Torah, Temple, Land

Edited by
MARKUS WITTE,
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Constructions of Judaism in Antiquity

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Abbreviations

Abbreviations in this volume generally follow the guidelines in *The SBL Handbook of Style*, 2nd ed. (Atlanta: SBL Press, 2014). References to papyrological editions conform to the "Checklist of Editions of Greek, Latin, Demotic, and Coptic Papyri, Ostraca, and Tablets" (http://papyri.info/docs/checklist). Additional abbreviations:

Gesenius	W. Gesenius, *Hebräisches und Aramäisches Handwörterbuch über das Alte Testament*, 18th ed. (Heidelberg: Springer, 2013)
GLAJJ	M. Stern, *Greek and Latin Authors on Jews and Judaism*, 3 vols. (Jerusalem: Israel Academy of Sciences and Humanities, 1974–1984)
IAM	J.G. Février et al., eds., *Inscriptions antiques du Maroc* (Paris: Centre National de la Recherche Scientifique, 1966–)
IJO	D. Noy et al., eds., *Inscriptiones Judaicae Orientis*, 3 vols. (Tübingen: Mohr Siebeck, 2004)
ILJug	A. Šašel and J. Šašel, eds., *Inscriptiones Latinae quae in Iugoslavia ... repertae et editae sunt*, 3 vols. (Ljubljana: Narodni Muzej, 1963–1986)
JIWE	D. Noy, ed., *Jewish Inscriptions of Western Europe* (Cambridge: Cambridge University Press, 1993–)
MekI	Mekilta de-Rabbi Ishmael
OED	*Oxford English Dictionary*
TAD	B. Porten and A. Yardeni, *Textbook of Aramaic Documents from Ancient Egypt*, 4 vols. (Jerusalem: Hebrew University, 1986–1999)

Introduction

The Holy One, blessed be he, has acquired five acquisitions:
one acquisition is the Torah,
one acquisition are the heavens and the earth,
one acquisition is Abraham,
one acquisition is Israel,
one acquisition is the Temple.
(m. ʾAbot 6:10)

This volume goes back to a conference held at the Theological Faculty of the Humboldt University of Berlin in October 2018 with the title "Torah, Temple, Land: Ancient Construction(s) of Judaism." It brings together articles which address the constellations of ancient Judaism between continuity and change, from the Persian up to the Roman period, by way of a series of case studies from leading experts in their fields who cover a wide range of perspectives. In doing so, diverse forms of Judaism come to the fore which have evolved in different geographical areas: in Elephantine, Samaria, Jerusalem and Judea, in Qumran as well as in Alexandria. Distinctive political, cultural, and social constellations are associated with each of these, in which Jewish communities developed their own conception of themselves and how they were perceived by the outside world. Judaism saw itself confronted with the distinctive contexts and challenges presented by the Persian Empire, Egypt, Greek culture, the Imperium Romanum, and, not least, by emerging Christianity.

Ancient Judaism existed, therefore, in a world which was permanently changing in terms of political, social, and religious parameters. Judaism itself was also subject to constant processes of change, both of its self-perception and its external perception. What was deemed to be "Judaism" or "Jewish" was fluid and often contested with a need for constant renegotiation. In the following, "Judaism" and "Jewish" are, therefore, not to be understood as designations for religious communities with a clearly defined profile, but as heuristic categories to be filled with content in different periods of time and diverse religious, social, and political constellations. As a consequence, current developments in research on ancient Judaism, which highlight the diversity and fluidity of the categories "Judaism" and "Jewish," are taken into account and refined.

