Course Reading


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The Decalogue and the Minim

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*It used to be lawful to recite the Ten Commandments every day. Why then do they not recite them now? Because of the claim of the Minim: so that they may not say, Only these were given to Moses on Sinai. (Y. Ber. 1, 3c).

This famous and much debated passage from the Palestinian Talmud records and explains a major change in the Jewish liturgy. From having been an integral part of Temple worship, at about the end of the first century of the Christian era the Decalogue was abruptly dropped from daily public prayer and at the same time excluded from the phylactery because of the claim of the Minim. To understand the magnitude of the decision it is necessary to realize the importance accorded to the Ten Commandments until then within Judaism.

The Mishnah fortunately preserves in one of its tractates a Temple rubric enjoining the daily recitation of four Scriptural texts: the Decalogue (Ex. 20 29; Dtn 5 29), the Shema, the supreme confession of Jewish faith (Dtn 6 4ff.), and two further excerpts relating to the symbolic reminders of the Law, the tephillin, the mezuzah and the šishith (Dtn 11 1ff. Num 15 37ff.). From the order of their arrangement it would seem that the most important of these pericopes was the Decalogue, and in fact this conjecture is substantiated by a variety of literary sources.

In the Nash Papyrus, which is possibly the oldest of our documents, the following formula is inserted between the Ten Commandments and the Shema:

*These are the statutes and judgements that Moses commanded the children of Israel in the wilderness when they came forth out of the land of Egypt.*

The same wording (except for *the Lord* in place of *Moses*) appears also in the Septuagint on Dtn 6 4. The most reasonable interpretation of this gloss is that the *statutes and judgements* of the Decalogue were thought to represent the sum total of the entire Sinaïtic legislation.

1 Cf. Sanh. 11; Men. 37; Kel. 15; Siphr—Deut. § 34-35; Ber. 12a.
2 Tam. 51.

Philo of Alexandria recognizes the δέκα λόγοι as the quintessence of the Torah, as the kernel of divine revelation in which all other laws are contained. In his treatise *De Decalogo* he writes:

*We must not forget that the Ten Commandments are κατατόμα (summaries) of the special laws which are recorded in the Sacred Books and run through the whole of the legislation.*

He discovers two distinctive features lifting them high above other biblical laws given by God. Firstly, they are expressed in the form of simple commands and prohibitions without laying down any penalty, as is the way of legislators, against future transgressors. In this way, the Decalogue is a true reflection of the nature of God himself. He, the cause of good only, and of nothing ill, is not concerned with the punishment of sinners but, as *Great King* and *Prince of Peace*, delegates it to one of his *subalterns*, Justice. Secondly, he submits that the Ten Commandments were proclaimed by God using a miraculously created voice.

*For it was in accordance with his nature that the pronouncements in which the special laws were summarized should be given by him in his own person, but the particular laws by the mouth of the most perfect of the prophets.*

In brief, Philo holds that the Decalogue’s uniqueness lies in its all-inclusiveness, pure goodness, and immediate divine origin.

Josephus’s thought, as is clear from his account of the Sinai events, ran on similar lines. The paramount holiness of the Ten Commandments demanded that they should be uttered by a heavenly voice, so that the excellence of the spoken words might not be impaired by human tongue. The historian even insinuates that the Decalogue shares the sanctity of the ineffable Tetragrammaton: *These words it is not permitted us to state explicitly, to the letter.* He does not, of course, deny that the Law as a whole came from God, but seems to suggest that all but the Ten Words were phrased by Moses.

*Such were the provisions concerning sacrifices and the purification relating thereto that Moses made for his countrymen; and here are the further laws which he drew up for them.*

The Gospel tradition of the New Testament does not argue the preeminence of the Decalogue explicitly, as do Philo and Josephus,
but there is no doubt that Jesus also conceived it as the sum of all religious duties.

What must I do to inherit eternal life? . . .
You know the commandments. Do not kill. Do not commit adultery. Do not steal. Do not bear false witness. Do not defraud. Honour your father and mother.13

Archaeological findings in the form of fragmentary phylacteries from Qumran Caves 1 and 4 bring further support to this literary evidence. They are remarkable for the inclusion of Dt 5 with the Decalogue. The tephillin of Murabba‘at, by contrast, which is identical with that of the Rabbis, contains only the four customary texts13.

