THE MISSING JESUS: Rabbinic Judaism and the New Testament

BRUCE CHILTON
CRAIG A. EVANS
JACOB NEUSNER

BRILL ACADEMIC PUBLISHERS
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How can Jesus be said to be “missing”? The Church has consistently referred itself to conceptions of Jesus during its history, and the world of scholarship has seen a renaissance in the study of Jesus over the past twenty years. In fact, Jesus’ place in popular culture has been surprisingly prominent as a result of recent historical study. What is “missing” is not by any means reference to Jesus: what is missing is rather an entire dimension of his identity. In order for us to understand Jesus and his profound influence on global culture, we need to see him within the context of the Judaism which was his own natural environment. No one can be assessed apart from one’s environment, but a variety of factors have isolated the study of Jesus from the study of Judaism. The “missing” Jesus is Jesus within Judaism.

Scholars over the past decade have called attention to this problem, especially in response to the works of John Dominic Crossan and other members of “The Jesus Seminar,” as will be discussed in the pages which follow. In response to that impetus, a forum was convened at Bard College, under the sponsorship of Mr. Frank Crohn, the Pew Charitable Trusts, and the Max Richter Foundation. I am obliged to our sponsors for the opportunity to develop the forum and for the trust they placed in me.

Professor Jacob Neusner, the preeminent Judaist of his generation and my colleague at Bard, co-chaired the forum, and together we invited Professor Herbert Basser and Professor Craig Evans to join us. But our work was not limited to the usual invitation of speakers and limited discussion. Both Professor Neusner and I are dissatisfied with the standard model of academic conferences, and we have devised a much more searching and interactive model at Bard College. Professor Neusner and I taught a course which ran parallel to the conference, so that the students were prepared in advance. That was possible because the invited speakers were gracious enough to provide drafts of their presentations long before the conference convened.

We have used this model before, both at Bard and at the University of South Florida, where Professor Neusner also held an appointment.
The level of engagement which the students achieve is consistently rewarding to us, and the effect on the lucidity of speakers is also notable. This volume represents the work of four scholars in close encounter with talented students, and we also include the responses of some of our academic colleagues from other institutions, who attended the conference (in some cases with their students). We believe that both the topic and the model of approaching it make this volume an innovative and stimulating contribution, and that the dialogue begun here represents the next phase in the critical study of Jesus.

In our work here, we wish to lay out certain basic results, and fundamental, continuing approaches, which elucidate the identity of Jesus within Judaism. In his introduction Professor Craig Evans orients readers to the lay of the land and then in the first essay, the keynote address of the conference, he engages aspects of the North American discussion, much of which has proposed an implausibly Hellenistic portrait of Jesus. In my response to Professor Evans’s paper I probe complementary aspects of the question of context and location, underscoring the tendency in some circles, both scholarly and popular, to neglect the Judaic dimension of Jesus.

My own essay, “Jesus within Judaism,” with which the book concludes, sets out the story of how, despite the work of scholars over several centuries, the study of Judaism has been marginalized in the study of Jesus and Christian origins. The purpose of that discussion is to suggest approaches which may be opened up by a more critical orientation. Together, these essays lay out theoretical and tactical ways forward in improving the current perception of the historical Jesus. The essays that lie between probe dimensions of the discussion.

In his essay, “Contexts of Comparison: Reciprocally Reading Gospels’ and Rabbis’ Parables,” Professor Neusner articulates a vigorous challenge to the practice of comparison as represented in the past. He insists that the effort to describe contacts, point by point, is doomed to failure, unless due account is taken of the profoundly distinct perspectives of Judaism and Christianity. Each of these great religions generates an entire view of the world, a definition of the people of God, ideals for the way of life, and those systemic visions are part and parcel of what they say in detail. What Professor Neusner calls for is a Copernican shift in the way in which we read the texts, and we have devoted two responses to it. First, Professor Gary Herion
of Hartwick College explains how the discipline of biblical studies needs to learn from the discipline of the critical study of religion which Professor Neusner has so ably developed.

Next, Professor Herbert Basser of Queen’s University undertakes an analysis of the connections between Jesus and the Rabbis in regard to the Sabbath. His approach is sophisticated in its cognizance of the theoretical cautions offered by Professor Neusner, and of the historical complexity which I later describe, but also very concrete and detailed in its exposition of a single issue, and an important field of contact. Professor Evans responds in essential agreement, but underscores the importance of antecedent scriptural traditions, as well as Judaic traditions attested in documents that post-date the writings of the New Testament.

My essay is entitled “Getting it Right: James, Jesus, and Questions of Sanctity.” One of the most persistent failures in the study of Jesus in the modern period has been that scholars have not taken account of how the Gospels came into being. “Conservative” scholars assume that the texts are historical, and read Jesus directly off the pages of the texts as much as they can, while “liberal” scholars put the texts at the mercy of whatever view of Jesus they believe is to be preferred. Such orientations fly in the face of one of the most secure findings of critical research in the modern period: the Gospels are neither chronicles of history nor inventions of faith, but interpretations of Jesus for distinct communities. We need to get to know the communities, toward which the traditions in the Gospels were directed, and which shaped those traditions prior to their incorporation into the Gospels, if we are to understand what they say. No one can understand a statement apart from an appreciation of who is saying it, where, and why. Of all those who shaped Christianity during its emergent period, no teacher was more important, and none is more thoroughly misunderstood today, than James, the brother of Jesus. “Getting it Right” seeks to remedy that situation, and the implications for the interpreter are spelled out masterfully in the response by Professor Scott Langston of Southwest Baptist University.

In all, we believe we are providing two services in this volume. First, we are redressing a serious imbalance in the portrait of Jesus, especially in North America. Second, we are setting out some of the lines of inquiry which will lead us to a much more complete picture in the years to come. To those who have made this possible, our
sponsors, the main speakers and respondents, and above all our students, we are very grateful.

Bruce Chilton
Bard College
CONTRIBUTORS

Herbert Basser is Professor of Religion at Queen’s University in Ontario, Canada. He has published landmark studies of rabbinic Judaism in ancient and medieval times and also has written several studies that place the New Testament in its Judaic context.

Bruce Chilton is Bernard Iddings Bell Professor of Religion at Bard College in New York. He has previously taught at the University of Sheffield and at Yale Divinity School, and has authored numerous books and studies, including *A Galilean Rabbi and His Bible* (1984), *The Temple of Jesus* (1992), *Pure Kingdom: Jesus’ Vision of God* (1996), and *Rabbi Jesus: An Intimate Biography* (2000).


Gary Herion is Associate Professor of Religion at Hartwick College in New York. He co-edited the six-volume *Anchor Bible Dictionary* (1992) and served as project editor for George Mendenhall’s *Ancient Israel’s Faith and History* (2001).

Jacob Neusner is Research Professor of Religion and Theology and Senior Fellow of the Institute of Advanced Theology at Bard College. He has written or edited more than 850 books and holds twenty-three honorary degrees and academic medals.

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<td>AB</td>
<td>Anchor Bible (Commentary)</td>
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<td>ABD</td>
<td>D. N. Freedman and G. A. Herion (eds.), <em>The Anchor Bible Dictionary</em></td>
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<td>ABRL</td>
<td>Anchor Bible Reference Library</td>
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<td>AGJU</td>
<td>Arbeiten zur Geschichte des antiken Judentums und des Urchristentums</td>
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<td>AGSJu</td>
<td>Arbeiten zur Geschichte des Spätjudentums und Urchristentums</td>
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<td>Ant.</td>
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<td>ArBib</td>
<td>The Aramaic Bible</td>
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<td>BArrev</td>
<td><em>Biblical Archaeology Review</em></td>
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<td>BBR</td>
<td><em>Bulletin for Biblical Research</em></td>
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<td>BCE</td>
<td>Before Common Era (= BC)</td>
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<td>BETL</td>
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<td>BibSem</td>
<td>The Biblical Seminar</td>
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<td>BIS</td>
<td>Biblical Interpretation Series</td>
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<td>BJS</td>
<td>Brown Judaic Studies</td>
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<td>BTB</td>
<td><em>Biblical Theology Bulletin</em></td>
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<td>BZ</td>
<td><em>Biblische Zeitschrift</em></td>
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<td>CBQ</td>
<td><em>Catholic Biblical Quarterly</em></td>
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<td>CE</td>
<td>Common Era (= AD)</td>
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<td>CRINT</td>
<td>Compendia rerum iudaicarum ad Novum Testamentum</td>
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<td>ErFor</td>
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<td>ET</td>
<td>English translation</td>
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<td>EvQ</td>
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<td>FT</td>
<td>French translation</td>
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<td>GNS</td>
<td>Good News Studies</td>
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<td>HTKNT</td>
<td>Herders theologischer Kommentar zum Neuen Testament</td>
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<td>HTR</td>
<td><em>Harvard Theological Review</em></td>
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<td>HUCA</td>
<td><em>Hebrew Union College Annual</em></td>
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<td>ICC</td>
<td>International Critical Commentary</td>
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<td>IDB</td>
<td>G. A. Buttrick (ed.), <em>The Interpreter’s Bible Dictionary</em></td>
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<td>JAAR</td>
<td>Journal of the American Academy of Religion</td>
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<td>JBL</td>
<td>Journal of Biblical Literature</td>
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<td>JES</td>
<td>Journal of Ecumenical Studies</td>
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<td>JHC</td>
<td>Journal of Higher Criticism</td>
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<td>JJS</td>
<td>Journal of Jewish Studies</td>
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<td>JQR</td>
<td>Jewish Quarterly Review</td>
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<td>JR</td>
<td>Journal of Religion</td>
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<td>JSJ</td>
<td>Journal for the Study of Judaism in the Persian, Hellenistic and Roman Period</td>
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<td>JSNT</td>
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<td>JSS</td>
<td>Journal of Semitic Studies</td>
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<td>Journal of Theological Studies</td>
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<td>J.W.</td>
<td>Jewish War</td>
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<td>LCL</td>
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<td>OGIS</td>
<td>W. Dittenberger (ed.), Orientis graeci inscriptiones selectae I–II</td>
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<td>PRS</td>
<td>Perspectives in Religious Studies</td>
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<td>Q</td>
<td>the source used by Matthew and Luke, from the German Quelle, “source”</td>
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<td>RHPR</td>
<td>Revue d’histoire et de philosophie religieuses</td>
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<td>SBLSP</td>
<td>Society of Biblical Literature Seminar Papers</td>
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<td>SBT</td>
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<td>SJLA</td>
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<td>SJT</td>
<td>Scottish Journal of Theology</td>
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<td>YJS</td>
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<td>ZNW</td>
<td>Zeitschrift für die neustamentliche Wissenschaft</td>
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<td>ZTK</td>
<td>Zeitschrift für Theologie und Kirche</td>
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The title of the present volume, *The Missing Jesus*, provocatively suggests that modern scholarship (not to mention popular literature) is having difficulty finding the historical Jesus. This difficulty manifests itself in the bewildering diversity of portraits. We hear of Jesus the prophet, the rabbi, the shaman, the exorcist, the Messiah, the king, the revolutionary, the magician, and more lately the Cynic. How is this diversity to be explained?

A great part of the problem has to do with context, for context influences the interpretation of the Jesus tradition (viz. found primarily in the New Testament Gospels) more than any other factor influences it. It is with context that the essays of the present volume are justifiably concerned.

To know the historical Jesus it is necessary to know a good deal about the world in which Jesus lived. This world was Jewish, Palestinian, and Galilean. Although not isolated from Hellenistic influences, it was fundamentally Jewish and fundamentally opposed to the syncretistic allure of its Greco-Roman power-brokers.

When we read the Gospels we encounter strange customs and foreign epithets. We hear of Pharisees, Sadducees, Herodians, and ruling priests. Who were they? What did they believe? Why did they criticize and oppose Jesus? We suspect that their opposition to Jesus had something to do with his proclamation of the kingdom of God and the singular ways in which he lived out the implications of it. The essays that make up this book will probe some of these features.

The balance of the present introduction is intended for readers who have limited knowledge of the world of Jesus, a knowledge that the essays that follow presuppose. The next several paragraphs will introduce non-experts to some of the basic groups, institutions, and events, in the light of which the Jesus of history is to be studied—if he is not to remain missing.
Religio-Political Parties

First-century Palestine was populated with Jews, Samaritans, and Gentiles. Greek, Hebrew, Aramaic, Latin, and (to the east) Nabatean were the spoken languages in this diverse corner of the Roman Empire.

Sandwiched between Judea in the south and Jewish Galilee in the north was Samaria. As all students of the Bible know, Samaritan-Judean relations were not cordial. Tensions can be traced back to the ninth century BCE, when the northern tribes rebelled from the Jerusalem monarchy and eventually came to be known as the kingdom of Samaria. Following the exile, the Judeans viewed the Samaritans as at best only part-Jewish. Because it was believed that they were Gentiles from Cuthea, part of the old Assyrian Empire, they were called Cutheans (by Josephus the first-century Jewish historian) or Kutim (by the Rabbis). The Samaritans, however, understood themselves quite differently, believing that they were genuine descendants of the northern tribes and that their version of the Law of Moses (the so-called Samaritan Pentateuch) constituted true Scripture.

Samaritan-Judean hostilities increased when in 128 BCE Hyrcanus I, one of the Hasmonean rulers, destroyed the Samaritan temple at Mount Gerizim (cf. John 4:20: “Our fathers worshipped on this mountain”). Josephus tells us of subsequent acts of violence and retribution (such as Samaritans defiling the Jewish Temple with human bones, Samaritans attacking a festival-bound caravan of Galileans, and savage reprisals against the Samaritans). The hatred was such that to be called a Samaritan was a grievous insult. We encounter an example of this when Jesus’ opponents accuse him of being “a Samaritan and having a demon” (John 8:48). Later, some rabbis said that to eat the bread of Samaritans was to eat pork, or to marry a Samaritan was to lie with a beast.

The Hasmonean dynasty initially enjoyed the support of the Hasidim (i.e., “pious ones,” who are probably the forerunners of the Pharisees). This alliance eventually broke down, with the Hasmoneans siding with the Sadducees. Another group that emerged during this time were called the Essenes. Josephus describes these groups at length, claiming to have studied with the Essenes but eventually following the teaching of the Pharisees.

What Josephus tells us about these groups is in part corroborated by the New Testament Gospels, the book of Acts, and the Apostle
Paul. The origins of these religio-political groups are obscure. Even their beliefs and relation to one another are not entirely clear, but it is important to know what can be known of them if we are to appreciate the context in which Jesus ministered.

We are told that the Sadducees were a small group, whose more conservative views had come to be influential with the ruling priests. They accepted the authority of the written Law, but rejected the oral traditions held dear by the Pharisees (Josephus, *Ant*. 13.10.6 §297), their principal political and religious rivals. The Sadducees rejected the resurrection (cf. Mark 12:18; Acts 23:8; *Ant*. 18.1.4 §16: “the soul perishes with the body”) and the existence of angels (Acts 23:8). They believed in free will (“man has the free choice of good or evil”) and the remoteness of God from the created order (*Ant*. 13.5.9 §173; *J.W*. 2.8.14 §164–165). One could say that the Sadducees were the Deists and Arminians of their day. Though they were inclined to be severe in their judgments and to have disdain of others, because of public pressure they usually followed the policies of the more tolerant Pharisees. Although the Sadducees were influential among the wealthy (*Ant*. 13.10.6 §298) and the aristocratic ruling priests, it should not be assumed that most Sadducees were priests, or that most ruling priests were Sadducees.

The Sadducees accepted the political status quo. Indeed, they worked hard to preserve it. Their affluence and political clout were such that they desired no change. They and the ruling priests collaborated with Rome in the management of Judea. In return for their cooperation, which consisted primarily of maintaining law and order and collecting the tribute Rome expected, they received privileged treatment and were assisted in holding onto their position of power.

According to Josephus, the Pharisees were a larger and more popular party. The general impression one receives from the New Testament bears this out. The Pharisees accepted and expanded the oral traditions. Because of their zeal for the holiness code (as seen especially in Leviticus), they emphasized purity and separation from those who did not observe their practices. Like Jesus and his following, the Pharisees believed in the resurrection and in angels. It is often assumed that the Pharisees were the forerunners of the rabbis, but this is far from certain. It may only be that the Pharisees held to many traditions that the early rabbis promoted and the later rabbis further expanded. Some early rabbis may very well have been
members of the party of the Pharisees, but we should probably not assume that all Pharisees were rabbis (i.e., teachers or sages) or that all rabbis were Pharisees.

In contrast to the Sadducees, the Pharisees were not willing collaborators with Rome. Indeed, they refused to take an oath of loyalty “to Caesar and to the king’s government” (Ant. 17.2.4 §42). Josephus tells us that they prophesied that someday the throne would be taken from Herod the Great. It is probable that messianic hope lay behind this prophecy. When Herod learned of it he had several Pharisees put to death (Ant. 17.2.4 §43–44). The Pharisees’ feisty anti-government behavior may be traced back to the days of the Hasmonean dynasty. On one occasion, convinced that the priest king Alexander Jannaeus was not qualified to offer up sacrifice, Pharisees incited the crowd to pelt their ruler with the lemons that had been gathered for the festival (Ant. 13.13.5 §372–373). Similarly, in the days of Herod two teachers persuaded several young men to clamber up on one of the gates within the Temple precincts and cut down a golden eagle the king had mounted in honor of his Roman overlords. Josephus tells us that Herod was enraged and had the teachers and the youths burned alive (J.W. 1.33.2–4 §648–655; Ant. 17.6.2–4 §149–167).

Thanks to the discovery of the Dead Sea Scrolls the Essenes have become the most talked about and controversial of the parties mentioned by Josephus. We are told that the Essenes formed their own communities, sometimes in the wilderness, shared their possessions, observed very strict interpretations of the Law, were mostly celibate, and had a priestly orientation. This group was so strict that to spit, talk out of turn, or to laugh loudly was punished with a reduction in one’s food allowance.

Most scholars assume that the Dead Sea Scrolls represent an Essene library, with many of the Scrolls actually produced by Essenes. The Scrolls reveal to us a community much concerned with end-times, in which it will be vindicated and will assume leadership over the Temple. Of the three Jewish parties just reviewed, early Christianity seems to have had the most in common with the Essenes. Curiously, however, the Essenes are never mentioned in the New Testament.

In the Scrolls a great final war is depicted between the “sons of light” (i.e., the Essenes and pious Jews who join them) and the “sons of darkness” (i.e., the Romans and faithless Jews who collaborate
with them). One Scroll may actually describe a confrontation between
the Messiah and the Roman Emperor, in which the former slays
the latter, thus bringing the conflict to a joyous conclusion (4Q285).

Josephus also tells us of a “fourth philosophy.” Our friend is prob-
ably being somewhat disingenuous. He is not describing another
party or sect, like the Sadducees or the Pharisees (which he also calls
“philosophies”); he is describing a social and political tactic adopted
by some (including Pharisees) whereby violence was used against col-
laborators with Rome. By calling them a fourth philosophy Josephus
may be trying to bracket off these people from the others, lest in
the wake of the great war (after which Josephus writes) Rome might
think the Jewish religion itself fosters rebellion.

Some scholars have identified the zealots with the fourth philos-
ophy, but the zealots were a coalition of various rebel groups that
formed during the great revolt against Rome in 66–70 CE. Those
who embraced the tactics of the fourth philosophy included the sicarii,
or “men of the dagger.” These assassins often attacked in broad day-
light, among large crowds. After plunging in the knife, they took up
cries of outrage and calls for assistance as their victim fell. By this
subterfuge they were not often detected and apprehended (J.W.
2.13.3 §254–257). Paul was himself asked if he was a member of
this group (Acts 21:38). On one occasion the sicarii kidnapped a sec-
retary of one of the ruling priests, demanding that ten of their fel-
lovers be released from prison (Ant. 20.9.3 §208–210).

Finally, mention must be made of the “Herodians,” who make
only two appearances in the Gospels (Mark 3:6; 12:13 = Matt 22:16)
and are never referred to anywhere else. Beyond the probable fact
that they were supporters of Herod Antipas, we know nothing of
them. Their identification with either the Sadducees or the Essenes
is not recommended.

For many Jews, probably most, the biggest problem was Roman
domination. Some groups, like the Sadducees and the Herodians,
did not view this as a problem. They were content to live with it.
But most others longed for change. The Pharisees believed that deliv-
erance would come through scrupulous observance of the Law, includ-
ing their oral traditions, their “fence” erected around the Law. Many
were probably passive in their criticism of the Herodians and the
Romans, but as we have seen, some adopted violent tactics. Essenes
also hoped for revolution, but they looked to heaven in anticipation
of a dramatic and final moment in time when prophecies would be fulfilled. Some individuals took it upon themselves to usher in the awaited new age.

**Religio-Political Deliverers**

Following the death of Herod the Great several men attempted to place the crown upon their heads. One or two of these figures may have thought of themselves as David-like figures, perhaps even in messianic terms. We hear of Simon of Perea who plundered and burned the royal palace in Jericho (*Ant.* 17.10.6 §273–276). Another, Athon these the shepherd of Judea, was “remarkable for his great stature and feats of strength.” He was to rule over parts of Judea for more than two years before finally being subdued by the Romans (*Ant.* 17.10.7 §278–284).

A generation later two prophetic figures arose who are especially interesting. The first is Theudas who according to Josephus persuaded many to take up their possessions and join him in the wilderness. At his command, he promised, the Jordan River would be parted and he and his following would cross with ease. This Joshua-like act was probably intended as a confirming sign, not only of Theudas’ true prophetic status, but of the beginning of a new conquest of the promised land, whereby Israel’s poor and marginalized would regain their lost patrimony. The Roman governor dispatched the cavalry, which made short work of Theudas and his band of followers. Many were killed; and the head of the prophet was mounted on a pole near one of the gates of Jerusalem (*Ant.* 20.5.1 §97–98; cf. Acts 5:36).

A decade later a Jew from Egypt, “who declared that he was a prophet,” persuaded many to join him atop the Mount of Olives, where at his command the walls of Jerusalem would collapse providing his following entry into and possession of the holy city. Roman soldiers once again attacked what appears to have been another attempt to reenact a story from the book of Joshua. Although 400 were killed and 200 were taken prisoner, somehow the Egyptian Jew escaped (*Ant.* 20.8.6 §169–170). Paul was himself asked if he were this fugitive (Acts 21:38).

During the first rebellion against Rome, zealot leaders Menahem and Simon bar Giora rallied many around themselves. It is possible
that both were thought of in messianic terms. Menahem became an insufferable tyrant and early in the war was murdered by his own following. When Jerusalem was captured and the Temple was destroyed, Simon made a dramatic appearance and surrendered to the Romans who later executed him.

Josephus states that what more than anything else drove his countrymen to rebellion was an “ambiguous oracle.” His fellow Jews mistakenly believed that this oracle promised a Jewish deliverer, when in reality it promised only that a world deliverer would be coronated on Jewish soil. Josephus believed that the royal acclamation of Vespasian, while in Judea fighting Jewish rebels, was the fulfillment of this oracle. Again, Josephus is being disingenuous. The oracle he refers to is Num 24:17 (“a star shall come out of Jacob . . .”) and he knows perfectly well it was widely understood as messianic (in the Targum it is paraphrased, “a king shall come out of Jacob, the Messiah . . .”; see also Matt 2:2). Applying it to the new emperor, however, was politically shrewd, not only currying favor with the new Roman dynasty but obscuring the messianic hopes many Jews held, an obscuring that would be necessary, Josephus believed, if the Jewish people were to survive in the Roman Empire in the aftermath of the terrible war.

Jesus in Context

The party with which Jesus has the most contact, and with which he seems the most angry, is the Pharisees. Like the Pharisees (but unlike the Sadducees), Jesus believes in the resurrection and in angels. Jesus’ anticipation of the kingdom of God and the restoration of Israel was probably in essential agreement with Pharisaic hopes, but his understanding of purity and his acceptance of sinners on the basis of repentance set him against the Pharisees. Healing on the sabbath, plucking and eating grain on the sabbath, eating with “unwashed” hands, and associating with tax collectors and “sinners” occasion criticism and even deadly plotting. Against these criticisms Jesus replied sharply: “Woe to you, scribes and Pharisees, hypocrites! For you lock people out of the kingdom of heaven” (Matt 23:13). “Woe to you, scribes and Pharisees, hypocrites! For you tithe mint, dill, and cummin, and have neglected the weightier matters of the law: justice and mercy and faith” (Matt 23:23).
More serious, however, was Jesus’ criticism of the ruling priests. In his action in the Temple precincts (Mark 11:15–18), he rebukes the establishment for failing to live up to the grand vision of Isa 56:1–8 (“my Father’s house shall be called a house of prayer for all the nations”) and criticizes it as a “cave of robbers” (Jer 7:11), implying that divine judgment threatens (see the whole of Jeremiah 7). The ruling priests are incensed and demand to know by what authority he does these things (Mark 11:27–33), for Jesus’ criticisms would have been viewed as outrageous. Jesus refuses to answer directly, but in his parable of the Wicked Vineyard Tenants (Mark 12:1–12) he provides the answer implicitly: He is none other than God’s son and emissary; for rejecting him the ruling priests face certain judgment. The polemic intensifies with warnings of the scribes’ avarice (Mark 12:38–44) and talk of the Temple’s doom (Mark 13:1–2; cf. 14:58). Jesus’ actions resemble similar demonstrations and declarations that took place in the Temple precincts conducted by Jewish teachers (before the time of Jesus and after).

Threats against the ruling priests and talk of the disciples sitting on twelve thrones judging the twelve tribes of Israel (Matt 19:28 = Luke 22:28–30) clearly implied a change in administration, something that would not be tolerated either by the ruling priests or their Roman masters. The question about taxes, put to Jesus by the Herodians (Mark 12:13–17), was natural in light of the overtones of Jesus’ teaching and actions in Jerusalem. After all, when Jesus entered the city people had cried out, “Blessed is the coming kingdom of our father David” (Mark 11:10). The restoration of a Davidic kingdom surely implied that taxes would no longer be paid to Caesar. Given the fact that taxes destined for Rome were actually deposited in the Temple, putting this sensitive question to Jesus while he taught in the sacred precincts makes perfect sense.

There are hints of anti-Roman sentiment in Jesus’ ministry. When he sent the demonic “Legion” into the herd of swine (Mark 5:1–20), we should think of the Roman legion. Indeed, one of these legions, whose mascot was the boar, occupied Jerusalem following the great war. Sending the demonic legion into the abyss, to its destruction, would have conveyed a powerful symbolic meaning to oppressed people in the Roman Empire.

Jesus’ teaching and activities at many points parallel those of his contemporaries. His homespun parables are similar to those of the early rabbis. His proverbs, his style of argumentation, and his piety
find many parallels. But his definition of the kingdom of God—as the powerful presence of God—and his vision of Israel’s and humanity’s salvation as first and foremost spiritual, rather than political, highlights important and distinctive elements. Jesus’ diction clearly reflects the Aramaic paraphrase later called the Targum, but his declaration that Scripture is “fulfilled” and that the “kingdom of God has come” represents distinctive features. But even these distinctive features cannot be fully and properly understood unless studied in context. The essays that follow attempt to do this very thing.
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Despite a great deal of debate and discussion, the Jesus of history seems to have been misplaced. In recent years the public and the scholarly community have been presented with a variety of historical Jesuses, some plausible, some implausible. The principal fault of the implausible portraits, especially those emanating from the North American Jesus Seminar and its sympathizers, is the contextual misplacement of Jesus. Jesus has been lifted out of his Judaic context and relocated in what is supposed to be a more suitable, Hellenistic setting.

In my view what we are often left with is not really the historical Jesus, but the politically correct Jesus of the late twentieth century. The placement of Jesus into a Cynic framework, for example, is in some ways probably the most curious, not to say dubious, accomplishment of scholarship to date. The Cynic hypothesis will in time assuredly be consigned to the dustbin of ill-conceived hypotheses, but it will be useful nonetheless to appeal to it as our point of departure.

Christianity’s reluctance to allow Jesus to reside in his Judaic context is in itself an item of interest, with a history that dates back to the writing of the New Testament Gospels, especially the fourth one. The tendency to place Jesus above Judaism is to some extent understandable, given the development of christology, whereby Jesus is seen as universal savior (and not simply Israel’s Messiah), and given the rapid expansion of the early church, whereby its membership becomes predominantly Gentile (and so largely devoid of interest in and of understanding of Judaism and the Jewish people).

Even in the last two centuries, which we regard as the era of...
critical biblical scholarship, the reluctance to place Jesus in his Judaic context is evident. That a full and proper understanding of the Judaic context has not become commonplace in New Testament scholarship is partly owing to serious shortcomings in the pertinent, cognate fields of study. Gustaf Dalman’s attempt to understand the language of Jesus in terms of Aramaic, from which Joachim Jeremias years later tried to isolate the *ipsissima verba Jesu*, was called into question because of his appeal to Aramaic documents that post-date the time of Jesus by several centuries. This problem also vitiates to a great extent Matthew Black’s attempt to deal with exegetical difficulties and textual uncertainties in the Gospels and Acts by appeal to Aramaic. Refinement in study of the Aramaic Targums and the addition of a significant amount of Aramaic material from the time of Jesus—thanks largely to the discovery of the Dead Sea Scrolls—have made it possible to make surer headway in this field. Indeed, important aspects of Jesus’ understanding of the kingdom of God have been clarified by judicious use of the Isaiah Targum.

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3 The attempt was certainly laudable and to some extent balanced the tendency in late nineteenth century scholarship to draw parallels almost exclusively between the New Testament and classical sources. In the English language this is plainly evident in the great commentaries of J. B. Lightfoot and B. F. Westcott.


7 B. D. Chilton, “*Regnum Dei Deus Est*,” *SJT* 31 (1978); idem, *God in Strength: Jesus’ Announcement of the Kingdom* (SNTU 1; Freistadt: Plochl, 1979; repr. BibSem 8;
the perceived weaknesses of the earlier attempts of Dalman and his successors tended to discourage New Testament scholars from taking an Aramaic approach to Jesus and the Gospels. Failure to appreciate the Judaic context of Jesus is also partly owing to the now widespread awareness of the shortcomings of Paul Billerbeck’s massive collection of Rabbinic and New Testament parallels in his Kommentar zum Neuen Testament aus Talmud und Midrasch.8 This work has been criticized by many, especially in recent years. The most commonly cited problems have to do with failure to treat the parallels in their full, literary and traditional context, uncritical acceptance of the attribution of the rabbinic sayings, and the assumption that the midrashic and talmudic literature describes accurately the second Temple period.9

Critical study of rabbinic literature, which is still in its early stages, critical study of the Targums, and the recent publication of the full corpus of the Dead Sea Scrolls make it possible to look at Jesus again in his Judaic context, this time with greater precision. It is ironic that at a time when the potential for studying Jesus in a Jewish context has never been more propitious so many today seek to place him in other contexts.

This paper speaks to this issue and is presented in two parts: (1) the misplaced Jesus, and (2) Jesus in his Judaic context. The first part hopes to expose the fallacies and consequences of putting Jesus into the wrong context, in this case a relatively unJewish, Cynic context. The second part attempts to show how Jesus in his teaching and behavior is right at home in the world of first century Palestinian Judaism and that when placed in his proper context his teaching and behavior make sense.


Burton Mack recently published a book entitled *The Lost Gospel: The Book of Q and Christian Origins*. As the subtitle makes clear, the book is concerned with the hypothetical source called Q, which many Gospel scholars think was utilized by the Matthean and Lukan evangelists. The book attempts to explain the origins of the story of Jesus, particularly in the form of “Q,” which Mack understands to have been the first written Gospel. He believes that the earliest Q community understood Jesus in terms more akin to Cynicism than to Judaism. That is, Jesus was viewed as iconoclastic and counter-cultural, not affirming Israel’s heritage and eschatological aspirations. Accordingly, Mack has said: “As remembered by the Jesus people, Jesus was much more like the Cynic-teacher than either a Christ-savior or a messiah with a program for the reformation of second-temple Jewish society and religion.”

Mack’s study of Q is more or less a sequel to his earlier study of the Gospel of Mark, published a decade ago and entitled *A Myth of Innocence: Mark and Christian Origins*. Arguing from the style of Jesus’ ministry and what he believes to have been the essence of his message, Mack has concluded that Jesus’ contemporaries would have readily recognized the Galilean teacher as a Cynic. Two quotations from this book summarize the gist of his perspective. According to Professor Mack:

[1] Jesus’ use of parables, aphorisms, and clever rejoinders is very similar to the Cynics’ way with words. Many of his themes are familiar Cynic themes. And his style of social criticism, diffident and vague, also agrees with the typical Cynic stance.

[2] The Cynic’s self-understanding must be taken seriously as that which many must have expected of Jesus. Not only does Jesus’ style of social criticism compare favorably, his themes and topics are much

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closer to Cynic idiom than to those characteristic for public Jewish piety. One seeks in vain a direct engagement of specifically Jewish concerns. Neither is Jesus’ critique directed specifically toward Jewish institutional issues, nor do his recommendations draw upon obviously Jewish concepts and authorities... The Cynic analogy repositions the historical Jesus away from a specifically Jewish sectarian milieu and toward the Hellenistic ethos known to have prevailed in Galilee.\footnote{11 B. L. Mack, \textit{A Myth of Innocence: Mark and Christian Origins} (Minneapolis: Fortress, 1988) 68, 73.}

Mack’s negative assertions here are simply breathtaking. No less astonishing is some of the jacket blurb that appears on the back of the book. For example, Werner Kelber asserts: “\textit{A Myth of Innocence} is the most penetrating historical work on the origins of Christianity written by an American scholar in this century.” To this hyperbole Ron Cameron adds: “\textit{A Myth of Innocence} is surely one of the most important studies of the origins of Christianity since Schweitzer’s \textit{Quest}.” Indeed. Reviewers and scholars, however, have not been as euphoric.\footnote{12 For a sampling, see A. Y. Collins, \textit{JBL} 108 (1989) 726–29. Kelber’s hyperbole (drawn from his review in \textit{CBQ} 52 [1990] 161–63, here 162) is tempered when he opines that Mack has reached “some very odd conclusions” and that it is not fair to blame Mark “for all the ills of the West stretching from the crusades to the holocaust...” (here 163). More recently, see P. R. Eddy, “Jesus as Diogenes? Reflections on the Cynic Jesus Thesis,” \textit{JBL} 115 (1996) 449–69; and F. G. Downing’s rejoinder, “Deeper Reflections on the Jewish Cynic Jesus,” \textit{JBL} 117 (1998) 97–104.}

Virtually every disclaimer Mack makes in the second quotation above is false. Let us briefly examine each one. First, Mack asserts: “Jesus’ style of social criticism compare(s) favorably (to the Cynic’s).” To this I reply, no, in actuality it does not. Jesus’ style of social criticism noticeably differs from the Cynic style at many points (more on this below). Also, in the first quotation Mack adds that Jesus’ “style of social criticism, diffident and vague, also agrees with the typical Cynic stance.” How is Jesus’ social criticism “diffident and vague”? His blistering criticism of Pharisees, with whom he differed in matters of halakah and understanding of mission, and his criticism and prophetic threats directed against the Temple establishment are anything but diffident and vague. To be sure, Jesus can be crafty and clever. He deals deftly with questions about his authority (Mark 11:27–33) and whether or not he believes taxes should be paid to Rome (Mark 12:13–17). But his ambiguous ripostes on these occasions do not exemplify diffidence, but strategic discretion.
Impressed by Gerald Downing’s parallels between the sayings of Jesus and those thought to have been uttered by Cynics or to be representative of Cynic thought and behavior, and readily accepting the conclusions recommended by Mack, Dom Crossan has also argued that the philosophy and lifestyle of the Cynic provides the closest model against which Jesus should be viewed. The Cynic typically carried a cloak (τρίβων), a beggar’s pouch (πήρα), a staff (βακθρα), and usually went barefoot (see Julian, Orations 6.201A). The Cynic was “counter cultural,” Crossan explains, and “looked sufficiently different from what was normal by contemporary social standards.” The Cynic regarded himself as free under Zeus and often considered himself the deity’s co-worker. The implication of these observations, Crossan believes, is that Jesus was himself a Jewish Cynic.

There are superficial parallels, to be sure. Jesus’ itinerant ministry, his modest manner of means and dress, his repudiation of political power and materialism, his egalitarian practices, his celibacy, and his criticism of the religious establishment are all in keeping with the theory and practice typical of first-century Cynics, at least so far as we can determine. But then, some of these features are also true of the Essenes and various other individual Jews (and true, I might add, of Israel’s prophets of the classical period). Were they Cynics also? Advocates of the Cynic hypothesis usually appeal to the Missionary Discourse: “He charged them to take nothing for their journey except a staff [ῥόδων]; nor bread, no bag [πήρα], no money in their belts; but to wear sandals and not put on two tunics [χιτων]” (Mark 6:8–9).

In the Matthean and Lukan parallels even the staff is excluded (Matt...

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14 J. D. Crossan, The Historical Jesus: The Life of a Mediterranean Jewish Peasant (San Francisco: HarperCollins, 1991) esp. 421–22. Crossan has given this popular trend its most eloquent expression. Many of the studies emanating from the Jesus Seminar take a similar tack, including studies of the “Q” source underlying Matthew and Luke. Although it is true that Q researchers are primarily concerned with the ideologies of the hypothetical Q communities and not with the historical Jesus, their descriptions of these ideologies have tended to reinforce in the public mind, as well as in the academic mind, the image of the Hellenistic Jesus who held little interest in the matters that concerned first-century Palestinian Jews. In the case of Mack, however, his interpretation of the earliest Q community as understanding Jesus as a Cynic supports, he believes, his view of Jesus as a Cynic.

