

THE TEMPLE, PURITY, AND THE BACKGROUND TO JESUS' DEATH

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1. INTRODUCTION

From the Holiness Source (H) preserved in Leviticus —or better, the «Priests' Manual» (*Torat Kohanim*)— the people of Israel learned that she must be «holy» because God had challenged them: «You shall be holy, for I the Lord your God am holy» (Lev 19,2). From the time of the Maccabean rebellion in 167-165 BCE and until the destruction of the Temple and its cult in 70 CE, purity became increasingly imposed by Temple priests on all Jews.¹ The priestly aristocracy in the Jerusalem Temple took seriously God's address to Israel at Mount Sinai: «You shall be to me a kingdom of priests and a holy nation» (Exod 19,6).²

In contrast to the Pharisees who were relatively lenient and who seem to have demanded purity rulings only for the Temple's precincts,³ many of the Jerusalem priests and Sadducees, who were genuinely and rightly zealous about purity,⁴ tended to demand of all Jews the holiness once required of only

1. Abbreviations: m = Mishnah, t = Tosephta, j = Jerusalem Talmud, b = Babylonian Talmud.

2. Building on the pronouncement in Exod 19,6, M. Himmelfarb explores the priestly kingdom developed in Palestine during the Second Temple Period: M. HIMMELFARB, *A Kingdom of Priests*, Philadelphia: University of Pennsylvania Press, 2006.

3. J. SCHAPER, «The Pharisees», in *The Early Roman Period*, edited by W. HORBURY, W. D. DAVIES – J. STURDY, *The Cambridge History of Judaism*, vol. 3, Cambridge: CUP, 1999, 402-427; see esp. 407.

4. One needs to be aware of the caricature and denigration of the Sadducees in Rabbinics, which is so Pharisaic as to be a topos (contrast JOSEPHUS, *Ant* 20). See G. STEMBERGER, «The Sadducees», in *The Early Roman Period*, 428-443, see esp. 438-441.

priests. During the First Temple period the high priest was a religious officer.⁵ In the Second Temple period, he also became a powerful political leader⁶ — a role that increased from the time of Herod's death in 4 BCE to 66 CE, when the Great Revolt destroyed civil society and disrupted the crafting of stone vessels and construction of *mikvaot*. Jesus lived during the time when Judea was a theocracy (a neologism invented by Josephus; see *Against Apion* 2.165) and an aristocracy composed of principal citizens, notables, and the principal men of Israel (cf. *War* 2.411 and Luke 19,47).

As we learn from such texts as the *Temple Scroll* and the *Damascus Document*, the high regulations of purity reserved for the priests⁷ and Levites⁸ were extended so they included all in Judaism, whether they lived in the Holy City, Jerusalem, or in Lower Galilee, where Jesus' mission began. Working since the 1960s in Judea, especially in Jerusalem, Qumran, and Jericho, and in Lower Galilee, notably in Kirbet Qana, Jotapata, Gamla, and Sepphoris, archaeologists have discovered numerous *mikvaot* (Jewish ritual baths) and stone vessels (to protect the contents from becoming impure). These expensive architectural features and artifacts prove the preoccupation of Jews with ritual purity,⁹ especially during the time of Jesus from Nazareth.

During Second Temple Judaism (c. 300 BCE to 70 CE), Jews were very concerned with obeying the developing requirements of ritual purity. That meant keeping away from the unclean, the outcast (*mamzerim*), lepers,¹⁰ tax collectors, and especially ordinary women who were impure each month. Early Jewish sources, like the Mishnah¹¹ and Tosephta,¹² report that in Jesus' day

5. After Cyrus' edict, Judea became virtually a «Temple-State». See STRABO, *Geography* C 535-558.

6. H. D. MANTEL, «The High Priesthood and the Sanhedrin in the Time of the Second Temple», in *The Herodian Period*, edited by M. AVI-YONAH (New Brunswick: Rutgers University Press, 1975), 264-81; see esp. 264.

7. See, e.g., Exod 30,19 and 40,31.

8. Recall, for example, the tradition that Levites were cleansed, sprinkled with «water of purification», and shaved with a razor, and (Num 8,6-7).

9. See esp. H. MACCOBY, *Ritual and Morality: The Ritual Purity System and its Place in Judaism*, Cambridge: CUP, 1999 and the impressive bibliography on 216-20; J. MILGROM, *Leviticus 1-16*, Anchor Bible; New York: Doubleday, 1991; J. NEUSNER, *The Idea of Purity in Ancient Judaism*, Leiden: Brill, 1973; ÍD., *A History of the Mishnaic Law of Purities: Ohalot*, Leiden: Brill, 1975; ÍD., *A History of the Mishnaic Laws of Purities: The Mishnaic System of Uncleanness*, Leiden: Brill, 1977.

10. The word for «leper» in Hebrew includes many skin diseases. See Lev 14 (see esp. Lev 14,54).

11. My translations of the Mishnah are from H. ALBECK, *Shishah Sidre Mishnah*, Tel Aviv and Jerusalem: 1954-1958.

12. My translations of the Tosephta are from M. S. ZUCKERMANDEL, *Tosephta*, Jerusalem: Wahrman Books, 1970.

«purity spread out in Israel (*pršh thrh bysr'l*)» (t*Shabbat* 1:14). Concerns for purity became so severe that a tradition indicates some Jews were more obsessed with protecting a knife from impurity than with protecting the life of a human (t*Yom HaKippurim* 1:12; j*Yoma* 2.39.4; b*Yoma* 23a).¹³ These traditions, however, should not be isolated in order to portray an obsession with purity laws.

In Early Judaism (300 BCE to 200 CE) and Rabbinic Judaism, purity is not to be confused with cleanliness. For example, Jews may be purified by entering a muddy pool if it has received fresh water (*mayim ḥayyim*); after this ritual purification, they need to clean themselves by bathing which is the opposite order that is normal (b*Shabbat* 14a). The «pure» (*tahor*) is not necessarily the «clean» (*naqi*). According to the Babylonian Talmud (*Hullin* 10 a), hygienic cleanliness is accorded a higher place than ritual purity, because danger of sickness outweighs prohibitions of impurity.¹⁴ According to Hillel, to take a bath is a pious deed, since he had been created in image of God (*Lev. Rabbah, Behar* 34:3).¹⁵

Impurity is also not to be confused with medical problems. Impurity is a term derived from Torah legislation and is directed only to Israelites or Jews. The Jewish concern to be holy is practical. When one is ritually purified, one may enter places, notably the Temple, and approach meals which are a sacred dimension of human interaction. Thus only Jews can become impure; as MacCoby states: «[N]on-Jews do not contact ritual impurity at all, and are therefore regarded as permanently clean, at least while alive».¹⁶ A Jew is not contaminated by touching a Gentile even if he has carried a corpse.

From the *Temple Scroll*, which took its present shape by at least 76 BCE, we are told that a woman who has miscarried, still bearing the dead fetus, is equivalent to a sepulcher (*kqbr*), the most dangerous source of pollution. When such a woman entered a house, she caused all that was preserved in earthen vessels to be impure and worthless; she even rendered all houses she entered impure (*kwl byt šr tbw' lyw ytm'*; 11Q*Temple* 50:11). With such rigid rules for purity, ordinary relationships break down and social structures collapse. Only wealthy priests, who could devote all their time for fulfilling the rules for purification, could feel confident within such a system. If a woman with a dead

13. I am indebted to Y. MAGEN's «The Stone Vessels in the Sources», *The Stone Vessel Industry in the Second Temple Period*, Jerusalem: Israel Exploration Society – Israel Antiquities Authority 2002, 138-147.

14. MACCOBY, *Ritual and Morality*, 154.

15. I am indebted to MACCOBY for this reference, see *Ritual and Morality*, 155 note 5. Also see J. H. CHARLESWORTH – L. L. JOHNS, *Hillel and Jesus: Comparative Studies of Two Major Religious Leaders*, Minneapolis: Fortress, 1997.

16. MACCOBY, *Ritual and Morality*, 8

fetus can cause a wealthy business man to lose instantly all his wealth, which may have been stored in clay vessels, real dangers lurked in Jewish society during Jesus' day. Pondering this possible scenario makes one imagine how a priest, who had already compromised with Romans, might find a loophole by which the wealthy can escape bankruptcy and imprisonment. Such reflections bring to focus the power and corruption that lurked within some aspects of a sacerdotal aristocracy.

Far too often, purification rules demanded that only a Jew who had ample time to devote to being pure and had the affluence to abide by all the legislations for purity could obey the new regulations. R. Bar-Nathan insightfully contends: «Whereas the affluent used stone vessels, the lower classes made use of earthen and dung vessels».¹⁷ Thus, only the wealthy could afford stone vessels. The lower echelon of society was mired in the new (sometimes anti-Torah) teachings regarding clay and dung vessels. With such insights into pre-70 Palestinian Jewish life, we can better comprehend Jesus' siding with the poor and disenfranchised masses; in the process we perceive the importance of economics in studying the historical Jesus.

How can a modern person begin to comprehend such sociological requirements and hazards? We will focus on the danger provided by a snake, since the snake is often today perceived to be a bearer of impurity and death. In *Purity and Danger*, the influential anthropologist Mary Douglas rightly pointed out that negative values are assigned to animals that wander beyond their designated space or place.¹⁸ The creature, *par excellence*, that is the great barrier breaker is the snake. The snake or serpent is negatively symbolic of the death-giver, chaos, bearer of corruptible knowledge, liar, battler (enemy), devil, and destroyer or impure one.¹⁹ The serpent rapidly disappears from sight behind leaves, beneath the horizon of the water, and even down into the earth (it is a chthonic creature). The snake is perceived to be fundamentally dangerous because it seems to have no assigned place. It is thus paradigmatically different from other animals, whether wild or domestic. The snake easily invades our dwellings and habitually comes through apertures that are invisible to us. The snake has the uncanny ability to slide over or around barriers and remain undetected. This habit helps explain why the serpent, in almost all creation myths,

17. R. BAR-NATHAN, «Dung Vessels and Utensils», *The Pottery of Masada* (Masada VII). Jerusalem: Israel Exploration Society and the Hebrew University of Jerusalem 2006, 238-243; the quotation is on 238.

18. Mary DOUGLAS, *Purity and Danger*, London 1966.

19. The serpent represents 16 negative symbolic meanings and 29 positive symbolic meanings. See J. H. CHARLESWORTH, *The Good and Evil Serpent*, Yale Anchor Bible Series, New Haven: Yale University Press 2008.

was chosen to symbolize monsters that represent or reflect chaos and the rebellious one in creation.²⁰

As the one who symbolizes chaos, the snake brings pollution and danger into the supposed safety of a home. We can better comprehend the early Jews' perception and preoccupation with purity if we imagine a cobra entering our well-constructed houses, slipping up and through the toilet, and entering a room in which our little children or grandchildren are playing. The dangerous one has entered our special space, and our alarm is aroused as we see the cobra rise and hiss at the active infants. As we shall see, such concern and fear defined the daily life of many pre-70 Jews, especially in western Jerusalem where those fearful of becoming polluted attempted to save themselves from impurity by obtaining and using stone tables, stone plates, stone cups, and many *mikvaot*. The *mikvaot* were pools containing at least 40 *seahs* of water. The pool must either receive water flowing from a spring or contain rainwater not transferred to it by a human using a vessel.²¹ These pools were for frequent ritual purification; the Jew entered these pools for full-body immersion.²²

Jerusalem is one of the oldest sacred cities in the world; the first human occupation may extend back a million years. Jerusalem in Jesus' time also witnessed to the perennial human search for meaning in a chaotic world. Here space receives unusual meaning and sacredness. As most religions have a special place in which the spirit (the *pneumena*) has been experienced, so for Jews the Temple is where Abraham almost sacrificed his son and where Solomon built a house for God. For Jesus' contemporaries, the most hallowed space was Jerusalem's Temple, and within it the most sacred spot was the «Holy of Holies», God's dwelling.

For many early Jews, Jerusalem or Zion was the center of the earth, as we know from Ezekiel 38:12 and *Jubilees* 8:19 which was composed in the second century BCE: «and Mount Zion (was) in the midst of the navel of the earth» (Wintermute in *OTP* 2.73).²³ The Holy City was even more important for defining space and the sacred, and by extension purity and impurity, before 70 CE. Before that date, when the future Roman emperor Titus burned the city, the Temple was the only official place for Jews to sacrifice and to worship God.

20. The evidence is presented and discussed in CHARLESWORTH, *The Good and Evil Serpent*.

21. See esp. R. REICH, «The Hot Bath-House (*Balneum*), the 'Miqweh' and the Jewish Community in the Second Temple Period», *Journal of Jewish Studies* 39 (1988) 102-107; ID., *Miqwa'ot (Jewish Ritual Immersion Baths) – Eretz-Israel in the Second Temple and the Mishnah and Talmud Periods* (Ph. D. Dissertation, Jerusalem, 1990 [in Hebrew]).

22. A. GROSSBERG, «The *Miqva'ot* (Ritual Baths) at Masada», *The Yigael Yadin Excavations 1963-1965 (Masada VIII)*. Jerusalem: The Israel Exploration Society and the Hebrew University of Jerusalem 2007, 95.

23. The same tradition is found in 1En 26:1 and LetAriz 83; but contrast *Prayer of Jacob* 8.

Thus, space and purity are related. One who has become impure makes others and other places impure. We can begin to imagine why in Herodian Jericho there are dozens of *mikvaot* contiguous to the western edge of the massive swimming pool. Perhaps some of these Jewish ritual baths were for men and others for women, some for Hillelites and others for Shammites, and other special ones reserved for the various priestly orders.

The study of Jesus within Judaism demands a study of the Temple and its influence on all Jews,²⁴ including the Qumranites and Samaritans who were defined by an opposition to its cult and priesthood or even to its location. As Dan Bahat states: «The Temple Mount played as important a role in Jesus' life in Jerusalem as it played in Jewish life altogether».²⁵ It is certain that almost all the purification rules were related to the Temple cult and festivals related to the Temple, and the vessels shaped by Jewish rules for purification were associated with the Temple and the Temple Mount.²⁶ The present new venture in advanced research requires a perception of where we are now in scholarship; that is in the «Third Quest of the Historical Jesus» or better «Jesus Research».

2. IS THE SO-CALLED THIRD QUEST SIMILAR TO THE FIRST QUEST?

In my 1984 inaugural lecture at Princeton, I announced a fresh phase in the study of the historical Jesus; it is called «Jesus Research».²⁷ The new phase in the historical study of Jesus, which began about 1980, is different from the previous two Quests. Why? This stimulating phase is not characterized by Christians searching for an admirable Jesus they can follow. In fact, we all should admit that Christians do not need scholars to construct an attractive Jesus for them to admire and follow. Yet, all Christians need to know much more than the pure existence of a man named Jesus or his death on a cross (Bultmann's «Dass»).

«Jesus Research» is historical research practiced by many historians; and one does not need to be a believer or a Christian. The defining question is: «What can one know historically about Jesus of Nazareth using the most

24. See the magisterial and popular book by L. RITMEYER, *The Quest: Revealing the Temple Mount in Jerusalem*, Jerusalem: Carta, 2006.

25. D. BAHAT, «Jesus and the Herodian Temple Mount», in *Jesus and Archaeology*, Grand Rapids and Cambridge: Eerdmans, 2006, 300-08; the quotation is on 300.

26. See almost the same words written by R. BAR-NATHAN, in her *The Pottery of Masada* (Masada VII). Jerusalem: Israel Exploration Society and the Hebrew University of Jerusalem, 2006, 239.

