



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

JESUS AND THE SADDUCEAN PRIESTS:

LUKE 10. 25-37

BY JACOB MANN, Jews' College, London.

THE 'noble' priests, the so-called ἀρχιερείς (mentioned in the Talmud as בני כהנים גדולים, Ketubboth 13. 1-2, Ohalot 17. 5, comp. Schuerer, II⁴, 276), were greatly opposed to Jesus and took a prominent part in his trial. This is the account given by all the Synoptics (Mark 11. 18, 28; 14. 1, 10, 53, 55; 15. 10, 11, and so in Matthew and in Luke). This being the case, it is remarkable that the priests as a class are very seldom mentioned in the sayings attributed to Jesus. It would appear from the Gospel-narrative that Jesus, with all his pronounced opposition against the Pharisees, never found it necessary to denounce the priests. And yet the ill-repute of the aristocratic priesthood of the period in which Jesus lived and acted is well-known. This problem led several scholars to various conclusions. To take two extreme and opposite views, on one hand Dr. Büchler in his book *Die Priester und der Cultus*, deeply impressed in his survey of the activities of the noble priests by the reports of their rapacity and evil practices, came to the conclusion that all the woes in Matthew, ch. 23, as well as the other attacks elsewhere, were really directed against these 'noble' priests. Dr. Büchler in his argument goes even so far as to suggest that originally the text of Matthew read כַּהֲנֵי סַפְרִיָא and was in later times altered to פְּרִיִשָׁי סַפְרִיָא; 'hypocrites',

הַנְּסִיָּה, being the proper term applied to those priests (pp. 79-88). Against this assumption it has rightly been pointed out by Epstein (*Monatsschrift*, XL, 138-44) that, as regards Matthew, ch. 23, the priests did neither sit on Moses' throne (vers. 2-4) nor did they aspire to be called Rabbi (vers. 7-10), nor did they give tithes (ver. 23). If we force ourselves to explain that they exacted tithes from mint, anise, and cummin, we would not call them hypocrites but rapacious and extortionate.

On the other hand, Leszynsky (*Die Sadduzäer*, Berlin, 1912, p. 297) takes the opposite view that Jesus had Sadducean leanings, and therefore he refrained from attacking the priests, who to a great extent belonged to the party of the Sadducees. Both these views are too extreme to be convincing. Especially Leszynsky's view that Jesus did not attack the priests at all is untenable. What about the great charge in the story of the Good Samaritan (Luke 10. 25-37)? But this whole passage is generally entirely misunderstood. As we shall see, it contains a most scathing attack on both priest and Levite in general, in so far as they shared the views of the Sadducees on a question of principle concerning the so-called Levitical purity. Jesus addressed a lawyer (*νομικός*, 10. 25), and therefore the Gospel-commentators have generally taken this lawyer to have been a scribe of the Pharisees.¹ It is however clear that the indictment could not have been directed against the Pharisees. In order to render the Parable of the Good Samaritan more likely

¹ Also Halévy in dealing with the Parable of the Good Samaritan (*RÉJ.*, IV, 1882, 249-55) adheres to the view that the lawyer was a Pharisee. —His suggestion to substitute in the parable 'Israelite' for 'Samaritan', as being parallel to priest and Levite (p. 253), has no bearing on the point at issue in this article.

to have been taken from actual life, we must reject the usual explanation that it was simply due to heartlessness on the part of both the priest and the Levite in giving no succour to the victim of the robbers. It is somewhat against human nature to pass by a man lying in a helpless state on the high road without even coming near him. Both the priest and the Levite mentioned in the story must have had some reason for acting in the way they did. According to my opinion, this was due to the requirements of Levitical purity. The robbers left their victim 'half dead' (*ἡμιθανῆς*, 10. 30), having probably fallen into a swoon. To a pedestrian coming from a distance it appeared as if a corpse was lying in the road. Both a priest and a Levite, when passing by, would then avoid coming near the supposed dead body lest they become defiled; the former by reason of the Biblical prohibition (Lev. 21. 1), the latter because he had to do service in the Temple and had to keep himself Levitically pure.

