

# Law and Lawlessness in Early Judaism and Early Christianity

Edited by  
DAVID LINCICUM,  
RUTH SHERIDAN,  
and CHARLES M. STANG

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zum Neuen Testament*

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## Preface

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David Lincicum  
Ruth Sheridan  
Charles Stang





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## Introduction

DAVID LINCICUM, RUTH SHERIDAN, and CHARLES STANG

According to a persistent popular stereotype, early Judaism is viewed as a “legalistic” religious tradition, in contrast to early Christianity, which seeks to obviate and so to supersede, annul, or abrogate Jewish law. Although scholars have known better since the surge of interest in the question of the law in post-holocaust academic circles, the complex stances of both early Judaism and early Christianity toward questions of law observance have resisted easy resolution or sweeping generalizations. The essays in this book aim to bring to the fore the legalistic *and* antinomian dimensions in both traditions, with a variety of contributions that examine the formative centuries of these two great religions and their legal traditions. More broadly, this book explores how law and lawlessness are in tension throughout this early, formative period, and not finally resolved in one direction or the other. In this way, we hope this book will in some small way serve as a resource for interreligious dialogue today.

In the later Second Temple period, the Torah came increasingly to be conceived as ‘law’ and was accordingly elevated to a central place in the formation of Jewish identity and practice.<sup>1</sup> The centrality of the Torah did not naturally translate into unanimity of perspective on the question of what it meant to faithfully fulfill the law, and the remarkable proliferation of sects and movements in the lively centuries around the turn of the common era attests to the vitality of debate and the importance with which the Torah was viewed. If at one time it had been common, at least among Christian scholars of Judaism and early Christianity, to categorize Second Temple Judaism as crassly legalistic, the discovery of the Dead Sea Scrolls and subsequent recognition of the complex diversity of Jewish stances toward the covenant and the law troubled this unsophisticated consensus. Similarly, seminal work on the Apostle Paul by Krister Stendahl and E. P. Sanders called into question the prevailing, often Lutheran, understandings of Judaism in the first century, and so opened the floodgates in subsequent decades of rethinking the poles of law and lawlessness.<sup>2</sup>

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<sup>1</sup> See esp. John J. Collins, “The Transformation of the Torah in Second Temple Judaism,” *JSJ* 43 (2012): 455–474; idem, *The Invention of Judaism: Torah and Jewish Identity from Deuteronomy to Paul* (Oakland, CA: University of California Press, 2017); note also Francis Borhardt, “Lawless, Lawlessness III. Judaism,” *EBR* 15 (2017): cols. 1045–1049.

<sup>2</sup> Particularly Krister Stendahl, “The Apostle Paul and the Introspective Conscience of the West,” *HTR* 56.3 (1963): 199–215 and E. P. Sanders, *Paul and Palestinian Judaism* (Philadelphia:

In fact, the specter of antinomianism has haunted both Jewish and Christian tradition since antiquity. The New Testament itself offers us an early window into Jewish grappling with the problems posed by messianic sensibilities in dialogue with nomistic tradition. Broadly speaking, in the New Testament, the lawless (ἄνομος) one, or the one who practices lawlessness (ἀνομία), is denounced as an aberrant rebel flouting the will of God. Both the Gospel of Matthew and the Apostle Paul are stringent in their denunciation of lawlessness, which is connected to the signs of the last days (e. g., Matt 7:23, 23:28, 24:12; 2 Cor 6:14; 2 Thess 2). Paul, however, can also describe his activities among Gentile populations as involving a certain suspension of his halakhic practice: “to those outside the law (τοῖς ἀνόμοις) I became as one outside the law (ὡς ἄνομος) – though I am not outside the law of God but rather under the Messiah’s law (ἐννομος Χριστοῦ) – in order that I might win those outside the law (τοὺς ἀνόμους)” (1 Cor 9:21).<sup>3</sup> And in addressing his Gentile converts, Paul stridently opposes any acceptance of Jewish Torah observance. For all their shared resistance to antinomianism as such, Matthew and Paul evince sharply divergent perspectives on the question of Gentiles and the law, and some have even seen Matthew as writing to oppose Pauline legal thought in particular.<sup>4</sup>

