

THE PHARISEES IN JUDAISM PRIOR TO A.D. 70

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1. *Introduction*

In a previous note I looked at the phrase “the seat of Moses” in Matt 23:2 and concluded (with David Hill) that the reference is to an actual stone seat upon which these Jewish leaders sat in the synagogue.¹ In the present article I wish to explore this question further by looking at the role exercised by the Pharisees in pre-A.D.-70 Judaism. This study, then, is linked to the earlier one: Here I seek to demonstrate that such an understanding of Matt 23:2—namely, that the Pharisees really did sit upon a literal “seat of Moses” and that they were held by the common people to be authoritative in matters of the law—is plausible in the context of what we know about the role of the Pharisees in Judaism prior to A.D. 70.

This question that I am raising is far from an idle one. It is imperative that NT scholarship understand the historical context in which the NT writings were written; and since the Pharisees are mentioned no fewer than sixty-seven times in the four gospels, the importance of having a clear conception of precisely who they were and what they did is evident. This matter is of particular importance when one seeks to understand Matt 23. Here the Pharisees come under significant attack; and yet, some scholars argue, the portrait of the Pharisees presented in this chapter is not historically plausible. In short, the suggestion is that the description of the Pharisees in Matt 23 is not valid for the period prior to A.D. 70, but that it belongs to Matthew’s own time of writing, subsequent to that date. For this and a variety of other reasons, NT scholarship has concluded that Matt 23 must have arisen in a post-A.D.-70 *Sitz im Leben*.

In the present study I seek to show, on the other hand, that the portrait of the Pharisees in Matt 23 is historically plausible. I do not,

¹Kenneth G. C. Newport, “A Note on The ‘Seat of Moses’ (Matthew 23:2),” *AUSS* 28 (1990): 53-58.

however, wish to be misunderstood in this respect. Matt 23 intentionally presents only the worst side of the Pharisees, the passage being clearly polemical in tone. For a more complete picture, this account must be supplemented and balanced with what we know about the Pharisees from other sources.

The spirituality of the Pharisees is not, however, the topic of this present study. Rather what I wish to show here is simply that despite scholarly protests to the contrary, the Pharisees really did "sit upon the seat of Moses" in pre-A.D.-70 Judaism and that they indeed had enough popular support to enable them to advise a would-be convert against joining the new Jewish sect of the Nazarenes (Matt 23:13).² Also, they were sufficiently respected by the people to be greeted and called "rabbi" in the market place (v. 7), and were able to gain the best seats in the synagogue by virtue of the high esteem in which they were held by the common people (v. 6).³

In short, it is my contention that prior to A.D. 70 the Pharisees were the kind of real historical opponents depicted in Matt 23. They were not simply anachronistic representatives of a later "synagogue across the street" at the time when Matthew's Gospel was written.⁴

2. *The Pharisees in Pre-A.D.-70 Judaism*

Let us look, then, at the role of the Pharisees in Judaism prior to A.D. 70. This is not an easy topic, for although scholars are generally agreed on the question of the role of the Pharisees in Judaism after the destruction of the Temple, their earlier situation is far less clear. This lack of clarity is caused primarily by the ambi-

²Such seems to be the best interpretation of this verse, according to which the Pharisees do not enter the kingdom themselves and prevent others from doing so. What does this mean? Probably that the Pharisees did not join the nascent Christian church and that they even prevented others from doing so by giving advice against joining the new group.

³On the question of whether "rabbi" was used as a title in Judaism in the period prior to A.D. 70, see especially Hershel Shanks, "Is the Title 'Rabbi' Anachronistic in the Gospels?", *JQR* 53 (1962-63): 337-345; idem, "Origins of the Title 'Rabbi,'" *JQR* 59 (1968): 152-157; Solomon Zeitlin, "A Reply," *JQR* 53 (1962-63): 345-349; idem, "The Title Rabbi in the Gospels is Anachronistic," *JQR* 59 (1968): 158-160. Note also Raymond E. Brown, *The Gospel according to John*, AB, vols. 29 and 29A (Garden City, NY, 1966-1970), 1:74.

⁴Cf. Krister Stendahl, *The School of St. Matthew and Its Use of the Old Testament* (Philadelphia, 1968), xi.

guity relating to the documents that provide the evidence. The Mishnah was compiled ca. 200, and consequently there is always the nagging doubt that a particular saying attributed in it to a rabbi who lived before A.D. 70 has not been correctly attributed. The problem intensifies as we come further down the stream of time, so that the Tosephta and Talmuds can be used with only very extreme caution as sources of evidence for the situation prior to A.D. 70.

