louis Finkelstein, *The Pharisees: The Sociological Background of Their Faith*, 2 vols. (Philadelphia: Jewish Publication Society, 1938).

⁵⁰ Bryan Wilson, *Religious Sects: A Sociological Study* (London: Weidenfeld and Nicholson, 1970) 14, 17, and see also Philip Davies, 'Sect Formation in Early Judaism', in David Chalcroft (ed.), *Sectarianism in Early Judaism: Sociological Advances* (London: Equinox, 2007) 133–56, who notes that the existence of a sect implies the existence of a parent from which the sect obtains some of its identity but against which it makes its identity also.

⁵¹ See Diedre Good, *Jesus' Family Values* (New York: Church Publishing, 2006).

It seems that one group of Second Temple Judaism has become the defining model for what constitutes a 'sect' in sociological terms. Following this, the characteristics of this group are applied outwards, so that we get a concept of 'sectarian Judaism', with the Pharisees, Sadducees and Essenes conceptually arranged using the same template. But, if our sources are historically reliable, true 'sects' in the modern sense of the word are hard to find beyond the ambit of the disciples of Jesus. We do not have excellent information, but it may be we could distinguish 'sects' as the followers of John the Baptist, or the largely short-lived eschatological or prophetic movements of the first century CE, or even Bannus. These were the very groups *not* called *haireseis* by Josephus—apart from the 'Galileans', given that they became a ruling authority.

Josephus instead stressed the intrinsic unity of Jewish religion (*Contra Apionem* 2: 179–81; 193–196), despite his knowledge of it having different legal 'schools' 'philosophies' or 'orders' at the heart of public life. What then of 'sectarian Judaism' of the Second Temple period? We are left with a sense of a normative Judaism, with a few elite parties vying for influence at the heart of public religious life (Pharisees and Sadducees), or with the royal line (Essenes), or seizing it by revolution ('Galileans'). Outside this normative, elite power-base there could have been any number of individual teachers promoting an ascetic life-style, or a radical eschatology, but these had no significant influence at all on public affairs, since they did not belong to the 'retainer class' of the elite.

If this is so, why was Bannus tolerated when the Nazoraeans were not? There was something about the Nazoraeans that incited the hatred of other Jews, most importantly of the chief priestly class. High Priestly opposition to the Nazoraeans is found also in the story Josephus tells about the death of James, the brother of Jesus 'who was called the Christ', which took place only a few years after Paul was shipped off to Rome, in 62 CE (*Ant.* 20: 197–207). Nowhere in our sources do we get the impression that the High Priest targeted other groups with such ferocity. From the extant literature, there appear to have been a whole range of teaching traditions, rabbis, disciples, practices of purification, and so on, that correspond with diverse calendars, apocalyptic expectations, theologies, as we find them evidenced in the writings such as the pseudepigrapha, apocrypha, the works of Philo of Alexandria and the Dead Sea Scrolls and the Mishnah. There were different types of Judaism in different regions, in Babylon or in

Egypt. However, the 'extreme allegorisers' of Alexandrian Judaism, as noted by Philo, were not hunted down and brought to Jerusalem to be punished by the High Priest for their particular beliefs and practices, which included not properly observing the Sabbath (*Migr.* 92). Even when Josephus tells us of the Essenes' rejection of the presiding Temple administration in regard to matters of purity, we do not have a situation in which the High Priests of Jerusalem are actively seeking out Essenes to imprison them; rather, as noted above, possibly thanks to Herodian support, they were an esteemed form of Judaism that even Josephus and Philo could admire.

The Nazoraeans and the threat they posed in fact gives us an important insight into religious boundaries. In Acts, the terrible violation of which Paul was guilty was not that he claimed Jesus was Messiah, or proclaimed Jesus had risen from the dead, but that he attempted to desecrate the Temple by bringing a Gentile into the Temple proper. As Tertullus accuses Paul, he 'tried to violate the Temple' (Acts 24: 6). Stephen was accused by members of the Synagogue of the Freedmen for speaking 'words against this holy place and the Law'; his accusers heard him say 'that this Jesus *Nazōraios* will destroy this place' (Acts 6: 13–14, cf. Matt. 26: 61; Mark 14: 57–58; John 2: 18–22). As E.P. Sanders has explored, Jesus' prediction of the destruction of the Temple (Mark 13: 1–2; Matt. 24: 1–2; Luke 21: 5–6) and attack on the Temple (Mark 11: 15–19; Matt. 21: 12–13; Luke 19: 45–46; John 2: 13–17) were extraordinarily provocative and the main reason why Jesus was arrested by the High Priest.⁵²

No wonder then that the Jewish elders of Rome had heard many negative things about the teaching of Jesus, and yet in Acts these Jewish leaders are willing to engage in a thorough discussion. They come to Paul's lodgings. Paul puts his case to them. They argue. Some are convinced, most are not, and they go away (Acts 28: 23–25). This, to me, expresses much of the spirit of Judaism at this time: enquiring, testing, but ultimately accepting of diverse opinions, even when the High Priest himself attempted to insist on boundaries by force. In other words, far from there being numerous exclusive 'sects' in the modern sense of the word during the period of the Second Temple, it may be better to imagine a dynamic Judaism, governed by a High Priest, advised by different schools, manifesting a very wide range of

⁵² Sanders, *Jesus*, 258–67.

teachings, modes of praxis and theological beliefs, fiercely argumentative in terms of its different points of view, yet bonded in a fundamental belief in the Mosaic Law and the holiness of the Temple. Whether the Temple was pure enough, or whether the calendar was appropriately followed, were matters clearly disputed,⁵³ but specific *attacks* on the Temple were intolerable. It is the plurality within unity that enables Josephus to establish his summary of Jewish religious coherence in *Contra Apionem* by referring to 'one Temple for the one God...common to all as God is to all' (2: 193–7).

Conclusion

In Acts, the reference to the Nazoraeans as a *hairesis*, both by Tertullus and the Jewish elders of Rome, is curious, because in the context of this work they are a very different entity to the groups elsewhere defined as *haireseis*—Pharisees and Sadducees—who are generally concerned with law, and indeed are specifically located within the High Priest's council of elders at the heart of public life. The language of Acts is very much the same as Josephus, who defines groups holding jurisprudential authority as *haireseis*. The Nazoraeans, on the other hand, are presented as being without authority, and are subject to attacks from the High Priest and his council of elders. Paul, in noting that 'they call' the teaching of Jesus a *hairesis*, is using the term as part of his *apologia* to Felix, using an *ipse dixit* argument that claims his accuser, Tertullus, has validly credited 'the Way' with a status akin to the status the chief priests afford the legitimate schools: the Pharisees and Sadducees.

However, in a Graeco-Roman context, it would have been understandable if the disciples of Jesus were identified as a *hairesis*, since they followed the instructions of a teacher of philosophy, though in

⁵³ The Essenes clearly had concerns about the Temple, but combined these with a fundamental high regard for it: see Baumgarten, 'The Essenes and the Temple'; Taylor, 'Philo of Alexandria on the Essenes', 11–14, *inter alia*, and now Martin Goodman, 'The Qumran Sectarrians and the Temple', in Charlotte Hempel (ed.), *The Dead Sea Scrolls: Texts and Contexts* (Leiden: Brill, 2010), 263–74, who argues that the Qumran sectarians (whom he does not identify as Essenes) do not reject the Temple, though they may well have been unhappy with how the Temple was run, 'but there are reasons to suppose that such dissatisfaction with the Temple was widespread in the late Second Temple period without dissatisfaction leading to withdrawal from Temple worship' and '[i]t is right to imagine the Temple as a public arena for the expression of strong disagreement between different groups of Jews' (271).

Latin the term (if used) *secta* may have been quite a literal translation of Hebrew *derekh*, which indicated a body of teaching.

Since the discovery of the Dead Sea Scrolls and renewed interest in inter-testamental and pseudepigraphal writings, we may see 'sects' everywhere in Second Temple Judaism. If, for example, the Nazoraeans are a 'sect', it may be assumed that we are justified in imagining that all kinds of similar groups following prophetic leaders are also to be found in the mix. But for every variant theology we have in our texts, do we suppose a variant sect? If you follow a calendar that is not the majority calendar, are you in a sect? Or would you be sectarian if you believe in one type of messiah and apocalypse and not another, if you rush off to follow a would-be revolutionary leader, or if you have table-fellowship only with those who adhere to the same purity regulations and eating habits as you do? Is there some kind of normative Judaism you could differentiate yourself from within a separatist group? What if Jews overall accepted a wide range of Scriptural interpretations, from individual to regional, from Judaeans to Alexandrian, from Babylonian to Roman, from a lone prophet to a group of disciples around a particular teacher, as part of the rich tapestry of a variegated, pluriform and vibrant religion which yet had a strong, cohesive core?

When there are boundaries, it is important to note who is setting the boundaries, and here it is interesting, because clearly the Nazoraeans would provoke some within the Jewish hierarchy to define them precisely. If the narrative of Acts reflects historical animosities, the Nazoraeans come across as a problem 'sect' not within a divided 'sectarian' Judaism without a definite centre, but within a pluriform Judaism still strongly united by an emphasis on the sanctity and importance of the Temple. The High Priests—with their Sadducean allies—sought to maintain the Temple's purity and sanctity against perceived attacks from the Nazoraeans, typified in Acts by Paul, whose actions and beliefs in regard to the Temple were considered liable to desecrate sacred space. Paul is the opposite of the Essenes, as defined by Josephus, who could not have been a serious problem to the High Priests, because the Essenes wanted the Temple even purer rather than less pure, and did not engage in public critique of rulers, keeping quiet under a separate jurisdiction: the Essenes are politically the most cautious of all the *haireseis* involved in public life. The Pharisees were circumspect in their attitude to Paul, but this would reflect their more liberal mode (in relation to the severity of Sadducees), not any

fundamental difference of perspective in terms of the Temple. It is this institution that was at the heart of Jewish religion (*thrēskeia*) in the Second Temple period.

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LEGAL REALISM AND THE FASHIONING OF SECTARIANS IN JEWISH ANTIQUITY

Christine Hayes

No single factor can account for the sectarianism (or perhaps “varieties of Judaism”) characteristic of the late Second Temple and rabbinic period for surely there were many points of difference around which groups in antiquity coalesced. Here I propose to examine a point of difference that has not been adequately explored to date—divergent theories of law (or more precisely, legal epistemologies)—and then to point out the way in which this difference became the basis for the literary fashioning or characterization of the “heretic” in rabbinic texts. (I use heretic as a translation for “min” and “*tsadoqi*” for lack of a better term, though I recognize that the term heretic implies a difference in *belief*; in due course I will provide a more nuanced portrait of the rabbinic perception of a “heretic.”)

To state my conclusions up front: sectarian writings of the Second Temple period evince a legal realism according to which law conforms to and may be confirmed by divinely revealed or empirically tested knowledge of “the way things really are.” Rabbinic sources retain a memory of this legal realism in depictions of sectarians as either ridiculing or refusing to accept laws that diverge from “the way things really are.” This historically grounded depiction became the basis for more developed literary characterizations of heretics in rabbinic sources as antinomian scoffers. In the rabbinic *imaginaire*, the sectarian’s/heretic’s repudiation of individual laws as absurd becomes a repudiation of the law in general, the authority of those who expound the law (the rabbis themselves) and ultimately the Scriptures from which they derived their authority.

Daniel Schwartz and Jeffrey Rubenstein

In a 1992 article Daniel Schwartz suggested that the Qumran sectarians and the Sadducees espoused a realist view of the nature of law typical of those with a priestly orientation; by contrast, he asserted,

rabbinic literature is manifestly nominalist in its approach to law.¹ He defines realism in this context as the view that God's law forbids what is intrinsically and really wrong and declares impure what is intrinsically and really impure. Nominalism, on the other hand, is the view that something is wrong or something is impure because it is declared so by the law, but not because it is intrinsically wrong or impure. Schwartz argued that some of the disputes that motivated the withdrawal of the Qumran covenanters from Jerusalem may be accounted for on the basis of this difference in legal theory.

In a 1999 article Jeffrey Rubenstein responded directly to Schwartz's claims, arguing that rabbinic law is not uniformly nominalist but heavily realist, and that many of the disputes isolated by Schwartz are due to differences in exegesis rather than differences in legal theory.² While there are indeed points of weakness in Schwartz's article, many of Rubenstein's criticisms are misplaced. Sorting out this controversy—and the virtues and weaknesses of both articles—will help us identify more precisely divergent theories of law in Jewish antiquity. Part 1 of this paper is devoted to that goal. We will then be in a position to determine the degree to which these very real divergent legal theories may have played a role in the fashioning of the heretic (for our purposes, the *tsadoqi* and the *min*) in later rabbinic literature. This will be the focus of Part 2 of the paper. Thus, while Part 1 will look at how a group identifies itself, Part 2 will examine how that group is identified and characterized by others and will argue that the latter may have a strong footing in the former.

I. *Sectarian Realism and Rabbinic Nominalism*

Rubenstein objects to Schwartz's use of the terms realism and nominalism on the grounds that they are philosophical terms that relate

¹ Daniel Schwartz, 'Law and Truth: On Qumran-Sadducean and Rabbinic Views of Law', in *Dead Sea Scrolls: Forty Years of Research*, ed. Deborah Dimant and Uriel Rapaport (Leiden and New York: Brill, 1992), pp. 229–240. Schwartz recognizes that the best examples of rabbinic nominalism are post-destruction. However, the chronological distance between the Qumranic and rabbinic evidence is not critical for him because Schwartz is interested in pursuing a phenomenological comparison.

² Jeffrey Rubenstein, 'Nominalism and Realism in Qumranic and Rabbinic Law: A Reassessment', *Dead Sea Discoveries*, 6:2 (1999), pp. 157–183.

primarily to ontology—to the question of whether or not material objects exist independent of our perceptions—and not to law.³

Schwartz's use of the terms realism and nominalism is sound and reflects the usage of 12th-century scholastic jurists who, under the influence of philosophical developments, applied ontological terminology to the law. According to Harold Berman, scholastic jurists believed "that universal *legal* principles could be derived by reasoning from authoritative texts"⁴ but were divided on the question of the reality of these universals. While some followed Platonic and Aristotelian realism (the notion that universals exist in nature), Christian philosophers like Peter Abelard denied the external reality of class characteristics (e.g., the beautiful, the just). Abelard held that while the particulars these universals refer to do exist outside the mind, the universals themselves are mere "names (*nomina*) invented in the mind to express the similarities or relationships among individual things belonging to a class" (Berman, p. 411).

But what is lacking in Schwartz's brief article is a clear articulation of what I will argue is the relevant difference between the realist and nominalist approaches to law—viz., *the role of epistemological certainty in determining the content of the law*. Twelfth-century Realists, following Plato, believed that the universal *legal* principles have a mind-independent reality. Because they exist in nature, these universals can be confirmed by consulting our knowledge of nature, of "the way things really are." Nominalists held a more complex view. On the one hand, they believed that the universals exist only insofar as they inhere in the particular acts and/or entities they characterize; on the other hand, they *also* believed that the universals are qualities attributed to entities by the mind (*ibid.*, p. 411). To the extent that the universals inhere in

³ Schwartz relies on Y. Silman, 'Halakhic Determinations of a Nominalistic and Realistic Nature: Legal and Philosophical Considerations', *Dine Israel* 12 (1984–85), pp. 249–266 [Hebrew]. Rubenstein asserts that the dichotomous legal approaches Schwartz describes are actually closer to legal positivism and natural law theory. But legal positivism and natural law theory differ on the source of law's authority (i.e., what makes a law legitimate and binding). This is not the issue that concerned various Jewish sects in antiquity. We have no reason to think that any Jewish group denied the view that the source of the Law's authority was its divine origin. What divided Jewish groups in antiquity was not the source of the law's authority but how best to determine the law's content.

⁴ Harold Berman, 'The Origins of Western Legal Science', as cited in *The Western Idea of Law*, eds. J.C. Smith and David Weissstub (London: Butterworths, 1983) pp. 399–413, esp. 410–13.

particular acts and/or entities, they can be confirmed by consulting our knowledge of “the way things really are.” But to the extent that they are invented by the mind, they can be revised and reformed independently (*ibid.*, 412). In theory then, epistemological certainty plays a more limited role on a nominalist view than on a realist view. Knowledge of “the way things really are” is important for the nominalist, but it is not the trump card in determining the content of the law that it is for the realist. Thus, a central criterion for identifying a realist or nominalist approach to the law is the degree of deference accorded to epistemological certainty. Does knowledge of nature and reality play a strong role (a realist approach) or a relatively weak role (a nominalist approach) in determining the content of the law?⁵

In the context of Jewish antiquity, epistemological certainty generally derives from one of two primary sources—ordinary modes of human cognition (*viz.*, empirical observation and common sense/logic) or divine revelation of cosmic realities (usually vouchsafed to a particular favored individual). Sectarian writings discovered at Qumran feature these twin sources of epistemological certainty. Moreover, sectarian determinations of law defer to, if not anchor themselves in, the certain knowledge of reality that these sources provide.

Schwartz’s best evidence for a realist understanding of law at Qumran is found in those instances in which empirical evidence or divinely vouchsafed knowledge of immutable reality is explicitly invoked in determining the law. This often takes the form of appeals to nature or the natural order of creation, the details of which could be ascertained (i) through direct empirical observation, (ii) through the record of creation preserved in the Scriptural account (which ancient Jews believed provided utterly reliable factual data about the natural order), or (iii) through special revelation of cosmic realities.

An appeal to nature relying on simple empirical observation is found in the second case Schwartz discusses: in CD 12:14–15 the proper method of slaughtering locusts (by water or fire) is grounded in the fact that it is the rule/order of their creation (*ki hu mishpat beri’atam*), which we may understand to mean the natural characteristics with which they were created—possibly a reference to the fact that locusts possess

⁵ Note that under no circumstances does it play no role.

no “blood” that can be spilled and covered.⁶ An appeal to nature supported by the Scriptural record of creation occurs in the first case discussed by Schwartz: in CD 4: 21 polygamy is rejected because it violates the principle of creation (*yesod habberi’ah*) as stated in Gen 1:27 “male and female he created them” (*zakar uneqebah bara’ ‘otam*).

An appeal to nature and the created order based on esoteric knowledge of divinely ordained reality is in evidence in the sectarian approach to conversion. As I have argued at length elsewhere, sectarian texts (e.g., 4QMMT, the Temple Scroll) as well as texts valued by the Qumran community (Jubilees) assert that Israelites and Gentiles are inherently and by their God-given natures distinct seeds—one holy and one profane—that cannot be intermingled.

Jubilees 16:17–18

And all the seed of his [Abraham’s] sons should be Gentiles, and be reckoned with Gentiles; but from the sons of Isaac one should become a holy seed, and should not be reckoned among the Gentiles. For he should become the portion of the Most High, and all his seed had fallen into possession of God, that it should be unto the Lord a people for [His] possession above all nations and that it should become a kingdom of priests and a holy nation (Ex 19:6).

The status of seeds as holy or profane—as well as gradations of holiness within Israel so that even Israelite-priestly marriage is prohibited—is not subject to revision by humans; it is an immutable fact of a divinely determined natural order.

4QMMT B75–82 (Hayes’ translation)

75 And concerning the practice of illegal marriage (*zenut*) that exists among the people (this practice exists) despite their being so[ns] of holy [seed].

76 as is written, “Israel is holy.” And concerning his (i.e., Israel’s) [clean ani]mal,

77 it is written that one must not let it mate with another species; and concerning his clothes [it is written that they should not]

⁶ The first two examples discussed here access information about the natural order through the written record of creation and through direct observation. That we may not agree with the results of ancient Jewish empiricism or share its view of the nature of locusts, for example, is immaterial for the claim advanced here—that in these instances an attempt is made to work out the content of the law using the empirical methods and data of the time. Regarding the slaughter of locusts, see Lawrence Schiffman, ‘Laws Pertaining to Forbidden Foods in the Dead Sea Scrolls’, unpublished paper presented at the AJS Annual Conference, Washington, D.C., December, 2008, example 1, section C.

78 be of mixed stuff; and he must not sow his field and vine[yard with mixed specie]s.
 79 Because they (Israel) are holy, and the sons of Aaron are [most holy.]
 80 But you know that some of the priests and [the laity intermarry,]
 81 [And they] mix and defile the [holy] seed [as well as]
 82 their own [seed], with women whom they are forbidden to marry....⁷

The absolute ban on intermarriage in 4QMMT is rationalized on analogy with the God-given separation of species. The sectarians believed these statuses to be facts of the created order rather than classifications that can be revised by humans—a highly realist stance. By contrast, the widely attested acceptance of conversion, and of marriage between Israelites and converted Gentiles, in Second Temple and rabbinic Judaism is evidence of a nominalist approach to this particular issue in non-Qumran circles.⁸

Schwartz is also right to advance the calendar as evidence of a highly realist orientation among those at Qumran, who took an oath to follow the calendar so as not to advance or delay (*lo leqadem...velo lehitaher*) the dates of the festivals (Community Rule 1:14–15)⁹—that is, the *real* dates of the festivals as determined by the 52-week pattern fixed by God at the time of the creation.

In this instance again, the law is determined by an appeal to nature and the created order, knowledge of which has been vouchsafed to humanity by a special revelation. Two important works in the Qumran library represent the 52-week, 364-day calendar as divinely determined, eternal, and part of the inherited esoteric knowledge of the community. Those works are 1 Enoch¹⁰ and Jubilees. According to

⁷ For a full discussion of these texts and the general question of sectarian views of intermarriage see Hayes, *Gentile Impurities and Jewish Identities: Intermarriage and Conversion from the Bible to the Talmud* (New York: Oxford University Press, 2002), pp. 70–91.

⁸ See Hayes, *Gentile Impurities*, pp. 70–71 and 164–8.

⁹ The full passage from the Community Rule reads “They shall not stray from any one of all God’s orders concerning their appointed times; they shall not advance their appointed times nor shall they retard any one of their feasts” as translated in Florentino García Martínez and Eibert J.C. Tigchelaar, *The Dead Sea Scrolls Study Edition*, 2 vols. (Leiden: Brill, 1977) vol 1, p. 71. Whether the calendar was actually observed at Qumran or not is irrelevant—what is important for my purposes is the rhetoric of a real festival date that cannot be changed.

¹⁰ The most complete text of 1 Enoch (a composite work consisting of the *Book of Watchers* [chapters 1–36], the *Book of Parables* [chs. 37–71], the *Astronomical Book* [chs. 72–82], the *Book of Dreams* [chs. 83–90], and the *Epistle of Enoch* [chs. 91–107]) is in

chapters 72–82 of 1 Enoch (known as the *Astronomical Book*), the movements of the heavenly bodies are perfectly co-ordinated with the 364-day calendar (1 En. 74:12, 75:3) and the calendar describes their laws “as they are, and for the years of the World to eternity, until the creation will be made anew to last forever” (1 En. 72:1). Uriel, the angel in charge of all luminaries, revealed to Enoch (1 En. 72:1, 74:2, etc.) the true calendar, whose ultimate source is God’s command (1 En. 72:37; 75:3; 82:8–12). As Davidson notes, “the author seeks to authenticate his calendar by showing it to have been disclosed from heaven” (p. 311).¹¹ Guiding Enoch through the celestial sphere, Uriel “explains the [luminaries’] courses and the laws they obey, thus providing information for the true calendar” (see also 78:10, 79:6, 80:1, and 82:7).¹² Non-compliance with the calendar is a sin (*ibid.*, 310; 1 En. 82:4).

Similarly, Jubilees presents the 364-day, 52-week calendar as a divinely ordained reality, a heavenly mystery engraved on the heavenly tablets (Jub 6:29–30), a commandment communicated by an angel to

Ethiopic. The Aramaic material from Qumran is unfortunately quite fragmentary, but includes sections from the *Astronomical Book* [chs. 72–82]. According to Maxwell J. Davidson, *Angels at Qumran: A Comparative Study of 1 Enoch 1–36, 72–108 and Sectarian Writings from Qumran* (Sheffield: JSOT Press, 1992), the Ethiopic version of the *Astronomical Book* “is apparently more a summary than a translation of the longer Aramaic material corresponding to it” (p. 20). Moreover, according to Davidson and R.T. Beckwith (‘The Earliest Enoch Literature and its Calendar: Marks of their Origin, Date and Motivation’, *RevQ* 10 (1981), pp. 365–403, p. 367), the *Astronomical Book*, along with *The Book of the Watchers* [1 Enoch chs. 1–36], is the earliest of the books that comprise 1 Enoch, dating to a period around or before the end of the third century BCE. My discussion of the *Astronomical Book* refers to the most complete recension—the Ethiopic work—on the assumption that the longer Aramaic work at Qumran contained the same basic calendrical traditions. This approach is reasonable in light of the fact that similar calendrical traditions appear in the work of Jubilees attested at Qumran as well as the Sabbath *Shirot* (see *infra*).

¹¹ Davidson observes that while the lunar calendar falls 11.25 days behind the solar calendar each year, the 364-day calendar was “itself beset with a serious problem,” falling behind the true solar year by one and a quarter days each year. Beckwith understands 1 En 80:2–8 as an effort to attribute this problem to human sin (R.T. Beckwith, ‘The Earliest Enoch Literature’ (1981), and *idem*, ‘The Modern Attempt to Reconcile the Qumran Calendar with the True Solar Year’, *RevQ* 7 (1969–71), pp. 379–96). Nevertheless, while the failure of the true 364-day calendar to synchronize with the solar calendar (and thus the seasons) is caused by disobedient stars (1 En. 80:6; Davidson, p. 305), the calendar itself is a basic function of the cosmos established by God.

¹² Christoph Berner, ‘The Four (or Seven) Archangels in the First Book of Enoch and Early Jewish Writings of the Second Temple Period’, in *Angels: The Concept of Celestial Beings—Origins, Development and Reception*, Deuterocanonical and Cognate Literature Yearbook 2007, eds. Friedrich Reiterer, Tobias Nicklas, Karin Schöpflin (Berlin and New York: Walter de Gruyter, 2007), pp. 395–411, p. 400.

Moses that must be observed by the children of Israel (Jub 6:30–32). The calendar was established at creation, when the Sabbath was appointed as a sign for all God’s works (Jub 2:1). Since the beginning of time the highest angels have observed the Sabbath (Jub. 2:17–18) and the Festival of Weeks (Jub 6:17–18). As the angels keep the Sabbath, and indeed all the festivals, in heaven, Israel is bound to keep them on earth (Jub 2:18–21) as an eternal ordinance ordained and written on the heavenly tablets (Jub 15:25–27).¹³ Failure to follow the true 364-day calendar results in asynchronous observance of Sabbath and festivals in heaven and on earth—a major disruption (Jub 6:32–33). For the author of Jubilees, “God’s intention is nothing less than perfect union, oneness, between heaven and earth as represented by the highest angels and Israel, a union not only of ‘place’ but also of time in a perfect calendar encompassing the natural and the supernatural”¹⁴ (see Jub 2:18, 21). That the Qumran community valued the synchronization of earthly and heavenly observance of the Sabbath appears to underlie the Sabbath *Shirot*. These texts describe the Sabbath praise offered by the angels on each of the first thirteen Sabbaths of the year, following the 364-day calendar of Jubilees and 1 Enoch. As Carol Newsom has argued, the community’s recitation of the *Shirot* likely generated a common experience of worship by invoking and making present the worship of the heavenly temple.¹⁵

In their references to the calendar, the texts cited above employ a rhetoric of epistemological certainty: the proponents of the 364-day calendar assert that the calendar is true (it is “written on the heavenly tablets”) and aligns with the divinely ordained and angelically monitored movement of the luminaries. Human deviations are therefore false and sinful (Jub 6:34–38)—one should not advance or delay the festivals.

¹³ Jacques Van Ruiten, ‘Angels and Demons in the Book of Jubilees’, in *Angels*, eds. Reiterer et al., pp. 585–609, see pp. 591–3.

¹⁴ Robert Hayward, ‘Heaven and Earth in Parallel: The Key Role of Angels in Ancient Judaism’, in *Christ: The Sacramental Word*, eds. D. Brown and Ann Loades (London: The Cromwell Press, 1996), pp. 57–74, p. 63.

¹⁵ Carol A. Newsom, “‘He has Established for Himself priests’: Human and Angelic Priesthood in the Qumran Sabbath *Shirot*”, in *Archaeology and History in the Dead Sea Scrolls*, ed. Lawrence H. Schiffman (Sheffield: JSOT Press, 1990), pp. 101–120, p. 117.

In direct contrast, rabbinic writings dealing with the calendar controversy thematize a nominalist disregard for determinations based *solely* on the movement of the luminaries. Certainly, the calendar adopted by rabbinic Judaism has a strong basis in astronomical reality, based as it is on empirical observation of the phases of the moon and adjusted to the seasons. Nevertheless, in their references to the calendar, several rabbinic texts employ a nominalist rhetoric—asserting the court’s right to subordinate empirical observation to other considerations. M. Rosh HaShanah 2:8–9 is, perhaps, the most well-known example.

Once two witnesses came and said, “We saw it [the new moon] in the morning in the east and in the evening in the west.” R. Yohanan b. Nuri said, “They are false witnesses.” But when they came to Yavneh, Rabban Gamliel accepted them [i.e., their testimony]. Once two witnesses came and said “We saw it at its proper time but on the next night it was not seen, and R. Gamliel accepted their evidence. Rabbi Dosa b. Harqinas said, “They are false witnesses. How can men testify that a woman has given birth to a child when on the next day we see her abdomen still distended?” R. Joshua said to him: “I see your point.” Thereupon Rabban Gamliel sent to him saying, “I order you to appear before me with your staff and your money on the day which according to your reckoning should be the Day of Atonement.” R. Aqiva went [to R. Joshua] and found him greatly distressed. He said to him, “I can cite [Scriptural] proof that whatever R. Gamliel has done is valid, for it says ‘*These are the appointed seasons of the Lord, holy convocations, which you shall proclaim in their appointed seasons*’” (Lev 23:4)—[meaning] whether they are proclaimed at their proper time or not at their proper time, I have no appointed seasons except these.” He [R. Joshua] then went to R. Dosa b. Harqinas, who said to him, “If we call into question [the decisions of] the court of Rabban Gamliel, we must call into question the decisions of every court which has existed since the days of Moses up to the present time...” Thereupon he [R. Joshua] took his staff and his money and went to Yavneh to Rabban Gamliel on the day on which the Day of Atonement fell according to his reckoning. R. Gamliel rose and kissed him on the head and said to him, “Come in peace, my teacher and my disciple—my teacher in wisdom and my disciple because you have accepted my decision.

In this text, we see both the realist view that the calendar should conform to the movements of the heavenly bodies, and the nominalist view that we have a certain freedom in setting the calendar. The nominalist position (the position that prevails) is associated with classic rabbinic figures (R. Aqiva and R. Gamliel) while the realist position is initially associated with at least one priestly figure (R. Dosa b. Hyrcanus, though

the narrator has him ultimately concede the point),¹⁶ further supporting Schwartz's claim that a realist approach is typical of groups with a priestly orientation (such as the Qumran covenanters and the Sadducees). In sum, this text rejects the idea that knowledge of a divinely ordained and astronomically "true" calendar is the sole determinant in calendrical calculations. Again, the rabbinic position takes empirical data into account (after all, the calendar is established on the basis of eyewitness testimony regarding the moon!); nevertheless, other considerations (in this case, a desire to assert authority) are allowed at times to trump the empirical element.¹⁷

I consider next the case of uncle-niece marriage, permitted in rabbinic law¹⁸ but prohibited at Qumran. CD 5:7–11 states simply that those who marry their nieces are sinners because of Lev 18:13 which prohibits a man from marrying his aunt. The text then adds, "the rules of incest are written with reference to males and apply equally to women" (so Schwartz's translation; literally: "and like them, women" [*vekahem hanashim*]). As Schwartz points out, the Qumran legislator does not adopt a legalist approach confining the law to precisely the case mentioned, but extends the law to the analogous case of uncle-niece marriage, a move that Schwartz sees as realist. Rubenstein counters

¹⁶ This is not the only place that an empiricist or realist approach to the calendar is associated with a priest in rabbinic writings. In the mishnah immediately preceding RH 2:8–9, R. Eleazar b. Zadoq adopts a realist approach to the calendar dismissing as unnecessary the court's declaration of the first of the month when the moon is not seen on the 29th, because "they have already sanctified it in heaven." Rubenstein cites this passage as an objection to Schwartz's characterization of rabbinic calendrical law as nominalist (Rubenstein, pp. 175–6). He overlooks the fact, however, that R. Eleazar b. Zadok is a priest. The text therefore supports Schwartz's claim that realist approaches to the law are more typical of priests and groups with a priestly orientation. For the phenomenon of sectarian views expressed in rabbinic texts, see Vered Noam's "Traces of Sectarian Halakha in the Rabbinic World", a symposium paper for the Orion Center available at <http://orion.mscc.huji.ac.il/symposiums/8th/NoamPaper.htm>.

¹⁷ See, for example, the story in b. Rosh HaShanah 25a (paralleled in the Yerushalmi's gemara to RH 2:4) in which R. Hiyya wants to sanctify the new moon on a particular day (presumably for reasons of calendrical convenience) and is frustrated that the old moon is still visible. Significantly, Rabbi tells R. Hiyya to travel to another location to sanctify the new month despite the presence of the old moon and to send a coded message when he has accomplished this task. Rabbi's furtiveness betrays a sensitivity to the fact that nominalist disregard for "the way things really are" is often met with opposition ranging from skepticism to ridicule to hostility (as I will argue more fully below).

¹⁸ See t. Qidd 1:4 and b. Yev 62b.

that if analogies reflect realism, then rabbinic literature must be classed as realist rather than nominalist in its approach, because rabbinic literature is replete with analogies.

To this we may respond that analogy, like other types of classificatory and taxonomic thinking, is simply a tool that can be employed in ways that reflect a realist approach *or* a nominalist approach. The analogies of a realist tend to be based on appeals to nature and empirically observed or logically derived similarities between cases while the analogies of a nominalist are arguably less naturalistic and empirical. As an illustration, the following analogy is a classical rabbinic *gezerah shawah* that extends the prohibition of inter-generational incest to both sexes and in both directions.

b. San 75a

What [verse] makes males [subject to the same law] as females? It says here [Lev 20:14] “depravity” and it says there [Lev 18:17] “depravity.” Just as there males [are subject to the same law] as females, so here [those] below [i.e., descendants, are subject to the same law] as [those] above [i.e., ancestors].

What [verse] makes [those] below [i.e., descendants] as [those] above [i.e., ancestors]? It says here [Lev 20:14] “depravity” and it says there [Lev 18:17] “depravity.” Just as there [those] below [are subject to the same law] as above, so here [those] below [are subject to the same law] as above.

Note that the analogy between the two cases is not based on the common possession of a natural or empirically observable characteristic. The analogy is artificially manufactured on the basis of a linguistic connection between the *verses* that refer to the cases analogized. While some rabbinic analogies are based on empirically observed shared traits and are more realist in nature (the *heqqesh* and the *binyan av*) many—especially analogies of the *gezerah shawah* type—are not. It bears repeating that the difference between rabbinic law and Qumran law is not that the former is exclusively nominalist while the latter is realist. Rather, as I have been arguing, rabbinic law differs from Qumran law in that it incorporates a strain of nominalism according to which epistemological certainty in general, and empirical considerations in particular, may occasionally be devalued or overruled in the determination of law.

The case of the *nitzoq* (the stream that connects the liquid in an upper vessel with the liquid in a lower vessel) also provides support for Schwartz’s argument when viewed through the lens of empiricism. The

author of 4QMMT and his opponents (whose view coincides with the Pharisaic view expressed in m. Yad 4:7) disagreed concerning a stream of fluid connecting liquid in a pure vessel and liquid in an impure vessel. The author of 4QMMT argues that the stream forms a connection uniting the pure liquid in the upper vessel and the impure liquid in the lower vessel, with the result that the entire entity is impure.

4QMMT B57–58

And also that liquid streams cannot separate impure from pure, for the stream of the flowing liquid and [the liquid that] receives from it are like them, one single stream.

Rubenstein argues that the dispute turns on the nature of impurity itself and whether it can travel upwards, so both positions are realist, he argues; they just differ over the “real” nature of impurity.¹⁹

This explanation seems highly unlikely. First, it ignores the explicit textual evidence of 4QMMT—that the dispute centers on whether or not the stream forms a connection that combines the lower and upper liquid into a single unit such that the impurity of the former is by definition possessed also by the latter: (*ki laḥat hamutsaqot vehameqabel mehemmah kahem laḥah aḥat* = “for the stream of the flowing liquid and the [liquid] that receives from it are like them, *one single stream*”). Second, there is no textual evidence for a dispute over whether or not impurity in liquids can travel upwards.

I submit that the rabbinic position stems from the rabbis’ attempt to establish legal definitions and minima—a task that engages them in all areas of law but most particularly in laws of purity and impurity. For example, instead of asserting that even the smallest speck of corpse-flesh causes impurity, the rabbis set an arbitrary lower limit: only a mass of corpse-flesh of a certain minimum size is capable of conveying impurity. Similarly, only non-kosher food of a certain minimum size is capable of rendering kosher food non-kosher. In the same vein, they consider how large an opening is required between rooms before the two are deemed—by definition—to be a single room subject to the law of defilement by overhang. And what form of mingling or connection makes a single body of liquid out of two liquids such that the

¹⁹ For other hypotheses regarding this provision in 4QMMT see Yaakov Elman, “Some Remarks on 4QMMT and the Rabbinic Tradition or When is a Parallel not a Parallel?”, in *Reading 4QMMT: New Perspectives on Qumran Law and History*, eds. Moshe Bernstein and John Kampen, SBL Symposium Series, No. 2 (Atlanta, GA.: SBL, 1996), pp. 105–24.

impurity of one is attributed *by definition* to the larger entity created by the union of the two? The temporary stream formed when the liquid in one vessel is poured into the liquid in another vessel is not deemed by the Pharisees to be a legal connection, i.e., a connection that unites the two liquids into a single entity *subject as a whole to the relevant laws of impurity*, just as a very small hole in the wall dividing two rooms is not deemed sufficient to convert them into a single room subject to the law of defilement by overhang because the hole must be a minimum of one cubic handbreadth. The very concept of legal definitions or minima is non-empirical and nominalist (as Gilat has noted).²⁰ But for the author of 4QMMT, the temporary stream formed when the liquid in one vessel is poured into the liquid in another vessel forms a real physical connection that unites the two into a single entity (*lahah ahat*). His opponents' declaration to the contrary cannot change that empirical fact, and thus the liquid in the upper vessel acquires the impure status of the liquid in the lower vessel because it is *by definition* one and the same entity.²¹

Part I Summary: We have seen explicit evidence from Qumran of a realist approach to law that values epistemological certainty with

²⁰ See also Gilat as cited in Noam, *Traces of Sectarian Halakhah* (section H) who "maintains, based on R. Eliezer's position on measurements, that in R. Eliezer's opinion, 'one becomes liable to penalty on the Sabbath for the most minute quantity, the only condition being that this must be a natural and independent unit (e.g. one stitch, but not half a stitch). The sages, however, insist on a definitely fixed norm, i.e. two units: one who removes two hairs, weaves two threads, writes two characters and so on...' According to Gilat, R. Eliezer is concerned with 'defining measurements in accordance with the specific characteristics of the act or object, rather than by applying a single inflexible standard to numerous cases.' The difference between these two attitudes, that of R. Eliezer [a priestly figure—CH] and that of mainstream sages, is an impressive example of the realism vs. nominalism parameter described by Schwartz above."

²¹ The exemption concerning viscous liquids cited by Rubenstein does not militate against the argument advanced here. According to m. Maksh 5:9, when a thick viscous liquid is poured from an upper vessel into a lower vessel, the liquid in the upper vessel *does* become defiled because thick viscous liquids "spring back." Rubenstein is correct that this case is decided for realist reasons: Because the upper liquid has actually touched the impure liquid it becomes defiled and conveys that impurity to the liquid in the upper vessel when it "springs back" into the upper vessel. Nevertheless, even in the case of a thick viscous liquid, the rabbis deny that the stream between the upper and lower vessel forms a *legal* connection despite the empirically observable fact that the two liquids are physically connected by the stream. They concede defilement only when some of the impure liquid actually enters the upper vessel. Thus, while the rabbis often make empirically based or realist decisions (they declare the upper liquid defiled when impure fluid actually enters it) they are also prepared to ignore empirical arguments when making legal determinations (in the case of the *nitzoq*, denying that a stream that physically connects an upper and lower liquid forms a legal connection).

its appeals to nature and/or the created order, empirical observation and common sense analogy. At the same time, we have seen explicit evidence in rabbinic texts of a nominalist approach to many of the self-same legal issues. The rabbis are not categorically anti-realist or anti-empirical. However, appeals to the natural order, to “the way things really are” and to empirical considerations are weighed among other considerations and are at times overruled. Finally, we have seen that rabbinic sources are aware of the realist position and its divergence from the nominalist rabbinic position. This is evident in texts that articulate and consciously reject a realist approach to the calendar (see also *Ex Rabbah* 15:2), but also to conversion,²² to certain purity laws (particularly in the determination of minima), and more.

What I will argue in Part 2 is that this earlier and genuine disagreement in legal epistemology lies behind the later literary fashioning of the heretic in rabbinic literature. Legal nominalism in its various forms has a tendency to inspire ridicule and resistance among its opponents when its results are patently counter-factual, unempirical, or absurd. The very rhetoric of the sectarian literature examined here, which grounds sectarian legal views in appeals to “the way things really are,” implies that anything less is by definition unacceptable as a basis for law. For their part, rabbinic sources seem to retain a memory of persons of a realist bent who objected to, ridiculed, and/or rejected halakhot or legal determinations which, in their view, diverged from “the way things really are.” These persons are often described as heretics or Sadducees.²³ I will argue that it is no accident that the primary characteristics of the heretic in rabbinic literature—of all periods, both east and west—are (a) resistance to rabbinic law ranging from simple skepticism and incredulity to outright ridicule over the counter-factual or absurd character of a given rabbinic law or exegesis, and/or (b) rejection of that law or exegesis often extending to the rejection of (rabbinic) legal authority generally.²⁴ This historically-grounded portrait of the “heretic” was subjected to further literary embellishment

²² See Hayes, *Gentile Impurities*, p. 160 and chapter 8.

²³ Not always. The calendar text in *m. Rosh HaShanah* is particularly intriguing in that R. Joshua, a central rabbinic character, is at first persuaded to the realist view and only subsequently to the nominalist view.

²⁴ The features I isolate (skeptical or scoffing dismissal of rabbinic law, exegesis and authority leading to antinomianism of one degree or another) can be found in sources of diverse provenance. Preliminary study suggests only minor differences across time and space, and I hope to return to a more nuanced portrait at a later time.

so that heretics in rabbinic sources are often depicted as the ultimate antinomian scoffers.

II. *Characterizing the Heretic*²⁵

The terms most often employed in rabbinic sources to refer to a heretic or an internal other are *min*, *tsadoqi*, and to a lesser degree *apikoros*.²⁶ While there is much overlap among these terms (especially the first two), they are not entirely interchangeable. Genuine occurrences of *tsadoqi* (i.e., correcting for censorial substitutions for *min*) tend to feature individuals who reject a Pharisaic (or rabbinic) practice or legal ruling, while genuine occurrences of *min* (i.e., prior to the deletions and substitutions of the censors) tend to feature individuals who additionally reject rabbinic exegesis and engage in heated theological and Scriptural debate.²⁷ Nevertheless, the *min* and the *tsadoqi* share an important characteristic with one another (and with the *apikoros*)—and this common ground has, I think, been missed. All three of these “internal others” consider and subsequently reject rabbinic teachings (both laws

²⁵ Our examination of the rabbinic portrayal of the heretic does not attend to regional differences between Palestine and Babylonia, or to chronological differences among our sources because our purpose is to identify broad features common to the vast majority of rabbinic portrayals of heretics in order to argue that the literary representation of heretics is grounded in an earlier experience of divergent legal epistemologies. For a historically-oriented discussion of differences between eastern and western sources see Richard Kalmin, *The Sage in Jewish Society of Late Antiquity* (New York: Routledge, 1999), pp. 68–74.

²⁶ *Minim* are heretics of various sorts, not Christians. For an initial bibliography on heretics see Richard Kalmin, ‘Christians and Heretics in Rabbinic Literature of Late Antiquity’, *Harvard Theological Review* 87:2 (1994), pp. 155–169. See also Samuel Tobias Lachs, ‘Rabbi Abbahu and the Minim’, *Jewish Quarterly Review* 60 (1970), pp. 197–212; Naomi Janowitz, ‘Rabbis and their Opponents: The Construction of the “Min” in Rabbinic Anecdotes’, in *Journal of Early Christian Studies* 6:3 (1998), pp. 449–462; and Jenny Labendz, ‘Know what to answer the Epicurean: A Diachronic Study of the Apikoros in Rabbinic Literature’, *HUCA* 74 (2003), pp. 175–214.

²⁷ The distinction is not a clean one. The legal disputes between Sadducees and Pharisees are often said to turn on competing interpretations of Scripture. Nevertheless, the primary tension between Sadducees and Pharisees lies in the former’s articulation of an alternative *halakhah*. For a survey of scholarship on the Sadduceean-Pharisaic disputes see Peter Richardson, Stephen Westerholm et al., *Law in Religious Communities in the Roman Period: The Dispute over ‘Torah’ and ‘Nomos’ in Post-biblical Judaism and Early Christianity*, Canadian Corporation for Studies in Religion (Waterloo, Ont.: Wilfred Laurier University Press, 1991), chapters 7 and 8. By contrast, *minim* are depicted as hostile to the entire project of Scriptural interpretation as conducted by the rabbis, and to Scripture itself, as we shall see.

and exegeses). The teachings that they consider and reject are usually teachings that are, in the view of the “heretic,” counter to common sense, empirical evidence, or logic, i.e., they are absurd, false or illogical. In the rabbinic imagination, the sectarian/heretic’s rejection of a given law, is no less than the rejection of rabbinic law and authority *generally*, which is in turn no less than a rejection of Scripture itself. Commenting upon Num 15:31, the rabbis interpret the phrase “Because he has scoffed at the word of the Lord” as a reference to the *tsadoqi* and the phrase “and violated His commandment” as a reference to the *apiqoros* (Sifre Num 112).

Similarly, in this rabbinic text from p. San 10, 27d–28a concerning Korah’s rebellion against Moses, the rabbis reveal their view of the motivations of those who challenge their own authority.

Rav said, “Korah was an *apiqoros*.” What did he do? He went and made a tallit that was entirely purple. He went to Moses and said, “Moses our rabbi: a tallit that is entirely purple, is it liable to the law concerning fringes?” He said to him, it is liable, for it is written, ‘You shall make yourself tassels’” (Deut 22:12).

[Korah said]: “A house that is entirely filled with (holy) books, is it liable to the law concerning mezuzah?” He said to him, “It is liable for a mezuzah as it is written ‘And you shall write them on the doorposts of your house’” (Deut 6:9).

[Korah] said to him: “A bright spot the size of a bean—what is the law [is it impure]?” He said to him, “It is a sign of impurity.” “And if it spread over the entire body of the man?” He said to him, “It is a sign of purity.”

At that moment Korah said, “The Torah does not come from Heaven, Moses is no prophet, and Aaron is not a high priest.”

