SECTARIANISM BEFORE AND AFTER 70 CE

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With the destruction of the Temple the primary focal point of Jewish sectarianism disappeared…. For most Jews…sectarian self-definition ceased to make sense after 70.¹

The standard assumption that these Jewish groups disappeared soon after 70 is therefore no more than an assumption. Furthermore, the presuppositions which have encouraged the assumption are so theologically loaded that historians’ suspicions should be instinctive…. My hypothesis is that groups and philosophies known from pre-70 Judaism continued for years, perhaps centuries, after the destruction of the Temple.²

Notwithstanding Martin Goodman’s cautionary note, Shaye Cohen’s statement reflects a widely held view that the sectarian divisions that characterized the late Second Temple period disappeared soon after the Temple’s destruction. This view is based mainly on the silence of rabbinic writings, which provide little indication that Essenes and Pharisees or Sadducees and Pharisees (for example) continued to debate halakhic issues after 70.³ As David Instone-Brewer remarks,

A good case can be made that all the rival groups simply lost their distinctiveness and impetus with the destruction of the Temple. The Sadducees lost their locus of activity, the Essenes lost the reason for their rebellion, and the Pharisees’ attempt to replicate Temple activities in

³ The editors of the Mishnah and other rabbinic documents sought to represent Yavneh as the end of sectarianism; see C. Hezser, The Social Structure of the Rabbinic Movement in Roman Palestine (Tübingen, 1997), 64. For the claim that Essenes should be identified as one group among others that the early rabbis condemned as minim, see J.E. Burns, “Essene Sectarianism and Social Differentiation in Judea after 70 C.E.,” HTR 99 (2006): 247–74. Burns rejects the argument from silence: “But just as the absence of the title ‘Christian’ in rabbinic texts does not mean that Christians were absent from the social world of the early rabbis, the lack of explicit testimony to the Essenes does not mean that the sect had ceased to exist” (p. 268).
the home, synagogue, and schoolhouse became the only way to express Jewish rites.\(^4\)

A number of passages in the Mishnah reflect the rabbis’ struggle to adapt legal observance to the new reality. Thus, for example:

[Laws concerning] sheqel dues and firstfruits apply only in the time of the Temple. But those concerning tithe of grain, tithe of cattle, and of firstlings apply both in the time of the Temple and not in the time of the Temple. He who [nowadays] declares sheqels and firstfruits to be holy—lo, this is deemed holy. R. Simeon says, “He who says, ‘Firstfruit is holy,’—they do not enter the status of Holy Things.” (\textit{m. Sheqalim} 8:8)\(^5\)

One who buys pieces of fruit [outside Jerusalem with money in the status of second tithe] pieces of fruit: unintentionally [not realizing the coins were consecrated]—let their payment be returned to its [former] place [to the purchaser who bought them by mistake]; on purpose—let [the pieces of fruit] be brought up and eaten in the [holy] place [Jerusalem]. And if the Temple does not exist, let [the pieces of fruit] rot.

One who buys [outside Jerusalem] a domesticated animal [with money in the status of second tithe]: intentionally—let its payment return to its [former] place; on purpose—let [the animal] be brought up and eaten in the [holy] place. And if the Temple does not exist, let it be buried with its hide. (\textit{m. Ma’aser Sheni} 1:5–6)\(^6\)

The result was that groups that were inclusive of all Israel and believed that the divine could be experienced anywhere—that is, the Pharisees

\(^4\) D. Instone-Brewer, \textit{Traditions of the Rabbis from the Era of the New Testament, Volume 1: Prayer and Agriculture} (Grand Rapids, 2004), 4; on p. 5 he notes that “the defining characteristic of Yavneh became inclusiveness rather than sectarian exclusiveness, which explains why those who continued after 70 C.E. to call themselves ‘Pharisee’ (\textit{Perushim} in rabbinic literature) were regarded as sectarians.”

\(^5\) All of the quotes from the Mishnah and Tosefta are taken from Jacob Neusner’s translations: \textit{The Mishnah: A New Translation} (New Haven: Yale, 1988); and \textit{The Tosefta: Translated from the Hebrew with a New Introduction, Vol. 1} (Peabody, MA: Hendrickson, 2002).

\(^6\) B.M. Bokser (“\textit{Ma’al} and Blessings over Food: Rabbinic Transformation of Cultic Terminology and Alternative Modes of Piety,” \textit{JBL} 100 [1981]: 567–68) points out that the Temple’s destruction created special problems because Jews were obligated by biblical law to bring agricultural offerings and tithes to Jerusalem before the rest of the produce might be consumed. The rabbis adapted legal observance to the changed situation after 70 in various ways, including permitting the redemption of second tithes with money, allowing terumah to be given to any priest, and requiring blessings before all meals. Also see D. Amit and Y. Adler, “The Observance of Ritual Purity after 70 C.E.,” in “\textit{Follow the Wise}” (B. Sanhedrin 32b): Studies in Jewish History and Culture in Honor of Lee I. Levine (ed. O. Irshai, J. Magness, S. Schwartz, and Z. Weiss; Winona Lake, 2010), 121–43.