

of a people, however, is but a mirror of the ideas which rule that people, and in post-biblical times the idea of "the Book" was all-powerful among the Jews. Nehemiah records a covenant entered into under the guidance of Ezra: "To walk in God's law which was given by Moses, the servant of God, and to observe and do all the commandments of the Lord our God and His ordinances and His statutes." Whether we accept the traditional view of Ezra as "the restorer of the Torah" or follow the opinion of some modern Biblical scholars who picture him as the creator of a new movement, the significance of this covenant cannot be overestimated. By this solemn act a "book" --the Pentateuch--became the written constitution of the new commonwealth, its code of laws, and its way of life. But the dead letter needs to be made living by interpretation. Hence the interpretive character of the post-Biblical writings.

Old Talmudic sources call the spiritual leaders of Israel in the centuries between Ezra (about 450) and the age of the Maccabees (175) Soferim, which means "men of the Book," interpreters of sacred Scripture, and not, as it is usually translated, "scribes." The most momentous event in the century and a half after Ezra was the conquest of Palestine by the Greeks. Another century and a half had elapsed before the Maccabees freed the Jews from the Maccabean tyrants. This victory was made possible by the work of the Soferim, who had succeeded in establishing a normative Judaism that was able to withstand the allure of Greek thought and the attraction of Hellenic life. These Soferim had not only safeguarded "The Book," but had, by their interpretations and comments, made it workable under the new conditions that arose in Palestine with the arrival of the Greeks.

The enormous mass of "interpretation" thus accumulated during the centuries of the Soferim was further augmented in the century of the Jewish free state under the Hasmoneans, and this for more than one reason. With the final victory of "the pious over the wicked" the pendulum swung in the opposite direction. The problem now was no longer how to adjust the new ideas of Hellas to the spiritual inheritance of Israel nor how to respond to the demands made by foreign ways of life; it was actually the reverse. The strong national feeling engendered by the victorious wars in defense of Jewish religion and Jewish morals led to ordinances and regulations aimed at the complete isolation of Israel from the surrounding world. At the same time, the development of commerce and trade under the Hasmonean rulers peremptorily called for the building up of a code of civil law. The few rules found in Scripture bearing on this branch of the law were not sufficient and could not be made so, not even by the most subtle reasoning or the cleverest interpretation.

The time was certainly ripe for legislation. Every student of the history of jurisprudence knows that great as are the possibilities of interpretation and commentation, an old code has limits beyond which it cannot be stretched. When the breakingpoint is reached, legislation comes to the rescue, abrogating obsolete laws and adding new ones which conform to the demands of the age. But how dare one tamper with sacred Scripture, in which the Divine Will is revealed? The sages and scholars of that time--about the middle of the Hasmonean era--had the necessary temerity. They took a very important step