Israel Divided.
How from a Small Kingdom Two World Religions Emerged

The Works of the Law

Sometime around the year 150 BC, the Jewish high priest Jonathan received a letter from a prominent scribe. The author was friendly and went to some trouble to flatter the recipient: “we see that you possess insight and are well-versed in the Law”. Nevertheless, we get the impression that the scribe thought the high priest was less insightful in his choice of counselors, as his interpretation of a number of points of the Law was faulty. In the first place, Jonathan followed the Babylonian calendar and not the elegant Jewish alternative with 364 days, which was more practical. According to this variant, the feast days never fell on a Sunday and thus the Sabbath rest would not have to be disturbed with preparations. After the problem of the calendar, the scribe enumerated another twenty odd points, such as the cleansing rituals for lepers, the presence of dogs in Jerusalem, the pouring of water, and the partial impurity of otherwise clean animals. Again and again, the anonymous scribe opposed “us” to “them” and tried to convince the high priest that this was the right order of things.

The secular reader of today will wonder what those involved were making such a fuss about. However, in those days these were very serious matters, with parallels in other ancient religions. The controversy about how water should be poured, mentioned by our scribe, must have been very important, as even three and a half centuries later we see a prominent rabbi discussing the question. To emphasize the importance of the topics he has raised, the writer of the letter makes it clear that, in spite of his friendly tone, he means business: the high priest’s counselors were communing with the devil. Jonathan must not be influenced by “Belial’s counsel”.

This text, of which six copies have been found in the giant collection of ancient Jewish literature that is known as the Dead Sea Scrolls, is referred to by modern researchers as Some Works of the Law or Halakhic Letter. Each of these titles, however, needs clarification. Halakhah simply means “path” but presupposes an extensive theological system. That basically meant that God had chosen the Jews; consequently they had a God-given right to a place in “the world to come” – another vague expression. One of the ways God favored His chosen people was through the Law, by which he pointed out the true path to them, the Halakhah. If, despite this, the Jews should stray from the path, then sacrifices could be made to atone.

The expression “Works of the Law” also refers to this, but it was mainly used in a specific context: to indicate how practices laid down in the Law made Jews into Jews. These practices are “ethnic markers” that distinguish “us” from “them”. Those who adhered to the works of the Law, or – to put it another way – whoever lived in accordance with Halakhah, marked themselves off from other peoples and were Jews.

The problem lay in the interpretation of the Law. Judaism was deeply divided on this question. When the Jewish historian Josephus (37-ca. 100) wrote that there were three schools of thought (the Pharisees, the Sadducees, and the Essenes), this was a drastic over-simplification. Some Works of the Law illustrates the true complexity and anyone who
wants to know why Christianity became a separate religion, will have to start by determining which Halakhic principles Jesus upheld. The historical Jesus was a Jewish Jesus and a Jewish Jesus could not be otherwise than a Halakhic Jesus. Before we go into that, we will have to look at the alternatives.

### The Three Schools

According to the author of Some Works of the Law, the high priest Jonathan listened too often to the advice of the wrong counselors. Who were these counselors, we might ask? From the views they held (which were challenged by the scribe) we can deduce that they were an early group of Pharisees.

The high priest did not allow himself to be persuaded by the author of the letter. (The Jews still use the Babylonian calendar.) What ensued after this snub, we can only guess. In the scribe’s circle there were those who, although they shared the Halakhic views voiced in Some Works of the Law, did not want to make a big issue of it. However, there were others who were determined to stand their ground. The Sadducees emerged from the first group and the sect we know from the Dead Sea Scrolls emerged from the second. In younger texts, members of the sect label Jonathan “the wicked priest”, while they refer to the scribe as “the teacher of righteousness”. The compliments with which this man had once initiated the debate were now forgotten.

This is how a Jewish schism happened: first there was an unsolved Halakhic dispute, then disagreement as to whether or not this was worth a crisis and, finally, a split. Only when they had gone their separate ways, did those involved reflect on the cause of the split, realizing that it had not been about Halakhah at all. In this particular case, the real cause had been a difference of opinion about the source of authority. In addition to the Law of Moses, the Pharisees had introduced a second source of authority: the orally transmitted tradition. The group around the Teacher rejected this. Only the written text of the Law was normative.

