

APPENDIX III

In this appendix three issues are addressed: The views of historians concerning the reliability of the Bible as a source of information concerning ancient Jewish history; various attempts by historians to explain Jewish survival; and a comparison of Jewish survival with that of the Gypsies.

ANCIENT JEWISH HISTORY

Historians have widely differing views on the period in which the textual and archeological sources show the main elements of Jewish belief. At one extreme we have the Copenhagen Minimalist school that dates the whole of Jewish belief to the second half of the Second Temple period. This position is discussed in some detail in Appendix IV. At the other end of the spectrum are the scholars quoted below who hold that the essentials of Jewish belief go back at least to the period of the Judges, if not to Moses and beyond. Many other historians take intermediary positions. John Bright and Salo Baron are among those who place the essentials of Jewish belief before the time of king David.

Bright notes (p. 145) that “the lofty idea of God and the strong ethical element in the Biblical description of the Mosaic religion, as well of the notion of covenant itself, were widely held to be retrojections of later belief...Few today would wish to describe Israel’s religion so....positive evidence forces us to question this approach.” (P. 147) “But there is no reason whatever to assume that Israel’s faith changed in any essential way with its appearance in the settled land. On the contrary, the available evidence obliges us to trace it in all its essential features back to the desert and to Moses...”

(P. 148) “That she [Israel] brought the worship of Yahweh with her from the desert seems certain, for...no trace of it can be found in Palestine prior to her appearance there....As for election, we can find no period in Israel’s history when she did not believe that she was the chosen people of Yahweh....”

(P. 150) “There is no reason whatever to doubt that Hebrew slaves had escaped in a remarkable manner from Egypt (and under the leadership of Moses!) and that they interpreted their deliverance as the gracious intervention of Yahweh....There is no objective reasons to doubt that these same people then moved to Sinai, where they entered into a covenant with Yahweh to be his people.”

(P. 155) “...the kingdom of God...is no late notion presupposing the existence of the monarchy, for Israel’s tribal organization was itself a theocracy under the kingship of Yahweh.”

(P. 157) “...her conception of God was from the beginning...remarkable and...without parallel in the ancient world....” (P. 158) “Nor was he [God] thought of as having any rival. Creator of all things without intermediary or assistance, he had no pantheon, no consort (the Hebrew even lacks a word for “goddess”), and no progeny. Consequently Israel developed no myth, and borrowed none save to devitalize it....This emancipation from mythopoeic ... may be seen in Israel’s earliest literature.

(P. 160-1) “The gods were thus rendered irrelevant, driven from the field; no place was allowed them in a pantheon. To Israel only one God was *God*: Yahweh, whose grace had called her into being, and under whose sovereign overlordship she had engaged to live. The other gods, allowed neither part in creation, nor function of the cosmos, nor power over events, nor cult, were

robbed of all that made them gods and rendered nonentities, in short were “undeified.”...in this functional sense Israel believed in but one God from the beginning.”

(P. 161) “Aside from all the above, Yahweh differed from the pagan gods in his essential nature. The ancient paganisms were nature religions, the gods being for the most part identified with the heavenly bodies, or the forces and functions of nature, and, like nature, without particular moral character....Yahweh was powerful over all of nature, but no one aspect of it was more characteristic of him than was another. In Israel’s faith nature, though not thought of as lifeless, was robbed of personality and “demythed.”...In bringing his people out of Egypt he [Yahweh] exhibited his saving might, commanding all the powers of nature – plagues, sea water and wind, earthquake and storm – to serve his purpose.”

Baron notes that (p. 4) “...Judaism in its Mosaic formulation remained the main stream in Jewish history....the Jewish religion has been from the very beginning...an *historical* religion, in permanent contrast to all *natural* religions.”

(P. 5) “From the outset the historical element was so predominant in the religious ideas of the Jewish people that historical...monotheism may be regarded as the essential contribution of Israel’s religion to the history of human creeds.”

(P. 32) “The tendency now prevailing among Old Testament critics is to give ever greater credence to biblical records, including those of the early period. ...the present generation, on the whole, accepts the historicity of the fundamental facts underlying early biblical narratives.”

(P. 39-40) “...between the first appearance of the Hebrew patriarchs, the assaults on the Canaanite city states in the El-Amarna period and the final conquest during the period of the Judges, many centuries elapsed....It was during these...centuries that Israel’s nation and creed were born.”

(P. 46) “...the God of Moses differed essentially from all these gods. After the great feat of creation, the “maker” of the primitives becomes an inactive god without further relation to the world or man. Not even the Egyptian Aton, the pervasive sun ray which is the source of all life, has a direct interest in human actions. The God of Moses, however, was anything but ...a morally indifferent natural entity.”

A good summary of the strengths and weaknesses of the various positions may be found in Ben-Sasson, chap. 3, and Bronner, pp. 52-69.

The argument of chapter VIII assumed the intermediate position that the essentials of Jewish belief are in place by the time of King David. For those who place the date even earlier, the argument has even stronger force. For the minority of historians who believe that the essentials of Judaism have a later origin, the argument for the ancient period is reduced from one thousand years to several hundred years. Nevertheless, the argument still applies, even if somewhat reduced in quantitative force. The existence of those unique elements of belief under the historical conditions described in the chapter even for several hundred years is without naturalistic explanation.

As an example of the view of those who attribute a late origin to many aspects of Judaism, we will consider the writings of some historians who believe in widespread influence of Greek culture on the development of Judaism. Jacob Neusner represents a modern school of Jewish history that believes that there was widespread Hellenistic influence on the development of Judaism in the period following the fall of the second Temple. Other members of this school include Saul Lieberman, Morton Smith, Erwin Goodenough and Gershon Scholem. We will consider Neusner’s summary of the arguments for this position.

Neusner [2] summarizes the assumptions of Jewish historical scholarship before 1950 and the reasons for the change in orientation after that date.

P. 181-2: “In 1950 everybody assumed that, in the first six centuries A. D., there was a single Judaism....That Judaism was normative, a linear continuation of the Hebrew Scriptures, everywhere authoritative and accepted; its canon was so uniform that any book, whenever edited, testified equally as any other book to the theological or normative position of Judaism; and the allegations of the canonical documents about things people said or did were in general accurate, or had to be presumed accurate until proved otherwise....We knew pretty much what people said, thought and did. We knew it because the rabbinic sources reported what they said and did. If sources were not redacted or edited until much after the event, well, then, people had access to oral traditions, which they preserved word for word and handed on until they were written down....”

This picture was shattered by results from archeology.

P. 184: “What really shook the foundations was the accumulation of evidence that there really was not a single Orthodox Judaism at all, only diverse Judaisms....most synagogues built from the third to the seventh century, both in the land of Israel and abroad, had decorated floors and walls. Some symbols out of the religious life of Judaism or of Greco-Roman piety occur nearly everywhere. Other symbols...never make an appearance at all. A *shofar*, a *lulab* and *ethrog*, a *menorah*, all of them Jewish in origin, but also such pagan symbols as a zodiac, with symbols difficult to find in Judaic written sources – all of these form part of the absolutely fixed symbolic vocabulary of the synagogues of late antiquity....Because the second commandment forbids the making of graven images of God, however, people have long taken for granted that Judaism should not produce an artistic tradition. Or if it does, it should be essentially abstract and nonrepresentational....But from the beginning of the twentieth century, archeologists began to uncover in the Middle East, North Africa, the Balkans, and the Italian peninsula, synagogues of late antiquity richly decorated in representational art. For a long time historians of Judaism did not find it possible to accommodate the newly discovered evidence of an ongoing artistic tradition....One favorite explanation was that “the people” produced the art, but “the rabbis,” that is, the religious authorities, did not approve it, or at best merely tolerated it.

P 185: “Normative Judaism [the old view – D.G.]...found no place in its structure for art, with its overtones of mysticism (except “normal mysticism”), let alone magic, salvific, or eschatological themes except within a rigidly reasonable and mainly ethical framework; nor did Judaism as these scholars understood it make use of the religious symbolism or ideas of the Hellenistic world, in which it existed essentially apart and at variance....Once the archeological evidence had made its

impact, however, people came to recognize diversity where they had assumed uniformity and harmony. Then the conception of a single, normative Judaism fell....

One impact of the Hellenistic influence was the recognition of Astrology. Neusner quotes Lieberman:

P. 98-9 [of Lieberman]: "The wisdom of the East could not be entirely ignored. A learned and cultured man of those times could not reject the science of Astrology, a science recognized by all the civilized ancient world. To deny at that time the efficacy of Astrology would mean to deny a well-established fact, to discredit a science accepted by both Hellenes and Barbarians...the power of Astrology is not denied, but it is confined to the Gentiles only, having no influence on Israel."

Neusner continues:

P. 188: " [Lieberman] did explicitly recognize that there were Jews, in large numbers, not accurately characterized, as to their religion, by the rabbinic writings at all....Gershon Scholem's researches on Jewish mysticism in late antiquity demonstrated how both talmudic and extra-talmudic literature point toward the existence of Hellenistic themes, motifs, and symbols deep within the circles of "pious" Jews. Since the rabbinic literature scarcely accounts for the vitality of such themes within the life of Jewry, the existence of more than a single authoritative Judaism once more became a plausible hypothesis...."

P189: "Goodenough was the first to posit more than one Judaism....we have evidence that 'there were widespread groups of loyal Jews who built synagogues and buried their dead in a manner strikingly different from that which the men represented by extant literature would have probably approved, and, in a manner motivated by myths older than those held by these men.' The content of these myths may never be known with any great precision, but comprehended a Hellenistic-Jewish mystic mythology far closer to the Qabbalah than to Talmudic Judaism."

Neusner then quotes Smith on the influence of Hellenism.

Smith [2], P. 153-4: "It is amazing how the evidence from quite diverse bodies of material...yields uniform conclusions...Scholem's study of the materials in the *hekhalot* traiditon, for instance, has led us to conclusions amazingly close to those reached by Goodenough from his study of archeological remains: to wit, the Hellenistic period saw

the development of a Judaism profoundly shaped by Greco-Oriental thought, in which mystical and magical...elements were very important.

Smith [1], p. 486-7: "Of all these four bodies of evidence – the works of the Biblical tradition, the Jewish literature of pagan style, the testimonia concerning Jews, and the archeological material...testifies consistently to the Hellenization of ancient Judaism."

