

## Introduction

In outlining the whole of Jewish history, Jacob Neusner discerns four phases.<sup>1</sup> His first phase covers all of the Biblical period, up to the fall of Jerusalem and destruction of the Temple in

70 CE. Yet it is not the Biblical

period that he considers

definitive for Judaism. It is

rather the second phase, which

includes the development of

1. First Age of Diversity	500 BCE to 70 CE
2. Age of Definition	70 CE to 640 CE
3. Age of Cogency	640 CE to 1800 CE
4. Second Age of Diversity	1800 CE to the present

### Neusner's Phases of Jewish History

the *Mishnah*, *Talmud*, and other rabbinic writings. Yet before the *Mishnah* was written in the

late second century, there is a shadowy period associated with Yavneh. It extends from the

fall of the Temple in 70 CE to the Second Jewish (Bar Kokhba) revolt in 135 CE. While

Neusner's full Age of Definition is centuries long, the key departure point for all of modern

Judaism begins with the destruction of the temple and the Yavnean period.

This paper endeavors to survey current thought about Yavneh (also called Jamnia),

particularly in light of the Qumran Dead Sea Scrolls (DSS), which illustrate the period before

Yavneh. Who was at Yavneh, and what were their activities? Given significant transitions in

Jewish sectarianism and Scriptures between the Qumran period before Yavneh and full

rabbinic Judaism after, CChow does Yavneh explain the transitions?

<sup>1</sup> Jacob Neusner, *Rabbinic Judaism : The Documentary History of Its Formative Age, 70-600 C.E* (CDL Press, 1994), 9.



## **Before 70: Light from Qumran**

The publication of the Dead Sea Scrolls has provided significant clarity in our picture of late Second Temple Judaism. They have provided not only literature specific to the sect at Qumran (ca. 200BCE – 68 CE) and insight to their thought, but also manuscripts of biblical books that are a thousand years older than those previously known. These texts, along with other ancient sources, sketch a diverse Judaism and pluriform Scriptures before the fall of Jerusalem in 70 CE.

### ***Sectarianism***

#### **Multiple Sects**

In the Second Temple period, one could argue that Judaism was more a collection of Judaisms, rather than a single cult. Numerous ancient sources cite a well-known list of Jewish sects, including Pharisees, Sadducees, Essenes, Zealots, and others.<sup>2</sup> While we know little of their origins in the Maccabean period or earlier, we do know that sometime around 100 BCE, the three groups of Sadducees, Pharisees, and Essenes were in existence,<sup>3</sup> and well-established in the first century CE. Even the early Christians have their roots as a Jewish movement prior to 70 CE.

#### **Temple Exclusivity**

Cohen argues that all the sects had defined themselves in relation to the temple, with many thinking of themselves as more pure administrations of cultic activity than the others.<sup>4</sup> The Essenes kept a shadow priesthood in the wilderness, the Pharisees sought to replicate the

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<sup>2</sup> These sources include Qumran's 4QMMT and the *Temple Scroll*, Josephus' *War*, *Antiquities*, and *Life*; the New Testament, rabbinic literature, Pliny the Elder, and Philo. Two examples which list sources of sectarian identification are Lester L. Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh* (London: Routledge, 2000), Ch. 9, James C. VanderKam and Peter W. Flint, *The Meaning of the Dead Sea Scrolls*, First ed. (New York: HarperCollins Publishers, Inc., 2002).

<sup>3</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*, 185.

<sup>4</sup> Shaye J. D. Cohen, "The Significance of Yavneh : Pharisees, Rabbis, and the End of Jewish Sectarianism," Hebrew Union College Annual 55 1984 (1984): 55.

temple altar at the family table along with proper behavior and purity laws, and the Samaritans (and early Christians) also rejected the temple. Each was the only true way, particularly in contrast to the temple cult.

## **Eschatology**

Further, several had expectations of imminent vindication before their enemies, generally the Jewish masters in Jerusalem or the Roman oppressors. Not only was their way the exclusive way, they expected world events would soon prove it. The Qumranites, for example,

believed they were living in a segment of time called the end of days or the last days, the period that lay just before the decisive end or visitation. In it the forces of good and evil continued their age-old battle for control, but during this especially charged time the small chosen community was playing a decisive role not only for themselves, but also for others. They believed their fellowship had assumed functions normally associated with the Temple in Jerusalem.<sup>5</sup>

They also anticipated the appearance of two messiahs, one royal and one priestly.

Early Christians share some elements of this eschatology. Not only obvious apocalyptic works like *Revelation*, but also *Mark*'s use of "the Son of Man," warnings against false messiahs (Mark 13), and Paul's admonition (in the oldest book in the New Testament) that "the day of the Lord will come like a thief in the night" (1 Thessalonians 5:2) show clear links to the messianic and eschatological expectation of the period.<sup>6</sup>

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<sup>5</sup> VanderKam and Flint, *The Meaning of the Dead Sea Scrolls*, 264.

<sup>6</sup> John J. Collins, *The Apocalyptic Imagination: An Introduction to Jewish Apocalyptic Literature*, Second ed. (Grand Rapids: Eerdmans, 1998).

In short, the Second Temple period demonstrates a significant pluralism of parties within Palestinian Judaism that each had a certain focus on the temple and varying levels of exclusivity and impending eschatology.

## **Canonization**

The scriptures in this period also took multiple forms. A discussion of the biblical *canon* in this period is anachronistic, since final collections of sacred books and text types were not fixed until the second or third centuries CE. Scripture here might better be described as *collections of religiously authoritative writings*. Yet the formation process of what became the canon is our present concern.

## **Categories of books**

### **Number of books**

During the Second Temple period, there was not a full canon but at least a group of writings considered sacred. Some manuscripts of the intertestamentary book of *Jubilees*, for example, refer to twenty-two special books,<sup>7</sup> but this reference is lacking in the Qumran versions of *Jubilees*. **Josephus**, writing roughly contemporaneously with Yavneh but likely drawing on previous convention, lists twenty-two books that are accepted as authoritative religious history.<sup>8</sup> **4 Ezra**, also roughly contemporary to Yavneh, speaks of twenty-four books as public sources of understanding. Clearly, by 70 CE there was an acknowledged category of religiously authoritative books, with a limited number of entries.<sup>9</sup>

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<sup>7</sup> *Jub* 2:23-24

<sup>8</sup> *Against Apion* 1.37-41

<sup>9</sup> John J. Collins, *Seers, Sybils, and Sages in Hellenistic-Roman Judaism* (Brill, 1997), 6. and Sidnie White Crawford, "The Fluid Bible: The Blurry Line between Biblical and Nonbiblical Texts," *Bible Review* 15 Je 1999 (1999). both have similar lists of evidence.

## **Bi- or Tri-Partite Canon?**

The entries of that broad category appear to have developed in stages, creating subcategories.