27. J. H. CHARLESWORTH, «From Barren Mazes to Gentle Rappings: The Emergence of Jesus Research», *Princeton Seminary Bulletin* 7.2 (1986) 221-30.

refined scientific methodologies?» Some leading and influential experts in Jesus Research have been Jews: David Flusser and Geza Vermes. Others are «Christians» who were in no way influenced by the dogmas of established Christianity, namely Ed Sanders and Dom Crossan. Those devoted to Jesus Research are not like their predecessors who were preoccupied with the New Testament canon. The new generation of specialists devoted to Jesus Research tries to include all sources, notably the Jewish apocryphal works, the Dead Sea Scrolls,²⁸ inscriptions, Philo, Josephus, the New Testament, the Jewish magical papyri, Rabbinics, and the varied gospels and other documents collected into the New Testament Apocrypha and Pseudepigrapha. Since the 1990s those working in Jesus Research have enriched their re-constructions of pre-70 Judaism and Jesus' time by archaeological discoveries and sociology.²⁹ The inclusion of archaeology is recent and distinguishes Jesus Research. Sean Freyne, for example, reminds us that «during the halcyon days of the liberal quest for Jesus» (the First Quest), Palestinian archaeology was in «its infancy» so Albert Schweitzer never needed to mention archaeology in his monumental *The Quest of the Historical Jesus*.³⁰

Since the late 1980s, however, some New Testament experts have published works concerning Jesus that resemble the First and Second Quests for the Historical Jesus. These scholars tend to focus on the canonical New Testament, ignore archaeology and early Jewish texts, and portray a Jesus that is attractive to those in the Church (sometimes eschewing the eschatological Jesus because this portraiture is deemed offensive to believers). The names include many admired and gifted experts, including Marcus Borg. In the process, these scholars too frequently emphasize Jesus' uniqueness, often sacrificing Jesus' Jewishness. As Amy-Jill Levine, a distinguished New Testament scholar at Vanderbilt University, claims: «[I]f you get the [Jewish] context wrong, you will certainly get Jesus wrong».³¹ No perceptive scholar wants «to get Jesus wrong». Thus, we must be more attentive to the Jewish context of Jesus' life and mind.

In summary, two approaches to the Historical Jesus can be seen operating presently in western culture. One strives to be scientific and objective, including all sources and being alert to the importance of archaeology and sociology; and for some authors this sometimes means being divorced from any concern with the theological importance of Jesus. This approach is «Jesus Research».

28. All quotations of text and translation, unless otherwise clarified, is according to the Princeton Theological Seminary Dead Sea Scrolls Project (PTDSSSP).

29. See esp. J. H. CHARLESWORTH (ed.), *Jesus and Archaeology*, Grand Rapids and Cambridge: Eerdmans, 2006.

30. S. FREYNE in CHARLESWORTH (ed.), *Jesus and Archaeology*, 4-65.

31. David VAN BIEMA, «Re-Judaizing Jesus», *Time* (Wednesday, Mar 12, 2008) <www.time.com>.

The other approach continues the search for a Jesus that can be honored, unique, and the One to follow. This approach is the Third Quest for the Historical Jesus and is a stepchild of the first two Quests.

For me, the Third Quest can be guilty of positing in ancient sources what one desires to find. If one wants to find a homosexual Jesus, that is possible; but the sources are violated. I prefer to ask questions for which I have no answers. While I know objectivity may be impossible, I endeavor to keep my own biases out of the search for honest answers. With F. F. Bruce, I know that some of Jesus' sayings must remain offensive.³² For example, as a Goi (non-Jew) I am embarrassed that Jesus told his disciples: «Do not go into the way of the Gentiles, and enter no town of the Samaritans, but go only to the lost sheep of the house of Israel» (Mt 10:5-6). It is imperative for all of us trained in history, archaeology, and sociology to be self-critical and to seek answers, no matter how disturbing they might appear.

3. SECOND TEMPLE JUDAISM: PURITY AND THE TEMPLE HEROD'S EXPANSION OF THE TEMPLE INCREASED JERUSALEM'S HOLINESS

In Rome in 40 BCE, Antony succeeded in having the Senate nominate Herod «King of the Jews». After 37 BCE, when Herod the Great defeated his enemies, notably the Hasmoneans, he succeeded to become the *de facto* «King of the Jews». A psycho-biographical study indicates that Herod the Great was a persecutor who persecuted.³³ He began to rebuild the Jerusalem Temple, probably around 20 BCE. Herod extended the Temple Mount to the north, south, and especially the west.³⁴ Quarrying and shaping stones that weighed tens of tons demanded hiring the world's best engineers, enslaving thousands, and moving massive stones from the northwest ridge of the Jerusalem hills through the area north of the Upper City, across the Transversal Valley, through the markets, over the Tyropeon Valley and to the western retaining wall where they can be seen today. Herod also built the massive bridge to the Upper City (above Wilson's Arch), the monumental stairs (supported by Robinson's Arch), the elegant entrances into the Temple, and the four porticoes (pillared halls [except «Solomon's Portico», which was part of the Hasmonean structures]) that encompassed the Temple Mount. The southern «Royal Portico» was hailed by Josephus as the most magnificent structure built by Herod (*Ant*

32. F. F. BRUCE, *The Hard Sayings of Jesus*, Downers Grove, Ill: InterVarsityPress, 1983.

33. A. KASHER and E. WITZTUM, *King Herod: A Persecutor who Persecuted*, Haifa: Keter-Books, 2007.

34. D. Bahat's drawing in CHARLESWORTH, ed., *Jesus and Archaeology*, 301.

15.11). Later, Herod's Temple was remembered as the most splendid of buildings: «He who has not seen Herod's Temple has never seen a beautiful structure in his life» (*bBaba Batra* 4a).

Thousands of priests completed the renovation and purification of the Temple itself. The sophisticated priestly processions to the Sanctuary were well choreographed, and the Temple installations, including bronze mechanisms for pumping pure water into the Temple for the priests to wash hands and feet, were often gigantic and magnificent.³⁵ Wealthy Jews provided necessary embellishments, such as bronze doors and heavy candlesticks made of solid gold.³⁶ Josephus, a priest who experienced Herod's Temple, claimed that Herod's Temple was the most admirable of all works he had seen (*War* 6.267). Josephus' enthusiasm about the Temple is remarkable in light of the contemporaneous monumental architecture in Alexandria, Palmyra, Pergamum, Athens, and Rome. Moreover, Josephus had traveled outside Palestine; he had been in Rome and seen the monumental buildings built by Caesar Augustus and Nero. Surprisingly, in light of archaeological discoveries in and around the Temple Mount, Josephus' description no longer seems excessively exaggerated as it did before 1968 when excavations began in eastern Jerusalem.³⁷

Since the Babylonian Exile in the sixth century BCE, the priests in Jerusalem became powerful since there was no king in Israel. Inadvertently, King Herod made the priests even more powerful. Jerusalem was accorded more and more honor and deemed holy to God. As we learn from Josephus and the Mishnah,³⁸ the areas within the Temple Mount were ascribed ascending levels of purity:³⁹ Gentiles, impure women, and those inflicted with diseases could enter only so far as the outer court (until the *Hel*). Gentiles who proceeded further would forfeit their lives and were warned by inscriptions on the balustrade in Greek (and perhaps in Latin) not to proceed further into the inner court (see also *Ant* 15.417): «Foreigner: Do not enter within the grille and the partition surrounding the Temple. He who is caught will have only himself to blame for his death».⁴⁰ In the inner court, the purification laws were rigorously

35. See the colored drawings in A. Solomon, *The New Jerusalem Scroll from Qumran: A Comprehensive Critical Study and Reconstruction* (Ph. D., Bar Ilan University 2006 [in Hebrew]) 421.

36. JOSEPHUS, *War* 6.387.

37. See esp. J. PATRICH, «The Structure of the Second Temple: A New Reconstruction», in *Ancient Jerusalem Revealed*, edited by H. GEVA, Jerusalem: Israel Exploration Society, 2000 (reprinted and expanded edition), 260-271.

38. JOSEPHUS, *Apion* 2.103-05 and *mKelim* 1:8.

39. On the levels of purity, from 'am ha-'retz to high priest, see *mHagigah* 2:7.

40. Two of these inscriptions have been recovered. See the image and discussion in Dan BAHAT, with Chaim T. RUBINSTEIN, *The Illustrated Atlas of Jerusalem*, translated by S. Ketko, Jerusalem: Carta, 1990, 1996.

demanded.⁴¹ Women could proceed further into the «Court of the Women»,⁴² and lepers who had immersed themselves on their eighth day of purification, and others with contagious diseases could join them in this area. Men were allowed to come closer into the «Court of Israel». Priests and Levites alone could proceed further; but only the high priest, wearing the garments specified in the Torah (Exod 28) and only on the Day of Atonement (Yom Kippur), could continue and enter the Debir, the Sanctuary or «Holy of Holies». Politically savvy priests learned to receive even more power from the Romans and their quislings; two of the most clever were the high priests when Jesus was arrested, namely Annas and Caiaphas. Most likely, the tomb of Annas has been discovered,⁴³ and the ossuary (bone box) of Joseph Caiaphas identified.⁴⁴ While Rome subdued Palestine from 63 BCE until 66 CE, when open revolt accompanied civil war, it was clear that the administrators of power in almost all cases were priests. The nation was defined by a wealthy sacerdotal aristocracy; according to the *Temple Scroll* and Essene compositions, the king was subservient to the priest. The priests often controlled political power in Jerusalem. Sometimes they acquiesced to the Roman governor, and sometimes he supported them. A common goal united them: To keep peace and order in an unruly and explosive city in a strategic boundary with Rome's deadly enemy, Parthia to the East.

Before anyone entered the Temple Mount they had to pass judgment and be judged pure. As we learn from Rabbinics and *Some Works of the Torah* (MMT), the lame, the blind, the deaf, the impaired physically and mentally, as well as the one deemed a *mamzer* (one who may not have been born legally according to priests' interpretation of Torah) were too impure to enter the Temple. This legislation was demanded to keep the Holy Temple holy, since the lame might stumble and touch something holy, the blind might not see what is proper conduct, the deaf could not hear and thus obey Torah (God's Will), and the polluted would render impure the most holy dwelling of the Lord God. The worshippers who had passed judgment cleansed their bodies, entered a *mikveh*, and exchanged money so that they might ascend the hill of the Lord. All sick, those temporarily sick, those menstruating and any flux-sufferer⁴⁵ could not

41. D. BAHAT, «The Herodian Temple», in *The Early Roman Period*, 38-58, see esp. 52.

42. Purity regulations were shaped by long-standing patriarchal traditions; for example, when a woman birthed a boy, she was impure for seven days; but when she gave birth to a girl, she was impure for twice that long (Lev 12). One must hesitate, however, to assume this denotes the inferiority of the female from a purity perspective. According to Mishnah *Yadaim* 4:6, an asses' bones are pure, but the bones of a high priest are impure.

43. For images and an informed discussion, see RITMEYER, *Quest*, pp. 80-84.

44. Only Josephus supplied his full name.

45. The flux-sufferer, man (*zab*) or woman (*zabah*), conveys impurity by *maddaf*; that is, a vessel above them becomes impure (b*Niddah* 4b and 32b). For a discussion, see MACCOBY, *Ritual and Morality*, 50-51.

enter since they bore defiling liquid.⁴⁶ Thousands of priests and their assistants provided judgment on who might enter and decided if animals were worthy of sacrificing.

The cult in the Temple was professionally orchestrated. Hundreds of Levites would gather on the 15 circular steps before Nicanor's Gate and chant David's Psalms.⁴⁷ Chanting the Psalms, they were accompanied by musical instruments, especially trumpets and harps. One could hear from afar the music and the chanting of such sacred words as the ancient words from «A Song of Ascents»: «I was glad when they said unto me, Let us go into the house of the Lord (*by* YHWH)» (Ps 122,1).

Jerusalem's holiness was considerably increased after 20 BCE, when the Temple was enlarged and beautified by thousands of workers. Jews in Italy, Egypt, Syria, and Persia, as well as elsewhere, yearned to obey the Torah and make the prescribed pilgrimage to Jerusalem so they might «be in the house of the Lord (*bbyth* YHWH)» (Ps 134,1) because the Lord had said of Zion, «His seat»:

This is my resting-place for all time;
here I will dwell, for I desire it, (Ps 132,14 TANAKH).

While tens of thousands made a pilgrimage to Zion, others pondered scripture: «If I forget you, O Jerusalem, let my right hand wither» (Ps 137,5 TANAKH).

Some religious Jews living in Jerusalem felt the holiness of Jerusalem and refused to relieve themselves on the Sabbath or in the «Holy City». In Jesus' time, latrines, like sepulchers, according to extremely religious Jews had to be outside Jerusalem's walls (see, e.g., the *Temple Scroll* 46). Dan Bahat showed me a latrine near the western wall tunnel and about fifty yards west of Herod's Temple Mount, but it is late, dating from Aelia Capitolina in the second century CE. This lavatory does not mean priests never could relieve themselves within the Holy City; that seems impossible due to the time-consuming tasks in the Temple. Perhaps the Mishnah is correct that a lavatory existed in the

46. As J. Neusner states: «Water in its unnatural condition, that is, deliberately affected by human agency, is what imparts susceptibility to uncleanness to begin with» (J. NEUSNER, *Introduction to Rabbinic Literature*, New York, London: Doubleday, 1994, 110).

47. One's imagination may be informed by the popular depictions in Israel Ariel and Chaim Richman's *Carta's Illustrated Encyclopedia of the Holy Temple in Jerusalem*, Jerusalem: Carta, 2005. While the book lacks the sophistication of the publications by scholars such as Dan Bahat and Ronnie Reich, one's imagination is assisted by the image of «the Destruction of the Second Temple» (34-35), «the Holy Temple» (38-39 [but Nicanor's Gates would have been of bronze not brass]). For «the Gate of Nicanor» see 40.

Temple area but not within the Temple itself (m*Tamid* 1:1). There were levels of purity assigned the Temple Mount and most likely the areas encompassed by Herod's expansions were not accorded the same holiness as the inner sanctuaries.⁴⁸

In Judea and Lower Galilee, Jews felt the heightened requirements for purity. Many Jewish elements, most importantly *mikvaot* and stone vessels, witness to this preoccupation and are being found throughout Lower Galilee and Judea in almost every Jewish city, village, and town.

4. NEW REGULATIONS FOR PURITY

During the time of Jesus, the powerful judges in Jerusalem —the high priests, scribes, and Pharisees— devised new regulations for purity. What we have intimated up to this point needs more discussion.

Sometimes the priests developed purity legislations that were new and some were anti-Torah. As Maccoby points out, rabbinic rules sometimes «falsified» the purity rules outlined in the Hebrew Bible. For example, while the old traditions specified that only Jews, «a dedicated group living constantly in the presence of God», could become impure, rabbinic rules created new regulations specifying that Gentiles convey uncleanness (b*Niddah* 34a). Maccoby rightly states: «This assignment of uncleanness [...] has no biblical authority, and is fully acknowledged in the rabbinic sources to be of human authority only».⁴⁹ While this specific enactment may postdate Jesus and be announced in 66 CE, just before the outbreak of the First Jewish War, and reflect the deteriorating relations between Jews and Goy, some post-biblical purity legislations antedate Jesus by at least 100 years (as with the *Temple Scroll* and the *Damascus Document*) and others were being devised during his life time.

One might follow J. Neusner who sees no continuity from Scripture to Mishnah, which sets itself up as a rival to Scripture: «If we started with Scripture and asked what it taught, we should never, *never* discover even the simplest datum of rabbinic law» [italics his].⁵⁰ Or, one might follow Maccoby who sees much continuity from Bible to Mishnah: «[T]he rabbinical concepts arise by natural and logical steps from the biblical data».⁵¹ On the one hand, Neusner rightly emphasizes the new in Rabbinics but misses the fact that the

48. BAHAT, «Jesus and the Herodian Temple Mount», in *Jesus and Archaeology*.

49. MACCOBY, *Ritual and Morality*, 9-10.

50. J. NEUSNER, *A History of the Mishnaic Law of Purities: The Mishnaic System of Uncleanness*, 238.

51. MACCOBY, *Ritual and Morality*, 14.

Mishnah evolves with continuity and discontinuity from Torah; on the other hand, Maccoby correctly perceives continuity but errs in judging it to flow «by natural and logical steps from the biblical data». He later admits instances of «rabbinic loss of earlier rationale» and sees in some tractates «the degeneration of logic into codification».⁵² Whether one follows Neusner or Maccoby, it is clear that Jesus and his contemporary Jews were facing purity legislations that are not found in the Hebrew Bible; and these were undermining the ability of the average Jew to be pure. My thesis is that Jesus resisted these new purity regulations and condemned those that, in his judgment, were anti-Torah.

Such newly devised regulations have left their imprint on the Gospels as harassment of Jesus by those controlling the Temple defined his life in ancient Palestine. The high priests sent scribes and Pharisees from Jerusalem to other regions of ancient Palestine to administer and monitor the new purity enactments. They sent spies into Lower Galilee to ensure that all Jews were compliant with the new regulations for purity and holiness:

The *scribes who came down from Jerusalem* said: «He is possessed by Beelzebul» (Mark 3,22).

