

Wissenschaftliche Untersuchungen
zum Neuen Testament 66

Jews and Christians



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zum Neuen Testament

Begründet von Joachim Jeremias und Otto Michel
Herausgegeben von
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66

Jews and Christians

The Parting of the Ways
A. D. 70 to 135

edited by

James D. G. Dunn

The Second Durham-Tübingen Research Symposium
on Earliest Christianity and Judaism
(Durham, September, 1989)



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Preface

The papers which follow were first delivered at the second Durham-Tübingen Research Symposium on Earliest Christianity and Judaism, which met at the University of Durham in September 1989. The first symposium had met the previous year in Tübingen and focused on an earlier stage of the relationship between earliest Christianity and Judaism, “Paulus, Missionar und Theologe, und das antike Judentum”, the papers of which have already been published in the same series¹.

The first symposium commemorated the 50th anniversary of the great Tübingen theologian, Adolf Schlatter, 1852–1938². It was equally fitting that the second should honour the memory of one of the greatest scholars of earliest Christian texts, the Bishop of Durham, Joseph Barber Lightfoot, 1828–89, meeting as it did on the centenary of his death.

It is particularly appropriate that the spirit of Lightfoot should have presided over a joint Durham-Tübingen research symposium and on the subject of why and when earliest Christianity became something different from the Judaism of the same period. For Lightfoot’s scholarly work had been very largely dominated by his ongoing debate with F. C. Baur and the Tübingen school³. And the main theme of their debate was very close to the theme of the 1989 symposium.

Baur indeed had defined “the ultimate, most important point of the primitive history of Christianity” precisely as the issue of

“how Christianity, instead of remaining a mere form of Judaism . . . asserted itself as a separate, independent principle, broke loose from it, and took its stand as a new enfranchised form of religious thought and life, essentially different from all the national peculiarities of Judaism”⁴.

And Lightfoot did not disagree:

¹ *Paulus und das antike Judentum*, hrsg. M. Hengel & U. Heckel (Tübingen: J. C. B. Mohr, 1991).

² See the Vorwort to *Paulus* (n. 1).

³ See particularly M. Hengel, “Bishop Lightfoot and the Tübingen School on the Gospel of John and the Second Century”, *The Lightfoot Centenary Lectures (Durham University Journal, 1992)* 23–51.

⁴ F. C. Baur, *Paul, the Apostle of Jesus Christ* (1845; Eng. tr. London: Williams & Norgate, 1873) 3.

“If the primitive Gospel was, as some have represented it, merely one of many phases of Judaism . . . then indeed St. Paul’s preaching was vain and our faith is vain also”⁵.

Nor did Baur and Lightfoot disagree that the overlap between Judaism and Christianity⁶ was the crucial area of analysis if this “most important point of the primitive history of Christianity”, was to be clarified. It was Baur in fact who drew to historians’ attention the importance of the overlap and of the tensions between Jewish Christians and Gentile Christians in the shaping of Christianity. And Lightfoot was not unwilling to recognize the extent of the fractiousness between an expanding Gentile mission and those Christian Jews who continued to consider themselves Jews first and Christians second⁷.

Where Baur and Lightfoot disagreed was at three points of significance for the concerns of this volume. (1) Baur was willing to focus “the Christian principle” in an ideal spirituality or religious consciousness, which “looks beyond the outward, the accidental, the particular, and rises to the univesal, the unconditioned, the essential”⁸. He could therefore sum up the relation between Judaism and Christianity as that between Jewish particularism and Christian universalism. Lightfoot, equally concerned lest Christianity be seen simply as “one of many phases of Judaism”, could, however, not dissolve away so readily the classic tenets and dogmas of Christian faith regarding the person and work of Christ. Theologically uncritical where Baur was radical, he at least recognized that there is a *christological* particularity in earliest Christianity, as irreducible as the *national* particularity of Judaism. The underlying theological question with which the symposium wrestled was precisely this: how and why the Jewish national particularism and the Christian christological particularism came into ever sharper confrontation until a decisive parting of the ways was unavoidable.

(2) Baur saw a process of development and ongoing struggle between Petrine Christianity and Pauline Christianity which did not come to resolution till the latter part of the second century. Lightfoot did not dispute the aspect of struggle, and thus of development as shaping the character of earliest Christianity. But he took it largely for granted, again rather uncritically, that the essentials of Christian faith were established early on⁹, and that the battle for

⁵ J. B. Lightfoot, *Saint Paul’s Epistle to the Galatians* (London: Macmillan, 1865) xi.

⁶ We may include in the overlap the Jewish character of Christianity, Christian Jews, Jewish Christians and judaizing Gentile Christians.

⁷ “The systematic hatred of St Paul is an important fact, which we are too apt to overlook, but without which the whole history of the Apostolic ages will be misread and misunderstood” (Lightfoot, *Galatians* p. 311).

