

**THE KARAITE HALAKAH: AND
ITS RELATION TO SADUCCEAN,
SAMARITAN AND PHILONIAN
HALAKAH. PART 1**

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by Bernard Revel

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BERNARD REVEL

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THE KARAITE HALAKAH

AND ITS RELATION TO SADDUCEAN, SAMARITAN
AND PHILONIAN HALAKAH

PART I

BY BERNARD REVEL, M. A., PH. D.

A THESIS SUBMITTED FEBRUARY 27, 1911

IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE
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INQUIRY INTO THE SOURCES OF KARAITE

HALAKAH

THE causes of the Karaite schism and its early history are veiled in obscurity, as indeed are all the movements that originated in the Jewish world during the time between the conclusion of the Talmud Babli and the appearance of Saadia Gaon.

From the meager contemporary sources it would seem that from the second third of the eighth century until the downfall of the Gaonate (1038) the whole intellectual activity of Babylonian Jewry centered about the two Academies and their heads, the Geonim. Of the early Gaonic period the Jewish literature that has reached us from Babylonia is mainly halakic in character, e. g. *Halakot Gedolot*, *Sheellot*, and works on liturgy, which afford us an insight into the religious life of the people. From them, however, we glean very little information about the inner life of the Jews in Babylonia before the rise of Karaism; hence the difficulty of fully understanding the causes which brought about the rise of the only Jewish sect that has had a long existence and has affected the course of Jewish history by the opposition it has aroused.

The study of sects always has a peculiar interest. During the thirties of the last century, the Karaites themselves made accessible to the scholarly world the works of

some of their latter-day authorities, and with the publication of Simḥah Pinsker's epoch-making work "Liḳḳute Kadmoniyot" (1860) the attention of Jewish scholarship was turned to Karaism and its literature. Pinsker, blinded by his discovery of an important phase in the development of Judaism, invented a pan-Karaite theory, according to which the Karaites are to be looked upon as the source of all intellectual achievement of mediæval Judaism (*Liḳḳute*, I, 4, 32). The Masorah is a product mainly of theirs, and it is among them that we are to look for the beginnings of Hebrew grammar, lexicography, poetry, and sound biblical exegesis. The Rabbanites, since Saadia Gaon, were merely imitators of the Karaites. Pinsker believed that every Jewish scholar, prior to the eleventh century, who busied himself with the study of Bible alone, was a Karaite, and he transformed, accordingly, more than one Rabbanite into a Karaite.

The question of the origin of Karaism, its causes and early development is still awaiting solution. That Karaism is not the result of Anan's desire to revenge himself on Babylonian official Jewry, need not be said. Karaite literature affords us no data; there is a marked lack of historical sense among them. They have no tradition as to their origin, and their opinions are conflicting (comp. Pinsker, *Liḳḳute*, II, 98). The belief that Karaism is but an echo of a similar movement during this period in the Islamic world is now generally given up owing to the advance made in the knowledge of the inner development of Islam and, particularly, the nature of the Shiite heterodoxy (see I. Friedlaender, *JQR.*, 1910, 185 ff.).

This question is bound up with the problem of the origin of the Karaite halakah which is of vital importance

for the understanding the history of Tradition; as Geiger (*ZDMG.*, XVI (1862), 716) says, it was always the differences in practice, not in dogma, that caused and sustained divisions in Israel. This is particularly true of the Karaites who differ in nothing but religious practices from the rest of Israel.

The solution offered by Geiger that the Karaites are the descendants of the Sadducees and their halakah Sadducean, is accepted with some modification by many scholars (comp. Poznański, *REJ.*, XLIV (1902), 169). On the other hand, the eclectic nature of the Karaite halakah was recognized by several scholars (comp. S. L. Rapoport in *Kerem Chemed*, V (1841), 204 ff., and in Kaempf's *Nichtandalusische Poesie*, II, 240; P. Frank, *Ersch u. Gruber*, sec. II, vol. 33, 12; Harkavy, in *Grätz' Geschichte u. Literatur*, V., 482 ff.; *id.*, *Jahrbuch f. jüd. Geschichte u. Literatur*, II (1899), 116 ff., and elsewhere). No attempt was, however, made to explain the bulk of the Karaite halakah, on these lines. I have therefore undertaken the work of tracing the individual Karaite laws to their respective sources, which will, at the same time, be the first exposition of the Karaite laws in general—prefacing it by an examination of the Sadducean-Karaite theory. The term "Karaite halakah" is used here as a convenient one, though, as Kir'isani has unwillingly shown—and any Karaite code testifies to it—the laws on which all Karaites agree are few. The Karaite laws are discussed here not according to subject matter, but such as have common source are grouped together. I begin with Philo, as the relation of Karaite halakah to that of Philo has remained, to my knowledge, hitherto unnoticed. This relation, if established, may prove helpful in the understanding of other

points in the inner history of Judaism during the first centuries of Islam.