Specifically, the individual articles in this volume reflect on a range of categories for describing Judaism and critically evaluate our ability to characterize ancient religious communities in different historical situations in these terms. The contributions are framed against the background of recent research on (re-) constructions of ancient Judaism. The central questions tackled by the speakers

and discussions at the abovementioned conference, as well as by the articles brought together here, were, or respectively are: which factors make it possible to speak of stability or continuity with regard to "ancient Judaism"? How does this relate to change and discontinuity? How may Jewish communities have experienced this relationship themselves in different locations in the Persian, Hellenistic, and Roman periods and coped with experiencing instability caused by political tensions or changing cultural constellations? And, last but not least, the question of whether and to what extent "Judaism" can be conceived as a (consistent) religious and cultural community with stable characteristics. One particular heuristic line of enquiry poses the question of how different Jewish groups in the period from about 500 BCE up to about 200 CE dealt with the factors of Torah, Temple, and land. These three fundamental pillars for perceptions of the emergence and formation of Israel as God's people are central in the search for understanding what was regarded as "Judaism" in antiquity – both as a mode of self-perception and in the perceptions of outsiders.

This volume aims to shed light on the complexity which can be assumed for ancient Judaism by exploring the significance of the relationship of Torah, the Temple in Jerusalem as a place where heaven and earth meet, and the "holy" or "promised" land as the dwelling place of God's people. This relationship can range from a strict obligation to the Torah, on the one hand, to placing other writings – such as apocalyptic texts – in a central or complementary position, on the other hand. It can be characterized by the conviction that the Jerusalem Temple is the only legitimate holy place for the cult of the God of Israel or reflect practices and texts that suggest the God of Israel can be worshiped in another temple in another land. For the Samaritan tradition the site of the sanctuary excludes Jerusalem. It can range from the conviction that the land of Israel, known variously as Israel, Judah, and Judea, was given by God, even if it was also lost under the rule of the Assyrian, Babylonian, Persian, Greek, and Roman Empires, up to the conception that life in a Greek polis, including the adaptation of Greek language and culture, is a legitimate and appropriate form of existence for worshipers of the God of Israel. For this reason, the institutions of Torah, Temple, and land, regardless of their significance for ancient (and, of course, for present-day) Judaism, do not in any way lead to a consistent image of Judaism or a "common Judaism" (E.P. Sanders). On the contrary, it is precisely the attitude towards these central factors and the creation-theological and historical-theological aspects connected with these that show the diversity of the religious, social, and cultural options which characterize ancient Judaism.

Against this background, this volume contributes to the scholarly debate on determining what we mean by "ancient Judaism" and its cultural and social dimensions, from the disciplinary perspectives of classical, religious, and theological study based on primary texts from the Hebrew Bible, Samarian/Samaritan sources, papyri from Elephantine and Herakleopolis, the Qumran texts

and the so-called Enochic writings, from the works of Philo of Alexandria and the New Testament, epigraphic sources from the Imperium Romanum as well as rabbinic and patristic texts. In the following we offer a brief summary of the political and social framework and highlight the pertinent larger context of the discussion.

Alexander the Great's campaign, which led him from Macedonia up to the Indus and which ended the dominance of the Persians in the eastern Mediterranean area, fundamentally changed the cultures of the Middle East, including those of Israel/Palestine and Egypt. The tremendous speed of Alexander's conquests had a particularly drastic effect on the southern Levant. Noteworthy is his capture of the Phoenician trading city of Tyre, which, in marked contrast to the fate of Jerusalem, the Babylonian king Nebuchadnezzar II (605–562 BCE) ultimately failed to conquer. Alexander's campaign brought about the complete collapse of the Persian Empire, which had been a stable regulatory force for his Jewish subjects. Under Persian rule, a significant degree of political and religious autonomy was granted which resulted in a cultural and religious restoration of Judaism. Alexander's sudden death in 323 BCE in Babylon, the city declared by him to be the capital of his imperium, as well as the battles for succession that followed his death led to the founding of separate monarchies in Mesopotamia/Syria, Asia Minor, Egypt, and Macedonia. These events have left manifold traces in the collective memory of ancient Judaism and played a major role in the transformation of Israelite-Jewish society.