Korah asks Moses “our rabbi” three questions in which logic would evidently dictate a certain answer and yet Moses’ responses differ from the expected logical answer. It seems that the unintuitive, illogical, or absurd nature of these responses motivates Korah to declare that the Torah is not divine and Moses is no prophet. Absurd, illogical laws must be the work of men, not God. As such they need not be obeyed, and the authorities that seek to impose them may be flouted.

These are precisely the themes that run through rabbinic representations of the *tsadoqi*, the *min* and, to a lesser extent, the *apiqoros*. Specifically, Sadducees tend to be depicted as reacting to rabbinic laws and teachings that are illogical, unempirical, or counterfactual. Their reactions range from incredulity to impatience to scoffing and in each case the law itself or rabbinic authority in general is challenged or rejected.

By contrast, *minim* tend to be depicted as reacting to Scriptural texts or rabbinic interpretations of Scriptural texts that are counterintuitive, acontextual, illogical or midrashically creative.²⁸ These reactions range again from incredulity to outright mockery and lead to a rejection of rabbinic and/or Scriptural authority. We first consider cases involving Sadducees before turning to additional cases involving *minim*.

(a) *The Depiction of Sadducees in Rabbinic Texts: Central Themes*

The following text features Sadduceean incredulity in the face of two Pharisaic rulings that appear to the former to be illogical (the first case) or non-empirical (the second case). M. Yad 4:6–8 contains a series of three disputes between Sadducees and Pharisees, including a dispute over the purity status of Scriptures and the dispute over the *nitzoq*.

The Sadducees say: “We complain against you, you Pharisees, because you say that the Holy Writings defile the hands, but the books of Homer do not defile the hands.” R. Yohanan b. Zakkai retorted: “Have we nothing against the Pharisees but this? Behold, they say that the bones of an ass are ritually pure yet the bones of Yohanan the high priest are impure!” They said to him: “Their impurity is proportional to their love for them so that nobody should make spoons out of the bones of his father or mother.” He said to them: “So also the Holy Writings. Their impurity is proportional to their love for them. The books of Homer which are not precious do not defile the hands.”

The Sadducees say: “We complain against you, you Pharisees, that you declare an uninterrupted flow of a liquid to be pure.”

The rabbinic elaboration of this dispute counterposes a realist approach (the Sadducean approach) with a pragmatic nominalism. In the first case, the Sadducees are said to react negatively to the Pharisaic ascription of impurity to Scriptures, viewing it as an insult that the Holy Writ is deemed to defile while pagan literature is not. R. Yohanan b. Zakkai, a Pharisee, pretends to go along with the Sadducean objection so that the latter might be convicted out of their own mouths. He carries the Sadducean objection a step further: Not only, he asserts, do the Pharisees insult Scripture by saying that it defiles the hands, but they insult God’s own high priest, Yohanan, by saying that his bones defile while those of an ass are pure. R. Yohanan ben Zakkai knows

²⁸ We may include objections by *minim* of a Christian bent to the effect that rabbinic interpretations of Scripture are blind to the “obvious” supersessionist message of the text. See further *infra*.

that the Sadducees accept the ascription of ritual impurity to human corpses and bones, and hopes to elicit from them a defense of the view. His ruse succeeds. The impurity of human bones, the Sadducees respond, is a pragmatic ruling to ensure that they are not handled disrespectfully. The ruling is thus not an insult, but an indicator of the preciousness of human remains. At this point R. Yohanan b. Zak-kai removes his Sadduceean mask: by the same token, he retorts, the ascription of impurity to Scripture is an indicator of its preciousness, a pragmatic measure to ensure it is not much handled.

The rabbinic author of this staged dialogue depicts the Sadducees in a rather poor light (naturally enough). They rather obtusely object to the ascription of impurity to Scripture as insulting, suggesting that they take the ascription to be the designation of an actual or “real” status rather than the legal fiction it is. Their objection is that of a knee-jerk realist—if Scripture is not “really” impure, how can the Pharisees simply declare it to be so? The author of our text has the Pharisaic hero of the story teach his Sadduceean opponents a lesson in nominalism: don’t pretend, he counters, that you are such hard and fast realists! You yourselves have engaged in the nominalist practice of ascribing a status to something for purely pragmatic purposes. Thus, the Sadducees are depicted not only as obtuse and literal-minded, but also hypocritical in their insistence on a realist standard.

The second case in our passage is not elaborated—it simply records a dispute familiar to us from 4QMMT—the case of the *nitzoq*. The Sadducees object to the Pharisaic view that the uninterrupted stream of liquid (the *nitzoq*) connecting the bodies of water in an upper and lower vessel is ritually pure. Presumably the situation imagined is one in which the liquid in the lower vessel is impure, as there would be no question of the impurity of the *nitzoq* were the liquid in the upper vessel impure. While an argument from silence is dangerous, we may plausibly suppose in light of the evidence of 4QMMT and the thematizing of Sadduceean realism in the immediately preceding case in the Mishnah, that the Sadducees object to the Pharisees’ position because it ignores the very real physical connection between the two liquids, asserting instead that they are not deemed to form a single body of liquid with a single status of impurity. If so, then we have two instances in which Sadducees are depicted as adopting a realist stance and objecting to the nominalist view of the Pharisees because it is illogical (how can Scripture be both holy and impure when these

are incompatible statuses?) or nonempirical (anyone can see that the liquids join to form a single body!).²⁹

The Pharisaic position in the first case in m. Yadayim provokes incredulity among the Sadducees. Similarly, in t. Hag 3:35 (= p. Hag 3, 79d), Sadducees express incredulity over the Pharisees' immersion of the menorah in the Temple for the purpose of purification.

Once they immersed the menorah on a festival day (to purify it). The Sadducees went about saying "Come and see how the Pharisees immerse the light of the moon" [i.e., something as pure as the light of the moon].

The relative merits of the Sadduceean and Pharisaic positions aside, the Sadducees evidently perceive the Pharisees' action as unnecessary, if not ludicrous.

Pharisaic practices of a (legal) fictive nature are said to expose the Pharisees to criticism, and even ridicule, by the Sadducees. Thus, a legal dodge that creates an appearance of propriety in preparing the red heifer for sacrifice, prompts R. Yosi to admonish his fellows this way: "Don't give the Sadducees occasion to find fault! Rather... [do the act directly]" and do not rely on a dodge (m. Parah 3:3).³⁰ The same phrase is attributed to R. Akiva in t. Parah 3:3–4 (mss. = *minim* but cf. b. Zev 21a = Sadducees), this time in reference to a ruse that makes it possible (in a legal sense) to draw water without human agency. The rabbinic authors of these passages hint that stratagems that create an appearance but not a reality of propriety make the Pharisees vulnerable to the criticism and ridicule of their Sadduceean opponents.

The *eruv* provides another example. The *eruv* is a legal strategy by which genuinely distinct domains are declared by the rabbis to be a single domain, in order to dodge certain Sabbath restrictions. Thus, m. Eruvin 6:2 and related texts (p. Eruv 1, 18c, p. Eruv 7, 24d and

²⁹ To be sure, this reasoning is not explicit but for reasons mentioned *infra*, this reconstruction is plausible, if not probable.

³⁰ The entire text reads: "A male from among the sheep was brought and a rope tied between its horns, and a stick or bushy twig was tied to the other end of the rope. This was thrown into the jar. The male sheep was then hit so that it started backwards, and he would take the ashes and mix as much of it as would be visible on the water. R. Yosi said: "Don't give the Sadducees occasion to cavil! Rather he himself should take it and mix it."

b. Eruv 61b) discuss the fictive conversion of an alleyway into a single domain for the purposes of carrying on the Sabbath. R. Gamliel notes that a Sadducee lived in the same alleyway as his family in Jerusalem and refused to participate in the eruv, thus prohibiting the alleyway for the other residents. In the give and take of the subsequent Talmudic argument, Sadducees are suspected of deliberately violating the law of carrying in the courtyard (p. Eruv 1, 18c). Here again, Sadducees are assumed to have little patience for Pharisaic-rabbinic determinations of legal status that do not reflect plain facts. As a consequence, it seems, the Sadducee simply does not observe the law.

These texts may be said to evince a high degree of self-awareness—the rabbinic authors of these passages are aware that the position they endorse (the Pharisaic position) is viewed as absurd by others and they attribute that view to Sadducees.³¹ Indeed, they are not entirely without sympathy for the plain-sense view of the Sadducees. In a dispute over inheritance rights found in p. BB 8, 16a the Sadduceean position is described as *badin*—the logical or theoretically correct view. According to the Pharisees, that position is trumped by an exegetical consideration. Nevertheless, the rabbinic author of the passage recognizes that of the two positions, the Sadduceean position is at least logically correct.

The incredulity, criticism and/or ridicule featured in rabbinic representations of Sadducees may be linked directly to a second important motif—the motif of antinomianism, since criticism of the law often leads to rejection of it. Because Sadducees are depicted as objecting to seemingly illogical and non-realist (Pharisaic) *rabbinic* laws, their antinomianism is primarily and correspondingly in respect to *rabbinic* law. B. San 33b and b. Hor 4a make this point succinctly: the very distinction between biblical and rabbinic law is described as the distinction between that which Sadducees admit or accept (biblical law) and that which Sadducees reject (rabbinic law). Thus, the Sadducees famously

³¹ B. San 52b may provide evidence that Sadducees were assumed by rabbinic authors to be realists. In trying to explain the action of a court that imposed execution by burning at the stake, two hypotheses are offered. One is that the court in question was simply not learned in the law, because the Pharisaic-rabbinic interpretation of the punishment of burning does not entail actual burning at the stake but ingestion of molten lead. The other, suggested by R. Joseph is that the court was a Sadduceean court. There is no indication that R. Joseph has evidence for his claim. Presumably, he infers that only Sadducees would adopt a realist/literalist understanding of the punishment of burning.

reject the rabbinic elaboration of biblical menstrual purity laws (see m. Nid 4:2, t. Nid 5:2–3, b. Nid 33b) and high priests of Sadduceean persuasion occasionally perform rituals in defiance of Pharisaic teachings regarding those rituals (see t. Yoma 1:8 and t. Suk 3:16 concerning a Boethusian, p. Yoma 1, 39a and b. Yoma 53a concerning a Sadducee).

(b) *The Depiction of Minim in Rabbinic Texts: Taking Aim at Scripture*

In rabbinic sources, *minim*, like Sadducees, are said to object to rabbinic laws and practices. However, *minim* are also, and more frequently, represented as objecting to rabbinic interpretations of Scripture—particularly acontextual or fanciful (unrealistic) interpretations—and even at Scripture itself.³² The common element in most of these sources is the objection to illogical interpretive methods, and to unempirical or absurd claims. Reactions range from skepticism and incredulity to outright mockery and lead ultimately to a rejection of both rabbinic and Scriptural authority.³³

We consider first texts which portray *minim* as unreceptive to rabbinic interpretive methods. Some rabbinic texts betray a consciousness that interpretations that stray far from a contextual reading or that employ artificial techniques of exegesis are viewed with skepticism by outsiders. For example, in b. Ber 10a, our rabbinic authors are aware

³² B. San 90b–91a contains an interesting example. The passage consists of a series of debates between rabbis and non-rabbis, including heretics, over the doctrine of resurrection. Against the rabbis' acontextual midrashic interpretations attempting to prove that resurrection is taught in the Bible, heretics and other non-rabbinic interlocutors assert the plain or contextual meaning of the verse in question. So for example, heretics are said to ask R. Gamliel how he knows that God will resurrect the dead. R. Gamliel offers three midrashic interpretations of biblical proofs which are rejected seriatim. In each case, the rejection takes the form of a counter-interpretation by the heretics that is more constrained and contextual than the exegesis offered by R. Gamliel. While the printed edition has *minim* challenging R. Gamliel, a Genizah fragment as well as medieval manuscripts read "Sadducees." Interestingly, parallel versions of this passage assign the role of questioner to a student, not a *min* or a Sadducee. In all likelihood, this passage, which has no Palestinian parallel, is a Babylonian composition. The term "Sadducee" simply marks R. Gamliel's interlocutors as paradigmatic "others" who behave as paradigmatic others (especially *minim*) behave. See my discussion of this text in Hayes, 'Displaced Self-Perceptions: The Deployment of *Minim* and Romans in B. Sanhedrin 90b–91a', in *Religious and Ethnic Communities in Later Roman Palestine*, ed. Hayim Lapin (Bethesda, MD: University of Maryland Press, 1998), pp. 249–289.

³³ A notable exception are the two traditions regarding Jacob the Min. There is nothing in these traditions to suggest that Jacob's queries are posed in a scoffing or ridiculing manner.

that a *min* would not accept an interpretation based on *semukin* (textual juxtapositions)—a somewhat artificial method of interpretation.

A certain *min* said to R. Abbahu: It is written: “A Psalm of David when he fled before Absalom his son” (Ps 3:1) and it is also written, “Of David. Michtam, when he fled before Saul in the cave” (Ps 57:1). Was the incident of Absalom first? [No!]¹—yet since the incident of Saul was first, it should have been written first. He said to him: there is a difficulty only for you who do not interpret *semukin* [textual juxtapositions] but for us, who do interpret *semukin*, there is no difficulty.

In other texts, *minim* are depicted as objecting not to the fanciful interpretive methods of the rabbis, but to the extravagant content of their interpretations. Thus, in *Pesiqta deRab Kahana* 18 (Mandelbaum, 297–98) a *min* derides R. Yohanan’s fantastic exegesis of Isaiah 54:12 as entirely unrealistic and absurd. Similarly, a tradition that appears in both Talmuds defines another kind of heretic (an *apikoros* this time) as one who insults a scholar or expresses exasperation with the self-serving results of his interpretation through phrases such as “These scribes!” (p. San 10:1, 27d) or “Of what use are the rabbis to us? For their own benefit they read Scripture and for their own benefit they study traditional teachings!” (b. San 99b). In other words, heretics are believed to view the rabbinic project as guided by self-interest rather than a genuine desire for understanding.

Often the *min*’s barbs are directed at Scripture itself, particularly when its form or content seems to violate linguistic conventions or common sense norms. As regards form, *minim* seize upon apparent glitches and grammatical or stylistic oddities in Scripture in order to disable a rabbinic belief or teaching, or to put forth a “heretical” belief (such as dualism). For example, in several traditions in b. San 38b–39a, *minim* point to third-person references to God as a challenge to the theory of divine authorship (God should refer to himself as “me” and “I,” not “The Lord”). That Scripture is vulnerable to such attacks is conceded by the rabbis in Gen Rab 8:8. Here Moses chastises God for writing “Let us make man in our image” in Gen 1:26 since the plural form will fuel the heretical claim of multiple divine powers. “Sovereign of the Universe!” Moses exclaims, “Why do you give a justification to heretics?” “Write it,” God replies, “whoever wishes to err may err.”

At times the content of Scripture, or the content of Scripture as understood by Jews—and not merely the form of Scripture—comes under attack. *Minim* point up the theological problems raised by certain verses, particularly problems that would impugn the dignity and perfection of the text. Sometimes *minim* enjoy pointing to passages that

appear nonsensical (b. Shab 152b, reading “*minim*” with mss.), that can be interpreted humorously (b. Sukkah 48b) or, particularly in the case of Christian *minim*, that can be turned against Israel altogether (b. Yev 102b, t. Meg 3:37, b. Ber 10a).³⁴

In response, several rabbinic passages express the view that both the content and form of Scripture are deliberately designed to disable heretical claims and ridicule. According to m. San 4:5, a single man was created so that *minim* would not claim that there are many ruling powers in heaven. T. San 8:7 adds that man was created last so that *minim*³⁵ would not assert that God had a partner in his work.³⁶ According to another tradition, whenever scripture seems to provide justification for a heretical view, the refutation is close at hand (Gen Rab 8:9 and b. San 38b–39a.) Thus, the plural implication of “Let us make man in our image” (Gen 1:26) is refuted by the subsequent use of singular forms “And God created [sing.] man in his [sing.] own image.” Likewise, we read in Deut Rab 2:13 (= Ex Rab 29:1):

Minim asked R. Simlai, “How many powers created the world?”

—He said to them, “Let’s ask the [account of] the six days of creation.”

—They said to him, “Is it written ‘a god [*eloah*—singular] created the earth?’ [No, rather] ‘gods [*elohim*—plural] created the earth’ is written.”

—He said to them, “Is it written that ‘*elohim* created’ (bar’u—plural form of verb)? [No, rather] ‘created’ (bara’—singular form of the verb) is written.”³⁷

³⁴ These latter cases, as well as AZ 4a, may well depict Christian *minim* whose ridicule is directed less at Scripture itself (since Scripture was valued by Christians) than at a particular Jewish understanding of Scripture or reliance upon Scripture. A common early Christian view was that Jews failed to perceive the correct allegorical intention of Scripture, specifically its message of rejection of physical Israel and the passing of God’s favor to the “true” and spiritual Israel. In b. AZ 4a, b. Yev 102b, and b. Ber 10a for example, *minim* do not merely point out how Scripture (read correctly) points to the rejection of the Jews, they do so in a manner that is implicitly or explicitly hostile or ridiculing, provoking fear or anger in response. Jewish interpretations that did not acknowledge Christian allegorical or supersessionist readings were trivialized or demeaned in Christian writings as “carnal.” For Christian disparagement of Jewish hermeneutics as “carnal,” see Daniel Boyarin, *Carnal Israel: Reading Sex in Talmudic Culture* (Berkeley and Los Angeles: UC Press, 1993), Introduction.

³⁵ Following the reading of the Erfurt and Vienna mss.

³⁶ These two claims are combined in b. San 38a. Similar traditions may be found in Sifre Num 143, Sifra Nedabah 2, 5 [Finkelstein ed., vol II, p. 22]. See also Mid Pss 24:4. Likewise, Gen Rab 1:10 asserts that the creation account begins with a *bet* rather than an *alef* to signal that the world was created with the language of blessing (*barukh*), not cursing (*arur*) as *minim* might claim.

³⁷ Further examples are found in b. Ber 10a, b. Yoma 56b–57a, b. Hul 87a. In each case a *min*’s hostile or uncharitable construal of a verse is refuted by the continuation of the verse.

In all of these instances, *minim* ridicule—by poking holes in—the logic, language and contents of divine revelation and law as if to say: is it reasonable to suppose that a divine revelation would contain material that is poorly written, misleading, nonsensical and even hostile to the very people to whom it was given?

As we saw in the case of the Sadducees, criticism of the law can lead to rejection of it. In our sources, Sadduceean objections to seemingly illogical and non-realist Pharisaic-rabbinic laws, leads to their rejection of specific *rabbinic* laws. In contrast to Sadducees, *minim* object not only to rabbinic law and authority but also to Scripture and divine law itself.³⁸ Therefore, their antinomianism is correspondingly a rejection of both rabbinic law *and* divine law. As regards the former, *minim* are described as deviating from rabbinic norms of tefillin, prayer and slaughter.³⁹ As regards the latter, a tradition in p. Ber 1, 3c//b. Ber 12a associates (probably Christian) *minim* with the rejection of the bulk of the Mosaic Law. R. Matna and R. Shmuel bar Nahmani state that by rights the Decalogue should have been recited even outside the Temple, but the practice was dropped because *minim* insinuated that *only* the Decalogue and no further norms were given at Sinai.⁴⁰ Derekh Eretz 1:6 warns “Do not be drawn away from the commandments and do not expound towards heresy”—an explicit association of *minut* with the renunciation of the commandments. The association of *minut* with antinomian sin may be seen in midrashic traditions that gloss biblical references to sinners (*posh'im*, *hot'im*) and those who hate or are enemies of God as *minim* and *zedim* (brazen sinners).⁴¹

Minim are depicted as denying God altogether, as may be seen in the tradition that decodes Ps 14:1 “The fool has said in his heart, ‘There is no god’” as a reference to *minim* (Sifre Deut 320; see also b. Ber 12b,

³⁸ Again, in the case of Christian *minim* it is the rabbinic/Jewish understanding of Scripture that is rejected and ridiculed rather than Scripture itself.

³⁹ For the charge of deviation from rabbinic norms of *tefillin* practice see m. Meg 4:8 (cf. b. Meg 24b); of prayer see b. BB 25a; and of slaughter see m. Hul 2:9 [= t. Hul 2:19 [following manuscript readings]; see also p. Kilayim 9, 32a and b. Hul 41b] where rabbinic Jews are warned not to slaughter animals in a particular way because to do so would imitate the *minim* [in Bavli p.e. = *tsadoqim* but all mss read *minim*].

⁴⁰ Compare m. Tamid 5:1 for the earlier practice of reciting the Decalogue.

⁴¹ See b. Meg 17b (reading *minim* with manuscripts), Gen Rab 48:6, and Eccl Rab 26:3. A passage in b. Hor 11a draws a distinction between an apostate and a *min* (following manuscript readings)—it is the latter whose violations are done from a posture of defiance or rebellion, a deliberate and pointed antinomianism that leads directly to sin (see also b. AZ 26b).

b. Yev 63b [following mss. against the printed edition]).” Those who deny God deny his law and thus are a law unto themselves,⁴² walking in the ways of their own heart and eyes, in direct contradiction to Moses’ admonition in Num 15:39: “Do not go about after your own heart and your own eyes.” We see this idea in several traditions that warn against the heretical implications of certain verses in Ecclesiastes.

R. Samuel b. Isaac said: The Sages tried to suppress the Book of Ecclesiastes because they discovered in it words redolent of heresy. They declared: All the wisdom of Solomon is contained in the statement, “Rejoice, O young man, in your youth, and let your heart cheer you in the days of your youth, and walk in the ways of your heart, and in the sight of your eyes” (Eccl 11: 9). Now Moses said, “That you not go about after your own heart and your own eyes” (Num 15:39), whereas Solomon said, “Walk in the ways of your heart, and in the sight of your eyes!” Is restraint to be abolished? Is there no judgment and no Judge? But since he continued, “But know that for all these things God will bring you into judgment” they exclaimed, “Solomon has spoken well” (Eccl Rab 1:4; see also Lev Rab 28:1, and b. Ber 12b).

Following one’s own eyes and heart leads inevitably to sin and several rabbinic traditions characterize *minim* as deeply embroiled in grave sin—often sexual immorality—with no hope of repentance.⁴³

The portrait of *minim* in rabbinic sources includes blatant disrespect not only for the law but for the authorities who teach and enforce the law—the rabbinic class. Korah’s rebellion is paradigmatic in this regard.

Korah died because he separated to *minut*—he disagreed with Moses and Aaron (Tanhuma Parashat Korah, Appendix A)

Thus, just as Korah’s *minut* is figured in rabbinic tradition as a rejection of the authority figures of the day (Moses and Aaron), the *min* and *tsadoqi* are also characterized in rabbinic sources as rejecting not just the law but the authorities who carry and teach the law—the rabbis.

⁴² See Sif Deut 218 which defines a *min* as one who teaches himself a “different way.”

⁴³ According to b. AZ 17a repentance is effective for all but *minim* since the latter are fundamentally addicted to sin. *Minim* are depicted as engaging in acts of serious sexual immorality in Eccl Rab 1:25 and b. Ber 56b. And this is the reason *minut* is perceived as so dangerous. Avot deRabbi Natan warns that one should stay away from *minim* and be deaf to their words, lest one stumble by following their deeds (AdRN A, 2 and B, 3; see also Mekhilta Kaspā 20).

In the case of *minim*, just as their rejection of the law can take the form of ridicule, scoffing and deliberate distortion, so their rejection of the authority of the rabbis can take the form of ridicule, scoffing, and deliberate distortion. *Minim* take special pleasure in undermining and provoking the rabbis. In m. RH 2:1, we learn that *minim* sabotaged calendrical testimony (“They used to admit evidence about the new moon from any man, but after the evil doings of the heretics, they enacted that evidence should be admitted only from those they knew”). B. Ber 7a (= b. AZ 4b⁴⁴ and b. San 105b) tells of a *min* who delighted in provoking R. Joshua b. Levi with his interpretations of Scripture. Provocations of this sort could be heated, prompting threats of vengeance (*ibid.*) or violence (b. San 91a). These scriptural battles and other dialogs occur in a highly charged atmosphere of competition (see b. Pes 87b, b. Ket 112a, b. Eruv 101a [reading *min* with all manuscripts against the printed edition]). In many instances, the sparring barely rises about the level of personal insults (“Your face is like that of a moneylender or pigbreeder” says one *min* to R. Judah [b. Ned 49b, reading *min* with all manuscripts]) and general disrespectful behavior, as the blind R. Sheshet experienced at the hand of a certain *min* determined to trick and humiliate him (b. Ber 58a, reading *min* with all manuscripts). The failure to silence a *min*’s Scriptural perversions might subject a rabbi to taunts and even physical danger. The danger is so severe that amateurs are cautioned against getting involved in debates with *minim*. R. Eliezer warns that a person should know how to answer an *apiqoros* and R. Nahman warns that only those skilled at refuting *minim* should attempt to do so (b. San 38b). R. Safra’s inability to refute the Scripture-based charges of *minim* results in his being tortured (b. AZ 4a), while R. Joshua b. Hananyah’s success against a *min* leads to the execution of the latter (b. Hag 5b, reading *min* with all manuscripts). In short, *minut* is hardly benign and several rabbinic texts identify *minut* with a long list of evils that include argument, competition, dissension, jealousy, hatred, and rebellion against God (Sif Num 16 [Horowitz ed., p. 21], t. Shab 13:5, Num Rab 9:37, Shir haShirim Rab 8).

⁴⁴ While the Munich ms and early printed edition read *min*, the JTS and Paris manuscripts read *goy*.

Summary

The case I have argued is this: despite a surface appearance of great diversity, rabbinic representations of heretics (especially Sadducees and *minim*) for all their individual differences share a common element—a realist resistance to rabbinic legal nominalism and creative Scriptural exegesis. Ranging from skepticism to incredulity, from ridicule to outright hostility, the resistance of these non-rabbinic others leads ultimately to rejection of both the law and legal authority—either Pharisaic-rabbinic, as in the case of the Sadducees, or in the more extreme case of the *min*, both rabbinic and Scriptural. I have argued that the literary representation of heretics in classical rabbinic literature is rooted in a historic phenomenon: a divergence in legal epistemologies that can be traced to the late Second Temple period, involving (a) groups, often with a priestly orientation, who favored an approach to the law that placed a high value on epistemological certainty, and (b) a group or groups who were willing on occasion to set aside considerations of “the way things really are” in the determination of the law. The former viewed as absurd the nominalist tendency of the latter to overrule determinations of law that commanded a high degree of epistemological certainty, a tendency found in Pharisaic and later rabbinic law.

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PART TWO

MEDIEVAL AND MODERN

THE QARAITES AS SECT: THE TYRANNY OF A CONSTRUCT*

Marina Rustow

According to a twelfth-century account now understood to be a myth of origin, the branch of Judaism called Qaraism came into being in mid-eighth century Baghdad when ‘Anan ben David was passed over for the office of exilarch (temporal head of the Jewish community) in favor of his younger brother Ḥananyah. In a fit of pique, ‘Anan broke from the rabbinic establishment and “set up a dissident sect in secret,” for which he was condemned to death and thrown into an Abbasid prison. His cellmate advised him to convince the caliph to free him on the reasoning that what he truly intended to found was not a sect but a separate religion, and thus was permissible. ‘Anan described the differences between his “religion” and rabbinic Judaism this way: “The religion of my brother employs [a calendar based on] the calculation [of months] and intercalation [of the year] in fixed cycles, while my religion depends on observation of the moon and intercalation according to the [ripening of] new grain.”¹ Calendar differences, according to this account, made the two “religions” distinct.

The earliest source to preserve this legend is an anti-Rabbanite polemic by an early twelfth-century Qaraite named Eliyyahu ben Avraham, who claimed to relate the legend from an unnamed Rabbanite source.² His account does indeed sound suspiciously like anti-Qaraite

* My thanks to Nathan Hofer for providing me with materials to which I lacked access, to Ryan Szpiech for his expertise on Alfonso de Valladolid, and to Sacha Stern for his invaluable comments on an earlier draft.

¹ Eliyyahu ben Avraham (Palestine or Byzantium, first half of the twelfth century), *Hilluq ha-qara'im ve-ha-rabbanim*, in Simha Pinsker, *Likkute Kadmoniot. Zur Geschichte des Karaismus und der karäischen Literatur* (Vienna, 1860), 2:103. See also Leon Nemoy, ‘Elijah ben Abraham and his tract against the Rabbanites,’ *Hebrew Union College Annual* 51 (1980): 63–67.

² Samuel Poznanski, *The Karaite Literary Opponents of Saadiah Gaon* (London, 1908), 72–74, identifies that source as Se‘adyah b. Yūsuf al-Fayyūmī, ga’on of Sura (928–42). For a skeptical view and an English translation of the account, see Leon Nemoy, ‘Anan ben David: A Reappraisal of the Historical Data,’ in *Semitic Studies in Memory of Immanuel Löw*, ed. Alexander Scheiber (Budapest, 1947), reprinted in *Karaite Studies*,

propaganda in that it depicts Qaraism as the product of wounded pride. Just as suspiciously, it closely resembles contemporaneous Christian slanders of Muḥammad as a Christian cleric who, out of ambition or having been passed over for election as patriarch, turned heresiarch and founded Islam.³ But these are not the only elements of the 'Anan myth that raise suspicion: more importantly for my purposes here, it projects a full-fledged difference in calendation methods between rabbinic Jews and the dissident group to a time before those differences in fact emerged. The myth exhibits a quintessentially medieval propensity to compress historical processes into single, mythologized events and to understand schisms in terms of founding moments. It is, then, a prime example of how histories of religious movements tidy up messy and gradual processes of evolution and replace them with linear narratives featuring a founder with a clear agenda and followers. In fact, Qaraism did not originate in the mid-eighth century but in the second half of the ninth, and Qaraites themselves began to trace their origins to 'Anan b. David only after separate groups called 'Ananites and Qaraites merged in the tenth century.⁴

Though the technique of narrative compression is medieval, its effects lasted well into the twentieth century. The claims in this account and other medieval versions of the schism predisposed scholars to

ed. Philip Birnbaum (New York, 1971), 313–14. A later Qaraite work claims that 'Anan's cellmate was Abū Ḥanīfa, the eponym of one of the four Sunnī schools of law; see Poznanski, 'Anan et ses écrits,' *Revue des études juives* 44 (1902), 167 n. 2; and cf. Salo Wittmayer Baron, *A Social and Religious History of the Jews*, 2nd ed., 17 vols., vol. 5 (New York: Columbia University Press, 1957), 388–89, n. 1.

³ See, for instance, the accounts of Guibert of Nogent and Petrus Alfonsi, both also from the early twelfth century. According to Guibert (1052–1124), Muḥammad was the student of an Egyptian hermit who had been passed over for the patriarchate of Alexandria due to his heterodox beliefs: R.B.C. Huygens, ed., *Guibert de Nogent: Dei gesta per Francos et cinq autres textes*, Corpus Christianorum, Continuatio Mediaevalis 127a (Turnhout: Brepols, 1996), 94–100 (thanks to Jay Rubenstein for kindly suggesting this text). Petrus Alfonsi (1062–after 1121) relates a variant on this theme according to which Muḥammad's teachers, a heretical Jacobite archdeacon and two heterodox Jews, encouraged him to spread his faith through political means: Reginald Hyatte, *The Prophet of Islam in Old French: The Romance of Muhammad (1258) and The Book of Muhammad's Ladder (1264)* (Leiden: Brill, 1997), 11–12. For other possible precedents, see Gerson D. Cohen, *A Critical Edition with a Translation and Notes of the Book of Tradition (Sefer ha-qabbalah)* (Philadelphia: Jewish Publication Society, 1967), xxxviii (abbreviated below as Cohen, *Sefer ha-qabbalah*).

⁴ Haggai Ben-Shammai, 'Between Ananites and Karaites: Observations on Early Medieval Jewish Sectarianism,' in *Studies in Muslim-Jewish Relations*, ed. Ronald L. Nettler (Chur: Harwood Academic Publishers in cooperation with the Oxford Centre for Postgraduate Hebrew Studies, 1993), 19–29.

propound a church-sect model of Judaism according to which a deviant group broke away from an already mainstream rabbinic Judaism. Scholars for the most part agreed that Se'adyah ben Yosef al-Fayyūmī (882–942), *ga'on* of the yeshiva of Sura in Baghdad, neutralized the threat that Qaraism posed to Judaism through his polemics in defense of rabbinic tradition and thus drove Qaraites apart from the body of Israel. This version of events is most pronounced in the works of Leon Nemoy, who extrapolated an entire history of Qaraite-Rabbanite hostility from tidbits of information preserved in literary sources. According to Nemoy, “the suddenness of [Se'adyah's] attack [on Qaraism] and its effectiveness” brought about “a complete break” between the two groups and the Qaraites’ “forced estrangement from the Rabbanite community.”⁵ After Se'adyah, he wrote, rabbinic Judaism and Qaraism parted company, and never did the twain again meet.

But sources from the Cairo Geniza suggest that this “forced estrangement” never took place. For five centuries after Se'adyah, Rabbanites and Qaraites remained in productive contact with one another in their writings and in daily life, marrying one another, cooperating in business ventures, building common institutions, frequenting the same courts of law, and maintaining other formal and informal alliances of all sorts.⁶

How, then, did the Qaraites come to be designated as a “sect” in the first place? In what follows, I will trace the history of the church-sect idea in medieval, early modern and modern writings about Qaraism, as well as the neatly linear narrative of schism according to which a deviant group branched off from a stable mainstream. Both began with medieval rabbinic tradition, gained ground in early modern Christian Hebraist writings, and finally assumed the status of “fact” in mid-twentieth century scholarship. I will then propose an alternative way of understanding the historical relationship between medieval Rabbanites and Qaraites and consider the implications such an alternative approach might bear for the study of other religious schisms.

⁵ Leon Nemoy, *Karaite Anthology: Excerpts from the Early Literature*, Yale Judaica Series 7 (New Haven: Yale University Press, 1952), xx. See also idem, ‘Karaites,’ in *Encyclopaedia of Islam* (2nd ed.); idem and J.E. Heller, ‘Karaites,’ in *Encyclopedia Judaica* (1st ed.).

⁶ For details through the early twelfth century, see Marina Rustow, *Heresy and the Politics of Community: The Jews of the Fatimid Caliphate* (Ithaca: Cornell University Press, 2008).

I. *How Did the Qaraïtes Become a “Sect”?*

The story of Qaraïsm as a deviant branch of Judaism received its fullest historiographic incarnation on the Iberian peninsula. True, the ge'onim of ninth- and tenth-century Iraq referred to the Qaraïtes as *minim* (heretics), and it was an eastern rather than a western source, the account of Eliyyahu b. Avraham, that first related the supposed “founding moment” of Qaraïsm.⁷ But polemics against Qaraïsm among the Jewish courtier class of both Islamic and Christian Iberia, which prided itself on its extirpation of heresy, came to play a major role in popularizing the notion of Qaraïsm as a deviant branch. This is, in part, because the Sephardi literary tradition came to assume a disproportionate role in shaping the history of rabbinic Judaism, since many more manuscripts from the west than the east enjoyed continuous copying and transmission. The Iberian peninsula happened to be home to a living tradition of rabbinic persecution of Qaraïtes, and that lent Iberian accounts of Qaraïsm a starkly aggressive cast; an alternative narrative meanwhile lay buried in the Cairo Geniza for eight centuries.

The earliest Iberian polemical account appears in the work of Yehudah b. Barzillay al-Bargeloni (late eleventh century), a compiler of gaonic responsa and a self-styled heir to the Babylonian rabbinic tradition. Al-Bargeloni reported Shemu'el ibn Naghrilla (d. 1056), poet, talmudist and the vizier of the Zīrid city-state of Granada, to have boasted that there had never been “any Qaraïsm [*minut*, literally, heresy] among [Iberian Jewry] except in a number of villages bordering the land of Edom [Christian-ruled Iberia].... Our ancestors flogged some of [these heretics]...and they died as a consequence of the punishment.”⁸ The invocation of flogging indicates that Iberian

⁷ See, e.g., *Teshuvot Rav Naṭronay bar Hilay Ga'on*, ed. Y. Brody (Jerusalem: Friedberg Library Institute, 1994), *Orah Hayyim* no. 138 (257–59); *Seder Rav 'Amram Ga'on*, ed. D. Goldschmidt (Jerusalem: Mosad ha-Rav Kook, 1971), *Pesaḥ* (the heretical Passover custom these two ninth-century ge'onim mistakenly attribute to the Qaraïtes was in fact practiced by rabbinic Jews in Palestine); a responsum of Naṭronay or of Yehosef ha-Levi b. Palṭoy on eating warm food on the Sabbath, *Teshuvot ha-ge'onim sha'arey teshuvah* (Livorno, 1869), no. 34, and in B.M. Lewin, ed., *Otzar ha-Geonim: Thesaurus of the Gaonic Responsa and Commentaries* [Hebrew], 12 vols. (Jerusalem: Mosad ha-Rav Kook, 1928), *Shabbat* 37b–38a, 2:40–41; and a responsum of Hayya bar Sherira to Nissim ben Ya'aqov of Qayrawān on the calendar, *ibid.*, *Yom Tov* 4b, 4:3 (my thanks to Sacha Stern for this reference).

⁸ Yehuda b. Barzillay al-Bargeloni, *Sefer ha-Ittim*, ed. J. Schorr (Kraków, 1903), 267,

rabbis administered corporal punishment against Jews they accused of heresy, and this is plausible given that Iberian Jewish communal leaders did, in fact, enjoy exceptional powers of enforcement.

One of the unintended effects of the Christian wars of conquest on the Iberian peninsula was to grant Jews better access to punitive violence than they had possessed in many centuries—at least since the Hasmonean dynasty ruled Palestine more than a millennium earlier. Those powers of enforcement grew stronger because Christian rulers granted Jewish courtiers administrative appointments in newly conquered Christian territories, having found that Jews who had served as courtiers in the Muslim-ruled states they had conquered possessed the kinds of linguistic skills—and knowledge of the enemy—that made them diplomatically useful without the drawback of their actually being Muslim. Once granted those appointments, courtiers used their power to protect their coreligionists from war, to resettle refugees from the south, and to carry out attacks against those they considered heretics. This was true particularly in Castile under Alfonso VI (1065–1109), Alfonso VII (1126–57), and Alfonso VIII (1158–1214).⁹

It was not only the reconquista but the Almohad takeover of the south that lent Iberian Jews' zeal in defense of the faith its particular color. That Jewish courtiers prided themselves on their extirpation of heresy precisely during this era already suggests that problems of heresy cannot be understood as mere ideological disagreements cleansed of power relations and removed from their historical contexts. Qaraite Judaism represented a particular kind of threat to an Iberian courtier

cited in Cohen, *Sefer ha-qabbalah*, xlvii, n. 12, who also had difficulty making sense of the two words in ellipsis. Among Iberian authors, *minut* was the epithet of choice for Qaraism; for further references, see Cohen, *ibid.*, xxxviii n. 110, and Moshe Gil and Ezra Fleischer, *Judah Halevi and His Circle: Fifty-Five Geniza Documents*, Hebrew (Jerusalem: World Union of Jewish Studies, 2001), 183 n. 46. Petahya of Regensburg uses the same term for Qaraite in eastern Europe ca. 1180: see Tapani Harviainen, 'The Karaites in Eastern Europe and the Crimea: An Overview,' in *Karaite Judaism: A Guide to its History and Literary Sources*, ed. Meira Polliack, Handbuch der Orientalistik, Erste Abteilung: Nahe und der Mittlere Osten, 73 (Leiden and Boston: Brill, 2003), 636.

⁹ Baron, *Social and Religious History*, 5:271 (see also the sources cited at 412 n. 72). Baron claims that Qaraite were eradicated on the Iberian peninsula by 1178, a claim difficult to refute given how little information has been preserved about them. See Yitzhak Baer, *A History of the Jews in Christian Spain*, trans. Louis Schoffman, 2 vols. (Philadelphia: The Jewish Publication Society of America, 1961 [1945, 1959]), 1:65, 77 (based on al-Bargeloni and Ibn Dāwūd and taking their reports at face value); Ben-Shammai, 'Between Ananites and Karaites,' 19–29; Cohen, *Sefer ha-qabbalah*, xlvii–l, 159–65; and Daniel J. Lasker, 'Karaism in Twelfth-Century Spain,' *Journal of Jewish Thought and Philosophy* 1–2 (1992): 179–95.

class wedged between the anvil of Islam and the hammer of Christianity, a class that feared that polemics against the exclusive legitimacy of rabbinic tradition might render Judaism and Jews vulnerable to the discursive or physical attacks of Christians and Muslims.

At the pinnacle of this period stood Avraham ibn Dāwūd of Toledo (d. ca. 1180), whose chronicle of rabbinic history, *Sefer ha-qabbalah* (composed 1160–61), doubled as an anti-Qaraite polemic. The work argues that the only authentic and legitimate strain of Judaism is the rabbinic variety, as demonstrated by its continuous transmission from antiquity to the author's era. This argument was not new, having first been voiced by Se'adyah in the tenth century. But Ibn Dāwūd added a decidedly new and pernicious contention, one he borrowed from Christian polemicists against Judaism: that there were fewer Qaraites than Rabbanites, and this demonstrated the Qaraites' disfavor in God's eyes and their religious illegitimacy. In extirpating what he saw as a threat from within Judaism, then, he turned a tradition of anti-Jewish triumphalist rhetoric against his fellow Jews.

Ibn Dāwūd also provided an account of the role that the kings and military forces of León and Castile had played in routing out the Qaraites at the behest of their Jewish retainers. Particularly important was Yehuda ibn 'Ezra, the revenue-collector (*almoxarife*) of Alfonso VII (1126–1157), about whom Ibn Dāwūd had this to say:

[God] put it into the heart of King Alfonso the Imperator to appoint over Calatrava our master and teacher the rabbi and courtier Yehuda ibn 'Ezra and to place all the royal provisions in his charge. His forefathers had been among the leaders of Granada, holders of high office and men of influence in every generation [as far back as] the reign of Bādīs b. Ḥabbūs, the king of the Berbers [1038–73], and his father, King Ḥabbūs [ibn Māksan, 1019–38]. Yehuda ibn 'Ezra supervised the passage of the refugees [to the north], released those bound in chains, and let the oppressed go free by breaking their yokes and undoing their bonds.... When the entire nation had finished passing over [the border] by means of his help, the king sent for him and appointed him lord of all his household and ruler over all his possessions. He requested that the King forbid the heretics from opening their mouths throughout the land of Castile, and the King commanded that this be done. Accordingly, the heretics were suppressed and have not been able to raise their heads any longer. Indeed, they are dwindling steadily.¹⁰

¹⁰ Cohen, *Sefer ha-qabbalah*, 70–72 (Hebrew), 96–99 (English); I have altered his translation. See also Baer, *History of the Jews in Christian Spain*, 1:50–51.

Thus did Yehuda ibn 'Ezra use the state as an instrument of Jewish orthodoxy. This, too, suggests that deviant groups do not simply "branch off" from the mainstream and internalize their status as heretical sects; power relations come into play, and to ignore them is to misunderstand something basic about how religious schisms work.

Parallel sources confirm Ibn Dāwūd's account. Maimonides, in his commentary on the Mishnah, which he began writing ca. 1160–61, just as Ibn Dāwūd was writing his *Sefer ha-Qabbalah*, observed that the Jewish laws enjoining the execution of heretics "are being applied in all western [Mediterranean] lands with respect to many individuals."¹¹ Maimonides wrote these words either while still on the Iberian peninsula or in exile in Fez, having fled his native Córdoba during the Almohad invasion. The passage suggests the peril in which certain religious groups now found themselves, whether from the Almohads or others.

Both Ibn Dāwūd's and Maimonides' accounts may well exaggerate rabbinic power for rhetorical purposes. Another source suggests that the extirpation of the heretics may not have been quite as complete as either let on: the anti-Jewish polemic *Mostrador de justicia* by the Jewish convert to Christianity Abner of Burgos (ca. 1270–ca. 1347), called Alfonso of Valladolid after his conversion. Alfonso relates an account in the name of Moshe de León (ca. 1250–1305), author of the *Zohar*, according to which in 1177–78, in the northern city of Carrión, a courtier named Yosef Alfacar punished Qaraite Sabbath prohibitions. Apparently the Rabbanites did so by petitioning Alfonso VIII for a decree obliging Qaraite to become Rabbanite.¹² The account suggests that, contrary to Ibn Dāwūd and Maimonides, the Qaraite had still been a vital presence in late twelfth-century Christian Iberia, even if the Rabbanite courtiers ultimately wielded violence more successfully. Alfonso

¹¹ Maimonides, *Commentary on the Mishnah, Hullin*, 1:2, quoted in Baron, *Social and Religious History*, 5:45.

¹² Alfonso de Valladolid, *Mostrador de justicia*, in I. Loeb, 'Polémistes chrétiens et juifs en France et en Espagne,' *Revue des études juives* 18 (1889), 62, and Alfonso de Valladolid, *Mostrador de Justicia*, ed. Walter Mettmann, 2 vols., *Abhandlungen der Nordrhein-westfälischen Akademie der Wissenschaften* (Opladen: Westdeutscher Verlag, 1994), 2:422; see the parallel from Alfonso's *Fortalitium fides* in Loeb, 'Polémistes chrétiens,' 62–63; idem, 'Notes sur l'histoire des Juifs,' *Revue des études juives* 19 (1890): 206–7; Cohen, *Sefer ha-qabbalah*, xlviii–xlix; and Ryan Szpiech, 'From Testimony to Testimony: Thirteenth-Century Anti-Jewish Polemic and the Mostrador de justicia of Abner of Burgos/Alfonso of Valladolid' (Ph.D., Yale University, 2006), 489–91.

de Valladolid, for his part, confirms explicitly that until royal authority intervened, the Qaraite in Carrión had held the upper hand (*los çaduços eran más poderosos*—he refers to the groups as Sadducees and Pharisees); he even claims, in the name of the twelfth-century Rabbanite biblical exegete Avraham ibn ‘Ezra, that “not long ago these Castilian Jews and most of the Jews of Spain were Sadducees and heretics.”¹³ Alfonso had his own reasons for emphasizing the strength of the Qaraite: as an anti-Jewish polemist, he would have delighted in adducing examples of Rabbanite weakness and internal disagreements among Jews. (Converts such as Alfonso may have been precisely what the Rabbanite courtier class feared in letting Qaraite arguments against rabbinic Judaism go unchecked, even if Alfonso’s familiarity with Qaraite argumentation has been rightly called into doubt.)¹⁴ While Alfonso’s testimony about the presence and prevalence of Qaraism in the Iberian peninsula after 1160 openly contradicts those of Ibn Dāwūd and Maimonides, all three agree on one thing: the importance of violence, especially violence wielded by the state on behalf of Jewish courtiers, in determining the final outcome of Qaraite-Rabbanite conflict. It is not simply that the content of each group’s religious ideology led it to defeat or victory; questions of power were essential.

The triumphalist story of the “correct” group’s victory over the “mistaken” one was only one model of Jewish sectarianism available in the Middle Ages. Medieval Near Eastern heresiographies, for their part, proposed an entirely different model, one that described so many competing schools of thought that it would be difficult to envision a social corollary to the disagreements. The Iraqi Qaraite al-Qirqisānī in the tenth century and the Khurasānī Sunnī heresiographer al-Shahrastānī (d. 1153) each list a large number of schools and sects of the Jews, in keeping with the Arabic tradition of heresiography, which put a premium on taxonomical abundance for reasons more literary than empirical.¹⁵ Judeo-Arabic sources from the east,

¹³ “E poco tienpo a passado que estos Judios del regno de Castiella e de los más de la Espanna eran todos çaduços e erejes, como lo escriuió el ssabio Rrabi Abraham ben Ezra en la glosa que fizo de la ‘Ley.’” Mettmann, ed., *Mostrador de Justicia*, 2:422; see Szpiech, ‘From Testimonia to Testimony,’ 490 (at n. 67), and Loeb, ‘Polémistes chrétiens,’ 62.