⁸ F. C. Baur, *The Church History of the First Three Centuries* (1853; Eng. tr. Williams & Norgate, 1878–79) 33.

⁹ The full quotation cited above in abbreviated form (n.5) reads: “If the primitive Gospel was, as some have represented it, merely one of many phases of Judaism, if those cherished

the soul of Christianity had been fought by Paul and already won in the first two generations of Christianity¹⁰. These issues too were at the heart of the symposium's debate: to what extent was the character of Christianity already established within the time of Paul (or even earlier?), and to what extent is the Christianity which emerged in the middle of the second century the product of the tensions experienced during the pulling apart of Christianity and Judaism? To what extent, in other words, was "the parting of the ways" between Christianity and Judaism inevitable and unavoidable from the first, and to what extent was that parting itself a historical accident? And, we may add, to what extent are these mutually incompatible alternatives?

(3) The third decisive difference between Baur and Lightfoot was over method. Baur began with exegetical conclusions drawn from the undisputed Pauline letters, indicating „the opposition between Petrine and Pauline Christianity in the earliest church"¹¹, but he then extrapolated them to the whole history of Christian beginnings, read through the lenses of an overarching philosophical schema. Lightfoot began, but also continued unbendingly steadfast with rigorous historical analysis of language and context: how these words would have been understood, given the usage of the time; how these arguments or episodes fit into what we know of the history of the period from other sources. There can be no doubt which of the two produced the more convincing and lasting results. If Baur asked legitimate and still pertinent theological questions, Lightfoot provided an essential methodology to answer such questions insofar as they relate to historical texts and events of Christian beginnings.

It is also significant that Lightfoot delivered the *coup de grâce* for Baur's reconstruction of early Christianity by means of his magisterial study of Clement and particularly of Ignatius¹². For in these volumes he demonstrated beyond reasonable doubt that seven letters are to be attributed to the Ignatius of Antioch who was martyred in about 110, and thus was able to provide a firm historical timescale for the state of affairs which these letters reflect well in advance of Baur's. The same instinct pushed the symposium to focus on the period between the Jewish revolts (70–132), a hunch that the years between apostolic age and post apostolic age, between second Temple Judaism and rabbinic Judaism, between the Jewish Christianity of James and Jerusalem and

beliefs which have been the life and light of many generations were afterthoughts, progressive accretions, having no foundation in the Person and Teaching of Christ, then indeed St Paul's preaching was vain and our faith is vain also."

¹⁰ "The great battle with this form of error (Ebionism) seems to have been fought out at an early date, in the lifetime of the Apostles themselves and in the age immediately following" (*Galatians* p. 336).

¹¹ I refer, of course, to Baur's seminal essay – "Die Christuspartei in der Korinthischen Gemeinde, der Gegensatz des petrinischen und paulinischen Christentums in der älteren Kirche, der Apostel Petrus in Rom", *Tüb. Z. Th.* V: 4 (1831) 61–206.

¹² *The Apostolic Fathers. Part II, S. Ignatius, S. Polycarp* (London: Macmillan, 1885).

the Jewish Christianity of which the Fathers speak, are the hinge on which major issues hung and decisive events turned. It was the urge to shed further light on these obscure but crucial years which was the principal inspiration behind the symposium.

The symposium followed the pattern set at previous symposia mounted by Tübingen, beginning on the Monday evening and lasting till Friday lunchtime. A complete plenary session was devoted to each paper, and social occasions included a reception by the University, a visit to Bishop Auckland to pay our respects to the grave of Bishop Lightfoot, and a tour of the Cathedral and the Lightfoot Exhibition, followed by a reception by the Dean and Chapter. This mix of intensive working sessions (thirteen in all) and opportunity for more casual conversation over coffee, at meals together and on such social occasions, provides a blend which is most conducive to good working relations and which seems to maximise the interchange of ideas and views. The meetings of the Symposium in a room of the old library overlooking Palace Green made a most congenial setting in which even strongly held opinions could be critiqued and defended without rancour.

As well as the participants who contributed papers, the Symposium included Professor C. K. Barrett, emeritus of Durham, Mr Stephen Barton, who had recently joined the Department of Theology in Durham, and several research students – Ulrich Heckel, Anna Maria Schwemer and Naoto Umemoto (from Tübingen), and John Chow, Ellen Christiansen, Theodore Harman, Herbert Langford, Bruce Longenecker and Nicholas Taylor (from Durham). I am particularly grateful to the latter who provided an indispensable organisation-team to whom the smooth running of the Symposium and its supporting events was largely due. Thanks also to Mateen Ellass who has provided the indexes for the volume.

I wish also to express grateful thanks to the British Academy, the University of Tübingen, and the University of Durham's Research Committee and Department of Theology for the financial support which made the Symposium possible. Also to the University of Durham, St Chad's College, SPCK and the Dean and Chapter for their hospitality. Also to J. C. B. Mohr for their readiness to publish both volumes of the two symposia, despite their size. And not least to Martin Hengel, my co-organiser for the two symposia, whose constant concern and counsel made my task in preparing these pages for publication so much easier and the more rewarding.

