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PLAYING ON AND TRANSMUTING WORDS —
INTERPRETING *ABEIT-GALUTO* IN THE
HABAKKUK PESHER

In *James the Just in the Habakkuk Peshar* (Leiden 1986), I adopted an approach unusual in Qumran Studies, but often followed in the physical sciences, working backwards from the particular indicator to establish the general theory. Since no theory of Qumran origins has won general approval, and in fact, the subject is very much up in the air — even more so than in the early days of research, this was as good a way as any of proceeding; perhaps the only way.

To put the proposition differently, if a given theory can explain hitherto puzzling or inexplicable details in the internal evidence of a particular document, then this is good reason for taking that theory seriously. Even more so, if in explaining these details, further unexpected information can actually be elicited, which could not be explained in any other manner, then this adds to the presumption of its accuracy. In the physical sciences, theories are rarely considered absolutely certain, only that they explain the larger part of the data, and additionally, through them, hitherto marginally understood materials come to be clarified. When this kind of data mounts up, then there is reason for thinking the theory works better than another.

Take the widely held "Essene" theory, which was hurriedly promulgated in the early days of Qumran research and which has come more and more under attack. We have no way of knowing who, in fact, these mysterious "Essenes" were. Whether they are the same as or different from Qumran sectaries, we are still no further advanced¹.

¹See N. Golb in "The American Scholar", Spring 1989, pp. 177—207, my *Maccabees, Zadokites, Christians and Qumran: A New Hypothesis of Qumran Origins*, Leiden 1983, B. J. Thiering in *Redating the Teacher of Righteousness*, Sydney 1979, etc.

The same is true in the case of "Zealots", if in fact these can be separated to any extent from Essenes and other "opposition" or "fourth philosophy" groups — even "Christians"².

Then there was the troubling paleography and archaeology in Qumran studies, which ended up explaining very little and only added to the confusion³. For instance, if *abeit-galuto* can be explained in terms of a first century CE *Sitz im Leben*, how are the Qumran paleographers or archaeologists going to deal with such a conclusion? Usually they ignore it, as they have other troubling *internal* pointers from the beginning, such as "the Star Prophecy", demonstrably current in the first century CE across a wide range of sources⁴, Holy Spirit baptism⁵, "making a way in the wilderness"⁶, the anti-Herodian thrust of a large swath of Qumran materials⁷, etc. The trouble with their reconstructions is that, though they claim to be based on initial observations of script types or stratigraphic levels, once promulgated they have a tendency to become inflexible. The theories do not 'bend' to accommodate new data; rather, the new data is bent to accommodate the theories.

This is also true in relation to an expression like *abeit-galuto*⁸. Explaining expressions like this does not interest Qumran paleogra-

If the people responsible for the writings at Qumran are "the Essenes", then in view of their violence and thirst for vengeance, they are not the retiring, "peaceful" fellowship so widely envisioned, or vice versa; the descriptions in Philo and Josephus are inadequate.

² One should remark Josephus' constant reiteration of the term "Innovators"/"Innovations" when speaking about these "fourth philosophy" groups (not "Zealots"), e.g. *War* 2. 259, 3. 448, 3. 463, etc. What were these "innovations"? Aside from stopping sacrifice on behalf of foreigners in the Temple, certainly one was enthusiasm for "the Star Prophecy", mentioned in the *War* as a cause of the uprising against Rome — mentioned too in at least three important Qumran contexts.

³ For criticisms of these, see P. H. Davies, *How not to do Archaeology: The Story of Qumran*, "Biblical Archaeologist", December 1988, pp. 203—207, *Maccabees...*, pp. 17ff, 28ff, 32ff, and 71—93, B. E. Thiering, pp. 34—49.

⁴ See *War* 6. 312ff, Tacitus, *The Histories* 2. 78ff and 5. 13, Seutonius, *The Twelve Caesars* 10. 4, b. *Git* 56b, ARN 4, etc., all with a first century milieu. Josephus applies this prophecy to Vespasian, as does R. Johanan.

⁵ *IQS* ii. 1—iv. 26 (particularly iv. 21), viii. 12ff, xi. 1, *IQH* vii. 6f, xii. 11f, xiv. 2, etc.

⁶ This is referred to twice in key exegeses in *IQS* ix. 13 and x. 18ff.

⁷ I have developed this in *Maccabees...*, pp. 18ff, 42ff, 62ff and 70ff and in *James the Just in the Habakkuk Peshar*, Leiden 1986, pp. 6ff, 16ff, 70ff, and 88—93.

⁸ *IQpHab* xi. 6.

phers or archaeologists to any extent, as on the whole, they are not much concerned with whether the theories they develop have any connection with historical materials or textual data. Most early theories of Qumran origins simply ignored expressions like this because they were too puzzling or obscure. The reasoning seems to have run like this: since this usage was esoteric or defective anyhow, nobody could pretend to know what it meant, so why bother about it? In *James the Just in the Habakkuk Peshar*, I took every allusion, every turn-of-phrase, and every sentence in the *Habakkuk Peshar* and explained it in terms of known events and circumstances in the life of James the Just. Therefore, I was obliged to deal with it.

At first, however, I could make very little sense of it. Following general wisdom on the subject, I took the allusion and the material surrounding it to relate to some kind of confrontation with the Righteous Teacher "at the house of his Exile". As most scholars from the beginning in Qumran studies had surmised, "the house of his Exile" was thought to relate to where the Righteous Teacher was exiled outside Jerusalem, either in the wilderness of Judea, further afield in the wilderness of Damascus, or even overseas⁹. None of this was very enlightening, and only added to the general obscurity surrounding the expression. Since we had no idea who the Righteous Teacher might be, we had no idea where this purported "house of Exile" might be either, or what the circumstances were surrounding his taking up residence there.

