

YAAKOV Y. TEPPLER

Birkat haMinim

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Mohr Siebeck

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Yaakov Y. Teppler

Birkat haMinim

Jews and Christians in Conflict in the Ancient World

Translated by

Susan Weingarten

Mohr Siebeck

Yaakov Y. Teppler, born 1955; BA (History and Education), MA (History), 2004 PhD (History) University of Tel Aviv; Head of the History Department at Beit Berl College, Israel.

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Ya'akov [Yanki] Teppler

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Abbreviations

AJ	Antiquitates Judaicae
AJS	Association for Jewish Studies
ANRW	Aufstieg und Niedergang der römischen Welt
BJ	Bellum Judaicum
BJRL	Bulletin of the John Rylands Library
BT	Babylonian Talmud
CBQ	Catholic Biblical Quarterly
CCCM	Corpus Christianorum Continuatio Mediaevalis
CCSL	Corpus Christianorum Series Latinae
CSEL	Corpus Scriptorum Ecclesiasticorum Latinorum
DJD	Discoveries in the Judaean Desert
EJ	Encyclopaedia Judaica
GCS	Die Griechischen Christlichen Schriftsteller der ersten drei Jahrhunderte
HTR	Harvard Theological Review
HUCA	Hebrew Union College Annual
IOS	Israel Oriental Studies
ICC	International Critical Commentary
JBL	Journal of Biblical Literature
JE	Jewish Encyclopaedia
JECS	Journal of Early Christian Studies
JJS	Journal of Jewish Studies
JQR	Jewish Quarterly Review
JSJ	Journal for the Study of Judaism
JT	Jerusalem Talmud
JTS	Journal of Theological Studies
LCL	Loeb Classical Library
MGWJ	Monatsschrift für Geschichte und Wissenschaft des Judentums
NHL	Nag Hammadi Library
NT	Novum Testamentum
PAAJR	Proceedings of the American Academy for Jewish Research
PG	Patrologia, Series Graeca
PL	Patrologia, Series Latina

PSBA	Proceedings of the Society of Biblical Archaeology
PTS	Patristische Texte und Studien
REJ	Revue des Études Juives
SC	Sources Chrétiennes
SCI	Scripta Classica Israelica
TL	Theologische Literaturzeitung
TU	Texte und Untersuchungen zur Geschichte der altchristlichen Literatur
VT	Vetus Testamentum

Introduction

The idea for this book was first proposed to me by my teachers at Tel Aviv University, Professor Joshua Efron and Professor Aharon Oppenheimer, after I had become acquainted through my studies with many questions about the beginnings of Christianity in the Land of Israel.

The book is called *Birkat haMinim*/the Blessing of the *Minim*, after the twelfth blessing of the prayer called the *Shemoneh Esreh*/Eighteen Blessings, and it centres on the question of the identity of the people who were called '*minim*.' Apart from the discussions of *Birkat haMinim* itself in the Talmudic sources, there are more than three hundred further sources which deal with these same *minim* without any direct connection with the blessing. These passages are mostly scattered over different parts of this literature, from the Mishnah, through the Talmudim and up to the later *midrashim*. It is clear that the particular characteristics of each genre, including the question of when they were written or edited, produce a wide spectrum of possibilities of identification, together with some difficult methodological problems.

After I became acquainted with the subject, I was surprised to find that there was no modern research which covered all the possibilities and all the subjects arising from the sources, in spite of the fact that there are many articles dealing with various different aspects of the subject. Up to now, most scholars have concentrated for the main part on one of two important components: the question of the original version of the *Birkat haMinim*, or the problem of the identity of the *minim* themselves. The first question has been dealt with mostly by scholars researching the liturgy and its different versions. Here the revelations of the Cairo Genizah have provided a gold mine of research opportunities. Indeed, the study of the liturgy in general, and versions of the *Shemoneh Esreh* in particular, got a strong impetus after this discovery. The second question, the identity of these *minim* who appear so often in our sources, was also influenced by the discoveries of the Genizah, but to a lesser extent. Thus two quite different and separate fields of research developed around these questions, one belonging to the discipline of research into the liturgy in all its aspects, and the other part of the research into the history of the period of the *tannaim*.

From the outset it was assumed that the problem of the *minim* in all its aspects must be related to the perception of Christianity in Jewish eyes, as it was constructed during the Yavneh period in particular, and as it crystallized later during

the second and third centuries. Indeed, research into the period of the *tanaim* as a decisive and formative period in Jewish history has produced several fascinating and complex ramifications, including that bearing on the identity of the *minim*. A very good example is the research into the phenomenon now known as ‘gnosis’, and its links to the question of the *minim*, following the hints of this connection going back to the earliest source, the Mishnah. Another example is the question of the meaning of the term *Sifre minim*/the books of the *minim*, which has also been researched a good deal. Such questions and others have occupied thinkers and scholars ever since the beginning of the Enlightenment, and fascinating books have been written about them. But there has been no research which deals with the question of the *minim* in general, and almost no research into their relationship with the complex questions which arise from research into the texts of *Birkat haMinim*.

The central question running through this work is the question of the identity of the *minim* in relation to Christianity. A review of research on this question revealed that it was usually impossible to spotlight specifically Christian elements, since the tendency of scholars was to deal with all the source texts without differentiating between the early and the late, or between Palestinian or Babylonian versions. This tendency brought the discussion to a dead end, for the term *minim* was not a frozen description, but one which developed: its original meanings changed. The *minim* of the beginning of the second century are not necessarily the same *minim* as those of the third or fourth century. The distance between the Land of Israel and Babylonia also influenced these definitions, as did local differences in the political and religious circumstances.

Birkat haMinim was still recognised as relating to Christianity by the Jewish rabbinical commentators of the Middle Ages such as Rav Sa‘adiah Gaon, Rashi and the Rambam. Thus the foundation was laid which has guided most of the scholars who have dealt with the identity of the *minim*, in spite of the fact that Jewish apologetics of the later Middle Ages attempted from understandable motives to hide the anti-Christian polemic in both the Talmudic literature and the *siddur*/prayer-book.

