

THE BATTLE OF THE COVENANTAL SOCIETY AGAINST ELITISM. AN OVERLOOKED CHAPTER IN THE HISTORY OF SOCIAL INEQUALITY¹

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ABSTRACT

The work studies the struggle of one particular type of egalitarian societal model against inequality. The model is the covenantal societal type; we describe its attributes, we follow four incarnations of the model and study their conflicts with powerful hierarchical rivals. The four embodiments of the covenantal societal type investigated in this work are:

1. Ancient Israel
2. Christianity in the Western Roman Empire of the fourth century
3. The Waldensian communities in the Alps of the 13th century
4. The Romanian communities of the Carpathian Valleys – from antiquity to current times.

Keywords: *New Moon; Full Moon; Sabbath; Passover; Feast of Weeks; lunar calendar; ancient calendar; ob tie; dev lm ie.*

INTRODUCTION

This work focuses on a narrow manifestation of a widely studied social phenomenon: *inequality*. It narrows down the conflict between egalitarian and elitist ideologies to one type of egalitarian stream, the one embraced by the covenantal societal model. The term covenantal society was coined by Elazar

¹ This work is the result of collaboration between two scholars studying the same societal phenomenon in two distinct lands and of two distinct periods of the history of civilizations. Consequently, J. Livni contributed his expertise regarding the Israelite and I. B. descu the Romanian (Carpathian) embodiment of the covenantal society.

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(1998), (1982) and it relates to a particular *rankless*² societal model governed by a rule (covenant) rather by a ruler (e.g. Faust 2006, Finkelstein, Mazar, and Schmidt 2007, Dever 2002). This egalitarian model appeared in biblical Israel in the early Iron Age (approx. 1300 BCE), as shown by archaeological evidence (e.g. Faust 2006; Finkelstein, Mazar, and Schmidt 2007; Dever 2002). The history of inequality is long; some relate its appearance to agriculture and some to even earlier times (e.g. Feinman 1995, 255, 256; Wright 2014; Luley 2016; Dueppen 2008). Regardless, inequality had long existed when a novel model of ‘autonomic community’ (Faust 2005) came into being in Ancient Israel’s highland settlements. This work will call this egalitarian model *covenantal* in order to be consistent with other works (Smith 2008, 4–16; Samson 1994; Nitzan 1999; Mendenhall 1955; McCoy, Baker, and Bullinger 1991; Elazar 1998, 1997b; Livni and Stone 2015). Table 1 clarifies the type of equality upheld by covenantal persuasions.

Table 1

Covenantal egalitarianism; each type of equality is upheld both: within the community and within the network of communities

Type of equality	Evaluation
Economic	not upheld
Educational	somewhat addressed
Gender	not upheld
Participation	upheld
Racial	upheld
Opportunities	upheld

The conflict is studied in three periods: Ancient Israel, Rome of the fourth century and the period after the establishment of the powerful Catholic and Orthodox Churches. Subsection “Proto-Israel – the Cradle of the Covenantal Society” of section “Ancient Israel” surveys the political organization of Proto-Israel and the egalitarian ideology associated with it. Subsection “Monarchy” examines the fate of this ideology following the institution of monarchy. The section rationalizes why the results of this examination confirm that “old habits die hard.” In other words the monarchy did not eradicate pre-monarchic beliefs. Subsection New Moons, Sabbath and Convocations postulates how pre-monarchic Israel adopted a practical routine of reconciling the conflicting lunar, (New Moons), weekly, (Sabbath) and solar, (convocations) periods. It shows how pre-monarchic calendrical events have been altered by elitist tendencies not only as their significance, but also as their dates are concerned.

Previous investigations concluded that already Proto-Israelites held Sabbath convocations (Livni 2017a). Among other functions the convocation served as the

² Or “non-hierarchical” see (Faust 2005).

communities' organs of governing public life (Livni and Stone 2015). The subsection takes up again the subject examining how the appearance of monarchy forked the practice of the Sabbath into two conflicting perceptions: one populist continuing the Proto-Israelite version and one elitist turning the Sabbath into another means of centralization. Subsequently, we review how the *Feast of Weeks* occupied a central place in the battle between covenantal equality and priestly elitism.

Section "Ancient Israel" ends by a paradox: as Ancient Israel vanishes its covenantal faith prevails. Section "The Waning Empire and the Triumph of Elitism" mirrors the same paradox: the empire fades away; however its hierarchical model gains momentum. It studies how, when and why Christianity turned hierarchical. Section "Surviving Mass Extinction" analyses the survival story of two stubborn covenantal Christian cultures that overcame the muscle of Hierarchical Christianity:

1. The Waldensians (subsection "The Alps") – The conflict is displayed via religious persecution, intolerance, resistance and resilience of the covenantal lifestyle.
2. The Romanian communal villages (section "The Carpathian Valleys") – Elitist and covenantal models coexist. Permanent bargaining produces a dynamic negotiated equilibrium between egalitarian and elitist pressures.

MATERIAL AND METHODS

Covenant or Contract?

Inquiring the continuity of egalitarian, non-hierarchical and rankless social formations within the ascent of hierarchical, inequality-based formations is the main purpose of the present study. The mediation of everyday experiences by structural dynamic beneath those daily manifestations challenged sociologists to look for what is the key concept where such mediation has already reached the simpler and universal expression. No matter how extensive the social transformations are, in their core is recomposing that deep unit through which such transformations become comprehensible. Sociologists like Spencer (at the end of a prestigious sociological series), for instance, believed that such a profound unit of sociology is the social contract (e.g. Spencer and Beale 1916, 188). Looking for an appropriate response to the challenging issue of cutting-out such a deep comprehensive unit with a leading role in the research of societies, some recent sociologists, like H. H. Stahl (in Romania) or Daniel J. Elazar (in the U.S.) coined a new concept to designate the type ideal of a society in which such a profound unit is reflected. The new concept is the *communalist* (Stahl's term) or *covenantal society* (Elazar's term) in opposition with Spencer's syntagm: *contractualist societies*.

The main purpose of the covenantal (communitarist) culture is, in all times and places, the preservation of the foundational semasiology enabling us to intuitively discern the profile of a *good orderliness* in society and to deposit it in the vernacular languages by those families of words through which, a kind of pre-reflexive semantic paradigms are propagated in large populations. The *communitarist*, or as coined by Elazar (1998) the *covenant society* is a guarantee that any vernacular language holds in its depth a latent “sociological tongue” so that, consequently, ordinary people bear unconsciously in their mind a “sociological self” that establishes dynamic anchor points between *covenant and contract*.

The societal order based on ranks and a king, as a ruler with supreme power in this world, is the elitist alternative to the covenantal order, because the king alleges for himself the role of a mediator, who interferes between me and incorruptible divine order claiming to be the representative of a higher order. The Covenantal order makes of the social memory a mirror of time and of all that are passing in the world, mighty or minor, great or insignificant, the powerful of history and the humble of fate. And that is what covenantal equality is about. We share Elazar’s view (e.g. Elazar 1998, 28) that the answer to such a challenging question is not the *contract* as for Spencer but the *covenant*, as for Bible.

CULTURAL EVOLUTION AND COGNITIVE MAP

It is appealing to explain the appearance, the triumphs and the defeats of the covenantal model in terms of cultural evolution. In this context *cultural evolution* is not a dogma claiming sole legitimacy in studying history of cultures. It is rather one of many approaches; its benefit consists of unambiguous treatment of the process because it arrives at quantifiable dynamics. Simply put, cultural evolution stems from the observation that communities do not hop from one fundamental model to another (B descu, Baltasiu, and B descu 2011, 250).

Individuals inherit cultural traits mostly by imitating their parents’ behavior and adopting their views³, or learn from peers, teachers and other people, mostly members of their community. Each individual ends up with an assembly of traits constituting a *cognitive map* (see more in B descu, Baltasiu, and B descu 2011, 250; Csanyi 1993). Reasonably in a functional community the individuals share a component of cognitive map; this component includes at least traits which are essential to the operation of the organization (e.g. distinction between *us* and *them*; language, norms, feasts, celebrations, calendars, solidarity, justice, homeland, loyalty, obedience, moral disobedience, etc.). We omitted the *approach to inequality* on purpose because it is the focus of this work.

³ This type of inheritance is quantified in terms of *probability* of an offspring to adopt a trait, see section *Vertical Transition* in (Cavalli-Sforza and Feldman 1981, 77–124). The probabilities of adopt certain traits are age related; during there is a high likelihood of adopting *marker* traits (e.g. language, pronunciation, dietary culture, esteem customs, salutations etc.); mature people imitate the traits of *successful* people, see more in (Boyd and Richerson 1987).

COMMUNAL CULTURE AND POWER

The assembly of shared traits in a community or a network of communities identifies a cultural collectivity (e.g. ethnic, religious, professional etc.). The shared traits constitute a *communal culture* (Topel 2012, 208); its destruction leads to the disappearance of the collectivity explaining why communities don't hop models. Naturally, cultural evolution does not exclude small changes or *innovations*. Innovations are introduced into a cultural organization by random changes often called *mutations* (e.g. Fitch 2010), or by immigrants from other cultures (*diffusion*)⁴ or by intentional persuading of individuals.

The ability to intentionally induce changes affecting the function of the organization is called *power*; power can be: military, moral (B descu, Baltasiu, and B descu 2011, 15), economic⁵, intellectual (e.g. Appelbaum 1992, 179; B descu, Baltasiu, and B descu 2011, 15), religious (e.g. Dagron 2003; B descu, Baltasiu, and B descu 2011, 15), ancestral (B descu 2011, 253; Aristotle, Jowett, and Davis 2000, Kindle location 43, 53, 64; Salzman 2002, Kindle location 132, 137, 160, 162) and network-generated (see discussion about teams and cliques in B descu 2011, 511; Castells 2011). A successful *innovator* possesses one or more types of power. A functional community resists the innovation because it threatens its quasi-equilibrium. This work is about resisting forced alterations of the covenantal communal culture and about the outcome of such conflicts.