Associated with this allusion and the place where the Righteous Teacher was thought to be residing, hiding out, or "exiled", there was a confrontation of some kind relating to *Yom Kippur* observances of the group following the Righteous Teacher — *Yom Kippur* observances, which, because the sectaries normally associated with Qumran seemed to be following a different calendar, had something to do with the possibility that the *Yom Kippur* of the one was not the same as that recognized by the Wicked Priest in his capacity as establishment high priest¹⁰. As I inspected these materials, it came to look, as I shall

⁹ See, for instance, J. T. Milik, *Ten Years of Discovery in the Wilderness of Judaea*, London 1959, p. 67f, F. M. Cross, *The Ancient Library of Qumran and Modern Biblical Studies*, New York 1958, p. 153, and others.

¹⁰ See, both Milik and Cross above, A. Jaubert, *Le calendrier des Jubiles et de la secte de Qumran: Ses origines bibliques*, "VT" 3 (1955), pp. 250—264, S. Talmon, *The Calendar Reckoning of the Sect from the Judaean Desert [in:] Aspects of the Dead Sea Scrolls*, Jerusalem 1958, pp. 162—199.

clarify below, like the underlying Biblical text had been deliberately transmuted to produce an exegesis relating to a problem centering about *Yom Kippur* observances¹¹.

Associated with this confrontation was an element of violence, since the expositions succeeding it related to vengeance and destruction, themes I will analyse presently. The normal exposition is very well represented by Vermes' translation, which goes something like "the Wicked Priest [...] pursued to Teacher of Righteousness to the house of his exile" to "consume him with his venomous fury"¹². Vermes translates *leva'lo* as "confuse him", but as I have shown elsewhere, the root *B-L-ʿ* has to do with a circle of language connected to Belial/Balaam imagery and a play on these names. This notice, in particular, involves *destruction* and nothing so vague and innocent-sounding as "confuse". Out of these kinds of translations (or mistranslations as the case may be), the picture that emerged in the unschooled mind was that the Wicked Priest "pursued the Righteous Teacher" to Qumran to interrupt his *Yom Kippur* observances, holy to the one and not to the other, and either have a verbal confrontation with him of some kind and desecrate these observances, or at worst arrest and return him to Jerusalem. In any event, the key phrase in this whole series of reconstructions was the puzzling *abeit-galuto*.

Initially I, too, followed these kinds of reconstructions, so dominant in the minds of most second generation Qumran scholars obliged to rely (for lack of real access themselves to original materials) on the work of their peers and predecessors. I took the phrase to mean that the Wicked Priest had "pursued the Righteous Teacher" to the headquarters of the community, whether at Qumran or someplace further afield. This was followed by a notice relating to the difficulties over the *Yom Kippur* observance, which involved the plural "them" not "him". But I could do little more with the sense of these allusions than this, admitting that it was one of the impediments to developing

¹¹ See discussion below on *1QpHab* xi. 3 and the Qumran reading of Hab 2: 16 *mo'adeihem*/"their festivities" for the Masoretic *me'oreihem*/"their privy parts"; also n. 31. Showing the shift probably to be deliberate, the Masoretic (followed in the Septuagint) is played upon to produce an important usage below in the commentary.

¹² See G. Vermes, *The Dead Sea Scrolls in English*, 3rd ed., Baltimore 1987, p. 289; T. H. Gaster, *The Dead Sea Scriptures*, 3rd ed., 1976, has "confuse" on p. 324, but uses "confound" on 325 when the usage is turned against the Wicked Priest in xi. 15.

a clear exposition of *Habakkuk Peshar* materials — this together with the purported "drunkenness" of the Wicked Priest, which I shall be able I believe to clarify at the conclusion of this paper¹³. Because I was looking at materials relating to James, I proposed considering the expression in terms of the arrest of the Righteous Teacher, i.e., "they pursued him to his place of concealment", deriving a meaning for the allusion of "where he was hiding". This, in any event, allowed one to consider that we could be in a Jerusalem milieu as easily as one outside it.

Then, considering the facts of James' life and paralleling these with the Righteous Teacher's, the real decipherment of the "house of his Exile" became clear to me. It could only be grasped when the details of James' life were superimposed on the data, i.e., we were reasoning backwards from the particular event to the general theory. We could not grasp the meaning of ambiguous phrases like this by considering them alone. Outside events had to be superimposed on them for a clear meaning to emerge. In turn, if this interpretation could be validated, the basic strength of the general theory was also vindicated. With it, too, a whole range of other meanings developed as we shall see at the conclusion of this paper.

The same had happened when I looked at a usage two columns earlier — what translators like Vermes liked to refer to as the meaningless "his body of flesh" ("flesh of his body"?) based on the Hebrew expression *bigviyat-besaro*¹⁴. Since we are dealing with a *punishment* being inflicted upon the Wicked Priest presumably for his evil deeds — particularly, it would seem, for what he had done to the Righteous Teacher/Priest (i.e., these were "the Judgements upon Evil"/"Sinning" inflicted by those who "took vengeance" on his flesh), the real meaning of this term emerged only when comparing it with particular external events and applying them to the internal data. In turn, this elucidated what was meant by the obscure "they inflicted the abominations of evil diseases upon him", i.e., upon "his body of flesh" or as the case will emerge, "upon the flesh of his corpse" emphasis mine).

Such insight could only be achieved when looking at the biography

¹³ Cross, pp. 151ff is particularly weak in this regard, but Milik, p. 69f is better. See also discussions like F. F. Bruce's, *Second Thoughts on the Dead Sea Scrolls*, Exeter 1966, p. 105 dependent on them.