I have therefore chosen to begin this research with a chapter which deals with the complex question of the text of *Birkat haMinim*. This blessing appears in prayer-books and fragments from the Genizah in dozens of different versions, but there is no extant version in the Talmudic literature, apart from certain allusions. According to the main tradition (BT Berakhot 28b-29a) the blessing was written by a person known as Shemuel haQatan in the study house of Rabban Gamaliel at Yavneh. It is called a blessing because it is an integral part of the *Shemoneh Esreh* prayer, and because it ends with the characteristic close of a blessing: Blessed are You – the Lord etc. However, the central element in it is a curse directed at the *minim* (in other versions we find: Christians, *meshumadim*/apostates, slanderers, the wicked, sinners, *zedim*/the arrogant and also *malkhut*

zadon/the kingdom of arrogance, and other variants in different combinations). Unlike the other eighteen blessings in this prayer, the story of the construction of *Birkat haMinim* is presented as a *baraita*, which includes the obligation to say it as a whole, as well as a ban on making mistakes when reading it. These stress the great importance of this blessing, and its special status.

The central question is, therefore: who were the subjects of this blessing? Who were the *minim*? However, before dealing with this question it was necessary to examine the earliest versions in order to establish whether the original blessing was directed only against the *minim*. The different versions I have already noted raise further possibilities. Some of the early versions also include a curse against *malkhut zadon*/ the kingdom of arrogance. What is this kingdom? Does this mean the Roman Empire? And if the Christians are the only subject of the blessing of the *minim*, was this directed at the first Christians, or did those who wrote it direct it against internal Jewish dissidents? Does it refer to Jewish-Christian sects or was it also a response to pagan manifestations? These questions and many others arise after reading the hundreds of source passages, and the basic question in this study is therefore the problem of the earliest version of the text and the identification of its purpose, and hence also the question of the identity of what the *minim* stood for: i.e., who were the *minim* of the period of the Mishnah? The answer to this question is, of course, inherent in the examination of all the sources related to this period.

According to our main source, *Birkat haMinim* was constructed in the Yavneh period, after the time of the Second Temple. At this time the Jews of the Land of Israel were living under Roman rule. Under pressure of events and circumstances, against the background of the deterioration of relations between Judaea and Rome, desperate popular longings for revelation and redemption on the model of the books of the biblical prophets created or sharpened religious and social phenomena within Jewish society. The end of the Second Temple period was witness to the formation of many sects, parties and trends. Among these Christianity was born.

The crisis of the destruction of the Temple and the fall of Jerusalem, followed by the upheavals of the Diaspora revolt and finally the bloody events of the Bar Kokhba revolt and the subsequent repressive Roman legislation, created fracture points in the variegated society of Palestine and its surroundings. The early Christians and the Jews saw in these events critical watersheds of formative changes. In a lengthy process, the Jews who had created the new religion of Christianity in the belief that it was the fulfilment of the goals of the prophets separated and were separated from the population which had developed and formed the Oral Law which they defined as the only possible alternative after the destruction of the Temple. In this process, these Jews defined themselves and were defined anew.

The ramifications of Christianity at its beginnings are quite unclear. The books of the New Testament, which do not usually describe historical reality

but a theological purpose, hint very vaguely at internal dissensions which accompanied this formative stage in the history of the new religion. The pointed and deliberate contact with Hellenistic culture and its branches, and the outreach of Christianity to this rich and varied space created divisions on the one hand, but solidarity on the other: towards the end of the first century characteristics of Christian identity are beginning to appear. There is already a central stream branching out at the edges into the pagan Hellenistic world. All this complex texture, from Paul (originally a Hellenistic Jew) to Justin Martyr (originally a Hellenistic pagan) is in dispute with Judaism.

Judaism too encountered a similar problem in her contacts with the Hellenistic surroundings within the processes of self-formation and definition. Thus the two religions find themselves moving further and further away from each other, and in the space created between them there appear the more esoteric beliefs of Jewish converts and sympathisers, Christian converts – both circumcised and uncircumcised – and secret creeds influenced by different beliefs from Iran to Egypt. A Christianity professing belief in two divine authorities (the Father and the Son) is joined by further dualistic beliefs. Gnostic doctrines blossom, and send their influence all over the ancient east, including to curious Jews. These, or some of them, will later be added to the first definitions of the *minim*, and they will also be included under the ever-widening up-dated aegis of *Birkat haMinim*.

From its text, we may surmise that when it was written, *Birkat haMinim* was a curse directed against some group which must have comprised at least one of these sects. The blessing is built as a request, like the middle group of blessings in the *Shemoneh Esreh*, and ends with praise of God, who is supposed to fulfil these requests. It takes a sharply categorical position, including a request for God's harsh intervention against danger and enemies within or without – or both – presumably as a result of the problems and frustrations of the time. All this belongs to the complex situation after the destruction of the Temple, a time when processes of renewal and re-formation were taking place within Judaism, in the well-known context known as the Yavneh period. From the time of Rabban Yohanan ben Zakkai and his successors, there is a demand for decisions on complex and burning issues in order to construct a new norm. This means rooting out the deviant and those suspected of undermining the foundations of this new construct, as well as creating a 'fence around the Torah' to divide Jews from those others who define themselves – relying on Jewish Torah and prophets – as *Verus Israel*.

As already noted, there is wide agreement among scholars that *Birkat haMinim* relates to the stage when Christianity separated from Judaism. However, there is disagreement on many other questions. For example, how can we characterise the stage of separation and when exactly did it take place? It is clear that the separation of Christianity from Judaism took place in stages, so that another question arises in respect to the point of no return – if we can call it that. The sources are

full of allusions to trends and sects at one stage or another between Judaism and Christianity, and there is no incontrovertible decision which makes a real distinction between these stages. This question, it would seem, is in the background of research, waiting to be solved. The solution, if found, would throw further light on the whole complex of fundamental problems around the beginning of Christianity.

Birkat haMinim is a convenient starting point for studying these problems. But it also needs to be studied thoroughly and critically for its own sake. This blessing underwent more changes than any other blessing. We do not know its origins, or its earliest version. We have already noted that the Babylonian Talmud, which describes the story of the 'construction' of *Birkat haMinim*, does not provide the contents of the blessing. The prayer-books which have come down to us do not help to determine what the early version consisted of with any certainty. Changes in time, place and circumstances, new definitions of the enemies of Israel, and internal or external censorship made their mark on this subject, which could be sensitive and even dangerous in certain conditions. The Cairo Genizah shed light on hundreds of years of world history and revealed, among other things, earlier, previously unknown, versions of prayers, including versions of the *Shemoneh esreh* with different versions of *Birkat haMinim*.

