

Robert EISENMAN

THE HISTORICAL PROVENANCE OF THE "THREE NETS OF BELIAL"
ALLUSION IN THE ZADOKITE DOCUMENT AND BALLA^C/BELA^C IN
THE TEMPLE SCROLL

In Maccabees, Zadokites, Christians and Qumran (Leiden, 1983), I called into question the archaeological and palaeographic data placing much of Qumran sectarian literature in the first or second century B. C. In doing so, I emphasized the primary role textual studies must play in determining the real historical provenance of key Qumran documents¹. Being freed (if the results of my study are even only partially entertained) from the constraints imposed by palaeographic studies in particular, it is possible to approach the problem of the "three nets of Belial" allusion in the Zadokite Document with greater precision and determine its historical provenance on the basis of the thrust of internal data. In turn, this may be used as an absolute criterion for the dating of the document as a whole. The results achieved here will also bear heavily on parallel concerns in the Temple Scroll, and as a consequence, its dating as well.

The "three nets of Belial" allusion is found in an important section of the document that follows the crucial exegesis of Ez 44:15 on column IV. Though elsewhere I have noted the qualitative and eschatological nature of this exegesis, for our purposes here, it is sufficient to note that the background in Ezekiel is the accusation of "breaking the Covenant" and "polluting the Sanctuary" by admitting "foreigners uncircumcised in heart and flesh" into it². This is also the tenor of the critique which carries over onto column V of the Zadokite Document and intermittently until column VIII. Its terms are also identifiable in the background to similar charges in the Habakkuk Peshet³.

Because of seeming reference to the Testament of Levi to which the allusion is connected⁴, it is usually supposed that what is being discussed is the priesthood. Certainly references to "profanation of the Temple" have to do with actions or practices countenanced by the Jerusalem priesthood, either the Mac-

cabean or Herodian, but "priests" per se are nowhere mentioned; rather the critique, which is framed in terms of the impersonal third person plural "they", is of the establishment as a whole⁵.

The critique turns on the exegesis of the allusion to "snaring" in the quoted Biblical passage Is 24:17⁶. The "nets" in question are those Belial sets up as "three kinds of Righteousness" to entrap Israel⁷. These are specifically enumerated as zanut ("fornication"), Hon ("Riches"), and tama' ha-Mikdash ("pollution of the Sanctuary"). Priests are not mentioned, and Belial is being balanced against the commonweal Israel. It should be noted that the reference to these "snares" or "nets" follows the eschatological reference to "net" in the preceding exegesis of Ez 44:15 in iv. 12, where what is being described is a situation involving an individual's fate at the end of time⁸. The general ambience of eschatological destruction in Is 24 parallels that of Is 2-3 and Hab 1-2. Like these, Is 24 is a zaddik passage replete with favorite Qumranisms such as the Bogdim - "Traitors"/"treachery", which usually relates as in the Habakkuk Peshier to those breaking the law and in league in some way with the Spouter/Liar/Comedian and the Violent Ones. I believe I have given the proper sitz-im-leben for such "breaking the Covenant"/"Violent Ones"/"Violent Ones of the Gentiles"/"Men of War" allusions in Maccabees... and develop it further in James the Just in the Habakkuk Peshier⁹.

At this point, it is useful to note that in an extremely revealing section of the Antiquities, Josephus mentions how some people opposed Herod because of the "innovations" he introduced into the religious practices of the people¹⁰. In this section Josephus describes Herod's regime of terror where "spies were set everywhere", and all who opposed him were taken "openly or in secret" to the fortress Hyrcanus to be put to death. In this same notice Josephus tells us of Herod's regard for "Pollio and Sameas", who had advised the inhabitants of Jerusalem "to open their gates" to him, and for "Menachem the Essene", who like Sameas had earlier recognized Herod's leadership potential¹¹. In the War, Josephus reverses the language of "innovations" and claims that the stopping of sacrifice and gifts from or on behalf of foreigners which triggered the Uprising was an "innovation", even though Ez 44:7ff. above recommends such behaviour¹². It is these same "Innovators" who oppose the entrance of Herodians into the Temple ultimately barring Agrippa II from all Jerusalem¹³.

The "pollution of the Sanctuary" charge is also found in the Habakkuk Peshier¹⁴ and similar language permeates the Temple Scroll¹⁵. Similar conjunctions of "pollution of the Sanctuary" and "Riches" may be found in apocryphal literature, but never in quite the manner of the Zadokite Document. For the latter, it is the "fornication" charge which is crucial. The reason why these charges must relate to "Herodians" is that, while one or another of them might relate

to any establishment or priestly party from any age (charges of unjustified enrichment or pollution of a religious shrine are a common enough theme from any disenfranchised opposition); the accusations of marriage with a niece and divorce/polygamy can only relate to one age and one group of persons - the Herodian and Herodians: probably the late Herodian because of parallels with the Habakkuk Pesher.

Not coincidentally the proscription on "fornication" also constitutes the backbone of James' "Jerusalem Council" directives¹⁶. The imagery of "fornication" is ever-present at Qumran - most tellingly in the Community Rule and the Nahum Pesher, where it is linked to the imagery of "the lips" and "tongue"¹⁷. This "tongue" imagery, also intrinsic to condemnations in the Letter of James, is present in this section of the Zadokite Document¹⁸. One should not, however, view this charge of "fornication" in terms of the more whimsical variation of it one finds in the New Testament, "prostitutes"¹⁹. Certainly Qumran viewed the ruling class as no better than prostitutes. Three well-known Herodian examples from the period of the thirties to the sixties C.E. are Herodias, Bernice, and Drusilla, but these New Testament allusions must be seen rather as reflections of Paul's commerce with such persons in the denouement of Acts. The charge of "fornication" at Qumran is more technical than this, though it does involve Herodians.