Furthermore, many NT scholars feel that the NT records cannot be relied upon for data regarding the Pharisees; for after all, so the argument runs, the Pharisees and the early Christian church came into conflict and thus the NT writers, being Christians, fell far short in giving us a fair picture of what the Pharisees were really like. For many scholars, therefore, there is ambiguity because of their own presuppositions and biases regarding the NT documents, as well as by virtue of the lateness of the pertinent Jewish sources.

The ambiguity has led, of course, to considerable disagreement among researchers. The extent or range of such disagreement can be seen, for instance, when one compares the work of such noted historians of Judaism as Jacob Neusner⁵ and Ellis Rivkin.⁶

Briefly, Neusner argues that the Pharisees formed an exclusivist sect which was concerned primarily with matters of ritual purity. As such, they had very little to do with the common Jew in the street. The main focus of the religious life of the Pharisees was, according to Neusner, the maintenance of ritual purity—an assessment in which Neusner has the support of quite a number of scholars.⁷

Rivkin, on the other hand, has come to entirely different conclusions. According to him, the Pharisees were very much a people's party, a group whose main concern was with the teaching and

⁵Jacob Neusner, *The Rabbinic Traditions about the Pharisees before 70*, 3 vols. (Leiden, 1971).

⁶Ellis Rivkin, "Defining the Pharisees: The Tannaitic Sources," *HUCA* 40-41 (1969-1971): 205-249; idem, *A Hidden Revolution* (Nashville, TN, 1978); idem, "Scribes, Pharisees, Lawyers, Hypocrites: A Study in Synonymity," *HUCA* 49 (1978): 135-142.

⁷See, e.g., Marcel Simon, *Jewish Sects at the Time of Jesus*, trans. James H. Farley (Philadelphia, 1967), 27-43; Louis Finkelstein, *The Pharisees: The Sociological Background of Their Faith*, 3d ed. (Philadelphia, 1962), 1:75-76; Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ*, trans. and ed. Geza Vermes, Fergus Millar, Matthew Black, and Martin Goodman, 3 vols. (Edinburgh, 1973-1987), 2:381-403.

exposition of the law. They were not separatistic; rather, they played a full and leading role in Jewish political and religious life.⁸

We will now examine the question of the role of the Pharisees before A.D. 70 by looking at the sources which seem to be potentially of the most use, namely the writings of Josephus, the letters of Paul, and the four Gospels.

3. *Information from Josephus*

The evidence from Josephus concerning the identity of the Pharisees and the role that they played in Judaism is fairly clear: For him the Pharisees were, and long had been, a major force in Jewish society. They had influence with "the people" and with political leaders, and were the leading (or perhaps "earliest") "sect" of his day.⁹ In his words as set forth in his *Jewish War*, "Of the two first-named schools [Sadducees and Pharisees], the Pharisees . . . are considered the most accurate interpreters of the laws, and hold the position of the leading [or earliest] sect, [and] attribute everything to Fate and to God."¹⁰

The importance of this statement is clear, for here Josephus states unequivocally that by the time of the writing of the *War* (ca. A.D. 74) the Pharisees held a position of some authority among the Jewish people. They were not only the "leading sect" (or perhaps the earliest), but were also considered to be experts in legal matters.

This statement by Josephus does not stand alone, however, for frequently he indicates or implies in his writings that the Pharisees were influential among the common people and that they played an important role in political events. According to him, such had been the case since early times. In fact, the Pharisees were one of the three

⁸The central thrust of Rivkin's arguments has been most recently endorsed by E. P. Sanders, who argues similarly that Neusner's description of the Pharisees as a purity sect does not reflect the evidence (see Sanders, *Jewish Law from Jesus to the Mishnah* [London, Eng., 1990], especially pp. 166-184).

⁹The Greek word used is *prōtos*, which may have either meaning. See William F. Arndt and F. Wilbur Gingrich, *A Greek-English Lexicon of the New Testament and Other Early Christian Literature*, 2d ed., rev. F. Wilbur Gingrich and Frederick W. Danker (Chicago, 1979), 725-726; G. W. H. Lampe, ed., *A Patristic Greek Lexicon* (Oxford, 1961), 1201.