This blessing was almost always at the centre of the polemic between Judaism and Christianity. The argument began with the crystallisation of Christian communities in the second century, and its echoes in both Jewish and Christian writings. From the time of the *tannaim*, around the time when *Birkat haMinim* was probably first constructed, and the parallel Christian period, when the first fathers of the church were active, there is also Christian evidence for the polemic which accompanied the separation of Christianity from Judaism. Justin Martyr from Flavia Neapolis [Shechem], wrote a polemical work against Judaism in the middle of the second century CE, where he mentions several times that the Jews curse the Christians in their synagogues. This is the first evidence of its sort from the Christian side, and we may presume that it is a roundabout mention or allusion to *Birkat haMinim*.

From Justin on, the polemic branched out in further directions, some of which influenced or followed each other. After Justin, we find evidence of polemics in the church fathers where we can identify allusions to possible links with *Birkat haMinim*. These allusions are to be found chiefly in Irenaeus, Tertullian, Origen, Epiphanius and Jerome. It is particularly important to know how far we can use both the earlier and the later Christian evidence to shed light on the problem of the original version of *Birkat haMinim*, and also whether this material can contribute to understanding the terms *minut* and *minim* at the time of the construction of the blessing under discussion.

Epiphanius and Jerome lived and wrote mostly during the second half of the fourth century. In the period after them, there were world-wide upheavals:

the Christianisation of the Roman Empire, its division and fall, the decline of the Jews of Palestine and the flowering of Babylonian Jewry. All these may or may not have affected the polemics between Judaism and Christianity, but the evidence for this is extremely scarce.

The Babylonian Talmud, and especially the *midrashim* of the early Middle Ages, are scattered with hundreds of mentions of the *minim*, and it is necessary to examine their reliability. Apart from the Talmudic sources, a little further evidence of the Jewish world has survived from this time, some of it important for the subject of *Birkat haMinim*, including the earliest prayer-books of which we have copies. As already noted, in the Cairo Genizah there were versions of *Birkat haMinim*, and, together with the first prayer-books of the period, the problem of the early versions was sharpened.

Thus research into the development of the early versions of the blessing is the first part of this study. The intention is to examine all the spectrum of possibilities and to reduce this as far as possible, thus laying the foundations for a tentative reconstruction of what may have been the prototype for *Birkat haMinim*.

This investigation is linked to further research goals. The text of the blessing must have been influenced by the circumstances of the time when it was constructed, thus our second chapter is devoted to establishing the time-span and the particular circumstances of the construction of *Birkat haMinim*.

Identification of the basic characteristics of the original version of the blessing leads to the question of the identity of its objects, and above all, to the question: who were the *minim*? In clarifying this question I have taken in to account hundreds of source passages, the majority of which are scattered about the various works of the rabbinic literature, with a few in Christian literature, especially in the works of the early fathers of the church. The discussion is centred on the clarification of the identity of the 'original' *minim*, those against whom this blessing which is a curse was constructed, and after whom it was named. In other words, our debate will concentrate on the *minim* and the phenomenon of *minut* from the time of Rabban Gamaliel of Yavneh up to the time of Rabbi Judah haNasi at the end of the second century CE. This is the second part of the study.

Integration of the two parts of the study – the part that deals with the versions of the blessing and that which investigates the identity of the *minim* – is essential. Reconstruction what may have been the early version, insofar as is possible, or at least parts of it, will allow me to centre the study on the identity of its subjects.

The various mentions, as we have noted, in hundreds of source passages, have been organised not only as sections of sources (i.e., according to time, place and tendencies) but also by the spectrum of characteristics related to the problem of identifying the *minim*, including *halakhot*, opinions and customs. These are divided into subjects such as prayer customs and liturgical changes; laws of pu-

rity and impurity; sacred writings and canonisation; contacts, negotiations, and even discussions of the number of divine powers, as well as many others.¹

The study is entitled *Birkat haMinim*, the Blessing of the *Minim*, and it is thus made up of two main parts, as this title implies: the blessing and the *minim*. It is my hope to provide a modest contribution to research into these two subjects.

¹ Because of the large number of subjects discussed in this study, the main details of the history of research and the major studies will each be discussed in the relevant chapter.

Chapter 1

The Problem of the Original Text of the *Birkat haMinim*

The Earliest Evidence

The story of the construction of *Birkat haMinim* by Shemuel HaQatan at the request of Rabban Gamaliel of Yavneh is only to be found in the Babylonian Talmud.¹ There the blessing is already called by this name. The contents of the blessing do not appear in the story of its construction, or in any other Talmudic source. In the source In the Babylonian Talmud, the story appears as a *baraita* within a general description of the ordering of the *Shemoneh Esreh* prayer² which is itself part of a more general discussion of this prayer. In the Jerusalem Talmud there is a parallel discussion,³ but there is no trace at all of the story of the construction of *Birkat haMinim*. The blessing is also mentioned in other places in the Jerusalem Talmud where it is identified by its close: “humbles the arrogant” [*makhnia zedim*],⁴ so that we can presume that the close is most probably the oldest extant phrase from the text of *Birkat haMinim*. Other phrases are not certain, not to mention the complete text, which does not appear anywhere in the rabbinic literature. In addition, in spite of the well-known and understandable influence of vocabulary and concepts from the Bible on the different versions of *Birkat haMinim* known to us from later periods, it has not been possible to find a specifically biblical textual basis for *Birkat haMinim*.⁵

¹ BT Berakhot 28b-29a. The censored editions have *Birkat haTzadujim*.

² Analysis of this source, its problems and its heroes, see below Chapter 2, p.73ff.

³ JT Berakhot iv, 7a.

⁴ JT Berakhot ii, 5a; v, 9c. In JT Berakhot iv, 8a it says: “[the blessing of] the *minim* was already constructed by the sages in Yavneh.”

