

I Chr 23:28-32 were conducted by priests at the end of the second temple period, e.g. flaying the animals being prepared for sacrifice.<sup>36</sup> He suggests that the activities of Hyrcanus mentioned in the Mishnah cited above were part of the process of eliminating Levites from the temple service thus undermining any justification in their claim for the tithes.

The «Awakeners» and «Knockers» who were abolished were Levites who slept outside of the temple at night. These would knock on the temple gates in the morning, awakening the priests on the other side who possessed the keys to the gates, thereby initiating the round of activities in the daily life of the temple. Cf. Midot 19: «And the priest locked the gates from the inside while a Levite slept outside. When he had finished locking the gates, he put back the keys on the chain and the slab in its place, put his mattress over it, and went to sleep.» According to I Chr 9:27, originally the Levites had slept in the temple as guards and they were in possession of the gate key and hence responsible for opening the precinct from within. (Cf. also II Chr 31:14).

Hyrcanus discharged them even from their much reduced position outside the temple and replaced them by an organ-like device called the *maggēpa* referred to here as the «hammer.»<sup>37</sup> His actions, however, do not initiate the decline of Levitical prestige, rather they demonstrate a momentum whose origin must be sought in an earlier historical period. Similarly, his decrees eliminating the Levitical tithes did not initiate this aspect of their disenfranchisement, rather, they appear to have functioned as the *coup de grace*.<sup>38</sup>

Apocryphal sources substantiate that priests received the first tithes during the second temple period and indicate as well that such was the established tradition by the second century B.C.E.:  
a) In I Macc 3:46-53, the Jews fleeing Jerusalem assemble at Mizpah to the north of the city:  
«They also brought the garments of the priesthood and the first fruits and the tithes ... And they cried aloud to heaven saying, What shall we do with these? Where shall we take them? Thy sanctuary is trampled down and profaned and thy priests mourn in humiliation»

<sup>36</sup> C. H. Tchermowitz, «Demai,» in S. W. Baron and A. Marx eds., Jewish Studies in Memory of George A. Kohut, New York, 1935, 55 (Hebrew section).  
<sup>37</sup> Tchermowitz, «Demai,» 58.  
<sup>38</sup> During the reign of John Hyrcanus, it is possible that the Levites made a bid to regain some of the prerogatives which the Torah granted them but which they did not enjoy. Hyrcanus, the priest-king employed his authority to weaken them even more. Cf. Tcher- nowitz, «Demai,» 50-55; Grinzt, *Sefer Yehudith*, 191.

No mention is made of Levites; the address to heaven presupposes that the tithes were delivered to the priests in the temple in Jerusalem. Although I Macc was written ca 140 B.C.E., it describes the events of 163-2 B.C.E.  
b) The same assumption is made by *Judith* which was written in the second century B.C.E. In an interview with Holofernes, the heroine Judith declares that the fall of her city, Bethulia is inevitable because the Jews violated sancta:

«Since their food supply is exhausted and their water has almost given out, they have planned to kill their cattle and have determined to use all that God by his laws has forbidden them to eat. They have decided to consume the first fruits of the grain and the tithes of the wine and oil, which they had consecrated and set aside for the priests who minister in the presence of our God in Jerusalem – although it is not lawful for any of the people so much as to touch these things with their hand (1:11-15).»  
c) Similarly in *Tobit*, also composed in the second century, the pious hero reports,

«Taking the first fruits and the tithes of my produce and the first shearings; I would give these to the priests, the son of Aaron at the altar. Of all my produce, I would give a tenth to the sons of Levi, who ministered at Jerusalem ... (1:6-7a).»

What is clear from these references is that Levites neither received a major tithes nor did they function as disbursars or intermediaries in the tithing process.<sup>39</sup>  
Partial Levitical control over the Levitical tithes is reflected in Neh 10:38b, «... and to bring to the Levites the tithes from our ground, for it is the Levites who collect the tithes in all our rural towns» (RSV, v. 37b) and

<sup>39</sup> These passages and others which are not so clear are analyzed and discussed by G. Alon, «On Philo's Halakha,» in Jews, Judaism and the Classical World, Jerusalem, 1977, 89-93 (first published in Hebrew, 1957); Sh. Safrai, Pilgrimage at the Time of the Second Temple (in Hebrew), Tel Aviv, 1965, 128-32. (I thank my colleague, Prof. E. Slonimovic, who brought these sources to my attention).  
The tithes mentioned in Jubilees 13:25-29 and 32:1-15 is also notable in that it is given to a priest. There is some ambiguity in 32:8-9 where Levi is designated as the recipient, but it is only because he functions as a *priest* that he accepts the tithes. (Cf. 32:9). Whether or not Jubilees' halakha is Pharasaic is mooted, but on this point it does reflect second temple practice justifying it in terms of a halachic midrash. (Cf. L. Finkelstein, «The Book of Jubilees and the Rabbim Halakha» HTR 16 [1928] 52-53; idem, «Some Examples of the Maccabean Halakha,» JBL 49 [1930] 34.) Whichever sect produced Jubilees, its public behavior would have been the same as that of most Jews though its particular comprehension and justification of why priests received the Levitical tithes may have been different. According to Jub 32:9, the priests are the true Levites.