



# The Day of Atonement in the Late Second Temple Period: Sadducees' High Priests, Pharisees' Norms, and Qumranites' Calendar(s)<sup>1</sup>

Isaac Kalimi

The Oriental Institute, The University of Chicago, Chicago, IL, USA  
kalimi22@gmail.com

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## 1. Introduction

“Yom Kippur,”<sup>2</sup> the day of ritual and moral cleanness and self-denial,<sup>3</sup> became the climax of the Jewish High Holy Days.<sup>4</sup> This day is the hope for freshness

<sup>1</sup> This article was written during my time as *The David Julian and Virginia Suther Whichard Visiting Distinguished Professor and Endowed Chair in the Humanities*, East Carolina University (2009–2010), as well as an *Associate of the Faculty of Theology*, University of Pretoria, Republic of South Africa (J. van der Watt).

<sup>2</sup> The term “Yom Kippur” appears in the Hebrew Bible only in Lev. 23:27, 28; 25:9.

<sup>3</sup> The biblical text states: “For on that day [shall the priest] make an atonement for you, to cleanse you, that you may be clean from *all your sins* before the Lord” (Lev. 16:30). However, the rabbis learn from the phrase “before the Lord” that Yom Kippur atones for sins “between man and God” (בין אדם למקום) only, and, this too, only under certain conditions (M. Yom. 8:8–9; B. Yom. 85b–87a; B. Shav. 12b–14a). For the sins “between man and his fellow” (בין אדם להברר), one must appease his fellow and request his forgiveness. In case he harmed him, he must pay compensation or return what he took (M. Yom. 8:9; B. Yom. 85b). This concept was developed by Maimonides (*Sefer Hamada*, *Helchot Teshuva* 1:2–4; 2:9). It is different in Christianity, where a priest can make atonement for *all* sins of a person. Some historical examples: in the First Crusade (1096) Pope Urban II (1088–1099) released criminals from prisons, stating that all their sins would be forgiven if they took part in the freeing of the Christian holy places from Muslim conquest in the Holy Land. Knowing that their sins would be forgiven, the first crusaders massacred the Jews in the Rhineland (Worms, Speyer, and Mainz). During the Fourth Crusade under Pope Innocent III (1198–1216), the crusaders even sacked Christian Constantinople. Another example: at the beginning of the sixteenth century, Pope Leo X (1513–1521) sold indulgences that absolved the buyer of any and all sins (an act which aroused the wrath of

and a new beginning for individuals and for the collective: once a year, on the tenth of the seventh month (*Tishre*), the high priest atones (כִּפֵּר) for impurities of the Temple and the altar, and at the same time also for sins of all the people: himself, his close family, his priestly clan, and all Israel (Lev. 16:10–11, 16–19, 21–22, 24, 29–33; 23:27; Num. 29:7; Exod. 30:10). In fact, atonement of the people is the core of the Yom Kippur ritual (Lev. 16:6–11, 15, 17, 21–24, 30–32), while the atonement of the Temple and the altar is mentioned just secondarily (Lev. 16:16, 18–20, 33). The significance of Yom Kippur in the Israelite/Jewish religion is evident, first and foremost, from its central literary location in the holiest Scripture of Judaism—the Torah: it is placed in the book of Leviticus, which comes after Genesis–Exodus but before Numbers–Deuteronomy. In Leviticus, it is described in chapter 16, which serves “as a culmination to all of chapters 1–15.”<sup>6</sup> Furthermore, because of the importance of the day, its ritual is to be performed almost entirely by the high priest, that is, by one who stood on the peak of the priestly hierarchy (Lev. 16:1–28, 32–33). To cite T. Hor. 2:1: “all Yom Kippur’s ritual is unacceptable unless it has been performed by him” (כל עבודת יום הכיפורים אינה)

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Martin Luther [1483–1546], who composed his famous “95 theses” against the Church [1517]). On the indulgences in the religious life of Europe between 1250 and the outbreak of the Reformation, and the theological controversies that it provoked, see R. Swanson, ed., *Promissory Notes on the Treasury of Merits: Indulgences in Late Medieval Europe* (Leiden and Boston, 2006).

<sup>4</sup> On the antiquity of Yom Kippur in the Hebrew calendar and its celebration in the pre- and post-exilic periods, see M. Haran, *Temple and Temple-Service in Ancient Israel* (Oxford, 1978; reprinted: Winona Lake, 1985), pp. 291–292, n. 7; J. Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary* (New York, 1991), pp. 1070–1071. For the late date of the feast, see R. de Vaux, *Ancient Israel: Its Life and Institutions* (New York, Toronto, and London, 1961), pp. 509–510. Although it is ambiguous when exactly Yom Kippur had been considered the holiest day of Judaism, in the post-exilic time—definitely in the late Second Temple period—the day was considered as such, and has been so ever since. Yom Kippur was considered so by the Qumranites; the Sadducees, the Pharisees and their followers, the Rabbinites (who dedicated a special Talmudic tractate to Yom Kippur); by the Karaites (ca. 750 C.E. and on), and by all modern Jewish religious denominational groups—*Yoma* [= “*The Day*”]—in Mishnah, in the Tosefta, and in both Talmudim. This was and is the approach towards Yom Kippur in all the Jewish communities—Sephardi, Oriental, Ashkenazi, Italian, and Yemeni—in the Land of Israel as well as all over the diaspora, although there were and are some differences in how to maintain Yom Kippur’s rituals. See also below in this study.

<sup>5</sup> See S.R. Driver, C.A. Briggs, and F. Brown, *A Hebrew and English Lexicon of the Old Testament* (Oxford, 1979), pp. 497–498. The Hebrew כִּפֵּר (*kippur*) is parallel to the Akkadian *kup-puru* (for the secondary literature, see below, the next footnote).

<sup>6</sup> T.M. Willis, *Leviticus* (Abingdon Old Testament Commentaries, Nashville, 2009), p. 139. According to Lev. 16:1 (“after the death of the two sons of Aaron”), chapter 16 follows chapter 10 that reports the death. Therefore, chapters 11–15 are “inserts specifying the impurities that can pollute the sanctuary (15:31), for which the purgation rite of chap. 16 is mandated;” see Milgrom, *Leviticus 1–16*, p. 1011.

בו (כשרה אלא בו).<sup>7</sup> Also, this is the only day of the year on which the high priest is allowed to enter the inner sanctum of the Temple—the Holy of Holies (Lev. 16; M. Kel. 1:9; Heb. 9:7).

This article explores the difference between the Sadducees and Pharisees regarding the rite of Yom Kippur in the late Second Temple period (by this term I refer to the period ca. 170–160 B.C.E.–70 C.E.). It illustrates the intellectual, spiritual, and moral level of an average high priest who was responsible for the ritual performance of the holiest and very unique day in Hebrew and human culture. It exemplifies how the Pharisees overcame some problematic issues in order to fulfill halakhic norms, and the complications this caused. Finally, it discusses the attempt of a Jerusalem high priest to impose his religious and civic authority on the Qumranites concerning Yom Kippur and the calendar.

## 2. The High Priesthood in the Late Second Temple Period

In Judaea during the late Second Temple period,<sup>8</sup> the Sadducees were predominant for many generations and exerted great influence on the Temple and its cult. The New Testament, Josephus Flavius, and Rabbinic sources all describe high priests as belonging to the Sadducees (e.g., Acts 5:17–18; Josephus, *Jewish Antiquities* 20.199; M. Suk. 4:9; see also the additional sources mentioned below).<sup>9</sup> No wonder that according to the Rabbinic sources, the

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<sup>7</sup> The uniqueness of Yom Kippur and its rituals are obvious when compared to the Babylonian New Year festival (*Akitu*) in the month of Nisan. The latter lasted not a single day as Yom Kippur, but eleven or twelve days, and its aim was mainly atonement for the temple, and parenthetically also for the king, who went through humiliating rituals. Furthermore, in the Babylonian rite the high priest was not involved in the atonement of the temple. It had been done by lower temple-servers. The Babylonian high priest just read a hymn to the gods at early morning and spoke some words at the end of the service. Thus, the similarity between Yom Kippur and *Akitu* is very general and superficial. See J.B. Pritchard, ed., *Ancient Near Eastern Texts Relating to the Old Testament* (= *ANET*; 3rd ed. with Supplement; Princeton, 1969), pp. 331–334; Milgrom, *Leviticus 1–16*, pp. 1067–1070; J. Klein, “Akītu,” in D.N. Freedman, ed., *The Anchor Bible Dictionary* (New York, London, Toronto, Sydney, and Auckland, 1992), vol. 1, pp. 138–140.

