

JEWISH ASSOCIATIONS IN ROMAN PALESTINE: FIRST CENTURY EVIDENCE FROM THE MISHNAH

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Introduction

Recent decades have witnessed increased interest on the part of scholars of diaspora Judaism and early Christianity in the many unofficial groups, guilds, or associations that could be found in the cities where Jews lived throughout the Roman empire. In particular, Peter Richardson, Anders Runesson, and others stress that, in many cases and in several respects, Jewish gatherings or synagogues would be viewed as associations (*collegia*, *thiasoi*, *koina*, and *synodoi*) by their neighbours and by any local or imperial authorities, and may have often understood themselves as such.¹ Thus, for instance, in one of the letters preserved by Josephus, a Roman official refers to the Jews of Sardis approaching him about their own “association” (*synodos*), and an inscription from Nysa shows that the Jews there used this common self-designation for their group (likely first century BCE).²

Yet seldom have scholars given due attention to Jewish guilds and associations in Palestine itself and to the importance of these small, informal gatherings that served interconnected social and religious purposes at the local level.³ Nor has adequate attention

¹Peter Richardson, “Early Synagogues as Collegia in the Diaspora and Palestine,” in *Voluntary Associations in the Graeco-Roman World*, ed. John S. Kloppenborg and Stephen G. Wilson (London; New York: Routledge, 1996), 90-109; Peter Richardson, *Building Jewish in the Roman East* (Waco, Texas: Baylor University Press, 2004); Runesson 2001. Cf. A.T. Kraabel, “Unity and Diversity Among Diaspora Synagogues,” in *The Synagogue in Late Antiquity*, ed. Lee I. Levine (Philadelphia: American Schools of Oriental Research, 1987), 49-60; L. Michael White, “The Delos Synagogue Revisited: Recent Fieldwork in the Graeco-Roman Diaspora,” *HTR* 80 (1987): 133-60; L. Michael White, *The Social Origins of Christian Architecture*, HTS, vol. 42 (Valley Forge: Trinity Press, 1997), 2 vols.; John S. Kloppenborg and Stephen G. Wilson, eds., *Voluntary Associations in the Graeco-Roman World* (London; New York: Routledge, 1996); Philip A. Harland, *Associations, Synagogues, and Congregations: Claiming a Place in Ancient Mediterranean Society* (Minneapolis: Fortress Press, 2003).

²Josephus, *Ant.* 14.235 and *IJO* II 26. Cf. *Ant.* 14.215-16; Philo, *Embassy to Gaius* 312, 316 and *On Virtues* 33.178. For references to the early followers of Jesus using association terminology see, for instance, Pliny the Younger, *Epistles* 10.97.7-8; Lucian of Samosata, *The Passing of Peregrinus* 11; Celsus in Origen, *Against Celsus* 1.1; 3.23; 8.17; Ignatius, *Eph.* 12.2; 19.1; Tertullian, *Apology* 38-39). Inscriptions pertaining to Jewish groups in Asia Minor use the following terminology that is also used by other associations: “synagogue,” “synod” (*synodos*), “household” (*oikos*), “settlement” (*katoikountes*), and “nation” (*ethnos*) (cf. *IJO* II 26, 36, 43, 168, 205). For associations that use the term “synagogue” see, for example, the inscription of the “synagogue of Zeus” (*ApamBith* 35).

³But do see the studies by Bruno W. Dombrowski (“*Hayyahad* and τὸ κοινόν: An Instance of Early Greek and Jewish Synthesis,” *HTR* 59 [1966]: 293-307) and Moshe Weinfeld (*The Organizational Pattern and the Penal Code of the Qumran Sect: A*

been given to the ways in which rabbinic sources may provide glimpses into Jewish associational tendencies beyond the issue of synagogues proper. This paper begins to address this lacuna by investigating some suggestive rabbinic evidence regarding Jewish guilds and informal banqueting associations and by placing this evidence within the broader framework of association-life in Roman Palestine and in the empire. Moreover, passages in Mishnah provide important glimpses into Jewish banqueting associations, including some that met together in the first century. They show that Jews followed many of the customs found in other associations, including meals in communal halls, eating sacrifices, and reclining at *triclinia*, but they did not necessarily follow the custom of after-dinner drinking parties.

Defining Greco-Roman (and Jewish) Associations

A few words are in order regarding what is meant by “associations” here and regarding the status of these groups in relation to civic and imperial authorities, something that is dealt with at length and with more extensive support in a publication by Philip A. Harland.⁴ This brief overview will set the stage for understanding the context of rabbinic evidence for Jewish associations in Palestine.

Greco-Roman associations were relatively small (often 15-30 members), unofficial groups that met together regularly to engage in a variety of social and banqueting activities which, inextricably, were also aimed at honouring gods and goddesses. These groups went by a variety of self-designations, including *collegium*, *koinon*, *synodos*, *thiasos*, *mystai*, and *synergasia*. A traditional typology, which focuses on the supposed principal *purposes* of associations, speaks of (1) religious associations in distinction from (2) occupational guilds and (3) burial associations. This is, for a variety of reasons, problematic, including the fact that associations of various kinds served some burial-related functions and all were also concerned with honouring the gods (or God). Festivals in honour of such deities, in particular, were very common occasions for associations to gather together for banquets and other rituals and activities, and dining facilities including *triclinia* were common within the association meeting-places that have been excavated.⁵ Recent studies emphasize the importance of meals and *symposia* (drinking-parties) in the social and religious lives of associations of various kinds.⁶

In light of the problems with such a purpose-driven typology of associations, a more useful – though not to be rigidly applied – typology speaks of associations in terms of the principal social networks that contributed to their membership rather than some ostensible principal purpose.⁷ In areas like Asia Minor there were groups whose memberships were drawn principally from social connections associated with: (1) household networks, (2) occupational networks, (3) neighbourhood networks, (4) ethnic (or geographic origin)

Comparison with Guilds and Religious Associations of the Hellenistic-Roman Period

[Freibourg: Editions Universitaires, 1986]), which employ evidence from associations to shed light on Jewish groups in Palestine.