15 Crossan, The Historical Jesus, 85, 83.
In contrast to Jesus’ instructions, Cynics took a purse and a staff; indeed, these items were their characteristic markers: “What makes a Cynic is his purse and his staff and his big mouth” (Epictetus 3.22.50; cf. Lucian, Peregrinus 15; Diogenes Laertrius, Lives of Eminent Philosophers 6.13; Ps.-Diogenes 30.3). However, the only parallel with Jesus is in the giving of instructions with regard to what to wear and what to take on one’s journey. The only specific agreement is taking the staff (if we follow Mark; if we do not, then there is no agreement). The rod, however, is hardly distinctive to Cynics. On the contrary, in the Jewish context the staff has a long and distinguished association with the patriarchs (e.g., Gen 32:10 [Jacob]; 38:18 [Judah]), and the great lawgiver and his brother (e.g., Exod 4:4 [Moses]; 7:9 [Aaron]). Moreover, it is also a symbol of royal authority, figuring in texts which in later interpretation take on messianic and eschatological significance (e.g., Gen 49:10; Isa 11:4; Ezek 19:14). The parallel with the Essenes is closer than those with Cynics (Josephus, J.W. 2.8.4 §125–127).

According to Julian, the “end and aim of the Cynic philosophy . . . is happiness, but happiness that consists in living according to nature . . . ” (Orations 6.193D). This does not square with what is known of Jesus, whose principal aim was to live under the authority of God, as attested in Scripture and experienced through his Spirit.

Cynics, moreover, were known for flouting social custom and etiquette, such as urinating, defecating, and engaging in sexual intercourse in public (cf. Cicero, De officiis 1.128; Diogenes Laertrius, Lives of Eminent Philosophers 6.69; Epictetus, Discourses 2.20.10 [“eat and drink and copulate and defecate and snore”]; Seneca, Moral Epistles 91.19 [“What difference does it make to me,” he asks, “from which end the noise comes?”]). None of this in any way resembles what is known of Jesus and his earliest followers.

Second, Mack thinks that “(Jesus’) themes and topics are much closer to Cynic idiom than to those characteristic for public Jewish piety.” Such a statement can only be made by someone insufficiently acquainted with the language and themes of the Dead Sea Scrolls, Jewish apocrypha and pseudepigrapha, and early rabbinic literature. Close examination of the parallels between Jesus and alleged Cynic

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16 See Downing, Christ and the Cynics, 47–48.
traditions that Downing has adduced reveals that these “parallels” are usually quite general. What is more, many of Downing’s parallels are to sources that probably are not Cynic, so some of these parallels reflect the Mediterranean world of late antiquity more than they do distinctive Cynic traits.

Despite its faults, the great number of parallels between the sayings of Jesus and rabbinic tradition compiled in Paul Billerbeck’s *Kommentar* (which nowhere in his books Mack cites) attests to the close correlation between early rabbinic idiom and Jesus’ themes and topics. There are impressive parallels between Jesus and the rabbis in parables, proverbs, and prayers.\(^7\) Although Billerbeck’s work has been criticized at many points, it is widely agreed that the myriad of parallels assembled in this work dramatically attests the Jewishness of the content and form of Jesus’ discourse and behavior.

*Third*, Mack makes the astonishing assertion that “One seeks in vain a direct engagement of specifically Jewish concerns.” On the contrary, Jesus engages his contemporaries in matters relating to purity and sabbath, the principal markers by which people of late antiquity readily recognized a Jewish person. Although Jesus is often criticized for holding to a halakic understanding that differed from that of other teachers, nowhere in his responses do we find indications that Jesus denigrated or rejected the subjects themselves. There is no good reason for placing the particulars of Jesus’ teaching outside the parameters of Jewish religious practice and debate of late antiquity.

Perhaps an even more pronounced engagement with Jewish concerns is seen in Jesus’ proclamation of the kingdom of God. Such

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a message would have spoken directly to Jewish hopes of national redemption. Herein lies a major weakness in the Cynic approach that Mack and others have taken. Mack makes what he thinks is a telling point in claiming that the phrase “kingdom of God” is quite rare in non-Christian Jewish literature. The implication is that this theologoumenon is more of a post-Jesus, Christian concept, not something that directly derives from Judaism. To this Bruce Chilton has responded in uncompromising terms: “Let us be clear: Mack is quite wrong, and his attempt to construe Jesus’ preaching purely on the basis of hellenistic antecedents only succeeds to the extent that Judaic texts such as the Targums which long been known and studied are willfully ignored by scholars who should know better than to engage in such special pleading.” Chilton is correct.

The concept of God’s rule is rooted in Scripture itself. The expression “kingdom of YHWH” occurs in 1 Chr 28:5; 2 Chr 13:8. There are also indirect references to God’s kingdom, in which a pronoun is used (cf. 1 Chr 29:11; Ps 22:28; Obad 21; Dan 4:3, 34; 7:27; Pss 22:28; 103:19; 145:11–13). Moreover, in the Hebrew Scriptures God is frequently called “king” (>?w) or is said to “rule” (?>w). One thinks above all of the enthronement Psalms (e.g., 47, 93, 96–99) where is frequently heard the refrain “YHWH has become king!” Apart from the Gospels and New Testament writings the Greek phrase is admittedly rare, with Pss. Sol. 17:3 (η βασιλεία τοῦ θεοῦ ἡμῶν) and Wis 10:10 (βασιλείαν θεοῦ) providing examples. Philo speaks similarly of God as king (Cherub. 29; Post. Caini 5, 105 [πρῶτος καὶ μόνος τῶν ἁλῶν βασιλεὺς ὁ θεὸς ἐστὶ]; Agric. 51 [ὁ ποιμὴν καὶ βασιλεὺς θεὸς ἔγει], 78 [τὴν τοῦ μεγάλου βασιλέως θεοῦ δύναμιν]; Conf. ling. 173, paraphrasing Deut 10:17 [κύριε, κύριε, βασιλεύ τῶν θεῶν]; Migr. Abr. 146 [ὁ μέγας καὶ μόνος βασιλεὺς θεός]; and many more). But rareness of the expression in Greek means little in the discussion of the diction of the Aramaic-speaking Jesus.

Chilton draws our attention to several important instances of the appearances of the Aramaic phrase מָלֶךְ/מלך דַּרְיָו ("kingdom
of God/YHWH”), which occurs ten times in eight passages (Tg. Isa 24:23; 31:4; 40:9; 52:7; Tg. Ezek 7:7, 10; Tg. Obad 21; Tg. Mic 4:7, 8; Tg. Zech 14:9). Of special interest is Tg. Mic 4:7–8, in which the appearance of the kingdom of God is associated with the coming of the Messiah. Most of these passages speak of the appearance or revelation of the kingdom of God and so conceive of it in eschatological terms.

The Dead Sea Scrolls contribute to Chilton’s impressive targumic evidence. Here one finds references to God’s kingdom (though almost always using the personal pronoun) in the various editions of the Song of the Sabbath Sacrifice. These references include “his kingdom” (4Q403 1 i 32), “his lofty kingdom” (4Q403 1 i 8; 1 i 14; 4Q405 3 ii 4; MasSS 2:20), “his glorious kingdom” (4Q403 1 i 25; 4Q405 23 i 3; ii 11–12), “all His kingdom” (4Q403 1 i 32–33), “your kingdom” (4Q400 1 ii 3; 2 1; 4Q401 14 i 7), “your glorious kingdom” (4Q401 14 i 6), and “the glorious kingdom of the King of all the g[ods]” (4Q405 24 3).

Though not as frequently attested, the idea of God’s reign is also found in several of the pseudepigraphal writings. According to Jub. 1:28 God is “king” who rules “upon Mount Zion forever and ever.” In anticipation of Israel’s restoration, the patriarch Dan prophesies that “the Holy One will rule [βασιλεύων] over them” (T. Dan 5:13). The author of the Testament of Moses predicts the appearance of God’s kingdom after Israel endures a period of wrath: “Then his (God’s) kingdom [regnnum illius] will appear... For the Heavenly One will arise from his kingly throne [a sede regni sui]” (T. Moses 10:1, 3).

Against the backdrop of such diction and imagery Jesus’ proclamation of the kingdom of God would have been not only intelligible, but would have been readily perceived as speaking to the hopes and expectations of many of his Jewish contemporaries. The hope of the appearance of the kingdom of God, whereby wrongs are put right, evil is banished, and people are refreshed spiritually and physically, could not be more inconsistent with Cynic thought and behavior.

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Fourth, Mack adds: “Neither is Jesus’ critique directed specifically toward Jewish institutional issues.” This disclaimer, however, is not persuasive. Jesus’ demonstration in the Temple precincts, an act that many rightly consider bedrock tradition, was directed specifically toward the polity and practice of the single most important Jewish institution. How Mack can make the claim that he does is very difficult to comprehend. His negative assertion is part and parcel with his dubious claim that Jesus’ execution had nothing to do with his ministry, but was probably the unfortunate result of having been “associated with a demonstration.” Mack believes that the link between Jesus’ public activities and teachings and his subsequent arrest, interrogation, and execution was a literary and theological invention on the part of the Markan evangelist. Again Mack’s reasoning is faulty and his misinterpretation and neglect of pertinent source material are egregious.

Mack believes that Mark’s account of Jesus’ action in the Temple is fiction, because he finds no evidence of an anti-Temple orientation on the part of Jesus. Where Mack goes astray is in thinking that Jesus’ action should be understood in anti-Temple terms. Had he considered historical parallels he might have thought better. For example, the teachers who during a religious festival incited the

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22 Mack, *A Myth of Innocence*, 88–89, 282. Mack comments: “Jesus must have gone there on some occasion, most probably during a pilgrimage season, was associated with a demonstration, and was killed... Some of his followers apparently saw a connection between Jesus’ activity in Galilee and his fate in Jerusalem” (pp. 88–89); “The gospel theme must therefore be a post 70 CE fabrication. Before that time the scenario would have appeared ridiculous” (p. 282). Mack’s student, David Seeley (“Was Jesus like a Philosopher? The Evidence of Martyrological and Wisdom Motifs in Q, Pre-Pauline Traditions, and Mark,” in D. J. Lull [ed.], *Society of Biblical Literature 1989 Seminar Papers* [SBLSP 28; Atlanta: Scholars Press, 1989] 540–49, here 548) agrees, adding that the evangelist “Mark concocted the Jewish conspiracy against Jesus for his own, redactional reasons... the death itself was probably just a mistake” (i.e., in that Pilate misunderstood Jesus’ intentions).

23 With a brief note (*Myth of Innocence*, 225 n. 12) Mack dismisses John’s linkage of Jesus’ ministry and subsequent execution, claiming that the fourth Gospel is dependent upon the Synoptics. In doing this he has swept aside the critical judgment of several Johannine scholars. He also fails to take into account a similar linkage between the public ministry and the deadly high priestly opposition attested in Josephus, *Ant.* 18.3.3 §63–64. In the part of this embellished text that virtually all regard as authentic Josephus describes Jesus as a teacher and wonderworker who was accused by the “leading men” (i.e., ruling priests) before the Roman governor. We have here an important point of agreement between Mark, John (which is surely independent of the Synoptics), and Josephus: Jesus’ public activities provoked the ruling priests, whose accusation before Pilate resulted in Jesus’ execution. See Evans, *Jesus and His Contemporaries*, 301–18, 345–52.
crowd to pitch lemons at Alexander Jannaeus, the Hasmonean priest-king (c. 100 BCE) who was preparing to offer sacrifice (cf. Josephus, *Ant.* 13.13.5 §372–373), did so not because of an anti-Temple bias, but because of intense loyalty for the purity of the Temple and the sanctity of the office of High Priest.  

Similarly, Jesus appeals to prophetic oracles at the time of his action in the Temple precincts (Mark 11:17), which in the case of Isaiah 56 looked forward to a glorious era when Jerusalem’s Temple would be appreciated and honored by the world. But because of commercialism and the concomitant abridgement of the pragmata of sacrifice, Jesus appealed to the ominous oracle of Jeremiah 7. In calling the Temple a “cave of robbers” Jesus was no more anti-Temple than had been the great first Temple prophet Jeremiah. The disappointment that Jesus expressed in the Temple establishment for not achieving the exalted function envisioned in Isaiah 56 only underscores Jesus’ loyalty to the Temple and his belief in its enduring importance. In short, Jesus’ action in the sacred precincts offers evidence of precisely the opposite disposition of what Mack wrongly imagines. Jesus’ action in the Temple provides compelling and significant evidence that Jewish institutional issues lay at the heart of Jesus’ agenda.

Fifth, Mack not only claims that Jesus’ critique was not directed specifically toward Jewish institutional issues, he adds that Jesus’ “recommendations (do not) draw upon obviously Jewish concepts and authorities.” This is an odd disclaimer in view of Jesus’ frequent appeal to Scripture and the Jewish heritage. Although not every quotation or paraphrase of Scripture attributed to Jesus necessarily derives from Jesus, the tendency of Mack and many of the Jesus Seminar

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24 According to Josephus, Alexander’s critics said that “he was descended from captives and was unfit to hold office and to sacrifice.”


26 For discussion and an able defense of this line of interpretation, see B. Chilton, *The Temple of Jesus: His Sacrificial Program Within a Cultural History of Sacrifice* (University Park: Penn State Press, 1992) 91–111.

to dismiss this material is wholly unjustified. It is at this very point that the Jesus Seminar has received some of its sharpest criticism. Indeed, Chilton has plausibly argued that Jesus should be viewed as a rabbi, both in his manner of behavior (in teaching disciples) and in his style of scriptural argument, which at many points coheres with the themes, exegeses, and diction of the Aramaic paraphrase of Scripture. With reference to his behavior, Jesus’ action in the Temple is reminiscent of protests led by teachers in Hasmonean and Herodian times and anticipates protests, didactic or prophetic, in the years leading up to the great war in 66–70 CE.

Sixth and finally Mack asserts that the “Cynic analogy repositions the historical Jesus away from a specifically Jewish sectarian milieu and toward the Hellenistic ethos known to have prevailed in Galilee.” The evidence, however, simply does not support such a conclusion. The two largest and most Hellenized cities in Galilee were Sepphoris and Tiberias. The former is about a two-hour walk from Nazareth, Jesus’ hometown. Curiously enough, there is no record that Jesus visited either of these cities during his ministry. Moreover, no evidence has yet been adduced, either archaeological or literary, to show that Cynics lived in these cities or anywhere else in Galilee in the early first century. The “Cynic analogy” does not reposition

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30 From the Hasmonean period we have the incident involving Alexander Jannaeus. In the Herodian period we have the teachers who persuaded the young men to destroy the golden eagle in the precincts (Josephus, J.W. 1.33.2–4 §648–655; Ant. 17.6.2–4 §149–167) and the response to the teaching of Hillel regarding ownership of animals dedicated for sacrifice (t. Hag. 2.11; y. Hag. 2.3; y. Besa 2.4; b. Besa 20a–b). In the years leading up to the great war we have the demonstration of Simeon ben Gamaliel who protested price gouging in the Temple (m. Ker. 1:7) and Jesus ben Ananias who prophesied the doom of Jerusalem and the Temple (J.W. 6.5.3 §300–309).

31 Ongoing archaeological work at Sepphoris suggests that prior to 70 CE the
the historical Jesus away from a Jewish milieu, for the analogy remains unproven and highly improbable.

Mack, moreover, says that “Jesus’ use of parables, aphorisms, and clever rejoinders is very similar to the Cynics’ way with words.” This is true, but only superficially. What is overlooked is that Jesus’ use of parables, aphorisms, and clever rejoinders is closer to the rabbis’ way with words. Again, one’s attention should be drawn to the mass of parallels assembled by Billerbeck and the extensive scholarly literature that has been produced in recent years by scholars who study Jesus in the light of the Dead Sea Scrolls and early Judaica.

Mack further claims that “Many of (Jesus’) themes are familiar Cynic themes.” Again, this is true only in a very general sense. Jesus’ themes are in fact familiar rabbinic themes. For example, approximately one half of the 325 or so Tannaitic parables feature God as a king; similarly, approximately one half of Jesus’ parables concern the kingdom of God. The thematic and structural parallels between the parables of Jesus and the parables of the rabbis are extensive, so much so that one recent interpreter of the parables correctly suggests that Jesus and the rabbis drew upon a common thesaurus of vocabulary and imagery.32

In sum, Downing’s parallels are for the most part quite general; the best parallels he adduces frequently are with Josephus, Philo, other early Jewish literature, and rabbinic literature. David Aune comments that while “isolated parallels are interesting from a phenomenological perspective, only parallel structures of thought and behavior can be considered to have a possible historical or genetic relationship. Masses of isolated parallels prove little . . .” (his emphasis).33 Aune’s point is well taken. When the fuller context and structure of Jesus’ thought and behavior are taken into account, we are impressed with his rela-

city was largely Jewish. Ritual immersion pools and stone water pots, as well as absence of pork bones among the faunal remains and absence of certain buildings typical of Greco-Roman cities, make us think that not only was Sepphoris a very Jewish city, but that the Gentile presence was negligible. For more on this point, see M. Chancey and E. M. Meyers, “How Jewish Was Sepphoris in Jesus’ Time?” BAR 26.4 (2000) 18–33, 61.

32 B. B. Scott, Hear Then the Parable: A Commentary on the Parables of Jesus (Minneapolis: Fortress, 1989) 18.

tionship to Judaism of late antiquity and with issues of concern to many of his fellow Jews.

Crossan’s and Mack’s comparisons with Cynics are useful in that they aid us in understanding better the social context in which Jesus would have been viewed by his contemporaries. Certain aspects of Jesus’ ministry likely would have appeared “cynical,” at least superficially, to the Jewish aristocracy and religious establishment of his day. But the evidence falls far short of leading to the conclusion that Jesus actually thought of himself as a Cynic.

The major problem with Crossan’s and Mack’s proposal is that we are not too sure what really was the true Cynic. Most of our primary material has been handed down by Stoics, whose idealized portraits scarcely provide the realism necessary for worthwhile comparisons (see, for example, Epictetus, *Discourses* 3.22). Cynicism evolved over several centuries and was about four centuries old in the time of Jesus. There is no body of doctrine or coherent first-hand description (as in Epicureanism or Stoicism). Nevertheless, Crossan, Mack, and others think they can reconstruct Cynicism by drawing from sources that span about six centuries. Picking and choosing, primarily from Downing’s *Christ and the Cynics*, a Strack-Billerbeck-like compilation of “parallels,” Crossan and company find several points of contact that lead them to conclude that Jesus was a Jewish Cynic.

While it is true that both Cynics and Jesus were in some sense counter-cultural, Jesus’ opposition to the establishment of his day, so far as we know, was quite distinctive from the opposition expressed by Cynics. In fact, it is probably not correct with regard to Cynics to speak of “opposition.” Cynics did not oppose their respective cultures and establishments, as much as they despised them. There was no interest in reforming or restoring society, as probably there was in the case of Jesus. Cynics poured contempt on society and what they regarded as its vanity and futility. They were the vandals and anarchists of late antiquity. They ridiculed what society regarded sacred. Closer and broader inspection of Cynicism reveals that there is in fact a wide gap between Cynics and Jesus.

At this point I would like to summarize four of the major problems with the Cynic hypothesis:

1. Mack, Crossan, and others assume that Cynics lived in most major cities in the time of Jesus. Archaeological and literary evidence suggests that Cynicism was in decline in the early first century. Such an assumption therefore wholly lacks warrant.
2. Mack and company assume that Cynics were present in Sepphoris, a city near Nazareth, in which Jesus and members of his family probably worked. However, there is no archaeological or literary evidence of the presence of any Cynics in first-century Galilee. In contrast, there is both literary and archaeological evidence of the presence in this city of synagogues, rabbis, and Torah-observant Jews.

3. Mack and especially Crossan assume that Jesus would have come under the influence of a Cynic or Cynics encountered in Sepphoris. But Jesus’ proclamation of the kingdom of God, his debates with religious teachers regarding the meaning and application of Scripture, his frequently being called “rabbi,” the dictional and thematic coherence of his teaching with the Aramaic paraphrases of Scripture emerging in the Synagogue, his pilgrimage to Jerusalem for the Passover, and his teaching in the Temple all militate against this view. Jesus is best understood as a religious Jew engaged in debating topics of great interest to many Jews, who lived in Judea as well as in Galilee.

4. Jesus’ instructions to his disciples actually stand in tension with the features by which Cynics are best known (the staff, the beggar’s pouch, and the worn coat). The restorative nature of his message (“The kingdom of God is present”) and his healing, exorcistic, and socializing ministry stand sharply in tension with the Cynic fatalism and proclivity for estrangement from society. Moreover, there is no record that during his ministry Jesus ever visited Sepphoris or Tiberias, the two largest urban centers in Galilee. If Jesus were truly a Cynic, influenced by Cynics in Sepphoris, how do we account for this omission?

No, the Cynic model clarifies nothing, but it obfuscates much.

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Jesus emphasized Torah, indeed grounded his theology and lifestyle in it. He thought and taught in a framework of purity and Jewish piety (including folk wisdom) and looked for the restoration of Israel. This expectation was worked out in his proclamation of the kingdom of God and the works of power by which Jesus and his supporters perceived tangible evidence of the presence of the kingdom. At numerous points Jesus’ teachings, practices, and observances closely parallel those of the religious teachers of his day.36

Chilton has summarized well the general evidence that recommends comparison of Jesus with the rabbis of his period:

Much of what Jesus is remembered to have done and said comports well with rabbinic activity: the concern for purity and ablutions (a concern that included the practice of baptism), the programmatic emphasis on teaching and healing, the development of characteristic themes in his teaching (such as “the kingdom of God”), the gathering of disciples for whom that teaching was presented in a repeatable form or mishnah (a noun that derives from the verb shanah, “to repeat”). Most of the passages that present Jesus in dispute with the Pharisaic, scribal, and priestly contemporaries are also in line with some of the vigorous arguments one encounters in Rabbinic literature. In all of those aspects, Jesus’ activity seems broadly similar to what might have been expected of a rabbi.37

This is not to say that Jesus was a rabbi and nothing else. But before one can begin to assess his teaching, his aims, and his self-understanding, one must place him in context.

Jesus in His Judaic Context

The placement of Jesus in his proper Judaic context entails the study of parallels just as surely as the misplacement of Jesus into a Cynic context involves comparisons with parallels. Obviously parallels can be slippery things; like statistics they can be made to prove many things.38 Let me illustrate this point. Jesus’ so-called “Golden Rule,”

36 For a succinct summary of the several and important parallels, see A. Finkel, The Pharisees and the Teacher of Nazareth (AGSJU 4; Leiden: Brill, 1964) esp. 129–75.
which runs: “Do to others as you would have them do to you; for this is the Law and the Prophets” (Matt 7:12), is often compared to a similar saying attributed to Hillel: “Do not do to your neighbor what is hateful to you; that is the whole Torah, while the rest is its commentary. Go learn” (b. Shab. 31a). Does such a parallel offer compelling evidence that places Jesus in a Judaic, perhaps even rabbinic context?

Jesus’ positive form of the Golden Rule is not original, though some Christian commentators sometimes give that impression. An earlier form is attested in the advice of Yeshua ben Sira: “Judge your neighbor’s feelings by your own, and in every matter be thoughtful” (Sir 31:15). Commentators have sometimes remarked that Jesus’ positive form of the Golden Rule, if not original, points to a higher ethic, in that it “required an absolute demonstration of love.” In contrast, the negative form of the Golden Rule, it is alleged, reflects a less generous spirit. The negative form is amply attested in materials dating from the time of Jesus and after:

And what you hate, do not do to anyone (Tob 4:15).

As you wish that no evil should befall you, but to be a partaker of all good things, so you should act on the same principle towards your subjects and offenders (Ep. Arist. 207).

Let no man himself do what he hates to have done to him (Philo, Hypothetica, apud Eusebius, Praep. Ev. 8.7.6).

None should do to his neighbor what he does not like for himself (Hebrew version of T. Naph. 1:6).

You shall love your neighbor, so that what is hateful to you, you shall not do (Tg. Ps.-J. Lev 19:18, italicized portion indicates where the Aramaic departs from the Hebrew).

May we infer from these examples that Jesus’ positive form of the rule represented a higher ethic? No, we probably should not. The negative form was also known to Christians, as seen in Did. 1:2 (“And everything that you desire not to be done to you, do not...}

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39 Another saying attributed to Hillel could be pertinent: “Be of the disciples of Aaron, loving peace and pursuing peace, loving humanity and bringing them to the Law” (Abot 1:12).

yourself do to others”) and Thomas §6 ("And what you hate, do not do to anyone" = POxy 654.5).\textsuperscript{41} There is no evidence that the patristic writers, who were familiar with both forms of the rule, thought that the positive form was superior to the negative. Moreover, the positive form of the rule is attested in Jewish sources: partially in the Epistle of Aristeas, cited above, and fully in the later 2 Enoch: “And now, my children, keep your hearts from every injustice which the Lord hates. Just as a man asks for his own soul from God, so let him do to every living soul” (61:1–2).

Do the many parallels with Jewish sources compel us to place Jesus in a Jewish context? No, not really. One thinks of the saying attributed to Seneca: “Take care not to harm others, so others will not harm you” (Moral Epistles 103.3–4). Rough correspondence with Seneca’s saying does not, however, imply that Jesus’ form of the rule is Stoic or Cynic. Indeed, Hillel’s negative form of the golden rule stands closer to Seneca’s negative form. The positive form of the rule is also attested in other non-Jewish writers, such as Sextus: “As you wish your neighbors to treat you, so treat them” (Sentences 89), Dio Cassius (51.34.39), and Isocrates (Ad Nicocleam 49).

The link between the Golden Rule and the command to love one another in the Aramaic version of Lev 19:18 is intriguing, given the fact that Jesus cites this passage as the second of the two great commandments (Mark 12:28–31). But even here we do not have tradition that is distinctive of Jesus, for the double commandment tradition is attested in Jewish sources (see discussion below). What we probably have here is further indication that Jesus’ ethic was fully in step with views widely held by his Jewish contemporaries.

In sum, Jesus’ positive form of the Golden Rule is somewhat distinctive, in that the negative form appears to have been more common. This fact may enhance its claim to authenticity (in that one might expect a non-dominical topos that entered the dominical stream to conform to the common format),\textsuperscript{42} but it does not place Jesus into

\textsuperscript{41} For discussion of the negative form of the rule in Thomas, see B. Chilton, “‘Do not do what you hate’: Where there is not gold, there might be brass. The case of the Thomaean Golden Rule,” in Chilton, Judaic Approaches to the Gospels (USF International Studies in Formative Christianity and Judaism 2; Atlanta: Scholars Press, 1994) 123–49.

\textsuperscript{42} Chilton (Judaic Approaches to the Gospels, 142) plausibly concludes that “Jesus taught the Rule, which was generally acknowledged within his culture, in its positive form.” But he goes on to suggest that it was originally uttered in contexts different from those supplied in Matthew/Luke and in Thomas.
a Judaic context more firmly. The parallel is interesting, to be sure, but it is not determinative. We learn little of Jesus’ program, and nothing that would mark him off from his Jewish contemporaries or from his non-Jewish contemporaries for that matter.43

There are other parallels and common points of interest that tell us much more significant things about Jesus. But again, because Christians have tended to emphasize christology and exaggerate uniqueness, which is thought to be a requirement for christology, important points of overlap with expressions of Judaism in Jesus’ time are overlooked or treated only in passing.

The remainder of this paper treats three examples of Jesus’ interaction with Jewish law. One should think that Jesus’ respect for Torah is plainly evident in the Gospels. But once again, motivated by a desire to elevate Jesus above Judaism Christian interpreters have through the centuries made some odd assertions about Jesus’ opposition to or transcendence of the Law. Critical study of the dominant tradition reveals no such tendency. Jesus’ quotation of the Shema’ (Deut 6:4–5) and the injunction to love one’s neighbor as one’s self (Lev 19:18) as the “greatest commandment” (cf. Mark 10:28–34) attests Jesus’ loyalty to the Torah and his presupposition that it is normative. Perhaps even more revealing is his reply to the Scripture scholar who asked what he must do “to inherit eternal life” (Luke 10:25). This passage and the other passages that will be examined provide weighty evidence that Jesus fully respected Torah, even if he sometimes differed from some of his contemporaries in its interpretation. To dispute the meaning of the Scripture, of course, is a very Jewish and very rabbinic thing to do.

Space permits discussion of only three examples. All three illustrate well Jesus’ adherence to cardinal principles of Jewish faith in late antiquity. At a few points we may catch glimpses of distinctive features, perhaps even a measure of originality. But our approach to the study of Jesus is not driven by a quest for uniqueness or originality.

(1) The Sabbath. One facet of Jesus’ teaching and ministry that provoked controversy concerned his understanding of the sabbath. The facts that this controversy is early and widespread in the tradition (Mark 3:1–6; Luke 14:1–6; John 5:9–17; 7:22–24; 9:14–16) and

43 These findings are consistent with those articulated by Chilton.
would have proven awkward for the early church which was predominantly Jewish recommend its authenticity. 44 The story related in Mark 2:23–28 is particularly striking. Pharisees demand to know of Jesus why his disciples pluck grain on the sabbath, a practice that is forbidden by law. The plucking of grain from fields not one’s own was permitted (cf. Deut 23:25), but work on the sabbath was not (cf. Exod 20:10; Deut 5:14; cf. m. Shab. 7:2). Jesus replies by way of appeal to the action of David and his men, who in their hour of need ate the bread of the Presence, which was only to be eaten by the High Priest and his associates (1 Sam 21:1–6; cf. Lev 24:5–9). The actions of Jesus and his disciples, on the one hand, and of David and his companions, on the other, are roughly parallel, but whether or not Jesus’ line of argument is truly compelling is much debated. 45 The interesting point is the principle that Jesus enunciates:

Τὸ σάββατον διὰ τῶν ἄνθρωπων ἐγένετο καὶ οὐχ ὁ ἄνθρωπος διὰ τὸ σάββατον.

The sabbath was made for humanity, not humanity for the sabbath (v. 27). 46

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44 There are many who defend the authenticity of Mark 2:23–27; cf. F. Neirynck, “Jesus and the Sabbath: Some Observations on Mark II, 27,” in Neirynck, Evangelica: Gospel Studies—Études d’évangile (BETL 60; Leuven: Peeters and Leuven University Press, 1982) 637–80; R. Pesch, Das Markusevangelium. 1. Teil (HTKNT 2.1; Freiburg: Herder, 1977) 183. Pesch avers that rather than a fictive “ideal scene” reflecting the behavior of the early church, the story is based “on concrete tradition from the life of Jesus.” Not all of the reasoning in support of the authenticity of the story is valid (especially that emanating from Bultmann and his pupils), a point that Neirynck considers.

45 For example, see D. M. Cohn-Sherbok, “An Analysis of Jesus’ Arguments Concerning the Plucking of Grain on the Sabbath,” JSNT 2 (1979) 31–41; repr. in C. A. Evans and S. E. Porter (eds.), The Historical Jesus: A Sheffield Reader (BibSem 33; Sheffield: Sheffield Academic Press, 1995) 131–39. Cohn-Sherbok concludes that Jesus’ arguments were “invalid from a rabbinic point of view” (p. 133) and “fallacious because the comparison he drew was inappropriate” (p. 138). His conclusion is vitiated to some extent, however, in that it assumes that later rabbinic methods and rules of exegesis probably were in practice in the early first century. Saving life on the sabbath was not controversial (b. Yoma 85a; cf. b. Menah. 95a: “even that which has been sanctified this day in the vessel you may give him to eat for he is in danger of his life”), but performing work on the sabbath where life was not in danger was regarded as unlawful.

46 The concluding statement, “so the Son of man is lord even of the sabbath” (v. 28), is an editorial comment added by the evangelist in an attempt to steer the story in a christological direction. For another editorial comment of this nature, see Mark 7:19.
A few Jewish scholars have been impressed with this statement, especially the late Rabbi Philip Sigal. Sigal draws our attention to the parallel in the *Mekilta*:

“And you shall keep the sabbath, for it is holy to you” [Exod 31:14]: This means: to you the sabbath is given over [יהוה]; you are not given over [יהושע] to the sabbath (Mek. on Exod 31:12–17 [Shabbat §1]).

*Mekilta* credits the saying to Rabbi Sime'on ben Menasia (usually dated to the late second century CE). In *b. Yoma* 85b there is discussion concerning the requirement to circumcise on the eighth day, even if that day fall on the sabbath. From this it is inferred that if the sabbath law can be suspended on account of one member of the body, then surely the sabbath law can be suspended to save a life. Rabbi Sime'on ben Menasia is then cited as having quoted Exod 31:14 in this connection, but in *Yoma* Rabbi Sime'on ben Menasia’s saying is attributed to Rabbi Jonathan ben Joseph: “It is given over to your hands; you are not given over to its hands.” Sigal thinks the tradition originated in Jesus, but was passed on anonymously and eventually was attributed to Sime'on ben Menasia (and later still to Rabbi Jonathan ben Joseph). Perhaps, but the tradition, if not the saying itself, probably pre-dates Jesus, possibly deriving from Mattathias’ decision to defend oneself on the sabbath (cf. 1 Macc 2:39).

Does Jesus’ saying imply that he has less respect for the sabbath than his rival religious teachers have? Downing cites a saying from Pseudo-Crates: “Humans were not created for the sake of horses, but horses for humans” (Ps.-Crates 24), to show that Jesus’ view parallels Cynic ideas. Does the saying of Jesus constitute an example

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49 Downing, *Christ and the Cynics*, 125. As a possible parallel to the reference to David’s eating the bread of the Presence, Downing cites *Lives of Eminent Philosophers* 6.73: “Diogenes saw nothing wrong in taking anything from a temple, or in eating the flesh of any living thing.” This parallels Jesus’ point in a general sense. But the same would have been said of Paul, who thought it acceptable to eat meat
of Cynicism, a spurning of the value of the sabbath, reflecting a Hellenistic, non-Jewish perspective? Or is it an opinion that directly reflects Jewish halakic discussion of a topic that goes straight to the heart of Jewish custom and piety? In my view, Jesus’ teaching in no wise was meant to undermine the sanctity of the sabbath.

Moreover, the appeal to Scripture (i.e., “Have you never read what David did?”) can hardly be cited as evidence that Jesus held to a low view of the Law. Far from it; the appeal to one passage of Scripture to shed light on teaching elsewhere in Scripture is part and parcel of Jewish interpretation. What we have here is an instance of the halakah of Jesus, which for his followers was persuasive, though probably not for others. In my opinion, Jesus’ exegetical riposte is right at home in the exegetical debates exemplified in rabbinic literature, Cohn-Sherbok’s views notwithstanding.

(2) The Altar. Placed in the context of the Sermon on the Mount is Jesus’ recommendation, if you remember “that your brother has something against you, leave your gift at the altar and go, be reconciled to your brother” (Matt 5:23–24). The saying presupposes that the Temple in Jerusalem still stands,50 while the evident allegiance to the Temple makes it difficult to believe that this saying arose in the Church in a post-Easter setting (though some commentators so argue). In all probability the saying goes back to Jesus.

This saying, like others in the dominical tradition, subordinates cultic ritual to personal integrity. There is nothing new here; the prophets took this view (Jer 7:21–26; Hos 6:6; Amos 5:21–24; Mic 6:6–8), so did the sage Yeshua ben Sira (Sir 7:8–9; 34:18–19), as well as later rabbinic authorities (m. Pesah. 3:7; and texts cited in Billerbeck, 1.287–88). Indeed, Philo also says as much: “For, if the worshipper is without kindly feeling or justice, the sacrifices are no sacrifices, the consecrated oblation is desecrated . . . But, if he is pure of heart and just, the sacrifice stands firm . . .” (De Vita Mosis sacrificial to idols, as long as it was done with a clear conscience (1 Corinthians 8, 10). Does this make Paul a Cynic?

Thus both the antiquity and currency of this sentiment are attested.

Jesus’ teaching in Matt 5:23–24 is consistent with the teaching of the sages. According to Yeshua ben Sira: “When one prays and another curses, to whose voice will the Lord listen?” (Sir 34:24; the context has to do with offering sacrifice; cf. 34:18–22; 35:1–20); and: “Do not offer (God) a bribe, for he will not accept it; and do not trust to an unrighteous sacrifice; for the Lord is the judge, and with him is no partiality” (Sir 35:12). According to Rabbi Eleazar ben Azariah: “For transgressions that are between man and God the Day of Atonement effects atonement, but for transgressions that are between a man his fellow the Day of Atonement effects atonement only if he has appeased his fellow” (m. Yoma 8:9).