The modern Hebrew Bible, for example, includes the familiar tri-partite division of the Law, Prophets, and Writings. Some Christian bibles also include Apocryphal books.

Collins suggests the 19<sup>th</sup> century view of this development involved a series of progressive solidifications through the Second Temple period. First, the Law was canonized in the time of Ezra, then the Prophets by the time of Ben Sira (early second century BCE), and the Writings were closed “at the council of Jamnia, about 90 CE”.<sup>10</sup>

The earliest labels for subcategories are found in the second century BCE. **Sirach** (ca. 180 BCE) refers to the “law of the most high”, “the Prophecies”, and also the “wisdom of all the ancients.”<sup>11</sup>

The Qumran scroll **4QMMT** (ca. 150 BCE) refers to books of “David” which may have meant only Psalms. Other writings from Qumran refer to only a bipartite formula.<sup>12</sup>

VanderKam and Flint suggest “the evidence from the scrolls points to at least two series or sections of Scriptures for the Qumran community in the second century BCE” with a third (David/Psalms) or possibly fourth series (history).<sup>13</sup>

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<sup>10</sup> Collins, *Seers, Sybils, and Sages in Hellenistic-Roman Judaism*, 3.

<sup>11</sup> *Sirach* 39:1

<sup>12</sup> Craig A. Evans, “The Dead Sea Scrolls and the Canon of Scripture in the Time of Jesus,” in *Bible at Qumran* (Grand Rapids, Mich: W.B. Eerdmans Pub. Co., 2001), 72.

<sup>13</sup> VanderKam and Flint, *The Meaning of the Dead Sea Scrolls*, 171.

**Ben Sira** (ca. 115 BCE) mentions the Law and the Prophets and ‘the others’ twice. Evans and others argue this is a clear tri-partite formula (though the final category is open and unnamed),<sup>14</sup> but Collins argues not even the Prophets can be definitively defended as a closed category, since there still seems to be controversy over the status of *Daniel*, for instance.<sup>15</sup>

**The New Testament** writers (ca. 50-100 CE) use bi-partite formula (Matt 5:17, 7:12, 11:13, 16:16, 22:40; Luke 16:29-31; Acts 13:15, 24:14, 28:23; Rom 3:21), with Luke 24:44 as the major exception, referring to law, prophets, and the psalms.

Thus, in the category of sacred books in the first century CE, it appears some entries had found permanent status in particular subcategories (e.g., Torah), and the others were still forming. As Collins summarizes,

The evidence, then, for the period before 70 CE points to a core canon, consisting of Torah and Prophets, which was universally accepted, although the precise definition of the prophetic corpus seems to have varied, and an open-ended supplement of “other writings” was also acknowledged<sup>16</sup>

### **Textual traditions and editions**

Beyond collections of books, the status of individual books is further complicated by multiple, differing copies of each title. Some titles found at Qumran had multiple versions, and the copies often varied in patterns.

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<sup>14</sup> Evans, "The Dead Sea Scrolls and the Canon of Scripture in the Time of Jesus," 71.

<sup>15</sup> Collins, Seers, Sybils, and Sages in Hellenistic-Roman Judaism.

<sup>16</sup> *Ibid.*, 11.

Crawford catalogues the types of textual variants in the Qumran literature in increasing order of intentionality. Some variants are accidents or scribal error; some are intentional smoothing or harmonization; some are expansions to better interpret the text.<sup>17</sup> Given the expansiveness of the variants, Ulrich has argued extensively that patterns of variations in a single title should be viewed as full literary editions. Some editions, like the Samaritan Pentateuch for example, seem to have been purposely altered to make a sectarian theological point<sup>18</sup>

Among the DSS, Waltke,<sup>19</sup> like Tov<sup>20</sup> classify the text types in terms of what they later became:

1. Samaritan Pentateuch
2. Proto-Masoretic texts
3. Pre-Samaritan texts
4. Septuagintal texts
5. Non-aligned

Furthermore, not only were there multiple text traditions and types during the second temple period, Ulrich argues the multiple traditions were used at the same time by the same people.<sup>21</sup>

The presence of these various text types in quantity in Palestine suggests their wide and simultaneous use.

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<sup>17</sup> Crawford, "The Fluid Bible: The Blurry Line between Biblical and Nonbiblical Texts." One version of Miriam's Song (Ex.15:21-22), for example, adds lines to make clear that God is the victor at the Red Sea, not Moses.

<sup>18</sup> Eugene Charles Ulrich, The Dead Sea Scrolls and the Origins of the Bible (Eerdmans ; Brill Academic Publishers, 1999). (e.g., Joshua's altar being built on Mt. Gerazim vs Mt. Ebal).

<sup>19</sup> Bruce K. Waltke, "How We Got the Hebrew Bible: The Text and Canon of the Old Testament," in *Bible at Qumran* (Grand Rapids, Mich.: W.B. Eerdmans Pub. Co., 2001).

<sup>20</sup> Emmanuel Tov, "The Biblical Texts from the Judean Desert," in *The Hebrew Bible and the Judean Desert Discoveries*, ed. E.D. Herbert and Emmanuel Tov (London: The British Library, 2002).

<sup>21</sup> Ulrich, The Dead Sea Scrolls and the Origins of the Bible.

## Summary

Waltke, citing F.F. Bruce, takes a traditional position that the canon was simply closed by the first century CE, saying “Jesus and the apostles held the same OT in hand that protestants do today”<sup>22</sup> This is not entirely convincing, given the apparent open-endedness of the peripheral categories and the wide use of text types. Even the New Testament book of *Jude* cites *1 Enoch* as being at least worthy of reflection. The New Testament itself also preserves various text types (Pre-Samaritan texts in Acts 7 and in Hebrews 9, for example.)<sup>23</sup>

As Ulrich summarizes, at the time of the Qumran scrolls, though the inner core of the collection (the Law and the Prophets) were clearly considered authoritative works of Scripture, their order was largely but not fully set. Works nearer the periphery were still finding their place.<sup>24</sup> Furthermore, the text of individual books was pluriform (as was Judaism). We know some books were in and some were out, but even those “in” had multiple literary editions.<sup>25</sup>

## After 70: Yavneh Structure

### Definition

Yavneh, variously called Jamnia, Jamnia-by-the-sea (Yavneh-Yam), or Yabneh, is an ancient city in northern coastal Palestine. Located south of Jaffa, it is still inhabited today and called Yabneh.<sup>26</sup> Many decades before the fall of Jerusalem, the inhabitants had opposed the

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<sup>22</sup> Waltke, "How We Got the Hebrew Bible: The Text and Canon of the Old Testament," 32.

<sup>23</sup> Ibid.

<sup>24</sup> Eugene Ulrich, "The Bible in the Making: The Scriptures Found at Qumran," in *Bible at Qumran* (Grand Rapids, Mich.: W.B. Eerdmans Pub. Co., 2001), 57.