⁴See Harland, *Associations*, 25-167.

⁵See Harland, *Associations*, 74-83.

⁶Cf. Matthias Klinghardt, *Gemeinschaftsmahl und Mahlgemeinschaft: Soziologie und Liturgie frühchristlicher Mahlfeiern* (Tübingen: Francke, 1996); Dennis E. Smith, *From Symposium to Eucharist: The Banquet in the Early Christian World* (Minneapolis: Fortress Press, 2003), 87-132; Harland, *Associations*, 55-87.

⁷Cf. Harland, *Associations*, 25-54.

networks, and (5) networks centred on a particular sanctuary or temple devoted to a specific deity. Thus, in Asia Minor, for instance, we encounter:

- the household-based association devoted to Zeus, Agdistis, and other deities at Philadelphia, consisting of men and women, freepersons and slaves;
- guilds organized by persons of a common profession, such as the silversmiths and the physicians at Ephesus;
- groups consisting of members from a common street or neighbourhood who met regularly for banquets and other activities, as attested in many towns of Phrygia and elsewhere;
- ethnic-based associations of Romans, Syrians, Judeans, and others; and,
- groups formed by those who frequented a specific temple or sanctuary, as with the *therapeutai* of Zeus at Sardis.⁸

Notwithstanding the oddity of their monotheism in a polytheistic context, it seems that diaspora Jewish groups (as well as Christian congregations) were often viewed by neighbouring Greeks and Romans, including the authorities, as associations.

Jewish synagogues, though obviously based primarily on ethnic connections, could also reflect other membership bases mentioned above. Thus, at Rome, there were at least thirteen synagogues in the first centuries, some of whose membership drew on neighbourhood and other networks. Of the eleven attested synagogues in Rome (some of which existed simultaneously), it appears that three derived their names from the district where they lived (Calcaresians, the Campesians, and the Siburesians) and two others derived their names from a common diaspora city of origin (the Tripolitans and the “synagogue of Elaia”).⁹

Neighbourhood factors also played a subsidiary role in the organization of the Jewish population at Alexandria in Egypt (cf. Philo, *Against Flaccus* 55; *CPJ* III 454, 468). Finally, there is evidence that Jews organized themselves along occupational lines or even formed guilds in Palestine and in Egypt, for instance.¹⁰

Associations, Jewish Gatherings, and Relations with Authorities

Despite scholarly traditions to the contrary, most of these associations in the first two centuries generally lived their lives without any significant or sustained interference from civic or Roman authorities, and this includes Jewish gatherings *as associations*. Generally speaking, Roman imperial actions in relation to associations of various types in this era,

⁸For many other examples of each see Harland, *Associations*, 25-54. Household-based: *ILydiaKP* III 18. Silversmiths: *IEph* 547, 585, 586, 636, 2212, 2441; *NewDocs* I 3. Physicians: *IEph* 946; *NewDocs* II 2. Neighbourhood- or street-based: *IGR* IV 548, 788-91; *TAM* V 90. Romans: *Therapeutai* of Zeus: *NewDocs* I 3.

⁹See Harry J. Leon, *The Jews of Ancient Rome*, 2nd ed., introd. by Carolyn A. Osiek, reprint, 1960 (Peabody: Hendrickson Publishers, 1995), 135-66.

¹⁰See I. Mendelsohn, “Guilds in Ancient Palestine,” *BASOR* 80 (1940): 17-21; S. Applebaum, “The Organization of the Jewish Communities in the Diaspora,” in *The Jewish People in the First Century: Historical Geography, Political History, Social, Cultural and Religious Life and Institutions*, ed. S. Safrai and M. Stern, *Compendia Rerum Iudaicarum Ad Novum Testamentum*, vol. 1 (Assen: Van Gorcum & Comp., 1974), 476; Aryeh Kasher, *The Jews in Hellenistic and Roman Egypt* (Tübingen: J.C.B. Mohr (Paul Siebeck), 1985), 352-53; E. Miranda, “La Comunità Giudaica di Hierapolis di Frigia,” *EA* 31 (1999): 142-144; Harland, “Acculturation and Identity in the Diaspora: A Jewish Family and ‘Pagan’ Guilds at Hierapolis” (forthcoming); *t.Hull.* 3.2; *b.Meg.* 26a; cf. *t.Suk.* 51b.

whether positive or negative, were *ad hoc* and did not focus on the establishment of clearly defined or enforced laws or exceptions to those laws.¹¹

On the positive side of relations with authorities, many associations could offer honours to benefactors and officials at various levels of society, and some could even maintain diplomatic relations with civic institutions and Roman provincial functionaries, or the emperor.¹² Those associations that did engage in direct contacts or diplomacy with Roman administrators or the emperor were not seeking permission to exist, but rather trying to establish or maintain positive connections that might offer them certain benefits in return, including the prestige of contacts with important officials who recognized their activities. Thus, for instance, the initiates of Dionysos Breseus at Smyrna sent word of their honorary festival at the birth of the consul's (soon to be the emperor Marcus Aurelius) son; the consul responded by thanking the association for their goodwill, even though his son had since died, and the association had the response set up as a monument (*ISmyrna* 600; c. 158 CE). Positive relations with officials and judicial powers, from a local legal advocate to the provincial governor himself, could also be translated into tangible benefits, as when associations were in need of legal decisions in their favour.¹³