These early attempts to achieve some delicate middle between extremes were bound to topple in the decades and centuries following these first Jewish Christian writings, and subsequently we find a broad range of stances in both Jewish and Christian tradition on questions of the law and its observance.<sup>5</sup> In the period of the Reformation, Luther’s repristination of Pauline teaching and his prioritization of the “law vs. gospel” dialectic led to an uneasy stance toward the law among Luther’s own followers and in his own lifetime.<sup>6</sup> The seventeenth

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Fortress, 1977). Note the assessment in Kent L. Yinger, “The Continuing Quest for Jewish Legalism,” *BBR* 19.3 (2009): 375–391.

<sup>3</sup> For the New Testament evidence, see A. Sand, “Die Polemik gegen ‘Gesetzlosigkeit’ im Evangelium nach Matthäus und bei Paulus,” *BZ* 14 (1970): 112–25; David Wenham, “A Note on Matthew 24:10–12,” *TynB* 31 (1980): 155–62; Alberto Maggi, “Nota Sull’uso di τῶ σὺ ὀνόματι ε ἀνομία in Mt 7:21–23,” *Filologia neotestamentaria* 3.6 (1990): 145–49; J.E. Davidson, “Anomia and the Question of an Antinomian Polemic in Matthew,” *JBL* 104 (1995): 617–35; K. Haacker, “Der ‘Antinomismus’ des Paulus im Kontext antiker Gesetzestheorie,” in *Geschichte – Tradition – Reflexion*, vol. 3: *Frühes Christentum* FS Martin Hengel; ed. H. Cancik et al. (Tübingen: Mohr Siebeck, 1996), 387–404; Katie Atkinson, “Lawless, Lawlessness, II. New Testament,” *EBR* 15 (2017): 1044–45.

<sup>4</sup> For example, David C. Sim, “Matthew’s Anti-Paulinism: A Neglected Feature of Matthean Studies,” *HTS* 58.2 (2002): 767–783.

<sup>5</sup> For early debates about Paul, see Judith L. Kovacs, “Was Paul an Antinomian, a Radical Ascetic, or a Sober Married Man? Exegetical Debates in Clement of Alexandria’s *Stromateis* 3,” in *Asceticism and Exegesis in Early Christianity* ed. Hans-Ulrich Weidemann; NTOA/SUNT 101 (Göttingen: Vandenhoeck & Ruprecht, 2013) 186–202. For early Judaism, see Ines Pollmann, *Gesetzeskritische Motive im Judentum und die Gesetzeskritik des Paulus* NTOA/SUNT 98 (Göttingen: Vandenhoeck & Ruprecht, 2012), 25–179.

<sup>6</sup> Joar Haga, “Lex manens?: Some Problems in the Interpretation of the Law in Early Prot-

century witnessed the outbreak of the Antinomian Controversy on both sides of the Atlantic, as some among the Calvinist Puritans teased out the implications for Christian practice of a strong doctrine of divine sovereignty, in conjunction with a radical priority of grace over against the law.<sup>7</sup> In a subtle and sophisticated treatment, Shaul Magid has demonstrated how forms of ‘soft antinomianism’ in some Hasidic tradition can preserve the halakhic system of legal judgments at the same time that system is transcended by messianic or mystical sensibilities that authorize a suspension of the usual: “In order to be an antinomian inside Judaism, one must be a pietist. To live outside the law one also has to live beyond the letter of the law.”<sup>8</sup>

The complicated historical stances of both Judaism and Christianity toward the law, obedience to it, and the suspension of that obedience, continue to shape contemporary understandings of the two major faiths in their mutual conversation.<sup>9</sup> The essays in this book attempt to relate the themes of ‘law’ and ‘lawlessness’ dialectically in the literatures of early Judaism and Christianity. They reveal a great diversity in the ways in which both ‘law’ and ‘lawlessness’ were understood and deployed within these literatures. Significantly, the concept of ‘lawlessness’ is understood not only as the supersession, or lack, of legal stipulations in the context of Christian religious praxis, but also as something equivalent to ‘immorality’ or injustice. This finding precludes the simple equation of Christian conceptualizations of ‘lawlessness’ with antinomianism, positioning it closer to Jewish formulations, as traditionally understood. Even so, these essays reveal the gradual ways in which Christian understandings of ‘lawful’ behavior came to be generalized as moral conduct, so that Christianity evolved as a non-Torah-observant movement only gradually, and in some rare cases across history, not at all. Finally, several of the essays set the questions of early Christian and Jewish ‘law and lawlessness’ in conversation with later texts and historical events – to illuminating effect.

