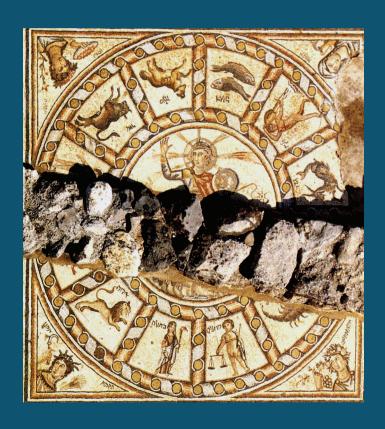
Diversity and Rabbinization

Jewish Texts and Societies Between 400 and 1,000 CE

EDITED BY GAVIN McDowell, RON NAIWELD, AND DANIEL STÖKL BEN EZRA







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5. VARIETIES OF NON-RABBINIC JUDAISM IN GEONIC AND CONTEMPORANEOUS SOURCES

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Let me begin by briefly defining what I mean by the terms 'Geonic source' and 'Geonic period'. The Geonic period was the era in which the heads of a handful of academies in Babylonia and Palestine, known as Geonim, were recognized as the leading intellectual and spiritual authorities of the rabbinic Jewish world. Although the beginning and ending dates are not completely clear-cut, and there is some debate especially with regard to the beginning of the period, I consider the Geonic period to have lasted about five hundred years, roughly from the middle of the sixth century to the middle of the eleventh century CE. I will use the term 'Geonic source' somewhat imprecisely, to refer to any literary source reflecting the Rabbanite perspective of the Geonic, and specifically of the Babylonian Geonic, milieu, whether or not its author was actually a Gaon, that is to say, the head of one of these central academies.

Only a small number of rabbinic sources of the Geonic period deal explicitly with contemporaneous non-rabbinic Jewish groups. This is particularly true with regard to the earlier part of the period, prior to the appointment of Saadia b. Joseph as

¹ See Robert Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven, CT: Yale University Press, 2012), especially 3–18.

head of the academy of Sura in 928.2 I will have something to say about Saadia and later Geonim towards the end of this essay, but I will concentrate primarily on the earlier part of the period and begin by considering three responsa attributed to a certain Rav Natronai Gaon. We know of three Geonim by the name of Natronai: Natronai bar Nehemiah, head of the academy of Pumbedita from 719; Natronai bar Emunah, who headed the same academy about thirty years later; and Natronai bar Hilai, head of the Sura academy in the middle of the ninth century (approximately from 857 to 865).3 In general, in view of the minuscule number of responsa known to have survived from before the time of Yehudai Gaon (about 760), it is safe to assume that the vast majority of surviving responsa attributed to Natronai Gaon were issued by the academy of Sura under Natronai bar Hilai; but I will argue that two of the responsa referring to non-rabbinic groups are to be attributed to one or the other of the heads of the academy of Pumbedita who bore this name.4 These two responsa

² I exclude the sources concerning the enigmatic Eldad the Danite (see *The Ritual of Eldad ha-Dani*, ed. by Max Schloessinger [Leipzig: Haupt, 1908]), which might hint at the existence of another such group. The so-called Baraita de-Niddah contains some bizarre positions, which it is difficult to reconcile with rabbinic Judaism, but presents itself as a classical rabbinic text and was accepted as such by some mainstream rabbinic authors. If it reflects the beliefs and practices of a group, this would probably have been a group within rabbinic Judaism which was particularly obsessed with menstrual taboos and superstitions. Haywayhi of Balkh, who criticized the Torah and not merely rabbinic tradition, seems to have been an outlier, and there is no evidence that he spoke for any group.

³ See *Iggeret Rav Sherira Gaon*, ed. by Benjamin M. Lewin (Haifa: 1921), 102–3, 114–17 (Hebrew). The dates of R. Natronai b. Hilai cannot be determined precisely because of an internal contradiction in Sherira's chronology; I have treated this problem in detail in my article 'Amram bar Sheshna: Gaon of Sura?', *Tarbiz* 56 (1987): 327–45 (Hebrew).