Its delineation in the Zadokite Document makes its provenance unmistakable. It is further refined in the Temple Scroll where it is linked to the behaviour expected of the King, an expectation also delineated in the Zadokite Document²⁰. In such a context, the term "Belial" has interesting implications when seen as a circumlocution, especially in the light of the above-mentioned testimony about the innovations introduced by Herod into the religious practice of the Jews²¹. In iv. 17ff. the continuity of the text is also momentarily interrupted by a seemingly unrelated reference to Ez 13:10's "builders of the wall" and material based on Mi 2:6 relating to spouting "Spouters" (in Ezekiel "lying prophets" misleading the people with "cries of peace"). This allusion is continued in VIII.12ff. (ms. B XIX.24ff.) following the reference to "the venom of vipers", where it once again is related to "lying prophecies". Though often linked with either the legalistic "fence" of the Pharisees or the building of an actual wall in Jerusalem (one should note Agrippa I's "wall" - building in a revealing section War 2.11.6 relating to Herodian family relationships); careful attention to the references to "lies", "lying", "leading astray", and "spouting", and related condemnations on those "who cry peace" when there is no peace in the underlying Biblical passages, makes it clear that we have to do with that genre of "Spouter" or "Liar" I have identified elsewhere with Paul²². (Where Ez 13's "peace-making" theme is concerned, the section of the War on the "Innovators"

mentioned above calls attention to "Saulus", the leader of a riot in Jerusalem directly following the death of James and the robbing of the poor priests' tithes by the high priests, as the intermediary between "the Men of Power" or "Herodians", "the chief priests", "the principal of the Pharisees", and "all those desirous for peace" and Agrippa II, "his kinsman", outside the city²³.)

The "builders of the wall" (in Ezekiel 13 "daubers on the wall"), who turned aside after this "spouting" teacher (paralleling a later reference to "the Men of War" walking with "the Man of Lying" in XX.14f.), involve themselves in "fornication" in a two-fold manner. Certainly these references are not to priests or the priesthood, though priests probably were involved in one way or another in the infractions enumerated. In the first place they take two wives at the same time. Two scriptural passages, "male and female he created them" and "two by two they went into the ark" are quoted in support of this point. The polemical thrust of the whole is reinforced by the excuse that follows for David's counter-indicative behaviour. Though a denunciation of polygamy, as Schechter well knew, these citations can also be extended to a denunciation of divorce. This is made more explicit in the Temple Scroll²⁴.

It is safe to say that though Rabbinic Judaism in theory permitted polygamy and divorce, these practices were nonetheless rare²⁵. More importantly there is no indication whatsoever that Maccabees or any other previous establishment or priesthood indulged in either practice to any extent; certainly not promiscuously (though there is a note of concubinage relating to Alexander Jannaeus²⁶). The Herodians, on the other hand, indulged in them as a matter of course and family policy. There was no greater offender than Herod himself who married ten wives (a majority non-Jewish); how many divorces he executed is not clear, though his sister divorced Costobarus and he brutally disposed of Mariamne after accusing his brother of fornicating with her²⁷. There is no evidence of divorce at all among any Maccabees, nor polygamy, nor any other of the peculiar sexual mores we shall encounter here. The worse charge of this kind made against them is that John Hyrcanus' mother had once been a captive, a charge meant to impugn his right to serve as high priest²⁸.

Support for reading a proscription of divorce into these passages comes from several quarters. Christianity knows the proscription on divorce. Mt 5:32 mentions it in a reference to "fornication", and Mk 10:6 and Mt 19:4 cite the "male and female" passage quoted above. Paul, in discussing James' directives regarding "fornication", etc. in 1 Co 7:10ff., knows the proscription (cf. Ro 7:2f., though as with Matthew's "except for fornication" he allows for exceptions as Qumran probably did). Finally support comes from the Karaite al-Kirkisani writing in the Middle Ages. For al-Kirkisani both Jesus and Zadok forbade divorce, and he quotes the Zadokite Document's second scriptural passage "two by two they went into the ark" in related argumentation²⁹.

Where Herodian women are concerned, so appalled is Josephus by their divorce practices that he feels obliged to note on three occasions that these "violated the laws of our fathers", i.e., the divorce of Herod's sister Salome from Costobarus, Herodias' divorce from Herod Antipas³⁰, and Drusilla's divorce from Azizus³¹. Few of these marriages can even be thought of as Jewish and the last is connived at by some one very much resembling Simon Magus, who appears to be in league with Herodians and Romans in Caesarea (as Paul himself probably was)³². Simon convinces Drusilla to divorce her husband, who had circumcised himself on her account, and marry that Felix well known in Palestine for his brutality. For Acts, Felix "knew alot about the way"³³. Agrippa I's daughter Mariamne also probably divorced her husband to marry a relative of Philo; and Bernice, whose marriage to her uncle Herod of Chalcis we shall note below, like Drusilla left the Jewish religion entirely after divorcing Polemo King of Cilicia to consort with Titus. Importantly enough, in this episode Josephus also mentions the rumor of Bernice's illicit connection with her brother Agrippa II and links Polemo's willingness to circumcize himself to her great "Riches"³⁴. For his part, Herod of Chalcis probably set his first wife Mariamne aside in order to marry her.

