

Modern Judaism and the Haredim: Historical Issues in the Current Debate

Charles David Isbell, Louisiana State University

Introduction

In a recent article, Abraham Rabinovich asked a crucial question about the current hostilities between the **“haredim”** and virtually all other Jews in the world who fail to agree with them. “Will Jews learn to live together -- or are they destined to break into separate groups like the Sadducees and Pharisees?”¹ Even a cursory reading² of the opinions being voiced in the current climate reveals a harshness and a stentorian tone that fail to reflect favorably those human qualities of tolerance and intellectual rigor for which Judaism has stood over the centuries. I am not competent to offer a sociological or a psychological analysis of this issue, although it is intriguing to imagine having some of the more strident representatives of the **haredim** on a couch with the opportunity of seeing what really makes them “tick.” But as a scholar of Scripture and classical Judaism, I have become increasingly interested in the spiritual and political ancestry of those among us who choose to believe that they and they alone possess divine truth. To understand that ancestry, it is essential to grasp the history of various Jewish groups that have stood sometimes within and sometimes outside the mainstream of Judaism over the past 3,000 years.

Definitions: Haredim-Fundamentalism-Fanaticism

By my choice of the word **“haredim”** in this article, I intend no disrespect for modern Orthodox Jews who observe a strict or a traditional style of life and worship. Rather, I am using the word **“haredim”** to describe Jews who are extreme in their ultra-Orthodoxy, and who not only hold narrowly defined views on **halakhic** matters, but belligerently deny validity to virtually any rabbinic or **halakhic** position that differs from the beliefs of their particular clique. These groups (plural, for they are not at all a single monolith), are sometimes referred to as the “black hats,” a reference to one of the distinctive elements of their costume.

The Hebrew word **חורדים** actually occurs in Ezra 10:3, while its singular form **חורד** is attested one chapter earlier (9:4). In both instances, the word describes Jews who take seriously “the words” or “the commandment” of God, and in both cases has reference to a grave **halakhic** matter facing the returning exiles—exogamous marriages. Another shade of meaning for the biblical term is attested in a post-exilic poem placed in the final chapter of the great Book of Isaiah (66:2). In this context, traditionally read as the **haftarah** for Shabbat coinciding with Rosh Hodesh, “the one who trembles at the words of God” is

equated with one who is “poor and broken-hearted” (עני ונכה רוח). The medieval custom of swaying or bobbing excessively while praying apparently represented a conscious effort to imitate the literal meaning of the root נחך from such passages. But such movement also identified members by distinguishing them from those whose lack of proper kinesis marked them as outsiders.

Another appropriate adjective for such groups is fundamentalists. Although it is notoriously difficult to achieve an acceptable definition of “fundamentalism,”³ here is what I mean by the term. In **THEORY**, all religious fundamentalists claim that their beliefs are grounded in Scripture or other sacred texts.⁴ In **PRACTICE**, however, such groups come over time to propound a fixed list of beliefs or “traditions”, each one individually considered a *sine qua non* for remaining acceptable within the group (and thereby to GOD!). Because it is unwavering acquiescence to their own system of beliefs and practices that is required, membership in the group itself is not grounded upon a rational or intellectual basis, but is actually determined primarily by a combination of psycho-sociological and/or political factors. Criticisms of group leadership or questions about group values and customs are disallowed and regarded as dangerous or “sinful.” Thus, to be or to remain a “member,” one must not think critically, but must adhere faithfully both to all tenets collectively, and also to each tenet individually, because every single tenet is perceived as one of the foundational=“fundamental”, hence essential, truths.⁵ Further, since each tenet is considered divinely ordained and thus immutable, no aspect of group doctrine can be open for discussion or debate, regardless of what evidence outsiders might wish to interject into the mix. Specifically with respect to **Jewish** fundamentalists, such a lack of openness explains the favorite description of themselves as “torah” scholars, despite the fact that they remain disdainful of, unaware of and unchanged by the scholarship of the past two-hundred years. One may search their literature in vain for any reference to modern scholars of archaeology, anthropology, linguistics, history, philosophy, theology--or Bible and Talmud (“torah”).

It is important to note that I am not referring in this context to disagreement among scholars. Rather, the **Haredi** view of “torah” is such that they deny the validity of any study except that being done under their auspices and according to their rules, i.e., that which produces the results to which they were committed before the research began. To cite only one case in point, two libraries of biblical and talmudic commentaries currently under publication from Mesorah Publications, Ltd., in Brooklyn, New York (**ArtScroll Tanach Series** or **ArtScroll Mishnah Series**) appear to contain not a single reference to the great scholars and issues of the modern era. Reading them, one would never realize that a Jacob Neusner or a W. F. Albright even existed, and would further assume that nothing new has been learned about Bible or Talmud (“torah”) in the past two-hundred years. In this vein, one is reminded of the Talmudic assertion: “If the early ones (ראשונים) were angels, we are men, and if the early ones were men, then we are donkeys”⁶

“Fanaticism” might be used alongside of “Fundamentalism” as a proper description of the **haredi** groups as well. In the apt description of Paul Tillich, a prospective member for such a group may be seeking to escape, “from his freedom of asking and answering for himself to a situation in which no further questions can be asked and the answers to previous questions are imposed on him authoritatively.”⁷ That is why members of such

groups often appear to be so harsh and unbending to anyone outside their group, yet understand each other perfectly well. They have all accepted the same absolute authority. But there is another product of such groups. Here is Tillich again:

Fanaticism is the correlate to spiritual self-surrender: it shows the anxiety which it was supposed to conquer, by attacking with **disproportionate violence** those who disagree and who demonstrate by their disagreement elements in the spiritual life of the fanatic which he must suppress in himself. Because he must suppress them in himself he must suppress them in others. His anxiety forces him to **persecute dissenters**.⁸

Now Tillich was not describing any particular fanatical group, but fanaticism in general. But we will see that this general description may be applied appropriately to **haredi** Jewish fanatics in the twentieth-century as well as to some of their classical predecessors. We must also remember that Tillich, a Christian theologian, knew about fanaticism from first hand experience in his native Germany, where he was the first non-Jewish Professor to be dismissed from a German university because of his vehement opposition to nazism.

The Classical Jewish Tradition of Zealotry

It is well known that Hebrew-Israelite-Jewish attitudes of intolerance are starkly attested in biblical and other early Jewish literature ranging all across the stages of early Israelite history, and it would seem appropriate for several names to be included in the extremist “Hall of Fame,” along with the quite graphic descriptions of their deeds. Such a “Hall” would have to include at least: [1] Phinehas spearing a sinning Israelite man along with his Moabite sexual partner (Num 25:7-13); [2] Samuel hacking the Amalekite King Agag to death (1 Sam 15:32-33); [3] Elijah “sacrificing” 400 Baal prophets on Mount Carmel (1 Kings 18); [4] Jehu murdering both the King of Israel and the King of Judah, the queen mother Jezebel, the entire household of the wicked Ahab, and finally exterminating both the cult and “all” remaining worshipers of Baal (2 Kings 10:1-17); and [5] Mattathias physically preventing the sacrifice of a pig in the synagogue at Modein (1 Macc 2:24-27).

Four points can be noted about each of these classical/biblical examples. **First**, all five of these Israelite/Jewish enthusiasts are portrayed as having acted to defend the honor of YHWH. **Second**, the targets of these zealous Yahwists included large numbers of non-Israelite pagans or sinful non-believers, i.e., those whose pagan practices of worship were viewed as completely incompatible with the “true” religion of our fathers and mothers. **Third**, each traditional story also teaches that along with the non-believing pagans, a lot of Israelites/Jews died too, killed by the same fiery zeal that swept away the non-Yahwists. **Fourth**, some form of official editorial or prophetic approbation is given by tradition to the author of each of these zealous acts. Each of these points may be illustrated by our five examples.

[1] Not only the evil/idolatrous Moabite woman, but also her Israelite sexual and spiritual partner, was expended in an effort to purge the evil from Israel (Num 25:8). In the eyes of the text, this drastic action was necessary to bring an end to the divinely ordered plague that had already taken the lives of 24,000 Israelites (Num 25:9). Four times in this

short periscope, the Hebrew root **קנא** is used, indicating that the action of Phinehas was being granted full approval by the biblical editors. Using the simple literary device of repetition, Scripture links the zealous action of Phinehas to the description of YHWH used earlier (Exodus 20:5), where Israel's God had been described as, “an avenging deity” (**אל קנא**). In other words, the zeal of Phinehas described in Numbers 25:11 becomes the exact literary counterpart to the zeal of YHWH Himself. To underscore the approval of this act by Phinehas, the editors explain that this peculiar zeal of Phinehas has won for him and his descendants the special approval of YHWH for all time.

[2] Not only did the zealous Samuel hack to death the idolatrous Agag, but the mighty Saul himself also had to die because he was “soft” on the Amalekite question.⁹ By contrast, the pious Samuel is eulogized and immortalized for his act of faithfulness to YHWH; he too is “respected greatly” (**ירא ... מאוד**) along with YHWH (1 Sam 12:18), and later given the funeral of a spiritual hero by the entire nation at his death (1 Sam 15:1).

[3] In the famous story of Elijah on Mount Carmel, the **ritual**¹⁰ slaughter by the prophet of hundreds of Baal prophets is singled out as especially laudatory (1 Kgs 18:40). Furthermore, particular delight is taken in the death of the wicked Queen Jezebel (1 Kgs 21:23), who had been responsible for the murder of an innocent Israelite (1 Kgs 21:1-17) and had even threatened the holy prophet Elijah (1 Kgs 19:1), in addition to her efforts to dilute true Yahwism by the importation of her native [Baal] religion from Tyre. Of course, it is not by accident that the biblical editors twice have the great prophet describe himself as having been intensely **zealous** on behalf of YHWH.¹¹

[4] The actions of Jehu are given direct prophetic endorsement. At the outset, a disciple of Elisha anointed him king over Israel (2 Kings 9:1-10). Next, his coldly calculated assassination of King Joram is justified as divine retribution exacted from the son for his parents' (Ahab and Jezebel) illegal seizure of the familial estate of Naboth (2 Kings 9:25-26). In a similar fashion, his murder of Jezebel is portrayed as fulfillment of a prediction made by the righteous Elijah (2 Kings 9:36-37). As the story advances, Jehu specifically instructs an associate to “come with me and observe my zeal (**קנאתי**) for YHWH” (2 Kings 10:16), whereupon he proceeds to murder all remaining relatives of Ahab, again in compliance with the prophetic word of Elijah from Yahweh (vs. 17). Finally, his slaughter of every Baal worshiper in the nation (2 Kings 10:28) is lauded as “what was correct in the eyes of [YHWH]” (2 Kings 10:30).