¹⁴ For a précis of this question and some new—and convincing—argumentation, see Szpiech, ‘From Testimonia to Testimony,’ 485–509.

¹⁵ Abū Yūsuf Ya‘qūb al-Qirqisānī, *Kitāb al-amwār wa-al-marāqib: Code of Karaite Law*, ed. Leon Nemoy (New York: The Alexander Kohut Memorial Foundation, 1939–43),

both documentary and literary, also reflect a more pluralistic model: the term they use most frequently for Rabbanites and Qaraites alike is *madhhab*, roughly equivalent to the Greek *hairesis* in the sense of a “school” or a system of belief that one joins freely, and implying mutual recognition.¹⁶ Alternately, they call the groups *al-tāʾifatayn*, “the two parties,” a term utterly neutral as to which group was normative and which sectarian.¹⁷

The triumphalist narrative of Rabbanite supremacy over Qaraism was, then, the product of a particular set of power relations on the Iberian peninsula, where most of the courtiers were Rabbanite rather than Qaraite and the rulers they served remained sympathetic to their demands. In the eastern Mediterranean during the same period, many of the courtiers were Qaraite, both groups collaborated in establishing administrative offices over the Jewish community, and the history of Jewish heresy took another turn entirely. But information about how Rabbanites and Qaraites in the east related to one another in real time, rather than in the pages of polemical and prescriptive literature, did not begin to emerge until the early twentieth century.¹⁸

Sectarianism, heresy, and religious schisms are, then, products of their time and place: what becomes the stuff of alienation and screed in one context remains neutral in another. Which of the two paths a

book 1; Muḥammad ibn ʿAbd al-Karīm al-Shahrastānī, *Kitāb al-Milal wa-al-nihāl: Book of Religious and Philosophical Sects*, 2 vols. (London, 1842), 1:167–68. The Arabic heresiographic tradition followed a prophetic *ḥadīth* according to which Muḥammad said there were seventy sects of Zoroastrians, seventy-one of Jews, seventy-two of Christians, and seventy-three of Muslims, only one of which will be saved. Heresiographers accordingly split taxonomic hairs preposterously to find the requisite number of sects. Al-Qirḡisānī, for his part, followed the general contours of the heresiographic tradition as it had been practiced until his day.

¹⁶ I have in mind certain passages in Acts (see 5:17, 26:5, and 28:22 on the Sadducees, Pharisees, and Christians, and, with distinctly less neutrality, 24:5 and 24:14 on the Christians). On Philo and Josephus, see Albert I. Baumgarten, ‘Graeco-Roman Associations and Jewish Sects,’ in *Jews in a Graeco-Roman World*, ed. Martin Goodman (Oxford: Clarendon Press, 1998), 96, and the articles of Joan Taylor and Francis Schmidt in this volume.

¹⁷ For details, see Rustow, *Heresy and the Politics of Community*, index s.vv. *madhhab*, *tāʾifa*.

¹⁸ For a similar approach, see Menahem Ben-Sasson, ‘Al-Andalus: The So-Called “Golden Age” of Spanish Jewry—A Critical View,’ in *The Jews of Europe in the Middle Ages (Tenth to Fifteenth Centuries): Proceedings of the International Symposium Held at Speyer, 20–25 October 2002*, ed. Christoph Cluse (Turnhout: Brepols, 2004): 123–37. The essay argues among other things that the myth of the “golden age” of Iberian Jewry was an effect of the long afterlife of the historical works of Moshe ibn ʿEzra and Avraham ibn Dāwūd.

schism follows depends not on the beliefs or ritual acts in question but on politics, power, and other historical contingencies. Similarly, conceptions of sectarianism, heresy, and schism reflect the presumptions and social conditions of their times.

Early Modern Scholarship on Qaraism

In the sixteenth and seventeenth centuries, Christian Hebraists and Orientalists developed an abiding interest in the religious schisms of the past, especially those they understood to be forerunners of the Catholic-Protestant divide. In their work, Qaraism appeared as a “sect” on the model of Protestant Christianity.

Initially, the Hebraists sought to understand how ancient texts had conceived of the Pharisees, Sadducees, and Essenes. In their treatises on the subject, they treated the Qaraites as a mere side-issue, interesting only for their presumed connection to the Sadducees. But as both Catholic and Protestant scholars increased their attention to the Qaraites, they began to think they had found living, breathing opponents of pharisaic legalism, modern exemplars of a scripturalist religion or of a “purified Judaism,” as Johannes Hoornbeek called Qaraism in 1655, Richard Simon in 1678, and Jacques Basnage in 1707.¹⁹

¹⁹ Johannes Hoornbeek, *Tešuvat yehudah: Pro convincendis et convertendis Judaeis* (Leiden, 1655), extols the Qaraites as “scriptuarii”; Richard Simon, *Histoire critique du Vieux Testament* (Paris, 1678), held Qaraism to be an enlightened form of Judaism and called the Qaraites ‘*juifs épurez*’ (sic); Jacques Basnage, *Histoire des Juifs*, 5 vols. (Rotterdam, 1706–7), describes the religion of the Qaraites as more pure than that of other Jews, a scripturalist and rationalist tradition. See Johannes Van den Berg, ‘Proto-Protestants? The Image of the Karaites as a Mirror of the Catholic-Protestant Controversy in the Seventeenth Century,’ in *Jewish-Christian Relations in the Seventeenth Century: Studies and Documents*, ed. Johannes Van den Berg and Ernestine G.E. Van der Wall (Dordrecht and Boston: Kluwer Academic Publishers, 1988), 33–49, who also argues that Basnage was the last scholar to write about the Qaraites in the context of the Catholic-Protestant controversy (43). Valerio Marchetti, ‘The Lutheran Discovery of Karaite Hermeneutics,’ in *Una manna buona per Mantova, Man Tov le-Man Towah: Studi in onore di Vittore Colomi per il suo 92° compleanno*, ed. Mauro Perani, *Accademia Nazionale Virgiliana di Scienze Lettere e Arti, Miscellanea* (Firenze: Leo S. Olschki, 2004), 433–59, argues that the scripturalism of the Qaraites appeared, to the scripturalists of the Reformation, not only as a forerunner of their own “but also as an instrument that would have allowed the Jews to accept Christianity” and that among the motives for their research, “the aim of conversion [of the Jews to Christianity] cannot be doubted for a moment” (438). He supports this claim by noting the long afterlife of the Qaraites in the Christian-Jewish controversy, and particularly their place in Reuchlin’s debate over whether the Talmud should be burned or preserved in order to serve Christians’ understanding of Judaism and thus facilitate their conversion of the Jews. It would

The result was a homology—Qaraitees are to Rabbanites as Sadducees are to Pharisees—that proved tenacious in the face of scholarly debate. In treatises of 1583, 1590, and 1605, Johannes Drusius of Leiden and Nicolaus Serarius of Mainz examined whether the Sadducees and the Qaraitees should be considered one and the same sect or whether the Sadducees had merely once been called by the name Qaraitees.²⁰ Joseph Scaliger, also of Leiden, took it upon himself to put an end to the confusion in his *Elenchus trihaeresii* of 1605, but having freed scholarship from the conflation between Qaraitees and Sadducees, then declared the Rabbanites to be like Catholics and the Qaraitees like Protestants.²¹ That new homology would persist for the entire seventeenth century (and continue to echo in twentieth-century scholarship). Not to be outdone, in his reply to Scaliger, Serarius extended this kind of homological thinking both forward and backward in time, declaring the similarities between the Qaraitees and the Sadducees to be like those between the Calvinists and the Lutherans.

All three scholars, then, saw the Qaraitees as an offshoot of the Sadducees. In this, they were merely echoing the polemics of medieval rabbis. Since by the middle ages the Qaraitees had become the quintessential heretics while the Sadducees had, as far as anyone knew, ceased to exist, medieval rabbinic literature held the two groups to be interchangeable, reserving the epithet Sadducee for the Qaraitees.²² Maimonides explained in his commentary on Mishnah *Avot* (1:3) that what the ancient sages had called Sadducees and Boethusians were

be hasty to allow, as Marchetti does, the radical proponents of proselytizing among the Jews to cast a shadow over the entirety of Christian scholarship on the problem of Jewish scripturalism. See further *Levinus Warner and his Legacy: Three Centuries Legatum Warnerianum in the Leiden University Library* (Leiden: Brill, 1970); Daniel J. Lasker, 'Karaism and Christian Hebraism: A New Document,' *Renaissance Quarterly* 59 (2006): 1089–1116; and Mikhail Kizilov, 'Jewish Protestants? The Karaites and Christian Scholars in Early Modern Europe,' in *Christen und Juden im Reformationszeitalter*, ed. Rolf Decot (Mainz: Ph. von Zabern, 2006), 237–64.

²⁰ Johannes Drusius, *Quaestionum ac responsionum liber* (Leiden, 1583); idem, *De tribus sectis iudaeorum* (Franeker, 1605), written in response to Serarius; Nicolaus Serarius, *Commentarii in Sacros Bibliorum libros Iosuae, Iudicum, Ruth, Tobiae, Iudith, Esther, Macchabaeorum* (1611 [1590]). See Van den Berg, 'Proto-Protestants?,' 45. Drusius evinced a certain sympathy for Qaraitees and Serarius made explicit note of his sympathies for them.

²¹ *Ibid.*, n. 16; Joseph Scaliger, *Elenchus trihaeresii* (Paris, 1605).

²² Cohen, *Sefer ha-qabbalah*, xxxvii–xl, esp. xxxviii n. 110; and cf. the additional sources cited in Talya Fishman, *Shaking the Pillars of Exile: "Voice of a Fool," an Early Modern Jewish Critique of Rabbinic Culture* (Stanford: Stanford University Press, 1997), 226 n. 106.

now alive and well in Egypt, though once he arrived in Egypt in the late 1160s and witnessed the irenic state of relations between Rabbanites and Qaraites there, his responsa came to reflect a more moderate and pragmatic approach.²³

One of the unintended consequences of the renewed equation between the Sadducees and the Qaraites in early modern Europe was that it inspired a resurgence of similar statements among seventeenth and early eighteenth century *rabbinic* authorities. The first of these to my knowledge was Leone Modena, the illustrious orator of the Venetian ghetto, a sponge for all kinds of learning who was likely familiar with the Drusius-Serarius-Scaliger debate. In 1615, Modena attacked the infamous ex-converso Uriel da Costa for his anti-rabbinic screeds,²⁴ writing to the Jewish community of Hamburg: “Whether he is a Sadducee, a Boethusian or a Qaraite, what his opinion is, we do not know; it is sufficient that he is a heretic [*min*] and an utter freethinker [*apíqoros*] in challenging the words of our sages of blessed memory.”²⁵ In his *Historia de gli riti hebraici* of 1637, Modena drew an even more explicit equation between the Qaraites and their ancient predecessors, describing them as “reformed Sadducees”—reformed in the sense that they had adopted the rabbinic belief in the afterlife; there is no doubt, he wrote, that they are “descended from, and were formerly, the true Sadducees.”²⁶ A century later, in the summer of 1713, Moshe Ḥagiz, a zealous opponent of the followers of Shabbetai Ṣevi, accused an itinerant kabbalist in Amsterdam named Neḥemya Ḥiyya Ḥayon of Sabbatianism in the following terms: “The Samaritans, the

²³ Maimonides, *Commentary on the Mishnah*, *Avot* 1:3: “From that time, there emerged these accursed groups [*ṭawā’îf*], the throngs of heretics [*minim*] who are called Qaraites in these lands (I mean Egypt); the sages called them Sadducees and Boethusians. They are the ones who started attacking tradition and interpreting texts according to what was convincing to each person, without the guidance of any teacher at all, in contravention of what [God], may he be exalted, [has written], ‘According to the law that they teach you, you shall not stray’ etc [Deut. 17:11].”

²⁴ Uriel da Costa, *Eleven theses*, in Carl Gebhardt, ed., *Die Schriften des Uriel da Costa* (Amsterdam: 1922), 2–22; da Costa, *Examen das Tradições Phariseas*, in H.P. Salomon and I.S.D. Sassoon, eds., *Examination of Pharisaic traditions = Exame das tradições phariseas: Facsimile of the Unique Copy in the Royal Library of Copenhagen*, Brill’s Studies in Intellectual History (Leiden: Brill, 1993).

²⁵ Quoted in Gebhardt, ed., *Schriften des Uriel da Costa*, 150.

²⁶ Leone Modena, *Historia de gli riti hebraici* (Paris, 1637), 204, discussed in Yosef Kaplan, *An Alternative Path to Modernity: The Sephardi Diaspora in Western Europe*, Brill’s Series in Jewish Studies 28 (Leiden and Boston: Brill, 2000), 245 n. 28.

Sadducees, and the Boethusians, from whom the Karaites emerged, passed through Israel ... and in 1666 [with Sabbatianism], the plague began anew.”²⁷ Hagiz described each heresy as a symptom of one and the same underlying disease, thus suggesting that, like the others, Sabbatianism would ultimately be eradicated—and that the rabbinic tradition from which all these “sects” deviated was one and the same, in perfect continuity.

The typological construction of sectarianism by both Christian and Jewish writers took various guises, then: analogy with the past (Qaraïtes are Sadducees), analogy with the present (Qaraïtes are Protestants), or both. But the construction remained typological: those who saw the Qaraïtes as representing the truth held it to be the same truth as that of Lutheranism or Calvinism; those who saw them as representing error held it to be an ancient and sempiternal error. Christian Hebraist scholarship’s contribution to the debate was to transform the idea that the Qaraïtes were a sect from the accusation it had been in medieval rabbinic literature into a statement intended as empirical fact, a seemingly dispassionate and historical description.

Twentieth-Century Scholarship

Most modern scholars eventually abandoned the idea that Qaraism had continued underground Sadducean tendencies, in part because they came to accept that not all non-rabbinic movements represented a rebellion against rabbinic authority (rather than a mere failure of rabbinic hegemony), let alone an ideologically unified and historically continuous rebellion. The idea that the Qaraïtes were a “sect” persisted much longer, in part because of the transformation of the “sect” type into a value-neutral piece of analytical terminology beginning with Max Weber.

Part of the problem had to do with the English-language reception of a selective part of Weber’s corpus via the American sociologist Talcott Parsons in the mid-twentieth century. This scholarly tradition had a tendency to reify Weber’s ideal types—which Weber had intended as mere analytical constructs—as concrete entities.²⁸ The inclination in

²⁷ Quoted in Elisheva Carlebach, *The Pursuit of Heresy: Rabbi Moses Hagiz and the Sabbatian Controversies* (New York: Columbia University Press, 1990), 149.

²⁸ See Heinz-Dieter Meyer, ‘Organizational Environments and Organizational Discourse: Bureaucracy between Two Worlds,’ *Organization Science* 6 (1995): 32–43,

some quarters to understand sociological models as concretely descriptive rather than heuristic only exacerbated the problem. Church-sect typology as elaborated by twentieth-century sociology of religion originated with Weber and underwent several modifications at the hands of Ernst Troeltsch and others. Weber had written that “the sect is not a group that is split off from another that does not recognize it or persecutes it and condemns it as heretical. Rather, the sect is a group whose very nature and purpose precludes universality and requires the free consensus of its members, since it aims at being an aristocratic group, an association of persons with full religious qualification.”²⁹ According to Weber’s followers, the “church” type was institutionalized, hierarchical, and comprised of members by birth; it was politically accommodationist and poised to achieve domination in worldly affairs. The “sect” type was virtually the mirror image of this: a voluntary society that had fewer members and rejected dominant social values either through withdrawal from the world or outright social revolt. Even in cases in which a sect does not physically separate itself from society, it still opposes that society’s values; either way, the consequences of sectarianism are a decisive removal from mainstream society. Church-sect typology was the regnant theory of religious schism at mid-century, as a glance at various encyclopedias of religion and the social sciences shows.³⁰

Weber is, of course, hardly responsible for all this. To mistake the conceptual categories he set out for empirical realities is to ignore his own plea that “ideal types” be understood as tools for sociological

which focuses on the European and U.S. receptions of Weber’s theory of bureaucratization; and Guenther Roth’s introduction to Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. Guenther Roth and Claus Wittich, 2 vols. (Berkeley: University of California Press, 1978 [1922, 1956]).

²⁹ Weber, *Economy and Society*, 2:1204.

³⁰ On the “sect” type, Weber, ‘Sect, Church and Democracy,’ in *ibid.*, 2:1204–10. Later theories such as those of H. Richard Niebuhr (1929) and Liston Pope (1942) described the process by which sects are “routinized” (in Weberian terms) and themselves accommodate to society, at which point sociologists prefer to call them “denominations.” For Niebuhr, the moment of sectarianism was only the founding one, and sects could last for more than a generation; for Pope, even in the founding generation one could detect important accommodations to the dominant society (*Encyclopedia of the Social Sciences*, ed. Sills, 1968, s.v. ‘sect’). Cf. the helpful analysis and history s.v. ‘Church-Sect Theory,’ *Encyclopedia of Religion and Society*, ed. William H. Swatos (1998). The new and very extensive *International Encyclopedia of the Social and Behavioral Sciences* (ed. Smelser and Baltes, 2001) contains no article on “sect” but rather includes theories of sect s.v. ‘Religious organizations.’

analysis, more useful for asking questions than for answering them. He put the matter as follows:

First, there is actual conduct by a specific actor in a given historical situation or the rough approximation based on a given quantity of cases involving many actors; and second, there is the conceptually “ideal type” of subjective meaning attributed to a hypothetical actor in a given type of conduct. In neither sense can it be used as an objectively “valid” or as a metaphysically fathomable “true” meaning. Herein lies the distinction between the behavioral sciences, such as sociology and history, and the orthodox disciplines, such as Jurisprudence, Logic, Ethics, or Esthetics, whose purpose it is to determine the “true” and “valid” meaning of the objects of their analysis.³¹

For historians and sociologists, Weber never intended his typological schemata as anything more than devices to facilitate comparison. But the temptation remained to project Weberian models onto the past despite human society’s unruly refusal to conform to analytical categories—as though sociological processes determine causality rather than empirically verifiable contingencies.

The era of church-sect theory accordingly viewed Qaraism as a deviant branch that had grown out of the fully formed trunk of rabbinic Judaism, and this construction of Qaraism found support in medieval Jewish literary sources. More broadly, much of twentieth-century medieval Jewish historiography suffered from just the kind of intellectualist bias likely to make schisms appear schematic.

A partial exception was Zvi Ankori, whose *Karaites in Byzantium* was the first study of Qaraism devoted to social history, or put another way, the first social history of medieval Jews that included Qaraites. Ankori put forward the argument, radical for his time, that the medieval Rabbanite and Qaraite communities had been socially and economically interdependent. But he also retained elements of church-sect theory in his reconstruction of the social relations between the two groups. Since he possessed the kind of source material that might have allowed him to move beyond these presumptions, I think it is worth asking why they lingered so persistently in his work.

³¹ Max Weber, *Basic Concepts in Sociology*, trans. H.P. Secher (New York: Citadel Press, 1993), 29, 36–37. (Weber originally published this article in a journal in 1913; he then reworked it and it was published after his death as the first chapter of *Economy and Society*. The edition from which I quote here is therefore the revised article and stands alone as a useful introduction to Weberian sociology. See the translator’s introduction, 12–13.)

Ankori's discussion of the Jewish calendar juts out of the otherwise finely wrought edifice of his careful analysis of Qaraite-Rabbanite relations like a massive unhewn boulder. Notwithstanding his emphasis on Qaraite-Rabbanite cooperation, Ankori argued that the groups' different calendars had driven them apart; he also clung with striking tenacity to a series of iron-clad principles about the role of calendar differences in *producing* sectarian schism. Although Ankori had not included this view in his 1956 dissertation, in the book he published in 1959, he devised rules about calendars that plainly contradicted not only the general direction of his argument but much of his evidence. "The history of any religious sect," Ankori generalized,

whatever the latter's time and brand, is to a great extent a history of its calendar deviations. For such deviations have always been the most outstanding symptoms *of the sect's break with its normative environment or with the general body to which its members adhered originally*. . . . [O]nce embarked upon, calendar divergences cease to be mere reflections of the break-up of relations between the rebellious minority and the Mother Synagogue. They themselves become active ingredients in the ever more pronounced process of estrangement of the two factions.³²

The notion that Qaraitees were Rabbanites until they broke "with the general body to which they [had] originally adhered" smacks of the typological church-sect scheme familiar from medieval rabbinic and modern post-Weberian theories; here Ankori simply imposes it onto a historical situation, as though a great mass of Rabbanites decided to become Qaraitees and in so doing separated themselves permanently from the body of Israel. What changed Ankori's thinking between 1956 and 1959?

It will not surprise readers of this volume that in the intervening years, Ankori read Shemaryahu Talmon's work on Qumrān and adopted his claim that the Qumrān community had retreated to the Judean desert because their way of determining the calendar differed from that of the mainstream. In 1951, Talmon had argued that "deviation from the official calendar" constituted "a standard feature in Jewish sectarianism," though he limited this statement to "the centuries immediately preceding the Christian era and . . . the early Christian period."³³ But

³² Zvi Ankori, *Karaitees in Byzantium: The Formative Years, 970–1100*, Columbia Studies in the Social Sciences 597 (New York: Columbia University Press, 1959): 293. Emphasis in original.

³³ Shemaryahu Talmon, 'Yom Hakkippurim in the Habakkuk scroll,' *Biblica* 32 (1951), 563.

by 1958, Talmon had begun to argue that calendar differences *necessarily* produced social schism. “An alteration of any one of the dates that regulate the course of the year,” he wrote,

inevitably produces a break-up of communal life.... Whosoever celebrates his own Sabbath, and does not observe the festivals of the year at the same time as the community in which he lives, removes himself from his fellows and ceases to be a member of the social body to which he hitherto belonged.³⁴

Talmon went on to extend this rule to medieval Qaraites, whose “deviation from the calendar accepted by the normative community” had been “a sign and symbol of their disobedience towards the contemporary public leadership of Judaism, and of their dissidence from the body politic,” one that “their opponents rightly interpreted ... as a proclamation of civil revolt.”

Talmon’s theory of the calendar’s role in Jewish sectarianism rests on several presumptions that he never states explicitly. First, it assumes a uniform calendar from which the Qumrān sect made a rare and conspicuous deviation—a presumption that Sacha Stern has convincingly argued to be false, both because there were multiple Jewish calendars in antiquity and because there is no reason to believe the calendar was the catalyst that sent the group into exile.³⁵ Second, Talmon took it for granted that to observe a different calendar necessarily signified social revolt—an argument that Albert I. Baumgarten, on the basis of other ancient Jewish evidence, has shown to be baseless.³⁶ Third, Talmon presumed that the dynamics of Jewish sectarianism in one period of Jewish history necessarily held true in another—as though Jews act the same way regardless of period or location. Ankori accepted all three presumptions, allowing them to shape his interpretation of his own evidence.

³⁴ Talmon, “The Calendar Reckoning of the Sect from the Judaean Desert,” in *Aspects of the Dead Sea Scrolls*, ed. Chaim Rabin and Yigael Yadin, Scripta Hierosolymitana 4 (Jerusalem: Magnes Press, 1958), 163–64.

³⁵ Sacha Stern, *Calendar and Community: A History of the Jewish Calendar, Second Century BCE–Tenth Century CE* (Oxford: Oxford University Press, 2001), 16–18 *et passim*; see also Stern’s essay in this volume, 39–62.

³⁶ Albert I. Baumgarten, *The Flourishing of Jewish Sects in the Maccabean Era: An Interpretation*, Supplements to the Journal for the Study of Judaism 55 (Leiden and New York: Brill, 1997), introduction. Baumgarten also proposes that calendar differences were not the main point of contention between Qaraites and Rabbanites, and certainly not insurmountable (36 n. 116). See also Seth Schwartz’s comments in his review of this work, *Association for Jewish Studies Review* 24 (1999): 377.

The best evidence that differences in calendation need not produce the “break-up of communal life” that Talmon and Ankori said they did came from documents that Ankori himself knew and cited: thirteen contracts and two formularies from the Geniza attesting to marriage between Rabbanites and Qaraites in the eleventh and twelfth centuries and containing special clauses safeguarding the religious practices of both parties to the marriages. Not only did bride and groom agree to live together despite their different dietary laws and the likelihood that their festivals and fasts would fall on different days; their families arranged the marriages and approved of them, as did Rabbanite and Qaraite legal authorities, who also exhibited considerable ingenuity in devising the contracts and helping the families to negotiate their terms, just as they helped them negotiate dowries and other stipulations.³⁷

Ankori may have absorbed some post-Weberian church-sect theory during his years of doctoral study in the U.S.³⁸ But the Talmon connection strikes me as more important, particularly the way both scholars attempted to devise a theory of calendrical deviation that covered all of Jewish history. The context for that was the presumption of many Jewish historians at mid-century that over the course of two thousand years of life in diaspora, the Jews constituted a nation even though they lacked a state. For these historians, the national component of Judaism subsisted in institutions that provided continuity and some political self-determination, and the main engine of those institutions was rabbinic authority.³⁹ Indeed, Ankori was hardly alone in presuming that the Qaraites had rebelled against a coherent and all-powerful rabbinic establishment. S.D. Goitein, who spent his career immersed in documents of the Cairo Geniza that few if any scholars before him had seen, also inherited a longstanding belief that more than anything else,

³⁷ Rustow, *Heresy and the Politics of Community*, 239–65.

³⁸ Ankori studied under Salo Baron in the history department at Columbia University. Before that he lived in Israel, having emigrated to Palestine from Poland in 1937. He has recently written a memoir covering the years during and after World War II, but not his years at Columbia: Zvi Ankori, *Ke-degel ba-midbar* (Jerusalem: Karmel, 2007), published in English as Ankori, *As a Palm Tree in the Desert*, trans. Evelyn Abel and Jessica Seton (Jerusalem: Gefen, 2008); this continues the narrative begun in Ankori, *ʿArmonei eshtaqad: ʾodiseiah yehudit* (Jerusalem: Karmel, 2001), published in English as Ankori, *Chestnuts of Yesteryear: A Jewish Odyssey*, trans. Evelyn Abel (Jerusalem: Gefen, 2003).

³⁹ See the related comments of Seth Schwartz, *Imperialism and Jewish Society, 200 BCE to 640 CE*, Jews, Christians, and Muslims from the ancient to the modern world (Princeton, NJ: Princeton University Press, 2001), 5–6.

rabbinic authority shaped Jewish communal life. Even though Goitein was a social historian who believed deeply in the value of jettisoning one's presuppositions in the face of documentary evidence—and on other fronts disagreed vociferously with the romantic nationalist historiography of Yitzhak Baer⁴⁰—when it came to Qaraism, he could not rid himself of a model of Jewish history founded on rabbinic authority. In *A Mediterranean Society*, he excluded the Qaraites from his analysis on the false reasoning that the Geniza originated in a Rabbanite institution and therefore contained very few documents relating to the Qaraites: “with a few exceptions,” he wrote, “the picture of Jewish communal life, as drawn from Geniza material, of necessity is confined to the Rabbanites.”⁴¹ In his final volume, he treated the Qaraites in a subsection entitled “Schism and Counterreformation,” a subtitle that echoes the seventeenth-century scholars I discussed above. While arguably Goitein alluded to the Catholic-Protestant schism in order to render his material readily comprehensible to a lay readership, his other works reflect a triumphalist reading of rabbinic authority.⁴² Such a view presumes that the outcome of history is always, if not the correct one, then the only one possible.

II. *The Jewish Community in the Middle Ages*

Other scholars of the Geniza, driven by the belief that the Ben Ezra synagogue preserved little of value related to non-rabbinic Jews, continued to exclude the Qaraites from analyses of the medieval Jewish community, hindering a full understanding of the wider community's structure and functioning. The first to recognize that the Geniza

⁴⁰ On the Baer–Goitein debate, see Mark R. Cohen, ‘Jewish Communal Organization in Medieval Egypt: Research, Results and Prospects,’ *Judaeano-Arabic Studies* 1 (1997): 73–86.

⁴¹ S.D. Goitein, *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza*, 6 vols. (Berkeley, CA: University of California Press, 1967–93), 2:8.

⁴² *Ibid.*, 5:365–66, where he dismisses Qaraism as “a futile undertaking... ill-timed and badly conceived.” See also S.D. Goitein, *Jewish Education in Muslim Countries, Based on Records from the Cairo Geniza*, Hebrew (Jerusalem: Ben Zvi Institute and Hebrew University, 1962), 17, where he writes that “Qaraism was barren at its core; its return to the Bible was only a claim; in reality it elaborated a corpus of laws and interpretations that were more stringent and complicated than anything we find in the Oral Law. This is perhaps the reason why Qaraism was not successful.”

contained ample Qaraite material was Moshe Gil; others have since surmised that Solomon Schechter brought materials to Cambridge not only from the Ben Ezra Geniza but from the Qaraite synagogue in Cairo as well.⁴³ The importance of incorporating the Qaraite into the history of the Jewish community does not derive merely from the fact that understanding the margins of any society helps cast light on the center. In fact, the Qaraite were not nearly so marginal as once presumed.

Over the course of the late tenth and eleventh centuries, the Qaraite were central to the Jewish communities under Islamic rule (the vast majority of Jews before 1200), for two reasons. First, in the late tenth century, the Babylonian-Iraqi *yeshivot* of Baghdad and the Syrian-Palestinian *yeshiva* of Jerusalem entered a period of intense competition over the loyalties of the elite segment of Mediterranean Jewry, especially the long distance traders of Egypt, Sicily, and central North Africa. The Qaraite proved to be valuable allies first to the Babylonians and then to the Palestinians precisely because they were a third party without exclusive loyalty to either center, and each group profited from Qaraite alliances. Second, several Qaraite rose to key positions at the court of the Fatimid caliphs in Cairo (969–1171) or in their provincial bureaucracy in Syria. The Rabbanite leadership of the Jewish community depended on these Qaraite for access to the Fatimid court—and also for the possibility of utilizing violence or the threat of it to discipline their followers. This was, of course, the inverse arrangement from the one on the Iberian peninsula, where the Rabbanites were closer to royal power; the contrast between the western and the eastern situations is useful precisely because it serves to highlight the centrality of power and alliances with the state in contests for religious legitimacy.

What would a history of the medieval Jewish community look like were it not centered exclusively on rabbinic Judaism? The story of the calendar differences between the two groups would have to be told quite differently from the narrative of Eliyyahu ben Avraham; and the origins of the Rabbanite-Qaraite schism would have to be recounted

⁴³ Moshe Gil, *The Tustaris, Family and Sect*, Hebrew (Tel Aviv: Institute for Diaspora Research, 1981); Moshe Gil, *Palestine During the First Muslim Period (634–1099)*, Hebrew, 3 vols. (Tel Aviv: Tel Aviv University, 1983); and see Ben-Shammai, 'The Scholarly Study of Karaism,' in *Karaite Judaism*, ed. Polliack, 14 and 14 n. 17.

differently as well. In what follows, I shall attempt to revise those narratives in light of recent research on both Rabbanite-Qaraite social relations and on the history of the Jewish calendar.

The Calendar

The 'Anan legend in its various forms maintains that from their origins, the Qaraites were rigorous calendrical empiricists, which is to say that they required actual observation of the new moon to determine the months and monitoring of the barley crop to determine whether an intercalary month should be added to the annual calendar to make the Passover fall during the appropriate season. For this reason, according to the legend, the caliph looked favorably upon the religion that 'Anan wished to found: like the Muslims, the 'Ananites supposedly championed some form of lunar calendation. By contrast, the legend depicts rabbinic Jews as equally rigorous champions of a calculated calendar who determined the beginnings of months and intercalated the year according to mathematical formulae. In fact, Rabbanites and Qaraites came to hold these positions only gradually, over the course of the ninth, tenth, and eleventh centuries.⁴⁴

The calendar began to emerge as a point of *ideological* distinction between Rabbanites and Qaraites in the late ninth century. The lived distinction took longer to establish; each group used elements of observation and calculation as late as the tenth century and perhaps into the eleventh, if contemporary testimonies are to be trusted. By the end of the eleventh century, most Rabbanite authorities (I will discuss one exception below) had accepted a uniform calendar based on Babylonian rabbinic calculations. This means that even after Se'adyah's supposed victory on behalf of the Babylonian Rabbanite calendar in the great calendar controversy of 921–22, a uniform rabbinic calendar still took some time to be established—a fact that dictates caution in judging the calendrical differences between Rabbanites and Qaraites.

The calendar controversy of 921–22 pitted the leaders of the Palestinian *yeshivah*—the ga'on Me'ir and his son Aharon b. Me'ir—against Se'adyah, not yet ga'on of Sura but about to prove himself a zealous

⁴⁴ The following section is based on Rustow, *Heresy and the Politics of Community*, esp. 57–65.

champion of the Babylonian cause. The prerogatives of intercalating the year and declaring the new months had belonged to the rabbinic leadership of Palestine, the ge'onim of Tiberias, who declared whether there would be an intercalary thirteenth month and announced the start of each new month (or so we learn from the controversy itself; before then evidence is scant). By the early ninth century, the traditional Babylonian dependence on Palestine in calendation had loosened, and Iraqi Jewish authorities were capable of anticipating all the Palestinian calendar proclamations, in part because of advances in mathematics and astronomy.⁴⁵ That meant that in theory, they were also capable of declaring total independence from Palestine in calendrical reckoning, but they refrained from doing so and instead deferred to the Palestinians—calendars being, in practice, bound to institutional power and human hierarchies. The matter did not erupt into open strife until the irascible Se'adyah lit the tinder.

In the summer of 921, the Palestinian ga'on Me'ir, or possibly his son Aharon b. Me'ir, announced the calendar for the following three years from Tiberias. His dates differed from the Iraqi reckoning. Rather than deferring, as had been the custom, the ge'onim of Sura and Pumbedita opposed the Palestinian proclamation. Se'adyah recognized this as an opportunity to proclaim Babylonian precedence outside Iraq, and addressed missives to the Palestinian ga'on and the Jews of Egypt attempting to convince them of the correctness of the Babylonian method. The key issue dividing the two centers was a difference of less than an hour that dictated the beginning of the month of Tishri in 924, but had a ripple effect beginning with Passover in 922. For one year, from the fall of 921 until the New Year in 922, part of the Jewish world followed the Iraqi calculation and others followed the Palestinian reckoning. Some Jewish communities also celebrated the New Year in the fall of 922 according to the Palestinian system. But after that point, the controversy seems to have been resolved in favor of the Iraqi method—or so most scholars have presumed, since no more is heard of the Palestinian side in the debate.⁴⁶

⁴⁵ Stern, *Calendar and Community*, 185.

⁴⁶ The letters preserved from the controversy are collected in Hayim Yehiel Bornstein, *Mahloqet rav Se'adyah ga'on u-Ven Me'ir* (Warsaw, 1904); see the new editions of copies of Se'adya's letters to Egypt and Palestine in Moshe Gil, *In the Kingdom of Ishmael*, Hebrew, 4 vols. (Tel-Aviv and Jerusalem: Tel-Aviv University, the Ministry of Defense, and the Bialik Institute, 1997, vol. 2, docs. 5–8. For summaries of the

But even after 922, some rabbinic Jews ignored the Iraqi algorithm and continued to use empirical methods of calendation instead. We have this on the authority of two medieval witnesses, Sahl b. Maṣliāḥ in the tenth century and Levi b. Yefet in the early eleventh.⁴⁷ Granted, both were Qaraites and may have shown a bias toward empirical methods of calendation, which many Qaraites advocated and practiced. But since Levi b. Yefet's code of law also admits that there were Qaraites who observed the Rabbanite calendar, he can be considered an honest observer. If these accounts are correct, there continued to be some measure of diversity in matters of calendation as late as the early eleventh century. That in turn suggests that the calendar controversy of 921–22 represented a climax of jurisdictional conflict between the Iraqis and the Palestinians, but not yet its denouement. Indeed, Sacha Stern and Piergabriele Mancuso have now offered corroboration for the idea that rabbinic Jews further west remained unfamiliar with the Iraqi calendar or simply ignored it: a Jewish calendar implied in an astronomical text from southern Italy dating to 946 indicates that the Babylonian-Iraqi rabbinic calendar of the east enjoyed limited authority or even diffusion in the west.⁴⁸

controversy see Robert Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven: Yale University Press, 1998), 118–20 and the earlier literature cited there; Jacob Katz, 'Rabbinic Authority and Authorization in the Middle Ages,' in *Studies in Medieval Jewish History and Literature*, ed. I. Twersky (Cambridge, Mass., 1979), 128–45; Moshe Gil, *A History of Palestine, 634–1099*, trans. Ethel Broido (Cambridge and New York: Cambridge University Press, 1992), secs. 784–89, 926 (where he notes evidence of some Qaraite involvement, oddly enough on the side of Se'adya); idem, *In the Kingdom of Ishmael*, vol. 1, secs. 142, 143, 162; and Stern, *Calendar and Community*, 264–75.

⁴⁷ Sahl b. Maṣliāḥ in Pinsker, *Likkutei Kadmoniot*, 33; Levi b. Yefet, *Sefer ha-miṣvot*, discussed in Ankori, *Karaites in Byzantium*, 303–4; Hebrew text in n. 31, from a late-sixteenth–early-seventeenth century copy of a Hebrew translation of the Arabic original (Leiden, Or. 4760, MS Warner 22, 19r–19v). I have not succeeded in locating the Arabic original of this passage among the extant fragments of this work (including one of 1024 that may be the author's autograph and a second copied from the autograph in 1045); see Haggai Ben-Shammai, 'Qeta' ḥadash me-ha-maqor ha-'aravi shel Sefer ha-miṣvot le-Levi ben Yefet ha-qara'i,' *Shenaton ha-mishpat ha-'vri* 11–12 (1985): 99–133. According to the plain meaning of the passage, Qaraites still used mathematical methods in the early eleventh century, when Levi was writing. Cf. Gil, *History of Palestine*, sec. 928; and Ankori, *Karaites in Byzantium*, 305–308.

⁴⁸ Sacha Stern and Piergabriele Mancuso, 'An Astronomical Table by Shabbetai Donnolo and the Jewish Calendar in Tenth-Century Italy,' *Aleph: Historical Studies in Science & Judaism* 7 (2007): 13–41.

This, then, was the backdrop against which the schism over calendation took place between the Rabbanites and the Qaraites. In reconstructing its history in greater detail, it will help to treat two basic issues separately—the intercalation of the year and the determination of the beginnings of months—since the disparities over them emerged at different paces.

The first Qaraites to call for intercalating the year via observation of the barley-crop were Binyamin al-Nahāwandī in mid-ninth century Iran and Daniʿel al-Qūmisī in late ninth century Palestine. Both argued for empirical calendation, which suggests precisely that it was not yet practiced by all Qaraites.⁴⁹ Al-Qūmisī himself confirms this when he specifically mentions Qaraites who did *not*, in fact, intercalate the year according to the barley crop.⁵⁰ We have it even later from Levi b. Yefet, who informs us in the early eleventh century of Iraqi Qaraites who used a mathematical cycle of intercalations, as their Iraqi Rabbanite counterparts also did: they did not determine the month of Nisan empirically, by examining the barley crop, but “go according to the [vernal] equinox [Arab. *iʿtidāl*] alone.”⁵¹

As late as the tenth century and perhaps into the eleventh, then, methods of intercalation had not yet become polarized along party lines. They nonetheless emerged as an important point of *ideological* distinction, as we learn from the fact that in 937–38, al-Qirqisānī became the first known author to date the Qaraite insistence on empirical calendation to the supposed origins of the schism—in fact, to ʿAnan b. David and thus to a period that preceded the existence of Qarism.⁵² The reason for the calendar’s ideological importance during

⁴⁹ Al-Nahāwandī in Albert Harkavy, *Studien und Mittheilungen aus der Kaiserlichen Öffentlichen Bibliothek zu St. Petersburg 8* (St. Petersburg, 1903), 8:176; English translation in Gil, *History of Palestine*, sec. 928. Al-Qūmisī: Jacob Mann, ‘A Tract by an Early Karaite Settler in Jerusalem,’ *Jewish Quarterly Review* 12 (1921–22)280; Leon Nemoy, ‘The Pseudo-Qumisian Sermon to the Karaites,’ *Proceedings of the American Academy of Jewish Research* 43 (1976), 95 (Hebrew), 68 (English); see also the discussion in Ankori, *Karaites in Byzantium*, 309–13.

⁵⁰ Oxford, Bodleian Library, MS Heb. d 36.13–18, here fol. 15r, line 25; in Mann, ‘Tract by an Early Karaite,’ 285; Nemoy, ‘Pseudo-Qumisian Sermon,’ 76.

⁵¹ Levi b. Yefet, *Sefer ha-misvot*, in Ankori, *Karaites in Byzantium*, 303–4 n. 31; the word for equinox appears in Judeo-Arabic.

⁵² al-Qirqisānī, *Kitāb al-anwār wa-al-marāqib*, Book I, 13:2; Bruno Chiesa and Wilfrid Lockwood, *Yaqub al-Qirqisani on Jewish Sects and Christianity: A Translation of “Kitāb al-anwār,” Book 1, with Two Introductory Essays*, *Judentum und Umwelt* 10 (Frankfurt: Peter Lang, 1984), 146; Leon Nemoy, ‘al-Qirqisani’s Account of the Jewish sects and Christianity,’ *Hebrew Union College Annual* 7 (1930), 384.

al-Qirqisānī's time was probably the calendar controversy of 921–22 itself: it had turned the calendar into an issue of contention and institutional struggle across the Jewish world, for Qaraites no less than Rabbanites.

As for determining the months, here the process was even more gradual. Dani'el al-Qūmisī at the end of the ninth century was the first to make a sweeping injunction to Qaraites to determine the beginning of each month by witnessing the crescent moon.⁵³ Al-Qirqisānī confirms this, explaining that before al-Qūmisī, the first Qaraite to enjoin any type of witnessing of the crescent moon was Binyamin al-Nahāwandī, who enjoined it for only two months of the year, Nisan and Tishri. For the rest, al-Nahāwandī allowed calculation.⁵⁴ The more radical command to determine *every* month empirically came about only with al-Qūmisī—and even then, it was only a command, not yet a universal Qaraite practice.

In an oft-cited passage, al-Qūmisī attempts to persuade his followers to practice lunar observation, telling them:

Since the beginning of the exile, the rabbis [*rabbanim*] were princes [*sarim*] and judges—in the days of the kingdom of Greece, the kingdom of the Romans, and the Persian Magians [i.e., Sassanids]—and those who sought the Torah could not open their mouths with the commandments of the Lord out of fear of the rabbis...until the arrival of the kingdom of Ishmael, since they always help the Qaraites to observe the Torah of Moses, and we must bless them [for it]. Now you are amidst the kingdom of Ishmael, and they favor those who observe the month according to the new moon. Why, then, do you fear the rabbis?...For by means of the kingdom of Ishmael God broke the rod of the rabbis from upon you.⁵⁵

Muslims, too, determine the months via observation, al-Qūmisī explains; Qaraites have no excuse not to do so. It is tempting to connect this text with the account of 'Anan's attempt to convince the Abbasid caliph that his group, too, determined the calendar empirically.

⁵³ al-Qirqisānī, *Kitāb al-anwār wa-al-marāqib*, Book I, 14:2; Chiesa and Lockwood, *Yaqub al-Qirqisani on Jewish Sects and Christianity*, 148; Nemoy, 'al-Qirqisani's Account,' 387.

⁵⁴ al-Qirqisānī, *Kitāb al-anwār wa-al-marāqib*, Book I, 14:2; Chiesa and Lockwood, *Yaqub al-Qirqisani on Jewish Sects and Christianity*, 148; Nemoy, 'al-Qirqisani's Account,' 387.

⁵⁵ Bodl. MS Heb. d 36.17r–17v; Mann, 'Tract by an Early Karaite,' 285–86; Nemoy, 'Pseudo-Qumisian Sermon,' 100–101 (Hebrew), 78 (English). I have altered Nemoy's translation (see below).

Indeed, al-Qūmisī's injunction has usually been interpreted to mean that Qaraïtes practiced lunar observation, even though this is patently not what the text says: al-Qūmisī merely claims that the Muslims favored those who fixed the new month by lunar observation, and that Qaraïtes should therefore do so—not that they did so already, nor that they were the only Jews who did so. Compounding the misunderstanding is the fact that Leon Nemoy translated the word *rabbanim*, which I have rendered here as “rabbis,” as Rabbanites, amplifying the sense of a sectarian polemic. In fact the more obvious meaning of the Hebrew word is rabbis; al-Qūmisī is encouraging Qaraïtes in Palestine to determine the calendar themselves, free from rabbinic authority, and the wider context of Jewish Palestine in the late ninth century suggests that al-Qūmisī is specifically encouraging them to determine the calendar free from the authority of the *yeshiva* in Tiberias.

Here again, there is confirmation that well into the tenth century, lunar observation was not yet a distinctly Qaraïte method. At the peak of Se'adyah's calendar controversy of 921–22, the Jews of Fustat, among them followers of both the Palestinian and Babylonian *yeshivot*, stood waiting for the new moon to see when it would appear. The moon obliged the Palestinian Rabbanite camp by appearing a day earlier than the Babylonian new month. The fact that the Jews of Fustat waited to see the new moon demonstrates that the Qaraïtes had no monopoly on empirical calendation, even if these Rabbanites used it only to confirm the correctness of their calculation.⁵⁶ Twenty years later, al-Qirqisānī even complains about the Rabbanites' inconsistency in using empirical methods to determine the months but mathematical ones to intercalate the year: the Rabbanites “admit that the beginnings of months should be fixed by the appearance of the new moon, but they contradict themselves by adopting intercalation,” he writes. Several paragraphs later he goes on to say, “They make compulsory the practice of searching for the barley crop [*aviv*] and fixing the date of Passover according to it, but contradict this with their doctrine of intercalation,” a statement that suggests (as Levi b. Yefet would seventy years later) that some Rabbanites still used empirical methods only.⁵⁷

⁵⁶ See Stern, *Calendar and Community*, 181 and n.108; but see immediately below.

⁵⁷ Al-Qirqisānī, *Kūtāb al-anwār wa-al-marāqib*, Book I, 3:27, 31; Chiesa and Lockwood, *Yaḡub al-Qirqisānī on Jewish Sects and Christianity*, 114, 116; Nemoy, ‘al-Qirqisānī's Account,’ 342, 344.