For the halakah of Philo, I have used the work of Dr. B. Ritter, "*Philo und die Halacha, eine vergleichende Studie*," from which most of the citations from Philo in this treatise are taken. Other Philonian laws, not treated by Ritter, are discussed here, but only as they bear on the Karaite halakah.

Not all the early Karaites claimed antiquity for their schism. This is evident from the reply of Salman b. Yeruham to Saadia's mention of their late origin (Pinsker, II, 19).² Another contemporary of Saadia, Abu Jusuf Yaḳub al-Kirkisani, the most reliable historian among the Karaites, gives a date for what he calls the Rabbanite dissension: Jeroboam, to make permanent the power he had usurped and to prevent the Israelites owing allegiance to the house of David, divided the nation by sowing the seed of dissension, perverted the Law, and changed the calendar (I Kings 12, 32). The followers of Jeroboam in later times are called Rabbanites. Those who remained faithful to the original laws were the ancestors of the Karaites.³ This fanciful explanation found no credence even among the Karaites.⁴

² במסדר בעלי מקרא חרשים ורבוני תישינים הם קרושים. גם בעלי התקנות. ³ השאלה וכמלה מקורשים סמרה וזמן וזלתימ בני ערן נפרשים comp. also Salman b. Yeruham's commentary on Ps. 96, 1 (Winter u. Wünsche, *Jüdische Literatur*, II, 80). See, however, Harkavy in Grätz, *Geschichte*, V⁴, 472. That not all the Karaite contemporaries of Saadia claimed antiquity for their sect is evident also from Saadia's fourth answer in his polemical work against Ibn Sāḳawitil. See *JQR.*, XIII, 664; תקדים, I, 67.

⁴ Comp. Poznanski, *REJ.*, XLIV (1902), 162 ff.

⁵ It was, however, taken up again by the twelfth century Karaite, Elias b. Abraham, in his חלקי הרבנים והקראים (Pinsker, II, 100 ff.). He

The Karaites felt keenly the need of some account of their origin that would silence the reproach of the Rabbanites and found in the event recorded in the Baraita (Kiddushin 66a; see Josephus *Ant.*, XIII, 13, 5) a basis for claim of ancient origin for their sect. As stated in that narrative, the disagreement between John Hyrcanus and the teachers of the Law resulted in the extermination of the latter, excepting Simeon b. Shataḥ. As a consequence, ignorance of the Law prevailed until Simeon appeared and reinstated it.

וזהו העולם משחומם עד שבא שמעון בן שטח והחזיר את התורה לישנה
Simeon, say the Karaites, being at that time the sole authority, introduced many innovations upon his return and changed the true interpretation of the Law. To enforce these new laws, he invented the fiction that besides the Written there is also an Oral Law given to Moses on Sinai and handed down from generation to generation, and that the laws proclaimed by him went back to this real tradition.

The people followed him blindly. But some of them, knowing the false basis of these changes, rejected them and adhered to the ancient Tradition in all its purity; those were the Karaites.⁴

adds that those who remained faithful to the original faith migrated *מבבל* and only few of them, because of their attachment to the Temple, remained in Jerusalem. Yet, as Pinsker (II, 98) remarks, Elias himself put little confidence in this myth. For the origin of this legend, see A. Epstein *Eldad ha-dani* (Pressburg 1891), p. 1. For later Karaites repeating this story, see Poznanski, *I. c.*, p. 163; comp. *ZfNB.*, III, 92 (end) and 93, for the view of a tenth century Karaite (comp. *ib.*, 90 and 172 ff.).

⁴ As a striking instance of the purely mythological character of the Karaite beliefs about their origin and past, I shall illustrate the three strata in the development of the last mentioned Karaite theory of their origin. Sabi b. Maqlah (tenth century) asserts that Karaism goes back to the time of the second Temple, but connects it with no specific event (Pinsker, II, 35). This is still the opinion of Aaron b. Elias (fourteenth century)