[5] The non-biblical story of the actions of Mattathias, as well or better known among Jews because of Hanukkah as our first four examples from the Bible, exhibits all of the trademarks we have encountered so far. Not only did Mattathias refuse the invitation of the visiting Syrian official to accept the “honor” of conforming to the decree of Antiochus Epiphanes, he “became zealous” and killed both the royal commissioner who had been sent to enforce the king's edict and also the fellow Jew who stepped forward to perform the sacrifice (1 Macc 2:24).¹² The specific language used to evaluate Mattathias is also quite instructive. First, he is quoted as saying that his refusal to co-operate with the evil decree derived from his intention not to “forsake the Torah [Greek **nomos**] and its observances” (1 Macc 2:21). Second, five verses later, the text becomes even more explicit: “He became zealous [again **ezelosen**] for Torah [again **nomos**] as **Phinehas had done!**” Third, not only

did Mattathias act, he called for volunteers who shared his “zeal for the Torah” [**ho zelon to nomo**] as well as his commitment to the “covenant” [**diatheken** in verse 27]. This three-way linkage, Phinehas-zeal for Torah-covenant, forms a literary triad that is repeated twice more in the final statement of Mattathias, given just before his death (1 Macc 2:49-64). It is also striking that Elijah is added to the linkage in verse 58, although Samuel and Jehu are not.

The Post-Biblical Idea of “Zealotry”

As we have seen, it is in the Greek version of the story of Mattathias that particular notice must be taken of the word **zelein** a term to be made famous only a short time later in the writings of Josephus. It is well known that Josephus chooses the word “Zealots” to describe a “Fourth Philosophy” current among Jews in the first century CE, and that he is at pains to distinguish these particular Jews from the Sadducees, Pharisees or Essenes.¹³ It is also well known that Josephus offers a rather too simplistic, and self-serving, view of why the war with Rome had happened, blaming the entire affair on a small minority of Jewish extremists who had refused to accept the reality of Roman superiority and hegemony in Judaea.

Recent scholarship has challenged this simple explanation of the views of Josephus in favor of a multi-faceted explanation that would include socio-economic and political factors along with the religious issue. From a cursory reading of Josephus, it may appear that all those whom he blames for the war are called “zealots” in his works, but a more careful analysis reveals that even among their number Josephus singles out pockets of ultra-extremists for special censure. It is this small number among the Zealots whom he blames for the war with Rome and its resultant destruction of Jerusalem.¹⁴ For our purposes, it is neither necessary nor appropriate to enter into an ongoing scholarly debate about Josephus. What appears to be unchallenged is the fact that Josephus believed there were members of the Zealot camp who adopted a more radical stance towards Rome than was the norm even for a “zealot.” In other words, we have to deal here not only with a specific Jewish sect dubbed “Zealots” by Josephus, but also with individual zealous Jews whose actions were considered to be extreme even within the party named “Zealots.” To simplify, we might say that Zealots offered strong but mostly passive resistance to the idea of Roman rule over Judaea, while the extremists among their membership openly provoked active military opposition, and ultimately became an identifiable sub-sect in their own right. These extremists among the Zealots received the label “**sicarii**” from Josephus.¹⁵

However, even with respect to what appears to be such a specific label, Josephus presents difficulties for the modern interpreter because he appears to give two different versions of the rise to prominence of the **sicarii**. The first version occurs in his **Antiquities** (18:4-10), where he ties the emergence of the **sicarii** to the Roman census of Judaea ordered by the Syrian legate Quirinius in the year 6 CE. In this passage, the Latin word **sicarii** appears to be borrowed from its common use among the Romans themselves, apparently as a synonym for the Greek term **lestai** preferred elsewhere by Josephus. Both words mean something like “bandits” or “brigands;” the Latin term derives from the noun “**sica**,” a short dagger that could be concealed easily under a loose robe and used to murder

unsuspecting individuals who were part of a large group of people congregated together. Such individuals might be found jostling along in the large crowds occasioned by religious festivals, as Josephus notes.¹⁶ In this version by Josephus, the leaders and founders of the **sicarii** were Judah the Galilean¹⁷ and a Pharisee named Zadoq. It should be noted that this uprising, as Josephus describes it, not only was itself doomed to failure, but also would pave the way for the later catastrophic attempts at revolt that led ultimately to the defeat and downfall of Jerusalem in 70 CE.

But Josephus records another view of the rise of the **sicarii**. In **The Jewish War** 2:254-7, he explains that the **sicarii** first came to light during the procuratorship of Felix (52-60 CE), and that their first public act was the assassination of the High Priest Jonathan.

Although we will probably never know which of these two versions is the more correct, one fact emerges unquestioned regardless of which account is accepted. Josephus is reluctant to apply the term “Zealot” to those who fruitlessly and (in his view) foolishly pressed for open conflict with Rome. For him, the term “Zealot” was an honorable epithet that was appropriate to describe those Jews who acted out of deep religious conviction, but **not** those who were so foolish as to endanger all Jews by risking a war with Rome. Josephus even gives his grudging admiration for the courageous way in which Jewish Zealot party members faced torture and death rather than abandoning their convictions. But those whom Josephus termed the **sicarii** were viewed as neither honorable nor admirable. Their agenda, with which Josephus professes to disagree completely, was to foment by any and all means an open rebellion against Roman authority.

Of particular significance is the fact that the **sicarii** did not hesitate to murder **fellow Jews** who chanced to disagree with their methods or with them, and this is what Josephus professes to find so utterly deplorable. By his choice of a different and much more negative term to describe such ultra-extremists, Josephus seems to make the argument that while principled (and passive?) opposition to Rome could be deemed honorable, the tactic of murdering fellow Jews could not be condoned or excused simply by placing it under the umbrella of religious conviction. It is this use of terror in an attempt to force all Jews to agree with a single point of view that appears in the thinking of Josephus to warrant the harsh term “brigands.”¹⁸

As we have noted, there is scholarly disagreement about many of the details found in the two versions of Josephus that describe the origins of the **sicarii**. But if their willingness to murder fellow Jews truly sets the **sicarii** apart from all other types of Jews about whom Josephus writes, then this proclivity to murder should not show up among any of the other Jewish sects of the first century CE. A survey of the evidence reveals the following.

The **Essenes**,¹⁹ of course, whether or not they are the Qumranites, have been well described as those Jews who withdrew from society. They did anticipate a great final and apocalyptic war between the Sons of Light and the Sons of Darkness, but there is no evidence at all to indicate that they sought out and murdered other Jews who differed from them in doctrine or in practice. Rather, they waited in a state of cultic and ritual purity for the final battle that they believed would be initiated from a **heavenly** source. In this matter, Essene views were the exact opposite of the **sicarii**, who brazenly precipitated a war against

Rome in the belief that God would thereby be obligated to intervene and grant them victory in a battle that was unwinnable by any human calculation.

Likewise, the **Sadducees** seem unlikely candidates to join the ranks of the **sicarii** for at least two reasons. First, they were the Jewish party that had made league with the Romans from the outset of the Roman era of authority in Judaea. And the entire basis of their relationship with Rome hinged upon their ability to preserve the peace among the Jews in every eventuality. According to two separate New Testament witnesses, it was none other than the “high priests,” by whom must be meant the Sadducees, who did not hesitate to turn over to their Roman partners a person (in this case Jesus **the Galilean!**) whom they perceived to be a threat to the security of the country.²⁰

Second, the Sadducees held themselves quite aloof from common Jews of all other sectarian affiliations. Josephus stresses this point in his account of how the **sicarii** forced themselves into the Temple in Jerusalem, murdered the high priest (a Sadducee), and seized control of the Temple compound. Once in control, they ordered a cessation of the daily offerings that were made for the health of the Roman emperor, fully aware that such an act would be interpreted by Rome as open rebellion. But that is not all. These extremists also raided the office of public records and destroyed copies of debts owed by the poor to the rich -- Jews all! This action would not have affected Romans at all, but would have had a direct and negative impact on the income of the wealthy Sadducees, and would hardly have been acceptable to them. In other words, **sicarii** actions worked squarely against the interests of the Sadducees, leaving little doubt about the differences between the points of view of the two groups.

The **Pharisees** present a more complicated case. According to Josephus, adherents of the “Fourth Philosophy” (i.e., Zealots) were in general agreement with the Pharisees on theological and canonical matters, differing from them on only one issue. “They [the Zealots] are freely and readily prepared to submit to even the most horrible of deaths and to see their relations and friends tortured rather than accept human domination.”²¹ Were some Pharisees willing to accept the extremist **sicarii** point of view regarding Roman domination? The answer would appear to be affirmative. As we have seen, according to one of the Josephus versions, the co-founder of the **sicarii** had been a Pharisee. We also know that the **sicarii** seized control of the Temple (52 CE) only after the Pharisees had become dominant over the Sadducees, which was sometime around the year 50 CE. This would have meant that the lower level “priests” who assisted the **sicarii** in their Temple takeover were Pharisees.

However, despite the fact that most discussions of the Sadducees and the Pharisees focus upon the **differences** between the two parties, on the issue under discussion they shared a basic **similarity**. That is, although some among the Pharisees might theoretically have joined in a particular **sicarii** action, both they and the Sadducees evinced a willingness to make a deal with the Romans under the right circumstances. This we know to have been broadly true of Sadducees, of course, but it also became true of the Pharisees at least in the aftermath of the 70 CE catastrophe. Jewish tradition holds that Yohanan ben Zakkai took overt action to seek a deal with Rome that would necessitate his promise to eschew the idea of a Jewish political entity separate from Rome, a Jewish “king,” or any political form of

Jewish independence from Rome. Whatever the historical reliability of this tradition,²² the fact is that Yohanan did indeed survive and was indeed safely located in Yavneh sometime shortly after 70 CE, whether by chance or by his own direct involvement with Rome. By this time, Yohanan was no longer, if he had ever been, an opponent of Rome. In other words, this great founder of the Yavneh academy, the sage who was to become so crucial to the creation and preservation of the **religion** of Judaism, did what no **sicarii** would have done. He accepted Roman hegemony, and made a deal with the “enemy” in order to ensure his own survival.²³ This aspect of the activity of Yohanan must be appreciated, for the man who was to become responsible for *halakha* in this seminal generation for Judaism, a scholar whose influence remains integral to all of Jewish halakhic law, would have been murdered by fellow (**sicarii**) Jews if they had realized what he intended to do. As we will see below, the reason for his stealth in approaching the Romans, common to all versions of the traditions, was necessitated by a fear of his own compatriots that was even greater than his fear of the Roman enemy.

Sectarian Divisions and Dissent

There is another important issue that needs to be analyzed in the context of the four major Jewish sects that were involved in the events of first century Judaea, and that is the general attitude of each group towards dissent. In this regard, the attitude of the **sicarii** will again stand out in sharp relief from all other groups.

Once again we may dismiss the **Essenes** from this particular discussion for two clear reasons. First, they openly withdrew from the mainstream of society, as we have noted above, and adopted an “above the fray” attitude about the normal political and social questions of the day. But second, their own rules were strictly designed to govern fair play and to provide equal opportunity to all parties in a dispute. We note, for example, the Essene rule that no dispute could be settled unless at least one hundred full members of the group were present to sit in deliberation. And although the Essenes did impose the severe sentence of excommunication on wayward members in certain serious instances, there is no evidence that they ever killed or inflicted physical harm on any Jew just because he/she disagreed with standard Essene doctrine or praxis.