It should be noted that the working title for the Symposium was the sub-title of the present volume, as is reflected in the many references to "the parting of the ways" in the following pages.

‘The Parting of the Ways’ from the Perspective of Rabbinic Judaism

by

PHILIP S. ALEXANDER

A. The Structure of the Problem

“When did Christianity and Judaism part company and go their separate ways?” is one of those deceptively simple questions which should be approached with great care. Though formulated in historical terms it cannot easily be answered within a narrow historicist framework. It raises profound contemporary theological issues and, if not handled sensitively, can quickly become entangled in apologetics and confessionalism. Time spent on clarifying the structure of the question will not, consequently, be wasted.

The standpoint of the question is implicitly modern. In effect what it is asking is how we have reached the present situation in which Christianity and Judaism are manifestly separate religions. Traditionally Christianity has defined itself in opposition to Judaism: a central element of its self-assertion has been that it is *not* Judaism. Two events of the twentieth century have, indeed, strongly challenged this traditional Christian position. The Holocaust has called into question Christian anti-Judaism. And the renaissance of Judaism in modern times, with the establishment of the State of Israel, has cast doubt on Christian triumphalist assumptions that Jews are politically powerless, their culture a fossilized anachronism. There are signs that in some areas of the Church a radical reappraisal of the traditional Christian theology of Judaism is in progress. Nevertheless the belief that Christianity has transcended Judaism, that it stands over against Judaism, remains a pillar of Christian self-definition and self-understanding. Judaism has, perhaps, shown less overt concern to formulate the theology of Christianity. Christianity figures little in traditional Jewish sources. Yet appearances can be deceptive. The very lack of explicit reference can be exploited as an apologetic device to support the view that Judaism is the older faith and so possesses at least *prima facie* a superior claim to legitimacy. In actual fact Judaism has arguably increasingly defined itself in contrast to Christian-

ity. A central element of *its* self-understanding and self-assertion has become that it is *not* Christianity.

Christianity and Judaism, then, coexist today not only as institutionally and theologically independent religious systems, but as religions which stake out their respective territories in a mutually exclusive way. This was not, of course, always the case, for Christianity originated as a religious movement *within* Second Temple Judaism. If we picture Judaism and Christianity as circles we can graphically represent how we reached the present state of affairs as follows. Today the circles stand side by side essentially in self-contained isolation. If we move the horizon of time backwards this monadic relationship remains more or less constant until we come roughly to the fourth century of the current era. Then an important development takes place: we observe the circles approaching and beginning to overlap. The area of overlap is occupied by a group of people – the Jewish Christians – who claimed to belong to *both* faith communities, to both Christianity *and* Judaism. If we push the temporal horizon back still further the overlap steadily increases till we reach a point sometime in the mid-first century C. E. when the circle of Christianity is entirely contained within the circle of Judaism. The question to be addressed is how and why did the circles separate.

A common way of tackling the problem of the parting of the ways is to start out by establishing a normative definition of Judaism, and then trying to discover how and when Christianity diverged from that norm. Since there are clearly radical aspects to early Christianity the tendency has been to see the parting of the ways as having taken place early, usually in the first or early second century C. E. Some analyses so stress the radicalism of early Christianity as to suggest that the parting of the ways occurred almost *ab ovo*. Two main approaches have been adopted in order to lay down the baseline from which the divergence of Christianity can be measured. The first involves retrojecting Rabbinic Judaism into first century Pharisaism and arguing in effect that Pharisaism is identical with normative Judaism. This approach is broadly exemplified in the work of Hyam Maccoby and Lawrence Schiffman¹. The second approach involves trying to determine the essence of first century Judaism, the irreducible common denominator of all, or most of, the Jewish sect or parties. Ed Sanders' "covenantal nomism" represents a brave attempt to follow this line². Both these approaches are problematic. It is, in fact, extremely difficult, using strictly historical criteria, to lay down a norm for Judaism in the

¹ H. Maccoby, *The Mythmaker: Paul and the Invention of Christianity* (Weidenfeld and Nicolson: London 1986); L. H. Schiffman, *Who Was a Jew? Rabbinic and Halakhic Perspectives on the Jewish-Christian Schism* (Ktav: Hoboken, New Jersey 1985). In fairness to Schiffman it must be said that his work is much less obviously polemical and confessional than Maccoby's (though see note 38 below).

² E. P. Sanders, *Paul and Palestinian Judaism* (SCM: London 1977).

first century. The attempt to do so sometimes barely conceals apologetic motives – in the case of Christians a desire to prove the Christianity transcended or transformed Judaism, in the case of Jews a desire to suggest that Christianity was an alien form of Judaism which deviated from the true path.

The following three points will serve to indicate the distinctive standpoint of this paper.