Imperial responses to such requests for recognition of the group or for specific protections were *ad hoc* and would need to be renewed. It is within this context of diplomatic practices involving associations, as established by Tessa Rajak and confirmed by Harland, that we can partially understand connections between Jewish groups and the Roman authorities as recorded in Josephus' *Antiquities*, which should *not* be understood as some sort of legal, "Jewish Magna Carta".¹⁴

Sometimes associations found it necessary to deal with local, civic authorities as well. In Greek cities of Asia Minor, for instance, associations might approach the local authorities for permission to establish a meeting place or to set up honorary monuments. In some more exceptional cases, a local association might, over time, seek greater acknowledgement within the city with the ultimate end of being recognized as a city-supported cult in some way. But this highest level of amicable relations with, or support from, the city was not the norm. The series of decrees preserved by Josephus reflects a variety of local circumstances in the late first century BCE in the relationship between specific Jewish associations and their cities of residence, for instance, with some more positive and others clearly negative (*Ant.* 14.301-323; 16.160-78, 185-267), due in part to the general instability of this specific period (Barclay 1996:279-81).

On the negative side of relations with authorities, from time to time specific associations in particular places might become involved in social or political disturbances which could reach the attention of the imperial authorities (if not sufficiently dealt with at the local level). Most of the evidence for the occasional control of associations (*collegia*) by Roman

¹¹See Ilias N. Arnaoutoglou, "Roman Law and *collegia* in Asia Minor," *RIDA* 49 (2002): 27-44; Harland, *Associations*, 137-176. Both independently refute the traditional view as most recently restated by Wendy Cotter, "The Collegia and Roman Law: State Restrictions on Voluntary Associations, 64 BCE-200 CE," in *Voluntary Associations in the Graeco-Roman World*, ed. John S. Kloppenborg and Stephen G. Wilson (London; New York: Routledge, 1996), 74-89.

¹²Harland, *Associations*, 137-160; Millar Fergus Millar, *The Emperor in the Roman World (31 BC - AD 337)* (Ithaca: Cornell University Press, 1977), 456-63.

¹³ Cf. Harland, *Associations*, 152-155.

¹⁴*Ant.* 14.301-323; 16.160-78, 185-267. Cf. Tessa Rajak, "Was There a Roman Charter for the Jews?" *JRS* 74 (1984): 107-23; Harland, *Associations*, 219-223.

authorities relates to Rome and nearby regions of Italy. Even then, it pertains to broader concerns regarding the maintenance of public order or other political issues, not the ongoing legal control of associations, as such, in the provinces.¹⁵

In some cases when controlling action was considered warranted, Roman administrators or emperors made a distinction between the specific politically troublesome *collegia* that were to be disbanded and those that were considered legitimate in their pursuits. Thus, when Cicero and C. Antonius defeated Cataline in elections for consul (64 BCE), the senate passed a decree abolishing “all guilds which appeared to conflict with public interest,” namely, any that supported Cataline and other political opponents of the new consuls.¹⁶ In some cases the authorities expressly included Jewish gatherings among those to be left undisturbed by such actions, as seems to have been the case with Julius Caesar’s dissolution of “all *collegia* except those of ancient foundation” while securing his power in 47-46 BCE. The latter action, according to Josephus, included Jews among those considered “ancient”.¹⁷ As the legal historian Jerzy Linderski argues, this action involved disbanding particular groups viewed as a threat to Caesar’s maintenance of power in Rome. It did not involve a law which henceforth ensured the strict control of associations – nor exceptions for certain groups, such as Jews – throughout the empire.¹⁸ Even the *senatus consultum* cited in some inscriptions of the second century and later does not represent a consistently enforced law requiring permission for associations to exist throughout the empire.¹⁹

So controlling actions against associations were not the norm, and both associations and Jewish groups lived their lives largely unbothered by civic and imperial authorities. Now that we have outlined some important aspects of association-life, we turn our attention to rabbinic sources which may provide fresh glimpses into some of the associational tendencies of Jews in Palestine and elsewhere.

Associations in Rabbinic Sources

When we look for evidence of associations in early rabbinic literature, we face two problems. First, it has been difficult to reliably identify early rabbinic traditions, and second, the vocabulary relating to associations is confusing.

Rabbinic traditions were not committed to writing till the Mishnah, the earliest compilation of rabbinic *halakhot* (legal rulings), was edited in about 200 CE. The traditions in these compilations are largely anonymous but many are attributed to rabbis whose dates are fairly well established. Until the detailed analysis carried out during the last few decades by scholars such as Jacob Neusner, it had been impossible to know whether we could rely on these attributions, so the dating of early traditions was impossible. Painstaking and detailed work has now established that the relative order of rulings as determined by their internal

¹⁵Cf. Arnaoutoglou, “Roman Law and *collegia*”; Harland, *Associations*, 161-175.

¹⁶Asconius, *Commentary on Against Piso* 7; cf. Cicero, *Against Piso* 9; *Speech Delivered to the Senate upon Return from Exile* 33; c. 57 BCE.

¹⁷Suetonius, *Julius* 42; *Ant.* 14.217-267; cf. Josephus, *Ant.* 14.213-16; 16.160f; Dio Cassius, *History of Rome* 60.6.6.

¹⁸Jerzy Linderski, “Der Senat und die Vereine,” in *Roman Questions: Selected Papers*, reprint, 1968, Heidelberger Althistorische Beiträge und Epigraphische Studien, vol. 20 (Stuttgart: Franz Steiner Verlag, 1995), 165-203; cf. Zwi Yavetz, *Julius Caesar and His Public Image*, *Aspects of Greek and Roman Life* (London: Thames and Hudson, 1983), 86, 94-95.