<sup>8</sup> For a brief survey of the high priesthood in the Persian, Hellenistic, and particularly Hasmonean periods, see D. Schwartz, “The Priesthood and Monarchy in Hasmonean Period,” in I. Gafni, ed., *Kehal Yisrael—Jewish Self-Rule Through Ages: Volume One, The Ancient Period* (Jerusalem, 2001), pp. 13–25, esp. 13–17 (Hebrew).

<sup>9</sup> See M. Stern, “Aspects of Jewish Society: The Priesthood and other Classes,” in S. Safrai and M. Stern, eds., *The Jewish People in the First Century* (Philadelphia, 1976), vol. 2, pp. 561–630, esp. 609–612; E. Schürer, *The History of the Jewish People in the Age of Jesus Christ (175 B.C.–A.D. 135)* (Revised and edited by G. Vermes, F. Millar and M. Goodman; Edinburgh, 1979), vol. 2, pp. 404–414 (and there also detailed discussion on the term “Sadducee or Sadducean /

focus of the dispute between Sadducees and Pharisees concerned, first and foremost, the Temple cult. Once the Pharisees—who were supported by the vast majority of the Jewish people—became powerful, the Sadducees' influence on the Temple cult was significantly reduced. As Josephus states: “they (the Pharisees) are, as a matter of fact, extremely influential among the townsfolk; and all prayers and sacred rites of divine worship are performed to their exposition... they (the Sadducees) perform the formulas of the Pharisees, since otherwise the masses would not tolerate them” (*Jewish Antiquities* 18.15–17).<sup>10</sup> What Josephus states here about the parties in the first century C.E. does not necessarily reflect the historical situation of the first and second centuries of B.C.E.<sup>11</sup> Nevertheless, the situation that Josephus reports is supported by various Rabbinic sources. B. Yom. 19b and parallels (see below) speak about the Sadducean father who says to his son, the high priest: “My son, although we are Sadducees, we are afraid of the Pharisees.” The Rabbinic sources also report that there was a sudden shift of winds when the Sadducean high priest did not act, at least in public, according to the standards of the Pharisees.<sup>12</sup> The destiny of the Sadducean high priest was deemed unfavorable when he publicly attempted to change the traditional Pharisaic customs. For instance, it happened that on the holiday of Sukkot, when the Sadducean high priest poured water on the floor instead of on the altar as the Pharisees' norm demanded, the Temple worshippers reacted very angrily by throwing *etrogim* at him (M. Suk. 4:9).<sup>13</sup>

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Zadokite” and its origin, their religious beliefs and doctrines as well as their political leadership and closeness to Hellenism). For a different opinion, see M. Goodman, “The Place of the Sadducees in First-Century Judaism,” in *Judaism in the Roman World: Collected Essays* (Ancient Judaism and Early Christianity 66; Leiden, 2007), pp. 123–135, esp. 128–130. The first reference to the Sadducees is from the early Hasmonean age. However, it does not mean necessarily that they originated at that time. Generally, historians are of the opinion that the Sadducees vanished from history after the destruction of the Temple in 70 C.E. (see, for instance, Schürer, *ibid.*, and the citation below, n. 32). A different opinion was expressed by M. Goodman, “Sadducees and Essenes after 70 CE,” in *Judaism in the Roman World*, pp. 153–162. Nonetheless, some of the Sadducees' ideas were re-expressed later by the Karaites (cf. Goodman, *ibid.*, pp. 126–127, 134–135), and even by Uriel da Costa (1583/4–1640; see I. Kalimi, “Targumic and Midrashic Exegesis in Contradiction to the *Peshat* of Biblical Text,” in I. Kalimi and P.J. Haas, eds., *Biblical Interpretation in Judaism and Christianity* [Library of Hebrew Bible / Old Testament Studies 439; New York and London, 2006], pp. 13–32, esp. 18).

<sup>10</sup> For the Greek text and its English, see L.H. Feldman, trans., *Josephus IX, Jewish Antiquities, Books XVIII–XX* (Loeb Classical Library; Cambridge, 1965), pp. 12–15.

<sup>11</sup> For the general observation, compare Goodman, “The Place of the Sadducees in First-Century Judaism,” p. 126.

<sup>12</sup> See also T. Y.K. 1:5; M. Nid. 5:3; Y. Yom. 7a–b, 1:5; B. Nid. 33b; and see below and the next footnote.

<sup>13</sup> Compare T. Suk. 3:1, 15; Y. Suk. 20a, 4:6; B. Suk. 43b.

### 3. Leviticus 16 and the Sadducees and Pharisees Dispute

One of the disputes between Sadducees and Pharisees concerned how the high priest should enter into the Holy of Holies as part of Yom Kippur rituals. The dispute focused around the command in Lev. 16:2:<sup>14</sup>

וַיֹּאמֶר יְהוָה אֶל מֹשֶׁה דַּבֵּר אֶל אַהֲרֹן אַחִיד  
וְאֵל יִבֹּא בְּכָל עֵת אֶל הַקֹּדֶשׁ מִבֵּית לְפָרֶכֶת אֶל פְּנֵי הַכַּפֶּרֶת<sup>15</sup> אֲשֶׁר עַל הָאָרֶן וְלֹא יָמוּת  
כִּי בַעֲנַן אֲרָאָה עַל הַכַּפֶּרֶת

The Lord said to Moses: Tell your brother Aaron, not to come at any time<sup>16</sup> into the holy place behind of the Veil/Drape (*pārohet*), in front of the *kapporet* (mercy seat/throne)<sup>17</sup>

<sup>14</sup> In biblical scholarship, Leviticus 16 is considered a combination of a few literary elements that join together at a certain time; see M. Noth, *Leviticus: A Commentary* (London, 1965), pp. 117–119, esp. 117: “It is evident at the first glance that the chapter is in its present form the result of a probably fairly long previous history that has left its traces in a strange lack of continuity and unity about the whole. The material is indeed so complicated that all attempts hitherto at factual and literary analysis have not led to any convincing results. But the fact itself, that the chapter came into being through an elaborate process of growth, is generally recognized and accepted.” See also J.R. Porter, *Leviticus* (Cambridge, 1976), p. 124; Willis, *Leviticus*, pp. 140–142; D.P. Wright, “Day of Atonement,” in Freedman, ed., *The Anchor Bible Dictionary*, vol. 2, pp. 72–76, esp. 74–75. However, whatever elements were combined, and as long as the historical process of the composition and combination applied, the current form of the text certainly was the basis for the annual ritual of Yom Kippur in the late Second Temple period.

<sup>15</sup> The phrase *אל פני הכפרת* is missing in the Greek version, probably because of *homouotoloiton*.

<sup>16</sup> For the translation of the words “בכל עת” = *בשום עת* “any times,” except the Day of Atonement in that were detailed in the chapter. Compare Nachmanides commentary on the verse; S.D. Luzzatto, *Commentary to the Pentateuch* (1st edn: 1871; newly edited by P. Schlesinger; Tel Aviv, 1971), p. 415; D. Hoffmann, *Leviticus with A Commentary: Volume I—Chapters I–XVII* (2nd edn; Jerusalem, 1976), p. 301 (all in Hebrew); or “at all times” (e.g., Exod. 18:22, 26; Ps. 34:2), see Milgrom, *Leviticus 1–16*, p. 1012.