From v.lff. these connections with the Herodian family become even clearer. Directly following the citation of "two by two they went into the ark", the Deuteronomic King Law is quoted (17:15ff.), which will be further taken up in the Temple Scroll, i.e. "he shall not multiply wives unto himself". The terminology "*nasi*" is employed, perhaps because the text does not wish to apply to Herodians (and/or others) the title "King", however the effect is the same. We are to understand that the King is to take one wife and one wife only in his lifetime. While divorce is unmentioned, it is presumably subsumed under this proscription. (this is explicitly stated in the Temple Scroll). Understanding that this is an "innovation" despite the recommendation of it in Deuteronomy, the text is anxious to excuse David from the accusation of transgressing it, by claiming the proscription was unknown until "the coming of Zadok". There can be little doubt that this "Zadok" is equivalent to al-Kirkisani's "Zadok" above who forbade divorce. It should also be clear, that according to the chronological scheme enunciated here, "Zadok" cannot be the Zadok of David's time. In our view, it can only be that "Sad-duk" mentioned by Josephus in Ant. 18.1.1 who started the agitation against Herodian/Roman rule.

This theme of not multiplying wives, not to mention the proscription on marrying nieces to follow, is also taken up in the Temple Scroll, where it is linked (as in Deuteronomy) with the proscription on "putting a foreigner over you". Had this proscription not been emphasized here, one would have had to

predict it (as Eisler did in the 1920's on the basis of the Zadokite Document only and his analysis of Josephus)³⁵. There can be no doubt that the recommendation against foreign kings cannot have relevance to any period but the Herodian, not even the Seleucid or Persian. It certainly does not relate to Maccabees. There is one king and one king only for which this reference can have relevance, and that is Herod or Herodians.

To make this connection even stronger, the Temple Scroll immediately moves into the injunction against the King marrying any foreigner, which of course Herod did to excess, as did his successors. Agrippa I, for instance, married Cypros, who could only be considered Jewish by the greatest stretch of the imagination. Where Agrippa I's daughters were concerned, as noted above, Drusilla on Simon Magus' advice even divorces a foreign husband (who at least took some interest in conversion) and married Felix. Bernice left Polemo King of Cilicia and took up with Titus the destroyer of Jerusalem. Paul, whose missionary activities spanned these "Asian" territories, in 1 Co 7:10 typically tries to soften these recommendations. While recognizing divorces initiated by women (in contravention of Jewish Law), he nevertheless recommends they not marry again. Finally, laying the matter concerning divorce to rest, at least where the King is concerned, the Temple Scroll states unequivocally: "and he shall not take another woman and she alone will be with him all the days of his life" (lvii.17f.). Nothing could be plainer than this. Providing additional evidence that Qumran tended towards a general recommendation against divorce except under extenuating circumstance (as Matthew puts it, "except for fornication"), just before enunciating the ban on marriage with a niece (which it calls an "abomination" - language charged with significance for the charges relating to "pollution of the Sanctuary" in the Habakkuk Peshar), the Temple Scroll stipulates concerning seductions of virgins, "and he will not divorce her ever" (lxvi.11).

The well-known proscription on marriage with a niece has been widely commented upon, but rarely linked directly to Herodians. To be sure there are examples in the Talmud of marriage with nieces, but as with polygamy, these are noteworthy rather for the testimony they provide of the infrequency of the practice. As with polygamy and divorce, there is no evidence that the Maccabees indulged in the practice to any extent, if at all; however our text claims that "each man marries the daughter of his brother or sister", implying not only frequency, but habituality. One group and one group only behaved in this way - Herodians. Herodians married their nieces and close cousins as a matter of course, especially the two lines descending from Mariamne and Costobarus - the true "Idumaeans" in Herodian genealogies. Herodias, the sister of Agrippa I, is the best known practitioner of

the practice; and there can be little doubt that opposition to her marital practices were at the root of John the Baptist's death. She married not one, but two uncles, not to mention two divorces (at least once on her own initiative). New Testament innuendo about levirate marriage is not the real problem where her fornication was concerned; but then New Testament authors were probably not working directly from Qumran documents, but the Old Testament, in struggling to make John's problems with Herodias comprehensible to a foreign clientele³⁶.

Another important example is that of Herodias' niece Bernice - the sister of Agrippa II, who married Herod of Chalcis her uncle, and who would have found herself involved in four-fold condemnation at Qumran: marriage with her uncle, divorce (on her own initiative), marriage with foreigners, and desertion of the Jewish religion (if she ever could have been considered Jewish to begin with - not to mention her Riches and purported fornication with her brother Agrippa II). Even the marriage of Herod of Chalcis' son Aristobulus with his aunt Herodias' daughter, Salome, probably would be proscribed by analogy at Qumran under the somewhat fragmented recitations of forbidden degrees at the end of the Temple Scroll. So promiscuous are these Herodian women that, in effect, we are faced here with a kind of polyandry, not polygamy. For their part, these recitations in the Temple Scroll are so forced as to make what their purpose was almost certain. They are almost without exception directed against persons connected in some way with the families of Agrippa I and Agrippa II. To be much plainer than this Qumran would have had to literally name its respondents. (Sometimes in Qumran research it seems that nothing less will suffice.)