As pointed out in Chapter VIII, the account of the Hellenization of Judaism faces the obstacle that all such accounts of external influence on the development of Judaism face. Namely, if Jews were substantially influenced by other cultures, then the many separated communities of Jews would have been influenced by their local cultural environment, and then they would have drifted apart culturally to the point where, after 1000 years or more, they would bear little resemblance to one another. Famously, this did to happen. So enmeshed are these historians in their commitment to the common naturalistic method that they fail to face the fact of Jewish survival as a refutation of the application of that method to the development of Judaism.

In addition to this general problem for their naturalistic method, it is worthwhile to see that their chosen examples of Hellenistic influence owe their plausibility to the imagination and ignorance of the beholder. This historian *assumes* that the older Judaism prohibits X, observes that Judaism in the Hellenistic period practiced X, notes that X is characteristic of Hellenistic culture, and lo! we have Hellenistic influence. If we subtract the baseless assumptions, we are left with two options. Either X was characteristic of older Judaism as well, in which case no change at all took place. Alternatively, older

Judaism is indifferent to X, in which case we may have Hellenistic influence on *what Jews do*, but no Hellenistic influence on *Judaism*.¹ Let us take Neusner's examples in turn.

1. "Because the second commandment forbids the making of graven images of God, however, people have long taken for granted that Judaism should not produce an artistic tradition. Or if it does, it should be essentially abstract and nonrepresentational...."

First, it should be obvious that "graven images" do not exhaust the resources of art. And, indeed, at none of the synagogues that archeologists uncovered were there any "graven images." Flat images composed of colored bits of stone in the floor do not count as graven images even in ordinary language, let alone according to the details of Jewish law. Furthermore, the Bible records even [what we, in our common language, may call] "graven images" being used by King Solomon. I Kings 6: 23-28 describes the gold plated angels Solomon made for the Temple; 7: 25 describes the great basin in the Temple as standing on the backs of twelve statues of bulls; and 10: 19 mentions the golden lions decorating his throne. Neither the Biblical text nor the later rabbinic literature criticize Solomon for his artistic efforts. Thus the discovery of representational art in synagogue decorations cannot be used as evidence of Hellenistic influence on Judaism.

¹ Compare the use by Jews of the technology of their various host cultures. This constitutes influence on an aspect of Jewish life, but none at all on Judaism, since Judaism generally does not limit the use of technology.

2. “The wisdom of the East could not be entirely ignored. A learned and cultured man of those times could not reject the science of Astrology, a science recognized by all the civilized ancient world. To deny at that time the efficacy of Astrology would mean to deny a well-established fact, to discredit a science accepted by both Hellenes and Barbarians...the power of Astrology is not denied, but it is confined to the Gentiles only, having no influence on Israel.”

3. “...we have evidence that ‘there were widespread groups of loyal Jews who built synagogues and buried their dead in a manner strikingly different from that which the men represented by extant literature would have probably approved, and, in a manner motivated by myths older than those held by these men.’ The content of these myths may never be known with any great precision, but comprehended a Hellenistic-Jewish mystic mythology far closer to the Qabbalah than to Talmudic Judaism.”

Notice first that this statement is built upon two baseless conjectures and a piece of admitted ignorance. “...would have probably approved...” means that the author is not sure whether they would have approved or not. “...far closer to the Qabbalah than to Talmudic Judaism” assumes that the Talmud did not know of the Qabbalah. That idea has been refuted by Prof. Moshe Idell of the Hebrew University [see Idell, chap. 7]. Furthermore, “The content of these myths may never be known with any great precision...” - but the historian can be sure that Talmudic Judaism would have disapproved! In addition, it should be noted that when synagogues were decorated with

Greek and Roman motifs, they were often *mislabeled*. Describing the very same material cited by Goodenough, Campbell writes (p. 202): “The personages at the corners are the seasons. They appear over the wrong signs, however, and that (I would say) says a lot!...The problem of the religious significance of Helios, the zodiac, and the seasons to a Jewish community of that time is not easy to resolve. The fact that the astronomical references were so little understood that the seasons are out of place suggests that neither and interest in Greek science nor a knowledge of Chaldean astrology can have contribute much to the inspiration of this icon.”

In order to take the assertion that these burial practices violated the norms of pre-Hellenistic Judaism seriously, we would have to see direct evidence of this violation. We might expect an early record of resistance to the new form and a discussion of its legitimacy. Or we might find a direct expression of the earlier norms. Lacking any direct evidence whatsoever, there is no credible evidence here of Hellenistic influence on Judaism.

4. “...the Hellenistic period saw the development of a Judaism profoundly shaped by Greco-Oriental thought, in which mystical and magical...elements were very important.”

The idea that Hellenism introduced mysticism and [what Neusner et. al. would call] magical elements into a pre-Hellenistic Judaism devoid of such themes is utterly fantastic. Mystical visions are scattered throughout the Bible, including Jacob’s vision of angels, the vision of the elders at Sinai of the heavenly throne, Isaiah’s vision of the heavenly throne, the famous mysteries of the first chapters of Ezekial, and the final visions of Daniel. Moses can experience G-d at will. The prophets are a recognized class in society with their own disciples. At times a vision is followed by a symbolic action [“magical” for Neusner] that enables the vision to take effect in the world. The whole system of sacrifices is understood to have real effect on agriculture, economy and war and peace [more “magic” for Neusner].

So the idea that Hellenistic influence introduced these themes into Judaism is simply absurd. If the point is only that Hellenism added to their importance, or influenced the expression of these themes, then it will be exceedingly difficult to find any evidence to support that contention. The historian must show the relative importance of those themes in more ancient times, and the sum of all their accepted expressions. They have not done this. Once again, there is no evidence here of Hellenistic influence on Judaism.

We now turn to three more elements in Neusner's general position that the development of many of the essentials of Judaism took place in the late Second Temple period or afterwards. The implication in Neusner's view of the materials cited above is the existence of many forms of Judaism ("Judaisms") existing together, of which the Pharisaic-Talmudic form is only one. These various "Judaisms" were already in place before the destruction of the Second Temple. As a result, the loss of the Temple was experienced in many different ways by different groups of Jews.

[Neusner [1]] P. 35: "...long before 70 the Temple had been rejected by some Jewish groups. Its sanctity...had been arrogated by others. And for large numbers of ordinary Jews outside the Land of Israel, as well as substantial numbers within, the Temple was a remote and, if holy, unimportant place. For them, piety was expressed through synagogue worship....The Diasporan Jews accommodated themselves to their distance from the Temple by "spiritualizing" and "moralizing" the cult...For the large Babylonian Jewish community, we have not much evidence that the situation was any different."

The second key point in Neusner's position is to refuse to take the historical accuracy of the classical texts for granted. In particular, when a document attributes a statement to a prior authority, we have no compelling reason to believe it. Rather, all we know is that the document in question *attributed* the statement to that earlier authority. Neusner [2], P 59: "*What we cannot show we do not know*. Lacking firm evidence, for example, in a sage's own clearly assigned writings, or even in writings redacted by a sage's own disciples and handed on among them in the discipline of their own community, we have for chronology only a single fact. It is that a document, reaching closure at a given time, contains the allegation that Rabbi X said statement Y. So we know that the people at the time of the document reached closure [sic] took the view that Rabbi X said statement Y. We may then assign to statement Y a position, in the order of the sequence of sayings, defined by the location of the document in the order of the sequence of documents."

Neusner recognizes that this may make a considerable difference in how the statement Y is interpreted.

P. 58: "...if a rabbi really spoke the words attributed to him, then a given idea would have reached expression within Judaism *prior* to the redaction of the document. Dividing things up by documents will tend to give a later date and thus a different context for interpretation to opinions held earlier than we can presently demonstrate."

The third point is Neusner's characterization [1] of Pharisaic-Rabbinic Judaism as a radical reform based upon redefining the whole of the Jewish people as priests. As part

of this program they extended the laws of ritual purity, formerly applicable only in the Temple, to all Jews in the land of Israel, in all aspects of their lives.

P. 51: “Pre-70 Pharisaism...stresses...eating secular food in a state of ritual purity [and] careful tithing and giving of agricultural offerings to the priests, and obedience to the biblical concerning raising crops....Therefore, late Pharisaism – that flourished in the last decades of the Temple’s existence ...is a cult-centered piety, which proposes to replicate in the home, and thus to effect the Temple’s purity laws at the table of the ordinary Jew, and quite literally to turn Israel into a ‘kingdom of priests and a holy nation.’...The Pharisee was a layman pretending to be a priest and making his private home into a model of the Temple.

P. 44: “...the Pharisees held...that even outside of the Temple, in one’s home, one had to follow the laws of ritual purity...*as if one were a Temple priest*. The Pharisees thus arrogated to themselves – and to all Jews equally – the status of Temple priests....

The purpose of this reform was to deal with the disastrous loss of the Temple that was central to all Jewish religious expression prior to its destruction by the Romans.

P. 36: “...the challenges of the destruction of Jerusalem, the end of the Temple, and the cessation of the cult....First, how to achieve atonement without the cult? Second, how to explain the disaster of the destruction?

All three points – multiple Judaisms, unreliable textual attributions, and pseudo-priestly status – are without foundation.

1. "...long before 70 the Temple had been rejected by some Jewish groups. Its sanctity...had been arrogated by others. And for large numbers of ordinary Jews outside the Land of Israel, as well as substantial numbers within, the Temple was a remote and, if holy, unimportant place. For them, piety was expressed through synagogue worship....The Diasporan Jews accommodated themselves to their distance from the Temple by "spiritualizing" and "moralizing" the cult...For the large Babylonian *Jewish* community, we have not much evidence that the situation was any different."

Since this statement is unaccompanied by any argument or evidence[except the claim that the sanctity of the Temple had been "arrogated" by certain groups, which statement we will consider below], it would be appropriate to dismiss it as mere imagination. But it is worse than that.