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estantism,” *Neue Zeitschrift für systematische Theologie und Religionsphilosophie* 54.2 (2012): 205–220; cf. David S. Yeago, “Gnosticism, Antinomianism, and Reformation Theology: Reflections on the Costs of a Construal,” *Pro Ecclesia* 2 (1993): 37–49.

<sup>7</sup> For example, Stephen Hampton, “Richard Holdsworth and the Antinomian Controversy,” *JTS* 62 (2011): 218–250; Deborah Lucas Schneider, “Anne Hutchinson and Covenant Theology,” *HTR* 103.4 (2010): 485–500; David R. Como, *Blown by the Spirit: Puritanism and the Emergence of an Antinomian Underground in Pre-Civil-War England* (Stanford: Stanford University Press, 2004); David D. Hall, ed., *The Antinomian Controversy, 1636–1638: A Documentary History*; 2nd ed. (Durham: Duke University Press, 1990).

<sup>8</sup> Shaul Magid, *Hasidism on the Margin: Reconciliation, Antinomianism, and Messianism in Izbica and Radzin Hasidism* (Madison: University of Wisconsin Press, 2003), 205–248 (quotation from 220).

<sup>9</sup> David Novak, “Avoiding Charges of Legalism and Antinomianism in Jewish-Christian Dialogue,” *Modern Theology* 16.3 (2000): 275–291.

In “Law and Lawlessness in Texts from Qumran,” Lutz Doering examines the centrality of law-abidance in the documents from Qumran, arguing that on the whole the texts display a general ethos of law-abidance and a similar conceptualization of sin and transgression. The Qumran documents do not understand the term ‘lawlessness’ as an exemption from the law for the sectarians; rather, lawlessness is taken as disregard for, or disobedience to the law by Israelites. As such, it features largely in three respects in the Scrolls: first, as the *historic* lawlessness of Israel, from which the initiate to the group had to return to the Torah of Moses; second, as the (*re*)*lapse* of group members or initiates into various kinds of lawlessness; and third, as the present lawlessness of *others*, such as those whose practices are guided by a ‘wrong’ calendar, a corrupt legal tradition, or a faulty understanding of the Torah.

Grant Macaskill takes up the theme of “Law and Lawlessness in the Enoch Literature.” Macaskill notes that recent scholarly discussion of the early Enochic literature has paid significant attention to the question of whether these writings represent a distinct species of “Enochic Judaism,” one marked by a changing, sometimes hostile, stance toward the writings associated with Moses, and particularly toward the law. He goes on to argue that the authors of the various Enochic works may share a generally positive view of the law with their siblings and compatriots, but in the context of a soteriology that ascribes *pivotal* significance to something else. The essay explores these points in what follows, with respect to the various major Enochic works that might be traced back to the period of early Judaism: *1 Enoch*, *Jubilees*, and, with less certainty about its origins, *2 Enoch*.

Next Joshua Garroway considers “Paul: Within Judaism, Without Law.” The study of Paul has been turned on its head over the past fifty years. Where once it was taken for granted that Paul abandoned the Law, and therefore that he could not be reckoned a Jew, the latest perspective on Paul takes for granted that Paul was an observant Jew, and therefore that he could not have abandoned the Law. This turnabout, Garroway suggests, results from the fact that Paul appears at one and the same time to be committed to the Jewish God, scriptures, and people, and thus a Jew, but committed also to a radically antinomian vision of Judaism for which there exists no ancient analogue – but perhaps a near-contemporary one. Through a comparison of Paul with the nineteenth-century German rabbi and founder of radical Reform Judaism in America, Samuel Holdheim, this essay contends that each man in his own way arrived at what might be called an unfinished antinomianism. Each was committed in principle to revoking the authority of the Law, but neither carried this conviction through to its ultimate conclusion – to wit, dismissing the Law unconditionally as a relevant expression of God’s will.