¹⁹E.g. *CIL* XIV 2112; cf. Harland, *Associations*, 168-169.

logic and form, is reflected in the chronological order suggested by the attributions. Therefore it is very likely that later rabbis did preserve the opinions of former generations accurately. They did not necessarily preserve the original vocabulary, but they were keen to preserve former legal concepts and opinions, because their own case law was built on this foundation.

Dating rabbinic traditions by attributions has to be done carefully, with many caveats and exceptions,²⁰ but in general we can now reliably identify a set of traditions which date back to the first century. On the basis of this material, many anonymous rulings can also be dated when they can be shown to be earlier than a dateable ruling, either because they are cited or because the later ruling interacts with them. These methods for dating rabbinic legal traditions are now well established and have been used successfully for producing coherent accounts of first century Judaism.²¹ They are now being applied systematically to early Jewish legal literature to produce a corpus of traditions which can be shown to predate 70 CE and much of the rabbinic material cited here depends on that work.²²

The term “association” in Mishnaic Hebrew is related to a complex and rich vocabulary of words from the root *HBR* (רִבּוּ). The verb “to associate” (*havar*) and male noun “an associate” (*haver*) are used in very general ways for being a “neighbour” or “friend” or “colleague”.²³ As well as this general meaning, the noun also has a technical meaning, “an Associate” (often signalled by using an upper case “A”), which refers to a member of a carefully defined group of people, “the Associates”.²⁴ This group, which can be regarded a sect within Judaism, followed deliberately stricter rules of tithing and cleanliness than the rest of their society, so that they avoided commercial and social interaction with outsiders as much as possible.²⁵ The female noun *habérah* is used almost exclusively for female members of these “Associates”. Other nouns from this verb also have specialist meanings – the male noun, *hever* refers to a large “congregation”,²⁶ and the female noun, *haburah* refers

²⁰ The most important exceptions are that we cannot generally rely on attributions for dating an *aggadot* (non-legal traditions) which include most of the biographical details for the individuals who transmitted these rulings.

²¹ Günter Stemberger, who is usually cautious about such things, regards these two dating methods as well established – see *Introduction to the Talmud and Midrash* (Oscar Beck: München, 1982); ET by Markus N. A. Bockmuehl (London: T. & T. Clark, 1991; Minneapolis: Augsburg Fortress, 1992, 1996); based on Hermann L. Strack, *Einleitung in Talmud und Midrasch* (Munich: Beck, 1887): pp. 57, 133 in the 1996 ed. These principles have been used to study first century Judaism in several studies, e.g. E. P. Sanders, *Judaism: Practice & Belief, 63 BCE–66 CE* (London; Philadelphia: SCM; Trinity Press International, 1992) and Ze’ev W. Falk, *Introduction to Jewish Law of the Second Commonwealth*, 2 vols. (Leiden: Brill, 1972; 1978).

²² D. Instone-Brewer, *Traditions of the Rabbis in the Era of the New Testament (TRENT)*, (Vol.1, Grand Rapids: Eerdmans, 2004).

²³ It can mean a “friend” (e.g. m.Ber.9.5) a “neighbour” in a social or moral sense (e.g. m.Pe.1.1, m.Er.2.6) or merely the person who happens to live next door (e.g. m.Shebi.3.6; 4.1, 4; m.Er.4.6). It can also mean simply the person standing next to another person (e.g. m.Er.10.2; m.Pes.5.6) or a thing next to another thing (e.g. m.Shab.8.7; 11.5; m.Er.1.9, 10).

²⁴ In later Talmudic writings, it also bore the meaning of a “fellow scholar” who was not yet ordained– cf. the saying of R. Simeon b. Abba (start of 4th C) in b.Kid.33b.

²⁵ See especially m.Dem.2.2-3; t.Dem.2.2, 12, but also some later traditions such as m.Dem.6.8; m.Shebi.5.9; m.Bik.3.12; m.Sot.9.15.

²⁶ E.g. m.Ber.4.7

to an “association” of people who meet together for a ceremonial meal. We therefore have the confusing situation in early rabbinic sources that the word “associate” (*haver*) has two completely separate meanings (“friend” and “Associate”), and the two similar nouns (*hever* and *haburah*) can both refer to groups which meets for fellowship (a “congregation” and an “association”). Neither meaning of the word “associate” relates specifically to either of the groups, because both congregations could be formed from people who were or were not members of the sect of Associates, and associations could be formed from people who were not normally called “friends” (such as household slaves or an orphan child under the care of a fellow guest – cf. m.Pes.8.1).

For this study, we are concerned particularly with the term *haburah*, which is used for a small “association” of perhaps fifteen to thirty individuals²⁷ who meet together to eat together on a special occasion. This is the consistent meaning of *haburah* in Mishnah, which uses it to refer to those who have met for a Passover meal (e.g. m.Pes.7:3, 13; 8.7; 9.8-10), for eating a peace offering on a high festival day (a *yom tov*, e.g. m.Betz.2:2-3), or for unspecified ceremonial meals (e.g. m.Ber.7:5), including ones on a Sabbath (m.Er.6:6).

An “association” was normally formed from a family or a friendship group, but even people who had formerly been strangers could join the group (e.g. m.Pes.9:10). The number of people at any formal meal had to consist of at least ten men, who made a religious quorum.²⁸ Women, household slaves and probably children could also share in the meal, though they may not have eaten at the same table.²⁹ This means that the number of people at the meal would be about 15 to 30 individuals. The membership of associations was determined by three things: eating together, avoiding interaction with other associations during the meal, and registering for the meal beforehand. Each member of the association had to physically attend and join in with the meal, and this was defined by meeting with the others to eat at least a mouthful of food (“an olive’s volume”, e.g. m.Pes.8:7). More than one association could meet in the same hall, though in this situation the groups were expected to avoid contact with each other by making sure that no individual from one group was physically facing an individual from another (see m.Pes.7:13; m.Er.6:6).