Since the end of the fourth century BCE, Judah had found itself to be at the intersection of conflicts between the kingdoms of the Seleucids in Mesopotamia and Syria and the Ptolemies in Egypt. Within only a century, Judah was the site of six wars between the Ptolemies and the Seleucids, and Jerusalem, including its Yahweh-Temple, was conquered several times. Parts of the land were ravaged, sections of its population deported, and religious autonomy weakened. The following aspects were at least as efficacious as these direct consequences for the land and the central holy places of the Jews: (1) the experiences of varying political and tax systems; (2) the advance of the Greek language which supplanted Aramaic as the *lingua franca* in the eastern Mediterranean; (3) the spread of Greek cults, myths, and schools of philosophy, in particular Stoicism and Epicureanism; (4) the dealing with pagan religious conceptions, including the constantly expanding ruler cult and divine worship of the dead, and subsequently even of living kings and emperors, already in the Hellenistic-Roman period; (5) the encounters with a Greek way of life, with Greek, and later, Roman technology as well as the construction of Greek and Roman cities with their theaters, grammar schools, and schools for ephebi in the whole of the Mediterranean area.

The battles of the Hasmoneans in 167 BCE against the attacks by the Seleucid king Antiochus IV Epiphanes on the religious autonomy of Judah led to

a conflict between pro- and anti-Seleucid circles within Judaism. This conflict brought with it notable economic crises in Israel/Palestine, culminating in the recovery of a religious and political independence and in the establishment of a Judean kingdom for the first time since 587 BCE. Although lacking Davidic or Zadokite legitimation, this Hasmonean kingdom developed into a dynasty which reigned in Judah for about a hundred years. Hasmonean rulers yielded political power over the Jerusalem priesthood and saw themselves as rulers over the only "true Israel," as opposed to the Samarian/Samaritan community which likewise worshiped Yahweh. For the Judean population, the Hasmonean reign signified an autochthonous Hellenistic monarchy which was characterized by a cultural upswing, intense building activity, a geographical expansion as well as considerable violence towards Jewish groups who subscribed to different political and religious orientations both within and, as shown by the conflicts with Samaria and Edom/Idumea, also beyond the borders of the Hasmonean state.

In addition to the political and cultural impact of the appearance of the short-lived imperium of Alexander, the subsequent Diadochi empires as well as the Hasmonean kingdom led to a noticeable increase of the Jewish diaspora. Following the deportations in the Assyrian and Babylonian periods, Jewish communities which cultivated their own cultural and religious traditions had emerged in northern and southern Mesopotamia, Persia, and in the whole of Egypt. In the Hellenistic period, Jewish communities developed across the whole of the Mediterranean area. In particular, the Egyptian diaspora grew rapidly, initially following the deportations under Ptolemy I Soter (367/366–283/282 BCE) in 301 BCE and later through the influx of further Jews. The city of Alexandria, founded in the Nile Delta by Alexander the Great, developed into the cultural metropolis par excellence of the Hellenistic period. Alexandria also became a center of particular attraction for Jewish people. By the third century BCE, the majority of Jews no longer lived in Syria-Palestine, but in the diaspora. Moreover, they no longer spoke predominantly Aramaic or Hebrew, but Greek.

Local differences and multilingualism became a characteristic part of Jewish existence at this time. What is more, certain parameters of Jewish "identity" had already evolved with the establishment of the provinces Samaria and Yehud by the Persians in the sixth century BCE; these distinctive communities became more firmly established in the Hellenistic period and characterized Judaism both in the mother country and in the diaspora. These distinctive identities drew on a number of developments: (1) the Torah in the form of the Pentateuch, the Shema Israel (Deut 6:4–5) and the Decalogue (Exod 20; Deut 5) at the center, irrespective of theological tensions within the Pentateuch and the existence of a Judean alongside a Samaritan Pentateuch (in different versions); (2) the concept that Yahweh is the one and only God, who created the world, who preserves it and directs the paths of history and who is to be worshiped

without image; (3) the awareness of Israel as God's chosen people; (4) the concentration of the cult on the Temple in Jerusalem which did not exclude the existence of other holy places sacred to Yahweh on the Samaritan/Samarian Mount Gerizim and in Leontopolis in Egypt, as well as the establishment of synagogues; and (5) the rites of circumcision, the Sabbath, prayers, fasting, and the giving of alms – religious acts that could be maintained independently of location, as well as the adherence to the laws governing purity and diet.

