

Are Foreign Rulers Allowed to Enter and Sacrifice in the Jerusalem Temple?

In the early summer of the year 66 CE Neopolitanus, the emissary of Cestius Gallus, Roman legate of Syria, venerated the Jewish god Yhwh in the temple of Jerusalem (B.J. 2.341).¹ By this gesture, he tried to pacify the violent conflicts that had taken place between Gessius Festus, the procurator of Judah, and the Jewish population of Jerusalem. No one from the Jewish assembly gathered in the temple seems to have taken offense at the sacrifice, which Neopolitanus attended “from a permitted place”. Only a few weeks later, however, Eleazar, the son of the former High Priest Ananias and the captain of the Jerusalem temple, convinced his priestly colleagues to accept no more oblations or sacrifices from foreigners. This included the cessation of the daily sacrifices for the well-being of the emperor and the Roman people. According to the historian Josephus this decision was the main cause for the outbreak of the Jewish-Roman war (B.J. 2.409, 417).

How was it possible, that such a dramatic shift from cooperation to hostility in the course of some weeks could take place? Why did a member of the Sadducees, the priestly aristocrats of Jerusalem, who had pleaded for a cooperation with the Roman rulers for many decades, suddenly distance himself from the basic convictions of his group? Why could a cultic question of minor importance, whether foreigners and their sacrifices are allowed to enter the temple or not, gain such a significance that it split not only the family of the former High Priest Ananias but the entire priestly class?² Of course, there were many reasons for the Jewish-Roman war –

¹ The Greek Verb προσκυνέω used by Josephus does not only mean a reverent gesture or a prayer but also includes – at least in the given cultic context – suitable sacrificial offerings to the deity.

² Eleazar’s father Ananias, who had been High Priest around 47–59 CE, his brother Simon, and his uncle Hiskia were leading members of the peace party (B.J. 2.418, 429) and were murdered during the following civil war (441). Eleazar also had several aristocrats among his followers (B.J. 2.451, 628); see Goodman, *Ruling Class*, 158–9, 218–21. The suggestion that Eleazar received his main support from the lower priests and Levites, which were exploited by the wealthy priestly families (Ant. 20.180–1, 206–7), as Baumbach, “Einheit”, 104–6, emphasized, is possible, but this

political, economic, social – that cannot be dealt with here. But Josephus does not seem to be entirely wrong by emphasizing that religious and cultic reasons played a major role as well.³ Obviously, the Jerusalem temple, which constituted an important identity marker for all Jewish groups, acquired central importance in the domestic and foreign policy struggles. And it seems that under the influence of the escalating political pressure some of those, who were responsible for the worship in the temple – i.e., the members of the priestly establishment and their clients – reformulated their own religious identity by defining the access to the temple in an exclusive way. The construction or reconstruction of religious identity in Judaism was never a result of merely political interests but was always dependent upon theological justifications.⁴ In the Roman period, Jewish priests, especially the leading ones, had been educated theologians for a long time.⁵ Therefore, the present study will investigate the cult-political and theological reasons that may have determined the religious identity of both parties: those who wanted to include the sacrificial offerings of foreigners in the temple cult of Jerusalem and those who wanted to exclude such offerings from there.⁶

1. Cult-Political and Theological Reasons for Permitting Offerings of Foreign Rulers

According to Josephus the peace party, which opposed Eleazar and his followers, consisted of influential laymen, respected Pharisees, and High Priests. His father Ananias belonged to this party as well. They tried hard to cancel Eleazar's decision and therefore gathered the people's assembly in the outer court of the temple (B.J. 2.411). The arguments that they put for-

view was not maintained by Josephus, who only mentioned that the reform priests constituted the majority (B.J. 2.410).

³ Krieger, *Geschichtsschreibung*, 227–8, may be right that Josephus discussed the theological reasons of the Jewish-Roman war at length because he himself had probably been a member of the group around Eleazar before he did his about-face. But this insight rather supports the view that theological questions were of major importance among the reform priests.

⁴ Thus a suggestion as made by Wellhausen, *Geschichte*, 345, for example, assuming that Eleazar may have hoped to become a leader of the insurgents, is not sufficient. The explanation that he may have been influenced by the lower priests, who have probably felt more sympathy with the rebels, as supposed by Hengel, *Zeloten*, 223, is possible but not satisfactory, since these priests were dependent on theological arguments as well.

⁵ The statement of Wellhausen, *Geschichte*, 345, that the ruling priests of Jerusalem were no theologians may be true for the First Temple period but definitely not for the Second Temple period.

⁶ Mell, "Ausbruch", 97–122, did a great deal in analyzing the theological background of the conflict. My study has to thank him for many insights and will try to advance the subject somewhat further.

ward against the decision, according to Josephus, included the following points. First, a long ritual practice of foreigners (ἄλλοφύλοι) adorning the Jerusalem temple with their dedicatory gifts had been established (412). Second, no one had ever been prevented from sacrificing at the temple (413); in fact, Jerusalem would garner a reputation of impiety (ἄσεβεια), should its temple be the only site where foreigners (ἄλλότριτοι) were forbidden to sacrifice and to worship. Thus, Eleazar's reform introduced a strange ritual practice (θηρσκειά ξένη; 414). Third, by rejecting sacrifices made for the benefit of the emperor and the Roman people, both – the emperor and the Roman people – would be placed beyond the pale (415); therefore, one had to fear that Jerusalem would be placed beyond the pale of the empire and that even Jewish sacrifices at the temple would become impossible (416).