Jesus’ teaching in Matt 5:23–24 also coheres with the commandments found in Lev 5:20–26 (Engl. 6:1–6), which have to do with making restitution. The Law requires that what has been wrongfully taken be returned and that a guilt offering be taken to the priest. Rabbinic teaching underscores the necessity for restitution to take place fully and prior to offering the guilt offering: “the guilt offering comes after the money [is restored] . . . [If] he brought his guilt offering but did not restore the thing which he had stolen, one should not stir the blood [of the offering] until he restores the thing that he had stolen” (t. B. Qam. 10.18; cf. Sipra Lev. §68 [on Lev 5:25]; b. B. Qam. 110a). Abrahams comments: “Matthew is specifically referring to one who has to bring a sin-offering, and in the act of so doing remembers that he has not yet made amends for a wrong committed by him against another man, presumably for the very wrong which has been the reason for bringing the offering at all.”

The parallel between Matt 5:23–24 and the halakah in the Tosefta, avers Abrahams, “is exact.”

Jesus’ concern that one’s offering be presented to the Temple in a state of ethical purity is consistent with his action in the Temple

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52 Abrahams, “Rabbinic Aids to Exegesis,” 189.

53 Luz (*Matthew 1–7*, 289) does not think so. Luz finds the closest parallel in Sirach and m. Yoma 8:9, not in the texts that speak of the interruption of guilt offerings. Sanders (*Judaism*, 192), however, relates Matt 5:23–24 to these texts.
precincts (Mark 11:15–18 and parallels). Recent study has suggested that this action was in reaction to the manner in which sacrificial animals were purchased and presented to the priests for sacrifice, a manner with which Jesus sharply disagreed. Far from suggesting that Jesus opposed the Temple or opposed sacrifice, his action suggests rather that he supported the cultus and was very much concerned with the pragmata of sacrifice. On the basis of similar demonstrations in the Temple precincts by religious teachers (especially the one involving a dispute between Hillelite and Shammaite halakah) we may infer that Jesus taught that those who purchase animals for sacrifice take ownership of them before surrendering them to the priests.54

(3) Eternal Life. According to Luke 10:25–28 an expert in the Law asks Jesus: “What must I do to inherit eternal life?” Jesus responds with questions of his own: What is written in the Law; and how does he read it? The Scripture scholar responds by reciting the double commandment, a commandment which Jesus also is said to have recited (Mark 12:29–31): “You shall love the Lord your God with all your heart, and with all your soul, and with all your strength, and with all your mind; and your neighbor as yourself.” Jesus commends the man for his answer: “You have answered right; do this, and you will live.” The Scripture scholar’s question constitutes the classic Jewish religious question (see also Mark 10:17). His answer, prompted by Jesus’ question, reflects a summary of the Law that is attested in various forms in many sources (cf. T. Iss. 5:2; 7:6; T. Dan 5:3; Ep. Arist. 229; Philo, Virt. 51, 95; Spec. Leg. 2.63; Abr. 208).55 Jesus’ positive response, in which he alludes to Lev 18:5, could not possibly be more thoroughly Jewish and more thoroughly unCynic.

Had this exchange been produced by a Christian community, surely the right answer would have been different. After all, Christians proclaimed that salvation came through faith in the risen Jesus (e.g., Acts 2:38; 4:12; Rom 10:9), not through obedience to the Jewish

54 For a full discussion of this important aspect of Jesus’ teaching, see Chilton, The Temple of Jesus, 91–111; idem, Pure Kingdom, 115–23.

Luke 10:25–28 must therefore derive from the life and ministry of Jesus, not from the Christian community. 56

What is especially interesting is to notice how closely Jesus’ response coheres exegetically and thematically with Jewish interpretive tendencies. As has already been mentioned, his response, “do this, and you will live,” alludes to Lev 18:5: “You shall therefore keep my statutes and my ordinances, by doing which a person shall live.” The general context of this passage makes it clear that the life “which a person shall live” is life in the promised land (i.e., Israel), not eternal life in the world to come. Recall that the Scripture scholar had asked Jesus what he must do “inherit eternal life,” not life in the land of Israel, which he already enjoyed.

How is it that Jesus thinks an allusion to Lev 18:5 provides a suitable assurance to a man who has asked about eternal life, not life in this world? The Aramaic paraphrase of this text in all probability provides an answer. According to Tg. Onq. Lev 18:5: “You should observe My ordinances and My laws, which, if a person practices them, he shall live by them in eternal life.” Targum Pseudo-Jonathan renders the text a bit more elaborately: “You should observe My ordinances and My orders (of festivals), which, if a person practices them, he shall live by them in eternal life and shall be assigned a portion with the righteous.” 57 The antiquity of this interpretive paraphrase, whereby the text is made to speak of eternal life as well


57 This exegesis is explicit in Sipra Lev. §193 (on Lev 18:1–30): “‘You shall keep my statutes and my ordinances, which a human will do and he shall live in them.’ This formulation of the matter serves to make keeping and doing into statutes, and keeping and doing into ordinances. ‘. . . shall live’—in the world to come. And should you wish to claim that the reference is to this world, is not the fact that in the end one dies? Lo, how am I to explain, ‘. . . shall live’? It is with reference to the world to come. ‘I the Lord’: faithful to pay a reward.” The key phrase, “he shall live by them in eternal life,” occurs three times in the Ezekiel Targum (at 20:11, 13, 21), while the transformation of prophetic promises of well being and restoration in this life is also attested in the Isaiah Targum (at 4:3; 58:11).
as life in the present world, is attested at Qumran.58 The Aramaic paraphrase makes it clear that the phrase, “which a person should do and so have life in them,” at Qumran does indeed allude to Lev 18:5.

These three examples are representative only. Many others could be discussed. But the three considered above should be sufficient to demonstrate that Jesus’ teaching arose from and spoke to the Jewish faith of his day.59 The first dealt not simply with what was lawful on the sabbath, but with the more fundamental question of the sabbath’s purpose. With respect to the second example, Jesus’ insistence that the ethical requirements of restitution be attended to before one’s offering is completed presupposes the importance of the Temple and sacrificial system. Indeed, Jesus’ halakah is surely designed to ensure their efficacy. In the third example we find Jesus recommending observance of the Law, especially as it is summed up in the great double-commandment to love God with one’s entirety and to love one’s neighbor as one’s self, in order to be assured of eternal life.

Concluding Thoughts

Mack’s *A Myth of Innocence* ends on a note of personal tragedy and tortured logic. The lapsed Nazarene evangelist has given up his Christian faith and no longer holds out hope for any messiah, Christian or otherwise: “Neither Mark’s fiction of the first appearance of the man of power, nor his fantasy of the final appearance of the man of glory, fit the wisdom now required. The church canonized a remarkably pitiful moment of early Christian condemnation of the world. Thus the world now stands condemned. It is enough. A future

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58 According to CD 3:12–16, 20: “But when those of them who were left held firm to the commandments of God he established His covenant with Israel for ever, revealing to them hidden things, in which all Israel had erred: His holy Sabbaths, His glorious festivals, His righteous laws, His reliable ways. The desires of His will, ‘which a person should do and so have life in them.’ . . . those who hold firm to it shall receive everlasting life and all the glory of Adam will be theirs.”

59 When I say the “Jewish faith” I do not intend to imply that Judaism was monolithic. The Jewish faith was expressed in thought and practice in a variety of ways. Although I do not think it necessary to speak of “Judaisms” or “Christianities,” it is important to recognize the diversity and pluralism of Jewish and Christian faith in late antiquity.
for the world can hardly be imagined any longer, if its redemption rests in the hands of Mark’s innocent son of God.”

Mack’s interpretation of Mark is strange indeed. Permit me to offer one in its place, very briefly. We have heard enough from the evangelist Mack. Let’s hear from the evangelist Mark. In the face of a hostile world—drifting from his Jewish roots and threatened by an increasingly intolerant and hostile Roman Empire—the Markan evangelist boldly declares that the true “son of God” is not Caesar; it is Jesus Christ. The good news for the world did not commence with the arrival of Caesar and his dubious heirs (herein lies the real myth); it commenced with the arrival of the Christ. The evangelist makes his view quite clear in the opening words: “The beginning of the good news of Jesus Christ, the son of God” (Mark 1:1). These words constitute an unmistakable allusion to the Emperor Cult, especially as it came to expression during the lengthy and celebrated reign of Augustus (30 BCE–14 CE). According to the inscription from Priene (9 BCE), parts of which read: “Providence... has given us Augustus... that he might benefit humanity, having been sent as savior... and by his appearance (excelled all our expectations)... the birthday of the god Augustus was the beginning of the good news for the world” (OGIS 458, lines 32–41). We hear this idea expressed in a papyrus in reference to Nero (reigned 54–68 CE): “The good god of the inhabited world, the beginning of all good things” (POxy 1021).

Despite such an auspicious introduction, Mark’s story of Jesus ends on a Roman cross, amidst the mockery of ruling priests, passersby, and even the two rebels crucified with him. But impressed with the manner in which Jesus died and the preternatural signs that accompanied his death, the Roman centurion overseeing the execution makes a declaration that should be reserved for the emperor alone: “Surely this man was the son of God!” (Mark 15:39).

The evangelist Mark puts the story in its best light, to be sure, but not in a mean-spirited manner in which he attempts to implicate the innocent and exculpate the guilty. Mark’s Jesus is Jewish, perhaps not as obviously as in the Matthean portrait (whose hostility toward Jewish teachers and rival sects is much more pronounced), but Jewish nonetheless. Apart from the Jewish context, the Palestinian

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context, and the Scriptures of Israel and their interpretive legacy the story of Jesus in the Gospel of Mark could hardly be properly and adequately understood. Indeed, the story as we find it could not have been written. Mark’s Jesus remains a Jewish Jesus, Burton Mack and the Jesus Seminar notwithstanding. The Jesus of Mark and the other Gospels must be interpreted in his Judaic context if he is to be fairly and sensibly understood.
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Craig Evans’s paper boldly locates the context of our conference within the contemporary discussion of Jesus, especially in North America. Archaeological work, notably in combination with anthropological analysis, has laid much more emphasis on the distinctive culture of Jewish Galilee than was the case a decade ago, when a more homogenized, Hellenistic character was imputed to the entire region.¹

The critical question, which emerges from the orientation suggested by Crossan and adopted by Burton Mack, is whether the model of a Galilean peasant and rabbi may be subsumed with the paradigm of a “Cynic.” That is a more sophisticated issue than archaeological constructions as such are normally expected to resolve. Evans and I have both been influenced by the sensitive correlation of literary and archaeological study offered by Seán Freyne,² whose approach, and the direction in which his findings pointed, has since been confirmed by two, distinct variations on his approach. The material side of his analysis is pushed forward in a recent collection of studies.³ The usage of artifacts to map cultural variegation and trace the self-conscious identity of Judaism in Galilee is as striking in this volume as the careful work in the field that went into it. The more exegetical side of the approach advocated by Freyne (and

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Horsley, in his own way) is developed within the “cognitive archaeology” practiced by Marianne Sawicki. Although some of her suggestions are deliberately daring (and her recourse to the Mishnah perhaps too confident, given the problem of chronology), her coordination of artifactual and exegetical speculation is productive. It is only to be expected that a combination of sifting data and engaging in speculative inference will further re-mould our picture of Galilee’s cultures as research is pursued, but it is not too soon to say that the attempt to characterize the entire region on the basis of Sepphoris alone is no longer viable, even if it once seemed so. Although that correction of the entire paradigm of “The Jesus Seminar” is as crucial as Evans says, the way in which their discussions opened up the issue of the social construction of Jesus’ environment has proven to be seminal.

The reluctance to use the category of “rabbi” in order to assess Jesus is to some extent understandable. That term can and has been used anachronistically, to impute the organized Rabbinate of the Talmud to the first century. In principle, however, that anachronism should be dealt with just as we cope with such terms as “messiah” (or “christ”) and “son of God.” It is a commonplace of scholarship to alert readers to the fact that “messiah” during the first century did not bear the apologetic associations that developed quickly in early Christianity, and that “son of God” did not convey the ontological claims of the Council of Nicea. Both of those corrections involve more global adjustments than calling attention to the well-documented, historical structures which attended the emergence of Rabbinic Judaism. Could it be that scholarly aversion to the term “rabbi” shows that it has become a metonym for Jesus’ Judaism, not only as a happenstance of birth and nurture, but as his own commitment? The relative neglect of the actual usage of the term in the Gospels might suggest that is the case.

John the Baptist is explicitly called “rabbi” in John 3:26, and Jesus is addressed that way more than by any other designation (Matt 26:25, 49; Mark 9:5; 10:51; 11:21; 14:45; John 1:38, 49; 3:2; 4:31; 6:25; 9:2; 11:8). Despite those facts, it is routinely objected by scholars that Jesus “was not a ‘rabbi,’” but “a prophet (eschatological or

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The Gospels suggest that, as he became known for his signs (Matt 16:14; Mark 6:15; Luke 7:16; 9:8, 19; John 4:19; 6:14; 7:40; 9:17) and approached Jerusalem for the last time in his life (Matt 21:11, 46; Luke 24:19), Jesus was indeed called a prophet, but not as persistently or routinely as he was called rabbi. In any case, the one address by no means excludes the other. That the term “rabbi” was current in Jesus’ time is suggested by Dan 2:48; 4:6; 5:11 and m. 2 Abot 1:6, 16, as well as from inscriptions. Bernas is definitely right to raise the issue, but only because being called “rabbi” did not involve an institutional qualification until a much later period, well after the destruction of the Temple. When Crossan and others compare Jesus to the popular philosophers of the Mediterranean world, especially the Cynics, their comparison may be helpful in general terms, although it seems clear that a Jewish teacher whose wisdom was valued would be called “rabbi.”

Purity has emerged in recent scholarship as an issue Jesus engaged in, rather than a systemic aspect of Judaism that he simply rejected. In her excellent study, which firmly grounds baptism in the practice of purity, Joan E. Taylor sets the groundwork for a critical understanding of immersion, John the Baptist, and therefore Jesus. Her work represents an advance of the approach I had pursued more exegetically and theoretically. Building upon such studies, Jesus’ focus on purity is a major theme in a recent book by Paula Fredricksen. In an influential study, E. P. Sanders had argued that Jesus dropped the requirement of repentance from John’s practice altogether. I

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6 For those, see J. P. Kane, “Ossuaries of Jerusalem,” JSS 23 (1978) 268–82.
7 Indeed, long after the destruction of Jerusalem “rabbi” was still used as a general title of honor for an important community figure; cf. M. Schwabe and B. Lifshitz, Beth She’arim (2 vols., New Brunswick: Rutgers University Press, 1974). Many of these inscriptions are 3rd/4th century.
8 Joan E. Taylor, The Immerser: John the Baptist within Second Temple Judaism (Studying the Historical Jesus 2; Grand Rapids: Eerdmans, 1997).
10 Paula Fredricksen, Jesus of Nazareth (New York: Knopf, 1999).
have disagreed with him, because the persistent reference to repen-
tance by Jesus is manifest in the Gospels and early Christian liter-
ature. But Sanders put scholarship on the right track, by urging us
to identify the evident difference between John and Jesus. Purifica-
tion, in the light of more recent research, seems to have been the
crucial issue.

By taking due account of critical discussion, developments in our
approach to assessing evidence and evolving hermeneutical strat-
egies, and evidence which has been recently uncovered or neglected
by the fashions of our times, Craig Evans has invited us to find a
place for Jesus. That place is not created in the shadow cast by the
post-modern delight in revisionist readings of ancient sources, nor is
it defined within the various enclosures fenced in by the require-
ments of apologetic theologies in their many forms. The Jesus that
has been missing is the figure within the culture of Galilean Judaism,
recoverable only by inference, who gave rise to the movement or
movements that our sources attest in all their diversity. Because that
it is a place of study, rather than a specific program or agenda of
research, those of us engaged in locating Jesus and mapping his
influence will need, for the foreseeable future, to be involved with
the social construction of both the influences that shaped him and
the practices and beliefs which he generated.

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CONTEXTS OF COMPARISON: RECIROCALLY READING GOSPELS’ AND RABBIS’ PARABLES

Jacob Neusner

I. Theory of the Academic as against the Theological Study of Religion

Context determines the character of comparison. That principle forms a corollary of the still more encompassing one: no theoretical work on any aspect of the study of religions must commence without the formulation of the context in which study is undertaken. Concretely, when we study Judaism or Christianity in the context of the academic study of religion, we undertake a different task from the one undertaken when in synagogue or church people study Judaism or Christianity. And that difference also shapes the way in which we compare the one religion with the other.

II. Theological versus Academic Study of Religion

Religions study themselves as part of their on-going work of exegesis and renewal. There, under the auspices of the faith, the labor requires learning facts in the service of the faith: intensive knowledge of that one thing only. That is because the worth of that one thing that is studied—Judaism, Christianity—marks the starting point. Facts bear their own meaning in religious context and theological perspective. What we want to know is of self-evident, self-validating interest. Most of the study of religions takes place as theology under the auspices of the several religions, and enormous erudition about some few things comes about. The specific religions define the boundaries of knowledge in their own regard. That is why, prior to our own generation (and in our own day as well), most of what people learn concerns religions’ theology, not religion.

But in the academy, shaped as it is by the heritage of the Enlightenment, we seek in any subject we take up to learn more about humanity, viewed whole. Our concern is therefore not only the various
religions, viewed as self-validating, but religion, regarded as a dimension of the life and culture of humanity. Knowing various religions, what can we say about religion as a whole? To answer that question—a different one from the question that governs the theological study of religions—we privilege no body of information and regard as self-evidently important no defined corpus of knowledge. Instead we ask religions to contribute cases and examples in the examination of generalizations about the whole phenomenon of humanity’s religious activities and aspirations. We seek generalizations that pertain to the entire scope of human experience and consciousness. That is why, while we study specific religions as part of our work, we mean also to study religion—the phenomenon from which the phenomena derive. The study of religion, like all other well-developed academic fields of the social sciences and humanities, is therefore a generalizing science, one that by its nature is both multi-cultural and comparative. The academy then promises to study not only religions, but religion.

III. The Unique versus the Exemplary

But where and how are we to do so? Take the case of the Gospels, which define the occasion at hand. Most scholarship on the formative writings of Christianity goes on among believers or their continuators, in models defined by Christian seminaries and shaped in the interests of Christian theology. Enjoying a self-evidently valid position of privilege, treated as objects of inquiry in their own terms, the Gospels are rarely asked to contribute to a discourse of general intelligibility. They are not often invited to illustrate a generalization or to provide an example of a truth that transcends their particular case, e.g., about the nature of religious writing. As when studied under Church auspices, so in the academy the Gospels are treated as self-evidently interesting in their own right, not as exemplary of a proposition that pertains elsewhere. That is to say, whether in the Church or in the College the Gospels are treated as unique. The definition of matters limits itself, moreover, to a narrow range of questions, some of them doctrinal, most of them historical, all of them aimed at a theological goal. In the case of classical Christianity, for example, whether or not Jesus “really” did or said what he is alleged by the Gospels to have done or said defines what scholars
want to know, and when they have formed a thesis in response to questions of hard-core, positivist history, they claim they are quite content. Gospels’ scholarship (and its counterparts in Judaism and other religions) rarely moves beyond the work of Christianity, defined historically. Generalizations prove rare, comparisons invidious, and the multi-cultural ideal of inclusive discourse encompassing human experience accessible in general registers not at all.

The same is surely the case with the Gospels’ counterparts, the Hebrew Scriptures, the Rabbinic literature of formative Judaism, and the equivalent classics of Islam and Buddhism, and the like. Everything is accorded the position of singularity, and nothing is set forth as exemplary. But the premise of academic learning is, nothing is prima facie unique, everything points to some few (hypothetical) generalizations, which it is our task to identify and test. But we do well to take a single case and generalize from there, and the study of the Gospels provides not only an example of the study of religions, not religion, but also the occasion for reflection on how, if we wanted to study religion as a general phenomenon and ask about its traits as these transcend specific cases, we might undertake that work. In concrete terms, exactly at what points should we turn to the work of generalization and face outward toward the worlds that circle in their own orbits but may intersect with the one at hand?

IV. Description, Analysis, Interpretation: The Place of Comparison and Contrast

To answer these questions and then show how the answer works, a brief account of what we do when we study religion is required. Here we shall identify the specific point at which the interests of religion shape the study of specific religions.

What, How, So What? To study any religion, three successive tasks require attention: description, analysis, and interpretation. We describe a given religion, assembling the relevant facts in correct balance and proportion. That answers the question: what? meaning, what precisely do we study? We analyze the religion, identifying noteworthy traits and explaining them in context. That answers the question: how? meaning, how does this set of information constitute a coherent religion? And, finally, we interpret the religion, trying to relate the character of that religion to its context. That answers the
question: why, or so what? meaning, what else do we know, if this is what we know? That is the point of generalization, provoked by the successful work of comparison and contrast. For the study of religion as a powerful force in human affairs, as everyone concedes religion has played, that is the key question: what do we know that we did not know before, and what difference does that knowledge make in our understanding of how things are? These three intellectual challenges—what, how, why—confront anyone who hopes to do more than summarize and paraphrase the sources of a given religion in the labor of the study of that religion.

Answering the question of what involves no intellectual heavy-lifting. It requires the hard but unchallenging work of hunting and gathering, collecting and arranging, information: the equivalent of natural history. But matters change when we ask how. The critical step comes with analysis. There we move from primitive to sophisticated labor: find patterns, identify governing generalizations. Through analysis we make sense of the facts that we collect and arrange and form them into knowledge, turning information into a hypothesis and an argument. How, exactly, we undertake to analyze a classic of a given religion depends on the way in which we define the context in which we are to read that classic. For analysis context is everything. By context I mean, where do facts take on consequence, and what is the question that a given fact answers? There begins the work of generalization about religion, not merely the description of individual religions, that we promise in the academy.

But to define a context, we have to pick and choose, carrying out a labor of comparison and contrast. For to identify the context for a text (by way of example) we require perspective on what we know. And the only way of gaining perspective is to establish a distance, a standpoint, apart from established knowledge. And to do so means to step back, find something sufficiently like what we know to sustain comparison, but also significantly unlike what we know to show alternatives—that is the work of comparison and contrast. One of the founders of the academic study of religion—religion, not only religions—said it all: one who knows only a single religion knows no religion at all.
V. Analysis and the Comparative Study of Religion

The second stage, that of analysis, beyond description, before interpretation, marks the moment of turning outward for data that are like and not like our primary point of interest. Then we can attempt a generalization. The study of religion by its nature requires generalization—this is how things are in general, and this is what they mean, viewed whole. To generalize, we have to identify the choices a religious system or culture makes for itself, why it selects one way, rather than another, for its world of belief and behavior. But to explain choices, we have to know at least some of the alternatives. Only then can we set forth a catalogue of possibilities and therefore ask, why this, not that? In the realm of religion, religions constitute that catalogue of possibilities, that list of how one might do things, to define the context in which how one actually does them.

Comparing and contrasting afford perspective. They alert us to alternatives, other ways of belief and behavior, so that from a grasp of roads not taken, we may follow the path that is chosen and form a theory of the reason why. Accordingly, by its nature, the analytical study of religion is both comparative and multi-cultural. It is comparative, because only when we consider two or more religions (or two or more systems of the same religion) in a process of comparison and contrast do we gain access to the might-have-beens and make some sense of what actually was or is. And it is multi-cultural because religions make choices about a shared existential agenda addressed by two or more (other) religions. Nearly all religions, for example, deal with such issues as the nature of God and the meaning of death, the requirements of the social order and the reality of love. If we wish to learn about religion in culture and society, therefore, we are going to form a hypothesis out of a variety of kindred cases, then test that hypothesis further. If, then, everyone understands that, in the study of religions, who knows only one religion understands no religion, how is comparison to be carried on?

VI. Two Ways of Comparing Religions: Synchronic vs. Diachronic

I see two media of comparison: synchronic, that is, comparison and contrast of religions that thrive in the same time and place, and diachronic, comparison and contrast of religions over time.
Synchronic comparison takes place in historical study, diachronic, in the study of religion over time. Each mode of comparison and contrast obeys its own rules and yields its own sort of insight. At issue is, which serves better in the study of the Gospels in particular?

Synchronic Comparison: Here historical context defines the work. For we compare concrete sayings or actions of the same time and place, each representative of the religion, both religions confronting a single circumstance. We claim to know exactly what has taken place on a particular occasion and how each religion has responded to the same moment in time, and we allege that the same circumstances—time and place, relationships of power and considerations of honor for instance—confronted both players in a common condition. In the case of the Gospels synchronic comparison will identify opinions held before or in the time in which Jesus lived, on the premise that Jesus can have known such opinions and have framed his own sayings in response to them. Sayings parallel to those attributed by the Gospels to Jesus will take priority; these will place Jesus into that context in which these sayings circulated.

Most comparative work focused upon the Gospels has limited itself to the principles of synchronicity: compare what Jesus said or did with what others in or before his time said on the same subject or did in the same setting. In fact, comparative study of Jesus in the context of his time and place got underway as soon as Christians began to record in writing the religious encounter that embodied the faith. In the language of Jesus himself, comparison commences, when he says, “You have heard it said... but I say to you....” That language formed the very essence of the comparative study of Christianity along side the (inferior) Judaism. For long centuries the invidious comparisons limited themselves to exegetical problems, comparing a saying of Jesus with a comparable one in the Hebrew Scriptures or in other sources of Judaism.

Comparing a Unitary Judaism to a Unitary Christianity: Modern and contemporary scholarship made two further contributions to the synchronic comparison, first, the invention of a single, unitary Judaism. What nineteenth century scholarship added to comparative study was the abstraction, “Judaism.” That is to say, very often, synchronic comparison involved the fabrication of something called “Judaism,” a single, unitary religion, which Jesus rejected; that religion was taken to be known from the Hebrew Scriptures (“Old Testament”) or, among more sophisticated scholars, from the Scriptures and certain
non-canonical documents of the same general provenience. Among scholars, specific sayings or stories would be subjected to analysis through the comparison and contrast of what Jesus said with what others said on a single program. A cliché of comparative study of Christianity and Judaism in classical times maintains, moreover, that Judaism was ethnic and Christianity universal—a profoundly wrong reading of what “Israel” stands for in a variety of the Judaisms of the time. The discovery of the library at the Dead Sea contributed still more such writings, some differentiating among Judaisms and Christianities, some not. Treating the two as unitary made comparison easier, invidious comparison still simpler. So, to take one notorious case, the same scholar, Ed Parish Sanders, who differentiates among Judaisms in Paul and Palestinian Judaism in 1977 defines for himself a single, unitary Judaism in 1995. Clearly, comparative study has required the invention of the things to be compared!

Encompassing Rabbinic Judaism: From the beginning of the twentieth century, with the work of H. L. Strack in Germany and his counterparts in Britain, culminating in that of George F. Moore in the USA, the definition of “Judaism” for comparative purposes broadened to encompass Rabbinic literature, which came to closure from the Mishnah, ca. 200, through the Talmud of Babylonia, ca. 600 CE. “Judaism” then would be attested by a vast variety of sources, full of mutual contradictions and reciprocal disagreement. Citing Lev 19:18, Jesus said, “You will love your neighbor as yourself.” Citing the same verse, Hillel said, “What is hateful to yourself do not do to your neighbor; that is the entire Torah; all the rest is commentary; now go forth and learn.” From the intersection of these two responses to Lev 19:18, then, comparative study produced such conclusions as, “Jesus’s formulation was superior because . . .,” or “Hillel’s was superior because . . .,” or “Jesus was not original, because Hillel said it first . . .,” or “Jesus was nothing more than a rabbi, like any other,” and so on—comparative study in the service of religious polemics. But invidious comparison need not be synchronic, and we are not required to dismiss the synchronic approach merely because its results have served other than an academic program.
Synchronic comparison now has run its course for three reasons. Each would suffice to require another approach to the formulation of contexts of comparison of Christianity and Judaism.

[1] Distortion: Insisting that defining a context for comparative study involves only materials of the same time and place constricts the work and at the same time distorts it. First distortion: synchronic comparison has treated as a fact that Jesus can have known not only Scripture, but that range of Apocryphal and Pseudepigraphic writing deriving from long prior to his own day. When we invoke Pseudepigraphic books to explain Jesus’ own meaning or the context of a saying attributed to him, we turn out to construct in our minds a considerable library to which Jesus had access; but we do not know that that was the case. So too it is a long road from Nazareth to Qumran. We cannot say for certain Jesus took that road.

[2] The Pseudo-Historical Jesus: Second, and more to the point comes the constriction: as Professor Chilton says, “There is no ‘historical Jesus’ in the sense of a person whose deeds and character are accessible by means of verifiable public evidence.” Limiting the work of comparison and contrast to texts prior to, or contemporary with, Jesus himself therefore rests upon a historical variable that proves dubious. We excise evidence that can help us place into contemporary context for purposes of comparison earliest Christian religious life, because to begin with we have dismissed all evidence concerning initial Christianity except that explicitly identified with the person of Jesus and today affirmed as belonging to him—a very considerable exclusion of nearly the whole of the corpus of evidence concerning Christian faith.

[3] The Secularization of Jesus, The Dismissal of Christianity: Third and most important, insisting that the only Jesus for study is “the historical Jesus” defined apart from the canonical Gospels by appeal to secular criteria of positivist history dictates the outcome before the work even commences. Thus, as Joseph Cardinal Ratzinger has said in his great critique of the study of the historical Jesus, we predetermine the result. That is because by definition we eliminate most of the data that pertain to religion. Stories of miracles, sayings of a unique character, not to mention reports of resurrection—these do not supply facts that we can validate or falsify in the ordinary way in which historians do their work. History by its nature deals
with positive, demonstrable facts. But most of the allegations concerning Jesus that the Gospels set forth pertain to what is beyond secular demonstration—or, the faithful would claim, even comprehension. Religion speaks of God’s creating the world, giving the Torah, walking among men in incarnate form. What tests of validation or falsification can anyone devise to establish secular fact out of religious conviction? To begin with, much (perhaps most) of what the Gospels allege about Jesus proves beyond all verification—not merely the miracles, excluded (or trivialized, or explained away) from positive historical narrative by definition, but the entire supernatural context that the Gospels to begin with define for their discourse. Given the centrality, in all Gospels, of the resurrection of Jesus Christ, we must find the insistence on mere history an exercise in trivialization.

Even among the this-worldly possibilities, we limit ourselves to only the few that, by means of historical accident, we know to begin with. Take the evidence of Judaic religious life that comes prior to the time of Jesus. The religious writings that have survived the accidents of time from before the first century include, in addition to Scripture, principally those involving apocalyptic speculation about the end of time. Thus, if we exclude evidence of a diachronic character, we find ourselves left with ample representation of evidence of a single type alone, the apocalyptic. Then our evidence forces us to place Jesus into the context of apocalypse. But much that is attributed to him self-evidently pertains to other than the agenda of apocalyptic visionaries, and that limitation therefore leaves us unable to make sense of much that he (is alleged to have) said that has no bearing upon apocalyptic expectation at all—beginning, after all, with the Golden Rule itself! Along these same lines, synchronic comparison often depends on exclusionary rules. These rules prove contradictory. One dictates that Jesus was a Jew, so anything with Hellenistic parallels is excluded; or another holds, Jesus was a revolutionary figure, so anything with other Judaic parallels is excluded; or yet a third maintains, Jesus was unique, so anything Hellenistic or Judaic is excluded. That is why Cardinal Ratzinger correctly points to the predetermined character of the lives of the historical Jesus. Little survives the inquiry of history—except for Christianity, including its founder.
VIII. Diachronic Comparison

By diachronic comparison I mean the consideration of evidence concerning (a) Judaism that took shape over a long period of time but reached closure only long after the death of Jesus himself. When we compare large-scale, long-lasting structures—beliefs, myths, practices attested over time but not necessarily present at some one moment—we compare religious systems in large aggregates. We claim that an inner logic renders coherent a variety of beliefs, myths, and practices, which hold together over a long time, elements of which may surface here or there, in this setting or in that. Diachrony permits the comparison of religions, not merely one-time events or singular individuals.

From History to Religion: Diachrony establishes a different context for comparison from the synchronic one, a context that transcends some one ephemeral moment. It is a kind of comparison that transcends the boundaries of the here and the now, the there and the then, that seeks contexts of a different order altogether from those of history. Specifically, diachronic comparison appeals to an other-than-historical model of describing, analyzing, and interpreting the facts of a given religion: its writings and teachings and practices. When we define a context formed by large-scale, continuing structures, we transcend the limits of time and ascend to the level of enduring culture. Then what matters is not one-time facts, set forth in linear progression from start to finish, but all-time truths, present wherever and whenever the faith in question comes to realization. That is a different way of thinking from the historical, and therefore a different way of undertaking comparisons as well.

History’s premise—the self-evidence of the linearity of events, so that, first came this, then came that, and this “stands behind” or explains or causes that—contradicts the now-articulated experience of humanity. Chaos governs, while from history’s perspective, order should reign. Sometimes “this” yields “that,” as it should, but sometimes it does not. To the contrary, what happens in ordinary life yields not events that relate to one another like pearls on a necklace, first this, then that, then the other thing, in proper procession. Not at all. Life is unpredictable; if this happens, we cannot securely assume that that must occur in sequence, in order—at least, not in the experience of humanity. That is proven by the irregularity of events, the unpredictability, by all and any rules, of what, if this
happens, will follow next. Knowing “this,” we never can securely claim to predict “that” as well.

IX. **Synchronic versus Diachronic Comparison**

Synchronic comparison invokes temporal parallels alone, always rejects anachronism, and everywhere stands upon the premises of history. What we want to know is specific to the moment under study: this moment, distinct from the one just past and the one yet to come; this figure and his philosophy, by contrast to that figure and his—both of them contemporaries, each participating in the context that sustains the other. That synchronic moment is singular, not exemplary; only what is relevant to that moment in particular therefore places that distinctive event into perspective. Diachronic comparison and contrast by contrast seek not exact temporal parallels but rather approximate, illuminating analogies. These may well derive from other times and other places than the specific occasion for which we seek illumination through comparison and contrast. Then we appeal to the past and the future and cease to privilege the present moment—and that comparison through time defines diachrony.

X. **Synchronic and historical versus Diachronic and Paradigmatic Thinking**

We come now to the heart of matters, two distinct types of thinking and how each type defines its own context for comparison. In this way we may lay down a solid theoretical foundation for the other mode of comparison set forth here.

Diachronic comparison appeals to a different mode of thinking from the historical kind, specifically, to the mode of thinking I call paradigmatic—thinking that seeks enduring patterns, rules that govern and that transcend particular cases, thinking in quest of generalizations, such as is characteristic of social science. To understand paradigmatic thinking and its consequent diachronic comparison, we have to compare the paradigmatic to the historical. Historical thinking requires the distinction between past and present. Thinking in terms of patterns or models or paradigms, by contrast, makes no
such distinction. For a pattern exists in a timeless world: given these conditions, such and so are the results, and that is not a time-bound judgment. Paradigmatic thinking represents a mode of representing the social order of a group in such a way that the past forms a vivid presence, but the present also takes place in the past. When social science appeals to the history of economics or calls upon examples of social organization out of widely disparate periods of time and even places, it seeks to define rules that apply everywhere—rules of economics or sociology or political behavior. These generalizations identify and then codify patterns, and in the labor of generalization, exemplary cases serve without regard to differentiation between past, present, and future. The past yields cases to contrast with the present, and past and present extend themselves into the future through the definition of an encompassing rule.

The distinction between past and present is not the only indicator of historical modes of organizing experience, the rejection of that distinction, of paradigmatic ones. A further trait of historical thinking is the linearity of events, a sense for the teleology of matters, however the goal may find its definition. Past was then but leads to now. It is not now but it guides us into the acute present tense, and onward to the future. Linearity presupposes predictability, regularity, order. Historical study correlates this to that, ideas to events, always seeking reasonable explanation for what has come about. Its very premise is that of the Enlightenment, concerning the ultimate order awaiting discovery. History then forms a subset of the quest for order—a persuasive one, one that enjoys the standing of self-evidence. But as this century has taught us, all premises concerning order, except the one that insists upon the ultimate chaos of things, lose plausibility.

If history favors the one-time, the singular and the demonstrable facts concerning how things really took place, that is because history deals with a specific type of fact. Writing history requires [1] narrative that in a teleological framework or pattern links [2] unique and meaningful events involving [3] singular persons, with traits of individuality. History tells what has happened at a determinate time in the past, and history always posits the pastness of the past. In the Gospels and in the Rabbinic literature, by contrast, we address a vast corpus of writing that contains no sustained narrative other than, in the case of the Gospels, the unique life of Jesus; that concedes no gap or barrier to separate present from past, views the present
as autonomous of past and future, and, it goes without saying, finds sustained story-history a useless medium for the making of its statement.

Historical study correlates this to that, ideas to events, always seeking reasonable explanation for what has come about. Its very premise is that of the Enlightenment, concerning the ultimate order awaiting discovery. History then forms a subset of the quest for order—a persuasive one, one that enjoys the standing of self-evidence. Now, unlike history, religion takes into account the failure of linear logic, with its regularities and certainties and categorical dismissal of chaos. In its reading of Scripture, Judaism (along with Christianity) posits instead a world that may be compared to that of fractal shapes, in the language of mathematics, or classified as paradigms, models, or patterns, in the language of this essay. These fractals or paradigms describe how things are, whether large or small, whether here or there, whether today or in a distant past or an unimaginable future. Fractal thinking finds sameness without regard to scale, from small to large—and so too in the case of events. Fractal thinking therefore makes possible the quest for a few specific patterns, which will serve this and that, hither and yon, because out of acknowledged chaos they isolate points of regularity or recurrence and describe, analyze, and permit us to interpret them.