<sup>17</sup> The term *kapporet* (that appears for the first time in Exod. 25:17) refers to the *cover* of the Ark (cf. Gen. 6:14, *וּכְפֶרֶת* and Targum Onkelos *וּתְחַפֵּי*). It appears also as an independent instrument (Exod. 26:34; 30:6; 31:7; 40:20; 1 Chr. 28:11). At the same time, the term *kapporet* is probably related to *כפר*, that is, it could be understood as place of *כפרה* (“atonement, forgiveness”); see *Midrash Tanchuma* (Buber), *Wayyaqhel* 10: *למה נקרא שמה כפרת? שהיתה מכפרת על ישראל* “and why its called *kapporet*? because it *atoned* [*kipper*] for [the sins of] Israelites.” In modern scholarship, see B. Janowski, *Sühne als Heilsgeschehen* (Neukirchen-Vluyn, 2000), p. 347; J.E. Hartley, *Leviticus* (Dallas, 1992), pp. 220, 235 (“Atonement Slate”). English translations (e.g., *RSV*, cf. the *LXX*) usually render the term “mercy seat/throne.” Some scholars consider *kapporet* as a loan word from Egyptian *kp(n)rdwy*, likely pronounced *kappuri(e)the*, and its meaning could have been extended to be “the place where the feet rest;” see M. Görg, “Eine neue Deutung für *kapporet*,” in *ZAW* 89 (1977), pp. 115–118; Milgrom, *Leviticus 1–16*, p. 1014. In any case, *kapporet* was the holiest place in the Holy of Holies, where the Lord appears (Lev. 16:2) and from where he issues his commands (Exod. 25:21–22) and which was the place of his “footstool” (Ps. 99:1, 5; 132:7b; 1 Chr. 28:2).

which is upon the Ark, in order that he would not die,<sup>18</sup> for I appear in the cloud upon the *kapporet*.

Prior to examining the dispute under review, I would like to stress the following points:

- 1) Both parties considered Torah to be the holiest and most authoritative Scripture and desired to keep its principles precisely, for its own right. In the matter of the high priest's entering the inner sanctum, there are additional rationales:
  - (a) Because of the centrality and great sanctity of Yom Kippur, and because forgiveness and purification are closely related to the exact performance of all rituals of the day at the Temple (Lev. 16:17, 33–34), the high priest should strictly obey what is written in the Torah. If this is not done, there would be neither forgiveness nor purification.
  - (b) If the high priest does not conduct the ritual process exactly as the Torah commands, he would put his life in danger (Lev. 16:1–2). With the intention of making this point clear, the Torah correlates Yom Kippur's rituals with the death of Aaron's sons, Nadab and Abihu (Lev. 16:1b; 10:1–2),<sup>19</sup> though their death did not result because of their entrance to the Holy of Holies, but because they offered "foreign fire" in the Tabernacle. The linkage was expounded upon by the sages and Rashi: this is a warning addressed to the high priest that any violation of Yom Kippur's ritual in the Temple would result in harsh consequences.<sup>20</sup>

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<sup>18</sup> Thus, the approach of an unauthorized person close to God's presence in the Temple can cause death. Similarly, when the Lord appeared on Mount Sinai (Exod. 19:11), the people—including priests—were forbidden to climb or even to touch the mountain, lest they die (ibid., 19:12–13, 21, 24).

<sup>19</sup> See also Num. 3:4. From the diachronic viewpoint, Lev. 16:1b could be considered a late interpolation, as it indicates the *Wiederaufnahme* form in 16:1a and 2a. Nevertheless, "the linking-on in verse 1 probably also goes to show that Lev. 16 was incorporated into the P-context before the now-interposed complex of Lev. 11–15 [the laws of purification] occupied its present place;" see Noth, *Leviticus*, pp. 117–118.

<sup>20</sup> See Rashi's commentary on Lev. 16:1 and the beautiful parable he cites there. In modern biblical scholarship this idea has been stated, once again, by Hartley (*Leviticus*, p. 234), without referring to the Sages or Rashi.

Thus, in order to avoid these results and achieve the rituals' goals, the high priest should enter the Holy of Holies at a certain time (Lev. 16:2, 34) and under the certain conditions as described in Lev. 16:2, 12–13.

- 2) Despite the fact that the Second Temple lacked the Ark of Covenant,<sup>21</sup> and therefore also lacked the “*kapporet* which was upon the Ark,” it was believed that the presence of the Lord still remained in the Holy of Holies and that the incense offering had been made on אבן השתיה “the Foundation Stone:”

משנטל הארון, אבן היתה שם מימות נביאים ראשונים ושתיה היתה נקראת  
גבוהה מן הארץ שלש אצבעות ועליה היה גותן

After the Ark was taken away, a stone remained there from the time of the early Prophets, and it was called *Shetiyah*. It was higher than the ground by three finger-breadths. On this he used to put [the fire-pan] (M. Yom. 5:2).<sup>22</sup>

The term בית הכפרת (“the room of/with the *kapporet*,” 1 Chr. 28:11) that the Chronicler correctly uses for the inner sanctum of Solomon’s Temple does not describe “the content of the room in his day”<sup>23</sup> (ca. 400–375 B.C.E.).<sup>24</sup> By this term, perhaps the Chronicler attempts to associate Solomon’s Temple with Moses’ Tabernacle.<sup>25</sup> It is also possible that בית הכפרת is simply a textual corruption of בית הפרכת “the room behind of the Veil,” i.e., the Holy of Holies (cf. Exod. 26:33; Lev. 16:2; Ben Sira 50:5).

<sup>21</sup> On the lack of the Ark of Covenant in the Second Temple, see I. Kalimi, “The Land / Mount Moriah, and the Site of the Jerusalem Temple in Biblical Historical Writing,” in *Early Jewish Exegesis and Theological Controversy: Studies in Scriptures in the Shadow of Internal and External Controversies* (Assen, 2002), pp. 9–32, esp. 28–29. Note, that the First Temple was lacking the Veil. Instead, it had doors (1 Kgs. 6:31–32; 7:50b; see in detail I. Kalimi, *The Reshaping of Ancient Israelite History in Chronicles* [Winona Lake, 2005], pp. 390–392; idem, *Zur Geschichtsschreibung des Chronisten* [Berlin and New York, 1995], pp. 335–336). Thus, Leviticus 16 (P), which talks about the Ark and the Veil, reflects the Tabernacle, where these two were available.

<sup>22</sup> H. Danby, *The Mishnah* (Oxford, 1933), p. 167.

<sup>23</sup> Contra R.W. Klein, *1 Chronicles: A Commentary* (Minneapolis, 2006), p. 525.

<sup>24</sup> For a detailed discussion on the date of the Chronicler, see I. Kalimi, “The Date of the Book of Chronicles: Biblical Text, Elephantine Papyri and El-Ibrahimiah’s Aramaic Grave Inscription,” in *An Ancient Israelite Historian: Studies in the Chronicler, His Time, Place, and Writing* (Assen, 2005), pp. 41–65.

<sup>25</sup> Compare P.B. Dirksen, *1 Chronicles* (Leuven, 2005), p. 339. For the association of Solomon’s Temple in Chronicles with the Tabernacle, see also Kalimi, *Reshaping of Ancient Israelite History in Chronicles*, pp. 390–392; idem, *Zur Geschichtsschreibung des Chronisten*, pp. 335–336.