And when *the Pharisees* gathered together to him, *with some of the scribes, who had come from Jerusalem*, they saw that some of his disciples ate with hands defiled, that is, unwashed (Mark 7,1).

In the Temple (Mark 11,27), «the chief priests and the scribes and the elders» (Mark 11,27) send to Jesus «the Pharisees and some of the Herodians to entrap him» (Mark 12,13).

In the Temple (Mark 11,27), the Sadducees seek to catch Jesus with a question (Mark 12,18).

What is common in all these narratives? It is that Jesus is opposed by those who control the Temple and demand an acceptance of their own interpretation of the tradition of the elders. Such rifts in Second Temple Judaism were not new; rejection of those who control the Temple cult and who interpret Torah incorrectly is clear in documents composed after the Babylonian Exile, and especially around 150 BCE (e.g., in *Some Works of the Torah*).

52. MACCOBY, *Ritual and Morality*, 28. Maccoby at times sees too much continuity and his attempt to restore the rationale lost in Rabbis so as to vindicate «the logical continuity between scriptural and rabbinic law» does indeed restore what was lost (28-29). This restoration may represent the opinions of many early Rabbis, but it tends to misrepresent and to systematize Rabbis. We can find foreshadowing of Mishnaic Hebrew and Rabbinic-like purity laws in some Qumran manuscripts (e.g., *Some Works of the Torah*), but Qumran does not lead directly to Mishnah; certainly the only extant pre-70 early Jewish purity laws (preserved sometimes in Qumran manuscripts or in the Pseudepigrapha) are neither in continuity with the Bible nor flow smoothly into Rabbis.

The chief priests are not merely aroused by Jesus' message and popularity; they seek to stop them; and eventually they have him arrested. Their central concern was not that Jesus rejected the Temple as God's habitation. It was not that he overturned the tables of the money changers (as we shall see). The priests were disturbed by Jesus' apparently cavalier treatment of their understanding of purity. The Evangelists clarify that the chief priests also were alarmed by Jesus' ego and failure to acknowledge that they alone were God's chosen priests and the only ones to define Torah and God's demand for purity. These facts are what should guide us as we seek to understand what precipitated Jesus' death by Roman soldiers and the stunning fact that he was crucified alone and not alongside even one of his hot-headed followers.⁵³

5. ARCHAEOLOGY AND PURITY

Archaeologists digging in Lower Galilee and Judea have uncovered abundant evidence of Jewish preoccupation with purity. In fact, two of the clearest signs that a site is Jewish are the recovery of stone vessels and *mikvaot*. These were demanded by the Jewish rites of purification.

Stone (or chalk) vessels, essential for Jewish laws (*halakot*), were hand-made or lathe-turned.⁵⁴ While they have been found in early Jewish sites on the coast of the Mediterranean, Judea, Galilee, the Jordan Valley, the Judean Desert, and Transjordan, Jerusalem, because of the Temple, was a major center for their production (until 70 CE). New Testament scholars need to reflect on the sociological ramifications in Jesus' time of the importance of stone vessels and their connection to the Temple; note, for example, the words of Yitzhak Magen: «Clearly, the stone vessel industry was connected with the Temple and the mandatory purity for its rite».⁵⁵

Not only Jews connected with the purity laws developed by Temple priests, but also sectarians opposed to the Temple cult developed and followed purity rules that included stone vessels. Some scholars interpret the *halakot* preserved in the *Temple Scroll* and the *Damascus Document* to mean that stone vessels had no specific purity status among the Qumranites;⁵⁶ thus, the stone vessels,

53. See J. H. CHARLESWORTH, «Jesus' Crucifixion and Resurrection», *The Historical Jesus: An Essential Guide*, Nashville: Abingdon, 2008, 105-113.

54. The best study is Y. MAGEN, *The Stone Vessel Industry in the Second Temple Period*, Jerusalem: Israel Exploration Society, Israel Antiquities Authority 2002. I am indebted in many ways to Magen's erudite publication.

55. Y. MAGEN, «Jerusalem as a Center of the Stone Vessel Industry During the Second Temple Period», in *Ancient Jerusalem Revealed*, 244-256; the quotation is on p. 256.

56. For the most recent discussion, see E. REGEV, «The Use of Stone Vessels at the End of the Second Temple Period», in *Judea and Samaria Research Studies: Proceedings of the Sixth*

like clay vessels, could be defiled. Influenced by the approximately 200 pieces of stone vessels at Qumran, Hanan Eshel suggests that,⁵⁷ according to Qumran law, stone vessels protected against purity and could be defiled only when they were in contact with oil. Thus, the purity laws of the Qumranites were similar to those of other early Jews who followed the laws of clean and unclean vessels; that is, they used stone vessels to store various items, but not oil. If Eshel is correct, the difference between Qumranic and rabbinic law becomes clearer. According to the Rabbis, stone vessels always protect against impurity; but according to the *Damascus Document* 12:15-17, stone vessels do not provide this protection when they come in contact with oil. Those behind the *Damascus Document* claimed that all stone vessels are defiled «while having oil stains on them» (CD 12:15-17).⁵⁸

Some massive stone vessels (kraters or *kallal*) would require a large lathe that could shape a ten-ton stone.⁵⁹ The stone vessels typically date from the time of Herod the Great (37-4 BCE) to 70 CE and the destruction of the Temple; that is, their production ceased with the burning of Jerusalem by Titus in 70, and their use ceased with the defeat of Bar Kokhba in 136.⁶⁰ The stone vessels are intimately connected with the Temple, its supporting industries that manufactured stone vessels, and the purity demanded by the cult. Moreover, large stone vessels (*kallal*) with the ashes of the red heifer were placed at the entrance to the Temple (t*Parah* 3:4); with the loss of sacrifices, this practice also ceased (cf. m*Parah* 3:1).

During this period, specifically from 14 BCE when Caesar Augustus visited the Holy Land⁶¹ until 70 CE, stone boxes (ossuaries)⁶² for the disarticulated

Annual Meeting-1996, edited by Y. ESHEL Kedumim-Ariel: The Research Institute, The College of Judea and Samaria, 1997, 79-95 (in Hebrew).

57. H. ESHEL: <<http://orion.huji.ac.il/symposiums/3rd/papers/Eshel98.html>>.

58. J. M. BAUMGARTEN – D. R. SCHWARTZ, «Damascus Document (CD)», *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations*, edited by J. H. CHARLESWORTH (Tübingen: Mohr [Siebeck], 1995), 53.

59. See the images in MAGEN, *The Stone Vessel*, Plate 13.

60. See MAGEN, *The Stone Vessel*, 147.

61. I am persuaded that the ossuaries may appear as an imitation of Roman boxes for cremation, and this copying was stimulated by the visit of Caesar Augustus to the Levant. L. Y. RAHMANI judges that ossuaries began to appear between 20 and 15 BCE (L. Y. RAHMANI, *A Catalogue of Jewish Ossuaries in the Collections of the State of Israel*, Jerusalem: The Israel Antiquities Authority and the Israel Academy of Sciences and Humanities 1994, 21-23) and R. HACHLILI – A. KILLEBREW, «Jewish Funerary Customs During the Second Temple Period in the Light of the Excavations at the Jericho Necropolis», *PEQ* 115 (1983) 124-125 conclude that the *terminus ante quem* for the appearance of ossuaries is about 10 CE.

62. MAGEN, «The Ossuary Industry», in *The Stone Vessel*, 132-137. Also, see the articles on ossuaries by L. Y. RAHMANI – A. KLONER in H. GEVA (ed.), *Ancient Jerusalem Revealed*, Jerusalem: Israel Exploration Society 1994.

bones of the deceased defined Jewish burial especially in and around the Holy City. The large bones were to be on the bottom and the skull on top (jMo'ed Qatan 1:5). Ossuaries were developed in light of Jewish religious ideas and practices and represent another side of the Jewish concern for purity. Most likely, «twelve months» was allowed (cf. m'Eduyyot 2:10) for the flesh to decay, perhaps to provide time for the sin adhering to the flesh to disappear.⁶³ It is, however, unlikely that ossuaries reflect the belief in the resurrection of the dead (*pace* Rahmani and Magen) since the bones of many individuals, sometimes ten, were collected into one ossuary. Moreover, examination of caves indicates that not all the bones were collected, in many ossuaries bones are missing,⁶⁴ and Jews who believed in resurrection sometimes imagined that the bones of the deceased would remain in the earth. Although the passage is open to diverse interpretations, it is possible that the author or a later reader of *Jubilees* assumed that those who were resurrected would leave their bones behind: «Their bones shall rest in the earth, but their spirits shall have much joy» (Jub 23:31). The adjective «their» refers to the Lord's servants, «the righteous ones», who «will rise up» (Jub 23:30) and some readers may have interpreted these words to refer to resurrection.⁶⁵

Some ossuaries have Aramaic or Greek inscriptions, which are frequently inelegant and even appear as graffiti. The inscriptions were incised with a sharp tool or scratched in charcoal and usually provide the name of the one (or ones) whose bones were inside the box. One inscription is particularly important for our study of Jesus, purity, and the Temple: «These bones (belong to) the family of Nicanor of Alexandria who made the doors».⁶⁶ This «Nicanor» is

63. In no way do I imply that Jews, like the later Gnostics, thought flesh (Greek *sarx* = Hebrew *bāsār* and *še'ēr*) was sinful. The flesh is the entrance for sin; note the following: «keep evil from your flesh (*bāsār*)» (Qoheleth 11:10' cf. Gen 7:22-23). The body of flesh is place of sickness (cf. 1QpHab 9:2 [«his carcass of flesh» *bgwyt bšrw*] and 1QSa 2:5-6 [«And any one who is afflicted in his flesh» *wkwł mwwg' bbšrw*]). In contrast to the Hebrew Bible, «flesh» in the Qumran Scrolls is often connected to sin (see esp. 1QM 4:3, according to which God wars «against all flesh of deceit» *bkwl bšr 'wl*). Also, see 1QM 12:10, according to which the faithful are to call upon God to unleash his sword against «the guilty flesh» (*bšr 'smh*). The *Rule of the Community* to humans as «the assembly of deceitful flesh» (*wlsud bšr 'wl*; 1QS 9.10). At the end of time, God will destroy the spirit of conceit from the humans' «veins of flesh» (*mtkny bsrw*; 1QS 4.20). The tendency to perceive flesh as the sinful aspect of the human is clearest in the *Hodayot*: «And you have lifted up his glory over flesh» (*wtrm mbšr kbwdw*; 1QHa 7.19-20 [Sukenik 15.19-20]).

64. A. KLONER, *The Necropolis of Jerusalem in the Second Temple Period*, Ph. D. Dissertation, Hebrew University. Jerusalem, 1980 (in Hebrew) 249-50.

65. C. E. Elledge rightly warns against too readily assuming this passage reflects resurrection belief. See Elledge in *Resurrection*, edited by J. H. CHARLESWORTH, *Faith and Scholarship Colloquies*, New York and London: T & T Clark 2006, 40-41.

66. For the Greek and Aramaic of the inscription, see MAGEN, *The Stone Vessel*, 135.

most likely the famous Nicanor who brought bronze doors from Alexandria for Herod's Temple (m*Middoth* 2:3).

Mikvaot, the pools for Jewish purification requiring full immersion, have been identified in homes, religious centers (especially Qumran), beside large swimming pools (as at Herodian Jericho), and most notably west and south of the Temple. Over 300 *mikvaot* have been found in Jerusalem and its environs.⁶⁷ Almost all antedate the massive destruction of 70 CE; only a few are Hasmonean (as at Modiin). In some Galilean villages, like Capernaum, no *mikvaot* have been discovered; such villages are on the edge of the Sea of Galilee whose waters are like a *mikveh*: «All the seas are like an immersion pool (= *mikveh*)» (*kl hymym kmqwh*; m*Mikvaot* 5:4).⁶⁸

A unique *mikveh* has been found near Wilson's Arch and near the western wall of the Temple Mount.⁶⁹ While about 98% of the *mikvaot* are cut in stone,⁷⁰ this one is not, though it is heavily covered with fine plaster (see m*Mikvaot* 2:8). It clearly dates from Jesus' time, since it is built above Herodian fill and Hasmonean debris. The Mishnah (circa 200 CE) stipulates that there are six levels of purity (šš *m'lwth*; m*Mikvaot* 1:1), and this *mikveh* is built according to the most stringent *halakot* (Jewish rules), fulfilling the highest degree of purity since it is fed by spring water. It would have been possible for lepers, bearers of dangerous impurity, to be purified within it. Lepers could be purified in a *mikveh* (m*Mikvaot* 1:8, 5:1) and were permitted then to enter the Temple; but male lepers could proceed only so far as the women's section within the Temple.

The Temple and the numerous *mikvaot* in Jerusalem demanded vast quantities of water; most of it in Jesus' time flowed from pools (misnamed Solomon's Pools) that are ten miles south of Jerusalem and a little south of Bethlehem. The largest *mikveh* is the Pool of Siloam which was fed from the purest form of water (living water from a spring [*šhm 'yn m'hr bkl šhw'*]; m*Mikvaot* 5:1) which flowed southward from the Gihon Spring. Using cups made of stone, children helped transport water from the Pool of Siloam to the Temple (m*Parah* 3:2-3); in order to ensure the purity of the water from this *mikveh* stone cups were attached to the horns of oxen (*bqrny šwwrym*) so when the oxen bent to drink from the *mikveh* the cups filled with water that was pure and could be used to purify humans (t*Parah* 3:3). Before Jews could enter the Temple, they were obliged to bathe and then become spiritually pure by enter-

67. I am grateful to many archaeologists for these data, especially Ronnie Reich and Dan Bahat.

68. The water of the seas does not, however, purify a leper; see m*Mikvaot* 5:4.

69. I am grateful to Dan Bahat and Avi Solomon for spending a day showing me the *mikvaot* near the western wall of the Temple Mount and discussing Jewish *halakot* with me.

70. I am indebted to Dan Bahat for this estimation.

ing a *mikveh*. While there were disputes over what water in a *mikveh* becomes impure, sometimes causing a division between the House of Shammai and the House of Hillel (m*Mikvaot* 4:1), these requirements for ritual purity were rigorously monitored by priests and others serving the Temple cult and the sacerdotal aristocracy.

Early Jewish documents, most of them recovered from Judean caves over the past half century, add to our knowledge of Jewish preoccupation with rules for purity. These writings prove that Jewish concerns with purity and fear of being unacceptable antedate Herod the Great. Note the contents of the following Jewish compositions, all of which significantly antedate Herod the Great. The *Temple Scroll* legislates that the priest is superior to «the King», that a prurient woman with a dead fetus makes impure all that is in a house and preserved only in earthen vessels, and that the toilet should be outside the camp (Jerusalem). *1 Enoch* and *Jubilees*, along with most of the documents composed at Qumran, stipulate that all Jews who follow the lunar calendar are defiled. Such Jews are not in synchronicity with the rhythm of the cosmos, celebrating the holidays and the Sabbath at the wrong times.⁷¹ *Jubilees* specifies that the Sabbath is holy and along with the *Angelic Liturgy* indicates that the Sabbath is observed in heaven by angels. *Some Works of the Torah* legislates that the Temple cannot be entered by those who are clearly impure, especially one who is deaf, blind, a leper, and the *mamzer*. The *Damascus Document* legislates that the Sabbath is the day on which God demands all rest, even if such inactivity causes the death of an animal (as we shall see). Documents, such as those just mentioned, represent the rules created by the Zadokites and extreme priestly groups after the inauguration of Hanukah with the purification and rededication of the Temple in 165 BCE; thus, while most priests allowed lepers to enter the women's section of the Temple, the rigid legalistic priestly groups prohibited them from entering the Temple. The factionalism among the many Jewish groups and sects is evident in extant warnings; for example, some early Jews urged others not to let the Sadducees⁷² or Minim (Jewish «heretics»)⁷³ prevail in rules of sanctification or purification. More than historians dedicated to sociology in pre-70 Jerusalem can imagine the tensions and riots that could

71. For example, according to *Peshar Habakkuk* Col. 11, the Wicked Priest (the high priest in Jerusalem [1QpHab 12.7]) persecutes the Righteous Teacher on «the Day of Atonement» at the Teacher's «house of exile» (1QpHab 11.6). On the Day of Atonement, the high priest must be in the Temple to lead all Israel in penitence. That means, according to the author of this Qumran composition, that the Wicked Priest follows the wrong calendar. He is thus out of synchronicity with angelic worship (see *Angelic Liturgy*). See J. H. CHARLESWORTH, *The Pesharim and Qumran History: Chaos or Consensus?*, Grand Rapids and Cambridge: Eerdmans, 2002.

