Wissenschaftliche Untersuchungen
zum Neuen Testament 66

Jews and Christians

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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 series[1].

The first symposium commemorated the 50th anniversary of the great Tübingen theologian, Adolf Schlatter, 1852–1938[2]. 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 school[3]. 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:

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[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 und Lightfoot disagree that the overlap between Judaism and Christianity[6] 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 second[7].

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 on[9], and that the battle for

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[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 Christianity[10]. 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 Ignatius[12]. 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

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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 liberary overlooking Palace Green made a most congenial setting in which even strongly held opinions could be critiqued and defendeded 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 Elass 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.

Durham, June 1992 James D. G. Dunn

'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 with 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 Schiffman[1]. 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 line[2]. 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 then 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 sucessfully 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* in 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 sacrifice[3].

Broadly speaking Jewish status, once acquried, 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 subsequentely 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 in irreversible fact just as surely as do the facts of one's birth[4].

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

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[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'ha* 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 Convenant (*'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 Convenant 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 bleonged 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 father[7]. Two point should, however, be made. First, in the absence of clear evidence it would be wrong to retroject the fully articuled *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

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[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'*", *Tarbiṣ* 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 Quiddushin 3:12; Tosefta Qiddushin 4:6; Yerushalmi Yevamot II,6 (4a) ("Your son by a Isralite 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 eras[8]. 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 Convenant 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 commerical life.

b) The Cursing of the Heretics

Bavli Berakhot 28b–29a:

A. "Our Rabbis taught:
B. Shim'on ha-Paqoli 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."

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[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 (*noṣerim*) 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 benedicitions, say to him: The Sages set 'Of the Minim' in the prayer at Yavneh." The existence of a *Birkat Minim* can be taced 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 reconstruction 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. 656f. Further, J. Mann, "Genizah Fragments of the Palestinian Order of Service", *Hebrew Union College Annual* 2 (1925), pp. 269ff.

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 erlier 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 nations[11]. 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" (*moserim*), "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 Thoelogical 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 Pirqei 'Avot 2:4; "Do not separate yourself from the Community" (*'al tifroš min ha-ṣibbur*), 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 (*porešin mi-darkhei ha-ṣibbur*), 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

doubless 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 is refered. 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 usage[13].

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 benediction[14]. 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 Convenant" is more likely to correspond to common usage.

[14] Tanḥuma 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 Targumim[15]. 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.

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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.

It should be noted that the *Birkat ha-Minim* would not have been the only benediction of the Eighteen Benedictions that could have created problems for Jewish Christians in synagogue. The Eighteen Benedictions pray for the coming of the Messiah, and for the restoration of statehood and of the Temple service. This nationalism contrasts sharply with the more generalized language of the Paternoster, the distinctive early Christian prayer. The Palestinian recension of the Eighteen Benedictions from the Cairo Genizah is less specifically nationalistic than the Babylonian recensions. It is possible, therefore, that with careful exegesis Jewish Christians could have said Amen! in good faith to some forms of the Eighteen Benedictions (though not, of course, to the *Birkat ha-Minim*)[16].

There is evidence to suggest that some synagogue authorities hostile to Christianity used a formula for cursing Jesus as a test of membership. This practice is alluded to by Justin (*Dialogue* xlvii, cxxxvii; cf. *I Apology* xxxi), and may lie behind 1 Cor 12:3 (cf. Acts 26:11). But it does not seem to have been advocated by the Rabbis. The Rabbis adopted a more subtle ploy: they appear to have set out first and foremost to establish Rabbinism as orthodoxy, knowing that once that happened the exclusion of the Christians from the synagogue would inevitably follow.

c) The Books of the Heretics

Tosefta Yadayim 2:13:

A "The Gospels (*gilyonim*) and the books of the heretics (*sifrei minim*) do not defile the hands.

B. The Book(s) of Ben Sira, and all books that were written from then on, do not defile the hands."

Tosefta Shabbat 13(14):5:

A. "The Gospels (*gilyonim*) and books of heretics are not saved but are left where they are to burn, they and their sacred names.

B. Rabbi Yose ha-Gelili says: On a weekday one cuts out their sacred names and hides them away (*gonez*) and burns the rest.

C. Rabbi Tarfon said: May I bury my sons! If they were to come into my hand I would burn them along with their sacred names. For if a pursuer were pursuing after me, I would enter a house of idolatry rather than enter their

[16] It is, perhaps, not impossible that Jewish Christians would have recited the Paternoster in synagogue. The synagogue service in Talmudic times gave scope for individual prayer (see J. Heinemann and J. J. Petuchowski, *The Literature of the Synagogue* [Behrman House: New York 1975], pp. 47–51), and there is nothing in the words of the Paternoster which could have given offence or been contentious. Matthew envisages the Paternoster being prayed in the privacy of one's room (Matt 6:6), but this idea is absent from Luke (Lk 11:1–4).

houses, because the idolators do not acknowledge him and then deny him, but *they* do acknowledge him and then deny him. Of them Scripture says: 'Behind the door and the doorpost (*mezuzah*) you have set up your symbol (*zikkaron*)' (Is 57:8)[17].

D. Rabbi Ishmael said: If to bring peace between a husband and his wife, the Omnipresent has said that a scroll (*sefer*) which has been written in holiness may be erased by means of water, how much more should books of heretics, which cause enmity, jealousy and strife between Israel and their Father in heaven, be erased, they and their sacred names. With regard to them scripture says: 'Do I not hate them, O Lord, who hate You? Do I not strive with those who rise up agianst You? I hate them with utmost hatred; I count them as my enemies' (Psalm 139:20–21).

E. Just as they are not saved from fire, so they are not saved from a cave-in, nor from water, nor form anything which would destroy them."

Bavli Giṭṭin 45b:

A. "R. Naḥman said: We have a tradition that a Scroll of the Law (*Sefer Torah*) which was written by a *min* should be burned.

B. One written by heathen (*'oved kokhavim*) should be withdrawn.

C. One that is found in the possession of a *min* should be withdrawn.

D. One that is found in the possession of a heathen, according to some should be withdrawn, but according to others may be read."

The meaning of the expression "defile the hands" in Tosefta Yadayim 2:13 has been much discussed. The idea is on the face of it paradoxical since only *holy* texts "defile the hands". That is to say, only *holy* texts are impure in the first degree and convey second degree impurity which is removed by washing the hands (*neṭilat yadayim*). Why it was decided that holy texts defile the hands is obscure. The Rabbis themselves appear to be a little uncertain of the reason. It is possible that declaring that certain texts imparted impurity was an effective, if curious, way of differentiating them from ordinary texts and of increasing the reverence with which they were handled (cf. Mishnah Yadayim 4:6; Tosefta Yadayim 2:19). Whatever its origin, the significance of the expression for the Rabbis is reasonably clear – clearer and more consistent than is often supposed[18]. The text which first and foremost defiles the hands is a Sefer Torah that

[17] The quotation from Is. 57:8 is very suggestive. Does it imply that Jewish Christian houses would have been indistinguishable from the houses of other Jews, even to the extent of having *mezuzot* on the doorposts, and that only when one entred the house would one find evidence of Christian symbolism?