<sup>25</sup> Ibid., 65.

<sup>26</sup> Robert C. Newman, "Council of Jamnia and the Old Testament Canon," *Westminster Theological Journal* 38, no. Spr 1976 (1976): 328.

Maccabees,<sup>27</sup> and the city was eventually was burned by the Hasmonean rulers at the end of the second century BCE.<sup>28</sup> Yavneh rose to prominence after the destruction of the temple, and played a key role in Jewish leadership between 70 and 135 CE.

### ***The Council Myth?***

The traditional view of the activity at Yavneh during this period suggests that, after the fall of Jerusalem, rabbinic Judaism was created in a short, decisive period. Frequently labeled the “Council at Jamnia,” in recent decades this view has been significantly challenged.<sup>29</sup>

This perspective suggests that after the fall of Jerusalem, the Pharisees relocated the seat of Jewish government to Yavneh and ousted all other sects and parties. Most of the others promptly died out in various holy wars, and the Christians in particular were excommunicated. The Pharisees were then left to fix the canon on a single list of books and the text type on what became the Masoretic Text, thus inaugurating rabbinic Judaism.<sup>30</sup>

How accurate is this perspective? Was the seat of Government relocated? Did the Pharisees take control? Did they call a council as a definitive act? Did they reject all others groups? Did they fix the Scriptural canon in terms of sections, books, and text-types?

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<sup>27</sup> cf. 1 Macc, 4:14, 2 Macc 12:8-9

<sup>28</sup> Judith Sudilovsky, "From the Ashes : Coastal City Destroyed During Maccabean Revolt," *Biblical Archaeology Review* 26 no 2, no. Mr-Apr 2000 (2000).

<sup>29</sup> Neusner and Cohen, in particular, seem to have lead this reassessment.

<sup>30</sup> Shaye J. D. Cohen, "Yavneh Revisited : Pharisees, Rabbis, and the End of Jewish Sectarianism," *Society of Biblical Literature Seminar Papers* no 21, no. 1982 (1982): 45. is a good example of “myth” summaries.

## ***New Perspective***

### **Sources**

Most scholars are clear that our sources of information about Yavneh are rather thin. All of our direct knowledge of the period comes from the *Mishnah* and other writings that followed decades later.<sup>31</sup> Traditionally, the *Mishnah* was compiled in the late second century, a few decades after the Yavnean period,<sup>32</sup> but supposedly based on earlier compilations by the Yavneh scholar Rabbi Akiba and his student Rabbi Meir.<sup>33</sup> The Mishnaic writings could very well have been constructed to present Yavneh as its own origin myth, with winners emphasized and losers marginalized, so even our direct sources may be embellished.

### **People and Chronology**

#### **First Generation**

Grabbe recounts the legend that, that upon the fall of Jerusalem, Emperor Vespasian himself gave **Yohannen ben Zakkai** permission to establish an academy in the city of Yavneh.<sup>34</sup>

Collins claims Yohannen had founded Yavneh as an academy before 70, and the very reason Yavneh became a seat of power was that an academy was already there. Any significant political or councilar (Sanhedrin) function came later.<sup>35</sup>

#### **Second Generation**

The dominant scholar of Yavneh was Rabbi **Gamaliel** (aka Gamaliel II), who led the group for several decades. He was old enough to have seen Jerusalem in youth, prior to 70 CE.<sup>36</sup>

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<sup>31</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*, 117. and Daniel Boyarin, "Justin Martyr Invents Judaism," *Church History* 70 no 3, no. S 2001 (2001). and others all disclaim their reconstructions as tentative in the face of the complex composition, compilation, and redaction of the *Mishnah*

<sup>32</sup> Newman, "Council of Jamnia and the Old Testament Canon," 326. "The *Mishnah* , which forms the basis for both the Babylonian and Palestinian Talmuds, was traditionally compiled by Rabbi (Judah the Prince), who was born in A.D. 135 and died about A.D. 210."

<sup>33</sup> *Ibid.*

<sup>34</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*, 122.

<sup>35</sup> Collins, *Seers, Sybils, and Sages in Hellenistic-Roman Judaism*, 4.

While a long-term leader, he often clashed with his colleagues, who tried to remove him a few times. He was indeed deposed for a time<sup>37</sup> and **Eleazar ben Azariah** was installed as the head.<sup>38</sup> He was not necessarily the smartest or richest rabbi, and Habas argues that the key to his power was his lineage.<sup>39</sup> He was well-traveled, and appears to have made some semi-official journeys visiting other Jewish areas as some sort of office holder.<sup>40</sup> He disappears from our sources long before 132, suggesting his death, probably before the uprisings of 115-118.<sup>41</sup>

**Rabbi Akiba** was also second-generation leader. He disagreed with Gamaliel occasionally, sometimes strongly, but accepted Gamaliel's authority, and even mediated between Gamaliel and other sages.<sup>42</sup> Akiba is noted for having died in the Bar Kokhba revolts (ca. 135), supposedly having declared Bar Kokhba as the messiah, though Grabbe suggests that many older studies are uncritical in their assessment of the Akiba tradition.<sup>43</sup> In any case, Akiba likely held a messianic-nationalistic view.<sup>44</sup>

**Hananina ben Gamaliel**, Gamaliel's eldest son, was good scholar and was allowed to dispute with the more senior Akiba and Rabbi **Yose the Galilean**. His disputation and the recording of his minority view, both at a time when his father's generation was still active,

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<sup>36</sup> Ephrat Habas, "Rabban Gamaliel of Yavneh and His Sons : The Patriarchate before and after the Bar Kokhva Revolt," *Journal of Jewish Studies* 50, no. Spr 1999 (1999): 34.

<sup>37</sup> Somewhere between 80-117

<sup>38</sup> Collins, *Seers, Sybils, and Sages in Hellenistic-Roman Judaism*, 4.

<sup>39</sup> Habas, "Rabban Gamaliel of Yavneh and His Sons : The Patriarchate before and after the Bar Kokhva Revolt."

<sup>40</sup> *Ibid.*: 27.

<sup>41</sup> *Ibid.*: 34.

<sup>42</sup> *Ibid.*: appendix.

<sup>43</sup> As suggested in *j. Ta'anit* 4.8 It is unclear whether bar Kokhba thought himself the messiah

<sup>44</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*, 124.

suggest unusual prominence at a young age. He also likely stood in for his father at an official event, further suggesting prominence. He likely married and was severely ill for a time. Like his father, he disappears and is never mentioned in connection with Bar-Kokhba. Habas argues that because Gamaliel's son had undue position, their whole family possessed prominence. Gamaliel himself somehow had power because of his family. He was in turn grooming Hananina, but both died in the early second century, causing a power vacuum that was never really filled at Yavneh.<sup>45</sup>

### **Third Generation**

This pattern is repeated in Rabbi **Shimon ben Gamaliel** years later. A much younger son of Gamaliel, he was still a student during the Bar Khokba revolt and rose to prominence in following decades at new center in Usha, Galilee. He also was given preference and position that his age would not suggest appropriate, even years after his father's death. His entire career was in Usha, after Yavneh had waned as a center of power, where he interacted with **Shimon ben Johai** and **Rabbi Meir**, both of whom were likely ordained by Akiba.<sup>46</sup>

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<sup>45</sup> Habas, "Rabban Gamaliel of Yavneh and His Sons : The Patriarchate before and after the Bar Kokhva Revolt." This is essentially the thesis of Habas' whole article.