First, the idea that synagogue worship replaced the importance of the sacrificial rites in the Temple is a common, but completely unfounded, idea. Prayer thrice daily was instituted at the *beginning* of the second Temple. It was designed to *accompany* the sacrifices, not to replace them. There is no evidence whatsoever that it played any more than that role. Indeed, every prayer explicitly mentioned the importance of the sacrifices [and, since the destruction of the Temple, pleads for the rebuilding of the Temple and the restoration of the sacrificial order]. Every synagogue is oriented in the direction of Jerusalem; the individual in prayer must face in that direction even when he is not in a synagogue.

Second, one can only think of "spiritualizing" and "moralizing" the sacrifices as a sign of distance and unconcern from their physical performance *if one assumes that the original institution is devoid of spiritual and moral content*. But that amounts to assuming what needs to be proved. If we recognize that all Jewish law embodies spiritual and moral concepts, then the spiritual and moral accounts of the sacrifices in the Hellenistic period express *continuity with the Temple*, not distance from it.

Third, even from Babylon Jews came to the Temple, especially for Passover, and they too commemorated its destruction on the ninth of Av. There is no evidence whatsoever that to them it was an "unimportant place."

This paragraph qualifies as historical fantasy.

2. "*What we cannot show we do not know*. Lacking firm evidence, for example, in a sage's own clearly assigned writings, or even in writings redacted by a sage's own disciples and handed on

among them in the discipline of their own community, we have for chronology only a single fact. It is that a document, reaching closure at a given time, contains the allegation that Rabbi X said statement Y.”

At first glance this looks to be commendable caution. When the first documented appearance of a statement is much later than the time attributed to the statement, we cannot simply assume that the statement was really made at the earlier time. However, it is not the case that the only alternative to assuming the truth of the attribution is to reject it. We can look for secondary evidence of the general reliability of the tradition in reporting statements. If we find such evidence, it will be reasonable to accept the accuracy of the report even in the absence of direct documentation of the earlier time of the statement.

What kind of general evidence could play this role? First, the tradition itself often reports different versions of an earlier statement, and even disputes as to whether the statement was made at all. This means that care was taken to report statements accurately, and to record failures of transmission.² In a case where the tradition records only one undisputed version of a statement at a particular time, it is fair to assume that at that time only one version existed. But then why should only one undisputed version exist if it is not accurate? When the false attribution took place it should have been disputed, and the dispute recorded.

Second, if the attribution to the earlier source is not accurate, this should be expected to cause difficulties for the history of the law and the history of the community. If, for example, a law is falsely attributed to a scholar who lived one hundred years before the real origin of the law, the lack of discussion of that law in the intervening century, and the fact that the community did not practice the law during that period, will have to be explained. The absence of such an explanation will be a bar to such false attributions. The absence of such anomalies in Jewish Law – statements out of place in the development of the law and the practice of the community – is further evidence that attributions were generally accurate.

If, in spite of this evidence of the general reliability of the tradition, the historian wants to cast large-scale doubt on the accuracy of the attribution of statements to earlier periods, he ought to present numerous examples of such attributions that are known to be false. In the absence of such examples, his “caution” amounts to nothing more than a prejudice against the tradition.

3. “Pre-70 Pharisaism...stresses...eating secular food in a state of ritual purity [and] careful tithing and giving of agricultural offerings to the priests, and obedience to the

² Indeed, the tradition even records exactly the historical line of authorities leading back to the original source, and notes disputes concerning this line of transmission when they exist.

biblical concerning raising crops....Therefore, late Pharisaism – that flourished in the last decades of the Temple’s existence ...is a cult-centered piety, which proposes to replicate in the home, and thus to effect the Temple’s purity laws at the table of the ordinary Jew, and quite literally to turn Israel into a ‘kingdom of priests and a holy nation.’ ...The Pharisee was a layman pretending to be a priest and making his private home into a model of the Temple....the Pharisees held...that even outside of the Temple, in one’s home, one had to follow the laws of ritual purity...*as if one were a Temple priest*. The Pharisees thus arrogated to themselves – and to all Jews equally – the status of Temple priests....

First let us note that long before the Pharisees ritual purity was practiced by non-priests. Samuel I, 20: 26 reports Saul’s assumption that the reason David was absent from the king’s feast in honor of the new moon is that he was ritually impure. Neither Saul nor David was a priest, but they practiced ritual purity.³ In addition, many items needed to be prepared for use in the Temple. Those items were required to be ritually pure. The workers who prepared them needed to maintain their state of ritual purity on a continuous basis as part of their livelihood. Thus the idea that private practice of the laws of purity was a Pharasaic invention is false.

Second, the idea that practicing the laws of ritual purity amounted to arrogating to oneself the status of a priest is utterly absurd. Neusner himself stresses that part of the

³ Even if the historian opts to believe that these stories are invented far after than the time of their subject, no one thinks they were invented during the last decades of the second Temple – the time at which Neusner suggests this radical reform took place.

Pharisaic program was the careful observance of the laws of agricultural tithes. Those tithes were given to the priests. An individual practicing the laws of ritual purity was not exempt from giving this tax to a genuine priest. The Pharisees never suggested that such individual be allowed to perform the rites in the Temple “during the last decades of the Temple’s existence.”

Third, the requirement of maintaining ritual purity is controversial in the Pharisaic text itself. Tractate Avodah Zara 55a-b reports a change of opinion from requiring ritual purity to dropping the requirement. The law is finally formulated in favor of the lenient view – ritual purity is not required. [Maimonides, Mishne Torah, Hil Tumas Ochlin 16:9]

EXPLANATIONS OF JEWISH SURVIVAL

We now turn to the efforts of Jewish historians to explain Jewish survival. Many histories of the Jewish people make no mention at all of the need to explain Jewish survival. Here are a few examples:

The Jews – Their Culture, History and Religion, ed. Louis Finkelstein, The Jewish Publication Society of America, 1949, four volumes, 1431 pages; 33 contributors. At the end of the fourth volume they list the questions which they felt were crucial for a comprehensive survey of Jewish history: What is a Jew? What is the Jewish Creed? What is the Jewish attitude to marriage with members of other faiths? What is the Jewish attitude toward members of other religions? . What is the Jewish attitude to the concept of the chosen people? What is the Jewish attitude to Jesus? What is the Jewish attitude doctrine of immortality? What is the Jewish attitude to the Messiah? What is the Jewish attitude to ceremonials and rituals? What is the Jewish attitude to marriage and the family? Is there a Jewish unity? What are the divisions in modern Judaism? What is the Jewish attitude attitude to the Bible? What is the Jewish attitude revelation? What is the Jewish attitude to the Talmud? What is the Jewish attitude rabbinical literature? What is the Jewish attitude to Philo? What is the Jewish attitude to Maimonides? What is authority in Judaism? What is the position of the rabbi in modern Judaism? What is the place of study? What are the contributions of Jews to the cultural development of civilization? What is the extent of present synagogue affiliation? What is the proportion of Jews in agriculture as opposed to urban pursuits? What is Jewish institutional organization – congregational and secular? What is Jewish

participation in the wars fought by the USA? What is the relation of Jews throughout the world to Palestine and the state of Israel? *There is no mention of the need to explain Jewish survival among all these questions.*

Abram Leon Sachar, *A History of the Jews*, Alfred A. Knopf, New York: 1965, 493 pages.

A History of Judaism, Basic Books, New York: 1974, vol. 1, Daniel Jeremy Silver, *From Abraham to Maimonides*, 476 pages; vol. 2, Bernard Martin, *Europe and the New World*, 527 pages.

A History of the Jewish People, ed. H. H. Ben-Sasson, Harvard University Press, 1976, six contributors, 1170 pages.

One author who does address the question of Jewish survival is Solomon Zeitlin in his book *The Rise and Fall of the Jewish State*, volumes 1-3, The Jewish Publication Society of America, 1962. His explanation of Jewish survival is that the rabbis of the late second Temple era created a pattern of practices and values that naturally produced survival. There is no attempt to show that the many cultures that did disappear lacked parallel features [with one exception, to be discussed below]. There is no assessment of the varying internal coherence of those features, nor of their effects in different environments. And there is no attempt to explain why we alone thought of them, and others did not imitate them. I have presented his material below twice – first without comment, and then with my comments inserted in italics.

Vol 1, p. xiv: The change in the name of G-d, moreover, sums up that new quality of Judaeen life which fortified it against the onslaughts of political enemies. During the Hellenistic and Roman periods Judaea was a small country. There were many peoples and countries at that time; but when these were conquered by various empires, they lost their political existence as well as their identities as ethnic groups. We know of their existence only through the ancient Greek and Roman historians or from recent archeological discoveries. Even great empires of ancient times were conquered and obliterated and are known only from historical books and tablets unearthed from time to time. Judaea too was conquered by the Romans and ceased to be an independent state; but the unity of the Judaeans as an ethnic group was not destroyed. They have continued to live, and even now have established an independent state in the land of Judaea. What is the secret of their persistence? The answer, as developed in the text below, is that this was due to the Judaeen religion. Other peoples had an ethnic god and, when they were conquered, their god was also considered conquered. Some of these gods were even taken as captives to the Roman Pantheon. Since the Judaeen G-d... was a universal G-d, invisible, He could not be taken into captivity. He was not bound to any particular country as were the pagan gods. When the Judaeans lost their state, they had their G-d wherever they went.

p. 426:The danger to Judaism was from the Hellenism prevailing in many of the cities which had been conquered by Jannaeus Alexander and made part of Judaea, and from contact with the Romans. To counteract this, great stress was laid on religion which the sages believed was indestructible.

Vol 2, p. 301: Judaea was conquered and ceased to exist as a political state. Yet Judaeen culture and religion did not die. The Judaeans, as a people, were a tiny minority in the midst of the polytheistic peoples of the world. How could polytheism fail to be victorious? Indeed, many small nations were destroyed by the Ptolemies, the Selucids, and later by Rome. ...But the Judaeen religion did not die; rather, in the course of history, it overcame polytheism.