It is certain that such persons observed Jewish Law only when convenient, i.e., perhaps when they were in Jerusalem, but rarely in Caesarea or Rome. Agrippa II, whose eating habits are the subject of intense concern among Temple "zealots", finally suffers the indignity of having his view blocked by a wall built in the Temple, a wall which, while probably not the one referred to above in relation to the "daubers", except ironically, probably is the basis of the "separation" charge which will now follow here and in the bella^c / Bela^c interdiction section of the Temple Scroll. Ultimately he is banned from Jerusalem entirely by those Josephus calls "Innovators" who trigger the revolt against Rome³⁷. Simon who headed an assembly of sorts in Jerusalem (and whom in Macabees... we link to "Simon Peter" - we prefer "Simeon bar Cleophas") actually wishes to bar Agrippa I from the Temple, an episode which is related to the erection of warning signs in the Temple in this period, as well as the "separation" theme which follows, and not unrelated to Paul's experiences in the next generation in contravention of these³⁸. The polemical reversal of this episode

in the Talmud (paralleling New Testament reversals with a slightly different thrust) is Agrippa's reading the Deuteronomic King law at Succot and being comforted by his presumably Pharisaic collaborators, who call out to him when he begins to weep, "You are one of us! You are one of us! You are one of us!"³⁹

The proscription on marriage with nieces is preceded by the third aspect to the "three nets of Belial" charge, "profanation of the Temple". The subject here is the usual "they" and connected to a reference to that "separation" we have already noted above⁴⁰. Here, as usual, the method of commentators occasions surprise. This is usually taken to relate to problems within the priesthood, but the "separation" referred to is of the sort referred to in 11QI, xlvi and at the root of "the Temple wall" incident directed against Agrippa II above, i.e., the separation of the Temple from the city and the separation of unclean groups of persons, like lepers, menstruating women, etc. from the Temple (including Herodians who will now be specifically charged with "sleeping with women during their periods"). Some translators actually place a "because" between the charge of "polluting the Temple" and "sleeping with women in their periods", but there is no "because" at all in the text, only the conjunction "and" - the first being the general charge; the second, only one of its several incidences.

Of course, one can be fairly confident that no Jewish priesthood whatever corruptions or pollutions imputed to it, Maccabean, Sadducean, Boethusian, or some other, ever indulged in "sleeping with women in their periods", and no such accusation is on record - most certainly not where Maccabeans are concerned. Had they been accused of this, we should no doubt surely have known it! When persons who did, in fact, pollute themselves in such a manner entered the Temple and were not properly "separated" from it (the essence of the improper "separation" charge, repeated again and again in the Zadokite Document), then of course a general pollution ensued. Again, however, the charge best relates to the acceptance of gifts and sacrifices from or on behalf of foreigners in the Temple - in the code of our period primarily Herodians, but also Romans - as well as the admission into the precincts of the Temple of persons "uncircumcized in heart" as per the vocabulary of Ez 44:7 and 1QpHab, xi.13. One can be fairly certain that neither Titus nor the infamous Felix observed Jewish scrupulousness over sexual relations during a women's menstrual flow. The sexual behaviour of Agrippa I and Agrippa II cannot be determined with any precision, though both were brought up in Rome and both would have been seen as guilty by association. Guilt by association of this kind is actually signalled in v.11ff. on the "tongue full of insults" (an expression also found in the Community Rule) and the "abominations" of the "vipers"⁴¹. These condemnations run on until the treatment of the "serpents", "the builders of the wall", and

the condemnation of "the windbag and the Lying Spouter's spouting" in viii.13⁴². One can be fairly confident that these condemnations were part and parcel of the reasons why Agrippa II was ultimately barred from Jerusalem by "the Innovators". In this context, one should pay attention to the rumor above of his illicit connection with his sister.

At this point our narrator is fairly running away with himself with anti-Herodian accusations. I have treated the actual provenance of the "pollution of the Sanctuary" charge in James the Just in the Habakkuk Pesher⁴³. The language of "pollution", which permeates the Temple Scroll, introduces the crucial "sons of Zadok" passage in Ezekiel 44:15, where, as we have seen, it is directly related to the admission of uncircumcized foreigners (either in heart or body) into the Temple. In the Habakkuk Pesher it is also linked to the circumcized "heart" allusion, which has important ramifications for accusations against the Wicked Priest and backsliding Jews, i.e., persons who while themselves circumcized, still polluted themselves through these other relationships⁴⁴. Also in the Habakkuk Pesher it occurs side-by-side with the language of "Covenant-breaking", which parallels similar allusions in the Letter of James and is the ideological opposite of the qualitatively precise definition of "the sons of Zadok" in the Community Rule, i.e., "the keepers of the "Covenant", as well as the whole circle of language relating to "swallowing" or "consuming". It relates to the Herodian priesthood, "the Sadducees" in the New Testament and Josephus, who, while themselves not actually sleeping with women in their periods, associated with or accepted gifts or sacrifices from people who had, in Qumran's view, polluting themselves and the sanctuary in the process⁴⁵. It should also be noted, it relates to the type of foreigners Paul so energetically evangelizes, and in this regard one should pay careful attention to the hostile references to the "Spouter" or "Dauber upon the Wall" at the beginning of the critique and a genre of allusions regarding such outsiders at Qumran.