Paula Fredriksen next takes up the reception of Paul’s view of the law in some influential early Christian theologians in her essay, “Origen and Augustine on Paul and the Law.” For scholars, whether ancient or modern, the question of

“Paul and the Law” entails a host of other considerations. How did Paul relate to the original Jerusalem community and, thus, to traditions stemming from Jesus of Nazareth? How had Jesus in his turn related to Jewish law, and how had his attitudes and practices affected Paul’s? How did Paul’s diaspora setting contour his message, and/or alter what he had inherited? When he says ‘Law,’ does he always mean the same thing by it? And, finally – the primary question this essay takes up – did Paul practice what he preached? In other words, did Paul himself live according to the so-called ‘Law-free’ gospel that he (putatively) urged on Gentile *ekklesiai*? This essay examines how Origen (185–254) and Augustine (354–430), two towering geniuses of the ancient church, wrestled with all of these issues through their own readings of Galatians, of Acts, and of the Pauline corpus more generally. They shared a common scriptural canon; and they each self-identified with Roman orthodoxy. They were similarly situated polemically: Origen wrote against the views of Paul’s mission and message offered by Marcion’s church; Augustine, against those of his former Latin Manichaean community, a dualist Christian sect influenced by Marcion. For these reasons, their respective solutions to the puzzle of Paul’s own Jewish practice share several elements in common. Yet, finally, they contrast significantly with each other.

David Moffitt next turns from Paul to the Epistle to the Hebrews, in his essay “Weak and Useless? Purity, the Mosaic Law, and Perfection in Hebrews.” One aspect of the Epistle to the Hebrews that is sometimes identified as a clear indicator of the text’s fundamentally supersessionist character is the author’s apparent disdain for the Law’s external rituals: the Law, being “weak and useless” (7:18), was never able to perfect anything (7:19). Moffitt examines the scholarly assumption that the author of Hebrews rejects the Law and its sacrificial logic because the rituals required by the Law were only effective for external matters and could not effect internal purification. The author’s close connection between perfection, purity, and one’s ability to approach God’s presence, especially in the case of Jesus, indicate instead that the very concerns of both moral and ritual purity lie at the center of his thinking. The author of the Epistle confesses that Jesus, although he is the Son and is without sin, had nevertheless to be made perfect in order to become the heavenly high priest and to return to the heavenly realms. Such a concept of perfection, Moffitt argues, overlaps significantly with Jewish purity concerns.

The next essay, “Against the Law: The Epistle of Barnabas and Torah Polemic in Early Christianity” by David Lincicum, moves beyond the New Testament to one of the earliest extra-canonical Christian texts. Lincicum examines some of the argumentative strategies that early Christians used in contending that the Torah no longer had its binding force over the lives of their movement’s adherents, over the first two centuries or so CE. The essay follows with an attempt to use that map in order to locate one specific, early polemical tract, the so-called *Epistle of Barnabas*. A heuristic typology of early Christian strategies for law criticism in roughly the first and second centuries might include at least the following four



sets of approaches: (1) Halakhic disputes about the interpretation of the law; (2) Salvation-historical approaches; (3) Substantive criticisms of the Torah itself; and (4) Hermeneutical approaches. The *Epistle of Barnabas* fits largely into this fourth category. But in the end, Barnabas's stance toward the law is distinctive among other early Christian approaches: principally, Barnabas leverages the Golden Calf event as a hermeneutical turning point, reifies prophetic anti-cultic hyperbole, and accuses the entire Jewish tradition of an overly literal misreading of the Torah.