This survival was due to the evolution of their religion which was molded during the period of the Second Commonwealth by their spiritual leaders, the Pharisees. [This] development from an ethnic to a universal yet national religion...continued and became dominant in the Judaeen way of life. ...The Judaeen state developed from a priestly theocracy to a more democratic nomocracy. The Judaeen religion became nomistic: a religion of law. When the state fell and the people scattered, the law survived and functioned – and with it the Judaeen religion and the Judaeen people.

p. 305: The Judaeen religion was national and also universal, for the Judaeans believed that their G-d was the one and only G-d of the universe. This idea of the universal and exclusive sovereignty of G-d was revolutionary in the polytheistic world. [tolerance of polytheism...]

p. 311:...many people in the Greek and Roman world became converts to the Judaeen religion. How can the phenomenon be explained? The main factor was the essence of the religion propagated by the Judaeans: that G-d is one and universal. The G-d of Israel is the G-d of all creation. By contrast, the pagan religions must have appeared decadent to any sensitive souls.

p. 355: [establishment of public education for males]

Vol 3, p. 156:...The Judaeans could remain unconquered only by the strength of their moral and religious and moral values. The Pharisees therefore set about to erect ramparts not of stone but of faith and ideals which the Romans would not be able to wipe out.

p. 180: ...Ezra realized that the returned exiles would never be united unless they could be rallied about one law which they would accept as binding. ...The Temple was the spiritual center of the entire Judaeen people ...Raban Jochanan ben Zakkai set about to forge new links that would take the place of land and Temple to hold his people together. [prayer in place of sacrifices; Sanhedrin at Yavne more powerful than lishkas hagazis...]

p. 262-3: summary – Judaism created by Judaeans of last second Temple period...

p. 381: When the sages assembled in Jabneh in the year 71 C.E. by permission of the Roman emperor, Jerusalem and the Temple were a heap of smoldering ruins...and the land [was] laid waste. Thousands upon thousands had been slain or sold into slavery. Those who survived were dazed and bewildered; they had lost faith in themselves and in G-d. If there was indeed a G-d, they asked, why had He allowed His Temple and His holy city to be destroyed, and the descendants of Abraham, Isaac and Jacob – His chosen ones – to be slaughtered?

Within an amazingly short time the sages of Jabneh succeeded in bringing order to the country and in restoring the faith on the people in G-d and in themselves. ...Spiritual life was fortified and new loyalty inspired...

This is the gist of Zeitlin's explanation. My comments are inserted below.

1. "What is the secret of their persistence? The answer, as developed in the text below, is that this was due to the Judaeen religion. Other peoples had an ethnic god and, when they were conquered, their god was also considered conquered. Some of these gods were even taken as captives to the Roman Pantheon. Since the Judaeen G-d...was a universal G-d, invisible, He could not be taken into captivity. He was not bound to any particular country as were the pagan gods. When the Judaeans lost their state, they had their G-d wherever they went."

This is the one feature that we know to be unique to the Jews at that time. However, there are several reasons that the impact of this feature on survival is not obvious.

First, the contrast with other religions should not be exaggerated. When the Romans conquered (the islands that came to be called) England, they certainly

felt that their gods were fighting for them even there. Their gods were not restricted to Italy. Also, the universality of the Judaeen G-d also should not be exaggerated. The Judaeen G-d is committed to a particular land, a Temple, and a particular people. Indeed, Zeitlin recognizes below that this commitment caused people to assume that He would never allow His city and Temple to be destroyed. When they were destroyed this caused them to doubt their beliefs. The rabbis could not contradict those commitments by appealing to G-d's universality: the Bible is replete with references to them. Thus there is only a quantitative difference in universality between Judaeen monotheism and polytheism.

Second, if G-d really is present universally, then He must be responsible for the spectacular successes of other nations. This calls into question His special relationship with the Jews. If one lives as a small minority within a large, successful non-Jewish culture, and one takes seriously the universality of G-d, one must picture G-d producing the success of the majority culture. This produces a deep tension with one's belief that G-d really favors the Jewish people. Indeed, that is precisely the taunt aimed at us throughout the exile. For the rabbis to invent a tension between basic beliefs- G-d's universality and Jewish chosenness - is not a good strategy for the survival of an ideology.

For a polytheist, by contrast, the tension caused by conquest and exile can be managed much more easily. The conquered add the chief god of the victor to their pantheon. The exiles worship the gods of their hosts along with their own. The loss of the war may be interpreted as due to conflicts among the gods of their own pantheon, in which case they may need only shift their loyalty to the gods ascendant at the time. In none of these scenarios is the religion as a whole called into question.

It is thus not at all clear that on balance we should expect Judaeen monotheism to be a good strategy for supporting Jewish survival.

2. "This survival was due to the evolution of their religion which was molded during the period of the Second Commonwealth by their spiritual leaders, the Pharisees. [This] development from an ethnic to a universal yet national religion...continued and became dominant in the Judaeen way of life. ...The Judaeen state developed from a priestly theocracy to a more democratic nomocracy. The Judaeen religion became nomistic: a religion of law. When the state fell and the people scattered, the law survived and functioned – and with it the Judaeen religion and the Judaeen people."

There is no attempt to explain why this evolution should take place while the state continues to exist. Even to postulate that the rabbis felt the insecurity of their state in the face of the Roman empire does not help. First, Roman conquest rarely meant total destruction and exile. Rather it was a matter of paying tribute and having lost some control of foreign policy. Why should they prepare for the total dissolution of the state? Second, law typically functions within the structure of a state. It requires judicial bodies and means of enforcement. Why would **law** be the foundation chosen to prepare for the loss of a state? Third, for those very reasons, it is unclear why it succeeded. Law that is unenforceable is usually regarded as futile. The existence of a moveable Sanhedrin waited for the actual destruction. Are we to imagine that they planned to invent one when it would be needed? Furthermore, the move of the Sanhedrin has the legal

consequence that Jewish courts everywhere cannot try capital cases. If the invention of a moveable Sanhedrin is designed to preserve Jewish legal authority in exile, why include a rule that weakens that authority?

3. “many people in the Greek and Roman world became converts to the Judaeen religion. How can the phenomenon be explained? The main factor was the essence of the religion propagated by the Judaeans: that G-d is one and universal. The G-d of Israel is the G-d of all creation. By contrast, the pagan religions must have appeared decadent to any sensitive souls.”

By the same reasoning, Judaeen religion must have looked weak to strong souls, fanciful to those who liked concrete gods with images and statues, intolerant to those for whom polytheism allowed a comfortable live-and-let-live policy, a religion of losers espoused by a people in exile, and impossibly brutal for prescribing circumcision. Zeitlin’s remark here is simple anachronism. The modern world has adopted many Jewish ideas and values. If **we** had lived then, Judaism would surely have looked superior to the other “decadent” religions. But that says nothing about the reactions of the people at that time.

4. “The Judaeans could remain unconquered only by the strength of their moral and religious and moral values. The Pharisees therefore set about to erect ramparts not of stone but of faith and ideals which the Romans would not be able to wipe out....Ezra realized that the returned exiles would never be united unless they could be rallied about one law which they would accept as binding....The Temple was the spiritual center of the entire Judaeen people.”

If the Temple was the spiritual center of the Judaeen people, even those outside the land of Israel, then its loss was a religious catastrophe. The invention of local prayer halls and a portable court do not seem to be nearly enough to overcome this deficit, especially since the sine qua non of every ancient religion is the use of sacrifices to propitiate the gods. It would have been much more logical to invent the ability to offer sacrifices universally.

5. “Thousands upon thousands had been slain or sold into slavery. Those who survived were dazed and bewildered; they had lost faith in themselves and in G-d. If there was indeed a G-d, they asked, why had He allowed His Temple and His holy city to be destroyed, and the descendants of Abraham, Isaac and Jacob – His chosen ones – to be slaughtered?”

As mentioned above, the rabbis could not, and did not, contradict the special relationship between G-d and his land and people. Are we to imagine that the people just forgot about this relationship? We know they did not. Thus there is no explanation how this conflict was resolved.

6. “Within an amazingly short time the sages of Jabneh succeeded in bringing order to the country and in restoring the faith on the people in G-d and in themselves. ...Spiritual life was fortified and new loyalty inspired...”

Yes, it truly is amazing! One of the reasons for amazement is that there are no parallels to this achievement. No one even imitated the key beliefs and values that led to our survival. Why not?

We conclude that Zeitlin does not present a credible explanation of Jewish survival.

In his book *The Shaping of Jewish History, A Radical New Interpretation*, Charles Scribner's and Sons, 1971, Ellis Rivkin presents a completely new theory of Jewish survival. He stresses the uniqueness of his theory again and again:

P. iv: "This is a new kind of book on Jewish history...By deliberately setting for myself the goal of redesigning Jewish – and as a consequence world – history, I have been compelled to rearrange, reallocate and restructure the data already known.

P. vii: "I seek in these pages to share with the reader a novel way of looking at *all* of Jewish history."

P. xviii: "This book then is, I believe, unique."

P. xxii: "...I take a tack different from contemporary biblical scholars....Unlike Wellhausen, Albright, Noth, Kaufman and others..."

P. xxiv: "Likewise I have broken new ground in my theory of Christian origins..."

P. xxvi-xxvii: "I break completely with Werner Sombart who assigns to Jews and Judaism the creation of capitalism....So much for Sombart's hypothesis. But those of Weber, Tawney and Marx are also challenged in these pages."

P. xxviii: "I explore this relationship in what I believe to be a highly novel way..."

P. xxix: "This neither Marx nor, as far as I know, any other scholar has recognized...."

Rivkin applies his theory to the entire gamut of Jewish history – from the Patriarchs to Auschwitz. On the way he surveys Communism and Capitalism, the rise of Nationalism, the effect of Christianity and Islam, the Jewish experience in modern America, the Holocaust and the State of Israel. All this in a mere 247 pages. A complete review of this book would require a monograph. It will be enough to illustrate the standards that Rivkin assumes for his theorizing. I will present the summary of his theory in his own words and then evaluate its validity.

P. xvii-xviii: "The operative principle of this book is utterly simple: The problems of Jewish history can be understood by means of the unity concept. ...Each successive form of Jewish history represents a solution to problems posed to the idea of unity by changing historical circumstances. The unity concept became the source and justification for variation and even radical transformation of Jewish life. Commitment of unity did not breed repetitive conformity, but creative diversity, ...the unity concept proved to be so resilient that it was successfully elaborated and extended to embrace ever more complex systems....Jewish history is thus the history of the evolution, development, and elaboration of the unity concept through a sequence of historically interrelated and interdependent forms...the unity concept became the organizer, systematizer and processor of diversity, rather than its negation. The commitment of unity did not end with unity – it ended with diversity."

