



Roda da Fortuna

Revista Eletrônica sobre Antiguidade e Medievo
Electronic Journal about Antiquity and Middle Ages

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Variedade e proximidade dos grupos judaicos dos séculos II a.C. a I d.C.

Variety and proximity of Jewish groups from the second century BCE to the first century CE

Abstract:

The Jewish groups from the second century BCE to the first century CE have been considered in the last decades by an approximate perspective, starting from the common characteristics among them. Many of them come from the ancient traditions, present in the sacred texts of national scope. However, others have no parallel in biblical history, but are present among groups of that period. The purpose of this article is to show that these characteristics are not the result of borrowings, but result from the political pressures that leveled the religious and social experiences of all those groups that were present in a wide and structured network of interdependencies.

Keywords:

Group; religious and social experiences; politics.

Resumo:

Os grupos judaicos dos séculos II a.C. a I d.C. têm sido considerados nas últimas décadas por uma perspectiva aproximativa, partindo principalmente das características comuns entre eles. Muitas delas são oriundas das tradições antigas, presentes nos textos sagrados de abrangência nacional. Contudo, outras não possuem qualquer paralelo na história bíblica, mas se fazem presentes entre grupos daquele período. A proposta deste artigo é mostrar que essas características não são fruto de empréstimos, mas resultantes das pressões políticas que nivelaram as experiências religiosas e sociais de todos aqueles grupos que estavam presentes em uma ampla e estruturada rede de interdependências.

Palavras-chave:

Grupos; experiência religiosa e social; política.

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Between the nineteenth century and the mid-twentieth century, what most interested the researchers who devoted themselves to the study of the Jewish groups of the second century BCE to first century CE, fomented mainly by religious interests (because that was the environment of the birth of two great religions important for the West), were the “peculiarities” of each one; innovations that have been characterized as unique elements that draw attention to the creativity of the groups, especially in the religious and social fields. With the discovery of new sources and the creation of new methods and historical approaches in the course of the twentieth century, the “similarities” between those groups became a valuable object of study. These similarities reveal that the “distance” between them, as far as religious and social experiences are concerned, is much smaller than was conceived for a long time. The communal *ethos* was the result of a common cultural heritage, shared by all segments of the Jewish society. On the other hand, there were elements of political nature that made these experiences very close.

For a work of this nature, it is necessary to bring to the discussion how those small social units of the period can be characterized. Historiography dealing with ancient Jewish studies records several ways of defining them: clubs, mutual aid societies, guilds, associations, philosophical schools, factions, parties, philosophies, among the best known. The bases for the conceptualization used by the researchers are, in general, the extension (small or large) and the representation (minor or major) of them in the social environment. The concept used to refer to them is of great importance as it can impact historical studies on their limits in society.² Complications from a mistaken approach can be exemplified with the use of the “sect” concept, still present in current research. Its use comes from modern studies that inserted some of those collectivities into rather prejudiced paradigms. Here I choose to call them as “groups” – a broad concept that does not dissociate them from the social environment and at the same time allows them to be understood as acting in a wide network of interdependencies.

Another important consideration that must be made in principle is related to the identity of the groups considered. We are dealing, above all, with a specific Jewish context, but with a “world” completely intertwined with political and cultural relations that is Hellenistic and Roman – a fact often neglected in research on the subject (Guarinello, 2014: 47-57). There were not only Jewish groups in Jewish territory between the second century BCE and the first century CE. Conversely, we also know that there were Jewish matrix groups outside of Judea (as we shall consider below with the use of sources). To answer this, I borrow the proposal of Albert Baumgarten, who divides the groups from Egypt to Asia Minor into two basic segments: Jewish and Greco-Roman (1998: 93). The central difference between them is that the Jews were based on the religious ideal of the Covenant

² For example, it is difficult to say that the Yahad, formed (as the most recent surveys indicate) by Essene dissidents in the first half of the second century BCE, could compose a “movement” with the same wingspan of the Pharisees, Sadducees and Essenes. For this case, concepts that make a narrower delimitation do not seem wrong.

(*berit*) and traditions linked to the biblical past, whereas the Greco-Romans resembled philosophical schools, mainly of Epicurean, Stoic and Pythagorean base. Nevertheless, as far as their experiences were concerned, they all had very common characteristics, such as codes of conduct, communal meals of a symbolic character, processes for the admission of new members, meetings, etc. The focus of this analysis will be limited to groups of Jewish matrix, while the Greco-Romans will be used for comparison.