REVERSE ENGINEERING

This work is about ancient conflicts between communal cultures embracing or opposing equality. Naturally, there is no direct evidence of such clashes. In engineering one can reconstruct a product or a system (e.g., control system of a robot) by analysing its components. Applying known rules of design, testing and system integration the component analysis recognizes the initial design constraints, the conceptual blueprint of the product/system, its detailed specifications and finally one replicates the system. This work utilizes an analogous pattern. It decomposes the available information (e.g. calendrical disputes in Israel or Roman aristocracy's attachment to Paganism), It re-evaluates the feasible options of both sides of the divergence and arrives at reconstructing the true cause of the conflict.

⁴ See equation (1.9.13) in Cavalli-Sforza and Feldman (1981, 40).

⁵ Studies show that economic inequality is monotonically increasing in spite of democratic values. (see for example Hoyer 2018).

ANCIENT ISRAEL
PROTO-ISRAEL – THE CRADLE OF THE COVENANTAL SOCIETY

According to the Jewish faith, rules of behaviour are set by a covenant between the divinity and every member of the faith: “Face to face the LORD spoke to you on the mountain out of the fire” (Deut. 5.4). The “you” in the “spoke to you” does not refer only to the generation of the Exodus but also to every subsequent generation (Deut. 5.3). This model of direct interaction between each faithful and divinity is recurring (e.g. Ex. 20:18, 20:22, Deut. 4.33). “Every religion is to be found in juxtaposition to a political opinion which is connected with it by affinity” (Tocqueville 2000, 241, Kindle location 5251). According to Elazar the covenantal community (Figure 1) has existed since the beginning of Israel. The earliest archaeological evidence sets this time to Pharaoh Merneptah (1213 BCE–1203 BCE), or earlier (Mazar 2003). An almost consensus among archaeologists maintains that before the establishment of monarchies, a society with no ranks⁶ existed on the hills of Judea and Samaria (Faust 2006, Finkelstein, Mazar, and Schmidt 2007, Dever 2002). For the three centuries of *Proto-Israel*, “*there was no King in Israel*” [Judg. 21:25]⁷.

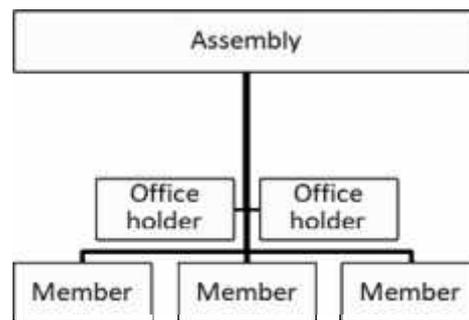


Figure 1. Covenantal assembly oversees administrators (office holders); office holders have no ranks; their authority is revocable and not inheritable.

Reasonably, nomadic pastoralists brought into the Land of Canaan the egalitarian ethos of the first covenantal communities⁸. Pastoralist nomadic life is compatible with an egalitarian ethos (Boehm 2001, 103,104). Even if the egalitarian component of such migrants’ cognitive map clashed with farming reality, in virtue of Thomas’s theorem their perception substituted reality (B descu, Baltasiu, and B descu 2011, 135).

⁶ a. k. a. *reverse dominance hierarchy* (Boehm 2001, 123).

⁷ The Era of the Judges has various terms; (the term Proto-Israel was coined by Dever, see Dever 2002, 118, Kindle location 1402).

⁸ Some scholars dispute the nomadic origin claiming that the communities came from the settled Canaanite population. This theory was put to a mathematical test and failed, see (Livni 2017b).

Possibly, after transition to farming, many nomadic cultures conserved for a while an earlier egalitarian *communal culture*. Such egalitarian persuasions became endangered ideology (e.g. Claessen 2004): Typically, nomadic cultures abandoned egalitarian views shortly after settlement, giving way to a new reality of accepting and respecting ranks (Joseph Henrich and Robert Boyd 2008, Turchin and Gavrillets 2009, 170, Faust 2006, 97). The reasons were:

- a) Wars required a specialized army.
- b) Surpluses and clashes regarding land property required police.
- c) The triumph of an ancestor over threatening calamities (e.g. drought, inundation, hail, locust related or other crop failure) provided his descendants with exclusive power to access his victorious spirit⁹.
- d) Other reasons.

However, in the highlands of the Land of Israel egalitarian views prevailed. Exact sciences help searching for an explanation. *Cultural evolution* follows the same probabilistic equation as natural evolution (Cavalli-Sforza and Feldman 1981, 42). Let us denote $p(x)$ as the prevalence of egalitarian views at a location x along a path and $\dot{p}(x)$ its growth rate in time. Then one arrives at (Cavalli-Sforza and Feldman 1981, 42):

$$\dot{p}(x) = M \left(\frac{\partial^2 p}{\partial x^2} \right) + \alpha p(1 - p) \quad \text{Equation 1}$$

In words $p(x)$ grows in time proportionally with:

- a) the rate of migration M ;
- b) the term $\left(\frac{\partial^2 p}{\partial x^2} \right)$ which measures the rate of change of p per kilometer along a path;
- c) α which symbolizes the survival fitness provided by trait.

If $\alpha = 0$ then the equation becomes the known equation of diffusion¹⁰. The outcome is *polymorphism*, meaning that both egalitarian and elitist views will survive.

If $\alpha < 0$ then the equation predicts the extinction of egalitarian views. The more negative the survival fitness of egalitarianism is the faster will p reach zero. As explained earlier, this is what typically happened after nomads transitioned to farming.

If $\alpha > 0$ then the egalitarian ideology prevails. A positive α means that in spite of surplus and land disputes, the communal system thrived. This implies that

⁹ E.g. the spirit named *kwara* of the *Gurounsi* culture, see more in (Dueppen 2008).

¹⁰ Fick's law of diffusion, (Macdonald 1977, 47).

in the highlands of the Land of Israel, the previous pastoralist existence of the settlers contained traditions compatible with a positive survival fitness¹¹.

Nomadic tribes of Proto-Israel not only conserved their *reverse dominance hierarchy* (Boehm 2001, 123) illustrated by Figure 1 but also they kept their tight unions within tribes and a looser inter-tribal pact illustrated by Figure 2.

The community of a town was organized as described in Figure 1; towns in a region were bound in a tight network within a tribe; tribes sharing the covenantal communal culture joined a loose alliance; scholars call this alliance Proto-Israel, Israel of the Judges, Israel of Iron I; The Merneptah Stele simply calls it Israel.

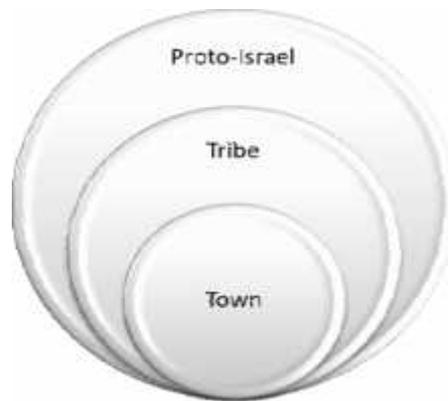


Figure 2. Covenantal model of Proto-Israel

The tribes shared a *communal culture* (see section Communal Culture and Power) which evolved into a covenantal persuasion; after the establishment of monarchy this persuasion “could not have been overlooked by rulers, and certainly found expression in their mode of rule” (Faust 2008, 103). The next subsection discusses how this played out.

MONARCHY

According to the Old Testament the monarchy came into being because of military constraints [1 Sam. 9:15].

The archaeological evidence of the *First Temple* period (Figure 3) concurs. In the rural sector, the sociological model described earlier remained unchanged after the establishment of the monarchy (Faust 2000, 32). Consequently, the faith in a covenant between God and Israel could not be reversed.

¹¹ For example a weekly assembly, see (Livni 2017a).

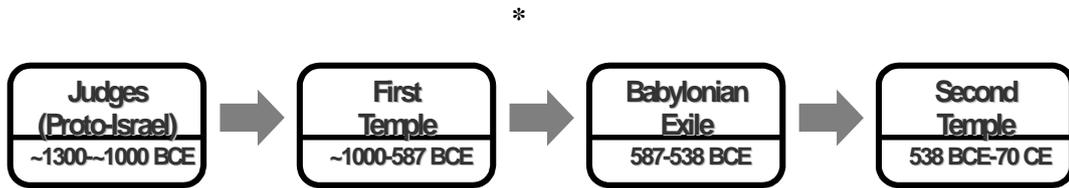


Figure 3. Timeline of Ancient Israel.

However, the monarchy required a change in beliefs because the “legitimacy of a leader was based in the first place on the beliefs of his people” (Claessen 2004). The military threat made credible the belief that the “cry of the people” reached the Lord who answered by choosing a king. [1 Sam 9:15,16]. History marched from the period of the judges to that of the kings, that is, from equality to hierarchy and inequality. Clashes between old and new, between local and central, between elders and crown were inevitable.

The biblical text narrates the conflicted transition:

“Now here is the king you have chosen, the one you asked for; see, the Lord has set a king over you. If you fear the Lord and serve and obey him and do not rebel against his commands, and if both you and the king who reigns over you follow the Lord your God – good!” [1 Samuel 12:13–14, NIV].

In other words, in the kingdoms of Judah and Israel one accepted central authority as far as essential state functions are concerned (e.g. national defense, public works and pilgrimage to Temple). However, local *elders* and weekly assemblies kept their prestige and authority¹². The next subsection reverse-engineers calendrical procedures; the results reveal traces of socio-political clash hidden beneath conflicting calendars of events.

NEW MOONS, SABBATH AND CONVOCATIONS

“New Moons, Sabbaths and convocations; I cannot bear your worthless assemblies.” [Isa 1:14]

¹² The evidence regarding elders consists of analysis of the archaeological findings (Faust 2000). The role of the Sabbath assemblies in maintaining order in a covenantal society is studied by (Livni and Stone 2015). A similar fluid fluctuation between stronger central power and decentralization of government functions has been reported even about Modern Age Afghanistan in (Barfield 2012).



Figure 4. Gezer Calendar; the “calendar” has been dated to the 11th century BCE (Talmon 1966).

Figure 4 illustrates an archaeological finding known as the “Gezer calendar”¹³ associating natural cyclical events with agricultural activities.

The finding indicates that in the Land of Israel of the 11th century BCE, farming was scheduled according to lunar observations. Although the designation ‘New Moon’ is problematic when it comes to an agreed observation, in many ancient cultures the New Moon determined the beginning of the month (Depuydt 2012, 119–121, Stern 2012, 213, 216–218, Steele 2012, 373, 374, Gandz 1949).