These five factors – the written Torah, monotheism, election as the chosen people, the Temple as well as circumcision and observing the Sabbath – were interpreted and practiced in different ways, both in the Israelite-Palestinian mother country and the diaspora, already in Persian times and, more intensely, in the Hellenistic period. Different groupings and tendencies emerged within Judaism, which represented different positions, both towards the pagan Greek culture and, beginning with the Maccabean period, also in the attitude towards the Jerusalem kingdom and to the high priest. This process continued more intensely in the Roman period. Therefore, what Jewish "identity" meant in antiquity can hardly be expressed as a common denominator. The social life and religious practices of Jewish communities in Palestine under Roman, and particularly Herodian, rule should be taken into account just as much as those in the Roman colonies, in metropolises like Alexandria and Antioch and the capital Rome. For Jewish communities, the confrontation with Hellenistic culture and Roman politics constituted a continuous challenge between the poles of adaptation and resistance. This led to diverse forms of political, cultural, and religious kinds of reception and integration, which had a lasting influence on both the self-perception and the external perception of "the" Judaism. This "history of intertwining" that is evident both in Israel/Palestine and in the diaspora can be described in terms of "correlation between the center and the periphery," "identity formation from within and without," "rest and motion" and "arts of the weak" which lead to an attempt at integration on equal terms.

In recent research, this differentiation of Judaism has sometimes led to avoid speaking of "Judaism" in the singular in the Hellenistic-Roman period, but of "Judaisms." The plural refers to various strands of Judaism represented, for example, by a Jerusalem, a Samarian, an Egyptian, and a Qumran Judaism. Even this classification still seems to be too undifferentiated with regard to the different groups and geographical regions. The question of the self-perception and external perception of ancient Judaism, represented by different Jewish groups, plays a central role here: are there overlapping features of Judaism alongside the diversity of Judaism? Can we speak of a Jewish "identity" with regard to either self-perception or external perception? The different political, cultural, social, and temporal contexts in the Israelite-Palestinian mother country and in the different centers of the Jewish diaspora, in particular in Egypt (Elephantine, Alexandria, and Leontopolis), have to be taken into account when answering

these questions, as do the interdependencies between these contexts and centers. Against the background of this geographical aspect, the term "land" within the thematic triad of the conference and this volume is explained.

In addition to archaeological and epigraphic records as well as a small number of pagan texts, important sources on the historical description of Judaism in the period concerned are Jewish writings which originated in different places and in different languages during the Persian and Hellenistic-Roman periods. Much of this material reached the form in which it found its way into the Hebrew Bible and the Septuagint during these centuries. Together with non-biblical writings such as the papyri found on the island of Elephantine on the Nile, the vast majority of Jewish-Hellenistic writings not included in the Bible, and the Dead Sea Scrolls, they attest to different literary genres, that is, historiographic, prophetic-mantic, cultural-ritual, sapiental-didactic, juridical, administrative, calendrical, and apocalyptic texts. This demonstrates how ancient Judaism maintained its cultural self-perception in the wake of crises and mutations, each dealing in their own way with central institutions such as kingdom, Temple, land, and sacred writings. In particular the factors of (1) Torah, with its concentration on worshiping the one God Yahweh and the standardization of Jewish identity, (2) Temple, and (3) land appear as stabilizing factors and as indicators for Jewish self-perception.