The most well-known sources of the period, such as the books of the Jewish historian Flavius Josephus (first century CE), the Dead Sea Scrolls (third century CE to the first century CE), the Mishna (first century CE to the third century CE) and the Christian canonical biblical texts (first century C.E to the second century CE), tell us about groups that occupied important places in Jewish society of the second century BCE to the first century CE, such as the Pharisees, Sadducees, and Essenes, who originated from disputes over political and religious power during the period of the establishment of the Maccabees (c. 152 BCE). However, from that time there was a proliferation of groups of the most diverse orientations, which seems to maintain a growing movement until the first century CE, bringing to the social scene groups such as the Gnostics, Baptists (Acts³ 18: 25, 19: 1-5), Jewish-Christians (Acts 24: 5), Herodians (Mk 3: 6, 12: 13) and the “fourth philosophy” (AJ 18: 3-10, 23-25⁴).⁵

The nature and configuration of these groups are heterogeneous. Constantly, we fall into the temptation to define them as monolithic units, with social action limited to a specific field. On the contrary, the Sadducees, for example, always remembered in historiography as constituting a “religious group” with ideas opposed to the Judeo-Christians, seem to have been much more interconnected by political and economic powers than by any particular religious doctrine (“while the Sadducees are able to persuade none but the rich,” [AJ 13: 298]), considering their role at the head of the political and judicial systems of the time. Cases such as this show how compromising a particular nature is to a group. It is less uncertain to say that its activities had their direction in accordance with political determinations and social contradictions present in that society that underwent intense transformations.⁶

³ The list of abbreviations of biblical texts and other sources is found at the end of the article.

⁴ See Horsley’s discordant opinion. Unlike what has been established in historiography, he disagrees that the “fourth philosophy” described by Josephus was related to the fighting groups of Zealots and Sicarii, as is usually found in historiography (1985: 190-200).

⁵ The proliferation of groups was not restricted to the territory of Judea. Researchers have found documents that point to this increase throughout the region of the Hellenistic East from the third century BCE. In the Roman Mediterranean there seems to have been an even greater enlargement, with groups speaking Latin and Greek (Baumgarten, 1998: 94, 109).

⁶ The Essenes, for example, are described by Josephus (and by the Jewish-Egyptian philosopher Philo of Alexandria) as “pacifists,” who sought virtue and temperance (AJ 15: 379). But with the outbreak of the war

What helps us to understand the position of those groups, be they Jewish or Greco-Roman, is the fact that the Jewish thinkers of the first century CE, like Flavius Josephus and Philo of Alexandria, considered them by the prism of proximity – a fact that, rather than emphasize the discrepancies between them, highlighted the similarities. Josephus stated that “they none of them differ from others of the Essenes in their way of living, but do the most resemble those Dacae who are called *Polistae*” (AJ 18: 22). The Essenes were approached by him also to the Pythagoreans (AJ 15: 371), while the Pharisees approached the Stoics (*Vita* 12). Josephus’s similarities lie mainly in religious experience, such as the perspective of the immortality of the soul (WJ 2: 154-157), on the sacrifices and the importance given to calendars. Philo, on the other hand, does not point to a direct comparison between them, but his descriptions depart from presuppositions common to all. For example, one of his writings, *De Vita Contemplative*, talks about an Egyptian group called “therapists” (from the Greek *therapeutae*). By his description have similar elements to those attributed to the Essenes, such as the communal regime, contempt for material wealth and reverence for the Sabbath, historians believe that Philo may have referred to a group of Essene-Jewish Egyptians or some other Jewish matrix.⁷

The multiplicity of religious groups is the most evident proof that the Jewish religion was far from having a unity until the end of the first century BCE. Dominant groups that intercalated in power and were therefore linked to a “Temple religion” did not have sufficient authority to impose a particular strand of religion on the whole nation. Also noteworthy is the role of the peasant masses – little remembered by researchers because of their few textual references. Richard Horsley reminds us that only 10% (or perhaps less) of the population was directly attached to some important Jewish matrix group in the first century CE (1985: xii). The vast majority of the population did not share “well-elaborated” religious experiences with a profound theological basis, found mainly among literate groups. On the contrary, it was based on cultural elements present in society, which formed a religious experience more linked to a peasant religiosity – with participation in the national festivities (Ex 23: 14-17, 2 Chro 8:13) and with the sacrificial offer in the Temple when they traveled to Jerusalem (Lk 2: 41). However, the peasant masses also played important political roles in troubled times, such as during the struggle against the Seleucids of Syria in the second century BCE, alongside the Maccabees, and in the decades preceding the First Jewish War between 66-74 CE, due to the

against Rome in the first century CE, some of their ranks abandon this position and launch against the enemy. This was the case of John, the Essene, recorded in WJ 2: 567-568.