History has not been kind to the **Sadducees**, not least of all because all of the information we have about them comes from their opponents. Yet even this group, often branded as arch-conservatives whose views were manifestly strict and narrow, nevertheless earned a reputation for vigorous yet amicable disagreement among themselves. Josephus notes, for example, that Sadducees, “think it an instance of virtue to dispute with those teachers of philosophy whom they frequent.”²⁴ There is, of course, evidence that the Sadducees were happy to turn over to their Roman partners any Jew whom they perceived to be a threat to the regional stability on which their own continuance in power and favor with the Romans was contingent. But there is no evidence that these Jewish “aristocrats” themselves had either the stomach or the means for physical violence against Jews who disagreed with them. This may be seen in the fact that they were virtually powerless against

the Pharisees once the latter had gained popular support among a majority of the average Jewish citizenry of the day.

Finally, the great legacy of **Pharisaic Judaism**, Mishnah-Tosephta-Gemara-Talmud, clearly attests the fact that debate among those whose opinions differ sharply was not only encouraged, but codified and canonized, even celebrated.²⁵ In fact, in a discussion involving the two major political-legal schools of thought during the early period of the Sages and Rabbis (בית הלל - בית שמאי), the consensus developed that the Hillel school opinions were generally preferable to those of Shammai and his followers not merely because they were intellectually superior, but also because the Hillelites, “were kindly and modest [נוחין ועלובין], and they studied both their own rulings and those of the Shammaites. What is more [ולא עוד אלא ש-], they mentioned first [מקדימין] the Shammaite rulings before their own.”²⁶ In other words, students/successors were impressed more by the Hillelite **attitude** of humility and respect for their opponents than simply by the undoubted technical superiority of their halakhic rulings. Thus persons were free to choose EITHER the more lenient rulings of Hillel OR the normally more stringent decisions of Shammai, as long as they refrained from the impulse to “Rabbi shop,” seeking a lenient ruling in one instance from one Rabbi and a strict ruling in another instance from a different Rabbi.²⁷

One among many interesting instances of radical disagreement among early Sages concerns a Rabbi Ephes. My memory of a lecture given almost thirty years ago by my former teacher, the incomparable Cyrus Gordon,²⁸ was that the name “Ephes” (אפס=zero) identified the man as an atheist, an identification I took to be the result of his rather radical interpretations, causing his colleagues to doubt his faith. However, in a private handwritten letter dated March 7, 1999, Dr. Gordon (at age 91!) corrected my faulty recollection. “Rabbi Ephes was not an atheist. He was a scholar (I think of Antioch) who is quoted in **Midrash Bereshith Rabba**²⁹ as declaring that ויכלו in Gen. 2:1 can only refer to total destruction.” This interpretation, of course, represents a sharp break with the standard rabbinic view (“they were completed”), and opens the possibility of a radically different interpretation of the creation account that follows immediately in Genesis two. Dr. Gordon explains further: “Actually it means both: retrospectively ‘completed’, and prospectively, ‘destroyed’. It is interesting that the distinction is translatable into English. ‘They were finished’ can mean ‘completed’ or ‘destroyed’.”

The point of this illustration is clear. Whether the **amoraic** colleagues of Rabbi Ephes assigned him a pejorative name/title because they doubted his beliefs or he bore the name for some other cause, his quite radical minority-of-one opinions are included for future generations to consider, and there is no hint of any attempt to bring harm to him.

When we return to the first-century context of the rebellion against Rome, it is plain that one and only one Jewish group would have been willing to include murder of other Jews in its agenda for achieving spiritual dominance and political influence. And these murders were committed, according to Josephus, “in pretence indeed for the public welfare, but **in reality from the hope of gain to themselves.**”³⁰ To emphasize this point even further, Josephus adds bluntly that, “their desire was that none of the adverse party might be left.”³¹ Josephus was speaking here of the murder of Jews who belonged to one faction by Jews who belonged to another group, murder justified solely on the basis of ideological or

theological or political disagreement. The murdering Jews were the **sicarii**, one small sect comprising only a minority within Judaism, grasping unto itself the sole authority to judge all other Jews, including the ultimate authority to determine, “who shall live and who shall die.” Thus do we observe the ultimate idolatry, the arrogation to oneself of the prerogative that belongs to God alone. It is tragic that 1900 years after these original murderous extremists, we must once again witness the rise of Jewish extremist groups that pattern themselves after the **sicarii**.³² Whether for the first-century High Priest Jonathan or for the twentieth-century Prime Minister Rabin, the ultimate cost of disagreement with such extremists has been one's life.

Although this article is not the proper place for an investigation into the complete history of the sects of first-century Judaism, it must be underscored that the methods of these early Jewish **sicarii** ultimately failed, that their first- and then second-century³³ attempts to provoke an all-out war with Rome produced only devastating defeat and chaos. So total, in fact, was the defeat for all Jews in these skirmishes provoked by the **sicarii**, that for two millennia, Jews would be unable to claim political dominion over their homeland, and Jews would no longer murder other Jews over theological or political disagreements. Rather, over this period of time, the inhumane and disgusting treatments to which Jews were subjected would be limited only by the imagination of whoever was in power for the moment, until nazi Germany would define the ultimate obscenity of Jew hatred that was the Shoah.

Talmudic Discussion About **Sicarii**

The Fall of the Temple

There are several discussions in the Talmud dealing with the two destructions of the Temple, in 586 BCE and in 70 CE. The **Amoraim** were still grappling with the significance of these twin national and religious calamities centuries after the fall of Jerusalem and the destruction of the Second Temple. Since it was inconceivable to them that God might have broken His covenant with Israel, they searched for reasons to help them explain these twin tragedies. A fascinating discussion in Tractate **Yoma** (9b) concludes that the First Temple had been destroyed because of three specific transgressions committed by the people.

The first transgression cited was idolatrous worship (**עבודה זרה**), a “sin” with a long history behind it. In fact, this particular transgression was at the root of each of the five classical examples of zealotry which we examined at the beginning. And as we learned in each of those cases, so terrible was idolatry perceived to be, that those found guilty of it would not only be put to death, their deaths would receive prophetic, yea direct divine sanction. The logic of the Talmud follows this line of reasoning, and appears to be that divine punishment in the form of severe retribution for idolatry should have been expected!

The second transgression on which the destruction of the First Temple is blamed has to do with illicit sexual relations (**גלוי עריות**). Again, we recognize this sin from three of our five classical examples. “Zeal” for YHWH dictated that Phineas kill Zimri and Cozbi, the Israelite male and Moabite female who were discovered *in flagrante delicto* (Num 25).

What is more, both the sordid mess involving Ahab and Elijah and the excessive activities of Jehu were traced to the disastrous, idolatrous marital union of Ahab with the sinful daughter of Baal, Jezebel. But there is more. Since biblical texts consistently use the metaphor of illicit sex to describe the practice of idolatry, it is probable that the phrase **גלוי עריות** is intended with dual referents in **Yoma**, i.e., referring both to illicit sexual practices and also as a synonym for **עבודה זרה**.

The third transgression is **שפיכות דמים**, “the spilling of blood.” In the argumentation of the Talmud, the parade example of this transgression is Manasseh. We note, of course, that Manasseh had the reputation from biblical times as an idolater of the worst sort (see 2 Kings 21:1-18). And in the biblical construct, two concomitant results had flowed from his belief in and practice of idolatry: [a] the reintroduction of the detestable custom of child sacrifice (2 Kings 21:6); and [b] the shedding of the blood of innumerable innocent Judahite prophets, “until he had filled Jerusalem from one end to another” (2 Kings 21:16).³⁴ And so once again we see the tight connection of this transgression with idolatry. It almost seems that the Talmudic sages are repeating thrice over the same offense. Worship of gods other than the God of the Temple, in several permutations, triggered the loss of that Temple.

In the same passage, the question is also raised about why the Second Temple had been destroyed. For this question, the rabbis did not have such a ready answer at hand. In fact, they are compelled to note that the prevailing spirit of Torah study, faithful and proper observance of **mitzvot** and even deeds of loving kindness (**גמילות חסדים**) should have made a difference in the fate of the most beloved of all the symbols of faith. Their dilemma was palpable. How indeed could Torah-observant and pious Jews have been deprived of their beloved Temple this second time around? The answer: “because there was ungrounded hatred [**שנאת חנם**] in it.” The conclusion drawn by this statement is nothing short of astounding: “That fact serves to teach you: gratuitous hatred weighs in the balance against the three cardinal sins of idolatry, fornication, and murder.”³⁵ Clearly the rabbis are advancing the argument that divine retribution had been visited upon the Second Temple because of the hatred of one Jewish sect for another. They do not blame godless Romans, whom they perceive to be but instruments of the divine, but indict the methods of intimidation and murder that had formed an integral part of the **sicarii** program.

As an aside here, we may note that it is now commonly taught among the **haredim** that the Shoah was a direct result of the Reform movement and the failure of assimilated Jews to live torah-observant lives by their ultra-Orthodox standards. This position stands the logic of the Talmud on its head. The talmudic sages, following in the footsteps of Josephus, blamed intolerance and extremism, “ungrounded hatred” by some Jews for all other Jews outside their own small **sicarii** circle, for the loss of the Temple. Reading the discussion in **Yoma** 9b, one is led to conclude that the talmudic sages might argue today that the ungrounded hatred for all other Jews exhibited by the successors of the **sicarii**³⁶ in the twentieth-century is what weakened Judaism and led to the great tragedy of our century. In other words, following the talmudic categories, maybe the intense hatred of Reform Jews by **haredi** Jews induced the Almighty to inflict the Shoah upon us all. Of course, all such arguments are pointless. Reform Jews were not hunting down Orthodox Jews, ostracizing

them, murdering them socially if not physically, and thus Reform actions in the twentieth-century can in no way be compared to **sicarii** actions in the first-century. For that matter, the converse is equally true. Despite all the hatred they bore against the reformers, there is no evidence to show that **sicarii**-type murder was even proposed as part of any Orthodox agenda. And of course, all such speculation is moot anyway. The vicious racial anti-Semitism of the nazis can be blamed on nothing more than their own arrogant embrace of a life style of hatred and evil. This kind of hatred is not “caused” by anything done by the victims, and it could not have been avoided merely if all Jews had become **haredim** overnight.

The Names and Identities of the Extremists

Now the discussion in Tractate **Yoma** must be set alongside another treatment of the Temple destruction, this one found in **Gittin** 55b-59a, the location of one of the four versions of how Yohanan ben Zakkai managed to escape from the besieged city of Jerusalem. This passage also contains a theme known to us from Josephus about the actions of **sicarii** during what must have been a wretched time for all Jews. Josephus has recounted that the extremists had so horrified fellow Jews that many of the latter risked their lives in escape attempts, preferring to deal with the Roman enemy rather than to face the murderous extremists among their own people inside the city.³⁷ The Talmudic evidence in **Gittin** indicates that Josephus may have been close to the mark. The sad account of the Jewish fanatics burning the grain supply of the city and killing those who attempted to escape is buttressed by the Talmudic recounting of several details.