[18] M. Goodman, "Sacred Scriptures and Defiling the Hands", *Journal of Theological Studies* 41 (1990), pp. 99–107, in line with other recent analysis, stresses the paradoxes and anomalies of the Rabbinic position. He does not, however, make a sharp enough distinction between the origins of the concept and its use. It is the former which is unclear; the latter is

has been written out properly for liturgical purposes. To say that a work like Song of Songs defiles the hands is to say that it has the status of a Sefer Torah and is inspired. The link between divine inspiration and "defiling the hands" is clearly made at Tosefta Yadayim 2:14: "Rabbi Shim'on ben Menasya says: The Song of Songs renders the hands unclean because it was composed under divine inspiration (*mi-penei še-ne'emarah be-ruaḥ ha-qodeš*). Qohelet does not render the hands unclean because it is [merely] the wisdom of Solomon." The same link is implied at Tosefta Yadayim 2:13B, which alludes to the Rabbinic doctrine of the cessation of prophecy. The Rabbis accepted the view, widespread from late Second Temple times, that prophecy had come to an end some time in the past (in the time of Ezra, or of Haggai, Zechariah and Małachi, or in the time of Alexander the Great)[19]. And they applied it as one of their criteria for determining the canon of Scripture. Any text written after a certain period cannot *ipso facto* be inspired. Ben Sira, for all that it was admired and quoted by the Rabbis, is too late, and so cannot qualify as Holy Scripture. Of course, *we* have reason to believe that some texts (e.g. Daniel), which are as late as Ben Sira, have been included in the Rabbinic canon. But the Rabbis did not know this. They accepted books such as Daniel at their face value, and as a matter of principle did not include any text which they thought was written after their cut-off date for the cessation of prophecy.

To say that a given text "defiled the hands" may, however, have had a further implication. Only a liturgical copy of the Torah, i.e., one written in "Assyrian" characters in its orginal Hebrew and Aramaic on a parchment scroll in ink, defiles the hands: a translation of the Torah, or even a text in the original, written, for example, on papyrus in the form of a codex, does not defile the hands (Mishnah Yadayim 4:5). So the question whether or not a given text defiles the hands envisages that text being written out like a liturgical copy of the Torah. "Defiling the hands" is a complex concept which seeks to establish an analogy between a given text and a Sefer Torah: it implies (a) that the text is inspired, and (b) that, if prepared like a liturgical copy of the Torah, it is fit to be read in public worship.

Gilyonim in Tosefta Yadayim 2:13A and Tosefta Shabbat 13(14):5A probably refers to the Gospels: cf. the Rabbinic deformation of εὐαγγέλιον as *'aven gilayon* (Bavli Shabbat 116a). The expression *sifrei minim* has two possible meanings. Either it could refer to other Christian writings, besides the Gospels, which were claimed to be Holy Scripture. Or it could refer to Christian Torah

reasonably clear and consistent. For a careful discussion of the Rabbinic references see S. Z. Leiman, *The Canonization of Hebrew Scripture: The Talmudic and Midrashic Evidence*, Transactions of the Connecticut Academy of Arts and Sciences 47 (Archon Books: Hamden, Connecticut 1976), pp. 102–119.

[19] Tosefta Soṭah 13:2; Bavli Soṭah 48b; Bavli Yoma 9b; Bavli Sanhedrin 11a; Seder 'Olam Rabba 30. See further, E. E. Urbach, "*Matai paseqah ha-nevu'ah*", *Tarbiṣ* 17 (1945–46), pp. 1–11.

Scrolls. The former sense is perhaps more likely at Tosefta Yadayim 2:13 in view of the mention of Ben Sira. The latter sense is clear at Bavli Giṭṭin 45b. For present purposes there is no need to decide between these two possible meanings, since it is beyond any doubt that the Rabbis would have denied the validity of Christian Torah Scrolls *and* the inspiration of the Christian Scriptures[20].

Torah Scrolls written by Christian scribes were declared unfit (*pasul*) for public worship presumably on the grounds that their origin puts them under suspicion. The implications of this ruling are far reaching. It could have put Christian Torah scribes out of business, and made it impossible for a congregation obeying this ruling to make use of their services. Significantly "heretical" Torah scrolls are seen as more suspect than "heathen" Torah scrolls (Bavli Giṭṭin 45b). The idea that the *minim* are worse than the heathen (*'ovedei kokhavim*) comes out again at Tosefta Shabbat 13(14):5C, and elsewhere in polemical contexts. Since a *sefer minim* was unfit for public worship, to hear the Torah read from such a scroll would presumably not have been a valid hearing of the Law. These rulings would have strongly discouraged Rabbinic Jews from attending synagogues where there was a Christian presence or influence. *A fortiori* they would heave been discouraged from attending more distinctively Christian conventicles where Christian Gospels and other "heretical" books might have been read publicly as Scripture. There is some indirect evidence that already in the first century the Christians in their conventicles may have used Gospels as *haftarot* to readings from the Tora[21]. The point of the Rabbinic legislation is clear: it is aimed at extending Rabbinic supervision over the synagogue service and at forcing a separation in public worship between Rabbinic and non-Rabbinic Jews.

Tosefta Shabbat 13(14):5 makes a distinction between Gospels and *sifrei minim* on the one hand and proper Torah Scrolls on the other not by using the concept of "defiling the hands" but by using the concept of "carrying on Shabbat". Basically the argument appears to be that if a Torah Scroll is in a

[20] Would the Rabbis have said that a Christian Torah scroll was not "inspired"? The probable answer is, Yes. The Rabbis saw inspiration as inhering in a very concrete way in the graphic form of the text. Strictly speaking only that which can be seen in a properly written Torah Scroll is word of God. The inspiration of a defective Torah Scroll is, therefore, in some doubt. See A. Goldberg, "The Rabbinic View of Scripture", in: P. R. Davies and R. T. White (eds.), *A Tribute to Geza Vermes* (Sheffield Academic Press: Sheffield 1990), pp. 153–66. The early Church in general favoured the codex over the scroll, but there is no reason to exclude the possibility that Jewish Christians would have used scrolls not only for their copies of the Torah, but also for their sectarian Gospels and writings.

[21] See M. D. Goulder, *Midrash and Lection in the Gospel of Matthew* (SPCK: London 1974); Goulder, *The Evangelists' Calendar* (SPCK: London 1978). For a lucid evaluation of the problem see J. L. Houlden, "Lectionary Interpretation (New Testament)", in: R. J. Coggins and J. L. Houlden (eds.), *A Dictionary of Biblical Interpretation* (SCM: London 1990), pp. 388–90. On the possibility of specifically Jewish Christian Gospels in Hebrew, see P. A. Pritz, *Nazarene Jewish Christianity* (Magnes Press: Jerusalem; E. J. Brill: Leiden 1988), pp. 83–94.

building which catches fire on Shabbat, or which collapses, or which is flooded, it is permitted to rescue the Scroll and carry it outside, even though in doing so one may be violating the laws of Shabbat by carrying from one domain (the inside of the building) to an other (the street). The sanctity of the Torah Scroll overides the sanctity of Shabbat. One may not, however, behave in the same way towards *sifrei minim* or towards the Gospels: one leaves them to burn, or to be buried, or to be washed clean – sacred names and all! *Sifrei minim* and Gospels do not have the sanctity or status of genuine Torah Scrolls.

d) Social Contact and Commensality

Tosefta Ḥullin 2:20–21:

A. "If meat is found in the hand of a gentile, it is permitted to derive benefit from it, but if it is found in the hand of a *min*, it is forbidden to derive benefit from it.
B. That which comes out from the house of a *min* [reading *mi-bet ha-min* for *mi-bet 'avodah zarah* of the Vienna ms] is indeed meat of sacrifices to the dead.
C. For they said: The slaughtering of a *min* is idolatry; their bread is the bread of a Samaritan; their wine is the wine of libation; their fruits are untithed; their books are the books of diviners, and their children are *mamzerim*.
D. We do not sell to them, nor do we buy form them. We do not take from them, nor do we give to them. We do not teach their sons a craft. We are not healed by them, neither healing of property of healing of life."