In short, two decades after Se'adyah's supposed victory in the calendar controversy of 921–22, Rabbanites continued to determine the months via what would later become known as strictly "Qaraite" methods. This means that Qaraite methods of calendation cannot be understood as a deviation from some hoary and uniform Rabbanite practice: rabbinic methods were in flux, too. The reason modern scholars have understood Se'adyah's calendar controversy of 921–22 as the final battle in the establishment of a uniform rabbinic calendar is, briefly, presentism: since the algorithm that Se'adyah employed to determine the calendar is the same one in use today, most accept that the controversy of 921–22 was the last time Jews ever disagreed over how to mark the calendar.⁵⁸ But even after 922, some rabbinic Jews ignored that algorithm and still preferred empirical methods as the accounts of Sahl b. Maṣliāḥ and Levi b. Yefet suggest. If these accounts are correct, there continued to be some measure of diversity in rabbinic calendation as late as the early eleventh century. Indeed, the conflict smoldered on over even later. After the closure of the *yeshivot* of Baghdad ca. 1040, a Palestinian ga'on named Evyatar ha-Kohen b. Eliyyahu (1083–93, 1094–ca. 1112) took advantage of the power vacuum in Iraq to reassert the traditional Palestinian prerogative of proclaiming the calendar—with the claim that the ge'onim of Palestine had received the esoteric secrets of the proper method of calendation in an unbroken chain of transmission stretching back to the third day of creation.⁵⁹

The conclusion that Se'adyah's calendar controversy effected a final Babylonian Rabbanite triumph over Palestine is, in short, not well supported by the evidence. It also parallels the consensus that his anti-Qaraite polemics defused the threat of Qaraism once and for all. On both questions, Se'adyah's "triumph" has been projected forward as permanent in spite of evidence that his victories hardly settled matters once and for all. By the tenth century, then, the ideological distinction

⁵⁸ Stern, *Calendar and Community*, 275.

⁵⁹ Evyatar ha-Kohen b. Eliyyahu, 'Megillat Evyatar' (Cambridge University Library, Taylor-Schechter Collection [hereafter T-S] 10 K 7.1 and T-S 12.729), in Solomon Schechter, *Saadyana: Geniza fragments of writings of R. Saadya Gaon and others* (Cambridge, 1903), 83–106; Moshe Gil, 'The Scroll of Evyatar as a Source for the History of the Struggles of the Yeshiva of Jerusalem during the Second Half of the Eleventh Century: A New Reading of the Scroll,' in *Jerusalem in the Middle Ages: Selected Papers*, ed. B.Z. Kedar (Jerusalem: Yad Izhak Ben-Zvi, 1979), 81–106; and see the analysis in Rustow, *Heresy and the Politics of Community*, 337–39.

between Rabbanite and Qaraite methods of calendation began to be retrojected onto the beginnings of Qaraism (which in turn were retrojected to the eighth century); but calendation itself still admitted of diversity.

Rabbanite-Qaraite Alliances

Even once calendrical differences between Rabbanites and Qaraites had begun to harden, the two groups continued to develop social and political networks together, compete for affiliates, acquire them, lose them, and ally themselves with one another's networks in religious pursuits, economic ventures, and high politics. Qaraites contributed funds to the rabbinic *yeshivot* and maintained life-long and even trans-generational alliances with rabbinic scholars and communal leaders, and those leaders sought the protection and patronage of Qaraite notables, courtiers, and local governors. Rabbanites became Qaraites, Qaraites became Rabbanites, and defections from one school to the other occurred frequently for reasons other than religious conviction. We learn this from a letter of ca. 1030 that a Rabbanite scribe in Palestine sent to the head of the Palestinian Rabbanite congregation in Fustat (what would later be called the Ben Ezra synagogue). The scribe warned his colleague that he was "alienating the congregation with your haughtiness and domineering manner. Because of you and your son-in-law, many people have switched over to the [Babylonian] synagogue and to the Qaraite congregations."⁶⁰ Not only was changing schools possible and tolerable; one did not have to believe anything in particular in order to do so, except that one's rabbi was insufferable. Throughout the Fatimid period, motives that we might consider pragmatic or political pervaded the choices that Jews made about scholastic loyalty—those of the average synagogue-goer and of the high leadership of the Babylonian Rabbanite, Palestinian Rabbanite, and Qaraite congregations alike.

As the rabbinic elites of Jerusalem and Fustat gathered strength and organized their own administrative authority over the Jews of Fatimid Syria and Egypt, Qaraites came to play key roles in the repeated adjustments to the nature of Jewish communal organization. Though

⁶⁰ T-S 10 J 29.13, in Judeo-Arabic (recto, lines 20–23), in Gil, *Palestine*, vol. 2, doc. 205; see Goitein, *Mediterranean Society*, 2:555 n. 44.

Qaraite literary works written in Jerusalem at the dawn of Fatimid rule in the late tenth century suggest a community of ascetics chafing under the domination of an oppressive rabbinic establishment, contemporaneous Geniza sources suggest that those ascetics represented a small part of a much broader system of Qaraite leadership. That system included long-distance traders and courtiers who came to serve as links connecting the *yeshivot* in Baghdad to their loyalists in Egypt and central North Africa: both Shemu'el b. Hofni, ga'on of Sura (998–1013) and Hayya bar Sherira, ga'on of Pumbedita (1004–1038) allied themselves with Qaraite notables who carried their responsa westward to Fustat and Qayrawān and donations to the yeshiva eastward.⁶¹ Other Qaraite served in government offices that placed them at the center of the Jewish communal administration in Palestine.

The centrality of the Qaraite in rabbinic politics only increased over the 1010s and early 1020s. When a group of Egyptian Rabbanites in Fustat attempted to remove themselves from the jurisdiction of their leaders in Jerusalem and Baghdad and form an independent, third Jewish center, the rabbinic leadership of Jerusalem undertook an extraordinary campaign to bring the Egyptians to heel. They succeeded in doing so only by forging a countervailing alliance with the Qaraite notables of Fustat and Cairo, mainly because, as they recognized, these Qaraite were their surest and shortest route to the Fatimid chancery, which provided Jewish leaders with investitures for their own positions and therefore the possibility of political legitimacy and measures of punitive enforcement. Once the Rabbanite leaders in Fustat and Jerusalem had begun petitioning Qaraite for support, smaller communities soon joined them: over the course of the 1020s, Jewish communities all over the Fatimid realm began appealing to Qaraite courtiers for economic aid and intercession before the caliph's chancery. The Qaraite thus emerged as a crucial third party in Jewish politics, the key to rabbinic leaders' attempts to connect themselves more securely with the Fatimid court.

Over the remainder of the eleventh century, the centrality of the Qaraite in *rabbinic* politics became an accepted fact of Jewish public life. Three successive contenders for the office of ga'on in Palestine and one in Fustat made no secret of their appeals for support not only

⁶¹ T-S 8 J 39.9 and T-S 12.175, translated and discussed in Rustow, *Heresy and the Politics of Community*, 145–50.

among Qaraite grandees but among ordinary Qaraites as well, including holding joint prayer-services and then publicly advertising this fact all over Egypt and Syria. The Qaraites emerged as kingmakers in a remade Jewish political landscape. Communities across the Levant in the 1020s had understood the uses of calling on Qaraite grandees in times of emergency; by the 1030s, the leaders began to understand the importance of Qaraite support in their campaigns for office.

When, toward the end of the eleventh century, events beyond the ken of the Jews or even the Fatimid caliphs reshaped the political landscape of the Eastern Mediterranean—first the Seljuk sack of Jerusalem in 1073 and then the First Crusade—thanks to a century of Rabbanite-Qaraite cooperation, the Jewish community not only survived the chaos with a reconstituted administration in Tyre, Damascus, and finally in Fustat but emerged even stronger than it had been before. As the Latin kingdoms took over the eastern part of the Fatimid realm, the Jews concentrated their administration in Egypt in a new office of Jewish communal leadership, the *raʿīs al-yahūd* (head of the Jews) of the Fatimid empire; this meant the death of the old structure of governance centered on the academies of Baghdad and Jerusalem and its replacement by a local administration centered on Fustat that served a tripartite Jewish community of Rabbanite former loyalists to Baghdad and Jerusalem on the one hand and the Qaraites on the other. The emergence of a territorial authority over all three Jewish communities was perhaps the most significant development among Jews in the medieval east because it signaled a new model that transcended the interests of the congregation, but via local rather than far-off leadership. As an administrative structure, this newly organized Jewish community owed everything to the long history of Rabbanite-Qaraite cooperation.

In such a context, it is not surprising that in letters, contracts, government administrative papers and literary sources, Rabbanites and Qaraites alike describe themselves as *madhhabs*, a word that roughly equates to the Greek *hairesis* in the original sense of “choice” or “school,” or perhaps to the Latin *secta* in the sense of “way”; but it should really be thought of in the same sense as the four Sunnī *madhhabs* (during this period, Shiʿism was considered a *madhhab* too). The term *madhhab* comes closest to describing the legal practice of Rabbanites and Qaraites and the reciprocal recognition that they accorded one another. Indeed, it is striking that none of the Rabbanite judges or scribes who wrote legal documents for Qaraites, according to Qaraite

legal specifications when necessary, or adapted parts of the Qaraite formulary ever faced judicial sanction: their documents were sent on to the high court in Fustat and validated on the routine order of business. No one had any reason to complain.

This is not to say that Qaraism behaved this way in every historical setting. In imperial Russia, Rabbanite and Qaraite leaders engaged in bitter internecine conflicts as each group struggled to respond to the debilitating minority policies of the czars, which distinguished between rabbinic and Qaraite Jews. That example further suggests the importance of understanding Jewish religious schisms as functions of power—and of Jews' relationship to the state.

III. *Questions of Method*

Even speaking of “Rabbanites” and “Qaraites,” as I do here, can be misleading insofar as it implies that everyone was either one or the other. In the medieval eastern Mediterranean, some Jews maintained mixed loyalties; others felt unmoved by the requirements of scholastic choice; still others changed scholastic loyalties for motives we must try to understand. Even if we can rarely hope to reconstruct anyone's motives with confidence, trying to do so is more scientific than assuming that all motives were purely ideological.

One might refer to what I am describing here with the phrase “wide margins of indifference,” after Georges Duby, who argued that even though “the terms ‘orthodoxy’ and ‘heresy’ are historically indissoluble,” they are not “like two provinces on opposite sides of a river, divided by a definite border. Instead,” he argued, they are more like “two poles, between which wide margins extend, enormous areas of indifference perhaps, sometimes of neutrality, at any rate undefined and changing fringes.”⁶² Duby's undefined fringe, the no-man's-land of indifference, holds important clues as to how orthodoxy and heresy functioned in real time. Only by grasping the contingencies and the quotidian texture of contests for religious legitimacy can one

⁶² Georges Duby, ‘Heresies and societies in preindustrial Europe between the eleventh and eighteenth centuries,’ in idem, *Love and marriage in the Middle Ages*, trans. Jane Dunnett (Chicago, 1994 [1988]), 187.

understand how power really operated and whether it produced the hierarchical arrangement that we now call orthodoxy and heresy. Carlo Ginzburg put it as follows: “If in a study of human events we bracket the temporal dimension, we obtain a datum which is inevitably distorted because it has been cleaned of all power relationships.”⁶³ Atemporal typologies do not account adequately for power; studies of heresy and sectarianism must go beyond asking what those accused of heresy believed that made them vulnerable to the charge, and instead, determine the proximate causes and consequences of the accusations—if there were any consequences at all. Who did the accusing? When? How much power did he or she have to make the accusation of heresy stick? In Aragón and Castile, Jewish leaders exercised the maximum degree of authority and not coincidentally, Qaraism disappeared there well before the Jews were expelled in 1492. In Fatimid Egypt and Syria, by contrast, the two groups cooperated on a vast scale and the rabbis who attempted, twice over the course of the eleventh century, to excommunicate the Qaraites as “heretics” either failed to enforce the pronouncement or themselves faced sanctions, because Qaraites possessed the power to render their own excommunication punishable by the state.

In light of this, how heresy is regulated in a religion that lacks a church, ecclesiastical councils, and other institutionalized mechanisms for deciding upon matters of correct doctrine and behavior may be a *question mal posée*. The important differences between heresy in Islam and Judaism on the one hand and Christianity on the other lie not in the mechanisms they use to define it, but in the mechanisms they possess to punish and eradicate it—that is, in how successfully they utilize violence or the threat of it. Weber recognized this when he wrote that the state “can offer exceedingly valuable support to the hierocracy by providing the *brachium saeculare* for the annihilation of heretics”—a statement as true of Judaism or Islam as of Christianity.⁶⁴

In her book on early modern rabbinic critiques of rabbinic culture, Talya Fishman coined the term “tolerated dissent” to emphasize the large grey area in which rabbinic authorities do not punish disagreement.⁶⁵

⁶³ Carlo Ginzburg, *Ecstasies: Deciphering the Witches’ Sabbath* (1991 [1989]), 16.

⁶⁴ Weber, *Economy and Society*, 2:1175.

⁶⁵ Or alternately, “iconoclasm in a traditional key.” Fishman, *Shaking the Pillars of Exile*, 15, 31, and chapter two.

That idea suggests the exploration of the limits of rabbinic consensus. My goal here has been, instead, to offer some tools for determining how the mainstream became mainstream—that is, how that consensus was formed and maintained, and how it asserted itself as relevant in a given period or failed to do so.

Even if the set of questions that I am posing here can be transferred to ancient Judaism only with difficulty given the dearth of non-literary evidence, they may still suggest a way to imagine the undefined fringes and to ask questions about them—not questions about what makes a sect a sect, but about what kinds of choices people made and why. Recasting the question that way also permits one to glance forward to modern Judaism. Historians usually characterize Jewish modernity as differing radically from what came before the rise of the secular nation-state, the prospect of equal rights and legal emancipation for Jews, and the elimination of the Jewish community's traditional structures of authority. But in many contexts, rabbinic elites continued to regulate the bounds of the permissible via appeals to the state and secular legal courts. While the rise of Jewish "denominations" in the nineteenth century may appear to have ushered in an age of relativism in which no one school of Judaism could claim hegemony, from the point of view of power relations, that situation was no different from the one I have described here: one must still understand who wielded power, how, and over whom.

Comparisons with the modern period raise a related question: can one employ Weber's "sect" idea heuristically in discussing medieval material—or non-Christian material, for that matter—given its genealogy in an analysis of the efflorescence of Protestant denominations in the early modern period? In other words, can the concept of "sect" ever function in the truly value-neutral way in which Weber intended it? Ideas always retain some residue of their genealogy, and indeed, one must exercise caution in merely transferring them from one historical context to another. But an even more basic problem has shaped the discussion of "sects" in Judaism: the phantoms that sociological theory has created have tended to assume flesh and blood. Bryan Wilson emphasized this point in an essay of 1993, stressing that "ideal-type formulations are disposable heuristic devices." The lesson is

not always easily learned, even by those who have invested time and thought in their creation. Yet it is essential to recognize that a set of types which are produced for one analytical exercise cannot lightly be

taken over and applied in search of a solution to different problems or to other phenomena.⁶⁶

All this, as Wilson knew, is merely to reiterate the cautions Weber himself put forward. We might well ask ourselves why Weber needs to be echoed a century on. What does it teach us about our time that scholars in several fields continue to cling to a schematic, atemporal notion of “sects” and religious schisms, “cleansed,” as Ginzburg put it, “of power relations and removed from their historical contexts”? To ask the same question another way, why do newspaper reports about violence in northern Ireland, Lebanon, Iraq, and Pakistan persist in pointing to “religious sectarianism” as an *explanation* of violence, as though violence required no other explanation? Perhaps because it is strangely comforting to imagine ideological differences as the cause of all conflict: it spares us the pain of living with the consequences of understanding how power operates.

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⁶⁶ Bryan Wilson, ‘Historical Lessons in the Study of Sects and Cults,’ in *Religion and the Social Order: The Handbook on Cults and Sects in America*, ed. David G. Bromley and Jeffrey K. Hadden (Greenwich, CT: JAI Press, 1993), 56.

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THE HASIDAEANS AND THE ANCIENT JEWISH 'SECTS': A SEVENTEENTH-CENTURY CONTROVERSY

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In the late sixteenth and early seventeenth centuries, three great scholars entered into an exegetical controversy—half philological, half theological. Their pugnacity reflects the importance of what was at stake.¹ Johannes Drusius (1550–1616), biblical scholar, Hebraist with Arminian sympathies, Professor at the University of Franeker in the Netherlands; Nicolas Serarius (1555–1609), Jesuit, theologian, Professor at the University of Mainz; and Joseph Justus Scaliger (1540–1609), the eminent orientalist and philologist, Professor at the University of Leiden, also with Arminian sympathies.²

The controversy began in 1583. It bore at first on the identity of the Hasidaeans, who are mentioned three times in the *Books of Maccabees*, but subsequently extended to the three main Jewish sects in the period of the second Temple—the Sadducees, the Essenes, and the Pharisees. It reached a climax in 1603–1605, and remained alive throughout the seventeenth century. The original texts were republished by Jacques Trigland in 1703, supplemented by three further items: one by Drusius (1606) and two by Serarius (1605 and 1607), as well as a new contribution by J. Trigland (1652–1705) himself, Professor of Theology at the University of Leiden, on the sect of the Karaites.

¹ I am particularly grateful to Christopher Ligota for the opportunity of presenting an earlier version of this research in his seminar on the History of Scholarship, on 14 March 2008 at the Warburg Institute, and for his help with the English translation of this paper, and to Alastair Hamilton for his advice and critical remarks. I would like to thank Pierluigi Lanfranchi for allowing me to read J.C.H. Lebram's article. And, last but not least, I thank Prof. Mark Geller and Prof. Sacha Stern for their warm welcome at the Institute of Jewish Studies, University College London.

² On J. Drusius, see François Laplanche, *L'Écriture, le sacré et l'histoire* (Amsterdam and Maarssen: APA-Holland University Press, 1986), 85–89. On N. Serarius, see A. Rayez, 'Serarius (Serrarius) Nicolas,' in *Dictionnaire de Théologie Catholique*, t. 14 (Paris: Letouzey et Ané, 1941), col. 1912–1913. On J.J. Scaliger, see Laplanche 1986, 91–97; Jean Jehasse, *La Renaissance de la critique. L'essor de l'Humanisme érudit de 1560 à 1614* (Paris: Honoré Champion, 2002), 240–244, 330–335, 368–378.

The aim of this long-lasting polemic was certainly not to achieve a better understanding of ancient Jewish society, its history and its schools of thought. If the various Jewish sects contemporary with the birth of Christianity gave rise to such a lively debate, it is because, as J. van den Berg has rightly observed,³ they were perceived as a mirror and a prefiguration of the doctrinal cleavages that developed between the Roman Church and the Churches of the Reformation between the Council of Trent (1545–1552) and the Council of Dordrecht (1618–1619).

I shall begin by analysing the terms ‘sect’ and ‘heresy’ as they are defined and used on all sides. Then I shall consider the issues involved. How did the question of the Hasidaeans come to trigger the controversy? What were the arguments advanced?

For Drusius the Hasidaeans, in whom he sees one of the most important and most difficult questions in the story of the Maccabees, are Pharisees. What is one to make of his repeated assertions that he is strictly confining himself to questions of grammar and history, leaving doctrinal matters to others, better qualified? Behind this feigned modesty what is his position regarding the biblical text and the tradition of the Church? For Serarius, who identifies the Asidaeans with the Essenes, the crux of the matter lies elsewhere. Considering the Essenes to be the precursors of Christian monasticism, he dates the emergence of the latter very early. And all three, Serarius, Drusius and Scaliger, each in his own way, pose the question of the ‘works of supererogation’, i.e. of a religious life aspiring to a higher piety than that prescribed by the Law.

1. *Lexicography: Sect and Heresy*

‘Sect’ and ‘heresy’ occur throughout the debate, beginning with the titles of the texts I shall analyse more particularly in this paper. Thus Serarius’ work of 1604 is entitled: *Trihaeresium, seu De Celeberrimis Tribus, apud Iudaeos, Pharisaeorum, Sadducaeorum et Essenorum sectis*. The

³ Johannes van den Berg, ‘Proto-Protestants? The Image of the Karaites as a Mirror of the Catholic-Protestant Controversy in the Seventeenth Century,’ in *Jewish-Christian Relations in the Seventeenth Century*, ed. Johannes van den Berg and Ernestine G.E. van der Wall (Dordrecht, Boston and London: Kluwer Academic Publishers, 1988), 33–34.

title of Drusius' reply of 1605 reads: *De Tribus **Sectis** Iudaeorum*. But let us notice that the title of Drusius' tractate, which opens the most acute phase of the polemic, *De Hasidaeis quorum mentio in Libris Machabaeorum* (1603), contains neither term. We shall see that for Drusius and Scaliger the Hasidaeans do not constitute a 'sect' but rather an 'order' (*ordo*) or a 'brotherhood' (*sodalitium*).

The two terms are used in two different contexts. On the one hand they appear in descriptions of ancient religious movements or schools of thought, those of the diversified Judaism of the late second Temple period, and of the pluralist early Christianity; and on the other in the controversies dividing the Christian Churches in modern times. The two contexts play into each other, the ancient one functioning as both model and mirror of the modern.

'Sect' and 'Heresy' in Antiquity: The Definitions of N. Serarius

In a chapter of his *Trihaeresium* (1604: I, ii, 2–4) Nicolas Serarius gives an important definition of these terms across three languages, Greek, Latin and Hebrew: in all three the equivalents of 'sect' and 'heresy' can be taken in good or bad part for both (*in bonam et in malam partem*).⁴ Thus the Greek *hairesis*, taken in good part, indicates "a certain way of life or thought" (*sentienti aut vivendi formam*). Quoting Diogenes Laertius and Galen, Serarius recalls that the word refers to schools of philosophical or medical thought. In the same way the word *hairesis* can designate currents of thought within Judaism, as e.g. in Josephus. But Serarius prefers to illustrate this sense of *hairesis* by quoting the *Acts of the Apostles* (26: 5). In his youth Paul lived as a Pharisee, following, he says, "the strictest *hairesis* of our religion". On the other hand in its Christian uses the word is most often employed in a pejorative sense (*in malam partem*) to designate impious doctrines condemned by the Church, or those who persist in supporting such doctrines, such as the false doctors in the Second Epistle of Peter (2: 1) who introduce "damnable *haireseis*, denying the Lord who bought them". It is also true in Latin for the word *secta*, which can be taken in good or bad part. As for Hebrew, it uses the words *chelakim*, *chelakoth*, which designate the

⁴ On the notion of heresy in the Christianity of the three first centuries, earlier among the Jews, and shifts in Greek usage, see Alain Le Boulluec, *La Notion d'hérésie dans la littérature grecque. II^e–III^e siècles*, t. 1, (Paris: Etudes Augustiniennes, 1985), 37–51.

‘parties’ (*partes*), the ‘divisions’ (*divisiones*), or ‘sections’ (*sectiones*).⁵ But the word *minuth* always designates a bad heresy whose followers are called *minim*.

‘*Hairesis*’ and ‘*secta*’ in a pejorative sense presuppose a norm from which they are departures.⁶ Serarius relies on decisions of the Councils, heresiological treatises, to decide what is heretical and what is not. The same goes in Hebrew: the word *minim* also presupposes the existence of a norm; but in that case the norm is defined by the Jewish tradition.

Intermediate Cases

When Serarius (1604: 47, 152, 200) adopts Josephus’ usage, which identifies Jewish ‘heresies’ with Greek philosophical schools,—the Sadducees with the Epicureans, the Essenes with the Pythagoreans, and the Pharisees with the Stoics—*hairesis* carries no pejorative connotation.⁷ But there are instances, untypical, of *hairesis* being applied to Jewish sects pejoratively. Thus Serarius (1604: 81) asks whether the Pharisees should be called ‘heretics’, as Epiphanius calls them. Serarius (1604: 156) declares that the Sadducees are ‘truly heretics’ (*vere haeretici*). In these instances Serarius is not drawing on ancient Jewish sources but using a Christian ‘heresiological construction’, the catalogues of Jewish sects put together by the Fathers of the Church.⁸ Thus when Serarius declares that the Sadducees, who deny the resurrection of the dead, are heretics, the norm presupposed is Christian, not Jewish.⁹

⁵ J. Drusius, *De Tribus Sectis Iudaeorum*, Franeker, 1605: 259–260, corrects Serarius’ vocalization: not *chelakim*, but *chalakim*; not *chelakoth*, but *chalakoth*. As for the reference to Zephaniah 3, 9, which Serarius gives as an example (*Trihaeresium*, 1604: 4), Drusius notes: “These words cannot be found either in this verse or anywhere in Zephaniah”.

⁶ Leszek Kolakowski, *Chrétiens sans Église. La Conscience religieuse et le lien confessionnel au XVII^e siècle* (Paris: Gallimard, 1987), 69–72.

⁷ Serarius, *Trihaeresium*, 1604: 47, 152, 200. On the Jewish ‘heresies’ compared with the Greek schools, see Josephus, *Antiquities* XV, 371 (Essenes and Pythagoreans); *Life* 12 (Pharisees and Stoics); on the Sadducees and the Epicurians, cf. *War* II, 164 and *Antiquities* X, 278.

⁸ Le Boulluec, 1985, I, 70–73.

⁹ Conversely, when Gorionides (quoted by Drusius, *De Hasideis*, 1603: 16) calls the Sadducees “impious” *Israelitae* and *haeretici*, he does so according to Jewish, not Christian norms.

Modern Times. Definition of the 'Heretic' according to J. Drusius.

Drusius had to give a definition of 'heresy' in the modern sense. Let us see in what circumstances. In one of his earlier commentaries Serarius had praised Drusius ironically: "although a heretic", he did not resort to abuse. That this "infamous name", 'heretic', cut Drusius to the quick did not surprise Serarius. As Saint Gregory had said, is not the heretic the one who is separated from the living God and united with the Devil and his angels (1604: 326, 327)? But for Serarius Drusius deserves the 'infamous' qualification as a Calvinist. According to the Council of Trent, Luther and Calvin are heretics and their doctrines heretical (1604: 328).

For Drusius a heretic is someone who is mistaken regarding the foundations of faith and who persists in his error.¹⁰ He gives several examples of errors which amount to 'heresy': "denying that Christ suffered under Pontius Pilate",¹¹ or that he "was born under Caesar Augustus, when Quirinius was conducting a census".¹² In other words, in deciding what is heretical and what is not, Serarius relies on doctrinal norms inherent in the tradition of the Church, whereas Drusius refers to the truth of the biblical text. But how is the truth of the biblical text to be ascertained? We shall see that, for Drusius, it is a matter of critical analysis of the text through grammar and history.

In conclusion to this brief survey of the usage of 'sect' and 'heresy' in this early seventeenth-century controversy, we should keep in mind the tendency to specialisation of both terms. 'Sect' is very often taken in good part and keeps its ancient meaning of 'school of thought' in particular to designate Jewish 'sects', while 'heresy' carries by and large a pejorative connotation (mainly with Serarius), which it acquired in heresiological quarrels.

We should also remember that if Drusius and Serarius agree more or less on the sense of 'sect' taken in good part as far as Jewish 'sects' are concerned, they differ on the meaning of 'heresy'. They diverge in particular as to what norms to apply: the tradition of the Church for Serarius, the biblical text for Drusius.

¹⁰ Drusius, *De Hasidæis*, 1603: 22; *De Tribus Sectis*, 1605: 249 sq.

¹¹ Drusius 1605: 251.

¹² 1605: 251–252; cf. Luke 2: 1–2.

2. *The Controversy on the Hasidaeans*

In the chronology of the *Books of Maccabees*, the Hasidaeans appear between 167 and 161. In the winter of 167, immediately after the plundering of the Temple by Antiochus IV Epiphanes and the abolition of the observance of the Law (1 Maccabees 1: 44–54), “a company of Hasidaeans (*sunagôgê Hasidaïôn*), stalwarts of Israel, every one of them a volunteer in the cause of the Law” joined Mattathias and his sons in their armed resistance against the Seleucids (1 Macc. 2: 39–48). In 161, the high priest Alcimus, the leader of the pro-Greek party, slaughtered sixty Hasideans. “He arrested sixty of them and put them to death in a single day; as Scripture says: *The bodies of thy saints were scattered, their blood was shed round Jerusalem* (Psalms 79: 2)” (1 Macc. 7: 16–17). So the Hasidaeans emerge at a particularly critical moment of the history of Israel, at a moment when Jewish institutions, the Temple, the practice and the transmission of the Law are in mortal danger.¹³

For 7. Drusius the Hasidaeans are Pharisees

In 1583, in the 47th *Quaestio* of his *Quaestionum and Responsionum Liber*, Drusius asks who are the Hasidaeans.¹⁴ A question about which he will write in reply to Serarius: “In the whole story of the Maccabees you can hardly find a more important and difficult question than that of the Hasidaeans”.¹⁵

¹³ On the Hasidaeans in modern research, see in particular John Kampen, *The Hasidians and the Origin of Pharisaism. A Study in 1 and 2 Maccabees* (Atlanta, GA: Scholars Press, 1988). Étienne Nodet, ‘Asidaioi and Essenes,’ in Flores Florentino, *Dead Sea Scrolls and other Early Jewish Studies in Honour of Florentino García Martínez*, ed. Anthony Hilhorst, Émile Puech and Eibert Tigchelaar (Leiden and Boston: Brill, 2007), 63–87. For É. Nodet, *Asidaioi*, far from being ‘proto-Essenes’, can be called ‘proto-Pharisees’.

¹⁴ J. Drusius, *Quaestionum ac Responsionum Liber. In quo varia scripturae loca explicantur*, in Academia Lugdunensi, 1583, 47th *Quaestio*. The question of the identity of the Hasidaeans had already been discussed, most recently by Cornelius Bertram, a Calvinist from Geneva, in his *De politia judaica*, Geneva, 1574, 133–134. He assimilates the Essenes to the ‘Asidaeans’. What he says about the Essenes has been analysed by Bernard Roussel, ‘Connaissance et interprétation du judaïsme antique: des biblistes chrétiens de la seconde moitié du XVI^e siècle,’ in *La République des Lettres et l’Histoire du judaïsme antique, XVI^e–XVIII^e siècles*, ed. Chantal Grell and François Laplanche (Paris: Presses de l’Université de Paris-Sorbonne, 1992), 39–41.

¹⁵ See Drusius 1605: 259, in reply to Serarius 1604: 1.

For Drusius the Hasidaeans are Pharisees, Pharisees at their most pious. He derives the name from the Hebrew *ḥasid*, 'pious' (*hosios* in Greek): "He who cultivates piety and religion is called *ḥasid*".¹⁶ Drusius finds confirmation for this in Ps. 79: 2, quoted in 1 Macc. 7: 17 in connection with Alcimus' massacre. Drusius sees a clear allusion to the Hasidaeans-*Hasidim* in the phrase "they have scattered *the bodies of thy saints* (*besar hasidekha*)". "The Hebrew David distinguishes the *ḥasid* from the just man as someone who does more than he is required to do".¹⁷ Drusius quotes a passage from the *History of the Jews* by Gorionides—i.e. from Joseph ben Gurion's *Josippon* identified with Josephus¹⁸—as proof that the name *Hasidim* designates "the Sages of Israel who were subsequently to be called Pharisees":¹⁹

The Sadducees constituted one party (לחלק אחד) in Israel, and the Hasidaeans (והחסידים) constituted the other party alone (לבדם) with the people following them.²⁰

The previous paragraph indicated that there were two parties in Israel at the time of the Hasmonaeans: the Pharisees who followed the law which had been transmitted by their Fathers and was expounded by the Sages orally, and the Sadducees who rejected oral tradition and relied solely on the Law of Moses. For Drusius there is no doubt that the second party, called here Hasidaeans-*Hasidim*, can only refer to the Pharisees, the Sadducees being mentioned at the beginning of the key sentence of his argument.

Moreover Gorionides states that the people followed the Hasidaeans 'alone' (*levaddam*). And we know from Josephus, the Pharisees were the sole party that influenced the people. The translation of this passage of Gorionides and of the particle *levaddam* in particular, on which Drusius

¹⁶ "Ergo חסיר qui pietatem ac religionem colit" (Drusius 1603: 14).

¹⁷ "Ebraeus David a justo ita distinguit, ut חסיר sit qui plus facit quam jubeatur facere: צריק autem qui jussa Dei exequitur (Psal. 103.17)" (Drusius 1603: 14).

¹⁸ The *Josippon* was composed in southern Italy in the first half of the tenth century. On this work, see David Flusser, '*Josippon*,' in *Encyclopaedia Judaica*. 2nd ed., vol. 11 (Detroit, New York and London: Thompson Gale, 2007), 461–462. All subsequent references are to Flusser's edition, *Josippon [Josephus Gorionides]*. Edited with an Introduction, Commentary and Notes (Jerusalem: The Bialik Institute, 1981) [Hebrew].

¹⁹ Drusius, *Quaestionum ac Responsionum Liber*, 1583: 37; the 47th *Quaestio* is partly repeated in Drusius (1603: 17): "Dictos autem eo epitheto antiquitus Sapientes Israel, quos posterior aetas Pharisaeos nominavit".

²⁰ Drusius (1603: 46): "Erantque in Israel Sadducaei pars una, et pii illi sive Hasidaei soli cum populo, qui sequebatur eos, pars altera".

bases his identification of the Hasidaeans with the Pharisees, is one of the key points in the philological discussion with Serarius.²¹

For Nicolas Serarius the Asidaeans are Essenes

The *quaestio* on the Hasidaeans and the reply offered by Drusius as early as 1583 were discussed again by Serarius in an excursus, entitled *De Asidaeis*, added to his *Commentary on the Books of Maccabees* published in 1590.²² For Serarius, the Asidaeans are not Pharisees but Essenes. His first argument is an etymological one.²³

Taking up a conjecture of Joseph Scaliger's, Serarius relates the Syriac *hasi*, which has the same meaning as the Hebrew *hasid*, to "Essenes"—*Essenoi* for Josephus, *Essaioi* for Philo of Alexandria. Scaliger had formulated this conjecture²⁴ by referring to Philo who derives *Essaioi* from the Greek *hosiotês*, meaning 'piety', 'holiness'.²⁵

In the further course of the controversy, because of this etymology, Serarius makes a point of writing 'Asidaioi', 'Asidaei' without the aspirate H, as in 1590 in his excursus *De Asidaeis*. Drusius, on the contrary, keeps the initial H, as in his *De Hasidaeis* of 1603. Indeed Drusius continuously writes 'Hasidaioi', 'Hasidaei'. By doing so, he underlines the derivation of 'Hasidaean' from *Hasid* / *Hasidim*.²⁶

Serarius' second argument is taken from Gorionides. As we have seen, Drusius translates Gorionides' sentence והחסידים לבדם עם העם as "Hasidaei *soli* cum populo", "the Hasidaeans *alone* with the people". Taking the particle *levaddam* differently, Serarius translates: "et Asidaei *sejuncti ab istis* cum populo", "the Asidaeans separated from these", that

²¹ Josephus, *Antiquities*, xviii, 15. For the translation of Gorionides' passage, see Drusius 1603: 28, and more particularly for the translation of the particle "*levaddam*", see *ibid.*: 63–64.

²² Serarius, *Commentarii in sacros Bibliorum libros Iosuae, Iudicum, Ruth, Judith, Esther, Machabaeorum*, Mainz, 1590, 707. This passage is quoted at length and criticized by Drusius, *De Hasideis*, 1603, 18–21.

²³ On Serarius' argumentation (Mainz, 1590; Paris, 1611), see Lebram 1980, 24.

²⁴ Anthony Grafton, *Joseph Scaliger: A Study in the History of Classical Scholarship. II: Historical Chronology* (Oxford: Clarendon Press, 1993), 299–300, 509–510.

²⁵ Philo, *Every Good Man Is Free*, 75: "Their name [*Essaioi*] is, I think, a variation, though the form of the Greek is inexact, of *hosiotês*" (holiness) (tr. F.H. Colson [Loeb]). On the various hypotheses regarding the etymology of "Essene" put forward since the discovery of the Dead Sea Scrolls, see Todd S. Beall, 'Essenes,' in *Encyclopedia of the Dead Sea Scrolls*, ed. Lawrence H. Schiffman and James C. VanderKam (Oxford: Oxford University Press, 2000), vol. 1, 262.

²⁶ See the discussion of the initial *Heth* in Drusius 1603: 19, 25.

is to say separated from the Pharisees and the Sadducees previously mentioned by Gorionides.²⁷ For Serarius, then, the testimony of Gorionides shows that the Asidaeans constitute a third party, the Essenes. Whereas Drusius only relies on the two parties of the Hasmonaeen period (the Sadducees and the Pharisees), Serarius enumerates three: the Sadducees, the Pharisees and the Essenes.²⁸

Scaliger on the Hasidaeans

After learning from a catalogue that a new reply by Serarius to Drusius on the Hasidaeans was about to be published, Joseph Justus Scaliger decided to intervene in the controversy in order to refute the arguments of the learned Jesuit.²⁹ Serarius' *Trihaeresium, seu De celeberrimis tribus, apud Iudaeos, Pharisaeorum, Sadducaeorum, et Essenorum sectis*, was published at Mainz in 1604. Scaliger's refutation, *Elenchus Trihaeresii Nicolai Serarii*, appeared in the following year in Franeker. Scaliger was working at the time on his *Thesaurus temporum Eusebii Pamphili* which involved a critical edition of the *Chronicle* of Eusebius and of its Latin adaptation by Jerome. Scaliger's stated intention was to "save Eusebius from the errors of the copyists, and chronology from the errors of Eusebius".³⁰ Thus, when Scaliger undertook to reply to Serarius, his main concern was to test the authenticity of the sources and the chronology of events, and that with a total critical independence in front of the authority attributed to the tradition of the Fathers by Serarius.

Scaliger destroys the two principal arguments on which Serarius founded the identification of the Hasidaeans with the Essenes. First, correcting the etymology of 'Essene' he had himself proposed on the strength of Philo's *Quod omnis probus*,³¹ he points out that Serarius is wrong in claiming that Philo deduces it from the Syriac *ḥasi*, 'saint': Philo was a Hellenised Jew from Alexandria who did not know either Hebrew or Syriac, and who cannot be used as an authoritative source for the history of Jewish sects in Judea during the period of the second

²⁷ Drusius 1603: 7–8, 27; Serarius 1604: 22.

²⁸ Serarius 1604: 4, 18, 20.

²⁹ On this episode, which took place in June 1604, see Grafton 1993, 507–508.

³⁰ Scaliger's letter to Casaubon of 27 July, 1602, quoted in Grafton 1993, 501, note 45. The *Thesaurus temporum Eusebii Pamphili* was published at Leiden in 1606.

³¹ See above, note 25.

Temple.³² Therefore Serarius has no grounds for this etymology and hence none for relating the Hasidaeans to the Essenes.

Scaliger's second criticism is directed both against Drusius and Serarius who both invoke—for different purposes—Gorionides' *Josippon*, which they take to be the Hebrew version of Josephus' *Jewish War*. Scaliger points out that this *Josippon* is only a re-working of the Latin translation of Josephus by Rufinus, and not an authentic work attributable to Josephus.³³ Gorionides, alias Joseph ben Gurion, was "a Jew from Touraine, an ignoramus who lived 400 or 500 years ago".³⁴

What is Scaliger's own position on the Hasidaeans and their relationship to the Pharisees and the Essenes? Scaliger expounds it in chapter XXII of the *Elenchus*, entitled 'Origin and function of the Hasidaeans'.³⁵ In his opinion, the Hasidaeans were not a sect (*secta*) but an order (*tagma, sustēma*) or a corporation "especially dedicated to the observance of the Law", and whose origin went back to the period of Ezra.³⁶ Their name—deriving from *Hasidim* in Hebrew, *hagioi* in Greek—designates them as saints (*sancti*), and what is said about them in the *Books of the Maccabees*, describing them as forming a 'company' especially dedicated to the Law, characterize the Hasidaeans as being a brotherhood, according to Scaliger.³⁷ Besides applying the Law, they attended to certain practices that followed from the Law but were not obligatory, i.e. they performed works of supererogation.³⁸

Already before the Hasmoneans, Scaliger continues, the people of God had been composed of two doctrinal families: those who confined themselves to the application of the Law, and those who went beyond what the Law required. The Hasidaeans belonged to this second family. The first was represented by the Karaites who did not constitute a

³² Scaliger 1605: ch. XVIII, 131–138. See Grafton 1993, 299–300, 509–510.

³³ Scaliger 1605: ch. IV (38–45) and V (45–52).

³⁴ See Grafton 1993, 695–696.

³⁵ Scaliger 1605: ch. XXII (162–174): "Hasidacorum origo, functio. Ab illis Pharisaei, a Pharisaeis Esseni. Sadducaei a Karraim. Serarii errores".

³⁶ Scaliger 1605: 163: "vel, ut Constitutiones loquuntur, corporati, qui sponte sese addicebant functionibus legis".

³⁷ On the company of Hasidaeans (*sunagôgē Hasidaion*), see 1 Macc. 2: 42. Scaliger (1605: 164): "Erant enim Hasidæi φράτρες quidam, qui vulgo dicuntur *confratres* ἐκουσιαζόμενοι τῷ νόμῳ".

³⁸ Thus they met daily in the Temple and sacrificed a lamb, a rite called "oblatio *Hasidim* pro peccato" (Scaliger 1605: 168). On works of supererogation, see A. Michel, 'Surérrogatoires (œuvres)', in *Dictionnaire de Théologie Catholique*, vol. 14 (Paris: Letouzey et Ané, 1941), col. 2824–2833.

sect.³⁹ In fact, for Scaliger sects appeared among the Jews only when the precepts of supererogation were fixed in writing. Then "doubts, disputations, skirmishes and altercations" became a daily phenomenon.⁴⁰ And sects were formed: the Sadducees from the Karaites, the Pharisees from the Hasidaeans, and the Essenes from the latter.

These are the arguments. It is time to consider what was at issue.

3. *The Points at Issue*

In his very enlightening analysis of the controversy between Drusius and Serarius, J.C.H. Lebram discerns "two diametrically opposed visions of History".⁴¹ Behind Drusius' philological demonstration there lies a vision of History which owes much to the tractate *Pirke Avot* and the rabbinical commentaries on it:

According to this vision, History follows a linear movement. It begins with Moses, and leads through Joshua and the Prophets to the Sages, the Pharisees, and to their successors, the Rabbis.⁴²

Against this conception Serarius puts forward 'a Christian view of History', in which the Asidaeans' successors, the Essenes, appear as the precursors of Christian monasticism. As for Scaliger, Lebram adds, contrary to Serarius, he refuses himself to inscribe the Hasidaeans in a History oriented toward a *telos*. Scaliger sees the Hasidaeans "as a historical phenomenon in itself", in order to situate them at their exact place in a chronological system which owes nothing to the teleological conception of History.

³⁹ On Scaliger and the Karaites, see Johannes van den Berg, 'Proto-Protestants? The Image of the Karaites as a Mirror of the Catholic-Protestant Controversy in the Seventeenth Century,' in *Jewish-Christian Relations in the Seventeenth Century. Studies and Documents*, ed. Johannes van den Berg and Ernestine G.E. van der Wall (Dordrecht, Boston and London: Kluwer Academic Publishers, 1988), 34–38. On the concept of 'sect' applied to Karaites (Qaraites) see Marina Rustow's contribution in the present volume.

⁴⁰ Scaliger (1605: 168–169): "Sed postquam supererogationis praecepta in Canones redacta sunt et scripto mandata, tunc multa dubia oriri, disputationes, velitationes, altercationes quotidie succrescere". Scaliger (1605: 164, 168) calls supererogatory works *רבית לתורה*.

⁴¹ J.C.H. Lebram, 'De Hasidaeis. Over Joodse studiën in het oude Leiden,' in *Voordrachten Faculteitendag 1980* (Leiden, 1980–1981), 25–27.

⁴² Lebram 1980–1981, 25.

The fact remains that these different conceptions of History are closely associated to more theological issues topical since the Council of Trent.

Nicolas Serarius: The Antiquity of Monasticism

For Serarius, the testimony of Philo of Alexandria as interpreted by the Fathers, beginning with Eusebius and Epiphanius, establishes indisputably that the descendants of the Asidaeans-Essenes, particularly of those whom Philo describes as leading a contemplative life, were the early Christian monks.⁴³ Both Josephus and Philo report that the closely related Essenes and Therapeutae were called 'pious', and that they lived in isolation, in 'monasteries', which leads Serarius almost to identify them as the earliest Christian monastic order.⁴⁴ Furthermore, Serarius sees the ancient Rechabites, who flourished at the time of the Prophets and the ancient monarchy of Israel, leading a nomadic and ascetic existence, as the ancestors of the Asidaeans-Essenes.⁴⁵ This filiation, which Serarius stands by throughout the controversy, enables him to place monasticism at the very beginning of Christianity. The function assigned to the Asidaeans identified with the Essenes is to have been the prefiguration (*adumbratio*) of monasticism and the religious life,⁴⁶ conferring on these an authority and a legitimacy which they lacked in the eyes of the Churches of the Reformation.

Besides, the identification of the Asidaeans-*Hasidim* as the predecessors of Christian monasticism and the religious life was favoured by the fact that Serarius recognized them—as did Drusius and Scaliger⁴⁷—as men of piety who, beside the commands of the Law, practised works of supererogation. As late as the eighteenth century this trait was to attract notice. Thus the Abbé Bergier on the Asidaeans in 1788:

⁴³ See Serarius 1604: 295–297. On the polemic between Serarius and Scaliger on this subject, see Jean Riaud, 'Les Thérapeutes d'Alexandrie dans la tradition et dans la recherche critique jusqu'aux découvertes de Qumran,' in *ANRW*, II. 20.2 (Berlin and New York: Walter de Gruyter, 1987), 1218–1220.

⁴⁴ Serarius 1604: 269, 283, 304.

⁴⁵ Jer. 35: 6–10; 2 Kings 10: 15–16. See Serarius (1604: 9, 15, 246); and Drusius' objections (1605: 206–207).

⁴⁶ Serarius 1590 (2nd ed., Paris, 1611: 733): "Insignis Monachorum, religionisque nostrorum adumbratio in piis istis priscae legis Asideis et Essenis notari potest" (quoted by van den Berg, 1988: 34 and 46 n. 4).

⁴⁷ For Drusius see above, note 17; for Scaliger see above, note 38.

The Asidaeans believed that the works of supererogation were necessary for salvation. (...) Asidaeans was a generic name given to all the sects of the Jews aspiring to a perfection higher than that prescribed by the Law (...), more or less as we today understand under the name of Religious and Coenobites all the orders and religious institutes.⁴⁸

The question of good works in general, and of works of supererogation in particular, which for Calvin was a 'fatras', neither commanded by God nor approved by Him,⁴⁹ and which had been redefined by the Council of Trent, was a lasting bone of contention between the Reformed Churches and Counter-Reformation Catholicism. No wonder that the role and function assigned to the Asidaeans by Serarius were so sharply criticised by Drusius.

J. Drusius: The Transmission and the Truth of the Biblical Text

For Drusius the role of the Hasidaeans is entirely different. For him they are an essential link in the transmission to the Pharisees of the Torah of Moses—that is to say the Hebrew text of the Bible, the word of God in its *veritas hebraica*—without any break of continuity at a particularly critical moment in the history of Judaism when it was threatened in its traditions and its very existence by the Greek occupation of Judea.

We have seen that Drusius' argumentation is philological and historical, thus the *heth* in *Hasidaean* or the particle *levaddam* in the key sentence of Gorionides. Such arguments seem 'tiny' to Serarius. He observes in the Preface to his *Trihaeresium* of 1604:

Those who separate themselves from the Church of God imagine that if they show learning in little things, they will be credited with learning in great ones, that if the Catholics are shown to be mistaken in grammar, they will also have to be condemned for errors in theology.⁵⁰

⁴⁸ L'Abbé Bergier, 'Asidéens ou Hasidéens,' in *Encyclopédie Méthodique. Théologie*, vol. 1, (Paris, 1788): "Les Assidéens croyoient les œuvres de surérogation nécessaires au salut. (...) Assidéens a été un nom générique donné à toutes les sectes des Juifs qui aspireroient à une perfection plus haute que celle qui étoit prescrite par la Loi (...), à peu-près comme nous comprenons aujourd'hui sous le nom de Religieux et de Céno-bites tous les Ordres et les Instituts religieux".