¹⁴ Op. cit, p. 287. See also, for instance, Gaster, p. 323 and Milik, p. 68.

of a particular person, in this instance James the Just and looking at the fate of the Wicked Priest — in these circumstances, Ananus the son of that Ananus prominent in the Gospels. Originally Josephus referred to this Ananus in honorable style (though in the *Vita* he is less sycophantic than in the *War* and castigates him for nefarious olive oil cartel with John of Gischala), i.e., he had both "ruled Israel" and been "called by the name of truth"¹⁵. In an extremely pregnant account in the *War*, Josephus describes Ananus' death at the hands of those he calls "Idumaeans" (cf. Ps 37's "Violent Ones of the Gentiles" also described as taking vengeance on him, paralleling "the Judgements on Sinning" inflicted by unnamed parties "in vengeance" upon "the flesh of his body" in this section of the *Habakkuk Pesher*¹⁶). He tells us how these violent Idumaeans violated his corpse, standing over it berating it (for the death of James?) and inflicting who knows what indignities before flinging it outside the city without burial as food for jackals¹⁷.

Examining the *Habakkuk Pesher*, therefore, in the light of this *Sitz im Leben*, otherwise vague or baffling usages became clarified. "The diseases" they inflicted "upon the flesh of his corpse" are no longer "diseases", but rather "pollutions", or those indignities or "violations" inflicted upon his *corpse* to render it utterly unclean (it is curious that at this point in his narrative Josephus refers to Ananus in exactly the same manner he is reputed to have referred to James in early Church literature¹⁸). Here the puzzling redundancy "flesh of his body" is clarified too. Properly speaking *geviot* actually does mean *corpse*, not body. In one stroke the meaning of the allusion is both enhanced and clarified. We are not dealing with "evil diseases", but rather "unclean pollutions", namely those inflicted upon "the flesh of his corpse" by the actions of "the Violent Ones of the Gentiles"/"Idumaeans" (to combine data from *1QpHab*, *4QpPs* 37, and Josephus); and the choice

¹⁵ See *War* 4. 318ff; but cf. *Vita* 39 and *Ant.* 20. 197—203. Ananus actually "ruled" Israel twice, at the time of the execution of James and in the first stages of the uprising against Rome. Properly speaking, though, any high priest can be said to "rule Israel".

¹⁶ *4QpPs* 37 ii. 19f and iv. 9ff. That we are in a framework of "judgement" and that this is "recompense" for what he had done to "the Righteous One"/"Righteous Teacher" is made clear, as it is in the language of *1QpHab*.

¹⁷ See *War* 4. 316.

¹⁸ See Origen, *Contra Celsum* 1. 47, 2. 13, and *Comm. in Matt* 10. 17; also Eusebius, *E. H.* 2. 23. 17ff; cf. also 3. 7. 8.

becomes clear. Do we prefer the obscure redundancy of Vermes' translation and others like it, or does a finer meaning emerge from a consideration of the biography of James and lead to hitherto unsuspected and better constructions? Certainly the idea that "they" inflicted the abominations of disgusting pollutions in taking vengeance upon the flesh of his corpse" is far preferable to the otherwise meaningless "they inflicted the horrors of evil diseases and took vengeance upon his body of flesh".

Now let us also look at the *abeit-galuto* passage in the light of known facts from the biography of James. In the first place, the term *radaph ahar Moreh ha-Zedek* which introduces the phrase: *leval'o be-cha's hamato aveit galuto*, is often found in biblical contexts having to do with Israel or Jacob. In the story of Jacob the expression is almost always used in conjunction with the note of "the sword" — they "pursued him with the sword", as it is in *CD* i. 21 also describing an attack on "the Righteous One" and his followers, i.e., the expression usually involves intent to kill or destroy the object of the pursuit¹⁹. These usages are recapitulated in Amos 1:11's accusation that Edom "pursued his brother with the sword". The constant reiteration of the name "Jacob" in these allusions could not have failed to appeal to Qumran textual exegetes if James were the subject of the exegesis. What is certain is that in almost all these contexts "the pursuit" is *mortal* and carries with it the intent *to kill or destroy*.

In these passages in the *Pesher* the pursuit is linked to a peculiar Hebrew root *B-L-^c*, which I have connected in other work to the Herodian family (and to a certain extent Benjaminites), i.e. *Bela^c* was the first Edomite king, as well as a Benjaminite ancestor. Since I have also linked Saul/Paul to the Herodian family (cf. his reference to his "kinsman little Herod and the household of Aristobulus" in Rom 16:11 and his possession of Roman citizenship), one should, also, not forget Paul's "pursuit" of the Jerusalem community as far as "Damascus", also referred to in evocation of the "Enemy" terminology in Ebionite/Pseudoclementine tradition²⁰.

¹⁹ This is also the theme in Exod 14 (repeated in Deut 11: 4 and Jos 24: 6) and the interesting case of Saul's pursuit of David "into the wilderness" in 1 Sam 23: 25.

²⁰ See Rec 1. 70f. This "enemy" terminology is known in the palpably anti-Pauline 'Parable of the tares', Mt 13: 25ff. It is also used in the all-important Ja 4: 4. Paul shows

I have also linked this phrase to Herodian collusion in the removal of James, i.e., it was Agrippa II who took advantage of an interregnum in Roman governorship to appoint Ananus high priest in 62 CE, whose only noteworthy act in his short first period of "rule" before the arrival of Albinus was the removal of James. In my view this is hinted at by the peculiar usage *zamam/zammu* ("conspired" — often carrying a judicial connotation) in two places in the known Qumran corpus, once in *IQpHab* xii. 6, *zamam lechalot Ebionim* — "he conspired to destroy The "Poor"/"the Ebionites" and again in *IQH* iv. 7f, in conjunction with the language circle of "nets", "Belial", "scoffers of lying", etc. I have linked to the innovations introduced by Herodians and their hangers-on. The relationship between Ananus and Agrippa II is specifically signalled by Josephus and was, interestingly enough, concretized in Rome²¹. In this pregnant passage in the *Habakkuk Peshar* all the key components of the language circle are present.