(1) Rabbinic Judaism cannot easily be equated with normative Judaism before the third century C. E., and even then only in Palestine. The reason for this is that it was not until the third century that a majority of the Jews of Palestine accepted the authority of the Rabbinate. Nevertheless Rabbinic Judaism must remain central to discussion of the parting of the ways even when we are talking of the first and second centuries, not because it represented normative Judaism then, but because it was the form of Judaism which ultimately triumphed and *became* normative Judaism. The forward-looking character of the question should always be borne in mind.

(2) It is simplistic to look for a decisive *moment* in the parting of the ways, a crucial doctrine or event that caused the final rupture. There was no sudden break between Christianity and Judaism, but rather an ever-widening rift. The War of 66–74 destroyed whatever existed of a centralized religious authority within Judaism and so removed the institutions which might have speedily and definitively resolved the problem of the status of Christianity. There were radical aspects to the Christian message which aroused opposition not only from the Pharisaic-Rabbinic party, but it was not inevitable that such radicalism should have led to a parting of the ways. History surely can provide examples of radical movements which have successfully transformed themselves into the dominant orthodoxy. In the power-vacuum created by the First Revolt the Rabbinic party and the Christians competed for the hearts and minds of Jewry. The Rabbis emerged victorious. It was the gradual rabbinization of Palestinian Jewish society that pushed Christianity and Judaism ever further apart.

(3) Jewish Christianity must be seen as playing a central role in the story of the parting of the ways. Jewish Christianity continued to represent Christianity *within* the Jewish community even after substantial parts of the Church had become Gentile. It blurred the boundaries and retarded the final separation. So long as Jewish Christianity remained a significant presence within the Palestinian Jewish community it is hard to talk of a final rupture. Rabbinic policy towards Christianity was aimed specifically at the Jewish Christians. It attempted successfully to keep them marginalized and to exclude them from *Kelal Yiśra'el*. The story of the parting of the ways is in essence the story of the triumph of Rabbinism and of the failure of Jewish Christianity to convince a majority of Palestinian Jews of the claims of the Gospel.

B. Elements of a Rabbinic Policy Towards the Christians

a) *Who was a Jew?*

The Rabbinic world-view is expressed first and foremost in the *halakhah*, so it is logical to begin an analysis of Rabbinic policy towards Christianity by considering the question: What was the halakhic status of the Christians?

The *halakhah* defines with reasonable precision who is and who is not a Jew. According to *halakhah* one acquires the status of a Jew either by birth or conversion. Jewishness is acquired by birth if one's *mother* is Jewish; the status of the *father* is immaterial to the status of the child. For conversion to be valid it must be overseen by the appropriate Rabbinic authorities and must follow an established procedure which involves (a) instruction in and acceptance of the Torah, (b) circumcision (for males), (c) ritual immersion (for both males and females), and (d) the offering of a sacrifice³.

Broadly speaking Jewish status, once acquired, cannot subsequently be lost. This view is obviously logical when applied to the Jew by birth, since the historical facts of one's parentage cannot be retrospectively altered. It is perhaps less obvious in the case of the Jew by conversion, since there is an element of mental assent involved in conversion which can subsequently be reversed. Rabbinic authorities have tended to be ambivalent about proselytes. According to some traditions a stigma attaches to the proselyte, and proselytes are permitted to marry *mamzerim*, which is forbidden to Israelites. However, the common view appears to be that a valid conversion establishes an irreversible fact just as surely as do the facts of one's birth⁴.

It is important to be clear what is implied by saying that Jewish status, once it has been validly acquired, is inalienable. It means that a Jew remains obligated

³ For useful, if late, summaries of the *halakhah* see Massekhet Gerim and Maimonides, *Yad: 'Issurei Bi'ah* XII–XV. Note *'Issurei Bi'ah* XV,4: "The general rule is that the child of a male slave, a male heathen, a bondswoman, or a heathen woman has the status of his mother, the father not being considered." Further discussion in Schiffman, *Who was a Jew?*, pp. 9–49. Much of the "Who was a Jew?" debate fails to mention the fact that "Jew" (*Yehudi*) is not, strictly speaking, a meaningful halakhic category, Mishnah Qiddushin 4:1, which lists the ten genuinely halakhic categories of those who came up from Babylon, does not include "Jew".