This text clearly illustrates a major social weapon deployed by the Rabbis against the Jewish Christians – ostracism. Rabbinic Jews are forbidden to eat with Jewish Christians. They are forbidden to have any kind of commercial or business dealings with them, even to the extent of taking on their sons as apprentices[22]. They are forbidden to read their books, which are classified as "witchcraft". "Magic" was universally condemned in antiquity, so to designate one's opponents activities as magic is a common ploy for holding them up to public disapproval. The prohibition may also reflect the Rabbinic tradition that Jesus was a magician. Rabbinic Jews are forbidden to be healed by *minim*, presumably on the grounds that there would be a suspicion that they would be healed by magic, or in the name of Jesus. The children of the *minim* are brought under the general classification of *mamzerim*, presumably because there was doubt as to how strictly they observed the laws regarding the forbidden degrees. This would have had the effect of restricting their options for marriage with other Jews. The text of Tosefta Ḥullin continues with the Story of Rabbi

[22] The question of apprenticeships was an issue in dealing with "outsiders": cf. Massekhet Kutiyyim 1:10, "An Israelite may give his son in charge of a Samaritan to teach him a trade".

Eleazar ben Damah and the Jewish Christian healer, Jacob of Kefar Sama (Tosefta Ḥullin 2:22–23). This is then followed by the long tale of how Rabbi Eliezer ben Hyrcanus was arrested on a charge of *minut* (Tosefta Ḥullin 2:24). There has been fierce discussion of the historicity of the stories, but much of it is beside the point[23]. They are introduced as exempla (*ma'asim*) to illustrate the rulings given earlier. Their message is clear: all normal social contact with the *minim* is forbidden. It is better to die than be healed by a *min* in the name of Jesus (so the tale of Eleazar ben Damah), and one should not talk with a *min* in the street, lest one brings on oneself the suspicion of *minut*, and gets arrested and brought before the Roman court (so the tale of Rabbi Eliezer).

The rulings of Tosefta Ḥullin 2:20–21 are tantamount to imposing a ban on the Jewish Christians. There is no evidence that the Rabbinical authorities promulgated a formal *ḥerem* against the Jewish Christians. Until the third century at the earliest they did not possess the sort of centralized authority that would have made such a general ban possible. But they did not need to issue a general ban. The rulings of Tosefta Ḥullin 2:20–21, even if advocated piecemeal, would in the end have had the same effect. Rabbinic *halakhah* in all its fulness did not represent the common law of the Palestinian Jewish community. It was sectarian in origin and in a number of areas probably represented the intensification of commonly accepted practice. It was divisive: not only did it divide Jew from gentile, but it divided Jew from Jew. For example, a Jew following strictly the Rabbinic laws of *kashrut* would have found it difficult, if not impossible, to eat at the home of a non-Rabbinic Jew. The Rabbis tirelessly advocated acceptance of their *halakhah* as a way of rabbinizing Jewish society. It had the effect of setting up a closed circle of "observant" Jews and ostracizing the rest. It must initially have split Jewish towns such as Sepphoris, Tiberias, Capernaum and Nazareth – all of which, in their time, probably contained Jewish Christians. As acceptance of Rabbinic *halakhah* grew the Jewish Christians of such towns would have come under growing pressure, and found themselves increasingly "ghettoized".

e) Propaganda and Polemics

Babylonian Talmud, Sanhedrin 107a–107b (// Soṭah 47a):

A. "Our Rabbis taught: Always let the left hand thrust away and the right hand draw near.
B. Not like Elisha who thrust away Gehazi with both hands, nor like Rabbi Joshua ben Peraḥiah who thrust away Yeshu ha-Noṣri with both hands.
C. What was the case of Elisha? ... [Story of Elisha and Gehazi]

[23] For a recent, balanced assessment see R. J. Bauckham, *Jude and the Relatives of Jesus in the Early Church* (T. & T. Clark: Edinburgh 1990), pp. 106–121.

D. What was the case of Rabbi Joshua ben Peraḥiah?
E. When King Yannai put the Rabbis to death, [Shim'on ben Shetaḥ was hidden by his sister and] Rabbi Joshua ben Peraḥiah and Yeshu fled to Alexandria in Egypt.
F. When there was peace, Shim'on ben Shetaḥ sent [a letter] to him: 'From me, the Holy City (Jerusalem) to you Alexandria in Egypt, my sister. My husband dwells in your midst while I sit desolate!'
G. Rabbi Joshua arose to go back and chanced upon a certain inn.
H. They showed him great honour, and he said: 'How beautiful is this *'akhsanya* (= inn *and* innkeeper)!' Yeshu said to him: 'Rabbi, her eyes are narrow!' He replied, 'Wretch, is this how you employ yourself?'
I. He sent out four hundred horns and excommunicated him.
J. Yeshu came before him on many occasions, saying: 'Receive me back!' But he took no notice of him.
K. One day, while Rabbi Joshua was reciting the *Shema'*, Yeshu came before him. His intention was to receive him back, and he made a sign to him with his hand, but Yeshu thought he was repelling him. He went away, set up a brick and worshipped it.
L. Rabbi Joshua said to him: 'Return!', but he replied: 'Thus have I received from you, that everyone who sins and who causes the congregation (*harabbim*) to sin is deprived of the ability to repent.'
M. Mar said: 'Yeshu ha-Noṣri practised magic and deceived and led Israel astray.'"

The tradition-history of this passage can be traced with a tolerable degree of certainty. The Yeshu ha-Noṣri material (D–M) is secondary: it has been added to the Gehazi material (C) in order to provide a further illustration of the dictum, "Always let the left hand thrust away and the right hand draw near". The parallel section of the Yerushalmi (Sanhedrin X,2 [29b]) has only the story of Gehazi. The story of Yeshu ha-Noṣri is broadly modelled on the story of Gehazi, but it also draws inspiration from the story of Judah ben Tabbai's flight to Egypt recorded at Yerushalmi Ḥagigah II,2 (77d) (cf. Yerushalmi Sanhedrin VI,9 [23c]). The concluding saying (M) is found also independently at Bavli Sanhedrin 43a[24].

Though the sources of the passage are reasonably clear, its message is curiously enigmatic and ambivalent. The note of self-criticism is rather striking. Though Jesus is excommunicated (I) and charged with the grave crimes of magic and "deceiving Israel" (M), at the same time his sins are seen as in some part the fault of Joshua ben Peraḥiah. Jesus comes across as a rather simple-

[24] For a detailed discussion of the tradition-history see J. Maier, *Jesus von Nazareth in der talmudischen Überlieferung* (Wissenschaftliche Buchgesellschaft: Darmstadt 1978), pp. 104–129.

minded student who is dealt with by his teacher in a harsh and thoughtless manner, in contravention of the maxim to repel with the left hand and draw near with the right. As a result of his banishment the pupil goes seriously astray, damns himself and leads Israel into sin. One wonders at the historical situation envisaged by the story. It appears to be admonishing the Rabbinical authorities not to be too severe on Jewish Christians, not to ostracize them so totally that they are denied all possibility of repentance and of returning to the fold.

The story of Jesus and Joshua ben Perahiah comes from the late Amoraic period but it contains old polemical elements that were already current in New Testament times. Two charges are levelled agains Jesus. First, he practised magic. This comes out explicitly only at M, but may be implicit elsewhere in the story. Joshua ben Perahiah, Jesus, teacher, is well-known in Jewish magical tradition as an exorcist.[25] It is probably for this reason that he, and not Judah ben Tabbai, was chosen as the Rabbinic protagonist of the tale. The choice of Alexandria as the place to which Joshua ben Perahiah and Jesus flee is also suggestive: Egypt is closely associated in Rabbinic literature with sorcery. Second, Jesus is charged with "deceiving and leading Israel astray". This charge often relates specifically to idolatry. This would chime in with the curious reference at K to Jesus worshipping a brick. It is possible, however, that the sense is more general: note the parallel at L: "sins and causes Israel to sin". Both these charges are echoed in the New Testament in contexts of conflict between the early Church and its opponents. In Matt 27:63–4 the Pharisees describe Jesus as a "deceiver", his message as a "deception". In Mark 3:22, Matt 9:34, 12:24 and Luke 11:15 Jesus is accused of casting out demons by the power of Beelzebul. The early Christians warned that anyone asserting this was guilty of an unforgivable blasphemy (Mark 3:28; Matt 12:31). It is interesting to note that the Rabbinic text has its own version of the sin against the Holy Ghost: whoever not only sins but leads Israel into sin has put himself beyond the power of repentance (L)[26].