If the circumstances surrounding James' death could be considered a possible *Sitz im Leben* for this allusion, the expression *abeit-galuto* did not have to relate to any particular exile *per se*, or even an arrest. Ananus had destroyed James and several of his associates. The notice is from Josephus reiterated in Early Church literature and linking up with similar plural notices in the Qumran literature, i.e., the plural notation vis-à-vis the peculiar *Yom Kippur* confrontation connected to the above allusion which we shall analyse below, the plural object in "conspired to destroy *Ebionim*" mentioned above, and the plural sense in the attack upon the "soul of the *Zaddik* and all the walkers in Perfection" in *CD* i—ii, again noted above.

In all these contexts, too, there can be little doubt of the mortal nature of the attack. Since this attack on James and several of his associates took the form of a judicial trial before the Sanhedrin on charges of blasphemy, a process and charge which were clearly designed to end in his destruction, then the term *abeit-galuto* could be seen as indicative of these events. Following this line of argument, I suggested it was an expletive for the *Beit-din* or judicial proceedings

some consciousness of the appellation as applicable to himself in Gal 4: 16. There is reputed to be a 'flight' to the wilderness camps in unpublished Qumran fragments of the Damascus Rule.

²¹ *Ant.* 20. 135f. Cf. *James the Just...*, pp. 62—65, 87, and 91.

"pursued by the Wicked Priest" (where James is at issue, in collusion with the Herodian establishment) against the Righteous Teacher, which the authors of this document would not dignify by describing it as an actual court process. I proposed it was a derogatory characterization of these proceedings, i.e., not his *Beit-din* or *Beit ha-mishpat*, but rather his *Beit-galut*. At the time I considered this just one of many solutions, not realizing there was overwhelming information from another source to confirm it.

Admittedly in some quarters this might have been considered a speculative suggestion, but certainly no more speculative than some of the other interpretations of internal data abroad in Qumran studies, i.e., the purported "drunkenness" of the Wicked Priest or the imaginary character of the Copper Scroll²². The term *Beit ha-mishpat* had already been evoked in the *Habakkuk Peshar* with eschatological signification involving the judicial proceedings "in the last days" and would appear to relate to the actual decree of divine Judgement delivered in the course of this process²³. In the *Abeit-galuto* passage, I suggested we had a derogation of the language signifying *Beit-din*, the judicial process pursued in the Sanhedrin where capital punishment was at issue. The Talmudic rules regarding judicial procedure in capital offenses are numerous, but some aspect of the procedure, particularly where blasphemy was at issue, involved trial before the Sanhedrin. Much is made of this in the attempt to portray Jesus' trial in such manner in the New Testament.

In James' case there can be little doubt that something of this kind did transpire. Stripped of its mythological elements, it is reported to us rather prosaically in Josephus, where, aside from telling us that James was not alone in the proceedings, Josephus supplies the additional notice that "those among the populace that cared most for justice and not breaking the Laws disapproved of what was done" to James. As I have explained, Agrippa II was almost certainly involved in these proceedings as well, the aim of which was to remove the *Zaddik* of the

²² See for instance, Cross' long note in this regard, pp. 23ff. For "drunkenness", see n. 13 above and my further discussion below.

²³ See *IQpHab* x.3, preceded by a more difficult reference in viii. 2. Vermes translates x. 3 as "condemned House" whatever this may mean; Gaster does better, grasping its eschatological character.

"opposition" alliance post haste. When viewed like this, the defective *a* introducing the usage can be given a meaning of "with" or "in", i.e., "with his guilty trial" or "in his guilty judicial proceedings".

Immediately another aspect of the usage is clarified. Now the adjectival modifier *o*/"his" refers not to the Righteous Teacher, but as is more logical from the context, to the Wicked Priest. There are three *o*'s in quick succession: *leval^o*, *be-cha^oas hamato*, and *abeit-galuto*. To my knowledge, no one ever thought of applying it the Wicked Priest not the Righteous Teacher. The first, *leval^o*, obviously refers to the Wicked Priest's attack on the Righteous Teacher; the second, *be-cha^oas hamato*, "his hot anger" or "undisciplined fury", just as obviously refers to the Wicked Priest's emotional state (once the third is clarified, this will probably have a more esoteric meaning too).

But the third, *abeit-galuto*, the subject of this discussion, is not so obvious. So firmly entrenched in researchers' minds was the preconception that the Righteous Teacher had been "exiled" from Jerusalem for some reason, it has always been conceived of as relating to the Righteous Teacher's place of abode or location. This would make the sequence of *o*'s read as follows: first to the Righteous Teacher, second to the Wicked Priest, and third to the Righteous Teacher. If we take the reading according to our new suggestion, then *Beit-galuto* no longer refers to the Righteous Teacher's whereabouts or anything to do with the Righteous Teacher, but rather the Wicked Priest, i.e., the illegal or illegitimate trial "he pursued" against the Righteous Teacher. But the logic of this only emerges *after* we try to fit data relating to James' life and death into this sequence of allusions. This is what we meant by insisting that, when material from an outside event can elucidate in a meaningful manner an otherwise obscure passage, a convincing case for the theory it is based upon gradually develops.

B-L^o in both expressions referred to above, *leval^o* — meaning the Righteous Teacher (xi. 5) and *leval^{am}* — meaning the men of his community in the allusion that follows (xi. 7), carries the signification of "destroy", not "confuse" or "confound" as some would translate it missing the sense of the circle of allusions depending on this root. In this instance the destruction is wrought by the Herodian establishment as per the Edomite sense of the name derived from the underlying root. Balaam, another variation of the terminology, referred to in the New Testament and elsewhere, is given the meaning in Talmudic discus-

sions of this esotericism of "consuming the people", i.e., the Wicked Priest pursued after the Righteous Teacher to "bela^o him"/"consume him"²⁴ (cf. this usage with precisely this signification in v.7), the things Herodians and their dependents characteristically did to the people.