¹⁰*Jewish War* 2.162. Translations of Josephus are from LCL.

sects that Josephus has listed as being in existence at the time of the high priest Jonathan, ca. 150 B.C., and more importantly they played an important role during the rule of John Hyrcanus, ca. 134-104 B.C. Josephus tells, for example, of a split which occurred between the Pharisees and Hyrcanus. The importance of Josephus' account of this split is not so much the fact of the occurrence itself as it is the fact that since there was such a split, there must formerly have been unity. And indeed Josephus says as much in his account:

As for Hyrcanus, the envy of the Jews was aroused against him by his own successes and those of his sons; particularly hostile to him were the Pharisees, who are one of the Jewish schools, as we have related above. And so great is their influence with the masses that even when they speak against a king or high priest, they immediately gain credence. Hyrcanus too was a disciple of theirs, and was greatly loved by them. And once he invited them to a feast and entertained them hospitably, . . . ¹¹

The state of affairs thus described was not to last, however, for at that feast a certain Eleazer made a slanderous remark against Hyrcanus, throwing doubt upon his legitimacy and calling for his resignation as high priest. The other Pharisees rejected the claims of Eleazer, and did not side with him against Hyrcanus. This was not sufficient, however, for one of Hyrcanus' other close friends, a Sadducee named Jonathan, who called for the death of the slanderer. On this matter the Pharisees did not agree, but advised rather that the man should be whipped and chained. Hyrcanus grew angry, for he did not consider this lighter punishment to be severe enough; and consequently he began to suspect that the Pharisees were in sympathy with the rebel spokesman. The inevitable result was the split and animosity to which Josephus alludes.¹²

According to Josephus, therefore, the Pharisees lost the royal favor which they had formerly enjoyed; but they did not, it seems, lose the support of the people. This is evidenced by the important role they played just a few years later in the rebellion against Alexander Jannaeus (ca. 104-78 B.C.). As Rivkin points out,¹³ the extent of this role is brought out by Josephus in his account of the

¹¹*Ant.* 13.288-289.

¹²For the full account see *Ant.* 13.288-296.

¹³Rivkin, *Revolution*, 43-44.

advice that Alexander gave from his deathbed to his wife, Salome Alexandra:

And when the queen saw that he [Alexander] was on the point of death and no longer held to any hope of recovery, she wept and beat her breast, lamenting the bereavement that was about to befall her and her children, and said to him, "To whom are you thus leaving me and your children, who are in need of help from others, especially when you know how hostile the nation feels towards you!" Thereupon he advised her to follow his suggestions for keeping the throne secure for herself and her children and to conceal his death from the soldiers until she had captured the fortress. And then, he said, on her return to Jerusalem as from a splendid victory, she should yield a certain amount of power to the Pharisees, for if they praised her in return for this sign of regard, they would dispose the nation favorably toward her. These men, he assured her, had so much influence with their fellow-Jews that they could injure those whom they hated and help those to whom they were friendly; for they had the complete confidence of the masses when they spoke harshly of any person, even when they did so out of envy; and he himself, he added, had come into conflict with the nation because these men had been badly treated by him.¹⁴

This passage has been quoted at length because it clearly reveals that the Pharisees were influential among the people in the Second-Temple period. In fact, relating to the year 78 B.C., it depicts a time that antedates A.D. 70 by nearly a century and a half. Moreover, it should be noted that the passage is not entirely sympathetic towards the Pharisees, as may be inferred from the indication that they spoke "harshly" "out of envy," not as a result of their justifiable dislike of an individual who had crucified 800 of their number somewhere in the region.¹⁵ This statement is no sycophantic gush churned out by a Pharisaic sympathizer. Consequently, its testimony to the favor which the Pharisees had among the masses is to be taken seriously as a reliable historical account.

In summary, it would thus appear that, according to the foregoing statements from Josephus, the Pharisees had significant influ-

¹⁴*Ant.* 13.399-402. The full deathbed speech continues to 13.404. Alexandra's subsequent support of the Pharisees is described in 13.405-415.

¹⁵For an account of this extremely gruesome event, see *Ant.* 13.380. See also Schürer, 1:224.

ence well before A.D. 70. Further references could be cited,¹⁶ but this is perhaps unnecessary inasmuch as the main conclusions are already clear: (1) According to Josephus the Pharisees were an influential and respected group among the Jews of his own day. (2) He had information, as well, to suggest that this popularity was not a new development. (3) Moreover, he notes that the Pharisees were especially known for their skill in interpreting the law and for transmitting unwritten traditions and laws which they had inherited from their forebears.

In short, the picture which Josephus gives is not that of a group of super-pious individuals who kept themselves aloof from the *ʿam hāʾāreṣ*. Rather, they were a scholar class who associated freely with the people and who actively engaged in all aspects of Jewish life.