⁴ Maimonides, *'Issurei Bi'ah* XV,8: "If a proselyte woman marries a proselyte and gives birth to a son, even though both conception and birth have taken place after they had become proselytes, the son is nevertheless permitted to marry a female *mamzer*. And so on down to his great grandson, until his proselyte descent sinks into oblivion, and the fact that he is a descendant of proselytes is no longer known." Cf. *'Issurei Bi'ah* XII,17: "All heathens, without exception, once they become proselytes and accept all the commandments enjoined in the Torah, and all slaves, once they are manumitted, are regarded as Israelites in every respect, as it is said, 'As for the congregation, there shall be one statute both for you and for the stranger (*ger*)' (Nu 15:15)." The traditional view is that the three rites of conversion – circumcision, immersion and sacrifice – replicate the three rites by which Israel entered into the Covenant (*'Issurei Bi'ah* XIII,1–5).

to fulfil the Law, even if he renounces the Law and apostasizes. And if, having apostasized, he desives to return he will be accepted back without conversion. This view came to be classically expressed in the maxime: "Even though he sins he remains an Israelite" ('af 'al pi še-ḥaṭa' Yiśra'el hu')⁵ – even if the "sin" involves conversion to, and profession of, another religion. This is not to suggest, however, that apostasy is of little importance. Rabbinic Judaism uses other concepts besides halakhic satus to define the limits of the Community. It has, for example, a strongly developed notion of "heresy" (*minut*). A heretic (*min*), if not strictly outside the Community *de jure*, is certainly outside it *de facto*. He not only loses the blessings of the Covenant in this life, but runs the risk of losing his portion in the world to come. In other words his "Jewishness" in an eschatological perspective may prove to have been of no significance. It is as if he had never belonged to *Kelal Yiśra'el*⁶.

The classic Rabbinic definition of Jewishness is well established by the Amoraic period, and there are signs that it was already current in Tannaitic times. Elements of it have been found even in Second Temple texts. For example, it has been argued that Ezra 10:2–3 already implies that Jewish status is inherited through the mother and not the father⁷. Two point should, however, be made. First, in the absence of clear evidence it would be wrong to retroject the fully articulated *halakhah* regarding who is a Jew back into Second Temple Judaism. Doubtless the *halakhah* grew in fullness and precision over time. Second, the Rabbinic definition of Jewishness was probably not normative within Judaism before Amoraic times at the earliest. It is likely that it was

⁵ Though the maxim is derived from Bavli Sanhedrin 44a, it has been argued that its *halakhic* use dates only from the Middle Ages. This may be strictly true, but the view which the maxim has been taken to express was surely current in Talmudic times, and, indeed, seems to follow logically from the inalienability of Jewish status. See J. Katz, "'Af 'al pi še-ḥaṭa' Yiśra'el hu'", *Tarbiš* 27 (1957–58), pp. 203–17. Further, Schiffman, *Who was a Jew?*, p. 97 note 52.

⁶ The *locus classicus* is Mishnah Sanhedrin 10:1. Maimonides, in his Commentary *ad loc*, in which he enunciates his famous Thirteen Principles of Judaism, comments thus: "When all these [Thirteen] Principles are held as certain by a man and his faith in them is firm, then he belongs to the Community of Israel (*Kelal Yiśra'el*), and there is an obligation to love him, to have compassion on him, and to perform for him all the acts of love and brotherhood which God has commanded us to perform one for another. Even if he has committed every possible sin because of lust, or because his lower nature got the better of him, though he will surely be punished to the extent of his rebellion, yet he still has a share in the world to come, and is regarded as 'a sinner in Israel'. However, if a man doubts one of these principles he has left the Community, has denied a basic principle, and is called a heretic, an Epicurean, and a 'cutter of plants'. There is an obligation to hate and to destroy him, and of him Scripture says: 'Shall I not hate those who hate you, O Lord' (Ps 139:21)". Cf. also Tosefta Sanhedrin 13:4 quoted in note 12 below.

⁷ Mishnah Qiddushin 3:12; Tosefta Qiddushin 4:6; Yerushalmi Yevamot II,6 (4a) ("Your son by a Israelite woman is called your son, but your son by a Gentile woman is not called your son but her son"). Schiffman (*Who was a Jew?* pp. 12–13) argues that the description of Herod as "a half Jew" at Josephus, *Antiquities* XIV 403, relates to the fact that his father was Jewish (though a descendant of a convent), but his mother was non-Jewish.

only one of a number of ways of deciding who was a Jew in the Second Temple and Tannaitic eras⁸. It was not the common law of Israel, but an element of the *halakhah* advocated by the Rabbis, which in the end gained widespread (though by no means universal) acceptance.

Viewed from the perspective of the halakhic definition of who was a Jew, it is clear that for the Rabbis the early Christians fell into two broad groups: (a) there were those who were Israelites by birth and who were halakhically Jewish; and (b) there were those who were non-Jews. Since the latter group had never undergone a valid Rabbinic conversion, they were not in the Covenant and never had been. They were bound by the Noachide commandments, not by the Torah of Moses. Despite their claims to be the “true Israel” and “Abraham’s sons through faith”, they were halakhically “heathen” (*ovedei kokhavim*). The former group, however, remained halakhically Jewish and were still obligated to accept the yoke of the Torah. It was with these halakhically Jewish Christians that the Rabbis were most concerned. The Rabbis had at their disposal a variety of terms for those whom they wished to describe as standing outside the Community of Israel: *minim* (“heretics”); *mešummadim* (“apostates”); *ḥiṣonim* (“outsiders”); *Kutiyyim* (“Samaritans”); *ovedei kokhavim* (“heathens”: lit. “star-worshippers”)⁹. The Rabbis appear most frequently to categorize the Christians as *minim*. Though they define the detailed relationship between the various types of outsider and the Rabbinic Community in subtly different ways, they broadly treat *all* outsiders alike and often compare one type to another. They advocated a policy of reducing to a minimum contacts between outsiders and Rabbinically observant Jews. Their treatment of the Jewish Christians was in line with this general policy: they tried to exclude them from the synagogues and to persuade other Jews to ostracize them in social and even in commercial life.