With respect to the precise identity of these Jewish rebels, the evidence is both scattered and complicated, and we must reckon with five pairs of functional and semantic equivalents.

[1] The discussion in **Gittin** employs a Hebrew term (בריונים) which expresses approximately the same semantic field as Greek **lestai**; each is a general term for brigand or bandit or outlaw. The Hebrew word appears to be an umbrella term covering all terrorists who were involved in military opposition not only against the Romans but also against all other Jews who attempted to collaborate with Rome. Thus we have to deal with the semantic equivalency of Hebrew בריונים and Greek **lestai**.

[2] A second functional semantic equivalency surfaces in the parallel accounts in which Josephus chronicles the murder of the former High Priest Jonathan. First, in **The Jewish War** (2:254-257), Josephus describes the murderers of Jonathan as **sicarii**. But in his parallel account (**Antiquities** 20:162-166), the culprits are identified as **lestai**.

[3] In Mishnah **Makhshirim** 1:6, **sicarii** (סיקרין) are equated with “thieves” (גנבים) from whom Jerusalemites had been compelled to hide their food.

[4] While the culprits who had set fire to the granaries during the siege of Jerusalem are titled בריונים in **Gittin** 55b, as we have seen, this same deed is attributed to the **sicarii** in **Avot de-Rabbi Nathan**.

[5] When these four functional equivalents are charted, their intricate semantic relationships become undeniable, but our basis for using them interchangeably derives from

the exact equivalency that is drawn in **Gittin** 56a between Aramaic אבא סקרא “the father of the **sicarii**” and ריש בריוני “the head of the **biryonim**”.

Biryonim	Lestai
Sicarii	Lestai
Sicarii	Ganavim
Biryonim	Lestai
אבא סקרא	ריש בריוני

Before concluding this survey on the vocabulary of extremism, we must comment on the related word **sicaricon** (סיקריקון) which is used in the Mishnah for the **Gittin** text (55b) to denote a Roman (soldier?) who extorted property from a Jew or who extorted money before releasing title to the property of a Jew. There is little doubt that **sicaricon** and **sicarius** (sg. of **sicarii**) are based in the same Latin root.³⁸ But the two words are carefully distinguished in **Gittin**, one with reference to **Jewish** terrorists and the other with reference to **Roman** extortionists.³⁹

Turning once again to the **Gittin** discussion, two things of great interest become apparent. The first is the picture of the **בריונים** not only running roughshod over the wishes of the majority, but pointedly refusing the advice of the rabbis. In fact, it is immediately after the rabbis had expressed their belief that victory against the Roman army was an impossibility that the drastic action of destroying provisions occurred. But second, we are also given a vivid picture of what Yohanan ben Zakkai’s own nephew, depicted as the leader of the **biryonim-sicarii**, truly feared. It was not the Romans but his own men. When pressed by his uncle to order an end to the starvation of the people, his response was plain: “if I say a word to them, they will kill me.”⁴⁰ The basis for his fear is borne out by subsequent events, for when Yohanan ben Zakkai was being carried out of Jerusalem in a casket, it was the Jewish fanatics who demanded evidence that he was actually dead.⁴¹

It is not surprising, therefore, that the Talmudic conclusion about the destruction of the Second Temple was that it, unlike the first destruction, could not be related to any form of divine retribution for “sin.” Instead, the sages found the cause for destruction in 70 CE to rest in the realm of relations between Jew and Jew rather than between Jew and God.⁴²

Rabbinic Opinions of the “Hall of Fame” Zealots

In the opening of this article, I presented five famous persons from the era of biblical and early classical Judaism. As noted, each man acted with great zeal for his own understanding of true faith in God, not stopping short even of acts of murder. But Jewish tradition has not been unfailingly kind to all of these heroes, as the following survey indicates, apparently because more than one sage found it difficult to explain the rashness of some of the actions recounted in the classical sources. Three of the heroes draw special attention.

We turn first to Phinehas.⁴³ The biblical view is consistently positive in its analysis of his precipitous action, and the same must be said about the **midrashim**; here too virtually nothing negative may be found. Talmudic discussions are not so straightforward, as both the **Yerushalmi** and the **Bavli** offer commentary on **Mishnah Sanhedrin** 9.6 that must be interpreted. The Mishnaic statement appears simple: **הבועל ארמית, קנאין פוגעים בו** “He who marries a Syrian woman, zealots punish him.” But it bristles with semantic difficulties. The root **בעל** does not usually mean simply to have sexual relations, but to marry.⁴⁴ Yet from the subsequent discussion in the Gemara, the context clearly implies sexual relations in cases where marriage was not involved.⁴⁵ Also, the root **פגע** seems quite unspecific here. It may refer to a simple encounter, or to either a friendly or a hostile confrontation. Neusner translates the phrase, “zealots beat him up on the spot,”⁴⁶ but this hardly does justice to the clear allusion (via the root **קנא**) to the original act of biblical Phineas in Numbers 25:7-8.⁴⁷

And surely it is this allusion that immediately prompts a rather circuitous discussion. First, **Yerushalmi** cites the opinion that Phinehas had acted against the will of the sages (**Sanhedrin** 9.7) and might have been excommunicated had not the holy spirit (**רוח הקודש**) come upon him. By contrast, **Bavli** implicates not just “the sages,” but specifically **Moses**, with the opinion that, when asked beforehand by Zimri whether Kozbi were permitted or forbidden, Moses had forgotten the appropriate **halakha** pertaining to sexual relations between an Israelite man and a heathen woman (**Sanhedrin** 82a) and was unable to answer. But Phinehas personally witnessed the incident and did not forget. When he reminded Moses of the **halakha** that Moses himself had brought down directly from Sinai, Moses instructed him (Phinehas) to carry out the appropriate punishment.

In this exchange between Phinehas and Moses, there are also overtones of censure for Moses having married “the daughter of Jethro.” But a larger question lies just beneath the surface. Both the **Yerushalmi** statement about the near excommunication of Phinehas and the **Bavli Gemara** indicting Moses appear to be expressions of opposition to the idea that a one-time only biblical event might be used to undermine the authority of the **bet din**. In fact, **Bavli** seems to tie back to the difficulty expressed in **Yerushalmi** quite specifically in the form of a long discussion about the necessity of involving the **bet din** before action can be taken in any kind of capital case. And even though they are unwilling to issue an *ex post facto* denunciation of Phinehas, it is clear that the sages of the **Bavli** do not wish to allow his act to become paradigmatic. This is underscored by the opinion that a **bet din** might not give its approval to a sentence of capital punishment in every case, as well as by the caution that Zimri himself might have killed Phinehas (!) with immunity under certain conditions.⁴⁸

It thus seems clear that the sages had some difficulty giving blanket approval to the act of Phinehas. Apparently they realized that his act, which today might be classified in the vigilante file, bid fair to set an uncontrollable and dangerous precedent. That is why they went to such lengths to define carefully and exactly what had been done, as well as the extreme and unique circumstances of the biblical event. It is in this light that we must appreciate the limits they placed on future situations of this nature.

It is not at all surprising to learn that tradition often criticizes Saul,⁴⁹ but it seems almost inconceivable that the pious Samuel would ever draw a negative word from any sage or commentator in Judaism. Yet **Midrash Rabbah** to Numbers 14:1 contains the following:

“R. Abba b. Kahana pointed out that three transgressions were committed in connection with Samuel’s lamb:⁵⁰ It was sacrificed with its skin, it was too young to be sacrificed, and he himself was a Levite [not a priest].”⁵¹

But it was Samuel’s rash killing of Agag without due process that elicited the strongest response, and once again we discover rabbinic concern about the setting of a precedent that might careen out of control. “Samuel inflicted a most cruel death upon Agag, and that not in accordance with Jewish, but with heathen, forms of justice. No witnesses of Agag’s crime could be summoned before the court, nor could it be proved that Agag, as the law requires, had been warned when about to commit the crime.”⁵²

It is also quite difficult to uncover anything negative being said about the great prophet Elijah. In fact, he is universally excused for the one technical *faux pas* which he committed by offering a sacrifice on an unauthorized altar (1 Kings 18:31ff), as part of a general view that the word of a great prophet can set aside even torah legislation under controlled conditions.⁵³ Of greatest interest for our subject, however, is the tradition that reflects a continuation of the close biblical association between Phinehas and Elijah. It is an association that threads two ways, extending in one instance to the identification of Elijah the prophet as also a Phinehas-like priest,⁵⁴ and implying the assumption into heaven of Phinehas *a la* Elijah.⁵⁵ Nevertheless, elsewhere even the ascension of Elijah is denied;⁵⁶ he is punished severely for revealing secrets about the mystical powers of prayer;⁵⁷ and he is castigated for the presumptuousness of thinking that he alone had been righteous,⁵⁸ an indication that his impetuous act of mass murder might have been committed without paying proper respect to God. Thus despite the overwhelmingly positive attitude of all Jewish sources towards Elijah, there still exists the hint of concern on the part of the sages that his act might be misinterpreted, that a less worthy “prophet” might seek to emulate the extreme measures Elijah had once deemed unavoidable.

This material about Phinehas, Samuel and Elijah, coupled with the overview of Talmudic disapproval of the inner-Jewish conflicts during the siege of Jerusalem, teaches us that great care must be exercised when formulating opinions about Jewish zealotry. Extreme acts of even the most pious of all Jewish figures were not accepted uncritically and allowed to become paradigmatic models that would lead to extreme and uncontrolled actions. In addition, the concern of the rabbis with the methods of these great heroes seems designed to issue a caution to Jews of every era who would employ extreme methods—including murder and ostracism, excommunication and economic oppression—in the rush to procure victory at any cost for their own particular monolithic view of Judaism.

Jew vs. Jew in the Interim

To this point, I have discussed the murder of Jews by Jews during the biblical era and during events of the first century CE, and I have exemplified some of the ways in which these stories were interpreted in various traditional sources, because I believe such a survey should precede and inform any attempt to sketch a background against which the extreme sectarianism (sometimes exploding into violence) of our own era might be understood. It would be misleading to imply that all Jew vs. Jew hatred ceased for eighteen centuries after

the defeat of bar Kosiba. But because it would be impossible in one article to review all of the conflicts among Jews that have occurred since 135 CE, I have chosen to offer a brief survey of three different circumstances in which such conflict rose to the surface.⁵⁹ An examination of the several factors shared in common among these three illustrations will reveal both similarities and differences between the methods of dealing with dissent after the first century. These post-talmudic centuries attest numerous methods that qualify as extreme, including invective, excommunication, the threat of withholding rabbinic approval for life cycle events, and especially harsh and uncompromising *ad hominem* attacks in denunciation of Jews who differed from the majority. But **murder** of a Jew by a Jew was not an option, even in the fiercest of battles over ideology.