<sup>46</sup> Ibid.: 29.

**Table 1: A rough timeline of significant people at Yavneh**

	<b>70 Temple Destroyed</b>	<b>95 Yavneh "council"</b>	<b>115-118 Jewish Revolts</b>	<b>135 Bar Khokba</b>	<b>ca. 160 New center in Usha in Galilee</b>
<b>Yohannen ben Zakkai</b>	Establishes academy at Yavneh				
<b>Gamaliel of Yavneh</b>	Saw temple in youth	Second-generation leader Well-traveled, deposed for a time	Probably dead		
<b>Eleazar ben Azariah</b>		Replaces Gamaliel for a time as leader; Declares <i>Songs</i> and <i>Eccl.</i> as sacred			
<b>Akiba</b>		Disputes with Hanina		Dies in revolt	
<b>Yose the Galelian</b>		Disputes with Hanina			
<b>Hanina ben Gamaliel (eldest)</b>		Travels to Galilee on official visit with father and brothers; Marries; falls quite ill for a time, disputes with Akiva, Yose	Probably also dead or incapacitated by illness.  Disappears from records prior to 135		
<b>Meir</b>			Ordained by Akiba?		Some prominence in Galilee; denies holy status to <i>Songs</i> and <i>Ecclesiastes</i>
<b>Shimon ben Johai</b>			Ordained by Akiba?		Some prominence in Galilee
<b>Shimon ben Gamaliel</b>			Probably born, rather near time of father's death.	Student at Beitar	Rose to prominence in Galilee at young age

## After 70: Yavneh Activity

### *Academy or Council?*

The classic myth suggests that Yavneh functioned like a council, rather like the Christian councils of later centuries—a short, decisive period of firm decision. Collins suggests that Yavneh was more an academy than council. He cites Sundberg's estimation that it was loose series of disputations and decisions by scholars over a longer period.<sup>47</sup> Habas, like others, simply assumes that Yavneh was never a formal council, but functioned like a college.<sup>48</sup>

D.E. Aune sees the council model as a product of Jewish historian Heinrich Graetz in 1871, who referred to it as a "synode." Graetz in turn may have taken a cue from Spinoza's 1670 theory that some Pharisaical "synode" probably fixed the tripartite canon (at some unspecified date).<sup>49</sup> Also, many of the *Mishnah* passages following the record of Gamaliel's deposition begin with the phrase "on that day." The interpretation of this phrase varies, but it at least suggests another possible source for the idea of a single, massive, council-like period of action.<sup>50</sup>

Given that Gamaliel seemed to travel in an official capacity and that other towns also appear to have "Sanhedrin" councils, it is possible that Yavneh had both an on-going academy with long-term students and periodic councils of visiting leaders from other areas. During the uprisings of 117, meetings are held but "always of partial attendance, sporadic, in various

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<sup>47</sup> Collins, *Seers, Sybils, and Sages in Hellenistic-Roman Judaism*.

<sup>48</sup> Habas, "Rabban Gamaliel of Yavneh and His Sons : The Patriarchate before and after the Bar Kokhva Revolt."

<sup>49</sup> David E. Aune, "On the Origins of the "Council of Javneh" Myth," *Journal of Biblical Literature* 110, no. Fall 1991 (1991). She traces the model through 19<sup>th</sup> century Christian scholars Buhl and Ryle.

<sup>50</sup> Collins, *Seers, Sybils, and Sages in Hellenistic-Roman Judaism*, 4.

places and with different sages attending in small groups usually said to be held ‘in danger’.<sup>51</sup>

In short, Yavneh was likely an academic center which attracted and supported leaders in the chaos that followed the fall of Jerusalem. It was in contact with other areas, but there is little compelling evidence of a *synod* or *council* in which significant, final decisions were made in a short time.

### ***Pharisees and Sectarianism***

The traditional perspective of Yavneh supposes that the Pharisees were primary actors, who ousted all others. How strong was Pharisaism at Yavneh and in the formation of Rabbinic Judaism?

### **Many Groups**

One explicit statement in the *Mishnah*<sup>52</sup> states there were many groups at Yavneh, suggesting some continuity with the pluralism of the Qumran period and some synthesis in its development.<sup>53</sup>

In his influential 1982 article, Cohen argues that the basic innovation at Yavneh was a conscious decision to be completely non-sectarian within Judaism. Rather than one group conquering the others, those at Yavneh agreed there would be one broad “orthodox” Judaism, one tent big enough for all disagreements. The only unallowable doctrine was a sectarian self-identity. Inclusiveness was their greatest achievement. All the groups decided to live

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<sup>51</sup> Habas, "Rabban Gamaliel of Yavneh and His Sons : The Patriarchate before and after the Bar Kokhva Revolt," 34.

<sup>52</sup> *M. Avot* 2:8

<sup>53</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*, 123.

together; they agreed to differ without strife. Intolerance was no longer directed at other sects but at sectarianism itself.<sup>54</sup>

Cohen further argues that while there were strong ties between pre-70 Pharisaism and the post-70 rabbis, it is not an exclusive link. What is notable is the lack of distinctions and labels at Yavneh--the names for the sects disappear; the rabbis do not call themselves Pharisees or descendants of Pharisees.<sup>55</sup> Cohen's thesis is a radical one, almost the exact opposite of pre-70 sectarianism. He offers a possible explanation of the lack of labels himself, saying that one reason the name "Pharisee" in particular was not used is that it means "separatist" and may have been an epithet.

Thus there seems to be some plurality of groups, with some acknowledgement of the Pharisees in a key role. But the question remains whether one group ousted others over time, the others left on their own, or they, as Cohen suggests, all agreed to live together in a radical new fashion, or some other synthesis took place between the groups.

## **Temple**

With the temple destroyed, the self-definition of many of the sects had lost their cultic center. Supporting his inclusive theory, Cohen suggests the destruction of the temple "warned the Jews of the dangers of internal divisiveness."<sup>56</sup> With the focal point removed, individual leaders were free to emerge and the sects free to redefine themselves. Also, the point of the Vespasian legend, with its Roman complicity in the creation of the Yavneh institution, is to

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<sup>54</sup> Cohen, "Yavneh Revisited : Pharisees, Rabbis, and the End of Jewish Sectarianism," 48.