The Habakkuk Pesher describes this "Lying Spouter" as "leading Many astray", "wearing out the Many with a worthless service", and "speaking derogatorily about the Law in the midst of the entire community", and his activities are further developed in the early sections of the Zadokite Document, including material relating to an assault on "the Righteous One"⁴⁶. In the Temple Scroll, the language of Ez 44:7ff forms the essence of the barring of unclean persons from the Temple, and the language of balla^c/Bela^c is invoked. This language is also at the root of the "swallowing"/"consuming" language based on the also at the root of the "swallowing"/"consuming" language based on the B-L-^c root, involving the destruction of the Righteous Teacher, in 1QHab.viiiiff. When it is comprehended that in the Old Testament Bela^c is the name of an Edomite King or kings, and that as such it is related to "Belial" allusions above and allusions

to "Balaam" in Re 2:14 (here also associated with "net" and "fornication" imagery), 2 Pe 2:15, and Jude 11; it will be appreciated that the reference to balla^c / Bela^c in this crucial passage of the Temple Scroll is very likely a circumlocution for Herodians with important ramifications for those "innovations" set down by Belial, and it provides useful data for concretizing the milieu and chronology of all these allusions⁴⁷.

Both "fornication" and "pollution" charges are integrally related to the "Riches" charges from CD, iv to viii, which in this context are self-explanatory. Though, as we have noted, the charge of "Riches" could be made against the establishment of any time and age, there are no special indications in the literature relating to unjustified enrichment or greed on the part of the Maccabees. The situation is different regarding Herodians. Josephus specifically tells us that Herod created this establishment by despoiling the previous one⁴⁸. He also tells us that Herod created high priests of men of little note who were hardly priests at all⁴⁹. He also makes special mention of the wealth of this priest class in several notices relating to civil unrest in the fifties and sixties C.E.⁵⁰.

One should remember that the Ananus, who is one of the principal representatives of this class and responsible for the death of James, solidifies his relationship with Agrippa II in Rome and is explicitly criticized by Josephus for illegal olive oil operations in Galilee in which Josephus, too, seems to be involved. Josephus calls him "arrogant" and "corrupted by bribes"⁵¹.

In the Habakkuk Peshet the "Riches" charge is extended to actual predatory activities and profiteering on the part of the high priesthood, possibly even using "Gentiles" to amass these "spoils" or "wealth"⁵². This violence, which is directed against a group referred to as both "the Simple of Judah doing Torah" and "the Poor" parallel Josephus' notices about the high priests sending their servants to the threshing floors to rob the poor priests of their sustenance in the Antiquities. Like marrying nieces in the Temple Scroll, the Habakkuk Peshet characterizes this violence as an "Abomination", a word used in column V.12 to describe any association with "those who open their mouths against the Laws of the Covenant of God"⁵³. Josephus emphasizes that "the Innovators", struggling against acceptance of foreign gifts and/or sacrifice in the Temple, appealed to people of the "poorer sort" in order to turn the Poor against the Rich. Their first act, aside from burning the Herodian palaces and those of the high priests (that guilty alliance we have been signalling throughout this study) was to destroy the debt records⁵⁴. One should also note the apocalyptic attitude towards "the Rich" in the Letter of James, particularly regarding the death of "the Just One"⁵⁵. The problem is also at the root of Qumran and Jewish-Christian "Poor" appellations which relate to a variation of the "Righteousness" Command-

ment, which James calls "the Supreme Law of Scripture" and which is quoted as well in the Zadokite Document, i.e., "thou shalt love thy neighbor as thyself" - or Righteousness towards one's fellow man⁵⁶. It is also not without relevance, as the New Testament makes clear to Paul's overseas collection activities (mostly in Asia Minor where Herodians were forging alliances through marriage with local kings giving rise there to an intense concern about the problem of circumcision).

Archaeological and palaeographic consenses notwithstanding, all of the above accusations have a readily identifiable Herodian milieu. What drives scholars to place accusations like "polluting the Temple", "fornication", "Riches", etc. in a Maccabean milieu (recently suggestions have been made for even earlier ones) are historical and religious preconceptions I have been at pains to overturn and the addiction to a genre of archaeological and palaeographic studies that ignores the clear thrust of the internal data of the manuscripts themselves⁵⁷. Those who cannot make a determination of whether Qumran was pro-Herodian or anti-Herodian have usually been led astray by one or two notices in Josephus (in the section I have noted above about Herod's changes in Jewish custom and "spies placed everywhere") about Herod's regard for "the Essenes" ("he thought greater of them than their mortal nature deserved")⁵⁸. "The Essenes" at Qumran were violently and even apocalyptically anti-Herodian (a principal reason for the numerous circumlocutions of their repertoire). There can be no compromising on this point, and once its implications are digested, a proper historiography of Qumran falls easily into place. Those who wish to avoid the implications of it and the clear thrust of accusations like "marrying nieces", "divorce", "polygamy", "setting no foreigner over you", a king marrying only once and then only Jews, etc., seem unwilling to take the historical implications of the materials at our disposal seriously.

Notes

¹ Maccabees, Zadokites, Christians and Qumran: A New Hypothesis of Qumran Origins, Leiden, 1983, pp. 30f., 85ff., etc.

² Ez 44:7ff.; the language of this allusion is crucial, for it will reappear in 11QI, xlvi.10. One should also note the adumbration of this theme of "Breakers" in Ja 2:8-11, 1QpHab, ii.6 and viii.16f., and CD, i.20, and its reversal in the definition of "the Sons of Zadok" in 1QS, v.; cf. too the parallel "Doers" in Ja 1 and 1QpHab, vii-viii.

³ 1QpHab, viii.16f. above, x.9ff., and xii.6ff.; see also my, James the Just in the Habakkuk Peshier, Leiden, 1986, pp. 65ff. and 91ff.

⁴ CD, iv.17f.; related accusations do occur in Test L, ix.9, xiv.5f., xvi.1, etc.; as well as Jub vii.21, xx.3ff., xxiii.14ff., etc. It should be appreciated, that such a reference places our document a not inconsiderable time after the composition of the Testament of Levi, i.e., enough time for this view to have become proverbial.