Now, the phrase *כי בענן אראה על הכפרת* in Lev. 16:2 could be interpreted either as the word *כי* means *משום ש-*, *מפני ש-* “because / for the reason that,”<sup>26</sup> and the word *בענן* (“in cloud”) refers to the presence of God who appears in a cloud upon the *kapporet*, as emerges, for example, from Exod. 25:22 and Num. 7:89;<sup>27</sup> or the word *כי* means *אבל, אלא* “but,”<sup>28</sup> and *בענן* refers to some smoke. Both options could be considered a simple meaning (*peshat*) of the Scripture. Seemingly, in order to avoid the view that God’s presence in the Holy of Holies is limited by a cloud, the Sadducees and Pharisees preferred to understand the phrase in the second way, that is: *כי* as *אלא, אבל,* and *בענן* referring to some smoke. In other words, the high priest does not allow entrance to the inner sanctum *but* only when a kind of smoke covers the *kapporet*. But where and when should he put the incense in a censor full of burning coals of fire? And which kind of smoke should cover the *kapporet*? These matters were disputed between the parties.<sup>29</sup>

The Sadducees were of the opinion that the high priest must put the incense in a censor full of burning coals of fire *outside* of the Veil, *before* he enters into the Holy of Holies. Their key argument was, “If before flesh and blood we do so (i.e., we prepare ourselves before entering to see a king or an official), how much more so before God.”<sup>30</sup> According to them, the word *בענן* (“in the cloud”) in Lev. 16:2 refers to the *smoke of incense*. Only when the smoke of the incense rises is the high priest allowed to enter the Holy of Holies. The smoke will make God’s appearance “upon the *kapporet*” invisible to the high priest, and thus he would save himself from the danger of death.

The Pharisees, however, were of the opinion that the high priest must enter the Holy of Holies with a handful of incense and a censor full of burning coals of fire and *there*, inside of the Holy of Holies, he should put the incense on the censor (M. Yom. 5:1). They based this procedure on Lev. 16:12–13: “And he (the high priest) shall take a censor full of coals of fire from the altar before the Lord, and two handfuls of finely ground aromatic incense; and *bring this*

<sup>26</sup> This meaning is very common in the Hebrew Bible; see, for example, Gen. 2:5, 17, 23; 3:5, 10, 19; 6:12; 7:1; 15:16; 18:15.

<sup>27</sup> In fact, the phrase was interpreted so by the medieval Jewish exegetes. See, for example, Saadia Gaon’s, Rashi’s, Abraham ibn Ezra’s, and Samuel ben Meir’s commentaries on Lev. 16:2.

<sup>28</sup> See, for example, Gen. 17:15; 24:4; 37:35; 45:8; 48:18; Exod. 23:24; Deut. 32:52; Ps. 115:1; 118:1.

<sup>29</sup> This dispute is mentioned in the writings of the Pharisees’ followers, that is, in the rabbinic sources: M. Yom. 1:5 (see also 5:7), and expounded in T. Yom. 1:8; Sifra, *Acharai Mot* 3:10; Y. Yom 7a–b, 1:5; and B. Yom. 19a; 53a. Unfortunately, from the Sadducees we do not have any direct source.

<sup>30</sup> See Y. Yom. 7b, 1:2; Sifra 3:10.

*behind the Veil*. He shall put the incense on the fire before the Lord, so that the cloud from the incense may cover the *kapporet* which is upon the testimony, lest he die.” The Pharisees explained the word *בַּעֲנַן* in Lev. 16:2 as referring to the smoke of *ma’alai ashan* (lit., “smoke producer”): “It (i.e., Lev. 16:2) teaches that one must put on it (on the incense) *ma’alai ashan*.”<sup>31</sup>

Thus, the Pharisees’ opinion is well documented in the Scripture, while the Sadducees’ opinion is based on a logical claim but lacks a direct textual foundation. Also, we do not have a record of the reaction of the Sadducees to the argument of the Pharisees from Lev. 16:12–13, if there ever was any.<sup>32</sup>

Yet according to Lev. 16:17a the worshippers were forbidden to enter the Temple during the Yom Kippur ritual: “There shall be no man in the Tent of Meeting when he (i.e., the high priest) enters to make atonement in the holy place until he comes out.” The worshippers, therefore, could not look over the Sadducee high priest or fear him at the time he was offering the incense that had been performed in the Holy of Holies. To ensure that the ritual would be done according to the norms of the Pharisees, they made the Sadducee high priest swear that indeed he would do so: “My lord High Priest, we are delegates of the Court, and you are our delegate and the delegate of the Court. We had sworn you by Him that made His name to dwell in this house that you change not anything of what we have said to you” (M. Yom. 1:5). Despite

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<sup>31</sup> On *ma’alai ashan*, see B. Ker. 6a, and particularly Y. Yom. 19a, 3:9: “The members of the house of Abtinus were experts in preparing the incense for producing smoke, and they did not want to teach others how to do so (i.e., they held it as a guild’s secret).” It is worth mentioning that Targums Onkelos and Pseudo-Jonathan explain this verse differently from the Sadducees as well as from the Pharisees. On the subject under discussion, see Ch. Oppenheim, “The Controversy of the Pharisees and Their Opponents concerning Yom Kippur’s Cults,” in *Beit Talmud* 4 (1883), pp. 268–271; S.Z. Zeitlin, “The Sadducees and the Pharisees,” in *Horeb* 3 (1936), pp. 82–83; Ch. Albeck, “Regarding the Controversy between the Pharisees and the Sadducees concerning the Temple and Its Cult,” in *Sinai* 52 (1963), pp. 1–8; Ch. Albeck and Ch. Yalon, *The Six Orders of Mishnah—Seder Moed* (Jerusalem and Tel Aviv, 1973), pp. 215–216, 224, 465; E.E. Urbach, “Ch. Albeck Commentary’s on the Mishnah,” in *Bechinot* 3 (1953), pp. 74–80, esp. 75–76 (= idem, *Studies in Judaica* [edited by M.D. Herr and J. Fraenkel; Jerusalem, 1998], vol. 2, pp. 708–715); P. Palee, “On the Review of E.E. Urbach concerning the Mishnah Commentary,” in *Bechinot* 4 (1953), p. 79; E.E. Urbach, “An Answer to P. Palee,” in *Bechinot* 4 (1953), pp. 80–81 (all the items were published in Hebrew); J.Z. Lauterbach, “A Significant Controversy between the Sadducees and the Pharisees,” in *HUCA* 4 (1927), pp. 173–205.

<sup>32</sup> As noted above, the rabbinic tradition is the continuity of Pharisees. However, it seems that “with the downfall of the Jewish state [70 C.E.], the Sadducees vanished from history. Political leadership [and Temple’s ritual] was their main function, and when national independence came to an end [and the Temple destroyed], so did they;” see Schürer, *The History of the Jewish People in the Age of Jesus Christ*, vol. 2, p. 414.

this, it once happened that the Sadducee high priest diverged from the Pharisees' mode of worship and practiced his own, as recounted in a *Beraita* (B. Yom. 19b):<sup>33</sup>

The Rabbis taught: There was [an incident with] a Sadducee [high priest]<sup>34</sup> who had prepared the incense [by placing it on the coals] *outside* [the Holy of Holies], and then brought it inside.<sup>35</sup>

As he left [the Holy], he was extremely delighted. His father met him and said to him: "My son, although we are Sadducees, we are afraid of the Pharisees."<sup>36</sup> He replied: "All my life I was troubled by this verse: 'For I appear in the cloud upon the *kapporet*' [Lev. 16:2]. I said [to myself]: when the opportunity will come to my hand I will fulfill it. Now that such opportunity has come to my hand, should I not have fulfilled it?"

It is reported that it took only a few days until he died and was thrown in a garbage heap, and worms were crawling out of his nose.<sup>37</sup>

There is no reason to doubt the historicity of the incident itself and the death of the Sadducee high priest. However, in a separate study I show that the

<sup>33</sup> This story appears (with slight variations) also in the parallel tractate in Y. Yom. 7a–b, 1:5, and compare also T. Y.K. 1:8 (S. Lieberman, ed., *Tosefta Ki-Fshutah—Seder Moed* [New York, 1962], part 4, pp. 729–731 [Hebrew]; idem, *The Tosefta according to Codex Vienna, with Variants from Codices Erfurt, London Genizah Mss. and Editio Princeps (Venice 1521)* [New York, 1962], pp. 222–223 [Hebrew]).