b) *The Cursing of the Heretics*

Bavli Berakhot 28b–29a:

- A. “Our Rabbis taught:
- B. Shim’on ha-Paḳoli arranged the Eighteen Benedictions in order before Rabban Gamliel at Yavneh.
- C. Rabban Gamliel said to the Sages: ‘Is there no-one who knows how to compose a benediction against the heretics (*minim*)?’
- D. Shmu’el ha-Qatan stood up and composed it.
- E. Another year he forgot it and tried to recall it for two or three hours, yet they did not remove him.”

⁸ For other ways of defining who was a Jew in late antiquity see M. Goodman, *Who was a Jew?* (Oxford Centre for Postgraduate Hebrew Studies: Yarnton, Oxford, 1989).

⁹ Mishnah ‘Avodah Zarah and Massekhet Kutiyyim are useful texts with which to begin exploring Rabbinic ideas about the limits of the Community.

Birkat ha-Minim (Palestinian Recension)¹⁰:

- A. For apostates (*mešummadim*) may there be no hope,
- B. And the arrogant kingdom (*malkhut zadon*) uproot speedily in our days.
- C. May the Christians (*nošerim*) and the heretics (*minim*) perish in an instant.
- D. *May they be blotted out of the book of the living,*

And may they not be written with the righteous (Ps 69:29).

- E. Blessed art Thou, O Lord, who humblest the arrogant."

Bavli Berakhot 28a–29b is given as a baraita which claims to report events at Yavneh in the late first century C. E. It should be noted, however, that the baraita is found only in the Bavli. Unit E above, regarding Shmu'el ha-Qatan forgetting the wording of the benediction, is paralleled in Yerushalmi Berakhot V,4 (9c) but not units A to D. Yerushalmi Berakhot IV,3 (8a), in a different tradition, also links the *Birkat ha-Minim* to Yavneh: "If a man says to you that there are seventeen benedictions, say to him: The Sages set 'Of the Minim' in the prayer at Yavneh." The existence of a *Birkat Minim* can be traced back with some confidence to the first half of the second century C. E. Perhaps the earliest securely dated evidence for its use may be found in Justin's references to the Jews cursing the Christians in synagogue (*Dialogue* xvi, xcvi). But the precise connection of the *Birkat ha-Minim* with Shmu'el ha-Qatan and with an editing of the synagogue liturgy at Yavneh in the time of Gamliel II is attested only in comparatively late strata of Rabbinic literature. This fact should be borne constantly in mind in reconstructing the history of the benediction, and too much weight should not be placed on the uncorroborated testimony of Bavli Berakhot 28b–29b.

The language of Bavli Berakhot 28b–29a seems carefully chosen and precise. The editing of the Eighteen Benedictions to which it refers was "official", since it took place in the presence of the Nasi' ("before Rabban Gamliel"). The editing took the form of arranging in order the benedictions (*hisdir/sidder . . . 'al ha-seder*). Shim'on ha Paqoli produced a *siddur* out of existing material: the implication appears to be that the substance of the benedictions was only minimally affected. In the context of this editing of the benedictions Gamliel asks someone "to compose" (*letaqqen*) a benediction against the *minim*. The implicit contrast between "ordering" and "composing" suggests that the *Birkat ha-Minim* was a new text. However, analysis of the *Birkat ha-Minim* itself throws this in some doubt. Though it is impossible now to reconstruct the original wording of the benediction from the numerous variant texts, it is clear that all the extant versions combine two quite disparate motifs: they pray for the overthrow of the "arrogant kingdom" (which would naturally be taken as a reference to Rome), and they pray for judgement on the *minim*. It is quite clear

¹⁰ See S. Schechter, "Geniza Specimens", *Jewish Quarterly Review* o. s. 10 (1896), pp. 656 f. Further, J. Mann, "Genizah Fragments of the Palestinian Order of Service", *Hebrew Union College Annual* 2 (1925), pp. 269 ff.