Unlike history, Judaism and Christianity in their classic statements take into account the failure of linear logic, with its regularities and certainties and categorical dismissal of chaos. In its reading of the ancient Israelite Scriptures, Judaism (along with Christianity) posits instead a world that may be compared to that of fractal shapes, in the language of mathematics, or classified as paradigms, models, or patterns. These fractals or paradigms describe how things are, whether large or small, whether here or there, whether today or in a distant past or an unimaginable future. Fractal thinking finds sameness without regard to scale, from small to large—and so too in the case of events. Fractal thinking therefore makes possible the quest for a few specific patterns, which will serve this and that, hither and yon, because out of acknowledged chaos they isolate points of regularity or recurrence and describe, analyze, and permit us to interpret them. Paradigms describe the structure of being: how (some) things are, whether now or then, here or there, large or small—without regard to scale, therefore in complete indifference to the specificities of context. They derive from imagination, not from perceived reality. They impose upon the world their own structure and order, selecting
among things that happen those few moments that are eventful and meaningful. Paradigms form a different conception of time from the historical, define a different conception of relationship from the linear. Stated very simply, while historical thinking is linear, religious thinking corresponds to mathematics’ fractal thinking.

Diachronic comparison admits into the discussion evidence produced in centuries after the first, in Judaic circumstances far removed from the conditions that prevailed when Jesus lived. On what basis may we compare a story told by Jesus with one first occurring much later, in the Talmud of Babylonia for example?

First, the comparison aims at perspective on kindred-religions and their large-scale traits. The foundations of comparing Christianity and Judaism—the religions, not limited to the founding figure of the former—extend deep into the ground on which both stand. Specifically, both Judaism and Christianity appeal to the Scriptures of ancient Israel. Each cites those Scriptures lavishly and aspires to realize their teachings in the life of Israel and Church, respectively. Whatever other authorities the diverse formulations of each religion acknowledge, the two large families of kindred systems share a single Scripture and commonly debate the interpretation of verses of that Scripture. To claim that the two religious worlds collide in a conflict of exegesis would represent too narrow a reading, while to insist that they set forth their disagreements in the end in the framework of hermeneutics would surely prove congruent to what is at stake in the conflict.

Second, the fact of a common heritage produces the further fact that in both systems a single logic, a single rationality, even a shared structure imposing order on the chaos of the everyday and system upon time govern. The shared logic appeals to a divine order and plan, known through Scripture, based upon a sense of proportion and balance, justice and mercy, pervading all being. The single rationality appeals to the human sense for what is right: “Will not the Judge of all the world do justice?” states the matter for both scriptural religions. The common structure appeals not only to Providence but to regularity in history: as Moses and the prophets insisted, if you do this, that is sure to happen. And along these same lines, history is patterned, with a beginning, middle, and end. In these and numerous other, definitive traits, the two religions conform over time to a single structure. That is why the writings of the two religions, though widely separated in time, come together in a single meeting place of a common and shared discourse. They intersect not because
they run parallel, as historical thinking prefers, but because each supplies the other with illuminating analogues. And when it comes to comparison and contrast, analogues originate wherever we may find them—or however our imagination invents them, as poets do.

XI. Gospels and Rabbinic Writings: From Parallels to Analogues and Parables in Particular: A Case in Point

That brings us to a concrete case: the use of Rabbinic and Gospels’ evidence in the shared work of comparing the religions, Judaism and Christianity. Because in important ways passages in Rabbinic literature intersect with passages in the Gospels, comparison is possible. Writings assigned to the sages of the dual Torah, written and oral, intersect in content and even in form with sayings attributed to Jesus and other compositions of the synoptic Gospels. An example of such comparison has already been given, namely, the saying attributed to Hillel about not doing to one’s neighbor what one would not want done to himself. That saying first surfaces in the name of Hillel in the Talmud of Babylonia, a document that reached closure in ca. 600 CE. We cannot show, and therefore do not know, that Hillel himself actually made that statement in the earliest decades of the first century. Hence critical scholarship has called into question whether or not that statement can define for us the one-time, historical context in which Jesus made the saying on the same subject that is assigned to him.

So far as comparison is narrowly historical, positivist, and synchronic, the Rabbinic literature can make only a marginal contribution to Gospels studies. But if our comparison aims at gaining perspective on two large religious structures, the Rabbinic and the Catholic and Orthodox Christian, then much work awaits. For while everyone has long known that parallels exist between the one and the other, synchronic and historical comparison proves dubious. Comparing and contrasting sayings and stories that first reached documentary closure in the third or fifth or seventh centuries with those of the Gospels requires us to treat as first century writings what manifestly belong to much later centuries. That formidable objection can be overcome in one of two ways.

First, we undertake the act of faith that affirms all attributions as valid. In that case, why not give up the so-called critical quest for
the historical Jesus—meaning, what he really said among the say-
ings attributed to him—and believe it all?

Or, second, we redefine our quest altogether, asking for data of an-other-than-synchronic character to provide a perspective of a different kind from the narrowly-historical one. It is the diachronic comparison, resting on the principles just now set forth. Here we ask a different set of questions. We seek perspective from a different angle altogether. Consequently, work that yields little of value in the synchronic setting produces much of interest in the diachronic one. Specifically, if we seek to characterize an entire religious system and structure—Rabbinic Judaism that records its Oral Torah in the score of documents from the Mishnah through the Talmud of Babylonia, the Christianity that reaches written form in the Gospels—diachronic work vastly helps. For characterizing wholes—the whole of one structure and system—gains nuance and detail when brought into juxta-position with comparable wholes.

But how would such diachronic comparison work? The basic premise of systemic description, analysis, and interpretation here enters in. The premise of systemic study of religions maintains that details contain within themselves and recapitulate the system as a whole, so that, from the parts, we can reconstruct much of the entirety of the structure, much as do anthropologists and paleontologists dealing with details of culture or of mammals, respectively. That premise flows from the very notion of a system—an entire structure that imparts proportion and meaning to details and that holds the whole together in a single cogent statement. To illustrate what we may, and may not, accomplish through diachronic comparison of shared, therefore comparable, yet different, therefore contrasting, details, a single case therefore should serve.

The single concrete case of the way in which we compare reli-
gions through concrete texts drawn from widely separated periods of time is familiar. For that purpose I have chosen a parable that occurs in the Synoptic Gospels and in the Talmud of Babylonia, the one in the name of Jesus, the other of Yohanan ben Zakkai, who is assumed to have lived in the first century. Early on, people rec-
ognized that the parable set forth in Yohanan’s name looks some-
thing like the one set forth in Jesus’s, and they therefore asked Yohanan to clarify the sense and meaning of Jesus. But later on, most people conceded that a parable attributed to a first century
authority in a seventh century compilation cannot be taken at face value to record what really was said and done on that singular day in the first century to which reference is made. Diachronic reading of religious systems leads us past the impasse. But we learn then about the Christian system of the Gospels, the Judaic system of the Talmud of Babylonia. The shape and structure of Christianity and of Judaism then come under study and into perspective. Narrowly historical questions give way to broad and encompassing ones concerning the religious order. The parable allows for the comparison and contrast of religions.

What we shall see is how finding what Christian and Judaic canonical documents share permits a process of first comparison but then contrast. Likeness takes priority. When we see how matters are alike, we perceive the differences as well, and having established a solid basis for comparison, contrast proves illuminating. The parable concerns a king who gave a feast, but did not specify the time. Some people responded to the invitation wisely, some foolishly. Some were ready when the time came, some were not. The parable in that form contains no determinate message and does not hint at its own interpretation. That is all that the two religions have in common: the shared parable of the king who gave a banquet but did not specify the time. Everything else, as we shall see, is particular to the two religious traditions that utilized the parable, each for its own message. The contrast then permits us to show where each differs from the other, what each really wishes to say—no small point of clarification when it comes to the description and analysis of religions.

Let us consider, first, how the naked components of the parable are clothed in the formulation attributed to Jesus:

And again Jesus spoke to them in parables, saying, The kingdom of Heaven may be compared to a king who gave a marriage feast for his son and [1] sent his servants to call those who were invited to the marriage feast, but they would not come.

Again [2] he sent other servants, saying, ‘Tell those who are invited, behold I have made ready my dinner, my oxen and ,my fat calves are killed, and everything is ready; come to the marriage feast.’ But they made light of it and went off, one to his farm, another to his business, while the rest seized his servants, treated them shamefully and killed them. The king was angry, and he sent his troops and destroyed those murderers and burned their city. Then he said to his servants, ‘The wedding is ready, but those invited were not worthy.
“‘[3] Go therefore to the thoroughfares and invite to the marriage feast as many as you find.’ And those servants went out into the streets and gathered all whom they found, both bad and good, so the wedding hall was filled with guests. But when the king came in to look at the guests, he saw there a man who had no wedding garment, and he said to him, ‘Friend, how did you get in here without a wedding garment?’ And he was speechless. Then the king said to the attendants, ‘Bind him hand and foot and cast him into the outer darkness; there men will weep and gnash their teeth. For many are called but few are chosen.’” (Matt 22:1–14 = Luke 14:15–24 RSV)

As Jesus shapes the parable, it tells a rather protracted and complicated story. That is because, read as a unitary formulation, the story of the king’s feast is told thrice, and each version makes its own point. First, the king has issued invitations, but no one will come. This is made deliberate and blameworthy: people reject the invitation, and they do so violently: The wedding is ready, but those invited were not worthy. Then the king issues new invitations. People now come as they are. They had no choice, having been summoned without notice or opportunity to get ready. Those who are unready are punished: they should have been ready.

Then is tacked on a new moral: many are called but few are chosen. But no version of the parable of the king’s fiasco matches that moral. The first version has many called, but those who are called either will not come (to the original feast) or are not worthy (of the second feast) but reject the invitation altogether. So in the first set of stories, many are called but nobody responds. In the third go-around, many are called and do show up, but a few—one man only—is unready. So the triplet is rather odd.

But the point is clear: the Kingdom of Heaven is at hand. Jesus is the son. People reject the invitation to the marriage feast, that is, the Kingdom of Heaven. The invitation is repeated: everything is ready. The invited people now reject the invitation violently and are themselves unworthy. In the third go-around there is no choice about coming; people are dragooned. Now the kingdom is at hand and people must enter. Some are ready, some not. All are judged in accord with their condition at the moment of the invitation—ready or not.

That is the point at which the Rabbinic version of the same story—the story about the king who made a feast and invited people—intersects with the Christian use of the parable. But to examine it in its context, we have to consider the text that utilizes the parable, not just the parable, which is not free-standing. If the context of the
parable as Jesus utilizes it is the kingdom of Heaven and its sudden advent, the context in the Rabbinic version is everyday life, the here and now and the death that comes to everyone. That is what happens without warning, for which people must be ready. The text commences with generalizations: one should repent one day before he dies, and that means, every day. One should be ever-ready. This is linked to a verse in Qoh 9:8, “Let your garments be always white and don’t let your head lack ointment,” which is taken to refer to keeping one’s body in condition as a corpse, that is, garmented in white, the color of death in the Rabbinic writings, and properly anointed, as the corpse is anointed for burial.

The compositor of the construction of the Talmud of Babylonia has then added the parable of the king who invited people to a banquet. He set no specific time. Some kept themselves in readiness, some did not. Now the parable illustrates the teaching that one should be ready for the banquet that God will call at any moment— which is to say, one should be ready for death through a life of perpetual repentance:

I.45 A. We have learned in the Mishnah there: R. Eliezer says, “Repent one day before you die” [m. ‘Abot 2:10D].
B. His disciples asked R. Eliezer, “So does someone know just what day he’ll die?”
C. He said to them, “All the more so let him repent today, lest he die tomorrow, and he will turn out to spend all his days in repentance.”
D. And so, too, did Solomon say, “Let your garments be always white and don’t let your head lack ointment” (Qoh 9:8).

I.46 A. “[Let your garments be always white and don’t let your head lack ointment” (Qoh 9:8)]—said R. Yohanan b. Zakkai, “The matter may be compared to the case of a king who invited his courtiers to a banquet, but he didn’t set a time. The smart ones among them got themselves fixed up and waited at the gate of the palace, saying, ‘Does the palace lack anything?’ [They can do it any time.] The stupid ones among them went about their work, saying, ‘So is there a banquet without a whole lot of preparation?’ Suddenly the king demanded the presence of his courtiers. The smart ones went right before him, all fixed up, but the fools went before him filthy from their work. The king received the smart ones pleasantly, but showed anger to the fools. He said, ‘These, who fixed themselves up for the banquet, will sit and eat and drink. Those, who didn’t fix themselves up for the banquet, will stand and look on.’”
The passage bears a gloss, as follows:

B. R. Meir’s son in law in the name of R. Meir said, “They, too, would appear as though in attendance. But, rather, both parties sit, the one eating, the other starving, the one drinking, the other in thirst: ‘Therefore thus says the Lord God, behold, my servants shall eat, but you shall be hungry, behold, my servants shall drink, but you shall be thirsty, behold, my servants shall rejoice, but you shall be ashamed; behold, my servants shall sing for joy of heart, but you shall cry for sorrow of heart’ (Isa 65:13–14).”

A further treatment of the base-verse, Qoh 9:8, transforms the emphasis upon the attitude of repentance in preparation for death to the practice of the faith, the reference to garments now alluding to show-fringes, and to the head to phylacteries:

C. Another matter: “Let your garments be always white and don’t let your head lack ointment” (Qoh 9:8)—
D. “Let your garments be always white”: This refers to show fringes.
E. “And don’t let your head lack ointment”: This refers to phylacteries.

Clearly, we have moved a long way from the triple banquet that Jesus has the king hold, and the parable serves remarkably disparate purposes. All that is shared is the common motif, the king who gave a feast and was disappointed in the result because people are unready. There are some corresponding developments, specifically, [1] diverse responses to the invitation, and [2] consequently, some are ready when the hour strikes, some not. Otherwise the versions of the parable scarcely intersect, as the following comparison shows:

Jesus

“The kingdom of Heaven may be compared to a king who gave a marriage feast for his son and sent his servants to call those who were invited to the marriage feast, but they would not come. Again he sent other servants, saying, ‘Tell those who are invited, behold I have made ready my dinner, my oxen and, my fat calves are killed, and everything is ready; come to the marriage feast.’ But they made light of it and went off; one to his farm, another to his business, while the rest seized his servants, treated them shamefully and killed them. The king was angry, and he sent his troops and destroyed those murderers and burned their city. Then he said to his servants, ‘The wedding is ready, but those invited were not worthy.
Go therefore to the thoroughfares and invite to the marriage feast as many as you find.’

And those servants went out into the streets and gathered all whom they found, both bad and good, so the wedding hall was filled with guests.

But when the king came in to look at the guests, he saw there a man who had no wedding garment, and he said to him, ‘Friend, how did you get in here without a wedding garment?’ And he was speechless. Then the king said to the attendants, ‘Bind him hand and foot and cast him into the outer darkness; there men will weep and gnash their teeth.

For many are called but few are chosen.’”

Yohanan ben Zakkai

“The matter may be compared to the case of a king who invited his courtiers to a banquet, but he didn’t set a time.

The smart ones among them got themselves fixed up and waited at the gate of the palace, saying, ‘Does the palace lack anything?’ [They can do it any time.] The stupid ones among them went about their work, saying, ‘So is there a banquet without a whole lot of preparation?’

Suddenly the king demanded the presence of his courtiers. The smart ones went right before him, all fixed up, but the fools went before him filthy from their work.

The king received the smart ones pleasantly, but showed anger to the fools. He said, ‘These, who fixed themselves up for the banquet, will sit and eat and drink. Those, who didn’t fix themselves up for the banquet, will stand and look on.’”

The upshot is simple: the parable shared by Christianity and Judaism concerns a king who gave a banquet with unhappy results—that alone. But that shared motif (for all we have in common is a motif, not a fully-executed tale) suffices to validate comparing the ways in which the two religious worlds have utilized the motif. And that produces striking contrasts, which turn our attention from the detail—the case at hand—and toward the large-scale systems that have imposed their respective paradigms upon the detail of the (proto-)parable: the shared motif of the king who gave a banquet for people who were unwilling or unready to attend, the shared lesson that one has to be ready on the spur of the moment, and the common conviction that that for which one must be forever prepared is nothing less than entry into God’s kingdom. But what is that kingdom? On that the two heirs of the common Scripture differ radically.
XII. Contexts of Comparison

What do we learn from the contrast? Christianity, in the case at hand, defines God's kingdom around the advent of Jesus Christ. The formulation in the Gospels concerns itself with the rejection of Jesus and the Kingdom he inaugurates. People do not wish to respond to the invitation. Or people are not ready to respond. At stake is God's rule, which is at hand, but which comes when least expected. But the net result is the same. Christianity in the statement of the Gospels then sets forth a religious system focused upon the figure of Jesus in the advent of God's rule. Rabbinic Judaism, in the case at hand, centers its interest on the moral conduct of everyday life. That is where God's kingdom is realized, in the quotidian world of the here and the now. How to accept God's rule, together with the unpredictable occasion at which God will exercise his dominion? People living in ordinary times must engage in a constant process of repentance, to be ready for the event—God's intervention and assertion of his dominion—that is inevitable but unpredictable, death.

Through working on the same motif of the king and the banquet and the guests who are not ready, and through insisting upon the same message, which is one has to be ready every moment for the coming of the kingdom, the two systems say very different things. Perspective on the character and emphases of each is gained from the contrast with the other, made possible by the shared motif, which generates two comparable, but contrasting parables. The humble detail—a few lines of narrative in the respective documents—proves to contain within itself much of what we require to differentiate the one reading of the shared Scripture from the other.

“Our sages of blessed memory” read Scripture as the account of how God’s kingdom on earth is to take shape, how holy Israel is to realize the rules that govern the everyday and the here and now of the kingdom of Heaven in which, through obedience to the Torah, priests and the holy people is to make its life, so declaring every morning and every night with the rising and setting of the sun, the regularity of nature, in the recitation of the Shema proclaiming God’s rule. “Jesus Christ” received the same heritage as an account of not the enduring present but the now-realized future: the climax is at hand, the kingdom of Heaven marks not a lasting condition, matching nature with supernature in Israel’s obedience, but the acutely
present moment. And obedience is to the king, who has made a banquet—in Judaism, for his courtiers = Israel (or, all humanity for that matter), in Christianity, for his son = Jesus Christ. Where else but at the intersection of like parables could we have encountered so jarring a collision: everyday Israel versus Jesus Christ! At every point likeness underscores difference, but only diachronic comparison sustains the encounter, synchronic reading forbidding it.

True, we end up where just we started, but now vastly enlightened on where we stand. The reciprocal reading of the rabbis’ and the Gospels’ parables, like the comparative-contrastive reading of much else, yields two religions, each constructing, upon but asymmetrical to the same foundation, buildings remarkable for their symmetry, but also for their utter incongruity.

There is also the wholly extra-contextual, the comparison and contrast of religions that never intersect, do not share a single world of space or time, and form utter abstractions of theory. Extra-contextual comparison involves such abstractions as “Buddhism” or “Hinduism” or “Judaism” and “Christianity,” and we identify a given component we deem common to both, e.g., rites of initiation, beliefs about God, practices of rite and cult. Traits in common—e.g., Christianity’s Golden Rule, recapitulating Lev 19:18: “You shall love your neighbor as yourself,” Judaism’s counterpart in Hillel’s saying, “What is hateful to yourself do not do to your neighbor; that is the entire Torah; all the rest is commentary; now go forth and learn”—will be set up side by side and contrasted. Here we make no effort to place the saying into any larger context, e.g., a particular time and place in which the saying was provoked or to which it was addressed; an on-going debate that the saying is meant to settle; a pair of larger theological or philosophical systems, e.g., moral philosophy or theological ethics, that we propose to compare and contrast. The strength of extra-contextual comparison lies in the simplicity of the exercise and the bold and clear character of the result. That is also the weakness: analysis never proves so easy, solid results are harder to come by. Commonly, extra-contextual comparison produces traits in common that prove illusory upon closer inspection. Not knowing the larger setting in which a given saying finds its natural place, we miss the points of actual intersection. But so far as we conceive the abstractions, “Judaism” and “Christianity,” to represent the concrete realities of Judaic and Christian faith in the here and now, extra-contextual
comparison does help organize things and yields basic and useful generalizations. Extra-contextual comparison deserves attention in its own terms, but does not figure in the present problem at all.

A medieval treatment of the same verse in Qohelet completes the exposition by referring to the trilogy, commandments, good deeds, and Torah-study:

Does Scripture speak literally about garments? But how many white garments do the pagans have? And if Scripture literally speaks of good oil, how much good oil do the pagans have! But Scripture speaks only of the performance of the commandments, good deeds, and the study of the Torah (Qoh. Rab. 9:8).

Here we see how the medieval documents of Rabbinic Judaism clearly continue and carry forward with great precision the teachings of the classical writings. Nothing has intervened in the unfolding of the Rabbinic system, which amplifies and refines the initial statement, absorbs new ideas and naturalizes them, but which continues an essentially straight path from antiquity forward.
NEUSNER’S “CONTEXTS OF COMPARISON”

Gary Herion

I

In his programmatic essay “Contexts of Comparison: Reciprocally Reading Gospels’ and Rabbi’s Parables,” Professor Neusner has proposed nothing less than a “paradigm shift.” Since Reimarus¹ the historical study of Jesus has experienced numerous moments when old lines of investigation closed down and new ones opened up. In the 19th century, for example, David Friedrich Strauss opened up a whole new line of approach by insisting that the supernatural elements in the Jesus story be viewed as “mythology.”² Albert Schweitzer at the turn of the century brought closure to the whole historical approach by cementing in the western imagination the notion that Jesus had been a failed prophet of the end-times.³ The cement held for half a century.

During this so-called “No Quest Period” of the early twentieth century the imaginable alternatives to historical study were primarily literary and theological. The literary alternative involved the excavation of the Gospel texts to identify material emanating from earlier

or later “settings” in the life of the early Church (Sitze im Leben), while the theological agenda appealed to “de-mythologizing” and to existentialism to steer liberal Protestantism through the shoals of Strauss and Schweitzer. But by mid-century cracks in the cement were forming, and a 1953 lecture given by Prof. Ernst Käsemann is now widely regarded as providing the impetus for re-opening a “New Quest” for the historical Jesus.4

Now we are at the turn of another century, and another scholar surely of Schweitzer’s caliber seems to be arguing that it is time once again to close down the historical approach to Jesus. Closure to this approach is necessary not because we think we have recovered Jesus the man (as Schweitzer’s generation believed), but because the approach is either yielding too many different Jesuses or because, as in the case of some of the more prominent members of the Jesus Seminar, it is inducing otherwise good scholars to come up with apparently silly conclusions.5 Synchronic, historical scholarship seems unable to deliver what it promises. Just as Käsemann’s 1953 lecture is cited to mark the beginning of the so-called “New Quest” period, one cannot help but wonder whether thirty years from now scholars will regard Professor Neusner’s essay here as a seminal contribution to the emergence of a “New No-Quest Period.”

Professor Neusner quite rightly hopes that this time the alternative to the historical study of Jesus will not be a theological alternative but a genuinely religious studies alternative. This is where the introductory portions of his paper are especially valuable. The whole enterprise of religious studies has emerged in the latter half of this century, and Neusner believes that it is today sufficiently mature to support and to reward the study of Jesus. Because religious studies is interested in the exemplary as opposed to the unique, and because it has been informed to a degree by social science perspectives, religious studies at heart is a comparative enterprise. Jesus must therefore be given a comparable companion, and Neusner has found one in rabbinic Judaism. The juxtaposition or reciprocal comparison of the two will shed important new light on the structure of both


5 See C. Allen, “Away with the Manger,” Lingua franca (February 1995) 1ff.
Christianity and Judaism as religious systems. This, according to Neusner, is the agenda that should justify the study of Jesus in the twenty-first century, not the lingering hope of “finding the authentic historical person.”

II

Because I am a specialist neither in New Testament nor in early rabbinic Judaism, my remarks here must necessarily be brief and general.

(A) Professor Neusner seems to presume as self-evident the value of the sorts of generalizations that accompany diachronic or paradigmatic thinking (as opposed to synchronic and historical thinking) and that are characteristic of the social sciences. Many will surely question whether such generalization is really all that desirable. The rationalization that “The social scientists do it” may turn off as many people as it turns on. In my field—Hebrew Bible—we have seen many studies where scholars, frustrated by the lack of sufficient historical data, have adopted a kind of diachronic/paradigmatic approach seeking the kinds of generalizations characteristic of the social sciences.6 One such study established a diachronic comparison between the Hebrew prophets and the wider religious phenomena that anthropologists call “intermediation.”7 There are indeed formal parallels between Hebrew prophets and, say, African intermediaries. This facilitated many generalizations about the Hebrew prophets, most of which were extremely weak if not flat-out wrong. Generalization—especially generalization based upon formal comparisons of superficial traits—invites caricature: the line is sometimes very fine separating the enlightening epitome from the grotesque distortion. Perhaps nothing in New Testament studies illustrates this quite so clearly as the “Jesus-as-Cynic” hypothesis.8

7 Herion (“The Impact of Modern and Social Science Assumptions,” 10–14) contains a more detailed critique of this comparative study of Hebrew prophets and African intermediaries.
8 See most recently David Seeley, “Jesus and the Cynics Revisited,” *JBL* 116 (1997) 704–12. Seeley seems eager to insist that the “Jesus as Cynic” scholars are not really making strictly synchronic claims about historical connections, but are
(B) Related to this, Neusner proposes a fundamental contrast between synchronic/historical thinking on the one hand and diachronic/paradigmatic thinking on the other. His remarks here generally strike me as true. However, some will surely argue that between these polar opposites lies a third type of thinking that is on the one hand *diachronic* (aware that “the past forms a vivid presence, but the present also takes place in the past”) yet on the other hand is *historical* (i.e., committed to “time-bound judgments” and disinterested in any patterns, models or paradigms—might we say “myths”?—that exist in a timeless world). This “middle option” is an awareness of what Ferdnand Braudel called *la longue durée*—an appreciation that some things in a given cultural matrix are so deeply etched as to be relatively impervious to the impact of momentary events and persons (e.g., the destruction of Jerusalem in 70 CE) or even centuries of repeated socio-political change and even upheaval (e.g., the sequence of Persian, Hellenistic, and Roman imperialists).\(^9\) Neusner would probably agree:

By diachronic comparison I mean the consideration of evidence concerning (a) Judaism that took shape over a long period of time but reached closure only long after the death of Jesus himself. When we compare large-scale, long-lasting structures—beliefs, myths, practices attested over time but not necessarily present at some one moment—we compare religious systems in large aggregates. We claim that an inner logic renders coherent a variety of beliefs, myths, and practices, which hold together over a long time, elements of which may surface here or there, in this setting or that.... When we define a context formed by large-scale, continuing structures, we transcend the limits of time and ascend to the level of enduring culture. (p. 54)

Perhaps religion is what drives *la longue durée* in the same way that the interplay of powerful politicians drives the moment.

Before jettisoning the historical enterprise altogether, one cannot help but wonder whether New Testament historians might simply

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do better history if they took this seriously. Perhaps the problem with the synchronic comparisons is simply that scholars have been forced to utilize too narrow a range of (text-based) parallels. It seems to me that this range has been constricted by two factors: one is chronological, and the other is sociological. New Testament scholars have simply exhausted the options traditionally provided by the texts produced by learned Jewish elites between the 2nd century BCE and the 1st century CE. But if we couple a respect for la longue durée with an appreciation for the religious viability of the conservative countryside (which was usually either ignored or arrogantly denigrated by the learned elite under the dismissive label ‘am ha’ares), then we see a potentially wider range of possible parallels. It may be premature to abandon all synchronic study altogether.

The lack of such historical respect for la longue durée is obvious in every “Introduction to the New Testament” textbook on the market—at least it is obvious to most Hebrew Bible specialists who must also teach New Testament courses in small liberal arts colleges. The pattern is predictable: a cursory paragraph (or two at most) covers Abraham to 586 BCE, another paragraph focuses on the Persian period, but the real coverage begins with Alexander the Great and the introduction of Hellenism, under the (questionable?) assumption that this had a deep and widespread impact on everything. A great deal is appropriately said about the Maccabees and the four major sects described by Josephus (and, of course, the famous Dead Sea Scrolls, in which New Testament scholars initially had no interest!), but the overall impression that results from such an unbalanced introduction is that Jesus is more explicable in Hellenistic Jewish terms than in ancient Israelite ones. While this probably accommodates the graduate school language-training of most New Testament scholars, it does not necessarily accommodate historical reality. If, for

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10 In this respect it is not surprising that New Testament scholars are now systematically seeking parallels in non-Jewish Hellenistic texts. See P. W. van der Horst, “Corpus Hellenisticum Novi Testamenti,” ABD 1.1157–61.


12 Given this assumption, it was only a matter of time before someone concluded that Jesus was a Cynic or that he was fundamentally shaped by Cynic philosophy.
example, Jesus was a “reformer”—i.e., a teacher who sought to bring present religious structures back in line consistent with more archaic and more authoritative Israelite patterns\(^{13}\)—then this historical option can never be recognized because almost everything before 330 BCE or 586 BCE has been ruled out as relatively inconsequential.

The cursory treatments of New Testament history extend beyond the events of 70 CE. Sprinkled hither and yon in the textbooks are references to the “Council of Jamnia” of 90 CE, and a sentence or two leaps us ahead to Bar Kochba (132–135 CE). All this is political history. The last chapter of these textbooks will, of course, refer to Constantine and the Council of Nicea, with perhaps a quick nod in the direction of Yohanan ben-Zakkai, Judah ha-Nasi, the Mishnah, and the Talmud. The message is clear: not much after 90 CE provides insight into New Testament literature, particularly into Jesus and the gospels. Professor Neusner correctly thinks that this is wrong.

He also says that “a further trait of historical thinking is the linearity of events, a sense of the teleology of matters . . . Past was then but leads to now.”\(^{14}\) Some might object that viewing events in strict linear fashion is not a trait of historical thinking per se but rather of simplistic historical thinking. I suspect that Professor Neusner is not as stridently opposed to responsible historical studies as some might infer from his essay. In fact, it is precisely such historical considerations that in the first place suggest to him that we should compare the gospels with early rabbinic sources and not with, say, Confucius or Benjamin Franklin. Whether consciously or not, the selection of early rabbinic literature as a point of comparison signals an awareness (or suspicion) that some things in a given cultural matrix are so deep as to be relatively impervious to the impact of momentary events or even to centuries of repeated socio-political change and upheaval. I suspect it also signals Neusner’s awareness that potentially demonstrable historical continuities, not just paradigmatic religious

\(^{13}\) See John Bailey, “Jesus as Reformer,” in L. Orlin (ed.), *Michigan Oriental Studies in Honor of George G. Cameron* (Ann Arbor: University of Michigan, Dept. of Near Eastern Studies, 1976) 311–29. It seems to me that recent attempts by New Testament scholars to label Jesus as some type of “prophet” tend to downplay the ancient Israelite connection or to emphasize merely formal similarities, to overemphasize the dependence upon the apocalypticism that was popular in certain Jewish circles at the time, or reductionistically to equate “prophetic reform” with socio-political activism.

\(^{14}\) Neusner, “Contexts of Comparison,” 56.
studies comparisons, exist across (despite?) the centuries. In this regard, one suspects that the juxtaposition of a “religious studies” approach over against an “historical” one needs re-thinking. They both have a role to play.

But let us not mistake the radical implications of Neusner’s program for the usual conduct of historical criticism. Even (Especially?) if we acknowledge the vitality of *la longue durée*, will historians truly be willing to begin “swimming upstream” against the cascading progression of time (especially since they have been so reluctant even to “swim” too far *down* the chronological timeline)? For example, will an Old Testament scholar introduce a study of the Hebrew prophets (or of premonarchic Israel, a time when God was *melek*, “king”) with a thorough review of Jesus’ understanding of “the kingdom of God,” or of the early rabbis’ notion of the totality of life lived under Torah? What if it should be true, for example, that no one so thoroughly understood the core of St. Paul’s thought as did Martin Luther? How will we respond to a monograph on Paul’s concept of justification that begins with an introductory overview of Luther’s thought?

Such thoughts tease us as teachers of religious studies, even though we may still feel compelled, as historians, to reject them on traditionally solid methodological grounds. Nevertheless, as Neusner correctly senses, they still tease us with possibilities.
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The academic study of the New Testament in historical relation to Judaism has been a topic of some interest for over a century. The two central questions that have been addressed are: (1) If Jesus lived totally as a Jew, how can it be that his name is revered as the Lord of a religion that is unlike Judaism? (2) How are we to understand the death of Jesus; what crime did he commit that was worthy of such punishment? To address these questions, the Gospels themselves imply some answers that do not suffice for the historian although a few have followed such lines. (1) The Jews rejected Jesus and in the story of his resurrection provided the impetus for the founding of a new religion totally outside of Judaism. (2) Jesus confronted the authoritarian leadership of his day as being untrue to God’s mandate and was killed for this.\(^1\) The second answer is only indirectly attributable to the Gospel writers but its case can be made. “It was perhaps this unheard-of claim to authority over the Mosaic law and over people’s lives that disturbed pious Jews and the Jewish authorities,” writes Johann Maier.\(^2\) Ernst Käsemann went a step further and claimed that Jesus cut himself from the Judaism of his day.\(^3\)

In this paper, I have no interest in speaking about the death of Jesus, not because I think the question is without interest but because I am incapable of forming opinions on matters that are not within the purview of my expertise. It is the second answer here that attracts

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\(^1\) Mark 3:6 comes very close to actually saying this but in the execution scenes this motif is not brought to the fore.

\(^2\) J. Maier, *Jesus von Nazareth in der Talmudischen Überlieferung* (ErFor 82; Darmstadt: Wissenschaftliche Buchgesellschaft, 1978) 95.

my attention and that I address from a vantage of familiarity with Jewish literature that may open up new vistas. Specifically I wish to show that the teachings embedded in the Gospels that portray Jesus as antagonistic to Pharisees are themselves pharisaic teachings. If what Jesus taught astounded the people, it was not because he set up his authority against the Pharisees but, as the evidence shows, because he had mastered pharisaic law more than his interlocutors had done and taught properly according to their authority. Now when I speak of what Jesus said, I mean only what is reported in his name and make no claims that he in fact said or did not say anything of the sort.

The Gospels use materials from a society in which controversy was not viewed as negative and hostile, but as didactic and as an art-form. It is only in the language of the later gospel setting of most of the debates that there is hostility expressed. In the substance of the teachings, there is, for the most part, little hostility. It might well be that the Christian framers of these traditions said things the way they did in order to heighten the tension between Judaism and Christianity. The debates are no longer seen as didactic exercises between Jesus and some colleagues, but as boxing matches in which Christianity has defeated Judaism.

Of late we have a vast array of ideas concerning Jesus’ niche in the Judaism of his time. Harvey Falk gives us a picture of Jesus as a Hillelite Pharisee arguing against Shammaite Pharisees. The whole debate is in house, within Pharisaism. Falk’s book is a mass of hypothetical interpretations of Rabbinic, Qumranic, and Christian passages which are speculatively tied together and then presented as the picture Rabbi Ya’akov Emden had of Jesus when he spoke of him as an authentic Jew. Needless to say there is nothing to learn from Falk. Nonetheless, he does remind us that Rabbi Emden, a very learned talmudist, did not read Jesus as a heretic in the rabbinic tradition. The attempt by Alan Segal to see Jesus’ message and his followers’ teachings as the basis of an apocalyptic community is as tenuous as Falk’s unfounded assertions. He says, “The message of Jesus that, with repentance, all are equal before God is typical of

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all sectarian apocalypticism of the time. Christian practices are likewise typical of the other contemporary apocalyptic groups.” Whatever he might mean here, it is indisputable that to make such claims he has to invent movements that he terms “apocalyptic.” He concocts whole communities that he posits followed something called “sectarian apocalypticism” and pretends he can tell us the messages and practices these fanciful communities were supposed to espouse. In fact, “apocalyptic” is a genre of literature and there is nothing at all to justify the notion of special apocalyptic groups and communities. There is no reason to suspect that all Jews did not read the Bible’s prophetic, wisdom, apocalyptic passages as a whole. We should not speak of prophetic or wisdom groups and we have no reason to speak of apocalyptic groups without presenting evidence for their existence. Falk invents unwarranted meanings for specific passages and Segal invents unwarranted characteristics of “sectarian” groups—whatever that term might mean. The literature he adduces cannot identify any real groups without relying on mazes of speculation that cannot allow for his firm conclusions concerning Christian groups or justify his use the term “Jesus, the Revolutionary.”

Geza Vermes sees Jesus as a Galilean holy man who preached a tolerance for neglect of Jewish law. It might be said that the models of “holy man” he uses do not support his contention that the “holy man” preaches a tolerance for neglect of law. Indeed, Vermes patterns Jesus after holy men who were reported to have performed miracles. The stories told about these people, however do not at all show they were tolerant of laxity in ritual law. Indeed, it was said that even the donkeys of the righteous were particular about and conscious of ritual food laws. Who are examples of these exemplary righteous people? They are none other than the famed holy men, Hanina ben Dosa and Phineas ben Yair. The rabbinic presumption about holy men, as cited for example in b. Ta'an. 24b, Hul. 7a, 'Abot R. Nat. chap. 8, is that of men who were unrelenting about ritual principles. Also, I do not think Vermes’ very characterization of Jesus as one who preached a general tolerance for laxity in Jewish laws is accurate. Nor do I find any evidence for Vermes’s claim that Jesus

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7 See Vermes, Jesus the Jew, 65–82.
was indicted by patrician Sadducees who could not condone his challenge to the established order. At every step we are faced with pure speculation.