<sup>34</sup> For the identification of this Sadducee high priest, see Y. Yom. 7a–b, 1:5; N. Brill, "The Controversy between the Pharisees and the Sadducees concerning a Red Heifer," in *Beit Talmud* 1 (1881), pp. 240–245 (Hebrew).

<sup>35</sup> In Y. Yom. 7a–b, 1:5: מעשה באחד שהקטיר מבחוץ והכניס מבפנים "There was one (that is, one of the "Boethusians" that were mentioned previously) who had arranged the incense outside, and then brought inside;" cf. T. Y.K. 1:8: מעשה בבתוסי אחד שהקטיר עד שהוא בחוץ. For the change of Beitosi / Sadducee, compare also T. Suk. 3:16 with the *Beraita* in B. Suk. 48b. Probably, the Boethusians were "a branch of the Sadducees;" see Schürer, *The History of the Jewish People in the Age of Jesus Christ*, vol. 2, p. 410; M.D. Herr, "Who Were the Beitosisim?" in *Proceedings of the Seventh World Congress of Jewish Studies* (Jerusalem, 1981), pp. 1–20 (Hebrew), which lists additional sources and bibliography.

<sup>36</sup> Another version אף על פי שהיינו דורשין כל ימינו, ; שומעין אנו לפרושים ; in Jerusalem Talmud: אף על פי שאנו דורשין אין אנו עושין, שומעין אנו לדברי חכמים ; אבל כרצון חכמים היינו עושין.

<sup>37</sup> For this expression, see I. Kalimi, "And Worms Came Forth from His Nose' (b. *Yoma* 19b)—A Transformation of Literary Topos in the Ancient Near Eastern Cultures," forthcoming. The *Beraita* also mentions another opinion regarding the death of the Sadducee high priest: "Some say: he was smitten as he came out [of the Holy of Holies]. For Rabbi Hiyya taught: some sort of a noise was heard in the Temple Court, for an angel had come and struck him down on his face [to the ground] and his brethren the priests came in and they found the trace as of a calf's foot on his shoulder, as it is written: 'And their feet were straight feet, and the soles of their feet were like the sole of calf's foot' (Ezek. 1:7a)." For the English translation of the paragraph, compare L. Jung, *Hebrew—English Edition of the Babylonian Talmud: Yoma* (London, Jerusalem, and New York, 1974).

punishment of the Sadducee high priest, “he died and was thrown in a garbage heap, and worms were crawling out of his nose,” follows the fixed literary motif that appears in the Jewish historiography of the Second Temple period, in the Greco-Roman historical works, as well as in Christian.<sup>38</sup> This motif also has an afterlife (*nachleben*) in classical and medieval Rabbinic exegesis and poetry, and in the European literature and art.<sup>39</sup> Here I would like to state that the symbolism of the motif in the *Beraita* seems obvious: from the viewpoint of the Pharisees’ Sages/Rabbis, the deviation of the Sadducee high priest from their interpretation of the Torah was considered a great offense against the Lord in his holiest ritual, in the holiest site of the Temple, and on the holiest day (Lev. 16:34; 23:27, 32). Furthermore, the Sadducee high priest violated his sworn oath in the name of God that he would not change from the Pharisees’ cult norms of Yom Kippur. If he had remained silent, his action would never have been known. However, he behaved otherwise. Contrary to his ancestors, who were “afraid of the Pharisees,” he was “extremely delighted,” self-satisfied, and took pride in his ill conceived-action: “All my life, I was troubled by this verse.” The arrogant behavior of the Sadducee high priest and his violation of the oath he took and the trust that was bestowed upon him, irritated his Pharisees opponents and offended their religious beliefs.

Presumably, the death of the high priest was as a result of natural causes. It is implausible that the Sadducees’ high priest, who was an aristocrat and a person of rank,<sup>40</sup> was thrown as trash in the garbage heap until his corpse became rotten and wormed. Indeed, in the parallel source, in Y. Yom. 7a–b, 1:5, the words “was thrown in the garbage heap” do not appear; and in the Tannaitic parallel (T. Par. 3:8) the version is, “No more than three days passed before *he was put in his grave*.” It seems, therefore, the sages of the *Beraita* looked for an appropriate punishment, measure for measure, for the arrogant Sadducee high priest who had transgressed. This they found in the motif under review. This is to say, that the one who is arrogant before God, deviates from His commandments, and provokes the religious feelings of the vast majority of the Jewish people and their Sages, and has violated the trust that was bestowed upon him, would prevent the spirit of God from entering his

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<sup>38</sup> See in detail, I. Kalimi, “Agony in Death: The Punishment for Arrogant Leaders in the Mediterranean Cultures,” forthcoming.

<sup>39</sup> For example, the punishment of Pharaoh; the interpretation of the story regarding the death of the spies in the wilderness; the expounding of the last verse in the book of Isaiah regarding the punishment of the rebels against God; see Kalimi in detail, “Agony in Death.”

<sup>40</sup> For the aristocratic and wealthy origin of the Sadducees, see, for example, Josephus, *Jewish Antiquities* 13.298; 18.71, and compare Stern, “Priesthood,” p. 609; Schürer, *The History of the Jewish People in the Age of Jesus Christ*, vol. 2, p. 404.

nose,<sup>41</sup> and would be humbled. He would become an outcast; thrown out from his high level position in the Temple and national hierarchy to the lowest place on earth, as a useless entity. There one of the smallest, most shapeless and powerless creatures of God would devour the high priest's body and make its way through the nostrils.

The connection between the transgression and the motif that describes the unavoidable punishment of the Sadducee high priest was expressed by closing the time-gap between the two. Thus, after his sin in the Temple, "it took only *a few days* until he died" (in the Tosefta: "No more than *three days* passed before he died"). This connection was made obvious also by creating the literary antithesis: Temple *versus* garbage heap. Furthermore, the description of the Sadducee's punishment has been ascribed to anonymous sources, "it is reported," as if the people themselves wished to say this, in order to form an appropriate punishment for the sins of the Sadducee high priest.

#### 4. Reading of Scripture to the High Priest on Yom Kippur

What was the intellectual, spiritual, and moral level of an average Sadducee high priest in the late Second Temple period? Ben Sira describes the high priest Simon son of John in a very positive light, particularly his service in the Temple, probably on Yom Kippur (50:1–36).<sup>42</sup> However, 2 Macc. 4:7–50 reflects low moral and spiritual levels of some high priests in the seventieth and sixtieth of the second century B.C.E. In fact, they bought—rather than inherited—the position of the high priesthood by bribing the Seleucid rulers: thus Jason replaced Honio (from the Zadokite clan) and Manilus (who perhaps was not even from priestly clan, 2 Macc. 3:4; 4:23) replaced Jason. Also Josephus Flavius describes the evil behavior of some of them, particularly the Sadducee high priest Ananus son of Ananus, in the last decades before the destruction of the Temple (*Jewish Antiquity* 20.197–220).<sup>43</sup> The low intellectual level of the high priest is also reflected in M. Yom. 1:6 (most probably from the Second Temple period). But before discussing the latter source, we should clarify one issue: the Rabbis forbade the high priest to sleep during the night preceding the Day of Atonement, in order to avoid the possibility of an

<sup>41</sup> In ancient times there was a belief that the place of the soul is located in the nose; see, for example, Gen. 2:7; Job 27:3; Lam. 4:20.

<sup>42</sup> See M.Z. Segal, *The Complete Book of Ben Sira* (Jerusalem, 1972), pp. 340–342 (Hebrew).

<sup>43</sup> Feldman, *Josephus IX, Jewish Antiquities, Books XVIII–XX*, pp. 495–505.

accidental impurity during his sleep,<sup>44</sup> because ritual uncleanness would disqualify him from serving at the Temple on the Day of Atonement. In order to keep him alert and to drive sleep away from his eyes, M. Yom. 1:6 states:

אם היה חכם דורש, ואם לא תלמידי חכמים דורשין לפניו.  
ואם רגיל לקרות קורא. ואם לאו, קורין לפניו.  
ובמה קורין לפניו? באיוב ובעזרא ובדברי הימים.  
זכריה בן קבוטל אומר, פעמים הרבה קריתי לפניו בדניאל.