⁴ Sha'arei Tzedek, ed. by Haim Moda'i (Salonika: Yisraelijah, 1792), responsa 3.6.7 and 3.6.10 (Hebrew), reprinted in Otzar ha-Geonim: Thesaurus of the Geonic Responsa and Commentaries, Following the Order of the Talmudic Tractates, 13 vols., ed. by Benjamin M. Lewin (Haifa and Jerusalem: The

were clearly issued under the aegis of the same Gaon; the latter refers explicitly to the former, saying, "know that before these questions other questions from there were brought before us, which contained a question similar to this" and proceeds to elaborate on the earlier ruling. The two questions describe the behaviour of a group of non-rabbinic Jews in similar, but not identical ways. The earlier question describes a messianic movement:

A deceiver [...] arose in our place of exile, and his name was Serini, and he said "I am the Messiah," and people went astray after him and went out to apostasy (or heresy, *minut*), and they do not pray and do not inspect the *terefah* and do not guard their wine [...] and perform labour on the second day of festivals and do not write marriage contracts according to the ordinance of the Sages of blessed memory.

The question asks whether members of this group who wish to return to the mainstream or rabbinic fold can be re-integrated into the community, and, if so, what procedures need to be followed. Other, non-rabbinic sources describe the followers of a false Messiah named Serenus or Severus, who was active in northern Iraq or Syria about the year 720. It seems clear that the question addressed to the Geonic academy refers to the same group.⁵ The impression given is that the question arose a short time after the false Messiah's activity, while some of his original adherents were still alive, and so the *responsa* should be attributed to Natronai bar Nehemiah, as most scholars who have discussed them have agreed, or perhaps to Natronai bar Emunah; in either

Hebrew University Press Association, 1928–1943), VII, sections 261–62 (Hebrew), and in *Otzar ha-Geonim le-Massekhet Sanhedrin: Teshuvot u-Perushim*, ed. by Haim Zvi Taubes (Jerusalem: Mosad Harav Kook: 1966), section 185 (Hebrew).

⁵ See Aaron Zeev Aescoly, Jewish Messianic Movements: Sources and Documents on Messianism in Jewish History from the Bar-Kokhba Revolt until Recent Times, 2 vols. (Jerusalem: Mosad Bialik, 1987), I, 124–25, 152–55 (Hebrew); Moshe Gil, In the Kingdom of Ishmael: Studies in Jewish History in Islamic Lands in the Early Middle Ages, 4 vols. (Tel Aviv: Tel Aviv University, 1997), I, 244–45.

event, they should be dated to the early or mid-eighth century.⁶ A passage in the second of these *responsa* is particularly striking and significant for our purposes; the second question addressed to the academy alleges that members of the group in question violated not only rabbinic rules, but also laws of biblical origin, and this moved the Gaon to observe:

In our view, these heretics are different from all the heretics in the world—for all heretics scoff at the words of the Sages, such as *terefot* and the second day of festivals, [which is] of rabbinic origin [...] but as for the words of Torah and Scripture, they keep and observe them like genuine Israelites, whereas those you describe have scoffed at the essence of the Torah and married prohibited relatives and [...] profaned the Sabbath.

In other words, the Gaon was familiar with an unspecified, but apparently not insignificant number of non-rabbinic groups, a common denominator of which was rejection of the authority of rabbinic tradition coupled with an observance of biblical laws, while Jewish groups who failed to observe even biblical laws were a rarity. This accords with the data provided by non-rabbinic sources, which describe several groups arising in the first half of the eighth century on the periphery of the Jewish world, all of whom rejected rabbinic tradition. The extent to which this proliferation of non-rabbinic sects should be understood against the background of similar developments in Islam or Christianity has been discussed by several scholars.⁷

⁶ See *The Responsa of Natronai bar Hilai Gaon*, ed. by Robert Brody (Jerusalem: Ofeq Institute, 2012), 31 and n. 18. Aescoly, *Jewish Messianic Movements*, I, 153, writes that the author of the *responsum* was undoubtedly Natronai b. Nehemiah. Gil, *Kingdom of Ishmael*, I, 245, assumes the reference is to Natronai b. Hilai and mentions an alternative attribution to his contemporary Amram b. Sheshna. Haggai Ben-Shammai also assumed that the author was Natronai b. Hilai: see Haggai Ben-Shammai, 'The Karaite Controversy: Scripture and Tradition in Early Karaism', in *Religionsgesprache im Mittelalter*, ed. by Bernard Lewis and Friedrich Niewöhner (Wiesbaden: Harrassowitz, 1992), 11–26 (17–19 and n. 31).