⁵ CD, iv.19ff. This is an important point, because the accusation below of "sleeping with women in their periods" will not relate to priests as such, but rather people with whom they were involved who were thought to be doing this, i.e., Herodians.

⁶ CD, iv.14f. This moves into the reference to metzudot in iv.15, a reference already preceded by one in iv.12. One should note the references to defilement, destruction, and desolation throughout this Biblical passage and the typical Qumran references to bagdu/Bogim (treachery and Traitors) introducing the citation.

⁷ This is important vis-a-vis Josephus' use of the terminology "innovations". While in the latter part of the Jewish War, "the Innovators" are those opposing Herodian presence on the Temple Mount; Josephus also uses similar words in Ant. 15.10.4 to describe "the changes he (Herod) introduced in their practices to the dissolution of their religion and the disuse of their own customs" in the passage in which he discusses Herod's regard for Pollio the Pharisee and Sameas. This allusion to Herod as "Innovator" will have important implications when it comes to identifying the bella^c/Bela^c allusion in the Temple Scroll as in some sense relating to Herodians. For further discussion, see James the Just..., pp. 105ff. and Maccabees..., pp. 24, 45, 70f.

⁸ While the use here of "net" remains obscure, it is eschatological. For a New Testament parallel to "nets" used eschatologically, involving, as it were, not Belial, but the Angels, see Mt 13:47. The same language recurs in LQ, iv.12 where "nets" is used in conjunction with a group called "the sons of Belial", also connected with "deceit", "lying", "jesting", "pollution", and even "conspiracy".

⁹ Maccabees..., pp. 41, 69f., 95 and James the Just..., pp. 38ff., 44ff., 65ff., and 96.

¹⁰ See above, n. 7.

¹¹ Ant. 14.9.3f., 15.1.1 (in this passage Josephus attributes the prophecy to Pollio, while claiming both he and "his disciple" Sameas advised the people in Jerusalem to open the gates to Herod, "for which advice they were well requited"), and 15.10.4f.

¹² War 2.17.1ff. That the agitation reflected in these passages against foreigners and foreign gifts in the Temple also extended to Herodians is made clear in Ant. 19.7.4's earlier description of "Simon", the head of his own "assembly" in Jerusalem, who wished to bar Agrippa I from the Temple in the 40's C.E.

¹³ War 2.17.1. In the first days of the uprising this animus also extended to the burning of Herodian palaces. These notices also help in elucidating the bella^c/Bela^c material below as relating to the Temple. For Acts, Paul plays the role of an Herodian "stalking horse" in the Temple, where the issue of foreigners and foreign gifts is concerned, and one should note the language of "pollution" in Acts 21:28f. N.b., how Agrippa I's attitude towards "Greeks and Jews" in Ant. 19.7.3 coincides with Paul's various pronouncements in this regard about a community where "Greeks and Jews" equality.

¹⁴ IQpHab, xii.8f.; cf. CD, v.6, viii.46, xi.20, xii.1f. and 18.

¹⁵ 11QT, xlvi.5, 10; xlvi.15ff.; xlvi.4ff., etc.; n.b. how the language of xlvi.10 recapitulates Ez 44:7.

¹⁶ Acts 15:20, 29, 21:25, and their reflection in 1 Co 5-10 and Ja 4:4. Particularly the category of "things sacrificed to idols" finds reflection in 11QT,xlvii.13ff., relating to be'erot.

¹⁷ Cf. 1QS,iv.10ff., 4QoNah,ii.7f., 1QoHab,v.7, CD,iv.17ff., vii.1f., viii.5, etc. In the Nahum Peshar and Hymns, this "tongue" imagery is connected with lying.

¹⁸ CD,v.11f.; cf. Ja 1:26 and 3:5ff., in both contexts connected with lying.

¹⁹ Mt 21:31f. New Testament references such as this are also important for determining the historical method of its redactors, since the Gospels invert Qumran usages.

²⁰ 11QT,lvi.11ff., lvii.15ff., and CD,v.1ff. 1QoHab,v.7's "His Elect", in CD,iv.3 equivalent to "the sons of Zadok", "have not lusted after their eyes during the age of Evil".

²¹ See above, n. 7. The use "sons of Belial" in 1QH,iv.10 makes it clear that "Belial" is a circumlocution. In our view, it varies the bella/Bela terminology in 11QT,xlvi.10, which itself is a variation of the "Balaam" terminology in Re 2:14 and 2 Pe 2:15. N.b. the reference to "nets", "fornication", and "things sacrificed to idols" in Re 2:15, and see below, n. 47.

²² Though certainly also parodying Agrippa II's wall-building activities and those of his father in Ant. 19.7.2, the usage here is figurative and more accurately reflects the attitude of those who built the wall in the Temple to obstruct the former's view of the sacrifice activities; Ant. 20.9.11. For Paul and "the lying Spouter", see Maccabees..., pp. 42, 43, and 68ff. and James the Just..., pp. 32, 38, 51, 53, 57, 73ff., 98f., etc.

²³ For Paul's relations with Herodians, see Maccabees..., pp. 35f., 49, 55, 66f., 78, and 90 and James the Just..., pp. 22f. and 79ff.

²⁴ S. Schechter, Documents of Jewish Sectaries: Fragments of a Zadokite Work, Cambridge, 1910, p. xxxvi and 11QT,lvi.18 and lvii.18; cf. also lxvi.11. Both texts are extremely concerned about the behaviour of the King or "nasi", particularly his marital behaviour, and both express their concern in terms of the Deuteronomic King Law.