If we were to leave the argument at this point, we would already have broken new ground, but not achieved anything approaching certainty. But further evidence can be developed that clinches the case for this reading. This data emerges from puzzling allusions in Talmud and *Midrash* relating to the Sanhedrin and, not insignificantly, Sanhedrin trials carrying a *capital* penalty. The notices in at least three tractates in the Talmud and one section of *Genesis Rabbah* are so repetitive as to approach persuasiveness. They tell us that in the period prior to the fall of the Temple, "the Sanhedrin was exiled" from its place of sitting (in the Chamber of Hewn Stone) on the Temple Mount to a new location outside the Temple compound referred to as *Hanut* (as we shall see, this word will also have pregnant meaning when the true implications of the *Habakkuk Commentary* are finally grasped). In every embodiment of the tradition the reference invariably is to *galtah* — in two, variations occur, one incorporating the usage *nigli*, i.e., "let us be exiled", and one, perhaps for our purposes the most interesting, actually using the word *galut*. In all, and this is the important point, the peculiar root, *G-L-H*, used in the *Habakkuk Peshet* to discuss the fate of the Righteous Teacher, is used to discuss the "exile" of the Sanhedrin from the Temple Mount and divine favor in the years before the fall of Jerusalem.

These references are associated in several places with both the illegality of imposing the death sentence in capital trials in such circumstances, and, not insignificantly, the fall of the Temple and/or departure of God's presence from the Temple. Particularly in *Sanhedrin* and *Avodah Zarah*, the usage refers to the illegality of passing the death sentence under such circumstances. Again, we find a resonance with the notice in Josephus vis-à-vis the death of James, that "the more righteous among the population and those most worried about

²⁴I have discussed this usage and the circle of language related to it in *James the Just...*, pp. 90f and 93f. For the reference to Balaam as "consuming the people", see *b. San* 105a. For the anti-Herodian tenor of these usages, see 62ff and 87—94 and above, n. 21.

breaking the Law" objected to what was done to James. Though the Talmudic references are talking about the impropriety of imposing the death sentence generally when the Sanhedrin was, as it were, in its *Beit-galut* outside the Stone Chamber on the Temple Mount; the specific case of sentencing to death by reason of blasphemy must be reckoned among its particular incidences.

Equally striking about this Talmudic tradition is that in most of the references, the word *Bayit* occurs in close proximity to the root *G-L-H*, i.e., the reference to "exile" is usually directly or closely connected to "House", meaning of course the Temple (cf. similar Koranic allusions to "house"²⁵). The second part of the phrase is invariably missing, i.e., not *Beit ha-Mikdash*, but simply *Bayit*, producing the curious resonance with the usage *Beit-galuto* in the *Habakkuk Peshet*. That this usage, as persistent as it is, must come down and be rooted in oral tradition, is hardly to be doubted, but an oral tradition of so insistent and peculiar a kind such that the words employed are always the same: *galtah*, *Bayit*, and *Hanut*. In any event, this oral tradition is attested to in two places in *Rosh Hashanah*. To my way of thinking this is powerful evidence indeed, and once again the point of departure is James' life, i.e., if we had not examined the life of James, we would not think of applying a trial before the Sanhedrin to the events being portrayed in the *Habakkuk Peshet*, nor considered applying the *o* in *Beit-galuto* to the Wicked Priest, not the Righteous Teacher.

Let me take these allusions in turn. The first and fullest occurs in Tractate *Rosh Hashanah*. Here, there are two references to *galtah* and one to *galut*. The tradition is mainly concerned with the "banishments" of the Sanhedrin from the Chamber of Hewn Stone and not the judicial implications which constitute the focus in *Sanhedrin* and *Avodah Zarah*. *Galtah* occurs in 31a. It issues from a discussion of the departure of the divine presence from the Temple and the ten stages of the Sanhedrin "exile" from its "home" on the Temple Mount in the years just before the fall of Jerusalem to a place somewhere outside it called *Hanut*. The tradition is ascribed to R. Johanan and is followed in 31b by a fuller statement, this time including a notice about how the divine presence "tarried in the wilderness six months waiting for

²⁵ The use of "House" is widespread in the Koran; cf. Ko 2: 125, 2: 127, 3: 96, etc., referring to the Ka'bah.

Israel to repent" ("repent" is repeated twice and the conjunction of it with "wilderness" and another reference to R. Johanan is noteworthy in itself). Again in the years prior to the fall of Jerusalem and the departure of the divine presence from the Temple and Israel, "the Sanhedrin was exiled (*galtah*) [...] from the Chamber of the Hewn Stone to *Hanut*". Both specifically note that the Sanhedrin's "exile" from its original home on the Temple Mount was an event known to and preserved "in tradition".

The third reference, also found in 31b, ascribed this time to R. Eleazar, revolves around an exegesis of two passages from Isaiah 29: 4 and 26: 5, reminiscent of Qumran expositions of similar and connected passages from Isaiah. The quotations provided refer to "the lofty ones falling" or "being brought low", which are expounded in terms of the "fall of" Jerusalem and the "banishment"/"exile" of the Sanhedrin connected to it, i.e., just as the divine presence left Israel, so the Sanhedrin was "banished" from its Temple location. (This note about the departure of the divine presence from the Temple before its destruction also parallels Josephus' description of the departure of the divine presence from the Temple in the context of his discussion of "the Star Prophecy" at the end of the *War* as the underlying cause behind the uprising against Rome²⁶). Qumran *pescharim* like 4*QpIs* 10: 29ff, discussing the fall of Jerusalem (presumably, as per Josephus and the Talmud above, of 70 CE), also evoke "the fall of Lebanon" and "the tallest trees being felled" and play on the "whiteness" and "loftiness" themes to denote the fall/destruction of Jerusalem, the priesthood, and/or the Community Council. Is 10: 34 and similar "falling" passages like Zech 11: 1ff are interpreted in exactly the same style in

²⁶ This discussion introduces his discussion of the "Star Prophecy"; *War* 6. 288—300. It begins not with the star over Bethlehem, but with the star over the Temple as a portent to its destruction. Josephus introduces a rough peasant (prophet?), "Jesus ben Ananias", who "four years before the war" from around the time of the death of James continually proclaims the destruction of the city and the Temple even to *Albinus* for the next seven years. That there is some connection between and the notice in Early Church literature tying the destruction of the Temple and the fall of Jerusalem with the death of James is hardly to be doubted. It is also interesting that in this passage Josephus identifies "the Star Prophecy" as the moving force behind the uprising against Rome.