Thus, Josephus – writing for a pagan audience – emphasized the issues of a long-standing ritual tradition, the Jewish reputation in the Roman-Hellenistic world, and the dangerous juridical and political consequences. He does not really reveal the theological reasons. Since he reported, however, that during the meeting several priestly experts on the ancient tradition confirmed that all the forefathers had accepted the sacrifices of foreigners (ἄλλογενεῖς; B.J. 2.417), Josephus indicated that there was an internal Jewish theological discussion about the topic. The reformers around Eleazar seem to have tired already of the arguments; they did not participate in the public meeting, which was a failure (418). We, however, who were not present in the Jerusalem assembly of the early summer 66 CE, have to reconstruct the probable theological arguments of the peace party from different sources.⁷

1.1 Oblations and Sacrifices of Foreign Rulers at the Jerusalem Temple

The argument of the peace party that sacrifices of foreign rulers in Jerusalem and their dedicatory gifts to the temple constituted a long-standing ritual practice seems to be correct.⁸ There are no less than ten cases, where sacrifices or oblations of foreign rulers, their emissaries, or their relatives are reported, starting with Alexander (Ant. 11.336) and Ptolemy III Euergetes (C. Ap. 2.48), continuing with Seleukos IV (2 Macc 3:1–3) and Anti-

⁷ The dispute between the two parties is mirrored by the Rabbinic tradition only in an indirect and legendary way; cf. Roth, “Debate”, 95–7; Hengel, *Zeloten*, 367–8.

⁸ See Schürer, *History*, 2:309–11. Because he wrote that “it is a well-attested fact that despite of the rigid barrier erected between Jews and Gentiles in regard of religious matters, gentiles participated in Temple worship at Jerusalem”, he seems to have been astonished by this fact. But there is a broader theological foundation beneath this practice than he has realized.

ochos VII Sidetes (Ant. 13.242–3), and ending with Marcus Agrippa, the friend and son-in-law of Augustus (Ant. 16.14; Legat. 294–7), Vitellius, the legate of Syria under Tiberius (Ant. 18.122), and the emissary Neapolitanus already mentioned above (B.J. 2.341).⁹ Of course, not all of these reports can be taken historically, since, for example, Alexander probably never visited Jerusalem. But these reports would not have been created, if such sacrifices and oblations of foreign rulers were not accepted or even appreciated by a majority of the Jewish population. These events are told with a touch of pride that Yhwh was honored and his sanctuary adorned even by the rulers of mighty empires. Furthermore they show a universalist view similar to that of the story about King Solomon’s sermon in the newly founded temple, in which Solomon asked Yhwh to fulfill the prayers of all foreigners who had come to Jerusalem from distant countries to call on him, so that his great fame might be spread to all mankind (1 Kings 8:41–43).¹⁰

A closer look at these reports reveals that their authors were aware of the possible danger that the sacrifices of foreign rulers could perhaps defile the sanctuary. Thus, Josephus emphasizes that Alexander sacrificed “according to the instruction of the High Priest” (Ant. 11.336) and says that the sacrifices of Ptolemy III were performed “as it is customary (νόμιμος) to us” (C. Ap. 2.48). Philo explicitly mentions that the dedicatory gifts of Marcus Agrippa to the temple “were permitted”, that means, according to the Jewish law (Legat. 297). Josephus makes clear that the foreign rulers could not enter every part of the sanctuary. According to him, the bull sent by Antiochos VII for the sacrifice was taken by the guards at the gate, who took care of it in the temple (Ant. 13.242). And Neapolitanus celebrated his veneration in the sanctuary from a place “where it was permitted” (B.J. 2.341). Since foreigners were prohibited to enter the inner temple precinct of the Herodian temple, this place must have been a prominent location in the outer courtyard.¹¹ Thus, the sacrifices and dedicatory gifts of foreign rulers did not occur without any problems, but their Jewish advocates were confident that as long as the sacrifices conformed to the ritual rules of the Torah and were carried out under the control of Jewish priests they could not cause any damage.

⁹ Cf. also the dedicatory gifts, which are ascribed to the old Antiochos IV Epiphanes (2 Macc 9:16), to the Roman ally of King Herod, Sosius (B.J. 1.357), and Caligula’s grandmother, Julia Augusta (Legat. 319).

¹⁰ That only prayers and not sacrifices are mentioned in this sermon probably has to do with the fact that it was written after the temple of Jerusalem had been destructed in 587 BCE, when the ruined sanctuary was reduced to lament services.

¹¹ Cf. the reconstruction of Busink, *Temple*, 2:1062–6, 1179, and Schürer, *History*, 2:284–7. Inscriptions fixed to the railings prohibited foreigners from entering the inner courtyards. The prominent place might have been in front of the eastern façade of the inner temple buildings.