72. See m*Parah* 3:2-3.

73. See t*Parah* 3:3.

erupt over purity regulations within the Holy City and its environs before 70 CE.

6. THE TEMPLE, PURITY AND THE HISTORICAL JESUS. THE TEMPLE AND JESUS TRADITIONS

Is the massively renovated Temple ever mirrored in the Gospel traditions, and do the Jewish provisions for purity and the fear of being impure relate directly or indirectly to Jesus from Nazareth? Thanks to archaeological discoveries and intense search for pre-70 history in the New Testament, we can now, for the first time, answer each of these questions clearly and affirmatively.

First, while Herod's expansive and monumental improvements to the Temple Mount were once unknown to New Testament scholars, they are now clearly evident to even non-specialists. The heaviest stone in the pyramids might weigh 60 tons, but a stone in the western retaining wall of the Temple Mount weighs at least 570 tons. Now, many New Testament scholars read the New Testament differently. We are interested in more than the theology preserved in the rhetoric. We are fascinated by history often refracted in the stories. Jesus' disciples, who lived in Lower Galilee, knew houses that were made of stone, usually basalt. These basalt blocks weigh less than five hundred pounds. Were the disciples not amazed at the massive size of the stones in the Temple Mount? Indeed they were; read again Mark and the disciples' visit to Jerusalem: «And as he [Jesus] was coming out of the Temple, one of his disciples said to him, "Look, Teacher, what wonderful stones and what wonderful buildings!"» (Mark 13,1).

Second, Jesus' favorite place for teaching in Judea was the portico in the area of the Temple that dated from Hasmonean times and earlier; it had been renovated under the direction of Herod the Great and accomplished by the priests and their assistants. He loved to teach in «Solomon's Portico» which is the columned hall adjacent to the eastern wall of the Temple. Jesus is reported to have stated to the High Priest Caiaphas: «I have always taught in synagogues and in the Temple where all Jews gather together» (Jn 18,20). After 30 CE and Jesus' crucifixion, his followers continued to frequent «Solomon's Portico» in order to teach and proclaim the good news from God about Jesus.

Third, Jesus was unlike the Samaritans who rejected Jerusalem as God's house,⁷⁴ and the Essenes who judged the Temple cult to be run by illegitimate

74. The New Testament exegete should explain the anomaly of Jesus' statement to the Samaritan woman: «Woman, believe me, the hour is coming when neither on this mountain nor in Jerusalem will you worship the Father» (John 4,21). This passage is not consistent with the many sayings and actions that are clearly evident of Jesus' appreciation of the Jerusalem Tem-

priests. According to the Gospels, Jesus loved the Temple and many aspects of its cult. He liked to worship there, enjoying the cult and the praises sent heavenward by the chanting Levites and obeying the Torah's injunction to celebrate Passover in the Temple (John 2,13.23). Mark recorded that Jesus quoted Isa 56,7, which celebrated the Temple and its cult: «My house shall be called a house of prayer for all the nations» (Mk 11,17). John reported that Jesus loved the Temple, calling it «The House of my Father (*ton oikon tou patros*)» (John 2,16). Jesus' affirmation of the Temple is reminiscent of the rabbinic adoration of the Temple as God's «splendid sanctity and the House of His Divine Presence» (*Hilkhot Hagigah* 2:1).

Fourth, according to the Fourth Evangelist (John 8 and 9), a man born blind is healed by Jesus. The details are arresting and help us understand Jesus' attitude to *mikvaot* and some purity regulations. Jesus spat on the ground, made clay from the spittle, and anointed the blind man's eyes. According to John 9,7, Jesus instructed the man who had been so anointed: «Go, wash in the pool of Siloam (which means Sent)». It is easy to see why exegetes, influenced by the reference to anointing, interpreted this passage Christologically and thought Jesus' instruction to the blind man to be a theological development of his affirmation: «I came not of my own accord, but he [the Father] sent me» (John 8,42). There was even reason to doubt that there was a Pool of Siloam in Jesus' time; the pool with a church that bears the name «Pool of Siloam» postdates Jesus' time and is Byzantine. Only in the past three years, due to a break in a sewer pipe, have archaeologists found the Pool of Siloam that dates from Jesus' time. Moreover, it is most likely the largest *mikveh* yet found in the Holy Land. A massive staircase leads from it up into the Temple; it has been excavated only partly and may be over 20 feet wide. We can also discern, for the first time, the direction Jesus was going when «he went out of the Temple» (John 8,59). He was heading south, and most likely down this massive Herodian staircase. Jesus' action is thus related to the Temple: He leaves on the monumental stairway and heads toward a *mikveh* that was to purify those who desired to enter the Temple.

If *mikvaot* are only for those who are already washed, then Jesus' action attacks the *halakah* linked with a ritual bath. The man born blind (indicating some sin and impurity) has spit and dirt on his eyes, and Jesus sends him to the *mikveh* to cleanse himself.⁷⁵ It is easy to imagine the disturbance such a scene would have caused and why it was so well remembered. The blind man would be considered impure by priests and other dedicated Jews (some of whom had come from the

ple. Most likely John 4 reflects not only Johannine Christology (esp. the reference to «the hour») but also the influence of Samaritans in the Johannine School or Community.

75. The tractate in the Mishnah called *Mikvaot* specifies the impurity of «spit» (*mMikvaot* 8:5) though it refers to a woman's spit. Many sections refer to the impurity of mud in relation to a *mikveh*.

East to worship in the Temple) because he could not read Torah. He would stumble toward the *mikveh* drawing attention to his impurity and blindness. His eyes would be covered with impure human liquid and filthy dirt. He would attempt to enter a Jewish pool reserved only for those who were clean and needed purifying. In essence, Jesus' instruction renders the *mikveh* unclean and indicates that Jesus rejected some of the strict purity regulations devised by Temple priests.

Fifth, biblical scholars have been understandably attracted to the story of the wedding in Cana. One major detail is customarily overlooked. In light of archaeological advances, we now are impressed by verse six: «Now six stone jars were standing there, for the Jewish rites of purification (*kata ton katharismōn tōn Ioudaiōn*), each holding twenty or thirty gallons» (John 2,6). It is now possible to imagine the owner. He was a wealthy Jew who could afford such expensive stone vessels. And he was also an observant Jew, having six stone jars so he could fulfill his and his family's Jewish rites of purification. These stone jars were probably made in Jerusalem and were extremely expensive, perhaps costing (in today's currency) over \$10,000 each (or roughly 6,400 Euros [as of April 2008]). One might imagine the large jars being fashioned within Jerusalem and carted, perhaps in an ox cart, to Lower Galilee and to Cana.

The story of the wedding in Cana indicates that Jesus was probably appreciative of the Jerusalem cult and many of the requirements developed by the leading priests. Most likely the owner's devotion to Jewish customs indicates that Jesus may have also been such an observant Jew. He was invited into the house and accorded honor there. As we shall see, the priests could not criticize Jesus for failing to wash his hands before eating.

7. JESUS RESISTED THE NEW ANTI-TORAH PURITY RULES

During Jesus' time, sectarian and even proto-rabbinic Jews changed Torah legislations. The legislations created by sectarians are well known (as intimated previously) and are especially evident in the Qumran Sectarian Scrolls and the *Temple Scroll*. Similarly, the Sages (including the First Pair of Sages, namely Yose ben Joezer and Yose ben Johanan) added to or changed what was revealed in Torah. For example, they developed extreme measures for assuring the purity of water obtained from the Siloam Pool.⁷⁶ In contrast to the Torah, the Sages declared «glass vessels» (*kly zkwkyl*) impure «because of decrees of scribes (*mdbry swphrym*)» (*tKelim Baba Bathra 7:7*). In the Hebrew Bible,

76. See *mParah 3* and *tParah 3* (the latter specifies that stone cups should be suspended from oxen's horns so that when the oxen drank from the Siloam Pool, the cups would be filled with water uncontaminated from humans).

stone, dung, and earthen vessels are not grouped together; this grouping appears for the first time in Rabbinics, despite the claims of the Babylonian Talmud: «utensils of stone, dung, or earth do not contract impurity either by Biblical or Rabbinic law» (b*Shabbat* 58a; cf. b*Menaḥot* 69b).⁷⁷ Finally, dung vessels were chosen for washing hands:

With all sorts of utensils do they pour [water] for hands, even with utensils made of dung (*bkly gllym*), utensils made of stone, utensils made of [unbaked] clay. (m*Yadayim* 1:2).⁷⁸

Dung vessels (*kly gllym*), designed for purifying hands or for storing dry goods, are quickly biodegradable, thus, they usually disappear over time and are not easily discerned or recovered from archaeological excavations. We know that vessels made of dung or whose openings were closed with dung were used in Jesus' day, since dung vessels were discovered on Masada in Zealot contexts.⁷⁹ These dung vessels, which are large and crude or with dung stoppers, antedate 74 CE when Masada fell to the Roman army.

Why does dung and excrement not defile? It is counter-intuitive. Perceptive are the following words of Jacob Milgrom:

Human feces were also not declared impure (despite Deut. 23:12; Ezek. 4:12).

Why wonders Dillman, does not the Bible label human feces impure, as do the Indians (Manu 5.138ff), Persians (Vend. 17.11ff) and Essenes (Jos. *War* 2.8.9; cf. 11QT46:15)? The answer is clear. *The elimination of waste has nothing to do with death; on the contrary, it is essential to life ...*⁸⁰ [italics mine].

Milgrom's explanation results from his claim that Jews thought that impurity, according to biblical texts, so-called extra-canonical texts, and Rabbinics, is categorized by anything that depletes the body, draining it of life through discharges. I am not clear how this explanation can include semen, since it causes impurity but is a human discharge necessary for life.

However one responds to Milgrom's criterion,⁸¹ it is clear that dung does not make one impure, according to Bible, Mishnah, and related texts, because

77. I am indebted to Magen for these references; see MAGEN, *The Stone Vessel*, 138.

78. Translation of J. NEUSNER, *The Mishnah: A New Translation*, New Haven, London: Yale University Press, 1988, 1123.

79. BAR-NATHAN, «Dung Vessels and Utensils», *The Pottery of Masada*, 238-243.

80. Milgrom, *Leviticus 1-16*, 767. I am grateful to Maccoby for drawing my attention to Milgrom's comments.

81. Maccoby contends that Milgrom's theory falls apart since a wounded person's blood is «not a source of impurity». He seems correct that not «all life-diminishing discharges defile». See MACCOBY, *Ritual and Morality*, 31.

it is a natural substance and had not been fired.⁸² Note the ruling in the Mishnah, which specifies that «moist excrement on the flesh», and «excrement under the fingernail» are «not unclean». Dung thus does not convey impurity (m*Mikvaot* 9:4). Moreover, urine (*my rglym*) in a vessel is regarded «as if it were water» (m*Mikvaot* 10:6). As R. Bar-Nathan states: «According to the Mishnah (*Kelim*, 4,4) unfired dung and earthen vessels, and those made of stone, are considered to differ from vessels fired in a kiln, since they are made of natural material in its pure form».⁸³

The Hebrew Bible specified that a vessel must be closed to protect it against ritual impurity (cf. Num 19,14-16). No mention is made of closing a vessel with «dung»; the method suggested is to tie a covering over the open vessel to close it so the impurity of a corpse, the most severe source of impurity,⁸⁴ does not contaminate it and its contents.

It is now becoming clear that some legislations developed by priests, scribes, and Pharisees during Jesus' time contradicted Torah. As Y. Magen reports, the legislation regarding stone vessels postdates the last book in the Hebrew Bible and is from Jesus' unique time: «The textual sources indicate that ideas regarding the special purity of stone vessels are specific to the period from the second half of the first century BCE to the destruction of the Temple».⁸⁵ Neither the Hebrew Bible nor such pre-Herodian works as the *Temple Scroll* and the *Damascus Document* refer to any legislation regarding «stone vessels».⁸⁶ New light is shone on the historical Jesus when we learn not only that decrees from the priestly aristocracy had profound social and religious ramifications but that they also «contradicted Torah law».⁸⁷ Moreover, stone vessels were extremely expensive. Thus, they help define social stratification of Jewish society. The elite, fearing impurity and striving to be above the lowly (especially the am ha'aretz), could only look down upon other Jews, many of whom were judged unclean and discarded into the interstices of society. As Benjamin Mazar and Yitzhak Magen pellucidly state and demonstrate, the

82. It is unwise to think logically, since the Sages also considered blood, semen, and snakes natural but impure. Second Temple Judaism is frequently a strange world for Jews and Christians of today.

83. BAR-NATHAN, *The Pottery of Masada*, 238.

84. See esp. MACCOBY, «The Sources of Impurity», in *Ritual and Morality*, 1-12; also see 13-29.

85. MAGEN, *The Stone Vessel*, 145.

86. Stone vessels are noticeably absent in TANAKH, 11Q Temple (see, e.g., 49.13-15) and the *Damascus Document* (see, e.g., MAGEN, *The Stone Vessel*, 144). The developing *halakot* indicate that stone vessels do not acquire impurity (contrast the TANAKH [the Old Testament] that antedates the stone vessel industry).

87. MAGEN, *The Stone Vessel*, 146. Shimon ben Shetah even introduced legislation that imposed impurity on metal objects (b*Shabbat* 14b).

stone industry was clearly connected with the Temple.⁸⁸ Scholars tend to concur that all purity decisions in Rabbinics are tied «to the Temple».⁸⁹

Jesus' life and the society of his fellow Jews were defined and frequently harassed by Temple priests usually through their innovative legislations regarding purity. Jesus perceived a clash between God's Word and the legal creations of the Sages; he said to the scribes and Pharisees who had come to him «from Jerusalem» (Mark 7,1): «You leave the commandment of God, and hold fast the tradition of men» (Mark 7,8). He also castigated them because they made «void the Word of God» through their tradition (Mark 7,13). Jesus' Torah teachings and not traditions derived from proto-rabbinic debates, especially in the Temple, is one reason Galilean Jews were astonished at his insights, «for he taught them as one who had authority and not as the scribes» (Mark 1,22).

Many Jews, represented by sectarian Judaism (as in *Some Works of the Torah*, the *Temple Scroll* which sometimes contradicts Rabbinic legislation,⁹⁰ and the *Damascus Document*) as well as so-called normative Jews (represented by Mishnah and Tosephta), argued that there were many actions no longer permitted on the Sabbath. For example, in the *Damascus Document*, we are told not to save the life of an animal that is dying in a pit:

Let no man deliver (the young of) *an animal on the Sabbath day*. And if it falls into a *pit* or a ditch, let him not *raise it on the Sabbath*.⁹¹

No one should continue to harbor doubts that Jesus knew this new legislation and spoke against it. Recall Jesus' judgment: «He [Jesus] said to them: “What man of you, if he has *one sheep* and *it falls into a pit on the Sabbath*, will not lay hold of it and *lift it out?*”» (Matt 12,11). Jesus knew the human was given the Sabbath as a gift and a time for needed rest from the stress of daily life. The Sabbath was not a means by which a human can treat another

88. See B. Mazar's Foreword (p. xi) and Y. Magen's conclusion that there was a «close link between the stone vessels and elements of the Temple cult requiring special, particularly strict purity» (*The Stone Vessel*, 147).

89. See MACCOBY, *Ritual and Morality*, 11.

90. Contrast 11QTemple 49.13-15 with m*Kelim* 10:1 and m*Oholot* 5:5. I am indebted to Magen for this insight; see MAGEN, *The Stone Vessel*, 144. Also see, L. SCHIFFMAN, «The Impurity of the Dead in the Temple Scroll», in L. H. SCHIFFMAN (ed.), *Archaeology and History in the Dead Sea Scrolls. The New York Conference in Memory of Yigael Yadin*. (Journal for the Study of the Pseudepigrapha, Supplement Series). Sheffield: Sheffield Press, 1990, 144-146.

91. *Damascus Document* MS A 11.13-14. For the Hebrew and English translation, see J. M. BAUMGARTEN – D. SCHWARTZ in *Damascus Document, War Scroll, and Related Documents* (PTSDSS Project 2). Tübingen: Mohr [Siebeck] and Louisville: Westminster John Knox Press 1995, 48-49.

inhumanely: «Jesus said: “The Sabbath was made for the human, not the human for the Sabbath”» (Mark 2,27).