A second split took place on the question of cooperating with the Pharisees. Two groups emerged from this: the Sadducees who were prepared to compromise and the sect that stuck to its principles. The latter went on to regard the authority of their founder as absolute and his texts as divinely inspired. The end result was that the Sadducees regarded only the Law as normative, the Pharisees recognized the Law together with oral tradition, and the members of the sect upheld the Law and texts like Some Works of the Law.

Since they had different sources of authority, these groups could never agree and the Halakhic differences of opinion mounted up. In addition to all this, there were differences between the Jews in Judea and those living elsewhere. For example, it may be that the Jews in Rome solved the problem of the Sabbath rest and the sometimes laborious adherence to dietary laws by fasting on Saturday. Considering the variety of Jewish beliefs, it is no wonder that some researchers speak of diverse “Judaisms”.

Nevertheless, there were matters that created at least some form of unity. The Jews may have had differences of opinion about the corpus of sacred literature, but they all agreed
that God had granted them a Law that guaranteed them a place in the world to come. Although they disagreed on the exact nature of that paradise, they all knew that something beautiful awaited them. There were also differences of opinion about the Sabbath, circumcision, and food laws, but everyone knew that these practices made a Jew a Jew. Another feature they shared was that they sacrificed to only one God. This, however, did not prevent Jews from recognizing the Greek and Roman gods as real and paying homage to them. In this respect, an inscription in a Pan temple is very significant: “Praise be to the god who rescued from the sea the Jew Theodotos, the son of Dorion”. This tribute does not make Theodotos an apostate, since he did not sacrifice to Pan.

Yet another idea that is at odds with monotheism as we understand it, is that, in addition to the Creator, there was a second god, a “lesser YHWH”, who ruled the universe. This idea, which we meet in the “Enochic literature”, stems from the Jewish mystique but has a striking parallel with the Greek concept of the *logos* as mediator between a transcendent God and the Creation. Not all Jews believed this, in the same way as not all Jews accepted Messianism. However, it does show that Judaism was not like it is today and was considerably varied.

We only have Josephus’ word for it that diversity was limited to just three schools of thought: the Sadducees, the Pharisees, and the Essenes, whom he likens to Epicureans, Stoics, and Pythagoreans. Making them analogous to Greek philosophical schools was logical: Josephus wanted to present Judaism as being in harmony with Graeco-Roman culture. In addition, he distinguished a violent, nationalist “fourth philosophy, foreign to Judaism”, whose followers refused to pay taxes when the Romans annexed Judaea in 6 AD. According to Josephus, these fanatics were responsible for the Roman interventions that eventually led to the destruction of the temple.

All this has been proven decidedly untrue: immediately after the rise of the fourth philosophy there was a detente and when the Jews revolted in 66 AD, they were led by, among others, the Sadducee high priest Ananus, the Pharisee leader Simeon, and an Essene general. So, the resistance to Rome was more widespread than Josephus found opportune to acknowledge, and he ignores the fact that the first third of a century after the annexation was peaceful.

That is not to say that Josephus fabricated everything. The three schools did indeed exist. But there was more diversity.

- The Essenes are mentioned by such diverse authors as the Alexandrian philosopher Philo and the Roman encyclopedist Pliny the Elder. The question as to whether the Essenes were also the authors of (a part of) the Dead Sea Scrolls is notoriously insoluble, as the scrolls document so many diverse ideas: if the authors of the scrolls were indeed Essenes, then this movement must have upheld many different beliefs. Josephus seems to share this view when he says that there were married and unmarried Essenes.
- With the Pharisees and Sadducees we are familiar from Christian and rabbinic literature, and from the rabbinic texts, it appears that the Pharisees were almost as divided as the Essenes.
• Josephus’ fourth philosophy included at least two groups, one of which, the Zealots, certainly played a role in the destruction of Jerusalem, while Josephus’ favorite villains, the Sicarii, were prepared to accept non-Jews into their ranks and sometimes collaborated with the Romans.