Abbot de R. Nathan and elsewhere in the Talmud, where they are specifically designated as referring to the fall of the Temple in 70 CE²⁷.

In this reference from *Rosh Hashanah*, there are six "exiles" or "banishments" of the Sanhedrin corresponding to the states of degradation in Is 29: 4, and here the *actual word* used to describe the high priest's activities against the Righteous Teacher in *1QpHab* xi. 6, *galut*, is employed in exposition of the "fall of the lofty ones", i.e., the "exile"/"banishment" of the Sanhedrin from the Temple precincts. The relationship of the constant connection of these banishments with the departure of the divine presence and the fall of Jerusalem to the similar causality emanating from the death of James should not be missed, a relationship which will be further concretized in the condemnation of the judicial proceedings connected with these banishments in the citations below.

The same language is repeated in Tractate *Sanhedrin* 41a where the subject is the Mishnaic number of witnesses required for conviction in capital cases and procedures for conviction or acquittal in close votes. Again R. Johanan is connected to the tradition (this time specifically referred to as ben Zakkai). The tradition, however, is developed to confirm that one is on the right track in considering that this ambiguous and difficult allusion in the *Habakkuk Pesher* relates to proceedings before the Sanhedrin that were considered illegitimate (presumably because they led to the illegal condemnation of the Righteous Teacher and a few of his associates) by the authors of the *pesher*. Nothing else, to my mind, could account for this striking coincidence (and I do not consider it accidental), that the very same language is being used in the *Habakkuk Pesher* and in Talmudic allusions to refer to the "exile" of the Sanhedrin from the Temple Mount and the consonant illegality of any capital judgements. Nor would we have thought of looking into these parallels if we had not

²⁷ See ARN 4 above, which makes it clear that this kind of "falling" imagery relates to the destruction of the Temple in 70 CE. See also *b. Git* 56a referring to Is 10: 33f and *b. Yoma* 39b referring to Zech 11: 1 (*4Qp15^c* combines Is 30 with Zech 11. N.b. our discussion below of *1QpHab*'s use of the imagery of Is 29: 9: "they are drunk but not with wine") and Nah 1: 4 (*4QpNah* begins with Nah 2: 1). This is definitive evidence that Qumran passages of this kind (there are probably more in unpublished fragments) apply to the fall of the Temple in 70 CE and not to an earlier fall as has been widely suggested to support given identifications or theories.

investigated the insistent notice of a Sanhedrin trial for blasphemy in relation to the life of James. The theory about James, therefore, begins to satisfy all the necessary conditions of a convincing one, i.e., (1) that it explains otherwise difficult to understand aspects of the data and (2) that it leads to new and hitherto unsuspected constructions not explainable by any other theory heretofore presented²⁸.

But it is interesting to go further into Qumran plays-on-language: for instance, the very *hamato* we mentioned above connected with the allusion to *abeit-galuto* and its relation in this allusion to *Hanut*. To do so, we must look at columns viii—xii of the *Habakkuk Pesher* and see how Qumran exegetes change words in a consistent pattern to produce a desired exegesis. Taken as whole, these columns are concerned with the Judgement that is inflicted upon the Wicked Priest "because of the evil he did to the Righteous Teacher and the men of his council"/"persuasion" (ix. 9f — probably recapitulated in "the Violent Ones of the Gentiles" allusions in *4QpPs* 37 ii—iv). They are also concerned with that eschatological Judgement that is inflicted upon all backsliding Jews and the nations and idolators of the world. It should be noted that the allusion to "evil" here (*ʿavon*) is introduced by the same preposition *be* that introduces *Beit-galuto* in xi. 6, and the two allusions are more or less interchangeable, i.e., "evil" in the one can be substituted for "with his *Beit-galut*" in the other.

It is curious that many translators continue to translate the phrase denoting eschatological Judgement, *Beit ha-Mishpat*, with the nebulous "house of Judgement", when in x. 2ff (aside from its meaning in the key viii. 2 exegesis of Hab 2: 4 using the words "save" or "salvation") it clearly means "Decree of Judgement" or that "Judgement" which God will pronounce "in the midst of many nations" (here for some reason Vermes changes his translation to the meaningless "condemned House", having already translated it earlier as "House of Judgement"). In xii. 14 and xiii. 3, the "Judgement" under

²⁸ A similar kind of symbolism is present in Gospel exegeses of "Zebulon"/Naphtali; cf. Mt 4: 14ff referring to Is 8: 23ff — also repentance. Just as Talmudic exegeses of these "exiles" of the divine presence as embodied by the Sanhedrin refers to a shift from Judah to Galilee, so too the coming of Jesus (also pictured as an embodiment of the divine presence — sometimes even the Temple itself) to Galilee is pictured similarly. Both exegeses signal a transfer of favor from Judah to Zebulon.

discussion is definitively designated as "the Day of Judgement" (so familiar to readers of the Koran, which also includes the telltale allusions to burning, etc. in relation to it²⁹).

