

Chapter 1  
*Introduction*

Every day for thirty years a man drove a wheelbarrow full of sand over the Tijuana border crossing. The customs inspector dug through the sand each morning but could not discover any contraband. He remained, of course, convinced that he was dealing with a smuggler. On the day of his retirement from the service, he asked the smuggler to reveal what it was that he was smuggling and how he had been doing so. “Wheelbarrows; I’ve been smuggling wheelbarrows, of course.”

This humorous anecdote functions for me on several levels at once. First of all, I will insist that the borders between Christianity and Judaism are as constructed and imposed, as artificial and political as any of the borders on earth. I shall propose in this book that just as the border between Mexico and the United States is a border that was imposed by strong people on weaker people, so too is the border between Christianity and Judaism. Rather than a natural-sounding “parting of the ways,” such as we usually hear about with respect to these two “religions,” I will suggest an imposed *partitioning* of what was once a territory without border lines, much as India and Pakistan, and Israel and Palestine were artificially partitioned by colonial power. A wonderful simile of Jacques Derrida’s based on such a partitioning may help develop the power of this metaphor here. Derrida wrote: “Like Czechoslovakia and Poland, [speech and writing] resemble each other, regard each other; separated nonetheless by a frontier all the more mysterious . . . because it is abstract, legal, ideal.”<sup>1</sup> We would not be wrong, I think, in appropriating this figure for another figure and applying all of these terms to the imagined frontier between Judaism and Christianity.

Second, the Tijuana border is a space for the crossing of contraband humans and contraband goods and services. Similarly, the border space between the juridical and abstract entities Judaism and Christianity, throughout late antiquity and even beyond, was a crossing point for people and religious practices. Religious ideas, practices, and innovations permeated that border crossing in both directions. There were people, as well, who simply didn’t recognize the legitimacy or even the existence of the border. The Chicanos and Tejanos say: We

didn't cross the border; the border crossed us. Furthermore, there were customs inspectors at the frontiers of this Christianity and Judaism. They inscribed the border lines in texts that we know of now as heresiologies. Finally, I will suggest that those very inspectors of religious customers, in their zeal to prevent any contraband from crossing the borders that they sought to enforce by fiat, were, themselves, the agents of illicit interchange of some of the most important contraband, the wheelbarrows—in this case, the very ideas of heresiology themselves.

How and why that border was written and who wrote it are the questions that drive this book. Once I am no longer prepared to think in terms of pre-existent different entities—religions, if you will—that came (gradually or suddenly) to enact their difference in a “parting of the ways,” I need to ask who it was in antiquity who desired to make such a difference, how did they accomplish (or seek to accomplish) that making, and what was it that drove them? (And also, where possible, who and what resisted them?) Answers (not the answers) to these questions will be essayed in this book. My proposal here is that the discourse we know of as orthodoxy and heresy provides at least one crucial site for the excavation of a genealogy of Judaism and Christianity. The idea of orthodoxy comes into the world some time in the second century with a group of Christian writers called “heresiologists,” the anatomizers of heresy and heresies, and their Jewish counterparts, the Rabbis. “Heresiology”—the “science” of heresies—inscribes the border lines, and heresiologists are the inspectors of religious customs. Ancient heresiologists tried to police the boundaries so as to identify and interdict those who respected no borders, those smugglers of ideas and practices newly declared to be contraband, nomads who would not recognize the efforts to institute limits, to posit a separation between “two opposed places,” and thus to clearly establish who was and who was not a “Christian,” a “Jew.”<sup>2</sup> Authorities on both sides tried to establish a border, a line that, when crossed, meant that someone had definitively left one group for another. They named such folk “Judaizers” or *minim*, respectively, and attempted to declare their beliefs and practices, their very identities, as out of bounds.

Groups that are differentiated in various ways by class, ethnicity, and other forms of social differentiation become transformed into “religions” in large part, I would suggest, through discourses of orthodoxy/heresy.<sup>3</sup> Early Christian heresiology, whatever else it is, is largely the work of those who wished to eradicate the fuzziness of the borders, semantic and social, between Jews and Christians and thus produce Judaism and Christianity as fully separate (and opposed) entities—as religions, at least in the eyes of Christianity.<sup>4</sup>