Thus, on the one hand, we have sources that document a fragmented Judaism, and, on the other, a Jewish historian who simplifies the situation in order to present his countrymen as pro-Roman. In fact, Josephus was not a historian, but a politician who drew on the past to defend certain points of view. His contemporaries Plutarch and Tacitus exploited history-writing for similar purposes.

**Jesus**

If Josephus only holds the fourth philosophy, which arose in 6 AD, responsible for the end of the sacrificial offerings in the temple in 70 AD, then he has a problem: Judea was peaceful until the end of the reign of Caligula. *Sub Tiberio quies* wrote the Roman historian Tacitus. Rebel activity during the years 6-40 AD would have suited Josephus’ purposes very well; yet, when he reports Jesus’ activities, he does not present him as a rebel. Josephus’ Jesus was “a wise man”, who gave proof of his insight by performing “wonderful works”, becoming a teacher of “such men as receive the truth with pleasure”. This last expression is typical of Josephus, while the idea that a wise man proves himself by performing miracles corresponds to the Jewish concept of *hakham*, the wise miracle worker. The empirical truth behind these miracles is not so interesting: the people in Antiquity were not aware of the laws of physics and, unlike us, found many things plausible. Emperor Vespasian was credited with curing people while the well-educated Marcus Aurelius employed a rainmaker.

This is also how Jesus is portrayed in the gospels: a teacher, who proved his wisdom by performing miracles. The matter, however, is not so straightforward. It is certainly clear that Jesus believed that the End of Time was imminent. Mark sums up the message as follows: “The time is fulfilled and the Kingdom of God is at hand. Repent, and believe in this good news.”

However, the expectation that God would personally intervene, that the old world would then be violently destroyed and that a new world would come, did not materialize. The texts of the New Testament document how Jesus’ disciples dealt with this. At first they believed that Jesus Christ would return. Disappointment followed when this expectation was not fulfilled, and, finally, after the Roman legions had razed Jerusalem in 70 AD, the Christians became convinced that Jesus had been right after all about the end of the old order, and that the Kingdom of God had come, albeit in the form of a church that worshipped Jesus.

The authors of the early-Christian texts proclaimed above all that Jesus had been right, which meant that the faith they propagated was not *of* Jesus but *in* Jesus. Matters that had been important for the man from Nazareth, such as the imminent end of the world, are only dealt with indirectly in the gospels.
That also applies to his Halakhic beliefs. Only Matthew provides Jesus with credentials as a Jewish religious authority: in the Sermon from the Mount, the speaker comments on passages from the Law, point by point. This Jesus accentuates the Halakhic rules and here we find ourselves in the world of Some Works of the Law, but we only have Matthew’s word for it that Jesus’ wanted it that way. Mark offers us a more liberal picture. His Jesus touches human cadavers, which must have meant that he interpreted the rules of ritual cleanliness less strictly than the Pharisees or the sect of the Dead Sea Scrolls.

Now that we have seen how Mark and Matthew contradict each other on this point – as do other texts from the New Testament – and because there is a possibility that they added some elements, it would be wise to confine ourselves to Jesus’ own beliefs, in so far as they can be devised from at least two independent sources. Alas, these are few and far between.

In the first place, Jesus was against taking oaths, by which he involves himself in a discussion that we are familiar with from the Dead Sea Scrolls. These also contain parallels for Jesus’ ban on divorce. Elsewhere, the man from Nazareth takes a stand against the sect of the Dead Sea Scrolls: for instance on the question of whether human lives should be saved on the Sabbath: if you are permitted to save an animal from a well, Jesus argues, then you may also save a human life. Not only his point of view but also his way of reasoning here is Pharisaic. This argumentation, which we would define as a fortiori, was known then as kal va-chomer (“light and heavy”) and was one of the forms of reasoning recognized by the Pharisaic scholar Hillel.