The general tone of Rabbinic anti-Christian polemic in the period of the

[25] The link between Joshua and magic appears to be found only in Babylonian Jewish sources: see J. Neusner, *History of the Jews in Babylonia*, vol. V (E. J. Brill: Leiden 1970), pp. 218–43; P. S. Alexander, "Incantations and Books of Magic", in: E. Schürer, *The History of the Jewish People in the Age of Jesus Christ*, vol. III,1, rev. G. Vermes, F. Millar and M. Goodman (T. & T. Clark: Edinburgh 1986), pp. 354f.

[26] The arch-heretic Elisha ben Avuyah ("Aher") is also said to have commited the unforgivable sin. In Yerushalmi Hagigah II,1 (77b) this is defined, rather vaguely, as "knowing God's power yet rebelling against him". In Bavli Hagigah 15a (cf. 3 Enoch 16:1–5) it is defined as mistaking the angel Metatron for a Second Power. In both texts a *bat qol* goes forth inviting erring Israelites in the words of Jer 3:22 to return in repentance, but specifically excepting Elisha. Tosefta Sanhedrin 13:5 (quoted in note 12 above) comes close to the concept of the unforgivable sin. There the various miscreants listed are said to be damned eternally. The idea may be that Gehinnom will not be a place of purgatory from which they will ultimately escape. Rather they will suffer there eternal torment.

Talmud can hardly be described as high. Bavli Sanhedrin 107b is typical, though it does not descend to the scurrility of some parts of the *Toledot Yeshu* traditions. There are possible examples in Rabbinic literature of a more serious engagement with Christian ideas. For example, it has been suggested that Genesis Rabba constitutes an elaborate defence of the election of Israel in response to the Christianization of the Roman Empire in the fourth century. And some have seen in the Rabbinic doctrine of the Aqedah a response to the Christian doctrine of the atonement[27]. But I am not fully persuaded. In general the Rabbis' direct contacts with Christianity were slight, and their knowledge of the finer points of Christian doctrine slighter still. There was no real meeting of minds till the Middle Ages[28]. Most anti-Christian polemic in the Talmudic period was rather crude propaganda – though probably none the less effective for that.

C. The Widening Rift

Having surveyed the main elements of early Rabbinic policy towards the Christians, I shall conclude by offering some notes, from a Rabbinic perspective, towards the history of the Jewish-Christian schism.

1. It is abundantly clear from the New Testament itself that Christianity before 70 not only attracted support but also encountered strong and widespread opposition within the Jewish community. That opposition ranged from the central authorities in Jerusalem (the High Priest and the Sanhedrin) to the leaders of the local synagogues. It extended from Palestine (both Galilee and Jerusalem) to the Diaspora (e.g. Asia Minor and Achaea). It began in the time of Jesus himself and continued unabated in the period after the crucifixion. The reasons for the opposition were manifold and diverse. Jesus' triumphal entry into Jerusalem and his attack on the money-changers in the Temple doubtless fostered the view among some of the pre-70 authorities that he was a dangerous revolutionary who had to be stopped. Some Jews, zealous for the Law, were outraged by the antinomianism of certain Christian teachings, and the failure of some Christians to observe the laws and customs of Isarel. Other, as Paul recognized, found the idea of a crucified Messiah simply too paradoxical to swallow (I Cor 1:23). High Christology would also have been a problem. There can now be no question that early Judaism did know of powerful semi-divine mediator figures, so the high Christology of some of the early Christian writings

[27] See J. Neusner, *Genesis and Judaism: The Perspective of Genesis Rabbah* (Scholars Press: Atlanta 1986); P. R. Davies and B. D. Chilton, "The Aqedah: A Revised Tradition History", *Catholic Biblica Quarterly* 40 (1978), pp. 514–46.

[28] Perhaps the earliest Jewish writer to make a serious effort to understand Christianity is Judah Halevi in the *Kuzari*.

can actually be given a *Jewish* context[29]. But such notions may well have been confined to small groups of Jewish intellectuals interested in esoteric doctrines. Acts 7:54–60 probably describes accurately the attitude of the majority of Jews to such outlandish ideas. The precise reasons for the opposition to the Gospel need not detain us here. Suffice to say that the extent and intensity of the opposition points clearly to one conclusion. Christianity emerged at the margins of Jewish society and was widely seen as being a radical movement. It had, therefore, a daunting hill to climb before it could Christianize Jewish society.

2. Whether or not the tradition of the flight of the Jerusalem Church to Pella is accurate, the First War against Rome (66–74 C. E.) must have been a time of tribulation for the Jewish Christians of Palestine. They could hardly have felt comfortable with the upsurge of Jewish nationalism during the War, especially when in some quarters it assumed a messianic tinge. However, the debacle of the War opened for them a window of opportunity. It swept away the authorities who had shown themselves so hostile to emergent Christianity, and it removed for the foreseeable future the danger of Christianity being excommunicated from Israel by decree form Jerusalem. The destruction of the Temple also handed the Christians a propaganda coup, for it gave them the chance to argue that the catastrophe was a divine judgement on Israel for the rejection of Jesus. The War of 66–74 opened a window of opportunity also for another first century Jewish religious party – the Pharisees. In the period before 70 it is unlikely (*pace* Josephus, *Antiquities* XVIII, 14–15,17), that the Pharisees represented the real rulers of the state. They were only one of a number of religious parties, and probably by no means the most influential politically. However, they made a determined bid to fill the power-vacuum created by the War. If tradition is to be believed, the *Bet Din* at Yavneh attempted to assert its authority to determine the calendar with some success (cf. Mishnah Rosh ha-Shanah 2:8–9). But there can be no question of a sudden Rabbinic accession to power. The Rabbis remained a sect within Judaism down to the third century C. E. This is suggested by a number of considerations. The conflict with the *'ammei ha-'areṣ* which echoes through Tannaitic literature points to the existence of socially powerful elements who resisted Rabbinic claims to authority. Significantly disputes with the *'ammei ha-'areṣ* die away in the third century Rabbinic sources[30]. The development of Rabbinic ordination points to a steady centralization of power as the Rabbis became increasingly involved in the administraiton of justice. According to Yerushalmi Sanhedrin 1:2 the Sages originally ordained their own pupils; later the approval of a *bet din* was required; finally ordination could only take place with the approval of the

[29] See L. W. Hurtado, *One Lord: Early Christian Devotion and Ancient Jewish Monotheism* (Fortress Press: Philadelphia 1988).

[30] See A. Oppenheimer, *The 'Am Ha-'Aretz: A Study in the Social History of the Jewish People* (E. J. Brill: Leiden 1977).

Nasi'. In Tannaitic sources there is little evidence of the Rabbis actually judging concrete cases. In Amoraic sources, however, they are regularly depicted as functioning within a well-regulated system of Jewish courts supervised by the Nasi' (cf. Yerushalmi Yevamot 12:6; Yerushalmi Ḥagigah 1:7)[31].