That said, the lunar calendar gave ample room for disagreement between egalitarians and elitists. One could diverge on whether celebrating the New Moon or the Full Moon¹⁴. One could also debate when either of them occurs. The evidence with this regard is silent until very late in the Qumran Period¹⁵ (Magnes 2003). The Dead Sea scrolls do indicate an ideological clash between the Qumran community and ‘mainstream Judaism’ (Ben-Dov 2012, 174). The Qumran culture “promoted a solar calendar and aimed to diminish the importance of the moon” (Ben-Dov 2012, 174). The Qumran rule for assembly of the congregation was:

“each man shall sit in his place, the Priest shall sit first, and the elders second, and the rest of the people according to their rank” [Qumran Community rule 1QS VI, 5–6 see (Vermes 1995, 77)].

Such a rule reveals priestly elitist ideology. The relationship between the calendars of the Qumran sect of the Second Temple period (Figure 3) and earlier priestly practice is disputed. This article shall pick the relevant studies of this thesis from an exhaustive survey (Ben-Dov and Saulnier 2008). Jaubert launched the idea that the Qumran calendar was practiced in the Temple for centuries (Jaubert 1953).

¹³ Yoav Dothan 2012 *Replica of the Gezer Calendar in the Israel Museum in Jerusalem* Permission is granted to copy, distribute and/or modify this document under the terms of the GNU Free Documentation License.

¹⁴ Passover and Sukkoth (the Feast of Booths) are celebrated at Full Moon; in Mesopotamia the Full Moon was celebrated and called Sabattu e.g. (Meek 1914).

¹⁵ (130 BCE -67 CE).

Her justification has been thoroughly examined and rejected (Ben Zion and Wacholder 1995).

Nevertheless one cannot rule out a slow evolution of the calendar starting with the monarchy during the First Temple (Figure 3). Later, this subsection will explain why the priests adopted the unusual time unit: the *week*. The priestly scheduling slowly established the 52 *weeks* long time-unit; reasonably, at a point they named it *year*. As in the Second Temple (Figure 3), the First Temple's work-year had to be 52 weeks long. There is no evidence that the Temple-year impacted the term *year* used by the population at large. Separate institutional calendars are common; for example currently the public at large takes no notice of the academic *year* consisting of two fifteen weeks long *semesters*. Nevertheless the priestly tempo was paced by the *mishmerot* and one cannot rule out that they gradually claimed increasing responsibility for planning the year.

The *mishmerot* are teams of priest in the yearly work plan. Each week another team was on duty. The yearly cycle had a period of $52weeks \times 7 \frac{days}{week} = 364days$. The 364DY is mentioned in non-Qumran Second

Temple apocrypha (e.g. Enoch 74:11, Jubilee 6:30). This indicates that the 364 year *mutation* occurred prior to the Qumran secession and was shared with a larger community.

Priestly *teams on duty* started with the monarchy during the First Temple (Figure 3). As a consequence their routine marched at a weekly pace. Reasonably, this process started with the First Temple (Figure 3) and it culminated with the total rejection of the New Moon by the Qumran sect.

Why did the Israelite priests adopt the week as time unit? A previous investigation showed the essential role of a weekly Sabbath in maintaining the unranked covenantal society (Livni and Stone 2015). A follow-up report (Livni 2017a) shows that the Sabbath institution's main element the "holy convocation" had to be held in Proto-Israel (Figure 3). In an egalitarian society holy convocations must warrant prohibition of labour because it assures participation of poorer congregants; allowing work on Sabbath leads to oligarchy. This work discusses how the emerging priesthood received the previously established convocation and prohibition of labour on Sabbath. Biblical scholars detected two opposite priestly attitudes: the Priestly Torah (PT) and the Holiness School, (HS).

1. PT does not forbid labour on Sabbath while HS does (Knohl 1987, 76).
2. PT does not consider the Sabbath to be a holy convocation while HS does (Knohl 1987, 77).
3. "The earlier school – PT – has a purer Priestly cultic conception....while ...the Holiness School displays a priestly-popular orientation" (Knohl 1987, 102).

Knohl (1987, 102) demonstrated that PT preceded HS and HS decreed the holy convocation on the Sabbath. Therefore one may mistakenly deduce that the Sabbath became a holy convocation only after being a special day in priestly practice. If that were the case then reasonably, the Sabbath convocations would have started only during the First Temple period (Figure 3). Nevertheless, there is no contradiction between a Proto-Israelite Sabbath (Figure 3) mentioned above and Knohl's sequence of priestly editors because according to Knohl the Holiness School did not invent the prohibition; it just updated the priestly text to reflect the actual Sabbath observance. According to Knohl (2007, 220), HS started during the First Temple (Figure 3). Consequently, Knohl's historical sequence is compatible with pre-monarchic Sabbath convocations.

The emerging Temple could not disregard populist traditions without the risk of being ignored¹⁶. The ultra-elitist PT decreed Sabbath sacrifices. However, PT opposed local "holy convocations" because they undermined the Temple's centrality. PT also opposed prohibition of labour because it enabled these convocations. On the other hand, both the population and the elitist Temple had interest in keeping the Sabbath holy. Special Sabbath sacrifices at the Temple elevated the priestly prestige. As shown earlier in spite of apparent collusion of Sabbath veneration, a populist-elitist contradiction flamed the controversy about work prohibition.

For the pastoralist ancestors of Proto-Israel (Figure 3) the succession of New Moon and/or Full Moon celebrations was sufficient to mark the beat of time. An advantage of crop growing over animal husbandry consists of storing food for longer time than animal food products. Farmers have coveted and celebrated surplus since the beginning of farming (Bogaard et al. 2009). The moon had little bearing on crop yield; the beat of some sedentary community ceremonials matched the succession of seasons.

"... these Neolithic farmers and seafarers, whose lives so utterly depended on the weather and on the seasons, naturally chose to come together at natural intervals to direct their appeals to the energies they believed must control the basic cycle of nature in which crops, animals and humans all participate." (Heinberg 1993)

Proto-Israel made no exception and they had to adjust to the solar pace of the seasons. How did they reconcile the discrepancy between lunar and solar periods? Ancient reconciliation methods like the octaeteris method (Hannah 2012, 79) appeared in Greece about the 8th century BCE and the improved Metonic cycle appeared in Mesopotamia in the 5th century BCE (Neugebauer 1969, 7).

¹⁶ "popular religion [is] responsible for the sanctity of the Sabbath" (Knohl 1987, 101) Knohl (and Kaufman) arrived at this conclusion by interpreting and analyzing the texts. Livni and Stone arrived at the same conclusion by investigating the viability of justice administration in a society with penal norms but without dedicated law enforcement Livni and Stone (2015).

Reasonably, Proto-Israel of the 12th century BCE used no such procedures. In Iron Age Greece “months could start on different days from one city to another” (Hannah 2012, 85). Even significantly later “different Jewish communities celebrated festivals on different dates” (Stern 2012, 212). Nevertheless synchronised lunisolar happenings were within reach inside the borders of Proto-Israel.

We suggest that the literal interpretation of the Old Testament provides useful and credible hints how Proto-Israel handled the problem. The practical means of reconciliation consists of setting the beginning of the year: “This month shall be unto you the beginning of months; it shall be the first month of the year to you”. (Ex.12:2)

Later, one reads that this first month is the month of *Passover* (Ex. 12:11). Next we learn that the first month is the month of *Aviv*, (Ex. 23:15). As argued earlier, *Aviv* had to be a lunar month. In order to adjust it to the solar cycle one had to decouple its beginning from the lunar cycle. The name of the month is a hint on how the beginning of *Aviv* was determined. The meaning of the word *aviv*¹⁷ is explained in: “And the flax and the barley were smitten; for the barley was *in the ear*¹⁸...” [Ex. 9:31]



The barley is in ear, (see Figure 5), according to the solar and not lunar cycle¹⁹. Thus, if by the end of the 12th lunar month the barley was *aviv*, then the subsequent month was *Aviv*²⁰. If not, one skipped another lunar month. This is still the current version of determining *Nissan 1st* by the Karaite sect (Stern 2001, 236). Similar methods were recorded in the Ancient Near East (Table 3).

Figure 5. Barley in ear¹.

In Israel this interval translates to the last two weeks of March, (March 15th to 29th). Accordingly, the earliest possible date for *Aviv 1st* is March 15th. The latest possible date is April 28th (see Table 2). The current equinox method consists of a 19 year period in which *Nissan 1st* (the current name of *Aviv 1st*) falls within an

¹⁷ In modern Hebrew *aviv* means *spring*; here we discuss its meaning in Biblical Hebrew.

¹⁸ The corresponding original Hebrew verse says *the barley was aviv*; thus *aviv* is *in the ear* in English *en épis* in French or *înspicat* in Romanian).

¹⁹ The period of the barley life-cycle is 365 days, give or take a couple of weeks. In average, the barley in ears indicates a practical beginning of the year. If one misses a few days one year compensation will follow the subsequent year (Figure 7).

²⁰ Currently, the name of the month *Aviv* is *Nissan* because during the Babylonian exile Jews adopted Mesopotamian names of months (e.g. Ben-Dov 2008).

interval between March 13th and April 10th (We checked this for the years 1940–1959²¹). Compared to this interval, the barley method *Aviv* 1st randomly varies between March 15th and April 28th.

Table 2

Calculating the latest *Aviv* 1st using the barley method.

Year	Y		Y+1	
Question			<i>Barley in ears on last day of year Y/N?</i>	
Answer			Yes	No
Day No	1 st day	Last day	1 st day	1 st day
Solar Date	April 9 th ²²	March 29 th	March 30 th	April 28 th ²³

The near-coincidence of the two methods is also observed by the Talmud:

“Our Rabbis taught, Based on three things is the year intercalated: on the *aviv*, on the fruits of the trees, and on the equinox. Based on two of them the year is intercalated but based on one of them alone the year is not intercalated. And when the *aviv* is one of them everyone is pleased”. [bSan 11b]

Table 3 indicates that many ancient cultures in the region relied on similar cyclical natural phenomena to determine the beginning of a new year.