In the same way, Jesus uses a Pharisaic style of argumentation when a scribe asks him in the temple square what the greatest commandment is. At such a place, you would expect Jesus to say something about the importance of the sacrificial cult, a subject on which all Jews agreed. However, he cites instead a well-known line from Deuteronomy, “Hear, Israel: The Lord is our God. The Lord is the only God.” Jesus explains that the people must love God and clarifies this by a quote from Leviticus: “love your neighbor as yourself”. The form of reasoning by which he clarifies the verse from Deuteronomy by using a line from Leviticus that also has the word “love” in it, is the oldest known example of the Pharisaic type of argumentation known as gĕzērâ šāwâ, “the same part”.

The view that the rules of the Law serve to teach us to deal humanely with others, was hardly original. Elsewhere, Jesus sums up his teachings as “Do to others as you would have them do to you”: a stopgap from ancient literature, found in the Histories by the Greek researcher Herodotus and in Jewish texts like Tobit, the Wisdom of Sirach, and Philo’s Hypothetica. In the rabbinic tradition, this saying has been attributed to the early-second-century rabbi Eliezer, while, since the Early Middle Ages, it is presented as a bon mot of Hillel.

We know very little about what made Jesus a religious authority for his contemporaries, i.e. his interpretation of the Law. Insofar as we can typify his views on this, we can say that they slot in with what we would expect of someone from the countryside around Galilee, where the peasants found the Roman presence so hateful that they would not even use Roman pottery. They were conservative enough to accept the strict interpretation of the Law as we know it from the Sermon on the Mount and, at the same time, they were practical enough to accept the no-nonsense approach that we saw in
Jesus’ views on the Sabbath. The Sabbath rest was all very well, the peasants will have thought, but you do not allow an animal to drown, let alone a person. Jesus’ interpretation of the Law, which was quite strict in principle, but which always gave priority to practical love of one’s neighbor, offered the population of the countryside around Galilee a way of staying Jewish in an increasingly Roman world – a world in which traditional forms of interpretation of the Law had become unfeasible.

**The First Christians**

The above sketch of a Halakhic Jesus, no matter how fragmentary, makes it very clear that he had not broken with Judaism. Neither was the claim that he was the Messiah, the person who would play a role in the renewal of the world at the End of Time, at odds with the ideas of his contemporaries. (In around 132 AD, Rabbi Aqiba acknowledged the Jewish rebel leader Bar Kochba as the Messiah, but nobody has ever denied that Bar Kochba was a Jew, nor refuted that Aqiba was one of the greatest scholars of his time.) We can only conclude that neither Jesus’ Halakhic beliefs nor his claim to be the Messiah make him un-Jewish. Christianity did not start with Jesus.

Did Christianity originate then as an independent religion, as is often claimed, when the Apostle Paul welcomed gentiles as partners in the Covenant? It does not seem so.

Admitting non-Jews was not unique. The Sicarii accepted non-Jews and so did John the Baptist, who may have had Samarian and Italian soldiers in his audience. It was in line with what Jews expected from the End of Time: everyone would come to Jerusalem, where the temple, “a house for all people”, would stand. Jerusalem already had facilities for their sacrifices, and Philo documents that the importance of the Law could be relativized: it did not have to be an obstacle.

Did Paul present new ideas, then? Again, it does not look like it. One of the oldest relevant sources is Paul’s *Epistle to the Philippians*, where he quotes a hymn that was older than his epistle and therefore composed before gentiles were admitted into Judaism. The hymn, therefore, was composed in a Jewish environment. Christ, we learn, once had the stature of a God, but had shed it and had appeared as a man. And not just as any kind of man, but as a servant. Because he had been obedient to God, even to the point of dying on the cross, God “exalted him to the highest place and gave him the name that is above all names”.