⁵ Isaiah 1:28: “And the destruction of the transgressors and the sinners shall be together.” (The structure of three verses [26-28] is parallel to the conceptual structure of blessings in the *Shemoneh Esreh* prayer. This parallel, and other similar ones, are brought in BT Megillah 17b. But in spite of this, we cannot determine with any high degree of probability that the ‘destroyer of the transgressors’ was included in the original blessing, at least in the light of the fact that the frequency of the appearance of this phrase in the earliest versions we have is extremely low); Malachi 3:19-21 [4:1-3]: “For, behold the day cometh...and all the proud [*zedim*], yea and all

The story of the ordering of the *Shemoneh Esreh* prayer in the presence of Rabban Gamaliel at Yavneh is mentioned once more in the Babylonian Talmud,⁶ but without mentioning Shemuel HaQatan and without a description of *Birkat haMinim*. Following this, in the same source, there is a discussion of the structure of the prayer and the rationale behind the order of the blessings, as it says: “Since judgement was passed on the wicked [*resha'im*], the arrogant [*zedim*] perished and the *minim* were included with them”. The function of this sentence was to demonstrate the rationale behind the order of the blessings, between the eleventh blessing, about justice [*Birkat haMishpat*], and the blessing which follows it, *Birkat haMinim*. And in this source too there are one or two words from the original blessing: the arrogant [*zedim*] were certainly part of the wording of the blessing. This wording, as we noted, appears in the close of *Birkat haMinim* in the version in the Jerusalem Talmud, as well as in almost all the early versions of the blessing. As for the *minim* and the wicked, it is probable that these words, and especially *minim*, appeared in early versions, but we cannot determine the order of appearance or their position. Similarly, the combination of the *minim*, the wicked and the arrogant also appears in the discussion in the Jerusalem Talmud on the order of blessings in the prayer.⁷

This situation is no different in those places in the Babylonian and the Jerusalem Talmudim where the prayer called *Havinenu*,⁸ a shortened form of the *Shemoneh Esreh*, is cited.⁹ In these versions of *Havinenu* there is a single sentence which is a shortened form of *Birkat haMinim*: “Lift up (or stretch forth) Your hand against the wicked,”¹⁰ but we cannot presume that this sentence or any part of it is quoted verbatim from the original text of *Birkat haMinim*.

The only slight hint or allusion to *Birkat haMinim* in tannaitic sources is to be found in the Tosefta, and there is nothing there to show us what might have been the original version of the blessing, or even part of it. The Tosefta is discussing the six or seven blessings which were usually added to the eighteen blessings on public fast days, and writes as follows: “The seventh blessing: Somchos

that do wickedly, shall be stubble...and ye shall tread down the wicked; for they shall be ashes under the soles of your feet.” (tr. RV. All translations from the Hebrew Bible are taken from the RV unless otherwise specified); Isaiah 66:24 etc.

⁶ BT Megillah 17b.

⁷ JT Berakhot ii, 5a; iv, 8a and parallel in JT Ta'anit ii, 65c.

⁸ *Havineinu* (lit.: Give us understanding): BT Berakhot 29a; JT Berakhot iv, 8a.

⁹ The BT distinguishes between the shortened form *Havinenu* and what is called the *Tefillah qetzarah* (i.e., another shortened form of the *Shemoneh Esreh*); q.v. BT Berakhot 30a. For a discussion of this, see: *Sefer HaEshkol*: (ed. S. Lieberman), Hilkhot Tefillah 34a, (Jerusalem, 1984), p. 92.

¹⁰ This is also a paraphrase of Isaiah 19:16: “In that day the Egyptians shall be like women, trembling and terrified because the Lord of Hosts will lift His hand against them.” (tr. New JPS, adapted), and cf. Zechariah 2:13 (RV 2:9): “For I will lift My hand against them.” (tr. New JPS).

says: brings low the haughty¹¹ [this is *Birkat haMinim* (*sic*)].¹² Where is it said? Between the blessing of redemption and [the blessing of] healing the sick etc.”¹³ The intention is not clear, especially if we presume that the mention of *Birkat haMinim* as it appears in the Vienna manuscript is integral to the text of the Tosefta, even though it does not appear in the Leiden and Ehrfurt manuscripts or in the first printed edition. In the parallel discussion in the Mishnah,¹⁴ which is the basis for the discussion in the Tosefta, there is no mention of ‘brings low the haughty’ or *Birkat haMinim*, nor does this appear in later parallels in the Babylonian or Jerusalem Talmudim.¹⁵

Birkat haMinim is once again not mentioned in later sources,¹⁶ except in a very few sources, which can tell us little, if anything, about the elements which might have made up the text of the blessing. Thus, for example, there is a mention in Midrash Tanhuma, but it is of no use to us.¹⁷ This is also the case with even later mentions, such as Midrash Numbers Rabbah,¹⁸ and Midrash *Panim Aherim*.¹⁹ In this work, *Birkat haMinim* is not mentioned by name, but in a rather strange story put in the mouth of Haman. In this story he relates to the blessing and cites

¹¹ This is the name of the blessing which apparently the same Somchos added in addition to the six blessings which are added on a fast day, and in all of them disagreed with the ending found in Mishnah, Ta’anit ii, 4: “That hast compassion on the land”. (tr. Danby). See S. Lieberman, *Tosefta KiFshutah*, v, *Seder Mo’ed*, (Newark, 1963), p. 1073.

¹² This is found in the Vienna MS. and is missing in the rest.

¹³ Tosefta, Ta’anit i, 10 (Lieberman, ed. p. 326).

¹⁴ Mishnah, Ta’anit ii, 4.

¹⁵ BT Ta’anit 16b-17a; JT Ta’anit iv, 65d, and see Lieberman *Tosefta KiFshutah*, *loc. cit.*, p.1074; there is a further mention in Tosefta, Berakhot iii, 25 (ed. Lieberman, p. 18): “Eighteen blessings ... including the *minim* because of the *perushim*”. This is parallel to the discussions in JT Berakhot ii, 5a; v, 9c on the number of blessings in the *Shemoneh Esreh* which I will discuss below, p.74f.

¹⁶ An attempt has been made to find a link between *Birkat haMinim* and a non-Talmudic source, the inscription from Ein Gedi: B. Binyamin, ‘*Birkat haMinim* and the Ein Gedi inscription’, *Immanuel* 21 (1987), pp. 68-79. In my opinion there is no connection either in vocabulary or in content between the blessing and the inscription.