Table 3

Determining the beginning of the year in antiquity; in cultures with lunar calendars the event also signalled whether the old year had twelve or thirteen months.

Culture	Season	Approx. Time	Natural event
Ancient Egypt	Inundation	5 th millennium BCE	Nile Flood (Boorstin 2011, 7)
Ancient Egypt	Inundation	~1470 BCE ²⁴	Heliacal rise of Sirius (Clagett 1989, 2,3)
Ancient Babylon	Summer	Before 12 th century	State of harvest (Neugebauer 1969, 102)
Ancient Babylon	Summer	(12 th century BCE)	Heliacal rise of Sirius (Bloch 2012, 23)
Ancient Assyria	Spring	1 st millennium BCE	Equinox (Horowitz 2012, 10–11)
Ancient Athens	Summer	after 8 th century BCE	Solstice, Tuna fish breeds (Hannah 2012, 81, 87)
Minoan (Crete)	Green season	2 nd millennium BCE	Saffron-Crocus flowers (Beckmann 2012, 68)
Amorite-Canaanite	Fall, New Moon of <i>Ethanim</i> ²⁵	Bronze Age Canaan – 2500 BCE–13000 BCE	Red-marl in the Adonis river ²⁶ in Lebanon (Wood 1916, 18, 95)

²¹ The latest Nissan 1st was on April 10th 1948 and the earliest on March 13th 1956.

²² If the 1st day of year Y is later than April 9th then the last day of the year is in March 30th and the barley is for sure in ears.

²³ April 28th is 29 days after March 29th; it is also a New Moon.

²⁴ (Clagett 1989, 406).

Table 4 is equivocal in terms of the First Temple's timing the Passover because the term "First Month" could be either the month of *Aviv* or an artificial month derived by an elitist priestly algorithm. This ambiguity neither proves nor rules out conflicting Passover dates. However, Table 4 hints at an elitist-populist conflict about the content of the Passover; more populist editors prohibiting work on Sabbath also prohibit *chametz*²⁷ during Passover.

Table 4

Passover dating in ancient Hebrew texts; the sequence is chronological²⁸

	Verses	Editor	Name of Month	Sacrifices	Unleavened Bread
1	Ex.23:15	E (Friedman 2009)	Aviv	no	yes
2	Ex. 12:1–14	P (Friedman 2009) Friedman 2009)	First Month	yes	no
3	Lev. 23:5–8	PT (Knohl 1987, 77)	First Month	yes	yes
4	Num. 28:15–25	PT (Knohl 1987, 77)	First Month	yes	yes
5	Ex.12:15–19	HS (Knohl 1987, 77) D (Friedman 2009, 26	First Month	no	yes *
6	Deut.16:1–8	Introduction, Kindle Loc 512)	Aviv	yes**	yes *
7	Jubilee 49:1–23		First Month***	yes**	yes

* and prohibition of chametz

** sacrifices only at Temple

*** in its season [Jub. 49:1]

The Book of Jubilee [6:37] indicates that the conflict loudly returned during the Second Temple (Figure 3). The Dead Sea scrolls reveal that the elitist Qumran community celebrated the beginning of the year, the Passover, and the Feast of Trumpets always on Wednesday. This contradicts a Passover on the 14th day of *Aviv/Nissan* (see footnote 20). Moreover, Wednesday convocation of trumpets disobeys the current rabbinic rule²⁹. The relationship of Rabbinic Judaism with Pharisees is complex and studied by several scholars (e.g. Magness 2011, 50–53, Neusner 1975). Nevertheless, adopting the student's version viewing Rabbinic

²⁵ The month Ethanim (Currently Tishrey) also existed in the Israelite calendar see (Stern 2012, 232, Schiffman 2012).

²⁶ Currently Nahr Ibrahim.

²⁷ *Chametz* are leavened foods that are forbidden on the Jewish holiday of Passover.

²⁸ See (Friedman 2009, 26 Introduction, Kindle Loc 512, Knohl 1987). The antecedence of the Covenant Code over Deuteronomy and even its exilic origin has been debated; see (Levinson 2004). I may add to Levinson's convincing arguments that archaeological evidence such as no shrines and no pig bones in pre-monarchic period also attest to pre-monarchic roots of the code, see (Finkelstein and Silberman 2002, 109, 119).

²⁹ According to the rabbinic Talmud, Rosh Hashanah, the convocation of trumpets cannot be set on Sunday, Wednesday or Friday (bRosh-Hashana 20a).

Judaism as a descendant of Pharisees is an established practice (Corduan 1998, 53–54, Drazin 2014ch.4, Elior 2015, 72).

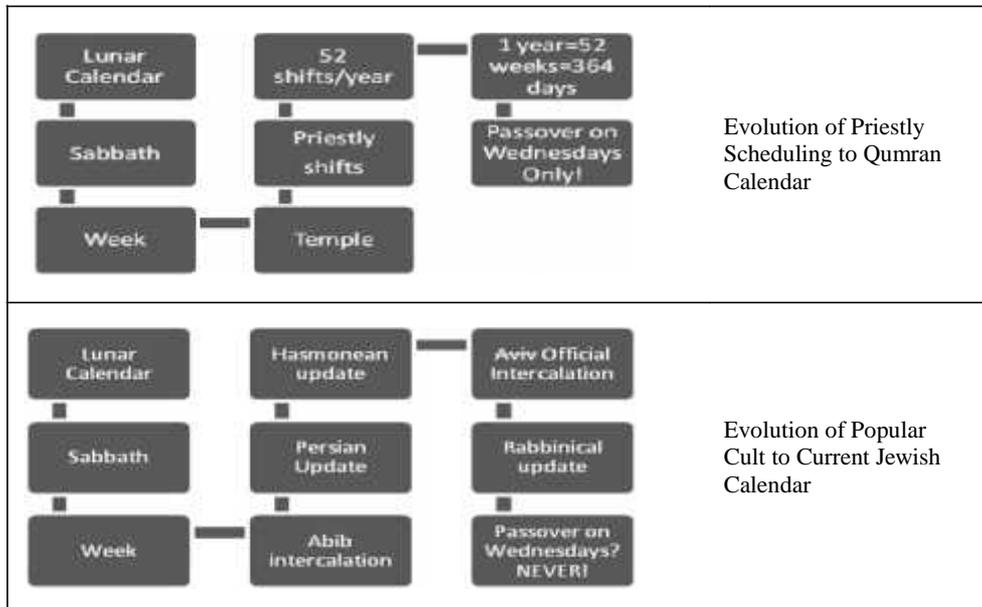


Figure 6. Evolution of dating the Passover.

A: priestly Cult – see details later in this report; B: Popular Cult – The updates are “cosmetic” modifications consisting of transition from observed (e.g. aviv or equinox) to calculated times of intercalation.

Jaubert’s justification has been found faulty; however the theory linking Qumran to early priestly practice should not be ruled out³⁰.

Figure 6 examines the popular and priestly calendars as two evolving ideologies. Both start with a lunar calendar; the cultural *mutation* triggering the process is the *Sabbath*. The Sabbath triggered both tracks, similarities with the 364DY of the Babylonian astronomy notwithstanding (Ben-Dov and Horowitz 2005). The similarities consist of correlations between 364DY and lunar phenomena (Ben-Dov and Horowitz 2005). Reasonably, the similarities indicate awareness of Babylonian lunar terms and algorithms by the Qumran secessionists, however the cultic time designations consist of names of priestly lineages on-duty on a certain *week*. Nor was the Qumran calendar of Egyptian origin:

“It was not the Egyptian model, but the sectarian’s desire to correlate the Mishmerot cycles to their solar and lunar reckonings that governed the selection of the 364-day year”. (Ben Zion and Wacholder, 1995).

³⁰ This theory is shared by many scholars (e.g. Werman 2003, Regev 2005, Rubenstein 1999) The Qumran- Sadducee link is revisited later.

The Jewish 364 DY works out the lunar phases “as a numerical device within the dominant 364-day scheme” (Ben-Dov 2012, Baumgarten 1986). The fundamental computing concept of the Jewish 364DY calendar is the unit of seven days³¹. This is atypical of Babylonian computing because they considered *seven* to be an *irregular* number (Neugebauer 1969, 33). As a consequence, the Jewish 364DY is a *cultural effect* of the Sabbath *mutation*³². The apparition of the Temple splits the evolution path into two tracks.

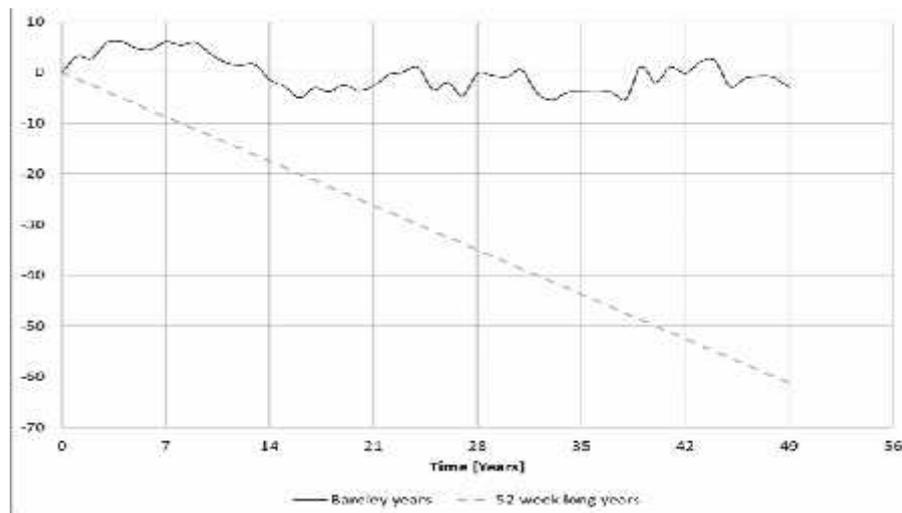


Figure 7. Cumulative error using two methods of adjusting to solar cycles.

The “Aviv” method assumes a random interval between two consecutive observations of “barley in ears”; the 52 weeks method assumes a year of 364 days which translates to a small error of 0.3% and yet the error drifts. The comparison illustrates the needs an adjustment to correct the drift.

The covenantal *aviv* method needs no such correction.