P. xix: "It should be stressed that the unity concept is in no way committed to the perpetuation of any of the content attached to it by any of the forms, or, for that matter, to the perpetuation of the forms themselves. Jewish history reveals that no law, idea, custom, or dictum has been preserved intact from the beginning. It further reveals that, far from sustaining any single form of the unity concept, Jewish history *is* the interconnected sequence of *changing* forms. Yet all content and all forms, however diverse, fit under the unity concept, which has simply the notion that reality, be it simple, complex, or changing, is amenable to a unifying idea."

P. xx: "the unity concept is the *essential* differentiating feature of Jewish history and it is the *constant* in every situation in which the Jews were required to solve problems throughout the millennia. But it is not in and of itself a sufficient explanation of Jewish history. It was used to solve problems, but because the Jews lived within larger societies the problems themselves were generally set by extrinsic forces....the idea constantly responded to economic, social and political forces.

P. xxii: "This interplay will become evident virtually from the first page....I take a tack different from contemporary biblical scholars. I do not approach the Pentateuch as primarily a literary work, but as the record of successive stages of problem-solving that spanned a thousand or more years of Israel's history....No one really knows...how the Pentateuch evolved. There is overwhelming evidence that it is a composite, but even the most superficial reading of the most learned scholars will reveal that what one considers early, the other considers late; what for one is "obvious" for the other is "absurd." No one really knows...I see therefore no cogent argument against approaching the Pentateuch from a very different angle of vision. ...it is a work that deals in the most concrete ways with the problems of power."

P. xxiii: "...I see no reason why the Pentateuch should not be studied as a record of the evolution and development of power and authority in Israel...The culmination was the fashioning of the Pentateuch...by a class of priests who sought to solve the problems confronting the community after its return from exile in Babylon by having Yahweh and Moses assign absolute power to Aaron and his sons. They did not compile the Pentateuch, but created it; i.e., they so designed the work that a class that had never exercised power previously was now to enjoy it as a God-given monopoly."

Let's see what we have so far. Rivkin's explanation of Jewish history is based on two principles.

- (A) Jewish history has one unique feature, the commitment to the unity idea, in its ever-changing content and application.
- (B) This concept is used to solve the social problems facing the Jewish population(s). The key problems are related to setting the power structure of the society in changing economic and political environments.

As part of his methodology, he uses a third principle.

- (C) The different parts of the Pentateuch cannot be reliably dated, not even in relation to each other, therefore he is free to restructure the text in terms of understanding history on the basis of (A) and (B).

Now let us see his explanation for the creation of the Pentateuch and the social revolution giving power to the priests.

According to Rivkin, the restoration of the Temple after the Babylonian exile found the Jewish people crippled by competition for power. The Levites claimed control over the Temple; the Davidic line claimed the authority to restore the monarchy; the prophets spoke in G-d's name without recognizing restraint from any other authority whatsoever. This competition caused critical instability. The prophets who were utterly independent and unpredictably individual in their visions and messages posed the most danger. The solution was to "phase prophecy out."

P. 21: “How was prophecy to be phased out? Deuteronomy had tried to solve the problem by assigning a preeminent role to Moses, elevating him over all subsequent prophets, and using the wilderness setting for revealed immutable legislation. The solution failed because...the prophets refused to be curbed....[also] Three Yahwist institutions – monarchy, priesthood, prophethood – were accorded legitimacy, not one. There was a built-in invitation to clash over the lines of authority....a group of gifted leaders flung precedent and tradition aside and transferred all power to a priestly class which they themselves had designed as the solution...the descendants of Aaron...was to exercise authority forever, its rights being founded in immutable laws revealed by Yahweh to Moses on Mount Sinai, laws investing the Aaronides with absolute power. What is remarkable about this transfer of authority is that this priestly class, the Aaronides, was created by the shapers of the Pentateuch. It had never existed before.”

Rivkin realizes that it is difficult to give a plausible account of such a transition:

P. 23: “How are we to account for this phenomenon? So long as there is no Pentateuch – only the so-called JE texts and Deuteronomy – there are no Aaronides. The moment, however, we have the Pentateuch there seem to be *only* Aaronides. Not only have kings and princes vanished, but there are no longer any prophets....A bewildering phenomenon indeed, and one resistant to clarification. There just is no way of determining how the Pentateuch was finalized.”

Rivkin juxtaposes Exodus 33:7-11 against Exodus 40: 1-35. The former pictures Moses as the sole spokesman for G-d, communicating His will to the people as it is revealed to him. The latter describes Moses creating the Tabernacle in which only Aaron and his sons can officiate – even Moses himself is excluded. In terms of allocation of power these texts appear to Rivkin to stand in absolute contradiction. He sees the latter text as newly created by the “gifted leaders” and used to legitimize the creation of the new power class of “Aaronides.” Here is his summary of the stages of Jewish development preserved by the Pentateuch:

P. 30: “...the Pentateuch has preserved within it four phases of authority in Israel: (1) patriarchal absolutism; (2) prophetic absolutism; (3) collaboration among Levitical-priestly, royal and prophetic powers; (4) Aaronidism.”

P 31: “THE Aarondies...saw Yahwism threatened unless they wielded absolute authority. They therefore designed the Pentateuch to attain this end, arrogating to themselves not only alter rights but also control over the process of expiation from sin...the Aaronides also buried the claims of the Levites by recounting the rebellion of Korah, the Levite, and his company of Levites against Aaron’s hegemony (Numbers 16-18). Never was Yahweh more angry. Not even the Golden Calf so outraged Him. Korah and his entire company was buried alive. Still burning with anger, Yahweh let loose fire and plague and was calmed only when Aaron interceded. In all of the Pentateuch there is nothing comparable to the annihilation of Korah and his fellow rebels.”

The process of creating the new Pentateuch is described speculatively as follows:

P. 32: "...all pre-patriarchal and patriarchal tradition already recorded were left untouched. All Mosaic wilderness texts already sacrosanct and recorded were left untouched. Moses' farewell address in Deuteronomy was left untouched. A framework of Aaronidism was built around these earlier materials so as to nullify their effectiveness and replace them with functioning Aaronidism.

Rivkin completes his account by asserting that the elements of the older texts which seem to contradict the transfer of power to the Asronides are outweighed by sheer volume of Aaronide text plus clever editing of the whole of the new Pentateuch. The result, in Rivkin's words, was "All power to the Aaronides." (P. 36)

My comments on this proposed explanation of Jewish survival are inserted below in italics.

1. "The operative principle of this book is utterly simple: The problems of Jewish history can be understood by means of the unity concept. ...Each successive form of Jewish history represents a solution to problems posed to the idea of unity by changing historical circumstances....the unity concept became the organizer, systematizer and processor of diversity, rather than its negation. The commitment of unity did not end with unity – it ended with diversity....It should be stressed that the unity concept is in no way committed to the perpetuation of any of the content attached to it by any of the forms, or, for that matter, to the perpetuation of the forms themselves. Jewish history reveals that no law, idea, custom, or dictum has been preserved intact from the beginning. It further reveals that, far from sustaining any single form of the unity concept, Jewish history *is* the interconnected sequence of *changing* forms. Yet all content and all forms, however diverse, fit under the unity concept...."

So the unity concept is a commitment only to a unified, as opposed to a fragmented world. It is not limited to any particular form of unification. It is flexible enough to be adapted to an unlimited variety of applications. We should ask: How can it be used to maintain the continuity of a people that has spent the great majority of its history as separated populations? By the beginning of the Second Temple there were substantial Jewish populations in both Babylon and Alexandria Egypt. Only a minority returned to Israel. If the Pentateuch was designed to solve the problems of the Jews in Israel, why did the majority of Jews accept it elsewhere? Why did they not adapt the unity concept to solve their particular problems? The result should have been a split into many forms of Judaism, leading to the dissolution of the world Jewish community into various sects. Indeed, Rivkin himself says "the commitment of unity did not end with unity – it ended with diversity." Why did this diversity not destroy the common Judaism of the small scattered Jewish populations?

It is also not obvious that the unity concept is alone in possessing this ability to organize creative solutions to social problems. After all, the administrators of the great empires – Egyptians, Assyrians, Babylonians, Persians, Greeks, Romans and others – certainly faced myriad social problems, and solved them well for considerable periods of time. Their attachment to a pantheon of gods did not obviously hinder them. Indeed, the fact that the gods differ, and yet must often work in concert with one another, might provide the perfect model for a suitable combination of continuity and flexibility. If the Jews had believed in a pantheon of gods, logic parallel to Rivkin could have been used to formulate an explanation based on that belief.

3. "No one really knows...how the Pentateuch evolved. There is overwhelming evidence that it is a composite, but even the most superficial reading of the most learned scholars will reveal that what one considers early, the other considers late; what for one is "obvious" for the other is "absurd." No one really knows...."

Thus Rivkin is freed from the responsibility to harmonize his explanation with the text as it stands. But he has gone farther than that: By professing despair of ever knowing the real redaction of the text, he is entirely free of any textual limitations. He can restructure it with impunity to accord with his explanation. But this means that the text also lends little or no support to his explanation. The freedom he allows himself could easily be used by others to restructure the text to support other explanations as well. Immunity from critique is often purchased at the price of losing evidential support.

4. "The culmination was the fashioning of the Pentateuch...by a class of priests who sought to solve the problems confronting the community after its return from exile in Babylon by having Yahweh and Moses assign absolute power to Aaron and his sons. They did not compile the Pentateuch, but created it; i.e., they so designed the work that a class that had never exercised power previously was now to enjoy it as a God-given monopoly.a group of gifted leaders flung precedent and tradition aside and transferred all power to a priestly class which they themselves had designed as the solution...the descendants of Aaron...was to exercise authority forever, its rights being founded in immutable laws revealed by Yahweh to Moses on Mount Sinai, laws investing the Aaronides with absolute power. What is remarkable about this transfer of authority is that

this priestly class, the Aaronides, was created by the shapers of the Pentateuch. It had never existed before.”

This is not a credible explanation at all. A class of the population – a tiny minority – assumes total absolute power. No one is able to withstand the revolution. The minority accomplishes this not with their own army, nor with brilliant scientists, agricultural experts, economists, or any other practical benefit for the nation that might motivate people to accept them. No, they just rewrite the Scriptures to put themselves in power, and everyone just accepts it – even those whose power is thereby displaced!