Concern for preserving the dignity of the human and human relationships defined the uniqueness of Jesus' message within Second Temple Judaism; this emphasis helps clarify his opposition to the priests' purity laws. Jesus focused on Torah and God's commandments in it. Above all he perceived the importance of the first two commandments:

And one of the scribes came up and heard them disputing with one another, and seeing that he [Jesus] answered them well asked him: «Which commandment is the first of all?» Jesus answered: «The first is, “Hear, O Israel: The Lord our God, the Lord is one. And you shall love the Lord your God with all your heart, and with all your soul, and with all your mind, and with all your strength”. The second is this: “You shall love your neighbor as yourself”. There is no commandment greater than these», (Mark 12,28-31).

Jesus quotes and elaborates on the Shema (Deut 6,4-5), which mirrors the Ten Commandments (the Decalogue). These commandments reveal and undergird the covenantal relationship of humans with God and the corollary relationship between God's creatures, our fellow humans. For Jesus, relationships were fundamental. He put human relations with God and fellow humans above all laws, or better, he interpreted the Commandments to prove the superiority of relationships over other commandments or legislations. According to Jesus, the new legislations for purity too often hindered the loving relationship between humans encouraged by the Torah (viz., «You shall love your neighbor as yourself» Lev 19,18 NRSV).

Until one grasps the sociological ramifications of the purity laws developing in Jesus' time, well-known sayings and parables are misunderstood or only partly comprehended. For example, most exegetes bewail the crassness of the priest and Levite who «passed on the other side» of the man who was near death because he had been beaten by robbers. The priest and perhaps the Levite were on their way down to Jericho and not going up to Jerusalem and into the Temple to participate in the holy services, yet they would be impure for seven days if they had touched or gone near a corpse (see, e.g., Num 19,14-16; *Ant* 3.277). With an appreciation of Jesus' attitude to purity and the need to have «compassion» on one in need, one can better appreciate the context and brilliant mind of Jesus displayed in the parable of «The Good Samaritan» (Luke 10,25-37).⁹²

92. This is not the place for me to explain why I have concluded that the Parable of the Good Samaritan most likely derives ultimately from Jesus but contains redactions by Luke. The story does not serve the needs of the *kerygmata*, fits admirably within Jesus' Judaism, and coheres

In studying the parable of «The Good Samaritan» we dare not forget the archaeological insights obtained from studying the hundreds of mikvaot and stone vessels from his time,⁹³ the problems Jesus had suffered from the Temple priestly class (including the scribes and Pharisees sent to him from Jerusalem), and the complexity of Jesus' parables (they are not simply designed to make one point but are often multidimensional and sometimes quasi-allegorical). We thus must not exaggerate the importance of purity in this story nor minimize it. In light of the pervasive priestly opposition to Jesus, it is conceivable that he targets them in this parable. Yet, his criticism includes not only priests, his antagonists, but also Levites, whom he never criticizes and most likely admired since he loved the Temple cult and its liturgies which included Levites' chanting. Moreover, Jesus depicts the priest and Levite heading down from Jerusalem to Jericho; that means they were not ascending the Holy Mountain, thinking about the requisite purity for serving in the Temple. While the priest and Levite may have avoided the possible bloody body or possible corpse of the man because of its pollution, one should note that becoming impure was not only expected but sometimes an obligation and not a sin. The priest and Levite may have realized that helping one in need—even burying a corpse before sundown—overrode the impurity involved. Maccoby rightly explains the importance of purity regulations for comprehending Jesus' parable:

Only a priest, not a Levite, is forbidden to incur corpse-impurity, and even he is not only permitted, but obliged, to lay aside his purity if in a situation where there is danger to human life. Even if the wounded man were dead, not just in danger, the priest would be obliged to handle his corpse in order to give it decent burial, a duty that far transcends ritual purity considerations.⁹⁴

While I appreciate Maccoby's insight, some influential priests in the Temple (and surely those behind certain regulations in the *Cairo Damascus Docu-*

with other Jesus teachings that are rightly judged to be authentic to him. Multiple attestation cannot, of course, be applied; but there are other instances when that method is corrected by others. Mark 4 and the Parable of the Seed Growing Secretly was omitted by Matthew and Luke because they either did not understand it or because they disagreed with it.

93. I cannot agree with Maccoby: «The vast majority of Jews were not expected to be in a state of ritual purity except at festival times, when they entered the Temple area». (MACCOBY, *Ritual and Purity*, 149). The vast amount of stone vessels, both in Judea and Lower Galilee, and mikvaot, west of Herodian Jericho's swimming pool, at Qumran, especially in Upper Jerusalem, as well in Jewish sections of Lower Galilee indicate that many Jews were concerned with ritual purity most of the time and not only «at festival times». Of course, many mikvaot are west and south of the Temple Mount and close to the famous entrances to the sacred precincts, since Jews must immerse themselves in a mikveh before entering the Holy Temple Mount.

94. MACCOBY, *Ritual and Purity*, 150-151.

ment) would most likely strongly disagree with his interpretation. We must not systematize the non-systemic world of Judaism; it invites such disagreements, as is so clear with the Houses of Shammai and Hillel (and the recent debates between Neusner and Milgrom [and Maccoby]). Thus, when Jesus depicted these luminaries as passing by on the other side, he did not condemn them for blindly focusing on purity issues. He used them to condemn all for being immoral and not helping another in need. This may be Jesus' main message, but there is more in this story, as in most parables.

What then did Jesus have in mind when he told the Parable of the Good Samaritan? He surely meant more by this story than simply stating that human need and responsible action override rules of purity. He was not merely castigating the priest and Levite for not acting to help a fellow Jew because of their fear of lurking robbers. This erroneous interpretation appears in Maccoby's otherwise sane interpretation:

Why then did the priest and Levite fail to come to the aid of the wounded man? Simply because they were too lazy, or, more probably, too cowardly, to do so, the bandits who had robbed the man being still in the vicinity.⁹⁵

While this interpretation seems simplistic, we should not miss the importance of topography. The Wadi Kelt is treacherous and has always been dangerous (and the wadi preserves vestiges of the aqueduct Jesus knew). Thieves, bandits, and robbers populated it,⁹⁶ but they are not the point of Jesus' message.

Jesus probably did not consider a Samaritan a Goi or non-Jew, despite some opinions by specialists.⁹⁷ The Samaritans were Jews and their Pentateuch is close to the received one; moreover, their influence can be seen both in the Jewish Pseudepigrapha and Qumran Scrolls. According to the Gospel of John, Jesus reveals to the Samaritan woman that «salvation is from the Jews», and that may have included her since she and her fellow Samaritans respond favorably. Thus, in the Parable of the Good Samaritan, Jesus seems to be showing us a new poetic vision of a better world, one in which purity is important but the love of another overrides all legislation and is the governing law. New Testament scholars should refrain from using this parable to argue that Jesus did not observe the

95. MACCOBY, *Ritual and Purity*, 151.

96. R. A. Horsley insightfully illustrates the prevalence of bandits in ancient Palestine and their importance for Jesus Research. See R. A. HORSLEY – J. S. HANSON, *Bandits, Prophets, and Messiahs*, Minneapolis: Winston Press, 1985.

97. *Pace* MACCOBY, *Ritual and Purity*, 151: «This method of putting Jews on their mettle by praising the good deeds of non-Jews is found in Scripture too (e.g. Malachi 1:11)». A brilliant insight is lost in the false claim that a Samaritan is a «non-Jew».

purity laws and always railed against them. We should endeavor to enter the world described. In that setting we may comprehend how Jesus perceived active love for another is both God's Will and helps anticipate «the Kingdom of God».

Thus we see –as my colleagues in the history department in the Hebrew University, Jerusalem, often point out to me– the Gospels themselves are frequently valuable sources for pre-70 history and some early proto-rabbinic legislations. According to the Gospel of John, the Judeans tell a man healed by Jesus on the Sabbath: «It is the Sabbath, it is not lawful to carry your mat» (John 5,10). Jesus is depicted as extremely angry that the Pharisees and Herodians could not answer his direct question: «Is it lawful on the Sabbath to do good or to do harm, to save life (*psuchēn sōsai*) or to kill?» (Mark 2,4).

How do we explain such diverse Jewish attitudes to the Sabbath? On the one hand, it is clear that some sectarians along with Jerusalem priests and their scribes were elevating the restrictions for an understanding of «work» on the Sabbath. On the other hand, we need to re-examine Gen 2,2. Jesus apparently knew the literal meaning of Gen 2 (according to the so-called Masoretic text):⁹⁸

98. While the Masoretic text [MT], which in its present form was edited by the Masorites in the Middle Ages, has «Seventh Day», there are three other ancient witnesses to the text of Gen 2,2: the Septuagint, the Samaritan (*hššy* [šš means «six»]), and the Peshitta. Each of them has «sixth day». The Greek has *en tē hemera tē hektē* [*hektos* means «sixth»]. The Hebrew of «the Seventh Day» is thus a copyist error in proto-Masoretic texts for sixth day [there is no need to seek a pluperfect for the verb or struggle to seek odd meanings for the verbs]. The prevalence and importance of variants are now well known to scholars, and E. Tov tells me there are about 900,000 variants in Hebrew manuscripts of the Hebrew Bible. As E. A. Speiser correctly judged: «Since the task of creation was finished on the sixth day, the text can hardly go on to say that God concluded it on the seventh day». See SPEISER, *Genesis*, The Anchor Bible; Garden City, N.Y.: Doubleday 1964, 7. Following the non-Masoretic witnesses to Gen 2,2, O. Procksch rendered the passage as follows: «Und so vollendete Gott am "sechsten" Tage sein Werk»: O. PROCKSCH, *Genesis*, Leipzig and Erlangen: A. Deichertsche Verlagsbuchhandlung 1924, 438. One should dismiss the possibility that the author erred and wrote «sixth» when he meant «seventh». This section of Genesis is by P [the Priestly Source; see Gunkel, *Genesis*, 101]). As G. von Rad emphasized: The opening of Genesis (1:1-2:4a) represents distilled Priestly knowledge: «It was not "written" once upon a time; but, rather, it is doctrine that has been carefully enriched over centuries by very slow growth. Nothing is here by chance; everything must be considered carefully, deliberately, and precisely. ... What is said here is intended to hold true entirely and exactly as it stands». (G. VON RAD, *Genesis*, translated by J. H. MARKS, Philadelphia: The Westminster Press, 1956, 45). Thus, in addition to the process of «slow growth», we should add the copying of scribes over centuries; the error lies not with the Priestly source but with a copyist. The translators of the other ancient versions have not sought to correct a text. As in many instances known from Qumran (but unknown to Gunkel, von Rad, and others who worked before 1947), the Greek and Samaritan manuscripts sometimes help us correct the so-called Masoretic text. For example, I have an image of a leather Hebrew manuscript of Leviticus (unpublished and unknown to scholars [I have spent years trying to get this text to scholars]). As is well known the Hebrew text of Leviticus is sometimes corrupt. This fragment preserves the original text that is not found in MT but is witnessed to by LXX.

On the seventh day God finished the work that He had been doing, and He ceased [or «rested»] on the seventh day from all the work that He had done» (Gen 2,2 [TANAKH]; contrast Exod 20,11).⁹⁹ This verse literally means that God «completed» or «finished» (*wykl*)¹⁰⁰ working on the Seventh Day and then «ceased» (*wyšbt*)¹⁰¹ so he could rest. The author (or authors) of Gen 2 did not report that the Creator completed his work on the sixth day and then ceased from creation. The Creator «finished» (*wykl*) his work on the Seventh Day. Gen 2,2 means: «And during the Seventh Day God finished the work that He had been doing, and He ceased on the Seventh Day from all the work that He had done».

It is possible that the later Jewish rabbinical debates over the meaning of Gen 2,2 and its clash with Jewish traditions that assumed God did no work on the Sabbath may have already appeared in Jesus' time.¹⁰² Jesus would then have sided with the scholars (scribes and Sages) who took Gen 2,2 literally; that is, God brought creation to completion on the Seventh Day. Now we may comprehend why Jesus told some Judeans who were disturbed by his Sabbath healings: «My Father is working still [that is, God worked also on the Sabbath and on that day completed his creating and then ceased], and I am working» (John 5,17 [again, we find evidence of early Jewish traditions in John]).¹⁰³

99. Old Testament specialists are rightly puzzled by this verse of the creation story; Rabbis focused on it and tried to solve the problem of God's working on the Sabbath. The Fourth Evangelist preserves a tradition that Jesus knew the Creator, according to Gen 2,2 [MT and obviously proto-Masoretic], finished his creating on the Sabbath and then rested. According to John, Jesus sides with God in the continuing task of creating and healing. For scribes and priests this is *chutzpah* and blasphemy.

100. The Hebrew verb *wykl* (a Piel Imperfect) means «and he completed», «and he finished», or «and he brought to an end». The Beth of *byom hšby'y* means «on [or within] the Seventh Day». As H. Gunkel long ago pointed out: «“[E]r vollendete” ist schwierig, weil es so klingt, als habe Gott am siebenten Tage noch gearbeitet». H. GUNKEL, *Genesis*, Göttingen: Vandenhoeck & Ruprecht 1977 (9th edition of the edition of 1910), 114.

101. The verb is not necessarily connected with the noun *šbt* see A. T. PATRICK, *The Unity and Origin of the Decalogue*, Louvain Ph. D. dissertation 1963; though North, *Biblica* 36 (1955) thought the verb was denominative; that is derived from Shabbat. See L. KOEHLER – W. BAUMGARTNER, *The Hebrew and Aramaic Lexicon of the Old Testament*, vol. 2, 1407. The verb *šbt* means «to rest», «to celebrate», «to stop», «to cease». Against Jewish tradition and custom, the Jewish translators of TANAKH perspicaciously chose «ceased».

102. In favor of the interpretation that God worked only on the first six days are the following points: there is no list of what God did on the Seventh Day [and that clashes with formula used when describing the first six days], Gen 2,1 states that God «completed» or «finished» (*wyklw* [also a Piel Imperfect]) the «heavens, and the earth, and all the hosts» before the Seventh Day, and the imprecise meaning of «and he completed (namely) God on the Seventh Day his work» All these observations suggest that the author or authors of Gen 2,2 intended to write «sixth day» and not «Seventh Day».

103. The Rabbis debated the meaning of Gen 2,2 since most Jews believed that God completed creating on the sixth day (as in Exod 20:11) and spent all the seventh day resting. I am indebted to J. Milgrom for reflections on the literal meaning of Gen 2,2.

Many of the attacks against Jesus are certainly focused on his Sabbath teaching and practice: «Some of the Pharisees said: “This man is not from God, for he does not keep the Sabbath”» (John 9,16). For the sectarians, like the Essenes, the scribes and Pharisees, many other Jews, and especially the priests, the Sabbath had become a time of withdrawing from helping others, since in the view of these Jews absolutely no work was permitted on the Sabbath. Jesus’ teaching regarding the Sabbath appears to be a unique element of his life and thought; and such teachings were part of his concept of purity. They paved the way that led to his arrest and death.

Having developed this point, I wish to add a caveat. There is no evidence that Jesus did not observe the Sabbath according to the old laws preserved in Torah (the Old Testament). His diligent Torah-obedience was well known to Paul and the Evangelists. He vehemently disagreed, however, with the new legislations emanating from the priestly aristocracy in Jerusalem. Jesus knew the commandments, and he did not break them; thus, he obeyed the commandment that demanded rest on the Seventh Day (cf. Deut 20,8-11). When he was in Jerusalem and heard the ushering in of the Sabbath as the trumpet blew from the Stone of the Trumpeting Place above the southwestern corner of the Temple Mount, as Josephus indicated (*War* 4.582) and archaeological discoveries have demonstrated,¹⁰⁴ Jesus would have ceased labor and rested as God had commanded.