Now, just the Pharisees laid great emphasis on the so-called duty of *מת מצוה*, making it obligatory even on a high priest to contract Levitical impurity and bury a dead body lying on the highway with nobody to take care of it. The Rabbis ascribed the origin of this duty of *מת מצוה* to Joshua the son of Nun (B. *ḥamma* 80 b bottom, 'Erubin 16 a); obviously in order to enhance its importance. But there is no reason for maintaining that this custom amongst the Pharisees does not go back to comparatively early times.² In Nazir 7. 1 we find a

² Possibly Josephus refers to this duty of *מת מצוה* when writing in *Contr. Ap.*, II, 29, § 211, that 'there are other things which our legislator ordained for us beforehand, which of necessity we ought to do in common to all men, as to afford fire, and water, and food to such as want it; to show them the roads; *nor to let any one lie unburied*'.

theoretical case similar to that mentioned in Luke. 'If a high-priest and a Nazirite journey together and find a dead body lying in the road' (היו מהלכין בדרך ומצאו מת מצוה), R. Elieser b. Hyrkanos disputes with the contemporary scholars as to which of the two should bury the dead person, in order to prevent that both high-priest and Nazirite should become Levitically impure while the work could be done by one of them. But it was a matter of course that if either a high-priest or a Nazirite alone were to find a corpse lying in the road, he was bound to contract Levitical impurity and perform the burial. The expression מת מצוה seems to have been a standard phrase familiar to everybody. An anonymous Baraita defines it to the effect that 'as long as there are no other people to look after the burial of the corpse' (כל שאין לו קוברין), the duty is incumbent on the first Jew that passes by, without any exception, to perform the burial (Nazir 43 b, Yerushalmi Nazir 56 a, top and parallels).

This demand which the Pharisees made on both priest and Nazirite to defile themselves for such a מת מצוה was clearly against the literal wording of Lev. 21. 1 ff., 11 ff., Num. 6. 7. The Rabbis tried hard to deduce מת מצוה from the Bible with the help of their method of hermeneutics (cp. Sifra to Lev. 21. 1, Nazir 47 b, 48 a-b, Zebahim 100 a and parallels). As is well known, the laws handed down by tradition were attacked by the Sadducees on the ground that many of them had no foundation in the Biblical laws. To meet these objections and to uphold the tradition, successive generations of scribes and Rabbis brought to perfection a system of hermeneutics intended to find in the Bible some indications of the traditional laws. It must be admitted that in the case of מת מצוה, the hermeneutic

deductions did not bring the Rabbis very far. They merely maintained as granted that when the Bible laid down the rule, for example, that a high-priest should not defile himself at the burial of even his nearest relations, 'neither for his father nor for his mother' (Lev. 21. 11), it excluded *מת מצוה*. Obviously the Sadducees rejected such a deduction. They would adhere to the clear wording of the Biblical law. No exception was to be made in the case of *מת מצוה*. A Sadducean priest then, when passing a dead body, would have certainly avoided coming near it, and detecting a man lying unconscious in the road, as in the parable of Luke, would have passed on for fear of defilement. Against such a practice Jesus directed his attack. There need be no hesitation in simply taking this *νομικός* to have been a Sadducean lawyer. It is known that the Sadduceans had a 'code of impositions' (*ספר גזירותא*, Megillat Taanit, ch. 10) and that they were as a rule strict judges (Jos., *Ant.* XX, 9, 1, § 199), so that there existed among them lawyers.

The above explanation of Luke 10. 25-37 becomes the more plausible, when we consider the textual state of our passage. Luke 10. 1-37 breaks the sequence of the narrative. Jesus was on his way to Jerusalem, and there are stories of the journey in 9. 51 ff., 57 ff. In 10. 38 there follows another incident of the journey. Within these stories there are inserted the account of the seventy apostles, their mission and return (10. 1-25), and the parable of the Good Samaritan (vers. 25-37) which begins, 'And behold a certain lawyer (*νομικός*) stood up, and tempted him'. It is evident that there is neither any connexion with the preceding nor with the story that follows. Now vers. 25-8 have their parallels both in Mark 12. 28 ff. and in Matt. 22. 34 ff. in their proper sequence. The