A separation between each group was considered very important so that each person knew which group to join in with for the Grace after Meals when they had all finished eating. If two groups had not remained separate, they should retrospectively become one association for the Grace after Meals:

Two associations which were eating in one house -
If some [members of each association] face one another,

²⁷ The concept of a group of a hundred at m.Pes.8.7 is an absurd example in order to make the point that there has to be at least an olive-bulk of lamb for each person.

²⁸ At a meal including ten or more individuals, it was compulsory to share the Grace after Meals together, but with fewer than this number this formality could be omitted and everyone said their own Grace - m.Ber.7.3.

²⁹ Women and children were exempt from some daily prayers, but they were not exempt from joining in with Grace after Meals (m.Ber.3.3), which indicates that they were important members of even formal meals. Women were not obligated to attend Passover, though they were expected to (t.Pes.8.10). The presence of circumcised slaves at Passover was mandated by Moses’ law (Ex.12.43-48) and it was customary for new Gentile slaves to be circumcised especially for this event (t.Pes.7.14; 8.18).

lo, they combine [for the Grace after Meals] (mBer.7:5).³⁰

The membership of a Passover association was later defined by a system of registration, which was transacted by each individual before the meal started. This registration was clearly important, because there were a large number of regulations about it: registration of someone implied registration of his brothers (m.Pes.8.3); if there was confusion over registration at two associations, you must remain provisionally registered at the one you did not attend (m.Pes.9.9-11); you must be registered before the meat is slaughtered (m.Pes.8.3; t.Pes.7.3); and if a guest invites some friends or members of another association he already belonged to, they too should be registered (m.Pes.8.4; t.Pes.7.7). We do not know the manner of this registration, and we can only assume that it consisted of a list kept by the leader of the meal — but for what purpose? We have already mentioned that although there were no empire-wide legal requirements to exist as an association, local traditions developed that did sometimes require associations to interact with authorities. In some exceptional conditions, a Roman official might attempt to limit certain activities of the associations, such as nocturnal meetings, as seems to be the case when Pliny was assigned as special legate of Bithynia-Pontus in connection with political and economic difficulties in the cities of the region at that time (*Epistles* 10.96). During the increasingly troubled decades before the revolt in Palestine, the gathering of so many people at Jerusalem during a festival such as Passover was always a potential threat, so association leaders may have been required to keep a list of participants in case of later enquiries by the local authorities. It is therefore probably significant that there is no evidence concerning registration before the second half of the first century.³¹ Registration after this period was probably not required by the local authorities, but it was continued because it had taken on the status of Jewish tradition.

It should be noted that although all of the texts referring to “associations” (*haburah*) cited above can be dated before 200 CE, only one of them (m.Er.6.6) can be safely dated before 70 CE. Most of them are undateable, and the mere fact that they are concerned with Passover offerings (which could not be made after the destruction of the Temple in 70 CE) does not imply that they originated in Temple times. The rabbis after 70 CE were just as interested in discussing sacrifices as those who actually practised them. This was partly because they hoped that the Temple would be rebuilt, and partly because a discussion about Temple

³⁰ This appears to be contradicted by m.Pes.8.4, but the situation envisioned there is someone who takes part of the offering for a separate association meal elsewhere.

³¹ Registration is not mentioned in any tradition which can be dated before 70 CE (m.Pes.5.3; 6.3, 6; 7.3, 13; 8.3-4; 9.10-11; t.Pes.5.2; 7.3-8, 16; 9.1, 9, 16-17), so it is possible that it was introduced later. However, it is likely that it was introduced before the Temple was destroyed, because whenever registration is referred to in Mishnah and Tosephta it is related to the consumption of the Passover meat, and not attendance at the meal — though the two are intimately related because anyone who was registered was obliged to attend long enough to eat at least “an olive's bulk” of the meat (m.Pes.8.3; t.Pes.7.3). More significantly, the latest time of registration for a Passover meal was defined as the time when the offering was slaughtered (see m.Pes.5.3; 8.3). This may, of course, have been a way to tie the procedure to the Temple era (cf. Pes.8.3), but it was likely to cause confusion because there was nothing equivalent to this time when there was no longer a Passover lamb, so this particular ruling was effectively meaningless after 70 CE. It is therefore likely that the concept of registration was introduced some time shortly before the Temple was destroyed, and that it was continued after this time as a matter of tradition. The absence of any traditions concerning registration for other ceremonial meals may be because Passover was the only “sacrificial” meal which continued after 70 CE.

practices was regarded as a kind of substitute for performing the rites themselves.³² This does not mean that these second century discussions are irrelevant for understanding what happened in Temple times, but it does mean that much care must be exercised when trying to infer practices in Temple times from these later traditions.

The rest of this paper will concentrate on the implications of two traditions which can be reliably dated before 70 CE, in Mishnah *Eruvim* 6.6 and Mishnah *Pesachim* 10.8. The first is the only tradition which can be dated this early which employs the term *ḥaburah* (“association”) and the second is one which contains a very early rejection of drinking parties after an association banquet. Detailed justification for the dating of each is found in *TRENT*,³³ and the part of the tradition which is judged to originate before 70 CE is marked here in bold.

Associations meeting in a communal hall (Mishnah *Eruvim* 6.6)

Five associations [*ḥaburot*, plural *ḥaburah*] who sabbathed (*shabtu*) in one dining hall (*triqlin*): the School of Shammai say: [they need] a community marker (*‘eruv*) for each association. But the School of Hillel say: [they only need] one community marker for all of them. And they agree that in the situation where some of the group are in [different] rooms or in attics, then they need a community marker for each association.