The next *mutation* on the priestly branch is problematic. Scholars noticed that the Wednesday beginning of the year was not mentioned in the book of Jubilees hinting at a *mutation* that occurred within the Qumran community (Ravid 2003, Ben Zion and Wacholder 1995, 5). Nevertheless a 364DY compels the years to begin on the same day of the week. Moreover, the rabbinical prohibition of a Wednesday New Year does hint at a Sadducee Wednesday New Year because the covenantal Sages opposed the Sadducee elitists (e.g. Saldarini 2001, 232); however, they had no recorded quarrel with Qumran.

If the Sadducees complied with the 364DY decree then the Wednesday mutation germinated in pre-secession Sadducee circles. If the Sadducee New Year

³¹ Opposed to this the Babylonian fundamental unit was the synodic month, a lunar datum, see (Neugebauer 1969, 112).

³² A reverse theory sees the 364DY calendar as the *mutation* and the Sabbath its *cultural effect* see (Feldman 2009).

didn't necessarily start on Wednesday then they might have worked around the 364DY decree. Figure 7 indicates that practical reasons did require some adjustments.

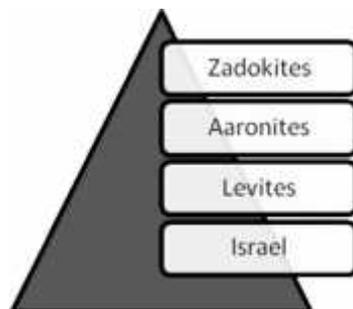
In any case Sadducees and Pharisees disagreed about the date of Passover revealing a deeper conflict regarding not only the question of *how* and *when* but also *who* decides when Passover is. It is worthwhile looking into this conflict of authority. An early indication of this conflict is provided by interpretations of the Korach episode (Num. 16–18). According to scholars it consists of several layers of editorial revisions (Schart 1990, 2.1.6, Knohl 2007, 74). Moreover the story combines three separate conflicts and our interest is in one of them: the conflict between Levites and the elders of the other tribes:

With them were 250 Israelite men, well-known community leaders who had been appointed members of the council (Num. 16:2).

Num. 16:2–7a, 18, 35 narrates this separate conflict (Knohl 2007, 76). The historicity of the conflict is hardly questionable, however its time and place are. The *Israel-Levite* conflict was still alive in Judaea during the life of its author, most likely HS (Knohl 2007, 81). HS who as mentioned earlier showed empathy towards the covenantal persuasion advocates the case of the elders in terms of covenantal ideology. The elders reject the Levitic claim to exclusivity “for all the congregation are holy, every one of them” (Num. 16:3).

The confrontation vigorously resurfaced in Second Temple³³. This same claim to Levites' exclusivity resurrects as forefathers' legacy:

“And he turned to Levi first, and began to bless him first, and said unto him: May the God of all, the very Lord of all the ages, bless thee and thy children throughout all the ages”. (Jub. 31:13)



Similarly the hierarchy of priestly privileges (Figure 8) has evolved along the Temple's history. The exclusivity of Aaron's lineage is one of the three conflicts of the Korach episode. The privileges of Zadok's branch are probably of exilic or post-exilic origin.

Figure 8. Priestly hierarchy of exclusivity.

The ideological battle is due to a priestly aspiration to substitute the creed of “the whole community is holy, every one of them” (Num 16:3) for a *kwara* type of faith (Sec. “Proto-Israel – the Cradle of the Covenantal Society”). This becomes

³³ Josephus Flavius attests the power struggle which in his days took the form of Pharisee – Sadducee divergence, see for example (Saldarini 2001).

more obvious while reading the interpretations of Second Temple Jewish apocrypha showing how priests claim their knowledge generated from Heavens' revelation to Enoch (Elior 2015, 57, 63, 149, 158, 195).

Enoch is “the first man whom the Lord of Spirits created” (Ethiopian Book of Enoch 40:9). His wisdom was then transferred from generation to generation to Melchizedek who “shall be a priest of priests for ever, and I will appoint him chief of priests and Melchizedek shall be priest and king”³⁴. Enoch’s *kwara* is later passed on to Abraham and Levi (Elior 2014). Given the continuity of the conflict and the ambiguity of terms (Table 4) one cannot rule out that Qumran convocation dates grew from an earliest priestly routine (Jaubert’s suggestion). On the other hand the roots of Passover are lunar, agricultural, and shaped by the popular cult. Proto-Israel had a working method for adjusting the lunar calendar to the solar period.

Opposed to Passover, the Feast of Weeks is not linked to the lunar cycle and its timing requires painstakingly counting 49 days from a controversial date. Such a gathering was not essential for farming and the settlers of ancient Judea and Samaria could live without it³⁵. Besides, the essence of the Feast of Weeks originates from a widespread ancient ritual of many faiths: sacrificing the first-born male of an animal or the first fruit of the crops (Wood 1916, 92). No doubt, there have always been happenings of “peasants rejoicing over plentiful crops” (Queerum 1807). Reasonably, farmers prayed and sacrificed the first fruit in hope for blessing of future prosperity. Extended families were the cells of the covenantal society (King and Stager 2001, 39, 40). Reasonably, the sacrifices were carried out by each household when the sacrificial animal was born or when the first-fruit was harvested. This made the cumbersome counting of forty-nine days obsolete.



Furthermore, archeological evidence, (see Figure 9) and the Old Testament indicate that the practice of decentred sacrificial rituals had been kept in monarchic Israel keeping high places, “on the hills and under every green tree”. [2 Kings 16:4, Isaiah 57:5, Jeremiah 2:20].

Figure 9. High Place, Tel Hatsor National Park, Israel.

³⁴ Quote from 2 Enoch 23 by Elior in Elior (2007).

³⁵ Knohl (1987, 82) does associate the Feast of Weeks to the wheat harvest; Knohl notes that while harvest is essential to farming, it is hardly a synchronous event that can set a convocation date.

Table 5

First-fruit commandments in the Hebrew Bible.

Verses	First Fruit	Wheat	Holy Convocation	No boiling kid in its mother's milk	Counting 49 days
Ex.23	yes	yes	no	yes	no
Ex.34	yes	no	no	yes	no
Lev. 23	yes	yes	yes	no	yes
Num. 28	yes	yes	yes	no	no
Deut.16	no	freewill	no	no	Yes, however not from Sunday

The first of the first-fruits of thy land thou shalt bring into the house of the Lord thy God. Thou shalt not boil a kid in his mother's milk. [Ex.23:19, Ex.34:26]

The requirement for bringing the first fruit to the Temple is consistent with centralizing rituals around the Temple. It is worthwhile to note that only the priestly texts prohibit work and decree a holy convocation on the Feast of Weeks. Knohl attributes the commands of holy convocation in both Leviticus and Numbers to PT (Knohl 1987, 70). This is the same PT who denied the holy convocations on Sabbath. Two conflicting ideologies surface:

- a) one covenantal; it elevates the Sabbath and mentions a free-will sacrifice on the Feast of Weeks;
- b) the other elitist; it minimizes the Sabbath and it elevates the Temple and its centralized ritual of the Feast of Weeks.

The prohibition of boiling a kid in its mother's milk is also consistent with the previous observation, even though it is less obvious (Lang 1907, Rosenblum 2010, 141). Rabbinic Judaism interprets it as a prohibition to mix meat and milk, thus hindering commensality with others (Rosenblum 2010, 141–143). Philo testifies that observant Jews of Second Temple did consume milk with meat (Kraemer 2007, 39–54). For some, the commandment is meant allegorically, teaching compassion (Wilson 2010, 71, Lang 1907); some read the prohibition literally (Wilson 2010, 71, Lang 1907); some as a pastoralist superstition (Fox 2006) and some associate it to the prohibition of sexual relations between mother and son (Roux 2003, 87, Counihan and Van Esterik 1997, 64). The prohibition appears three times, [Ex.23:19, Ex.34:26, Deut. 14:21] and three times it is placed next to one's obligations towards priesthood. Based on this association, Maimonides considers that one prohibits an actual ritual of idolatry (Maimonides 2015, Part 3, Ch. 48). Moreover, the Samaritan Bible adds to Ex. 23: "Doing so as an *offering* angers the God of Jacob" (Kirchheim and Luzzato 1851). Since sacrificing first-born animals was an early custom in Israel as well, (Ex. 22:29), one cannot rule out that some early Israelites copied this strange version of

sacrificing a kid. Boiling a kid takes place at one's home; As a consequence, the commandment is consistent with a priestly elitist opposition to community rituals.

Its complex scheduling, its detachment from the solar or lunar cycle and its ritual indicate that the Feast of Weeks celebration emerged with the Temple in order to enhance the power of priesthood. Eior notes that later during the second Temple (Figure 3) the disagreement about the Feast of Weeks highlights the struggle of Rabbinic Judaism against the priesthood (Eior 2015, 287). Unlike other festivals, the rabbinical version of the Feast of Weeks has no distinguishing commandments and no tractate in the Talmud. The sociological perspective reveals that:

- a) The feast of Weeks played a central role in the priestly elitist tradition;
- b) Rabbinic Judaism opposed to priestly privileges marginalized the Feast of Weeks.

THE END OF THE BATTLE

“(T)he Roman Commander Titus [son and heir of Emperor Vespasianus] marched with his army in 70 A.D. to the Temple. He destroyed it ...” (Ma’ani and Al-Nasarat 2014, 147). 70 CE marked the end of Ancient Israel (Figure 3) and of the battle between covenantal and elitist Judaism. Without Temple, the priesthood lost. The covenantal model survived not because it was superior but because in the conditions of diaspora it became the fittest.

THE WANING EMPIRE AND THE TRIUMPH OF ELITISM

Armed with hindsight one can safely determine that the Western Roman Empire of the 4th century was declining. Perhaps the *cognitive map* of post-Constantine Romans mistakenly showed a “ceremonial swan gliding effortlessly over the waters of world affairs” (Heather 2010, 252). However, this façade covered one of the principal breaks of human civilization. Christianity was on the rise, regardless of whether Constantine’s conversion was a factor or a result of its popularity (Stark 1997, 10). Pre-Constantine Christianity was *covenantal* (Trebilco 2007, Otranto 1991, Kraft 1965, Hatch 1882, Bradshaw 1996).