Saadia Gaon and the Karaites

The rise and development of the eighth-century Jewish schism known as **Karaism** provides the material for our first case study in the methods of dealing with fundamental disagreements within the broader Jewish community. Nothing could be more basic to Rabbinic Judaism than the value and sanctity of post-biblical rabbinic thought, particularly in the Talmud; for a group of Jews to deny *in toto* the spiritual value of this literature was an assault that could not go unmet, because it struck at the very heart of Judaism. The way in which rabbinic Judaism responded to the “Bible only” stance of the Karaites is altogether different from the way in which first-century Jews had settled their differences. At the risk of over-simplifying a complex issue, let it be said that the weapons brought against the Karaites by the Rabbanites were primarily intellectual and literary. For example, the brilliant Saadia Gaon responded to the “Bible only”⁶⁰ emphasis of the Karaites by offering his own translation of the Scriptures into Arabic, thus making accessible to far larger numbers of people the literature about which the great debate was raging. Saadia also penned an authoritative work on the *hapax legomena* of the Bible,⁶¹ using literary examples to illustrate that even the meanings of key **biblical** vocabulary could not be understood without the help of the **Mishnah**.

Along with these two specific steps taken by Saadia, a third battle front developed. The Karaites:

took up the scientific study of Hebrew, developing Hebrew philology to an advanced stage and liberalizing the entrance requirements into Karaism in much the same way Paul liberalized entry into Christianity. The rabbis countered by trumping the Karaite ace. They studied Hebrew even more assiduously, developed even better Hebrew grammars, made the Bible even more accessible to the people, interpreted laws even less stringently.⁶²

It is certainly true that Saadia viewed the Karaites to be heretics, that he pronounced a strict proscription on many forms of social and religious interaction with them. And it is demonstrable that his opposition to them had real social cost attached to it. All that notwithstanding, one fact remains. “On both sides the battle was waged with great ardor and often with a lack of objectivity; however, it remained a war of words and scarcely ever degenerated into physical violence.”⁶³

The Hasidim and the Mitnaggedim

The history of the Hasidim does not need to be repeated here.⁶⁴ But there is one aspect of the movement that bears directly on the subject at hand, and that is the sharp controversy which the new movement engendered with the ruling rabbinate of the times. Rabbi Elijah ben Solomon, the famous “Vilna Gaon” of Lithuania, became a central figure in this controversy.⁶⁵ As we saw above, the Karaites had wished to forego the study of Talmud in an attempt to return directly to biblical authority, but had nonetheless devoted themselves assiduously to rigorous study. By contrast, the chief doctrine of the Hasidim centered around the idea that personal piety was superior to **all** forms of scholarship and study. The resultant personality cults that grew up around the Baal Shem Tov and many successors were deeply troubling to the serious and staid Rabbis of the day. It has been argued that one of the reasons for the fierce opposition to the Hasidim was the suspicion that it had, “Shabbatean tendencies.”⁶⁶ This would argue for the view that the Hasidim opponents feared the development of personal attachment to a particular Rebbe as perhaps a form of personality cult.

A watershed date appears to be 1771, the year of a terrible plague that swept through Vilna, when “several hundred children died.”⁶⁷ Determining to their own satisfaction that the plague had been caused by the spread of Hasidism, Vilna Jewish authorities, headed by the Gaon himself, proclaimed a **חרם** against the Hasidim. A counter **חרם** was quickly issued by the Hasidim, books were burned by both sides, and the fight intensified. Wording from a 1781 **חרם** against the Hasidim includes the following: “They must leave our communities with their wives and children ... and they should not be given a night's lodging; their *shehitah* is forbidden; it is forbidden to do business with them and to intermarry with them, or to assist at their burial.”⁶⁸

Now it cannot be doubted that such a decree must have produced severe hardship upon many a Jew identified with the Hasidim. For persons to be unable to make a living, to be barred from participation in the closed societal structure into which they had been born, to be prevented from celebrating the major life cycle events stretching from birth to **bar mitzvah** to marriage to proper burial--these were serious punishments for the average Jew to endure. And there seems to have been little of the milk of human kindness to soften any of the rhetoric spewed forth by both sides. Indeed, a further example of the depth to which the animosity of the rabbis against the Hasidim reached is exemplified by an incident when the Vilna Gaon left his own town secretly, rather than meet with two Hasidic representatives for a discussion that might have eased the tensions. “By refusing to see the two representatives of the *chassidic* movement, the Gaon crystallized the controversy that would be synthesized only many decades later.”⁶⁹ And it is important to note that the chief objections raised against the new movement often had little to do with ideology. Rather, “the *Mitnaggedim* attacked the *Hasidim* because of the way they behaved.”⁷⁰

Yet another aspect of the controversy was the practice **by each side** of denouncing the other to the secular authorities, “leading to arrests of various hasidic leaders and mutual calumnies of a grave nature.”⁷¹ And even though there is no warrant for supposing that

these methods should be viewed as the equivalent of first-century murder, this meanness of spirit vented against the Hasidim never did abate until a more dangerous “foe” arose, a foe against which both sides would make common cause in opposition. I speak here of the advent of the age of the **Haskalah**.⁷²

Rabbi Moses Sofer and the Reformers

Once again, it is not possible to review the history of the **Haskalah** and the rise of the movement known as Reform Judaism. But one early nineteenth-century (1762-1839) Rabbi in particular, the Chasam Sofer⁷³ of Frankfurt, Dresnitz, Mattersdorf and Pressburg (Hungary) *seriatim*, deserves attention in the context of this article both because of the role he played in opposing Reform and for the methods he employed in his opposition.

The first incident in his life that apparently awakened him to the danger at hand occurred during a trip to Vienna, probably in 1786, when Sofer was still a young man/student. Walking into the parlor of his host, Rabbi Sofer observed the man's daughter-in-law having her hair cut by a male barber. Despite his youth and the fact that he was a guest in the home, he immediately rebuked her for immodesty. Later that same evening, his host explained to the young Rabbi that the infatuation many Jews had with modernity would soon pass, and should simply be ignored in the meantime. But Rabbi Sofer came to interpret the immodest act of the young woman, and the other examples of loose behavior he had observed in Vienna, as somehow to be coupled with the activities of Moses Mendelssohn, the leader of Reform.

As he progressed in his studies to become a leading scholar in his own right, Rabbi Sofer began to view Mendelssohn as more and more audacious and dangerous on many fronts. It was obvious to him, for example, that Mendelssohn's translation of the Bible into German was not for the purpose of helping people learn Bible nearly so much as it was to teach literary German to Jews who knew only Yiddish. And this would enable them to read all kinds of secular literature that was tainted with the poison of the Haskalah.⁷⁴ Further, though he knew that Mendelssohn was well schooled in traditional Jewish texts, he noted that the commentaries of Mendelssohn avoided midrashic explanations and stuck close by the “plain” meaning of biblical texts. This was an insult to his own traditional conviction that midrashic and Talmudic knowledge enabled a scholar to unlock the “deeper” levels of meaning in Scripture, including even those that might appear irrational to the untrained eye.

Almost twenty-five years after his first direct contact with the poison that was Reform, Rabbi Sofer became involved in an issue with far reaching consequences, an issue that offered him the opportunity to vent his now twenty-five year old frustration and anger at the new movement. Following in the wake of changes set in motion by the conquests of Napoleon, many Jews began to be drafted into the German (and other) armies early in the nineteenth century. Jewish soldiers in the region of Westphalia who had difficulty finding kosher food to eat on Pesach, appealed to the rabbinical council of Westphalia, seeking permission to be allowed to eat legumes (*qitniyot*). The ban on legumes was not based on Scripture or Talmud, was fairly recent (probably dating only from the fourteenth century at the earliest), and was a ban that had been temporarily lifted on numerous occasions

previously. When the Westphalian rabbinical council ruled in favor of allowing **qitniyot** for the soldiers, their decision,

was apparently standard and based on broad precedent. However, there was a difference. The rabbinical council was headed by a Reform leader named Israel Jacobson. In his argument, Jacobson developed lines of reasoning based not on *halachah* but rather on his non-*halachic*, Reform point of view. In doing so, Jacobson turned a *halachic* ruling into an ideological weapon against the Torah.⁷⁵

In other words, Rabbi Sofer did not object to the conclusion that had been reached, for he actually admitted that the decision did have, “a background of *halachic* opinion on which to rely.”⁷⁶ Nevertheless, he determined that the decision would have to be overturned because it had been handed down by people whom Rabbi Sofer distrusted **personally**. Their contempt for his way of life meant that they simply had no right to offer **halakhic** rulings of any sort. He meant that nothing they could say would ever have validity, even when they were correct. In other words, since it was clear that the overall purposes of these enemies of Torah were wrong, “the advocates of Reform did not have the right to play with the traditions of Jewish communities,” because they did not evince proper, “appreciation for the worth of that which they sought to change.”⁷⁷

In addition to this specific example, two other issues deserve brief mention. **First**, in the early nineteenth-century, as the Reform movement gained in strength and in numbers, virtually every Jewish community in Europe seeking a rabbi found itself faced with the dilemma of choosing either an Orthodox student or a student from within the Reform movement. One part of the Orthodox response to this challenge was to devolve upon their rabbinate greater authority than it had ever wielded before. And to support this stance, Rabbi Sofer issued a formal ruling that “a rabbi had the right to bequeath his position to his son (as he himself eventually did).”⁷⁸ Such a system of succession was designed to guarantee a depth of **halakhic** continuity never before seen, for a new rabbi was not really new at all, but a son who had already served a co-regency (!) with his father-teacher before assuming the reigns of leadership alone. That there would be little chance of innovation from the rulings of such men can easily be seen. “The Reform movement manipulated and exploited all changes and all innovations as tools ... to drive a wedge into the Orthodox camp. Rabbi Sofer responded with equal firmness. All change and all innovation was henceforth suspect and forbidden.”⁷⁹ To further clarify his unstinting opposition to Reform in any guise, Sofer coined, “many pungent and pointed epigrams ... which became the slogans of the Orthodox. [I]he best known is his application of the talmudic dictum ‘*Hadash asur min ha-Torah*’ to mean that any innovation, even though from the point of view of *halakhab* it is unimportant, is strictly forbidden simply because it is an innovation.”⁸⁰

Second, Rabbi Sofer, who was “firmly opposed to the learning of general studies,”⁸¹ faced an attack from Reform leaders who wanted to close down his Yeshiva because of the narrowness of its curriculum. At a time when the political status of Jews in Europe was a topic of great debate both in legislative halls and in newspapers, a dichotomy formed in the minds of many Jews. On one side were those who believed that the gaining of greater civil rights for Jews justified a movement on their part to reform and modernize many aspects of

their religious and social practices. On the other side, many Jews seemed to feel that a permanent status as second-class citizens was a small price to pay for the opportunity to remain loyal to Torah as they understood and practiced it. The curriculum of Jewish educational institutions went directly to the heart of this debate. Rabbi Sofer himself “viewed the very aspiration for equality as a sign of dissatisfaction with the traditional way of life of the community and a desire for partial assimilation with gentile culture.”⁸² In the end, the opponents of Rabbi Sofer could not force the closing of his Yeshiva, nor could he simply wave his rabbi’s wand and make them disappear.