The main subject of this text is not associations, but the *‘eruv* or “community marker”, which is the subject of this whole section of Mishnah. A community marker is a portion of food which becomes a legally valid way of linking together a group of people as if they were one household. In practice the food was normally a single loaf which the households paid for jointly and which they shared during the evening meal on the Sabbath (m.Er.7.11).

It is interesting to note that the loaf of bread which Paul envisioned Christians sharing as part of the Eucharist was regarded as a symbol of unity (1Cor.10.17). This might be regarded as a strange symbolic value for a loaf which was specifically known for being broken, but Paul feels no need to explain himself. It is likely that the Jews among his congregation would be thinking of the loaf of the community marker which was symbolically eaten at a communal meal on the evening of the Sabbath, because this had the specific symbolic value of marking their unity.

However, the purpose of a community marker was not primarily to indicate unity of purpose, but to indicate that they formed a single household for very practical and mundane reasons. A group of households would wish to be united during a Sabbath or other days when labour was forbidden, in order to extend the distance over which objects could be carried. You may not carry objects into and out of your household on a Sabbath, but if all the households round one courtyard were united by a community marker, they could all carry objects within that extended area. This was very important because the shared courtyard was likely to include the only water source (a well, or a communal water pipe) and a refuse site (equivalent to a combined cesspit and compost heap). Without a community marker to unite the households, it would be forbidden on a Sabbath to carry the night-time slops out of the house or to carry fresh water into the house.

This particular ruling relates to a somewhat different situation where people from different households were coming together to eat in a public area. The tradition recorded here concerns a situation where more than one group was meeting in the same hall, and the debate

³² E.g., b.Taan.27b; b.San.51b; b.Men.110a.

³³ For principles of dating, see vol.1 Introduction. For details about this passage see vol.2 (Eerdmans, forthcoming) ad loc.

concerned whether they should all contribute towards a single community marker or whether each group had to have a separate community marker. This tradition records that the two schools of Hillel and Shammai came to different conclusions.

This debate can be dated before 70 CE with a relatively high degree of confidence because almost no Shammaites survived the destruction at 70 CE, and so no more debates between the schools took place after this time. The form in which this debate is recorded is exactly the form in which the majority of other debates between them have been preserved and it shows no sign of re-editing, so this tradition appears to have been well preserved. We can be less certain about the introduction to the debate (“Five associations who sabbathed in one dining hall”) because it was easy for later generations to alter an introduction without changing the form of the debate. However, the unusual vocabulary (“sabbathed” and “dining hall”) became the subject of later debates (b.Er.72a), which indicates that later generations were uncertain about their meaning, and this makes it more likely that the original wording has been preserved.

The situation described here was interpreted in Talmudic times as referring to families who were living together in a single large room. This is suggested by the verb *shabath*, “to rest”, i.e. “to spend the Sabbath”, which implies living there as well as eating there. However, there are some problems with this interpretation, not least the very verb which inspires it, because it begs the question as to why we are told they spent the Sabbath there, instead of being told that they lived there. Another, more difficult problem for this interpretation is the term for the place where they are meeting, the “dining hall” (*triqlin*, ניל קר+). This is not a Hebrew word but a transliteration of the Latin *triclinium* hence the translation “dining room”.

A *triclinium* is named after the three couches at which one reclined for eating meals, which were normally laid out in a “C” shaped arrangement. People reclined on the couches facing into the middle, so that everyone in the group could see each other. Reclining at meals was considered to be the height of culture, and Lucius even said that the ability to drink while reclining was what distinguished man from the animals (*Asinus* 48). We know from excavations that some Greco-Roman associations used this arrangement for their meals (see figure 1 [photograph of triclinium in a guild at Ostia]). We also know that Jews commonly copied this style of eating, as reflected in the many Gospel references to “reclining” at meals.³⁴ For formal festival meals, reclining was considered compulsory,³⁵ but we do not

³⁴Reclining at meals is seen at Herod’s Party (Mk.6.26), a king’s banquet (Mt.22.10f) a Jewish leader’s formal meal (Mt.9.10; 26.7; Lk.7.36), a wedding (Lk.14.8), eating with Mary and Martha (Jn.12.2), the Last Supper (Mt.26.20; Mk.14.18; Lk.22.27; Jn.13.23, 28), and post-resurrection meals (Mk.16.14; Lk.24.30). All of these can be regarded as “special” meals, except perhaps the post-resurrection meals — though these may have been influenced by parallels with the Last Supper. The rich probably emulated this Greek custom at every meal, as they had done for a few centuries (Amos 3.12; 6.4; cf. Ecclus.41.19), but normal families probably only reclined at special meals. For a recent discussion of Jewish meals in the context of Greco-Roman banquet traditions, see Smith, *From Symposium to Eucharist*, 133-172.

³⁵Reclining at Passover was already compulsory at a relatively early time. The earliest evidence is in m.Pes.10.1, which is difficult to date but is probably late 1st C. In later rabbinic literature we only find references to reclining at Passover, but Philo records that the Therapeutae reclined at a non-Passover meal (*Contemplative Life* 9, 69), and the fact that they normally avoided all such signs of easy living, and had to use boxes and blankets to approximate to couches, suggests that they regarded this as compulsory.

know why. The explanation in Talmud by later rabbis is that reclining at Passover demonstrated they were no longer slaves (b.Pes.108a), but this was written at a time when Passover was the only “sacrificial” meal which remained,³⁶ and the only meal at which reclining was still considered compulsory. It seems more likely that reclining became normal because this was customary throughout the civilised world when associations met for a sacrificial meal, and that it only became a “Jewish” custom after they had followed this Greek custom for hundreds of years.