¹⁷ Tanhuma *Vayiqra* iii (ed. Buber p. 2): “Our rabbis taught us that someone [who is leading the prayers] in front of the Ark and makes a mistake [and did not say the blessing which curses the *minim*, when they make him repeat it, for our rabbis said that if someone is in front of the Ark and makes a mistake] in all the blessings they do not make him repeat it, but in *Birkat haMinim* they make him repeat it even if he does not want to.” This is a late passage which does not appear in the printed (1522) edition from Constantinople. (The date of Tanhuma is problematic, but it does not seem to be before the 9th century: see L. Zunz, *Die gottesdienstlichen Vorträge der Juden historisch entwickelt*, [Frankfurt a.m. 1892², repr. Hildesheim, 1966], p. 247; G. Stemberger, *Introduction to the Talmud and Midrash*, [Edinburgh, 1996²], p. 305.)

¹⁸ Parashah 18 in the Vilna edition. This Midrash does not have a critical edition but there is a MS. (Oxford Bodl. 147 and 2335).

¹⁹ Version B, Parashah 3. In the collection *Sifrei de-Aggadata al Esther*, (ed. Buber, Vilna 1886, on the basis of an Oxford MS. of 1470. See Stemberger, [above, n. 17], p. 321).

its close ‘humbles the arrogant.’ Haman here is said to object to the fact that “they said that we are the arrogant.” This is a problematic version, and the order of prayer attributed to the worshippers is not familiar,²⁰ but this Midrash closes the circle of our survey of the sources which mention *Birkat haMinim* or relate to it directly. None of these sources include the text of the blessing, only single words or phrases here and there, and here too we need to distinguish between different types and different periods.

It is no accident that all the scholars dealing with *Birkat haMinim* have chosen to cite the words of the scholar who laid the foundations for the study of the liturgy, Ismar Elbogen: ‘No benediction has undergone so many textual variations as this one... It is most doubtful that we will ever be in a position to recover its original text.’²¹ This statement is a faithful reflection of the situation in the prayer books. Here we find so many different versions of *Birkat haMinim*²² that in most of the prayer books we have today there is almost no starting point or support for clarifying the earliest version of the blessing. The multitude of textual versions²³ and rites also makes it very difficult to identify the links and developments between them, and attempts at this have not succeeded or been accepted,²⁴ in particular those of Jewish legal authorities [poseqim] or halakhic interpreters.²⁵

Two difficulties sum up what has been said up to now. On the one hand, the text of the blessing is not extant in any of our sources, including those where *Birkat haMinim* is mentioned by name or by its close, while on the other hand the texts we do have are found in different versions scattered over many prayer books, with the earliest of these written at too late a period to be of use to us. But within these very difficulties, in my opinion, we should be able to find a solution to the problem of the earliest versions, albeit a partial solution, but a solid one.

²⁰ S. Krauss, ‘Zur Literatur der Siddurim: christliche Polemic’, A. Marx and H. Meyer (eds.), *Festschrift für Aron Freimann*, (Berlin, 1935), pp. 128-129.

²¹ I. Elbogen, *Der jüdische Gottesdienst in seiner geschichtlichen Entwicklung*, (Hildesheim, 1962⁴), p. 51. This quotation is taken from the English edition: id., *Liturgy: A Comprehensive History*, (trans. R.P. Schneidlin), (New York-Jerusalem 1993), p. 45.

²² For a wide-ranging comparative survey of the versions of *Birkat haMinim* in prayer books from the Middle Ages on, see: D.Z. Hillman, ‘Text of the 12th Benediction (Birkat haMinim)’, *Zefunot* a/2 (1989), pp. 58-65 and the Response and Additions of I.Y. Weiss, ‘Comments on Text of the 12th Benediction’, *Zefunot* a/3 (1989), p. 68.

²³ Especially in the case of later versions. See: Seligman Baer, *Avodat Yisrael*, (Rödelheim, 1868); A. Berliner, *Randbemerkungen zum täglichen Gebetbuche (Siddur)*, (Berlin, 1909), pp. 52-53.

²⁴ L. Finkelstein, ‘The Development of the Amidah’, *JQR* 16 (1925-1926), pp. 1-43; 127-170.

²⁵ L. Jacobs, ‘Praying for the Downfall of the Wicked’, *Modern Judaism* 2 (1982), pp. 297-310.

The way to a partial solution of the problem of the earliest version is first of all an informed and organised investigation of the oldest versions we have, which are found in the earliest prayer books in the Cairo Genizah. Following this, we shall compare and match these texts as far as possible to the vocabulary and phrases found in the Talmudic sources.

Birkat haMinim in the Earliest Prayer Books and in the Cairo Genizah

It is generally agreed that Rav Natronai bar Hilai, the Ga'on from Sura, was the first to record the order of the prayers,²⁶ according to a responsum of this Babylonian ga'on to a question put to him by the community of Lucena in Spain.²⁷ The responsum is extremely brief, and contains mostly the closures of the blessings. The full text of *Birkat haMinim* is not extant in Natronai's responsum, but the blessing is mentioned under its Talmudic name.²⁸ At the top of the fourth page of the manuscript there is a fragment of a sentence: "And with *Birkat haMinim* there are those who close with 'who crushes the wicked and those ...'" For our purposes, Rav Natronai is certainly quoting words from versions of the blessing which were known in his day. We may posit 'versions' in the plural, because even from this fragment of text we can understand that there was a further possibility for the beginning of the closing sentence. (We know of another version which has "who crushes enemies.")

The text of the prayers themselves appears for the first time only in the work called *Seder Rav Amram Ga'on*, Rav Amram Ga'on's prayer book, after Rav Natronai's successor at Sura. The writing of this work is attributed to the ninth century, when Rav Amram lived, but it looks as if the version which has come down to us has been edited and changed. The manuscripts on which the critical edition was based²⁹ are no earlier than the fourteenth century, so that the prayer book attributed to Rav Amram is far from being the original.³⁰ The text of *Birkat*

²⁶ L. Ginzburg, *Geonica*, I, (New York, 1968²), p. 123; I. Elbogen, (above, n. 21), p. 274.

²⁷ *Ibid.*, II, pp. 114-121.

²⁸ "And he stands during the Prayer (*tefilla*) and says nineteen blessings together with *Birkat haMinim* (sic)" *loc. cit.* p. 116.

²⁹ E.D. Goldschmidt, *Seder Rav Amram Ga'on*, (Jerusalem, 1971), (in Hebrew).