Approaching the end of his life, and seeing absolutely no possibility of rapprochement with his opponents, the rabbi wrote the following: “When these Reformers first appeared and began to change customs and to begin all sorts of things that had never been done before, I argued with them. But now, after all these years, I see that there is no point in trying to communicate with them. They are lost to the Torah.”⁸³ In this frame of mind, Rabbi Sofer wrote, “If we had the power, in my opinion, we should thoroughly expel such people from our community.”⁸⁴ But nowhere is there found a more poignant expression of Rabbi Sofer’s soul than in the final will and testament which he addressed to his son. Two of his statements stand out. They are included here without comment.

“Do not touch the books of Moses Mendelssohn.”⁸⁵

“Do not say that the times have changed. We have an old Father, blessed be He. He does not change and He will not change.”⁸⁶

The challenge of the **Karaites** had been met by rigorous scholarship and open, if confrontational, debate about the issues involved. The views of the **Hasidim** had evoked sharp and bitter responses, including official bans that brought hardship to those who were sympathetic with the views of the *tzaddiqim*. Orthodox animosity against **Reform** was so bitter that innocent Jewish soldiers could be denied the right to eat otherwise acceptable food, not because the Reform rabbis had rendered a halakhically incorrect opinion, but simply because they were Reform rabbis and served on a rabbinical council whose rulings could not be accepted even when they were correct! Yet despite this unequivocal evidence of undying animosity between Reform and traditional Jews, there is no evidence that either side imagined the option of killing people on the other side.

Toward A Definition of “Jewish” Extremism

There are two ideas in classical Judaism that need to be examined in tandem, even though they are often left unconnected in biblical studies. The first involves the fact that from early times, the great thinkers of Judaism have been concerned to discover an adequate definition of “true religion,” a definition that makes a sharp distinction between “us” and “them,” the “true” and the “false,” between “God” and an “idol” which the prophets would dub a “no-god.” The second idea must be made a correlative of the first: the classical expression of the history of our acquisition of a special land includes descriptions of wholesale slaughter of non-military populations, including women, children and even innocent animals.⁸⁷ Recent studies have begun to flesh out our understanding of some of

the formulaic language that is used in the Bible to describe such scenes, and it now appears that three specific points must be underscored.

First, insofar as there was a “conquest” of Canaan, it was a campaign designed to topple a political system tied to Baalism and to install an alternate system loyal Yahwism. In other words, it was a **SYSTEM** of government that was toppled in one small city-state after another; evidence of a full scale extermination of local populations is simply lacking.⁸⁸ In fact, the major political problem of the centuries immediately following the “conquest” was the continuing presence of substantial numbers of people who had not abandoned Baalism to adopt Yahwism. Had a campaign of complete extermination of such people occurred at the outset, there would have been none of these non-Yahwists left to oppose Israel and Judah for 400 years.

Second, the biblical evidence is clear on the point that the new system (Yahwism) was designed to replace the old systems of city states headed by petty human kings whose loyalty was to “false” gods, and whose people lived in a political system that was built upon a foundation of economic and societal inequities. In fact, the numerical growth of the new sociological construct must be seen to have derived from those citizens who, disaffected and pushed “outside” by the existing systems in Canaan, eagerly adopted the new construct with its promise of justice and equality, a promise guaranteed by the new deity, YHWH. In particular, the idea of a land that was “holy” because it was owned by God rather than the king, was appealing to those who stood outside the corridors of power in the old systems. In the new system, human possession of land came to be identified as a gift from the owning God, not dependent upon the mood swings of a king or the vagaries of political fortune. And such land possession was perceived in the new system to be a political right extended equally to all participants (“tribes”).

Third, the rules of the new society stipulated that all members of the new structure of Yahwism, from leaders on down, were themselves subject to the exact same punishments and strictures imposed upon others, should they ever choose to abandon the new construct and its deity YHWH to chase after the old (false) gods of the prior Canaanite structure. The issue was not about race or ethnicity any more than it was about “class” or social status. What counted was obedience to YHWH alone, with its accompanying obligations to produce a society of justice and holiness in response to the demands of YHWH.

It was peculiarly the province of the great writing prophets of Scripture to address the question of what constitutes an appropriate response to YHWH in the light of His demands. From at least the time of the eighth-century BCE, we observe the prophetic rejection of any external standard as a guideline for measuring society’s acceptability to God. To preachers like Amos, Hosea and Micah, no particular method (**minhag**) of praying or **halakhic** precision in offering animal sacrifices could compensate for societal actions of injustice and oppression. For that matter, how or if people performed the national cultic liturgy, as well as when or how or if they celebrated special religious days also became secondary. The new deity could not be controlled by His human partners simply through their forms of worship. What mattered to these prophets was exclusive human loyalty to YHWH, producing a society of justice and holiness. This they believed would produce appropriate conduct individually and corporately.⁸⁹

The shrill railings of the New Testament gospels against what they perceived as the spiritually meaningless **halakha** of “the Pharisees” are well known and oft repeated.⁹⁰ Much less well known is an extended talmudic discussion in which the rabbis themselves discuss the spiritual shortcomings of several different types of Pharisees well known in their day. Nestled in the middle of a long discourse on various difficulties between a man and a wife suspected of adultery lies a summarizing pearl of distilled **tannaitic** wisdom of the type that is so familiar in talmudic formulae, especially in **Pirkei ’Avot**: “These things wear out the world: a stupid **hasid**, a cunning rogue, a female Pharisee and the blows (or wounds) of the Pharisees.”⁹¹ In the subsequent **Gemara** discussion, each of these phrases is defined.

The “stupid **hasid**” (חסיד שוטה) is a man who, when a woman is drowning in a river, refuses to look at her and thus rescue her from death .

The “cunning rogue” (רשע ערום) may be one of several possibilities. [1] He “explains his case to a judge before the other party to the suit has arrived.” [2] He gives a poor person just enough money to tip him over the official poverty line, thus making it impossible for him to receive charity that he still needs. [3] He offers fraudulent advice about the sale of land to be inherited. [4] He induces gullible people to follow him by pretending to a level of piety that is false. [5] He interprets **halakha** leniently for himself and restrictively for other people. [6] He studies **Tanakh** and Mishnah but does not seek a teacher for additional learning.

The “female Pharisee” (אשה פרושה) is variously a woman whose sexual or social mores are questionable.⁹²

And so we come to “the blows of the Pharisees” (מכות פרושין) as the final cause of the destruction of the world. The **Gemara** explaining this phrase lists seven different types of Pharisee, and appends a description to each type.

[1] A “**Shikmi**” Pharisee receives two alternate explanations. In **Bavli**, such a person is like the citizens of the ancient town of Shechem, who were forcibly circumcised (Genesis 34). **Yerushalmi** sees the word as a parody of those who exhibit great ostentation by carrying their **halakhic** obligations in plain view on their shoulders.⁹³

[2] A “**Nikpi**” Pharisee is identified as one who “knocks his feet together” (מנקיף) attempting to effect a gait of exaggerated humility.

[3] A “**Kiza’i**” Pharisee may be either a “bleeder,”⁹⁴ or an “accountant,”⁹⁵ depending upon the derivation of its root. So **Bavli** appears to be describing a man who runs face-first into a wall to avoid looking at a woman, while **Yerushalmi** views the **Kiza’i** as a person who performs one bad deed for each good deed, carefully keeping track of both types.

[4] A “**Medokhya**” Pharisee receives his designation, “pestle,” because he walks as if his head is bowed down into a “mortar” (מדוכיא) another apparent reference to false humility.

[5] A “**Mah Hovati**” (“what is my obligation?”) Pharisee, we are told, is the kind who pretends to have fulfilled every possible religious obligation, and arrogantly runs around pretending to search diligently for something else to do in order to impress people with his piety.⁹⁶

[6] [7] To complete the number seven promised at the outset of the discussion, Pharisees “from love” and Pharisees “from fear” are listed. But immediately thereafter, we

learn that these last two types are examples that “do not belong on this list at all.”⁹⁷ And we are also told why they do not fit. Study of “torah,” and “commandments,” even performed for unworthy motives, must be encouraged. And we are also assured that “The Great Court” (דינא רבה) will separate the true Pharisees from those who pretend to a piety that is false .

Before the discussion returns to the husband-wife disputes into which the listing of the seven types of Pharisee has been rather artificially inserted, a final “historical” reminder is appended to round out the Pharisee issue. King Alexander Jannaeus, we are reminded, advised his wife from his death bed in the following way: “Do not fear the Pharisees or even the non-Pharisees, but [fear] the hypocrites⁹⁸ who pretend to be Pharisees.”⁹⁹ It is difficult to imagine a talmudic passage that is more “prophetic.” And we must remember that all of the contributors to these definitions, these careful delineations of false pharisaical conduct, were themselves Pharisees! All of them were doubtless aware of the New Testament polemics that tarred them with such a broad brush. Yet still they could not ignore the necessity of condemning false behavior, and specifically false behavior arising out of improper motives. With great skill and no little sarcasm they underscored the necessity of an appropriate scale of values. Life they placed above all else, followed closely by immersion in torah and commandments. But false affectation, hypocrisy, exaggerated humility—these received their scorn, and they had no doubt that practitioners of such falsity would be unmasked and punished at the proper time. But one looks in vain for anything more than their careful delineation of the issues involved. There is no condemnation of specific opponents, no naming of a particular person guilty of any of the five false types of Pharisaism. Even those whom they believed to be totally wrong were left in the hands of the Great Judge of us all.

CONCLUSION

One of the hallmarks of modern Judaism has been a renewed concern to capture something of the essence of prophetic truth and to preserve the value of rabbinic Judaism along with reasoned analysis. Wherever this has been done, the guiding conviction has been that their ancient teachings speak to the heart of our modern dilemma. As we have seen, neither in biblical nor in talmudic times was it believed simplistically that anyone could determine who is true and who is not true to God simply by counting **TziTzit**, or by the imposition of any other mechanical and external measurement. While the standing of each Jew alone with God has been determined internally at least since the days of Ezekiel, standards of community behavior, canons of purity, customs for the governance of worship and the moderation of societal behavior, have also retained an appropriate place within the sub-ecumene religious system that has come to be Judaism. But such external standards can not be substituted for the inner motivation that guides individual Jews to “practice justice, to love covenantal faithfulness, to walk humbly with God.”¹⁰⁰ About the externals there will always be differences of opinion. That is not to be lamented. The true center of Judaism lies elsewhere, deep in the soul of those who “know the heart of a stranger,” who remember the

feeling of being a slave, who perceive themselves to be partners with God in the massive task of ethical and moral repair demanded by the fragmented cosmos in which we live.

