

How Did the Pharisees Learn Torah? Between the Gospels and the Mishnah

הפרושים – בין הלכות למדרשי דקרא

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1) Introduction

Josephus, *Antiquities* 13.297-8 (93/94 CE)

I want to explain here that the Pharisees passed on to the people certain ordinances from a succession of fathers, which are not written down in the laws of Moses. For this reason the party of the Sadducees dismisses these ordinances, averring that one need only recognize the written ordinances, whereas those from the tradition of the fathers need not be observed. Conflicts and major differences developed between the two groups over these matters. The Sadducees persuade only the wealthy, however, and have no popular following, whereas the Pharisees have the support of the populace.

2) Pharisees in the Mishnah

Mishnah, *Yadayim* 4.6-7

אומרים צדוקים קובלין אנו עליכ' פרושים שאתם
אומרים כתבי הקודש מטמאין את הידים וספרי
הומרים אינו מטמא את הידים א"ר יוחנן בן זכאי וכי
אין לנו על הפרושים אלא זו בלבד הרי הם אומרים
עצמות חמור טהורים ועצמות יוחנן כהן גדול טמאים
אמרו לו לפי חבתן היא טומאתן שלא יעשהאדם
עצמות אביו ואמו תרוודות אמר להם אף כתבי
הקדש לפי חבתן היא טומאתן וספרי הומרים שאינן
חביבין אינן מטמאין את הידים
אומרים צדוקין קובלין אנו עליכם פרושים שאתם
אומרים שורי וחמורי שהזיקו חייבין ועבדי ואמתי
שהזיקו פטורין מה אם שוריוחמורי שאיני חייב בהם
מצות הרי אני חייב בנזקן עבדי ואמתי שאני חייב
בהן מצות אינו דין שאהא חייב בנזקן אמרו להם לא
אם אמרתם בשוריוחמורי שאין בהם דעת תאמרו
בעבדי ובאמתי שיש בהם דעת שאם אקניטם ילך
וידליק גדישו של אחר ואהא חייב לשלם

The Sadducees say: We protest against you, O Pharisees, for you say that the Holy Writings render the hands impure, while the Books of Homer do not.

R. Yohanan b. Zakkai said: Is this all that we might hold against the Pharisees? Why, they say that the bones of a donkey are pure, while the bones of John [Hyrcanus?] the High Priest are impure.

They [his students] replied: According to their dearness is their impurity, so that a person should not make the bones of his parents into spoons.

He said to them: So too with respect to the Holy Writings...while the Books of Homer, which are not dear, do *not* render the hands impure.

The Sadducees say: We protest against you, O Pharisees [on account of the following]. If my bull or my donkey, for whose observance of *mitsvot* I am not responsible, [damages another's property] I am held responsible, then mustn't it be that if my servants, for whose observance of *mitsvot* I am responsible, [damage another's property] I should certainly be held responsible?

They replied: Shall we not distinguish between my animals who do not possess an intellect, and my servants who do? Thus, if I were to annoy [my servant], he would go and burn another's grain heap, and I would be responsible to pay for it.

3) Pharisees in the Gospels

Matthew 12.9-12 (ca. 70-80 CE)

9 Going on from that place, he went into their synagogue, 10 and a man with a shriveled hand was there. Looking for a reason to bring charges against Jesus, they asked him, "Is it lawful to heal on the Sabbath?"

11 He said to them, "If any of you has a sheep and it falls into a pit on the Sabbath, will you not take hold of it and lift it out? 12 How much more valuable is a person than a sheep! Therefore it is lawful to do good on the Sabbath."

4Q265 [Miscellaneous Rules] 7.1.6-9 (c. 1st century BCE - 1st century CE)

השבת vacat אל יעל איש בחמה אשר תפול 7 אל [המים ביום השבת ואם
נפש אדם היא אשר תפול אל המים 8 [ביום] השבת ישלח לו את בגדו
להעלותו בו וכלי לא ישא 9 [ביום] השבת ואם צבא[...]

No one should take out an animal which has fallen 7 in[to] water on the Sabbath day. But if it is a man who has fallen into water 8 [on] the Sabbath [day,] he may

	throw his garment to him to lift him out with it. No one should carry [him out with?] a vessel 9 [...on] the Sabbath [day].
Tosefta, <i>Shabbat</i> 14.3 (mid-late 3 rd century CE)	
בהמה שנפלה לתוך הבור עושין לה פרנסה במקומה בשביל שלא תמות	If an animal fell into a bit [on Shabbat], we may sustain it in its place so that it should not die.
Luke 14.5-6 (ca. 80-90 CE)	Codex Sinaiticus (mid 4 th century CE)
5 Then he asked them, “If one of you has a child or an ox that falls into a well on the Sabbath day, will you not immediately pull it out?” 6 And they had nothing to say.	
Sinaiticus: 5 And answering, he said to them: Shall a donkey or ox of any one of you fall into a pit and will he not immediately draw him out on the sabbath day?	

4) Non-Pharisees in Matthew

Matthew 5.27-29	Matthew 4.5-7
27 “You have heard that it was said, ‘You shall not commit adultery.’ 28 But I tell you that anyone who looks at a woman lustfully has already committed adultery with her in his heart. 29 If your right eye causes you to stumble, gouge it out and throw it away. It is better for you to lose one part of your body than for your whole body to be thrown into hell.	<p>5 Then the devil took him to the holy city and had him stand on the highest point of the temple. 6 “If you are the Son of God,” he said, “throw yourself down. For it is written:</p> <p>“He will command his angels concerning you, and they will lift you up in their hands so that you will not strike your foot against a stone.”</p> <p>7 Jesus answered him, “It is also written: ‘Do not put the Lord your God to the test.’”</p>