For nearly two decades now, scholars of early Christianity have been building toward a major revision of the history of Christian heresiology. The work of

much of the scholarship of the first half of the twentieth century consisted of dislodging the traditional “Eusebian” account of the origins of orthodoxy and heresy, within which orthodoxy was simply the teaching of Jesus as communicated to the apostles and passed down to bishops, while heresy was the later incursion of false and wicked error into Christian tradition under the influence of the Devil or his later secularized counterpart Greek philosophy. Scholars throughout the twentieth century demonstrated that in many cases “heretical” ideas and practices were coeval—at least—with those that came to be defined as orthodox. The culmination of the scholarly direction was in the work of Walter Bauer, which had enormous impact twice, once when it was published in German in the 1930s and once again after being published in English in 1971.<sup>5</sup> Bauer’s work has remained, however, problematic in some respects, notably in his strange ascription of essence to heresy and orthodoxy, such that he could state that in many places, “heresy preceded orthodoxy.” Working within a Foucauldian paradigm, Alain Le Boulluec has completely shifted the research strategy.<sup>6</sup> Apart from his specific historical achievements and insights, Le Boulluec’s most important move has been to shift the scholarly conversation away from the question of orthodoxy and heresy understood as essences and to move the discussion in the direction of a history of the representation of orthodoxy and heresy, the discourse that we know of as heresiology, the history of the idea of heresy itself. From this perspective, it will be seen that orthodoxy cannot precede heresy (the traditional account), nor can heresy precede orthodoxy (Bauer); *orthodoxy* and *heresy* must, of necessity, come into the world of discourse together. *Orthodoxy* and *heresy* are decidedly not things, but notions that must always be defined in each other’s context.<sup>7</sup> In this book, “orthodoxy” means those church writers, whatever the specifics of their own doctrines, who promulgate the notion of orthodoxy, and the opposite of *orthodoxy* in terms of the scholarly discourse adopted here is not *heresy* but rather something like *heterodoxy*, represented by religious writers, thinkers, practitioners who do not operate with a notion of orthodoxy. This means, inter alia, that some writers defined by the Church as *heretics* belong to the camp of orthodoxy, insofar as they promulgate such a notion of Christian truth.

The Greek term *hairesis* earlier meant just a “choice,” that is an affinity group joined by common ideas, theories, and practices, without any pejorative overtones at all. Le Boulluec found that Justin Martyr, a “pagan” convert who lived in Asia Minor and Rome through the first two thirds or so of the second century, was a crucial figure (if not the crucial figure) in the Christian shift from understanding *hairesis* to be a “group of people, a party or sect marked by common ideas and aims” to being “a party or sect that stands outside established or recognized tradition, a heretical group that propounds false doctrine in the

form of a heresy.”<sup>8</sup> As Le Boulluec himself puts it, the result of his research is that “Il revient à Justin d’avoir inventé l’hérésie.”<sup>9</sup> Le Boulluec has been, perhaps, at more of a loss to explain the causes and functions of this invention, largely attributing them to the influence of “Judaism” and the challenge of “Gnosticism,” neither of which turns out, on balance, to be a very compelling explanation. The very practices of the Rabbis that Le Boulluec identifies as models for Christian orthodoxy are only attested—as is all of rabbinic Judaism—later than Justin, and, as Elaine Pagels has recently made clear, Justin hardly seems to know of “gnostics” at all.<sup>10</sup> Other explanations, other ways of relating rabbinic to Christian orthodoxy, need to be sought.

Building on Le Boulluec’s work, I shall argue in this book that at least a significant part of the function of heresiology, if not its proximate cause, was to define Christian identity—not only to produce the Christian as neither Jew nor Greek but also to construct the whatness of what Christianity would be, not finally a third race or *genos* but something entirely new, a religion.<sup>11</sup> It is no accident, I will suggest, that the alleged “inventor of heresy” is also the author of “one of the earliest texts [*The Dialogue*] which reflects a self-consciously independent Christianity,”<sup>12</sup> or, as I would prefer to put the same point, one of the earliest texts that is self-consciously engaged in the production of an independent Christianity.

Similarly, where scholars of rabbinic Judaism have looked for evidence of response to Christianity at specific points within rabbinic texts, either as denunciation in the form of *minut* or as imitation of or polemic against certain Christian practices and ideas, I can follow Le Boulluec’s lead in taking up Foucault’s notions of discourse and shift my investigation from the specifics of what was thought or said to the *episteme* or universe of possible knowledge within which they were said and thought. Matching, then, Le Boulluec’s transformation of the study of heresiology from the reconstruction of heresies to the history of the notion of heresy in Christianity, I can try for a similar transformation in the history of Judaism, transforming my inquiry from the identification of *minim* to the history of the notion of *minut* in rabbinic texts.