⁷ Some researchers have warned that the biases used by these authors can be questioned, especially because their comparisons are compromised with Greek philosophical models and directed to the Greek-speaking public (*EDSS*, 2000: 427, v. 1). It should be pointed out, however, that textual dependence on a philosophical and literary standard, and the fact that it is addressed to a wider Greek-speaking public, does not promote any disagreement as to the proximity between the groups considered (Goodman, 1998).

economic strangulation imposed by Rome. In both situations, there were specific groups of political and religious aspirations.

Faced with a partially rebuilt social framework, what must be done now is to point out the cultural material used for the composition of those Jewish groups. It is possible to identify two types: the first is the history, found in the traditions and the sacred books and which, at the hands of each one of them, has been continuously reformulated in order to meet their needs. The second is politics. This was subject to a complex game involving internal and external agents, which placed Judea in the midst of a wider geopolitical context, first as part of the Hellenistic and later Roman world. The form of organization of those groups was limited by the political situation, and the elements that prove this can not be found in the Biblical past revered by the Jews. The similarities of this nature are quite interesting because they find no precedent in Jewish history and for bringing the groups of Jewish religious matrix from the Greco-Romans. They are interpreted in the most varied ways by contemporary historians and will be the most explored in this article.

Let us briefly discuss the history used as a source for Jewish groups. Part of the history of the Jewish people, the one that will be considered sacred, is found in the biblical traditions, accepted during the second century BCE and the first century CE as an official history thanks to the authority of the biblical texts. In those centuries, even before the formation of the biblical canon delineated by Rabbinical Judaism, the books that would become part of the Torah were already accepted as authoritative (Schniedewind, 2004).⁸ The writings created by literate groups present rereadings of these ancient texts, which were adapted according to the sociopolitical conditions of the period. Past uses of the central elements of the Jewish traditions, such as Sabbath observance, purity rules and the interpretation of the Law in general – fields in which the greatest differences between Jewish groups were found – fostered the ideological substratum of those groups, while, on the other hand, they occasioned more or less authentic characteristics in their religious and social experiences.

From a historical-institutional perspective, the role played by the most important institution of the Judaism, the Jerusalem Temple, shows the proximity of Jewish matrix groups in religious and social aspects.⁹ Although the Jewish groups

⁸ It should be noted that the biblical story was also the result of an arbitrary, political and religious project of national reconstruction, which took place mainly in the period following the return of the Jews to the territory of Judea (fifth century BCE) after the Babylonian Exile (sixth century BCE). Current researches points out that there was no unity among ancient traditions. Therefore, as a project of present and future, the generations that took care of this construction eliminated the rich syncretism of the times of the First Temple of Jerusalem (tenth century to the sixth century BCE).

⁹ For Richard Horsley (1985: 23-26), the Temple of Jerusalem actually represented a Temple-State, since the office of priest became (from the usurpation of Jonathan Maccabeus in 152 BCE) to accumulate the religious and the political functions (which would last until the end of the Maccabean dynasty, in 37 BCE). Although the political role of the Temple was diminished with the end of the Maccabean dynasty, the Temple remained a place of political and religious decision-making.

competed for the monopoly of the interpretation of the traditions with the leaders of the Temple, the majority of them recognized this institution like national religious symbol.¹⁰ The Temple was run by the group of Sadducees (Acts 5:17), who composed an aristocratic elite that ignited the political dominance of Jewish institutions in the second century BCE. However, other segments were not prevented from participating in religious activities provided for in the Jewish calendar. The Pharisees were the largest opposition force to the Sadducees, but they had the Temple open to make sacrifices and participate in discussions with the Sadducees. The Essenes, narrated by Flavius Josephus, sent offerings to the Temple, but made their sacrifices differently than the other Jewish groups (AJ 18: 19¹¹). The Judeo-Christians, according to the writer Luke, took advantage of the common environment of the Temple to preach (Acts 5: 20-21, 42). The Jerusalem Temple helps us understand that all those groups, while maintaining religious and political rivalries, shared a common historical and social basis.¹²

If the closeness between Jewish groups is made very clear by the uses they made of the past, similarities that did not have this basis attract attention and cause some estrangement – and what deepens this is the fact that they are not exclusive to the Jewish matrix groups, but also to the Greco-Romans (and also to the more syncretic ones, formed by Jews of Hellenistic thought). Several other characteristics are found among these groups, such as the character of brotherhood, voluntariness (instead of birth), initiation rites, the need for knowledge apprehension for hierarchical ascension, secrecy regarding the group's knowledge of the environment social, meals, legal and judicial system, doctrines, libations, incenses, sacrifices, etc. There is definitely no room for us to discuss each of these elements at this time.¹³

¹⁰ For Baumgarten, “Jerusalem and the Temple were the main focus of sectarian activity” (1998: 106).

¹¹ This position on the part of the Essenes was apparently related to their strict rules of ritual purity and/or close contact with non-Essenes (see the good discussion in Beall 1988: 115-119).