1.2 Sacrifices for the Benefit of Foreign Rulers

The sacrifices for the benefit of foreign rulers constitute an important variant of the offerings discussed above, which are not restricted to specific visits of those rulers to a certain sanctuary, but are regularly celebrated by its local priesthood on their behalf.¹² At the Jerusalem temple, this kind of offering seems to have been continuously celebrated during the Persian, Ptolemaic, Seleucid, and Roman periods. According to the book of Ezra, King Darius I connected his permission for the reconstruction of the temple with the instruction that the offerings, which he was willing to dedicate to the “God of Heaven” should be used for sacrifices “for the life of the monarch and his sons” (Ezra 6:8–10). And in the view of Josephus, King Cyrus had already founded this ritual practice “for the salvation of the king, his family and the persistence of the empire”, which was supposed to strictly follow the Mosaic ceremony (Ant. 11.17). Historically, however, the practice probably just took the place of the sacrifices of the Judean kings (2 Kings 16:15), which had included a holocaust, probably in the morning, and a grain offering, probably in the evening.¹³ The ritual practice appears to have been continued under the reign of Ptolemy I (Aristeas 45) and even maintained during the Maccabean revolt (1 Macc 7:33). As far as we can determine, Augustus not only continued but also intensified the sacrifices “for the Caesar and the Roman people”, because he equipped them with one bull and two lambs, which should be sacrificed as holocaust offerings twice every day (Legat. 157, 317). Philo is possibly right that these numerous sacrifices were carried out at the emperor’s expense (Legat. 157), although Josephus claimed that they were paid for by the Jewish community (C. Ap. 2.77); but, of course, the money was probably taken from the provincial taxes raised from the Jewish population. In any case, the sacrifices for the well-being of the monarch and his empire were a long-lasting and accepted ritual practice in Jerusalem, indeed, as the peace party claimed. These daily sacrifices in the Jerusalem temple did not only demonstrate the loyalty of the Jews to their foreign overlords (Legat. 280; B.J. 2.197) but also helped to stabilize the empire and world order.

¹² Already Schürer, *History*, 2:311–12, regarded this kind of sacrifice as a special case of those offerings that were dedicated by foreigners; similarly Mell, “Ausbruch”, 106–7.

¹³ Since the two offerings of the king correspond to the two Tamid offerings in the morning and the evening mentioned before, they seem to have been sacrificed at the same time.

1.3 Normative and Theological Foundations from the Torah

It has been argued that the participation of foreigners in the temple cult had been merely a religious concession to the political conditions, to which the Jews and their temple were subjected for centuries under the rule of foreign powers.¹⁴ However, this is not entirely true. The convictions of the peace party and the long-lasting ritual practice, to which they refer, have a legal and theological foundation in the Mosaic Torah. Since it contains no clear paragraph, however, in which the sacrifices of or for foreign rulers are permitted and regulated, this fact has almost been overlooked.¹⁵

Already the legislation of the book of Deuteronomy from the 7th century BCE has no problem of admitting the *gērîm*, that means the “resident aliens”, to some of the Israelite pilgrimage feasts at the central sanctuary (Deut 16:9–15).¹⁶ But these aliens were poor clients, who did not sacrifice themselves, and their inclusion in the cultic meals can rather be seen as an act of charity. In any case, the priestly legislators of the so called Holiness Code (Lev 17–27), who were at work in the first half of the 5th century BCE, opened the central temple cult to wealthy resident aliens of the Persian province Jehud, who were able to bring their own sacrifices, even expensive holocaust offerings.¹⁷ In order to prevent the country from being defiled (18:24–30), they determined that all animal sacrifices, those of Judeans as well as of resident aliens, had to be performed at the central sanctuary (17:8–9), that means, at the Jerusalem temple.¹⁸

The priestly legislators of the book of Numbers, who may be located in the second half of the 5th century BCE, concluded their long paragraph about sacrifices containing their demand that all animal sacrifices should be accompanied by specific grain offerings and libations (Num 15:1–12) with the following statement:

Num 15:13 Every native citizen shall do according to these (instructions), in order to perform a sacrifice by fire as a pleasant aroma for Yhwh.

14 When an alien, who resides among you, or anyone else, who may be among you in the course of your generations, wishes to perform a sacrifice by fire as a pleasant aroma for Yhwh, he shall perform (it) just as you perform.

¹⁴ See, for example, Schwartz, “Sacrifice”, 116; Mell, “Ausbruch”, 120; cf. 106.

¹⁵ Schürer, *History*, 2:309, mentioned only Lev 22:25 and 1 Kings 8:41–43, but the former reference should rather be interpreted in the opposite direction (see below p. 126); in addition, the latter speaks of prayers, not of sacrifices.

¹⁶ For more details see Albertz, “Aliens”, 54–65.

¹⁷ That the social status of the *gērîm* in the Holiness Code differs from that shown in Deuteronomy has been clearly elaborated by Vieweger, “Fremdling”, 276–8.

¹⁸ Something similar is said concerning voluntary or pledged sacrifices in Lev 22:18, which played a central role in the later Rabbinic discussion; see Schwartz, “Sacrifice”, 104–7.