If he was a sage he used to expound [from the Scripture], but if not, the disciples of the sages used to expound before him. If he was versed in reading [the Scripture] he read, and if not, they read before him. What did they read before him?—From Job and Ezra (= Ezra–Nehemiah) and Chronicles. Zechariah ben Kabutal says: Many times I read before him out of Daniel.<sup>45</sup>

Two important issues emerge from this Mishnah: (a) there were unlearned and even illiterate high priests who earned their position not because of their spiritual leadership or high education, but rather because of their family association or materialistic wealth. They simply bought the position or inherited it, regardless of their spiritual and intellectual capacities. Indeed, there were some high priests who were not even able to read from the Scripture—not to mention interpreting, analyzing or understanding them. (b) This Mishnah may testify that the library of the Temple included, at some point in the late Second Temple period, not only the books of the Torah<sup>46</sup> and Prophetical books, but also the books of Job, Ezra, Chronicles, Daniel (composed ca. mid second century B.C.E.), and most likely the book of Psalms. Indeed, the Temple's library is clearly reflected from 2 Macc. 2:13–15: "...and how he (= Nehemiah) founding a library, gathered together the books about the kings and prophets (= Former and Latter Prophets), and the Writings of David (= collections of psalms), and letters of kings about sacred gifts."

The biblical books mentioned in this passage are all selected from what were later named *Ketuvim* (Hagiographa/Writings). Yet, why precisely these books were chosen to be read before the un-versed high priest, the Mishnah does not

<sup>44</sup> See Deut. 23:11–12. M. Ab. 5:7 states that one of the miracles in the Temple was that, in fact, the high priest never became impure.

<sup>45</sup> The English translation is according to Danby, *The Mishnah*, p. 163. Interestingly, the *Gemara* in Y. Yom. 7a, 1:6, cites a *Beraita* that mentions also the books of Proverbs and Psalms.

<sup>46</sup> See *Fathers According to Rabbi Nathan*, Version B, 46 (the last section; see S. Schechter, ed., *Avot de-Rabbi Nathan* [2nd edn.; New York and Jerusalem, 1997], p. 129); Y. Ta. 68a, 4:2; and see S. Talmon, "Three Scrolls of Law that were Found in the Temple Court," in *Textus* 2 (1962), pp. 14–27.

state. Elsewhere, I have discussed several explanations suggested by medieval and modern scholars (e.g., Rashi [1040–1105], Maimonides [1135–1204], Eduard Baneth [1855–1930], and William Riley).<sup>47</sup> Here I would like to express my conclusion that Job, Ezra, Chronicles, and Daniel were chosen most likely because of their style and languages. These books were composed in Late Biblical Hebrew and contain many Aramaic words and idioms. In the case of Ezra and Daniel, there is a large amount of Aramaic. Books written in the Late Biblical Hebrew and Aramaic were more understandable to the unlearned high priest of the late Second Temple period than that of earlier biblical books.<sup>48</sup> There were also other advantages in reading particularly from Chronicles to an illiterate high priest rather than reading the earlier historical books:

1. The Chronicler harmonizes the texts of Samuel–Kings with the Torah. The harmonizations are “intended to soothe the average reader, who encountered contradictions between the narratives in Samuel–Kings concerning the activities of national heroes who shaped national history and the demands of the Torah and the standards operative in his own days. This reader lacking the knowledge and the instruments needed for

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<sup>47</sup> See Rashi’s commentary on B. Yom. 18b; Maimonides’ commentary on M. Yom. 1:6 (cf. also Obadiah of Bartanura’s commentary on the Mishnah in the traditional editions of Mishnah, and in the later period, P. Kehati, *Mishnah: Yoma—A New Translation with a Commentary* [translated by E. Levine and edited by R. Fisch; Jerusalem, 1994], p. 9; and now also in the Artscroll’s edition); E. Baneth, *Die sechs Ordnungen der Mischna—übersetzt und erklärt. Teil II: Ordnung Moed* (= Festzeit; Berlin, 1927; dritte Auflage, Basel, 1968), p. 299, n. 21; W. Riley, *King and Cultus in Chronicles: Worship and the Reinterpretation of History* (Sheffield, 1993), p. 24. See in detail, I. Kalimi, *The Retelling of Chronicles in Jewish Tradition and Literature: A Historical Journey* (Winona Lake, 2009), pp. 143–145.

<sup>48</sup> At the conference on Yom Kippur that took place at Johannes Gutenberg University of Mainz (July 8–10, 2010), Professor Günter Stemberger noted the possibility that the reading from Daniel and Job had a polemical purpose: the book of Daniel refers to the resurrection (Dan. 12:2), that the Sadducees denied. The book of Job refers to the doctrine of personal retribution which, again, Sadducees rejected. However, I am of the opinion that the purpose of reading from these and other books was to keep the high priest alert and to drive away sleep rather than dispute with and aggravate him. In fact, the main claim of Job, all through the book, is that there is injustice in the world and there is no fair retribution. At the end, God justifies Job’s argument and accuses his three fellows of not talking appropriately (Job 42:7–10). Moreover, it is most likely that the reading for the illiterate high priest did not include the complicated sections of these books but only the narrative-stories at the openings and endings (e.g., Job 1–2; 42; Dan. 1–3), where the resurrection and the doctrine of personal retribution are not mentioned.

the research and the study to reconcile the contradictions was liable to lose his self-confidence.”<sup>49</sup>

2. The author of Chronicles reshapes several renowned core figures in the history of Israel during the monarchic period as strict observers of the Torah commandments and as being worthy of universal emulation. Without a doubt, for an uneducated high priest, it would have been worth reading, for example, stories about David and Solomon from Chronicles rather than from Samuel–Kings.<sup>50</sup>

Ironically, Chronicles, which is included among the books from which they read to unlearned high priests, contains a testimony showing that Solomon and all Israel were unaware of—or at least did not observe—the requirement of self-denial on Yom Kippur in the year in which the Temple was dedicated: the rephrasing of the date of the Temple’s dedication in Chronicles (2 Chr. 7:8–10 // 1 Kgs. 8:65–66) creates disharmony with the command concerning Yom Kippur in the Torah, as I have discussed elsewhere.<sup>51</sup> Perhaps the *tannaim* were not aware of this issue in Chronicles. However, a close reading of rabbinic literature shows that the *amoraim* were well aware of it and even attempted to explain it in such a way that covers up for Solomon and his generation for not keeping the commandments of Yom Kippur:

R. Levi said: It is written ‘that the dedication of the altar they celebrated for seven days and the Festival—for seven days’ (2 Chr. 7:9), but there were not seven days before the Festival that did not include the Sabbath and the Day of Atonement. During those seven days Israel ate, drank, rejoiced, and lit candles. Afterwards they repented and were sorry for this, saying: ‘We must be guilty for having desecrated the Sabbath and for not having denied ourselves on the Day of Atonement!’ In order to persuade them that the Holy One desired their actions, an echo was heard to say, ‘You all have places in the World to Come!’ (Gen. Rabbah 35:3; ca. 400–500 C.E.)

Similarly in M. M.Q. 9a: “R. Farnakh said, quoting R. Yohanan: ‘That year Israel did not observe the Day of Atonement and were worried lest they had

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<sup>49</sup> See Kalimi, *Reshaping of Ancient Israelite History in Chronicles*, pp. 140–158, esp. 141; idem, *Zur Geschichtsschreibung des Chronisten*, pp. 127–143.

<sup>50</sup> There are also harmonizations of Torah’s texts in Ezra–Nehemiah; for instance, Neh. 9:13 harmonizes Exod. 19:18, 20 and Exod. 20:22. However, one must admit that regarding Solomon there is contradiction between the image of the king that is reflected in Neh. 13:26 (cf. 1 Kgs 11:1–13—on the one hand, and Ben Sira 47:19–21 and Josephus, *Jewish Antiquities* 8.7, 5 on the other) and the one that is reflected in 2 Chron. 9.