Within the Imperial bureaucracy conversion to Christianity was an important secret to career success. Four factors helped climbing the ladder: military glory, loyalty, competence in office and descent from old families (Salzman 2002, Kindle Loc. 1550). The first three were under imperial control and reasonably similar in the West and East. However, in the East there were no *old families* (see also Gibbon and Milman 1871, Kindle loc. 22521). In the Eastern Empire Christianity was appealing because the competition for moving upward played out within imperial institutions: the army (Chenault 2008, 194), the imperial administration and the Church³⁶.

³⁶ The Eastern Emperor ruled the clergy; in the West Ambrose challenged this model: “the Emperor is within the Church not above it” (Diehl 1888, 383).

True, in the West “all pretence of republicanism has vanished” (Heather 2010, 23). Nevertheless previous concepts of patronage (Salzman 2002, Kindle Loc. 55, 268, 442, 467, 844), honour (Salzman 2002, Kindle loc. 266, 343), and dignity (Salzman 2002, Kindle Loc. 800) were culturally inherited from previous generations. Senatorial aristocratic status fed competences like “securing the welfare of the state” (Salzman 2002, Kindle Loc. 932), directing provincial council decisions (Salzman 2002, Kindle Loc. 996), maintenance of public statues and buildings, subsidizing public games (Salzman 2002, Kindle Loc. 1062) and most importantly controlling the urban plebs (Salzman 2002, Kindle Loc. 1120, Kahlos 2002, Ch. 2.6). The Western Emperor kept tight-rope walking maintaining balance between conflicting approvals of the military, the bureaucracy, the disagreeing and insubordinate religious institutions (see footnote 36) and the senatorial aristocracy³⁷; the life of Valentinian I proves how demanding (Gibbon and Milman 1871, Kindle Loc. 24031), and the death of Gratian how dangerous this funambulism was.

The second half of the 4th century witnessed the beginning of a massive conversion to Christianity. In the Western Empire, Christianization was a result of a trickle-down effect from the aristocracy to the masses (Heather 2010, 127, Salzman 2002, Kindle loc. 114–119).

Table 6

Comparing old pagan values with “new” Christian alternatives

Value	Pagan (Cicero)	Christianity (Ambrose)
Rule of law – “ <i>legum servi sumus</i> ” ³⁸	One obeys both: just and unjust laws (e.g. Middleton 1848, 196)	Justice not through law but through faith (e.g. Liebeschuetz 2005, 154)
<i>fides</i>	trustworthiness	Faith in Christianity ³⁹
<i>pietas</i>	Cicero: country, parents, relatives and Gods (Britton 2013, 25) Britton 2013, 25)	Ambrose: God, country, parents, all Augustine: Only God (Britton 2013, 26)
<i>disciplina</i>	Cicero: Defend citizens without regard to friendship or other commitments (Middleton 1848, 54)	Ambrose: self-denial of flesh in favour of mind (Liebeschuetz 2005, 298)

Converting the aristocracy to Christianity was not easy. Table 6 illustrates differences between old pagan values of *romanitas* or *mos maiorum* that had served the senatorial aristocracies for many centuries with their “new” Christian interpretation. Early Christianity preaching covenantal values like “love for one’s neighbour and humility, with strictures on wealth and notions of equality”

³⁷ Some pagan aristocrats maintained friendly rapport with Christian opponents e.g. Symmachus with Ambrose and Praetextatus with Damasus (Kahlos 2002, Ch 2.6, Salzman 2002, Kindle Loc. 290).

³⁸ Cicero (Stone 2013, 272).

³⁹ The difference is eloquently illustrated in footnote 3 of (Liebeschuetz 2005, 92).

(Salzman 2002, Kindle loc. 114–115) had little appeal for the senatorial aristocracy associating dignity with displaying the opulence of their extravagant residences and luxurious lifestyle (Figure 10). Only a faith respecting their privileges and honouring their status could open the gates to conversion of aristocrats Salzman (2002).

Aristocrats converted to Christianity, as long as Christianity evolved adopting the “fundamental aristocratic concepts such as *nobilitas*, an attribute derived from birth” (Salzman 2002, Kindle loc. 323–324). This triggered a Roman version of the covenantal-elitist conflict.



Figure 10. Mosaic in Villa Casale, Piazza Armerina.

Fourth century display of opulence; both the worth of the artwork and the decadent leisure it depicts exhibit lavishness; the hunting scene portrays horse-mounted aristocrats and pedestrian commoners.

In 374 bishops were still elected pointing at a covenantal heritage. Odd circumstances (Locatelli 1874, 48) and the support of Valentinian I (Locatelli 1874, 48) brought to the ‘election’ of Ambrose, a senatorial aristocrat, to the position of bishop of Milan. Recruiting bishops from the aristocracy paved the way to inserting the elitist concept of *nobility by birth* into the Christian lexicon. “From the 370s onwards, bishops were increasingly drawn from the landowning classes and controlled episcopal successions by discussions among themselves” (Heather 2010, 161) the Empire faded away; however, *elitist* Christianity led by the bishops began its triumphant march across the urban and rural landscape (Volpe 2007, Czortek 2013). The covenantal societal model began its retreat ultimately shrinking into small islands of resistance, (see next sections).

SURVIVING MASS EXTINCTION

Even the most prolific scholar of the covenantal model admits that the hierarchy is better fit to administer masses than the bottom-to-top organizations of Figure 1 and Figure 2 (Elazar 1997). Earlier we saw that as the Church prevailed covenantal Christianity faced the challenge of societal contraction. As in nature “(m)ass extinctions create new evolutionary opportunities and redirect the course

of evolution”. In nature some lineages may survive mass extinction for various reasons. In society, remote, inaccessible areas like alpine villages where population exchange is diminished the survival of covenantal communities is credible. Evidence of covenantal arrangements in the Pyrenees (Couderc-Barraud 2008, 20), Alps (Monastier 1847, 20) and Carpathians (Stahl 1939, Filipescu 2006) consistently support the survival hypothesis. Some scholars oppose this hypothesis relating the birth of the alpine covenantal societies to Pierre Valdés, a 12th century founder (Audisio 2000, 157, see also Pouzet 1936, 8, Legendre and Rubellin 2000, 191, McCallum 2014, 191). They claim that replicating apostolic Christianity is feasible because the Bible provides an example to follow (Paravy 1993, 933). However, many essential sociological and psychological elements of such a society are not explicit in the biblical recipe. For example, *transgression control* cannot be developed by an iterative trial and error sequence because an inadequate repentance mechanism brings the first trial to collapse in a couple of months (Livni 2017a, Fig. 7).

Therefore one can safely bet that the Waldensians of the Alps and the Romanians of the Carpathians (Livni 2016) evolved from the apostolic Christian model; they inherited their essential traditions one generation after the other miraculously surviving the mass extinction of covenantal Christianity.

This chapter also sheds light on one of the reasons for the *resilience* of covenantal societies. When survival is at stake, the loose coalition of the outer loop of Figure 2 becomes an attribute enhancing the fitness to survive. When most communities face extinction some remote communities on the periphery may survive. In other words, one cannot behead a headless organization.

THE ALPS

The conflict between the Church of Rome and the covenantal Waldensians is worthy of study not only for the history or religion scholar but also for the sociologist. The confrontation began with the establishment of the Inquisition which “was created to fight the Cathars and the Waldensians” (Dossat and Defourneaux 2015, ii). Documents of the Inquisition provide most of the information about the conflict. The documents reveal not only a battle of faiths but also a wider clash of *cognitive maps* encompassing conflicting sociological concepts such as *hierarchy* and *legitimacy*.

Waldensians were against hierarchy. Nevertheless, inquisitors like Rainier Sacconi (Paravy 1993, 1037, Léger 1669, 199) and Jacques Fournier “thoroughly explored” the Waldensian hierarchy and ... found its three ranks of ministry: bishop, priest and deacon (Paravy 1993, 932-934). Born, educated and living in a world of ranks and elitist bias, an inquisitor’s *cognitive map* is blind to notions like assembly government, no ranks and supremacy of law. However, scholars who grew up with Waldensians know better. Léger, a Waldensian, noticed how Rainier

mistook experience discrimination of preachers (distinction prevailing in any profession) with hierarchy Léger (1669, 190); Léger points out that the inquisitor missed that all three “ranks” he found are subordinated to the people they teach and they need consent of the “Council of Brothers” for any initiative. For example, in Metz of about 1200, the community terminated the ministry of preachers “whose lives did not conform to the apostolic model” (Audisio 1999, 18).

It is not by chance that Fournier, the Inquisitor dedicated ten questioning sessions of the suspect named Raymond de La Côte to clear the thorniest of the seven principles of the Waldensian faith, namely the creed that *God gave Moses the law*.

All variants of all three monotheistic religions teach this lesson. Both the Inquisitor and his victim accepted it because it is in the Hebrew Bible [Exodus 19:3]. However, there are two ways to read the sentence:

1. God gave *Moses* the law (emphasis on *Moses*).
2. God gave Moses the *law* (emphasis on *law*).

Fournier’s model of social order is hierarchy; according to his cognitive map, Exodus 19:3 teaches that God gave *authority to Moses*; from there one arrives at the Catholic doctrine of Apostolic Succession. Raymond de La Côte read the verse emphasizing the supremacy of the rule over the ruler. Not surprisingly, he further implicated himself by clarifying that “one should obey God rather than men.” Later, a covenantal Presbyterian scholar expressed this principle of *Law above King* using two Latin words: *Lex, Rex* (Rutherford 1982). For inquisitors like Jacques Fournier, Rainier Sacconi and Bernard Gui the sequence is *Rex, Lex*.

This lesson is not only about the conflict. It also illustrates that even us, researchers, carry a cognitive map in which concepts (e.g. rule and ruler) are ordered in a determined sequence. Some scholars present the Fournier-de La Côte encounter as of two “rival hierarchies” (Paravy 1993, 1045). For an elitist, hierarchy, ranks and potentate are primary factors of order; the law derives from them. Others who grew up in the covenantal philosophy disagree: “The statement of Rainier in the thirteenth century, that the Waldenses had a bishop who alone ordained, is false” (Comba 1889, 222).