³⁰ I. Elbogen, (above, n. 21), p. 275; S. Assaf, *Tequfat ha-Ge'onim ve-Sifrutah*, (Jerusalem, 1955), p. 184; J.N. Epstein, *Seder Rav Amram Ga'on Siduro u-Mesadrav*, (Berlin, 1929), pp. 122-141; D. Goldschmidt, 'Prayer books,' *EJ*, vol. 13 (1972), p. 985; R. Brody 'The Enigma of Seder Rav Amram', in: S. Elizur *et al.* (eds), *Knesset Ezra: Studies Presented to Ezra Fleischer*, (Jerusalem, 1994), p. 22.

haMinim in *Seder Rav Amram*, with the different readings in the various manuscripts, is as follows:

For the apostates (for the informers [*malshinim*³¹]) let there be no hope (if they do not return to Your Covenant)³² and the *minim*³³ (and all the arrogant [Ms. M]); and let the *notzrim* and the *minim* [Ms. O] perish in an instant (thus M and S; be consumed in an instant: (O) and all the enemies of Your people (S); and all our enemies: (M); and all our enemies and those who hate us (O) be speedily cut down and the kingdom of arrogance be speedily uprooted and crushed and humbled speedily in our days. Blessed are You the Lord who crushes the wicked (enemies: O) and humbles the arrogant.³⁴

The manuscripts of *Seder Rav Amram* have a different version of almost every term in the blessing. The oldest manuscript, as already noted, is from the fourteenth century. Not only is this very late, but we also have no way of ascertaining which of the manuscripts is the most faithful copy of the original.³⁵ *Seder Rav Amram*, then, cannot be used as an authoritative source, except in comparison to other early prayer books and in particular the texts found in the Cairo Genizah.

The prayer book of Rav Sa'adiah ben Joseph of Fayyum,³⁶ another Ga'on of Sura, was written in Babylonia about a hundred years after Rav Amram's time, apparently because of a request from the Jewish community in Egypt.³⁷ The prayer book is based mainly on one manuscript,³⁸ but it is agreed that this reflects Sa'adiah's text and probably dates to the third decade of the tenth century.³⁹ The text of *Birkat haMinim* in the prayer book of Rav Sa'adiah is as follows:

³¹ Thus in the British Museum MS. Or. 1067, henceforward Ms. M.

³² This addition is only to be found in the Bodleian in Oxford (Neubauer's catalogue no. 1095), henceforward MS. O.

³³ Thus in the MS. of the Jewish Theological Seminary in New York, Sulzberger collection no 4074, henceforward MS. S.

³⁴ For the convenience of the reader the different textual versions of *birkat haMinim* are cited in this chapter in English translation. The Hebrew texts are to be found in Appendix A. Translation of Hebrew terms follows the translation of the Authorised Daily Prayer Book of the United Hebrew Congregations of the Commonwealth, commonly known as Singer's Prayer Book, with the new translation of I. Jakobovits *et. al.* (London, 1890, rev. 1990), p. 82.

³⁵ This is in spite of Goldschmidt's attempt to sketch the genealogy of the manuscripts of *Seder Rav Amram*. See: (above, n. 21), Introduction, p. 18.

³⁶ The critical edition: I. Davidson, S. Assaf, B.I. Joël, (eds.) *Siddur Rav Sa'adiah Gaon*, (Jerusalem, 1970, in Hebrew). The original name was *Qitab al-salwat wa-a-sabih*. Henceforward the Siddur of Rav Sa'adiah.

³⁷ S. Assaf, in the Introduction to the Siddur of Rav Sa'adiah, p. 24; Ginzburg, *Geonica*, (above, n. 26), p. 166.

³⁸ Oxford MS. Hunt. 448, Neubauer catalogue no. 1096.

³⁹ Assaf bases this on the signature, built from the last letters of the closing blessings, as follows: Sa'id ben Yoseph Aluf, in other words, the prayer book was compiled before Rav Sa'adiah was appointed as Ga'on. *Loc. cit.* p. 22. On the authenticity of the text, *loc. cit.* p. 30.

For the apostates let there be no hope and let the kingdom of arrogance be speedily uprooted and crushed in our days. Blessed are You, Lord, who crushes the wicked and humbles the arrogant.

The versions we have of *Birkat haMinim* in the different copies of *Seder Rav Amram* are longer and more detailed than the text of the blessing in the single manuscript of the prayer book of Rav Sa'adiah, but, as we have seen, it is difficult to demonstrate the closeness of the former to their ninth-century source. Thus it is hardly far-fetched to relate to the text of Rav Sa'adiah as one of the earliest sources for *Birkat haMinim* in the prayer books which have come down to us, if not the earliest.⁴⁰

It is generally agreed that we should include the 'Order of Prayers for the Whole Year' of Maimonides [the Rambam] among the earliest prayer books. This collection of prayers, which is not really a prayer book, is included in the Rambam's *Mishneh Torah*, at the end of the book called *Sefer Ahavah* (the Book of Love), and it includes the *Shemoneh Esreh* prayer and other blessings. This is the text of the twelfth blessing in the Rambam's order of blessings:⁴¹

For the apostates let there be no hope and may all the *minim* perish in an instant and the kingdom of arrogance be uprooted and crushed speedily in our days. Blessed are You, Lord, who crushes the wicked⁴² and humbles the arrogant.

We should note that the editor of the critical edition himself took care to include his readers in his doubts as to whether the Order of Prayers was indeed written in the time of the Rambam.⁴³ However, we have no other texts, or conclusive evidence for this doubt, other than the version which appears in the earliest Yemenite prayer books. It is accepted that Yemenite Jewry was heavily influenced by the Rambam and took on his versions of prayers,⁴⁴ and indeed the Yemenite version is almost completely identical to that of the Rambam.⁴⁵

The problem of how far the earliest prayer books are faithful to their sources is also relevant in the case of the widely inclusive prayer book attributed to Rabbi

⁴⁰ The texts of the prayers and *piyyutim* in the Siddur of Rav Sa'adiah which were found in the Cairo Genizah are sometimes different from the Oxford manuscript, but they do not include a text of *Birkat HaMinim*.