The most influential writer on these issues is E. P. Sanders. Sanders in an early work claims Jesus is not a midrashist nor a halakhic midrashist, and did not deal with matters through interpretation. For Sanders, Jesus, by telling someone not to bury his father, but to follow Jesus instead, may show Jesus was prepared to say that to follow him superseded all acts of religious piety. In general Sanders agrees with those who find that Jesus believed himself to be living at the dawn of a New Era, the Age of the Eschaton, and the Torah as it was meant to be would not always suit the New Age. But that was for the future—in the here and now Sanders concurs that Jesus did not allow that the Torah had been superseded. He discusses the issues and concludes such to be the case on the bases of his analysis. In his most recent word on the subject Sanders again avows that Jesus was not at odds with the Pharisees and proceeds to discuss points which bring Jesus’ words into conformity with what Sanders would see to be pharisaic practice—as based upon Sander’s own, not too far off-the-mark, understanding of rabbinic literature. This is a more definite presentation than he had given before. In general I agree that there is not much room to see the rules of Jesus or his hermeneutics in tension with rabbinic extra-scriptural tradition and so by implication, perhaps, with pharisaic extra-scriptural tradition. At least in this regard one can argue that rabbinic law preserves pharisaic traditions to the extant that we find shared laws in New Testament and talmudic literature.

Nevertheless, I do take issue with Sanders’s presentation. His agenda is simply to show the agreement of Jesus’ words with pharisaic positions. Where he cannot do this he either posits that those cases are retroversions (for example plucking grain on the Sabbath) back to the time of Jesus and not really solid traditions of a pre-Easter record; or he interprets matters so generally that he does not meet the obvious objections that should be raised. In my presentation I cite the very rabbinic rules, which precisely pertain to the cases in the Gospels. My analysis is based on passages neglected by

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9 Sanders, *Jesus and Judaism*, 255.
10 See E. P. Sanders, *The Historical Figure of Jesus* (London; Penguin, 1993).
Sanders that are not subject to the same criticisms one might level at Sander’s somewhat general or ambiguous discussions. Furthermore, I do not allow myself the luxury of claiming retrojections unless I can document how the pericope was formed and find the pieces from which it was formulated and argue cogently the passages are post Jesus and artificial. Indeed, the only case I so argue is the case of purities in Mark 7 and Matthew 15, which Sanders also does but on grounds of probability rather than strict textual analysis. My work is more probing and I think more cogent. There are many critiques of Sanders’s work in detail that one might raise but in principle his assertion about the nature of the debates between Jesus and the Pharisees is accurate.

My position on these issues is quite simple. I will argue we do have examples of classical Midrash in the Gospels. Furthermore, I will argue that the Jesus we meet in the Gospels is very aware of pharisaic law and in general does not criticize it, even if he criticizes certain Pharisees for many things; one of them being that they do not even know their own laws. His correction of the Pharisees is not meant as a dismissal of them but as a restatement of the proper law, of which his interlocutors did not show a proper awareness. Jesus uses hermeneutical methods which we find in rabbinic literature and that I will refer to as pharisaic, although they were probably not exclusively so. In this chapter, I have no claims about what Jesus may have or may not have said. I am interested in the Gospel accounts and their meanings, but always in an attempt to uncover the primal sense of the words apart from how the Gospel writers present them in context. What kinds of ideas were in the traditions that the evangelists inherited? That is the question I ask. At no point should readers construe me to make any claims that any statements in the Gospels were or were not the *ipsissima verba* of Jesus.

One assumption I make should be made clear. Where shared idiom and law occur between the words of Jesus and teachings preserved in rabbinic literature I posit that this is not mere coincidence, nor that the Rabbis copied the ideas out of the New Testament. The differences between the formulations is enough to show us that we do not have a copied tradition in rabbinic literature but we have the record of a more ancient corpus of material, whose antiquity the Gospels attest, while the rabbinic literature bears witness to their details. One can show certain phrases used in the New Testament
are simply Greek counterparts of Hebrew or Jewish-Aramaic phrases extant in rabbinic literature. It is obvious that rabbinic literature is heir to the same culture that informs the Gospels. There are places in rabbinic literature that we can show predate the Rabbis by centuries. The culture and religion of Israel did not cease with the destruction of the Temple in 70 and there is every reason to believe that where rabbinic literature relates legal matters that we find in the Gospels that we are dealing with a common culture. The article by S. Schechter is a fine piece and outlines a cogent approach to the topic.\(^{11}\) We can use rabbinic literature to speak of these things and need not even get into the issue as to the relationship between Rabbis and Pharisees. We are dealing with traditions and not groups. Should one want to press on and then make or deny identifications based on the shared information one might do so. I have not done so here because that is not the topic of this book. The use of rabbinic literature to throw light on passages in the Gospels stands apart from any identifications of Pharisees and Rabbis that may or may not be implied in this light.\(^{12}\)

Jacob Neusner has summarized the well-known findings that mishnaic law has ancient sources but is configured into a legal system of its own integrity. He notes that the gospels preserve laws that are also preserved in the Mishnah. There could be no objection to using the one to help elucidate the other in regards to individual rules. He tells us outright in his *Judaic Law from Jesus to the Mishnah*.\(^{13}\)

The issue therefore cannot focus upon whether or not the Mishnah in diverse details draws upon established rules of jurisprudence. It assuredly does. Yet another mode of demonstrating that facts in the Mishnah’s system derive from a period substantially prior to that in which the Mishnah reached closure carries us to the data provided by document redacted long before the Mishnah. For one example, details of rules in the law codes found in the library of the Essene community of Qumran intersect with details of rules in the Mishnah. More interesting still, accounts of aspects of Israelite life take for granted that

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\(^{12}\) I do believe an argument can be made for the overlapping of institutions distinguishing both Pharisees and Rabbis but that discussion will need to wait for a further monograph. Nothing I say here should be taken as evidence beyond the specific claims made in this book.

issues lively in the Mishnah came under debate long before the closure of the Mishnah. The Gospels’ accounts of Jesus’ encounter with the Pharisees, among others, encompass rules of law, or topics dealt with, important to the Mishnah. It is, for instance, not merely the datum that a writ of divorce severs the tie between wife and husband. The matter of grounds for divorce proves important to sages whose names occur in the Mishnah . . . It follows that not only isolated facts but critical matters of jurisprudential philosophy came to the surface long before the closure of the Mishnah. That fact yields one incontrovertible result. The Mishnah’s rules have to come into juxtaposition, wherever possible, with the rules that occur in prior law codes, whether Israelite or otherwise. That is the case, even though it presently appears that only a small proportion of all of the rules in the Mishnah fall within the frame of prior documents, remote or proximate. For every rule we can parallel in an earlier composition, the Mishnah gives us dozens of rules that in topic, logic, or even mere detail bear no comparison to anything now known in a prior composition, from Sumerian and Akkadian to Essene and Christian writers alike. (The sole exception, the Hebrew Scripture’s law codes, comes under analysis in the next section.) Details of the law, wherever possible, still must stand in comparison with equivalent details in earlier documents, whether narrative or legislative.

Neusner goes on to say that the final product of Mishnah gives us a reworking of the sources that is total and creates new structures from the inherited materials. That is certainly the case. We can only add to Neusner’s analysis that the Amoraim had also inherited ancient materials, and were able to fit them into the system of the Mishnah or in certain cases interpret the Mishnah in light of the ancient sources and neglect the new formulations of the Mishnah. For instance, the talmudic Amoraim\textsuperscript{14} know that God is likely to forgive the sins of those who forgive others who trespass against them, just as we find in the “Lord’s prayer.”\textsuperscript{15} Now, while this is not in itself any spectacular discovery, the situation changes when we look closely at the talmudic passage. Here we find the basis for this statement is a phrase in Mic 7:18, “The pardoner of sins and the forgiver of trespasses . . .!” The talmudic Rabbis however reformulate the phrase to mean, “Thou dost pardon sins; namely, for the one who forgives others’ trespasses against himself.”\textsuperscript{16}

\begin{itemize}
\item[14] See b. Rosh Hash. 17a.
\item[15] See Matt 6:12.
\item[16] For the Jewish exegetes whether Josephus, Philo, Qumranites, Rabbis, Scripture would not frivolously repeat words to no end. Thus, the verse should be read in
\end{itemize}
Thus we see two things: The Amoraim preserve traditions which are attested hundreds of years before their time and also we can find the basis of the prayer found in the New Testament and its scriptural underpinnings. This latter point is important. One might have thought proper prayer should say, “Forgive us for we have sinned!” or “Forgive us for Thou art merciful.” Why should we say to God that we are the standard of what God must do and if we forgive others so he should forgive us too? Now we see a biblical verse lies behind the exhortation and so we see that the Midrash on the verse (known from Babylonian sources redacted centuries later than the New Testament) is prior to the New Testament prayer that presumes it. The study of Mishnah is but one resource for tapping into the antique rules trapped for whatever reason in the pages of the Gospels. The study of later works is also valuable.

As one reads the present work, the use of Midrash and other rabbinic sources for uncovering the meaning of New Testament passages emerges as a necessary step in the reading of the Gospels. The approach continues the scholarship of those scholars who still care to apply Midrash on its own terms to writings that utilized the same idiom and form as Midrash. The models of the enterprise as portrayed by others of the “Midrash as literature” schools must be set aside for the history of Midrash as evident in New Testament. Literary criticism of the new school will not help here to clarify anything. Here we set aside other trends as well. Hebrew rhetorical criticism, as opposed to the more frequently used Greek models, can have more cogent results. In all cases it is important not only to establish the probable sense of a passage but also to show how this meaning fits smoothly into the Gospel paragraph at hand. Let us look at one example from aggadic materials which has not been discussed in connection with the transfiguration narratives of the Gospels.

In the Synoptic Gospels we find a well-attested tradition reaching back to strata of very early Jesus-traditions. The section of narrative

such a way to expose one cogent idea and not simply a repetitive, paralleled expression.
that attracts my attention here is the so-called Transfiguration of Jesus (Matt 17:1–8 = Mark 9:2–8 = Luke 9:28–36): Jesus selects three disciples and the four climb a high mountain. Then Jesus begins to shine and his garments turn shining white and dazzle everyone. Elijah comes with Moses and they talk to Jesus. Each Gospel has framed things a little differently and I shall offer a few suggestions as to how to focus upon the intent of the Gospels from rabbinic literature. My first goal is to discuss the attitudes prevalent in Judaism that would have found a context for the figures of Moses and Elijah and the Messiah.\textsuperscript{17} I know of only one explicit reference in rabbinic literature and it comes from the Midrash on the Psalms where the three being presented seriatim. This case will be discussed below in some detail. Here we can find matters close enough to suggest that rabbinic literature shares some ancient traditions (in connection with Moses and Elijah) with the Gospels. The traditions apparently have developed differently within their respective traditions and we should not posit direct borrowings.\textsuperscript{18} It happens that the passage in the Midrash to the Book of Psalms is not typically rabbinic as it lacks the prayer and repentance motif and is likely from a source that is much earlier than the rabbinic sources which deal with messianic issues. Given the evidence of the Gospel accounts of the transfiguration we should see the likelihood that our Midrash from the Book of Psalms is most useful in understanding the background of the various components in the Synoptic Gospels.\textsuperscript{19}

\textsuperscript{17} In later medieval Midrashim collected in J. D. Eisenstein’s \textit{Ozar Midrashim} (1915) or in S. A. Wertheimer’s \textit{Batei Midrashot} (1950) we do find occasional references to all three, but we cannot posit much about their antiquity or independence of Christian influence.

\textsuperscript{18} With the exception of Midrash Esther, the only Midrashim I have found concerning Moses and Elijah are those which compare the two. I have found at least six in Tanhuma and at least another ten in Midrash Rabba and sometimes even references to the first redeemer and the last redeemer. But these Midrashim just show us that the patterns of Elijah’s life follow those of Moses (who accordingly is sometimes called the teacher of Elijah). In \textit{Pesikta Rabbati} chap. 4 one will find many, many comparisons listed in one place. There is not much to learn for our purposes from these listings.

\textsuperscript{19} Messianic motifs in rabbinic literature that do not deal with the personages of Moses or Elijah are excluded from the discussion.
Moses, Elijah, and Messiah

I will now illustrate that this scene in the Gospels likely rests upon an exegesis already formed by the first century in which the pattern of redemption has already been set. I do not claim we totally have that exegesis in its pristine form, but we have a form of it that will allow us to see that the elements in the Gospel scenes have a fixed referential point in an interpretation in the Book of Psalms which can explain the various elements present in the Gospels. I cite Midrash Tehillim to Psalm 43, which weaves a story about the verses of this Psalm.20

Psalm 43:2 states: “Why did I walk depressed because of the oppression of the enemy.” [Has not God saved me in the past and does he not tell me now]—Did I not send you redemption (in Egypt) then as it is said: “He SENT Moses, his servant, Aaron whom he CHOSE” (Ps 105:26); and so He sends us another two as their counterparts, as it is said in Ps 43:3: “Send your Light and your Truth they will lead me . . .” So God says to them: I will send you salvation again, as it is said, “Behold I SEND you Elijah the Prophet” (Mal 3:22–23). So now one is named. The second one is “Yea my servant, I shall take hold of him, my CHOSEN one [in whom I shall delight]” (Isa 42:1). Thus does the Psalm say: “Send your Light and your Truth they will lead me; they will bring me to your holy mountain and to your tents” (Ps 43:3).

This is the very pattern of the Gospel account, which has Elijah coming with Moses to meet Jesus. The priestly Aaron, virtually absent from the Synoptics in general, is missing from this scene as well. At any rate, the Psalm-Midrash cites Isa 42:1 and so do the Gospels (especially Luke 9). The heavenly voice identifying Jesus as the beloved son is the climax of this piece. The luminous cloud passes over and announces: “This is my son: my chosen one (= my beloved) and some Gospel versions contain ‘in whom is my delight’ that is to say “the personage” of Isa 42:1. “My chosen one in whom is my delight” is identified as “this”—meaning Jesus and now identified as “my

20 The text I cite is from Yalqut Shimoni to Psalm 43, which contains a slightly different text from S. Buber’s classic edition of Midrash Tehillim (Wilna: Romm, 1891), which offers a hybrid variant of Psalm 43. On text critical grounds, too complicated to explain here, the version I provide should be deemed the earliest version. The Midrash contains early traditions tying Moses, Elijah, and the Chosen One.
son.” The Targum to the Prophets makes no bones about whom Isaiah refers to. It is to my servant the Messiah. The Gospels insist that one is Jesus; not Moses and not Elijah. The point of Isaiah 42, like the issue of Psalm 43, which frames this episode in the Gospels is the judgment of the nations which have persecuted Israel. It is possible that such was the original understanding of this scene. In fact, in the Gospel accounts there is even an attempt to construct tents and Psalm 43 pointedly refers to tents. “They will bring me to your holy mountain and to your tents.”

I suspect that the immediate trigger for including this scene in the Gospel tradition is the final word of Psalm 43: *Yeshuot panai ve’elohai* (“The salvations of my Countenance and my God”), with *Yeshuot* signifying Jesus. Many biblical citations are quoted in the Gospels which contain the word *yeshua* which means salvation (and Yeshu was a common pronunciation of Yehoshua, i.e., Jesus) in them somewhere in proximity to the quoted citation and this is but another case. Yet, it is not Psalm 43 itself that is evoked in the Gospels but the Midrash on the Psalm and its figures of Moses and Elijah and its messianic references to Isa 42:1. Note also the motif of “Light” signifying a messianic figure. In the Gospel account of the meeting of Jesus with Moses and Elijah, Jesus becomes luminous. The elements of the transfiguration scene are all accounted for now and this midrashic model provides more answers than does any other model.

This Midrash occurs in what critical scholars of Midrash would term a late source. Nevertheless there is a line of unique, similar constellations that connects the Gospel account to the Midrash. Since the Midrash is framed within a verse whose exegetical framework is sufficient (and in some ways necessary as well) to explain the details in the Gospel accounts, I suggest the exegetical context, in fact, lies behind the Gospel narrative. The chance of coincidence or of direct borrowing from the Gospels is very low, the chance of a common ancestor is quite reasonable. Besides, while there are sufficient similarities to suggest a relationship, there are also sufficient differences to rule out direct borrowing.

The Gospel accounts show us how Jewish traditions can become utilized for Christian purposes. This is not the case in regard to halakhah (Judicial legislation not found in Scriptures). In the case of halakhah, the scribal law virtually stands as presented by Jesus in the Gospels—and it is not for Christian purposes. Let us look at the debate forms, which we now have in the Gospels and in our remaining
time focus on one legal debate to see how the Gospels preserve authentic halakhic material presented in the mouth of Jesus.

Jesus-Pharisee Debates on the Sabbath

The time of the Jewish Sabbath ranks as the foremost time of importance in the Jewish religion. For Jews, no other day must be observed as so thoroughly holy as the Sabbath must be. On that day Israel and God meet in sacredness. This is the day to be dedicated to spiritual attainments. From the days of the prophets advice was set forth on how to best derive the maximum religious benefit from the Sabbath. Isaiah 58:13–14 shows concern for proper behavior, which would express proper attitudes towards the Holy Sabbath day. To look at the Gospel accounts of Jesus’ healing on the Sabbath in the light of Jewish teachings may help us understand the behavior and attitudes to which these accounts testify and also show us the antiquity of laws which otherwise might be mistaken for late rabbinic innovations. In all cases it is likely that Jesus’ healing in itself constitutes nothing that many Scribes and Pharisees would have found as breaking Torah law. We do not know if the sources which speak for Jesus may have envisioned that he condoned breaking the Sabbath for all types of healing.21 The sources may argue only from the point of view of Jesus’ opponents, but not from Jesus’ own view, to convince Pharisees that Jesus has acted according to their own rules. It is a puzzle that the Gospel of Mark offers no defense of Jesus’ behavior but only the condemnation of his opponents. We must assume that Mark would have his chap. 7 diatribe against “human law”22 which uproots “divine biblical rules of assistance” serve the purpose generally to dismiss all scribal law. Nothing more is necessary. Mark is different from Luke and Matthew who usually try to argue within the parameters of scribal law.

While Matt 15:1–9 also has a passage parallel to Mark 7 to dismiss the force of scribal traditions, Matthew still tries to offer a

21 Even physically amputating where there was no possible danger in waiting until nightfall.
22 The important point is to see that there were two sets of laws operative for the Pharisees, Torah rules and Scribal enactments. Some examples of scribal enactments that are important for the understanding of Mark can be found in t. Kelim and t. B. Mešia 3.
scribal defense of Jesus’ healing: Why do the Pharisees complain? Even according to their own laws I have done nothing wrong. Surely these are simply wicked people looking for excuses to condemn me. Since Matthew does this we have no choice but to understand that for Matthew the diatribe against human law is not just the example which condemns all scribal law as it is in Mark, it is specific to the case (certain vows) discussed and no more. Matthew sees Jesus as considerate of many scribal laws. Hence his Jesus will engage in pharisaic reasoning. J. N. Epstein had noted that many of Jesus’ reported retorts in the Gospels of Matthew and Luke are consonant with sources in Mishnah and Tosefta. He suggests that the pharisaic opponents are not portrayed to be as learned in Jewish law as was Jesus. Mark’s Jesus seems to dismiss pharisaic reasoning as wrong ab initio since he never engages in scribal argument on its own terms.

While there is widely attested criticism and defense of Jesus’ healing actions in three Gospel accounts there is none in Mark. Mark is not interested in Jesus defending any of his actions based on scribal laws or scribal reasoning. The precise apologetic is different in each of the Gospels. It would thus seem that the wordings of the subject matter of debates between Jesus and Pharisees were discussed in the early churches and then adjusted to best reconstruction. The defense strategy is different from Gospel to Gospel. Nevertheless each Gospel presents its own justifications in terms acceptable to rabbinic categories save for Mark. Mark relies on a dismissal of these categories since ab initio all pharisaic law contravenes Torah commandments concerning helping others. Matthew has the very polemic found in Mark 7 but he offers pharisaic rationales to defend Jesus in all other instances.

In brief, there was a strong tradition that Jesus rejected only those scribal ideas of vows that interfere with Torah social obligation, such as respect due to parents. There is no strong tradition about him rejecting scribal ideas concerned with healing on the Sabbath. The Pharisees in the debates presume that Jesus is in error. Then Jesus offers defenses that meet the requirements of scribal categories. That

24 Our investigation will show us that concepts in Jewish law spoken about widely in the 17th century, mentioned spottily in the 14th century (as standing behind 5th-century talmudic argument) seem already popular in the first century.
is to say, Jesus is criticized by those who believe he has transgressed scribal law and Jesus points out that he, in truth, has not.

That Mark, generally, has no defenses of Jesus’ Sabbath healing may simply indicate Mark understood religion to be defined by confrontation. Jesus and the Pharisees were enemies. A pharisaic Jesus would make no sense to him. Thus the placing of the oath and vow controversy in the midst of Jesus’ healing is designed to highlight Jesus moral character as a healer. Mark follows another tradition and records a received diatribe against those scribal “purity and vow” laws that appear to contradict divine authority as found in Scripture. Mark places this singular diatribe into the context of Jesus’ healing. The total effect on the reader is to give the impression that healing rules, indeed all scribal rules are dismissed. This literary juxtaposition accomplishes what received tradition did not even imply. Matthew has combined both approaches, even though they are inconsistent, and he would never allow, that for Jesus, all or even most scribal law is to be discarded. The Pharisees sit in the seat of Moses.\footnote{See Matt 23:2.}

**Scribal Tradition**

The Mishnah and Tosefta record many Sabbath rulings that were prohibited by Scribes but not considered prohibited by Torah law. The Tosefta discusses the origins of scribal “muktseh type”\footnote{I.e., the scribes legislated instances when animals and certain utensils would be forbidden to be handled on the Sabbath.} prohibitions.\footnote{\textit{t. Shab.} 14.1 is discussed in \textit{b. Shab.} 123b, which mentions that both the Palestinian and Babylonian authorities date the laws of “muktseh” to Second Temple times.} Since these types of decrees discuss Temple practices, the firm Palestinian and Babylonian traditions claiming these date to Second Temple times are warranted. These rules are of man made origin—and each of these laws had a rationale and a hierarchy of importance in the total scheme of things, e.g., to protect people from mistakenly transgressing biblical laws. Certain priorities of urgency can override scribal rules in certain circumstances. These rules were circulated and practiced but not frequently discussed.\footnote{This “public silence” as to when Rabbinic law might be mitigated was justified on the basis that divine honor was at stake.} New Testament
writings such as the expression in Matt 12:11 “seizing and lifting” would seem to confirm the impression of the antiquity of these laws.29

Scribal law was accorded very deep respect and not easily allowed to be disregarded. Thus even when certain rules were overridden, they were overridden in ways commensurate with scribal priorities. Relax this minor law rather than another. The principal reasons adduced by the majority of authorities to suspend scribal laws forbidding lifting/moving animals or non-prepared utensils (items not set aside before the Sabbath specifically for use on the Sabbath) were for the sake of: enabling important good deeds such as Sabbath Torah study or Sabbath hospitality; easing pain to animals, calming people about loss of belongings.

The Problem

The problem in the Synoptics is that we do not know the precise accusation against Jesus. What is Jesus accused of? Since his defenses argue from those occasions in which the Pharisees themselves also appear to have relaxed scribal law, we will have to assume that the accusation against him was only that he transgressed some scribal laws. However in Luke 13:14, the president of the synagogue quoted Exod 31:15 to him, “Six days work may be done.” This leads one to believe that he was criticized for desecrating biblical laws. I suggest we retrovert the Hebrew to mean “Six days he may be repaired through work.” This is the sense that is intended—Jesus is criticized for repairing people on the Sabbath. Sforno (sixteenth-century Jewish Italian Bible commentator) comments here: “When it is possible to do a commandment on another day, the Sabbath is not moved aside for it.” This is the objection. Apparently Jesus broke some law. Was it a Torah Law? The official, as we noted, cites Scripture. Jesus responds by mentioning a law involving relaxing scribal injunctions against untied real knots that are untied daily. Amongst other things we see the Sages permitted bundles of sheaves to be untied (a rabbinic prohibition) for the sake of feeding one’s animal.30 Are we supposed to think that the Gospels make no distinction between scribal

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29 The prohibition of muktseh is that of seizing and lifting (tiltul) objects that are in categories that preclude normal handling on the Sabbath.

30 m. Shab. 24:2.
and Torah law? Do they think all Sabbath law is of the same authority. Perhaps we are to think that Jesus is specifically accused of violating Torah law.\textsuperscript{31}

\textit{The Solution}

Let us now ask ourselves, “Precisely what upset his opponents in his actions?” There are talmudic passages that lend themselves to the idea that if a condition will not at all worsen until the close of the Sabbath, all rabbinic laws\textsuperscript{32} and biblical laws are in force in respect to this person. On the other hand there are reasons to say the opposite—in respect to a person who is in pain, all laws are suspended for his welfare. Jesus, according to the Gospel, argued the other side of the in-house debate which held that certain acts of healing which did not transgress biblical laws were permitted. It was agreed that (oral) biblical acts of healing that were forbidden on the Sabbath included boiling, grinding, lighting, cutting etc. and these were not the subject of the debate. These acts were known from pharisaic ideas concerning the Oral Bible.

It still may be possible to think the charge against Jesus for healing on the Sabbath was one of breaking Torah law. He mended a body. m. \textit{Ed.} 1:8 might have us believe that correcting a nonfunctioning human organ on the Sabbath, where there was no danger of the condition worsening, might constitute an act of prohibitions of the Oral Bible of “fixing” or “building.” That possibility certainly exists. If so, the New Testament arguments are not persuasive. Relaxing a rabbinic injunction is not the same as relaxing an Oral Torah law. The arguments would fall apart. However, the cases in \textit{Eduyot} seem to be ones in which something physical is made in the body to relieve a non-vital irritation. In the cases presented in the Gospels no incisions or reconstructions were made in the organs or flesh. Jesus heals by touching.\textsuperscript{33} I should think the Gospels are dealing with rabbinic strictures against Sabbath healing where there is no need

\textsuperscript{31} It is doubtful this is the case for reasons we will now discuss.

\textsuperscript{32} Lest one come to violate the biblical law by permitting grinding medicines unnecessarily, see \textit{b. Shab.} 53b.

\textsuperscript{33} Such things are discussed as generally permissible in \textit{t. Shab.} 7.23. Cf. \textit{b. Sanh.} 101a.
to heal on the Sabbath itself. The defenses offered in the synoptic Gospels of Luke and Matthew seem to address scribal/rabbinic issues of the Sabbath and not Torah ones. They are on the surface quite viable. The president of the synagogue, in Luke 13:14, cited Exod 31:15, in order to remind Jesus that the Scribes also did not relax their laws except in cases which could not be deferred until the night after the Sabbath day. He was not only referring to biblical laws but also to rabbinic ones which had the framework of Exod 31:15. Here the literal words of the verse are redundant “Sabbath-Sabbatical” and the Sages of scribal law saw here a secondary reference to rules to be added by the Rabbis to ensure Sabbath observance on its purest level. The verse served as a kind of general reference to those occasions to which the scribal laws might be applied. What was taken as pertinent to biblical law would serve the category of scribal law as well.

Although the common and popular rule was that no manner of healing for benign cases was permitted, according to Matthew and Luke, Jesus declared this rule to be contradictory to scribal law. Since scribal law was relaxed for animals, it should be relaxed for humans as well in cases of benign conditions. In other words, for different reasons, he reached the same rule of behavior described by Rabbi Kagan (early 20th century). Jesus thought that the teaching was erroneous that proclaimed no healing might be done on the Sabbath when the condition was benign. Jesus thus justified his own behavior in a halachically acceptable way.

The Rhetoric

The rhetorical features of many Gospel debates are cast in this mold:

Statement of opponent’s ANALOGOUS legal practice as a question: “Is not this your practice in similar cases to our discussion?”

Conclusion: Therefore you must agree with me to be consistent.

In close detail we see how what is being addressed fits a standard form:

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34 Even where biblical law was kept intact.
Legal assumption: (a) Something indeed looks problematic and in general your position is right. (b) Here by analogy is why this case is an exception.

Understood Conclusion: We can now both agree that I am correct.

The Pharisiac-Sadducean argument in *m. Yad.* 4:5 echoes this form precisely. The Sadducees complain about pharisaic practice of not venerating certain scrolls revered by some groups. Rabbi Yohanan ben Zakkai asks them if they do not revere the bones of their own revered High Priest more than they would a donkey’s bones and then provides the argument that they must likewise agree with the pharisaic practice that was challenged. The implicit argument is that the works under discussion (*homoros*—probably those Torah Scrolls used by the ‘foolish’ nation = *ho moros* of Samaritans) have the value of donkey bones (*hamor*). Here, aside from the cute phonic similarity, we have the ideal argument form, which was noted above. The Sadducees are given an example from their own revered High Priest, with which they will agree. This clinches the argument.

Let us now see how this form operates in the Gospels. Scribal law as we know it, in its essentials, is much more ancient than the post-70 Rabbis. A body of tradition has emanated from ancient communities and is still recognizable and traceable today. Given this state of affairs we need to evaluate those laws mentioned in the Gospels that a modern student of Jewish Law would still recognize and on this basis look at the hermeneutic and rhetoric of New Testament passages.

1. *Matthew*

*Matthew 12:10–13.* Apologetic for curing on the Sabbath a man with a shriveled hand.36

Statement of ANALOGOUS Legal Practice as a Question: If you have a single sheep and it falls into a hole on the Sabbath, do you not lay hold of it and lift it out?

Argument: A person is worth more than a sheep whose pain you do ease on the Sabbath.

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35 Not only can the New Testament confirm the antiquity of legal principles of early Rabbis, it can also for medieval and modern ones.

36 While he too is cured in Luke and Mark, Jesus’ defense in Luke is offered in two other cases, while no defense is given in Mark.
Conclusion: Therefore one may legally render aid on the Sabbath to ease pain for a person. 

Legal Assumption: (a) Touching and lifting a sheep constitutes a Sabbath infringement. (b) Because of the value of the sheep and the need to reduce its pain the infringement is overridden.

Understood Conclusion: All healing which helps a human being is permitted on the Sabbath.

2. Luke

*Luke* 14:3–5. Apologetic for curing a man on the Sabbath who was swollen with fluids.

Statement of ANALOGOUS Legal Practice as a Question: If your donkey or ox falls in a well on Sabbath, do you not pull it out immediately?

Understood legal argument: All the more so humans may be helped. 

Legal Assumption: (a) It is forbidden to lift out a donkey or an ox on the Sabbath. (b) In order to relieve the animal’s pain the infringement is overridden.

Understood Conclusion: Healing to relieve pain is permissible.

Discussion

The earliest extant specific teachings concerning an animal stuck in a pit on the Sabbath are found in the Damascus Document (CD 11:13): If an animal falls into a cistern or into a well let him not pull it out on the Sabbath. A post-New Testament record found in *t. Shab.* 14.3 states: if an animal falls into a pit, then one should feed it food there (i.e., but not extricate it) so that it should not die. The Babylonian Amoraim thought that this meant if the animal could stay comfortably then one should feed it in its place, but if it would cause the animal pain to stay put then it could be removed even though this would entail infringing upon a minor scribal decree. See *b. Shab.* 128b. They followed the reasoning that animal pain had to be absolutely relieved by Torah decree (Exod 23:5 concerning an animal under stress states “You shall surely help”) and this Torah injunction could override some scribal prohibitions of the Sabbath. Although we have no Tannaitic statements like this, the antiquity of the late Babylonian Amoraic tradition is born out by the early New Testament statement of Jesus. The practice of alleviating pain for
animals stuck in pits dates to Second Temple times, although the written Jewish sources are attested relatively late.

The point is that the early Damascus Document and the later Tosefta do not mention any permission to extricate the animal although the Tosefta implies that steps should be taken if the animal is in danger of dying. Not until the later age of the Babylonian Amoraim do we find that where an animal is in pain methods might be adopted to extricate it even though scribal decrees might be infringed. That is the evidence of the Jewish sources. When we look at Christian sources we find the very same laws as in the Talmud allowing extrication but these sources are centuries earlier than the talmudic ones. One possible conclusion is that the Gospels preserve ancient rulings that were passed down orally within Judaism until they were set down by the Rabbis quite late.

Is this actually the case? Let us show it is. Animals are categorized as “non-Sabbath items” and thus not to be moved.37 Since the New Testament uses the expression “lay hold of and lift” we see the problem is one of scribal “muktseh”—“animals are not set aside for Sabbath use” and so must not be taken and lifted. The Scribes prescribed that “muktseh” items are not to be taken and lifted. In the need to justify a teaching the Babylonian Talmud reveals there could be a rule of hefsed meruba (substantial loss).38 The Talmud posited that if something was of small value it could not be rescued by over-riding scribal law.39 This is said to be the idea behind m. Shab. 24:1. We now infer that where something was of great value it could be rescued and, if necessary, even at the expense of scribal law.40

The passages dealing with alleviating animal pain can be found in b. Shab. 128b. That scribal prohibitions are overridden in cases of doing important good deeds is discussed in m. Shab. 18:1 and the commentaries of the Talmuds on it. These insights gathered over the centuries place the Gospels within a tradition much closer to the thinking patterns of rabbinic Judaism not only of antiquity but of later times. That is to say that the life force of Judaism that gets into written form at certain points can be some much more ancient

37 See b. Shab. 128b and t. Shab. 15.1.
38 Permission to override scribal Sabbath Law where an object is of great value to its owner.
39 See b. Shab. 154b.
than the written evidence suggests. That is so because the thought patterns and the principles are well established and similar answers to similar problems are either independently arrived at or handed down more or less verbatim. At any rate there can be no doubt that the New Testament sources are concerned with issues of rabbinic decrees and so too in the case of healing. In fact, the Damascus document refers to two types of pits an animal might fall into. There are two versions of the Tosefta which have different words for “pit.” Matthew and Luke have variant wordings for “pit.” Not only is the tradition similar throughout the sources, the variant readings are too.


On picking sheaves. The story reads as follows:

At that time Jesus went through the grain fields on the Sabbath; his disciples [plucked and ate some ears of grain, rubbing them in their hands (Luke’s version)] were hungry and they began to eat. But when the Pharisees saw it, they said to him, “Look, your disciples are doing what is not lawful to do on the Sabbath.” He said to them, “Have you not read what David did, when he was hungry, and those who were with him: how he entered the House of God and ate the Shew Bread, which it was not lawful for him to eat nor for those who were with him, but only for the priests? [Or have you not read in the Law how on the Sabbath the priests in the Temple profane the Sabbath and are guiltless? I tell you something greater than the Temple is here, and if you had known what this means, “I desire mercy and not sacrifice,” you would not have condemned the guiltless (Matthew’s version)]. And he said to them, [“The Sabbath was made for man, not for the Sabbath (Mark’s version)]. For the Son of Man is lord of the Sabbath.”

All the problems, textual and conceptual, inherent in unraveling Jesus/Pharisee debates can be found in this one example. It seems that the Evangelists had little idea about the details of Jewish laws, and only by careful analysis can we establish what lay behind their words. I will deal with this example at length for it shows us that what Christian theologians have seen as radical “Son of Man overruling cruel Biblical prohibitions” is the product of the Gospels’ literary layer but not the prior source. We must note that in all cases in legal debates about Sabbath in the Synoptics, the question of dispute revolves around scribal laws and whether or not the questioning Pharisees know these laws as well as they think they do. The
debate about eating in the fields is of this order too. When people pluck out grain for themselves, then push out the kernel of wheat in an unusual or rare circumstance, the biblical Sabbath rules are not violated (b. Shab. 128a and t. Shab. 9 list the items which cannot be plucked for weeding or animal consumption; but human consumption is another matter). In Mark we must assume that the paired plucking and rubbing of the kernels is to show they were hard and taken from the field in an ad hoc way. Ears of grain were not usually plucked one by one from fields as against the more common harvesting, threshing methods in use at the time. b. Shab. 103a records a very early tradition that specifies the types of plants that are forbidden by biblical law to be plucked and ears of grain are not mentioned. Furthermore this tradition notes that in fields not belonging to the plucker one would not transgress the prohibition of clearing and pruning fields. Another source, b. Besa 13b, contains examples of the rabbinic rules of “shinui” (change from regular manner) to show specifically that rubbing kernels of ripened grain to eat was unusual. Such unusual acts were not considered biblical prohibitions. It follows that what is described in the Gospels would be forbidden by a scribal prohibition and not a biblical one.

We must therefore accept Luke’s detail here as original: the disciples rubbed them. We also note that Matthew says nothing about plucking which he might have understood as some kind of prohibition in this circumstance. Since Luke has shown no stake in his Gospel about distinguishing scribal laws from biblical ones, we must assume Luke’s version is an ancient one which he simply preserved, probably unaware of its import.