Why did Jesus reject the new priestly rules? According to Jesus, the Torah was a revelation of God’s Will. Jesus’ three favorite books in the Torah were the Davidic Psalms, Isaiah, and Deuteronomy.¹⁰⁵ For Jesus, the Sabbath was indeed a day set aside to rest and to meditate on God and his continuing creating; it was also a time to help other humans and animals in extreme need. While scholars know that the resistance to Jesus was often centered on his Sabbath healings, few have observed that his actions were focused on purity regulations recently developed and administered by priests from the Temple. In the judgment of most scholars today, Christians and Jews, Jesus was right to stress that the Sabbath was made for the human and not the human for the Sabbath; his phrasing of this insight mirrors the rhetoric of the Rabbis. By attacking the new traditions that elevated the importance of purity (evident in the hundreds of stone vessels and *mikvaot* that appear during Jesus’ time), by resisting the new restrictions for observing the Sabbath that are explicit in many early Jew-

104. An inscription was found beneath the southwestern corner of the Temple Mount: *leveit hatekiya lehakh[riz ...]* which means «to the Trumpeting Place to usher[er in the Sabbath]». See the image in BAHAT, *The Illustrated Atlas of Jerusalem*, 44. For the stone *in situ* and where it fell in 70 CE, see RITMEYER, *Quest*, 57 [bottom right]. The inscription was plastered over see RITMEYER, *Quest*, 59).

105. These same books seem also to be the most popular at Qumran and in the early Church.

ish texts, and by stressing human relationships over a preoccupation with purity, Jesus attacks the new priestly *halakot*. In the judgment of many Jews and Christians today Jesus' effort is «to his glory».¹⁰⁶

8. THE JEWISH JESUS OBSERVED SOME PURITY CUSTOMS

The overwhelming evidence that Jesus resisted the priestly purity rules might blind us to the fact that Jesus, most likely, observed the purity legislations that are Torah-based and did not undermine the divine quality of the human and sanctity of human relationships. The Evangelists, probably unintentionally, preserve the importance of ritual purity for Jesus. Recall the famous passage in Mark 7:

The Pharisees, and all the Jews, do not eat unless they wash their hands, observing the tradition of the elders. And when they come from the market place, they do not eat unless they purify (or immerse)¹⁰⁷ themselves. And there are many other traditions which they observe, the washing of cups and pots and vessels of bronze (Mark 7,3-4).

The final sentence makes sense only when we study the *halakot* focused on cleansing cups, pots, and bronze vessels in a *mikveh* when they have become impure.

The chapter just cited, Mark seven, is the crucial passage for our present investigation.¹⁰⁸ First, it mirrors the fact that Jesus, and some of his disciples,¹⁰⁹ most likely observed some of the customs for purity.¹¹⁰ Recall again how Mark seven begins: «Now when the Pharisees gathered together to him [Jesus], with some of the scribes who had come *from Jerusalem*, they saw that *some of his disciples* ate with hands defiled, that is, unwashed» (Mark 7,1-2). These two verses reveal two major insights: some of Jesus' disciples did wash their

106. These words came from Dan Bahat and Avi Solomon, who agreed with me about Jesus' attack on *halakot*. The conversation developed as we examined some ornate and well-preserved pre-70 *mikvaot* near Wilson's Arch and underneath present day Jerusalem's houses.

107. This is an interesting text that may not have been understood by Christian scribes who did not comprehend the necessity of *mikvaot* in pre-70 Judaism.

108. For a good discussion, see R. P. BOOTH, *Jesus and the Laws of Purity: Tradition History and Legal History in Mark 7* (JSNTS 13; Sheffield: JSOTPr, 1986).

109. After Jesus, some of his followers most likely continued to observe some purity laws, since the Epistle of James preserves the following exhortation: «Draw near to God and he will draw near to you. Cleanse your hands, you sinners, and purify your hearts, you double-minded» (Jas 4,8).

110. Maccoby argues: «[W]e know that Jesus was not an opponent of ritual purity». MACCOBY, *Ritual and Morality*, 161. I have become convinced that Jesus resisted the innovative post-scriptural purity laws and affirmed the purity laws «which Moses commanded» (Mark 1,44).

hands, and most importantly, so did Jesus;¹¹¹ otherwise his antagonists would have made Jesus' noncompliance their central attack.¹¹²

Second, Mark seven is crucial because it contains Jesus' dictum on purity: «And he [Jesus] called the crowd to him again, and said to them: "Hear me, all of you, and understand. There is *nothing outside of a man* which by going into him *can defile him*; but the things which come out of a man are what defile him"» (Mark 7,14-15 [italics mine]). Later Jesus explained to his too often obtuse disciples: «Then are you also without understanding? Do you not see that whatever goes into a man from outside cannot defile him, since it enters, not his heart but his stomach, and so passes on?» (Mark 7,18-19; see also GosThom 14).¹¹³

The tradition in Mark seven is an important window into the purity laws developing in Second Temple Judaism. In Mark the emphasis is clear that Jesus insists that inward purification, not external immersion, is important. This same emphasis is attributed to Jesus by a so-called apocryphal text.¹¹⁴ It is a small parchment fragment found in Egypt in 1905, called Oxyrhynchus Papyrus 840. Many scholars reject the text as non-historical and representative of late gospels (the fragment dates from about 400 CE). Here is the story not found in the intra-canonical gospels:¹¹⁵

Then he [Jesus] took them with him and brought them into the place of purification (*to agneutērion*) itself, and was walking in the Temple. And a certain Pharisee, a chief priest named Levi, met them and said to the Savior: «Who gave you permission to walk in this place of purification (*to agneutērion*) and look upon these holy vessels when you have not bathed (*mē lousa*) and your disciples have not washed their feet? But you have walked in this Temple in a state of impurity (*akatharon*), whereas no else comes in or dares to view these holy vessels without having bathed and changed his clothes». Then the Savior stood with his disciples and answered him: «Are you, being here in the Temple, then clean?» He said: «I am clean (*kathareuō*), for I have bathed (*elousa*) in the Pool of David (*limnē tou D[auēi]d*) and have descended (*katelthōn*) by one staircase and ascended (*a[n]ēlthōn*) by another, and I have put on white and clean clothes. Then I came and viewed the holy vessels». Then said the Savior: «Woe, you blind men who do not see! You

111. While Matthew follows Mark and reports that Jesus' disciples did not wash their hands before eatings (Mt 15:2), Luke edits Mark so that Jesus is portrayed not washing his hands: «The Pharisee was astonished to see that he did not first wash before dinner» (Luke 11,38).

112. In contrast to my interpretation, Maccoby thinks that Jesus was referring not to purity rules but to hygienic rules and that he followed a minority trend «when he rejected the hygienic rule of hand-washing before meals», (MACCOBY, *Ritual and Morality*, 160).

113. Also see Mark 2,18 and the tradition that Jesus' disciples did not properly fast.

114. See F. F. BRUCE, *Jesus and Christian Origins Outside the New Testament*, Grand Rapids: Eerdmans, 1974, 160.

115. The translation only occasionally indicates the restorations needed, since this is a work designed for non-specialists.

have washed in these running waters in which dogs and pigs have been cast night and day, and you have washed and scrubbed your outer skin, which harlots and flute-girls also anoint and wash and scrub, beautifying themselves for the lusts of men while inwardly they are filled with scorpions and all wickedness. But I and my disciples, whom you charge with not having bathed, have been dipped in the waters of eternal life (*zō[ē]s [aiōviou]*)¹¹⁶ which come [from heaven]».¹¹⁷

Since the text was most likely composed in the early decades of the second century CE, one can easily imagine that the document is an expansive commentary on the intra-canonical gospels.¹¹⁸ The ending is reminiscent of John 4, the text is somewhat parallel to Mark 7 and Matt 15 (and 23), and the reference to Jesus as «Savior» is atypical of the Gospels. The mention of «pigs» and «harlots and flute-girls» may also be an example of the Anti-Judaism that appears in the apocryphal texts.¹¹⁹

Yet, one cannot be certain of this conclusion. While an appeal to verisimilitude to a former day cannot be ruled out, and while it is certain that in its present shape the text contains editorial comments (which are also found in all intra-canonical gospels), many of the statements suggest an eyewitness perception of the purification rules developed during Jesus' time.¹²⁰ Among them are the following:

- The place of purification is the Temple.
- Jesus is depicted walking in this Temple in a state of impurity.
- The text preserves the requirement to bathe and change clothes before entering the Temple.

116. In contrast to this text, the Gospel of John has *hudōr zōn* and *to hudōr to zōn* (John 4,10-11).

117. For the Greek text, see B. P. GRENFELL – A. S. HUNT, *The Oxyrhynchus Papyri*, London, 1908, Part V. A similar translation to mine is found in J. ELLIOTT, *The Apocryphal New Testament*, Oxford: Clarendon Press, 1993, 33-34.

118. Bruce thought the text was «grotesque» and betrays the «imagination of a period later than the destruction of the temple». BRUCE, *Jesus and Christian Origins Outside the New Testament*, 160. O. Hofius also doubted the authenticity of this text (O. HOFIUS, «Unbekannte Jesusworte», in P. STUHLMACHER [ed.], *Das Evangelium und die Evangelien*, [WUNT 28], Tübingen: Siebeck, 1983, 372-373). D. R. Schwartz rightly points out that according to the fragment Jesus attacks an alleged Pharisaic position, which in reality was a Sadducean perspective challenged by Pharisees. See D. R. SCHWARTZ, «Viewing the Holy Utensils (P. Ox. V, 840)», *NTS* 32 (1986) 153-159.

119. See J. H. CHARLESWORTH, «Jesus in the Agrapha and Apocryphal Gospels», in B. CHILTON – C. A. EVANS (eds.), *Studying the Historical Jesus: Evaluations of the State of Current Research*, Leiden: Brill, 1994, 479-533.

120. R. Deines also sees that some aspects of this fragment reveal knowledge of pre-70 Jewish rules for purification. See R. DEINES, *Jüdische Steingefässe und pharisäische Frömmigkeit: Eine archäologisch-historischer Beitrag zum Verständnis von Joh 2,6 und der jüdischen Reinheitshalacha zur Zeit Jesu* (WUNT 2.52); Tübingen: Mohr Siebeck, 1993, 257-260.

I am especially impressed by the reference of descending (*katelthōn*) by one staircase and ascending (*a[n]ēlthon*) by another. This requirement is not well known, but is evident in the divided lines in the *mikvaot* at Qumran and in Herodian *mikvaot* near Wilson's Arch. Raised portions of the plaster warn the one who is ascending not to get close to the impure that are descending on the left. The author of this text seems well informed of the function and purpose of *mikvaot* and the purity laws operative in Jerusalem before 70 CE. W. Loader insightfully points out: «The rejection of the purification requirement has been formulated by someone apparently familiar with the procedures».¹²¹ Moreover, the text betrays Semitisms that indicate the Greek is a translation of a Semitic source and the links with the Greek of the intra-canonical gospels are philologically imprecise. Thus, J. Jeremias may have been correct to conclude that Oxyrhynchus Papyrus 840 may be authentic and derive ultimately from the historical Jesus.¹²² Armand Puig i Tàrrach also perceives evidence of a historical perspective («punt de vista històric») to this text.¹²³ If Oxyrhynchus Papyrus 840 preserves authentic Jesus traditions that antedate 70 CE, we have additional evidence of Jesus' rejection of purity legislation in his time.

Here are the ways Jesus most likely observed the biblical laws regarding purity (but not the priestly post-scriptural innovations): First, When Jesus instructed the leper whom he cured to go to the priest and offer the sacrifice commanded «by Moses» (Mark 1,40-44), he clearly observed (and supported) the biblical law for purity specified in Lev 14,1-32. Second, Jesus must have washed his hands before eating and thus observed the biblical purity laws, since (as we have just observed) his antagonists claimed that his disciples did not wash their hands (Mark 7). The editorial addition that Jesus declared all foods clean miscasts Jesus; the Paul we know and the Peter portrayed by Acts certainly did not know that Jesus held such a view which would have certainly helped their cause. Third, Jesus entered the Temple to worship; thus, he must have entered a *mikveh* and observed the requisite purity laws before entering the Holy Temple area. Fourth, Jesus was with a man (whom he healed) at the pools called Beth Zatha, because he also most likely also wanted to immerse himself in the purifying waters. Fifth, if Jesus and his disciples ate the Passover lamb, someone would have needed to obtain a lamb sacrificed in the Temple and obey at least some of the biblical purity laws (Exod 12,3).¹²⁴ Sixth,

121. W. LOADER, *Jesus' Attitude Towards the Law*, Grand Rapids: Eerdmans, 2002, 504.

122. J. JEREMIAS, «Der Zusammenstoß Jesu mit dem pharisäischen Oberpriester auf den Tempelplatz. Zu Pap. Ox V 840», *Coniectanea Neotestamentica* 11 (1947) 97-108.

123. Armand PUIG I TÀRRECH, *Jesús: Un perfil biogràfic*, Barcelona: Proa, 2004, 46.

124. I rewrote this section of my paper after reading an article by P. Fredriksen and am indebted to her for points one, four, and five. See P. FREDRIKSEN, «Did Jesus Oppose the Purity Laws?», *Bible Review* 11-3 (1995) 19-25 and 42-47. She would answer «No» to her question.

as we have seen Jesus did not observe the Sabbath according to some Jews (especially those behind the *Damascus Document*), but he did observe the Sabbath according to the purity laws of the Torah. He obeyed Exod 20,8-11, «Remember the Sabbath Day and keep it holy (*lqdšw*)»; and he knew that according to the Hebrew text of Gen 2,2, the Creator continued to create and finished his work (*wykl*) on the Seventh Day and then rested. Seventh, if Matthew may be trusted to represent Jesus' intentions, then Jesus deeply approved of the Temple cult and the rules for obtaining purity; Jesus advised offering the «tithe of mint and anise and cummin» (Matt 23,33).

Jesus' relation with the Jewish purity laws has been miscast by many New Testament scholars. It is incorrect to imagine that Jesus' association with sinners, outcasts, and tax collectors was a repudiation of purity laws. Defilement was not a sin; it was natural and often a duty. Maccoby rightly perceives that Jesus' association with criminals and others who were defiled was to induce them to repent: «Jesus [...] was engaged in an apocalyptic messianic campaign, and such campaigns, in Jewish history, have always been accompanied by extraordinary efforts to induce repentance».¹²⁵ Obviously, many priest and Pharisees had grave doubts about Jesus' efforts, but they did not criticize Jesus' association with sinners on grounds of ritual purity.

Jesus should not be portrayed as breaking purity laws, since many of them were not accurately portrayed and probably misunderstood by the Evangelists. Some of the purity laws, including the Eighteen Decrees, were most likely established in 66 CE (b*Shabbat* 13b, 14b, 15a).¹²⁶ Among such pre-70 but post-30 purity legislation was the distinction between the inside and outside of a cup (Lev 11,53 refers to contaminated earthen ware that are declared to be made unusable) and the ritual washing of hands required of laymen like Jesus and his disciples.

In light of Jesus' fondness for the Psalms, it is appropriate to contemplate that in many ways Jesus' concept of purity reflected Ps 51: «Purge me with hyssop, and I shall be clean; wash me, and I shall be whiter than snow» (Ps 51,7 NRSV). In many ways, Jesus urged his followers to address God directly.

Finally, there is further evidence that some of Jesus' followers observed purity laws. According to Luke, following Jesus' birth and «the days of her purification» (Luke 2,22), Mary enters the Temple and sacrifices two turtledoves, following the legislation in Leviticus 12,8. According to the Gospel of John, Peter rushed into Jesus' grave; if he observed the purity laws, he ignored them at that

I would differ with her by concluding that Jesus opposed only the post-biblical regulations developed by priests and sectarians.

125. MACCOBY, *Ritual and Morality*, 150.

126. See esp. MACCOBY, *Ritual and Morality*, 153. 154. 156.

moment. The Beloved Disciple who got to the grave first did not rush into Jesus' open grave. He stopped and looked inside; eventually he entered the tomb. Most likely the Beloved Disciple thus observed the Jewish purity laws. According to these laws, the grave is a major source of impurity; and the grave is equal to the corpse in causing impurity.¹²⁷ If the Beloved Disciple is to be identified with Thomas,¹²⁸ we can comprehend why Thomas was not present with the other disciples when Jesus first appeared to them (he had to purify himself) and that he appeared after seven days (the requisite time to obtain ritual purity).

9. JESUS' CRUCIFIXION AND JEWISH PURITY ISSUES. WHAT AND WHO LED TO JESUS' CRUCIFIXION

Too often scholars ask: «Who crucified Jesus?» We should refine that question, periodically, to ask: «What crucified Jesus?»¹²⁹ We have seen evidence that Jesus' resistance to and teaching against the priestly expanded rules and laws regarding purity precipitated his arrest.