occasion was when in Jerusalem the Sadducees disputed with Jesus about the resurrection (Mark 12. 18-28, Matt. 22. 23 ff., Luke 20. 27-40). The Pharisees were pleased with Jesus, so that it is rather difficult to understand why one of the Pharisees, a lawyer,³ as Matt. 22. 35 reports, should have stood up and tempted Jesus. Mark (12. 28) indeed felt the difficulty, and therefore makes the scribe not tempting Jesus, but rather being pleased with him (ver. 32 ff.). But Luke (10. 35) has also 'tempting him' and thus agrees with Matthew. According to my opinion, the common tradition of Matthew and Luke is authentic.⁴ This lawyer was a Sadducee, and even in the wording of Matthew, ἐξ αὐτῶν νομικὸς πειράζων αὐτόν, could refer to the nearest noun, i.e. τοὺς Σαδδουκαίους (ver. 34). Accordingly, Matt. 22. 35-40 is quite parallel to Luke 10. 25-8; the Sadducees having been refuted, one of their lawyers continues the issue with Jesus. Thereupon follows the second question, 'Who is my neighbour?' and Jesus concludes with the serious indictment against Sadducees contained in the parable of the Good Samaritan (Luke 10. 29-37), a detail reported only by Luke. That the Pharisees could not have been meant in this parable has been shown above.⁵

³ Cureton reads ⲓⲁⲟⲟ a scribe, but omitted by Syrsin.

⁴ Comp. also Resch, *Ausserkanonische Paralleltex te zu den Evangelien*, III, p. 120 (in Gebhardt u. Harnack, *Texte u. Untersuchungen*, vol. 10, Leipzig, 1893-4). Luke 10. 25-8, Mark 12. 28-34, Matt. 22. 34-40 are three variants of one and the same pre-canonic Q (= Quellentext), the beginning of which is preserved best in Luke 10. 25 a.

⁵ Cf. a similar story in Qohel. R., 11. 1, of a noble Roman who was once shipwrecked and washed to the Palestinian shore, where just a scribe, Eleazar b. Shammua, took care of him, dressed and fed him, and sent him away on his journey. See further the stories of Nehemiah the cave-digger (נְהִמְיָא), Naḥum of Gimzo (Yerushalmi Pea 21 b) and Abba Taḥna the pious (Qohel. R., ch. 9).

As for the details of the Parable, the question whether the road from Jerusalem to Jericho was dangerous in those times cannot be decided by Jerome's account of the state of things in his own times. But the detail of the priest passing along that way to Jericho is in accordance with the local conditions. From Taanit 27 a we learn that Jericho was largely inhabited by priests (see further, Dr. Büchler, *Priester und Cultus*, 161-81). That Jericho and its neighbourhood had sycamore-trees (Luke 19. 4) is also corroborated by Pesahim 4. 9, where we are told that the people of Jericho used to engraft their sycamore-trees during the whole eve of the Passover, even in the time of the day when in Jerusalem the Passover lambs were just sacrificed in the Temple.

There is another saying of Jesus reported by the Synoptics which was perhaps also directed against the priests. Jesus' remark on seeing the poor woman throwing her trifle into the treasury (*γαζοφυλάκιον*, Mark 12. 41-4, Luke 21. 1-4) seems to have been a rejoinder to those priests who despised the insignificant gifts of the poor to the temple and their scant offerings amounting to a pigeon or a meal-offering (*מנחה*). There are some interesting Rabbinic parallels which place the reported sayings of Jesus in its proper light. Commenting on Lev. 2. 1, R. Isaac says, 'Why is the word "soul" (*נפש*) mentioned in connexion with a meal-offering? Who brings such a sacrifice? A poor man. I (i. e. God) account it to him as if he sacrificed his soul before Me', *כאלו הקריב נפשו לפני*, Yalkut to Lev. 2. 1, § 447 in the name of a Midrash). Likewise in Lev. R., ch. 3, we have an anonymous story concerning a woman who once brought as a sacrifice a handful of flour. Whereupon the priest abused her, saying,

‘Look what these women offer up! What remains there for eating and what for sacrificing?’ The following night this priest had a vision in a dream, enjoining him not to despise such an offering, because it is regarded as if the woman had offered up her life. This story might have been an old Agada and closely resembles the incident reported in the Synoptic Gospels.