The new ritual instructions are valid for every “native citizen” (*‘ezrah*), that means all Jews. They are also valid for aliens (*gērîm*), who reside in the province of Jehud and who wish to sacrifice an animal at the temple according to the demand of Lev 17:8. No matter where they had come from and what they believed, the strangers in Jehud had to follow the same ritual norms as the Jews; that is the decisive criterion for the priests that made their sacrifice acceptable. In this way Num 15:14 is a clarification of Lev 17:8. The priestly legislators of the book of Numbers, however, intended to go a step further than those of the Holiness Code. They wanted to expand the circle of those who were permitted to sacrifice, but they had to overcome some terminological difficulties. The term *gēr*, on the one hand, was restricted to those aliens who resided in the province. The Hebrew term *nokri* or *ben-nēkār*, which denotes foreigners without these restrictions, on the other hand, was inappropriate, because it often addresses – at least in the Torah – people who were definitely excluded from the Jewish community (Exod 12:43; Lev 22:25; Deut 14:21; 15:3; 23:21). Therefore, they created an uncommon and somewhat ambiguous expression “or anyone else, who may be among you in the course of your generations”,¹⁹ which is wide enough, to include any stranger, who might visit Jerusalem sometime in the future and wish to perform a sacrifice.²⁰ With this opening – from the viewpoint of the wanderings in the desert – of a wide future perspective, even later foreign kings or emissaries, who were not able to explicitly be addressed in the ideal past, could be included. Also, concerning these foreign visitors to the temple, it was of no consequence if they were of low or high rank; the correct ritual performance alone would be the decisive factor, rather than their belief. This perspective was similarly shared by Philo and Josephus’ reports of such visits. Thus, the peace party had at their disposal a firm legal foundation for their position.

The unrestricted access to the Jerusalem Temple in the priestly legislation of the Torah is surprising. It cannot completely be explained by the priestly interest in increasing the sacrifices, for it can only be understood against the background of the theological concept of an inclusive monotheism, which earlier priests had developed in the books of Genesis and Exodus. According to this concept, there is only one God (*‘ēlōhîm*), who created the world and all mankind (Gen 1–9). Although he has revealed his proper name Yhwh only to Israel and thus created a very close relationship to this people (Exod 6:1–12), he still is related to all the other nations (Gen

¹⁹ In Hebrew: או אשר־בתוככם לדרתיכם; the expression can also include visits of proselytes from foreign countries such as the visit of the Queen from Adiabene reported in Ant. 20.49.

²⁰ For this interpretation see Baentsch, *Numeri*, 535; Milgrom, *Numbers*, 120–1; Seebass, *Numeri*, 2:140–1; as far as I see, Seebass is the only one who referred to B.J. 2.409–18.

10). Thus, Yhwh, the God of Israel, governs a universal realm and is present in the religions of all the people of the world in some way. If foreigners came to Jerusalem and dedicated their oblations and sacrifices to Yhwh, they venerated the only universal deity, who was not completely unknown to them. Therefore, the open ritual practice supported by the peace party was not just a concession to the political situation but deeply rooted in the universality of Yhwh himself according to the priestly concept of the Torah.²¹

2. Cult-Political and Theological Reasons for Prohibiting Offerings of Foreigners

Josephus does not mention any reasons why Eleazar and his priestly followers departed from the well-founded position described above and prohibited all offerings of foreigners, including the sacrifices of foreign rulers or those offered for their benefit.²² From the long speech that he let King Agrippa II direct to the insurgents, one only can assume that the party favoring rebellion against Rome also founded its position on normative and theological arguments. Moreover, they appear to have been eager (*σπουδή*) to follow the Torah in a strict way and “preserve inviolate all the institutions” of their fathers (B.J. 2.393).²³ Thus, a direction for investigating their arguments opens up, although the reconstruction is even more hypothetical than before.

2.1 Steady Danger of Defilement of the Temple

Certainly one major reason for revoking the long-standing ritual practice was the experience of priests that the loyalty to foreign overlords, ritually manifested in the sacrifices for their well-being, implied an ever present danger that the temple would be defiled and the holiness of God would be

²¹ This concept has its counterparts in the universal Zion theology attested in some Psalms (Ps 46; 48; 76; 84; 87), from which the eschatological concept of a future pilgrimage of all nations to Jerusalem and the glorification of Yhwh through their offerings was derived (Isa 60:6–7, 9b, 13–14); cf. also Isa 56:3–8.

²² Josephus mentioned only Eleazar’s “daring youth” as a possible reason. Since he was already in office under Albinus (62–4 CE), when his secretary was kidnapped by the *sicarii* (Ant. 20.208–10), this remark is probably not more than a polemical reproach.

²³ The conceptional relationship between Agrippa’s speech (esp. B.J. 2.390–5) and the report of the controversy between the priestly parties (B.J. 2.409–17) was already recognized by Schwier, *Tempel*, 117–24.

violated, even if that danger had not always been fully appreciated. The lists of events where this danger became reality is long,²⁴ starting with intrusions into the holy chambers of the temple by the Persian governor Bagoses (Ant. 11.297–301),²⁵ Antiochos IV Epiphanes (1 Macc 1:21–25), and Pompey (B.J. 1.152–4), continuing with the installation of foreign symbols or statues attempted by Antiochos IV (Dan 11:31), Pilate (B.J. 2.169–74; Ant. 18.55–6), and Caligula (B.J. 2.184–203; Ant. 18.261–72), and ending with robberies of the temple treasury by Antiochos IV (1 Macc 1:24–25), Crassus (B.J. 1.179; Ant. 14.105–9), Sabinus (B.J. 2.45–50; Ant. 17.260–4), Pilate (B.J. 2.178; Ant. 18.60), and Gessius Florus (B.J. 2.293–6). Apart from these encroachments on the sanctuary there were steady conflicts about the Antonia, the stronghold at the northern side of the temple precinct and about the control over the High Priestly robe.²⁶ It may be that the last robbery of Gessius Florus, which provoked a series of Jewish uproars and Roman retaliatory strikes in Jerusalem, convinced Eleazar that the purity and holiness of the temple could only be secured if foreigners and their sacrifices were excluded from the temple area.²⁷