⁷ See Gil, Kingdom of Ishmael, I, 252–55, and the literature listed in n. 158.

Before turning to the third responsum attributed to Natronai Gaon, I would like to discuss another rabbinic source which should be dated to the eighth century. I first identified this source in a rather obscure publication a dozen years ago, so I will take a few minutes to explain its nature and identification. One of the most intriguing surprises provided by the Cairo Genizah was the discovery of an open letter penned by Pirqoy ben Baboy, whose very name was previously unknown and initially misinterpreted. This text, of which a substantial portion has survived in a number of Genizah fragments, is a polemic addressed to Jewish communities in Spain and North Africa with the aim of dissuading the addressees from following Palestinian customs and convincing them that the Babylonian version of rabbinic tradition is the only authentic one, the Palestinian tradition having been debased over the course of centuries as a result of the persecutions which the Palestinian Jewish community had suffered under Byzantine rule. The author identifies himself as a student of a student of Yehudai Gaon, who, as mentioned earlier, served briefly as head of the academy of Sura in about the year 760, so Pirqoy's epistle may be dated approximately to 800.8 Pirgoy prefaces his discussion of particular laws and customs with an introduction including extravagant praise of the Oral Torah and of the Babylonian academies that are its preeminent guardians, followed by a lengthy attempt to vindicate the rabbinic law that the Sabbath is to be violated in order to save a Jewish life even when it is not certain that such a life will actually be saved. While praise of the Babylonian academies is certainly not unexpected in such a context, praise for the Oral Torah in general seems somewhat out of place in a letter addressed to Rabbanite Jews concerning a dispute between

⁸ See Brody, *Geonim of Babylonia*, 113–17; in addition to the publications listed there and in the notes below, see Neil Danzig, 'Between Eretz Israel and Bavel: New Leaves from Pirqoy ben Baboy', *Shalem* 8 (2009): 1–32 (Hebrew).

⁹ See Benjamin M. Lewin, 'Geniza Fragments', *Tarbiz* 2 (1931): 383–410 (394–98), and Lewin's introductory remarks, 384–87 (Hebrew).

two branches of the same tradition. Even more surprising is the extended discussion of a specific point of law on which there was no disagreement between Palestinian and Babylonian rabbis.

I have argued that the key to this riddle is to be found in another fragmentary Genizah text containing so many parallels to the introductory section of Pirqoy's letter that one scholar took it to be another version of this text. To wit: Louis Ginzberg published in 1928 a Genizah fragment of two leaves (four pages of text), which he described as a Midrash similar to Tanhuma, Lekh Lekha. referring to a section in praise of the Oral Torah that had been incorporated into some versions of Midrash Tanhuma, although its origin is clearly not in the Tanhuma-Yelamdenu nexus. 10 Soon afterwards Benjamin Lewin identified another Genizah fragment of two leaves that fits together precisely with the fragment published by Ginzberg and clearly belongs to the same original manuscript; given the additional perspective provided by the new textual material, Lewin preferred to describe the work in question as "a new version of Pirgoy ben Baboy." 11 Aside from the question of how and why an ephemeral text such as Pirqoy's epistle would have circulated in several versions, and despite the impressive parallels between these two texts, there are also substantial differences between them. I believe I have succeeded in showing that the text, parts of which were published by Ginzberg and Lewin, is in fact not an alternate version of Pirqoy's letter, but a source utilized by Pirqoy—and therefore earlier than 800—and that, when considered on its own merits, this text is clearly a polemic aimed at an anti-rabbinic position, presumably held by a non-rabbinic group, which prohibited violating the Sabbath in order to save Jewish lives, at least in doubtful cases. 12 If this analysis is accepted, the beginning of polemical defences

¹⁰ Louis Ginzberg, Ginzei Schechter: Genizah Studies in Memory of Doctor Solomon Schechter (New York: Jewish Theological Seminary, 1928), I, 18–22 (Hebrew).