This view is, of course, fundamentally different from that proposed by Neusner. As we have seen, Neusner's contention is that the Pharisees were a group of separatists who were strongly devoted to ritual purity and who consequently would have little to do with the common Jew. Neusner's work on the Pharisees suffers from its serious defect in not allowing sufficiently for the evidence from Josephus. On this point he has been criticized by E. P. Sanders,¹⁷ who correctly notes that Neusner's suggestion that the Pharisees played no role in politics after about 50 B.C. is contradicted by several passages from both the *War* and *Antiquities*. The evidence we have adduced above indicates Sanders' criticisms to be sound.

Rivkin has perhaps fallen afoul of the opposite snare by giving the material in Josephus too much weight. However, his assessment

¹⁶E.g., in his *Life* he tells of a certain Simon, "a native of Jerusalem, of a very illustrious family, and of the sect of the Pharisees, who have the reputation of being unrivalled experts in their country's laws" (191). And in *Antiquities*, he makes several pertinent references, such as 13.298 and 18.17. In connection with the latter reference we read: "The Pharisees simplify their standard of living, making no concession to luxury. They follow the guidance of that which their doctrine has selected and transmitted as good, attaching the chief importance to the observance of those commandments which it has seen fit to dictate to them. . . . They are, as a matter of fact, extremely influential among the townfolk; and all prayers and sacred rites of divine worship are performed according to their exposition" (18.12-15). The passages in *Ant.* were probably written in the early 90s A.D. and may on that account be discounted as solid evidence of the situation before A.D. 70. What is to be noted, however, is their agreement with the statement from *Jewish War* 2.162 (quoted above), which antedates the *Antiquities* by almost two decades.

¹⁷E. P. Sanders, *Jesus and Judaism* (Philadelphia, 1985), 188, and 388-389, n. 59.

of passages such as those cited above, even if slightly credulous, strengthens his case considerably. For Rivkin, the Pharisees were, as we have seen, a scholar class primarily concerned with the study of the Torah, but which held a position of importance among the common Jews. Moreover, Sanders has noted that Josephus' silence on such matters as the Pharisees' supposed obsession with ritual purity lends support to the view that purity was not something with which the Pharisees were overly concerned.¹⁸

4. *The New Testament Data*

Josephus' description of the Pharisees is not contradicted in the NT. Not surprisingly, the NT says very little on the political role of the Pharisees, but it does refer rather explicitly to matters of their beliefs and popular appeal, and in this it agrees with Josephus.

In the NT the Pharisees are regularly portrayed as individuals who were particularly concerned with legal matters. The NT also parallels Josephus in presenting the Pharisees as being influential among the people and as actively engaging in many aspects of day-to-day Jewish life.

Paul

Paul, in speaking to the Philippians regarding his former status as a Pharisee, bore witness to the fact that the Pharisees were particularly careful regarding observance of the law. He stated that he had been "as to the law a Pharisee, as to zeal a persecutor of the church, as to righteousness under the law blameless" (Phil 3:5b-6). To the Galatians Paul gave indication that he had been "extremely zealous" for the traditions of his fathers, and had been advanced in Judaism beyond many of his age (Gal 1:14). It would appear, then, that Paul's life as a Pharisee had been characterized by careful observance of the law, enthusiasm for certain "traditions," and excessive zeal in the pursuit of Judaism—a zeal which led to his persecution of the nascent Christian church. He was prepared, it seems, even to sully his hands by consorting with heretics.

The picture which Paul thus gives of Pharisaism is not that it was an isolated sect devoted to ritual observance of the law at the expense of open contiguity with the *ʿam hāʾāreṣ* of Israel. He does

¹⁸Ibid.

not say, "You know of my former life in Judaism, how I separated myself from the commoners, and kept myself in a state of ritual purity." The picture is indeed quite different.

The Synoptic Gospels

Paul's outline sketch is supported by the evidence of the Synoptic Gospels, for in these Gospels, too, the Pharisees are portrayed as a scholar class intensely concerned with legal matters and active in the community of Israel. This is evidenced, for instance, in such examples as the cornfield incident (Mark 2:23-27), the healing-on-the-Sabbath episode (Mark 2:1-12), the debate about fasting (Mark 2:18-22), and the numerous debates between Jesus and the Pharisees on points of law and doctrine (Mark 7:1-22; 12:13-24).¹⁹ It is obvious that the Pharisees were considered as being just the sort of people who would challenge Jesus on legal points, and would do so in public settings.