* * *

The purpose of the present paper is to explore the mystery of the Minim responsible for the removal of the Decalogue from its privileged place in Jewish worship. To this end, we propose to a) trace the genesis of their false doctrine as seen by the Rabbis; b) attempt to reconstruct the exegetical justification of the claim of the Minim; c) answer the vital question: who were they?

a) The Rabbis accused the Minim (heretics or sectaries)14 of faith in two creative Powers, of disbelief in resurrection, of setting a wicked example, and above all of denial of the Torah.12 All these charges, except the first, were found to originate in the biblical past and were attached to biblical personalities, the implication being that minūth was based on an immortal tradition held and transmitted by the wicked in Israel and that the heterodox of their own age were the imitators of the hierarchs of Scripture, Cain, Balaam and Korah.13. Of these three, it is Korah’s fault that is most enlightening. The Bible describes him as a rebel (Num 16:11), but for post-biblical Judaism Korah was a heretic who opposed the teaching of Moses on the subject of the sīsīth (Num 15:11), the law set out in the paragraph immediately preceding.18 In the (contemporary) words of Pseudo-Philo:


11 In illo tempore precepit illis de simbis et tunc restituit Choré, et ducenti viri cum eo, et locuti sunt dicentes: Quid si ponitur nobis lex intoleralibis?19

Targum Pseudo-Jonathan tells the story more fully.

They (Korah and his band) rose impertinently and in the presence of Moses decreed a halakah in the matter of the blue colour. Moses said, I have heard from the mouth of the Holy One . . . that the tassels are to be white with only one blue filament in them. But Korah and his fellows made both their garments and the tassels all of blue, which the Lord had not commanded.40

A trivial matter of priestly fashion? No. A rebellion against God’s authority, the creation of a tightness, a sect. A haggadah inserted into the Palestinian Talmud recounts that Korah accused Moses of error in regard to other laws also, and that when Moses retorted by quoting the relevant verses from the Bible, Korah exclaimed: וַיֹּאמֶר כִּי קֹרָא אֱלֹהֵינוּ וְאָנָנוּ, The Torah is not from Heaven.41. Another later midrash on Numbers places almost literally the claim of the Minim in the mouth of Korah and his followers, besides alleging that some of the Scriptural statutes were invented by Moses for his own and Aaron’s benefit.

God has given us only the Ten Commandments. Of dough-offering, heave-offering, tithes and fringes we have not heard except from yourself. You have spoken in order to establish rulership for yourself and glory for Aaron your brother.42

From these texts it emerges that to the Rabbis the Minim were sinful disciples of Korah, who not only willfully refused to obey the


13 The interpreters consider the two passages as forming a continuous narrative: samūth (post hoc, ergo propter hoc).


15 JT on Num 16:4.

16 See 2 Jt. Onk. and Pesh. on Num. 16:1.


sacred code of statutes and ordinances granted by God to Israel, but jealous of the authority of the heirs of Moses dared also to misuse Judaism’s age-old veneration of the Ten Commandments by employing it to devalue the Torah.

b) Needless to say, no scholar would accept as objective or authentic a judgement of this kind. He knows that the Minim were religious non-conformists and that however shocking their teaching may have seemed to the Pharisees it must have been erected on a Scriptural, or rather exegetical, foundation. Indeed, the reaction of the Rabbis proves that this was so and that it caused them much embarrassment. But in the absence of direct sources can it be discovered? As so often happens, the Palestinian Targum, in its treatment of Dtn 5:22(b), provides the clue. The biblical verse following the Decalogue records Moses’ comment on the manner of its revelation:

> These words the Lord spoke to all your assembly at the mountain ... with a loud voice; and he added no more.

The final clause, פָּרָשָׁה, which is peculiar to the Deuteronomistic account, states plainly that God limited himself to the Ten Commandments in his direct communication with the whole congregation of Israel on Sinai. The Septuagint finds no difficulty in accepting this and renders it literally: καὶ δὲ προσέποιήθη αὐτῷ. But not so the Targums. Apart from a minor variant, the Geniza fragment published by Paul Kahle, Codex Neofiti 1, Pseudo-Jonathan, and Onkelos, all agree on a paraphrase which departs conspicuously from the original:

> These words the Lord spoke to all your assembly at the mountain ... with a loud voice; and he ceased not anymore.