¹¹ Lewin, 'Geniza Fragments', 384–93 (introduction), 400–05 (text).

¹² See Robert Brody, *Pirqoy ben Baboy and the History of Internal Polemics in Judaism* (Tel Aviv: Tel Aviv University, 2003) (Hebrew).

of rabbinic Judaism can be pushed back to the eighth century at the latest, although we cannot identify the specific target or targets of this earliest specimen.

The career of Anan ben David, in approximately the 760s, represents an important inflection point in the history of Jewish sectarianism. Although the sources for his biography are quite limited and strongly partisan, whether for or against, it seems that Anan belonged to the exilarchic family and grew up close to the centres of power of the Jewish world of his time, but was later persecuted by mainstream Jewish leaders and imprisoned, perhaps at their instigation, by Muslim authorities. 13 In addition to the problematic biographical accounts, however, we possess considerable portions of Anan's literary legacy—his Book of Commandments or Sefer Mitzvot.¹⁴ The book is written in a rather dogmatic style, which is quite difficult to reconcile with the saying attributed to Anan by later Karaite authors: "Search diligently in the Torah and do not rely on my opinion."15 Whether or not this saying actually represents Anan's viewpoint, it is clear that leaders of the emerging Karaite movement adopted a critical stance towards Anan and followed his lead quite selectively. In fact, it would probably be more accurate to say that these sectarians did not see themselves as Anan's followers and that the Karaite movement, which retrospectively claimed Anan as its founder, coalesced only about the end of the ninth or the beginning of the tenth century, after the founding of its Jerusalem centre by Daniel al-Qumisi.¹⁶ The term Karaite, first documented in the

¹³ See Brody, *Geonim of Babylonia*, 85–86, and the sources referred to in notes 7–9.

¹⁴ For details of publications of the surviving fragments of this work see Leon Nemoy, *Karaite Anthology: Excerpts from the Early Literature* (New Haven, CT: University Press of Yale, 1952), 395.

¹⁵ See Daniel Frank, Search Scripture Well: Karaite Exegetes and the Origins of the Jewish Bible Commentary in the Islamic East (Leiden: Brill, 2004), 22–32.

¹⁶ See Nemoy, Karaite Anthology, xviii–xxi; Ben-Shammai, 'Karaite Controversy', especially 23–24; Moshe Gil, Palestine During the First Muslim Period (634–1099) (Tel Aviv: Tel Aviv University 1983), 631–32

ninth century, apparently means something like 'biblicist' and is thus synonymous with the designation $ba^calei\ miqra$ 'masters of Scripture' for members of this group. ¹⁷

Returning to the rabbinic side of the divide, the third *responsum* attributed to Natronai Gaon, unlike the two I discussed earlier, is clearly to be assigned to the mid-ninth-century Natronai bar Hilai on the basis of the Gaon's references to Anan and his grandson. In this case, the Gaon and his academy were asked about a version of the Passover Haggadah that differed substantially from the one with which the questioners were familiar and which they viewed with suspicion.¹⁸ Most of the points the questioners raise and to which the Gaon responds concern omissions in this version of the Haggadah as compared with the standard Babylonian version, but the version in question includes numerous passages of rabbinic origin. It is virtually certain that the text in question was actually a Palestinian version of the Haggadah, 19 but the Gaon and his colleagues were clearly unaware of this and similarly uninformed as to the details of sectarian liturgy; they reacted in horror and analysed the text in the following terms:

This matter is quite astonishing—whoever behaves in this way, there is no need to say that he has not discharged his obligation, but whoever acts thus is a *min* and of a divided heart and denies the words of the Sages and dishonours [?] the words of Mishnah and Talmud, and all the congregations are obligated to place them

⁽Hebrew); and cf. idem, 'The Origins of the Karaites', in *Karaite Judaism: A Guide to Its History and Literary Sources*, ed. by Meira Polliack (Leiden: Brill, 2003), 71–118 (100–15), and Yoram Erder, *The Karaite Mourners of Zion and the Qumran Scrolls: On the History of an Alternative to Rabbinic Judaism* (Tel Aviv: Hakibbutz Hameuhad, 2004), 38–45 (Hebrew).