2.2 Stifling Roman Presence in the Temple

Another cult-political reason may have to do how temple worship itself developed under Roman rule. It is highly probable that the two daily sacrifices for the well-being of the Emperor and the Roman people were performed together with the two Tamid offerings, which were sacrificed every day by the priests, accompanied by Levitical choirs, before sunrise and after sunset.²⁸ The Tamid was the usual offering on behalf of the people of Israel,

²⁴ Cf. the listing of Hengel, *Zeloten*, 211–15.

²⁵ For this important event, which has been often overlooked, see Albertz, “Controversy”, 483–97. The Bagoses mentioned by Josephus can be identified with the Persian governor Bagohi from the Elephantine papyri.

²⁶ After his death, the stronghold extended by King Herod, became a Roman garrison, which controlled the temple, although it was regarded as unclean by the Jews (John 18:28). Consequently it is not terribly remarkable that the connecting buildings between the Antonia and the temple were destroyed during the uproars against Festus Gestus (B.J. 2.230–2). Herod deposited the precious and holy robe of the High Priest in the Antonia, where it came under control of the Romans, until Vitellius, the legate of Tiberius in Syria, unblocked the Antonia. The procurator Cuspius Fadus, however, forced the Jews to bring the holy robe back into the Antonia, though the Emperor Claudius decided to return it to the Jews (Ant. 15.403–20).

²⁷ That the decision of Eleazar aimed at restoring the purity of the temple is elaborated by Schwier, *Tempel*, 117, 124, 141; but the issue of holiness is likewise important.

²⁸ See Mell, “Ausbruch”, 108. The suggestion can be supported by the fact that in 2 Kings 16:15 the Tamid and the king’s offerings are already closely mentioned together and are of the very same sacrificial type.

normally paid from the temple tax (Exod 30:11–16; Neh 10:33), which was collected from the entire Jewish community inside and outside of Palestine. Consisting of a holocaust in the morning and a grain offering in the evening during the First Temple period (2 Kings 15:15), it was enlarged to two holocaust offerings and their accompanying grain offerings and libations during the Second Temple period (Exod 29:38–42a; Num 28:3–8). These two daily holocaust offerings for the benefit of the people of Israel consisted of one lamb each. The daily holocaust sacrifices for the benefit of the Caesar and the Roman people, however, had included one bull and two lambs since the days of Augustus (Legat. 317).²⁹ These items might have been meant as a gesture of generosity by the emperor towards his client and friend Herod, although it was paid from the provincial taxes, which had also been raised by the Jews. In the time of a continuous political conflict with the Roman overlords, however, the much more extensive sacrifices for the Emperor could pose severe psychological problems: Since the slaughter and offering of a bull compared to a lamb took much more time and was much more impressive, the priests and audience on hand for the daily services could get the impression that the cultic effort made for the Romans was greater than that put forth for the benefit of the Jewish people. In the face of this ritual expenditure for the foreign ruler that surpassed their own needs, critical priests could ask whether they were still Jewish functionaries in a Jewish institution or rather Roman puppets in a Roman theatre. Thus, because of the extensive sacrifices for foreign rulers the identity of the priests and the Jerusalem temple was at stake.

Another Roman custom might have intensified the problem of identity. During the great pilgrimage feasts the Roman cohort of Jerusalem, consisting entirely of men-at-arms, was accustomed to come across from the Antonia and to take up a position on the portico around the temple area (B.J. 2.224; 5.245). For the Romans, this was a security measure taken to prevent disorder and riots from arising among such a large gathering of people. In the eyes of the Jews, however, especially for the priests, who were responsible for the cultic service, this kind of surveillance by foreign forces was probably difficult to cope with. The Roman soldiers did not always succeed in showing a behavior appropriate to the holy rituals. For example, under the procurator Cumanus a soldier raised his robe, turned his backside to the Jews and let off a fart, which enraged the crowd of worshipers so much that many were crushed to death during the turmoil (B.J. 2.224–7). Thus, the responsible priests may have wondered whether they were still in control of

²⁹ Since the morning Tamid had been the recipient of greater expenditures in the past than the evening Tamid, the bull and one lamb were probably sacrificed in the morning, and the other lamb in the evening.

the temple worship or whether the massive presence of armed foreigners did not defile the holy worship itself. From this perspective, the decision of Eleazar and his priestly followers to reduce or even dispose of the presence of the foreigners can be understood as an attempt to protect their own Jewish identity and the Jewish identity of the temple against a stifling Roman presence, although such actions would reduce their personal income. In order to achieve this important target they were ready to risk the break with the Romans and join the insurgents.