<sup>55</sup> Ibid.: 52.

<sup>56</sup> Ibid.: 48.

promote continuity and de-emphasize the crisis and Roman conflict.<sup>57</sup> Those at Yavneh simply decided to abandon their temple fervor.

Other scholars are not nearly as quick to see the influence of the temple disappear with its destruction. Although the temple was destroyed, there was hope for rebuilding. Building a Third Temple roughly seventy years after the Second, just as the Second was built 70 years after the loss of the First, may have been one of the driving factors behind the 135 revolt. Only after the Bar Kokhba revolt, when all hope of a new temple was finally extinguished, did rabbinic Judaism, embodied in the detailed reinterpretation of purity and impurity in social terms, really develop.<sup>58</sup>

Furthermore, it must be said the Pharisees had a philosophical advantage with the temple gone. Neusner points out in several places that their theology was ready to cope with the absence of a central temple. Even before 70, they sought to practice temple purity in the home. They were well placed to continue and develop that emphasis after the temple was destroyed.<sup>59</sup>

It may be then, rather than a radical rejection of sectarianism, the scholars of Yavneh continued to wrestle with the value of the temple. The temple was gone, but probably not forgotten, nor forsaken as Cohen suggests. Over time, the theology of the Pharisees naturally

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57 Ibid.: 45.

58 Collins, Seers, Sybils, and Sages in Hellenistic-Roman Judaism, 90.

59 Stephen Motyer, *Your Father the Devil? : A New Approach to John and 'the Jews'* (Paternoster Press, 1997), 89.

positioned them to offer an alternate vision of Jewish life without the temple. Only after 135 did this advantage flourish.

## **Eschatology**

While the temple and the apocalyptic Qumran community were both destroyed around 70 CE, eschatological fervor, like hope for a new temple, continued throughout the Yavnean period.

The *Apocalypse of Ezra*, *Apocalypse of Baruch*, and *Apocalypse of Abraham*, as well as the Christian book of *Revelation* all date to around 100 CE. From these books Grabbe suggests contemporary Judaism continued to have a keen interest in the end of Roman rule and in a messianic vindication of Judaism well past 70 CE.<sup>60</sup> *The Sibylline Oracles* is also anti-Roman and has an imminent expectation of judgment.<sup>61</sup> VanderKam states, “the very existence of these books shows that the apocalyptic mentality which may well have played a role in fanning enthusiasm for the [bar Kokhba] revolt did not perish with the flames of 70 CE.”<sup>62</sup>

Moytner distinguishes at Yavneh what he calls *quietist* and *activist* eschatologies. Rather than seeking the restoration of the temple, some called for events to be left in God’s hands rather than provoked by a holy war. Based on an attributed saying,<sup>63</sup> Moytner suggests that Yohanan ben Zakkai believed<sup>64</sup> that messianic movements should be resisted and that the disaster was a *step forward* in the plan of God. “Eschatological fervour and a desire to

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<sup>60</sup> Grabbe details the themes as including a preoccupation with Roman rule and its imminent end, the rise of a messianic figure, messianic woes, the fate of individuals after death, periodization of history, new heavens and new earth (with a messianic age), and significant roles for good and evil angelic beings.

<sup>61</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*.

<sup>62</sup> James C. VanderKam, *An Introduction to Early Judaism* (Grand Rapids: Eerdmans, 2001), 45.

<sup>63</sup> *Abot. R. Nat B31*, as quoted in Neusner’s *Yohannan*, 134

<sup>64</sup> As does the author of 2 Baruch 52:6-7

rebuild the temple are connected with each other, and *both* are countered with the sober judgment that the destruction of the temple was actually *a good thing*”<sup>65</sup>

Yet within Yavneh, as noted earlier, significant figures appear to have shared a messianic-nationalistic view. The influential Rabbi Akiba is supposed to have not only died in the revolt, but even named the leader, Simon Bar Kosiba, “the son of the star” (Bar Kokhba), which would have been understood as a messianic reference to Numbers 24:17.<sup>66</sup>

After Yanveh and the revolt of 135 CE, it is difficult to find apocalyptic and other Jewish works with a strong apocalyptic–messianic worldview. The *Mishnah* of later decades seems a sharp contrast to such a view.<sup>67</sup> As Motyer states, “from all we can tell, apocalyptic expectations ceased in their old form, having disappointed once and for all”<sup>68</sup>

Thus, eschatological fervor certainly continued through the Yavnean period, both within wider Judaism and at Yavneh itself. While anti-apocalyptic Pharisees could have been influential or even the majority at Yavneh, the presence of others who were eschatologically inclined continues to demonstrate the plurality of Yanveh. Yet not only did the Pharisees have a theology of the temple more compatible with the times, they may have also had a quietist eschatology, which became prominent after the Bar Kokhba disaster. This would seem to suggest that the Pharisees gained prominence over time rather naturally, as events came to support their perspective.

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<sup>65</sup> Motyer, *Your Father the Devil? : A New Approach to John and 'the Jews'*.

<sup>66</sup> VanderKam, *An Introduction to Early Judaism*, 49.

<sup>67</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*, 124.

<sup>68</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*, 126.

## Heresy and Exclusion

As recently as 1988, Manns was assuming the key break between Christianity and Judaism happened at Yavneh, arguing that the break was a mutual repudiation, rather than an expulsion of Christians.<sup>69</sup>

But Cohen argues that no group was repudiated, nearly by his definition of Yavneh being an inclusive community. Yavneh, in his view, actively eschewed the idea of heresy. Rabbis were not put out for errant doctrine, but for rejecting the majority. Even the powerful Gamaliel was deposed when he tried to impose his will on the group.<sup>70</sup> Doctrinal differences might be silenced, but not excommunicated. For Cohen, tolerance was the key ethic at Yavneh.<sup>71</sup>

Yet even in Cohen's view, a certain level of discernment and exclusion was present. Boyarin argues that while Cohen is correct that the end of the temple brought an end to a particular kind of sectarianism, Yavneh must have seen the beginnings of a new kind of division. By the time rabbinic Judaism had formed in the late second century, there was clearly a category of those outside true Israel. Sectarianism had not disappeared, but rather one group began to achieve hegemony, and portrayed itself as the end product of Judaism.<sup>72</sup> At Yavneh this was not a full-fledged heresiology, but basic ideas that were emphasized in later centuries.

Liturgical practices, such as the rabbinic "blessing of the heretics (*minim*)," probably began with unnoted, spontaneous inclusion in liturgy, moving to formal inclusion and justification

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<sup>69</sup> Libby Garshowitz, "John and Jamnia: How the Break Occurred between Jews and Christians, C 80-100 Ad," *Journal of Ecumenical Studies* 28 no 1, no. Wint 1991 (1991).

<sup>70</sup> *Ibid.*: 59.