“And he said to them,” as the prelude to “For the Son of Man is lord of the Sabbath,” is missing in Matthew. Matthew has instead provided his own understanding of the saying by prefacing it with the notice that priests may profane the Sabbath in the Temple; thus the disciples may also, since they are in the presence of the Son of Man. Matthew claims the Torah tells about Temple sacrifices on the Sabbath. No other Gospel claims this, and it seems likely that Matthew’s version was added for explanation. However, we will have to disregard Matthew’s claim about reading this in Scripture and assume this claim is trivial and only there by function of its resonance with “Have you not read what David did?” These words are to help us understand the final line—“the Son of Man is lord of the Sabbath.”
Let us look at this closely. The defense of Jesus is precisely to the point: we know David properly overrode biblical law, and so we know biblical law can be superseded. It is a talmudic principle that whatever the scribes enact must follow biblical models, overriding laws is now found in the model. Furthermore, the scribes allowed that in the Temple, much scribal law was suspended because they assumed the Temple authorities would be careful and watchful that no biblical ones would come to be infringed. So this shows indeed scribal laws can be infringed where there is watchfulness (the awe of the Temple itself provides such). Jesus argues the Son of Man is greater than the Temple, which must mean his own presence on the scene demands more watchfulness than the presence of Temple authorities in the Temple would—and so the scribal infringement would not apply in this case either. It is not clear the Pharisees were thrilled by this answer, but they have been assured by the type of argument that the infringement is of a scribal nature and there was supervision to see that no biblical laws were violated. Again, there would be little warrant here for any condemnation save that the Pharisees would not have accepted Jesus’ claim that his presence would guarantee no laws would be broken. There is nothing at all to learn from these debates, if seen out of their later literary contexts, except they must have been preserved to show Jesus’ mastery of Jewish law and humane application of it.

**Conclusion**

The upshot of this entire discussion is simply to argue that much of the Gospels require the use of rabbinic literature for their proper understanding and the Gospels sometimes can shed light on the history of legal developments within the Judaic tradition. Although rigorous criteria are required, lest our work fall prey to anachronism, the mutually clarifying nature of the materials under review recommend systematic exegetical comparison.41

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41 On the basis of messianic prophecy in Zech 14:21, as rendered by the Targum, we now may explain Matt 21:1 = Mark 11:15 = John 2:15. Jesus’ banishing money-changers from the Temple is neither subversive nor an anti-purity act (and perhaps not historical), but a symbolic messianic sign in fulfillment of Zech 14:21 and its reference to the Feast of Tabernacles. Amazingly, the scores of commentaries, books, and articles on the Gospels have missed this point.
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RECONSTRUCTING THE HALAKAH OF JESUS: APPROPRIATING EARLY AND LATE SOURCES

Craig A. Evans

Professor Basser’s paper scores several interesting and incisive points. His concluding remark is certainly correct: “The upshot of this entire discussion is simply to argue that much of the Gospels requires the use of rabbinic literature for their proper understanding, and the Gospels sometimes can shed light on the history of legal developments within the Judaic tradition.” Basser’s recognition of the mutually clarifying function of the earlier Gospels and the later rabbinic literature, which always requires methodological rigor, is refreshing and is in step with critical scholarship in this field.

I am also impressed by his recommendation that we view Jesus’ halakic disputes with Pharisees and other religious teachers within the context of (and not over against or in opposition to) a rabbinic-Pharisaic framework of discussion and debate. Christian interpreters have in the past uncritically lumped together rabbis, Pharisees, scribes, Sadducees, and ruling priests, as though they all represented more or less a common understanding of Judaism. Because ruling priests plotted against Jesus, it is sometimes assumed that scribes and Pharisees were equally involved. From this error it is then sometimes assumed that halakic disputes concerning Sabbath law and questions of purity, in which scribes and Pharisees figure prominently in the controversy stories, had as much to do with the motives for doing away with Jesus as anything else. But such thinking is unnuanced, misleading, and often erroneous. Basser’s contribution helpfully steers us in a more promising direction.

Apart from a serious dispute with the ruling priests in the Temple precincts, a dispute which occasioned the decision to move against Jesus with deadly force, Jesus’ halakic disputes (and haggadic disputes

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2 See the Selected Bibliography assembled at the end of this brief response.
3 On this matter, see B. D. Chilton, The Temple of Jesus: His Sacrificial Program Within a Cultural History of Sacrifice (University Park: Pennsylvania State University,
also) with Pharisees were for the most part of a non-lethal variety. They reflect the type of lively debate, questioning, and counter-questioning that is ubiquitous in the rabbinic literature.

Christians may find this surprising, but there is significant evidence that Jesus regarded many of the scribes and Pharisees as righteous. The Parable of the Two Debtors in Luke 7:36–50, where Jesus assures the (former) sinful woman that her sins—“which are many”—are forgiven and that her faith has saved her, makes this point clear if read in context and without the prior assumption that all Pharisees are hypocritical reprobates. The parable reads: “‘A certain creditor had two debtors; one owed five hundred denarii, the other fifty. When they could not repay their debts, he forgave them both. Which of them therefore will love him more?’ Simon answered and said, ‘I suppose the one whom he forgave more.’ He said to him, ‘You have judged rightly’” (Luke 7:41–43). The parable implies that not only the person whose debt is great (i.e., the “sinful” woman), but the person whose debt is much smaller (i.e., Simon the Pharisee) has been forgiven. Simon has been forgiven and so stands righteous before God, but because his sins have been relatively few, his experience of forgiveness, correspondingly, has been limited. He therefore “loves little.”

We find the same assumption at work in the parables of the lost in Luke 15. Luke creates a literary and theological context for these parables, but there is no reason to doubt seriously that this artificial context truly reflects criticisms that Jesus encountered: “All the toll collectors and sinners were gathered to him to hear him. So both the Pharisees and the scribes were murmuring, saying, ‘This one accepts sinners and eats with them’” (Luke 15:1–2). In answer to this criticism Jesus tells three parables: the Parable of the Lost Sheep (vv. 4–7), the Parable of the Lost Coin (vv. 8–10), and the longer, more complex Parable of the Prodigal Son (vv. 11–32). The latter parable has nothing positive to say about the younger son. He selfishly turns his back on his family, disgraces his father, abandons the land of Israel, presumably abandons the Jewish faith, and lives a wanton, sinful life. The younger son, who in the parable is surely meant to portray the “toll collectors and sinners,” cuts a negative figure in

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every way. The only thing he does right is to repent. In contrast, the older son, who in the parable portrays the “Pharisees and scribes,” that is, the Torah-observant Jews of Jesus’ day, is the perfect son. He is responsible, works hard, stays at home and helps his father. His only shortcoming is that he is unable to rejoice over his younger brother’s repentance and restoration. He criticizes his father for celebrating the prodigal’s return in such a lavish fashion. But despite this fault, the father, who in the parable represents God, assures him: “Child, you are always with me, and all that is mine is yours” (v. 31). The restoration of the younger son takes nothing away from the older son (anymore than forgiving a huge debt takes away from forgiving a smaller debt). He must understand that it is necessary to rejoice and be happy that his wayward, lost younger brother is now found. He who was dead is now alive again (v. 32).

These two Lukan parables make it clear that Jesus regarded the scribes and Pharisees, at least some of them, as righteous. Their only fault lay in not rejoicing in the repentance of non-Torah observant Jews. These parables are not meant to drive o the Pharisees, but to admonish them to rejoice with Jesus and to accept the wayward to whom Jesus ministers. The halakic disputes between Jesus and the Pharisees should be read in this light, at least most of them. Basser’s approach to the halakic tradition is consistent with this recommendation.

I do have one important suggestion regarding method. It pertains especially to Professor Basser’s first comparative-exegetical example. He relates the Synoptic account of the Transfiguration of Jesus to an interesting midrashic tradition, in which the person and/or clothing of the Messiah is described as shining. The luminosity of the transfigured Jesus certainly does invite the comparison that Basser recommends. The collocation of light, mountain, tabernacles, the sending of Elijah and the “chosen one” of Isa 42:1, which is worked out in an intriguing midrash in the Midrash on the Psalms (or Shohar Tov) on Psalm 43, is fascinating and calls for investigation.

But before looking to later texts, it is necessary to consider Old Testament antecedents. In much of the Gospels we have allusions to Old Testament language and imagery, as well as explicit quotations and paraphrases. The story of the Transfiguration is replete with words and images drawn from the Sinai story of Exodus. Mark’s account reads:
And after six days Jesus takes along Peter and James and John, and takes them up into a high mountain by themselves. And he was transformed before them, and his garments became exceedingly white as no launderer on earth can whiten. And Elijah appeared with Moses, and they were conversing together with Jesus. And answering, Peter says to Jesus, “Rabbi, it is good that we are here. Let us make three tents: one for you, one for Moses, and one for Elijah.”—for he did not know what he should reply, because they had become greatly afraid. And then a cloud appeared overshadowing them, and a voice came out of the cloud, “This is my Son the beloved; hear him!” And suddenly looking around they no longer saw anyone, but only Jesus with them.

In the Lukan account we are told that Jesus’ “face changed” (Luke 9:29), that “Moses and Elijah” (v. 30) appeared, instead of Mark’s “Elijah with Moses,” and that Jesus spoke with the heavenly visitors concerning his “exodus” (v. 31). Luke’s revisions here are probably intended to heighten the importance of Moses and to draw the parallels closer to the person and experience of the great Lawgiver.

The Synoptic account of the Transfiguration parallels the giving of the Law on Mount Sinai at several points. Perhaps the most obvious are the following: (1) the reference to “six days” (Mark 9:2; Exod 24:16), (2) the cloud that covers the mountain (Mark 9:7; Exod 24:16), (3) God’s voice from the cloud (Mark 9:7; Exod 24:16), (4) three companions (Mark 9:2; Exod 24:1, 9), (5) a transformed appearance (Mark 9:3; Exod 34:30), and (6) the reaction of fear (Mark 9:31). Moses and Elijah are often paired up, as Professor Basser remarks. The two witnesses of Rev 11:3–12 could very well be Moses and Elijah (on Moses, compare v. 6 with Exod 7:17, 19; on Elijah, compare vv. 5–6 with 2 Kgs 1:10). (However, Elijah is sometimes paired up with Enoch; see 2 Esdras 6:26; Apoc. of Elijah 4:7–19, which appears to be dependent on Revelation 11.) According to one rabbinic midrash, God promises in the future to bring Moses with Elijah (Deut. Rab. 3.17 [on Deut 10:1]). The rabbis compared Moses and Elijah at many points: “You find that two prophets rose up for Israel out of the tribe of Levi; one the first of all the prophets, and the other the last of all the prophets: Moses first and Elijah last, and both with a commission to redeem Israel. . . . You find that Moses and Elijah were alike in every respect. . . . Moses went up to heaven [cf. Exod 19:3]; and Elijah went up to heaven [cf. 2 Kgs 2:1]. . . . Moses: ‘And the cloud covered him six days’ [Exod 24:16]; and Elijah went up in a whirlwind [cf. 2 Kgs 2:1]” (Pesiq. R. 4.2; translation based on William G. Braude, Pesikta Rabbati [2 vols.; YJS 18; New Haven: Yale University, 1968] 2.84–85).

The closest parallel is probably to the shining face of Moses (Exod 34:30), but the faces of other saints are described as shining; see 2 Esdras 7:97, 125; 1 Enoch 37:7; 51:5. The clothing of the saints also will shine; see Dan 12:3; Rev 4:4; 7:9; 1 Enoch 62:15; Qoh. Rab. 1:7 §9: “he will renew their faces and will renew their garments.”
Another suggestive item that should be mentioned is that in Exod 24:13 Joshua is singled out and taken up the mountain with Moses. Since “Joshua” in the Greek Old Testament is sometimes spelled “Jesus,” the early Church may have seen in Exod 24:13 a veiled prophecy, or typology, that came to fulfillment in the Transfiguration where once again Moses and Jesus are together. One could say that Jesus and Moses have been together before. Finally, the offer to build tabernacles, though not directly associated with Sinai, is coherent with wilderness tradition and in fact was part of a festival in which Jews remembered the sojourn in the wilderness.6

These parallels are extensive enough that I should think that they provide the point of departure. The questions that then arise are: How were the Sinai traditions interpreted in sources that predated the New Testament Gospels, or are contemporaneous with them? that is, elsewhere in the New Testament? in Philo? in Josephus? in the Dead Sea Scrolls? and, of course, in the early rabbinic literature? The latter material may very well preserve ancient interpretive tradition that will shed light on the Transfiguration narrative, as Professor Basser has indicated, but the older (i.e., pre-New Testament) traditions should receive priority and, if possible, provide the point of departure for examination of the parallels with the later rabbinic texts.

Professor Basser’s other examples are much closer and seem more apparent. But even in these cases, however, comparative work with the aforementioned older literatures is essential. In combination, both the older and the later sources will often shed important light on the Gospels, underscoring again and again the need to interpret them, as Professor Basser recommends, in their Judaic context.

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6 It could be that Peter has concluded that the Last Day had arrived when some of the great events of the first exodus would be repeated (such as manna in the wilderness and God’s presence among the people). To commemorate the exodus Jews celebrated the Feast of Booths by living in small booths or huts for seven days (Lev 23:42–44; Neh 8:14–17). But the feast was also understood by many as looking ahead to the glorious day of Israel’s deliverance.
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GETTING IT RIGHT: JAMES, JESUS, AND QUESTIONS OF SANCTITY

Bruce Chilton

Introducing James

Of all the major figures in the New Testament, the one called James is certainly the most overlooked. Even his name makes him more obscure than he needs to be. He bore the name of Yakov (“Jacob”), who was also called Israel (Gen 32:22–32)—the patriarch who identifies the people of the covenant in most understandings of Judaism. That name traveled well into Greek (as Iakobos), but a Latinization (Iacomus) is the direct antecedent of the English name.¹ A comparable history has turned Yeshua, the Aramaic form of the name Joshua (Yehoshuah in Hebrew) into Jesus. So our Yakov (as “James”) may sound like a king of England, but he is named for a principal Judaic patriarch. That is an unlikely fate for the most famous brother of Yeshua.

His being Yeshua’s brother, of course, is the problem. Everyone knows enough to object (those who have read and—perhaps especially—those who have not read the New Testament): how could Yeshua have had a brother, when his mother was a virgin? This is not the place to try to settle what the widely believed teaching of Mary/Miriam’s virginity means in regard to her medical condition. Suffice it to say that the New Testament itself presents a variety of views of Mary/Miriam, of Yeshua’s birth, and of what her virginity means.²

However one resolves such questions, the status of Yakov as Yeshua’s brother is expressed straightforwardly (see Mark 6):

1 And he went out from there, and comes into his homeland, and his students follow him.² And when the Sabbath came, he began to teach

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¹ The form is described as “Late Latin” in Patrick Hanks and Flavia Hodges, A Dictionary of First Names (Oxford: Oxford University Press, 1993) 171. The form in the Vulgate is still Iacobus.
in the synagogue, and many who heard were astonished, saying, “Where did he get this from, and what is this wisdom that is given to him? And what sort of powers are done by his hands? 3 Is this not the journeyman, the son of Miriam, and brother of Yakov and Yosieh and Yudah and Shimon? And aren’t his sisters here with us?” And they were outraged at him.

4 And Yeshuah was saying to them, “A prophet is not dishonored except in his homeland and among his kin and in his house.”

5 And he was not able there to do any power, except that laying hands on a few who were ill, he healed them. 6 And he was astounded at their unbelief.

The text is plain: Yeshua had, not only one brother, but four, and an unspecified number of sisters.

But do the words “brothers” and “sisters” here really mean what they say? There has been, since the fourth century of the Common Era, a lively debate over just that question. All of its detail can not be rehearsed here. 3 The most plausible attempts to take the terms in some kind of metaphorical sense link the passage to the fact that early Christians called one another “brother” and “sister.” But those usages are for the most part from materials which come later in the development of the New Testament. In this passage (and in its equivalent in Matt 13:53–58), “brother” and “sister” mean brother and sister, just as “mother” means mother. It is evident that there would be no further discussion, except for a later doctrine of the Church which took the definition of Mary/Miriam’s virginity in a biological direction.

The mention of Yakov in Mark 6 (and Matthew 13) does not in any way assume his sympathy with his brother Yeshua. There are rather clear indications that Yeshua and his brothers were on strained terms. Within chap. 3 of Mark, for example, we encounter the following scene:

31 And his mother and his brothers come and standing outside, they sent a delegation to him, calling him. 32 And a crowd sat around him, and they say to him,

“Look, your mother and your brothers and your sisters seek you outside.”

33 He replied and says, “Who are my mother and my brothers?”

34 He glares around at those sitting in a circle about him, and says, “Look: my mother and my brothers. 35 Whoever does the will of God, he is my brother and sister and mother.”

Not a picture of family bliss, and perhaps an echo of the earlier statement (3:21) that there were those associated with Yeshua who tried to prevent him from engaging in exorcism. They said he was “beside himself.” Now he says they are not true family. In a different key, the dispute between Yeshua and his brothers in John 7:2–10 also portrays fraternal tension in a marked form.

The Gospels tell us nothing further about Yakov, and their silence prompts the question: when did he become a follower of Yeshua? This is perhaps the most instructive thing about Yakov from the point of view of the development of Christianity. His authority within the movement did not derive from his relations with his brother during his lifetime, but with his status as a witness to the resurrection (along with his status as Yeshua’s brother). Yakov was a crucial authority in the development of the conviction that Yeshua had been raised from the dead. He was a key witness of the risen Jesus according to the testimony of Paul, the earliest writer to speak of Jesus’ resurrection, writing around 56 CE (see 1 Cor 15:3–8):

Because I delivered to you, among the first, what I myself received, that Messiah died for our sins according to the Scriptures, and that he was buried and that he was raised on the third day according to the Scriptures, and that he was seen by Kepha, then by the Twelve, and then he was seen by more than five hundred brethren at once, among whom most remain until now, and some have slept. And then he was seen by Yakov, then by all the delegates. And last of all, as to a fetus, he was seen by me, too.

Aside from Paul’s reference to Yakov in his list of witnesses, the New Testament itself does not record an actual appearance to Yakov, but the extra-canonical Gospel to the Hebrews does. There, Jesus assures his brother that “the Son of Man has been raised from among those who sleep.” The authority of Yakov, it seems, was a key force in the complete identification between Jesus and the figure of one “like a son of man” mentioned in Daniel 7—an angelic figure in the heavenly court—after the resurrection.4

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The standing of Yakov was such that, within the Church in Jerusalem (certainly the most important of all until the destruction of the Temple in 70 CE under the Roman general Titus), he occupied the principal position. In Acts 15, Yakov is presented as personally deciding how non-Jewish followers of Yeshua were to be regarded, and how they might be incorporated within the movement without actually accepting male circumcision. In that just this sort of question was the most divisive in the earliest history of Christianity, Yakov’s place here could not be more important, and we will turn our attention to the passage in a moment.

After the issue of whether non-Jewish Christians needed to accept the practice of circumcision and/or purity, the next most divisive issue in the early Church was a person: the apostle Paul. Although his authority is today accepted among Christians as a matter of course, his status as the principal theologian of Christianity only developed as the canon of the New Testament emerged. Until then, and especially during his own life, Paul was a profoundly controversial figure. His insistence that believing in Yeshua made non-Jews into sons of Abraham, the true Israel, set non-Jewish Christians against traditionally Judaic followers of Yeshua. In Acts 21, a passage we will also consider more closely, it is Yakov, and only his circle, that attempts to integrate Paul within the movement by having him take part in a ritual within the Temple in Jerusalem.

Our next important reference to Yakov’s authority and status comes from Hegesippus, a writer of the second century. As cited by Eusebius (see Hist. Eccl. 2.23.1–18), Hegesippus characterizes Yakov, Jesus’ brother, as the person who exercised immediate control of the church in Jerusalem. Although Peter had initially gathered a group of Jesus’ followers in Jerusalem, his interests and activities further afield left the way open for Yakov to become the natural head of the community there. That change, and political changes in Jerusalem itself made the Temple the effective center of the local community connected to Yakov. Nonetheless, its emphasis upon the heavenly origin of divine wisdom (Jas 1:17–18) may be related to Yakov’s vision of his brother as risen from the dead.

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6 Florence Morgan Gillman suggests that Hegesippus’ source is the Acts of the Apostles used among the Ebionites, a Christian group which sought also to follow the Torah. She connects their veneration of Yakov to the praise given him in the *Gospel according to Thomas* Logion 12.
of Jesus’ followers. Yakov practiced a careful and idiosyncratic purity in the interests of worship in the Temple. He abstained from wine and animal flesh, did not cut his hair or beard, and forsook oil and conventional bathing. According to Hegesippus, those special practices gave him access even to the sanctuary.

Josephus had earlier reported that Yakov was killed in the Temple ca. 62 at the instigation of the high priest Ananus during the interregnum of the Roman governors Festus and Albinus (Ant. 20.9.1 §197–203). Hegesippus gives a more circumstantial, politically less informed, account of the martyrdom. Yakov is set up on a parapet of the Temple, being known and addressed by his opponents by the titles “Righteous and Oblias,” Hegesippus reports. The second title has caused understandable puzzlement, but it is easily related to the Aramaic term 'abal, which means “to mourn.” Recent finds in the vicinity of the Dead Sea (not only near Qumran) have greatly enhanced our understanding of Aramaic as spoken in the time of Yeshua and his followers. The use of the term there is attested.7 Yakov was known as “mourner.”

It is possible to see that title as a partially descriptive, partially mocking nickname. Most probably, it refers to the persistent asceticism which Yakov practiced. But the name need not have been invented by the opposition. Yeshua himself was known to give his followers such names. Most famously, he called Shimon “Rock”: Képha in Aramaic, Petros in Greek. He called Yohanan and his brother Yakov “Thunder brothers;” bene rigsha in Aramaic.8 There is nothing surprising in the hypothesis that Yeshua himself, familiar with his brother’s asceticism, called him “Mourner.”

In any case, Yakov/Mourner is interrogated by the authorities as he stands on a parapet, Tell us: what is the gate of Yeshua?9 Yakov responds with a strong declaration of Yeshua as the son of man who

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7 See Joseph A. Fitzmyer and Daniel J. Harrington, A Manual of Palestinian Aramaic Texts (BibOr 34; Rome: Biblical Institute Press, 1978). Hegesippus himself tries to explain the term as “portion of the people and righteousness.” But since he says James was called “righteous and Oblias,” when he explains the latter term as “portion of the people and righteousness,” the impression he gives is that he is paraphrasing.

8 See the list in Mark 3:14–19, and Paul’s reference to Shimon in Gal 1:18; 2:9, 11, 14.

9 The expression is described by Hegesippus as being pivotal in Yakov’s teaching, and it is no doubted related to Yeshua’s own usage of such an expression (see John 10:7–9).
will come to judge the world. The authorities then push him from the parapet, and have Yakov stoned. He is actually killed by someone with a club, who beats in his head.

Yakov’s devotion to the Temple and his devotion to his brother were co-extensive. In each case, the focus was on the throne of God, of which Yeshua was the gate and the Temple the court. His court on earth was in Jerusalem, where Yakov continued to offer worship, and to insist on that purity throughout Yeshua’s movement which made that worship possible, and acceptable to God. The Temple was the threshold to God’s throne in heaven, much as in the vision of the prophet in Isaiah 6. And in the vision of Yakov, the Son of Man associated with that throne was none other than Jesus, the gateway to heaven itself. Devotion to him and to the Temple together constituted the effective worship of God. Loyalty to Yeshua and loyalty to the Temple both demanded rigorous attention to the issue of holiness, of what belongs to God in human comportment.

Yakov and the Question of Purity

The remarkable and early agreement that Jews and non-Jews could be included in the same movement by baptism established a radical principle of inclusion. But it also brought about the greatest controversies within the early Church. Although Peter, Yakov, and Barnabas agreed that circumcision could not be demanded of non-Jews who received baptism, there were strong factions which did not concur (see Acts 11:1–18; 15:1–5). After all, they had the covenant of circumcision (Gen 17:9–14) as a counter argument. Even among those teachers who extended baptism to non-Jews, disagreements arose. The best attested argument occurred at Antioch, where non-Jews had begun to eat together with Jews in the context of Christian practice of eucharist and other common meals.

Paul’s version of events is the best available. At Antioch, Jews and non-Jews who had been baptized joined in meals of fellowship together. According to Paul, Peter fell in with the practice and Barnabas apparently tolerated it. Barnabas, a Levite from Cyprus, was a prominent, loyal recruit in Jerusalem, who enjoyed the trust of the apostles and mediated relations between them and Paul.10

Paul’s policy of including Gentiles with Jews in meals, as well as in baptism, needed the support of authorities such as Peter and Barnabas, in order to prevail against the natural conservatism of those for whom such inclusion seemed a betrayal of the purity of Israel. When representatives of Yakov arrived, Yakov who was the brother of Jesus and the pre-eminent figure in the church in Jerusalem, that natural conservatism re-asserted itself. Peter “separated himself,” along with the rest of the Jews, and even Barnabas (Gal 2:12, 13). Jews and Gentiles again maintained distinct fellowship at meals, and Paul accuses the leadership of his own movement of hypocrisy (Gal 2:13).

The radical quality of Paul’s position needs to be appreciated. He was isolated from every other Christian Jew (by his own account in Gal 2:11–13: Yakov, Peter, Barnabas, and “the rest of the Jews” disagreed with him). His isolation required that he develop an alternative view of authority in order to justify his own practice. Within Galatians, Paul quickly articulates the distinctive approach to Scripture as authoritative which characterizes his writings as a whole.

The confrontation at Antioch which Paul recounts to his audience in Galatia did not turn out happily for him at the time. His explanation of his own point of view is triumphant and ringing only in retrospect. Indeed, by the time he recollects his argument for the benefit of the Galatians (to whom he writes c. 53 CE, some four years after this confrontation), he seems so confident that one might overlook the fact that he was the loser in the battle with the representatives of Yakov. It was he, not they, who left the area of Antioch (so Acts 15:22–41).

The position of Yakov is not represented, as is Paul’s, by a writing of Yakov himself. But the book of Acts does clearly reflect his perspective in regard to both circumcision and the issue of purity (Acts 15), the two principal matters of concern in Galatians. The account in Acts 15 is romanticized; one sees much less of the tension and controversy which Paul attests. But once allowance has been made for the tendency in Acts to portray the ancient Church as a body at harmonious unity, the nature and force of Yakov’s position become clear.

11 The Letter of James is at best a derivative reflection of his position; see Martin Dibelius, *Der Brief des Jakobus* (Göttingen: Vandenhoeck & Ruprecht, 1984).
The two issues in dispute, circumcision and purity, are dealt with in Acts 15 as if they were the agenda of a single meeting of leaders in Jerusalem. (Paul in Galatians 2 more accurately describes the meeting he had with the leaders as distinct from a later decision to return to the question of purity.) The first item on the agenda is settled by having Peter declare that, since God gave his holy spirit to Gentiles who believed, no attempt should be made to add requirements such as circumcision to them (Acts 15:6–11). Paul could scarcely have said it better himself; and that is consistent with the version of Paulinism represented in Acts.

The second item on the agenda is settled on Yakov’s authority, not Peter’s, and the outcome is not in line with Paul’s thought. Yakov first confirms the position of Peter, but he states the position in a very different way: “Symeon has related how God first visited the Gentiles, to take a people in his name” (Acts 15:14). Yakov’s perspective here is not that all who believe are Israel (the Pauline definition), but that in addition to Israel God has established a people in his name. How the new people are to be regarded in relation to Israel is a question which is implicit in the statement, and Yakov goes on to answer it. The relationship between those taken from the Gentiles and Israel is developed in two ways by Yakov. The first method is the use of Scripture, while the second is a requirement of purity. The logic of them both inevitably involves a rejection of Paul’s position (along the lines laid out in Galatians 2).

The use of Scripture, like the argument itself, is quite unlike Paul’s. Yakov claims that “with this (that is, his statement of Peter’s position) the words of the prophets agree, just as it is written” (Acts 15:15), and he goes on to cite from the book of Amos. The passage cited will concern us in a moment; the form of Yakov’s interpretation is an immediate indication of a substantial difference from Paul. As Yakov has it, there is actual agreement between Symeon and the words of the prophets, as two people might agree. The continuity of Christian experience with Scripture is marked as a greater concern than within Paul’s interpretation, and Yakov expects that continuity to be verbal, a matter of agreement with the prophets’ words, not merely with possible ways of looking at what they mean.

The citation from Amos (9:11–12) comports well with Yakov’s concern that the position of the Church agree with the principal vocabulary of the prophets (Acts 15:16–17):
After this I will come back and restore the tent of David which has fallen, and rebuild its ruins and set it up anew, that the rest of men may seek the Lord, and all the Gentiles upon whom my name is called....

In the argument of Yakov as represented here, what the belief of Gentiles achieves is, not the redefinition of Israel (as in Paul’s thought), but the restoration of the house of David. The argument is possible because Davidic genealogy of Jesus—and, therefore, of his brother Yakov—is assumed.

An account of Yakov’s preaching in the Temple is given by Hegesippus. Yakov there represents Jesus as the son of man who is to come from heaven to judge the world. Those who agree cry out, “Hosanna to the Son of David!” Hegesippus shows that Yakov’s view of his brother came to be that he was related to David (as was the family generally) and was also a heavenly figure who was coming to judge the world. When Acts and Hegesippus are taken together, they indicate that Yakov contended Jesus was restoring the house of David because he was the agent of final judgment, and was being accepted as such by Gentiles.

But on Yakov’s view, Gentiles remain Gentiles; they are not to be identified with Israel. His position was not anti-Pauline, at least not at first. His focus was on Jesus’ role as the ultimate arbiter within the Davidic line, and there was never any question in his mind but that the Temple was the natural place to worship God and acknowledge Jesus. Embracing the Temple as central meant for Yakov, as it meant for everyone associated with worship there, maintaining the purity which, it was understood, God required in his house. Purity involved excluding Gentiles from the interior courts of the Temple, where Israel was involved in sacrifice. The line of demarcation between Israel and non-Israel was no invention within the circle of Yakov, but a natural result of seeing Jesus as the triumphant branch of the house of David.

Gentile belief in Jesus was therefore in Yakov’s understanding a vindication of his Davidic triumph, but it did not involve a fundamental change in the status of Gentiles vis-à-vis Israel. That characterization of the Gentiles, developed by means of the reference to Amos, enables Yakov to proceed to his requirement of their recognition of purity. He first states, “I determine not to trouble those of the Gentiles who turn to God” (Acts 15:19), as if he were simply
repeating the policy of Peter in regard to circumcision. (The implicit authority of that “I” contrasts sharply with the usual portrayal in Acts of apostolic decision as communal.) But he then continues that his determination is also “to write to them to abstain from the pollutions of the idols, and from fornication, and from what is strangled, and from blood” (15:20).

The rules set out by Yakov tend naturally to separate believing Gentiles from their ambient environment. They are to refrain from feasts in honor of the gods and from foods sacrificed to idols in the course of being butchered and sold. (The notional devotion of animals in the market to one god or another was a common practice in the Hellenistic world.) They are to observe stricter limits than usual on the type of sexual activity they might engage with, and with whom. (Gross promiscuity need not be at issue here; marriage with cousins is also included within the likely area of concern. That was fashionable in the Hellenistic world, and proscribed in the book of Leviticus [see chap. 18 and 20:17–21]). They are to avoid the flesh of animals which had been strangled instead of bled, and they are not to consume blood itself. The proscription of blood, of course, was basic within Judaism. And strangling an animal (as distinct from cutting its throat) increased the presence of blood in the meat. Such strictures are consistent with Yakov’s initial observation, that God had taken a people from the Gentiles (Acts 15:14); they were to be similar to Israel in their distinction from the Hellenistic world at large.

The motive behind the rules is not separation in itself, however. Yakov links them to the fact that the Mosaic legislation regarding purity is well and widely known (15:21):

> For Moses from early generations has had those preaching him city by city, being read in the synagogues every Sabbath.

Because the law is well known, Yakov insists that believers, even Gentile believers, are not to live in flagrant violation of what Moses enjoined. As a result of Yakov’s insistence, the meeting in Jerusalem decides to send envoys and a letter to Antioch, in order to require Gentiles to honor the prohibitions set out by Yakov (Acts 15:22–35).

The same chapter of Leviticus which commands, “love your neighbor as yourself” (19:18), also forbids blood to be eaten (19:26) and fornication (19:29; see also 18:6–30). The canonical (but secondhand) letter of James calls the commandment of love “the royal law” (Jas
2:8), acknowledging that Yeshua had accorded it privilege by citing it alongside the commandment to love God as the two greatest commandments (see Mark 12:28–32). In Acts Yakov himself, while accepting that Gentiles cannot be required to keep the whole law, insists that they should acknowledge it, by observing basic requirements concerning fornication and blood and idolatry.

It is of interest that Leviticus forbids the eating of blood by sojourners as well as Israelites, and associates that prohibition with how animals are to be killed for the purpose of eating (17:10–16). Moreover, a principle of exclusivity in sacrifice is trenchantly maintained: anyone, whether of Israel or a sojourner dwelling among them, who offers a sacrifice which is not brought to the LORD’s honor in the Temple is to be cut off from the people (17:8–9). In other words, the prohibitions of Yakov, involving sacrifice, fornication, strangled meat produce, and blood, all derive easily from the very context in Leviticus from which the commandment to love is derived. They are elementary, and involve interest in what Gentiles as well as Israelites do.

Yakov’s prohibitions are designed to show that believing Gentiles honor the law which is commonly read, without in any way changing their status as Gentiles. Thereby, the tent of David is erected again, in the midst of Gentiles who show their awareness of the restoration by means of their respect for the Torah. The interpretation attributed to Yakov involves an application of Davidic vocabulary to Jesus, as is consistent with the claim of Jesus’ family to Davidic ancestry. The transfer of Davidic promises to Jesus is accomplished within an acceptance of the terms of reference of the Scripture generally: to embrace David is to embrace Moses. There is no trace in Yakov’s interpretation of the Pauline gambit, setting one biblical principle (justification in the manner of Abraham) against another (obedience in the manner of Moses). Where Paul divided the Scripture against itself in order to maintain the integrity of a single fellowship of Jews and Gentiles, Yakov insisted upon the integrity of Scripture, even at the cost of separating Christians from one another. In both cases, the interpretation of Scripture was also—at the same moment as the sacred text was apprehended—a matter of social policy.
The ideal of Christian devotion which Yakov has in mind is represented in Acts 21. There, Paul and his companion arrive in Jerusalem and are confronted by Yakov and the elders’ report to them that Paul’s reputation in Jerusalem is that he is telling Jews in the Diaspora to forsake Moses, and especially to stop circumcising their children (Acts 21:17–21). Paul is then told to take on the expense of four men who had taken a vow, entering the Temple with them to offer sacrifice (Acts 21:22–26).

The nature of the vow seems quite clear. It will be fulfilled when the men shave their heads (so Acts 21:24). We are evidently dealing with a Nazirite vow. As set out in Numbers 6, a Nazirite was to let his hair and beard grow for the time of his vow, abstain completely from grapes, and avoid approaching any dead body. At the close of the period of the vow, he was to shave his head, and offer his hair in proximity to the altar (so Num 6:18). The end of this time of being holy, the LORD’s property, is marked by enabling the Nazirite to drink wine again (6:20).

Just these practices of holiness are attributed by Hegesippus to Yakov. The additional notice, that he avoided oil, is consistent with the especial concern for purity among Nazirites. They were to avoid any contact with death (Num 6:6–12), and the avoidance of all uncleanness—which is incompatible with sanctity—follows naturally. The avoidance of oil is also attributed by Josephus to the Essenes (J.W. 2.8.3 §123), and the reason seems plain: oil, as a fluid pressed from fruit, was considered to absorb impurity to such an extent that extreme care in its preparation was vital. Absent complete assurance, abstinence was a wise policy. Yakov’s vegetarianism also comports with a concern to avoid contact with any kind of corpse. Finally, although Hegesippus’ assertion that Yakov could actually enter the sanctuary seems exaggerated, his acceptance of a Nazirite regime, such as Acts 21 explicitly associates him with, would account for such a remembrance of him, in that Nazirites were to be presented in the vicinity of the sanctuary.

As it turned out, Yakov’s advice proved disastrous for Paul. Paul’s entry into the Temple caused a riot, because it was supposed he

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12 See Josephus, J.W. 2.21.2 §590–594; m. Menah. 8:3–5; and the whole of Makkshirin. The point of departure for the concern is Lev 11:34.
was bringing non-Jews in. As a result, he was arrested by a Roman officer (Acts 21:27–28:21), and so began the long legal contention which resulted ultimately in his death. The extent to which Yakov might have anticipated such a result can not be known, but it does seem obvious that his commitment to a Nazirite ideology blinded him to the political dangers which threatened the movement of which he was the nearest thing to the head.

The particular concern of Yakov for practice in the Temple has left its mark on teaching attributed to Yeshua. In Mark 7:15, Yeshua set down a radical principle of purity:

There is nothing outside a person, entering in, that can defile, but what comes out of a person is what defiles a person.

That principle establishes that those in Israel were to be accepted as pure, so that fellowship at meals with them, as was characteristic in Yeshua’s movement from the beginning, was possible. Their usual customs of purity, together with their generosity in sharing and their willingness to receive and accept forgiveness, readied them to celebrate the fellowship of the kingdom of God.13 His program was not as suited to Nazirites as it was to those his opponents called “tax agents and sinners”; to them Yeshua seemed a drunk and a glutton (see Matt 11:19; Luke 7:34).