There can be little doubt that we are to assume that the Righteous Teacher was done to death by the Wicked Priest in the course of his *Beit-galut*, since in describing both the destruction of "the Poor"/"Lebanon"/"the Council" and the reciprocal one of "the Wicked Priest", the term used is actually *lechalot*/"destroy", not the more illusive "consume"/"confuse". Early Church sources persistently tell us that directly after James' death, or not a few years thereafter, Jerusalem and the Temple fell. In fact, this becomes a bone of contending ideologies, when Origen objects to the fact that in his version of Josephus he read that the greater part of the Jews blame the fall of Jerusalem on the death of James. For Origen Josephus should have said Jesus!³⁰

There are in these passages in the *Habakkuk Peshar* two sets of basically overlapping materials leading up to the allusion to "the Last Judgement", one picking up the materials relating to the exegesis of Hab 2: 4 from viii. 1—x. 5 and ending up in the Judgement God pronounces "in the midst of many nations" and including the description of the death of the Wicked Priest. The second, which recommences in xi. 4, includes the allusion to *abeit-galuto* and ends up with "the Day of Judgement" on all backsliders and idolators in xii—xiii. In the first of these sets, the death of the Wicked Priest and presumably that of the Righteous Teacher is followed by a description of the destruction of "the last priests of Jerusalem [...] whose riches and illegitimate gains would be handed over to the army of the Kittim" (ix. 4ff). In the second, the *B-L*-^c allusions of xi. 5ff, including the one connected with *abeit-galuto*, specifically describe the destruction of the Righteous Teacher and end up once again with the destruction of Jerusalem "where the Wicked Priest acted out his works of abomination and polluted the Temple of God".

²⁹ Cf. Ko 2: 39, 2: 126, 2: 174f (including palpably Jamesian dietary regulations), 3: 185, 73: 12, 74: 26, (n.b., "Day of Judgement" in 46), 82: 15 (with "Day of Judgement"), 84: 12, 92: 14, etc.

³⁰ See n. 18 above.

As I have explained elsewhere, this "pollution of the Temple" probably involved acceptance of the "spoils"/"polluted" gifts from Herodians and other non-Jews, a process repeatedly referred to in these columns and in *CD* iv—viii, particularly when the allusion "he did not circumcize the foreskin of his heart" is evoked to disqualify the Wicked Priest from Temple service according to the parameters set forth in Ez 44: 7ff's "Zadokite" statement³¹. His polluted "works" are presumably to be contrasted with the righteous/salvationary ones of the Righteous Teacher. It is interesting that Josephus describes this same Ananus' death as the beginning of the destruction of the city, asserting that he could have saved it³². For his opponents, it is his actions that placed it under its final ban.

One has here, in effect therefore, the same sequentiality as in Early Church sources, i.e., the death of the Righteous Teacher leading inexorably to the destruction of the Temple and the fall of Jerusalem. There is evidence, as we have seen in these allusions from the *Peshar*, that the destruction of Jerusalem was seen as punishment for what the Wicked Priest and those of his persuasion had done to the Righteous Teacher. At least it is a direct effect and inevitable consequence of these actions. Tying these together, a last insight emerges within the framework of "the pursuit of the Righteous Teacher" by the Wicked Priest "with his guilty trial", i.e., in relation to the allusion to supposed "drunkenness" which emerges in the backdrop in the Hab 2: 14ff materials out of which the exegesis is constructed.

The Qumran text of Hab 2: 14 underlying the *peshar* (which differs from the Masoretic as we shall see) first alludes to something verging on drunkenness in the sense of causing one's fellow man "to drink so

³¹ See the pivotal exegesis of Ezek 44: 7ff in *CD* iv. The "uncircumcized heart" allusion forms the backdrop of the disqualification of the former priesthood. See my discussion in *James the Just...*, pp. 87ff. It is curious that Josephus in *War* 2. 408ff describes this rejection of gifts and sacrifices from foreigners, which triggered the uprising against Rome, as an "innovation" with which the ancestors before were unacquainted. But it is unequivocally enunciated in these passages in Ezekiel. This makes the Qumran *peshar* on Ezek 44: 15 all the more important. Throughout the *Habakkuk Peshar* it is clear that the Wicked Priest enriches himself by illegally receiving gifts from the "spoils" of violent people and "robbing the Poor". Receipt of gifts such as these is described as "polluting the Temple treasury" in *CD* vi. 15f. I have sketched an ambiance for these in *James the Just...* pp. 44ff. and 66ff.

³² See above n. 15.

fully of his dregs/skin that he may gaze on their festivals". Here, the word "festivals" transmutes the Masoretic/Septuagint reading of "nakedness" by substituting a *dalet* for *resh* and a *waw* for *shewa*, i.e., instead of *me^coreihem* it conserves *mo^cadeihem*. Here, too, where *hamat* is at issue — which will be important when interpreting its resonance with *Hanut* — the underlying thrust of the Masoretic and Septuagint reading would appear to be "strong dregs"/"skin" to make drunk, rather than that "fury" utilized in the *pesher* to describe the Wicked Priest³³. This transmuting of consonants and vowels is exactly the same as would have occurred if *hamat* were a *play* on the *Hanut* so persistently mentioned in our sources. As we shall see, the exegetes at Qumran are not above playing on readings in this manner to develop a desired exegetical construction³⁴.

The drunkenness/"drinking to satiation" imagery is continued in 2: 16, where it becomes "the cup of the Lord's right hand" which shall come around to the perpetrator of the violation, i.e., meaning as he poured out to others to drink to satiety, so shall he drink the same amount. But the drink has nothing to do with any drunkenness on the part of the Wicked Priest. Nothing could be further from the truth and shows how poorly Qumran commentators do when handling literary allusion. It has to do with "the cup of the wrath of God". Since the whole text, at least in the Masoretic and Septuagint versions, has been dealing with "nakedness" or one's "secret parts" (with some liberties taken in the Qumran redaction to develop the exegesis about the *Yom Kippur* confrontation); the theme of "not circumcizing the foreskin of his heart" is evoked in the exegesis (demonstrating in the process that Qumran exegetes knew the original sense of the underlying passage), which, as we have already seen, relates to disqualification from the Temple and Temple service according to Ezekiel's "Zadokite" parameters. This will be further concretized in the transmuting between "trembling" and "foreskin" and *chos* and *cha^cas* below.