Again, there is no evidence that the Pharisees held themselves aloof from the people. Rather, they are portrayed as individuals who mixed with the common people of Israel—all, that is, except the unrepentant "sinners," the *rešā'im*, who openly and wantonly flouted the will of God.²⁰

The very fact that so much of the controversy material in the Synoptic Gospels centers upon conflict between Jesus and the Pharisees may itself be evidence for their direct involvement in day-to-day Judaism of the period prior to A.D. 70. Sanders has noted that when it comes to history of traditions, there is never smoke without fire.²¹ Such clashes as there were occurred not because the Pharisees opposed Jesus for what he was (i.e., God-fearing, pious, etc.) or for what he taught (i.e., the mercy of God, the love of the Heavenly Father, and the coming of the kingdom) but rather for what he was not (i.e., a Pharisee) and for what he did not teach (i.e., the "traditions" of the fathers).

¹⁹The historicity of such events have, of course, been challenged by various scholars, but such argumentation is rather immaterial. Even if these accounts were to be considered lacking in historicity, they would nevertheless give witness to the conception held concerning the Pharisees—a conception which is clearly validated by other evidence of the kind I have given above.

²⁰On the *rešā'im*, see Sanders, *Jesus and Judaism*, chap. 6.

²¹*Ibid.*, 18-22, following Henry J. Cadbury.

The Gospel of John

In assessing the NT evidence on the Pharisees, we must also take into account the Gospel of John; and here, as Rivkin notes, the general picture is in keeping with the rest of the NT.²² Rivkin is certainly right to allow some weight to the Johannine material, though some might think that the date of this Gospel would diminish the strength of the evidence. In any case, several passages from the Fourth Gospel should be noted here.

The first of these passages is John 1:24, where it is specifically stated that those who came to question John the Baptist concerning his identity had been sent by the Pharisees. It should be observed, however (though Rivkin fails to do so), that in John 1:19 the same group is said to have been sent "by the Jews." It is possible, therefore, that here John is simply equating Pharisees with the Jews, making no real distinction between them.

The evidence from John 3:1-2 is stronger. This passage records that Nicodemus, "a man of the Pharisees . . . a ruler of the Jews," came to Jesus and addressed him as "Rabbi." The implication is that this man, who happened to be a Pharisee, was also a leader of the Jews. Jesus himself acknowledges Nicodemus' status as a "teacher," for in reply to Nicodemus' question he asks, "Are you a teacher of Israel, and yet you do not understand this?" Clearly this statement implies that "teacher of Israel" and "Pharisee" were understood as being, if not synonymous, at least partly overlapping terms.

John 7:45-52 may also provide some insight into the conception of the Pharisees as set forth by the author of the Fourth Gospel. The passage reads:

The officers went back to the chief priests and Pharisees, who said to them, "Why did you not bring him?" The officers answered, "No man ever spoke like this man!" The Pharisees answered them, "Are you led astray also? Have any of the authorities or of the Pharisees believed in him? But this crowd, who do not know the law, are accursed." Nicodemus, who had gone to him before, and who was one of them, said to them, "Does our law judge a man without first giving him a hearing and learning what he does?" They replied, "Are you from Galilee too? Search and you will see that no prophet is to rise from Galilee."

²²Rivkin, *Revolution*, 120-121.

Clearly, the Pharisees are here depicted as persons of some importance. They take an active role in attempting to bring a perceived heretic into line; and they are set against "this crowd" who "do not know the law," indicating that they considered themselves to be legal experts. They are also portrayed as having authority to judge a man, though in this case they jump to conclusions without hearing all the evidence. It hardly needs to be said that this general conception of the Pharisees fits in well with that which is found elsewhere in the NT and in the writings of Josephus.

The other references to Pharisees in the Gospel of John support the view that the author conceived of them as important and influential members of the Jewish community. Especially to be noted is the evidence from John 12:42-43, which states that, despite a seeming blanket prohibition to the contrary, many of the Jewish authorities believed in Jesus. Others, however, drew back from open confession of Jesus "for fear of the Pharisees . . . lest they be put out of the synagogue." Clearly, the implication here is that the Pharisees actually controlled synagogue membership.

5. *Conclusion*

We have seen that the evidence from Josephus and the NT supports the view of Rivkin that the Pharisees of the period prior to A.D. 70 were a people's party. The Pharisees were active in the religious and political life of Judaism and were not, it seems, the kind of separatist purity sect that some, such as Neusner, have set them forth as being. Indeed, the picture of the Pharisees as being "on the seat of Moses" and having influence among the common people, who respected them, is quite plausible in the light of what we can reasonably piece together regarding the role and activities of the Pharisees in pre-A.D.-70 Judaism.