¹⁷ See Nemoy, *Karaite Anthology*, xvii; Martin A. Cohen, 'Anan ben David and Karaite Origins', *Jewish Quarterly Review* 68 (1978): 129–45, 224–34 (130 and n. 3); Gil, *Kingdom of Ishmael*, I, 261 (in contrast to his earlier position, see Gil, *Palestine*, 630); and cf. Erder, *Karaite Mourners of Zion*, 319–24, 394–418.

¹⁸ Brody, Responsa of Natronai, 257-59.

¹⁹ Ibid., n. 10 on 258–59, with references to earlier discussions.

under the ban [...] These are sectarians and scoffers who mock the words of the Sages, and the disciples of Anan (may his name rot), the paternal grandfather of Daniel, who said to all those who strayed and went a-whoring after him, "Forsake the words of the Mishnah and Talmud, and I will make for you a Talmud of my own." And they still maintain their error and have become a separate nation, and he composed a Talmud of wickedness and injustice for himself, and Mar R. Elazar Alluf of Spain²⁰ saw his book of abominations which they call a Book of Commandments, how many [devious] stratagems it contains...

What is particularly significant from our perspective—and contrasts strikingly with the *responsa* of the earlier Natronai Gaon—is the way in which the later Natronai leaps to the conclusion that any text which appears non-rabbinic is to be attributed to the followers of Anan ben David. Although, in this case, the Gaon was clearly mistaken, and the text about which he was asked was a rabbinic one, the crucial point for our current purposes is the central place which Anan and his followers and descendants occupied in the sectarian landscape with which this Gaon was familiar in the mid-ninth century: rather than a plurality of non-rabbinic groups with certain shared elements, Natronai bar Hilai pictured a non-rabbinic Jewish collective dominated by a single movement originating with Anan.

From a sectarian vantage point the picture was more complex, as we learn from the extensive survey of the history of non-rabbinic Judaism undertaken by the most important Karaite writer of the early tenth century, Yaʻqub al-Qirqisani. According to Qirqisani, adherents of several sects, including followers of Abu Isa al-Iṣfahani and Yudghan as well as the Ananites, were still to be found among his contemporaries, but their numbers were small and apparently in decline.²¹ Even what might be

²⁰ For the title *alluf*, see Brody, *Geonim of Babylonia*, 49–50; for the individual in question, see ibid., 132–33.

²¹ Compare the translations of Nemoy, 'Al-Qirqisānī's Account of the Jewish Sects and Christianity', *Hebrew Union College Annual* 7 (1930): 317–97 (329, 330, 391), and *Ya'qūb al-Qirqisānī on Jewish Sects and Christianity: A*

termed, from Qirqisani's perspective, the 'mainstream Karaite community' was extremely fragmented. He states that "of those present-day Karaites who are not members of the schools we have mentioned, you will hardly find two of them who agree on everything" (or, to put it differently: each Karaite constituted his own faction). ²² Furthermore, after listing dozens of disagreements between contemporary Karaites, he says that "the matter is daily growing worse," consoling himself nonetheless with the thought that he and his fellow Karaites depend for knowledge (unlike the Rabbanites, who follow tradition) on their intellects, "and where this is the case, it is undeniable that disagreement will arise." ²³

The picture that emerges from consideration of both the *responsa* attributed to 'Natronai Gaon' and Qirqisani's survey is a trend of historical development, from a multiplicity of nonor anti-rabbinic groups to a gradual coalescence around Anan's banner. Anan and his adherents occupied a dominant position in the thinking of leading Babylonian Rabbanite Jews about non-rabbinic Jews by the middle of the ninth century, even though the Karaite movement had probably not yet crystallized, and adherents of earlier groupings had not completely died out even by Qirqisani's time, half a century or so after Natronai.