⁴⁹ For the condemnation by the Reformers of the doctrine of supererogation, see A. Michel, 'Surérogatoires (œuvres),' in *Dictionnaire de Théologie Catholique*, vol. 14 (Paris: 1941), col. 2829–2833 (2831 for the quotation from Calvin).

⁵⁰ Serarius 1604: 2–3.

This is, in fact, Drusius' method. He presents himself as a grammarian and a historian, leaving to others more learned than he, matters of doctrine.⁵¹ But behind this feigned modesty Drusius takes up a position on a matter of major hermeneutical importance: the status of the biblical text. For him it is necessary to find again the truth of the biblical text, beyond the interpretations of the Fathers of the Church and the Medieval theologians (on the authority of whom Serarius leans), by loosening it from the interpretative strata which contribute to overlay its sense. Such an unveiling can be made only by resorting to grammatical and historical criticism. In front of this 'temple of heresy' represented by ignorance,⁵² his return to Hebrew, to grammar and to history is the only way of reaching this truth defined by Drusius as "the life and the blood of the orthodox Church".⁵³

As for Scaliger, making the redaction in writing of the 'precepts of supererogation'—i.e. of the oral Law—responsible for the polemics that led to the birth of 'sects' in ancient Judaism, carries an implicit reference to the contentious status in his time of the tradition of the Fathers, considered authoritative by the Roman Church and on a par with Scripture. Scaliger sets the need to submit patristic testimony to historical criticism—what he himself does for Eusebius—against the argument of authority constantly advanced by Serarius.

Conclusion

On one point Johannes Drusius and Nicolas Serarius agree: both expect the (H)asidaeans to constitute an uninterrupted genealogy in the period of the Maccabees, and to establish a historical continuity from the high and prestigious antiquity of the Bible to the Jewish society contemporary with the birth of Christianity.

But the historical and philological fight Drusius and Serarius engage on those grounds about the role of the Hasidaeans highlights major theological and institutional issues in late sixteenth- and early

⁵¹ Drusius 1603: 22. Peter Korteweg, *De nieuwtestamentische commentaren van Johannes Drusius (1550–1616)*, (Leiden: Leiden University, 2006), asks the question of the relationships between philology and divinity in Drusius' work. See especially his ch. 5.

⁵² Drusius 1603: 35.

⁵³ Drusius 1603: 9–10.

seventeenth-century confessional controversies. As a matter of fact, the genealogies which the Jesuit theologian and the Hebraist, biblical scholar reconstitute do not have the same object at all. For Serarius, the Asidaeans guarantee the genealogical continuity of the religious orders, from the ancient Rechabites to the first Christian monks. For Drusius, these same Hasidaeans preserve the unbroken transmission of the biblical text, that is to say the word of God, in its Hebrew 'verity'.

To this should be added that this continuity in the transmission of the Law of Moses and the Prophets from the return from exile until the Pharisees and their successors, the Sages, was not considered entirely changeless. If for Drusius the question of the Hasidaeans was most difficult and most important, this was, no doubt, precisely because the Hasidaeans marked a turning point in the transmission of the Hebrew text of the Bible. It is significant in this respect to note that the Hasidaeans are never called a 'sect' or a 'heresy', whether these terms are taken in good or in bad part. For Drusius (1605: 192) and Scaliger (1605: 163–164, 168), the Hasidaeans constituted an 'order' (*ordo, tagma*) or a 'brotherhood' (*sodalitium, sustêma*). Indeed, they both point out that sects and heresies made their appearance in Judaism only subsequently to the Hasidaeans, from the time when oral traditions began to be fixed in writing (Drusius 1605: 192–193; Scaliger 1605: 168–169). Just as Scaliger rejected the authority of the tradition of the Fathers of the Church on which the Jesuit Serarius leant, so Drusius, a Protestant biblical scholar, sought to recover the *veritas hebraica* beyond the divisions which arose within the Judaism when the Pharisees referred to the Law of Moses such as they had received it "from the mouth of the Sages", that is such as the Torah was interpreted by the oral traditions (Drusius 1603: 45).

The importance which Drusius attributed to the Hasidaeans did not come therefore only from the determining part they played at a time when the very existence of the Judaism was in danger in front of the Hellenism. By underlining the link which united the Hasidaeans with the Pharisees, Drusius also brought to light a key-moment in the history of the Hebrew Bible, before and after the biblical text was affected by the changes produced by the controversies between the Jewish sects at the end of the Second Temple period.

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JEWS FOR JESUS: OCCUPYING JEWISH TIME AND SPACE

Elliot Cohen

Jews for Jesus (afterwards JFJ) is primarily a Christian movement. It accepts the New Testament in its entirety and the person of Jesus Christ (*Y'shua*) as both Messiah and God incarnate. Its persistent insistence that it is a 'Jewish' movement has led to it being labeled as both a 'sect' and a 'cult' (often with little discrimination) by many mainstream Jewish groups and communities (at all levels of observance).

JFJ is devoted to evangelical outreach, primarily amongst Jewish people; or to directly quote the JFJ mission statement:

We exist to make the Messiahship of Jesus an unavoidable issue to our Jewish people world-wide.¹

It is concerning the ambiguity of the 'our' in the above mission statement that one may begin to question who (or what) the JFJ believe themselves to be. Perhaps this is an 'our' of belonging, i.e. that the JFJ believe that they are to be counted amongst the various streams of observance: a thirteenth tribe,² or the seventh branch of the *Menorah* of observance.³ This 'our' may also be interpreted as being one of ownership, custody, i.e. that the Jewish people are 'our' (the JFJ's) responsibility, our divinely sanctioned mission. Either interpretation or approach would be (and consistently is) resisted by mainstream Jewish communities; this paper is concerned with the manners and mechanisms of this resistance.

I propose that, concerning the JFJ's attitude towards 'their' Jewish people, both these readings are appropriate. The JFJ website aptly demonstrates how the organisation consistently seeks to portray itself as a Jewish movement, with its skilful use of Jewish cultural resources, i.e. symbols (stars of David, *Menorahs* etc.), language (Hebrew and

¹ Jews for Jesus website: <http://jewsforjesus.org/>, accessed 18/12/08.

² B. Sobel, *Hebrew Christianity: The Thirteenth Tribe* (New York: John Wiley and Sons, 1974).

³ D. Cohn-Sherbok, *Messianic Judaism* (New York: Continuum International Publishing Group, 2000).

Yiddish), music (most commonly Hebrew folk music and *Klezmer*), the commemoration and celebration of all the major (and minor) festivals. In this way the JFJ may be seen as sharing or occupying (depending on one's ideological position) Jewish space and time. The reasons for this have to do with making the message of the Gospel more relevant, recognizable and palatable to a Jewish audience,⁴ and are related to this second reading of 'our' Jewish people.

The manners and mechanisms of resistance on the part of Jewish communities appear to be quite consistent in regards to the JFJ; they are consistently portrayed as a dangerous cultic group, skilled practitioners of brainwashing, deceived deceivers.

Of Cults and Sects

In popular parlance and media reporting the world and words of 'the cult' and 'the sect' are portrayed as being closely related, if not often interchangeable. One recurring theme throughout their popular usage (or mobilization) is that of what I would like to term 'belief gone bad.'

It is vital at this stage that we clarify in what ways a 'sect' differs from a 'cult' in theological terms. A sect is generally understood to be associated with or to be within an existing established world-faith, whereas a cult is generally defined as being, and perceived to be, outside of, external to, an established world-faith.⁵ The Hasidic sects or the Quaker sect, for example, are both recognized 'sects' within the Jewish and Christian traditions respectively and are (on the whole) not considered to be a threat to any person or community. Yet again this is not simple matter; although Christianity began as a Jewish sect, over time it lost its Jewish adherents and roots. It is also the case that the character of some sects changes beyond recognition when those sects are compared to the adherents of the 'original' doctrine. For example the Mormons, though describing themselves as Christian, maintain their own separate church and an additional bible. The question centers on an individual or group's interpretation of a sacred text, be that the Torah, the Koran or the Bible.

⁴ M. Rosen, *Y'shua: The Jewish Way to Say Jesus* (New York: Moody Publishing, 1984).

⁵ D. Bromley and J. Haddon, eds., *The Handbook of Cults and Sects in America* (Greenwich, CT: JAI Press, 1993).

If one were to reduce the entire cult or sect phenomenon down to one concept it might be that of ‘perceived threat’, to be understood within the social parameters of ‘inter/intra’. Cults (in their extreme form) are imagined as being a threat against nations, a danger to society at large or between groups (*inter*), whereas sects (in their threatening incarnation) are seen as being due to problematic or controversial interpretations of an existing liturgy, doctrine or practice (*intra*) within groups.

New Faiths for a New Age

In the 1960s a number of ‘alternative spiritualities’ (mainly related to, or inspired by, Hinduism and Buddhism) entered the UK, Europe and the US via India, China and Japan. These new-found forms of spiritual expression were readily ‘consumed’ by a West seemingly dissatisfied with conventional forms of organized religion, or indeed anything that conveyed authority, tradition or ‘smacked’ of being institutional. The *zeitgeist* of the 1960s was one of individualism, revolution, and anti-establishment. The Church and Synagogue (and organized religion in general) were seen by many as the bedrock of all they (the young counter-culture) were seeking to rebel against.

Previously unheard terms and concepts such as *Karma*, *Nirvana* and *Samsara* were beginning to become part of the parlance of the times, as figures such as *Maharishi Yogi* (founder of Transcendental Meditation, TM) and the *Dalai Lama* were becoming household names. Former university professor Timothy Leary told the world’s youth to ‘Turn on...Tune in...and drop out!’ while John Lennon announced in 1966 that the Beatles were ‘Bigger than Jesus!’ People started to use the ‘F word’, and wear flowers in their hair. The term ‘freak’ came to be a title of admiration and credibility. Whereas previously it had conveyed abnormality and stigma, it now came to be bestowed upon anyone who embodied that much sought-after spirit of individualism that ‘challenged the system’. ‘Society’ and parents struggled to make sense of these unprecedented shifts and radical revolutions taking place in youth culture, attitudes, lifestyles and music. Ariel⁶ has observed

⁶ Y. Ariel, *Evangelizing the Chosen People: Missions to the Jews in America, 1880–2000* (London: University of North Carolina Press, 2000), 187.

that during this time (1965–2000) the third wave of evangelism to the Jews began—exemplified by the novel approach of JFJ. During this period ‘society’, ‘convention’ and established roles and traditions were being challenged, undermined and redefined, and we first encounter the word and discover the now familiar concept of a ‘cult’.

Be Afraid: The Psychopathology of the Cult

The media representations, informed in the main by anti-cult literature⁷ consistently paint a terrifying picture of cults listing, by way of introduction, the statistics: Jim Jones (913 dead), Aum Shinrikyo (Tokyo Subway gas attack, 12 dead), Heaven’s Gate (39 dead), Restoration of the Ten Commandments of God (Uganda, 470 dead). One is often introduced to these groups by way of these collected (and sometimes collated) mortality rates, which causes one to instantly associate the idea of *the cult* with either death or violence. It is worthwhile considering, however, that these groups often receive media coverage only when they commit murder or acts of violence, and that this may be responsible for an emergent perceptual bias.⁸ The only time one hears of these groups is in a negative (often fanatical and fatal) context.

It is also useful to consider that, despite their different beliefs and contexts, all the labeled cultic groups are banded together under the label *cult*. As these groups seemingly differ in their beliefs and contexts, their shared commonality may be understood in relation to the members having undergone a common *process*. The emphasis therefore is on the process of cult recruitment rather than the particular group, the process being (in the popular media) brainwashing, mind control, psychological manipulation. In this way the cult member is *produced*, he or she is the product of these various aforementioned techniques.

⁷ For examples of popular anti-cult literature the reader might consult S. Hassan, *Combating Cult Mind Control* (Rochester, VT: Inner Traditions International, 1990); M. Gallanter, *Cults: Faith, Healing and Coercion*, 2nd ed. (Oxford: Oxford University Press, 1999); M. Singer and J. Lalich, *Cults in Our Midst* (San Francisco: Jossey-Bass Publishers, 1995).

⁸ Critiques of the anti-cult approach are typified by E. Barker, *New Religious Movements: A Practical Introduction* (London: HMSO Publications, 1992); Bromley and Had-don 1993.

The Brainwashing Thesis

The psychological tools of persuasion and methodologies that these cults were said to use had been well established previously by a number of distinguished psychiatrists.⁹ It is important in the light of later discussions to consider that what was to become known as 'the brainwashing thesis' has its roots deeply entrenched within the grand narratives of 20th-century psychiatry and psychology.

Essentially the question of 'cult' is a question of autonomy: more specifically, the loss (or removal) of this autonomy. This loss of autonomy and absence of agency came to be labeled as 'brainwashing' from American journalist Edward Hunter's literal translation of Chairman Mao Tse-Tung's term *hsi nao* as 'wash the brain'.¹⁰ Hunter had been told of *hsi nao* by Chinese informants following the Communist revolution of 1948.

Such a sensational (and 'media friendly') concept and term was almost certain to be seized upon and ultimately corrupted. Popular culture soon seized upon the idea of brainwashing, and in 1958 Richard Condon wrote the book *The Manchurian Candidate*. The script was to play on the McCarthyist paranoia that was so prevalent in America at that time and support not only the idea of brainwashing but also of the absolute effectiveness of the method.

Originally designating a 'mysterious oriental device'¹¹ employed by the Chinese to 're-educate' (the alternative Chinese term for 'brainwash') counter-revolutionaries, 'to be brainwashed' soon became a generic blanket term for any and all supposed communist or 'perceived' anti-American activity. A tangible sense of the 'red peril' and the uncompromising, inhumane methodologies of the communist East thus pervades the work of Robert Jay Lifton, a psychiatrist and oft-cited anti-cult authority whose work, *Thought Reform and the Psychology of Totalism: A Study of Brainwashing in China*, remains a classic text. What is perhaps significant is that despite being aware of how the term can be

⁹ These include W. Sargant, *Battle for the Mind: The Mechanics of Indoctrination, Brainwashing and Thought Control* (London: Pan Books Ltd., 1957); J. Brown, *Techniques of Persuasion: From Propaganda to Brainwashing* (Harmondsworth: Penguin Books, 1963); R.J. Lifton, *Thought Reform and the Psychology of Totalism: A study of Brainwashing in China* (Chapel Hill, NC: University of North Carolina Press, 1989).

¹⁰ Singer and Lalich 1995, 55.

¹¹ Lifton 1989, 4.

(and indeed was) abused, and ideologically employed, Lifton is steadfast in his commitment to and belief in such a process:

One may justly conclude that the term has a far from precise and questionable usefulness; one may even be tempted to forget about the whole subject and return to more constructive pursuits.

Yet to do so would be to overlook one of the major problems of our era—that of the psychology and ethics of directed attempts at changing human beings. For despite the vicissitudes of brainwashing, the process which gave rise to the name is very much a reality: the official Chinese Communist program of *szu-hsiang kai-tiao* (variously translated as ‘ideological remolding’, ‘ideological reform’, or, as we will refer to it here, ‘thought reform’) has in fact emerged as one of the most powerful efforts at human manipulation ever undertaken.¹²

As well as the ‘psychological process’ of brainwashing allegedly removing the autonomy of the individual, perhaps one also needs to consider how the ‘concept’ or ‘discourse’ of brainwashing strips the individual of autonomy or agency. In this way I am seeking to differentiate between the process and the discourse of brainwashing. The *process* of brainwashing (or thought reform) is an alleged series of techniques of psychological manipulation and transformation that removes one’s ability to choose and decide for one’s self.

The *discourse* of brainwashing may be understood as an ideologically rooted and rhetorically performed device, the purpose of which is to remove the autonomy or agency of a person or group. Currently the majority of debates concerning the cult label centre on either the affirmation of or the denial of the *process* approach. The discourse of the cult is rarely and barely addressed, and this paper intends to address this oversight.

Why You Only Believe That You Believe

That the above statement still forms the basis for how many anti-cult academics and organisations understand the process of mind-control is quite a testament to the high esteem in which Lifton is held, the fact that he is still to be found in the ‘suggested further reading list’ at the

¹² Lifton 1989, 4–5.

end of almost every book on the subject¹³ and on many anti-cult websites.¹⁴ The appropriateness of this approach for understanding how modern-day groups operate must be, however, questioned.

Psychologist Edgar Schein,¹⁵ another proponent of the brainwashing thesis, condensed the process of thought reform down to three main stages. The first stage was called 'unfreezing' and involved calling into question all that an individual held to be true about themselves and the world in which they lived. The party would seek to destabilize the person's sense of self, ideally leading to an identity crisis and creating a void which is filled in stage two. The second stage was simply called 'changing' and, as the name suggests, involved taking on the ideas and behaviours of the surrounding party members. The whole process was to be facilitated by peer pressure in order to secure involvement. The third and final stage was called 'refreezing' and was the last stage of total identity transformation/reorientation. The means for achieving this were observed to be in the form of positive reinforcement (positive regard, praise) for compliance with the party and negative reinforcement (abuse, induced guilt) for non-compliance.

Clinical psychologist and cult expert Margaret Thaler Singer combined the work of Lifton and Schein to produce six conditions for what she termed 'thought reform':

- Keep the person unaware that there is an agenda to control or change the person;
- Control time and physical environment (contacts, information);
- Create a sense of powerlessness, fear and dependency;
- Suppress old behaviours and attitudes;
- Instill new behaviours and attitudes;
- Put forward a closed system of logic.¹⁶

More explicit and practical methods of applying the above processes or thought reform in action are listed in the Cult Information Centre's leaflet 'Cults on Campus', with a *comprehensive* list of 26 methods

¹³ See I. Haworth, *Cults: A Practical Guide* (London: Cult Information Centre, 2001); Gallanter 1999; G. Eisenberg, ed., *Smashing the Idols: A Jewish Inquiry into the Cult Phenomenon* (Northvale, NJ: Jason Aronson Inc., 1988).

¹⁴ UK Cult Information Centre, www.cultinformation.org.uk/; US Freedom of Mind Resource Centre, www.freedomofmind.com/.

¹⁵ Cited in Singer and Lalich 1995, 74–77.

¹⁶ *Ibid.*, 64.

that cults might use for transforming the person without that person's awareness.¹⁷

Although the process of brainwashing, coercive persuasion or thought reform is explained and outlined in various ways the actual 'carrying out' remains a somewhat mysterious process.

According to Ian Howarth¹⁸ five fairly stable and universal criteria (in the UK, US, Australia) for recognizing a cult are:

1. It uses psychological coercion to recruit, indoctrinate and retain its members.
2. It forms an elitist totalitarian society.
3. Its founder leader is self-appointed, dogmatic, messianic, not accountable and has charisma.
4. It believes 'the end justifies the means' in order to solicit funds or recruit people (called 'Heavenly Deception' by one group).
5. Its wealth does not benefit its members or society.¹⁹

There follows an admission that certain (non-cultic) groups may possess *one or more* of these criteria but that this should not automatically lead to (premature) classification as a cult. Perhaps significantly, there is no maximum number of criteria stated that would lead one to 'confidently' identify a group as being cultic. This suggests that despite the semiotically confident presentation of definitions and numerous tables of criteria, the actual meaning of 'cult' remains an area of debate and contention.

One way of attempting to differentiate and distinguish between a cult and an 'authentic' religious tradition is illustrated by Howarth in the form of a table. In this table the traits of a religion are contrasted with those of a cult in the manner of binary opposites. Interestingly the list is preceded by another admission that sometimes 'legitimate' religions can display cult-like characteristics. This statement is further problematised by the declaration that in addition to this, cults 'will try to use the language of genuine religion and present themselves as legitimate'. This would suggest that there is some illusory property possessed by religion that transcends its behaviour and vests it with a form of infallibility

¹⁷ The list can be viewed on the Cult Information Centre website <http://www.cultinformation.org.uk/faq.html#mind>, accessed 18/12/08.

¹⁸ The current Chairman of the UK Cult Information Centre.

¹⁹ Howarth 2001, 12.

Figure 1. Religion *vs* Cult Table²⁰

Religion	Cult
Conversion	Coercion
Between individual and God	Between individual and group
Empowers members	Disempowers members
Increases discernment	Decreases discernment
Unconditional love for members	Conditional love for members
Recognises and values the family	Alienates members from family
Growth and maturing of members	Repression and stunting of members
Individual uniqueness	Cloned personalities
Happiness and fulfillment	Artificial 'high'
Unity	Uniformity
Truth leads to experience	Experience becomes truth
Accountability of leadership	No accountability of leadership
Questioning encouraged	Questioning discouraged
Honesty prevails	The end justifies the means
Does not hide behind fronts	Hides behind fronts

(despite its occasional 'cult-like' behaviour). In contrast a group labeled a cult, despite its attempt to resemble a religion, can at best only ever be 'resembling', 'impersonating', 'deceiving' (see figure 1).

Firstly it must be stated that the above represents a highly idealized conception of what religion is and what it does, but there are also numerous problems due to the presentation of these differences as objective facts and polar opposites.

The problems begin with the first observation that religions 'convert' whereas cults 'coerce'. It should be admitted that coercion is often part of the process that leads to conversion. The nature of this coercion may differ, it may be subtle and implicit or forceful and explicit. Yet whether it takes the form of a casual chat or a fire-and-brimstone sermon, the identification of the technique as 'coercion' is necessarily part of the subjective experience of the listener and not an outside party. In addition to this one must also consider the ideological implications of saying that someone 'converted' to another faith rather than saying that someone was 'coerced'. The term 'coercion' can be seen to remove the agency from the person concerned, and suggests that they were somehow separate from the process of conversion. It also implicitly suggests that the (perceived) legitimacy of the group is

²⁰ Howarth 2001, 16.

somehow one and the same as the legitimacy of the decision of the individual in question to join that group, i.e. if the group is considered to be illegitimate or harmful etc., then the person who chooses to join it cannot have really 'chosen' to join it at all; he or she must necessarily have been coerced into joining. In this way the organisations that decide which groups are valid and which are invalid also hold the quasi-divine power (insight) to decree who is sincere and who is insincere. This brings to mind work some earlier research by Fort²¹ who posed the question 'What Is "Brainwashing", and Who Says So?'.

This debate finds further fuel in the second observation that claims that in the case of religion one has freely chosen, i.e. one has freedom of mind, whereas in the case of the cult, one joins only after undergoing 'psychological force'. There is some mysterious power in identifying something as psychological, akin to the mystique that originally surrounded brainwashing. What may well be an individual's pursuit of happiness is consciously taken from the domain of faith and religion and transplanted into science and psychology. It becomes subject to cold analytical probing and pathologizing due to its (current) illegitimate status which (as discussed earlier) infers an illegitimate decision maker (hence coercion).

Once out of the context of religion and faith the belief appears alien and threatening in its new scientific environment. However the same might apply to any 'legitimate' religion placed under science's (predominantly secular, atheistic) microscope.

One of the main academic opponents of the brainwashing thesis is sociologist Eileen Barker, author of *Making of a Moonie*²² and *New Religious Movements*.²³ Barker sought to expose much of what she perceived to be the misinformation that had been propagated by anti-cult groups. She endeavoured to demonstrate that, contrary to popular opinion, cults do not have the power to 'brainwash' or indeed even to retain their members.

Barker spent a number of years with the 'Moonies' or Unification Church, which originated in Korea and became an international

²¹ J. Fort, 'What is "Brainwashing", and Who Says So?' in B. Kilbourne, ed., *Scientific Research and New Religions: Divergent Perspectives* (San Francisco: American Association for the Advancement of Science, 1985), 57–63.

²² E. Barker, *The Making of a Moonie: Choice or Brainwashing?* (Oxford: Basil Blackwell, 1984).

²³ Barker 1989.

organisation in the 1960s. At the time she conducted the research the group was infamous and feared as a strange and potentially dangerous cult. She attended their various workshops and courses whilst making detailed notes of what was occurring and how people were responding. Despite a lengthy and detailed exploration of the various methods of psychological coercion that were used at the various 'workshops', Barker concludes that they were unsuccessful 90% of the time. She also points out that these methods do not differ significantly from those found in organized religious and even secular frameworks:

Of course, there will be some factors that are common to both the process of POW thought reform and the process of becoming a Moonie. Overlaps can, however, also be found with elements of the process of becoming a Catholic, a college graduate, a woman in Muslim society or an army officer. This does not prove that the Unification Church does not use coercive measures (we shall look at the effect of love bombing in some detail in chapter 7), but arguments which rely on the fact that processes share certain common elements, while a crucial element (such as physical control) is absent, cannot be taken seriously—unless, of course, it is shown that the shared elements are in themselves sufficient, or that the missing element is unnecessary, to account for the thought reform or conversion.²⁴

She further demonstrates this by focusing on the dropout rates from the Unification Church. A 'generous estimate' of 0.005% individuals who join the Moonies will remain within the group after a period of two years.²⁵

This was and is surely a damning piece of research to those warning of the danger of cults, and has been categorized and duly dismissed as being the work of a 'cult apologist' and 'cult sympathizer' by international anti-cult groups.

Further to this work Barker's *New Religious Movements* sought to reclassify the term 'cult' or 'sect' to the more neutral 'New Religious Movement'.

The term new religious movement (NRM) is used to cover a disparate collection of organisations, most of which have emerged in their present form from since the 1950s, and most of which offer some kind of answer to questions of a fundamental religious, spiritual or philosophical nature.²⁶

²⁴ Barker 1984, 134.

²⁵ Ibid., 147.

²⁶ Barker 1989, 9.

Jews for Jesus as a Cult

So what are the Jews for Jesus? The very question sounds cold and clinical, as if to suggest that asking ‘*who* are the Jews for Jesus?’ may imply the recognition of real individuals, freethinking, feeling human beings. This point aside (although we shall in due course return to it), there appears to be some significant divergence between what they *are* and what they *wish* to be seen as. Messianic Judaism may be understood as a relatively novel yet legitimate form of Christianity, i.e. a Christian sect. It accepts all the tenets of fundamentalist Christianity pertaining to the person of Christ, the Trinity, and the Immaculate Conception, etc. However it is not accepted as being part of the Jewish tradition in any way, shape or form by any mainstream Jewish Communities.

The beliefs of JFJ in the absolute authority of the New Testament, the divinity and Messiahship of Jesus Christ, and their well-documented (and ongoing) proselytizing activities mark them out clearly as an *Evangelical* Christian group. Yet the JFJ consistently present themselves in a very Jewish manner, through use of Jewish symbols, language, dress and cultural adornments.

The Discourse of Sanity

Currently Judaism cannot, and will not allow itself to even begin to consider recognizing the legitimacy of ‘Messianic Judaism’ as this could be construed as accepting the possibility that Jesus was the Messiah. Due to its (Judaism’s) doctrinal position therefore it can only relate through opposition. As there can be no legitimate ‘Messianic-Jewish’ identity, the identity that is left is often construed to be that of a deceiver, a liar, a cult member and recruiter, ‘a wolf in sheep’s clothing’ or a psychologically troubled individual.

Sobel²⁷ was one of the first Jewish commentators to draw attention to the mental health of Hebrew Christians (or Messianic Jews):

As will become evident Hebrew Christians tend to be essentially marginal people who suffer from a long list of defeats and frustrations ranging from the psychological to the economic to the social.²⁸

²⁷ Sobel 1974.

²⁸ Ibid., 9.

He continues:

In the local group and in the national samplings encountered at the Convention of the Hebrew Christian Alliance, as well as in the more recent Jerusalem sample, there were relatively few individual participants whom I could have called healthy or normal. There were and are an inordinate number of depressives associated with the phenomenon of Hebrew Christianity, including a number of people with marked suicidal tendencies. In this sense Hebrew Christianity is more akin to cultic phenomena like theosophy, outer space groups, and scientology, than to more sectarian phenomena such as Pentecostalism and Holiness groups, early Methodism and Quakerism.²⁹

It is also significant that of the little academic research that has been carried out concerning the JFJ, one includes a clinical study. Jon Siegel³⁰ carried out the study for a PhD dissertation in 1987 called *Depression and Level of Self and Object Representation in Minority Group Religious Converts: Jews and the 'Jews for Jesus'*. Siegel (like myself) was a non-believer in Jesus and from an Orthodox Jewish background. In his dissertation Siegel wished to demonstrate his hypothesis that young male members of JFJ in the 20–35-year age range would have higher levels of depression due to lower levels of *object relations* than their Jewish counterparts. He hid his disappointment in objective sounding scientific discourse when he discovered that this was not the case, in the following way:

That my clinical impressions are quite the contrary to my original hypothesis indicates the wisdom of using research to explore theory. Indications of clinical pathology in the study of sample appear to have occurred with more or less the same frequency as in the Jewish sample and probably with the same frequency in the population at large.³¹

Whether the hypothesis was confirmed or rejected is of little importance to this paper. What is crucial is the way Siegel chose to relate to the JFJ: solely in the terminology of psychopathology. From within the discipline of psychology Siegel was able to empower himself via grand narratives and authoritative scientific discourses and thus render, position or cast the JFJ as the sick patient, the victim, the helpless, the clueless.

²⁹ Sobel 1974, 10.

³⁰ J. Siegel, *Depression and Level of Self and Object Representation in Minority Group Religious Converts: Jews and the 'Jews for Jesus'*, unpublished PhD thesis. (California School of Professional Psychology, 1987).

³¹ Ibid., 91.

More recent studies by Ariel³² have also called into question the general (and popular) Jewish perception of the JFJ as being composed of mentally deficient or psychologically impaired persons:

Contrary to the common Jewish image at the time, this was not a group composed of the mentally ill, high school dropouts, juvenile delinquents, or underachievers. Personal biographies of the group members reveal normal childhoods and adolescence. Almost all had gone to college, and a high percentage went on to graduate school. A reading of their biographies reveals young people not rebellious by nature but in search of a new ideology and spiritual meaning in their lives.³³

Many Jewish groups and communities have sought and continue to seek to *cultify* the JFJ: Lubavitch, Operation Judaism, Jews for Judaism, etc. By 'cultify' I mean seek to seriously tarnish the reputation of the group and delegitimise the experiences of those within the group. To cultify is to render a group or organization as belonging to the world of the shadowy other, 'the Hidden Menace'.³⁴

Jews for Jesus and (Intentionally?) Problematic Public Relations

To the Jewish community the JFJ could be nothing other than a cult. However the first non-Jewish application of this label to the organization appeared in an American article in a popular, Washington-based Christian magazine called *Modern Maturity* in 1995.³⁵ The damning article, entitled 'Let us Prey', portrayed the group as using cult-like tactics in its proselytizing efforts and listed them amongst such 'infamous' groups as the Branch Davidians, the Hare Krishnans and Transcendental Meditation. The JFJ were subsequently overloaded with letters from financial contributors asking to be removed from their mailing list, such is the power of cultification on a group's perceived image.

During my brief time spent as a casual advisor to the Cult Information Centre I raised the tricky issue of classification concerning the JFJ with the Centre's chairman Ian Howarth. There was a tangible sense

³² Y. Ariel, *Evangelizing the Chosen People: Missions to the Jews in America, 1880–2000* (Chapel Hill, NC: University of North Carolina Press, 2000).

³³ Ibid., 208.

³⁴ Singer and Lalich 1995.

³⁵ Cited in 'Jews for Jesus Fights Cult Label', *Cult Observer* (American Family Foundation), Vol. 12, No. 6.

of confusion and uncertainty regarding what exactly they are. What was immediately evident was the amount of anger, hurt and upset they had caused and continue to cause amongst Jewish communities, but what was not clear was whether this afforded them *cult* status. The question presented itself as ‘what to do with a group of people who claim to be Jewish and yet proclaim a faith in Jesus?’ This would, at first, seem to be a matter more appropriately discussed within a theological forum rather than as a question of psychological classification.

More recent examples of outrage caused by JFJ activities can be seen in their evangelistic mission ‘Operation: Behold Your God’.³⁶

There are currently 60 cities outside of Israel with a Jewish population of more than 25,000. These are our ‘Behold Your God (BYG) cities.’ Our goal is to reach these communities with the gospel. We’ll use street evangelism, secular media campaigns, phone calling, specialised web sites, personal visits and Bible studies to draw people’s attention to Jesus between now and 2005.³⁷

The headlines and responses to this campaign have been liberally scattered throughout the media and over the Internet during their past summer campaigns in London and Toronto. In the UK there was fury regarding the public display of a JFJ poster. The poster in question appeared to show a group of Hasidic Jewish males walking in front of the Western Wall (*Kotel*). One of the Hasidic males is ‘boldly’ standing out from the monochrome crowd and revealing a bright red t-shirt which bears the slogan ‘think for yourself’ (with the ‘o’ of the ‘for’ being replaced with a star of David, as in the Jews for Jesus’ standard logo) thus proudly identifying and proclaiming himself to be a believer in Jesus. On closer inspection the faces of all the Hasidic Jews actually belong to JFJ staff members (their faces having been digitally imposed upon the original picture); and the man standing in the foreground was the then (2003) UK chair of the JFJ (Joseph Steinberg).

The advertisement was placed in strategic locations throughout North London where it was hoped it would be seen by a large numbers of Orthodox Jews.

The response from UK Jewish communities was one of unified outrage³⁸ and protest. It seems highly likely that the JFJ anticipated this

³⁶ This international ‘Evangelical outreach’ ran from 2001 to 2006.

³⁷ Jews for Jesus, ‘Behold Your God’ Street Pamphlet (2000).

³⁸ ‘Cult Group Offensive Add: Missionaries Target Jews’ (<http://www.jewish.co.uk/lon280703.php3>, accessed 11/08/03); Tom Spender, ‘Jews for Jesus

response, hoping that the protests would serve to generate more publicity for their proselytizing campaign.

In 1999 there were similar debates surrounding the JFJ's payment of \$1,700 to the Internet firm Lycos, in order that people who typed the word 'Jewish' into a search engine would see a *Jews for Jesus* banner that read:

The end of the world is no time to finally realize that Jesus is the Messiah. (It's all in the book.) Click here for a free copy!³⁹

There followed a torrent of complaints from many mainstream Jewish communities, which fuelled heated debates between advertisement executives, the Jewish Anti-Defamation League and the JFJ. It was during these clamorous confrontations that the JFJ's status as a 'cult' was to become a central issue.

When the *Boston Globe* reported the story, they quoted cult expert Steve Hassan (Executive of the US anti-cult Freedom of Mind Centre) to the effect that the JFJ were simply Baptists who believed one could be a Christian while retaining a Jewish identity, a less pathological assessment of the JFJ movement. On the very same day that the story ran in the *Globe*, Steve Hassan felt compelled to write to the editor, concerned that he had been misquoted. His correction was placed (along with the original *Globe* article) on the Freedom of Mind website:

Dear Editor,

I wanted to write to correct a serious error in Sara Neufeld's *Boston Globe* article (Aug. 11th) on Jews for Jesus and Lycos. Sara created the false impression that, as a cult expert, I give the Jews for Jesus a 'clean bill of health.' I certainly do not. I told her that I did have evidence that the Jews for Jesus was a destructive cult and told her about the book *Hawking God* by Ellen Kamentsky. I told her that Ellen lived in

poster provokes angry riposte.' *This is Local London*, 30 July, 2003 (<http://www.thisislocallondon.co.uk/news/nostalgia/display.var.398285.0.0.php>); Chris Hastings and Elizabeth Day, 'Ban this offensive advert, Jewish leaders demand.' *Daily Telegraph*, 27 July, 2003 (<http://www.telegraph.co.uk/news/uknews/1437252/Ban-this-offensive-advert-Jewish-leaders-demand.html>); Sharon Sadeh, 'UK Jewish group protests over "offensive" Jews for Jesus campaign.' (*Haaretz*, 6 August, 2003). (<http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=325956&contrassID=2&subContrassID=1&sbSubContrassID=0&listSrc=Y>).

³⁹ Sara Neufeld, 'Net Firm will Drop Jews for Jesus Ad,' *The Boston Globe*, 11 August 1999, available on the Rick Ross Institute Website http://www.rickross.com/reference/jews_for_jesus/jews_for_jesus9.html, accessed 27/05/09.

the Boston area, and encouraged her to speak with her. I told Neufeld that I found Kamentsky's account highly credible when she described her time in the group as a destructive cult. I also went on to say that I have yet to meet others like Ellen who could confirm that her experiences were representative of being involved with Jews for Jesus, rather than an isolated case—and therefore I was reluctant to categorize them as a destructive cult.⁴⁰

The Anti-Cult Gospel: From 'Salvation' to 'Liberation'

The book Hassan recommends in the previous correspondence was written by ex-JFJ 'poster girl' (*Newsweek*, December 7 1987) Ellen Kamentsky in 1992, following her escape from the group. The book appears on all Jewish anti-missionary groups reading lists (Jews for Judaism, Outreach Judaism and Operation Judaism).

The back sleeve of the book reads:

Jews for Jesus is a multimillion dollar, Fundamentalist Christian missionary machine whose goal is to convert as many Jews as possible. From Boston to New York to Los Angeles, Ellen takes you deep inside Jews for Jesus. Through her fascinating eye-witness accounts, you'll see how Jews for Jesus sucked in a young, bright, talented Jewish woman and kept her in with mind control.⁴¹

The book's preface reads as an explicit endorsement of all anti-cult literature as she recounts a walk with a friend in Harvard Square during which she was approached by a member of the Hare Krishnan sect (ISKON). There then follows the conversation recounted word for word, between Ellen and the Krishna devotee:

'Do you know about Hare Krishna?' he asked.
 'I know the group is a cult,' I replied.
 'No,' he said. 'We are not a cult. We follow the *Bhagavad-Gita* like millions of people. Have you read it?'
 'Believe me, I understand what you are and why you are doing this,' I said. 'I was a member of what I now regard as a destructive religious organisation myself. I handed out tracts, across the street, over there,' I said, pointing to a convenience store.

⁴⁰ <http://www.freedomofmind.com/resourcecenter/groups/j/jews/>, accessed 20/05/2009.

⁴¹ E. Kamentsky, *Hawking God: A Young Woman's Ordeal in Jews for Jesus* (Medford, MA: Sapphire Press, 1992).

‘You should really consider reading this yourself,’ he said offering me a copy of the *Bhagavad-Gita*.

‘No thank you. I’m not interested,’ I said, refusing to touch his book.

‘Have you thought about what you are doing?’

‘Yes’ he said.

‘Are you free to come and go as you please? Can you leave? Can you read anything you want?’ I asked hoping to get him to think about his situation for a moment.

‘Yes,’ he said. ‘I am free, and can read whatever I want.’

‘O.K.,’ I said. ‘Would you consider reading a copy of a book called *Combating Cult Mind Control* by a man called Steve Hassan? Ask yourself if you could do that.’⁴²

Kamentsky’s book portrays the JFJ as a manipulative and controlling organization, with the movement’s then chair, Moishe Rosen, cast as the charismatic leader. Ellen’s entire experience with the JFJ is *reframed* within the context of the cult. One striking example is her recollection of the intensive missionary training she underwent prior to an evangelistic campaign during which time she felt as if she had lost contact with the outside world, her friends and family; at this point she explicitly quotes from Lifton’s *Thought Reform and the Psychology of Totalism*:

The most basic feature of the thought reform environment, the psychological current upon which all else depends, is the control of human communication.⁴³

The salvation that she initially experienced within the group in the early chapters is replaced by the freedom of mind that she believes she has *recovered* since leaving the group.

There is, however, another way of reading *Hawking God* that is less to do with the behaviour of the JFJ and more to do with the response of Ellen’s parents to her involvement with the group. Upon hearing of Ellen’s decision to join the JFJ her parents consistently seek to find ways to remove her from the group. They are shown throughout to exert psychological and emotional pressure, and seek expert advice from anti-cult organizations. This culminates (in the last chapters of the book) with their convincing Ellen to meet with an exit counsellor (who was himself an ex-cult member). After *four days* of Ellen listening to the counsellor recount his experience with an abusive Christian

⁴² Ibid., vii–viii.

⁴³ Lifton, quoted in Kamentsky 1992, 62–63.

group, under the constant supervision of her parents, David (the exit counsellor) says:

Ellen, your parents and I suspect that Jews for Jesus has too much control over your life. They've asked me to talk with you and discuss what you're doing in L.A. Frankly I don't know very much about Jews for Jesus. I'm hoping you can tell me more about your experience.⁴⁴

It is this scene that serves as the turning point in Ellen's narrative. She appears to *confess* what she has been doing in Los Angeles and explicitly state all her misgivings about the group. Throughout the book there is the recurring theme of loneliness and isolation, a feeling that is intensified by the various negative responses she receives from her family upon their discovery of her JFJ activity. These themes are common to most JFJ literature and testimonies,⁴⁵ yet they are discussed within the context of, and are attributed to, Jewish parents and Jewish communities' responses in ostracising, disowning and distancing themselves from their Messianic children. In this way one may question whether these reported conditions of depression, anxiety, feelings of intense isolation etc. from which Jews for Jesus sometimes suffer stems from their membership of the JFJ or the parental response and behaviour in regard to their children's chosen identity as Messianic Jews.

Whatever the answer to the above question may be, Ellen's recovered identity as a practising Jew is proudly reasserted, as is her wish for the Krishna devotee to be freed from *his* cult:

I left him 99% sure that he would not read Hassan's book and 100% sure that I would not join Hare Krishna. Perhaps one day he will walk away from the Krishnas. Perhaps his parents will hire an exit-counsellor. Hopefully one day he will be free.⁴⁶

One of the book reviewers on the books back sleeve is Rick Ross, whom the book introduces as a 'Cult deprogrammer featured on '48 Hours,' 'Phil Donahue' and other national television talk shows.' He writes:

A ground-breaking and insightful book delving into a movement that has been problematic not only to the Jewish community but to concerned Christians everywhere.⁴⁷

⁴⁴ Kamentsky 1992, 146.

⁴⁵ For examples of JFJ testimonies the reader may consult R. Rosen, *Testimonies of Jews Who Believe in Jesus* (San Francisco: Purple Pomegranate Productions, 1997).

⁴⁶ Kamentsky 1992, viii.

⁴⁷ Kamentsky 1992, book sleeve.

Upon my contacting Rick Ross (who is himself Jewish) to discuss the JFJ in relation to their cult label he was at once emphatically clear, but at the same time exceedingly vague regarding their classification:

I do not consider the JFJ a 'cult,' nor have I ever said they are a 'cult.' I consider them a potentially unsafe and often destructive fundamentalist Christian missionary group.⁴⁸

The idea that the JFJ are 'potentially unsafe' and 'often destructive' yet still not a cultic group, makes one wonder what attributes are actually necessary in order to be referred to as a 'cult' by a deprogrammer/exit counsellor? One might suggest that Ross' endorsement of Kamensky's book in which she consistently and openly labels the JFJ as a 'destructive cult' only serves to further complicate matters.

Steve Hassan's hesitance in labeling the JFJ as a cult, due to lack of testimonies similar to Ellen's, has recently been addressed with the release of the anti-cult/anti-JFJ book by Jo Ann Schneider Farris⁴⁹ and her setting up of an *Ex-Jews for Jesus* website. The website was created in 2003; it contains information about the JFJ, testimonies of ex-members and discussions relating to issues of mind control. It appears to follow a very similar format to other ex-cultic group members' *survivor* pages.⁵⁰

The site accuses the JFJ of cult-like behaviour. Throughout the book certain words and sentences in sections which refer to the JFJ are to be found in bold print or capitalised (or both). On page 135 the words 'CULT' and 'CONTROL' (bold and capitalised in the original) are found screaming out from the page in a discussion of the JFJ missionary training prior to a campaign. Moishe Rosen is portrayed as the charismatic and controlling leader. In the chapter entitled *Ellen Defects* (referring to Ellen Kamensky) Farris recounts how Moishe Rosen considered her to be too mentally unstable to be a member of JFJ staff, and how her request for a leave of absence from the JFJ resulted in her being fired:

⁴⁸ Personal correspondence via email (24/07/02).

⁴⁹ J.A.S. Farris, *Sentenced for Life: A Story of an Entry and an Exit into the World of Fundamentalist Christianity and Jews for Jesus* (San Jose, CA: Writers Club Press, 2002).

⁵⁰ More recently the group's domain name has changed to 'Used for Jesus': <http://usedforjesus.com/index.html>, accessed 27/05/09.

I had failed. I had failed Jews for Jesus; I had failed God. I hated myself. I wanted to die. I was so ashamed. Moishe Rosen took all that I wanted to be at the moment away that day.⁵¹

The Ex-Jews for Jesus website contains many similar testimonies from ex-members.

The page mimics the homepage of the JFJ through the explicit alteration of their mission statement. As opposed to:

Jews for Jesus: We exist to make the Messiahship of Jesus an unavoidable issue to our Jewish people worldwide.⁵²

one finds the alternative opening:

Ex-Jews for Jesus: We exist to make our existence an unavoidable reality to those who would choose to negate it.⁵³

The site then proceeds to list its three aims and objectives:

To Help people who are or were with Jews for Jesus—staff, co-laborers, staff recruits, campaigners, and committed volunteers—by telling the truth about our experiences in Jews for Jesus, the bad with the good.

To Bring about Healing for those who have been hurt by spiritually abusive groups such as Jews for Jesus by providing support and resources.

To Reconnect with friends and former colleagues, especially when the circumstances of our leaving Jews for Jesus has kept us apart.⁵⁴

A link entitled *Questions and Answers About Jews for Jesus* takes one to a list of Singer and Lalich's (1995) six conditions for thought reform⁵⁵ and other excerpts from anti-cult literature.

The website also seeks to provide evidence that Jews for Jesus is an 'abusive organisation' by listing various incidents and practices that were said to be common while Moishe Rosen was the group Director.

- Pain training (the practice of physically striking employees to 'prepare' them for possible violence against them during street evangelism).

⁵¹ Farris 2002, 140.

⁵² Jews for Jesus Website Homepage www.jewsforjesus.org/ accessed 13/10/03.

⁵³ Ex-Jews for Jesus Website www.exjewsforjesus.org/ accessed 13/10/03, now <http://usedforjesus.com/index.html>.

⁵⁴ Ibid.

⁵⁵ See p. 211.

- Creating a direct connection between workaholism and spirituality.
- Financial penalties ('fines') for tardiness and other 'infractions'.
- Rigid restrictions on personal life. For example, permission is needed before a missionary can date or get married.
- Repeated patterns of extremely inappropriate discussions between the former executive director and individual missionaries regarding sex, marriage, and other highly personal matters.
- Repeated patterns of raging and intense anger (including the throwing of physical objects and physical assaults) on the part of the former executive director.
- Shunning of former members. This includes various levels of 'cutting off' communication with these former members, which have ranged from a complete prohibition against communicating with the person to less extreme forms of cut-off. Often rumors were spread about former members to damage their reputation.⁵⁶

Importantly questions regarding the JFJ's 'cult status' are explicitly raised and answered in the Used for Jesus (UFJ) Q and A section. The short answer that follows demonstrates an awareness of previously discussed issues relating to issues of definition and concludes with an important admission:

The word 'cult' is emotionally loaded. Our popular culture gives 'cults' strong negative connotations. The media is quick to sensationalize cults in which a single, charismatic leader exercises nearly total control over the lives of the cult's members. The most famous of these cults, the 'People's Temple' in the 1970s and the 'Branch Davidian' in more recent times, have been bizarre groups in which the leader virtually exercises power of life and death over the group's members.