<sup>71</sup> Cohen, "Yavneh Revisited : Pharisees, Rabbis, and the End of Jewish Sectarianism," 53.

<sup>72</sup> Boyarin, "Justin Martyr Invents Judaism," 7.

later. In the latter part of the first century, the notion of heresy had not yet entered (pre)-rabbinic Judaism, and “the term *min*—only attested, after all, in late second-century sources—is in fact a later development in Jewish religious discourse”<sup>73</sup> Yavneh began with an open pluralism, but some form of hegemony did develop over the following century.

As Moytner summarizes, there is a general consensus that there was exclusion at Yavneh, but it was rather passive, rather than active:

“There is now a healthy consensus that (a) the Yavnean sages did indeed introduce a curse on the *minim* [heretics] towards the end of the first century, but (b) we cannot be sure who the intended *minim* actually were, nor (c) what the precise wording was, and (d) since the curse worked by self-exclusion rather than by expulsion (so that it would only bar from the synagogue those who recognized themselves as ‘*minim*’), it must have functioned more as an exhortation to Jews generally than as a specific means of social exclusion”.<sup>74</sup>

In short, Yavneh may have begun as a rather inclusive community, but the growing rudimentary heresiology at Yavneh seems more evidence of an emerging hegemony rather than Cohen’s idealized pluralism. Yet while the rudiments are there, the exclusion process was not as definitive or active as the myth suggests, even if the seeds of division produced fruit in later decades.

### **How strong was Yavneh in wider Judaism?**

Regardless of internal structure, the question of Yavneh’s overall influence at the time remains an open question. Neusner claims that source analysis of the *Mishnah* shows that

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<sup>73</sup> Ibid.

<sup>74</sup> Motyer, *Your Father the Devil? : A New Approach to John and 'the Jews'*, 93.

there is little interest in civil law, suggesting that the Yavnean scholars were not in control of society.<sup>75</sup> Habas' theory of family prominence also suggests a certain social chaos. That family ties could propel Gamaliel's sons to prominence, both before and after 135 with only modest achievement, suggests a vacuum of order and desperation for leadership.<sup>76</sup>

Collins suggests that Yavneh, while significant, was not a singular center of power. While Yavneh had some bearing on later developments, no single body had an "official" capacity for wider Judaism at that chaotic time.<sup>77</sup> Other areas appear to be at least as pluralistic in vision as Yavneh. Speaking of Judaism at the time generally, Motyer states

"But at least it is clear that many varying viewpoints were held, from the ethical universalism of the *Testament of Abraham* which does not even mention covenant or Torah, to the intense nationalism of the fifth book of the *Sibylline Oracles*—both quite possibly written contemporaneously in Egypt."<sup>78</sup>

As noted earlier, if Yavneh was largely quietist in eschatology, other centers must have been active to produce the apocalyptic works. While acknowledging the Pharisees were ultimately "the sole significant force to emerge from the catastrophe of 70," Neusner and Leany maintain they were not necessarily the key players during the Yavnean period. "The very fact of the war of 132-5 suggests that others, not Pharisees, held predominance in the life of the Jewish people"<sup>79</sup>

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<sup>75</sup> Jacob Neusner, *Judaism, the Evidence of the Mishnah* (University of Chicago Press, 1981).

<sup>76</sup> Habas, "Rabban Gamaliel of Yavneh and His Sons : The Patriarchate before and after the Bar Kokhva Revolt."

<sup>77</sup> Collins, *Seers, Sybils, and Sages in Hellenistic-Roman Judaism*.

<sup>78</sup> Motyer, *Your Father the Devil? : A New Approach to John and 'the Jews'*, 76.

<sup>79</sup> Jacob Neusner and A R C Leaney, "Judaism after the Destruction of the Temple [67 Bce-74 Ce]," in *Israelite and Judaeon History*, ed. John H Hayes and J Maxwell Miller (Philadelphia: Westminster Press, 1977), 93.

Agreeing with Grabbe,<sup>80</sup> Habas acknowledges that rabbinic Judaism eventually became dominant over the other strands of post-70 religion, but this “took much longer than was once thought, and the rabbis probably did not achieve a leading position until well into the third century or later”<sup>81</sup>

Thus, rather than a singular council of Pharisees, our picture of Yavneh is one of an academic center that took on some prominence after the fall of Jerusalem and continued to function for over sixty years, but was not considered at the time the definitive center of Judaism.

Pluralistic in nature, some Pharisaic dominance does seem to be evident and likely increasing over time. The temple was gone, but eschatological issues continued through the entire period, punctuated by continued upheaval and defeat. The Pharisees were well-placed in theology and eschatology to extend their influence, particularly after 135. Although pluralistic, there was a developing concept of what was doctrinally acceptable and what was not, though at Yavneh, this rejection was largely passive. It does not seem likely that the Pharisees were actively ousting others. Yet these trends were well-suited to the times and helped propel leaders into new centers of power, including Usha and the *Mishnah*.

### ***Canonization***

Besides the emergence of rabbinic Judaism in the late second century, the other major development of the period is the fixing of the Hebrew Bible to what became the Masoretic Text. As suggested earlier, earlier scholarship suggested this was one of the major tasks of

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<sup>80</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*, 123.

<sup>81</sup> Habas, "Rabban Gamaliel of Yavneh and His Sons : The Patriarchate before and after the Bar Kokhva Revolt," 125.

the Yavnean Council. If the council was mythical, what was the role of Yavneh and how did the text come to be fixed?

### **Scripture as center**

Interestingly, recent scholarship suggests the deliberative process at Yavneh, while possibly influenced heavily by Pharisees, was rather quite synthetic, giving Pharisaism a distinctly scribal focus.

Grabbe admits that Pharisees were probably the core making up the religious reconstruction at Yavneh after 70,” but they contrast with the pre-70 Pharisaic houses of Hillel and Shammai who were “concerned mainly with basic laws relating to agricultural matters, purity, and the Sabbath and festivals.”<sup>82</sup> Johannen is supposed to have been a Pharisee, but Grabbe thinks he looks more like a scribal figure, whose emphasis on scripture differs from the pre-70 concern for religious law and legal disputes; textual-centeredness is new to Yavnean Pharisaism.<sup>83</sup> Likewise, most of the discussion at Yavneh does not seem rooted in cultic experience but in the biblical text alone. “That is, the interest is in creating a new, idealized cult according to the sect’s principles, not in extending or developing the old Second Temple practices.”<sup>84</sup> In other words, before 70, the Pharisees were a table-fellowship group, with largely legal concerns. The key factor toward the development of rabbinic Judaism was the injection of “the concept of Torah-centeredness and the religious efficacy of study.”<sup>85</sup> Motyer, with Neusner, also sees the Yavneans adopting scribal guidance and

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<sup>82</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*, 208.

<sup>83</sup> *Ibid.*, 123.

<sup>84</sup> *Ibid.*, 122.