The idea expressed here, that a man could be considered a supernatural being, was not shared by all Jews: but it was not marginal either. For instance, the last passage has parallels in Enochic literature, where a place was given to someone who was given the name of YHWH. More of Paul’s ideas also fit seamlessly into the Jewish world. That it was right that the Redeemer should suffer – something Paul considered to be a *skandalon* or stumbling block for the Jews – was not at all inconceivable. That is to say, it would not have surprised the readers of the *Self-Glorification Hymn* and the *Aaronite text A*, two of the Dead Sea Scrolls. Another antecedent of Christian theology is the story of Abraham’s offering, known then as “the binding of Isaac”. In this, it says that Isaac had asked to be tied up well so that the sacrifice would not be disturbed by his reflexes and would be perfect enough to wipe out sin. The antecedents of yet another aspect of early
Christianity – the idea that Jesus, sitting on the right hand of God, would deliver the Last Judgment – were taken from both *Daniel* and Enochic literature.

To sum up: just like Jesus, Paul did not break with Judaism. Although he is not likely to have made himself loved with his ideas, which only barely remained within the limits of what was acceptable, there is nothing to indicate that the two religions separated at this point. Still, a transformation did take place: while Jesus himself believed in the End of Time and marked his position within the field of Jewish religious discourse by speaking about Halakhic issues, for Paul faith in Christ and his return took center place.

**Crisis**

Those who look for something new in early Christianity that would account for its separation from the Jewish religion will not find it in the ideas of either Jesus or Paul. In fact, they will find the opposite: Judaism and Christianity separated because something old was lost, namely the temple. No matter how divided the Jews may have been, the offerings in the temple had always guaranteed some unity. After the sack of Jerusalem in 70 AD, that was gone. There remained only an incoherent collection of rituals and ideas. It was obvious that from these rituals and ideas, different selections would be made. One selection would lead to rabbinic Judaism, and from another, Christianity would emerge.

There were certainly more groups around at that time. We can deduce this from the fact that one of the texts from the Dead Sea Scrolls, the *Damascus Document*, was also passed down in a Medieval manuscript from Cairo. This suggests that the ideas of the sect did not suddenly come to an end in 70 AD. In Rome, the priests continued to be recognized as an authority for many more years. Texts discovered in Afghanistan in 2012 suggest that there were Jews who left the Roman Empire and settled along the Silk Road. Others may have migrated to Arabia. In short, there were more groups than the two from which Christianity and rabbinic Judaism emerged.

In spite of the differences, however, there were strong similarities between these two groups. Both groups explained the fall of Jerusalem in apocalyptic terms and accepted the idea of a heavenly Jerusalem. They both thought that, since believers could no longer atone for their sins by making a sacrifice, they could put matters right with God by doing good works.

Like Josephus, who detested the fourth philosophy, both groups thought that the destruction of the temple had come about because of the tolerance of false ideas. That is why both groups decided to distinguish between inspired literature, which they designated as “canonical”, and other texts, which were not given a place in what was called the Bible.

Many ideas that had been considered acceptable before 70 AD fell into disuse, which exacerbated the differences between the two groups. Paul’s *Epistle to the Philippians* and the prologue to the *Gospel of John* offer astonishingly fresh ways of thinking, but only if you define Judaism by the texts that have made up the Jewish Bible from the second century onwards. For Jesus, Paul, and the other believers of the first century, there had been nothing un-Jewish about the ideas attested in the Enochic literature, *the Self-*
Glorification Hymn, the Aaronite text A, and Pseudo-Philo’s Biblical Antiquities. For Rabbinical Judaism with its more limited canon, however, the high Christological ideas were shocking. In other words, when in the second century the corpus of authoritative texts became more restricted, the rabbis and bishops lost understanding of a large part of the Jewish world in which Rabbinical Judaism and Christianity were born.

Separate Ways

There was, in short, no necessity for the Jews and the Christians to separate. The fact that this happened can be viewed from the Jewish, Christian and Roman perspectives.