The shame of our day is that some among us still perceive themselves to be the exact opposite of what they truly are. Our initial five examples of biblical zealots were acting in an effort to defend the faith, not to destroy those who disagreed with their interpretation of it. As we have demonstrated, the watershed moment in the history of zealotry was clearly the activities of the **sicarii** during the siege of Jerusalem. For this incident, the talmudic view of Yohanan ben Zakkai is crucial. This became the moment at which the **sicarii** perceived other Jews, including specifically the sages, to be their enemy, and expended most of their effort in an attempt to bully them into an agreement with the **sicarii** cause. Josephus was correct to withhold the honorable title of “zealot” from these extremists, and it is equally misinformed to perceive modern-day **haredim** or other Jewish extremists (from Baruch Goldstein and Yigal Amir to Yo’el Adler and Avishai Raviv) as anything but terrorists, whether their tactics extend to the extreme of murder or remain limited to the denial of full recognition and respect. The task of the Jew is not to seek out and destroy all other Jews with whom some small measure of **halakhic, minhagic**, liturgical or political difference may be articulated. Rather, it is our task to partner with the Almighty for the betterment of the world. On this taskforce, surely there is room for all.¹⁰¹

Notes

¹**Jerusalem Post Internet Edition**, Feb 19, 1999.

²Newspapers and magazines from Israel and America regularly feature columns by one or more sides in the debate. **The Jerusalem Post Internet Edition** offers a regular column under the byline, “The Haredi View,” and often carries religious points of view ranging from the extreme right to the far left of the **haredim**. **Ha’Aretz Daily Internet Edition** (available in Hebrew or English) seldom prints an issue without some attention to such matters. Likewise, a variety of quarterly and monthly periodicals in North America (from all major denominations) almost always have something to say on the subject.

³I am struck by the deft wording of Paul Tillich: “A Fundamentalist is someone who makes a theological dogma out of his ignorance.” See **A History of Christian Thought: From Its Judaic and Hellenistic Origins to Existentialism** (New York: Simon and Schuster, 1978), p. 310. The standard exposition of fundamentalism in the field of biblical interpretation is by James Barr, **Fundamentalism** (London: SCM Press, Second Edition, 1981).

⁴Including for Jewish fundamentalists, the **Talmud** and certain acceptable summations or interpretive keys like the ***Shulhan Arukh*** or the thirteen ***Middot*** of Rabbi Ishmael.

⁵This particular concept is discussed more fully below in the section on the Rabbi Moshe Sofer. Here we may note his idea that there is no difference in importance between what might be perceived as an insignificant custom and an explicit biblical prohibition.

⁶(**Shabbat** 112b).

⁷Paul Tillich, **The Courage To Be** (New Haven: Yale University Press, Forty-second Printing, 1975). p. 49.

⁸Tillich, **The Courage To Be**, pp. 49-50, emphasis added.

⁹As both 1 Samuel 15:22-23 and 1 Chronicles 10:13 make clear.

¹⁰As the use of the word שחט indicates!

¹¹Note קנא קנאתי ליהוה in 1 Kgs 19:10, 14 .

¹²Greek **ezelosen**, which **Jerusalem Bible** translates, “he was fired with zeal,” is the standard LXX choice to render Hebrew זנק in the passages under consideration. For example, the **zelein** זנק-pairing is attested four separate times in the LXX of the Numbers story, and the word **diatheke** is attested in Numbers 25:12.

¹³Scholars continue to debate the identification of the community once located at Qumran with the Essenes of Josephus (and Philo and Pliny). See the argument of F. M. Cross in **Canaanite Myth and Hebrew Epic** (Cambridge, MA: Harvard University Press, 1973, pp. 330-332).

¹⁴In particular, the research of Richard A. Horsley has spoken to this question. See, for example, his “The Sicarii: Ancient Jewish Terrorists,” **Journal of Religion** 59 (1979): 435-58. More recently, David Rhoads conveniently collects basic bibliography and offers a balanced assessment of the current issues under debate in his “Zealots,” **ABD** VI:1043-1054.

¹⁵This distinction I am drawing here between “zealots” and “**sicarii**” is developed at length by Richard A. Horsley and John S. Hanson. See their instructive chapter, “Fourth Philosophy, Sicarii, Zealots,” in **Bandits, Prophets and Messiahs: Popular Movements in the Time of Jesus** (Harrisburg, PA: Trinity Press International, 1999).

¹⁶**Wars** 2:254-5; 2:245; **Antiquities** 20:186-7.

¹⁷The location of this well known opponent of Rome in Galilee may have set the tone for Roman suspicion of Jesus, who hailed from the same region.

¹⁸Latin **sicarii**, Greek **lestai**.

¹⁹Known classically not only from Josephus, but from Philo and from the pagan author Pliny the Elder and others. For details, see conveniently John J. Collins, “Essenes,” **ABD** II:619-626.

²⁰We must compare Matthew 26:3, where those who feared Jesus are, “the chief priests and the elders of the people,” with the much later John 11:47, where, “the chief priests and the Pharisees,” are the opponents of Jesus.

²¹**Antiquities** 18:23-24. See also “Zealots” in **Encyclopedia Judaica**, CD-Rom Edition.

²²The account of this incident has been preserved in four separate versions which attest not a few substantial differences and variants. For details, see “Johanan ben Zakkai,” **Encyclopedia Judaica**, CD-Rom Edition.

²³In private correspondence, Professor Carl S. Ehrlich has noted that, “the story of Josephus parallels that of Yohanan, and yet the former was forgotten by Judaism for centuries while the latter was quasi canonized.” I believe the reason for the difference is that Judaism perceived Yohanan as having contributed to her sacred “torah” and having played a crucial role in her survival, while Josephus offered nothing of comparable value to Judaism, and was perceived as having acted only in his own self interest.

²⁴**Antiquities** XVIII.4.

²⁵That the Pharisees inflicted punishment on offending members, as did the Essenes and presumably all other definable groups, is not to be doubted. But here the opinion of Josephus is instructive. According to him, the Pharisees were, “not apt to be severe in punishments” (**Antiquities** XIII.X.6).

²⁶**Eruvin** 13b.

²⁷This is made clear in **Eruvin** 6b.

²⁸Mention of Professor Gordon is appropriate in this essay for another reason. In 1972, when University of Massachusetts Jewish leaders were attempting to found the program, Dr. Gordon was consulted directly and offered guidance on many issues. He it was who recommended me, at the time just completing my Ph.D. work with him at Brandeis University, to be the first Assistant Professor of Classics/Judaic Studies at U. Mass. For his confidence in me and for countless other ways in which he contributed to my life and to my education, I still owe him a debt of gratitude which I can never properly repay, but which I hereby acknowledge.

²⁹The earliest **amoraic** Midrash extant, perhaps as early as the mid 3rd century BCE.

³⁰**Antiquities** XVIII.1, emphasis added.

³¹**Antiquities** XVIII.1.

³²Shmuel Sermoneta-Gertel has called to my attention the modern splinter group that has chosen to call itself the **Sikarikim**. The leader of the group, Yo’el Adler, is well known to

Israeli authorities, as is his penchant for trying to make known his obscure political points of view via the employment of petty terrorist tactics. An article in **Ma'ariv** (4-11-99) entitled **המשימה הסודית של אבישי רביב** (“The Secret Mission of Avishai Raviv”) details their practice of setting fire to the doors of suspected “liberals,” and the sending of letters containing threatening slogans (**שיגור מכתבי איום וציורי סיסמאות**) to well known Israeli personalities. The same article also suggests an intriguing, though unproven, link between Raviv, the young “lieutenant” of Adler, and a failed plot (in 1990 (to assassinate Prime Minister Rabin. Also not to be overlooked is the connection between this splinter group and the **haredi** political party (**מפלגה חרדית**) a connection also made specific in the **Ma'ariv** article. Their choice of a name indicates quite a twisted perception of history. The classical **sicarii**, whose legend they seek to appropriate, were largely responsible for the **loss** of the “holy land,” not its preservation and retention.

³³Referring of course to the destruction of the Temple in 70 CE and the catastrophic end of the messiah-ship of Bar Kosiba in 135.

³⁴The pseudepigraphic **Ascension of Isaiah** records the story that Manasseh even had the great Isaiah of Jerusalem sawn in half, a tradition perhaps lying behind Hebrews 11:37 and also reflected in the writings of several early Church Fathers. Several Talmudic references to this tradition are also attested (e.g., TB **Yev.** 49b and TJ **Sanh** 10:2, 28c).

³⁵Translation from Jacob Neusner, **The Talmud of Babylonia: An Academic Commentary**, V: **Yoma** (Atlanta: Scholars Press, 1994), p. 29.

³⁶See references in note 30.

³⁷See especially his chapters, “Factions in Jerusalem” and “Atrocities in the City,” in the Penguin Classics edition of **The Jewish War**, translated by G. A. Williamson (Great Britain: C. Nicholls & Company Ltd, Revised and Reprinted in 1972).

³⁸Cf. Reuven Alcalay, **The Complete Hebrew-English Dictionary** (Jerusalem: Massada Publishing Co., Second Edition, 1975), p. 1766. Note also the lexical connection drawn by Avraham Even-Shoshan, **מלון חדש**, Jerusalem: Kiryat Sepher Ltd., 1959), Vol. III, p. 1091 .

³⁹This may account for the lexical distinction made by Marcus Jastrow, **A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature** (New York: Jastrow Publishers, 1967). Jastrow attempts to derive Hebrew **סיקריקון** from Greek **kaisarikion** [from “Kaisar” = Caesar], to mean “property confiscated by the Roman government” (p. 986). But this derivation involves a metathesis of **ס** and **ק** for which there is no warrant and no orthographic precedent, as shown already by Sigmund Krauss , **Griechische und lateinische Lehnwörter im Talmud** (1899), Vol II., p. 392).

⁴⁰But we should note here the account in **Lamentations Rabbah** (1:5, #31) about Yohanan’s reaction to the burning of the city’s food supply. After expressing sorrow by exclaiming the word “Woe,” he was hauled before Ben Battiah to offer an explanation for his word, and felt constrained to lie to his own nephew, telling him that he had exclaimed “Wah,” an approving sound, rather than a disapproving “Woe.” The story appears to assume that Yohanan’s nephew (here called Ben Battiah rather than Abba Sikra as in T.B. **Gittin**) would have killed his own uncle merely for the expression of disapproval for an extremist act.

⁴¹They were prevented from penetrating the undercarriage of the casket with a lance only by the quick thinking of Abba Sikra (Ben Battiah), who was accompanying the “pall bearers.” Of course, the legendary features of the story are undeniable. What is important is not whether such an event truly occurred in the case of Yohanan ben Zakkai, but the clear witness of the legend to the belief in the murderous intentions of the **sicarii** even with respect to a great sage.