But within this same chapter of Mark in which Yeshua’s principle is clearly stated, a syllogism is developed to attack a particular practice in the Temple (Mark 7:6–13):

6 But he said to them,
   Duly Yesaiah prophesied about you frauds, as it is written,
   This people honors me with lips,
   But their heart is far distant from me.
7 In vain they worship me,
   teaching men’s commandments as doctrines.
8 Leaving the commandment of God, you adhere to men’s tradition.
9 And he was saying to them,
   Duly you annul the commandment of God,

so that you establish your tradition. 10 For Moses said,
  Honor your father and your mother,
and,
  Let the one who curses father or mother die the death.
11 But you say, If a person says to father or mother, Whatever you
were owed from me is Qorban [that is, gift], 12 you no longer let him
do anything for father or mother, 13 voiding the word of God by your
tradition. And your do many such things.

Two features of this argument are striking. It assumes familiarity
with the vow of qorbana, which does indeed mean “gift” in Aramaic.
One could, in effect, shelter one’s use of property by dedicating it
to the Temple at one’s death, continuing to use it during one’s life.14
Mishnah envisages a man saying, “Qorban be any benefit my wife
gets from me, for she stole my purse” (m. Ned. 3:2). The simple com-
plaint about the practice in vv. 11–12 may indeed reflect Yeshua’s
position, since his objection to commercial arrangements involving
worship is well attested. But that only focuses our attention all the
more on the syllogistic nature of the argument, which is unlike what
we elsewhere find attributed to Yeshua.

The argument as a whole is framed in Mark 7:6–7 by means of
a reference to the book of Isaiah (29:13): the people claim to honor
God, but their heart is as far from him as their vain worship, rooted
in human commandments. That statement is then related to the cus-
tom of qorban, which is said to invalidate the plain sense of Moses’
prescription to honor parents.15 The simple and inevitable conclu-
sion is that the tradition violates the command of God (see Mark
7:8–9, 13).

The logic of the syllogism is not complicated, and it can easily be
structured in a different way.16 The association of similar Scriptures
is reminiscent of the rabbinic rule of interpretation, that a principle
expressed in a text may be related to another text, without identity
of wording between the two passages (kayyose bo bemaqom ’aher).17 But
the scriptural syllogism by no means requires the invocation of any

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14 See m. Nedarim; Zeev W. Falk, “Notes and Observations on Talmudic Vows,”
HTR 59 (1966) 309–12.
15 Compare Exod 20:2; 21:17; Lev 20:9; Deut 5:16.
16 As happens in Matt 15:3–9.
17 See Chilton and Craig A. Evans, “Jesus and Israel’s Scriptures,” in Chilton
and Evans (eds.), Studying the Historical Jesus: Evaluations of the State of Current Research
such formal principle. The fundamental argument is that the Law and the Prophets are antithetical to the practice of authorities in the Temple.

The rhetoric of the syllogism turns on the necessity of honoring Moses, as in the interpretation attributed to Yakov in Acts 15 (see Acts 15:21). Moreover, the principle inherent here is that Scripture is that which is actually implemented in the case of Yeshua’s movement. Finally, the centrality of the Temple is manifest throughout.

**Conclusion: Yakov the Nazirite**

The stance of Yakov as concerns purity and the Temple, as well as his interpretation of Scripture, comports well with Hegesippus’ description of his particular practices. The evidence in aggregate suggests that Yakov understood his brother as offering an access to God through the Temple, such that Israel could and should offer God the Nazirites with their vows, such as Moses provided for. It has been argued that Yeshua himself adhered to such a position, but that seems to put a strain on his usual practice of fellowship at meals.

Indeed, our suggestion that Yakov was a Nazirite, and saw his brother’s movement as focused on produces more Nazirites, enables us to address an old and as yet unsolved problem of research. Yeshua,

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19 It is for this reason that the circle of James also sought to restrict the definition of who might participate in the full celebration of the eucharist. Mark 14:12–15 turns that meals into a Seder, in which only the circumcised could participate; see Chilton, *A Feast of Meanings*, 93–108.

bearing a common name, is sometimes referred to as “of Nazareth” in the Gospels, and that reflects how he was specified in his own time. There is no doubt but that a geographical reference is involved (see John 1:45–46). But more is going on here. Actually, Yeshua is rarely called “of Nazareth” or “from Nazareth,” although he was probably known to come from there. He is usually called “Nazoraean” or “Nazarene.” Why the adjective, and why the uncertainty in spelling? The Septuagint shows us that there were many different transliterations of “Nazirite”: that reflects uncertainty as to how to convey the term in Greek. (That uncertainty is not in the least surprising, since even the Mishnah refers to differing pronunciations [see Nazir 1:1].) Some of the variants are in fact very close to what we find used to describe Yeshua in the Gospels.

In the Gospel according to Mark, the first usage is in the mouth of a demon, who says to Yeshua (Mark 1:24):

We have nothing for you, Nazarene Yeshua!
Have you come to destroy us?
I know who you are—the holy one of God!

In this usage, “Nazarene” in the first line clearly parallels “the holy one of God” in the last line. The demon knows Yeshua’s true identity, but those in the synagogue where the exorcism occurs do not. And they do not hear the demons, because Yeshua silences them (so Mark 1:25). This is part of the well known theme of the “Messianic secret” in Mark.

For Yakov and those who were associated with him, Yeshua’s true identity was his status as a Nazirite. The demons saw what others did not, and after the resurrection the knowledge of the holy one of God could be openly acknowledged and practiced. That practice could include men, women, and slaves, in accordance with the Mishnah (Nazir 9:1). In the Christian movement, the custom was apparently widespread. In Acts 18:18, it is said that even Paul “had his head shorn in Kenkhraea, because he had a vow.” Such vows

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21 Indeed, there was even a place called Bethlehem of Nazareth, according to the Talmud; see B. Chilton, *God in Strength: Jesus’ Announcement of the Kingdom* (SNTU 1; Freistadt: Plöchl, 1979; repr. BibSem 8; Sheffield: JSOT Press, 1987) 311–13.

in regard to hair alone were held in Mishnah to equate to a Nazirite vow (Nazîr 1:1), so that whatever Paul thought of his vow from his own perspective, many would have seen him as falling in with the program of Yakov, the brother of Yeshua. Under the influence of Yakov, they might have said, even Paul was concerned with getting it right.
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Bruce Chilton, in his paper, “Getting it Right: James, Jesus, and Questions of Sanctity,” has offered an interesting and insightful interpretation of Yakov (i.e., James) and his role in the early church by combining biblical and non-biblical traditions. In doing so, he also has developed a stimulating reading of the question of Jewish and Gentile identity within early Christianity. He correctly points out that as the Christian movement began to expand beyond Jewish circles, conflict arose regarding the status of Gentile believers, or converts, in relation to Jewish identity and piety. While on the surface, the biblical text appears to paint a picture of unity within the new movement, Chilton has highlighted the early struggles among the movement’s leadership.

As is well known, the conflict arose over the necessity of circumcision for Gentile believers in Yeshua (i.e., Jesus). The two prevailing opinions among the early church were represented by Paul, who asserted that Gentiles did not need to be circumcised (Acts 15:1–2), and by those believers among the Pharisees, who argued for the necessity of circumcision (Acts 15:5). Apparently, the debate originally raged over whether or not circumcision was necessary to gain or signify entrance into the covenant (at least as it is portrayed in Acts 15:1, 11). Just as any uncircumcised Jew would be excluded from the covenant, would not the same principle apply to Gentiles who wanted to become part of the covenant people (Gen 17:12–14)?

The debate, however, developed into an argument over Jewish and Gentile distinction within Christianity, and the subsequent expressions of piety. Luke records that the church in Jerusalem agreed that circumcision was not necessary for Gentile believers, but honoring Mosaic laws was (Acts 15:19–22). What exactly did this mean? The answer to this question is rooted in the significance of circumcision. Did this rite serve as a ritual that distinguished Jew from Gentile? Chilton proposes that Yakov and Paul come to differing conclusions on this matter. For Paul, belief in Christ essentially made
non-Jews into Jews; they were now a part of the true Israel, and circumcision was superfluous. Yakov, on the other hand, believed that while Gentiles did not need to be circumcised, a distinction remained in effect between the two groups. Although Gentiles should acknowledge the Law through basic observances, their status remained that of Gentiles; a division between Jew and Gentile continued.

That first century Jewish Christians should come to different conclusions regarding the significance of circumcision is not surprising. The same debate had been taking place among the Jewish population as the pressure of Hellenism exerted itself on Jewish practices. Ambiguity concerning circumcision can be found among many Jewish writings. A few examples will suffice. On the one hand, the book of Jubilees (15:25–34) reflects a tradition that considered circumcision as a vital rite distinctive to the Jewish nation. It characterized circumcision as an eternal law for Israelites that distinguished them from “Ishmael and his sons and his brothers and Esau.” Anyone who was not circumcised did not bear the sign identifying him as a son of the covenant, and, therefore, was destined to be destroyed and uprooted from the land. In spite of these repercussions, the author envisioned a time when Israel would not circumcise their children, thereby provoking the wrath of God. The stakes were high for “there is therefore for them no forgiveness or pardon so that they might be pardoned and forgiven from all of the sins of this eternal error.”

Josephus recorded in his Jewish Antiquities (20.2.3–5 §34–53) the conversion to Judaism of Helena, queen of Adiabene and her son, Izates. In this account, circumcision clearly was associated with Jewish identity, but its necessity for Izates was debated. When Izates considered undergoing circumcision, he was discouraged from doing so by his mother who believed that his subjects would resent being ruled over by a Jew. Ananias, the Jewish merchant of Charax-Spasini (Spasinou) who persuaded Izates to convert, agreed, arguing that he could still worship God, though uncircumcised. After all, worship of God was superior to circumcision. A Jew from the Galilee, Eleazar, however, disagreed, contending that circumcision was necessary. According to Josephus, God preserved Izates from any repercussions resulting from his circumcision. Interestingly, it was Ananias, the Jew living outside of Palestine, who did not believe that circumcision was required, while Eleazar, the Jew living in Palestine, who did.1 What is significant

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1 Charax Spasini (Spasinou) was located in lower Mesopotamia. The site of Jabel
for the current discussion is the representation of dissenting opinions among Jews regarding the requirement of circumcision for converts.²

These dissenting opinions can be found in other works as well. Philo, the Alexandrian Jewish philosopher, revealed some ambivalence in his understanding of the significance of circumcision. In his *Quaestiones et Solutiones in Genesin* (3.47–52; see also *De Specialibus Legibus* 1.1–11), he demonstrated a dual understanding of this ritual. Philo certainly saw benefits to literal circumcision, yet, he also understood the ritual to have less literal applications. Circumcision not only dealt with the cutting away of the foreskin of the penis, but it also concerned itself with the cutting away of vain opinions of the mind, including arrogance and excessive desires. According to Philo, “For the mind which is not circumcised and purified and sanctified of the body and the passions which come through the body will be corrupted and cannot be saved” (3.52).³ He also did not consider circumcision to be a distinctively Jewish act since it was practiced by the Egyptians, Arabs, Ethiopians, and almost all those living in “the southern regions near the torrid zone” (3.48). Nor did he seem to identify circumcision as necessary for a convert since in his discussion concerning why Israelites were not to oppress sojourners (converts),⁴ he defined the sojourner as “one who circumcises not his uncircumcision but his desires and sensual pleasures and the other passions of the soul” (*Quaestiones et Solutiones in Exodum* 2.2). Yet, despite the spiritual significance of circumcision (and other rites), Philo did not believe that the physical act should be neglected (*De Migratione Abraham* 89–93). Thus, Philo reflected a spiritual application of circumcision, while defending its physical necessity. He further demonstrated some doubt as to its physical distinctiveness as a Jewish act. Perhaps to him, what was distinctively Jewish was the spiritual implications of circumcision.

Khayabir, near modern Basra, has been suggested as the site of Charax Spasini. See John Hansman, “Charax and the Karkheh,” *Iranica Antiqua* 7 (1967) 21–58.

² Gary Gilbert argued that the story of the conversion of Izates reflected the belief “that some Jews could separate their Jewish identity from the practice of circumcision.” See Gilbert, “The Making of a Jew: ‘God-Fearer’ or Convert in the Story of Izates,” *USQR* 44 (1991) 309. It also is significant that this story represents dissenting opinions among Jews.


⁴ The Greek word used to translate the Hebrew רָגֶּה is προσήλυτος, which Philo appears to have understood as “proselyte.”
The use of circumcision to denote something beyond the literal cutting away of the foreskin also can be found among the Dead Sea Scrolls in the Manual of Discipline (1QS 5:4–5). There, members are encouraged to circumcise their desires and stubbornness. While using circumcision as an image of disciplined obedience does not abrogate the literal act, this document at least demonstrates that circumcision stood as a symbol in some Jewish circles. Furthermore, this reference to spiritual circumcision occurs within the context of a discussion of those who wish to enter into the covenant. Taken together with the examples from Philo and Josephus, two characteristics arise regarding Jewish understandings of circumcision. First, circumcision generally was associated with Jewish distinctiveness, but some did question this connection. Secondly, a spiritualized understanding of circumcision existed side-by-side with its literal application. This idea was not novel, arising in the biblical text (Deut 10:16); nor does its existence suggest that performance of the physical act was being set aside in favor of a spiritualization of it. However, some Jewish communities could have reason and precedent to spiritualize the command to circumcise; Philo’s protestations against the neglect of circumcision suggests that some were doing this. Perhaps the increasing pressures of Hellenism led to the more spiritual application of this rite.5

With regard to the Acts 15 debate, this ambivalent understanding of circumcision seems to manifest itself among the early Christians, who primarily were Jewish. Paul does not appear to have developed an alternative view of authority, but instead he followed a different tradition current within Judaism, particularly among those more open to Hellenistic values. Those who believed that its performance was necessary for Gentile believers reflected the idea that Christianity

5 See Robert G. Hall, “Epispasm: Circumcision in Reverse,” Bible Review 8 (August 1992) 53–57, where he discusses the various Jewish responses to circumcision and Hellenism. Stephen Pattee attempts to interpret circumcision during the Hellenistic and Roman periods from a sociological perspective. Operating under the assumption that religious knowledge develops out of empirical observations, he suggests that the views of Philo and Josephus “may be the consequence of a world view created by the social and commercial realities of their Hellenistic context.” In other words, many Jews moved to a spiritualized understanding of circumcision in an effort to function within a world dominated by a Hellenism that abhorred circumcision. See his article, “Paul’s Critique of Jewish Exclusivity: A Sociological and Anthropological Perspective,” Soundings 78 (1995) 589–610.
was primarily a Jewish movement, subject to traditional Judaic understandings. Those Gentiles coming into the covenant needed to take upon themselves Jewish identity. Those who preferred a more spiritual view of circumcision sought to disassociate Christianity from traditional Jewish identity by removing the generally-recognized distinctive mark of Judaism. A struggle, therefore, over the control of the movement ensued. Would traditional Jewish mores guide and distinguish the movement, or would there be a break with Judaism? Would Christianity be controlled by Palestinian Jews or Hellenistic Jews/Gentiles?

Yakov’s verdict in Acts 15 appears to offer a compromise. He tried to appease the traditional Jewish Christians by maintaining a distinction between Jew and Gentile. He attempted to satisfy the more Hellenized wing of the church by removing the necessity of circumcision for Gentile believers. Chilton’s understanding of Yakov’s use of Amos 9:11–12 demonstrates that Yakov attempted to maintain a distinction between Jews and Gentiles, but does not address why he would attempt such a division other than to ensure “that the position of the Church agree with the principal vocabulary of the prophets.” Beyond this important concern, however, perhaps Yakov’s interpretation can be understood as part of the attempted compromise. His use of Amos 9:11–12, therefore, bears a closer look within the context of the Hebrew Bible’s traditions concerning the fate of the Gentile nations.

Two dominant traditions concerning the fate of the Gentiles are evident within the prophetic corpus. One tradition envisions a time when the Gentiles stream to Jerusalem and worship together with Israel. In Isa 2:1–4 (see also Mic 4:1–4) Yahweh’s temple in Jerusalem is recognized as the chief shrine. As part of that recognition, the nations come to it in order to receive instruction in God’s ways. A period of peaceful co-existence among all the nations will ensue as they look to Jerusalem for spiritual guidance. In other words, the nations will be brought under the umbrella of Israel as they learn to worship the true God. Israel will live with the nations peacefully. Zechariah 8:20–22 concurs that the nations will seek Yahweh in Jerusalem. In fact, the desire of the nations for Yahweh will be so strong that ten Gentiles will entreat one Jew for the privilege of going to Jerusalem in order to worship Yahweh. These passages do not seem to suggest that the nations have been coerced into coming to Jerusalem, but that they recognize the truth coming from the
city; nor do they reference any sort of rule of Israel over the Gentiles. Instead, a peaceful inclusion of the nations in the worship of Yahweh is maintained. This minority tradition stands in contrast to the more prominent picture of the nations’ fate found in the prophets.

The vast majority of prophetic texts dealing with the Gentiles assert that Israel will one day exercise dominion over them. For example, Mic 4:5–13 envisions a time when Israel would remain faithful to Yahweh in spite of living among nations who worshipped other gods. Yahweh then will take this righteous remnant and lead them to victory over the nations while taking the Gentiles’ wealth as booty for the Lord. Zephaniah 2 portrays Yahweh as not only destroying the nations, but allowing the remnant of the house of Judah to inhabit the territories of their former foes. Obadiah (15–21) also looked forward to a day when Israel would destroy the nations and inherit their land. Particular focus is given to Edom where it is said that “Those who are saved will go up on Mount Zion to rule Mount Esau and the kingdom will be Yahweh’s.” Joel 2:15–3:21 foresees a period when the Israelites are gathered together on Mount Zion, and the nations are brought to the valley of Jehoshaphat to be judged. While Israel will be restored, accompanied by great fertility and plenty of water, the nations will be desolated. Israel will rule over its land so that “foreigners will not pass through it (i.e., Israel) again” [3:17; 4:17 (Hebrew)]. In doing so, the holiness of Jerusalem will be maintained. All of these passages indicate a common idea that Israel will exercise dominion over the Gentiles, even possessing the land of these nations. No picture of a peaceful co-existence is found within this tradition. Neither is any idyllic image of Jew and Gentile worshiping Yahweh together at Mount Zion put forth. The message is clear—Israel will subdue and destroy the nations.

Amos 9:11–12 fits into this hostile tradition concerning the fate of the Gentiles vis-a-vis Israel. Here, God will restore the booth (succa) of David so that Israel can possess the remnant of Edom and the other nations. The phrase “all the nations that my name will be called over them” probably refers to the dominion of Yahweh over the nations. His name will be called over the nations because he has conquered them. While the identity of the booth of David is debated (is it the Davidic dynasty, the temple, or the city, Jerusalem?), the intent of the passage remains clear—Yahweh will give his people dominion over the nations.
Before returning to Yakov’s use of Amos 9:11–12, one other prophetic passage deserves consideration. Zechariah 14:16–19, one of the latest prophetic oracles in the Hebrew Bible, seems to combine the two traditions regarding the fate of the Gentiles. After detailing the defeat of the nations who had massed against Jerusalem in battle, the survivors of these nations will come to Jerusalem on a yearly basis to celebrate the Feast of Booths, or Succot. Those who do not come will be subjected to further discipline from Yahweh. The nations, however, will be involved in the worship of Yahweh, not on an equal basis with Israel, but clearly under the dominance of Israel. If worship is not rendered voluntarily, then the nations will be compelled to worship Yahweh, or at least, suffer the consequences for failing to do so. In this passage, Israelite dominance over the nations has been maintained, while integrating the idea of the nations worshipping together with Israel. What has changed is the depiction of the nations coming to Jerusalem uncoerced.

How then are we to understand Yakov’s decision not to require circumcision of Gentile believers, as well as his appropriation of the scriptural tradition reflecting Jewish dominance over the Gentiles? Chilton’s suggestion that Yakov sought to maintain a distinction between Jewish and Gentile believers is helpful. Not requiring circumcision of Gentile converts maintained the distinction between Jew and Gentile prominent in the prophetic tradition used by Yakov. By asserting that Gentile belief in Yeshua did not redefine Israel, but instead restored the house of David, Yakov followed the biblical idea that Israel’s restoration would result in not only Gentile belief, or conversion, but also Israelite dominance over the Gentiles. As a result, Gentiles do not become Israelites; a distinction must be maintained. Therefore, circumcision, the generally-accepted mark of Jewish identity, would not be necessary for Gentile converts; in fact, it would

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6 Paula Fredricksen has argued that in the early 1st century CE, Jews believed that the eschatological acknowledgment of God and rejection of idolatry by Gentiles did not make the Gentiles into Jews. Summarizing Jewish ideas from this period, she remarks, “When God establishes his Kingdom, then, these two groups will together constitute ‘his people’: Israel, redeemed from exile, and the Gentiles, redeemed from idolatry. Gentiles are saved as Gentiles: they do not, eschatologically, become Jews.” She also identifies two prophetic traditions concerning the Gentiles, one wherein they are destroyed by or subjected to Israel, and one wherein they participate in Israel’s redemption. See her article, “Judaism, The Circumcision of Gentiles, and Apocalyptic Hope: Another Look at Galatians 1 and 2,” *JTS* 42 (1991) 532–64.
violate the hope expressed in the prophetic tradition of Israelite dominion over the nations.

The idea of Israelite dominance over the nations would be further strengthened if Yakov used the Septuagintal version of Amos 9:11–12. The Masoretic Text asserts that the booth of David will be raised in order that the remnant of Edom and all the nations might be possessed by the nation of Israel. The Septuagint, however, contains two important variants. Instead of reading the Hebrew word וְיִרְשַׁהֲנּוּ, “they will possess,” it appears to have understood the word וְיִרְשָׁנָה, “they will seek” (i.e., ἔξησαντο). Moreover, the word “people” is read by the Septuagint rather than “Edom.” This difference probably is due to a confusion of the Hebrew word מִדְאֵנ (“man, humanity”) for מִדְא (“Edom”).7 Whereas in the Masoretic Text, “Edom” was the object of the verb “to possess,” its replacement in the Septuagint, “people,” has been made into the subject of the verb “to seek.” The meaning has been changed from the Masoretic Text’s idea that the people of Israel would possess Edom and all nations to that reflected in the Septuagint of the Gentiles seeking.8 The Acts 15:17 quotation of Amos 9:12 (LXX) adds the phrase, “the Lord,” as the object of the Gentiles’ seeking. In essence, these changes allow the two prophetic traditions concerning the fate of the Gentiles to be combined, much as they were in Zech 14:16–19. The Gentiles will seek the Lord, but as Gentiles under the dominance of and distinct from the Jews.

Perhaps also included in this debate over the status of Gentile believers was a struggle for control of the fledgling Christian movement. Who would be the ultimate authority in matters of faith and doctrine? Clearly, since the matter of Gentile circumcision was submitted to the church in Jerusalem, this church was viewed as the source of authority for the early Christians. Yet, if Gentiles were admitted as Jews, then they could potentially claim equal authority in matters of faith and doctrine. After all, there would be no difference between Jew and Gentile. Yet, such a situation would not be in keeping with the vision of the prophets where the nations come to Jerusalem for instruction and are subservient to Israel. By main-

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8 The Targum of Onkelos identified the house of Israel as the subject of the verb “to possess.” Thus the house of Israel will possess the nations.
taining Jewish distinctiveness, therefore, Yakov sought to insure a
tighter control of the movement. Yakov’s decision concerning the
status of the Gentiles strengthened the authority of the Jerusalem
church.

Yakov’s decision also appears to be an effort designed to forge a
compromise. One wonders why some of the Jewish Christians wanted
to require circumcision of the Gentiles. Perhaps by forcing the Gentiles
to be circumcised, they would be brought under the umbrella or
authority of the Jewish-Christian community in Jerusalem and Palestine.
Reflecting more conservative beliefs, these people probably viewed
the spiritualization of circumcision as another area in which Hellenism
had eroded Jewish piety. Not requiring circumcision of Gentile con-
verts would further dilute the Jewishness of early Christianity. These
people, represented by the Pharisees in Acts 15, sought to keep
Christianity within the fold of Judaism. Paul and those like him,
however, endeavored to free Christianity from the authority of Judaism
by seeking to break free from it. Submitting to circumcision would
only strengthen the ties to Judaism.

Yakov’s decision, therefore, can be understood as somewhat of a
compromise. By not requiring circumcision of Gentile converts, they
would be free from the generally-recognized mark of Jewish identity
and association with Judaism. Seemingly, this would please Paul and
his compatriots because then Christians would not be identified sim-
ply as Jewish converts. On the other hand, by maintaining the dis-
tinction between Jew and Gentile, while requiring the Gentiles to
honor the Mosaic Law and devotion to the temple, Yakov attempted
to please the more conservative faction. Such requirements would
keep in place the prophetic tradition of Gentile subservience to Israel
and, thereby, substantiate the authority of the Jerusalem church,
which no doubt was composed of people more sympathetic to a
Christian piety understood from the vantage point of Judaism. Paul’s
argument, however, that there was no distinction between Jew and
Gentile within Christianity (Gal 3:23–29) weakened the efforts to
interpret Christianity through a more Judaic lens. It opened up
Christianity to the influences of more Hellenized ideas and expres-
sions. Thus, Acts 15 can be understood not only as a debate over
the status of Gentiles in Christianity, but also as a struggle over how
the nascent movement would be shaped and guided.

Some consideration should also be given to how Luke used the
episode of the Jerusalem council in his history of the early church.
While Yakov seems to have offered a compromise that freed Gentile coverts from the necessity of taking upon themselves Jewish identity, but also sought to mold Christian piety under the auspices of Judaism, Luke used this event as one of several examples of the growing animosity between Judaism and Christianity. Luke portrays Jews, for the most part, as largely antagonistic toward the followers of Yeshua, although some substantial conversions were made. Gentiles, on the other hand, appear more receptive. Additionally, this episode occurs in the book at a point where Paul has increasingly been given more prominence. As one reads through the book, Paul has become the dominant character with his success in taking the gospel to the Gentiles in the midst of Jewish hostility. The numerous examples of Jewish opposition combined with Paul’s higher profile, as well as episodes such as Peter’s vision in Caesarea seem designed to highlight the separation of Christianity from Judaism and the authority of those associated with more traditionally Judaic concepts of piety.

While Yakov’s decision concerning the Gentiles appears to have been an effort at furthering the development of Christianity under the auspices of the Jerusalem church, Luke used the story to weaken the connection by emphasizing the repeal of any mark identifying Gentiles with Judaism.

Bruce Chilton’s interpretation of Yakov’s decision at the Jerusalem Council has helped illuminate the inner struggles of early Christianity. It also has given a much needed emphasis to the Judaic origins of this movement. Early Jewish Christians from Palestine quite naturally understood their new faith in and devotion to Yeshua in Judaic terms. Yet, by doing so, their understanding collided with that of Hellenized Jews and Gentile believers. In many aspects, the very debates raging within Judaism carried over to Christianity, and precipitated a crisis that forced the Church’s leadership to determine the relationship between Jewish and Christian identity.
Jesus and his movement may only be understood within the context of the Judaism of their time: that has long been a truism of scholarship. In fact, recognition of the Judaic matrix of Christianity predates what is usually thought of as the period of critical study. John Reuchlin’s consultation with Jekiel Loans at the close of the fifteenth century,¹ and Bishop Brian Walton’s magisterial edition of the Jewish and Christian Bibles of his time² are two examples of a programmatic desire to locate the New Testament in respect of Judaism which was encouraged by the historical curiosity of the eighteenth century.³

A comprehensive interest in history provided a necessary condition for the encyclopedic registration of Judaica, usually in comparison with the New Testament. John Lightfoot’s *Horae Hebraeae et Talmudicae*⁴ provided a model which has been followed and developed many times since, among others by Emil Schürer (and his revisers),⁵ by Paul Billerbeck,⁶ by Claude Montefiore,⁷ by George Foot Moore,⁸

by Safrai and Stern. The difficulties of comparing the New Testament with Judaica have been discussed often and thoroughly. Essentially, two types of problem have been identified: the encyclopedic works do not provide enough by way of context to permit of a sensitive reading of Judaica, and they typically fail to do justice to the chronological development of Judaism in its considerable variety.

Neither type of problem should be taken to mean that the task of encyclopedic comparison is impossible. But both problems suggest that students of the New Testament should have recourse to the relevant works of Judaica and to competent introductions. Perhaps the dearth of readily accessible translations (until recently) explains why, repeatedly during the course of the twentieth century, Jesus’ relationship to Judaism has been denied or ignored. Complete denial is common in popular and/or devotional works, and makes a brief and lamentable appearance in the guise of critical scholarship with Walter Grundmann’s exercise for an organization that thrived during the Third Reich, das Institut des jüdischen Einflusses auf das deutsche kirchliche Leben. But critical scholars more typically take the tack of Rudolf Bultmann and his student, Günther Bornkamm: they attempt a direct comparison of Jesus with the Prophets, ignoring the sources of the Judaism they describe as “Late.” Rabbinic Judaism is held to a debased form of the religion which Jesus and the prophets of the canon upheld.

George Foot Moore’s Judaism marks the beginning of a sea change from the encyclopedic comparison which had treated Judaism as a static entity. The advance is perhaps a function of Moore’s approach of the subject matter in a thoroughly historical manner; he constantly notes that the Judaism he treats of is a variegated phenom-

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10 Walter Grundmann, Jesus der Galiläer und das Judentum (Veröffentlichungen des Instituts zur Erforschung des jüdischen Einflusses auf das deutsche kirchliche Leben; Leipzig: Weigand, 1940).

11 Cf. Rudolf Bultmann, Jesus (Die unsterblichen, die geistigen Heroen der Menschheit; Berlin: Deutsche Bibliotek, 1926); et: Jesus and the Word (New York: Scribner’s, 1934).

But the implications of pluralism within Judaica for the comparative task are not spelled out, because Moore limits himself to an ostensible description of Judaism, and leaves aside an analytic comparison with the sources of Christianity. The great problem of Moore’s opus is hermeneutical, rather than methodological. Because he wrote in an environment in which the global contrast between Judaism and Christianity was simply assumed, despite his warnings against that assumption, his work has been (mis)taken as simply one more exercise in encyclopedic comparison.

Moore was especially attracted to the teachers within the rabbinic corpus to whom miraculous powers are attributed. His two best examples are Honi, called the circler, and Hanina ben Dosa. Honi is said to have been able to control rain by praying within a circle he drew on the ground, and Hanina is said to have brought about healing at a distance by means of prayer. Moore observes that neither Honi nor Hanina appears to have been a very influential teacher, but he locates them both within rabbinic Judaism. As he points out, even Aqiba was said to have prayed successfully for rain.

In his popular work, *Jesus the Jew*, Geza Vermes takes up just these two examples within his portrait of Jesus as a “charismatic” or “Hasid.” Vermes differs from Moore, however, in presenting that category as an alternative to that of a rabbi. His argument is nothing if not elastic, since he even concludes that Eliezer ben Hyrcanus was a charismatic, a sage renowned for his mastery of tradition. Despite the wealth of halakhic and exegetical material attributed to Eliezer, Vermes makes him out as a non-rabbinic charismatic on the strength of his recourse to miraculous demonstration during the dispute over the stove of Akhnai in *Baba Mezia* 59b. In fact, Eliezer’s alleged recourse to miracle is no more incompatible with his standing within rabbinic discussion than is Hillel’s designation as

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13 See, for example, George Foot Moore, “Character of Judaism,” in *Judaism*, 1.110–21. Today, of course, the pluralism would be emphasized much more, and Moore’s claim of the achievement of “unity and universality” (p. 111) at the close of the period would be denied.


Another sign of Vermes’s conceptual embarrassment is that he suddenly refers to Hanina’s teaching as “logia,” comparable to Jesus’, when in fact they are incorporated together with other teachers’ wisdom within ’Abot, the appendix to the Mishnah (3:9–10), without any indication that—as Vermes maintains—“rabbi” and “hasid” were mutually exclusive categories.

Vermes does not explain the sources of his thought (nor, indeed, his debt to Moore), but they are plain enough. The neo-orthodox mode of Protestant thought (and, in its wake, Catholic thought) after the Second World War made Martin Buber a companion saint with Karl Barth, and the image of the prayerful Hasid appealed both to theologians such as Reinhold Niebuhr and to historians such as Roland De Vaux and André Dupont-Sommer in their work on the Dead Sea Scrolls. The picture of the sectarians of Qumran as monastic Hasidim has since drawn considerable criticism. Indeed, Millar Burrows remarked as early as 1955:

Not a few scholars have identified the covenanters of Qumran with the Hasidim. The term Hasidim, however, seems to designate devout, conservative Jews in general rather than a definite sect or party. We may therefore say that the organized sect of the Dead Sea Scrolls arose among the Hasidim, but this does not yet provide a specific identification.

Vermes, at first active within the French-speaking Catholic circles which propagated the hasidic/Essene hypothesis, worked on the scrolls during the period in which the hypothesis was most in vogue, and he has recently been described as having “reiterated it without any essential modification ever since.”

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19 Vermes, “Jesus and Charismatic Judaism,” 77.
The adjective “charismatic” serves in Vermes’s reading to distinguish Jesus (with Honi and Hanina) from any communal structure. It functions in the manner of Max Weber’s portrait of the charismatic hero whose personality is the basis of a religious movement in its initial, revolutionary stage; if the movement continues, a settled hierarchy is the mark of its routinization.23

It remains an unresolved issue within critical study, however, whether that paradigm of charismatic heroism can appropriately be applied to Honi, Hanina, or Jesus. As if in compensation for the lack of direct evidence for a portrait of Jesus as such a self-consciously heroic figure, Vermes pushed the discussion of the Aramaic locution “son of man” in a new and interesting direction. Building upon the earlier work of (and the examples already adduced by) Hugh Odeberg,24 Vermes suggested that a speaker might refer to himself as “son of man” as a circumlocution for his own personal existence, rather than as belonging to humanity as a whole.25

In three respects, Vermes’s portrait of the charismatic Hasid has been weakened since the publication of *Jesus the Jew*. First, William Scott Green has shown that Honi and Hanina were both claimed by rabbis of a later period as of their own, so that any bifurcation of “Hasidim” from rabbis within the first century would not seem to be recommended.26 (But then, Vermes’s own reference to Eliezer, and Moore’s to Aqiba, should already have been taken as warnings against such a bifurcation.) Second, the notion of the isolation of Galilee from Judea (and from the Greco-Roman world), which is asserted several times by Vermes without supporting evidence, has effectively been disproved by subsequent study.27 Third, it has been

26 William Scott Green, “Palestinian Holy Men: Charismatic Leadership and Rabbinic Tradition,” in W. Haase (ed.), *Aufstieg und Niedergang der romischen Welt* II.19.2 (Berlin: de Gruyter, 1979) 619–47, 646. At the same time, Green acknowledges, in the tradition of Moore, the distinction between miracle and tradition as a ground of authority.
demonstrated that “son of man” in Aramaic is a generic form of language in which a speaker includes himself within the realm of humanity, rather than the heroic designation of oneself as distinct from others which Vermes claimed it was.\(^{28}\)

Despite the weakness of its own argument, *Jesus the Jew* has brought about a renewal of interest in the Judaic matrix of Jesus and Christianity.\(^{29}\) *The Aims of Jesus* by Ben F. Meyer signaled a fresh and vital engagement with Judaism by scholars of the New Testament.\(^{30}\) Meyer focused upon the texts of the Gospels in the first instance, with a critical capacity to allow for the tendencies of development which took up from the time of Jesus. In his exegetical focus as well as in his sensitivity to literary development, Meyer presaged the work of the next decade, the most intense and critical discussion of Jesus since the last century. At the same time, Meyer never lost sight of the catalytic place of eschatology within the Judaic milieu of Jesus, and of the principal terms of reference within the Judaism of Jesus’ period. Meyer’s book is an enduring monument of its own insight and of what was to come, as important in its time as Weiss’s *Die Predigt Jesu* was in the last century.\(^{31}\)

The principal insight which Meyer offers is that Jesus is only to


> . . . the writers of the Gospels never meant to say that the Nazarene came to abolish Judaism, but only that he came to establish a religion for the Gentiles from that time onward. Nor was it new, but actually ancient; they being the Seven Commandments of the Sons of Noah, which were forgotten.

Together with Hagner’s, Falk’s book demonstrates the continuing influence of apologetic considerations within scholarly discussion.


be understood within the medium of Judaism, but that the movement of which the New Testament is the greatest monument itself represents an understanding of Judaism as well as a portrayal of Jesus. Where Vermes sketched a version of early Judaism on the basis of Rabbinic sources within which he attempted to categorize Jesus, Meyer located Jesus within Judaism, but then allowed of the distinctive character and logic of Jesus’ movement, because early Judaism was more pluralistic than Rabbinic literature alone would suggest. That should have been the first lesson we learned from the scrolls found near Qumran. Vermes’s Jesus is a charismatic miracle-worker whose teaching was incidental; Meyer’s Jesus is galvanized by a particular and specifiable purpose which his teaching expresses and his actions effect. The focus of Jesus’ aims, according to Meyer, was the restoration of Israel:

In sum, once the theme of national restoration in its full eschatological sweep is grasped as the concrete meaning of the reign of God, Jesus’ career begins to become intelligible as a unity.