In "The Church Orders and Christian Law," Paul Bradshaw surveys the range of texts from the first to the fifth centuries that have come to be called "church orders": texts that purport to be apostolic and presume to give directions on communal Christian life, including ecclesiastical and liturgical practices. Debate persists as to whether these texts constitute their own proper genre, but Bradshaw argues that they should be considered together not only because a literary relationship exists among some of them but also because even in antiquity they were seen to have some affinity with one another and were assembled together in collections. Rather than regard them only as "propagandistic," Bradshaw suggests that we interpret them as a kind of "living literature," that is, texts that accumulate and expand as they circulate among the communities that read and appeal to them. While the oldest church orders do seem to be the genuine rules and regulations of particular Christian communities, later instances reveal a more propagandistic edge, intended to promote and defend particular theological and liturgical views by way of a selective preservation of an imagined (apostolic) past.

Pivoting to Rabbinic traditions, Steven Fraade next takes up "Rabbis on Gentile Lawlessness: Three Midrashic Moments." In Hebrew scriptural theology, what most distinguishes Israel from the other peoples or nations is that Israel has had God's Torah, both as text and teaching, and especially its covenantal laws, revealed to it alone. However, the question remains: how could God be the creator and ruler of all creatures, and yet prefer for his law to "reside" among one people alone, especially if, we might presume, others would similarly benefit from its guidance and redemptive power? In order to explore these questions this essay looks at three clusters of rabbinic narratives regarding the availability of the Torah, especially its laws, to non-Jews. The fact the rabbinic literature preserves multiple versions of these stories, with significant variations between them, is itself a sign of the ambivalent attitudes that they encompass. Ultimately, in these midrashim, what differentiated Israel from the lawless nations, who had proven themselves incapable of abiding by even the minimal, universal, moral laws of the Noahides, was not only their possession of the written laws of the Torah, but also, and even more so, the oral laws of rabbinic tradition.

In "Law Corpora Compared: Early Collections of Monastic Rules and Rabbinic Literature," Michal Bar-Asher Siegal asks what benefit there is in comparing

Rabbinic legal traditions with monastic rules, specifically passages from, on the one hand, the Babylonian Talmud and, on the other, the *Asketikon* of St. Basil and the Rule of Pachomius. Such a comparison tells us much about how religious societies create and regulate laws, and about the communities for which these laws were written and in which they functioned. For instance, Bar-Asher Siegal looks at the centrality of scripture functions in both legal literatures, suggesting a similarity between monastic reading circles and a rabbinic *beit midrash*. She explores how a range of quotidian acts – such as putting on a belt, riding a donkey bareback – reveal a range of shared anxieties calling for legal regulation. Her exercise becomes an invitation for a broader, and deeper, comparison of these two religious, legal traditions.

The next two essays consider later receptions of early Christian discourses about the law. Christopher Rowland brings the study of later antinomian traditions to bear on the New Testament in his essay, “By an immediate revelation ... by the voice of his own spirit to my soul’: a perspective from Reception History on the New Testament and Antinomianism.” He attempts to move beyond the usual summary rejection of antinomianism by probing aspects of the reception history of the Bible. The essay questions the adequacy of ‘antinomianism’ as being primarily ‘anti-law’ or indeed about the promotion of ‘immoral’ behavior. By focusing on one aspect of antinomianism from the perspective of mostly post-sixteenth century sources, namely, the primacy of what was believed to be immediate access to understanding the divine, through dreams, visions, and insight, Rowland proposes an alternative construal of antinomianism: a stance may be ‘anti-nomian’ in the sense of relegating the authority of Scripture and received wisdom to a secondary position, another medium and source of authority. The examples of Anne Hutchinson and the writings of William Blake demonstrate that subjection to an external law has mutated so that the external code is internalized, ‘written on the heart’ or ‘the spirit within’, influenced by passages from Ezekiel 36:25–7 and Jeremiah 31:33–4, so that the individual has no need any longer of resort to law as an external authority. Returning to the New Testament, these later examples shed a heuristic light on the unsettling emphasis on direct experience of the Spirit found above all in Paul’s correspondence to the Corinthians.