Furthermore, there is no record whatsoever of the creation of the Pentateuch. There are no debates over its acceptance, no celebration of those who provided the documentary proof of

G-d's will, no holiday to celebrate their achievement. Details of Jewish life far less significant are clearly preserved while this momentous event is completely unrecorded.

Finally, we are supposed to imagine that prior to this revolution the priesthood was not limited to the Aaronides. How then did they have any distinguished identity? Did the people recognize them as a separate group in any sense whatsoever? If not, the revolution not only concentrates power in the hands of one group, it also creates that group. Such an idea has no intuitive credibility at all.

5. "...The Aarondies...saw Yahwism threatened unless they wielded absolute authority. They therefore designed the Pentateuch to attain this end, arrogating to themselves not only alter rights but also control over the process of expiation from sin...the Aaronides also buried the claims of the Levites by recounting the rebellion of Korah, the Levite, and his company of Levites against Aaron's hegemony (Numbers 16-18). Never was Yahweh more angry. Not even the Golden Calf so outraged Him. Korah and his entire company was buried alive. Still burning with anger, Yahweh let loose fire and plague and was calmed only when Aaron interceded. In all of the Pentateuch there is nothing comparable to the annihilation of Korah and his fellow rebels."

Here there are a number of factual errors. (1) The process of expiation of sin is not the province of the "Aaronides" alone. Indeed, almost all the personal sacrifices apply to unintentional sins. Deliberate transgressions remain in the realm of the individual's relationship to G-d, to which the "Aaronides" are irrelevant. (2) The rebellion of Korah included only three Levites, together with 250 non-Levites. (3) Not once in the entire story does the text say that G-d was angry. In the story of the Golden Calf G-d's anger is mentioned (Ex. 32: 10), and at the end of the story the people suffers a plague [which is not halted by an action at all] (Ex. 32: 35). In the rebellion of the spies, G-d expresses his anger at length (Num. 14: 11-2, 21-3). By contrast, in the story of Korah, G-d's speeches are calm instructions for the punishment to be administered.

In addition, it is incredible that such a story could be newly minted, inserted into a traditional text, and accepted everywhere by Jewish populations which knew nothing of it. This sort of vivid story, with its obvious implications, could not have been lost to the memory of the nation. There is no parallel in history of a nation accepting such a fabrication.

The process of creating the new Pentateuch is described speculatively as follows:

6. "...all pre-patriarchal and patriarchal tradition already recorded were left untouched. All Mosaic wilderness texts already sacrosanct and recorded were left untouched. Moses' farewell address in Deuteronomy was left untouched. A framework of Aaronidism was built around these earlier materials so as to nullify their effectiveness and replace them with functioning Aaronidism."

It is incredible that the mere addition of new material, a small proportion of the whole, would be sufficient to overturn the established meaning of the traditional majority of the text.

7. The result, in Rivkin's words, was "All power to the Aaronides."

This is an incredible description of the position of the “Aaronides” as described in the Pentateuch. (1) Power in ancient times was rooted in land. The priests are given no land in the Pentateuch. (2) The institution of the king was not abolished – during the Second Temple there were kings. Somehow the advocates of the “Aaronides” forgot to neutralize the monarchy. The existence of a king certainly does not allow the priests “all power.” (3) For the many priestly gifts outside the Temple (teruma, first wool, parts of slaughtered cows, ..) there are no procedures of collection. They are up to the discretion of the individual who is giving them. This creates competition among the priest for the favor of the donor. This is hardly the position of absolute power. (4) Nowhere does Rivkin find that the priests given control over interpreting the Torah and applying it. If the ultimate allegiance of the people is to G-d, interpreting His will is a major source of power that the "Aronides" do not possess. (5) The “Aaronides” do not have the power of taxation. Their economic base is quite small. Unless he lives in Jerusalem, the “Aaronide” must leave home to enjoy the gifts available in the Temple, since they must be consumed there. Since they cannot be sold, they cannot be turned into wealth. “All power” without the ability to raise funds from the population is a travesty.[The absence of taxation from the passages of the Torah supposedly created by the “Aaronides” is especially ironic since some historical sources indicate that during the Babylonian exile the high priest did in fact have such power – see Baron, p.130.]

Rivkin fails to provide any credible account of Jewish survival.

Salo W. Baron, in his vast *Social and Political History of the Jews*, offers explanations of Jewish survival in each epoch of Jewish history. I will examine two of them here. The first concerns Jewish survival during the Babylonian exile (Baron v.1, chap. IV).

Baron puts the problem this way.

P. 117-8: "In general, the vast empires of antiquity (except Assyria) learned to be tolerant of religious differences. Polytheistic themselves, their rulers had no real difficulty in acknowledging the existence of other gods whenever political reasons made that expedient...As most vanquished nations would be inclined to see defeat as proof of the superior power of the foreign god, deportation was fair guarantee of eventual religious assimilation...the necessary, thorough remodeling of inherited ways of life, as well as the epochal transformations going on in the outside world, influenced the Jews toward complete assimilation. The national catastrophe itself and the subsequent years of poignant suffering must have brought the weaker refugees to utter despair. Many may have accepted the idea that Babylonia's gods had really been victorious over the God of Israel. Others, going to the opposite extreme, must have expected imminent fulfillment of God's promise, made through the prophets, of a messianic age...Even Jews of sanguine temperament on finding these forecasts time and again to be false, must have grown thoroughly disillusioned; along with their messianic hopes they were inclined to throw over their whole Jewish heritage.

Indeed, assimilation under these conditions was the common outcome for other cultures:

P. 131: “Even in Achaemenid Persia the progressive assimilation of the various racial and religious groups endowed with some measure of realism Haman’s purported denunciations...Many other local theocracies in Asia Minor, Egypt, and even Babylonia were allowed by Cyrus or Darius to flourish under the strong arm of the “king of kings.” But how easily were they, and most of what they stood for, swept away by the onslaughts of Hellenism!”

Baron cites Jeremiah’s directive [chap. 29: 5-7] to build the Jewish community in Babylon and to live in harmony with the empire. Baron’s comment:

P. 122: “Followed literally, such a line of conduct might have led to utter extinction....While Jewish nationality might have survived, emancipated from the ordinary kind of state, it could not last any length of time without some substitute.”

Here is Baron’s description of the solution – the explanation how this threat to Jewish survival was overcome:

P. 122: “Thoughtful leaders saw that an artificial state must be created, an organization to embrace all Jews, to keep them united, to supply specific forms of national and religious expression and to furnish guidance in emergencies. Erection of new Temples where Jews could perform sacrifices to the God in the Palestinian form of worship must have seemed the most natural solution. Indeed, the exiles could invoke the prophecy that “in that day there shall be an alter to the Lord in the midst of the land of Egypt. Ezekiel objected, however. He...could not endure the idea of [the] duplication [of Solomon’s Temple] in the land of exile.”

P. 123: “The longer the Jews were separated from their country, the more they idealized Jerusalem and its Temple, and precisely therefore they rejected the practice of sacrificial worship on any other earthly spot. On the other hand, there was felt the necessity of some sort of divine worship. The leaders of Babylonian Jewry found an answer in prayer. This was not an artificial substitute, no radical departure from previous institutions. Prayer as a mode of worship is found among all early religions, and it played a great part during Israel’s sojourn in Palestine.”

P. 124: “In connection with prayer arose another, perhaps even more important institution...that unique organism, the Jewish community, thus came into being as the germ of all future communal life in the dispersion. First there were simply periodic gatherings of all the members of a community. On the Sabbath and Jewish festivals, particularly, the exiles assembled to voice longings for the homeland, to offer prayers, to discuss the problems of life in strange surroundings, and sometimes to take up political and social questions of general interest.”

P. 125: “the family and the clan again became the prime cohesive force in Jewish life. Because of their determination to maintain their Jewishness, families and even whole clans were inclined to cling together.”

P. 126: “Everyone felt, however, that this kind of divine worship was only a substitute...The people would soon be restored to Palestine. The Temple would be rebuilt and the sacrifices would again become principle means of divine worship.”

P. 127-8: “...animal sacrifices would have been the logical outcome of the religious needs of the exilic community...Such was the force of tradition, however, strengthened

by the extravagant sanctification of Jerusalem, that this supreme symbol of the communion between Israel and God was reserved for the Holy City.”

P. 132-3: “Persian tolerance, indeed, only opened the road for a peaceful and undisturbed concentration on their religious problems for those Jews who chose to be loyal to their heritage of centuries....Persistence was combined with great open-mindedness and pliability, however. This semirural population, hailing from hundreds of little towns and villages, adjusted itself rapidly to the everquickening tempo of life in the Near East’s leading metropolises. A people of farmers and petty artisans entered the highest echelons of Babylonia’s trade and commerce...it is difficult for us to imagine how deeply upsetting the abandonment of sacrifices everywhere outside a single specified locality must have been to Ezekiel’s ...contemporaries. Precisely because this innovation was introduced by persons of known religious piety and rigid adherence to ritualistic practice, and because it sprang, almost unwittingly, from highest appreciation, indeed idealization of sacrificial worship, it seems to have been accepted without too much resistance by generations which did not quite realize the synagogue’s revolutionary implications.”

The main shortcomings of this “explanation” are the failure to contrast the causes of our survival with the conditions of those cultures that were lost, no credible explanation of the psychology of the leaders responsible for the crucial innovations, no account of the origins of some of the elements used in the explanation and a lack of consistency in the explanation itself. My comments are inserted below in italics.

1. “Even Jews of sanguine temperament on finding these forecasts time and again to be false, must have grown thoroughly disillusioned; along with their messianic hopes they were inclined to throw over their whole Jewish heritage.”

Jeremiah prophesied that the exile would last seventy years. This is in fact what happened. Why should the people, who believed in their prophets, be inclined to throw over whole Jewish heritage before the time predicted by their prophet had arrived?

2. Indeed, assimilation under these conditions was the common outcome for other cultures: “Even in Achaemenid Persia the progressive assimilation of the various racial and religious groups endowed with some measure of realism Haman’s purported denunciations...Many other local theocracies in Asia Minor, Egypt, and even Babylonia were allowed by Cyrus or Darius to flourish under the strong arm of the “king of kings.” But how easily were they, and most of what they stood for, swept away by the onslaughts of Hellenism!”