2.3 Normative and Theological Foundations from the Torah and the Prophets

Although one might expect there to be a clear and normative basis for the position of the priests who wanted to reform temple worship by eliminating foreign sacrifices, it is difficult to find. Of course, there are many texts in the Pentateuch that emphasize the exclusive religious identity of the people of Israel,³⁰ especially in the Deuteronomistic layers. In the entire Torah, however, no commandment that explicitly prohibits oblations or sacrifices of foreigners to Yhwh can be found. Therefore, Hengel and others suggested that the reformers might have referred to the 18 decrees of the school of Shammai, which prohibited – among other things – the acceptance of “gifts” (מתנות) from gentiles.³¹ But since this expression is not typical for sacrifices, nor for any other goods whose acceptance is prohibited by these decrees, the focus is rather on the private realm (i.e., special kinds of food), and it is highly improbable that any reference to public dedicatory gifts or sacrifices is intended. Moreover, it seems to be impossible to connect the legendary inauguration of these decrees with the Jewish revolt against Rome.³²

In the Torah itself there are only two passages that could possibly be interpreted in the reformers’ favor: The first is the so-called “community rule” of Deut 23:4–9, which originally prohibited members of specific neighboring nations – be it the Moabites and Ammonites forever, or the Edomites and Egyptians until the third generation – from gaining access to the assembly of Yhwh (בוא בקהל יהוה). This was probably aimed at the question of their complete political and cultic integration. But the regulation was soon interpreted in a way that foreigners should not have uncontrolled

³⁰ Cf. e.g. the Deuteronomic and Deuteronomistic concept of Israel as a holy people (*‘am qādōš*) in Deut 7:6; 14:2, 21; 26:19; 28:9.

³¹ Cf. Hengel, *Zeloten*, 203–11, following Graetz, *Geschichte*, 3:805–13.

³² Cf. Stemberger, “Hananiah”, 701–3, and already critical Krieger, *Geschichtsschreibung*, 225.

access to the temple (Lam 1:10).³³ With this understanding of the Pentateuchal text, the reformers could resume its enforcement. The second passage deals with a prohibition of buying sacrificial animals from foreigners (Lev 22:25). In its original sense this regulation intended to prevent Israelites from buying such – perhaps cheaper – animals from foreign traders, which later could turn out to be blemished.³⁴ In this sense, animal sacrifices of Jews and not of foreigners are meant. But this regulation could perhaps be interpreted in a more general sense that all animal sacrifices of foreigners must be suspected as unclean and thus be kept away.

It appears to me that the priestly reformers around Eleazar did not arrive at their position simply from the Torah itself, but by reading and interpreting the Torah – diverting from the normal position of the Sadducees – in the light of the future expectations that they may have found in the books of the prophets. In the vision of Ezekiel, which described the ideal temple of the future, they could read a clear regulation:

Ezek 44:9 These are the words of Adonay-Yhwh:
No foreigner, uncircumcised in mind and body, shall enter my sanctuary, no one from all the foreigners, who live among the Israelites.

In its context this regulation prohibited temple slaves of foreign origin from being employed at the temple anymore as they had been in the First Temple period. Instead, the Levites are appointed to perform the lower services in the future temple, for example, that of gatekeeper (Ezek 44:10–12). But of course, it is possible to understand this prohibition in a more general sense: that no foreigner at all should have access to the temple for any purpose, because their presence would interfere with the increased degree of holiness of that place.³⁵

³³ Apart from that the “community rule” could be interpreted as a prohibition of mixed marriages (Neh 13:1–3). For the extensive inner-biblical exegesis of Deut 23:4–9 see Olyan, “Gemeinde”, 178–82. Saul Olyan has developed his ideas during a lecture given within the Cluster of Excellence at the University of Münster in May 2010.

³⁴ Schürer, *History*, 2:309 note 60, seems to have misunderstood this passage when he wrote: “It is stated here that blemished animals may not be accepted even from Gentiles, which presupposes that in the ordinary course of events Gentile sacrifices was (!) lawful”. He was possibly following an interpretation of Rashi and Ibn Ezra. But the phrase at the end of the verse, “they (i.e. the sacrifices) will not be accepted (by God) on your behalf”, makes clear that the sacrifices not of foreigners but of Israelites are meant. The animals simply came “from the hand of foreigners”. The phrase *מִיַּד הַזָּר* “from the hand of” is also used in purchase transactions in Lev 25:14; cf. Milgrom, *Leviticus*, 1881–2; Gerstenberger, *Leviticus*, 302.

³⁵ The possibility of such a general understanding has to do with the fact that Ezek 44:6–9 seems to constitute a prophetic application of the more general “community rule” in Deut 23:4–9 as shown by Schaper, “Rereading”, 132–8, and Olyan, “Gemeinde”, 183–4. This prophetic exegesis of the Torah, which provided itself with divine authority, was already part of an inner-biblical legal exegesis, that led to an expanded scope of interpretation in the post-biblical period; see Fishbane, *Interpretation*, 91–277.

It was especially the dreadful experience of seeing the temple and the city of Jerusalem destroyed and defiled by foreign powers in the past (Ps 74:7; 79:1) that provoked the hope that no foreigners would intrude into Jerusalem and its temple any longer, so that the city and the sanctuary would reach the status of complete and undisturbed holiness in the future. Such a prophecy already appears in the book of Deutero-Isaiah after the Babylonian exile:

Isa 52:1 Awake, awake, put on your strength, O Zion,
put on your loveliest garments, holy city of Jerusalem;
for never shall the uncircumcised and the unclean enter you again.