In a deliberate effort to avoid having to suggest that God proclaimed no laws beyond the Decalogue, all the Aramaic translators derive the verb, not from the root פָּרָשָׁה, but from פָּרַשׁ or פָּרַשּׁ (to end, to cease, to be taken away). Having thus confused the issue artificially, the school of thought represented by the Targums sets off at a tangent and alleges that he ceased not means that God did not interrupt his peroration but spoke the Decalogue with a single utterance.

These exegetical acrobatics on the part of the Pharisees incline us to believe that they must have been prompted by the insistence of the Minim on the literal significance of Dtn 5:22. Such an interpretation leads to the conclusion that the Torah (as distinct from the Ten Commandments) was either not revealed at all but was invented by Moses, or (which is more likely) that it was not revealed by God himself or intended as a binding rule for all the generations of Israel.

It may be noted in parenthesis that, as a response to the threat of heresy, the arguments of the Rabbis and the practical measures which they took in the liturgical field were negative and show signs of panic. Later, the Tannaim recovered their balance and directed their efforts towards a positive demonstration that the whole Torah comes from God, both the written and the oral Law.

c) One crucial problem remains: who were the Minim? Can we associate them with any of the known branches of ancient Judaism outside the Pharisaic fold? Were they Sadducees, Essenes or Judeo-Christians?

The first two may be eliminated straight away. The Sadducees cannot have failed to acknowledge the heavenly origin of laws relating to the Temple and priestly matters, and the Essenes were the staunchest protagonists of all things Mosaic. The case of the Judeo-Christians is different. In fact, in the late nineteenth and early twentieth century most experts tended to regard מִינִים as the rabbinic name for that community, on the grounds that the Minim rejection of the Torah is mirrored in the ‘antinomianism’ of the Church, and that the parallel of Minim and Noserim in the Palestinian recension of the ‘Amidah suggests that they were one and the same. But although

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38 The latter opinion may have been held by Pseudo-Philo if scepepta eterna qua non transiens refers, as it seems to do, only to the Decalogue; cf. LAB 11 s.

39 R. Ishmael expounds the opening words of the Code of the Covenant thus: These are added to the former ones (the Decalogue). Just as the former were given on Sinai, so were the latter. (Mekh. on Ex 21:1; ed. Lauterbach, III p. 1). An anonymous exegete discussing Dtn 1:3, Moses spoke to the children of Israel, asks the question: Did Moses prophesy only the Ten Commandments? — Whence do we know that he prophesied all the words of the Torah? Scripture says, (Moses spoke to the children of Israel) according to all that the Lord had given him in commandment to them. (Siphre—Dtn 1:3, § 2).

38 Moses received on Sinai the Decalogue, the Torah, the Prophets and Writings, the Mishnah and the Talmud, according to Simeon b. Lakish commenting on Ex 24:12 in Ber. 5a.

M. Simon has recently shown that Christians were referred to as Minim in the fourth century, the title scarcely fits the Judeo-Christians of the apostolic and sub-apostolic age. For one thing, it seems a priori unlikely that they made a strong enough impact on Judaism so soon after the death of Jesus. More important still, none of the parties within the early Church taught an ‘antinomianism’ as radical as the complete denial of the divine origin of the Torah. The Jerusalem Church would certainly not have done so, and neither would the disciples of Paul, who merely preached that the Mosaic Law was not universally obligatory. The most extreme views expressed in the Syriac Didascalia and the Pseudo-Clementine writings are still mild compared with the doctrine attributed to the Minim. The author of the Didascalia insists only too vehemently that the sacrificial and dietary laws were inflicted by God upon the Jews in punishment of their apostasy in worshipping the Golden Calf. The Pseudo-Clementine assertion that after the death of Moses false pericopes were interpolated into the Torah is perhaps the nearest Christian approach to the heresy of the Minim, but even this fails to measure up to the rabbinic accusation.