Most evangelical Christians today understand the cults primarily in a theological sense. A 'cult'—in evangelical Christian thinking—refers to organized religious groups that look Christian, but whose doctrine is well outside the mainstream of historic, orthodox Christian theology. Jews for Jesus is not a cult in this sense. Its doctrines fit squarely within modern evangelical theology.⁵⁷

⁵⁶ <http://usedforjesus.com/j4jquestions/#abusive>, accessed 14/06/10.

⁵⁷ <http://usedforjesus.com/j4jquestions/#christian%20or%20jewish>, accessed 18/12/08.

The Power of a Name

As with Siegel's clinical study on the Jews for Jesus, even though cult experts and anti-cult groups may not consider the JFJ as necessarily being a cult, the mere act of considering them in such a context is enough to initiate all the discourses pertaining to Otherness and malevolence. To simply ask the question 'are they a cult?' is often sufficient to render them as such, or at least to place them within such a framework. The fact that the UFJ's website includes several references to anti-cult literature, refers to abusive practices that took place within the group and emphasises the central position of Moishe Rosen as a charismatic and temperamental leader, enables them to place the JFJ squarely and securely within the context of a cult without, at any point, having to make that direct allegation.

Despite the apparent confusion and uncertainty surrounding the designation of the JFJ, they remain included on the page of the *Cultic Studies Journal* website called 'Group Resources Page' and subtitled 'manipulation, cult groups, sects and new religious movements.'⁵⁸

Earlier works relating to the JFJ expressed no such hesitancy and uncertainty when discussing the JFJ group as being a cult. *Jews for Nothing* by Dov Aharoni Fisch⁵⁹ bears the subheading *On Cults, Inter-marriage and Assimilation*. The book (although currently out of print) remains highly recommended by anti-missionary groups. Its portrayal of the JFJ is one of a sinister and manipulative group led by the equally sinister and manipulative Moishe Rosen.

Despite being written in the late 1980s the volume edited by Gary Eisenberg, *Smashing the Idols: A Jewish Inquiry into the Cult Phenomenon*,⁶⁰ remains one of the most comprehensive collections of accounts in this particular area of study. The editor is described as a cult expert, Jewish educator, writer and photographer. The book reads as a bold endorsement of the 'brain washing thesis'; its authors include rabbis, psychologists, therapists and holocaust survivors.

⁵⁸ http://www.csj.org/infoserv_groups/grp_biblebased/jew4jesus/grpindex_jews4jesus.htm, accessed 27/05/09.

⁵⁹ D. Fisch, *Jews for Nothing: On Cults, Inter-marriage and Assimilation* (New York: Feldheim, 1984).

⁶⁰ Eisenberg 1988.

The front cover of the book depicts an enraged Moses about to smash the tablets of the law after descending from Mount Sinai, when he discovers his Jewish people worshipping a golden calf (Exodus 32:19–20). This image immediately invokes strong biblical discourses and narratives surrounding the notion of betrayal. The image of the Jewish people worshipping a false god while Moses is bringing them the commandments of the one true God is a highly loaded one, and suggests that Jewish people who seek spiritual nourishment elsewhere (especially in groups considered cultic) are not just *victims*, but also sinners, traitors to their own people.

The book begins with a brief discussion relating to the scale of the cult problem in the US, in relation to the Jewish people:

Although Jews make up only about 2.5 percent of the population of the United States, 10 to 15 percent of all cult members in this country are Jews. This volume attempts to make sense of the disproportionate Jewish involvement in cults.⁶¹

Notable contributors include Cult experts Dr. Margaret Singer and Dr. Michael Langone.

The book's third section⁶² is dedicated solely to the issue of Jews converting to Christianity. The reader should at once be aware that, in spite of what at first clearly seems to be a theological discussion—unlike the previously well-established discourses and narratives of *the Cult*, psychology, psychiatry and mental illness—there appears to be a strong ideological current that pulls one away from any alternative readings. As well as the theological objections there are also the familiar themes of mind control and madness, which close down any further exploration or discussion. To claim that Jesus is the Jewish Messiah is no longer simply a theological stance, a matter of hermeneutics or faith, but is consciously rendered as the product of some elaborate process of thought reform or the symptom of a mental illness.

But Who Do You Say I Am?

In having to constantly respond to the accusations of being a cult, the JFJ seemingly run the risk of becoming ever more deeply entrenched

⁶¹ Ibid., xiii.

⁶² The section is called 'Missionizing the Jews'.

in the discourse. Yet the JFJ appear very aware of the disempowering discourse of the cult; when replying to accusations they consistently emphasise their openness, their accountability, their autonomy within the JFJ. They also demonstrate awareness regarding the general difficulty in classification as being a possible contributor to the misunderstanding. Ultimately the JFJ consider the cult label as having been an intentional *choice* of the Jewish community, as does Ariel:

In the 1970s, with the rise of Jews for Jesus, Jewish leaders and activists were confronted with a visible and energetic missionary movement. They often chose to react to missionaries and converts within the larger framework of 'cults', as part of the new and, in their eyes, bizarre religious groups that came about during those years.⁶³

On the JFJ website a quote is included from Tal Brooke, chairman and facilitator of the *Spiritual Counterfeits Project* (SCP), an organisation that is described (by the JFJ) as being 'one of most reputable cult researching organisations in the world':

I am told allegations have been made by individuals that the ministry of Jews for Jesus is a cult, or cult-like in its behavior, that the organization is spiritually abusive in practice. These allegations cannot be further from the truth. I have personally known both Moishe Rosen, the organization's founder, and David Brickner, the current executive director, for many years. I have been impressed with the organization they represent and the care these men have shown in presenting the historic gospel message with clarity and with integrity.⁶⁴

The fact that the SCP is itself a fundamentalist, evangelical Christian organisation once again highlights the ideological character of the cult label.

In replying to allegations of their preying on the vulnerable, they can be seen removing the very premise of the allegation; turning the allegation back on itself through the reframing of the question within the context of empowerment:

When it comes to evangelism and the elderly or the college student, we deplore the characterization of them as vulnerable. It is demeaning to assume that a college student or a senior citizen is defenseless and unable to discern truth from fabrication. We certainly minister to many seniors and students and are pleased to have helped them find Christ.

⁶³ Ariel 2000, 213.

⁶⁴ <http://www.forjewsforjesus.org/qanda/index.html#cult>, accessed 06/11/03.

We are respectful of the sensitivities and life situations of all people we meet, but for elderly people and students to be singled out as weak is unfair to them.⁶⁵

In this way the ones who are removing the 'freedom of mind' are those that would seek to cast individuals as being 'vulnerable' in the first instance.

For the most part the JFJ seek to avoid the cult label by re-emphasizing their faith, as the following exchange demonstrates:

While witnessing to a Jewish friend, I gave her some of your Jews for Jesus literature. When she saw the name of your organization, she responded by saying that Jews for Jesus is a cult, that it uses deceptive methods and that it is an offence to both Jews and Christians. This upset me because I have been a supporter of your ministry. When I discussed the lady's accusations with my pastor, he assured me that you are not a cult, and that you are well received among evangelical Christians. How can I now persuade my Jewish friend that Jews for Jesus is not a cult?⁶⁶

In response to this the JFJ are keen to move the discussion from the psychological realm to a theological one, and in this way to bypass the secular skepticism of science for the simplicity of scripture:

Your friend has been influenced by propaganda promulgated by those who would detract from the credibility of your witness and ours. Some Jewish community leaders spread this kind of misinformation in order to counteract Jewish evangelism, which they erroneously consider a threat to Jewish survival. Obviously, in your case the misinformation began to achieve its intended purpose.

You allowed yourself to be misled on the issue. The real issue is not our credibility as an organization, but whether or not Jesus is the promised Messiah of Israel and the Savior of all humanity. When you are trying to tell others about the Savior, you must not allow yourself to be diverted into defending us or any other Christian group. Stick to the issue in your discussions. The issue is the credibility of Jesus. After all, if Jesus is not the Messiah, then we are, indeed, teaching false doctrine and should be considered a cult. Our integrity depends on Him.

If your friend finds Jesus as her Saviour, she will measure our doctrine and our conduct in the light of the Scriptures. Then she will know that Jews for Jesus is not a cult.⁶⁷

⁶⁵ <http://www.forjewsforjesus.org/qanda/index.html#cult>, accessed 06/11/03.

⁶⁶ Jews for Jesus Website <http://www.jfjonline.org/about/cult.htm> accessed 27/10/03.

⁶⁷ Ibid.

The attempt to represent beliefs as being something external to the believer, as something cult-like, alien, Other and threatening may be understood as emerging from a wish on the part of mainstream Jewish communities to distance and disassociate themselves from the 'deviant' JFJ group. In this way one may understand that the way any minority group is treated is intimately and irrevocably bound up with how that group is being represented (or intentionally misrepresented) by the mainstream/dominant groups and their chosen discourses. Whereas mainstream Jewish communities may perceive the JFJ as misleadingly occupying Jewish space and time to further their evangelical efforts, the JFJ may claim the collective landscape of Judaism is itself a disputed territory.

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PART THREE

THEORY AND PRACTICE

IS A HISTORICAL COMPARATIVE SOCIOLOGY OF (ANCIENT JEWISH) SECTS POSSIBLE?

David J. Chalcraft*

1. *What Is a Sociological Approach?*

1.1. *The Concept of 'Sect', Exclusionary Social Groups, and Qumran Studies*

It is indeed a huge undertaking to attempt a comparative analysis of sects in one religious/cultural tradition, let alone to compare sectarian phenomena in a number of traditions, including the Jewish,¹ Muslim,

* I would like to thank Prof. Sacha Stern of UCL for his original invitation to speak at the conference, *Sects and Sectarianism in Jewish History*. His invitation made me begin to consider what the next steps might be in the analysis of ancient Jewish sects after completing my edited volume, *Sectarianism in Early Judaism: Sociological Advances* (London: Equinox, 2007). He has been a very patient editor. Colleagues at the conference asked some very probing questions, both formally and informally, and I have sought to address them in the essay. The point I have reached now would not have been possible if I had not also been encouraged to keep thinking about sects, sociology and Qumran by Dr. Jutta Jokiranta (Helsinki). I spent at her invitation a very challenging, busy and happy week as a guest at the Collegium for Advanced Study at the University of Helsinki in September 2008 where versions of this essay were presented to a variety of audiences. I also benefited from the comments made by Helsinki colleagues who were present, and from Dr. Charlotte Hempel (University of Birmingham, UK) who was a guest in Helsinki at the same time as me. Finally I am grateful to my constant conversation partners, Dr. Sally Elton-Chalcraft (University of Cumbria) and Dr. Simon Speck (University of Derby). Any errors that remain in the following essay are, needless to say, nobody's fault but mine.

¹ A glance at any of the standard histories of Judaism will soon establish that Jewish sects and sectarianism is not a topic readily indexed. Partly this silence has to do, no doubt, with the fact that in the absence of an agreed definition of sect historians tend to avoid the label. The label is used in those histories, however, quite freely with regard to movements in Second Temple Judaism and also to the Karaites. For example, see Dan Cohn-Sherbok 1988, *The Jewish Heritage*, Oxford: Blackwell; H.H. Ben-Sasson (ed.) 1976, *A History of the Jewish People*, Cambridge, MA: Harvard University Press; Michael L. Satlow 2006, *Creating Judaism: History, Tradition, Practice*, New York: Columbia University Press. Clearly for Jewish historians these cases are the classic ones, but one is left wondering whether there are not a few other social groupings in a range of different contexts across the history of Jewish experience that could be illuminated by a sociology of exclusive social groups, such as we are advancing here. Writers who are more attuned to these matters in contemporary Judaism include: the novelist Chaim Potok, and David Landau 1993, *Piety and Power: The World of Jewish*

Christian, Hindu, Buddhist and New Age traditions. However, it is not necessary to approach the matter in this fashion: the reason is related to the fact that it is not the task of sociology to classify the social world in all its universality and diversity, whether for its own sake or in relation to some other scientific goal. The task of sociology is to make analytical advances in relation to specific questions posed to social life past and present. If we have an analytical interest in a particular question or set of questions it is much easier to undertake and control the comparative enterprise: it is essential to narrow down the coverage.

The religious, social and political movements within Second Temple Judaism, within a variety of societal configurations from Persian, Greek and Roman Palestine, to Egypt and Babylonia, are of great interest to the sociologist. From the perspective of sociology, for example, the Dead Sea Scrolls and their relation to one or more minority religious movements, provide a welcome case study in which various sociological ideas and social theories can be examined against evidence and improved. The analysis of the data from the Dead Sea Scrolls from a sociological perspective can also generate new sociological ideas.² This is the case since the Dead Sea Scrolls provide evidence of a 'sectarian' movement or movements from ancient times that can be utilised in a comparison with other *critical instances* of sectarian behaviour and organisation from various times and places, and from within particular

Fundamentalism, London: Secker & Warburg; Stephen Brook, 1989, *The Club: The Jews of Modern Britain*, London: Constable; Janet Aviad 1983, *Return to Judaism: Religious Renewal in Israel*, Chicago: University of Chicago Press. The history of the sociological treatment of Judaism is largely characterised by viewing Judaism in the Weberian mode as a pariah people—that is, as a caste-apart social grouping treated like a sect/out-group by the rest of the wider society—where the emphasis is upon the sociological import of these very relations and of their erosion during Emancipation (e.g. the classic sociology study by Louis Wirth 1998, *The Ghetto* (with a new Introduction by Hasia R. Diner), New Brunswick: Transaction [originally published 1928]; Alex Bein 1990, *The Jewish Question: Biography of a World Problem*, London: Herzl Press.

² The relation between sociology and Biblical Studies/Qumran Studies/Early Jewish studies is developing, through collaboration, into a two way street (see especially Chalcraft (ed.), 2007 *Sectarianism in Early Judaism*. Findings generated through the application of sociological ideas are of relevance not just to the study of ancient social worlds but also to the development of sociological theory, conceptualisation and knowledge. For example, given the clear role of purity issues in defining boundaries between social groups in ancient Jewish society, any comparative account of exclusionary group practice is reminded to look for evidence of similar kinds of practice and process in other group formations, and to account for their relative degrees of absence and presence in particular cases.

religious and cultural traditions, to generate and answer important questions about social change.

For the present I think it still very worthwhile to think about the religious movements/social movements attested in the Dead Sea Scrolls in terms of sects and sectarianism. Not all Qumran/Jewish scholars are of course happy with this designation.³ Some of the problems with the use of the sect label are to do with issues of conceptualisation and their implications and some are to do with limitations of data. To me an argument against the use of the label sect on the grounds that scholars differ in their use of the concept is only an argument for the improvement in sophistication in the use of the concepts and not an argument for its abandonment.

Another argument put forward is that minority religious movements in Second Temple Judaism cannot be considered sects on account of the fact that there is no orthodoxy, 'common Judaism' or form of Judaism accepted by all and supported by a State apparatus.⁴ To play the orthodoxy card against sectarianism is actually to draw conclusions about sectarianism based on only one possible dimension of sectarianism identified by sociologists and historians (and one not always present), namely, that a sect can be said to exist either when it is rebelling against an orthodoxy or parent movement or where an orthodoxy has labelled the group as heterodox or as a heresy. It is not necessary to only allow sects to exist in the face of orthodoxy. Clearly the shape a sect takes when emerging from antagonism with a parent body will be different from one that emerges from different causes, but it is not necessary to attribute all forms of exclusionary social group practice, which utilises religious criteria as a means of discrimination, to a reaction to concentrations of religious power in the hands of an elite.

Sometimes scholars object to the negative connotations that notions of sect and sectarianism conjure for many readers. As far as I am concerned, the label sect is used by sociologists in a value-free and descriptive sense. A stronger objection against the use of some conceptions

³ For an important survey see Jutta Jokiranta 2005, *Identity on a Continuum: Constructing and Expressing Sectarian Social Identity in Qumran Serakhim and Pesharim*, Helsinki: Yliopistopaino, pp. 28–54.

⁴ See Raimo Hakola 2007, 'Social Identities and Group Phenomena in Second Temple Judaism', in Petri Luomanen, Ilkka Pyysiäinen and Risto Uro (eds.), *Explaining Christian Origins and Early Judaism. Contributions from Cognitive and Social Science*, Leiden: Brill, pp. 259–276; Martin Goodman 2008, *Rome and Jerusalem: A Clash of Ancient Civilizations*, Harmondsworth: Penguin, chapter 3).

of sect stems from its baggage of being established through the analysis of mainly Christian movements within European history. It is of course important not to use concepts that are limited in their cultural and historical range, but it is not possible to produce an ideal type of sectarianism that is ahistorical.⁵ Rather this problem needs to be kept in mind and taken seriously, but not used to excuse interpreters from thinking in terms of sect and sectarianism. Clearly whether a movement is to be called a sect sociologically or not depends on the definition of the sect established by the sociologist and hence it behoves sociologists to be clear about their definitions and descriptions and to consciously express the range of problems they are investigating. It is these orientating questions that impact on what is seen as being of significance in a sect.

From a number of perspectives in the sociology of sectarianism, the Community Rule and the Damascus Document alone provide sufficient evidence of degrees of sectarian organisation to warrant further analysis along sectarian lines.⁶ That is, agreeing for the moment that the Dead Sea Scrolls and other sources attest to sectarian behaviour and organisation does not mean that other possibilities, still to be explored, are ruled out. However, what is of uppermost importance—and central to the thesis of this essay—is that determining that the textual data indicates sectarianism is only the beginning of the research, not the conclusion, since many other questions follow. These questions are the concern of Qumran scholars and are to do with how many movements there might be and their relationships, the emergence of the sect/s from other social groupings, and processes of change over time within the movement and/or between branches of the movement: all to be understood in the context of the social world of Second Temple Judaism and beyond; for the sociologist, directing attention to these questions and eventually building on these findings, the key concerns are the comparative analysis of sects in order to establish findings in relation to social change and the nature of modernity. The Dead Sea Scrolls provide evidence of an ancient form of sectarianism

⁵ As will be seen further below this tension between creating an ideal type of sect (or any other institutional form for that matter) that is not ahistorical on the one hand but is not culturally and historically specific on the other is a persistent one and characterises Weber's work.

⁶ David J. Chalcraft 2007, 'Towards a Weberian Sociology of the Qumran Sects', in Chalcraft (ed.), *Sectarianism in Early Judaism*, pp. 74–105.

(perhaps even a classic and foundational form of sectarianism) that is an important critical instance of sectarianism essential to the comparative analysis of sectarianism within Judaism and also within world history.

The social theories to be applied and developed pertain, of course, to sectarianism—its nature, its origins, its forms of social organisation and relationships, and its social and cultural consequences—but also to a whole range of sociological matters, since sectarian phenomena can only be understood in relation to the whole society in which it occurs.⁷

Added to this needed *holistic social contextualisation* is the highly important fact that sociology is more generally concerned with the nature of social groups (rather than being narrowly focused on sectarian phenomena) and that from this perspective a sect is a type of group evidencing perhaps more continuity with other types of social group than might have been previously imagined.⁸ To anticipate, when describing

⁷ This contextualisation is of course absolutely fundamental to a sociological approach, and the social context is of consequence for the emergence, the recruitment, the organisation, the history and the impact of the sectarian movement.

⁸ Motivation for emphasising this more dynamic approach to sectarianism in Second Temple Judaism and for seeing sects as particular sub-types of social groups and voluntary associations stems both from sociological research and from the reflections of scholars of the period who are reaching similar conclusions on the basis of close analysis of the social world, and of the texts and the histories of their redaction. Martin Goodman, for example, writes, 'There is no reason to suppose that such opting out of wider Jewish society was common, but attachment to a group of like-minded enthusiasts within the Jewish community may well have been.' (see his *Rome and Jerusalem*, p. 241). See also Petri Luomanen 2002, 'The "Sociology of Sectarianism" in Matthew: Modelling the Genesis of Early Jewish and Christian Communities', in Ismo Dunderberg, Christopher Tuckett and Kari Syreeni (eds.), *Fair Play: Diversity and Conflicts in Early Christianity. Essays in Honour of Heikki Räisänen*, Leiden: Brill, pp. 107–130; Charlotte Hempel 2008, 'Emerging Communal Life and Ideology in the S Tradition', in Florentino García Martínez and Mladen Popović (eds.), *Defining Identities: We, You, and the Other in the Dead Sea Scrolls*, Leiden: Brill pp. 43–62, and the literature cited there. Also, Charlotte Hempel (forthcoming), '1QS 6:2c–4a—Satellites or Precursors of the Yachad?', in Adolfo Roitman, Larry Schiffman and Shani Tzoref (eds.), *The Dead Sea Scrolls and Contemporary Culture*, Leiden: Brill. Other approaches which argue for a much longer 'sectarian history' in Second Temple Judaism and previously also contribute to this process. See, for example, Joseph Blenkinsopp 2005, 'The Qumran Sect in the Context of Second Temple Sectarianism', in Jonathan G. Campbell, William John Lyons and Lloyd K. Pietersen (eds.), *New Directions in Qumran Studies*, London: Continuum, pp. 10–25; Philip R. Davies 2007, 'Sect Formation in Early Judaism', and Pierluigi Piovanelli, 'Was There Sectarian Behaviour Before the Flourishing of Jewish Sects? A Long Term Approach to the History and Sociology of Second Temple Sectarianism', in Chalcraft (ed.), *Sectarianism in Early Judaism*, pp. 133–155 and 156–179, respectively.

sects from the perspective of the sociology of groups,⁹ a sect can be seen as a social group whose claims to exclusivity have led to strict demarcations and discipline of membership, and whose operation of social closure¹⁰ utilises religious attributes of belief and practice.¹¹

⁹ Important works within the general area of the sociology of groups within the history of sociology include W.J.H. Sprott 1958, *Human Groups*, Harmondsworth: Penguin; George C. Homan 1951, *The Human Group*, London: Routledge & Kegan Paul; Erving Goffman 1984, 'On the Characteristics of Total Institutions', in his *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates*, Harmondsworth: Penguin [originally published 1961], pp. 13–116; Robert K. Merton 1968, *Social Theory and Social Structure*, Enlarged ed., Glencoe, IL: The Free Press; Pierre Bourdieu 1990, *Homo Academicus*, Oxford: Blackwell. Useful discussions are also to be found in Kingsley Davies 1969, *Human Society*, New York: Macmillan, Part 3 [originally published 1948]; R.M. McIver and Charles H. Page 1962, *Society: An Introductory Analysis*, [originally published 1950], London: Macmillan, esp. Part 2; Tom Bottomore 1987, *Sociology: A Guide to Its Literature and Problems*, 3rd ed., London: Allen & Unwin, pp. 95–105. A good place to begin is with Zygmunt Bauman 1990, *Thinking Sociologically*, Oxford: Basil Blackwell, esp. chapters 2, 3, 4 and 10; Richard Jenkins 1996, *Social Identity*, London: Routledge. For an attempt to classify social groups in the social world of Early Christianity, see Philip A. Harland 2003, *Associations, Synagogues and Congregation: Claiming a Place in Mediterranean Society*, Minneapolis: Fortress Press. Ethnographic work on gangs, guilds, trade unions, choirs, militia units, sub-cultures, sports clubs, work place groups, and so on, are all relevant for the comparative analysis of exclusionary group behaviour (see Homans 1951, Bottomore 1987). For the time being I wish to keep the social psychological analysis of social groups (especially the social identity approach) separate from a sociology of groups, to enable the specific concerns of a sociological imagination to emerge rather than conflating social psychology and sociology and other disciplines into a undifferentiated social science (see for the moment, Dora Capozza and Rupert Brown (eds.) 2000, *Social Identity Processes: Trends in Theory and Research*, London: Sage; Louise J. Lawrence 2005, 'Men of Perfect Holiness (1QS 7.20): Social Scientific Thoughts on Group Identity, Asceticism and Ethical Development in the "Rule of the Community"' in Campbell et al. (eds.), *New Directions in Qumran Studies*, pp. 83–100; Jutta Jokiranta 2008, 'Social Identity Approach: Identity-Constructing Elements in the Psalms Peshet', in García Martínez and Popović (eds.), *Defining Identities*, pp. 85–110).

¹⁰ As defined by a reference book in sociology that I recommend to all: 'Closure functions through the twin mechanisms of exclusion and inclusion and can be founded upon individualistic or collective criteria. It is based on the power of one group to deny access to reward, or positive life-chances to another group on the basis of criteria which the former seek to justify' (John Scott and Gordon Marshall (eds.) 2005, *The Oxford Dictionary of Sociology*, 3rd ed., Oxford: Oxford University Press, p. 77). For the development of Weber's ideas about social closure in the sphere of social stratification and the competition for economic resources, see Frank Parkin 1979, *Marxism and Class Theory: A Bourgeois Critique*, London: Tavistock, esp. chapter 4. For our purposes it is necessary to widen the social circumstances that occasion social exclusionary processes beyond the economic, whilst retaining what is valuable in Weber's work and gathering what we can from developments in the sociology of stratification. Jock Young's 1999, *The Exclusive Society*, London: Sage, includes some comparative examples viewed from the perspective of modernity that are exemplary for the historical sociological work we wish to undertake.

¹¹ As far as I am aware this definition/description of a sect is my own. It has close affinities with Weber's definition (see Chalcraft 2007, 'The Development of Weber's

1.2. *For Ideal Typical Comparative Analysis*

For advances to be made in the sociological analysis of sects in general and in ancient Judaism in particular it is essential to develop effective ways of dealing with the need to conduct, and the challenge of conducting, comparative analysis.¹² This essay argues for two ways of meeting these challenges, as intimated above. The first recommends focusing on examples of sects as critical instances of the phenomena to explain social change, while the second recommends approaching the sociological study of sects as a dimension of the sociology of social groups (of which the sect then is a sub-type of exclusionary social group) to conduct comparative analysis of social settings and social change. Both of these recommendations are versions of ideal typical procedures. They reflect a commitment to a Weberian approach of addressing analytical questions to the past to arrive at causal explanations of the rise, nature and futures of modernity. This is to emphasise the role of the sociological imagination in comparative historical sociological

Sociology of Sects', in Chalcraft (ed.), *Sectarianism in Early Judaism*, pp. 26–51, and further below) and with his sociology of status groups and processes of social closure (see previous note). It also builds upon research in the sociology of deviance (e.g. Stanley Cohen 1982, *Folk Devils and Moral Panics*, 3rd ed. London: Routledge [first published 1972]; Howard Becker 1963, *Outsiders: Studies in the Sociology of Deviance*, Glencoe, IL: The Free Press; see also Chalcraft 1990, 'Deviance and Legitimate Action in the Book of Judges', in Clines et al. (eds.), *The Bible in Three Dimensions*, Sheffield: Sheffield Academic Press); in the sociology of disasters, where social group formation and exclusionary tactics represent responses to threats to social and psychological order (e.g. Joanna Bourke 2005, *Fear: A Cultural History*, London: Virago; David L. Brunsma et al. (eds.) 2007, *The Sociology of Katrina: Perspectives on a Modern Catastrophe*, Lanham, MD: Rowman and Littlefield); it also overlaps with analysis of the sociology of prejudice and racism. Finally, it seeks to build upon an earlier sociological tradition where sectarianism was not left to the theorisations of the sub-field of the sociology of religion but was a more mainstream concern (e.g. William Graham Sumner 1979, *Folkways and Mores*. Selected and edited with an Introduction by Edward Sagarin, New York: Schocken Books [originally published 1906], pp. 95–97; Kurt Lang and Gladys Engel Lang 1961, *Collective Dynamics*, New York: Thomas Crowell, esp. chapter 7; William M. Kephart 1976, *Extraordinary Groups: The Sociology of Unconventional Life-Styles*, London: Martin Robertson). A major task remaining in my theorisation is to develop a relevant sociology of social groups that can be applied comparatively to ancient Jewish society. This present essay is concerned with providing the exegetical (exegesis of Weber and Wilson), methodological and theoretical background for why advances in comparative analysis of sects and in the sociology of ancient Judaism might depend on the development of a relevant historical comparative sociology of groups (of which the sect is sub-type of group).

¹² For discussions of comparative method in sociology see, for example, Theda Skocpol 1984, *Vision and Method in Historical Sociology*, Cambridge: Cambridge University Press; Graham Crow 1997, *Comparative Sociology and Social Theory*, Basingstoke: Palgrave Macmillan; Charles Tilly 2008, *Explaining Social Processes*, Boulder, CO: Paradigm.

work in contradistinction to what might be seen as a 'will to classify' the social world for its own sake. The latter representation of the sociological enterprise however is an over-worked stereotype, and tends to confuse contemporary sociology with some of its positivist forbears who perhaps put too much emphasis on 'science' in the formulation 'social science'.

I have reached these conclusions by way of critically engaging with the sociological work of Weber and Wilson on sects and sectarianism and reflecting in particular on their methodological approaches. That is to say, that whilst comparative analysis is essential to the sociological enterprise—both in general and in relation to the understanding of sects—comparative work ranging across all known societies past and present, is, to say the least, an enormous undertaking which, when approached in certain ways, is doomed to fail before it begins. Therefore, it is essential to understand how sociology has arrived, and continually seeks to improve, ways of undertaking comparative work. These improvements are not limited to improvements in conceptualisation but it is certainly the case, it seems to me, that sociology needs to revive its concern with logically and empirically constructing a system of interrelated concepts for comparative historical social analysis.¹³

This task becomes particularly pressing when the sociological project is a comparative one which includes the analysis of pre-modern and even ancient societies, such as ancient Judaism. Indeed, the original impetus in sociology to make advances in classification was precisely because classical sociology and its immediate successors sought

¹³ Talcott Parsons (1903–1979) certainly advocated throughout his career such an approach to theory (e.g. Talcott Parsons 1954, 'The Present Position and Prospects of Systematic Theory in Sociology', in his *Essays in Sociological Theory*. Revised ed. [essay originally published 1945], pp. 212–237). It is not necessary to subscribe to Parsons' versions of structural functional and evolutionary analysis to appreciate that progress is made when concepts are clearly defined and related one to another as systematically as possible; also to concede that whilst not providing causal explanation of social processes and social change, conceptual clarity does advance in the light of empirical findings and theoretical reflection. For these reasons, it is still possible to learn from such attempts to clarify a system of concepts that characterises work in the traditions of the sociology of social systems and/or neo-functionalism. See, for example, Marvin E. Olsen 1968, *The Process of Social Organisation*, London: Holt, Rinehart and Winston; Frederick L. Bates and Clyde C. Harvey 1986, *The Structure of Social Systems*, Malabar: Krieger [originally published 1975], chapter 8. If we are committed to undertaking comparative analysis sociology has to reconsider its theories of social change, development, evolution and general processes of structural-functional differentiation.

to understand human societies as a central dimension of the understanding of the 'realities in which we currently move'. Contemporary sociology has retained its concern with modernity and its futures in late/high and even post-modernity, but too often has forgotten its historical perspective, and rarely engages in comparative historical work.¹⁴ It is for these sorts of reasons that the dialogue between sociology and other historical disciplines, such as biblical and Jewish studies, is so mutually fruitful, since sociology is not only to be applied and tested, but also challenged and led to create new ideas, concepts and theories in the light of the enterprise and the data.

Below I rehearse my readings and criticisms of Weber and Wilson, in which I seek to retain elements of their approaches that appear to offer the most promise for advances to be made. At the same time, I am placing the analysis of Weber and Wilson, and developing my own ways of conducting sociological comparative historical work on (Jewish) sects and sectarianism, within a wider appreciation of the nature of the sociological enterprise. It seems to me that the work of Weber and Wilson cannot be properly understood or assessed aside from their own understandings of the sociological project, and neither can we develop a sophisticated sociological imagination in biblical/

¹⁴ Part of the problem is that sociology, after the cultural and linguistic turns, has lost a good deal of interest in institutional and structural issues; another aspect of the problem is that the analysis of social groups, especially of face-to-face interaction, has become the domain of psychology. Even where the psychological interest is taken on by social psychology, apart from few exceptions (e.g. the work of Goffman) the work seems quite alien to traditional sociological concerns. Given the role that social identity theory (a theory within social psychology that is relevant to group analysis) has made considerable headway in Biblical Studies, often to the consternation of the historical sociologists, means that it is important to distinguish our interest in the sociology of social groups from social psychology and social identity theory. In a later paper I aim to address the question of the relation between social psychology, anthropology, sociology within the social sciences. It seems important to me, as a sociologist, to be clear what the sociological imagination is constituted by and how it has a particular set of questions and approaches that distinguishes it from other social sciences. Hence, I have some difficulties with the phrase, 'social scientific' criticism in Biblical and Jewish Studies (see Chalcraft 2010, 'Is Sociology also among the Social Sciences? Problematising the Use of Sociology in Biblical Studies', in Emanuel Pfoh (ed.), *Anthropology and the Bible: Critical Perspectives*, Piscataway, NJ: Gorgias Press). And yet, the more we wish to address questions concerning, for example, the impact of disaster and trauma on social life, or explore the origins of forms of (mass) prejudice and so on, we cannot ignore insights from other disciplines: in these connections considerable help is provided by contemporary psychoanalysis. The same may well apply to psychoanalytic traditions of the analysis of group dynamics (e.g. Isabel Menzies Lyth 1989, *The Dynamics of the Social: Selected Essays*, London: Free Association Books).

Jewish or historical studies without placing our sociological endeavours within this disciplinary framework. Therefore, before concentrating on the work of Weber and Wilson below I briefly indicate key aspects of the sociological enterprise. These include: 1. a concern with the rise, nature and potential futures of modernity; 2. a conviction of the explanatory power of social variables in sociological analysis; 3. an approach to classification of the social world for purposes of addressing analytical issues arising out of the first two concerns. For me the approach to classification that needs to be adopted is one that uses ideal typical means. Once these key aspects of the sociological enterprise have been described my essay moves on to reflect on the nature of concept formation and ideal typical enquiry in historical comparative sociological enquiry. The emphasis in that section is on the need for a precision in concept formation that also allows for the capturing of the dynamic and fluid quality of social life. The essay concludes with some observations about how approaching the comparative sociology of sects through developing a sociology of groups addresses these key concerns.

1.3. *Sociology and Modernity*

Historical case studies can be utilised to identify and control the excesses of claims made by sociology, in the early years of the discipline as well recently, about the uniqueness of modernity and the peculiar trajectories of western social and cultural development.¹⁵ From an historical

¹⁵ Harrington (Austin Harrington (ed.) 2005, *Modern Social Theory: An Introduction*, Oxford, chap. 1) helpfully distinguishes the following dimensions of modernity from each other: a cultural dimension (decline of religion, autonomous thinking individuals, rise of science, mass culture), a political dimension (state-especially: nation state, civil law, democracy) and a socio-economic dimension (industrialisation and urbanization). When modernity is seen as originating in the industrial and democratic revolutions of the past, its emergence is dated to the late 18th century. When modernity is considered in its more cultural dimensions then modern attitudes can perhaps be traced to different times and places, un-associated with accompanying institutional changes. Since the classical sociologists were writing more or less as contemporaries in the period after the half century, during the 1880s, 1890s and the first decades of the 20th century, sociology's reflections on modernity share similarities with modernism and focus our attention on this period of social and cultural life to understand the sociology they produced. Whilst certain central features of modern society may well be traced back to much earlier periods it is the coming together of a number of factors that gives modernity its character and gives rise to personal, social and cultural phenomena that are in some senses unique. This classical sociological understanding of modernity led to numerous dualistic typologies comparing the modern with an

point of view, sociology's concern with modernity might be seen as the major stumbling block in using sociology to understand ancient societies. However, it can be argued that it is precisely because of a consciousness of what social forms are unique to modernity that sociology is able to avoid anachronism and to do so in a manner somewhat more straightforward than might be the case with some historical efforts if they work without a conscious model of what characterises the social world from which they take their point of departure. In other words, in the case of sects, sociology is precisely concerned with understanding what the impact of social variables might be on the degree of sectarianism that groups can express in differing social contexts and configurations. That is, sociology is built on the assumption that sectarian phenomena in the present should be very different from sectarian phenomena in the past precisely because of the fact that the phenomena will be occurring in different types of society with a range of social, political and cultural institutions and arrangements. Hence comparing a sect in modernity with a sect in the past is not to conflate one with the other but actually to discover what is similar and different between them and to account for those differences by reference to social variations. Exploring the disconnections is absolutely key for analytical advance. If the two sects from different periods match, or fit with each other or with the ideal type, this needs to be explained in itself, and is not the end of the enquiry by any means. In fact, the researcher should be very suspicious indeed if this degree of 'fit' transpires, since it appears to stem from a misuse of sociological comparison or at least a misunderstanding of the embeddedness of a sect in its social context (even as the sect may wish to withdraw from it). This is not to deny however that group phenomena can exist which

apparent pre-modern. Examples include Durkheim's distinction between mechanical and organic types of society/solidarity (in his text, *The Division of Labor*, 1893) and Toennies' *Gemeinschaft* and *Gesellschaft* distinction: in both cases the second type represents the modern. In recent times these classical dualisms have been criticised on account of the awareness of there being more than one path to modernity or indeed on their being multiple modernities. Moreover, the ethnographic data on which the dualisms depend is highly suspect and the pre-modern is hardly differentiated. For some, the pre-modern is 'primitive', whilst for others it is agricultural or feudal and so on. Finally, it is now essential to include in our understandings of modernity, notions of new social forms in modernity which suggest further periodisations into the early modern, the modern, the late modern and even the post-modern. See Raymond L.M. Lee 2006, 'Reinventing Modernity: Reflexive Modernization vs. Liquid Modernity vs. Multiple Modernities', *European Journal of Social Theory*, 9:3, 355–368.

appear 'out of time' both in terms of existing 'before their time' and as regressive 'survivals' from previous eras in the 'present'.

Sociology is involved in historical research for at least two main reasons: first, to appreciate the legacy of the past, as enabler and constrainer, in the institutions and organisations, culture and social relationships of the present; second, to reach an appreciation of the degree of difference between the past and present so as to understand the nature of modernity and the causes and consequences of its apparent 'uniqueness'. Along the way, as it were, sociological analysis of specific societies or processes of social change in particular times and places, is provided. Or rather, in order to answer these specific questions it is necessary to understand past societies fully as if 'for their own sake'. We will see below, in the sections on Weber and Wilson, the ways in which these thinkers approach the analysis of sects in the light of their historical awareness of the nature of modernity and sociology's commitment to understand it. My approach also shares this concern with the nature of modernity that characterises the work of Weber and Wilson; in this way my argument for placing the comparative analysis of sects within a comparative analysis of social groups, rather than being only narrowly focused on sectarian movements per se, is designed in full cognisance of the main thrusts of the sociological imagination which seeks to capture processes of long-term social change.

Sociology is constantly asking, in relation to any social phenomena (whether it be individualism, suicide, moral panics, rituals or sectarianism) under what social conditions do particular forms of these phenomena occur and what shape, in the light of those conditions, do they take internally and what, in turn, are their social and cultural consequences? It also has built into its imagination, as a result of findings in the discipline, the awareness that some phenomena experienced in some societies might not occur at all in others. Sociology has to gear its methodology therefore to be able to compare and contrast phenomena like sectarian organisations from different time periods with each other, when the phenomena themselves (sects) might actually not exist, precisely because of the changed conditions. In order to deal with this highly probably state of affairs it is always helpful to see the phenomenon in hand as an instance of a wider phenomenon that is of more universal spread, and of which it is one variety.

Given the two ways in which sociology makes historical research a part of its endeavour to comprehend the origins, nature and possible futures of modernity, the analysis of sects takes on a particular

colouring. I attempt to convey some aspects of this colouring through listing a series of questions that one is led to pose in this connection: How do sectarian tendencies manifest themselves in different historical and sociological settings and are there periods or settings where sectarian tendencies are so infrequent that the phenomena can be said not to exist at all? Under what social conditions and circumstances are sectarian impulses married with religious forms of discrimination to bring about the constitution of sects, and under what social conditions and circumstances are those sectarian impulses married less with religious resources of differentiation and more with other markers of status, including economic, political, sexual and racial means of discrimination? How is the modern sect different from previous forms in terms of social organisation and social structure? What types and forms of sectarian protest were possible in earlier forms of society, what did these early social experiments bequeath to those that followed and the organisations of their own time, and what did they borrow from their social environment in terms of ways of administering and organising? In what ways did the development of the sect occasion modern developments and which modern developments enabled certain features of the sect to develop? In what ways does the wider availability of media for the transmission of ideas lead to a greater sharing of ideological and doctrinal knowledge among members of a sect, and is it more likely for textual encoding of the movements' ideas and social life to be more frequently adapted in certain contexts?

A sociological approach to sects must have built into it, therefore, a dynamic perspective if it is to be true to the sociological imagination. The eye is always kept on wider questions of social change: how did the movement emerge, how did its social organisation alter in the course of its existence, how did its ideas develop over time, what did it bequeath to later generations, how is it different from phenomena in other times and places with which it shares some degree of affinity (to enable the comparison)? Further, the sociological concern with social change means that its methodological procedures are geared to allow processes of change to be captured. Therefore, in the comparison of phenomena the methodology utilised is not intended to collect all examples of 'the same thing' but to compare examples which evidence a family resemblance from different periods as *critical instances* of the phenomena that can be used to gauge degrees of change and provide the evidence for accounting for the rate and type of changes that have taken place. Its approach, that it is to say, is ideal typical.

1.4. *The Social as an Independent Variable*

Sociology is often accused of being reductive. It seems to me that all disciplines are reductive to the extent that the view of the world and events produced by scholars within a discipline must inform the discourse: hence a literary specialist is interested in the literary dimensions of a text whereas a theologian will be interested in its God-speak. Each of these perspectives reduces the object to what is of value-interest to the discipline. Sociology of course 'reduces' relevant phenomena to social causes. Sociology sees society (or, more correctly various social factors within the society) as an independent variable that has impact upon events and processes within the social, cultural and personal milieu: sociology therefore is sociologically deterministic. If it were not, there would not be a sociological perspective on the world and the human condition. It does not follow however that a sociologist is unable to recognise other (psychological, biological, geographical) variables as playing important roles in everyday life and hence in explanation; what does follow is that the analysis of those variables might not come under the purview of sociology. What sociologists endeavour to point out is that the social variables they have uncovered are a part of the explanation and sometimes might be the only or the most persuasive explanation.¹⁶ Hence it is to be expected that sociologists may well hold that certain social phenomena do not emerge or exist in particular circumstances since the social conditions necessary to, or corollary to, other social phenomena, are not to be found. Historical and comparative research needs to be undertaken to meet these goals. Historical societies are investigated to test, correct and control the claims about modernity and to isolate those social variables that can aid in providing causal explanations for the

¹⁶ Amongst the classical sociologists Émile Durkheim perhaps gives the most forceful presentation of this case: 1982, *The Rules of Sociological Method*, Basingstoke: Macmillan [originally published 1895]; 1952, *Suicide: A Study in Sociology*, London: Routledge, [originally published 1897], but see also Georg Simmel, 'The Metropolis and Mental Life', in Simmel 1972, *On Individuality and Social Forms: Selected Writings*. Edited and with an Introduction by Donald N. Levine, Chicago: The University of Chicago Press, pp. 324–39 [essay originally published in 1903]. There are many studies that are noteworthy in sociology precisely because of the ways in which they demonstrated the significance of the social variable, even in contexts where more psychological considerations and explanations would have appeared to be more telling (e.g. George Brown and Tirril Harris 1978, *Social Origins of Depression*, London: Tavistock; see the discussion of Brown and Harris in Gordon Marshall 1990, *In Praise of Sociology*, London: Unwin Hyman).

emergence, continuance and transformation of social events and processes. The continuities and discontinuities between past and present, as well as their intertwining, are a constant concern.¹⁷ For sure, the fulfilment of these theoretical goals is restricted by the nature of the historical data, the artefacts at our disposal.

2. *How to Begin to Carry Out Comparative Analysis of Sects*

2.1. *Concept Formation in Sociology*

One of the main bones of contention between historical studies and sociology seems to revolve around the role of definitions and concepts in enquiry. From the point of view of historians it can appear that sociology is concerned with classification for its own sake.¹⁸ This is to misunderstand sociology and to misunderstand processes of concept formation in the human sciences. Whilst the use of the label 'sect' depends on the meaning attached to the concept by particular sociologists who may well disagree with one another as to what is of most significance, this does not mean that concept formation is an arbitrary or overly subjective matter. One way of seeing is surely also a way of not seeing, but without concepts to guide our vision it is unlikely that we would be able to see anything out there in the social world at all. If, in addition to complaints that sociology is too driven by a will 'to classify the obvious' (*sic*), the historians claim that there is not enough evidence to be able to apply sociology,¹⁹ the sociologist can only reply that there is therefore not enough evidence to do history either. Both

¹⁷ Understanding the intertwining of past and present was a constant preoccupation of Max Weber. See Stephen Kalberg 2008, 'The Perpetual and Tight Interweaving of Past and Present in Max Weber's Sociology', in Chalcraft et al. (eds.), *Max Weber Matters: Interweaving Past and Present*, Farnham: Ashgate, pp. 273–88.

¹⁸ I base some of my remarks here on comments made to me by historians during the conference. The debate between historians and sociologists is, of course, much older. Aspects of the debate can be found discussed in Peter Burke 1992, *History and Social Theory*, Oxford: Polity.

¹⁹ See, for example, G.R. Elton 1967, *The Practice of History*, Glasgow: Fontana, pp. 43–7. There are sociologists who agree with this point of view and would prefer sociologists to be wedded to examining the present. See, for example, J.H. Goldthorpe 2000, 'The Uses of History in Sociology: Reflections on Some Recent Tendencies', in his *On Sociology: Numbers, Narratives, and the Integration of Research and Theory*, Oxford: Oxford University Press, pp. 28–44.

historians and sociologists are trying to make the best use of the data that is available.

Scholars of Qumran will not be able to escape social scientific thinking by distancing themselves from the use of the sect concept, since to argue that the movement was not a sect is to work with other concepts of what it may well have been. If it is called a community, a movement, a monastery, a total institution or a sub-culture or whatever, these terms themselves have sociological import and the same need of precision in their use applies. It is not as if the only relevant sociological question is whether the movement is a sect or not. And even were we all to agree that the movement is best thought of as a sect it is still not possible to ascertain what type of sect it was (what was its degree of sectarianism and how was this translated into forms of social relationship, organisation and administration), without connecting the movement itself to the wider society and to a range of social associations that were possible in the environment. And, I would add, no enquiry into the social world of ancient Judaism will progress if its aim is to classify and label each and every form of social group organisation: the data only comes alive sociologically if approached with analytical questions driven by the sociological imagination.

Whether a movement or group is best thought of as a sect is most aided by experimenting with comparative concepts to ascertain whether it is best thought of as 'not a sect' but rather as something else. However, the latter represents too rigid a formulation (akin to a zero-sum game of definitions), since what we want to try and grasp sociologically is the fluid and dynamic quality of group relations in the social context of which the firming up of group boundaries around sectarian principles can occur. If Qumran scholarship only encounters sociology through the analysis of the sectarian nature or otherwise of the movement then very little insight will be achieved, and very little advance in the use of the social sciences in the area will take place.