The same expectation frames an earlier collection of the book of the Minor Prophets from the end of the 5th century BCE, probably responding to Bagoes' encroachment on the sanctuary:³⁶

Joel 4:17 Thus you shall know that I am Yhwh your God,
dwelling in Zion, my holy mountain;
Jerusalem will be holy,
and no foreigner will pass through her again.

Zech 14:21 Every pot in Jerusalem and Judah shall be holy to Yhwh Sabaoth;
and all who sacrifice shall come and shall take some of them and boil
the flesh in them. Then, no Canaanite will again be seen in the house
of Yhwh Sabaoth.

The assumption that the reform priests around Eleazar really intended to fulfill such prophetic expectations is supported by the fact that the coins that were minted in Jerusalem during the years 66 and 67 CE likewise promoted the holiness of Jerusalem.³⁷ Against this prophetic background, the inscriptions *ירושלם קדשה* “Jerusalem is holy” of the first year, and *ירושלם הקדושה* “Jerusalem, the holy (one)” of the second year suggest a cult-political program. Thus, the decision of accepting no more oblations and sacrifices from foreigners has to be interpreted as a cult-political reform, aimed at providing the Jerusalem temple, which had been continuously threatened by defilement through foreign rulers in the past, with a higher degree of holiness in the future, according to the divine promises given by the prophets.³⁸

³⁶ See Wöhrle, *Abschluss*, 150–65; Wöhrle calls this redactional layer “Fremdvölkerschicht I”. Similar hopes were still upheld in later periods as can be seen, for example, from 4QFlor (4Q174 frag. 1 col. I:3–6).

³⁷ See, Meshorer, *Coins*, 154–8; idem, *Coinage*, 96–131; 259–63, plate 17–19.

³⁸ From a similarly strict point of view, the Qumran sectarians had already pleaded for prohibiting sacrifices – at least of sacrificial meals (*zēbāhīm*) – of the Gentiles at the Jerusalem temple; see 4QMMT B 8–9 (= 4Q394 frags. 3–7 col. I:11–12). They identified Jerusalem with the holy camp of the wilderness period (col. II:16–17; frag. 8 col. II:9–11), inspired as they were by pro-

3. The Liturgy of the Daily Temple Worship as Support for either the One or the Other Position

Considering the paucity of direct sources that can reveal the theological motivations of the two quarreling parties of temple priests, the liturgy of the Tamid services may offer some additional insights. From the Septuagint and the Mishnah Tamid we have gained knowledge about those psalms that were sung by the Levitical choirs every day of the week during the Tamid services, which – until the decision of Eleazar – consisted of the sacrifices for the benefit of the people of Israel and the sacrifices for the benefit of the Emperor and the Roman people as well. From these seven Psalms and their sequence in the course of a week (Ps 24; 48; 82; 94; 81; 93; 92) one can reconstruct an outline of the theology that was common at the Jerusalem temple during the late Hellenistic and Roman periods and probably also shaped the theological thoughts of its priesthood in some way. A closer look at this theology reveals that both groups of priest, the peace party as well as the reform party, could feel corroborated by it.

3.1 Yhwh's Universal Rule from Zion

On three days of the week the universal kingship of Yhwh was celebrated in the Tamid worship. On the first day after the Sabbath, Ps 24 envisions how the creator of the world, to whom all its peoples belong (v. 1–2), entered the Jerusalem temple as the king of glory (v. 7–10). On the second day, Ps 48 praises Jerusalem as the one city with which this great heavenly king had identified himself (v. 2–4, 13–15) and from where he controlled the nations and protected his seat (v. 5–12). And on the sixth day, the pre-Sabbath, Ps 93 praises the eternal kingship of Yhwh, which he had demonstrated through his suppression of the chaos waters. As the reference to the chaos waters shows, the concept of Yhwh's worldwide kingship was also a profound influence behind the idea that Yhwh needed to defend and stabilize the threatened order of the world. Therefore, Ps 82, on the third day, asks Yhwh to judge the world (v. 8) by punishing those rulers who had divinized themselves and did not protect the poor and the weak (v. 2–4). Corresponding to this, Ps 94, on the fourth day, prays that Yhwh, as a god of vengeance, might punish the evildoers internal to the community who had oppressed his people. Finally Ps 92, on the Sabbath day praises Yhwh, because he eliminated the wicked and rescued the righteous (v. 10–16). Thus

phetic and psalmic perspectives (4Q398 frags. 14–21 col. I:10, 15); see also Schiffman, "Place", 89–92.

the eternal reign of Yhwh (v. 9) aimed at establishing justice both outside and inside of Israel.

The universal horizon of this theology clearly supports the position of the peace party, which pleaded for unrestricted access for all foreigners who wished to bring their oblations and sacrifices to this heavenly king, Yhwh, who ruled the world from Mount Zion. It paved the way for all kinds of cooperation. Nevertheless, this theology also supplied reasons for resisting the unjust measures and trouble-making interventions of the Roman government.³⁹ The task of carrying out revenge and establishing worldwide justice, however, was almost completely left to the competence of the divine king; it did not primarily belong to the realm of human responsibility. Thus, the peace party did not only have political but also good theological reasons of warning about any revolt against the Romans (B.J. 2.412).