Thus the crucial test of Baron’s explanation is that it should show what differentiated the Jews from all those other cultures that disappeared.

3. “Followed literally, such a line of conduct might have led to utter extinction...While Jewish nationality might have survived, emancipated from the ordinary kind of state, it could not last any length of time without some substitute.”

*So we are looking for a substitute for the **state**. A state includes (at the very least) centralized power, recognized authority, ability to enact and enforce law, levy taxes, make war and conduct international relations. Let us see what Baron proposes as the replacement for all these state functions.*

4. “Thoughtful leaders saw that an artificial state must be created, an organization to embrace all Jews, to keep them united, to supply specific forms of national and religious expression and to furnish guidance in emergencies. Erection of new Temples where Jews could perform sacrifices to the God in the Palestinian form of worship must have seemed the most natural solution. Indeed, the exiles could invoke the prophecy that ‘in that day there shall be an alter to the Lord in the midst of the land of Egypt.’ Ezekiel objected, however. He...could not endure the idea of [the] duplication [of Solomon’s Temple] in the land of exile....“The longer the Jews were separated from their country, the more the idealized Jerusalem and its Temple, and precisely therefore they rejected the practice of sacrificial worship on any other earthly spot. On the other hand, there was felt the necessity of some sort of divine worship. The leaders of Babylonian Jewry found an answer in prayer.”

*The verse Baron cites [‘in that day there shall be an alter to the Lord in the midst of the land of Egypt’] is Isaiah 19: 19. In the context it refers to **Egyptians** building a Temple to G-d and offering sacrifices to Him there. No precedent for Jews offering sacrifices to G-d in exile is found in this verse.*

Baron recognizes that the natural solution to the religious needs of the exiled Jews is local sacrifices. No other nation or religion restricts sacrifices to one location. Baron recognizes that “it is difficult for us to imagine how deeply upsetting the abandonment of sacrifices everywhere outside a single specified locality must have been to Ezekiel’s ...contemporaries.” Why was this obvious solution not adopted? Indeed, before the Temple was built in Jerusalem, the Jewish people too offered sacrifices everywhere. With the Temple now destroyed, they could have restored the ancient practice. Because “Ezekiel objected, however. He...could not endure the idea of [the] duplication [of Solomon’s Temple] in the land of exile.” In other words, Ezekial’s private scruples deprived the people of the obviously best solution. Why then was it successful? [Indeed, if this were part of the history of one of the cultures that disappeared, this would be a very credible explanation of its failure!]

To his credit, Baron recognizes that prayer was not invented in Babylon. But even the source of prayer in the past does not explain how it came to play the role of the substitute for the missing sacrifices. Indeed, since in the past there had been both sacrifices and

prayer, it surely was not obvious how prayer alone could mediate the relationship with G-d.

Baron recognizes that prayer was universal throughout the ancient world. Thus this solution to deportation was available to any other culture. We have no explanation why we made use of this strategy while others did not.

Finally, this obviously does nothing to replace the functions of the missing state.

5. “In connection with prayer arose another, perhaps even more important institution...that unique organism, the Jewish community, thus came into being as the germ of all future communal life in the dispersion. First there were simply periodic gatherings of all the members of a community. On the Sabbath and Jewish festivals, particularly, the exiles assembled to voice longings for the homeland, to offer prayers, to discuss the problems of life in strange surroundings, and sometimes to take up political and social questions of general interest.”

It is indeed natural for exiled groups to seek fellowship and cooperation with their compatriots. But for that very reason we should expect that this kind of gathering would

be common to all exiled groups. There is no reason whatever to think that in only our case would it be a substantial force for survival.

Furthermore, such a communal organization is very far from a substitute for the functions of a state. Of the minimal functions we mentioned above - centralized power, recognized authority, ability to enact and enforce law, levy taxes, make war and to conduct international relations – we have at best only a limited version of internal authority (limited by the need for the agreement of the overlord). There is no reason to expect that this substitute should be adequate.

6. “the family and the clan again became the prime cohesive force in Jewish life. Because of their determination to maintain their Jewishness, families and even whole clans were inclined to cling together.”

It may be true that there “arose another, perhaps even more important institution,” and that “the family and the clan again became the prime cohesive force in Jewish life.” But these events themselves need to be explained. The passive verbs “arose” and “became” are the symptoms of facts that are merely cited and used in the explanation without themselves being explained.

7. “Everyone felt, however, that this kind of divine worship was only a substitute...The people would soon be restored to Palestine. The Temple would be rebuilt and the sacrifices would again become principle means of divine worship.”

*This expectation should **weaken** the explanation. Baron stated in the problem that “Even Jews of sanguine temperament on finding these forecasts time and again to be false, must have grown thoroughly disillusioned; along with their messianic hopes they were inclined to throw over their whole Jewish heritage.” The failure of this expectation to be fulfilled for fifty years does not promote survival. Furthermore, if everyone was waiting for worship to restored to Palestine, why did only a minority of the exiles return when the second Temple was built?*

8. “...animal sacrifices would have been the logical outcome of the religious needs of the exilic community...Such was the force of tradition, however, strengthened by the extravagant sanctification of Jerusalem, that this supreme symbol of the communion between Israel and God was reserved for the Holy City.”

The strength of this tradition itself needs to be explained. No other religion had such a tradition. If the exiles had the ability to invent such revolutionary institutions as the synagogue, why could they not interpret this tradition as relevant only to a time when the Temple is standing, thus allowing foreign worship when there are no sacrifices in Jerusalem?

9. "...it is difficult for us to imagine how deeply upsetting the abandonment of sacrifices everywhere outside a single specified locality must have been to Ezekiel's ...contemporaries. Precisely because this innovation was introduced by persons of known religious piety and rigid adherence to ritualistic practice, and because it sprang, almost unwittingly, from highest appreciation, indeed idealization of sacrificial worship, it seems to have been accepted without too much resistance by generations which did not quite realize the synagogue's revolutionary implications."

We must try to understand Ezekiel and the other leaders who invented the means of Jewish survival – the use of prayer in place of sacrifices, the restriction of sacrifices to Jerusalem, the new Jewish community. Baron paints them as brilliant, subtle, ingenious social engineers who saw the problems of the times and did their best to solve them. He writes: "Thoughtful leaders saw that an artificial state must be created..." "The leaders of Babylonian Jewry found an answer in prayer." "Precisely because this innovation was introduced by persons of known religious piety and rigid adherence to ritualistic practice..." Now Baron does not portray these people as religious charlatans. They believed that their innovations were the will of G-d. Ezekiel spoke as a prophet. We are asked to imagine a clear-headed, crafty social planner who sincerely believes that his analysis of the social needs and his calculated solutions are the result of divine communication so that he can report them in G-d's name. This picture strains credulity.

Baron does not give us a credible explanation of Jewish survival in Babylon.

The second example from the corpus of Baron (v. 2, chap. XIV) [REFERENCES]

concerns the adjustment to life under the Roman and Persian empires after the destruction of the Second Temple. He begins the chapter as follows.

Pp. 215-7: "Jewish survival in the face of terrific external pressures and equally powerful lures to desertion has often appeared enigmatic to philosophers and historians. Wilhelm von Humboldt was not the only one to assert that the entire historic position of the Jewish

people is “such an extraordinary phenomenon in world history that many a fine mind has doubted whether it can at all be explained in merely human terms.” However, such escape into the irrational and miraculous is merely a profession of intellectual lassitude. It certainly does not absolve the serious student of historical developments to inquire into the more overt human mainsprings which have shaped the destinies of mankind and the Jewish people during the last two thousand years.

Frequent reference has already been made to the various rationalizations which...helped thoughtful Jews to grasp the deeper *raison d’etre* of their continued existence as both a people and a faith. The staunch messianic hope, undaunted by recurrent frustrations and the ensuing postponement to a dim and unpredictable future, remained the permanent lifebuoy against the recurrent waves of adversity. The doctrine of the Hereafter with its glorified celestial rewards...helped reconcile even the unsophisticated masses with suffering in this world and aided them in resisting outside temptations...the doctrine of Jewish martyrdom and the inescapability of persecutions during Israel’s Diaspora existence became in itself a major source of communal solidarity. External temptations...were artificially ignored and thereby greatly neutralized.

...the man on the street needed more than mere assurance of celestial rewards...to make him go on living his daily life as a normal and healthy human being...he must have found his actual Jewish life sufficiently appealing to carry on despite all handicaps.

...Jewish forms of living were of daily, even hourly concern to him. From the moment he awakened in the morning until he came to rest at night his behavior was not

only governed by the multiplicity of ritualistic requirements concerning ablutions, prayers, the type of food he was allowed to eat and the time he should set aside for study, but also during all his long and arduous working hours he constantly felt the impact of Jewish law and custom. It was in this vast interlocking system of observances and institutions...that he found his most integrated way of living as an individual and as a member of society. For the most part, he found this all-encompassing Jewish way of life so eminently satisfactory that he was prepared to sacrifice himself...for the preservation of its fundamentals.

...The prohibition of idolatry negatively embraced a great variety of assimilatory factors and could include general avoidance of imitating any of “the laws of the Gentiles.” Moreover, in addition to circumcision and the positive observance of Sabbaths and holidays, the ritual food requirements and mutual responsibility of all coreligionists were strongly ingrained in the Jewish public at large. For all these reasons, the continued existence of the people was never in doubt.”

Baron’s explanation of Jewish survival is of the third type discussed in the text – survival due to features of Jewish belief and practice. Rather than focus on a small selection of features of Judaism, Baron cites a large range – belief in the messiah and the after-life with its rewards and punishments, and in suffering as the inescapable condition of exile, plus a whole gamut Jewish law and practices, including daily rituals, dietary code, holidays and avoidance of every aspect of Gentile life. According to the criteria used in the text, we need to see that the complex of features he cites are unique to Judaism, possess intuitive relevance to survival, and then possess independent evidence going beyond mere intuition that they truly aid survival.

Uniqueness is assured by the long list of features – it is unlikely that any other culture possesses a list of beliefs and practices fully matching the whole list. Let us pass to the evaluation of the intuition that this complex of features will indeed aid survival. There are two parts to this evaluation. First, the description quoted above will be addressed directly. Second, the rest of chapter XIV presents material that is relevant to assessing this intuition.