Wives, children and slaves are not referred to in this tradition though it is possible that they were attending. When such associations met in homes, it was normal for the whole household to attend. For Passover meals, it was expected that the whole household would attend because this occasion mirrored the events of the first Passover. The youngest child of the household had a special role to play in a section of the liturgy which almost certainly predates 70 CE.³⁷ It is therefore very likely that the whole family was also present when the Passover meal was celebrated at a communal hall.

However, for similar reasons, it would be unlikely that a Passover meal would be celebrated outside the home, so the associations in this tradition were probably meeting for some other meal. They may have met to eat a fellowship offering or festival offering or peace offering which had to be consumed within two days (Lev.7.16). It could be offered and cooked on the day before the Sabbath then eaten by the association group on the Sabbath when everyone had free time to attend. In this case there would be no need for other household members to attend, though presumably they could if they wished. It could therefore be an all-male meal, as was common for other association meals in the Greco-Roman world.

This tradition is therefore describing a large hall with five groups of diners, presumably all eating at separate sets of couches arranged as a *triclinium*. It is pertinent to ask why the ruling concerns "five" groups and not "some" groups or "two" groups. The question of whether or not a community marker can be shared would apply equally well to two groups as to a larger number, and rabbinic debates are normally careful to address the simplest situation so that the ruling can be applied to more complex cases. It is possible, of course, that this debate is the result of a specific case which was brought to a rabbinic court, but even in this situation one would expect the final ruling to be preserved in a form which applies to the maximum number of similar cases. So we have to consider what was the difference between four *triclinia* in one dining hall and five *triclinia*?

The specific problem addressed in this ruling probably relates to whether or not the groups are separate, because a community marker is a legal way of defining unity in a group. As discussed above, one aspect which separated associations from each other was the fact that they did not face each other. If individuals happened to face each other during the meal, the associations could (and probably *should*) amalgamate at the end of the meal and join together for the closing Grace after Meals. While you have four *triclinia* it is possible to arrange them so that no-one is facing an individual from another group, but as soon as you have more than four, this isolation is no longer possible. In a dining hall, the *triclinia* would be arranged so that waiters can move around the room and serve any diner, while preserving the privacy of each group as much as possible. The best arrangement would be to have the

³⁶After 70 CE there was no sacrifice, but a bare lamb bone was put on the table to symbolise that offering.

³⁷ The questions asked by the youngest son comes in various versions, the earliest of which (m.Pes.10.4) includes a question about roasting the lamb – which indicates that this version originated before the Jerusalem Temple was destroyed.

heads of each *triclinium* in the center of the room, with the open ends facing the walls, so that the waiters could bring food and drink to each group from the outside of the room without going past any other group, and so that no individual at any of the *triclinia* was facing an individual from another *triclinium*. Such separation is possible for up to four groups of *triclinia* in a single room, but as soon as a fifth is introduced, some individuals will be able to see each other while they eat. One way to emphasise the separateness of the five groups would be to employ separate community markers because each group would then be defined by this symbol of their unity rather than by their physical separation during the meal.

Therefore the significance of this ruling may be that four or fewer associations in a single room could be regarded as separate, but when there were five or more they needed community markers to help form a separation between them which was important for religious reasons. However, it should be admitted that we cannot be sure about the reasoning behind this dispute. The most interesting aspects of this debate are the factors which are accepted and assumed by both sides: that banqueting associations could meet outside the home, in community rooms; that more than one could meet in the same room; and that they employed a *triclinium*.

Rejection of association drinking-parties (Mishnah *Pesachim* 10.8)

One custom of Graeco-Roman banquets which may have been consciously rejected for these Jewish associations, at least in one Mishnaic tradition, were the drinking parties (*symposia*) which often followed an association meal. A reference to this has been preserved in a tradition at m.Pes.10.8 concerning the end of the Passover meal: “One should not depart after the Passover for revelry (נמנמץ) , *aphiqoman*”.³⁸

The interpretation of the word *aphiqoman* varies among Talmudic rabbis and this engendered a great deal of debate (see b.Pes.119b; y.Pes.10.8; cf. t.Pes.10.11), which probably indicates that they no longer knew what it meant. It was traditionally understood as “One should not eat dainties after eating the Passover meat” or “One should not eat anything after the Passover meat is finished”. The rest of this tradition in Mishnah assumes that the first line means something like this, because it discusses how to define the end of the meal. It says that if the meal had not ended formally, but everyone had fallen asleep, they should assume that the meal has ended, so they must not start eating again when they wake up. Other meanings proposed for *aphiqoman* by later rabbis included “join another group” and “types of music”, but most rabbis thought it meant “eat desserts” or other various kinds of tasty snacks. There was considerable debate about which type of desserts were referred to, and some suggested that the prohibition only related to Temple times, or that any desserts could be consumed so long as it was followed by a piece of unleavened bread. These various suggestions were presumably inspired by a memory that some kinds of desserts had been allowed, but they were confused about what or why.

The main problem is that *aphiqoman* is not a Hebrew word and presumably, like many other non-Hebrew words in Mishnah, it is a transliteration of a Greek or Latin word. The most likely candidate is *epikōmos* (ἐπίκωμος), “revelry”.³⁹ Although *kōmos* (κῶμος) is a

³⁸ The pronunciation is uncertain, because vowels were not added to Mishnah till later editions.