Although Saadia Gaon wrote extensively against assorted deniers of rabbinic tradition and authority, both in works dedicated specifically to this subject and in a variety of other literary frameworks, his writings do not add much to our knowledge of the sectarian situation beyond what may be learned from his older contemporary al-Qirqisani. His most comprehensive *apologia* for rabbinic Judaism is entitled *The Book of Distinction*, and while

Translation of Kitāb al-Anwār, *Book 1, with Two Introductory Essays*, trans. by Bruno Chiesa and Wilfrid Lockwood (Peter Lang: Frankfurt am Main, 1984), 103, 104, 152.

²² See Nemoy, 'Al-Qirqisānī's Account', 330, and Chiesa and Lockwood, *Ya'qūb al-Qirqisānī*, 104; the context favours Nemoy's translation of *kul shay* as 'everything' rather than Chiesa and Lockwood's 'anything'.

²³ See Nemoy, 'Al-Qirqisānī's Account', 396; Chiesa and Lockwood, *Ya'qūb al-Qirqisānī*, 156.

several of his other polemical writings are labelled 'refutation of so-and-so', none, so far as I know, is described as 'refutation of such-and-such a group', and the specific positions against which he polemicizes might be described as generic Karaite opinions, such as the prohibition of leaving a fire lit beforehand burning on the Sabbath and of eating the fatty tails of sheep.²⁴ Even less specific information may be gleaned from the few *responsa* of the latest Geonim, especially Hayye, which attempt to refute sectarian criticisms of rabbinic tradition on such points as the manner of blowing the shofar on Rosh Hashanah and the observance of an additional festival day outside the Land of Israel; the rabbis' opponents are referred to by both questioners and respondents by vague terms such as *minim* and *epiqorsim*.²⁵

I would like to conclude in a somewhat more speculative vein by asking what it was about Ananism and Karaism that made them so much more successful in the long term than earlier non-rabbinic or anti-rabbinic Jewish groups. Although we have very little information about the earlier groups, it seems we can identify several ways in which they differed from Ananism/Karaism. To begin with, the earlier groups flourished in the geographical and cultural periphery of the Jewish world of their time, whereas Anan was a scion of perhaps the most prestigious family at the centre of power in Jewish Babylonia, and it seems possible that this may have given his views greater resonance and prestige among other Jews. I suspect, though, that other differences were even more important. The leaders of earlier non-rabbinic groups were apparently all charismatic individuals

²⁴ See Samuel Poznanski, 'The Anti-Karaite Writings of Saadiah Gaon', *Jewish Quarterly Review* (old series) 10 (1898): 238–76 (244–52); Henry Malter, *Saadia Gaon: His Life and Works* (Philadelphia, PA: Jewish Publication Society, 1921), 263–65, 380–82; Robert Brody, *Sa'adyah Gaon*, trans. by Betsy Rosenberg (Oxford: Littman Library of Jewish Civilization, 2013), 147–51, especially 150–51.

²⁵ See Lewin, *Otzar ha-Geonim*, IV, *Yom Tov Responsa*, section 5. Perhaps the as-yet-unpublished material by R. Samuel ben Hofni will someday contribute to this topic; cf. Brody, *Geonim of Babylonia*, 98–99 and n. 67.

with messianic pretensions who left no writings, 26 while Anan's appeal seems to have been much more intellectual or ideological and less dependent on personal charisma. Messianic movements obviously face a stiff challenge to their credibility when their messianic candidates die, although, as we know, some manage to overcome this disability for a greater or shorter period of time. Anan's appeal depended on a creed rather than an individual; if we are willing to accept later Karaite tradition on this point, he even encouraged others to interpret the Bible for themselves rather than following his interpretations. Be that as it may, he left a relatively comprehensive and well-written record of his teaching, which later generations could take as a blueprint for a non-rabbinic approach to Jewish law even if they rejected his specific opinions. I believe that these points of difference may go a considerable way towards explaining the vastly greater success attained by the Karaite movement, in comparison with earlier non-rabbinic groups, in surviving the death of its putative founder.

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²⁶ See Aescoly, *Jewish Messianic Movements*, I, 115–25, 139–55; Gil, *Kingdom of Ishmael*, I, 238–51.

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