3. The Patriarchate of Judah ha-Nasi' probably marks a decisive upswing in the fortunes of the Rabbinic party within Judaism. Judah ha-Nasi' was a man of considerable wealth and social standing who appears to have had the backing of the Roman autorities. But at the same time he was a supporter of Rabbinic Judaism and a promoter of Rabbinic *halakhah*. Only in the third century can one begin to talk of a "triumph of Rabbinism", and even then only in carefully considered terms. The triumph was initially only in Palestine. From there Rabbinism was transplanted to the Diaspora, notably to Babylonia. Its spread was gradual. The outlying Jewish community of Spain probably did not become rabbinized till after the eighth century when the Muslim conquest led to an influx of Rabbinic Jews from North Africa and the Middle East, and linked the Spanish Jews to the great Rabbinic academies of Iraq within the same broad cultural framework. The Rhineland communities may also not have been rabbinized till the early Middle Ages, possibly not till the Kalonymide migration from Italy (9th century). The Rabbis have remained down to the present day essentially a scholarly élite within Judaism, who have by no means always had things their own way, even within the communities which in principle have recognized their authority. Rabbinic Judaism triumphed and survived partly because Rabbinic *halakhah* proved to be a flexible instrument, capable of responding to changing historical circumstances, partly because Rabbinism successfully transformed itself from a sect into (if the term may be excused) a "broad Church" which was able to accomodate mystical and philosophical movements and ideas, some of which were potentially inimical to it.

4. The triumph of Rabbinism did not result, as Sir John Seeley said of the British Empire, from "a fit of absence of mind", but from a concerted bid for power[32]. Implicit in the Rabbinic position was a claim to legislate for *all* Israel in

[31] The view that the Pharisees were a sect before 70 and their sucessors the Rabbis remained a sect within Palestinian Judaism down at least till the third century C. E. runs counter to much received wisdom. The new "Schürer", if it does not bluntly assert that Pharisaism was normative Judaism, comes close to it: "No peculiarity emerges from the characterization of Pharisaism which might distinguish it from Judaism in general during the period of the Second Temple. Regarded as a spiritual orientation, it was simply identical with the trend adopted by the main body and the classical representatives of post-exilic Jewry." "Schürer" goes on, indeed, to state that "the Pharisees formed a party within the nation", but immediately describes that party as an *ecclesiola in ecclesia*, thus suggesting that it possessed legitimacy as against other parties (E. Schürer, *The History of the Jewish People in the Age of Jesus Christ*, Vol. II, rev. G. Vermes and F. Millar [T. &T. Clark: Edinburgh 1979], pp. 395 f.). It is hard to see how, if this view is maintained, one can avoid de-legitimizing Christianity *ab ovo*.

[32] Sir John Seely, *The Expansion of England* (1883), Lecture I: "We [English] seem, as it were, to have conquered and peopled half the world in a fit of absence of mind." Katz has

all aspects of life. The Rabbis claimed to have the authoritative interpretation of the Law of Moses, which had been passed down through their schools by a secure line of tradents from Moses himself. The Mishnah is a manifesto, and there is every reason to believe that the Rabbis did their best to implement that manifesto in the wider community. The Rabbinic power-base lay within the Rabbinic schools. The battle for hearts and minds was fought out in the synagogues, in the Jewish courts, in the market-places, in the homes, and, perhaps even at times, in the Roman tribunals. In all these areas the Rabbis steadily pressed for the aceptance of Rabbinic *halakhah* as the legitimate law of Israel. In the end they managed to marginalize all opposition groups, including the Christians, and to again acceptance by the majority of Jews as the leaders of the community.

5. Why did Rabbinism and not Christianity triumph within in Palestinian Jewish communities? The thrust of our analysis has been to show that there is no simple answer to this question. There was no decisive moment of victory and defeat, only a long drawn out series of skirmishes in which the Rabbis steadily rolled back the opposition and gained control of the communitiy. However, two major, inter-related causes of the failure of Jewish Christianity can be identified.

First, Jewish Christianity would have found it hard to cope with Jewish nationalism, and nationalist sentiments were strong among the Jews of Palestine in the first two centuries of the current era. It should be remembered that in this period the Palestinian Jews fought two disastrous wars of liberation against Rome (not to mention a number of abortive uprisings in the Diaspora). We have already referred to the First War as a time of trouble for the Jewish Christians. The Second War was probably equally disastrous for them, and their failure to support Bar Kokhba may have cost them dear[33]. Nationalism was bound up with traditionalism (zeal for the Law) and attachment to the Land of Israel, and it easily took on messianic overtones. Christians proclaimed that

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argued that "there was no official anti-Christian policy at Yavneh or elsewhere before the Bar Kochba revolt and no total separation between Jews and Christians before (if immediately after?) the Bar Kochba revolt" ("Issues in the Separation of Judaism and Christianity after 70 C.E.", p. 76). But this conclusion is comprehensively denied by the evidence which he himself so fully presents. Note, e.g. is unconvincing attempt to argue that the Rabbis did not try to impose some sort of ban an Jewish Christians (pp. 48–53, especially p. 53 note 40).

[33] Justin, *I Apology* xxxi: "In the Jewish war which raged lately, Barcochebas, the leader of the revolt of the Jews, gave orders that Christians alone should be led to cruel punishments, unless they would deny Jesus Christ and utter blasphemy". (Ethiopic) Apocalypse of Peter 2: "But this deceiver is not the Christ. And when they reject him, he will kill with the sword and there shall be many martyrs." See further: P. Schäfer, *Der Bar Kokhba-Aufstand* (Mohr-Siebeck: Tübingen 1981), pp. 59–62; R. J. Bauckham, "The Two Fig Tree Parables in the Apocalypse of Peter", *Journal of Biblical Literature* 104 (1985), pp. 269–87; D. D. Buchholz, *Your Eyes Will be Opened: A Study of the Greek (Ethiopic) Apocalypse of Peter* (Scholars Press: Atlanta 1988), pp. 408–12.

the Messiah had come, but Jesus had clearly failed to deliver the kingdom in the form in which most had anticipated it. This problem may have been ameliorated so long as the Second Coming was seen as imminent, but the longer the *Parousia* was delayed the more acute it became. Christians stressed the spiritual nature of the kingdom and de-emphasized "the territorial dimension of Judaism"[34]. Such radicalism was out of joint with the spirit of the times. By way of contrast the Rabbis, though they too were in many ways innovators, were not nearly as radical as the Christians, and they always took care to stress their zeal for the Law and to articulate their views in the language of loyalty to the tradition.

Second, the Gentile mission of the Church, perhaps initially provoked by frustration over a lack of success among the Jews (cf. Acts 13:46), must surely have created problems for the Jewish Christians who carried on with the mission to Israel[35]. The success of the Gentile mission created a Church which was increasingly Gentile in membership. Moreover, though the Church proclaimed itself as the true Israel, Gentile converts were not expected to live as Jews. Given the nationalism, even xenophobia, of the Palestinian Jewish community in the first and second centuries of the current era, Christianity must have found it increasingly difficult to establish itself in the eyes of Jews as a *Jewish* movement. The Jewish Christians would have had what in today's political jargon would be called "an image problem".

That image problem reflected a deep crisis of identity within the early Church. What was to be done with the Gentile converts? Should they be expected to take upon themselves the yoke of the Law? Acts 15 and 21 propose a compromise: Jewish Christians were to continue to follow "their way of life", observing the food laws, circumcising and keeping Sabbath; Gentile Christians were not to be obliged to adopt Jewish customs, but were to be subject only to general "Noachide" laws[36]. This compromise, however reasonable it may seem, was in practice unworkable, since it presupposed that the Jewish and

[34] It is W. D. Davies who has raised most acutely the important question of how early Christianity responded to the "Land-centredness" of Palestinian Judaism: see his *The Gospel and the Land: Early Christianity and Jewish Territorial Doctrine* (University of California Press: Berkeley, Los Angeles, London 1974); and *The Territorial Dimension of Judaism* (University of California Press: Berkeley, Los Angeles, London 1982). For further discussion see: K. E. Wolff, *"Geh in das Land, das ich Dir zeigen werde..." Das Land Israel in der frühen rabbinischen Tradition und im Neuen Testament* (Peter Lang: Frankfurt a. M. 1989).