The final essay of the collection bridges the legal debates of the first and the twenty-first centuries. In “Law and Liberty: Circumcision Discourse from Galatia to Germany,” Michael Peppard analyzes the influential discourse about religiously motivated circumcision in contemporary Europe, focusing on the flashpoint of the 2012 court ruling in Cologne, which temporarily outlawed the prescribed ritual partially on the grounds that circumcision should be understood as an issue about the human right to bodily integrity, and positioned within discourse about the rights of the child. As such, the competing stance of circumcision’s viability in light of the religious rights for a minority group was pushed aside. During the

process of the debate in Europe, a still predominantly Christian continent, one might expect Christian engagement with the New Testament to play a role, since it involves a tangible contemporary issue of Gentile-Jewish respect about which Christian scriptures speak definitively. The arguments made by Paul regarding circumcision are some of the most frequently studied in the New Testament. This essay draws on Paul's arguments to analyze the aforementioned legal rulings in Europe; following this, the essay isolates and evaluates some unsettling strands in the German discourse – dark reminders of the legacy of anti-Semitism that runs through the “law vs. liberty” debate.

Collectively, these eleven essays demonstrate that there is still more light to be shed on the Torah's reception in early Judaism and Christianity (one that continues to have an effect on contemporary religious communities). This reception is variegated and complex, resisting easy resolution or sweeping characterization. Legal traditions sit alongside impulses to criticize, limit, suspend, or transcend the Torah in fascinating juxtaposition. These essays are offered in the hope of furthering in some small way our communal understanding about law and lawlessness, in both antiquity and the contemporary world.

# Law and Lawlessness in Texts from Qumran

LUTZ DOERING

## Introduction

Law-abidance is of utmost importance in the texts from Qumran. This is already evident in certain texts that in my view precede the full formation of the Yahad. Thus, in the Book of Jubilees the Torah is inscribed into the texture of creation. The book develops this prominently with respect to the Sabbath: not only is God's example of resting from all his works cited, as in Genesis, but God chooses future Israel on Creation Sabbath and destines her for the disclosure of Sabbath laws, a first series of which is already mentioned subsequent to the rewriting of the creation narrative in Jub 2:24–33.<sup>1</sup> Already the protoplasts – cast as Israelites – observe the purification periods after childbirth,<sup>2</sup> perhaps following an older practice that infants would keep these periods together with their mother (who, as a matter of course, was absent in this case).<sup>3</sup> Other laws are read off the Heavenly Tablets, on which the halakhah held by the milieu of Jubilees is recorded. As presented in Jubilees, the Torah known to us from the Pentateuch – the “first law” (Jub 6:22; cf. 30:12) – is a less detailed version of the divine law, not superseded but rather supplemented and informed by Jubilees' additional laws. It is expected that Israelites abide by the laws as specified in Jubilees. Thus, any transgressor of the Sabbath laws given in Jubilees is threatened with capital punishment. Whether this really was meant to be carried out, or was actually carried

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<sup>1</sup> For the structure of the section of Sabbath laws and its connection with its narrative frame see L. Doering, “Jub 2,24 nach 4QJub<sup>a</sup> VII,17 und der Aufbau von Jub 2,17–33,” *Biblische Notizen* 84 (1996): 23–28. For analysis of the conceptual grounding of the Sabbath in Jubilees see Doering, “The Concept of the Sabbath in the Book of Jubilees,” *Studies in the Book of Jubilees*, ed. M. Albani, J. Frey and A. Lange, TSAJ 65 (Tübingen: Mohr Siebeck, 1997), 179–205.

<sup>2</sup> The same tradition, perhaps dependent on Jubilees in one form or another, is also present in 4Q265; see J. M. Baumgarten, “Purification after Childbirth and the Sacred Garden in 4Q265 and Jubilees,” *New Qumran Texts and Studies: Proceedings of the First Meeting of the International Organization for Qumran Studies, Paris 1992*, ed. G. J. Brooke with F. García Martínez, STDJ 15 (Leiden: Brill, 1994), 3–10.