¹² However, there were those who broke the association with the Temple of Jerusalem. The Yahad broke off relations with the Temple because it considered the Temple “polluted.” The group contested the ascension of the Maccabees to the high priesthood, considering them usurpers. This can be seen in his writings 4QMMT and CD.

¹³ Each of these similarities is much discussed in historiography, and any attempt to sketch them here would be rather superficial. For a more specific consideration of these and other similarities I suggest reading the following works: Harland, P. A. (1999). *Claiming a Place in Polis and Empire: The Significance of Imperial Cults and Connections Among Associations, Synagogues and Christian Groups in Roman Asia* (c. 27 BCE-138 CE). Ph.D. diss., Centre for the Study of Religion, University of Toronto. Kloppenborg, J. S. Wilson S. G. (eds). (1996). *Voluntary Associations in the Graeco-Roman World*. London: Routledge. Newman, H. (2006). *Proximity to power and Jewish sectarian groups of the Ancient Period: a review of lifestyle, and Halakhab in the Pharisees, Sadducees, Essenes and Qumran*. Leiden: Brill. Richardson, P. Westerholm. S. (eds.) (1991). *Law in religious communities in the Roman period: the debate over Torah and nomos in post-biblical Judaism and early Christianity*. Ontario: WLU Press. Stern, S. (ed.) (2011). *Sects and sectarianism in Jewish history*. Leiden: Brill. Van Nijf, O. M. (1997). *The Civic World of Professional Associations in the Roman East*. Dutch Monographs on Ancient History and Archaeology 17. Amsterdam: Gieben.

The main interest, however, we can achieve: to understand what lies behind all these similarities.

Some proposals have already appeared in historiography, especially in recent decades, to explain the similarities between the groups of the period. I will highlight three of them, which I believe are the most important, using one influential author of each. The first is based on the mechanism of the “influence”. Historians have pointed out these influences in many respects, present primarily in the linguistic, literary, doctrinal, and organizational fields. The main sources of influence would have come from the exchange of experiences with Greco-Roman groups, which would have inserted elements unknown in Jewish society, but which were common in the Hellenistic world. In this sense, a great name was that of the German historian Martin Hengel. Its main focus was the study of the Hellenistic influences on the groups of Jewish matrix. Part of his considerations were made on Essenism and Yahad (following the great impetus of academic research that occurred with the discovery of the Dead Sea Scrolls in 1947). He claims that the *Master of Justice*, founding leader of Yahad, could have known common practices of the Pythagorean schools and introduced them into the standard group of Greek education (1974: 246). This would be found, for example, in the normative system of the Yahad, which was also used by Hellenistic groups (2000: 50).

The second proposal takes into account the historical changes and their social reflexes. One of the researchers who has most stood out in presenting this relationship is Albert Baumgarten. For him, the formation of the Hellenistic kingdoms led to the end of the persecution of competing political segments, which would henceforth organize themselves into “sects” of Greek matrix. The environment in which they would have developed was urban, which would have provided “more or less the same sort of people, of equivalent background, and in similar circumstances” (1998: 109). These conditions would have provided a whole social and ideological apparatus that would have been used by the Greek groups and, perhaps afterwards, those of Jewish matrix. It is from this perspective that he believes that the elements of approximation between Jewish and Greco-Roman groups can be found. When dealing with the Essenes, for example, he says: “to find more exact equivalents of Essene behaviour in the Graeco-Roman world we must turn our attention to the realm of imagination, to Greek utopias” (1998: 101). Baumgarten’s work is very important in framing Jewish and Greco-Roman groups in a broader social setting. From a perspective that privileges the social (as opposed to pointing out a spontaneity in the elaboration of its structures), there is no doubt that the formative elements of those groups were selected mainly from the urban environment, but Baumgarten’s merit lies in relating them to the Greco-Roman culture.

The latest proposal to elucidate the proximity between the groups of the period is found in the work of American historian Yonder M. Gillihan. Its general purpose is to explain the civic ideology and organization of the Yahad by

comparison with other Jewish and Greco-Roman groups. For him, what made the similarities present in their experiences was that they were based on patterns created by the state. They would have “borrowed terms and patterns from the local *poleis* and the Hellenistic and Roman empires, including terminology for rulers, cultic officials, legislative bodies, courts, deliberative councils, military units, and so forth” (Gillihan, 2012: 2). Internal procedures would also have been based on State provisions, including the legal and judicial system. Thus, the similarities between the groups would build on what Gillihan calls the “state language” (2012: 3), which, according to place and manner of action, provided the cultural material necessary for the formation of groups – which would have occurred throughout the Eastern Mediterranean from the constitution of large integrated social units.