THE CARPATHIAN VALLEYS

When land property, its partitioning between family households and justice system, belong to the community which runs them out of any kind of external hierarchy and intrusion we may speak of a communal structure and organization. We say, in such situations that the community takes precedence over the political and military system, however complex it would be. Based on its communal organization, the community takes control of even economy.

In Romania the communal organization has run unchanged for thousands of years next and often under the layers of superimposed nomads, systems of dominations with their own taxing apparatus and military bodies. These

burdensome states of occupation did not manage to destroy the old communal organization of the indigenous population; this consisted of communal villages progressing toward the larger network of Communal Villages Confederation (see similarity to Figure 2) to culminate in their first form of state organisation, the so called Voivodates. Stahl defines the communal social formation by the “family households association”, on the basis of a “shared territory”, in which the “collectivity as such has rights prior to and above the rights of the comprising households”; these rights were controlled by a governing body called „ob tie” (collective assembly)⁴⁰.

Concomitant with the emergence of a hierarchical order in society, the buds of inequality appear themselves. The history of inequality becomes intelligible as a progressive war escalation, waged against the genuine equalitarian society, that American sociologist, D. Elazar, has called “covenantal society”. What is odd at the process of the progressive escalation of inequality is that in spite of the terrible force backing it historically its vigour within certain societies and cultural areas appears to be rather weak, being marked by constant failures to enlarge over there. Such failures can be recorded within those types of societies called, as already mentioned, covenantal societies, or, with a more general term, communal societies.

Studies of the “non-hierarchical societies” of Romania were carried out either empirically, in the field-works like that of H. H. Stahl’s on the communal society (ancient equalitarian village communities), in Romania or historically, in Iorga’s works (Iorga 1938) on ancient institutions of those “good and old men” (“*boni viri antiani*”⁴¹ or “*boni homines*”) deemed to be the most honest and righteous men within a free, non-hierarchical community. In Romanian “batrân” (from the Latin *veteranus*) means not only the eldest, but also “forefather” (*mo*, a traco-illyric etymology), a sort of “patriarch”, a genealogical predecessor. A village is divided genealogically on more “forefathers” (*mo i*) and their lands (*mo ii*) a sort of genealogical estates. H. H. Stahl draws attention on the two totally different ways of feudalism penetrating in rural local communities: the western type of feudalism based on the internal hierarchization of local community (the first form of feudalism) and the Romanian type where the class of lords could exploit the peasants organized nevertheless in free, non-hierarchical village communities, i.e.

⁴⁰ On the communal formations see H. H. Stahl, Communal villages and ‘voivodal’ formations, in (Stahl 1980, 24), p. 24 (“Even in the province, during the high point of Roman domination, the slave or colonial latifundia existed only as an exception. It is true that the Roman domination created a flourishing urban life, imposing a general cultural influence that was decisive to the local population, without, however, being able to completely transform the villages, which remained as they had been: village communities of a deeply tribal character. After the Roman army left Dacia in 271, the cities fell into decay. On the very ancient social history and on this kind of formations see also: (Daicoviciu and Constantinescu 1965, Daicoviciu, Petrovici, and Stefan 1965, Iorga 1938).

⁴¹ Cicero used the term *boni viri* to designate citizens who step up for public service for example serving on jury, see (Santoro L’Hoir 1992, Salzman 2002 note 217); reasonably the term entered the covenantal lexicon in Roman Palestine as “*tuvey ha’ir*” or the *town’s good [men]* see (Safrai 2003, 25).

based on a system of internal non-hierarchical organization. The two components of such a society evolve totally in parallel the only link between them being a tribute-based one in the form of fiscal dues in produce and labour. This type of social organization could be denoted as a dual societal system.

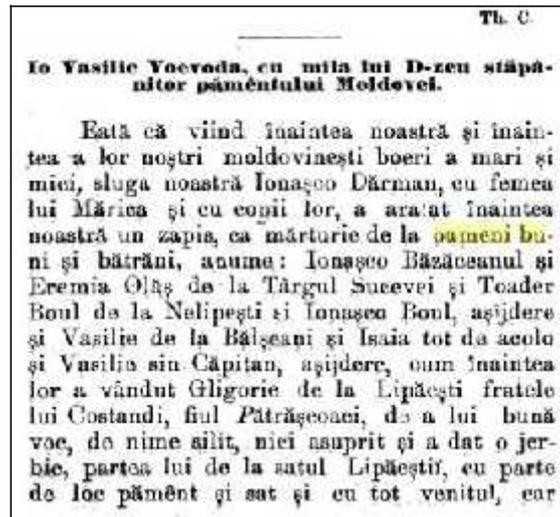


Figure 11. Land title deed signed before Vasile Lupu ruler of Moldavia (1595–1661).

Note elders (*oameni buni i b trâni*) are witnesses (Codrescu 1887).

Paradoxically, feudalisation by western type only started in the XIXth century during the period of penetration of capitalism in the Romanian rural society beginning with. The two systems of societal organization, a hierarchical and a rankless one, co-existed and periodically collided with each other.

Free villages (*razesi* and *mosneni*) still existed in the interwar world period when they were subjected to field research for a while of 20 years. The challenging aspect of this organizational pattern is its networking structure; it could extend over large areas in the form of villages confederation so that information and goods circulated on this network basis.

Theoretically, communal villages could be defined by at least these traits:

1. As a group of households, that are holders of a territory, maintain relations among them over a vast territory
2. Share a package of the rules acknowledged by all and encompassed in what we may call the Unwritten Law enforced by diffuse tradition
3. The strict observance of representatives of the general assemblies⁴² (in Romania, these are the “*good and old men*”)

⁴² On the incomplete definition see (Tschuprow 1902) cited by Stahl in *op.cit.* p. 36.

Such communities have existed as the oldest type of social organization and have preserved their autonomy until nowadays. Moreover, the communal villages were organized in confederations of free villages to serve afterwards as the basis for early forms of state called Romanian principalities. On the other hand, beyond and distinct of them, there emerged from outside of these free communal confederations a reorganized type of hierarchical state after a pattern partly rooted in local traditions, partly from influences of those types of voluminous conquering states brought in the area by invading peoples finally settled next or around the natives (autochthonous communal society). As Iorga argues: *“in the Romanian Country, the first boyars were necessarily foreigners, but in short time, those Greco-Slavs beneficiaries remained very few and they can barely be recognized among the others”*. In a certain sense, they have come to be assimilated thus forming the local elite. In spite of such a statist impulse a different communal order has been preserved; its communal power proved to be decisive even for the affirmation of a more comprehensive social order. This non-hierarchical social order relies on the genealogy going up to its spiritual origin confirmed and empowered in the form of a covenant demanding the observance of its spiritual teachings. When a tendency to a hierarchical order emerged in the community, when a “race” claimed either a dominant position, or the rank of leading elite, then the opposing genealogical stocks collided. However, even in the midst of such a contest an older type of community has survived provided the members considered those who respect the covenant as brothers and sisters.

From the 15th century on, intensifying confiscation due to aspirants’ fights for seat established a bond between the beneficiaries and the great owner. As a result, a Romanian aristocracy emerged. It owned the houses of the estate, the tithe of the harvest, the dominion of the pond, the forest, the mill and of the tavern. However, it never had the right to judge and punish (Iorga 1925, V); this right belonged to the community itself granted by the Unwritten Law.

The relation between the two types of social structures could take over either the form of coexistence or the form of the conflict. Inequality exerted pressure over equality; the communalism reacted against this intrusion of the principle of inequality.

In Stahl’s analysis, the free villages, as a trait of the communal society, is prevalent in the mountain area, where, the survival fitness of the alleged trait is higher than 0 (zero), i.e. $\mu > 0$ (Equation 1). Throughout the highlands of the Romanian rural area there emerged progressively a new social system based on the exploitation not of “slaves or conquered peoples but free village communities, by purely fiscal means, and only acquired property rights over the land and inhabitants much later” (Stahl 1980, 7).

As shown earlier (see Monarchy above) a positive μ means that in spite of surplus and land disputes, the communal system thrived. The state building process has not dismantled the alternative social system based on the non-hierarchical,

communal system, but, paradoxically, has strengthened it being that the lords and the Voivode relied on the free villages for military purposes and as a source of income.

Therefore, the way towards an alternative system, based on the coerced labour and serf villages, resulted almost exclusively from the military re-conquest of former conquered villages (by invaders, who had enserfed the former free villages by the effect of military occupation) and by “colonizing them with peasants who were enserfed by the mere fact of settling on (former) conquered lands” (Stahl 1980). What is even more significant is that the system of free villages has organized itself in larger networking structures forming the so called quasi-autonomous “republics”. Some of them arose even near the center of the state, as the villages of *Câmpulung*, or, toward the south of Moldavia country where two other small “republics” survived: Vrancea and Tigheciu (Stahl 1939, 15). Here, the pattern of state building is geographically reversed: the northern part of the country appeared to be the prevalent area of reconquest and of serfdom while the southern area was the free villages’ area and the explanation is derived from the fact that

“the Moldavian state was formed by an act of reconquest from the Tartars executed by a group of Romanian warriors from Maramuresh on the other side of the Carpathians, not by local lords as in Wallachia. One can explain the nature of the serfdom in the villages of northern Moldavia precisely by the effect of this reconquest and repopulation of a profoundly devastated zone” (Stahl 1939).

The whole social history of Romanian society could be explained by the co-evolution of the two societal systems with a distinction for the Transylvanian country where, as Stahl underlined:

“the Hungarians conquered all the Romanian villages. Two races were in conflict, the victorious race reducing to serfdom the vanquished one, leaving only a few free villages, for example, in the region of Fagarash, which for a while was under the domination of the Wallachian State, and the military border zones where Maria Theresa and Joseph II later created the special Frontier’s, Regiments” (Stahl 1980, 1939).

Consequently, we may understand why in Transylvania, the clashes of the two systems took over a prevailing religious character. Moreover, different judicial or legal acts and memoirs addressed to the emperor and the Court of Vienna adopted profoundly the covenantal spirit. The well-known *Memorandum, Supplex Libellus Valachorum* etc. are examples of covenantal-minded documents. Such a peculiarity could explain why in the South-eastern Romanian Principalities the social uprisings are so infrequent while in Transylvania the social uprisings (peasantry revolts) are extraordinarily frequent and violent. We must hold over the fact that in Transylvania the societal organization was marked by the liquidation of the Romanian free villages system due to Hungarian conquest and peasants’ enserfment while in Walachia and Moldavia two other forms of societal system prevailed, both of them preserving the communal system until the 20th century.