<sup>51</sup> See Kalimi, *Reshaping of Ancient Israelite History in Chronicles*, pp. 147–149, 385–387; idem, *Zur Geschichtsschreibung des Chronisten*, pp. 134–135, 332–334.

become deserving of annihilation. An echo was heard to say: You are all invited to partake of the life of the World to Come!”<sup>52</sup>

The phenomenon—that rabbis suggest to read from a biblical text that contradicts their own fundamental religious concept, rather than to read another text that is in harmony with their opinion—appears also elsewhere. For instance, the *Haftarah* reading for Shemini Azeret in the diaspora is 1 Kgs. 8:54–66, which clearly shows that Solomon and “all Israel” were unfamiliar with—or at least did not celebrate—Shemini Azeret. This passage is preferred over the reading in the parallel text (2 Chr. 7:4–10), where the Chronicler harmonizes the story in 1 Kgs. 8:65–66 and the Torah’s law about Azeret in Lev. 23:33–36, showing that Solomon and “all Israel” were celebrating Shemini Azeret (2 Chr. 7:7–8).<sup>53</sup> In other words, the *Haftarah* reading has been taken from *Nebiim* (Prophets) though it contradicts the very existence of the holiday, rather than from the text of Chronicles that clearly attests to its celebration!<sup>54</sup> Obviously, this case of not reading from Chronicles stands just in opposition to the case of reading from Chronicles to the illiterate high priest on the night of Yom Kippur.

### 5. The Attack on the Qumranites’ Leader by the Jerusalem High Priest on Yom Kippur

*Pesher Habakkuk* (1QpHab) of the Dead Sea Scrolls is generally dated to the second half of the first century B.C.E.<sup>55</sup> In fact, the Scroll teaches about the history of the late Second Temple period more than about the biblical book of Habakkuk. Since the prophet verses were considered as allusions to the future events in the life of God’s people, the author of 1QpHab 11.2–8 actualizes the biblical verse of Hab. 2:15:<sup>56</sup> “Woe to the one who gives his neighbor to drink, adding in his poison, making him drunk, in order to gaze upon

<sup>52</sup> See also *Yalkut Shimionie* 2.193 (on 1 Kgs. 8:65) and David Kimchi’s commentary on 2 Chr. 7:9; and compare Kalimi, *Reshaping of Ancient Israelite History in Chronicles*, pp. 385–387; idem, *Zur Geschichtsschreibung des Chronisten*, pp. 332–334.

<sup>53</sup> See in detail, Kalimi, *Reshaping of Ancient Israelite History in Chronicles*, 147–149; idem, *Zur Geschichtsschreibung des Chronisten*, pp. 134–135.

<sup>54</sup> Cf. Kalimi, *Retelling of Chronicles in Jewish Tradition and Literature*, p. 182.

<sup>55</sup> See S. Talmon, “Yom Hakippurim in the Habakkuk Scroll,” in *Biblica* 32 (1951), pp. 549–563, esp. 550; M.J. Bernstein, “Pesher Habakkuk,” in L.H. Schiffman and J.C. Vanderkam, eds., *Encyclopedia of the Dead Sea Scrolls* (Oxford, 2000), vol. 2, pp. 647–650, esp. 647, 649.

<sup>56</sup> For a detailed discussion of this phenomenon in the Dead Sea Scrolls, see D. Dimant, “Time-Dependent Exegesis in the Qumranic Pesharim,” in *Meghillot* 7 (2009), pp. 19–41 (= idem, *Connected Vessels: The Dead Sea Scrolls and the Literature of the Second Temple Period* [Jerusalem, 2010], pp. 110–127; both items in Hebrew).

their feasts (מועדיהם),<sup>57</sup> into a tale in his own time. He expounds the verse about the Wicked Priest (כוהן הרשע), most probably the high priest,<sup>58</sup> who attacked the Righteous Teacher (מורה הצדק)—who also was a priest—on the Day of Atonement:

... “הוי משקה רעיהו מספח  
 חמתו אף שכר למען הבט אל מועדיהם”  
 פשרו על הכוהן הרשע אשר  
 רדף אחר מורה הצדק לבלעו בכעס חמתו אבית (= בבית) גלותו  
 ובקץ מועד מנוחת  
 יום הכפורים הופיע אליהם לבלעם  
 ולכשילם (= להכשילם) ביום צום שבת מנוחתם

“Woe to the one who gives his neighbor to drink, adding in his poison, making him drunk, in order to gaze upon his feasts.” Its meaning concerns the Wicked Priest, who pursued the Righteous Teacher—to swallow him up (i.e., to kill him) with his poisonous vexation—to his house of exile, and at the end of the feast, (during) the repose of the Day of Atonement he appeared to them to swallow them up and to make them stumble on the fast day, their restful Sabbath. (1QpHab 11.2–8)<sup>59</sup>

The clash between the Jerusalem Wicked Priest and the Qumranite Righteous Teacher is likely alluded to in a hymn from among *Hodayot*:

... they conspired wickedly against me to exchange your Torah which you inculcated in my heart for smooth things (to deceive) your people. They withhold the drink of knowledge from the thirsty, but cause the thirsty to drink vinegar in order to gaze at their error (למען הבט אל תעותם), this alludes to the celebration of Yom Kippur at the

<sup>57</sup> The version of the verse here differs a bit from MT version. Thus, instead of MT: מעוריהם, 1QpHab 11.2 reads: מועדיהם. This reading can be a tendentious change in the Scroll (so B. Nitzan, *Pesher Habakkuk: A Scroll from the Wilderness of Judaea (1QpHab)*, [Jerusalem, 1986], p. 190; Hebrew), or simply mistaken interchange of the graphically similar letters ו and ד.

<sup>58</sup> The כוהן הרשע (*Kohen haRasha*, “Wicked Priest”) is wordplay with כהן הראש (*Kohen haRosh*, “high priest;” see, for example: 1 Chr. 27:5; 2 Chr. 19:11; 24:11 [// 2 Kgs. 12:11]; 26:20; 31:10; 2 Kgs. 25:18 // Jer. 52:24; cf. also 2 Chr. 24:6 // 2 Kgs. 12:8). The identification of the “Wicked Priest” (as well as “the Righteous Teacher”) in *Pesher Habakkuk* depends primarily also on the dating of the Scroll itself. In fact, it is still disputed among the scholars after almost 60 years of research; see Nitzan, *Pesher Habakkuk*, pp. 132–136; Bernstein, “Pesher Habakkuk,” p. 649.

<sup>59</sup> See Nitzan, *Pesher Habakkuk*, p. 190; J.H. Charlesworth, et al., eds., *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations—Volume 6B: Pesharim, Other Commentaries, and Related Documents* (Tübingen and Louisville, 2002), pp. 180–181; W.H. Brownlee, *The Midrash Pesher of Habakkuk* (Missoula, 1979), p. 179, and the exposition on pp. 180–189.

wrong time), to deport themselves foolishly on their festivals (להתהולל במעדיהם) and to be caught in their snare (1QH 12:5–12).<sup>60</sup>

Also, it is possible that the *peshet* to Psalms 37 (4QpPsa 4:7–9) refers to the clash under review between the Wicked Priest and the Righteous Teacher. However, one cannot completely exclude the option that it could refer to some other incident:

The wicked one lies in ambush for the righteous one and seeks [to murder him. Yah] weh [will not abandon him into his hand,] n[or will he] let him be condemned as guilty when he comes to trial.<sup>61</sup> Its interpretation concerns [the] Wicked [Priest, who] lay in ambush for the Righte[ous Teach]er [and sought to] murder him [...].n and the Torah that he sent to him; but God will not Ab[andon him into his hand,] nor [will he let him be condemned as guilty when] he comes to trial...<sup>62</sup>

In any case, even without the last two Scrolls (1QH 12:5–12 and 4QpPsa 4:7–9), a careful examination of 1QpHab 11.2–8 indicates as follows:

- (1) The Yom Kippur of the Wicked Priest was on a different day from that of the Righteous Teacher. Otherwise, the former could not attack the latter, because of performing (or at least participating) in Yom Kippur rites in the Temple. Moreover, he would not have violated the sanctity of Yom Kippur by traveling ca. 50 km from Jerusalem to Qumran, without any food and drink in the hot weather of the Judean desert. Thus, most likely the conflict refers to one of the controversies about observance of the biblical holidays in general and Yom Kippur in particular, in which the Qumran community found itself involved because of their solar calendar.<sup>63</sup> However, it is also possible that the Righteous Teacher and the Wicked Priest “could have reckoned the same lunar calendar, based on sightings of the new moon, except that on this occasion they happened to have sighted the new moon on different days; or

<sup>60</sup> See J.M. Baumgarten, “Yom Kippur in the Qumran Scrolls and Second Temple Sources,” in *Dead Sea Discoveries* 6 (1999), pp. 184–191, esp. 185.