Jesus attracted crowds (see, e.g., Mark 4,1; 5,21; 8,1). Frequently, we read about Jesus' attracting multitudes and crowds from Galilee, Judea, Jerusalem, Idumean, beyond the Jordan, and even from Tyre and Sidon (Mark 3,7-8; cf. 8,3; 9,14-17, 25, 10:1). Even Herod Antipas heard about Jesus' reputation and popularity from crowds and the masses (Mark 6,14-16). As G. Vermes notes: «[U]ntil his arrest Jesus seems to have been the darling of the Galilean country folk and even warmly welcomed by the Jewish crowd in Jerusalem».¹³⁰

Crowds were politically dangerous for Jesus. We learn from sociologists, especially Gustave Le Bon's *The Crowd* (1916), that the crowd is the most volatile of «social» institutions. And historians of antiquity have clarified how crowds shaped Roman policy, as illustrated lately by Fergus Millar in his *The Crowd in Rome in the Late Republic* (1998).

Most likely «the chief priests, scribes, and elders» (Mark 11,27) feared the crowds who were astonished at Jesus' wisdom and power (Mark 12,12). Large crowds were pleased by Jesus' teaching in the Temple (Mark 12,35-37). For high priests (like Annas and Caiphas) and Roman governors (like Pilate), a

127. Esp. see MACCOBY, *Ritual and Morality*, 3.

128. See J. H. CHARLESWORTH, *The Beloved Disciple: Whose Witness Validates the Gospel of John?*, Valley Forge, PA: Trinity Press International, 1995.

129. See E. RIFKIN, «What Crucified Jesus?», in J. H. CHARLESWORTH (ed.), *Jesus' Jewishness*, New York: The American Interfaith Institute and Crossroad 1991, 226-257. Rivkin rightly perceives that Jews did not crucify Jesus; it was *the imperial system* which victimized the Jews, victimized the Romans, and victimized the Spirit of God» (257).

130. G. VERMES, *The Passion*, New York: Penguin Books, 2006, 7.

charismatic¹³¹ (like Jesus) who attracted crowds was extremely dangerous and threatened the fragile social stability of Jerusalem's society, especially at Passover when the Holy City tripled in size with Jews enthusiastically expecting evidence of God's deliverance of his chosen nation. That place, time, and region frame Jesus' final trip to Jerusalem and clarify his arrest and execution by Roman soldiers. Recall that Palestine is precariously close to the borders of the powerful Parthians who had invaded the region as far as Akko from the East in 40 BCE and led to the choice of Herod as «King of the Jews».

Was concern with purity a «danger» for Jesus' fellow Jews? Some of the most gifted and influential scholars have concluded that, during the time of Jesus, purity concerns did not entail danger.¹³² These scholars tend to stress the central importance of Rabbinics for recovering the historical Jesus. While Rabbinics are fundamental in understanding Jesus' context (as we have indicated), we must never miss the point that rabbinic texts took written shape around 200 CE and pre-70 traditions are often edited to reflect the needs of post-70 and post-136 Judaism. Scholars who jettison a fear of impurity from Jesus' time also categorize the *Temple Scroll* as a Qumran composition and thus feel justified in ignoring it,¹³³ when most Qumran specialists judge it to represent pre-Qumran or non-Qumran Judaism.

Likewise, it is mandatory to avoid a portrayal of pre-70 Judaism as legalistic especially when «Christianity» is depicted, in contrast, as stressing a life-giving Spirit. The concomitant need to shun any vestiges of Anti-Judaism and Anti-Semitism may lead one to misrepresent the complex and sometimes chaotic world of Second Temple Judaism and present a more relaxed concern for purity as is found in Mishnah. One might imagine that both tendencies intermittently mar the insightful and brilliant portrayal of purity regulations in pre-70 Palestinian Judaism by Maccoby. For example, his claim that «the story of the Good Samaritan says nothing about ritual purity», may seem distorted due to efforts both against portraying «Judaism as a religion of formalism and ritual» and elevating Christianity as a system of «the free operation of the spirit».¹³⁴ I would stress that such a judgment misrepresents Maccoby. He successfully shows that the Hebrew Bible and Rabbinics illustrate that purity is

131. Max Weber (1864-1920) proved that Jesus provides the paradigm for the charismatic (who is a bearer of power which is supplied only daily by the crowds who elevate him with special status that must be constantly proved).

132. See esp. E. P. SANDERS, *Jesus and Judaism*, Philadelphia: Fortress Press, 1985; ÍD., *Jewish Law from Jesus to the Mishnah*, London: SCM Press; Philadelphia: Trinity Press International, 1990; ÍD., *Judaism: Practice and Belief, 63 BCE-66 CE*, Philadelphia: Trinity Press International, 1992.

133. The *Temple Scroll* is not a Qumran composition.

134. MACCOBY, *Ritual and Morality*, 151.

ultimately subordinate to morality and that purity laws were a means of self-identification. What then should specialists on Christian Origins imagine about Jesus' Judaism?

On the one hand, New Testament scholars need to recognize the fear of being polluted in Second Temple Judaism (after all the high priest during the night before the Day of Atonement was kept awake lest he pollute himself and become a *zab* [cf. Lev 15,16-18]). On the other hand, they should seek to appreciate the attractiveness of the need for purity in daily life and especially when beginning a sacred meal or entering God's Holy House.

Sociologists and historians wisely perceive that the newly developing regulations of purity and the fear of impurity defined both some dimensions of Jewish sectarianism and also many aspects of so-called normative Judaism. The prevalence of stone vessels for Jewish rites of purification as well as *mikvaot* prove otherwise, and texts like the *Temple Scroll* are not Essene but represent many non-sectarian Jews. H. Maccoby pointed to the «proliferation of ritual rules in Judaism, especially in the area of ritual purity, and stressed that the human corpse is by far the greatest source of impurity».¹³⁵ Y. Magen, the Archaeological Staff Officer of the Civil Administration in Judea and Samaria, adds that «special strictness in matters of ritual purity» distinguished Jesus' time and late Second Temple Judaism and that «the most *feared* impurity was that caused by corpses (graves)». He adds that during the first century CE «the *fear* of impurity» is obvious in the new legislations regarding tombs and the proper use of stone vessels.¹³⁶ Mary Douglas was right to stress the connection between purity and danger. Her anthropological and sociological work and study of Leviticus helps us re-create and appreciate the world of Jesus.¹³⁷

Archaeologists, sociologists, and manuscript experts have made discoveries and obtained insights that help us better comprehend the life and mind of Jesus and his resistance to the new purity legislations emanating from Jerusalem and especially the priestly hierarchy. Jesus sought to replace fear of impurity with the joy of the Torah; recall, for example, John 16: «Ask, and you shall receive, that your joy may be full» (John 16,24).¹³⁸

Many New Testament specialists may resist this refined understanding of Jesus' life and the reason for his death. They will most likely ask: «Is it not

135. MACCOBY, *Ritual and Morality*, VIII, 1.

136. MAGEN, *The Stone Vessel*, 143-144.

137. M. DOUGLAS, «The Forbidden Animals in Leviticus», *Journal for the Study of the Old Testament* 59 (1993) 3-23; ÍD., «Atonement in Leviticus», *Jewish Studies Quarterly* 1 (1993-94). Mary Douglas informed me that her reflections on purity matured in her work on Leviticus.

138. I am aware that the Fourth Evangelist develops this tradition Christologically, but I am interested in seeing behind John the historical Jesus. Clearly, many scholars are beginning to perceive that John should not be jettisoned in Jesus Research.

clear that Jesus' disruptive actions in the Temple led to his arrest and crucifixion?».

Five insights are necessary to contextualize Jesus' actions in the Temple. First, when Jesus overturned the tables of the money changers, he continued, not initiated a process that had shaped his public ministry.¹³⁹ While this action in the Temple may have been the final straw, it was not the beginning of his altercations with scribes, Pharisees, and priests.¹⁴⁰ Jesus had consistently claimed, from Nazareth and Capernaum, that these Jews had rejected God's commandments in favor of their own traditions (Mark 7,8-13).

Second, Jesus' actions in the Temple would not have been obvious to all including Caiaphas and Annas, as if they were placarded on a massive television screen. We have seen that tensions and riots erupted periodically within the Temple, as many types of Jews debated the meaning and extent of the new purity regulations (m*Parah* 3:2-3 and t*Parah* 3:3). Jesus' actions in the Temple were clearly not unprecedented, and criticisms of the Temple cult and the changing of money were certainly not novelties of Jesus' life. In fact, decades after Jesus' crucifixion, another Jesus —Jesus son of Ananus— wailed against the Temple and its corruption (Josephus, *War* 6.300-301).

Third, thanks to archaeological work around the Temple Mount and the study of ancient Jewish texts, it is clear that the Temple Mount was incredibly large.¹⁴¹ Jesus' action with the money changers might have been lost in such a large area and among perhaps 400,000 pilgrims.¹⁴² The money changers, the Temple's main source of income, were most likely located in the area now defined by the El Aqsa Mosque in the southern extension of the Temple Mount and thus outside the limits of the holy place and where the supreme tribunal had just moved.¹⁴³

139. I agree with P. Fredriksen that we should not assume the account of Jesus turning over the money changers in the Temple is *bruta facta*; it does seem to reflect the theology of the post-70 Evangelists. See P. FREDRIKSEN, «What You See is What you Get: Context and Content in Current Research on the Historical Jesus», *Theology Today* (1995) 75-97. Fredriksen correctly states that the Johannine narrative of the passion is historically probable; in contrast: «Mark's passion narrative makes up in drama what it lacks in historical probability» (92). She continues: «The Temple action sets up the theological climax of the Gospel» (93). That is to say, Mark seems to create Jesus' actions in the Temple to serve Christology.

140. Contrast the position of SANDERS, *Jesus and Judaism*.

141. See the drawing in BAHAT, in *The Illustrated Atlas of Jerusalem*, 42-43.

142. I am influenced by P. FREDRIKSEN's «The Historical Jesus, the Scene in the Temple, and the Gospel of John», in *John, Jesus, and History* (SBLSymS 44); Atlanta: Society of Biblical Literature 2007, vol. 1, 249-276. Also see the following publications by P. FREDRIKSEN: «Did Jesus Oppose the Purity Laws», *Bible Review* 11.3 (1995) 18-25 and 42-47; ÍD., *Jesus of Nazareth, King of the Jews*, New York: Knopf 1999; ÍD., «Why Was Jesus Crucified, but His Followers Were Not?», *Journal for the Study of the New Testament* 29 (2007) 415-419.

143. See BAHAT, «The Location of the Stalls of the Money Changers», in CHARLESWORTH (ed.), *Jesus and Archaeology*, 306-307.

Fourth, a focus on Jesus' actions in cleansing the Temple gives undue priority to the Second Evangelist and his editorial additions to traditions, overlooking that the Fourth Evangelist intermittently provides the best evidence for Jesus' life.¹⁴⁴ According to the Gospel of John and also traditions mirrored in Mark, Jesus had been to Jerusalem many times so both the priests and Pilate were aware of the public danger he presented, especially when he was surrounded with crowds that instantaneously could become mobs in «the Holy City» at Passover.

Fifth, it is misleading to isolate from Second Temple Judaism Jesus' cleansing of the Temple. Many Jews then thought such cleansing action was necessary. One should not forget that after his explosive action in the Temple, Jesus could still walk freely about the Temple and be questioned by «the chief priests, the scribes, and the elders» concerning the source of his authority (Mark 11,27-33). If that is historically true, then the overturning of the tables of the money changers and the seats of those who sold pigeons (Mark 11,15) did not lead directly to Jesus' arrest.

No one has satisfactorily explained the report that Jesus «would not allow any one to carry a vessel (*skeuos*) through the Temple» (Mark 11,16). In light of the archaeological evidence of dung vessels from Jesus' time and the legislation that declares pure a vessel of dung or sealed by dung (m*Kelim* 10:1), one might speculate that Jesus was offended by anyone who carried a vessel of dung through the Temple. Mark, who most likely did not know the Temple, might have failed to clarify that the «vessel» mentioned obliquely denoted a dung vessel or a vessel closed with dung (the *tzamid patil* ruline). Jesus, who was from Lower Galilee, appreciated stone water vessels for cleansing of hands and other necessary purifications, but he might have been upset at the new Judean regulations that declared that one should wash one's hands in a vessel made of dung. Note the rabbinic reports that the contents of a vessel is protected from impurity if it is «a vessel made of dung, stone, or earth» (m*Oholot* 5:5) and that one may «pour water over the hands» —that is, for purifying one's hands before eating—out of a vessel made of dung (m*Yadayim* 1:2).

It should be obvious that the opposition to Jesus by the priestly aristocracy was not primarily because Jesus knocked over the tables of the money changers. The corruption in the Temple cult (exaggerated in the Qumran Scrolls) offended many Jews and not only Jesus. Among such offensives are the fol-

144. See esp. D. M. SMITH (NTS 10 [1964], 336-351; ÍD., *Johannine Christianity: Essays on Its Setting, Sources and Theology*, Columbia 1984; ÍD., *The Theology of the Gospel of John*, New Testament Theology, Cambridge 1995. Also, P. ANDERSON, «Aspects of Historicity in the Gospel of John: Implications for Investigations of Jesus and Archaeology», in CHARLESWORTH (ed.), *Jesus and Archaeology*, 587-617.

lowing: the false weights used by priests for measuring, the abuses in changing money in the Temple, and the choice of Tyrian silver with pagan images that were extremely offensive to Jews who observed the second commandment. Even in Rabbinics we learn about the dishonest weights of the Kitros family (t*Minḥot* 13:21 and b*Pesahim* 57:1), and a weight «belonging to Bar Kitros» was found in a priest's house in Upper Jerusalem.¹⁴⁵

In summary, there should now be little doubt that Jesus was arrested by the high priests because he broke their new laws for purity and because he considered himself divine: «The Judeans sought all the more to kill him, because he not only broke the Sabbath but also called God his own Father, making himself equal with God» (John 5,18). According to the Fourth Evangelist, Jesus' disciples said to him: «Rabbi, the Judeans were but now seeking to stone you ...» (John 11,8). Subsequently, «The Pharisees heard the crowd thus muttering about him, and the chief priests and Pharisees sent officers to arrest him» (John 7,32). It was «a crowd» from «the chief priests and the scribes and the elders» who arrested Jesus in Gethsemane (Mark 14,43).

10. JESUS WAS THE BARRIER BREAKER

From the above reflections, it is evident that Jesus was the barrier breaker. He broke the barriers that were being erected to separate the pure from the impure, the healthy from the sick, the money changers from the tax collectors, men from women, and priests from laity. Jesus called the many who were feeling abandoned by Temple priests. He made it clear that entrance into the «Kingdom of God» did not demand ritual purity or examinations by priests. Purity was not a prerequisite for praying and worship. Each human, female as well as male, had the same ability to approach God and call him Abba:

When you pray, say:
 «Father, hallowed be your name.
 Your kingdom come.
 Give us each day our daily bread;
 and forgive us our sins,
 for we ourselves forgive every one who is indebted to us.
 And do not allow us to be led into temptation». (Luke 11,2-4)¹⁴⁶

145. See the image and reconstruction in N. AVIGAD, *Discovering Jerusalem*, Nashville, New York: Thomas Nelson Publishers 1983, 130.

146. The last sentence is translated in light of the meaning of the permissive Aphel that lies behind the Greek translation of Jesus' Aramaic prayer. See J. H. CHARLESWORTH, «The *Beth Essentiae* and the Permissive Meaning of the Hiphil (Aphel)», in Harold W. ATTRIDGE – John J.

Our reflections help us to approximate with more accuracy Jesus' creativity and uniqueness within the Jewish perspectives on Temple and purity that were evolving in Jesus' Judaism. We also obtain better insights into the reasons behind Jesus' arrest and ultimate crucifixion alone.

11. THE NEW ADVANCES IN RESEARCH IN LIGHT OF SCHOLARS' OPINIONS

How then is this interpretation of Jesus' actions and mind different from others? With skilled rhetoric, M. Borg rightly sees that Jesus opposed the Jewish purity codes;¹⁴⁷ but he does not adequately comprehend Jesus within Judaism, failing to perceive how Jesus admired and obeyed *the biblical purity laws*. It is misleading to portray Jesus as one who replaces a Jewish community defined by a «politics of purity» with a community shaped by the «politics of compassion». Such a move distances Jesus from Judaism and portrays Jewish purity customs only in a negative light. Jesus knew that anyone who entered the Temple would be in God's presence and must, therefore, be purified and holy.