3.2 Fighting for the Holiness of the Temple

Compared with the universality of Yhwh, the holiness of the Jerusalem temple is a less prominent topic in the Tamid psalms; it is mentioned only three times (Ps 24:3; 48:5; 93:5). In Ps 93:5, however, the text states that the establishment of Yhwh's kingship sought to bring about the reliability of his law and the eternal holiness of his temple. Thus the reform party could claim for itself that not only order and justice but also the law and the holiness of the temple were part of the major objectives of divine rule. The combination of holiness and law is important, because Ps 81, which was sung on the fifth day and thus preceded Ps 93 on the sixth, addressed the topic of the Mosaic law. In this Psalm the universal God reminded his people of their history of salvation and their specific relationship to him (v. 5–8). For Israel he had promulgated special ordinances, which included exclusive worship of Yhwh and excluded the veneration of any foreign deity (v. 10–11). Thus, seen from Israel's perspective, monotheism had an exclusive character. In this context Yhwh reminded Israel of its apostasy and his punishments in the past and admonished it to keep the law in the future (v. 9, 12–13). This admonition is connected with an important divine promise:

Ps 81:14 O that my people would listen to me,
that Israel would walk in my ways,
15 I would soon subdue their enemies
and turn my hand against their foes.

³⁹ Thus the endeavors of the High Priests and their colleagues to resolve conflicts with the Romans, which are reported several times (e.g. Ant. 18.3–4; B.J. 2.243; Ant. 20.162, 189–96; B.J. 2.315–17, 320), accord with the theology of the daily temple worship practices.

According to these verses, Israel still lived under the rule of its enemies. But in the event that Israel followed God's admonition and became obedient to his law, Yhwh promised that he would subdue these enemies and intervene against them. On the basis of this promise the reform party of the priests was able to argue that the heavenly king would subdue the Romans, if they obeyed the Torah in such a strict way that the complete holiness of his earthly temple was restored. We learn from Josephus that the question of whether or not God could be won as an ally (σύμμαχος) in the rebellion against Rome was disputed extensively between the peace and the reform party (B.J. 2.390–2); in this context strict obedience in connection with ritual observances (θρησκευεία) played a central role; this kind of obedience alone could give reasons for such a hope (391). It seems to me that the conditional promise of the Tamid Psalm 81:14–15 provides the proper basis of this debate.⁴⁰ Only because Eleazar and the priests around him believed in the divine promise that God would turn his hand against the Roman foes could they dare to introduce the rigorous ritual reform that excluded the Romans from the temple worship and assume the accompanying political risk. Moreover, they could refer to the fact that a radical commitment to the Torah and the temple – comparable with their own – had actually been honored by God during the successful Maccabean revolt (1 Macc 4:55; 2 Macc 8:24).

Conclusion

Both quarrelling priestly parties, on the eve of the Jewish-Roman War, determined their identity on the basis of holy scriptures, either the Tamid Psalms, the Torah, or the Prophets. The peace party emphasized the universality of God, the worldwide function of his temple, and an inclusive monotheism, based on the priestly concepts and legislation of the Pentateuch and the psalms centered on Zion and Yhwh's Kingship. The reform party stressed the holiness of God and his dwelling and an exclusive monotheism from an eschatological perspective, founded on instructions concerning exclusivity in the Pentateuch, Torah psalms, and prophetic promises. It is the wide range of different theologies and normative instructions collected in the Holy Scriptures of Judaism that made such differing cult-political options possible. In this connection, the scale of options was extended by the fact that the prophets became a second part of the canon next to the

⁴⁰ Mell, "Ausbruch", 116, already reconstructs the hopes of the reform party from the counter arguments of Agrippa's speech (B.J. 2.291). The text of Ps 81:14–15 helps these hopes to be understood more clearly.

Pentateuch at the end of the 3rd century BCE. While the position of the peace party was based on the Mosaic Torah alone, the rebellious party founded its divergent point of view on that Torah which could be interpreted in the light of prophetic expectations. Both positions, however, were indisputably Jewish ones; none of them could be designated as “apostasy” or excluded for theological reasons.⁴¹

Because of the fundamental hermeneutical differences and the inflamed political atmosphere, a theological understanding between the two priestly parties was not possible. Since the High Priests and the distinguished Pharisees did not succeed in changing Eleazar’s mind and convincing the people’s assembly by their arguments, they called for military support from Gessius Florus and King Agrippa II. While the former evaded his responsibility, the latter sent his cavalry of 2000 men (B.J. 2.418–21). A bloody civil war began, in which the reform priests, supported by the *sicarii* brigands, proved victorious (422–4). The members of the peace party were excluded from the temple service, and many of them were murdered in the turmoil (425, 441). Since the class of priestly aristocracy had split in half, the authority of those who would have been able to keep the potential religious violence under control was heavily undermined. Thus, the outbreak of religiously motivated violence became unavoidable.

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⁴¹ In contrast to the position of the radical Hellenists during the Maccabean revolt, which was excluded from Judaism.

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