[35] Pritz, *Nazarene Jewish Christianity*, p. 110 reasonably cites the *Rabbinic* evidence as proof that the Jewish Christians never abandoned their mission to Israel. He refers appositely to the Nazarene commentary on Is 31:6–9 where the original "Return to him from whom you have deeply revolted, O Sons of Israel" is paraphrased as "O Sons of Israel, who deny the Son of God with base counsel, return to him and to his apostles" (quoted by Jerome, *Commentary on Isaiah* [*Corpus Christianorum* 73, 404]). The generally *pešer* style of Nazarene Bible-commentary is stirking.

[36] The definitive Rabbinic list of the Seven Commandments to the Sons of Noah was probably formulated later (Tosefta 'Avodah Zarah 8(9),4–6; Bavli Sanhedrin 56a), but it

Gentile groups could be kept segregated. But what would happen in mixed Churches? If Jewish Christians were to continue to observe some form of *kashrut*, socializing with their Gentile brethren would have become problematic. Commensality, that most basic expression of community, would have been jeopardized. Moreover, there would always be those who wanted to cross over to the other camp – Gentiles who wanted to Judaize because they thought Jewish Christianity was more authentic; Jews who wanted to abandon their ancestral customs and live like the Gentiles. This crossing over would have ensured that the Churches were kept in a perpetual ferment of controversy. Paul, who witnessed the problem at first hand, adopted a position that was at total variance with the Jerusalem compromise. He had no doubt that the formula that in Christ there was "neither Jew nor Greek" meant not only that Gentile Christians did not have to keep to Law, but also that the Jewish Christians did not have to keep it either. Paul seems to have despaired of Israel: his view that Israel had been "blinded" till the fullness of the Gentiles came in (Rom 11:25) virtually writes off the Jewish mission at least for the immediate future.

The parting of the ways between Judaism and Christianity only takes on an air of finality with the triumph of Rabbinism within the Palestinian Jewish community and the virtual disappearance of Jewish Christianity. Till that happened there was always the possibility that the Jewish Christians would succeed in Christianizing Israel. Jewish Christianity found itself caught between Scylla and Charybdis: the closer it moved to the Gentile Churches the less credible it would have become within the Jewish community; the more it emphasized its Jewishness the more difficult would have become its relations with the Gentile Churches, the more it would have been viewed with suspicion by the Gentiles. Jewish Christianity was finally destroyed between the upper and nether millstone of triumphant Gentile Christianity and triumphant Rabbinism. Drawing on Pauline theology the Gentile Church became increasingly anti-Judaic in its stance: it defined itself ever more sharply over against Judaism. The existence of a Jewish Christianity blurred the sharp edges of Christian self-definition. From the standpoint of the Gentile Church it was expedient that the Jewish Church should fade away[37]. Suppose the Jewish Christians, and not

represents a discussion which goes back at least to Jubilees (7:20). The discussion forms the historical context of Acts 15:29 und 21:25.

[37] The fourth century Church Fathers treat Nazarene Christianity as a heresy. See, e.g. Jerome, *Epist.* 112,13: "Until today a heresy is to be found among the Jews throughout all the synagogues of the east, which is called 'of the Minaeans [= *minim*]', and is cursed by the Pharisees up till now. Usually they are called Nazaraeans. They believe in Christ, the Son of God born of the Virgin Mary, and they say about him that he suffered and rose again under Pontius Pilate, in whom we also believe. But since they want to be both Jews and Christians, they are neither Jews nor Christians." The drawing apart of Rabbinism and Gentile Christianity, leaving Jewish Christianity exposed and vulnerable between the two camps, may be

the Rabbis, had won the battle for the hearts and minds of Israel? The result would not necessarily have meant the end of the Jewish people and their absorption into the Gentile Church[38]. It is just as possible that two forms of Christianity would have emerged, possibly even two religions. The contradiction which the Jerusalem compromise tried to cover over would have played itself out with a vengeance.

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illustrated by the fate of the Ḥaninah ben Dosa traditions within Rabbinic Judaism. G. Vermes shrewdly explains the fact that traditions about the Galilean *ḥasid* are more numerous paradoxically in Babylonian Rabbinic sources than in Palestinian as follows: "It seems that the transmitters of the Ḥanina traditions may have felt embarrassed by the similarities between his charismatic activites and those attributed to Jesus and his Jewish followers, among whom a certain Jacob from the Galilean locality of Kefar Sekhaniah (or Sama), an acquaintance of Eliezer ben Hyrcanus, achieved definite notoriety in rabbinic circles. Fear of blurring the distinction between Judaism and Judeo-Christianity was probably the main contributing factor, in third century Galilee, to the dissolution of the legend surrounding the figure of Ḥanina ben Dosa" (*Post-Biblical Jewish Studies* [E. J. Brill: Leiden 1975], p. 213). To avoid blurring the boundaries Rabbinic Judaism was prepared to play down part of its own tradition. Gentile Christianity would also doubtless, have rejected any parallelism between Jesus and Ḥaninah (had it known the Ḥaninah traditions), as Petrus Alphonsi was to do later (see Vermes, p. 214). Jewish Christianity, however, continued to follow the charismatic healing tradition of Galilean ḥasidism.

[38] *Pace* Schiffmann, *Who was a Jew?* p. 77: "Had the rabbis relaxed these standards, accepting either the semi-proselytes or the earliest Gentile Christians into the Jewish people, Christians would quickly have become the majority within the expanded community of 'Israel'. Judaism as we know it would have ceased to exist even before reaching codification in the Mishnah and the other great compilations of the tannaitic tradition. Christianity would have been the sole heir of the traditions of biblical antiquity, and observance of the commandments of the Torah would have disappeared within just a few centuries. In short, it was the *halakhah* and its definition of Jewish identity which saved the Jewish people and its heritage from extinction as a result of the newly emerging Christian ideology". Is it unfair to see a certain tendentiousness here? Is there the implication that just as Rabbinic *halakhah* saved the Jewish people from cultural and religious extinction in the past, so it can do so again today – against inroads not only from Christianity, but from secularism and, perhaps, even Reform?

Diaspora Reactions to the Destruction of the Temple

by

MARTIN GOODMAN

How much did Jews in the diaspora care about the catastrophic defeat of their brothers in Judaea in A. D. 70? It is noticeable that in A. D. 66 – as Agrippa II is said by Josephus (perhaps with hindsight) to have warned would be the case (*B. J.* 2.345–404) – the considerable aid that these Jews could have provided to the rebels was not forth-coming: Jews in the cities around Palestine, as also in Antioch and in Alexandria by Egypt, were dragged into the conflict by the attacks of their gentile neighbours, but they singularly failed to flood to the rescue of Jerusalem as optimistic Judaeans might have hoped[1].

The cause of such inactivity was not, I suspect, indifference so much as over-confidence. Until the very last months of the war, from the spring of A. D. 70, the risk of the fall of Jerusalem, let alone the destruction of the Temple, must have seemed minimal. After all, no Roman forces came near to the walls of the city for more than three years after the resounding defeat of Cestius Gallus in October A. D. 66. The rapid siege and capture of Jerusalem may have been brought about almost entirely by the need of the new emperor Vespasian to justify to the Roman people his seizure of the purple by military force despite his humble origins; victory over foreign enemies was the surest route to prestige in Roman society. Only the pressing need for such a propaganda coup can explain the extraordinary waste of life among his own soldiers considered acceptable by Titus in subjecting the city to a direct assault on its formidable walls rather than allowing the starvation induced by his circumvallation to bring the enemy to surrender more slowly but at far less cost[2].

