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Scribes, Pharisees, Lawyers, Hypocrites: A Study in Synonymy

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"The Scribes and Pharisees sit on Moses' seat; so practice and observe whatever they tell you, but not what they do; for they preach but do not practice" (Matthew 23:2). Matthew's crisp declaration that the Scribes and Pharisees sit in Moses' seat, followed by his admonition that these Scribes and Pharisees must be heeded, though not imitated, seems simple enough: The Scribes and the Pharisees are one and the same, since it is hardly likely that the Scribes sat on one-half of Moses' seat and the Pharisees on the other. Nor would there seem to be any problem with Matthew's refrain, "Woe to you. Scribes, Pharisees. Hypocrites," the leitmotif of this powerful chapter in the Gospel of Matthew. The Scribes-Pharisees, a single class, are hypocrites. And if we analyze the content following on the refrain in each instance, we are at a loss to find any differentiation between the Scribes and the Pharisees. When, for example, we are told that the Scribes-Pharisees love the place of honor at feasts, the best seats in the synagogue, salutations in the market places, and being called rabbi by men (23:6), we are not likely to visualize two distinct groupings occupying the best seats in the synagogues and being addressed by the same honorific title, "rabbi."

Similarly, we would be hard put to imagine Scribes traversing land and sea to make a single proselyte only to be preceded, or followed by Pharisees hieing off for the same purpose with the same teachings and with the same authority (23:15). Nor would we find it any easier to conjure up blind guides, some being Scribes, some being Pharisees, both misleading the populace with the same teachings and with the same unseeing blindness. Likewise, the Scribes and Pharisees equally tithe mint and cummin, equally neglect the weightier matters of the Law, equally strain at a gnat and swallow a camel (23:23-24); equally cleanse the outside of the cup and plate all the while that their inward selves are equally seething with extortion and rapaciousness; equally appearing as whitewashed tombs; equally ready to murder the prophets (23:30).

Yet despite this clear and compelling demand that we regard the Scribes and Pharisees as one and the same—a demand following from Matthew's usage—the author of (the Gospel himself undercuts the very synonymy he has himself

established when he links the Scribes to the Pharisees with the Greek "kai," a word which translators invariably render as "and." Hence Scribes cannot be identical with Pharisees, and Pharisees cannot be identical with Scribes. "Kai" as "and" differentiates Scribes from the Pharisees, all the while that they sit on Moses' seal, love the place of honor in the synagogues, and relish being called "rabbi" as though they were one and the same. The author of Matthew who severs with "kai," binds with every other word he chooses and with every image his words evoke.

And this image of the Scribes as being identical with (the image of the Pharisees is not confined to Chapter 23 of Matthew. It is one and the same wherever one looks in Matthew, and wherever one looks in Luke and Mark. When, for example, the author of Matthew has Jesus declare that he did not come to abolish the Law and the Prophets, but to fulfill them (5:17), and he raises the pitch of Jesus' commitment by having Jesus admonish his disciples that unless their righteousness exceed that of [the Scribes and Pharisees, they will never enter the kingdom of heaven (5:20), does the author convey even one iota of difference between the righteousness of the Scribes and the righteousness of the Pharisees? Yet, in joining Scribes and Pharisees together with "kai," he sunders them from themselves.

And if we turn to Luke we are no less baffled. Luke, like Matthew, draws a single portrait labeled Scribes-Pharisees, only to erase its clarity with the stroke of "kai." Thus in Luke 5:21, the Scribes-Pharisees raise the very same question. "Who is this that speaks blasphemies? Who can forgive sins but God only?" In 6:6 Jesus asks (the Scribes and Pharisees whether healing on the Sabbath was lawful; and in 15:2 (the Pharisees and Scribes are distressed that Jesus consorted with sinners.

Luke, like Matthew blurs what would otherwise give a clear picture captioned Scribes, or Pharisees, or Scribes-Pharisees. Indeed, since Luke from time to time either conjoins *nomodidaskaloi* "teachers of the Law," and *nomikoi* "legal experts," with Pharisees and Scribes (5:17-21), or he attributes to the *nomikoi*, the legal experts, teachings identical with those of the Scribes-Pharisees in Matthew (cf. Luke 11:45-52 with Matthew 23:1-4, 20-36), the caption beneath the portrait, could without altering the picture in any way, be widened to include *nomodidaskaloi*, teachers of the Law. And since Matthew also has Jesus admonish his followers not to imitate the "hypocrites" by trumpeting their almsgiving (6:2), or by praying in the synagogues and at the street corners so that they may be seen by men (6:5), or by fasting with dismal faces (6:16), we can widen the caption even further by including alongside Scribes, Pharisees, Teachers of the Law, and legal experts, the epithet "hypocrites."