³⁹ Arguments summarised well by Lawrence Hoffman in “A symbol of salvation in the Passover seder” in *Passover and Easter*, ed. Paul F. Bradshaw & Lawrence A. Hoffman (Notre Dame, Ind: Univ of Notre Dame Pr, 1999) pp. 109-131, esp. pp. 112f, 126. David Daube tries to defend the traditional view that it refers to “he who came”, i.e. the hidden

common word for a revelling or a raucous celebration at a festival or after a victory at the games, the word *epikōmos* is relatively rare, and it is not surprising that the rabbis were not sure what it meant. There are only two instances of it in first century literature — in one, an *epikōmos* is referred to as a time of “drinking and enjoyment”,⁴⁰ and the other speaks of “an ignorant man who comes by night” and is “knocking unseasonably” in search of an *epikōmos*.⁴¹

This identification of the word suggests that the ruling meant one should not depart at the end of a Passover meal in order to go to a drinking party. This makes sense in the context of the Passover meal, at the point where this ruling is made, because it is followed by a ruling that the meal should end with a single cup of wine called the “fourth cup”. The four cups were each associated with a special point in the meal (m.Pes.10.1-6) and the three earlier cups could be interspersed with more wine, if people wished (m.Pes.10.7), but the “fourth cup” was a single cup of wine which marked the end of the meal. This was presumably based on the assumption that drinking during a meal would not result in drunkenness, in contrast to drinking after a meal.⁴²

This limitation to a single after-dinner cup of wine seems to be a conscious rejection of the Greco-Roman after-dinner drinking party. Philo complains that some Jews were emulating this Roman style of banqueting:

Some perhaps may approve the method of banqueting now prevalent everywhere through hankering for the Italian expensiveness and luxury emulated both by Greek and non-Greeks who make their arrangements for ostentation rather than festivity. Sets of three or many *triclinia* made of tortoise shell or ivory.... a host of drinking cups... slaves of the utmost comeliness and beauty, giving the idea that they have come not so much to render service as to give pleasure... The last tables brought in are reserved for the drinking bouts and the after-dinners as they call them.⁴³

As Torrey Seland discusses at length, Philo also complains of the drinking that took place in Greco-Egyptian associations specifically, and seems to see a danger in Jews participating:

In the city there are associations (*thiasoi*) with a large membership, whose fellowship is founded on no sound principle but on strong liquor, drunkenness, intoxicated violence, and their offspring, wantonness. “Synods” (*synodoi*) and “banqueting-

Messiah, in “The Significance of the Afikoman” in *New Testament Judaism: Collected Works of David Daube*, ed. Calum Varmichael, 2 vols (Berkeley, Ca: University of California, 2000), 1:425-428.

⁴⁰ Plutarch, *Moralia* 148B

⁴¹ Plutarch, *Moralia* 784B

⁴² “Wine after the meal causes drunkenness; that which is in the midst of the meal does not cause drunkenness.” (y.Pes.10.8).

⁴³ *Contemplative Life* 6, 48-54 translation by F. H. Colson in Loeb series, Philo IX (Heinemann & Harvard, 1941-1967). Bruce Winter suggested that “after dinners” may be a euphemistic reference to sexual entertainment which normally followed a Graeco-Roman meal – see *After Paul left Corinth: the influence of secular ethics and social change* (Grand Rapids: Eerdmans, 2001): 83-85.

couches” (*klinai*) are the particular names given to them by the people of the country (*In Flaccum* 136; trans. LCL with adaptations).⁴⁴

It is in relation to this Jewish moralistic critique of typical association activities, especially the drinking-parties (*symposia*), that we can understand the Mishnaic prohibition.

This ruling in the Mishnah says that one should not “depart” in order to join such a party held elsewhere, which suggests that some people were doing just that – they were rejecting the restrictions at the end of the Passover meal and going to a more liberal venue to conclude their feasting. The various meanings of this ruling which were half-remembered and half-inferred by later generations actually fit this context fairly well, because at an after-dinner drinking session one would expect to have music and a variety of salty snacks to promote thirst. However, they forgot the Greek term behind the Hebrew word, and after they had distanced themselves from these Greco-Roman habits for a few generations, they forgot what the original problem had been.

Conclusions

Scholars have paid little attention to Mishnaic evidence for informal banqueting associations in Palestine, due partly to difficulties in dating this material. There are several references in rabbinic traditions to “associations” which met for religious meals, most of which refer to Passover meals but other meals are also mentioned. One of these (m.Er.6.6) can be safely dated before 70 CE, when all sacrifices were terminated by the destruction of the Temple. This tradition demonstrates that associations could meet in communal halls (as well as homes, as assumed in other traditions), that they reclined at a *triclinium* for the meal, and that they had servants (or household members) who served them. From other traditions we can infer that such groups normally numbered about 15 to 30 individuals and included family members (wives, children and household slaves), though this was not necessary at all association meals such as the consumption of a fellowship offering. This particular tradition about associations meeting at a communal hall can be understood within the broader framework of Greco-Roman banqueting associations meeting for religious meals in a local temple. Another early tradition which does not actually use the word “association” indicates a rejection of the after-dinner revelry (*epikōmos*) characteristic of the Greco-Roman *symposia* which were an important activity within many “pagan” associations.

It is difficult to know whether Jews were consciously mimicking the customs of their neighbours or whether these customs were absorbed unconsciously. The latter is almost certainly the case, because although reclining was regarded as a decadent practice in Israel in the time of Amos (cf. Amos 3.12; 6.4) the many references to it in the Gospels indicate that it had been accepted as a Jewish custom. Indeed, it became so much part of the Jewish traditions that it was later regarded as a compulsory part of the celebration of Passover. Therefore if the origins had been due to influence by the surrounding culture, Jews no longer perceived this to be the case, and by the first century they had made the practice of association banquets a thoroughly Jewish aspect of religious and community life. They did not absorb these customs without modifying them, however, as demonstrated by their rejection of the after-dinner drinking parties which were so characteristic of many other associations in the ancient Mediterranean world.

⁴⁴Torrey Seland, “Philo and the Clubs and Associations of Alexandria,” in *Voluntary Associations in the Graeco-Roman World*, ed. John S. Kloppenborg and Stephen G. Wilson (London; New York: Routledge, 1996), 110-27.