Baron cites the “staunch messianic hope” as an aid to survival. But as this hope was unfulfilled century after century, it surely must have turned into a liability. [Recall Baron’s own statement above: “Others, going to the opposite extreme, must have expected imminent fulfillment of God’s promise, made through the prophets, of a messianic age...Even Jews of sanguine temperament on finding these forecasts time and again to be false, must have grown thoroughly disillusioned; along with their messianic hopes they were inclined to throw over their whole Jewish heritage.”]

Baron cites the belief in the Hereafter with its rewards as compensation for a bleak existence in this world. But the Christianity should have seemed much superior, seeing that it promised a similar reward after death, and, at least after the Roman empire became Christian, an immensely superior life in this world.

The belief that suffering is the necessary condition of exile is, in Jewish thought, proof of Jewish sinfulness. As the centuries of dragged on, many should have become convinced that spiritual recovery was virtually impossible and have given up the lost cause.

Baron says that “this all-encompassing Jewish way of life [was] so eminently satisfactory,” but he gives no reason why this should be so. Why was it not instead an intolerable burden?

*At this point, let us consider a point of logic concerning explanation. An event E occurs, and an explanation X is offered. One condition the explanation must pass is this: It must enable us to understand why E occurred rather than not. It must not be that X could equally well have explained why E did **not** occur. Because, what we want from an*

*explanation of E is to understand why E occurred rather than something else. Now let us try an experiment. Imagine that Judaism had died out by 500 C. E. and we were looking for an explanation of its end. Could we use the very same features cited by Baron above to explain the **non-survival** of Judaism? If we can, then they cannot be offered as an explanation of the survival of Judaism.*

So let us try. Judaism possessed as central hope and promise of redemption by a messiah. For three centuries after the destruction of the Temple that promise remained unfulfilled. The disillusion caused by the failure of the redemption to arrive greatly undermined the resolve of the Jews to retain their ancestral beliefs. The belief in the Hereafter, and the policy of sacrificing success in the present to this belief, was patently escapist to many before the rise of Christianity. After Rome became Christian, the belief in the Hereafter was useless in competition with the Christians who possessed a similar belief. The discouraging message that the Jewish people is so sinful that it deserves centuries of exile destroyed their will to continue to bear that condemnation. The shackles of innumerable burdens making every detail of life a matter of extra effort and expense put them at such a disadvantage vis-à-vis their neighbors that many deserted those burdens.

I think the last paragraph would be as plausible an explanation of Jewish disappearance as Baron's use of the same features to explain Jewish survival. If so, then those features of Jewish belief and practice can explain neither.

Now let us pass to material from the rest of the chapter. Repeatedly, Baron explains how Jewish law was adjusted to the local conditions.

P. 219: “As a rule, both men and women married so early and, as long as the agricultural economy prevailed, a wife was so much of an economic asset that the Talmud could afford to indulge in the legal ‘presumption that a man does not make his cohabitation illicit,’ wherever he can help it. ...In Graeco-Roman Egypt, too, most boys married at fourteen and girls at twelve years of age. Among the Parsees an unmarried girl of fifteen was considered rather anomalous.”

P. 221: “In more prosperous Babylonia, Mar Samuel preferred that “one should first marry a wife and then study the Torah,” but R. Johanan, living in inflation and tax-ridden Palestine, countered, “What, with a millstone around his neck he should study the Torah?”

P. 226: “The impact of monogamous Roman society also began to be felt...In Babylonia, where the dominant group in the population, the Persians, were themselves extremely polygamous, the situation was quite different...Babylonian Jewish society had more polygamous features than did that of Palestine.”

P. 234: “Emphatic observance of family purity was, indeed, another eminently eugenic means of national preservation....In this respect there was a difference between Palestine and Babylonia. The increasing anarchy in Roman society partly affected the Jews, too, while Persian glorification of family purity and noble descent fortified Babylonian Jewry in its consciousness of social differentiation based on birth.”

P. 237: “[The household duties of a wife were] quite in line with the concepts of Roman aristocracy.”

P. 262-4: “...there occurred a constant adaptation of talmudic law to changing economic conditions. The most famous is the Prosbol enacted by Hillel...the abandonment of the law of fallowness during the sabbatical year soon followed...Another interesting example is the change in the attitude toward cattle raising...Now the rabbis, too, changed their opinion; they began to advise land-owners to devote themselves to cattle rather than to grain.”

Thus the effect of the local conditions – economic, legal and social – had a strong effect on Jewish law and practice. Age of marriage, order of marriage and Torah study, monogamy, emphasis on lineage, the duties of a wife, and economic law and occupations were all affected. Nevertheless, Baron assures us that

P. 227: “So strong, however, was the unity pervading all Jewish life, regardless of surrounding civilizations, that such differences as existed between Babylonia and Palestine were but nuances touching the periphery of the institution [of marriage].”

This emphasis on the effect of local conditions on the development of Jewish practice creates a problem for Baron’s explanation of Jewish survival. What needs to be explained is the survival of a single Judaism scattered in many locations. The Jews in Palestine and Babylonia did not develop into separate religions, nor did the Jews in

*North Africa and Europe. Now if Judaism naturally adapted itself to local conditions – if this was recognized as normative Jewish practice – then the widely differing conditions in those varied environments should have led to the breakdown of Jewish unity. We should have developed schisms comparable to those of Christianity and Islam. That we did not do so makes Baron’s emphasis on the effect of local conditions inconsistent with Jewish unity. It conflicts with Baron’s explanation of Jewish survival based upon a unique complex of features of Jewish belief and practice since it makes the existence of such a unique complex of features **shared by different Jewish communities** impossible to explain.*

COMPARISON TO THE SURVIVAL OF THE GYPSIES

Ephriam Rubin wrote a critical review of an earlier edition of *Living Up to the Truth*. [That review, together with my reply, is available at www.ohr.org.il.] In his review, Rubin claims that the survival of the Jewish people is not unique. If the survival of the Jewish people cannot be explained in natural terms, the survival of the Gypsies is equally inexplicable. Therefore, by my logic I ought to recognize G-d as the only available explanation of Gypsy survival as well. Since I cannot accept this conclusion, we need to see whether the survival of the Gypsies is really comparable to the survival of the Jews.

Rubin invites us to contemplate a picture of the Gypsies as a scattered minority preserving their distinctive ethnic identity and culture for a thousand years. *If this picture were true*, the objection would be strong. We would have a parallel for the two thousand year exile of the Jewish people. Although the parallel would be only partial – there is no comparison to the ancient period of Jewish national independence, and one millennium is not two millennia – the survival of a scattered minority for a thousand years would also be beyond natural explanation.

But the picture is not true. In fact, no coherent Gypsy culture has survived for a thousand years. [The source for this and the following quotes is the Patrin Web Journal URL:<<http://www.geocities.com/Paris/5121.htm>>]:

The Gypsies participate in a variety of religions:

“The Roma [Gypsies] cannot be said to have a "religion" of their own. They have usually adopted the faiths of the countries in which they live. Among the Roma can be found Roman Catholics, Eastern Orthodox, Protestants, and Muslims.”

They differ in fundamental values:

“Identifying commonalities among all Roma [Gypsies] is difficult. The stress on literacy, which varies substantially among different Romani groups, seems to compound the problem.”

The Gypsies have very little shared culture:

“Romani culture is diverse and there is no universal culture per se” “What may be accepted as "true-Roma" by one group may be gadjé [non-Gypsy] to another. Romani culture is diverse, with many traditions and customs, and all tribes around the world have their own individual beliefs and tenets. It would be invalid to generalize and oversimplify by giving concrete rules to all Roma. Despite what some groups may believe, there is no one tribe that can call themselves the one, "true" Roma.”

Gypsy history has been reconstructed on the basis of linguistic affinities between the Romani language and the languages of northern India, and the knowledge of Indian history from 1000 years ago. The Gypsies themselves have no records of that history – they have no account of their origins. A review of the reconstructed history of the Gypsies ends with these words:

“While this is to an extent speculative, it is based upon sound linguistic and historical evidence, and provides the best-supported scenario to date.”

The identity of the Gypsies as a separate ethnic group is based on some shared physical characteristics, a shared group of dialects of an original language, some beliefs and customs and shared persecution. The disintegration of the central common culture under the forces of assimilation fits our expectations for their historical experience.

Indeed, the Gypsy experience seems to fit the following description from chapter VIII:

“Now Judaism has existed under the most widely varied conditions that any single human culture has ever experienced. They include periods of success when we had our own kingdom, periods when we were conquered by great empires and were under their influence, and periods of exile, including both the centralized exile of the Babylonian period, and the scattered exile of the last two thousand years. They include the physical and social environments of Europe, North Africa, the Arabian Peninsula, and as far east as India. How can a culture survive under such widely differing conditions? If it were rigid and unable to change to meet the varied conditions, then it would simply fall apart. If it were flexible and able to meet the new conditions, then there ought to be dozens of different Judaisms today, each adapted to its own local conditions. Against all expectation, Judaism neither fell apart, nor did it split into widely different sects.”

The Gypsy experience is described in the next to last sentence. They lived under widely differing conditions and adapted to meet those conditions. The result is widely different forms of Gypsy life. That is to be expected – it does not need a special explanation.

There is no comparison here to the Jewish experience of the last two thousand years. Jews in Poland for the last millennium, and Jews in Yemen for 1500 years, and Jews in North Africa, Persia, and the rest of Europe did not adopt the religions of their surroundings and they did not change their fundamental values. They share the same beliefs and practices. They recognize the same scholars and literature as authoritative. They share a vast, detailed culture. They have a continuous record of their history.

The rise of assimilationist movements in the last three centuries does not contradict this point. To repeat, the expectation is that the central culture will fragment and disintegrate to the point that there will be no significant culture common to the separated groups of the population. Gypsies in different locations share only the most superficial aspects of belief and custom. The widely separated Jewish minorities should have suffered the same fate – there should be no significant shared culture from Poland to Yemen to North Africa and so on. Jewish history contradicts this expectation. The fact that portions of the Jewish population in many locations chose to leave the traditional forms of Jewish life does not remove the surprise in the survival of the common culture in the remainder of the population.

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