The number of the apostles who are commissioned to preach and heal is not a coincidental rounding, but corresponds to the paradigm of the tribes of Israel. Jesus and his followers were motivated by the hope of the restoration and extension of the people of God, in that for them “the religious factor should become absolutely decisive for the self-definition of Israel.”

Meyer’s analysis was not, and did not pretend to be, entirely original. Joachim Jeremias, in Jesu Verheissung für die Volker, had already called attention to the symmetry between (on the one hand) the prophetic and rabbinic expectation of the eschatological extension of Israel, and (on the other hand) the radical claims attributed to Jesus. In the view of Jeremias those attributions are correct, while Meyer is more cautious in his assessments of authenticity. Meyer’s book would merit continued attention if its only contribution was to retool Jeremias’s analysis for a new day. But its genuine originality is

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33 Meyer, Aims of Jesus, 221.
34 Meyer, Aims of Jesus, 153–54.
35 Meyer, Aims of Jesus, 223.
more profound. Meyer was not trapped, as Jeremias ultimately was, by the programmatic assumption that the Gospels are reliable as history. Rather, Meyer freely allowed that the Gospels are tendentious, but he went on to argue convincingly that the positions ultimately attributed to Jesus are most easily explicable on the supposition that the theology of restoration was in fact Jesus’ aim.

Meyer elegantly rectified an anomaly within the critical study of Jesus. The anomaly had been that, while scholars of the New Testament generally stressed the importance of developing tendencies within the corpus, the old, encyclopedic comparisons with Judaism were inclined to accept assertions in the Gospels at face value. Since the Synoptic Gospels in their received forms are the products of communities in the Hellenistic world (probably in Rome [Mark], Damascus [Matthew], and Antioch [Luke]) who lived in tension with Jewish institutions, it is all too easy to read a Jesus off the page who triumphantly transcends Judaism. Vermes inadvertently yields to that facile hermeneutic, by according primacy to stories of miracles rather than teaching, although the critical literature had long since demonstrated that the likely progression was the reverse. Vermes’s charismatic Hasid is less a function of early Judaism than of some of the most anti-Judaic elements within the Gospels.37

The challenge of Meyer’s contribution was in various ways taken up by three works during the decade which followed. Although Borg, Chilton, and Sanders worked independently, in the approaches of each a development of Meyer’s perspective is evident. The need for development was pressing, because—although Meyer indeed framed his concerns with reference both to early Judaic eschatology and the emerging tendencies of the New Testament—he finally could only argue in a general way for a theology of restoration of which Jesus

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37 At least, however, Vermes’s version of the hermeneutic of transcendence is relatively sophisticated. In the case John Riches, *Jesus and the Transcendence of Judaism* (London: Darton, Longman & Todd, 1980), we have an appeal to the old saw that Jesus set out to replace the religion which was in fact his milieu. It is not surprising, in view of the apologetic tendency of discussion which has already been noted, that Judaism becomes the cipher within a theological claim of transcendence. After all, long after *Jesus der Galiläer* was published, Grundmann continued to argue a form of his position; cf. W. Grundmann, *Die Geschichte Jesu Christi* (Berlin: Evangelische Verlagsanstalt, 1956); idem, *Die Entscheidung Jesu. Zur geschichtlichen Bedeutung der Gestalt Jesu von Nazareth* (Berlin: Evangelische Verlag, 1972); idem, *Die frühe Christenheit und ihre Schriften: Umwelt, Entstehung und Eigenart der neutestamentlichen Bücher* (Stuttgart: Calwer, 1983).
availed himself. His principal sources were the classical Prophets of the Bible and the Gospels’ portrayal of Jesus public ministry and teaching. Meyer left unexplored the realia of practice and belief which might have occasioned a career such as Jesus’ within Judaism, and the particulars which distinguished him from others.

In 1984, Marcus Borg published a revised version of his doctoral dissertation, written under the supervision of George Caird at Oxford University. Entitled Conflict, Holiness and Politics in the Teaching of Jesus, Borg attempted to locate Jesus’ activity within the world of Judaic concerns regarding purity. Building upon the phenomenological approach to religion developed by Huston Smith, Borg argues that Jesus, in the manner of shamans, the prophets, and the Buddha, acted on the basis of special insight into “the primordial tradition” which is accessible by mystical experience.

The hypostasis of allegedly common experience into a monist “tradition,” as in Smith’s work (and Otto’s and Eliade’s before him, as well as Campbell’s alongside him) has not stood up well to criticism among religionists. Borg makes Jesus into a hero of religious experience; any consideration of the setting of his teaching within Judaism is made subsidiary to the claim that his mystical insight was profound and that it was mature at a relatively early stage in his life:

Occasionally and remarkably, sagacity is found in younger persons, as in Jesus and the Buddha. In such instances, the vantage point is

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38 M. J. Borg, Conflict, Holiness and Politics in the Teaching of Jesus (Studies in the Bible and Early Christianity 5; New York: Mellen, 1984; repr. Harrisburg: Trinity Press International, 1998). The dissertation was submitted in 1972, but the preface makes it clear that much of the distinctive matter of the book was developed afterwards.

39 Borg, Conflict, Holiness and Politics, 230–47.

obviously not the product of the age; rather, the transformation of perception is the product of their spiritual experience.41

Nonetheless, Borg did begin in the central section of his book42 to consider Jesus’ attitude toward purity as of primary importance for an understanding of his ministry for the first time within critical discussion since the end of the Second World War. He held in effect that it was Jesus’ particular understanding that God was creating a newly holy territory, a space for his heavenly throne, which especially put him into conflict many of with his contemporaries, notably his Pharisaic contemporaries.43

But alongside a positive evaluation of Jesus’ program of purity, Borg also slips into the bifurcation of Jesus and Judaism:

Where Judaism spoke of holiness as the paradigm for the community’s life, Jesus spoke of mercy.44

His appeal to the “primordial tradition” ultimately swallows up his attention to the practice of purity, so that the old apologetic antinomy, “the hermeneutical battle between mercy and holiness,”45 takes over from any serious discussion of purity as a central category of Jesus’ ministry. The battle is never resolved in Borg’s mind, in that he does accept that “a pure heart” was Jesus’ goal.46 He never considers, however, that the very antinomies to which he averts, purity/mercy and outside/inside, are those which characterize the most Hellenistic strata of the Gospels (see, for example, Mark 7 and its parallels). He is doing what many early Christians did who had approached Jesus with cultural backgrounds unlike that of Jesus himself: unable to comprehend the sense of purity, they made any interest in it a “Pharisaic” anachronism, and portrayed Jesus as a triumphant herald of anti-cultic common sense. But despite his conceptual confusion, Borg set a standard for subsequent, historical discussion: if Jesus is to be understood within Judaism, there is an implicit challenge to discover his view of purity.

Chilton’s book appeared in the same year as Borg’s, and proceeded

41 Borg, Conflict, Holiness and Politics, 238.
42 Borg, Conflict, Holiness and Politics, 51–199.
43 See Borg, Conflict, Holiness and Politics, 93, 230–47.
44 Borg, Conflict, Holiness and Politics, 128.
45 Borg, Conflict, Holiness and Politics, 142.
46 Borg, Conflict, Holiness and Politics, 246.
along a much narrower line of analysis. His earlier work, on the place of the kingdom of God within Jesus’ public proclamation, had suggested that exegetical traditions incorporated within the Targum of Isaiah were taken up and developed in dominical sayings. A *Galilean Rabbi and His Bible* explores the relationship between Jesus and the Targum further. It confirms that the literary history of the Targum only commenced after the burning of the Temple in 70 CE, but that there are verbal, contextual, and thematic associations between exegetical traditions within the Targum and Jesus’ teaching.

The proposed dating of the Targum has been confirmed by subsequent discussion, and the link between targumic traditions and Jesus’ teaching has generally been granted. In a work published in 1982, Chilton had suggested that the Targum of Isaiah should be understood to have developed in two principal stages. A version—no doubt incomplete—of Isaiah in Aramaic was composed by a meturgeman who flourished between 70 and 135 CE. That work was completed by another meturgeman, associated with Rabbi Joseph bar Hiyya of Pumbeditha, who died in 333. Throughout the process, however, the communal nature of the interpretative work of the meturgeman was emphasized; insofar as individuals were involved, they spoke as the voice of synagogues and of schools. Given the

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47 Bruce D. Chilton, *A Galilean Rabbi and His Bible: Jesus’ Use of the Interpreted Scripture of His Time* (GNS 8; Wilmington: Glazier, 1984); also with the subtitle *Jesus’ own interpretation of Isaiah* (London: SPCK, 1984).


50 Chilton, *The Glory of Israel*, 2–3; idem, *The Isaiah Targum*, xxx. For the sections of the Targum most representative of each meturgeman; cf. *The Isaiah Targum*, xxiv.

periods of development of the Isaiah Targum, the argument that agreements between the targumic renderings and Jesus’ sayings are simply a matter of coincidence appear strained.52

The problem posed by Chilton’s book is not in its findings, but in interpreting what those findings mean.53 Chilton himself applies his discovery within the discussion of Jesus’ use of Scripture.54 He comes to the conclusion that Jesus’ method should not be described as midrash, since there is no general plan of commentary evident within his sayings. Rather, Jesus employed scripture, scriptural imagery, and scriptural language (all in the popularly received form, which would later be crystallized in the Targumim) by way of analogy. That implicit but powerful analogy—involving both similarities and critical distinctions—was always between what was said of God and what Jesus claimed of God as a matter of experience.

The last third of A Galilean Rabbi is devoted overtly to the theological implications of Jesus’ instrumental usage of scripture. The book was in fact written to some extent with a view to continuing debates concerning authority within the Church, and was published by an Anglican house as well as by a Catholic publisher. There has been a tendency to confuse the historical and literary analysis of the book (the relationship between Jesus and the Isaiah Targum) with its theological argument (that analogy is the appropriate approach to scripture within the Church).55 Such a confused reading of the book leads to the misimpression that Chilton attributed a systematic theology to Jesus, when his stated conclusion is that Jesus employed scripture in the service of an experience of God. The question his book begs does not involve Jesus’ theology of Scripture, for the simple reason that the existence of such a theology is denied. Jesus’


53 Hence the remarkable conclusion of M. D. Hooker’s review, that although the connection posited between Jesus’ teaching and the Targum were demonstrated, they were “only to be expected,” cf. New Blackfriars 66 (1985) 550–52. Cf. the very different conclusions of M. McNamara in CBQ 47 (1985) 184–86 and 48 (1986) 329–31 and I. H. Marshall in EvQ 58 (1986) 267–70. It is odd that Professor Hooker now finds such connections predictable, when her work on the phrase “son of man” is innocent of reference to the Targumim; cf. The Son of Man in Mark (London: SPCK; Montreal: McGill University Press, 1967).

54 Chilton, A Galilean Rabbi, 148–98.

understanding of how God is experienced is the question that is opened, and left unresolved.

In *Jesus and Judaism*, E. P. Sanders made an attempt along the lines of discussion prior to Vermes’s contribution to make a global distinction between Jesus and his Judaic milieu. Sanders essentially takes Meyer’s perspective as axiomatic, and argues that Jesus was motivated by an ambient theology of the restoration of Israel. His construction of the theology is more apocalyptic than Meyer would have it, in that Sanders accepts Schweitzer’s contribution virtually as read. In that regard, Sanders is out of step with the criticism of the simplistic eschatology which Schweitzer attributed to Jesus. Borg especially in recent years has been identified with a rigorous challenge of purely temporal constructions of the kingdom of God in Jesus’ teaching, and it is surprising that Sanders asserts Schweitzer’s position without defending it against Borg’s criticisms. His treatment of the earlier criticisms of T. F. Glasson and C. H. Dodd does not deal with the central issue, whether there is in fact evidence of an apocalyptic scenario held by Jesus, such that he held his actions were bringing about the kingdom.

The issue of eschatology is subsidiary for Sanders in the end. What distinguishes Jesus from John the baptizer and Judaism generally is not his view of the kingdom: that in Sanders’s opinion was commonplace. Jesus parted company with his contemporaries over the issue of repentance. Where they saw repentance as a requirement of remaining within the covenant, Jesus imagined that the kingdom of God was making itself available to all Israel, whether there was repentance or not. Specifically, he insists that Jesus offered the kingdom

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58 See Sanders’s treatment of his relationship to Schweitzer in *Jesus and Judaism*, 327–34.
to the wicked without repentance. Sanders has been criticized for the slim evidential basis of his claim. Because a growing emphasis upon repentance is apparent as the Christian tradition developed, Sanders takes it that Jesus himself said nothing whatever about repentance. Although the weakness of the logic invoked by Sanders is obvious, two of its constituent features should be identified, because they are recurring arguments in the study of Jesus.

The first feature is the global application of “the criterion of dissimilarity,” developed most articulately by Norman Perrin. The criterion is used to isolate elements within Jesus’ teaching which are characteristic of Judaism and Christianity; they are then put to the side, as likely to have been attributed to Jesus during the course of the transmission of his sayings. The residue of his teaching, everything that is “dissimilar” to what a Jewish or Christian teacher might have held, is then taken to be authentic.

The assumption of Jesus as the great original, heroically dissimilar from his environment, is intrinsic to every application of the criterion that has ever been attempted. Moreover, from Perrin onwards, there has been a willingness to discount what seems Jewish and what seems orthodox, but to embrace as authentic elements which are consistent with Gnosticism and with Greco-Roman philosophical conventions. (Crossan’s work, discussed below, is an example of that trend.) Such a bias can only result in the privileging of the christology of certain wings of early Christianity, the wings within which it was fashionable to see Jesus as magus, as Cynic, and/or as transcendent Redeemer. In that those fashions were demonstrably generated after the foundation of the movement, to make them the touchstone of authenticity is itself an exercise in modern christology.

Sanders’s application of the criterion of dissimilarity exacerbates its inherent weakness. He is, of course, in no position to claim that a saying attributed to Jesus contradicts the necessity of repentance. The only index at his disposal to suggest that Jesus did not require repentance is that the Gospels claim he did require repentance!

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64 Sanders, Jesus and Judaism, 106–13.
Unless one accepts that the criterion of dissimilarity is of such certainty that one might employ it to invert the stated meaning of texts, Sanders’s portrait has nothing to recommend it but the allure of an antinomian Jesus.

The second constituent feature of Sanders’s argument, which also illuminates much recent discussion, is the assumption that Jesus is to be understood in historical terms in respect of an alleged rupture with Judaism. The coordinates of the rupture are carefully laid out, and have in fact been spelt out during the course of Sanders’s career. On the side of Judaism, Sanders had (as seen in Paul and Palestinian Judaism) already defined the religion as a form of “covenantal nomism,” such that “obedience to the Torah” was “the means of maintaining membership in the covenant established by God’s grace.” Accordingly, refusing the necessity of repentance would amount to a systematic (and—one would have thought—conscious) rejection of received Judaism. On the side of Jesus, Sanders claims that his interpretation is virtually positivistic, based upon the “certain knowledge about Jesus’ ministry” (viz., his baptism by John, his call of disciples, his characteristic activity of healing and preaching, his “attack” on the Temple, his execution). The antinomy between nomistic Judaism and an overtly antinomian Jesus seems inescapable.

Sanders nonetheless insists that his reading does not involve a “polar opposition” between Jesus and Judaism. While his Jesus indeed does not formally deny Judaism, the question of the Torah is of structural importance within Sanders’s thesis:

It is important not to oversimplify the stance of Jesus towards his contemporaries in Judaism and towards the Jewish law and tradition. He was not a wild antinomian, nor was he an anti-Jewish Jew. He confined his preaching and healing to his own people, he acted in the name of the God of the Patriarchs, and it would appear that he also observed such commandments as those governing eating and Sabbath observance. We should repeat that the Jerusalem disciples, after his death, did not understand him to have “abrogated” the Torah. On the other

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67 The actual formulation is taken from E. P. Sanders, “Jesus, Paul and Judaism,” in W. Haase (ed.), Aufstieg und Niedergang der römischen Welt II.25.1 (Berlin: de Gruyter, 1982) 39–450, here 394. The article is a succinct statement of a position developed in several different publications.
68 Sanders, Jesus and Judaism, 321.
69 Sanders, Jesus and Judaism, 337–40.
hand, he preached the inheritance of the kingdom to those who did not accept the yoke of the Torah, and he thus extended the salvific promises not only beyond what a supposedly ossified and stiff-necked legalism could accept, but beyond what could be reasonably inferred from Jewish tradition and Scripture.\(^\text{70}\)

The ideological antinomy between “the Torah” and “the salvific promises” is as inevitable in its influence upon interpretation as the exaggerated appeal to the criterion of dissimilarity. Wild or not, Sanders’s Jesus \emph{is} antinomian.

Of course, neither side of the antinomy is anything more than possible, and both appear suppositious. The centrality of the covenant for Judaism is a virtual truism, but the instrumental role which Sanders assigns to the law is more characteristic of Rabbinic sources from the Mishnah and later than of sources of the first century. And only the latest, most Hellenistic traditions within the Gospels ascribe an expressly antinomian or anti-cultic intention to Jesus. The attempt to construe Jesus’ program as a conscious or systematic rupture with Judaism, to make Jesus and Judaism into a duality, is only feasible in theological terms, not within the discussion of Jesus as a historical figure.

A critically more feasible construction of Jesus is offered by Richard Horsley in \emph{Jesus and the Spiral of Violence}.\(^\text{71}\) Horsley set Jesus’ movement within the context of the increase in banditry within Roman Palestine during the years leading up to the revolt which included elements of the priestly aristocracy from 66 CE:

The brigand is a symbol of resistance to injustice as well as a champion of justice in his righting of wrongs for the poor villagers with whom he remains in close contact. Moreover, brigands provide the occasions for supportive peasants to resist the authorities themselves.\(^\text{72}\)

In contrast to the portrait of Jesus as a zealot, which had been developed earlier by S. G. F. Brandon,\(^\text{73}\) Horsley argues that Jesus’ programmatically opposed violence, although he also observes that Jesus


\(^{72}\) Horsley, \emph{Jesus and the Spiral of Violence}, 37, and see the analysis of pp. 20–58. See also Horsley and J. S. Hanson, \emph{Bandits, Prophets, and Messiahs} (Minneapolis: Winston-Seabury, 1985).

\(^{73}\) S. G. F. Brandon, \emph{Jesus and the Zealots. A Study of the Political Factor in Primitive Christianity} (Manchester: Manchester University Press, 1967).
can not be described as a pacifist on the grounds of the evidence available. 74

As Horsley has it, Jesus’ mission was to bring restoration in the midst of systematic oppression:

... Jesus was engaged in direct manifestations of God's kingdom in his practice and preaching, and he was confident that God was imminently to complete the restoration of Israel and judge the institutions that maintained injustice. 75

Horsley’s appealing portrait is evidently indebted to Meyer’s, 76 but the setting of the portrait develops the hypothesis of Brandon. Horsley’s analysis is more sophisticated than Brandon’s, in that there is no assumption that there was a “sustained movement of violent resistance to Roman rule during the first century CE.” 77 But like Brandon, Horsley projects a desire for revolution onto Jesus, who is therefore portrayed as a revolutionary. 78

No argument is made to the effect that Jesus or his movement construed the purpose of his activity within political terms of reference. There is no question but that Judaism and Christianity are better understood in respect of Rome, but to conclude that any given teacher, Judaic or Christian, was motivated by political considerations, requires evidence within the texts to hand. Jesus does not need to have thought in political or social terms in order to have inspired Martin Luther King.

Horsley’s contribution, along with Sean Freyne’s, 79 remains useful as a sketch of some of the most pressing social realities of Palestine within the first century. But in Horsley’s work, as in Sanders’s, a disturbing tendency of recent discussion becomes apparent. Because discussion over the past fifty years or so has greatly enhanced the critical appreciation of Judaism, it is sometimes assumed that what is understood of Judaism can be transferred directly to the assessment of Jesus. Sanders finds a theology of restoration in Judaism, and attributes an antinomian form of it to Jesus; Horsley knows there

74 Horsley, Jesus and the Spiral of Violence, 319.
75 Horsley, Jesus and the Spiral of Violence, 321.
76 Meyer, Aims of Jesus; cf. Horsley, Jesus and the Spiral of Violence, 340 n. 36.
77 Horsley, Jesus and the Spiral of Violence, 318.
78 Horsley, Jesus and the Spiral of Violence, 326.
were bandits in Galilee, and sees their motivations (but not their tactics) reflected in the Gospels.

There are two complications in studying Jesus within the milieu of his Judaism(s). First, the range and diversity of that religion prior to the destruction of the Temple are enormous, and for the most part only indirectly attested in the surviving literature. Second, of course, the Gospels themselves only attest Jesus’ movement from the time when separation from Judaism had become either an accomplished fact or an inevitable development. One reason for which the field is inclined to dismiss the importance of Judaism for the study of Jesus is that the evaluation of Judaic sources is no more straightforward than the evaluation of the Gospels.

The recent contribution of John Dominic Crossan attests the strength of the temptation to retreat from Judaism in the evaluation of Jesus. His book may be read as an extended attempt to construct a portrait of Jesus without reference to Judaism. It begins with an early complaint that scholars who have analyzed Jesus in relation to Judaism have come up with differing results:

There is Jesus as a political revolutionary by S. G. F. Brandon (1967), as a magician by Morton Smith (1978), as a Galilean charismatic by Geza Vermes (1981, 1984), as a Galilean rabbi by Bruce Chilton (1984), as a Hillelite or proto-Pharisee by Harvey Falk (1985), as an Essene by Harvey Falk, and as an eschatological prophet by E. P. Sanders (1985).

Such differences are taken, not as a sign of health in an emerging sub-discipline, but as a reason to use a different foundation of analysis. Crossan opts for the model of Jesus as a popular philosopher in the vein of the Cynics (whom he characterizes as “hippies in a world of Augustan yuppies”), since there were many non-Jews in Galilee. During the course of his description, he admits that Jesus was unlike the Cynics in his calling of disciples, in his refusal to have those

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82 Crossan, *The Historical Jesus*, xxvii.
83 Crossan, *The Historical Jesus*, 421.
84 Crossan, *The Historical Jesus*, 349, 421.
he sent carry a staff,\textsuperscript{85} in his concern for questions of purity, in his avoidance of cities, in the limitation of his activity to Israel.\textsuperscript{86}

The mystery is only why Crossan clings to such an evidently faulty model. That mystery is resolved when he criticizes the understanding of Jesus as a rabbi. His criticism is based upon an elementary misunderstanding. Crossan sees rabbis during the second century as the equivalent of the papacy on the Christian side: both are hierarchical assertions of doctrinal unity which attempt to homogenize the intrinsic pluralism of their respective religious systems.\textsuperscript{87} A double projection is evident here. Crossan, a liberal Catholic, sees the papacy of the twentieth century reflected in the earlier use of communion with Rome as a standard of catholic continuity. However helpful that first projection may (or may not) be, the second is unwarranted: scholarship of Rabbinic Judaism through the second century would not encourage comparison, even an attenuated comparison, with the Vatican in its post-Tridentine form.

Crossan’s confusion becomes egregious, when he goes on to compare rabbis with the priesthood in the Temple, as if they formed a united front. Evidently, his acceptance of a sociological model of a charismatic hero of religion opposed by the forces of routinization has totally overwhelmed even a gesture towards understanding the complexity of Judaism during the first century:

In all of this the point is not really Galilee against Jerusalem but the far more fundamental dichotomy of magician as personal and individual power against priest or rabbi as communal and ritual power. Before the Second Temple’s destruction, it was magician against Temple, and therefore magician against rabbi.\textsuperscript{88}

Crossan is happy to use Vermes’s image of the hasid for that reason, but he realizes it has not worn well. As a result, he exchanges the charismatic hasid for a charismatic sage, borrowing the category of magician from Morton Smith.\textsuperscript{89}

The point has apparently escaped Crossan’s notice that the teachers we call rabbis, masters (in varying degrees) of discussion and parable

\textsuperscript{85} Crossan, \textit{The Historical Jesus}, 339. Earlier, Crossan refers to “cloak, wallet and staff” as “almost an official triad” (p. 82).
\textsuperscript{86} Crossan, \textit{The Historical Jesus}, 421–22.
\textsuperscript{87} Crossan, \textit{The Historical Jesus}, 417.
\textsuperscript{88} Crossan, \textit{The Historical Jesus}, 157.
\textsuperscript{89} Crossan, \textit{The Historical Jesus}, 137–67.
and exposition and judgment and ethics and purity and health and healing and other aspects of covenantal wisdom, referred to each other as sages. It has long been commonplace in the field to acknowledge that the formalism of a rabbinate, including a concern for succession and a notion of a syllabus to be mastered by disciples, only prevailed with the emergence of rabbis as the basis of systemic redefinition in the period after 70 CE. Such nuances are lost on Crossan, who asserts, “There was, in the world and time of Jesus, only one sort of Judaism, and that was Hellenistic Judaism...” Rabbinic Judaism was exclusive of Hellenistic influences; Jesus was inclusive. Within such a typology, the fact that Jesus is called “rabbi” by his followers is simply beside the point.

Just Jesus’ identity as a rabbi is taken as a suitable point of departure by John P. Meier. Although Meier’s book appeared shortly before Crossan’s, he reacts to many of its principal contentions (which had appeared in earlier works). Although he carefully allows for the findings of Seán Freyne in respect of the Galilean setting of Jesus’ ministry, Meier questions whether we can reasonably claim any advancement in our knowledge in calling Jesus a peasant. Modern romanticism often obscures the meaning of the term, and insofar as Jesus was a member of a peasant society, it was because he was a woodworking rabbi. Crossan’s usage of the so-called Apocryphal Gospels is also severely criticized in a judicious treatment of the likely chronologies and histories of composition. Finally, Meier very specifically embraces the category of “rabbi” as the suitable designation of Jesus’ public ministry, and even concludes that Jesus was literate in Hebrew. Meier’s volume represents the first two parts of

91 Crossan, The Historical Jesus, 418.
92 Crossan, The Historical Jesus, 422.
94 Meier, A Marginal Jew, 278–315. It should be noted that Crossan’s analysis belies the subtitle of his book, in that he concludes that Jesus was not a peasant, but an artisan (The Historical Jesus, pp. 29, 46, cf. 15–19). One might suggest that Crossan has in fact written “The Life of a Judaeo-Cynic Artisan.”
95 Meier, A Marginal Jew, 112–66.
96 Meier, A Marginal Jew, 276; cf. n. 125 on p. 306.
a four part project. The first part is devoted to “issues of definitions, methods, and sources,” and the second deals with “some of the linguistic, educational, political, and social background.” The public ministry is the focus of part three, while part four considers Jesus’ death.97

The analysis of Jesus within Judaic terms of reference has been pursued by Chilton in The Temple of Jesus.98 Where A Galilean Rabbi developed a comparison of Jesus’ citation of Isaiah with the interpretative tradition of the Targum, the focal point of The Temple of Jesus is Jesus’ occupation of the Temple.99 It is argued that what Jesus did was in its initial intent neither a protest against sacrifice nor prediction of the Temple’s destruction, but a forceful insistence that a condition of purity in sacrifice was that Israelites should offer of their own produce in God’s house. Purity, in other words, is not the extraneous matter it is often taken to be, but—as is the case within sacrificial systems generally,100 in the Hebrew Bible,101 and even in the orientation of Josephus102—a vital component within any sacrifice which is considered effective. Purity refers both to the products which are offered as well as to the gestures by which they are offered, and by attending to those pragmatic issues, sacrificial communities believe they enjoy the affective and the ideological benefits which they associate with sacrifice. Because purity is a systemic concern which links sacrifice in the Temple with the domestic practice of cleanliness, it is precisely Jesus’ view and practice of purity which was likely to have earned him friends and enemies both locally and in Jerusalem.

Jesus, in other words, must be understood, not over and against Judaism, nor alongside it, but from within; necessarily, that implies he is to be apprehended as having a positive definition of purity. That definition is cognate with an aspect of Jesus’ ministry which is usually overlooked: his programmatic concern with the issues of who is fit to sacrifice, how a person might be considered clean, when

97 Meier, A Marginal Jew, 13.
100 Chilton, The Temple of Jesus, 3–42.
foods might be taken with whom, and what should be sacrificed.\footnote{103} Forgiveness for Jesus established an eschatological purity among people whose fellowship and sacrifice opened the way for the kingdom of God.\footnote{104} That programmatic understanding explains his intentional insistence upon communal eating, and the “last supper” in particular.\footnote{105}

It has been over sixty years since we were first warned of the peril of modernizing Jesus.\footnote{106} Jesus obviously engaged the religious dimension of purity, a dimension which linked a complex of issues which proved to be crucial during his ministry (including sacrifice in the Temple, fellowship at table, the forgiveness of sins, the declaration of purity, the definition of who might be included in the eschatological banquet). Purity offers a perspective upon Jesus’ activity which is not an artifact of the apologetic tradition which attempts to portray him as transcending Judaism. Rather, purity is a systemic concern within early Judaism which Jesus took up, and which his movement developed until it claimed that an alternative to purity had been established. The non-modern Jesus, the historical Jesus, is the Jesus whose passion was a purity which the Christian West has long believed is beside the point. Purity was the substance of the restoration which Meyer correctly identified as the central issue in Jesus’ activity. Discussion since his seminal contribution may at last have discovered a way of speaking of Jesus, activity and of his experience of God which may reasonably claim to be more historical than apologetic. That would be a fitting result of the interest in Jesus within Judaism, which has already taught us what had been denied for a generation: that we must address the question of Jesus if we would understand Christianity.

\footnote{103}{See Chilton, \textit{The Temple of Jesus}, 121–36.}
\footnote{104}{Chilton, \textit{The Temple of Jesus}, 130–36.}
\footnote{105}{Chilton, \textit{The Temple of Jesus}, 137–54. The latter issue is taken up further in an exegetical study, Bruce D. Chilton, \textit{A Feast of Meanings: Eucharistic Theologies from Jesus through Johannine Circles} (NovTSup 72; Leiden: Brill, 1994).}
\footnote{106}{See Henry Joel Cadbury, \textit{The Peril of Modernizing Jesus} (Lowell Institute Lectures; New York: Macmillan, 1937).}
SOME SIGNIFICANT DATES IN THE HISTORY OF JUDAISM AND CHRISTIANITY

587 BCE  The capture of Jerusalem, the destruction of the Temple, and the deportation of many Jews to Babylonia.
333–32 BCE  Alexander the Great sweeps through Israel; conquers the Middle East.
324 BCE  The death of Aristotle, tutor of Alexander.
323 BCE  The death of Alexander.
270 BCE  The death of Epicurus (founder of Epicureanism).
c. 265 BCE  The death of Zeno (founder of Cynicism).
c. 250 BCE  The beginning of the work of translation leading to the Septuagint (LXX).
c. 180 BCE  Sirach (or Ecclesiasticus) was written in Hebrew, translated into Greek approximately 50 years later.
167 BCE  The desecration of the Temple by the Seleucid ruler, Antiochus IV “Epiphanes” (i.e. “[Divine] Manifestation”), who ruled 175–164 BCE. Daniel was written shortly thereafter. Material in 1 Enoch began to be compiled; Wisdom of Solomon was perhaps written in the following century.
164 BCE  Judas Maccabeus (the “hammer”) defeats General Lysias; Antiochus IV dies; Judas rules Judea, begins to enlarge borders; Hasmonean dynasty is founded; brothers Jonathan and Simon succeed Judas.
160 BCE  The death of Judas; succeeded by Jonathan.
142 BCE  The death of Jonathan; succeeded by Simon.
134 BCE  The death of Simon; succeeded by John Hyrcanus I.
104 BCE  The death of John Hyrcanus I (son of Simon); succeeded by Aristobulus I.
103 BCE  The death of Aristobulus I (son of John Hyrcanus I); succeeded by Alexander Janneus.
76 BCE  The death of Alexander Janneus (son of John Hyrcanus I).
67 BCE  The death of Alexandra (wife of Alexander Janneus).
67–63 BCE  Aristobulus II rules briefly amidst dissension; people appeal to Rome.
63 BCE Pompey enters Jerusalem, thus beginning the era of Roman dominance. Psalms of Solomon were composed not long after this event. Hyrcanus II (son of Alexander Janneus) is made High Priest.

48 BCE Julius Caesar gains mastery over Roman Empire.

44 BCE The death of Julius Caesar; Mark Antony and young Octavian (grandnephew of Caesar) avenge Caesar’s murder and establish Second Triumvirate.

40 BCE Roman senate, at prompting of Mark Antony, declares Herod (son of Antipater II) “King of the Jews”; Parthians support Antigonus (son of Aristobulus II).

37 BCE Herod defeats Antigonus, last of the Hasmonean rulers, and becomes king of Israel in fact; marries Mariamne (granddaughter of Hyrcanus II); during his reign he rebuilds Jerusalem and the Temple; founds several cities and fortresses; and marries and divorces/murders ten wives.

31 BCE Octavian defeats Mark Antony and Cleopatra at Actium; becomes Roman emperor; changes name to Augustus, forgives Herod for siding with Mark Antony.

6 or 5 BCE The birth of Jesus.

4 BCE The death of Herod the Great.

  6 Archelaus (son of Herod the Great) is deposed.

  6–15 Annas (or Ananus) is appointed High Priest.

  14 The death of Augustus; succeeded by stepson Tiberius.

  18 Joseph bar Caiaphas (son-in-law of Annas) is appointed High Priest.

  19 Pontius Pilate appointed prefect of Judea.

30 or 33 Jesus is crucified.

  34 The death of Herod Philip (son of Herod the Great).

  37 Pontius Pilate and Joseph bar Caiaphas are removed from office.

  37 The death of Tiberius; succeeded by Gaius Caligula; the birth of Josephus.

  39 Caligula banishes Herod Antipas (son of Herod the Great) to Gaul.

  41 The death of Caligula; succeeded by Claudius.

  44 The death of Herod Agrippa I (son of Aristobulus and Bernice, grandson of Herod the Great), after brief rule over Israel (41–44); cf. Acts 12:1–23.
45 Rout of Theudas and his following.

50 The death of Philo of Alexandria.

51–52 Tenure of Roman governor Gallio in Corinth.

52–60 Tenure of the Roman governor Felix in Caesarea.

53 Paul writes letter to the churches of Galatia.

54 The death of Claudius; succeeded by Nero.

55–56 Paul writes several letters to the church at Corinth.

56 Rout of Egyptian Jew and his following.

57 Paul writes letter to the church at Rome.

60–62 Tenure of the Roman governor Festus in Caesarea.

62 Ananus (son of Annas) becomes High Priest; without Roman approval puts to death James the brother of Jesus; Albinus removes Ananus from office.

62–64 Tenure of the Roman governor Albinus in Caesarea.

64–66 Tenure of the Roman governor Gessius Florus in Caesarea.

65 The death of Seneca.

66 The Jewish revolt begins; governor Florus murdered(?).

67 The death of Paul.

68 The death of Nero; succeeded by Galba.

68–69 Brief reigns of Galba, Otho, and Vitellius.

69 General Vespasian, commander of the Roman forces against the Jews, is proclaimed emperor.

69 The Gospel of Mark is published.

70 Jerusalem is captured by Titus (son of Vespasian); Temple is badly damaged by fire; it is later demolished.

73 General Silva captures Masada.

78 Josephus publishes *The Jewish War*.

79 The death of Vespasian; succeeded by Titus.

81 The death of Titus; succeeded by Domitian (brother of Titus).

85 Christians are excluded from synagogues.

93 The death of Agrippa II (son of Agrippa I), after ruling portions of Israel beginning in 49 (cf. Acts 25:13–26:32); Bernice was his sister.

96 The death of Domitian; succeeded by Nerva.

98 The death of Nerva; succeeded by Trajan; death of Josephus(?).

112 The death of Ignatius.

115 Jewish revolt in North Africa.

117 The death of Trajan; succeeded by Hadrian.

120 Tacitus publishes *The Annals*. 
132–135 The great Jewish revolt led by Simon ben Kosiba, dubbed “bar Kokhba.”
c. 135 The death of Papias, author of *Expositions of the Sayings of the Lord*.
138 The death of Hadrian; succeeded by Antoninus Pius.
c. 159 The death of Marcion, whose “canon” excluded the Jewish parts of the NT.
c. 160 The publication of an early edition of the *Gospel of Thomas*.
c. 165 The death of Justin Martyr, author of *1 Apology*.
c. 170 The death of the gnostic Valentinus.
c. 200 The final editing and publication of the Mishnah.
217 The publication of *The Life of Apollonius of Tyana*, by Philostratus.
c. 253 The death of Origen, editor of the *Hexapla* and numerous commentaries.
325 The Council of Nicea, formulating Christian “orthodoxy.”
337 The death of Constantine, first Christian emperor.
339 The death of Eusebius, author of *Ecclesiastical History*.
c. 360 The production of the Coptic gnostic library, later found at Nag Hammadi.
373 The death of Athanasius, whose festal letter of 367 marks an important moment in the acceptance of the canon of the New Testament.
420 The death of Jerome, principal editor and translator of the Latin translation of the Bible, later called the Vulgate.
430 The death of Augustin(e), author of *City of God*.
c. 500 Compilation and publication of the Talmud.
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