First, let us consider the Jewish side of the matter. It would appear that the rabbis claimed the leadership of the Jews after the end of the temple cult. Javne, where rabbi Yohanan ben Zakkai would appear to have had a court and/or a school, tried to be a new Jerusalem, a new center of learning and authority. It would seem that the first rabbis sought to save the people by creating consensus on some important questions and by persuading people who had dissenting views to give these up. Yohanan’s successor, Gamaliel II, had a paragraph against dissenters added to the Eighteen Prayer and many modern scholars have accepted that this was directed against the Christians. This cannot be proven, but it is true that at the end of the first century there was at least one Jewish group that thought that measures should be taken against apostates.

Furthermore, there was at least one group of Christians who felt the measures were aimed at them: the group for whom the Gospel of John was written. The members of this community had been cast out of the synagogues and the evangelist condemns “the” Jews by equating them to the children of the devil. Other Christians experienced less tension. The short text that is known as the Didache of the Twelve Apostles documents a group that continued the usual Halakhic discussions, with views on ritually purified water and a polemic against the Rabbinic fast days. The leadership of those Christians who remained faithful to the Law appears to have been in the hands of the descendants of Jesus’ brothers, who saw no reason to bow to the authority of the rabbis. The fall of Jerusalem had shown that Jesus had been right: the End of Time had indeed been near. Why should the Christians take instructions from the self-appointed authorities in Javne who had never recognized the Messiah?

These Law-abiding Christians disappeared during the Bar Kochba revolt (132-136 AD). With their disappearance, a connecting link between gentile Christians and Rabbinic Judaism was severed. With the canonization of the Bible, the texts that had been important for the very first Christians disappeared, which further contributed to the parting of ways. In the second century, the creation of a trained clergy of bishops institutionalized the Christian church, just as the formal education of rabbis had served to institutionalize rabbinic Judaism.

Finally, there was the Roman factor. Jews traditionally paid a tax to the temple. With the disappearance of the temple, Rome claimed these taxes. This led to problems, as those who had assimilated had to go on paying this tax, while gentile Christians were exempted, even though many considered them also to be Jews. (After all, these Christians did not sacrifice to the gods, so their contemporaries reckoned them to be
Jewish.) We know for certain that the Emperor Nerva reformed this *Fiscus Judaicus* and it is conceivable that in doing so, he adapted the definition of those liable for the tax. The details are, as usual, unclear, but the fact is that there was now a judicial framework: if you were a Jew, you paid the tax and you were exempted from offering to the gods; if you were a Christian, you did not have to pay the tax and you could profess your faith to the lions.

The claim of the rabbis to leadership, the refusal of the Christians to accept their authority, the Roman definition of who was a Jew, the selection of sacred literature, the institutionalization of Christianity with an executive of bishops: these are all factors that drove the Jews and Christians to go their separate ways. A process that took centuries: there were still Christians who attended the synagogue even at the end of the fourth century AD.

However, by then, the separation had already become irrevocable. When the Council of Nicaea ruled in 325 that Jesus was “true God of true God”, this meant a fundamental break with earlier ideas. A Messiah who was a “lesser YHWH” or “the Word of God” might still have been acceptable to at least some Jews, but Christ’s promotion to a complete God was not. If one wants to mark exactly when the split was complete, one could pick a worse moment than the Council of Nicaea.

**Further Reading**

There are many books about Judaism at the beginning of our era, but they generally deal with the subject as a preliminary to either Rabbinical Judaism or Christianity. The authors select their subject matter accordingly. There are considerably fewer publications that deal with Temple Judaism as such.

Those interested may benefit from *The Jewish Annotated New Testament* by A.J. Levine and M.Z. Brettler (2011). Translations of the Jewish texts that were left out of the canonized Bible can be found in L. Feldman, J. Kugel en L. Schiffman, *Outside the Bible. Ancient Jewish Writing Related to Scripture* (2013). Regrettably, the introductions are very brief and the information given is often too limited to make these three otherwise excellent books suitable for deeper study.

On the subject of Paul, there is a good introduction by Kent Yinger, *The New Perspective on Paul* (2011), which also focuses on the theological aspect. The importance of the *Fiscus Judaicus* was underlined recently in Marius Heemstra’s PhD thesis: *The Fiscus Judaicus and the Parting of Ways* (2010). Alas, there is no edition available for the general public.

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