Emerging Christianity constituted a special kind of religious and social challenge to ancient Judaism. From the beginning, Christianity incorporated the Israelite-Jewish writings and traditions into the basic stock of its lore, interpreted them, however, in its own way. This led to a further transformation of Jewish lore, which was now passed down and interpreted in two ways – in Christian and in Jewish lore. The cooperation, coexistence, and also conflict between Judaism and Christianity led to the concentration of rabbinic Judaism on the Hebrew (and Aramaic) writings, on the one hand, and to the translation of Jewish and Christian texts into Syrian, Coptic, Armenian, and Arabic in the Christian tradition, on the other hand. Even the Septuagint, originally a Jewish translation, was now passed down by Christians and became the first part of the Christian Bible, the "Old Testament." Furthermore, what is important is the interpretative redaction (*Fortschreibung*) of Jewish writings by Christians: relevant examples of this are the Martyrdom of Isaiah, the Fourth Book of Ezra, and the Testaments of the Twelve Patriarchs.

The relationship of Judaism and Christianity in antiquity cannot be comprehended with the model of one or more "parting(s) of the ways." The processes relating to this are considerably more complex and have led to diverse forms of "attraction and repulsion" (P. Schäfer). For Judaism, this involved a profound reorientation, concerning the attitude to its own writings and traditions. This is shown by the emergence of the Christian and the Jewish Bibles, into which the authoritative writings of the respective religious communities found their way. The complex processes leading to the collection of these writings reveal

that both in Judaism and Christianity and over a long time authoritative writings were neither clearly delimited as to their extent nor in their wording. The emergence of the Jewish and the Christian Bibles sheds light, therefore, on the diversity of ancient Judaism and ancient Christianity and on the multifaceted processes of their relationships.

The conference to which this volume goes back was supported financially by the Berlin Excellence Cluster Topoi, which has since been discontinued, and by the ERC-Grant Elephantine. We would like to thank the responsible bodies for awarding the funding which made it possible to hold the conference. Janina Skóra has earned a great deal of credit for the organizational preparation and realization of the conference, for which she has our sincere thanks. We thank the speakers for making their lectures available for publication and who also took the discussions during the conference into account for the printed version and waited for the publication with great patience. We thank our staff in Berlin, Veronika Einmahl, Florian Lengle, Lucas Mueller, Brinthanan Puvaneswaran, and Katharina Vetter, for their support in reading the corrections and for compiling the index; thanks to Matthias Müller (Berlin) for preparing the camera-ready copy. Finally, we would like to thank the editors of the series "Texts and Studies in Ancient Judaism" for their acceptance of the volume and the staff at Mohr Siebeck publishing house for the great assistance during the publication process.

Berlin, August 2020 *Markus Witte, Jens Schröter, Verena Lepper*

Judaism or Judaisms

The Construction of Ancient Judaism

Peter Schäfer

In the last of his works and presumably not long before his death, Flavius Josephus, the historian of ancient Judaism, wrote about the proper constitution of the Jews. The work is called *Contra Apionem* ("Against Apion") and it was written during the last years of the Roman emperor Domitian, that is, not long before 96 CE. It is a comprehensive apology of the Jewish people, claiming that Moses lived long before the Greek legislators and that therefore the Jewish laws are much older and more original than the Greek laws. Therein, more than twenty years after the destruction of Jerusalem and the Temple, the famous Jewish historian – who in Rome enjoyed the favor and support of the Flavian emperors – compares the forms of government known at his time: monarchy, oligarchy, and democracy. He comes to the conclusion that none of these is appropriate:

> Our lawgiver, however, was attracted by none of these forms of polity, but gave to his constitution the form of what – if a forced expression be permitted – may be termed a "theocracy" (θεοκρατία), placing all sovereignty and authority in the hands of God.[1]