<sup>85</sup> *Ibid.*, 124.

individual obedience to Torah as the key to restoration.<sup>86</sup> Further, after Yavneh, the Christian patristic fathers, as Cohen points out, do not associate the Rabbis with Pharisees, but rather with Scribes.<sup>87</sup>

In short, there is some evidence that the Pharisees, in their pluralistic and academic setting, acquired a new Scriptural focus, which fits their quietist eschatology, which provided the synthetic material for Rabbinic Judaism to form later.

### **Categories of books**

Given this scribal interest and the later prominence of a single canon, it seems likely to expect some process of canonization at Yavneh. But Grabbe generally rejects Yavneh as a center of canonization activity. Not only was Yavneh not a synod, he argues, there is no serious discussion of canonization nor any suggestion that canonization was on the agenda. Indeed, when a book is discussed at Yavneh, (e.g., *Songs*) its canonical status is simply affirmed.<sup>88</sup>

Yet the need to affirm particular books might itself suggest there was some controversy over canonical status at Yavneh. A saying attributed to Akiba proclaimed that one who reads 'outside books' would have no share in the life to come,"<sup>89</sup> highlighting a sense of both exclusion and canon. On the day when Eleazar ben Azariah was installed in Gamaliel's place, *Songs* and *Ecclesiastes* were declared holy books. Yet these were not final decisions. The record only shows a dispute took place, one that was not settled on that day or for

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<sup>86</sup> Motyer, *Your Father the Devil? : A New Approach to John and 'the Jews'*, 92.

<sup>87</sup> Cohen, "Yavneh Revisited : Pharisees, Rabbis, and the End of Jewish Sectarianism," 60.


<sup>88</sup> Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh*, 155.

<sup>89</sup> (*m. Sanhedrin* 10:1)

decades after. Well after 135, Rabbi Meir in Usha declared those same books not holy.<sup>90</sup>

Meir also disputed with R. Judah on whether the Torah, Prophets, and the Writings can be bound together,<sup>91</sup> suggesting that both the total list of acceptable books and the sets of subcategories were still challenged late in the second century CE.

Nevertheless, eventually some books were indeed rejected and the canon fixed. The Talmud labels some books as the books of the heretics, presumably all the writings which were not ultimately canonical, including the apocryphal, sectarian, and Christian writings.

Notably, some books now known as apocryphal and pseudepigraphal were at Qumran, but were not all necessarily considered authoritative for the Qumran community.<sup>92</sup> Whether they were authoritative for wider Judaism is unclear. We can be certain only that they were rejected or dropped out of use in the second century CE. 

The criteria for rejecting those books have traditionally been seen, as Cohen characterizes,<sup>93</sup> as those written in Greek or in apocalyptic style. Those written in Greek could have been rejected not so much for language choice as for recent origin. Writing in the 90s CE, Josephus states that such recent works are not “deemed worthy of equal credit with the earlier records, because of the failure of the exact succession of prophets.”<sup>94</sup> And, as Collins points out,

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<sup>90</sup> Collins, *Seers, Sybils, and Sages in Hellenistic-Roman Judaism*, 4.

<sup>91</sup> Evans, "The Dead Sea Scrolls and the Canon of Scripture in the Time of Jesus," 73. (*b. Baba Batra* 13.b)

<sup>92</sup> VanderKam and Flint, *The Meaning of the Dead Sea Scrolls*, 178-80. VanderKam and Flint use a variety of criteria to suggest that *Jubilees* and *1 Enoch* were certainly authoritative for the Qumran community, but *Letter of Jeremiah (Baruch)*, *Sirach* and *Tobit* are uncertain.

<sup>93</sup> Cohen, "Yavneh Revisited : Pharisees, Rabbis, and the End of Jewish Sectarianism."

<sup>94</sup> *Against Apion* 1.37-42 as quoted in VanderKam and Flint, *The Meaning of the Dead Sea Scrolls*.

there is no clear evidence that books were excluded because of their apocalyptic content. R. Akiba, who pronounced the most severe ban on the “outside books” is credited with an ascent to Paradise (*Hag* 14b) and with endorsing Bar Kokhba as messiah (*j. Ta’anit* 4.8), and so he at least can not have been too negatively disposed toward apocalyptic speculation.<sup>95</sup>

It seems then, that given the final result of canonization, a vague sense of doctrinal exclusion, and a growing focus on scripture, some active discussions around individual books and subcategories of the canon were indeed in process, though they were not settled at Yavneh. The rejection of the other Scriptures cannot entirely be explained as benign neglect, that they simply fell out of use. However, the criteria for selecting books seem even less clear. In short, the trends suggest early canonical work was indeed in process at Yavneh. Later developments in rabbinic Judaism were likely influenced by the early work here.

### **Text-types**

An even more perplexing problem is that of the text-types. Were these text variations equally authoritative in Second Temple period? Why was the proto-Masoretic text ultimately selected against the others?

Ackroyd,<sup>96</sup> Sanders,<sup>97</sup> and Ulrich<sup>98</sup> hold that all the variations of texts were equally authoritative pre-70. Not only were multiple literary editions in wide circulation during the

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<sup>95</sup> Collins, *Seers, Sybils, and Sages in Hellenistic-Roman Judaism*, 20.

<sup>96</sup> Peter R. Ackroyd, "Authoritative Version of the Bible," *Expository Times* 85 S 1974 (1974).

<sup>97</sup> James A. Sanders, "Text and Canon : Concepts and Method," *Journal of Biblical Literature* 98 Mr 1979 (1979).

Qumran period, none had more value than another. For Second Temple period Jews, authority was in general message rather than precise words or word order,<sup>99</sup> and “the specific textual form was not a consideration.”<sup>100</sup>

Ulrich further argues the text-types that eventually settled out in the Masoretic text were entirely accidental. Since particular text-types had no particular authority, we should not think of the MT as being a particular unit, with any criteria of coherence against the other types. It is rather a random collection of text-types which scholars have labeled proto-Masoretic.<sup>101</sup>

Others do not accept Ulrich’s theory of an accidental tradition. Crawford suggests that since some types did not last, they were probably limited to local authority,<sup>102</sup> suggesting some form of natural selection that caused the rabbis to choose one over the other. Waltke argues that simply dismissing the status as accidental and equal is unsatisfactory for both the historian and the theologian,<sup>103</sup> that there had to have been some process involved. Furthermore, if it is successfully argued that some of these traditions were developed with theological polemics in mind (e.g., the Samaritan Pentateuch), that would deny by definition equal status for all traditions for all groups.

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<sup>98</sup> Eugene Ulrich, "The Qumran Scrolls and the Biblical Text," in *The Dead Sea Scrolls: Fifty Years after Their Discovery: Proceedings of the Jerusalem Congress, July 20-25, 1997*, ed. Lawrence H. Schiffman, Emanuel Tov, and James C. VanderKam (Jerusalem: Israel Exploration Society, in collaboration with The Shrine of the Book, Israel Museum, 2000).