³³ The wine here is very strong, as will be the retribution corresponding to it. Cf. the vinegar given Jesus in Mt 27/Mk 15/Lk 28/Jn 19 based on Ps 69: 21.

³⁴ In addition to the examples cited above, see the all-important CD iii. 21—iv. 2 citing Ezek 44: 15 where *waw*-constructs seem to be deliberately inserted between "priests and levites and sons of Zadok" (emphasis mine) to produce a given exegesis, i.e., "priests" are "penitents", "levites" are "joiners" (probably Gentile God-fearers as per Es 9: 27; cf. *ger-nitveh* in 4QpNah ii. 9), and "sons of Zadok", the eschatological "Elect".

This Priest, who is almost certainly the establishment high priest — and as I have attempted to demonstrate elsewhere, probably Herodian — does not walk "in the ways of drunkenness that he might quench his thirst", as some translators have it (moving further afield to have him killed at a banquet!); rather "he walks in his way of satiety so that he will drink his fill". The meaning here is unmistakable and exploits the transmutations in the underlying text as well as the direct thrust of the underlying imagery in order to produce the desired exegesis. Nor does it have anything to do with drunkenness or banqueting, which has been so widely disseminated in Qumran studies as to become proverbial.

It has to do with *divine vengeance*, which we have already shown is being referred to throughout these sections and in parallel allusions in the *Ps 37 Pesher*³⁵. The confirmation of this proposition comes in the next sentence: "And the Cup of the Wrath of God shall consume him" (xi. 15; *teval^cenu*). Here again the basic circle of the imagery is being played upon, i.e., just as the Wicked Priest "consumed"/*leval^co* the Righteous Teacher and *leval^cam*/"consumed" those observing their *Yom Kippur* fast, so too would he himself be "consumed", and not, for instance, Vermes' "confuse" or Gaster's "confound". God did not want to *confuse/confound* the Wicked Priest. God wanted to *destroy him*, which is made absolutely clear in the next column: "so too would God condemn him to destruction".

This "cup" imagery in evocation of the Lord's divine wrath is not new. It is widespread in both Old and New Testaments. It is only strange that Qumran specialists have so misread it. As Is 51: 21 puts it quite plainly: "You have been afflicted and drunken, but not with wine". In fact, *chos-hamato*, i.e., "the cup of his divine anger" is referred to three times in this pericope from Isaiah in terms of the destruction of Jerusalem, and *chos ha-tar^celah*/"the cup of trembling" is added twice in 18 and 23f. Not only must one pay attention to the ongoing play here between *chos* and *cha^cas* in both underlying biblical materials and *pesher*; but this helps us understand another play and transmutation taking place in the text between *hera^cel*/trembling and *he^carel*/foreskin. The Qumran text shows its knowledge of these intertwining idioms by playing on the former in its version of Hab 2: 16 (also followed in the Septuagint, though the Masoretic keeps the latter)

³⁵ See n. 16 above.

to produce *°orlat-libbo* in the exegesis, the "foreskin of his heart" symbolism relative to the Wicked Priest. In doing so, it shows that it probably appreciated that the sense of the Masoretic was originally probably present, or at least a possibility. The same "cup of fury" imagery is utilized in Jer 25: 15ff's "take the wine cup of his fury out of my hand and cause the nations [...] to drink of it" (cf. too Ezek 23: 31 ff to the same effect).

The New Testament, too, is not unfamiliar with this imagery, particularly in apocalyptic and eschatological contexts like that of the *Habakkuk Peshet*. Aside from its use in Jesus' discussions with his apostles (Mt 20: 22f/Mk 10: 28f/Jn 18: 11), the most vivid presentation of it is to be found in Rev 14: 9f, recapitulated in 16: 19 and 18: 6, e.g., they "who gave the whole world the wine of God's anger to drink [...] will be made to drink the wine of God's fury which is ready, undiluted in his cup of anger in fire and brimstone". Nothing could better recapitulate the Qumran usage of this imagery than this; the correspondence is *exact*, including even the allusion to "fire and brimstone", which forms an intrinsic part of the "decree of Judgement" God makes in the midst of many nations in *1QpHab* x. 5. Rev 16: 17 emphasizes the retributive nature of this imagery, i.e., "God made her (Babylon or Rome) drink the full wine cup of his anger [...] She must be paid double the amount she exacted. She is to have a doubly strong cup of her own mixture". Rev 18: 6, adds an allusion to "the end" to the imagery.

That *cha°as-ḥamato* also plays on the "exile to *Ḥanut*" notice in Talmudic materials, transmuting materials in a clearly discernible pattern, i.e., "festivals" for "nakedness", "trembling" for "foreskin", *chos* playing on *cha°as*, and *ḥamat* playing on *Ḥanut* (both relating to the Wicked Priest's mood and the location/legitimacy of his Sanhedrin proceedings pursued against James), must also be recognized. There can be no mistaking the import of these passages, nor that they relate to Qumran and further concretize the *Sitz im Leben* of many of these language couplets. Again considerations relating to James and the peculiar usages implicit in the *Beit-galuto* allusion brought us to them; nor would we have otherwise suspected them. But once the materials relating to James are inspected, then these are the determinations that can be made. Nor are more familiar theories helpful in elucidating these kinds of allusions. On the contrary, they rarely consider them, and if they do, often get them wrong. It is evidence accumulation of this kind from the special case that provides the build-up necessary to confirm the general theory.