It is important to be clear and as precise as possible in our use of concepts. Even if the sociological imagination alerts the researcher to ensure that concepts need to capture the dynamic nature of social life, and to continually keep in mind that clear-cut demarcations between types of social group create neatness and order that exists only analytically, it is still nonetheless important to be clear as to what is meant when a social group is distinguished from another social group and labelled appropriately. These concepts seek to capture the social world in all its complexity and aid in the understanding and explanation of

social phenomena and social change. The concepts we use are essential for sociological analysis but they are not the end, but rather the beginning of sociological analysis; this is the case, since the concepts are used to begin to interrogate social events and social relations utilising a myriad of tools and questions not reducible to the concepts themselves. Sociology is not interested in the development of precise concepts, or in engaging in quite complex disputes about definitions, for its own sake. Sociology is not engaged in a great neo-Victorian project of producing a taxonomy of the social world comparable to that achieved for the natural world. Sociology is not merely concerned with capturing yet another example from 'real life' in its conceptual butterfly net, so that the specimen can be preserved and placed in a presentation case. This is a misconception of sociology's commitment to consistency in the use of conceptual labels.

With regard to the use of the concept of sect, precision is striven for so as to be sure not to confuse religious movements with each other or to confuse types of social grouping or voluntary associations to the detriment of the analysis and the understanding of the movement/group. In order to appreciate the complexity of religious movements, and the similarities and differences between them (and the variety of ways in which a sect organisation articulates with other organisational principles operative within the society/societies in which it emerges and lives), it is essential to be sensitive to the elements in those movements that make them different from each other; it is also of theoretical and practical interest to be able to identify similarities and patterns between religious movements and social groups.

These precise concepts are used to help explore the social world and for advances to be made in understanding. It must be remembered that the use of the labels is to some extent arbitrary and to some extent quite harmless. In other words, the religious movement does not cease to exist or change its actual character if we happen to label it incorrectly for analytical purposes. What would be lost is the potential of gaining further knowledge of the movement and its nature. We do not bring the movement into actual existence by use of the label, since the movement already exists/existed and we are merely trying to define it, so as to be able to study it more closely.

To mislabel social phenomena has consequences for its interpretation, but the use of these labels is not always without social and political ramifications. It is certainly the case, given the pejorative connotations and implications of the concept of 'sect', that members

of living religious movements may well object and seek to resist the application of the label of sect to the movement of which they are a part. The label can have social, cultural, and legal repercussions for the movement itself and the individuals who are members. It is often this baggage about what 'sect' implies, carried by non-sociologists, that forms the basis of the criticism of the use of the label 'sect' in analysis, rather than anything the sociologist has said about what the concept 'sect' means. From a sociological point of view the use of the word 'sect' is intended in a value-free sense: a description of attitudes, social organisation and forms of recruitment and discipline. No evaluation of the movement is implied. Indeed, working with a sociological definition of sect provides the researcher with a way of questioning the use of the label 'sect' by opponents of religious movements past and present. Any use of the label sect by members of a religious movement or by opponents of religious movements should therefore be approached with a good degree of caution. There clearly are limits to the value of using emic descriptions in sociological analysis of sects and other social groups.

2.2. *Controlling Comparative Work: Ideal Types*

Given the enormity of the task of comparing every single instance of sect that existed or exists in the history of societies and given the fact that such a comparison would only serve a drive to classify rather than explain, it is necessary to find a way of proceeding in comparative historical enquiry that does not need to cumulatively build up an understanding of sects from a almost infinite series of detailed enquiries. The preferred method in sociology is ideal typical enquiry: this involves the creation of ideal types for analytical purposes and this includes creating ideal types from the perspective of one or more specific questions that are of urgency to the sociologist making the enquiry: these questions normally derive from the comparative concern with the nature of modernity. In what follows I describe two solutions to the problems of comparative work that appear to provide possible steps forward. They are both a version of ideal typical work and they build on each other. 1. To compare any instance of a phenomena not with another instance but with the ideal type (and to restrict the comparison of instances with the ideal type to critical instances). 2. To subsume the sect under a wider typology to create the sect as a sub-type of more universal social phenomena (for which critical instances of its various manifestations are also sought). So, to anticipate: if a sect can be

understood as an instance of social exclusion, it is necessary to form an ideal type of social exclusionary practices so that specific instances of social exclusion can be compared in order to isolate which processes of social exclusion are religiously articulated (sect), for example, and which might be more ethnically articulated (racism). This approach is therefore an example of ideal typical work because it requires the formation of a wider ideal type that can incorporate a range of instances that shares certain features (here social exclusion) with others (hence qualifying for the type) but differ sufficiently from other examples to be distinguished.

An ideal typical procedure is to be preferred since it enables the researcher to cut through some of the Gordian knots of comparative analysis, since what is taking place is not the creation of a full classification of all 'sects' that ever existed (which requires a constant revision of the sect concept as each and every case is considered); rather, instances of sectarian organisation and behaviour are to be compared against an ideal type, which facilitates the making of judgements and comparisons on the basis of how much like the ideal type the particular instance is felt to be: hence highlighting 'degrees of sectarianism' and also raising questions as to why certain features are more or less present and dominant at particular times in particular contexts as demonstrated for the specific case measured against the ideal type. The ideal typical procedure compares a particular sect against the ideal type of sect. Hence each 'potential sect' is measured against the ideal type.

If this is a preferred procedure, it is necessary to ask how the content of the ideal type is to be constructed. While not being in existence in reality in the form articulated and emphasised by its creator, the ideal type is based on aspects of reality that have been observed by researchers. An ideal type would appear to be most acceptable were it to be a-historical—not rooted in any particular historical period or tradition. It is of course not possible for an ideal type to be completely non-historical since it would then be a fiction. One possible way of resolving this problem would be to take as an ideal type a fully developed and even extreme case of the phenomena (e.g. Weber's selection of ascetic Protestant sects from the 17th and 18th centuries, largely from Northern Europe).²⁰ The advantage is that the case is historical;

²⁰ This of course is the argument of Weber's 2002, *The Protestant Ethic and the Spirit of Capitalism*. New Translation and Introduction by Stephen Kalberg. 3rd ed., Los Angeles: Roxbury [originally published as two articles in 1904 and 1905 respectively and later revised in 1920].

the disadvantage that the one case will carry features that might be peculiar to its setting and time; in this case applying the ideal type would appear to be privileging a particular tradition. One might think that this choice, made by Weber, is arbitrary. What saves it from being completely arbitrary is that Weber was addressing particular questions from within the context of his sociological project.²¹ Also, since the ideal type is being used to compare specific instances of a phenomenon the uniqueness of the specific case will still emerge: if the case does not 'fit' the type, this is not to the detriment of the type or the case, since both are illuminated in the process of comparison. Moreover, it is not expected that the potential sect will score positively, so to speak, against all the attributes that are contained in the ideal type. Indeed, the whole purpose of the sociological enquiry is to establish similarity and difference. The disconnection between the sect under investigation and the ideal type is precisely the exciting part of the research, since it is those differences that require explanation. The question is less one of, is this a sect or not—as one of 'how much' of a sect is it? What is its degree of sectarian organisation, what is its degree of social exclusion, what is its means of ideologically drawing boundaries between in and out group and operating social closure?

Yet, one might object, if the ideal type is defined in such a way that a sect 'fails' to be accorded sectarian status, and this is a 'sect' which, from many other points of view (and other ways of defining a sect) certainly does qualify as a sect, then the result is that a movement that

²¹ Weber's work is of course not immune to criticism and there are occasions when his characterisation of the sect seems not ideal typical but rather elevates one case against which all others are compared: that is, that Weber is guilty of the charge that his ideal type of ascetic Protestant sects is not actually an ideal type but rather is the generation of a standard comparative case. However, at least three things, in my view, save Weber's account from this criticism (see further, Chalcraft 2007, 'The Development of Weber's Sociology of Sects: Encouraging a New Fascination', in Chalcraft (ed.), *Sectarianism in Early Judaism*, pp. 26–51). First that the presentation of Protestant sects *is* ideal typical since there is no one case that is elevated but rather he constructs an 'exaggerated composite picture' of a variety of Protestant movements from diverse periods for analytical purposes. Second, that Weber himself did not find it impossible to utilise this ideal type to interrogate the social realities of other non-Protestant minority religious movements. Finally, Weber does in the course of the development of his sociology subsume the polar contrast of church-sect under a much wider contrast between compulsory and voluntary associations/movements which is applicable cross-culturally in his view. His identification of voluntarism and qualification as key variables in analysing social movements from the perspective of his research interest in the nature and rise of western modernity was one of the findings of his treatment of sects having had begun with the analysis of ascetic Protestantism.

is best understood as a sect is left out of account. Clearly, ideal types that have a narrow range of attributes as part of the definition are most likely to bring about this kind of result, but the reason why the attributes are minimal may well have been determined by the nature of the sociological question/s being posed. There is then a tension, it seems to me, that constantly needs to be considered, between how much classificatory work and how much interrogative work an ideal type is intended to do in any particular instance. That is, the objection to an ideal typical characterisation (definition) of a sect on the grounds that it leaves out a religious movement that is 'obviously' a sect against other criteria is an objection grounded in an understanding of sociology that sees its main goal to be classificatory. Of course, the objection is grounded also in a differing conception/definition of what might constitute a sect. If the definition is geared to types of questions posed, then this itself indicates that the sociologists making the objections are working with different questions and this is why they disagree about the definition of a sect. One might conclude therefore, that it is the questions that are being posed sociologically to a phenomena that are more important than how the phenomena is defined.

At this point it is important to introduce a major difference between the ideal typical procedures adopted by Weber in his work on sects and that, on the other hand, adopted by Wilson (which is explained in more detail in the following section).

For example, a working definition of sect that remains constant throughout Weber's work, can be stated as follows:²²

A religious community founded on voluntary membership achieved through qualification after thorough examination of those personal values and attributes held in high esteem by the organisation. These dispositions must be maintained, and are monitored and further bred.

On the other hand, Wilson, in his early work,²³ defines a sect as having the following attributes. A sect operates exclusivity, and believes itself to have a monopoly of truth in religion and all areas of social, political, natural life; it is a lay organisation which denies any special religious

²² See Chalcraft 2007, 'The Development of Weber's Sociology of Sects'.

²³ By Wilson's early work I am referring largely to the 1959 essay 'An Analysis of Sect Development', *American Sociological Review*, 24:1 (reprinted in Wilson (ed.) 1967, *Patterns of Sectarianism: Organisation and Ideology in Social and Religious Movements*, London: Heinemann, pp. 1–21).

virtuosity within the membership; it operates voluntarism admitting potential members through marks of merit; it has expectation of high standards which are monitored and operates expulsion for the wayward; it demands total allegiance, so that sect membership becomes a master status; and, finally, it is a protest group. In his later work, Wilson went on to create an 7-fold typology of new religious movements, distinguishing them largely on the basis of what he called their 'responses to the world' (see further below).

From these ideal typical definitions it can be seen that the way in which Weber operated ideal typical procedures was by concentrating on a particular feature (voluntary membership and forms of recruitment and discipline which follow from that attribute), amongst a range of possible characteristics of a sect (with which he *was* familiar) against which to measure degrees of 'sect-ness'; Wilson, alternatively, tended to work more with a set of attributes, so that the comparison between any particular example of sect against the ideal type could arrive at a much fuller description of the specific instance of the sect. From some perspectives one might say that Weber established a definition whereas Wilson established an ideal type (the reverse could not be claimed since Wilson clearly produces lists of attributes that are too extensive to be used as a definition). There is an element of truth in this observation, but Weber's definition is ideal typical because the definition of the sect is in direct contrast to its polar type, 'the church', which is a compulsory organisation rather than a voluntary one like the sect: it is the sociological consequences of this difference that exercises Weber and which he uses to address central concerns about social change and the rise of modernity. It is also an ideal typical formulation because Weber is well aware, as we know from how he applied it in his substantive work, that each particular religious movement can be measured against the polar typology and that in reality each movement evidences a mixed and fluid relation to voluntarism and coercion.

In applying Wilson's generic ideal type of a sect it is more likely that a movement would be seen as exhibiting dimensions of what a researcher means by sect since there is a wider range of criteria against which the sect can, so to speak, score highly, and no one attribute is given precedent over another. Wilson's approach, as will be seen in more detail below, is of a more classificatory nature than Weber's, since the latter orients his comparative work much more strictly around particular interrogative purposes.

2.3. *The Methodological Device of Subsuming Sects as a Sub-Type of Groups*

Another methodological move that sociologists make in order to facilitate comparison and to arrive at analytical statements of social change in relation to specific phenomena is to appreciate that the phenomena being investigated is actually an instance of a much wider phenomenon.²⁴ This appreciation might be arrived at inductively or deductively—in the course of enquiry or prior to it. Given sociological concern with the nature of modernity and the assumption that social forms in modernity are more or less unique, it follows that a social grouping, like the ‘sect’, may well be more common at particular times and places, and even not be present at all in certain other settings. In such a case, it is not the sect itself that is seen to change (though sects of course do change in the course of their historical lives, often in response to external social forces), but rather that the sect form itself is seen as a response more probable at some times rather than others.

Weber appreciated this way of refining and improving ideal typical analysis in relation to sects. As his work on sects developed over time, he understood more and more that the sect was an instance of voluntary types of associations.²⁵ In this way, he saw continuity between forms of association and group life that obtain prior to the sect and subsequent to the sect; in the latter case, especially in the United States, he argued, the sect could be understood as bequeathing forms of membership, leadership and organisation to the later forms of association which, to all intents and purposes, could be understood as secularised forms of sectarian association.²⁶

In many ways, when Wilson distinguishes between sects and new religious movements,²⁷ he is able to do so because he comes to appreciate the fact that sects do not occur in all contexts and that while

²⁴ For example, this is a procedure adopted, I would argue, by Jeffrey Alexander when he seeks to understand the role of ritual comparatively across many societies and historical periods. He subsumes rituals under a wider category of ‘performance’ to this end. J. Alexander 2006, ‘Cultural Pragmatics: Social Performance between Ritual and Strategy’, in Alexander et al. (eds.) *Social Performance: Symbolic Action, Cultural Pragmatics, and Ritual*, Cambridge: Cambridge University Press, pp. 29–90.

²⁵ See further Chalcraft 2007, ‘The Development of Weber’s Sociology of Sects’.

²⁶ This is the argument of Weber’s 1948, ‘The Protestant Sects and the Spirit of Capitalism’, in Hans Gerth and C.W. Mills (eds.), *From Max Weber*, London. Routledge, pp. 302–322 [originally published in German in 1920]. See Chalcraft 2007, ‘The Development of Weber’s Sociology of Sects’ for more details.

²⁷ This is the argument of Bryan R. Wilson 1973, *Magic and the Millennium*, London: Heinemann. See below for more detail of this development in Wilson’s work.

there is a degree of affinity between new religious movements and sects, there are essential differences for which there needs to be an account. The differences can be accommodated within a typological approach if sects and new religious movements are seen, respectively, as different forms of minority religious movements, which are more likely to occur in certain settings rather than others.

In these instances the enquiry cannot be furthered by a search for sects and their comparison, but by understanding the sect as one example of a social form so that when the form takes on a sectarian shape this is the manner in which the social form is achieved/manifests itself in this particular historical setting. Once again the importance of seeing the sect alongside the nature of social groups in a historical setting comes out. In other words, it is not that the sect 'does not exist' in any particular historical epoch or societal form but rather that the research is directed to enquire as to what the frequency of the sect form might be in certain social settings vis-à-vis the frequency of other social groupings and social movements. To only and continually focus on the question of: what is a sect and what type of a sect it is, may be to rob the sociological enquiry of any explanatory leverage and to iron flat historical difference as if the sect could always be abstracted from its historical setting and compared in some clinical laboratory where all other connected variables were excluded or sterilised.

Ideal typical classification in sociology can proceed, we have now seen, not only by refining and sub-typing a concept into smaller precise units, but also by appreciating that the unit being used is actually a sub-type of a larger type. It is not necessary to claim naturalistically that these types and subtypes are 'real' and exist in nature; it is enough to experiment with these understandings as if they were real in the social field and see how they assist in furthering enquiry.

3. *The Sociology of Sects of Max Weber*

A Weberian definition/description of a sect, based on a close exegesis of his work, can be rendered as follows. A sect is:

A religious community founded on voluntary membership achieved through qualification after thorough examination of those personal values and attributes held in high esteem by the organisation. These dispositions must be maintained, and are monitored and further bred.

This definition of a sect is in contrast to its ideal typical polar opposite, the 'church', which is not based on voluntary membership, but rather, on compulsory membership and, from the perspective of certain Puritan sects in the 17th century, can contain 'both the just and the unjust'.

It is on the basis of this distinction that the reception literature talks of 'Weber's church-sect typology'. Type of membership, and its consequences, is at the heart of the distinction rather than distinctions relating to, for example, the size of the movement, ideological commitments, resistance to or withdrawal from a parent body or orthodoxy, or forms of leadership. However, because membership of a sect is voluntary and has to be earned and continually proven, certain social arrangements follow as a logical consequence, if only in some cases in the longer course of time. For example, if all members of a sect are formally of equal standing given that they all have demonstrated the requisite 'gifts of grace' then it is likely that the leadership in the movement must reflect that fact by, for instance, arranging for a degree of democratic decision making.

It is the particular emphasis placed, via the social group, on the members, individually and collectively, on their performance of the attributes—both attitudinal (beliefs, opinions) and behavioural—that the group esteems and rewards, that leads to changes of character and opinion and may have significant consequences for the wider society, either immediately through emulation of sectarian life-styles by non-sectarians or by revulsion and avoidance of sectarians, or when members leave and 'rejoin' the non-sectarian elements of the population. Hence for Weber a religious movement with developed sect-like tendencies can operate as a highly significant socialising and educating agency and thereby bring about social and cultural change.

It would appear logical for any enquiry into sects in non-Christian religious traditions to look for guidance not from Weber but from Wilson. This is the case because Weber worked with a polar distinction between church and sect, whereas Wilson wanted to move away from analysis of minority religious movements using any conceptual tools that smacked of forms of ethnocentric or Christo-centric bias. Preferring Wilson to Weber would apparently appeal especially when those movements being studied occurred before the emergence of Christianity or the alliance between Christian Church and State. Indeed, the amount of attention paid to Wilson's work within Jewish studies, and the relative lack of attention paid to Weber's, would appear to bear

this out. However, as I show, the lack of use of Weber is regrettable, and the use of Wilson appears to me to be based on a misunderstanding of Wilson's sociology of religion. In both cases, the self understanding of the task of sociology and its relation to modernity is central to appreciating the intentions and achievements of Weber and Wilson. These achievements provide the point of departure for making decisions about how to proceed further in using their ideas in any comparative historical sociological analysis of sects.

Concentrating on Weber's polar distinction of church-sect, at the expense of pursuing what the consequences of voluntarism might be, is to too rapidly accuse him of western bias and to miss the fact that he not only universalised the concept of sect by seeing it as one example of a type of voluntary association, but also that his sociological analysis of the sect concentrated less on the possible conflicts between a sect and a wider compulsory organisation and more on the impact of sectarian life on individual, social and cultural life both within and outside the movement. For Weber it was as important to study the external relations of the sect as it was to analyse the internal relations within the sect. It is largely on account of this sociological concern that a connection between Weber's analysis of sects, his concentration on self assertion and the relevance of connecting sectarian analysis with the sociology of groups as a whole, recommends itself.

Weber concentrated on the processes of self-assertion that characterised sectarian 'selection and breeding'. It was the need for self-assertion in accordance with group values that Weber felt provided opportunities for, and the channelling of, virtuosity in connection with those values esteemed by the religious movement. Those values and attributes could be esteemed in the movement more intensely than they were outside the group (hence showing a continuity of value) or were in fact not able to be performed in the social groupings outside of the sect itself.

One consequence, it seems to me, of Weber's analysis of sects, and hence part of the further development of a Weberian analysis of sects, is that the emergence of sectarianism need not necessarily be linked to social or ideological antagonism with a parent orthodoxy, though of course there will always be elements of difference between the social movement and other social movements or groups. Put it this way: if an individual can find what they require socially and culturally and economically from existing social arrangements they need not look elsewhere for substitutes; if an individual can move with relative ease from

one social grouping to another there is not a conflict. Where sectarian tendencies occur—and it seems to me that Weber held that sectarian tendencies exist in many social groupings, but only rarely develop into actual sectarian movements—is where social groupings begin to understand themselves as different, as providing services not available elsewhere, and begin to draw boundaries between themselves and others and restrict the more relaxed coming and going of themselves and others. Every movement therefore has sect-like tendencies and movements can be compared for their degree, as it were, of sect-likeness. Sect-likeness, as we have seen, can be measured by the strictness of admission and the discipline of the member of the movement by other members of the unit, in approving admission to the life of the sect. Through these means the individual is driven to self assertion and performance in line with the values esteemed by the group. It is essential to grasp the seeming paradox that whilst membership of a ‘church’ for Weber is compulsory and membership of the sect voluntary, admission to the sect is far more strict and controlling than admission to the compulsory organisation which, for Weber, is far more relaxed. The voluntary dimension of application is not mirrored by a voluntary admission (since applicants can be rejected) whereas the compulsory membership of other types of association means that applications are not refused, and hence applicants are admitted voluntarily.

Where these differences between social groupings develop through habit into expectations and rules, and where the markers of difference relate to religious or spiritual dimensions then we are in the realms of a religious social movement, which we can call a sect. In contrast, for example, where the criteria for admission and status are based, say, on economic wealth, the social movement is not a sect, sociologically speaking but, for example, a club. Where religious criteria and economic criteria evolve together as a means of measuring worthiness, the types of consequences Weber analyses in *The Protestant Ethic*, are to be expected.

I think it is clear from the tendency of the analysis above that much can be learnt, and much added to a Weberian sociology of sects, from the sociology of small groups and of social movements considered more generally. We are faced with further questions: that is to say, under what conditions would a regular meeting of like-minded people be more likely to develop elite notions of status and membership and want to operate means of gate-keeping? The sociological imagination informs us that whilst we might be able to think of some examples

from our own experience, we know that that experience is likely to be limited and perhaps be uninformed or at least under theorised: we are on safer ground if we base our comments on the detailed research carried out by social scientists and historians. In short, we need to undertake comparative enquiry.

It is customary to begin an exposition of Weber's ideas about sects with the famous study of *The Protestant Ethic and the Spirit of Capitalism*. For sure, Weber's starting point was the analysis of ascetic Protestantism in the 16th and 17th centuries in Europe, and their spread to North America in the 18th and 19th centuries. Hence Weber's writing on sects begins with the Christian tradition, with especial attention to English puritan movements. This work is indeed a very significant example of Weber's sociological method and the conclusions he reached about the affinity between the ways of life of ascetic Protestantism and the emphasis on vocation in modern capitalist culture have ramifications throughout his sociology. However, there is very little directly about sects in this text. The more significant text in relation to sects is the essay which, by 1920, was known as *The Protestant Sects and the Spirit of Capitalism*. Weber also wrote about sects in *Economy and Society*,²⁸ but it is often forgotten that a key section of that work, *The Sociology of Religion*, barely mentions sectarian phenomena. In recent times, attention has focused on texts which, while always available in German, have only now been examined by Weber scholars in any depth. In particular, the so-called *Anti-Kritiken*—which are constituted by Weber's four replies to the critics of the original Protestant Ethic text—have proved themselves of great significance for understanding Weber's developing projects and offer some re-capitulations of the central thrusts of his analysis of the relation between Protestant and Capitalist culture; a second text, actually a transcribed speech given to the German Sociological Association,²⁹ has allowed commentators to see how Weber subsumed the sect under the wider concept of 'voluntary associations'.

²⁸ Max Weber 1978, *Economy and Society*. Edited by G. Roth and C. Wittich. Berkeley: University of California Press. The Anti-Kritiken have been translated, edited and introduced in Chalcraft and Harrington (eds.) 2001, *The Protestant Ethic Debate: Max Weber's Replies to his Critics, 1907–1910*, Liverpool: Liverpool University Press.

²⁹ Max Weber 1924, Geschäftsbericht und Diskussionsreden auf den deutschen soziologischen Tagungen, in *Gesammelte Aufsätze zur Soziologie und Sozialpolitik*, Tübingen: J.C.B. Mohr (Paul Siebeck), 1988, pp. 431–483. The speech was delivered in 1910. For an English version of parts of the speech see Max Weber 2002, 'Voluntary Associational Life (Vereinswesen)', *Max Weber Studies* 2:2, 199–209.

This concentration on the importance of voluntary associations for the development of civil society and as being characteristic of modernity brings to the fore an analysis begun in *The Protestant Sects and the Spirit of Capitalism* where the 'sectarian' tendencies in North American frontier society were seen to live on in the widespread existence of clubs and fraternities in contemporary American society.

Analysis of Weber's work demonstrates that his definition of a sect (and its contrast to a church) remains constant throughout his writing. What alters across the writings is that different dimensions of sectarianism, and their implications for a range of social, cultural and political factors, are given emphasis at different junctures. The first finding from an analysis of Weber's treatment of sects across his oeuvre is that Weber extended his analysis of sects from the examination of ascetic Protestant movements in the historical past, so that it forms an important part of his sociological project as a whole; in this process the church and sect contrast is made to be one instance of a much wider contrast between compulsory and voluntary associations. Here we see an example of how an ideal typical approach has been developed in the light of further research; not by further refinement of particular types and sub-types of sect, but through the appreciation that the sect is itself a sub-type of a more universal phenomenon.

The second finding that emerges from a close concentration on Weber's developing treatment of sects across his work relates to a theme within the analysis of the sects that becomes most clear during Weber's speeches to the German Sociological Association, but whose roots go back further to the original studies; moreover, it is a theme that remains in Weber's analysis thereafter and indeed is one central plank of Weber's sociology as a whole, if not his approach to personal survival in modernity. I speak here of the theme of self-assertion. In Weber's view, voluntary organisations of a certain type, including but especially the sect, bring about social, cultural and personal change, by the emphasis they give to the cultivation of the values esteemed by the organisation, the maintenance and further education within those values by the group, and the disciplining of members in relation to those values including expulsion when failing to live up to those ideas, beliefs and practices. In short, voluntary associations, social groups, and in the most strict form, sects, select and breed certain types of personality (Weber 2002, 'Voluntary Associational Life', p. 203). Weber clearly indicates his concern with the potential impact of types of group life on individual character, when he asks in a speech to the German

Sociological Association: 'What is the inner effect of belonging to a particular form of association? On personality as such?'

Further we can see from the following quotation that Weber is conscious of a generic impact of voluntary associations on individuals and that even though the values and behaviours esteemed by the group will vary, in each case, the individual is esteemed only in demonstrating virtuosity in accordance with them.

The cool objectivity of sociation encourages the individual to find his precise place in the purposeful activity of the group- whether this be a football club or political party- but it does not in any way diminish the necessity for the individual to be constantly looking for ways to assert himself (*Selbstbehauptung*). On the contrary, it is precisely within the group, in the circle of his companions, that the task of "proving" himself becomes most urgent.³⁰

The tenor of this analysis is also captured in the following quotation, where Weber observes:

According to all experience there is no stronger means of breeding traits than through the necessity of holding one's own in the circle of one's associates. The continuous and unobtrusive ethical discipline of the sects was, therefore, related to authoritarian church discipline as rational breeding and selection are related to ordering and forbidding (Weber 1948, *Protestant Sects*, p. 320).

Weber's concentration on these dimensions of voluntary associational life turns our attention to the nature of virtuosity in societies and hence directs our attention to the causal contexts of the development of certain types of organisations and sects, and the variety of values they may esteem. For example, in a manner of theorising that has affinities with Weber's own analysis of potential courses of action that faced the Calvinist believer confronted by the doctrines of predestination and transcendence, the interest in opportunities for virtuosity direct the sociologist to look for the avenues that were traditionally open, had recently emerged, or had recently been closed off to individuals who needed to demonstrate their worth to themselves and others. If

³⁰ This quotation will be found in the English translation of a 1906 essay by Weber on Churches and Sects that is the precursor to the 1920, *Protestant Sects and the Spirit of Capitalism*: Weber 2002, 'Churches and Sects in North America: An Ecclesiastical and Socio-Political Sketch', in C. Wells and P. Baehr, eds. and translators, *Max Weber. The Protestant Ethic and the Spirit of Capitalism and other writings*, Harmondsworth: Penguin, pp. 203–220. The quotation is from pp. 213–214.

military heroism, for example, was a dominant male value, the lack of military representation, the disbanding of a standing army or local militia, or indeed the loss of any right to bear arms at all in the face of occupation by a foreign power would mean a frustration of this ambition. Such a drive to self-assertion would then need to be directed down another channel. One might consider in European societies that the drive for extreme sports that is relatively widespread amongst many males, or the rarer commitment to exploration is a consequence of the felt lack of opportunity to be heroic in mainstream life. Indeed, Rebecca Farley has argued that the heroic narratives written by Ernest Shackleton, the Antarctic explorer, conformed to the genre of many popular hero stories which championed, in a colonial age, white male hegemony in dangerous, tropical and dark continents. In other words, social context puts pressure on individuals to see themselves as heroic in particular ways even when opportunities to be heroic in that way is actually barred to them.³¹

The consequences of Weber's analysis of sects based on the ideas of virtuosity and self-assertion are that his sociology of sects is of a particular stripe. Since Weber felt that the ascetic Protestant Sects selected and bred types of personality, and reinforced ways of life that had an affinity with attitudes to vocation and leisure, wealth and work to be found in capitalistic culture, it is clear that the sects played an important role in the development of modern culture. Since Weber was then interested in determining which other organisational arrangements in the past might also have had a similar impact on giving modernity its particular ethos and institutional arrangements, all other 'sects' Weber encountered would be measured by this criteria and considered to be less significant if differing values to the assertive rational ascetic ones esteemed by Protestantism were in evidence or if indeed sects failed to develop at all in particular cultural traditions. Hence it is true to say that the ascetic Protestant sects are privileged in Weber's enquiry-specific sociology. Weber is interested in the sociology of sects to

³¹ Rebecca Farley 2005, '"By Endurance we Conquer": Ernest Shackleton and Performances of White Male Hegemony', *International Journal of Cultural Studies*, 8:2, 231–54; see also Richard Swedberg 2005, 'Auguste Rodin's *The Burghers of Calais*. The Career of a Sculpture and its Appeal to Civic Heroism', *Theory, Culture and Society*, 22:2, 45–67, and Tali Tadmor Shimony 2003, 'The Pantheon of National Hero Prototypes in Educational texts: Understanding Curriculum as a Narrative of National Heroism', *Jewish History*, 17, 309–332.

answer his questions about the rise and uniqueness of western social, political and cultural forms.

The other consequence of Weber's analysis of the sects for those who wish to develop a neo-Weberian sociology of sects, is that the emphasis on the self assertion that takes places in particular types of voluntary association like the sect seems to betray an agonistic, if not masculinist bias. This may not be such a problem if it allows the researcher to recognise such games of dominance in the religious movements being considered; similarly, it may not be such a problem for a cross-cultural comparative sociology of sects if the religious movements being considered themselves originate in cultures, such as Weber's own, where notions of honour and shame operate, and where masculine values demand self assertion and competition for honour in public spaces. What might be intriguing in the latter cases is the manner in which the sect, rather than protesting against the wider culture, actually perpetuates in its structures and relations many of the patterns of social life found in the external world.

4. *Bryan Wilson and the Sociology of Sects*

Within biblical studies and Qumran studies the work of Bryan Wilson³² has proved to be the most popular and the most enduring model in the sociological analysis of sects.³³ Scholars have drawn mostly on the 7-fold typology of responses to the world, to which Wilson gave the most extensive discussion in his 1973 study *Magic and the Millennium*, but have not drawn to the same extent on Wilson's typology of the generic characteristics of sects.³⁴ I will be saying much more about these two typologies in a few moments. The fact that many of the

³² I make frequent reference to the following works of Wilson: 1959, 'An Analysis of Sect Development', *American Sociological Review*, 24:1, 3–15 (reprinted in Wilson (ed.) 1967, *Patterns of Sectarianism: Organisation and Ideology in Social and Religious Movements*, pp. 1–21); 1963, 'Typologie des sectes dans une perspective dynamique et comparative', *Archives de Sociologie des Religions*, 16, 49–63, translated as 'A Typology of Sects' in Roland Robertson (ed.) 1969, *Sociology of Religion. Selected Readings*. Harmondsworth: Penguin; 1966, *Religion in Secular Society: A Sociological Comment*. Harmondsworth. Penguin; 1973, *Magic and the Millennium*. London: Heinemann; 1982, *Religion in Sociological Perspective*, Oxford: Oxford University Press.

³³ E.g. see items by Blenkinsopp 2005, Piovanelli 2007, already cited above.

³⁴ There are 8 responses to the world, with 1 being an acceptance of the world as not being evil. Therefore there are 7 responses to the world that are 'sectarian'.

religious movements considered in *Magic and the Millennium* were active in recent tribal societies or within societies in which tribal communities and traditions were present no doubt also gave rise to the idea that the typologies might be useful for looking at pre-modern, ancient and classical cases. However it is important to note that the *Magic and the Millennium* study was concerned with new religious movements (not sects in the sense of the classical sociological typology) within the general and widespread processes of global secularisation within modernity, and hence any direct comparison with non-modern societies from antiquity was not the intention of Wilson's work.

Correctly understood this emphasis on new religious movements rather than sects actually aids comparative analysis of sectarian phenomena in different historical settings. If we understand that Wilson's comparison was not of sects from different periods but of minority religious movements, some of which were sects in his eyes, and some of which were new religious movements, it is clear that his comparative work leads to the finding that sects are not a phenomena of ancient times nor of modernity, but rather are to be found within the Christian tradition in early modernity; whereas, new religious movements are not a phenomena found in ancient times nor in the periods of the 17th, 18th and 19th centuries, but are found in a global, secularised, post-colonial modernity. The social conditions of modernity, that is to say, are such that religious protest against society—and remember that Wilson's definition of sects and new religious movements is one which accentuates protest—is more likely to take sectarian form in certain social conditions, and more likely to take the form of a new religious movement in other types of social condition. Hence the sects and new religious movements are seen by Wilson as both subtypes of minority religious movement.

The consequences of this distinction for the analysis of ancient societies like ancient Judaism, however, seem less positive since, if the term sect is to be used in its classical guise it is rooted in Christian traditions and European politics (as Wilson argues) and therefore does not apply to cases in the past where there lacks an orthodoxy or a theocracy or state-church alliance. To work in Wilsonian mode, therefore, if I have interpreted this correctly, requires the elaboration of a further ideal typical characterisation of minority religious movements, since neither the classic sect type nor the responses of the new religious movements in modernity, can be utilised to bring out the contrasts and continuities in social setting and religious response, that Wilson would want to achieve.

On the one hand Wilson's work would seem to offer a way of doing comparative and historical sociological analysis of sects and sectarianism on account of his commitment, throughout his written work from 1959 onwards, to move sect analysis away from the original church-sect dichotomies of the classical tradition in sociology. On the other hand, and what seems to have been largely overlooked, are Wilson's reasons for departing from that typology: it was not only because Wilson felt a certain normative bias in sociological use of a typology based on a fundamental distinction between church and sect that led him to argue for its abandonment. More fundamental from a historical and sociological point of view was that Wilson felt that a church-sect distinction, whilst once more or less useful in understanding religious movements, no longer proved to be the case. They proved to be no longer useful in the analysis of at least two very significant areas of sociological enquiry with which sociology in general, and Wilson in particular, was engaged: first, the analysis of religious movements in the so-called third world societies; second, in the contemporary west where many sects continued and where there was an apparent explosion of new religious movements since the late 1960s which could not be understood from within the confines of mainstream religious traditions. In these cases, the church-sect distinction no longer seemed applicable or helped clarify movements and causes. As Wilson observed, 'The contrast of church and sect is at once historically confining and religiously specific' (Wilson 1982, *Religion in Sociological Perspective*, p. 89). He wanted to develop a way of comparing minority religious movements outside these culturally and historically bounded ways of doing things.

Wilson, to be clear, was not arguing that the church-sect distinction was wrong but rather that it was unhelpful to understand 'sects' in the modern world where the church itself no longer had the influence it once had. Hence the church-sect distinction, in support of Weber if you will, *was* applicable and helpful in those periods of history where the church *was* indeed a dominant political and cultural force, and this occurred most often when the church and state formed a continuous form of control. Since Wilson was interested in minority religious movements in modern times, in times which he characterised sociologically as secularised, it was no longer appropriate to consider sects as in protest against the 'church'. Rather they were in protest against society; in protest against those features of society which more often than not were characteristics of modernity and consequences of modernisation. So Wilson developed the typology of the responses to the

world less to be able to look cross-culturally at religious movements in different times and places, and more to look deeply at contemporary religious movements in contexts of secularisation and modernisation. Biblical scholars, one could say, felt heartened by the former aspect of Wilson's sociology of sects and failed to hear the reasoning in the latter. For Biblical Studies it was surely convenient for there to be a typology of sects that was not Christian and hence applicable to early Jewish religious movements and the emerging Jesus movement. Wilson appears to provide a mandate and a guide, if not a tool kit, for historical research into contexts that were not Christian and into contexts where the church was not a recognised institutional form or where the church and state did not have an alliance.

The church-sect distinction was not useful to Wilson because the sect was no longer protesting against the church. In a secular society the sect was protesting against the society. The implication of this is that unless the sects of the past were also protesting against the social alongside or instead of the orthodox or church, then Wilson's types were only useful for direct comparative work with religious movements in the contemporary. Clearly Wilson did not see universality in the concept of sect, unlike Weber before him.

To begin with, Wilson worked within the classical model, and his first publications were interventions in the current debate about the 'routinization of sects': that is, the process by which sects, as they accommodated themselves to the wider world, moved into respectability and acceptance; moved that is, in sociological parlance, from being a sect to a denomination, which itself could be a half-way house to becoming a church. In the period when Wilson began researching and publishing, the dominant question in the sociology of sectarianism stemmed from Niebuhr's³⁵ work on the processes of denominationalisation that he postulated characterised the life of newly formed sects. Wilson's first contributions in the sociology of religion therefore were to work out more fully the nature of the dynamic lives of sects and to specify more precisely which types of sects were more or less likely to develop into denominations. Wilson clearly held that such differentiations of sects were necessary since the process did not occur to all sects and it was important to help isolate which ideological, contextual

³⁵ Richard Niebuhr 1959, *The Social Sources of Denominationalism*, New York: Meridian [originally published in 1929].

and organisational aspects of sects hastened or retarded that process. From the outset, therefore, in Wilson's work, the church-sect typology met with charges of inadequacy—indeed, denominationalism, clearly pointed to a further organisational type of religious movement that was neither sect nor church.

This concern with dropping the classical church-sect distinction was developed most fully by Wilson in *Magic and the Millennium*. In this book, Wilson's work would seem to offer a way of doing comparative and historical sociological analysis of sects and sectarianism on account of his commitment, throughout his written work from 1958 onwards, to move sect analysis away from the original church-sects dichotomies of the classical tradition in sociology. The classical tradition from this perspective was time-bound since its models were based largely on ascetic Protestant movements in the 16th, 17th and 18th centuries.

4.1. *The Generic Type of the Sect*

Prior to the development of the typology of responses to the world, Wilson listed in his work since 1959 and thereafter, a set of attributes that constitute the generic type for the sect. These attributes add more detail of course to Wilson's general understanding that a sect is 'a religiously separated group' (1982:89); or again 'separate and distinct religious movements within the compass of other broad religious traditions' (1982:101). The generic features of a (Christian) sect for Wilson include, as we noted already above, the following attributes. A sect operates exclusivity, and believes itself to have a monopoly of truth in religion and all areas of social, political, natural life; it is a lay organisation which denies any special religious virtuosity within the membership; it operates voluntarism admitting potential members through marks of merit; it has expectation of high standards which are monitored and operates expulsion for the wayward; it demands total allegiance, so that sect membership becomes a master status; and, finally, it is a protest group.

It was when minority religious movements that some were calling sects displayed characteristics decidedly different to these generic attributes that Wilson began to consider abandoning this type of sect analysis for a typology of responses to the world. To be consistent with the logic of the type one might say that these movements, therefore, were not to be considered sects, nor as even sub-types of the sect.

As he recalled in 1982, the minority religious movements he was analysing did not appear to exhibit features that many would agree were necessary for the movement to be labelled a sect. Wilson had already noted that religious movements of all types in modernity largely operated on a basis of voluntary membership which meant that the central feature of Weber's definition of a sect had had to be revised. In addition, Wilson now noted that exclusivism—belonging to the sect as the main or only social group permitted for a member—also did not characterise the religious movements under examination. As he wrote, 'the groups of separated religionists in other cultures by no means always maintain an exclusivist position... Thus, as set forth in the ideal type construct, the concept of sect is usable in other cultures only with considerable circumspection' (1982:101–2). In illustration Wilson provides the examples of religious movements in contemporary Hinduism and Islam. He notes that the notions of voluntarism and intentionally planned organisational form are actually quite alien to those religious movements in these traditions that have been called sects. These groups, he writes, 'are more like traditional ethnic groups that have long had an unself-conscious natural sense of community that requires no deliberate organisational underpinning. In consequence, to refer to these groups as 'sects', as if they conformed in their essentials to the model devised for the separated groups within western Christianity, would be to proceed on highly questionable assumptions and to risk a distorted sociological analysis' (1982:103).

In 1982, recalling *Magic and the Millennium* (and earlier works), Wilson stated:

I found it necessary to abandon the rigorous application of sub-types of sect in favour of 'responses' to the world, since this type construct did not carry with it the demand for, for example, neither exclusivity or the particular assumptions about organisation that are built into the concept of sect as such. It was possible to distinguish among a wide variety of movements with respect to their own conception of evil and the way in which evil was to be surmounted, without postulating all the various specific characteristics that are true for Christian sects. My particular concern was to indicate the cultural conditions in which each of these responses (or orientations) was likely to arise, and to discover something about the social and cultural consequences that followed their adoption (1982:103).

The attribute of protest, I think I am right in saying, only appears latterly in his work in the passages where the generic type is described.

Protest, that is to say, is not listed as a defining feature of a sect in the publications of the late 1950s and early 1960s. The attribute of protest, when it is added, links the generic typology with the typology of 7 responses. This attribute is a significant one in Wilson's account since the nature of the protest and the organisations against which sects are in protest is a variable whose content alters depending on the wider societal and religious context. This takes us back to the significance of the church-sect typology that Wilson wanted to abandon. For example, in contexts where there is a dominant orthodoxy, perhaps supported by the State, the sect might well protest against the church on religious grounds. The protest may also involve political and social positions that are alternative to the church but the fact that the institutionalised religion is being withdrawn from indicates the nature of the protest. In contrast, Wilson argues, where there is no national church or there is a good deal of indifference to the church on the part of the mass of the population or of the church itself, it is more likely for the sect to be based on a social protest—a reaction to the society as a whole. Clearly, this latter type of protest occurs in societies that have experienced a good deal of secularisation and disenchantment.

4.2. *The 7 Responses to the World*

The centre piece of Wilson's 1973 study, *Magic and the Millennium*, and the most influential part of the study, is the 7-fold typology of 'responses to the world' which Wilson uses to distinguish minority religious movements from each other for analytical purposes (see Table 1).³⁶ Already in 1959, Wilson had introduced four types of sect, understood in terms of their mission. This was added to in later work.

³⁶ Note that in the common tabulation of Wilson's typology one does not find a listing of the forms of social organisation typically developed by the movements exhibiting the typical responses to the world. This is unfortunate since it gives the impression that Wilson has forgotten the sociological dimensions of the movements he is studying: the focus appears ideological mainly. I would like to return, in a future consideration of Wilson's work, to examine the degree to which forms of social organisation are connected with types of responses in Wilson's analysis, even if he felt that one could not predict a connection. I have included in the table the 'social conditions required' that Wilson elaborated in *Magic and the Millennium* for certain responses to develop, to ensure that Wilson's work is not read as being only about ideological/theological views of the world. There are of course 8 responses to the world: one response that accepts the world as it is and 7 responses that occasions religious movements to seek to adapt to the world in various ways.

Table 1

Type of sect and example	Social conditions required	Theodic response/salvation message re the world
Introversionist e.g. Amish, Mennonites, Bruderhof	Degree of differentiation, privacy in religion and family. 'only possible when the social institutions have reached a certain degree of autonomy from each other, and in circumstances where religious expressions and practices have ceased to constitute a necessary public performance' (1963:374)	God calls us to abandon it
Thaumaturgical e.g. Spiritualism	Primitive, and recurrent	God will grant particular dispensations and work specific miracles
Revolutionary e.g. Millennial	Found in primitive and simple societies, an original response, often repeated, to cultural change and oppression by foreign powers	God will overturn it
Manipulationist e.g. Scientology	monopoly of religious officials broken, social status and mobility changes leading to insecurity in an 'achievement-oriented society'; relatively advanced since universal and sophisticated scientific and/or philosophical techniques often utilised	God calls us to change perception
Conversionist e.g. Witnesses	Development of individualism, the condition, sine qua non, of this type of response. Individuation caused by displacement or by social developments	God will change us
Reformist e.g. Quaker	Derivative (follows others); accommodation to concerns of outside world; involves a secularisation of the sect	God calls us to amend it

Table 1 (*cont.*)

Type of Sect and example	Social conditions required	Theodic response/ salvation message re the world
Utopian e.g.	Can appear 'early' in 'social evolution' if part of revolutionary type- or, a 'stage of social development at which one can see traditional cultural values in the perspective of a certain realist relativism' (1963:380)	God calls us to reconstruct it

(Adapted from Wilson 1963, 1973).

4.3. *Sociological Points of Importance in Wilson's Typological Approach*

There are a number of important methodological and substantive points to emerge from the findings Table 1 summarises. First, we should note that in the table older sects, like the Amish for example, are not excluded from being considered from the perspective of responses to the world. This fact illustrates clearly that whilst a new religious movement is not a sect for Wilson, older movements that Wilson labelled sects in the past could also be incorporated into the responses to the world typology. Second, Wilson's research led him to draw conclusions as to the type of social context and circumstances that would seem to be necessary for, or commonly accompanied the development of certain responses to the world. This point is incredibly important for any comparative work and is of course a fundamentally sociological point. Third, and this point emerges as a consequence of the second: in order to understand any particular religious or political movement of protest, it is necessary to have a significant appreciation of the workings of the society in which the movement is taking place. It is not satisfactory at all, for example, to posit that a society must be undergoing rapid change on the grounds that a religious movement appears to be a typical sect, in the absence of any other corroborating evidence of that change; equally, in situations of social change one cannot let the expectation of sectarian phenomena mislead the researcher to label all religious or political movements as sects. I have attempted in my work to continually keep in mind, and build upon, these last two substantive dimensions of Wilson's work, and they provide one of the backgrounds

for my emphasis on holistic social contextualism. This contextualism involves the assumption that certain phenomena, in order to emerge, often depend on prior social arrangements, and that it is essential to view sectarianism within the context of social group formation.

At this point it might be helpful to cite the manner in which Wilson observes how an Introversionist response to the world—where the religious movement understands itself as called upon to abandon the world and withdraw ‘to the wilderness’—is unlikely to emerge in certain social contexts and what might be indicated about a society where an Introversionist response has been uncovered. An Introversionist response is more likely to be possible, Wilson holds, in social situations where withdrawal is achievable: this is less the case in urban settings, in feudal times or indeed in modern societies. He observes in *Magic and the Millennium* that,

Separation from the world is in some ways a more acute problem in the urban, industrialised world with its high degree of role-interaction, than in the agricultural context; yet it should be noted that Introversionist movements cannot arise in feudal or semi-feudal societies, and in the context of peasant society usually only for those who are themselves not initially peasants, or who, as farmers, have attained some degree of independence of higher social strata (1973:44–5).