There is, then, every reason to suppose that the rasing of the Temple horrified diaspora Jews as much as their Judaean compatriots. Jews outside Palestine seem to have presumed the central importance of the Temple in Jewish worship despite the physical obstacles to their frequent attendance at the cult. Thus Ps. Aristeas, who wrote probably in Alexandria and probably in

[1] On the reactions of diaspora Jews to the outbreak of revolt, see Jos. *B. J.* 2.457–98.

[2] For these arguments in greater detail, see further M. Goodman, *The Ruling Class of Judaea: the origins of the Jewish revolt against Rome, A. D. 66–70* (Cambridge, 1987), pp. 176–97.

the second century B.C., assumed that it was from Jerusalem and the priesthood based there that authoritative religious knowledge came. Philo, in Alexandria in the mid first century A.D., made the same assumption that Jerusalem is the mother-city of all Jews (*Flacc.* 46). By his time emphasis on the Jerusalem Temple by Jews in Egypt is particularly striking, for the rival temple of Onias in Leontopolis had been in existence for about two centuries without displacing Jerusalem from its primacy even among local Jews[3]. For at least one diaspora Jew, the historian Josephus living in Rome in the nineties A.D., Judaism without the Temple seems to have been unthinkable: in his summary of the Law in *Contra Apionem* he included the Temple cult as the first item in his list of the essentials of Jewish worship (*C. Ap.* 2.193–8)[4].

It is then a fair assumption that even those diaspora Jews within the Roman empire who had not themselves suffered in the war of A.D. 66–70 were profoundly affected by its consequences. Finding out more about their precise reactions is not, however, altogether easy, for direct evidence is hard to find. The rabbinic texts which refer to this period were all compiled either in Palestine or in Mesopotamia at least a century after the destruction of Jerusalem, and in most cases at a much later date. Their interests lay in the development of rabbinic halakhah and (to a much lesser extent) the biographies of individual Palestinian rabbis; it is not reasonable to expect in them any useful information on the state of the diaspora. It is true that certain rabbis are said to have gone on journeys to Syria and other are said to have travelled to Rome, but what they did on arrival is unknown[5]. By the fourth century A.D. the rabbinic patriarch in Galilee had established semi-formal control over many, eventually perhaps all, Jewish communities in the diaspora ruled by Rome, and the patriarch's *apostoloi* collected contributions on his behalf which by the 390s A.D., if not before, enjoyed the official sanction of the Roman government[6]. But it is highly implausible that any such system was in operation, even in embryonic form, between A.D. 70 and 132: in A.D. 70 the rabbinic sages, who to a large extent continued the traditions of the Pharisees, were presumably still competing for influence among thinking Jews in Palestine with other Jewish

[3] On the Leontopolis temple and its relationship to the Jerusalem cult, see E. Schürer, *The History of the Jewish People in the Age of Jesus Christ*, rev. and ed. G. Vermes, F. Millar, M. Black and M. Goodman, 3 vols. (Edinburgh, 1973–86), 3:145–7.

[4] On Josephus' summary of the Law, see G. Vermes, 'A summary of the law by Flavius Josephus', *Novum Testamentum* 24 (1982), 289–303.

[5] On the visits by Rabban Gamaliel to Syria (*m. Eduyoth* 7:7), and by him and others to Rome (*m. Maaser Sheni* 5:9 and parr.), see my comments in M. Goodman, *State and Society in Roman Galilee, A. D. 132–212* (Totowa, 1983), pp. 113, 240–1.

[6] On the power of the patriarch in the diaspora in the late fourth century, see S. J. D. Cohen, 'Pagan and Christian evidence on the ancient synagogue', in L. I. Levine, ed., *The Synagogue in Late Antiquity* (New York, 1987), pp. 172–5; M. Goodman, 'The Roman State and the Jewish Patriarch in the third century', in L. I. Levine, ed., *Galilee in Late Antiquity* (New York, 1992), pp. 127–39, with refs.

philosophies (described by Josephus as Essenism and Sadducaism, whose existence he still took entirely for granted in the nineties A.D. (*A. J.* 18.12–22))[7]. *A fortiori* in the diaspora, where only two Pharisees are attested from any period (St. Paul and Josephus), it is implausible that the successors of the Pharisees will have won immediate authority. It is entirely possible that the rabbis lacked any say in the Greek-speaking diaspora until well into the third century A.D. or even later.

Possible – but hard to prove, for the supply of literary evidence from the Greek-speaking diaspora itself begins to dry up towards the end of the first-century A.D. Of Jewish literature composed in Greek after A.D. 70, only the writings of Josephus survive in any quantity. Some of the Jewish forgeries inserted by some devious means now forgotten into the corpus of Sibylline oracles were composed probably under Domitian and Hadrian, but the complex psychology of the author of such oracles, whose success depended on his (or her?) ability to achieve the tone of a pagan prophetess, precludes use of such material as reliable evidence of Jewish self-perception in this period[8]. The romantic and mysterious novel called *Joseph and Asenath may* have been written by a Jew in this period; but its composition, which is firmly dated only by the *terminus ante quem* of the sixth-century translation of the work into Syriac, may also have been either much later or much earlier. A date before A.D. 117 is suggested only by the eirenic attitudes expressed towards gentiles, which may be regarded as unlikely in any work written in Egypt soon after that date[9]. Similar arguments apply to the *Testament of Job*, possibly to be attributed to an author in Egypt because of the reference to Job as king of all Egypt (28.8), but, though possibly composed in this period, firmly dated only to before the Coptic versions partially preserved in the fifth-century Papyrus Cologne 3221[10].

This dearth of extant Jewish literature in Greek is not accidental. It relates directly to, indeed was caused by, the phenomenon which is the subject of this book, namely, the "Parting of the Ways". Almost all the surviving Judaeo-Greek writings were preserved by the Christian rather than the Jewish tradition. Thus Philo's treatises were kept by the Church as edifying tracts; Philo, like Josephus, was treated by some early Christian fathers as an honorary Christian. But after c. A.D. 100 it became decreasingly likely that any work composed by a Jew would be viewed by Christians as relevant to them. If such works were written, then, they were mostly ignored by later generations and lost to posterity: *Joseph and Asenath* and the *Testament of Job* will have been exceptions.

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[7] Goodman, *State and Society*, pp. 93–118.

[8] On the Sibyllines, see Schürer, *History* 3:618–54. On the date of Books iv and v, see *ibid*, pp. 641–5.

[9] Schürer, *History* 3:546–52.

[10] Schürer, *History* 3:553–4.

Not that evidence for Jewish life in the Mediterranean diaspora in this period is therefore entirely lacking. As will become apparent in the pages which follow, something can be surmised from the fragmentary testimony of inscriptions (particularly in North Africa), from papyri (mostly in Egypt), from occasional hints out of archaeological sites, and from passing references to Jews in the quite full narrative histories of much of this period which record the political and military adventures of the Roman state and its rulers. For the immediate reaction after A.D. 70 much more detailed evidence is available from Josephus. Refugees from the war in Judaea – Josephus calls them *'sicarii'* – fomented disturbances in Alexandria and Cyrene which were only suppressed after heavy loss of life (*B. J.* 7.409–42). Josephus was at pains to insist that only lower-class Jews were led into such disaffection and that men of means attempted to impose moderation, but his veracity in this regard may reasonably be doubted since he himself was apparently accused by some of his compatriots of complicity in the uprisings (*Vita* 424). Doubt about Josephus' depiction of these disturbances, like the Judaean revolt itself, as a class struggle should not, however, extend to his insistence that Judaean rather than diaspora Jews were responsible: the historian held no special brief for diaspora Jewry, and no source suggests any anti-Roman move by those other diaspora communities which were too far removed from Judaea to act as hosts for more than a few refugees, such as the large settlements of Jews in Asia Minor.