It is difficult to say that there was only one way to standardize the characteristics shared by the Jewish and Greco-Roman groups. The proposals presented above may be valid for some specific aspect (such as literary, linguistic and even organizational elements). However, the greatest difficulty in all of them is to show how this receiving group would have clothed itself with the constituent elements of other groups or spheres of state power. The horizon of these proposals is the same: to present a scenario in which “influences” were responsible for composing the representativeness of those groups. Each of them, “freely”, would have appropriated of those elements because they were interesting, convenient, perhaps appropriate for the elaboration of their structures at the time of their institutionalization. I therefore think that these proposals are not very positive in presenting reasonable results.

Unlike the authors cited, I propose a socio-political analysis that relates all the activities of those groups without distancing them from the social tensions and political pressures that, as we shall see, were responsible for delimiting their religious and social experiences. I assume that there was a superior social regulatory agent that subjected these groups, interfering and limiting their actions, but promoting more or less regular patterns of action. In the center, in the place where this regulation came, was the sovereign power; holder of the monopolies and organizer of the society.

We must now seek information from the sources for this proposal to reach its value. The greater interest must hover in the search for elements that can point the relation existing between the groups with the sovereign power. I select two pieces of documents for analysis. The first refers to a letter sent by the apostle Paul to the Jewish-Christian and Gentile group of the city of Corinth. The second is a text that belonged to the group that wrote part of the Dead Sea Scrolls, known as Yahad. Let's look at the Pauline text, in the pericope of 1 Corinthians 6: 1-8:

When any of you has a grievance against another, do you dare to take it to court before the unrighteous, instead of taking it before the saints? Do you not know that the saints will judge the world? And if the world is to be judged by you, are you incompetent to try trivial cases? Do you

not know that we are to judge angels – to say nothing of ordinary matters? If you have ordinary cases, then, do you appoint as judges those who have no standing in the church? I say this to your shame. Can it be that there is no one among you wise enough to decide between one believer and another, but a believer goes to court against a believer – and before unbelievers at that? In fact, to have lawsuits at all with one another is already a defeat for you. Why not rather be wronged? Why not rather be defrauded? But you yourselves wrong and defraud – and believers at that (NRSV).

A first reading points to the religious focus given by Paul on the relationship between the “divine” group’s justice and the justice fostered by external courts, those probably linked to the structure of sovereign power. He asserts that the group’s courts would have the power to judge the “world” and even the “angels”. If we remove the veneer of the religion, we can better see the reasons for its injunction. Paul knew very well the existence of external powers that could interfere in the jurisdiction of the Jewish-Christian and Gentile groups connected to him. He himself had already passed judgment at the most important Jewish court, the Sanhedrin (Acts 23). Nevertheless, it imposes limits on the appeal of members in any court outside the group.

In the Pauline view, the relation between their groups with temporal power was allowed by their god to a certain point, and the very institutions of sovereign power originated from the divine will (common theological element between the groups of the period). If we relate this text to the exhortations existing in other Pauline letters directed to Jewish-Christian and Gentile groups, we perceive that the relation allowed with institutions of the society appeared only in a scope that did not enter into friction with its dispositions, like the payment of taxes and respect for the superior authorities of the State (Rom 13: 1-7). Any other problem involving the breaking of religious and social precepts pointed out by the structure of the group should be brought exclusively to its own judicial authorities.

The second source to be considered is the text that was used by the Yahad group, known as *Damascus Document* (CD). In 9: 1, the following is described: “Any man who devotes (to destruction) a man from among men by the statutes of the Gentiles, he shall be put to death”. The passage is short, but extremely significant. The researchers point to the text as a paraphrase from the biblical book of Leviticus. In this, the text is arranged as follows: “No human beings who have been devoted to destruction can be ransomed; they shall be put to death”. The wording of the original in Hebrew, in fact, shows the group’s dependence on the Levitical text.¹⁴ However, it makes an addition, the passage “by the statutes of the Gentiles”. It has already been pointed out that this addition was also extracted from the book of Leviticus, from parts that speak of not keeping in touch with nations in opposition to the Israelites, perhaps the text 20: 23, which says: “You shall not follow the

¹⁴ For a comparison between the texts in Hebrew, I suggest Gillihan, 2012: 192-193.

practices of the nation” (Gillihan, 2012: 193). My position, however, is that the writer reworked Leviticus 27: 29 aiming to direct it exclusively to its group and justifying, from the religious normative point of view, that new *berit* of communal extension.