<sup>61</sup> A citation of Ps. 37:32–33.

<sup>62</sup> For the text and its translation and interpretation, see Charlesworth, *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations—Volume 6B*, pp. 18–19; cf. H. Eshel, *The Dead Sea Scrolls and the Hasmonean State* (Grand Rapids and Jerusalem, 2008), pp. 36–37.

<sup>63</sup> See Talmon, “Yom Hakkippurim in the Habakkuk Scroll,” pp. 551–552; Bernstein, “Peshet Habakkuk,” p. 650. “An early stage of the calendar controversy appears to be reflected in *Miqsat Ma’ase haTorah* (MMT);” see S. Talmon, “Calendars and Mishmarot,” in Schiffman and Vanderkam, *Encyclopedia of the Dead Sea Scrolls*, vol. 1, pp. 108–117, esp. 115–116.

alternatively, they may have differed on the question of whether to intercalate that year (with the addition of a thirteenth month), so that they would have observed the Day of Atonement, on that occasion, one month apart. Arguments such as these would not have meant that fundamentally different calendars were observed.”<sup>64</sup> If so, the dispute between the Wicked Priest and the Righteous Teacher was regarding the reckoning rather than the calendars (lunar *versus* solar) itself.

- (2) Joseph M. Baumgarten accepts Naftali Wieder’s assumption that the clash between Wicked Priest and the Righteous Teacher was not only about the date of Yom Kippur but also about its nature: for the Sadducees and Pharisees, Yom Kippur was a day of fast, festival, and performing of a unique cult and rituals in the Temple, and it had an ambivalent character, including happiness; for the Qumranites, by contrast, it was the day of rest, fast, self-affliction and grief, and struggle with the demonic hosts of Belial.<sup>65</sup> The assumption that the Qumranites’ Yom Kippur was also the day of self-affliction and grief could also be based on what is reflected in Jub. 34:17–19. This book was very popular in Qumran, as attested from the fourteen or fifteen copies of it found there. However, although Baumgarten and Wieder’s distinction is possible, “there remains a methodological crux.” The sources for the Jerusalem Yom Kippur at the time of the Temple are few in number and rather complex. Baumgarten uses Philo, the Mishnah, and the inclusion of Leviticus 18 in the rabbinic reading of Yom Kippur. “None of them describes the attitude of second- and first-century B.C.E. Pharisees. Putting a diaspora source together with post-Temple destruction sources for a reconstruction of Yom Kippur in Jerusalem at the time of the temple against the evidence from the Qumran scrolls presupposes Qumran to be distinct from all the rest. . . . Furthermore, some Qumran texts seem to contradict Baumgarten’s sharp distinction (as he himself remarks). . . .”<sup>66</sup>
- (3) The clash recounted in *Pesher Habakkuk* (1QpHab) took place specifically on the community’s Yom Kippur, most likely as supposed by Baumgarten: “this may have had something to do with the central place

<sup>64</sup> See S. Stern, “Qumran Calendars: Theory and Practice,” in T.H. Lim, ed., *The Dead Sea Scrolls in Their Historical Context* (Edinburgh, 2000), pp. 179–186, esp. 184–185. See also below in this study regarding the dispute between Gamaliel II and Joshua b. Hananiah, as related in B. R.H. 25a–b.

<sup>65</sup> See in detail, Baumgarten, “Yom Kippur in the Qumran Scrolls,” pp. 190–191.

<sup>66</sup> See D. Stökl Ben Ezra, *The Impact of Yom Kippur on Early Christianity* (Tübingen, 2003), p. 99.

of Yom Kippur in contemporary Judaism” of the late Second Temple period.<sup>67</sup>

- (4) During the last decades of the first century B.C.E., the power of the Sadducee high priests extended far beyond Jerusalem and the close surroundings. He was able to attack the Qumranite separatists and attempt to impose his civic and religious authority on them regarding the calendar (and perhaps also the norms of Yom Kippur). Thus he made a genuine effort to restore his authority on this rebellious community.
- (5) In B. R.H. 25a–b, we are told about the head of the Sanhedrin, Rabban Gamaliel II of Yavneh (ca. 80–100 C.E.), who ordered Joshua b. Hananiah, who opposed his calendar, to appear before him carrying his staff and money (forbidden to be carried on the holiday), on the day that according to Joshua’s reckoning would be the Day of Atonement. Joshua obeyed Gamaliel. In contrast, according to the Dead Sea Scrolls, the high priest appeared in the camp of his opponent, the Righteous Teacher, and tried to impose his authority on him and his community,<sup>68</sup> though it is doubtful that he succeeded.

## 6. Conclusion

Yom Kippur has a central place in the Torah and accordingly in the Jewish religion, perhaps in the time of the First Temple, definitely by the time of the Second Temple. Although the Pharisees were the mainstream of the Jewish people, usually the high priesthood was in the hands of the Sadducees. The two parties differed about the conducting of Lev. 16:2 in the Temple rite. During the ritual, the Sadducee high priest was alone in the Holy of Holies, and under oath not to deviate from the Pharisees norms. Once the Sadducee high priest not only turned away from the Pharisees’ norms breaking the oath he was taking, but also was proud of his violation. Because of these sins he was punished severely: when he died, his body was thrown into the trash and eaten by worms. Although there is no reason to doubt the historicity of this basic incident (i.e., the violation of the high priest and his death for whatever reason), presumably the rabbis attached to the arrogant Sadducee priest this unique punishment according to a common motif that was used in various

<sup>67</sup> See Baumgarten, “Yom Kippur in the Qumran Scrolls,” p. 184.

<sup>68</sup> For more discussion of this episode—though from a different viewpoint—and the different calendar of the Samaritans, see Talmon, “Yom Hakkippurim in the Habakkuk Scroll,” pp. 558–563.

historical and exegetical writings both in Israel and other Mediterranean cultures.

As the various sources attest, corrupted people occasionally either inherited or bought the high priesthood. Sometimes such high priests were illiterate and poorly educated, and needed someone to read the Scripture to them. Paragraphs from Job, Ezra–Nehemiah, Chronicles, and Daniel were read because of their style and Late Biblical Hebrew, including Aramaic words and texts, which were better understood by him. Chronicles also harmonizes texts of Samuel–Kings with Torah texts, and indicates several Israelite kings with important Jewish norms of the Second Temple times, which eased the mind of the unlearned priest. Paradoxically, this book also states that King Solomon was unfamiliar with Yom Kippur's laws. The contradiction between a rabbinic norm and the practices of a religious rite in the earlier times also occurs in the *Haftarah* reading of Shemeni Azaret, with another reference to Solomon who was unfamiliar with that holiday.

A number of Dead Sea Scrolls teach that the Qumranites celebrated Yom Kippur on a different day from the one in the mainstream of the Jewish communities, either because of their different calendar or a different reckoning of the same calendar. At least once, the Jerusalem high priest confronted the community's leader, attempting to impose on him and his community his own religious norms and civic authority.