The pacific inclinations of such Jews, however, did not prevent them too suffering in the backlash after the revolt. On the one hand the gentile inhabitants of the great city of Antioch in North Syria, where there was a sizeable Jewish minority, took advantage of the presumed anti-Jewish prejudice of the Romans immediately after the war to institute a systematic persecution aimed at the extinction of Jewish religious practices: all who failed to sacrifice to pagan deities were to be punished, cessation from work on the sabbath was forbidden, Jewish privileges were withdrawn. All this was much too extreme for the governor of Syria who, presumably with the approval of Titus, who was resident in the south of his province at the time, restored the Jews of Antioch to their former rights (*B. J.* 7.100–11).

On the other hand the instinct of the Antiochenes, that the Roman state might look not unfavourably on such persecution, was not very wide of the mark. The Flavians trumpeted their victory throughout the empire: coins proclaimed *Judaea Capta*, and the restoration of the *Pax Deorum* was symbolised by the dedication of the Temple of Peace on the Capitol in A.D. 76. No apology, therefore, for the destruction of the Temple, despite Josephus' optimistic assertion (cf. *B. J.* 6.241) that it had all been a terrible mistake[11]. On

[11] For the coins, see H. Mattingly and R. A. G. Carson, eds., *Coins of the Roman Empire in the British Museum*, 9 vols. (London, 1923–75) 2:115–18 and passim. On the temple of Pax,

the contrary the inoffensive sanctuary at Leontopolis, which had never yet served as rallying point for hostility to Rome of any kind, was arbitarily closed down for ever (*B. J.* 7.420–36).

At the root of this behaviour by the Romans, and the subsequent sufferings of diaspora Jews, was the ambiguity inherent in the Latin name *Iudaeus*, Greek *ioudaios*. The Flavian victory had been won over the inhabitants of Judaea, whom Romans naturally termed "Judaeans", but the identical term was used to refer to Jews wherever they lived, however little contact they maintained with the national homeland. Roman reprisals for the rebellion of Jerusalem thus fell on all Jews within the empire, symbolically expressed through the vigorous exaction of a special poll tax imposed on all Jews, the *fiscus Judaicus*[12].

The collection of the *fiscus Judaicus* in the years immediately following the revolt can be traced in some detail from papyrus records and ostraca in Egypt (*CPJ* nos. 160–229). It appears that every Jew, male or female from the ages of three to sixty, was required to pay two denarii a year; the original destination of the funds was the rebuilding of the destroyed temple of Jupiter Capitolinus in Rome, but the tax continued long after that project was complete. In Egypt at least arrears from the last year of the war (A.D. 69) were added to the first demands made from Jews in A.D. 71. For poorer Jews with large families the sum required was a considerable burden; for others, it signified ignominy – and strong identification with the defeated nation in Judaea[13].

Is is evident that this treatment of diaspora Jews by Rome presupposed that the *Iudaei* were an ethnic group all of whom subscribed to a particular religious cult. In practice matters were more complex. Some people who were born to Jewish parents might apostatize from Judaism, as had Tiberius Iulius Alexander[14]. Some gentiles might become Jews by conversion to Jewish religious practices, a process explicitly formulated in the mid first century by Philo (*Virt.* 108) but perhaps not always so clear-cut in particular cases (cf. Jos. *A.J.* 14.403)[15]: it is striking that no gentile writer before the end of the first century A.D. seems to have been aware of the Jewish concept of proselytism, desite the fact that such converts left their ancestral pagan cults and thus might become in

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see Jos. *B.J.* 7.158–62. On Titus' destruction of the Jerusalem Temple as deliberate, see Goodman, *Ruling Class*, pp. 237–8.

[12] On the term *ioudaios*, see *TDNT* s.v.; Ross S. Kraemer, 'On the meaning of the term "Jew" in Graeco-Roman inscriptions', *HTR* 82 (1989), 35–53. For some of the arguments which follow, see now in greater detail M. Goodman, 'Nerva, the *fiscus Judaicus* and Jewish identity', *JRS* 79 (1989), 40–4.

[13] On the *fiscus Judaicus* in general, see V. A. Tcherikover and A. Fuks, *Corpus Papyrorum Judaicarum*, vol. 1 (Cambridge, Mass., 1957), pp. 80–2; vol. 2 (Cambridge, Mass., 1960), pp. 111–16.

[14] Tacitus at *Ann.* 15.28.3 did not mention his Jewish origin. On his career, see V. A. Burr, *Tiberius Iulius Alexander* (Bonn, 1955).

[15] S. J. D. Cohen, 'Crossing the boundary and becoming a Jew', *HTR* 82 (1989), 13–33; M. Goodman, 'Identity and authority in ancient Judaism', *Judaism* 39 (1990), 192–201.

gentile eyes objectionable atheists. Other gentiles were attracted to Jewish customs such as the sabbath, without necessarily being thought of by other Jews as proselytes; of these a large number in Antioch had, according to Josephus, been made by the resident Jews "in some way a part of themselves" (*B. J.* 7.45). Which, if any, of these anomalous characters were to pay the Jewish tax?

It is likely enough that Vespasian and Titus gave no thought to such problems. But some idea of the people who in practice were compelled to pay may be culled from the report of Suetonius, *Domitian* 12.2, that in Rome the incidence of the tax was tightened up under their successor Domitian, who ruled A. D. 81–96. Domitian was not said to have changed the policy over who should pay. He was simply alleged to have exacted the tax *acerbissime*, a charge which Suetonius went on to elucidate by explaining that people who had previously got away without payment were now compelled to pay up. Who were these people? According to Suetonius, they were those who *vel inprofessi iudaicam viverent vitam vel dissimulata origine imposita genti tributa non pependissent*, that is, those who either followed Jewish customs without admitting to their Jewishness and/or those who disguised their (ethnic) origin as Jews. It seems that under the Flavians only those of Jewish ethnic origin were compelled to pay. Gentiles who had picked up Jewish customs mostly went scot free; those who did not were subjected not to taxation but to prosecution as atheists (Cassius Dio 67.14.1–2). Conversely, claiming not to be Jewish because one had left the faith was evidently ineffective since the tax had been placed on the *gens* regardless of religious loyalties. Presumably even a respectable Roman citizen like Tiberius Iulius Alexander was compelled to pay despite the ignominy. Suetonius records that in his youth he saw, presumably in Rome, a man ninety years old being stripped naked before a procurator and a crowded *consilium* to see whether he was circumcised (*Dom.* 12.2)[16].

What reaction to Domitian's increased rigour would one expect there to be from diaspora Jews? Perhaps not very much among the bulk of ethnic Jews, most of whom probably clung to their ancestral customs[17]. The hostility to Rome, and solidarity with Jews elsewhere, which had been engendered by the original imposition of the tax would not be much affected by its extension to apostates. But for the apostates themselves Domitian's rigour was much more likely to produce great resentment. Many of the numerous Jews who lived in the city of Rome in the late first century A. D. were descended from slaves who had been brought to Rome by Pompey in 63 B. C. and had then been freed and granted Roman citizenship[18]. By the time of Domitian such people could think

[16] See L. A. Thompson, 'Domitian and the Jewish tax', *Historia* 31 (1982), 329–42; Goodman, 'Nerva and the *fiscus Judaicus*', pp. 40–1.

[17] Josephus, *C. Apionem* 2.225–35, boasted that Jews stayed loyal to their ancestral rites more than any other people.

[18] Schürer, *History* 3:73–81.