⁴²We should note the famous rubric of the sages, that the destruction of Jerusalem came about because of something as insignificant as a **קמצא** and a **בר קמצא**, literally “a locust and its offspring.” This is not a different explanation from the conclusion that “groundless hatred” precipitated the destruction, but their assessment of the tragedy of losing the Holy City over such a trivial matter

⁴³Shmuel Sermoneta-Gertel has discussed this section extensively with me and has furnished numerous sources for my consideration. I wish to offer him my thanks, and to acknowledge my debt to him, without making him responsible for any errors to be found in the conclusions I am drawing here.

⁴⁴As in fact “R. Ishmael taught: ‘This is one who marries a gentile woman and produces children’.” (**Yerushalmi, Sanhedrin** 9.7).

⁴⁵And so both **The Soncino Talmud** and Jacob Neusner in **The Talmud of the Land of Israel**, III-B (Atlanta: Scholars Press, 1996), p. 91.

⁴⁶Jacob Neusner, **The Mishnah: A New Translation** (New Haven and London: Yale University Press, 1988).

⁴⁷As Herbert Danby shows not only with his translation (“the zealots may fall upon him”) but also with his footnote that this would be “like Phineas.” **The Mishnah, Translated From the Hebrew with Introduction and Brief Explanatory Notes** (Oxford University Press, First Edition, 1933).

⁴⁸If, after abandoning his heathen consort, Zimri were still being pursued by Phinehas, it would have been justified for Zimri to kill his “pursuer” (רודף).

⁴⁹**Leviticus Rabbah** 26:7 castigates him sharply for having Samuel recalled by divination; **Esther Rabbah** 1:1 “Proem” # 7 connects Saul’s failure to execute Agag with the later rise to evil power of Agag’s ancestor Haman; and **Ecclesiastes Rabbah** 7:16 chides him for being soft about the need to slaughter a heifer in obedience to YHWH. **Numbers Rabbah** 11:3 praises Saul’s bravery, but notes also that after his disobedience he became a coward. One group of traditions even theorizes that between the end of his lost battle with Saul and the time of his execution by Samuel he sired one last son who became the actual slayer of Saul in the battle of Gilboa (Louis Ginzburg, **The Legends of the Jews**, New York: JPS of America, Fifth Impression, 1968, Vol. VI, p. 234).

⁵⁰A reference to 1 Samuel 7:9.

⁵¹See also **Leviticus Rabbah** 22:9. This translation is from Judah J. Slotki, **Midrash Rabbah** (London: Soncino Press, Third Edition, 1983).

⁵²Ginzberg, **Legends**, IV, p. 68.

⁵³“According to the need of the moment” (לפי שעה) in **Yebamot** 90b.

⁵⁴**Baba Metziah** 114b.

⁵⁵**Midrash Rabbah** to Numbers 21:3.

⁵⁶**Sukkah** 5a, where the intention of the discussion may be a denial of the Christian doctrine of the assumption of Jesus.

⁵⁷**Baba Metziah** 85b.

⁵⁸Song of Songs **Rabbah** 1:6, #1.

⁵⁹Many other issues could be added, such as the controversies that swirled around the great Maimonides. The Fall (1997) **CCAR Journal** includes articles on Maimonides (by Lawrence A. Englander, Michael A. Meyer, Kenneth Seeskin, Roslyn Weiss), sketching some of the controversy that still surrounds his thought. But these controversies did not include physical violence and murder among disputants!

⁶⁰This was not a new idea in Judaism. Apparently the members of the Qumran community (ca. 250 BCE-73 CE) had also denied the validity of “oral torah” [see, “Qumran Hebrew as an Antilanguage,” by William M. Schniedewind, *JBL* 118 (1999):2:235-252]. This was in an era when such discussions were common [cf. both Sadducees and Christians in addition to the Qumranites].

⁶¹His famous **Pitron Shivim Millim**.

⁶²Max I. Dimont, **Jews, God and History** (New York: Signet Books, 1962), p. 204. Dimont's view is very similar to that expressed by Cecil Roth, **A History of the Jews From Earliest Times Through the Six Day War** (New York: Schocken, Revised 1970), pp. 153-155. Bernhard J. Bamberger gives a rather more negative assessment of all Karaite achievements in his section on “Karaism,” in **The Story of Judaism** (New York: Schocken, 1970), pp.143-145. For a different view of the impetus for the interest in Hebrew grammar study, see William Chomsky, **Hebrew: The Eternal Language** (Philadelphia: JPS, 1957), especially pp. 117-120.

⁶³Daniel J. Lasker and Eli Citonne, “Karaites,” in **EJ CD-Rom Version**.

⁶⁴A good brief survey may be found in Bamberger, **Judaism**, pp. 243-249.

⁶⁵Yaacov Dovid Shulman, **The Vilna Gaon: The Story of Rabbi Eliyahu Kramer** (New York: C.I.S. Publishers, 1994).

⁶⁶Joseph Dan, “Hasidism,” **EJ CD-Rom Version**. Rifat Sonsino's recent article, “Shabbetai Zevi: The Fall of the False Messiah,” (**CCAR Journal**, Fall 1996), pp. 71-83, includes a helpful survey of the issues of Shabbetai's conversion to Islam and the residual effects of his career, as well as a good basic bibliography.

⁶⁷Shulman, **Vilna Gaon**, 128.

⁶⁸Dan, “Hasidism,” **EJ CD-Rom Version**. As many modern **poskim** have pointed out, there is no hint anywhere that one is forbidden to marry the daughter of a member of one of these groups, or that a Rabbinic woman was doing anything wrong by staying with her husband, even if he were a member of one of these groups. I believe the case of King Jannaeus' wife may present an instructive earlier parallel here, assuming that King Jannaeus and Johanan the High Priest are one and the same person, as both the numismatic evidence and the descriptions of them in the Talmud would suggest. Thus it would seem that the members of these groups were still considered Jews of good legal standing even after the destruction of the Second Temple. Was marriage permitted between Sadducees and Pharisees, or between Sadducee and Rabbinic families at the time of the Mishnah? Considering the literary silence about any such prohibition, the onus would seem to be on anyone who would claim that there was any restriction of this nature at the time. I have summarized my own view of the evidence here, but wish to acknowledge my dependence on an exchange of private correspondence with Dr. Liz Fried of New York University.

⁶⁹Shulman, **Vilna Gaon**, 129.

⁷⁰Including charges of excessive drunkenness. Dan, “Hasidism,” **EJ CD-Rom Version**.

⁷¹Dan, “Hasidim,” **EJ CD-Rom Version**.

⁷²Shmuel Sermoneta-Gertel called to my attention the excellent chapter on the battle between **hasidim** and **maskilim** by Refael Mahler, “Hehasidut ve-Hahaskalah,” available to me only in the reprinted edition of **Hadat ve-Hehayim**, Edited by Immanuel Etkes (Jerusalem: Merkaz Zalman Shazar, 1993), pp. 64-88.

⁷³A convenient survey of his life and times is presented by Yaakov Dovid Shulman, **The Chasam Sofer: The Story of Rabbi Moshe Sofer** (New York: C.I.S. Publishers, 1992). Even though Shulman is not a rigorous historian, I have chosen to cite him extensively because he is a modern biographer who is openly sympathetic to every goal of Rabbi Sofer, and his treatment captures the deep spirit of animosity born by the rabbi and his followers for everything modern or “Reform.” An independent assessment of Rabbi Sofer’s importance is given by Moshe Shraga Samet (**EJ-CD-Rom Version**): “He finally brought to an end the debate which was being hotly waged as to whether the *Shulhan Arukh* was still to be regarded as the final authoritative code. The principle of complete submission to the *Shulhan Arukh* became one of the fundamental doctrines of **Orthodoxy**. In addition he ruled that from then onward no distinction existed from the point of view of their religious importance between an insignificant custom and an explicit biblical prohibition. Sofer’s attitude made him the undisputed leader of the rabbis of Europe who organized themselves between 1817 and 1821 to frustrate the first efforts of the Reform movement in Berlin, Hamburg, and Vienna. From this struggle which, as a result of his direction, ended in partial success, Sofer emerged as the recognized leader of Orthodoxy, a status which he maintained until the end of his life.” Samet’s article includes primary bibliographic sources for the published works of Sofer.

⁷⁴Shulman, **Chasam Sofer**, 70.

⁷⁵Shulman, **Chasam Sofer**, 162.

⁷⁶Shulman, **Chasam Sofer**, 163.

⁷⁷Shulman, **Chasam Sofer**, 165.

⁷⁸Shulman, **Chasam Sofer**, 199, and see his discussion of the issue in the chapter titled, “Strengthening Orthodoxy,” 197-206.

⁷⁹Shulman, **Chasam Sofer**, 200.

⁸⁰Samet, “Moses Sofer,” **EJ CD-Rom Version**.

⁸¹Shulman, **Chasam Sofer**, 200.

⁸²Samet, “Moses Sofer,” **EJ CD-Rom Version**.

⁸³Shulman, **Chasam Sofer**, 205.

⁸⁴Shulman, **Chasam Sofer**, 206.

⁸⁵Shulman, **Chasam Sofer**, 253.

⁸⁶Shulman, **Chasam Sofer**, 154.

⁸⁷Located chiefly in the early chapters of the Book of Joshua.

⁸⁸I have developed this idea in “YHWH and the Gods of Egypt,” **CCAR Journal**, Winter 1999, pp. 67-80, and in my book, **God’s Scribes: How the Bible Became the Bible** (Pennsylvania: Shangri-la Publications, 1999).

⁸⁹The secondary literature on the eighth-century prophets is enormous. A recent treatment by Moshe Weinfeld sets the question of social justice into the larger context of the ancient near eastern world, and provides useful bibliography: **Social Justice in Ancient Israel and in the Ancient Near East** (Jerusalem: The Magnes Press, The Hebrew University and Minneapolis: Fortress Press, 1995).

⁹⁰Matthew 23:13-36, *inter alia*.

⁹¹Mishnah **Sotah** 3:4.

⁹²An alternate reading from the **Yerushalmi** describes this woman as one who practices excessive fasting, a sure sign that she eschews a conventional, and “proper” life.

⁹³Both explanations involving a word play on the Hebrew root of Shikmi, שִׁכְמִי.

⁹⁴Deriving קִיזָאִי from the root, נִקַּז, as in **Bavli** .

⁹⁵Deriving קִיזָאִי from the root, קִיז, as in **Yerushalmi** .

⁹⁶For this interpretation, see Neusner, **The Talmud of Babylonia**, XVII, **Sotah**, p. 108.

⁹⁷Neusner, **Talmud, Sotah**, p. 108.

⁹⁸צְבוּעִי is from the root צָבַע, the basic meaning of which is “to dye.” The word picture is thus of someone who had dyed himself so as to change his true color.

⁹⁹We are still citing from the discussion in **Sotah** 22b.

¹⁰⁰Micah 6:8.

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