The quest for Yahad’s autonomy has been linked to the group since its birth. As the current research points out, this group came from the Essenes, but still cultivated contact with the other Essene-oriented groups, named in their writings as “encampments” or “assemblies” (CD 12: 22-23). In each of the camps there was a legislative and judicial body responsible for enforcing the rules (CD 14: 3-21), but there seems to be a greater legal distance from Yahad to them. This would have already been outlined in its training period. Yahad had its institutional foundations created with a political-religious disruption occurred in the first half of the second century BCE, which caused a legalistic group to go to the desert in order to create a new “way” in the religion and to safeguard its own existence, threatened at the time by the sovereign power that was instituted in Judea (CD 1: 11) – namely, the authoritarian and expansionist government of the Maccabees.

As with the Jewish-Christian and Gentile groups under Paul’s authority, the Yahad disputed with the external courts the legitimacy on dealing with the justice to its members. It has developed penal codes for the regulation of its internal structure. These codes show the autonomy that the group leaders had in dealing with associates. They describe some offenses that could be grounds for judgment in the Jewish courts because they are also known in biblical traditions, such as the profanation of the divine name (1QS 6: 27-72), inappropriate sexual conduct after marriage (4QD^e, frag. 7, col. 1, vv. 12-13), and, more generally, transgression against the laws of Moses (1QS 8: 21-23) – laws that were still present in Jewish society until the first century CE, as we can see in Jewish and Jewish-Christian sources. In all these cases, the Yahad authorities appeared as responsible for the trial, excluding any participation of external courts. Devote someone to destruction “from among men by the statutes of the Gentiles” meant using the judicial courts recognized by the state (but not by the group) to settle any litigation within the group.

The most objective conclusion to be drawn from the two sources considered above is that no member of those groups could appeal to the “gentile” courts, this is, to the authorities not designated by the groups themselves. They could not also claim the use of external laws to resolve conflicts between their members within them. What is the purpose of this? If individuals could resort to foreign laws and courts, the power emanating from the authorities of those groups would break down, undermining their legal and institutional barriers, and weakening its identity against the society –ultimately endangering their own existence as a provider of salvation. They claimed not only the control of the assets of salvation to the members, but also the power over their own structure, which was recognized and made known as an autonomous and unique institution in the midst of the society.

To know that such groups sought autonomy and recognized the power emanating from other bases is only part of what we need to know to achieve our goal. The essential point is to know that there was a tension between the power emanating from the groups and the sovereign power. If we go deeper into consideration of the sources, we may find even more insightful notes. The small and important text CD 9: 1 can be used again. The final part of it shows that anyone who appealed to the statutes of the Gentiles would be put to “death”. This conclusion was copied in the same way as in the text of Leviticus 27: 29. However, its use leads us to question whether, in fact, Yahad’s leaders could use the death penalty as punishment for offender affiliates. Based on the group’s own texts, especially their penal codes, it is possible to conclude that they did not use the death penalty as punishment. In the Penal Code of the book *1QRule of the Community* (6: 24-7: 25), the longest of all of the Yahad, the penalty used to punish offenders who committed the most serious transgressions was expulsion.

The same measure was taken by the Jewish-Christian and Gentile groups led by Paul. The first letter to the Corinthians can help us understand their positioning. Let’s look at section 5: 1-5.

It is actually reported that there is sexual immorality among you, and of a kind that is not found even among pagans; for a man is living with his father’s wife. And you are arrogant! Should you not rather have mourned, so that he who has done this would have been removed from among you? [...] When you are assembled, and my spirit is present with the power of our Lord Jesus, you are to hand this man over to Satan [...] (NRSV).

The limits imposed by the sovereign power on the Jewish-Christian and Gentile Corinthian group were no different than those for Yahad. Immorality was, for Paul, a serious transgression. The man who committed it was to be “removed” from the middle of the Corinthian group. What did this mean between them? The capital punishment directed by Paul for serious transgressions was the expulsion of the group, symbolized in the text for “to hand this man over to Satan.” This religious perspective imputed to a social experience imputed the expulsion as the loss of divine favor and recognition of the group to which he belonged.

The religious and social experiences of these groups had to be directed in a way that avoided to the utmost any conflict with the social environment and especially with the sovereign power that had dominion over the monopolies (especially those of politics and violence). Such an attitude protected them from friction against external authorities and non-associated members, as well as regulating the interaction with them outside their domain. The death penalty, for example, could not be imputed between them. In Judea, from the rule of the Maccabees until the first century CE – when we had all the groups mentioned above in activity –, it was the government that held the legal power to punish individuals with death. The judgment of Jesus of Nazareth well reflects this limit. According to

Jewish-Christian sources, Governor Pontius Pilate asks: “Then what should I do with Jesus who is called the Messiah?” All of them said (priests and elders), ‘Let him be crucified!’” (Mt 27: 22-23). To whom would the crucifixion of the Nazarene fit? The answer is given by the evangelist John: “Pilate said to them, ‘Take him yourselves and judge him according to your law.’ The Jews replied, ‘We are not permitted to put anyone to death.’” (18:31).