⁴¹ Critical edition: E.D. Goldschmidt, 'Maimonides' Rite of the Prayer According to an Oxford Manuscript', (Hunt. 80; Neubauer 577), *Studies of the Research Institute for Hebrew Poetry*, 7 (1958), p. 199.

⁴² Thus the MS. In a correction above the line, according to Goldschmidt MS. A(1), the term 'enemies' (*oy'vim*) appears as a correction or editing above the line.

⁴³ *loc. cit.* P. 188.

⁴⁴ *loc. cit.* p.185.

⁴⁵ The Yemenite version is: "The *minim* and the betrayers [*moserim*] shall perish in an instant..." See the Yemenite prayer books: *Tiklal Etz-Chayim*, (Jerusalem, 1894); *Tiklal Kadmonim*, (Jerusalem, 1964).

Simhah ben Shemuel, generally known as *Mahzor Vitry*.⁴⁶ The compiler came from the same circle as Rashi⁴⁷ in the eleventh century, but this inclusive festival prayer book underwent a number of changes and editions, and it would seem that the printed version is not earlier than the thirteenth century.⁴⁸

There is as yet no critical edition of the *Mahzor Vitry*. Apart from the printed edition, the liturgical scholar Daniel Goldschmidt has published a further manuscript (the Reggio MS.)⁴⁹ which he sees as more original than the printed version.

Birkat haMinim according to the two known versions of the *Mahzor Vitry* runs as follows:

<i>Hurwitz edition</i>	<i>Reggio MS.</i>
[...] hope	[...] let there be no hope
and [may] all [...] perish in an instant	and [may] all [...] perish in an instant
and enemies of your people	and enemies of your people
Israel be speedily cut off	the house of Israel be speedily cut off
and humble all [...] speedily in	[...] speedily uproot and crush and
our days	destroy and humble all our enemies
Blessed are You, Lord, [who] crushes	Blessed are You, Lord, [...]
enemies and humbles [...]	

Among the versions discussed so far, we can see a certain similarity between the short versions of Rav Sa'adiah and the Rambam, and between the longer version found in the *Seder Rav Amram* and the *Mahzor Vitry*. It is true that Rav Sa'adiah and the Rambam were active near each other – Rav Sa'adiah was born in Egypt, and it was to the Egyptian community that he sent his prayer book, while the Rambam was also active in Egypt. We also know that the *Seder Rav Amram* influenced the *Mahzor Vitry*. However, after examining the texts and seeing the

⁴⁶ S. Hurwitz (ed.), *Machsor Vitry*, [handschrift im British Museum (Cod. Add. No. 27200-27201), (Nürnberg, 1923)].

⁴⁷ I. Elbogen, (above, n. 21), pp. 276-277.

⁴⁸ A. Berliner. 'Beiträgen,' in: S. Hurwitz, *Einleitung und Register zum Machsor Vitry*, (Berlin, 1896-1897), p. 171; And see D. Goldschmidt, *Mahzor Vitry EJ* 11 (1972), pp. 736-737.

⁴⁹ E.D. Goldschmidt, 'Le texte des Prières du Manuscrit Reggio du Mahzor Vitry', *REJ* 125 (1966), pp. 63-75; esp. p. 66 with the text of *Birkat haMinim*.

links between the different versions of the earliest prayer books known to us, we should not be in a hurry to come to definitive conclusions about the text of *Birkat haMinim* between the tenth and thirteenth centuries. The most that we can say is that it is possible to identify a common origin for all of them.

A certain amount of help can be found from a totally different direction, one which is much less congenial. This is the well-known episode of the first example of Christian polemic with Talmudic texts, known as the Paris dispute. It began with the apostate Nicholas Donin, and was held under the aegis of the pope and the royal court, and ended in the burning of the Talmud around the year 1240.⁵⁰ This was the first time that the Christian world acknowledged the Talmud and its literature officially using the help of Jewish apostates, which was to become a well-known system later. Donin collected passages which were problematic or debatable from the Christian point of view from Scripture and the prayer book and sent them to the pope, and they were added to a letter from Pope Gregory IX sent in 1239 to the bishop of Paris.⁵¹ Among the passages in Donin's collection is a complete text of the *Birkat haMinim* translated into Latin. Here is the text of the blessing in the indictment, paragraph 30:

For the apostates let there be no hope and may all the *mynym* perish in a moment and all enemies of Your people Israel be cut off, and the kingdom of arrogance be uprooted and crushed and defeated and humbled, all our enemies speedily in our days. Blessed are You, Lord, who crushes enemies and humbles the arrogant.⁵²

The indictment does not state where this version of *Birkat haMinim* is taken from, but in comparison with the early versions we have examined so far we can see the resemblance to the Jewish Theological Seminary manuscript of the *Seder Rav Amram*, and the almost total resemblance to the version in the *Mahzor Vitry*, especially the Reggio manuscript. (*Mahzor Vitry* was in use in northern France and was certainly the nearest which Donin could have obtained. In any case, Donin's version fills in the gaps in *Mahzor Vitry*.) We do not know how thorough Donin's work was, but it can be assumed that if he had known a number of dif-

⁵⁰ Demonstration of the different possibilities: C. Merchavia, *The Church Versus Talmudic and Midrashic Literature (500-1248)*, (Jerusalem, 1970), p. 248 (in Hebrew).

⁵¹ For a description and analysis of the whole episode: S. Simonsohn, *The Apostolic See and the Jews*, (Toronto, 1988-1991), p. 22; S. Grayzel, *The Church and the Jews in the XIIIth Century*, (New York, 1966), pp. 29-30, and Appendix A, pp. 339-340.

⁵² Here is the Latin original according to MS. 16558 in the Bibliothèque nationale in Paris: *Conversis non sit spes et omnes mynym (infideles) in hora disperdantur, et omnes inimici gentis tue Israel discindantur, et regnum nequiciae eradicet et confringat et conteras et declines omnes inimicos nostros velociter in diebus nostris; benedictus tu Deus frangens inimicos et declinat impios*. This was first published by I. Loeb, 'La Controverse de 1240 sur le Talmud', *REJ* 3 (1881), pp. 50-51; I have used the translations of J. Rosenthal, 'The Talmud on Trial', *JQR* 47 (1956), pp. 162. See also: Merchavia, (above, n. 50), pp. 278-279; *Infideles* is the translation added in the source for the Hebrew word *mynym* brought as such.

ferent customs, he would not have left out any versions which were more sharply or clearly aimed against the Christians, if he had known of them.⁵³

There can be no doubt that Nicholas Donin cites a version which was in use before the great disputes (Paris, Barcelona, and Tortosa) and before the beginning of the succession of burnings of the Talmud and works of Jewish law. Thus we can easily suppose (albeit with all due caution) that the version from the Paris collection belongs to a period before there was censorship and state bans on certain passages from laws and prayers which were subjects of dispute.