from Rabbinic literature that judgement on the *minim* is seen as the focus of the benediction: hence its title “Of the *Minim*”. Why then introduce “the arrogant kingdom”? One solution would be to suppose that the reference to the arrogant kingdom is secondary and dates from after the time of Constantine when, to use the language of a late addition to Mishnah Soṭah 9: 15, “the kingdom was turned to *minut*”. The *minim* on this view would definitely be the Christians. But this suggestion is not entirely satisfactory. The motif of the arrogant kingdom actually forms the framework of the benediction: note how the concluding formula, which normally draws out the central point, refers to “humbling the arrogant” and makes no mention of the *minim*. It is more likely that the *Birkat ha-Minim* is a restatement of an earlier benediction calling for the overthrow of Israel’s oppressors. The question remains: why insert a condemnation of the *minim* specifically into a benediction directed against the political oppressors of Israel? It has been suggested that the benediction as it now stands is a prayer for divine judgement and envisages that judgement as beginning first with the wicked of Israel and then extending to the nations¹¹. This is speculative and perhaps a little oversubtle. The point may simply be to condemn the *minim* by association, by lumping them together with the enemies and oppressors of Israel.

Who were the *minim* against whom the benediction was directed? Patristic evidence makes it clear that the *Birkat ha-Minim* was undoubtedly applied to Christians, and, indeed, the Palestinian recension quoted above specifically mentions “the Christians” (*noṣerim*), in what may be, in effect, an explanatory gloss on *minim*. However, the term *minim* in Rabbinic literature is not confined to Christians, but applies to “heretics” in general. Other pejorative terms are found in the various versions of the benediction: “wicked” (*reša'im*), “sinners” (*poše'im*), “slanderers” (*malšinim*), “informers” (*mose'rim*), “apostates” (*mešummadim*), “renegades” (*perušim*)¹². But it should be noted that these terms are general and uncontentious in a way that *minim* is not. There would

¹¹ W. Horbury, “The Benediction of the *Minim* and Early Jewish-Christian Controversy”, *Journal of Theological Studies* 33 (1982), p. 42.

¹² *Perušim* can, of course, mean “Pharisees” (see e. g. Mishnah Yadayim 4:4–6), but there was surely never a Benediction against the Pharisees! It is normally assumed (e. g. Jastrow, *Dictionary* 1222a) that *paruš* was used in two opposed senses: (1) “seceder”, “renegade”, and (2) “abstemious”, “saintly” = “Pharisee”. However, it is possible that the Benediction against the *Perušim* was aimed not at seceders like the Samaritans, or even like the Qumran sect, but at over-scrupulous people, too holy to worship or socialize with the rest of the Community. Note Hillel’s dictum in Mishnah Pirḳei ’Avot 2:4; “Do not separate yourself from the Community” (*’al tifroš min ha-šibbur*), and Tosefta Sanhedrin 13:5 (cf. Bavli Rosh ha-Shanah 14a): “But as for the *minim*, and the apostates (*mešummadim*), and the betrayers (*mesorot*), and the *’epiqorsin*, and those who have denied the Torah, and those who have departed from the ways of the community (*poreshin mi-darkhei ha-šibbur*), and those who have denied the resurrection of the dead, and anyone who has sinned and caused the congregation (*ha-rabbim*) to sin, and those ‘who have set their fear in the land of the living’ (Ezek. 32:24), and those who have stretched out their hand against Zebul [= the Temple], Gehinnom is closed in their faces

doubtless have been a consensus within a congregation that “apostates” and “sinners” should be damned: they had self-evidently put themselves beyond the pale. The term *min*, however, was much sharper, in that it discriminated among those who continued to worship with the Community and to proclaim their loyalty to Israel. It is as important to note the term *min* itself as it is to identify the specific group or groups to whom it is referred. The term marks a significant attempt to draw a distinction between orthodoxy and heresy. In Rabbinic terms a *min* was basically a Jew who did not accept the authority of the Rabbis and who rejected Rabbinic halakhah. Hence insofar as it applies to Christians, it must refer primarily to *Jewish* Christians. In condemning the *minim* the Rabbis were in effect condemning all who were not of their party: they were setting themselves up as the custodians of orthodoxy. The original benediction against the arrogant kingdom may have contained also references to the “wicked” and other general types of miscreant. The Rabbinic reformulation, which almost certainly used the term *minim*, turned the benediction into a pointed attack on the Rabbis’ opponents. This growing consciousness of orthodoxy shows a turning away from the more pluralistic attitudes of Second Temple times. Indeed, it is possible that the use of the term *min* in the sense of “heretic”, rather than “member of a sect” (in a broadly neutral sense), was a distinctively Rabbinic usage¹³.

What was the purpose of introducing the *Birkat ha-Minim*? If our earlier line of reasoning is correct, then the answer must be: To establish Rabbinism as orthodoxy within the synagogue. The power of cursing was taken seriously in antiquity: no-one would lightly curse himself or his associates, or put himself voluntarily in the way of a curse. A Christian, or any other type of *min*, could not act as precentor if the *Birkat ha-Minim* were included in the Eighteen Benedictions, for by reciting it he would be publicly cursing himself, and the congregation would say, Amen!. Nor could a *min*, even as a member of the congregation, easily say Amen! on hearing the benediction¹⁴. Thus the *minim* and they are judged there for ever and ever”. Note also the negative list of the seven types of *paruš* in Yerushalmi Berakhot 9:7 (14b).