...Compulsory education; health and sanitation regulations; increased control of individual activity by the State and by trade unions; extensive taxation; the imposition of military service or of state-approved means of securing exemption from it; the development of mass communications; the extensive division of labour; the development of large scale agencies of employment— all these make effective insulation increasingly difficult to achieve (1973:45).

For those at Qumran withdrawal from society would have been easier than in contemporary or feudal society since the individual was not enmeshed in a far-reaching bureaucratic administrative system (though we surely must not underestimate the role of kinship relations in maintaining social order). At the same time, the withdrawal from society would appear to indicate some failure at the level of the local community, since the local community had fewer ties with the individual to satisfy their needs and effectively hold them back.

Whilst this example has an obvious resonance for Qumran studies, to advocate Wilson’s approach to the study of minority religious movements outside Christianity or the West is actually to promote an analysis that is not always based on a typology of sects as such. For

a movement to be a sect for Wilson it must both evidence some of the attributes of the generic type and have a recognisable response to the world. Movements that have a response to the world but largely lack features of the generic type are not sects as such, and the feature they have in common with sects is the notion of (social) protest. At times Wilson's language can mislead us into thinking that the religious movements that do not evidence features found in sects within the Christian tradition can still be seen as sectarian, but close analysis of his work will show that he favours calling these movements 'new religious movements'.

Whilst the responses to the world were certainly created by Wilson to capture minority religious movements in the West and analyse them with a typology that did not share the theological and cultural biases that Wilson felt coloured the classical church-sect typology, they were applied originally to religious movements within Christianity and hence these movements were sects both with respect to the generic type of sects (that, as we have seen, Wilson shares with classical sociology), and in terms of the responses to the world. Or rather, since these movements were sects according to the generic type their responses to the world could also be said to be sectarian. As Wilson acknowledges: the problem of the use of the term sect became borne in upon him once he embarked seriously on comparative work, looking at minority religious movements in the so-called Third World.

When Wilson's analysis was expanded to include religious movements in the Third World, to non-Western and non-Christian movements, the cases were such that whilst responses were shared with Western sects, the generic features that define a sect in the West and constitute the classic cases, were not shared between the new religious movements and Western sects. It is for these reasons that Wilson does not call the new religious movements 'sects'. When he does talk of them in terms of sects he does so only out of convenience or in accordance with popular parlance.

4.4. Conclusion to Wilson's Sociology of Sects

Wilson's work provides a way of carrying out non-specific comparative research into minority religious movements (where the specificity of the sect as a particular type of social organisation is dropped), largely in modernity, but in doing so loses the dominant concern with providing causal accounts of modernity providing instead a range of

causal explanations of a variety of movements as to how they emerge and change over time, with most attention paid to their 'response to the world'. Responses to the world may place too much emphasis on the ideological rather than on the social arrangements that follow from and support the response to the evil in the world (as sociology might demand). However, Wilson's work does firmly underscore for us the changing cultural and social circumstances of the emergence of sects and the need to consider differences between ancient, pre-modern and modern sects. It is left to those working in the Wilsonian tradition to develop a ideal type of a minority religious movement in ancient times or at least for Qumran scholars, in Second Temple times. This type is to be contrasted with the classic type of Christian sect (the generic type in Wilson) and with the new religious movements' responses to the world. This is to say, Wilson provides us with the descriptions, should we choose to adopt them, of the types of protest that characterise new religious movements and classical sects, with which we can compare the ancient types, and in order for the comparison to proceed it will be sensible to utilise Wilson's ways of thinking about minority religious movements (generic type and responses to the world). What he does not provide and only is suggestive therefore, is what the type of ancient minority religious movement will look like.

A central problem emerging from Wilson's work is that, since the seven-fold responses to the world are meant to describe movements in secular and colonial/post-colonial modernity, it would appear to be unsuited to the analysis of sects in non-modern contexts. Indeed, Wilson's own work on the responses did not fail to note those responses that would be unlikely to develop in certain settings because of the lack of prior social structural and ideational relationships that appear to accompany certain responses. However, rather than these findings undermining a comparative approach, they rather are further evidence that a sociological approach to comparative work builds into its methodology the knowledge that sects from different periods are not expected to be alike. It is unsound to think that ideal types of sect will 'fit' all instances: rather, we expect a disconnection and it is in explaining the disconnections that the sociological work really gets underway.

On the other hand, if the new religious movements are so very different from the classical form of sect to render the use of the sect concept inappropriate and even misleading there is a sense in which the sect and the new religious movement cannot be compared: rather

what is compared are the social circumstances that lead to the rise of sects and the social circumstances that lead to the rise of new religious movements. In this case we have an instance of the creation of subtypes, with sect and new religious movement actually being subtypes of the wider phenomena of minority religious movement. If we wish to continue the Wilsonian approach, it remains for us to develop the subtype of minority religious movement that is manifest in ancient societies. In this context, sectarian movements in Second Temple Judaism provide one of the richest sources of data to begin that task.

5. *Towards a Conclusion and Way Forward: Sects as Types of Social Groups*

Sociology then is a comparative enterprise, rooted in the analysis of the origins, nature, and futures of modernity that sees the social as an independent variable with explanatory potential. Its analysis of social worlds, past and present, is predicated on the formation of concepts, tuned for their precision so as to enable a view of the variety of social phenomena that exist and have existed and to observe the patterns and continuities and discontinuities between social phenomena across time. Social phenomena are to be understood in their relation to other social phenomena and in particular in relation to a holistic social context that brings to light causal associations and represents the factors which place limits on what social arrangements are generally possible within particular configurations at particular times. The analysis of sectarian tendencies and sectarian movements is to be undertaken in the context of an analysis of the societal context in which they emerge and exist. The analysis of the sect is not to be undertaken in ignorance of other social groupings from which it both emerges and from which it distances itself in varying degrees depending on a range of circumstances. The central interest, alongside seeking to provide as full a sociological account of any specific social group formation or sectarian movement, is to understand the social variables that influence processes of exclusivity and social closure in social groups and the social, economic, political and cultural factors that promote social closure operating with religious criteria of belief and practice (rather than, or in addition to, criteria of ethnicity, class and status, gender and sexuality). A way of formulating this interest is with a question like: Under what circumstances do social groups seek to emphasise distinctions between themselves and others by drawing on real and imagined

differences in an effort to include some and exclude others? Or, and more to the point: Under what circumstances do social groups seeking exclusivity make use of religious means of discrimination to achieve their purposes? Built into this formulation is the sociological working assumption that such social group formation varies across different social contexts and historical periods, and, that, where such processes take place in modernity they will be qualitatively and quantitatively different from similar processes taking place in non-modern and pre-modern times.

Social closure can be self-imposed or imposed upon a social group, rendering the social group a deviant social group/ sect from the perspective of the group creating and applying the label. It is important to distinguish centripetal processes from centrifugal processes and yet the same dominant question remains: under what circumstances do social groups engage in processes of exclusivity, operating social closure on the basis of religious criteria of belief and practice?

It is also important to distinguish between comparative analysis of the formation and development of sectarian forms of social group on the one hand, and, on the comparative analysis of the nature of social life within the social group over the course of its history, on the other.

What applies to the external social conditions of group formation and the expression of sectarian tendencies also applies to the sociological analysis of the internal life of the social group and of the sect. Sociology is interested in the everyday achievement of social order within the social group, the impact on social group life of the mechanisms of recruitment and admission, the impact on the membership of certain forms of discipline, the nature of group dynamics, the relation between the way of life of the sect and the textual representations of that life, the changing social relationships that develop during the life of the sect, and, indeed, the degrees of sectarianism- inner group hierarchy and competition, the formation of cliques, leadership disputes- that obtain in social groups including sects. The nature of social life within the social group and sect of course also includes responses to external events and changes, as well as responses to the internal logic of group relations and circumstances as they make themselves felt and play themselves out.

In the light of these concerns, it can be readily appreciated how Weber's interest in processes of self assertion that accompany forms of admission and forms of discipline within voluntary associations is

directly relevant to the sociological analysis of group life, and provides one point of departure. It should also be appreciated that Bryan Wilson's detailed analysis of minority religious movements (sects and new religious movements) throughout his career provide valuable ethnographic description of a host of dynamic religious movements.³⁷ However, it is now time to turn to literature of the sociology of social groups to enable further advances.

The study of the internal life of social groups and sects needs to be carried out comparatively and with the same degree of precision in concept formation, and the same sensitivity to social context and historical periods that needs to characterise examination of external social conditions. The inter-relation between external and internal features of the social life of the social group and sect will also need to be addressed.

From the perspective of the sociology of social groups, the sect can be seen as emerging from prior social arrangements as well as creating new arrangements in the process of its formation and stabilisation. Sectarian behaviour and sectarian organisation will be seen as a way of life and organising that brings out the 'sectarian' tendency that obtains in any and all social groupings, especially those concerned with social status and the securing of identity: hence any social grouping has a 'sectarian tendency' (a tendency to exclusion) and these tendencies can harden and soften over time in response to internal and external events; in some groups these tendencies will be only slightly developed. Hence we are always dealing with 'degrees of sectarianism', both within sects and within social groups that are not formally sects: e.g. exclusion can operate through principles other than religious values. For example, social closure can be articulated around racial or economic criteria. Often this will be a matter of degree: all criteria might be utilised by the membership but some will be made use of more readily than others depending on social and cultural context.

Sectarian formation, in this light, is not simply a process of cutting off from previous forms of association, since it can involve the

³⁷ See especially Bryan Wilson 1961, *Sects and Society: A Sociological Study of Three Religious Groups in Britain*, London: William Heinemann; Wilson 1966, *Religion in Secular Society*, Harmondsworth: Penguin; Wilson (ed.) 1967, *Patterns of Sectarianism*, London: Heinemann (chapters 4, 8 and 9 are by Wilson himself); Wilson 1990, *The Social Dimensions of Sectarianism: Sects and New Religious Movements in Contemporary Society*, Oxford: Clarendon.

perpetuation and deepening of relations that have been forming over a period of time. Further, a sect can borrow and innovate as well as resist the patterns of social group organisation in its milieu. At times the sect needs to develop some structural features generally shared among many social groups and organisations in order to survive in the milieu even while it seeks to distance itself in varying degrees from the social and cultural environment. Non-sectarian social groups may also borrow from the organisational innovations made by the former.

We should not always be thinking of sects as the result of some 'charismatic big bang' that suddenly occurs in a context of social upheaval; they can also be the result of more long-term forms of association whose internal logic, as well as external situation, may encourage the sectarian tendencies in the movement to become firmer and more extreme. This way of thinking would not rule out the possibility of critical incidents that tip the social group over into a sectarian association, but even here the possibility of a rapid crystallisation presupposes a range of social relations that can be called upon to act in support. Also, we must guard against thinking of sects solely (for sure, there are some examples!) as religious social groups withdrawn physically from the wider society or, as it were, existing in a single setting or building as if, once someone becomes a member of a sect, they are forever thereafter sitting in a religious meeting: indeed, it is the degree to which a sect member can continue with their everyday life or not that characterises the differences between various sects (the degrees of sectarian behaviour they exhibit) in different social and historical contexts.

Approaching sectarianism from within the perspective of sociology of groups, serves: 1. to satisfy the need for a more holistic contextual analysis; 2. to address conceptual problems within comparative historical research by developing ideal types of sects as sub-types of wider social group phenomena and thereby provides a way to control comparative research; 3. to build on the contributions of Weber and Wilson; 4. to achieve a degree of coherence with the dominant preoccupation of sociology with the nature of modernity through undertaking a comparative analysis of critical instances of social group phenomena across many societies and historical periods, guided by precise analytical questions.

A comparative sociology of sects actually involves a comparative approach to the study of society: the possibility of one hangs on the possibility of the other. It is not possible to make advances in

understanding 'sectarian phenomena' in Second Temple Judaism (or indeed in any other historical setting) without understanding more generally the nature of group life in the environment. Concern with the sociology of second Temple Judaism in general should be the starting point for the analysis of social groups and of sects in that period; it is as if research to date has proceeded in the opposite direction- beginning with a sociology of sects, and then finding that the sociological supply lines of further concepts and data have yet to catch up. Advances in the understanding of social groups and sects must now be predicated on advances in using sociology to understand the wider social picture in each historical social setting we wish to consider. Moving to consider the society as a whole rather than just one element of it (sects), however, does not mean that the nature of the sociological enterprise, and its dominating concern with the nature of modernity, can be ignored. On the contrary, to achieve a fuller description of ancient Jewish societies requires the same methodological rigour necessary to the study of the sect to be applied to each and every concept relevant to the task (for example, concepts of deviance, power, ethnicity, state, family, memory, risk, trauma and so on). The next step forward, from the perspective of this essay, is to gain deeper knowledge of social group formation and life, and the processes through which sectarian tendencies emerge and through their advance occasion accompanying social arrangements, organisation and relations. Finally, we need to develop sociological conceptualisation and theories, rooted in comparative history, that explore the manner in which the texts produced by the social group serve to encode and textualise those processes: we must ask to what extent were the social groups, 'story-telling' groups.³⁸ In answer to the question posed in the title to this essay: yes, a historical comparative sociology of sects is possible.

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³⁸ I am thinking here of the study by David M. Boje 2008, *Storytelling Organizations*. London. Sage.

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WEBER-FOUCAULT-NIETZSCHE: UNCERTAIN LEGACIES FOR THE SOCIOLOGY OF RELIGION*

Paul-François Tremlett

Prelude

The conference for which this paper was composed—"Sects and Sectarianism in Jewish History"—presupposed the desirability of a dialogue between sociologists of religion and historians of Judaism. However, the terms sect and sectarianism derive from a corpus of sociological writings on religion. The question is, can such terms be lifted out of that context of sociological writing and be re-employed by historians seeking to understand aspects of Jewish history? At one level, objections to a productive call to inter-disciplinary reflection and dialogue might appear parochial, a clinging to boundaries and borders that obstructs the labours of critical thinking. Indeed, sociologists and historians alike have remarked that sociology and historiography have much in common, and would do well to make use of opportunities for collaboration. As C. Wright Mills remarked, "every well-considered social study requires a historical scope"¹ while E.H. Carr claimed that "the more sociological history becomes, and the more historical sociology becomes, the better for both".² Yet, while I do not wish to argue against sociologists and historians learning from each other's practices, assumptions and research, there are evident perils in appropriating terms from one arena of usage and re-deploying them in another, and as such the purpose of this short essay is to try to explore the context of meanings associated with the terms sect and sectarianism. I do not claim an exhaustive study. Nor, moreover, do I wish to be accused of performing a contradiction: the title of this essay clearly indicates the

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¹ C. Wright Mills, *The Sociological Imagination*, Harmondsworth: Penguin, 1970, pp. 161–162.

² E.H. Carr, 'History, Science, and Morality', in Carr, *What is History?*, Harmondsworth: Penguin, 1990, p. 66.

kind of spirit of inter-disciplinary reflection that the organisers of and participants in the conference are interested in developing. However, I wish to sound a note of caution: the terms sect and sectarianism, as developed by Max Weber, come with the baggage of certain values that in this essay I argue fall under the purview of the critique of disenchanted modernity. This baggage and these values demand careful and critical navigation by sociologists and historians alike.

Introduction

The writings of Max Weber have been extremely influential on the sociology of religion. In particular, his work on Protestant sects and the “elective affinity”³ drawn by Weber between them, body discipline, rationalization and the disenchantment of the world constitutes a broad theoretical framework through which sociologists of religion have approached the question of both historical and contemporary religions and religiosities. In this paper I perform a strategic juxtaposition of the writings of Weber, Michel Foucault and Friedrich Nietzsche. Such a juxtapositioning is not entirely arbitrary: on the one hand, there is a significant overlap in the writings of Weber and Foucault with regards to articulations of modernity and rationality with new forms of domination and body discipline. On the other, there is the significance of the intellectual debt both Weber and Foucault acknowledge in their respective writings to Nietzsche.⁴ In the first part of this essay I want to suggest that contemporary sociologists of religion are heirs to a critique of disenchanted modernity that we find forcefully elaborated in the writings of Weber, Foucault and Nietzsche. I argue that the critique of disenchanted modernity has bequeathed a deformed and distorted

³ M. Weber, *Economy and Society: An Outline of Interpretive Sociology*, eds. G. Roth & C. Wittich, 2 vols., Berkeley & London: University of California Press, 1978, Vol. 1, p. 341.

⁴ “The honesty of a present-day scholar, and above all, a present day philosopher, can be measured by his attitude to Nietzsche and Marx. Whoever does not admit that considerable parts of his own work could not have been carried out in the absence of the work of these two, only fools himself and others. The world in which we spiritually and intellectually live today is a world substantially shaped by Marx and Nietzsche” (A. Callinicos, *Social Theory: A Historical Introduction*, Cambridge: Polity, 1999, p. 147). See also B.S. Turner, *Religion and Social Theory*, London: Sage, 1991, pp. 187–191 & pp. 210–211, and M. Foucault, ‘Nietzsche, Genealogy, History’, in *The Foucault Reader: An Introduction to Foucault’s Thought*, ed. P. Rabinow, Harmondsworth: Penguin, 1991.

conception of reason on the one hand and of religion on the other, specifically of reason as mono-logical, instrumental and as a form of domination and of religion as some kind of irrational and overwhelming experience that can become the point of departure for the re-enchantment of the world. In the second part of this essay I argue that despite the fact that contemporary sociologists of religion write from within the parameters set by this critique they typically misunderstand its consequences—they employ value-saturated terms such as sect but treat them as if they were natural facts, a point that can most effectively be brought to the fore via an analysis of sociological method.

Disenchantment: A Discourse of Modernity

In volume one of *Economy and Society* Weber constructs four ideal types of social action particular to those societies that have undergone the transition to modernity.⁵ According to Weber, it is rational action or instrumental rationality that has come to increasingly pervade the cultures and societies of the West in the political-bureaucratic and economic spheres, but also surging beyond these areas and into the realm of everyday life. In *The Protestant Ethic and the Spirit of Capitalism*, Weber's interests in religion and social action converge: as such, Weber sets out to investigate the relationship between a specific religious ethic—that of ascetic Protestantism—and the spirit, ethos or mentality of capitalism.⁶ The central question addresses the cultural and historical peculiarity of rational capitalism, and he argues that ascetic Protestantism generated a new attitude towards labour that was fundamental to the emergence of this new form of capitalism. Importantly, the process of rationalization emerges from within Christianity: impersonal rules and procedures steadily supplant magical and mystical notions. Moreover, the body becomes an increasingly important site of rationalization. In a vision that would later be taken up by the writers of the Frankfurt School, Weber suggests that history is nothing other than the increasing subordination of the body-disciplined individual to rational-legal norms of authority through which social relations are increasingly

⁵ Weber, *Economy and Society*, Vol. 1, pp. 24–25.

⁶ M. Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. T. Parsons, London & New York: Routledge, 2002.

instrumentalized and subject to the idea of the rational maximization of personal interest.⁷ It is these processes of rationalization and instrumentalization that are central to the idea of dis-enchantment: disenchantment indicates, according to Weber, “that there are no mysterious incalculable forces that come into play...rather...one can, in principle, master all things by calculation”.⁸ Critically, the sects are symptomatic of this process because, according to Weber, “only the methodical way of life of the ascetic sects could legitimate and put a halo around the economic ‘individualist’ impulses of the modern capitalist ethos”.⁹ Moreover, this points to the retreat of “ultimate and most sublime values”¹⁰—in Nietzsche’s terms, to the death of God not simply as a radical de-centring of the world but also, according to Tanner, to “the...accelerating decline of Western man into a state where no values any longer impress him, or where he mouths them but they mean nothing to him any longer”.¹¹ The sense of hope and promise for the future that lies at the heart of alternative narrations of modernity is placed in doubt. Indeed, at the close of *The Protestant Ethic* Weber articulates a profoundly pessimistic vision of the future:

The Puritan wanted to work in a calling; we are forced to do so. For when asceticism was carried out of the monastic cells into everyday life, and began to dominate worldly morality, it did its part in building the tremendous cosmos of the modern economic order. This order is now bound to the technical and economic conditions of machine production which today determine the lives of all the individuals who are born into this mechanism, not only those directly concerned with economic

⁷ Marcuse outlines the articulation of a certain kind of modernity with a repressive political-economic apparatus and an ethic of body discipline: “Does the interrelation between freedom and repression, productivity and destruction, domination and progress, really constitute the principle of civilization? Or does this interrelation result only from a specific historical organization of human existence? In Freudian terms, is the conflict between the pleasure principle and reality principle irreconcilable to such a degree that it necessitates the repressive transformation of man’s instinctual structure? Or does it allow the concept of a non-repressive civilization, based on a fundamentally different experience of being, a fundamentally different relation between man and nature, and fundamentally different existential relations?” (H. Marcuse, *Eros and Civilisation: A Philosophical Inquiry into Freud*, London: Sphere, 1969, p. 24).

⁸ M. Weber, ‘Science as a Vocation’, in *From Max Weber: Essays in Sociology*, eds. H.H. Gerth & C. Wright Mills, London and New York: Routledge, 1991, p. 139.

⁹ Weber, ‘The Protestant Sects and the Spirit of Capitalism’, in *From Max Weber*, eds. Gerth & Wright Mills, p. 322.

¹⁰ Weber, ‘Science as a Vocation’, p. 155.

¹¹ M. Tanner, ‘Nietzsche’, in Tanner et al., *German Philosophers*, Oxford & New York: Oxford University Press, 1997, p. 379.

acquisition, with irresistible force. Perhaps it will so determine them until the last ton of fossilized coal is burnt. In Baxter's view the care for external goods should only lie on the shoulders of the 'saint like a light cloak, which can be thrown aside at any moment'. But fate decreed that the cloak should become an iron cage.¹²

This bleak vision of a disenchanted world is mitigated only by Weber's claim that irruptions of charisma—specifically the potency of religio-charismatic power—can disrupt the dominations of instrumental reason:

Charisma in its most potent forms disrupts rational rule as well as tradition altogether and overturns all notions of sanctity. Instead of reverence for customs that are ancient and hence sacred, it enforces the inner subjection to the unprecedented and absolutely unique and therefore Divine. In this purely empirical and value-free sense charisma is indeed the specifically creative revolutionary force in history.¹³

The narrative of modernity mapped out by Weber is a narrative which envisions the increasing subordination of social life to the calculations of instrumental reason and which poses the free and unfettered experience of charisma as the only potential source of liberation. This narrow view of reason on the one hand and of radical experience on the other, is also constitutive of much of Foucault's writings to which I now turn.

Foucault is widely credited, through his writings on institutions such as the asylum and the prison, to have offered a narrative of modernity whereby the humanism that lies behind shifts in the treatment of those designated mad or those deemed to be deviant or criminal, is unmasked as bio-power. According to Foucault, the emergence of capitalism and the nation-state as new models of social, economic and political organisation required new techniques for—on the one hand—the harnessing of population as a resource and—on the other—the surveillance and control of this resource to ensure its effective and profitable utilisation. Foucault's notion of bio-power, then, marks the moment at which population or the social body becomes an object of political intervention and regulation, specifically as an object of discourses and institutional practices concerned variously with health, fertility, punishment and labour among others. In other words, what

¹² Weber, *The Protestant Ethic and the Spirit of Capitalism*, p. 123.

¹³ Weber, *Economy and Society*, Vol. 2, p. 1117.

Foucault terms bio-power registers the emergence of a series of strategies for the increasingly complex ordering of the social under the guise of the welfare of the population as a whole.

However, Foucault's narrative is not simply about bio-power as a form of "modern domination"¹⁴ as his work on madness makes clear. Madness, says Foucault, is "a stranger to the sovereign enterprise of reason" that eludes all attempts at mastery by reason which "cannot and will never be able to hear the voices of unreason".¹⁵ This is reiterated in Foucault's "Preface" to the 1961 edition in which he claims to have written "a history not of psychiatry, but of madness itself, in all its vivacity, before it is captured by knowledge"¹⁶ with madness described as a "wild state" and as a "primitive purity".¹⁷ If Foucault here poses the possibility of a pure madness that might be encountered as it is and without mediation, he also invokes the names of Hölderlin, Nietzsche, Nerval and Artaud as "incendiary" expressions of "the life of unreason".¹⁸

These statements suggest an other to reason—an other cast as a special experience—which cuts against the grain of Foucault's claim in an interview in 1976 that the *History of Madness* was about "power and knowledge".¹⁹ Commentators have been critical of the romanticism of the *History of Madness* as some kind of aberration on Foucault's part.²⁰ Yet, Foucault maintained a constant interest in experience and in writers, poets and artists such as Nietzsche, Blanchot and Bataille, and in an interview with Duccio Trombadori in 1978 Foucault spoke of his books as "experience books"²¹ and of the process of research

¹⁴ H.L. Dreyfus and P. Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*, Chicago: University of Chicago Press, 1983, p. 10.

¹⁵ M. Foucault, *History of Madness*, trans. J. Murphy & J. Khalfa., London & New York: Routledge, 2006, p. 511.

¹⁶ *Ibid.*, p. xxxii.

¹⁷ *Ibid.*, p. xxxiii.

¹⁸ *Ibid.*

¹⁹ M. Foucault, 'Truth and Power', in *Power*, ed. J.D. Faubion, Harmondsworth: Penguin, 1994, p. 111.

²⁰ Dreyfus and Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*, pp. 11–12; I. Hacking, 'The Archaeology of Foucault', in *Foucault: A Critical Reader*, ed. D.C. Hoy, Oxford: Blackwell, 1986, p. 29; J. Derrida, 'Cogito and the History of Madness', in *Writing and Difference*, trans. A. Bass, London & New York: Routledge, 2002, p. 41.

²¹ M. Foucault, *Remarks on Marx: Conversations with Duccio Trombadori*, trans. R.J. Goldstein & J. Cascaito, New York: Semiotext(c), 1991, p. 42.

and writing as a “limit experience”²² that tears the author from him or herself in a manner that is essentially transformative.

Foucault’s work on madness registers his fascination for what Habermas terms “boundary-transgressing experiences”.²³ According to Habermas, it is in the confines of the total institution—and the disenchanted world—that “Foucault perceives the monuments to victory of a regulatory reason that no longer subjugates only madness, but also the needs and desires of the individual organism as well as the social body of an entire population”.²⁴ For Foucault, it is only through allegedly powerful and vital experiences that total(itarian) institutions and their disciplinary regimes can be overcome, in much the same way that for Weber only the power and seductiveness of the charismatic prophet or leader might disrupt the authority and legitimacy of a rational-legal apparatus. But in both cases, they turn experience into a fetish which they pose as the only source of liberation from a reason cast in such narrow terms, that the gains of the Enlightenment seem deliberately to have been forgotten.

Weber and Foucault inherit from the writings of Nietzsche the view that reason is really a kind of power and that the only way to overcome the dominations of reason is through a powerful and transgressive experience. In fact, Nietzsche’s work constitutes a profound and powerful questioning of values for which disenchantment—the death of God—is a fundamental premise. Indeed, in his first work, *The Birth of Tragedy*, Nietzsche informs his reader, in a preface dedicated to Wagner, that the work addresses a “German problem”, a “vortex and a turning point at the very centre of German hopes” going on to claim that “art is the supreme task and the truly metaphysical activity of this life”.²⁵ The first line of the text proper asserts that “we shall have gained much for the science of aesthetics when we have succeeded in perceiving directly, and not only through logical reasoning, that art derives from the duality of the *Apolline* and *Dionysiac*”.²⁶ For Nietzsche, Apollo represents form and is associated primarily with sculpture while Dionysus points to excess and loss of identity and is associated

²² Ibid., p. 31.

²³ J. Habermas, *The Philosophical Discourse of Modernity*, trans. F. Lawrence, Cambridge: Polity, 1990, p. 240.

²⁴ Habermas, *The Philosophical Discourse of Modernity*, p. 245.

²⁵ F. Nietzsche, *The Birth of Tragedy out of the Spirit of Music*, trans. S. Whiteside, ed. M. Tanner, Harmondsworth: Penguin, 1993, p. 13.

²⁶ Nietzsche, *The Birth of Tragedy*, p. 14.

with music.²⁷ Nietzsche's interrogation of early Greek Tragedy and his belief—articulated in the last ten sections of the book—that Wagner's work constitutes a re-birth of the tragic form, is a register of Nietzsche's intention to use the past as a means of mounting an inquiry into the then condition of German culture.

According to Nietzsche, the performance of tragedy put the Greek audience into a state of intoxication, a state which, through the work of Wagner, had become available again. Thus, Tanner suggests that Nietzsche is "intent on the regeneration of the spirit of community thanks to its members being united in a common ecstasy".²⁸ Theories of modernity typically pose the decline of religion as a loss of social bonds and as a breakdown of shared values while scientific rationality is thought to offer no substantive values upon which to re-construct society—the face-to-face authenticity or presence of *gemeinschaft* is torn asunder in the impersonal contractualism of *gesellschaft*. As such, Nietzsche offers art and aesthetic experience as a means to cure the ills of modernity and to fill the void brought forth by the disenchantment of society.

Nietzsche appeals, then, not to reason but, according to Habermas, to experience "liberated from all constraints of cognition and purposive activity, all imperatives of utility and morality".²⁹ Nietzsche's diagnosis of modernity as "mythless existence" and as "the loss of the mythical home"³⁰ is suggestively counter-pointed by the proposal of a cure or a solution in art and music so that "the gulfs separating man and man" will "make way for an overwhelming sense of unity that goes back to the very heart of nature".³¹ Beauty, intuition and experience are as such privileged as the means to access "the archaic sources of social integration"³² and, for Nietzsche as for the other romantics, a Dionysian messianism signifying excess, frenzy and madness points to the renewal of primal meanings, forgotten or lost in the seductions of reason. Only "when the categories of intelligent doing and thinking are upset, the norms of daily life have broken down, the illusions of habitual normality have collapsed—only then does the world

²⁷ D. Smith, 'Introduction', in F. Nietzsche, *On the Genealogy of Morals*, trans. D. Smith, Oxford & New York: Oxford University Press, 1996, p. viii.

²⁸ Tanner, 'Nietzsche', p. 358.

²⁹ Habermas, *The Philosophical Discourse of Modernity*, p. 94.

³⁰ Nietzsche, *The Birth of Tragedy*, p. 116.

³¹ Ibid., p. 39.

³² Habermas, *The Philosophical Discourse of Modernity*, p. 91.

of the unforeseen and the absolutely astonishing open up".³³ Art and music—like some powerful mystical or religious experience—abolish mediation and restore an authentic unity to social relationships.

If we now turn to the sociology of religion it is clear that debates about contemporary religions and religiosities has been framed in terms of, on the hand, disenchantment and rationalization as societal secularization and, on the other, a critique of the secularization thesis that emphasises new, experiential religiosities that pose the possibility for the re-enchantment of, in particular, the West. My contention is that contemporary sociologists of religion are heirs and inheritors not merely to terms, ideas and concepts developed by Max Weber, but also thereby to a narrative or discourse on disenchanted modernity that has been elaborated with equal persuasiveness and influence by Foucault and Nietzsche. Yet, this legacy is hardly acknowledged and when it is, its consequences appear not have been fully understood.

For example, Ernst Troeltsch's *The Social Teaching of the Christian Churches* (1992) is notable firstly because Troeltsch appropriates Weber's sociology of religion and the terms sects and sectarianism "to think through and formulate the world of Christian thought and life in frank relation to the modern world".³⁴ According to Troeltsch, the question of Christianity's significance must now also include

the problem of the capitalist economic period and of the industrial proletariat created by it; and of the growth of militaristic and bureaucratic giant states; of the enormous increase in population, which affects colonial and world policy, of the mechanical technique, which produces masses of material and links up and mobilizes the whole world for purposes of trade but which also treats men and labour like machines.³⁵

This situation is, says Troeltsch, entirely new to the world stage. Its peculiarity thus demands a radical re-thinking of the Christian tradition. Troeltsch claims that prior to the modern epoch, Christian institutions oscillated between church and sect forms of organization, the former essentially conservative and accommodating of the mundane world, the latter fundamentally antagonistic and exclusive. However, with the advent of modernity, church and sect were replaced by more private and indeed mystical forms of commitment which, according to

³³ Ibid., p. 93.

³⁴ E. Troeltsch, *The Social Teaching of the Christian Churches*, trans. Olive Wyon, 2 vols., Louisville, KY: Westminster/John Knox Press, 1992, Vol. 1, p. xix.

³⁵ Ibid., Vol. 2, p. 1010.

Troeltsch, related to the emergence of “the atomistic individualism of modern civilization”.³⁶

Troeltsch was, according to Capps, motivated by “apologetic interests”, and his work on the church: sect question was part of a wider project to ensure that “normative Christianity” would remain “effectively related to the interests of the modern world”.³⁷ That Troeltsch should pose the revitalization of Christianity firstly in terms of processes of bureaucratization and mechanization and secondly in terms of the experiences of the isolated individual, marks the extent to which his analysis is pre-structured by the discourse of disenchanted modernity.

Opposed to the secularization thesis there is a corpus of scholarship that argues for a shift from religion to spirituality, a shift that is taken to represent a socially significant vehicle for re-enchantment. Christopher Partridge’s two-volume *The Re-Enchantment of the West* (2004) and Paul Heelas’ more recent *Spiritualities of Life* (2008) are representative of the claim that we—and I use the word advisedly—in the West are in the midst of a cultured reaction against the “secularizing forces of rationalization, bureaucratization and technological domination”.³⁸ For Partridge, this relates to the emergence of a “new subculture of dissent and opposition” and a return “to a form of magical culture” that Partridge terms “occulture”.³⁹ According to Partridge, occulture is not so much a worldview as a reservoir of practices, symbols and beliefs that privilege the archaic and the primitive and the notion of unmediated experience and its allegedly transformative power.

Like Partridge, Heelas foregrounds the social significance of what he calls alternatively “experiential spirituality”⁴⁰ and “inner-life spirituality”.⁴¹ This spirituality lies on a “romantic trajectory” that opposes the instrumentalism of bureaucratic and capitalist modernity and allegedly offers a counter-balance to processes that seems to threaten to suffocate the so-called creative Self. Life in the so-called West is, according to Heelas, “ever more regulated by legal, quasi-legal or economically

³⁶ Ibid., Vol. 2, pp. 798–799.

³⁷ W. H. Capps, *Religious Studies: The Making of a Discipline*, Minneapolis: Fortress Press, 1995, p. 169.

³⁸ C. Partridge, *The Re-Enchantment of the West*, 2 vols., London & New York: Continuum, 2004, Vol. 1, p. 43.

³⁹ Ibid., p. 40.

⁴⁰ P. Heelas, *Spiritualities of Life: New Age Romanticism and Consumptive Capitalism*, Oxford: Blackwell, 2008, p. 5.

⁴¹ Ibid., p. 219.

justified procedures, rules, [and] systems".⁴² The temper of the critique is familiar: it is not only Weberian and Foucauldian but is equally reminiscent of Nietzsche: all agree that the iron cage of disenchanted modernity and instrumental reason extinguishes meaning and moreover offers no substantive basis for authentic sociality.⁴³ The critique of a deforming reason presented by Partridge and Heelas is however itself deformed: reason is the source of its own critique and sociology is thereby turned in against itself, yet without any actual critique of sociology's operative concepts or methods. Indeed, although Heelas admits to a somewhat partisan approach to so-called New Age spiritualities, he nevertheless says that he is "committed to basing...interpretations and judgements...on publicly accessible evidence"⁴⁴ and, moreover, to "ethnographic accuracy".⁴⁵ Heelas appeals to the transparency of facts to speak for themselves and to rational, scholarly discourse that is the product of the very reason he claims is a source of domination, violence and nihilism. But reason cannot be called upon to be the guarantee of the veracity of his account of contemporary religiosities and spiritualities if, at the same time, it is to be set up as the source of an epoch without values or meaning. Moreover, religion is recast as subjective, spiritual experience, but it is unclear—if Heelas and Partridge's diagnosis of the ills of disenchanted modernity are correct—how such an experience can provide a substantive basis for re-enchantment, a point already persuasively made by Habermas in his respective critiques of Nietzsche and Foucault.

Methodology

The narrative or discourse of disenchanted modernity typically incorporates a critique of methods in the human sciences, reserving its harshest

⁴² Ibid., p. 2.

⁴³ For a very useful critique of Heelas' earlier work—in particular P. Heelas & L. Woodhead, *The Spiritual Revolution: Why Religion is Giving Way to Spirituality*, Oxford: Blackwell, 2005—see S.J. Sutcliffe, 'Re-Thinking "New Age" as a Popular Religious *Habitus*: A Review of Paul Heelas and Linda Woodhead's *The Spiritual Revolution*', *Method and Theory in the Study of Religion*, 18:3, 2006. Sutcliffe focuses on Heelas and Woodhead's blindness to questions of class and ethnicity, and one wonders on what basis an effective critique of disenchanted modernity can proceed without due attention to such critical issues.

⁴⁴ Heelas, *Spiritualities of Life*, p. 10.

⁴⁵ Ibid., p. 12.

words for positivism. Indeed, a feature of the writings of Weber, Foucault and Nietzsche is their repudiation of positivism with its behaviourist focus on phenomena that are, allegedly, given to experience or to direct observation. For example, Weber conceived of sociology as a science of social action arguing that society could not meaningfully be understood as a structure, and was more usefully conceived as a web of shifting interactions and relations between individuals. The unit of sociological analysis, for Weber therefore, was the individual, and his sociology sought the reconstruction of the mental states and intentions of historical and social actors and was as such indebted to Dilthey's conception of the social sciences as the "total awareness of a mental state and its reconstruction based on empathy".⁴⁶ To emphasise, then, Weber's sociology was conceived in the tradition of German idealism whose spirit is very much antithetical to Durkheimian positivism.⁴⁷

Weber's pronouncements on method are anti-positivist in tenor and anticipate contemporary debates about post-modern relativism.⁴⁸ For instance, one consequence of a disenchanted world says Weber, is value-pluralism: "the various value-spheres of the world stand in irreconcilable conflict with one another".⁴⁹ This, it goes without saying, has consequences for how we conceive sociology. Indeed, Weber suggests that the sociologist has no access to empirical reality *per se* because "the *objective* validity of all empirical knowledge rests exclusively upon the ordering of the given reality according to categories which are

⁴⁶ Callinicos, *Social Theory*, p. 154. See also Weber, *Economy and Society*, Vol. 1, p. 4.

⁴⁷ But see J. Wach, *Sociology of Religion*, London: Kegan Paul, Trench, Trubner & Co., 1947. Like Weber and Troeltsch, Wach was interested in the relation between religion and society and as such in differing kinds of religious organizations, including sects. However, Wach insists that a "full understanding" of a sect "cannot be achieved except by careful consideration of its self-interpretation" (ibid., p. 199), and he criticised Weber for his "critical attitude" to religion, claiming that Weber had neglected the "original meaning" of religious phenomena (ibid., p. 3). Wach argued for a "phenomenology of the expressions of religious experience, [and] a 'grammar' of religious language, based on a comprehensive empirical, phenomenological, and comparative study" (ibid., p. 15), a view which, according to Turner (*Religion and Social Theory*, pp. 16–17), commits the sociologist to "the actor's definition of reality" which obscures both structural and ideological constraints on any such self-understanding or definition.

⁴⁸ See K. Flanagan & P.C. Jupp, eds., *Postmodernity, Sociology and Religion*, London: Macmillan, 1999. This volume of essays on the condition of post-modernity, sociology and religion is notable for its complete failure to discuss questions of methodology, despite the fact that 'the' post-modern critique of the social sciences is fundamentally epistemological in character.

⁴⁹ Weber, 'Science as a Vocation', p. 147.

subjective”⁵⁰ and furthermore “their validity can *not* be deduced from empirical data”.⁵¹ For Weber, then, sociological research, like scientific research more generally, proceeds from within value-saturated paradigms or “viewpoints”.⁵²

Foucault, like Weber, similarly embraces a value-saturated approach to historiography, namely to expose—in Nietzschean fashion—the ruses and duplicities of power: knowledge and science, for Foucault, are merely masks of an anonymous will to domination. Like Weber, Foucault rejects the idea that the real is simply given to sense-experience: for example he claims that “discourses...[are] practices that systematically form the objects of which they speak”.⁵³ Historians do not describe or re-present the past, rather historiography creates it.

Nietzsche’s project in *The Birth of Tragedy*—“a re-interpretation of ancient Greece, a philosophical and aesthetic revolution, a critique of contemporary culture, and a programme to revitalise it”⁵⁴—is indeed the guiding thread through all of his writings. But Nietzsche believed that a positivist philology—enamoured by the cult of the pure datum—could only establish a relationship with antiquity in a way that actually closed off the potential for a deeper and more profound kind of understanding. Philology—as a science—could not be a vehicle for the kind of culture criticism that Nietzsche was seeking to set in motion.

⁵⁰ Weber, M., “Objectivity” in Social Science and Social Policy’, in *The Methodology of the Social Sciences*, trans. & eds. E.A. Shils & H.A. Finch, New York: The Free Press, 1949, p. 110.

⁵¹ *Ibid.*, p. 111.

⁵² *Ibid.*, p. 112. However, Weber’s formulation of the ideal-type goes some way to mitigating against these remarks which seem to suggest that objective, sociological knowledge is impossible. Weber defines the ideal-type in the following way: “The ideal typical concept will help to develop our skill in imputation in *research*: it is no ‘hypothesis’ but it offers guidance to the construction of hypotheses. It is not a *description* of reality but it aims to give unambiguous means of expression to such a description...An ideal type is formed by the one-sided *accentuation* of one or more points of view and by the synthesis of a great many diffuse, discrete, more or less present and occasionally absent *concrete individual* phenomena, which are arranged according to those one-sidedly emphasised viewpoints into a unified *analytical* construct. In its mental purity, this mental construct cannot be found empirically anywhere in reality. It is a *utopia*. Historical research faces the task of determining in each individual case, the extent to which this ideal construct approximates to or diverges from reality” (*ibid.*, p. 90).

⁵³ M. Foucault, *The Archaeology of Knowledge*, trans. A.M. Sheridan Smith, London: Tavistock, 1974, p. 49.

⁵⁴ G. Vattimo, *Nietzsche: An Introduction*, London: Athlone Press, 2002, p. 13.

For Nietzsche, then, as for Foucault and Weber, the critique of disenchanted modernity is, simultaneously, a critique of reason cast as a kind of vulgar positivism. For these scholars, there is no disinterested, neutral or value-free scholarship. Facts are not given to the senses but are rather constituted in advance by prior theories and hypotheses. Even the criteria for evaluating facts and their interpretation are understood as being stand-point specific. Yet Bryan Wilson—whose secularization thesis follows the contours already established by the critique of disenchanted modernity set out by Weber—does not take on board the linked critique of positivism: indeed, he ignores it. Wilson's characterisation of secularization-as-disenchantment follows Weber's thinking closely: for both, sects are not signifiers pointing to a religious revival or re-enchantment but rather constitute proof of the secularization thesis: in Wilson's words,

[The sects] represent an alternative pattern of religious commitment in the secular society. They are themselves a feature of societies experiencing secularization, and they may be seen as a response to a situation in which religious values have lost social pre-eminence. It is in conditions in which the sacred order has been subordinated to the secular...that sectarianism becomes most manifest and institutionalized.⁵⁵

Wilson's thesis of cumulative secularization relates not only to the diminution of the social significance of religious institutions, practices and beliefs⁵⁶ but also marks

the gradual replacement of a specifically religious consciousness...by an empirical, rational, instrumental orientation; the abandonment of mythical, poetic, and artistic interpretations of nature and society in favour of matter-of-fact description and, with it, the rigorous separation of evaluative and emotive dispositions from cognitive and positivistic orientations.⁵⁷

According to Wilson, then, secularization—that fundamental marker of the current epoch of disenchanted modernity—is to be equated with the decline of poetic, mythic and artistic modes of relating to the world and their displacement by a positivistic rationalism. Sociology as a human science discipline is paradigmatic of this spirit of

⁵⁵ B.R. Wilson, *Religion in Secular Society: A Sociological Comment*, London: C.A. Watts & Co., 1966, p. 179.

⁵⁶ *Ibid.*, p. xiv.

⁵⁷ B.R. Wilson, *Religion in Sociological Perspective*, Oxford: Oxford University Press, 1982, p. 149.

rationalism that seeks to base its truth-claims on facts cleansed of all contamination by cultural, political or religious values and which are antiseptically given to the senses. Indeed, in his *Religious Sects*, Wilson claims that “sects are taken...as self-evident...facts” and that he seeks not to “commend, condone or condemn” but “only to present a detached discussion of [the] origins, persistence and significance of sects”.⁵⁸ The irony is that from within a value-saturated paradigm—from within the critique of disenchanted modernity—Wilson claims that his work is value-less or, rather, that it is objective and value-free. In other words, Wilson employs the framework of disenchanted modernity—according to Roland Robertson, “Wilson has written of modernity as a tragedy”⁵⁹—while simultaneously employing the language of positivism, a contradiction that is virtually constitutive of the sociology of religion. Indeed, even a cursory overview of sociological readings on religions reveals this predilection for positive definition and classification that renders phenomena such as sects, new religious movements and the New Age (for example) as distinct types ready for incorporation into an already extant taxonomy of world religious traditions, an exercise that presumes on behalf of sociology a kind of super rationalism, as if sociological thought can operate outside time or place and as if sociological knowledge is free from contamination by the contingencies of such factors as culture or politics.⁶⁰

⁵⁸ B.R. Wilson, *Religious Sects: A Sociological Study*, London: Weidenfeld & Nicolson, 1970, p. 14.

⁵⁹ R. Robertson, ‘Community, Society, Globality, and the Category Religion’, in E. Barker, J.A. Beckford & K. Dobbelaere (eds.), *Secularization, Rationalism and Sectarianism: Essays in Honour of Bryan R. Wilson*, Oxford: Clarendon Press, 1993, p. 8.

⁶⁰ Roy Wallis’ trichotomy of the world orientations of new religious movements in the West (world-rejecting, world-affirming and world-accommodating) is paradigmatic of this will to classify, yet the framework of disenchanted modernity is constitutive: “The new religious movements have—in substantial measure—developed in response to, and as an attempt to grapple with the consequences of, rationalization”. Furthermore, Wallis’ approach to the new religions is “based on observation of the movement from outside, approaching the activity involved primarily in terms of a positivistic method which applies some standardised measuring device to each instance”. Wallis fails to acknowledge the extent to which claims to value-neutrality are themselves value claims. See R. Wallis, *The Elementary Forms of the New Religious Life*, London: Routledge & Kegan Paul, 1984, pp. 41, 132.

Concluding Remarks

In this essay I have tried to show certain common themes and concerns across the writings of Max Weber, Michel Foucault and Friedrich Nietzsche: their intertwined critiques of disenchanted modernity and their respective critiques of method in the social sciences. In particular, I have argued that the terms sect and sectarianism find meaning and significance ostensibly through their embeddedness in what I have called the critique of disenchanted modernity. I have suggested that this critique has been constitutive of sociological research on contemporary religions and religiosities, but the consequences of this fact have not been fully taken on board by sociologists of religion. The terms sect and sectarianism are, on this reading, value-saturated terms and should not be seen as denoting innocent or objective 'facts'. I have therefore offered a cautionary note to this dialogue between sociologists and historians, which must, if it is to be honestly productive, assume a critical posture to taken-for-granted terms and methodological pre-suppositions.

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