

who died Jan 24, A.D. 41. According to Zuckermann 40/41 was a sabbatical year, yet Josephus tells us that the Jews were sowing their fields this year. Therefore the year could not be Sabbatical. "An incidental remark in Josephus shows, however, that 40/41 could not have been a Shemitah. Describing in great detail the rebellious mood in Judea which followed Caligula's order to place his statue in the Temple, A.J. 18:271-72 speaks of the Jewish petitioners at Tiberias who said that they were ready to die rather than to violate their ancestral laws: "And falling on their faces and baring their throats, they declared that they were ready to be slain. They continued to make these supplications for forty days (fifty: B.J. 2:200). Furthermore, they neglected their fields, and that, too, though it was time to sow the seed." (B.J. II, 199-200). (See Wacholder, 255.136). Seed sowing time in Israel was in November. At seed sowing time in 40 A.D. Petronius, the Roman General responsible for placing the statue in the Temple, wrote to Caligula about the situation and that he was delaying the installation of the statue. Caligula dispatched a letter ordering Petronius' death, and this letter took three months to reach Tiberius due to storms at sea. Meanwhile Caligula was assassinated on Jan. 24, 41 A.D., and news of his death reached Petronius 27 days before the death warrant. This shows that the whole episode fits between the fall of 40 and the spring of 41 A.D., which shows this could not be a sabbatical year. [Petronius first letter went out in November. The death warrant left Rome in Dec. 40, and did not arrive till mid March. The news of Caligula's death arrived in Mid February.]

Philo Alexandrius says that this happened when the wheat crop was just ripe (Lege 249); Philo attempted to reconstruct Petronius' Letter to the Emperor and all of Petronius' supposed arguments for not installing the statue.⁶ One of the arguments was that the Jews would destroy their own crops rather than endure the statue. This is a contradiction to Josephus, who says that the Jews were undergoing economic hardship by not planting their crops while they made the protest, even though it was time to sow (A.J. 18.272). We must therefore judge between Josephus as a source and Philo as a source. It is pretty clear that Philo's account is inferior. Josephus' mentions, names, places, dates, and specific events. Josephus was born in the first year of Caius, and lived in Galilee, where these events took place, and would have talked with the men who made the protest themselves; and it is clear by comparing the accounts that Josephus' command of the factual situation is much broader and more detailed than Philo. Philo lived in Egypt. Josephus writes in a historical style, and Philo wrote in a rambling philosophical style, often guessing at the thoughts and reasons of Petronius.

"Blosser argues that Josephus erred in describing the events as having taken place in the fall, the planting season, i.e., October-November of 40 C.E. But this would coincide with the observance of the sabbath repose required by his chronology of shemittot. He therefore posits that the Jewish protest occurred in the spring and summer of 40, prior to the beginning of the sabbatical year in October of that year. Blosser does not cite BJ 2:203, which conflicts with his conclusion" (Wacholder, The Calendar of Sabbath Years During

⁶ It was a common literary practice of historians of the Roman period to put speeches into the mouths of famous people for a good literary effect to engage their readers. The result was a work of fiction that goes by the name of the *historical novel* in modern terms.

the Second Temple Era: A Response; pg. 129. HUCA; cf. Blosser, HUCA LII, 1981).

32. Wadi Murabbat 18 and Nero's 2nd Year

We should also mention Wadi Marabba'at 18 (P. Be-noit, J.T. Milik, and Ronald de Vaux, Discoveries in the Judean Desert, II, No. 18, 100-04 [Oxford: Clarendon Press, 1969]. Republished with a German translation and commentary by E. Koffmanhnn, Die Doppelturkunden aus der Wüste Juda (Leiden: Brill, 1968), 80-89. The document is a note of indebtedness dated 'in the second year of Nero Caesar.' The significant portion is "I will pay you in five and possibly in its enti[rety]; and it would be year of Release; and if not so, I will make paym[ent] from my properties, even those that I will buy later, will be pledged to you as mortgage" (Wacholder, HUCA 1973, pg. 170). Wacholder argues that the 'second year' of Nero, 55/56 A.D. is a sabbatical year on his cycle, and points to the phrase, 'this year of Release' as the evidence.

But in the footnote he cites R. Yaron ("The Murabba'at Documents," JJS 11 [1960] 158 who says that line 7 should read *hwh* instead of *hd*. Goldstein (1 Maccabees, 317) agrees and supplies the translation, "and it was [or would be] the year of release"; Since *hoveh* is a participle, in the context it is saying that after the five years comes the year of release, which agrees exactly with the true sabbatic cycle if we read it with the "or" option "would be the year of release".

Zuckermann's followers argue that it is either a prozbul or a folded note.

A Prozbul was a contractual statement saying that you would pay your debt in spite of the sabbatical year. It was thus another Rabbinic way of nullifying the law to cancel all debts. A folded note or get mekushar according to Bab. Tal. Baba Batra 164a-b, was to be antedated by a year, which would bring Mur. 18 into agreement with Zuckermann's cycle. However, this theory is contradicted in the same Talmudical section by another Rabbi; it is contradicted by common sense; it is contradicted by common practice elsewhere and would be exceptional. It is contradicted by another folded note, "Mur 22 (Discoveries, II, 118-22;

Koffmanhnn, Doppelturkunden, 158, apparently a 'folded note' note, bears the date of the first year of the Redemption of Israel which, according to Lehmann's view of antedating, should be inconceivable" (Wacholder, pg. 172). Therefore, there is no way to make Mur 18 support Zuckermann's cycle. On the other hand, we have shown by Mur 24E that Wacholder's cycle is invalid also.

Therefore, the statement is a classic prozbul clause, but it is not antedated in any sense. It merely says that there are five years and then the sabbatical year, and that if the debtor will not pay in the sixth year of the cycle, then he will still pay later.

It may be noted that the sabbatical law of release did not apply to pagans, so that debt collection would be legal; therefore there was a need for the Hillelite prozbul in law, although the Rabbis allowed its application to other Israelites. Wacholder's claim that the prozbul did not exist, then, is wishful thinking. Jews did lend money to pagans, and they made sure to collect. It would be unthinkable to suppose this had no basis in Rabbinic law in the second temple period.

Josef Milik 'translates the first three words of line 7: 'meme si c'est una annee sabbatique,' and notes: דָּךְ וְשָׁנָה שְׁמִיטָה דְּדָךְ ; la phrase subordonnée, nominale (דָּךְ pour (שְׁמִיטָה דְּדָךְ), qui supprime le privilege de l'anne sabbatique; c'est