<sup>99</sup> Eugene Charles Ulrich and James C. VanderKam, *The Community of the Renewed Covenant : The Notre Dame Symposium on the Dead Sea Scrolls* (University of Notre Dame Press, 1994), 84.

<sup>100</sup> Ulrich, "The Bible in the Making: The Scriptures Found at Qumran," 65.

<sup>101</sup> *Ibid.*, 66.

<sup>102</sup> Crawford, "The Fluid Bible: The Blurry Line between Biblical and Nonbiblical Texts."

<sup>103</sup> Waltke, "How We Got the Hebrew Bible: The Text and Canon of the Old Testament," 43.

Ulrich's position on the authority of text types could be seen as a polemic against the current status of the MT. He has argued the non-masoretic text traditions have been unjustifiably disregarded as unreliable in past scholarship in favor of the more familiar MT. Positing the text traditions as equal and the MT as accidental drives his point of Second Temple pluralism, perhaps too far. Historical accident does not address the question of why a single text was developed at all, much less why the MT was assembled in favor of the others.

In any case, a text-type was indeed chosen by design or accident, around the time of Yavneh. "All of the second-century A.D. biblical manuscripts from the caves south of Qumran are proto-masoretic texts; by this period other text types seem to have fallen out of circulation" in Palestinian Judaism.<sup>104</sup>

Likewise, speaking of the *vorlage* to Greek translations, Ulrich states,

"the evidence suggests that there were no variant Hebrew manuscripts generating further Greek variants due specifically to correction toward Hebrew readings at variance with the MT after approximately the beginning of the second century C.E. The Hebrew scrolls found at Murabba'at, dated prior to 135 C.E., conform very closely to the MT and indicate that the rabbinic Bible was already standardized both in general contents and in consonantal text by the second Jewish revolt."<sup>105</sup>

Unfortunately, the direct evidence for Yavneh's role in the fixing of the text type seems nonexistent, much less its criteria. Given the growing trends noted, it does seem a likely

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<sup>104</sup> Crawford, "The Fluid Bible: The Blurry Line between Biblical and Nonbiblical Texts," 51.

<sup>105</sup> Ulrich, *The Dead Sea Scrolls and the Origins of the Bible*, 212.

candidate for such work, but it is largely an argument from silence. If Ulrich is correct that the text was indeed fixed by 135, there does not seem to be enough direct evidence from Yavneh to say definitively that it happened there. In fact, the continued squabbles at Usha seem to challenge his claim that the general contents were permanently fixed by 135 CE.

## **Summary**

We have seen, then, the Second Temple period before the fall of Jerusalem in 70 CE was characterized by sectarian and Scriptural pluriformity. The Dead Sea Scrolls and other sources show that Palestinian Judaism contained multiple sects, many of which defined themselves in terms of the Jerusalem temple and an imminent eschatology in which they would be vindicated against oppressors.

The Scriptures of this period are also pluriform in both the overall list of books and in subcategories. While the books of the Torah are fixed, those of the Prophets, Writings, or other categories are still forming. Yet even those fixed books have variations in their texts, to the point that they have been characterized as having multiple literary traditions, traditions with unclear parity of authority.

After 70, Yavneh was became an academic center which attracted and supported leaders in the chaos that followed the fall of Jerusalem. It was in contact with other areas, but there is little compelling evidence of a *council* in which significant, final decisions were made in a short time. Pluralistic in nature, some Pharisaic dominance does seem to be evident, likely increasing over time and synthesizing with Scribal perspectives and a Scriptural focus.

Yavneh functioned for over sixty years, punctuated by continued upheaval and defeat, but

was not considered at the time as the definitive center of Judaism. Yet the Pharisees were ready in theology and eschatology to extend their influence. Their perspective was well-suited for existence without the temple, as was their quietist eschatology. Although pluralistic, there was a developing concept of what was doctrinally acceptable and what was not, though at Yavneh, this rejection was largely passive. Yet these trends were well-suited to survive and develop after the revolt of 135, propelling leaders into power and developing rabbinic Judaism.

The activity of Yavneh seems to include some level of the canonization process, though the evidence for definitive Yavnean action is quite light. Circumstantially, Yavneh was well-positioned to engage in such activity. They did have a growing focus on scripture, a growing sense of doctrinal exclusion, and some active discussions around individual books and subcategories of the canon. Given that the canon was fixed within a few years, one might theorize early canonical work was indeed in process at Yavneh, though the issues raised were not settled at there. The criteria for selecting text-types, ultimately settling on what became the Masoretic Text, remain obscure.

## Appendix: Implications for the Christian Bible

These are some thoughts outside the scope of this paper that seem worth exploring another time.

### ***New Testament***

First, we should be clear that the New Testament has its origins not in Rabbinic Judaism, but more in the pluralistic period characterized by Qumran. The NT was largely written in the time of textual fluidity,<sup>106</sup> and not when the masoretic was dominant. Stephen's sermon in Acts 9 and Hebrews 9, for example, are based on the pre-Samaritan text.<sup>107</sup> Even the NT writings authored during the Yavnean period should be analyzed with a clear understanding that the context was certainly not late second-century *Mishnah*, and not even a first century hostile Pharisaic council, "but in the early period with which we are concerned, the rabbis represented only one stream of tradition."<sup>108</sup> What then does this plurality suggest for understanding, much less preaching, the New Testament? What does it mean that *Revelation* shares much of its idiom and style with other Jewish apocalyptic literature?

### ***Goal of textual Criticism***

Waltke argues, along with Tov, that the goal of Old Testament textual criticism should be the recovery of the proto-masoretic text, since both Jews and Christians settled on it ca. 200 CE.<sup>109</sup> They argue that because these communities of faith have esteemed the Masoretic text for centuries, the pre-history of the MT should be irrelevant for devotional and liturgical use. While this might simplify the goal, it is an unsatisfactory one. Besides a theological argument that Christianity is rooted in the history of God's interaction with his people and not simply a community of faith, some variants from the MT are clearly simple scribal mistakes and not the best choice, such as the missing *nun* verse in the acrostic Psalm 145. Not restoring such an obvious omission seems to idolize the fixed scripture more than the redemptive history that produced it.

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<sup>106</sup> James Sanders, "Canon as Dialogue," in *The Bible at Qumran*, ed. Peter W. Flint, *Studies in the Dead Sea Scrolls and Related Literature* (Grand Rapids: Eerdmans, 2001).

<sup>107</sup> Waltke, "How We Got the Hebrew Bible: The Text and Canon of the Old Testament," 39.

<sup>108</sup> Motyer, *Your Father the Devil? : A New Approach to John and 'the Jews'*, 76.

<sup>109</sup> Waltke, "How We Got the Hebrew Bible: The Text and Canon of the Old Testament," 43.

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