Next the hierarchical system of the state was influenced profoundly by the communalist culture; it relied on it either by taxation or by direct military support. Free peasants participated in the common army with their own military equipment (lance and sword).

We must hold over, therefore, that the three Romanian principalities followed three evolutionary lines (despite which, the three areas preserved their unitary Romanian identity proving once more how important is the culture in the dynamic of history): in Transylvania almost all free communal villages have been enserfed by Hungarian warrior people while in the other Romanian Principalities the communal system has prevailed:

“two other forms created by the reconquest of the nomads, Wallachia’s being the work of a local class, Moldavia’s that of a class of Romanian warriors from Transylvania. If our hypothesis corresponds to reality, we should find the symptoms of these three types of social development, which, later on, in spite of their different origins, will slowly unify, tending toward the same final stage of belated capitalist penetration” (Stahl 1939, 16, 1980).

VILLAGE BOUNDARY AS THE GRID OF COMMUNAL LANDSCAPE CULTURE

The landscape was originally the facet of the communalist culture and it may be invoked as an “archaeological testament enabling one to reconstruct past stages of man’s social history” (Stahl 1939, 16, 1980). As a matter of fact, people have always spoken of the “eternal order of the fields” (Stahl 1980, 1939, 16)⁴³. The geometry of rural landscape speaks about the most archaic and profound layer of social memory. “the territorial complexes of Romania are also formed by a series of long strips arranged parallel to each other” (Stahl 1939, 16). This kind of memory is deeply encrusted on the land so that such an arrangement worked as a method of communal thought and as a deepest layer of communal organization that explains the reproductive way of social evolution proper to the communal society. The social history memorizes three types of communal arrangements that are also three networking strategies of societal reproduction of this kind of communal organization. The first type is of the “communes under the same yoke” (*sate injugate*); the second type is of the communes “related” (*insurarite*) and the third type is of the villages like “twin brothers” (*ingem nate*) (Stahl 1939, 16, 1946, 1959, 1980). The three types of partitioning the territory cover a whole region witnessing so of the more profound layer of communalist culture and type of social organization enrooted on the land enhancing so the conscience of autochthony to the natives (this organizational pattern found a lodgement in social mind as a cognitive map of rural communal landscape). It was as if the covenant and, therefore, covenantal society was written directly on the land and people have been

⁴³ See also (Maspétiol 1946). On the same topic, H. H. Stahl cites also: (Dion 1991, Roupnel 1932, Lizerand 1942).

willing to die for the land. Of course “this kind of partitioning of a whole region is not easily visible to the eye”⁴⁴. Figure 12 is a schematic form of the two types of village boundaries as a framing thought of drawing the rural communal landscape at a regional scale:

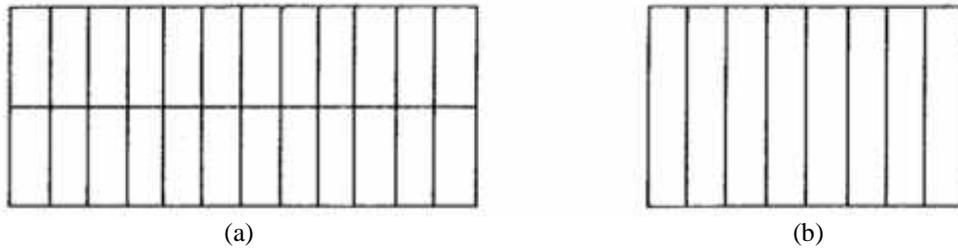


Figure 12. Types of village boundaries: (a) the ‘related’ type; (b) the ‘twin’ type
(Stahl 1939, 18).

This territorial grid, working altogether as a system of territorial partitioning and as a social mindset, has until now persisted in Romania. Consequently, we may conclude that the country is laid on grid villages, rivers’ and hill’s lines and therefore on a covenantal territorial memory. Below is “an example of an area with ‘twin’ territories and ‘round’ ones; free, mixed, and serf villages co-existed in the region of the Jiu and Gilort valleys in central Oltenia”, as Stahl mapped it (see Stahl 1946, 1959). This geometry of strips has been encompassed, as a distinct socio-territorial communal system, in the state. Studying the chronology of the communal village boundaries, Stahl proved that the village boundaries have existed from “time immemorial if not forever”. They, as a “vast operation of egalitarian inter-village partitioning, are parts of an immemorial communalist culture upon which the state itself has been constructed and remained definitely the foundational socio-territorial landscape of Romania. The clash between the two societal systems embraced therefore a form of territorial disputes and conflicts not only between individuals but also between social groups sharing different types of culture and/ or different ethnical belonging. As social memory is deeply encrusted on land it might be rediscovered long after the people of ancient times have passed away. I may call it *the memory of land* and it is an important part of the covenantal culture as the Country of the Holy Land has proved it. At the upper level this culture is fixed

⁴⁴ “Several remarks are in order here. It is hard to reproduce village boundaries on maps from the written description of the measurements found in the various documents. The peasant surveyors measured in ‘lengths walking on the land’, going over hills and through valleys in their own fashion without following the methods of modern surveying. There were no plumb lines and there was no way of sighting on a line with the horizon. Areas of equal size measured according to such ‘lengths’ can appear on a map as if they are unequal. It is just as important to note that measurement was not carried out on abstract surfaces but on real ones whose economic value was unequal. Land of inferior quality had to be compensated with grants of more land since a larger amount was needed to be considered equal to a smaller amount of better land. Also, surfaces were not measured as such. Only the three ‘lines’ were measured in order to determine the location of the ‘corners’ of the land” (Stahl 1980, 17–18)

under the territorial designation that, on the same time, played the role of administrative organization.

“The village commune is organized by a double (dichotomic terms) rule: the commune is split in two, lengthwise, the two halves named ‘upper part’ and ‘lower part’. For a whole group of old villages in Moldavia, where the reconquest of the territory from the nomads was more recent than in Wallachia and where the local social forms kept a more archaic nature than in other provinces, the documents mention also the existence of two rather enigmatic people called *knez* and *judec*. In other regions inhabited by Romanians, these prove to be village chiefs. In those villages with two *judeci*, the coupled halves of the village territory are designated by the term *judeci*. The names of the two *judeci* are sometimes used as geographic terms, based on their eponymous origin, while at the same time they are ‘socionyms’, that is, collective names for all those in one half of the village” (Stahl 1980, 22)⁴⁵.

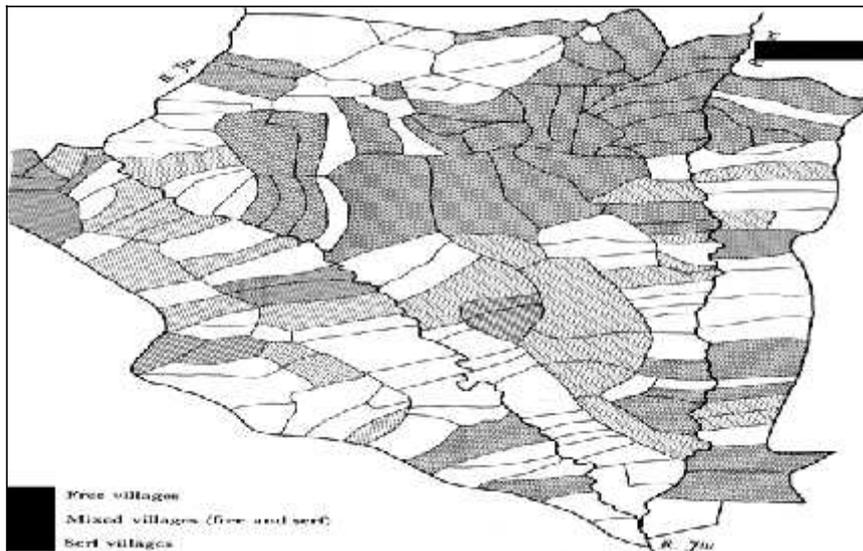


Figure 13. Map of the region of the Jiu and Gilort valleys in central Oltenia” with a communal landscape throughout an area with ‘twin’ territories and ‘round’ ones, where free, mixed, and serf villages co-exist (Stahl 1980, 18).

The communal pattern of social organization based on the communal villages and on the regional networks called confederations of villages wherefrom stemmed out voivodats and then states enabled the Romanians to survive and also to evolve

⁴⁵ “All of the statistics and the texts of cited documents come from (*Roller 1951–1960*). This includes twelve volumes plus a two volume place-name index for Wallachia from 1247 to 1627 and ten volumes for Moldavia from 1384 to 1620. For later documents we have used the collection (*Mihordea 1961–1966*). (Documents relating to agrarian relations in the seventeenth and eighteenth centuries), note from Stahl citation in (Stahl 1980, 22).

throughout history until nowadays (Stahl 1980). In the present time we assist to the most terrible meeting engagement of the two opposite societal and cultural systems like a final battle between equality and inequality.

CONCLUSION

1. The history of ancient Israel is characterized by a political conflict between egalitarian and stratified philosophies. The conflict came into existence with the institution of monarchy and the Temple.

2. The Sabbath and the seven-day week were a covenantal necessity and became a priestly yardstick of measuring time. Therefore the Sabbath has never been a matter of argument between the two schools.

3. New Moons are determined by the period of the moon; arguments about them were around their prominence.

4. Convocations are related to the cycle of the solar year which is not easy to determine. The two schools conflicted with each other because complex priestly methods empowered the educated priestly class with the responsibility for setting dates of convocations.

5. As far as the New Moon, Sabbath and convocations are concerned, the Oral Law reflects the legacy of accumulated tradition starting with pre-monarchic times and not an invention of Pharisees as some priestly Dead Sea documents claim.

6. Israel and the Roman Empire followed mirroring processes. In Israel the State and the Temple vanished but the covenantal system gained new life. In Rome the Empire faded away but its hierarchical system flourished anew.

7. Covenantal Christianity resisted extinction in some remote regions because they were less accessible, because covenantal systems are locally managed by the community and because their network organization allows loss of nodal points without endangering the whole grid.

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