This portrait, drawn for us by Matthew and Luke — a portrait which alters not with altered captions — is the very portrait which emerges from (the gospel of Mark.

There is this difference, however: Whereas in Matthew and Luke the Scribes are almost invariably conjoined with the Pharisees, they frequently stand alone in Mark. Indeed, the teachings which Mark attributes to the Scribes are attributed in Matthew and Luke to the Scribes and Pharisees, or to the Pharisees alone, or to the *nomikoi*, the legal experts. This is most strikingly evident when we note that for Mark (12:28). as for Luke (20:39), it is a scribe, not the Pharisees of Mathew (22:34), who commends Jesus for confuting the Sadducees on the resurrection (Mark 12:28); that it is the Scribes (Mark 12:35-37), not the Pharisees (Matthew 22:41-46) who teach that Christ must be the son of David; that it is the Scribes and not the Scribes and Pharisees as in Matthew (23:6-7), who like to go about in long robes, have salutations in (he market places and the best seats in the synagogues (Mark 12:38-39, cf. Luke 20:45-47).

Yet the portrait never alters with the shifting names. The Scribes of Mark are one and the same with the Pharisees, and with the Scribes and Pharisees of Matthew. The Scribes are the authoritative teachers of the Law in Mark; the Pharisees are no less the authoritative teachers in Matthew. The Pharisees of Matthew who applaud Jesus' refutation of the Sadducees are no less the spokesmen for the belief in the resurrection than the Scribes in Mark. The Pharisaic dictum spelled out in Matthew, namely that Christ must be of Davidic descent, is no less binding than the self-same dictum proclaimed by the Scribes in Mark.

And if we go further and analyze the usage of Scribes and Pharisees within Mark itself, we find that whether Scribes are unattached to the Pharisees. or attached to the Pharisees; or whether the Pharisees are attached to (the Scribes or are unattached, there are no differentiae other than Mark's single *flawed* reference to "the Scribes of the Pharisees" (2: 16), since some versions read "and"; and his references to "the Scribes of the

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he did not regard them as the custodians of the Law. This *sofer* was a different kind of *sofer* indeed! Unlike the *sofer* of Ben Sira's day who venerated the Law, but exercised no authority over it, the *sofer* of the twofold Law was fully in charge — he, and his fellow *soferim*, and not the Aaronide priests, sat in Moses' seat.

This new class of *soferim* who sat themselves in Moses' seat are better known to us as the Pharisees, the *perushim*. And because we know the *soferim* better as Pharisees than as *soferim*, we tend to forget that for the Jews living in Palestine, teachers of the twofold Law, were *soferim*, not *perushim*, Pharisees. Only the Sadducees called the teachers of the twofold Law *perushim* — Pharisees. And with good reason. The Sadducees regarded these scholars as "usurpers," "separatists," "heretics," because

they proclaimed that God had given, alongside the Written Law, an Oral Law as well. These upstart teachers who had sat themselves in Moses' seat were not, for the Sadducees, "*soferim*," i.e., Aaronide intellectuals and sages like Ben Sira, but *perushim*, "separatists," and "deviants" who, by proclaiming an Oral Law, were defying the very word of God.

Jesus was not a Sadducee. Indeed, he shared with the teachers of the twofold Law their belief in resurrection. He would thus not use the term *perushim*, Pharisees, but the term *soferim*. Scribes. Hence it is not surprising that in Mark we read that a Scribe, not a Pharisee, commended him for refuting the Sadducees; that the Scribes, not the Pharisees, teach that Elijah must come First; that the Scribes and not the Pharisees insist that Christ be a scion of the house of David. Since *soferim*, Scribes, was the name for the teachers of the twofold Law used by non-Sadducees, this was the name which Jesus and his disciples would have used.

But this name *soferim*, so clearly understood in Galilee and Jerusalem, was a source of grievous misunderstanding the moment it was translated into *grammateis* for the ears of Greek and Roman gentiles. For them, *grammateis* conjured up real scribes, copyists, secretaries, writers, and not teachers of the twofold Law who did not write at all. Greek and Roman listeners and readers did not easily equate *grammateis* with legal experts and lawyers. They did not think of Ciceros, or of Solons, or of Aristotles. They thought of copyists enjoying no special authority and of secretaries enjoying no honorific status.