We thus come by way of elimination to the thesis advanced by M. Friedländer, A. Marmorstein and others, identifying the Minim as Jewish Gnostics. Although the word ‘Gnostic’ is, as I believe, misleading, all the available evidence tends to show that these scholars were on the right track, and that the first century antinomian Minim came from the ranks of Hellenistic Judaism. After all, Dtn 5:22 in the Septuagint version is absolutely clear and, unlike the Hebrew original, difficult to misconstrue. The Greek reader of the Bible learns that God added nothing to the proclamation of the Decalogue. For example, Pseudo-Philo (who was not a Min) concludes his account of the Ten Commandments, the only section of the Torah which he gives in extenso, with the words: ‘Et... qui et Dominus loquitur.’ Furthermore, we know from the excerpts from Philo and Josephus quoted earlier that their Hellenistic contemporaries were accustomed to the idea of the Decalogue’s superiority since many of them found it physically or morally impossible to do more than observe the ethical demands of Judaism.

Additional support for the argument that the Minim had their origins in a Greek environment is found in the New Testament. When Stephen asserts that the Torah was delivered to Israel, not by God, but by the angels, which, according to the Septuagint, accompanied him to Sinai, he is voicing with some difference of emphasis the claim of the Minim. He is also, it should be noted, speaking as the acknowledged leader of the Hellenists, as a Jew of the Dispersion and not as a pre-Pauline Christian. Again, it is a Minim exegetical argument that the Hellenistic author of the Epistle to the Hebrews advances when he contends that, since Jesus is greater than the angels who transmitted the Torah, his teaching must surpass the Jewish Law.

The relation between the Minim and Hellenistic Jewry seems therefore sure. But can we be more precise? From the alarm they caused among the Palestinian Rabbis, from their distinction between permanent moral values and customs linked to a certain social structure, and from their acquaintance with Greek philosophical thought, I believe we may safely deduce that they came from among...

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38 LAB xi. As has been seen, in xxv i doubt concerning the divine origin of the whole Torah constitutes a capital offense.


40 Cf. LXX on Dtn 33.2; ‘His angels were with him on his right hand.’ By contrast, 2Jt renders the verse as, ‘He stretched out his right hand from the midst of the flames of fire and gave the Torah to his people.’ See also 1Jt which combines both traditions but maintains the Palestinian bias.


43 The Alexandrine doctrine of a creative Logos is no doubt the basis of the accusation that the Minim believed in two Powers, and the Hellenistic emphasis on the immortality of the soul can be understood as a denial of bodily resurrection.
Nouveau fragment de la Massorah Magna du Targum de Babylone

Ms. heb. 62 Fol. 45
Bodleian Library — Oxford

Pr. Gérard E. Weil
(Faculté des Lettres, 23 boulevard Albert Ier, Nancy)

Je dédie l'édition de ce fragment à la mémoire de mon défunt maître Paul Kahle qui après Berliner et Landauer, mais avec plus d'acuité que ses deux prédécesseurs, a appelé l'attention du public lettré sur l'importance de ces fragments manuscrits.Nous nous sommes souvent, au cours de la dernière décade de son existence, entretenus de l'urgence qu'il y avait à dresser le catalogue des fragments inédits de ce type de Massorah. J'ai entrepris à sa demande le récolement de ces documents afin d'éditer le moment venu l'ensemble le plus complet représentant la Massorah Magna du Targum de Babylone à défaut de disposer d'ouvrage exhaustif comme la Okhlah pour la Massorah Magna de la BH. La Massorah du Targum a certainement été réunie sous une forme ou sous une autre, mais nous ne nous a été transmise qu'à travers les fragments épars et retrouvés dans les Genizot ou encore par des gloses marginales au long des pages de certains manuscrits.

Les fragments que j'ai édités jusqu'à présent n'offraient pas l'intérêt exceptionnel que j'édite aujourd'hui. Nous disposons pour la première fois d'un fragment qui nous révèle le commentaire massorétique du Targum à partir du début d'un des livres de la Bible1.

Ce fragment unique devait appartenir à coup sûr à un commentaire de la Massorah du Targum du Lévitique. Nous ne disposons cependant pas d'assez de données pour affirmer qu'il ait appartenu à un commentaire de toute la Torah. Cependant, l'état de conservation dans lequel il nous est parvenu après son passage dans la Genizah du Caire, pourrait permettre de supposer qu'il ait appartenu à un ensemble plus vaste. Le recto du fragment ayant très peu souffert, on peut supposer qu'il n'a pas été longtemps le premier feuillet d'un volume.

Folio de parchemin de 243 × 160 mm réglé, sur ce qui est aujourd'hui le verso, à 24 lignes de justification, entre deux réglettes ver-

1 Lev 1:1–3.4.