²⁵ Cf. J. Jeremias, Jerusalem in the Time of Jesus, Philadelphia, 1975, pp. 90, 93, and 369ff. The paucity of notices concerning these practices in the Talmud, reinforce this impression rather than contradict it.

²⁶ Ant. 13.14.2. Had the Maccabees indulged to any extent in such practices, our sources would not have hesitated to expose it.

²⁷ Ant. 15.7.10. In this episode Josephus makes the first of his several remarks concerning Herodians, that the divorce was against Jewish law and "Salome chose not to follow the law of her country". His concluding remark is also relevant: such was "Herod's power, that nobody... could put a stop to what he did against the Jewish laws". Costobarus is himself a curious character. He harbors anti-Herodian sentiments and is the real "Idumaeen" in Herodian genealogies. We have elsewhere identified some of his descendants among the group Qumran designates as 'Arizei-Go'im.

²⁸ Ant. 13.10.5. This episode also stresses the "Righteousness" ideal in connection with John's priesthood.

²⁹ Al-Qirqisani's Account of the Jewish Sects, tr. L. Nemoy, Hebrew Union College Annual. v. 7, 1930, pp. 326ff. and 363ff.; cf. also Mt 19:4 and Mk 10:6.

³⁰ Cf. n. 27 above and Ant. 18.5.4. Again Josephus feels constrained to remark that Herodias like Salome before her had "taken it upon herself to con-

found the laws of our country and divorce herself from her husband"; n.b. Herodias is Agrippa I's sister. Josephus presents his account in the language of Qumran, not of the Gospels.

³¹ Ant. 20.7.1f. Drusilla divorces Azizus, even though he had agreed to circumcize himself, and again Josephus remarks how she "was prevailed upon to transgress the laws of her fathers and to marry Felix."

³² Ant. 20.7.2. Simon's conspicuous service to Felix and Drusilla was to convince the latter to "transgress the laws of her fathers...", i.e., by divorcing one husband and marrying him. She and her sisters would also be in contravention of the ban on royal marriage to foreigners in the Temple Scroll. For the Pseudoclementines, Simon comes from Gitta in Samaria. In Acts 13:8 Paul also meets a Simon-like magician from Cyprus, Elymas Magus. Aside from possible confusions between "Gitta" and "Kittim", these kinds of variations in the traditions should not be surprising. That this is Simon Magus should be clear. But Josephus performs an even greater service. He puts the famous confrontation between "Peter" and "Simon Magus" into terms comprehensible to Qumran, i.e., "fornication" and "divorce".

³³ Acts 24:22; for Josephus, the number of robbers this Felix crucified "were a multitude not to be enumerated"; War 2.13.2.

³⁴ Ant. 20.7.3. N.b. the similar theme of incest in the establishment, in the context of references to fornication and Riches in CD, viii.6f.; cf. the use of "peoples" in Acts 5:25ff., and its parallels to CD, viii.10f.'s "Kings of the peoples". Note also the constant stress in this section of Acts (in line with problems circulating around the "Gentile Mission") on the theme of circumcision or opposition to it.

³⁵ 11QT, xlvi.13f.; cf. Rober Eisler, The Messiah Jesus and John the Baptist, New York, 1931, pp. 251, 269, and 590.

³⁶ See above, n. 30. The real problem here, of course, was Herodias' self-divorce and her marriage to not one, but two uncles. It is not without irony that Mt. 21:31f. has the "harlots believing on John", and John expressing a preference for "the harlots" - the New Testament inversion noted above.

³⁷ See above n. 13.

³⁸ The erection of these warning stones in the Temple in the mid-first century harmonizes with our theme of banning foreigners from the Temple; cf. Titus on the subject of the partition-wall and these warning stones, War 6.2.4, and note how Titus knows both issues, "polluting the Sanctuary" and killing Roman citizens in the Temple who violate the ban. One should note his use of the 11QT, xlvi.10's (and Ez 44:7ff.'s) language of "pollution" and "defilement", albeit with inverted force. For the Simon episode see Ant. 19.7.4.

³⁹ M. Sota 7:8; see also Bikk 3:4 and Siphre Deut 157 on 17:15. The passage, of course, is, "You shall not put a foreigner over you who is not your brother", also quoted in 11QT, lvi.14f.

⁴⁰ CD, v.6ff. N.b. the reference to this "separation" in the Titus passage above and continued reference to "separation" throughout this section of the Zadokite Document and in the Community Rule.

⁴¹ 1QS, iv.9ff. This extremely important section of the Community Rule inverts all of Qumran's favorite themes, e.g., "fornication", "lying", "deceit", "Ways of uncleanness", "works of Abomination", "zeal for lustfulness", etc. The theme of "vipers" is a persistent one recapitulated in the words attributed to John the Baptist. Even the note of "kindling" is present here; cf. too 1QM, xi. The attack here on those claiming "the Laws of the Covenant of God are not true" is the same one raised against Paul in the Temple in Acts 21:28 - also including the charge of "polluting the Sanctuary by bringing Greeks into the Temple".