The theocracy as the typical and uniquely Jewish form of government was so important to Josephus that he invented the Greek word for it, calling it "a forced expression." He then continues that Moses immediately convinced the Jewish people of the virtues of this constitution and presented them their God as One (εἷς), uncreated (ἀγένητος), immutable, of unsurpassable beauty, in the nature of his essence unrecognizable (ἄγνωστος), but made known to us by his power (δύναμις).[2] The unconditional acceptance of the Law led to an admirable harmony (ὁμόνοια) among the Jews, who are united in their opinion about God and cultivate the same way of life.[3] And then Josephus explains how this theocracy, God's sole sovereignty, is maintained on earth:

> Could there be a finer or more equitable polity than one which sets God at the head of the universe, which assigns the administration of its highest affairs to the whole body of priests, and entrusts to the supreme high priest the direction of the other priests? […] Could there be a more saintly government than that? Could God be more worthily honored than by such

[1] Josephus, *C. Ap.* 2.165.
[2] Josephus, *C. Ap.* 2.167.
[3] Josephus, *C. Ap.* 2.179–181.

a scheme, under which piety is the end and aim of the training of the entire community, the priests are entrusted with the special charge of it, and the whole administration of the state (πολιτεία) resembles some sacred ceremony?[4]

Josephus's theocracy is in fact a hierocracy, a government of priests, with the Temple at its center: "One Temple for the one God (εἷς ναὸς ἑνὸς θεοῦ) […], common to all as God is common to all."[5] The triad "One God – One Temple – One People" is the central idea of his theocracy, and he propagates this idea not just as some faint echo of a long forgotten past or the ideal concept of some remote future but as the forever valid and forever practiced form of explicitly Jewish government.

It remains a mystery and a matter of dispute what prompted Josephus to lay out the design of the Jewish state toward the end of his life and under the emperor Domitian (who enforced the *fiscus Judaicus*) – the same Josephus who in his earlier works *Antiquitates* and *De bello Judaico* drew a very different picture of discord and strife among the Jews of Judea and who blamed the uncompromising theocratic doctrine of the Zealots in particular for the destruction of the Jewish Temple and nation.[6] For our purpose here the observation is important that the old and wise – or naïve or crazy (whatever one prefers) – Josephus drafted his vision of a theocratic polity the way he did, that it was absolutely clear to him that there was and always will be a Jewish nation or state or ethnos, with the Temple at its center, with the priests at its head, and with its people following in perfect harmony the Law of Moses, that is, the Torah. What Josephus does not explicitly emphasize is the fact that the Temple stands in Jerusalem and that Jerusalem is the capital of Judea, but this is a matter of course and refraining from spelling it out is probably the only concession he made in his long exposition to his Roman friends. From this perspective, Josephus's outline of the perfect Jewish state looks like the blueprint for the topic of the conference and ensuing book, summarized by the organizers under the keywords Torah, Temple, Land.

But things are not that simple. Josephus's theocracy with its unifying triad of "One God – One Temple – One People," designed at the very end of the Second Temple period and the transition to rabbinic Judaism, may well formulate an ideal picture or even an evolving consensus, yet it is highly questionable to what extent it was accomplished throughout the turmoil of ancient Jewish history. There was certainly a tendency in ancient Judaism towards unification and integration,[7] but there were, just as certainly, strong opposing tendencies towards diversity, multiplicity, variety, discord. These tendencies could not be

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[4] Josephus, *C. Ap.* 2.185, 188.

[5] Josephus, *C. Ap.* 2.193. Josephus constructs this remarkable sentence without a verb, and in the following explanation he uses the present and future tenses.

[6] On this, see in more detail P. Schäfer, "Theokratie: Die Herrschaft Gottes als Staatsverfassung in der jüdischen Antike," in *Politik und Religion: Zur Diagnose der Gegenwart*, ed. F. W. Graf and H. Meier (Munich: Beck, 2013), 199–240, here 226 ff.

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