<sup>3</sup> For evidence for the notion that not only the mother but the infant, too, has to observe the purification period cf. possibly Luke 2:22 (αἱ ἡμέραι τοῦ καθαρισμοῦ αὐτῶν) and George Syncellus, *Chronographia* 9 (ἐπειδὴ καὶ Ἄδὰμ τῆ μ' ἡμέρα τῆς πλάσεως αὐτοῦ εἰσήχθη ἐν τῷ παραδείσῳ, οὐ χάριν καὶ τὰ γεννώμενα τῆ μ' ἡμέρα εἰσφέρουσιν ἐν τῷ ἱερῷ κατὰ τὸν νόμον) (ed. A. Mosshammer, BSGRT [Leipzig: Teubner, 1984], pg. 9).

out at any time, is open to question. Jubilees is not a criminal law code and may express an ideal rather than a set of practical regulations. But the bar is high here: Israel is to abide by the law in its rigorous form as it is represented in this book.<sup>4</sup> Only on account of law-abidance will Israel meet her destined place in a hostile world – a world, Israel is to understand, that in fact was created for her. Lawlessness appears as a sign of conflict and crisis, as in Jub 1:7–17 (fragmentarily attested in 4QJub<sup>a</sup> i 17–ii 17), which in the tradition of Deuteronomistic theology presents a historical overview of Israel’s lawlessness, forgetfulness, and idolatry,<sup>5</sup> then its dispersion among the peoples, and finally the transformation of the people as a “plant of righteousness,” with God building his temple among the people: he is their God, and they are his true and righteous people. It ought to be noted that the metaphor of “planting” here is used, not unlike its deployment in 1 En 10:16, with a view to the people of Israel:<sup>6</sup> it is a reconstituted form of Israel, not a sect, which is expected to arise from the historic lawlessness of the people. Lawlessness features also in Jub 23. According to Jub 23:9–15, the decreasing lifespan of humans correlates with the sins they cause the earth to commit through the impurity of fornication, through contamination and abominable deeds (23:14). Thereafter, children will challenge the injustice of their fathers, and internal struggle will arise with much bloodshed, triggering the involvement of the sinful nations (23:16–25). Then, “the children will begin to study the laws, to seek out the commands, and to return to the right way” (23:26), which will lead to increase in number and lifespan, as well as the ultimate absence of evil forces (23:27–31). It is debated with which historical events, if any, these initiatives by the “children” (vv. 16, 26) might be correlated. Again, however, even though the initiatives are attributed to discrete groups, there is no indication that the program envisioned by Jubilees entails any sectarian form of organization.<sup>7</sup>

<sup>4</sup> While Hebrew Jubilees in its final form might date from the Hasmonaean period, it seems to reflect earlier halakhic tradition, as argued in Doering, “Concept,” 182, 201. This would somewhat moderate the claim made by J. J. Collins, “The Transformation of the Torah in Second Temple Judaism,” *JSJ* 43 (2012): 455–474, that Torah “as law” became the focus of Jews only in the Hasmonaean period, as a response to the “attempt to displace the traditional Torah in the time of Antiochus Epiphanes” (474). Although he is aware of the possible links with the time before the Hasmonaean period (473), these seem to me to be stronger than Collins allows for (see now also his *The Invention of Judaism: Torah and Jewish Identity from Deuteronomy to Paul* [Oakland: University of California Press, 2017]). While Hasmonaean-period sectarianism was intimately connected with halakhic *debate*, detailed *halakhah* as such originated earlier. To be sure, the details of this earliest halakhah were still little refined by comparison with later halakhah, as the Sabbath laws in Jubilees show; see for details L. Doering, *Schabbat: Sabbathalacha und -praxis im antiken Judentum und Urchristentum*, TSAJ 78 (Tübingen: Mohr Siebeck, 1999), 51–118.

<sup>5</sup> Cf. also 4Q390 1 8, which foresees forgetting “of statute and festival and Sabbath and covenant.”

<sup>6</sup> Cf. P. Tiller, “The ‘Eternal Planting’ in the Dead Sea Scrolls,” *DJD* 4 (1997): 312–35 (here, 315–21).

<sup>7</sup> Here with J. J. Collins, *The Apocalyptic Imagination: An Introduction to Jewish Apocalyptic Literature*, 3rd ed. (Grand Rapids: Eerdmans, 2016), 105: “... Jubilees lacks any indication of or-

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