⁴² The major themes coalesce in this section too, including those of "Traitors", "ways of fornication", "Riches", improper separation", etc. "The lying

Spouter" is referred to in the context of Ez 13:10's "wall-daubing" theme. Here, the "serpents" are defined as "the Kings of the peoples". A parallel usage occurs in Acts 4:8f. certainly applying to Herodians (reflecting Josephus' description of the same alliance in *War* 2.17.3, including allusion to one "Saulus" in 17.4), and the whole usage is elucidated in Acts 4:25-28's exegesis of Ps 2:1f., echoed in the note of divine retribution in *CD*, viii.13. The "head serpent" is the "Chief of the Kings of Greece" (including petty kings in Asia Minor and Northern Syria, and *inter alia* Herodians), i.e., Rome. Here those "penitents who departed from the way of the people" in viii.17, that "house of Separation" that went out from the Holy City in viii.45f., are those objecting to the acceptance of Herodian rule and intercourse of any kind with members of that family. ^cAm/^cAmim can have a non-pejorative meaning, but here it is used, as in *1QpHab*, viii.12, ix.5, *CD*, viii.8, 47, etc., to express dissatisfaction with Herodians.

⁴³ *James the Just...*, pp. 65ff., 94ff., 117ff., etc.; the charge occurs in both *1QpHab*, viii.13 and xii.8.

⁴⁴ *1QpHab*, xi.13. and xii.8. Note that while this pesher concludes in xii-xiii on a note of condemnation/Final Judgement on all Gentiles and "Evil Ones"; in v.3ff. this "Judgement" is to be executed by God's "Elect" (*CD*, iv.3f.'s "the sons of Zadok") and also applies to "the evil ones of His own people (here ^cam is being used straightforwardly) who kept His commandments only when convenient".

⁴⁵ Cf. n. 42 above.

⁴⁶ Cf. *1QpHab*, v.11f., x.9ff., and *CD*, i.14-21. N.b. how the first continues the "Judgement" section above. The second includes a reference to that "emptiness" used in Ja 2:20f. to characterize its ideological adversary the "Empty Man". The third refers to an assault on and pursuit of "the soul of the Righteous One and all the Walkers in Perfection" (cf. *Ps Rec* 1.70f.), and includes the accusation that "the Jester", "who poured out on Israel the waters of lying", attempted "to remove the boundary markers which the Forefathers had set down".

⁴⁷ The reference to "Balaam" in Jude is of particular interest. It comes amid allusions to "the Day of Judgement" (cf. *1QpHab*, xii-xiii), "fornication", the rebellion of Korah (with the rebellion of Gehazi in *CD*, viii.20f., related in Rabbinic literature to Paul's teaching), table fellowship, rain imagery, and a person with a mouth "full of boasts". 2 Pe adds the imagery of "false teachers", "the preacher of Righteousness", and "wandering astray to follow the path of Balaam" (cf. *CD*, i.14-21 above). Re 2:15 associates Balaam's teaching via Balak to the Israelites (cf. *CD*, iv.15f.) with two of the issues regulated in James' directives to overseas communities, "fornication" and "things sacrificed to idols". The second forms the subject of the next column of the Temple Scroll (xlvii), where it is expressed in terms of the Hebrew ^{be} ^corot, playing on the "skins" and "animal" themes as in Jude and relating to unclean offerings to the Temple. In turn, the resonances of this last with the name of both Balaam's and Bela^c's father, Be^cor, certainly appealed to those Qumran exegetes addicted to word-play. For "rain" imagery in James and Qumran, see *Maccabees...*, pp. 52, 54, 62, 65, 74ff., and 93.

⁴⁸ *Ant.* 15.1.1.

⁴⁹ *Ant.* 20.10.

⁵⁰ *Ant.* 20.8.8 and 9.1ff. in the context of the death of James.

⁵¹ *Vita* 39 and *Ant.* 20.9.1. For the beginning of Agrippa II's connections with Ananus, see *Ant.* 20.6.2f.

⁵² *1QpHab*, viii.11f. and ix.5f., and cf. *CD*, vi.15ff. and viii.7; here the two usage "Riches of the peoples" and "spoils of the peoples" definitely relate to Herodians and their gifts in the Temple. The note about "profiteering" here and in *CD*, viii.7 is reflected, too, in the "robbing the Poor"/"separating" from the Temple Treasure sequence in *CD*, vi.15f.

⁵³ 1QpHab, viii.12f. and xii.8 in relation to the destruction of "the Poor"; cf. 11QT, lxvi.14 and 17 and variously in lxii.16, lx.17 and 19, xlvi.6, etc.

⁵⁴ War 2.17.8.

⁵⁵ Cf. Ja 2:6f. and 5:1ff.; 5:6 confirms it was "the Rich" who killed "the Just One"; for Paul in 1 Thess 2:15 it was "the Jews" (n.b. 2:16's reversal of the Pseudoclementine "Enemy" terminology).

⁵⁶ Ja 2:8 quotes this in the all-important passage about respecting "the Poor", "keeping the whole of the Law" and not "breaking" it, and the adultery commandment (CD, vi.20f. in the context of "separating" from uncleanness, protecting "the Poor", keeping the exact sense of the Law, and avoiding "fornication"). For Justin Martyr and Josephus' "Essenes" (who "despised Riches") on the "Righteousness" commandment, see Maccabees..., pp. 47, 51, and James the Just..., 102; see also Mt 5 and Didache I.

⁵⁷ Maccabees..., pp. xvi, 17f., 29ff., etc. and James the Just..., pp. 25ff. and 101-115.

⁵⁸ Ant. 15.10.4f., the same section which speaks of Herod's regard for "Pollio the Pharisee and Sameas". I have treated this subject in some detail in a paper I delivered at the Society of the Biblical Literature in New York in 1982: "Confusions of Pharisees and Essenes in Josephus"; but see Maccabees..., pp. 36, 45, 58, 70, and 73, and in James the Just..., pp. 105ff.