Those groups could not impose severe penalties, such as the death penalty, on their members. We know this from the Dead Sea Scrolls, from the writings of Josephus, from the Jewish-Christian and Mishnaic texts of the first century CE. With this, the own practice of expulsion can be seen as a religious and social experiences common among them; practiced by all, without having been “copied” from one to the other. Like other practices and representations, expulsion was generated and presented as similar thanks to the limitations imposed by external powers.

The social experiences arising from the tension between the sovereign power and the diverse groups were transmuted into a divine order; starting from that moment to compose a picture of internal religious experiences. For David Flusser, it was the messianic expectations that made those groups respect civil authorities. As the end of time was imminent, there was a need to maintain a “conditioned pacifism”, bearing in mind that profane governments were still existing because they fit into a divinely oriented periodization (2007: 300-301). They did not have sufficient powers to act against the limitations imposed by sovereign governments. Therefore, any necessary vengeance would be effected at the time of the end, by god’s hands (Rom. 12:19). Paul’s message to Roman Christians made it very clear that the government authorities who exist “have been instituted by God. Therefore whoever resists authority resists what God has appointed, and those who resist will incur judgment” (Rom 13: 1-2). Similarly, the passage from *Wars of Jews* 2: 140, which says: “that he will ever show fidelity to all men, and especially to those in authority, because no one obtains the government without God’s assistance”, has been regarded by many scholars as a description of the Essenes’ respect for the authorities of sovereign power (Flusser, 2007: 229).

To make it even clearer that the similarities among the groups of that period were due to the limits imposed by sovereign power, we must analyze what they could not do instead of what they could. Let us use the Josephus sources as help, this time. Josephus mentions some movements of political-religious nature that did not manage to consolidate themselves as hierarchically organized groups due to the way in which their representations were presented to the social setting soon in their genesis. One such case was that of the messianic leader Theudas (AJ 20: 97-98). According to Josephus, Theudas, who considered himself a prophet, would open the waters of the Jordan River. However, before he could do this, he and his followers were attacked by surprise on the orders of Governor Cuspius Fadus of Judea (44-46 CE). Many of them were killed, and Theudas, after being captured, had

his head cut off. This was certainly a known episode, since it was also quoted by Luke in Acts (5: 36).¹⁵ Another example was that of a Jew who had returned to Jerusalem from Egypt and therefore called by Josephus (and Luke, in Acts 21:38) as the “Egyptian” (WJ 2: 261-263, AJ 20: 169-172). After saying that he would enter the in city of Jerusalem with divine help, he and his followers were attacked by Roman forces. Most were killed and the movement dissipated.¹⁶

It is clear that these groups must be considered from a political perspective, which shows the clash between diverse segments towards the sovereign power of that time. In fact, the religious message itself presented as a political discourse, and perhaps opposition. The performance of leaders such as Theudas and the Egyptian was considered as a threat to the established order and reaction to them was immediate. However, most of the groups during that time were also entities of political and religious contestation, but they did not enter into a frontal clash with the sovereign power to the point of being decimated. For example, we had Yahad as a well-established group (until the destruction of its ceremonial center by Roman forces in 67 CE, in the national war against the Romans) and the development of Jewish-Christian groups. Groups like of the Theudas and of the Egyptian did not reach the stage of “sedentarization”; that is, they did not develop to the point of creating an organized and lasting physical and ideological structure. Immediately upon their birth, deprived of the notion that related the experiences of group with the social environment, they clashed with the sovereign power.

From the way it is considered here, it is possible to see clearly that the elements that permeated the juridical and social boundaries of the groups were subject to the direct pressure of sovereign power. However, one should not think that it was only where there was close contact between groups and society – as in their judicial systems and social performances – that the limitations of sovereign power brought them closer to their experiences. The internal elements that constituted religious experiences, which may seem to have been created without relying on anything other than creativity itself, also originated on the basis of external limitations. This tension influenced, for example, their own theology. We can cite the explanation made by some of them in treating members who committed serious infractions. At a time when the leadership of the groups did not have enough authority to punish any of its members for direct conflict with sovereign power, divine participation was invoked to deal with the offender. The individual was “dead”, but not physically, but in a spiritual sense. The heavenly courts were

¹⁵ Although the reference to it in the book of Acts is chronologically wrong.