¹³ It is curious that the etymologies of the terms *min*, *mešummad* and *mumar* (which often interchanges with *mešummad* in the manuscripts) are all problematic. They all appear to be distinctively Rabbinic, in the sense that they are unattested outside Rabbinic texts. The definition of a *mešummad* in Bavli Horayot 11a as “one who ate animals not ritually slaughtered. . .” must surely represent an intensification and Rabbinization of the term. The definition of *mešummadim* in Sifra *Va-yiqra* 2:3 (ed. Weiss 4b) as those who “do not accept the Covenant” is more likely to correspond to common usage.

¹⁴ Tanhuma Vayyiqra 3 (ed. Buber 2a): “He who goes before the ark and makes a mistake – in the case of all other benedictions he is not made to repeat, but in the case of the *Birkat ha-Minim* he is made to repeat whether he likes it or not, for we take into consideration that he may be a *min*. He is made to repeat so that if he should have a heretical tendency he would be cursing himself and the congregation would answer, Amen!” The argument of R. Kimelman (“*Birkat ha-Minim* and the Lack of Evidence for an Anti-Christian Jewish Prayer”, in: E. P. Sanders (ed.), *Jewish and Christian Self-Definition* [Fortress Press: Philadelphia 1981], p. 227)

would effectively be excluded from public worship. There are other examples of ritual cursing being used in ancient Jewish liturgies as a way of publicly marking the boundaries of a group. The most pertinent example is the recitation of the negative form of the Priestly Blessing to curse “the men of the lot of Satan” during the festival of the renewal of the covenant at Qumran (1Qs II).

According to Bavli Berakhot 28b–29a the *Birkat ha-Minim* was formulated at Yavneh. But it would be wrong to imagine the Yavneh was in any position to force it upon the synagogues of Palestine, let alone of the Diaspora. The synagogue was not a Rabbinic institution and there was no mechanism by which the Rabbis could have imposed their will directly on it. How then was the *Birkat ha-Minim* introduced into the synagogue? A Rabbi, or a follower of the Rabbinic party, if asked to act as precentor in the synagogue, would have recited the Rabbinic form of the Eighteen Benedictions. Since the text of the prayers was still fluid, such innovation in itself would probably have caused little surprise. It is also possible that Rabbinic Jews would have interrupted the service from the body of the congregation and insisted on the Rabbinic *Birkat ha-Minim* being recited. Mishnah Megillah 4:9 alludes to the practice of rebuking a *meturgeman* publicly during the service if he delivers one of the forbidden Targumim¹⁵. A similar strategy could have been used to impose the *Birkat ha-Minim* on the synagogues. Bavli Berakhot 29a states: “If a reader errs in any other benediction, he is not dismissed, but if he errs in that of the *minim*, he is dismissed, for he himself may be a *min*” (cf. Yerushalmi Berakhot V,4 [9c]). In this way the Rabbinic *Birkat ha-Minim* may have been introduced into the synagogue service. In the end it was accepted as standard, but this acceptance undoubtedly would have taken some time.

and S. T. Katz (“Issues in the Separation of Judaism and Christianity after 70 C.E.: A Reconsideration”, *Journal of Biblical Literature* 103 [1984], pp.74f.) that the benediction against the *minim* would not be specific enough to cause problems for the Jewish Christians (since the Christian could always say to himself, “I am not a heretic; the benediction must apply to someone else”) has some force. Magical praxis in the ancient world certainly tried to name the object of an incantation as precisely as possible. However, it should be borne in mind that the *Birkat ha-Minim* was a Rabbinic benediction (indeed, *min* = “heretic” may be a Rabbinic coinage: see note 13 above). So anyone opposed to the Rabbis would have felt threatened.

¹⁵ Mishnah Megillah 4:9: “If a man says in his prayer, ‘Good men shall bless you!’ this is the way of heresy (*minut*); if he says, ‘Even to a bird’s nest do your mercies extend’, or ‘May your name be remembered for the good you have done!’ or ‘We give thanks, we give thanks!’ they silence him. He who paraphrases the laws regarding the forbidden degrees (Lev 18:6–18), they silence him. He who says, ‘And you shall not give any of your seed to make them pass through [the fire] to Molech’ (Lev 18:21) means ‘And you shall not give of your seed to make it pass to heathendom’, they silence him with a rebuke.” Cf. Mishnah Berakhot 5:3. This tradition of interrupting the service to insist that a particular order should be followed, or particular forms of prayer used, should, perhaps, be set in the context of the long established tradition of “zeal for the Law”, whereby private individuals had a right and a duty to enforce the Law, even to the extent of resorting to violence. See M. Hengel, *The Zealots* (T. & T. Clark: Edinburgh 1989), pp. 146–228.

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