To clarify this confusion, the term *pharisaioi*, Pharisees was either added or substituted. *Pharisaioi* might not convey anything substantive, but it did conjure up the picture of some prestigious class, since *pharisaioi*, unlike *grammateis*, is a proper, not a common noun. When, therefore a gentile asked who these *grammateis* were, they were told that these were the *pharisaioi*, hence a very special kind of *grammateis*.

But since *pharisaioi* itself is meaningless, it does not surprise us that the term *nomodidaskaloi*, or *nomikoi* was drawn upon to clarify it.

Three distinct names thus came to be attached to the same class of teachers. At first synonyms, these terms came to be thought of as separate entities, as fewer and fewer Christians had any awareness of Palestinian Judaism — indeed John uses Scribes not at all. Gradually the *kai* which may have originally meant "even," "that is," "namely," "most emphatically" came to mean "and." Hence the Scribes who were one and the same with the Pharisees could be thought of as a smaller group within the larger body of Pharisees.

And should there be any lingering doubt that the Pharisees never called

themselves Pharisees, but *soferim*, I call your attention to a *mishnah* in tractate Yadayim (4:6), which reads as follows:

The Sadducees say, "We complain against you Pharisees because you say that Holy Scriptures renders the hands unclean."

Here the term Pharisees is appropriately used for the teachers of the twofold Law, since there is a debate between the Sadducees and these teachers. But when this very same dictum "Holy Scriptures renders the hands unclean" is set down in the very same tractate (3:2), but where no Sadducees are involved, this dictum is proclaimed to be "words of the *soferim*." And this purity of usage is further underlined when the following principle is enunciated: "We do not logically deduce the words of the Torah from the words of the *soferim*, nor the words of the *soferim* from the words of the Torah, or the words of the *soferim* from the words of the *soferim* (3:2); cf. Sanhedrin 11:3.

Jesus and his disciples called the teachers of the twofold Law by their honorific *soferim*, a term which had long since come to mean "intellectual," "scholar," and not by the Sadducean epithet, *perushim*, Pharisees. But little did Jesus know that though the Greeks had a word for *soferim*, scribe-copyist-secretary, they did not have a word for *soferim*, the teachers of the twofold Law. Whereas the Hebrew *sofer* had widened to mean more than it had meant in biblical usage, the Greek term *grammatei* continued to mean what it had meant when the translators of the Septuagint chose it to translate *sofer*, unambiguously, as scribe. And how ironic it would be if "*kai*" had originally been selected to convey the less usual meaning of "even" "that is", only to have it translated subsequently by its usual meaning "and"—reconfusing what, for an all too brief span of years, "*kai*" had been selected to unconfuse.

But however we translate "*kai*," Mark, Matthew, and Luke drew a single portrait. A Scribe, by any other name — be it Pharisee, *nomikos*, or hypocrite — turns out to be, no less a Scribe.

The terminological use of "Scribes" and "Pharisees" in the gospels is treated in depth in a recent volume by Michael J. Cook, entitled *Mark's Treatment of the Jewish Leaders*, in the series *Supplements to Novum Testamentum*, Vol. LI (Leiden: E.J. Brill. 1978); see also his conclusions in "Judaism, Early Rabbinic," *IDB Suppl. Vol.* Among the variety of views in specifically New Testament scholarship disputing the synonymy of "Scribes" with "Pharisees," see especially F. C. Grant. *The Earliest Gospel* (New York, 1943), 50; V. Taylor, *The Gospel According to St. Mark*, and ed. (New York, 1966), 209; J. Jeremias *Jerusalem in the Time of Jesus*, ET (Philadelphia, 1969), 246, 258-259; also D. Chwolson, *Das letzte Passamahl Christt*, sd. ed. (Leipzig, 1908), 112 ff; A. Buchler. *Die Priester und der Cullus* (Vienna, 1895), 84 ff.; A. T. Olmstead, *Jesus in the Light of History* (New York, 1942), 178 ff.; P. Winter, *On the Trial of Jesus* (Berlin, 1961), 126-127, 209 n. 25. For additional views and analysis, see Cook. *On defining the Pharisees*, see now E. Rivkin. *A Hidden Revolution* (Nashville 1978), pp. 31-178.