Obviously Donin's version strengthens the status of the text which appears in the *Mahzor Vitry* as the version which was widespread and well-known in France, as well as the versions close to it in Spain and other places.⁵⁴ However it does not detract from the status of versions current in other places, in our respect mostly in Egypt, for it is reasonable to presume that the latter were no earlier. The importance of this hypothesis is that it does not detract from the importance of the prayer book of Rav Sa'adiah, as one of the earliest sources (among the prayer book versions), if not the earliest. However, we should not leave the wider text of the *Mahzor Vitry* out of our consideration, even though this is the latest of the early prayer books (and includes portions from the *Seder Rav Amram*).

These two versions of the text, the short version of Rav Sa'adiah, and the long version of Rabbi Simhah of Vitry (which is similar to the version by Donin included in the papal letter) do not cancel each other out, as there are no substantial differences between them in the most important wording. The two versions of the text, of course, do not represent the earliest version of *Birkat haMinim*, but, as the earliest versions from the prayer books which have come down to us, we can extract from them a single common denominator in order to connect to the hints we do have. The common structure which arises from our discussion is thus as follows:

For the apostates let there be no hope⁵⁵

⁵³ It is important to note that the word 'notzrim' does not appear. See Merchavia, (above, n. 50), pp. 279-280.

⁵⁴ It should be noted that this is almost identical to the version from Worms at the end of the 12th century. See: E.D. Goldschmidt, 'The Mahzor of Worms', i.d., *Studies*, (above, n. 41), p. 10. Similarly Seligman Baer demonstrated that an almost identical version was in front of Rabbi Yaakov ben Asher, the writer of the *Arba'ah Turim*. See: Baer, *Avodat Yisrael* (above, n. 23), p. 95. The text of *Birkat haMinim* does not appear in the *Tur*, (*Orah Hayim*, § 118), but it says there that there are 29 words, which is very close to Donin's version.

⁵⁵ This opening is common to all the prayer books discussed, except for the British Museum MS. of the *Seder Rav Amram* (M), which has "for the informers" [*la-malshinim*]. The opening "for the informers" took the place of the opening "for the apostates" in the later prayer books, especially from the 16th century on. But it should be noted that "for the informers" appears in a number of fragments from the Cairo Genizah as well as, not instead of, "for the apostates." See on this: Y. Luger, *The Weekday Amidah in the Cairo Genizah*, (Ph.d Thesis, Bar-Ilan University, 1992), pp. 154-155, 285 n. 13.

And may the *minim* perish in an instant⁵⁶
 And the kingdom of arrogance be uprooted and crushed speedily in our days⁵⁷
 Blessed are You, Lord, who crushes enemies and humbles the arrogant.⁵⁸

So far our survey of the textual versions of the earliest prayer books. The question which now needs to be discussed is how close this archetype we have extracted from our survey is, to what is said to be the earliest version created in the Land of Israel. Most of the versions which we have discussed so far belong to what is called the Babylonian rite, which was widespread in the Middle East and North Africa and even reached the Yemen. *Seder Rav Amram* as we know it today certainly represents the Babylonian rite.⁵⁹ There are those who see the version of Rav Sa'adiah as the Land of Israel rite influenced by Babylonia, especially with respect to the *Shemoneh Esreh*.⁶⁰ The version called 'the Land of Israel rite' was found in the late Middle Ages particularly in the Balkans, to a certain extent in Italy, and to a lesser extent in France and Ashkenaz.⁶¹ However, the big question is what was the real nature and origin of this 'Land of Israel rite.' It seems reasonable to think that the 'Land of Israel rite' reflects the version which was created in the Land of Israel, and that this preceded the Babylonian rite,⁶² and may indeed be the original version, or at least near to it. However things are not quite so simple. The clearest and earliest authority for the existence of two different versions of the *Shemoneh Esreh* prayer is to be found by comparing the structure of the prayer and the order of the blessings as they are presented in the Babylonian Talmud (Megillah 17b) and the Jerusalem Talmud (Berakhot ii, 4d.).⁶³ However,

⁵⁶ This is missing in the prayer book of Rav Sa'adiah Gaon. It is present in the Rambam's *Order of Prayer*; and in *Seder Rav Amram* in the Jewish Theological Seminary's MS. S. (The British Museum MS., apparently the earliest of the three, has the *notzrim* and the *minim*.) The term is absent from the two versions of the *Mahzor Vitry*, but the sentence "and all [...] will perish in an instant" is present, so that the almost identical structure of the blessing in *Mahzor Vitry* and Donin's version allow us to posit the existence of the term *minim* filling the gap.

⁵⁷ The "kingdom of arrogance" is rubbed out in the *Mahzor Vitry*, but it can be supplied by comparison with the other versions.

⁵⁸ The close is the same in all versions, except for some substitutions of 'wicked' for 'enemies'.

⁵⁹ L. Finkelstein, 'Development', (above, n. 24), p. 142.

⁶⁰ Finkelstein, 'Amidah', (above, n. 24), pp. 142-143, defines it as Egyptian rite, while Mann claims that the *Siddur* of Rav Sa'adiah is Babylonian rite. See: J. Mann, 'Genizah Fragments of the Palestinian Order of Service', *HUCA* 2 (1925), p. 269.

⁶¹ I. Elbogen (above, n. 21), pp. 277-278.

⁶² Cf. J. Heinemann, *Prayer in the Period of the Tannaim and the Amoraim*, (Jerusalem, 1984), p. 46 (in Hebrew).

⁶³ In the continuation of this passage on page 5a, we find the Jerusalem Talmud version of the prayer *Havineinu*, but it is not clear whether we are entitled to deduce from this the structure of blessings 14-16, i.e. whether *Tzemah David*, the blessing for the offspring of the House of David, is a blessing in its own right, or whether it is included in the blessing before it, for two or three blessings are abbreviated in one shortened sentence.