¹⁶ Another group quoted by Josephus and also found in the Jewish-Christian sources is that of the Baptists, who gathered around John the Baptist. Although John the Baptist was killed, his group continued to act (as was the case with the Master of Justice and Jesus of Nazareth) – which may tell us that the problem involving these leaderships and state powers was less unreasonable than those of Theudas and the Egyptian (AJ 18: 116-119, Lk 3: 1-21).

summoned and the fate of the offender was, at that moment, decided by the greater judge, god.¹⁷

The examples given above, based on the sources of the period, are important for understanding the limits of religious and social experiences and as there was no delimited separation of these two fields (which is fully consistent with the context of Antiquity, with theocratic societies and strong political power). Now, it is opportune to do the following question: is it possible that the impositions of sovereign power were valid for all the Jewish and Greco-Roman groups? We talked about a flowering of groups that would have started from the second century BCE, in the region of Judea. This was linked to the own process of political centralization that took place in a larger political sphere, in the Eastern Mediterranean, with the Hellenistic governments from the third century BCE, and increasing its intensity to the Roman domain (Elias, 2000: 105). For this reason, certain social segments that until then disputed the monopolies of the power were reduced to the situation of opposition groups or were annihilated. In the territory of the Judea, this happened with a strong native government, that of the Maccabees, who learned a lot from their Hellenistic predecessors from Egypt and especially from Syria, who dominated the region since the end of the fourth century BCE until the first half of the second century BCE.

In the face of ever more centralized and unified governments, the regulation of nascent groups is related to what took place in the central circles from which sovereign power emanated. Thus, it is possible to affirm that all the groups were subject to the same tensions and impositions present in a wide network of interdependence that interconnected the societies. Restricting to the Jewish matrix groups, we can conclude that the similarities between their religious and social experiences occurred because they could not go beyond the limits of that chain in which sovereign power was present. Theudas and the Egyptian were not aware of this. Paul, for his part, dealt dexterously.

A close sequence of striking historical events prompted the drastic decline of the plurality of Jewish groups. The two great Jewish wars against the Romans (66-74 and 132-136 CE) and the destruction of the Second Temple of Jerusalem (70 CE) take from the scene the groups that had deep messianic expectations, denominated “apocalyptic”, that imputed strong militancy with to the religious element. In the midst of this, the wise Pharisaic-minded rabbis carry out the work in Yavnev, between the end of the first century CE and the beginning of the second century CE, and promote the “uniformity” and “unity” of Judaism in the face of the small variety that had survived the catastrophes inflicted by the Romans.¹⁸

¹⁷ This was what happened in groups such as Yahad and Jewish-Christians. According to Jacob Neusner, the same attitude was taken by the groups under the leadership of sages rabbis of the first century CE (1973).

¹⁸ There is a silence from the sources, especially from the Talmud, about the survival of other Jewish groups after the First Jewish War. This is very consistent with the religious configuration that was established after the conflict, since the group of Pharisees was the one that “survived” with greater number of individuals. In

Conclusions

The approximation approach, following the most recent historical trends that seek to integrate different social units, has been very positive in providing results that do not separate the object of the existent social tensions among the networks of interdependence of the societies. Even more than that, particular elements point to changes in broader aspects, serving as social indicators of the civilizing process of the whole society (Elias, 2000). Applying this to the Jewish groups of the period considered, we see that not only was their religious and social experiences standardized, but that centralized power was strong enough not to allow the major monopolies of the state constitution to be disposed of as objects of competition.

In that context, what we call “Judaism” was, in fact, a common cultural basis that was present in the formation of different groups. In the religious field there was no unity, at the same time that the religious also can not be seen as a separate field from the political. Their social performance, therefore, was necessarily intertwined with the political decisions that permeated the networks of interdependence in which they were positioned, promoting direct limitations in their religious and social experiences. In the end, the similarities in their experiences are to be understood not as resulting from their spontaneity and autonomy, neither as a result of borrowings, but as the result of existing regulation throughout society.

List of abbreviations (alphabetical order)

- 1QS – 1QRule of the Community (*Serekh ha-Yahad*)
 2 Chr – 2 Chronicles
 4QD^e – 4QDamascus Document^e
 4QMMT – 4QCarta Haláquica
 AJ – Antiquities of the Jews (Flavius Josephus)
 Acts – Acts of the Apostles
 CD – Damascus Document
 EDSS - Encyclopedia of the Dead Sea Scrolls
 Ex – Exodus
 WJ – Wars of the Jews (Flavius Josephus)
 Lk – Luke
 Lev – Leviticus
 Mk – Mark
 Mt – Matthew
 NRSV – New Revised Standard Version
 Rom – Romans
Vita – *De Vita Contemplativa* (Philo of Alexandria)

Joshua E. Burns’s view, Jews from other groups survived the catastrophe of war but did not have enough representation to avoid standardizing Judaism outlined by the Pharisees (2006: 251-260).

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Recebido: 03 de abril de 2019

Aprovado: 24 de junho de 2019