Likewise, J. D. Crossan, who is a gifted writer and creative intellectual, errs by focusing too much on how Jesus radically resisted the Temple's purity system as morally and socially corrupt.¹⁴⁸ In my judgment, Jesus seems to have had friends among the priests, and admired many of the Jewish purity rules. He worshipped and taught in the Temple. He is reputed to have claimed the Temple was the Father's House (even though he despised the excesses of the cult that demeaned those of low estate).

When reading Borg and Crossan one might be misled into thinking that impurity is a sin. Jews knew that the Torah allowed for impurity. Impurity arises out of necessity, as in sexual intercourse, bodily functions, and in burying the dead. A shepherd is purified just like a high priest, after visiting the *mikveh*, so impurity is neither permanent nor defined by social classes. Moreover, gender is not determinative. By nature, women become impure from menses, men from semen and other secretions.

COLLINS – Thomas H. TOBIN (eds.), *Of Scribes and Scrolls: Studies on the Hebrew Bible, Intertestamental Judaism, and Christian Origins*, (College Theology Society Resources in Religion 5) New York and London: University Press of America, 1990, 67-78.

147. M. BORG, *Conflict, Holiness & Politics in the Teachings of Jesus*, New York: E. Mellen Press, 1984, 1998; BORG, *Meeting Jesus Again for the First Time*, San Francisco: HarperSanFrancisco, 1994. Also see M. BORG and N. T. WRIGHT, *The Meaning of Jesus: Two Visions*, San Francisco: HarperSanFrancisco, 1999.

148. J. D. CROSSAN, *The Historical Jesus: The Life of a Mediterranean Jewish Peasant*, New York: HarperCollins, 1991.

With more sympathy for Jesus' place within Judaism, N. T. Wright perceives that Jesus struggled against the Temple and the purity laws.¹⁴⁹ Yet, Wright's Jesus seems defined too much by the Evangelists' tendency to remove Jesus from pre-70 Jewish concerns; and he does not adequately grasp the paradigmatic importance of archaeology.

None of the Evangelists seem to understand the importance of stone vessels, vessels made of dung or with dung stoppers, and *mikvaot*; yet, the Evangelist John frequently portrays Jesus within pre-70 Judaism —with stone vessels and *mikvaot*— even though John's social setting is the clash between synagogal Jews and Johannine Jews of post-70 Judaism.

E. P. Sanders rightly strives to free Jesus Research of the anti-Judaism and anti-Semitism that too often characterizes «The Quest of the Historical Jesus».¹⁵⁰ He rightly sees the importance of the Mishnah, Tosephta, and the Talmudim. He has mastered these texts. Too often, however, Sanders misses the danger and fear some purity laws brought to some Jews before 70 CE. This aspect of Sanders' work derives from his focus on Rabbinics, which frequently portray the world of post-70 and even post-200 Judaism.

Sanders tends to exaggerate the importance of Jesus' turning over of the money changers. This action might have been lost in such a large area as the Temple Mount. Moreover, the account may be a creation by Mark. More attention should be given to the historically attractive picture of Jesus' many visits to the Temple preserved in John and mirrored many times in Mark.

None of these scholars includes all the relevant data. That encompasses at least the Bible, the so-called apocryphal works, Philo, Josephus, and Rabbinics. But these sources are all literary. They speak most clearly when given a voice from the vast amount of archaeological evidence,¹⁵¹ especially of *mikvaot* and the stone industry that was centered in Jerusalem and defined by the Temple cult.

Unfortunately lumping together Borg, Crossan, and Wright (who differs markedly from them) and not including Sanders in her judgment, Paula Fredriksen points out that these scholars' portrayal of Jesus works only if we unscientifically allow: «(1) a systematic misconstrual [*sic*] of the meaning and application of the purity codes; and (2) an equally systematic censoring of the evidence,

149. N. T. WRIGHT, *The Original Jesus: The Life and Vision of a Revolutionary*, Grand Rapids: Eerdmans, 1996; ÍD., *The Challenge of Jesus* (London: SPCK, 2000); ÍD., *Jesus and the Victory of God*, London: SPCK, 1996.

150. E. P. SANDERS, *Jesus and Judaism*, Philadelphia: Fortress Press, 1985; ÍD., *The Historical Figure of Jesus*, London and New York: Penguin Press, 1993, 1995.

151. Crossan has joined with J. L. Reed in illustrating the fundamental importance of archaeology in Jesus Research. See J. D. CROSSAN – J. L. REED, *Excavating Jesus: Beneath the Stones, Behind the Texts*, San Francisco: HarpreSanFrancisco, 2001.

embedded in the gospel narrative, that Jesus was a Jew of his own time rather than a left-leaning liberal of ours». ¹⁵² Fredriksen correctly warns against closing «the gap between Jesus' day and our own». We must not seek to see Jesus by peering down the well of history with concepts and perceptions of our own time only to see in the placid waters the reflection of what we hope to see. ¹⁵³

Seeking to comprehend Jesus within his pre-70 Jewish contexts demands a willingness for Jews and Christians to find a Jewish Jesus that may seem strange, even offensive. We should wonder: Was Jesus offended by rulings that vessels made of dung are appropriate for washing hands? However we answer that question, Jesus was certainly upset about the preoccupation with purity and the conflicting and confusing rules regarding purity (often preserved in *mMikvaot*) which were dictated by those in charge of the Temple. Most likely, Jesus knew his position would demand his death, but he contemplated being stoned outside the walls of Jerusalem, as had Honi the Galilean miracle worker: «Oh Jerusalem, Jerusalem ... stoning those sent to you» (Matt 23,37 and Luke 13,34). ¹⁵⁴

12. SUMMARY

In summary, the most important observations, many of them possible because of archaeological research on pre-70 Judaism, are the following ten:

- 1) From the beginning of his public ministry, Jesus was harassed by scribes and others sent to spy on him in Galilee by the administrators of the Temple cult.
- 2) The spies' central concern was Jesus' adherence to the new purity regulations.

152. P. Fredriksen, «Did Jesus Oppose the Purity Laws?», *Bible Review* (June 1995) 19-25, 42-47. I found Fredriksen's publication after completing the present article. In this section of my paper, written and inserted last, I am indebted to her insights and critique. She rightly sees: «Jesus kept the laws of biblical purity, data that these scholarly reconstructions, conflating impurity with sin and social class, either ignore» or misconstrue (25). After reading her article, I reworked my section on how Jesus most likely observed the Jewish purity laws; against Fredriksen, I am convinced that Jesus obeyed the purity laws grounded in Torah but not the post-biblical and sometimes anti-Torah purity legislations (she seems to miss that point). I agree with her that «a principled antagonism to *biblical purity laws* is an unlikely motive for Jesus' mission» (43 [italics mine]). Jesus' teaching against Jewish purity customs are focused on the anti-Torah legislations regarding purity that come from the priestly circles and evidenced in Rabbinics.

153. I acknowledge indebtedness to G. Tyrrell (1861-1909).

154. The saying is authentic to Jesus, since no follower of Jesus after 30 CE and Jesus' crucifixion would have created such a false prediction and attributed it to Jesus.

- 3) Jesus was a Torah-observant Galilean Jew who resisted the innovative legislations emanating from the Temple, since many of them contradicted Torah.
- 4) Jesus sided with the lower classes, the marginalized, and the outcasts; these Jews could not afford, and scarcely had time, to obey the «new commandments».
- 5) Jesus obeyed many of the legislations for purity since they were Torah based, but he stressed the spiritual interpretation of purity.
- 6) Jesus observed the Sabbath according to the Torah, but not according to some sectarians and the priestly establishment in the Temple.
- 7) According to Jesus, a Jew becomes impure by what comes out of the mouth and not what enters the body.
- 8) Jesus' attack on the Temple's money changers should neither be overly emphasized nor separated from his earlier ministry and his continuing activity in the Temple.
- 9) Jesus knew that he attacked the power, prestige, and purse of the high priests and other Temple administrators.¹⁵⁵
- 10) Reflecting on the opposition against him, Jesus most likely imagined he would be stoned outside Jerusalem's walls (like and earlier Galilean miracle worker named Honi).¹⁵⁶

13. CONCLUSION

We must avoid three devastating mistakes of the past. First, we must not examine some excesses in *halakot* and Temple administration and conclude with E. Schürer that Second Temple Judaism was marred by legalism.¹⁵⁷ If one seeks it, one can find legalism in any religion, but Second Temple Judaism was not marred by an obsession with legalism. It was shaped by heightened concerns over purity that often contradicted Torah. Yet, we should also be sensi-

155. Nevertheless, Jesus would probably have agreed that the high priest in «his glorious robe», as he went up to the altar «made the court of the sanctuary glorious» (Ben Sira 50).

156. Honi was stoned outside Jerusalem during the struggle between Hyrcanus II and Aristobolus II; it was primarily political. Jesus was crucified for political reasons by Romans who were convinced he was threatening an insurrection. But, the primary reasons behind Jesus' arrest (though not his crucifixion) were violent debates among Jews over purity laws.

157. Revealing the unattractive side of 19th-century triumphal Protestantism, E. Schürer (1844-1910) erred in contending that Jewish piety and prayer in Jesus' day «was bound in the fetters of a rigid mechanism» (E. SCHÜRER, *A History of the Jewish People in the Time of Jesus Christ*, translated by S. Taylor – P. Christie [Edinburgh: T. & T. Clark, 1980] Second Division, II.115).

tive to all Jews who did not want to be impure or enter God's House in a state of impurity.

Second, we must resist the temptation to equate Pharisees with hypocrites, as did Matthew (cf. Matt 23,13-29). Far better is the insight of John Wesley who saluted the Pharisees as «the most eminent professors of religion» and the «wisest» and «the holiest of men».¹⁵⁸

Third, we must prohibit those who continue to conclude that Jews crucified Jesus. Roman soldiers performed this act, after torturing him in the *praetorium* (Mark 15,16). According to John, the opposition to Jesus has nothing to do with the turning over of the money changers, but the opposition to him does come from the Judeans and Temple elite: «Therefore, they took up stones to throw at him; but Jesus hid himself, and fled the Temple» (John 8:59). The Roman administrators carried out this wish of some Jews, notably the chief priests and some of the scribes. According to the earliest traditions, which seem reliable, Jesus was arrested in the Garden of Gethsemane and led to the chief priests, the elders, and the scribes (Mark 14,53). The charge against Jesus focuses on Jesus' threats to the Temple (Mk 14,58). The accusations prove to be false testimonies. We are told that some of the chief priests—that is, those in charge of the Temple—stirred up «the crowds» and demanded Jesus' crucifixion (Mark 15,11). When Jesus was suffering on the cross, «the chief priests» and «scribes» mocked him (Mark 15,32). The opposition to Jesus from the beginning to the end of his ministry emanated from priests, Pharisees, and scribes who were connected with the Temple; but the ones who condemned Jesus and crucified him were Romans administering the political might of the Roman Emperor.

The renowned Jewish scholar, Geza Vermes, points out the absurdities of Jesus' Passion found in the Synoptics. He wisely perceives the historical elements mirrored in the Gospel of John, and is sensitive to the role the chief priests play. His comments deserve full quotation:

If Jesus is taken into custody during the evening of the fourteenth day of Nisan and tried by Pilate in the early morning of the eve of Passover, a hurried appearance of the chief priests before the governor and their disappearance after sentencing can be envisaged without difficulty. In conformity with their obligations towards their Roman masters, they act as prosecutors against a suspected Jewish revolutionary who, in their judgement, is a threat to the peace and well-being of the

158. John WESLEY, *The Works of John Wesley*, 14 vols. Grand Rapids: Baker Books, ³1996, 1.319. For Wesley's other less flattering comments on the Pharisees, see J. H. CHARLESWORTH, «Return to the Sources in Twenty-First Century Methodist Ecclesiology», in S. T. KIMBROUGH, Jr. (ed.), *Orthodox and Wesleyan Ecclesiology*, Crestwood, New York: St. Vladimir's Seminary Press 2007, 65-85.

community. They have done their duty; their conscience is clear; let the Romans do the dirty work. In John there is no illegal night trial, indeed there is no Jewish religious trial at all: Jesus is only interrogated by the most experienced and wiliest of judges, the former high priest Annas.¹⁵⁹

Yes, Annas (or Ananus) was «wily»; and so was his son-in-law, Josephus Caiaphas. While his three predecessors (Ishmael, Eleazar, and Simon) lasted as high priest only about one year, Caiaphas was able to survive as a Roman quisling from 18 to 36 CE (*Ant* 18).

If the chief priests sacrificed Jesus for peace, we should never lose sight of the fact that the crowds who accompanied Jesus included many Jews who admired him. We also should remember that a scribe, probably in the Temple, questioned Jesus and saluted his wisdom: «You are correct, Teacher; you have truly said that he [God] is one, and there is no other but he» (Mark 12,32). Most likely Joseph of Arimathea and Nicodemus were not only powerful Jews associated with the Temple but also devout Jews who deeply admired Jesus and believed in his mission. These leading Jews were not Jesus' followers; perhaps they approved of Jesus' focus on God and God's Rule but did not agree with all his teachings against ritual purification.

We have seen that the proper approach to recovering the historical Jesus is to perceive him within his context: Jesus is to be studied within Judaism.¹⁶⁰ A biographer should not begin at the end of a life and work toward a birth. The proper approach is to evaluate the whole life of a person and seek clues for a biography. We have seen that from the beginning of his ministry Jesus was questioned, even harassed, by scribes and Pharisees who had been sent from the high priests in Jerusalem. The high priests, the scribes, and Pharisees sought ways to entrap and then arrest Jesus, especially when he was teaching in the Temple. The major concern of the opposition to Jesus was focused on issues of purity. Concern for being pure became an increasing occupation for many pre-70 Jews; and it became extreme from the time of Herod the Great until the destruction of Jerusalem and the Temple. Stone vessels in Judea and Lower Galilee are dated to this circumscribed period, or from about 14 BCE to 70 CE.

The danger of becoming impure shredded intimate relationships, forced the pious to separate themselves from almost all others, including Gentiles, lepers, women, and any deemed by the priests to be unclean or outcasts. Those who were married were intermittently «put asunder» by fears of pollution, so at least two *mikvaot* were required in a home; and that factor is clear in the man-

159. G. VERMES, *The Passion*, London: Pinguin Books 2005, 112.

160. This is the thesis of Charlesworth's *Jesus Within Judaism*.

sions in Upper Herodian Jerusalem. Jesus taught that impurity is not what comes out of a stone vessel; it is what comes out of the heart. With such a perspective, Jesus attacked the prestige, power, and purse of priests.

The arguments between Jesus and the established priests reveal that a relationship exists. Jesus and the priestly hierarchy should not be portrayed antithetically; one must always keep in perspective the perpetual differences ascribed to Hillel and Shammai, the two great Palestinian thinkers who are defined as fellow Pharisees. Debates between Jesus and the priests reveal a shared relationship in which each would have agreed that Jerusalem and the Temple is holy because God dwells with his people: «I, YWHW, am dwelling in the midst of the children of Israel. And you shall purify them (*wqdštmh*) and they shall be holy (*qdwšim*)» (*Temple Scroll* 51:7-8).

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Sumari

Alguns impressionants descobriments arqueològics han donat nova llum en alguns dels raonaments després de la mort de Jesús. El més important d'aquests descobriments és el dels recipients de pedra (per a les purificacions rituals), *mikvaot* (banys rituals jueus) i piscines fetes de fens (que no han estat profanades, ja que són d'una matèria natural i no foren cuites, com els recipients de ceràmica). Moltes de les *halakot* jueves (regles legals jueves) vigents en època de Jesús anaven contra la legislació de la Torah (les que es troben en l'Antic Testament). Jesús apareix ara com a contrari al desenvolupament de la nova legislació anti-Torah en alguns grups jueus. Molts d'aquests es varen desenvolupar i havien rebut el suport dels caps de les faccions jueves, i fins i tot dels sacerdots que controlaven el Temple. Per una banda hem de reconèixer el retrat del judaisme del període del Segon Temple com a legalista o equiparar els fariseus com a hipòcrites; per l'altra, hem de reconèixer que molts dels ensenyaments de Jesús eren considerats inacceptables per molts grups de jueus poderosos. Finalment, molts jueus, que formaven part del Temple, respectaven la postura de Jesús (Mc 12,32).