To come back to my allegory one more time (perhaps to belabor it): Where till now, it might be said, scholarship has been looking for what is hidden in the sand (with more success than the customs inspector), I prefer to look at smuggled wheelbarrows as the vehicles of language within which identities are formed and differences made.<sup>13</sup> A very sophisticated recent effort in the former direction has been made by Israeli historian Israel Yuval.<sup>14</sup> It is a measure, however, of our different approaches that Yuval can write: “Whenever we find a similarity between Judaism and Christianity, we must assume that we have a case of influence by the Christian surroundings on the Jews, not the opposite, unless it

can be proven that the Jewish sources are ancient and earlier than [the Christian ones].<sup>15</sup> While Yuval seems absolutely correct in taking cognizance of the enormous asymmetry in power between Jews and Christians in the late Roman world (as Heine famously wrote, *wie es sich christelt, so jüdelte es sich*), his formulation of the problematic is dependent on the assumption that there are already fully formed, bounded identities (both social and cultural) of Christianity and Judaism already in late antiquity, rather than seeing the processes of formation. This is in part, I think, an artifact of looking for goods smuggled in the sand and not the wheelbarrows. I agree completely with Yuval's claim that there is something fundamentally upside down in looking within rabbinic sources for "background" to the New Testament.<sup>16</sup> Judaism is not the "mother" of Christianity; they are twins, joined at the hip. I am also in total agreement with his insistence that the frequently expressed scholarly notion that Jews were not concerned with Christianity until the Middle Ages is a serious error.<sup>17</sup> Here's an example of the difference between us: Yuval provides an illuminating discussion of the rabbinic legends of the death of the Messiah, the son of Joseph. He finds remarkable parallels between the Passion midrash of the Gospels and these midrashic texts, insisting, however, that they must reflect Christian influence on Jews.<sup>18</sup> I have no doubt that the Rabbis were aware of the use of Psalm 22 in the construction of the death of the Messiah in the Gospels and that they sometimes reflected it and even parodied it.<sup>19</sup> It is hard for me to imagine, however, that a whole rabbinic narrative of a suffering and dying Messiah arose in response to and in a polemic against the Gospel midrash. I would prefer to think about a theme common to the two Judaic dialects, inflected differently for each, including the different weights that it received there.<sup>20</sup> This view is to be contrasted, also, with the view of Jacob Neusner who would limit such responses to the fourth century.<sup>21</sup>

According to the readings proposed here, in the tannaitic period (roughly equivalent to the period of ante-Nicene Christianity), rabbinic texts project a nascent and budding heresiology, different in content (in some ways complementary in content) but strikingly similar in form to that of the second-century Fathers. In their very efforts to define themselves and mark themselves off from each other, Christian writers of orthodoxy and the Rabbis were evolving in important and strikingly parallel ways. Shaye Cohen has already noticed this and wondered how and by what means were the rabbinic and Christian developments connected. In a very lucid programmatic exploration of scholarship on heresy, Michel Desjardin articulated the following desiderata for Jewish scholarship: "To what extent was the Jewish concern for heresy early, and what explains the striking overlap in heresiological perspectives between the rabbis and the fathers? The term *minim* has to be thrown into the heretical pot, and its use

compared in detail to *haretikoi*. Could the Jewish treatment of Christians perhaps have led to a Christian devaluation of others as ‘heretics?’<sup>22</sup> I hope to be addressing some of these questions in this book. My suggestion is that it was in large part the very discursive effect of the mutual efforts to distinguish Judaism from Christianity that provided the major impetus for the development of heresiology in its different forms among the second-century church writers and the Rabbis. (Note that this is a very different formulation from Desjardin’s.) Little did they suspect, I warrant, that in struggling so hard to define who was in and who was out, who was Jewish and who was Christian, what was Christianity and what was Judaism, it was they themselves who were smuggling the wheelbarrows, the very discourses of heresiology and of religion as identity.

One of the scholars who has been most active in the study of the history of the complex interactions and negotiations out of which Judaism and Christianity were formed is Judith M. Lieu. In a recent paper, she has set the question elegantly:

Both “Judaism” and “Christianity” have come to elude our conceptual grasp; we feel sure that they are there, and can quote those “others,” outsiders, who were no less sure. How else are we to understand the *fiscus judaicus*, how else to make sense of the death, if not of the myriads of whom Eusebius speaks, at least of some who would not let go of their conviction about Jesus as they understood it? Yet when we try to describe, when we seek to draw the boundaries which will define our subject for us, we lack the tools, both conceptual and material. It seems to me equally justifiable to “construct” “Christianity” in opposition to “Judaism” at the moment when Jesus “cleansed the Temple,” at least in the literary representation of that event, and to think of that separation only in the fourth century, stimulated by dramatic changes in access to power—and I could call to my defence advocates of both positions, no doubt determined by their own starting-points and definitional frameworks.<sup>23</sup>

I think that Lieu has hit the nail precisely on the head. The question of when Christianity separated from Judaism is a question whose answer is determined ideologically. We need always to ask: Whose Judaism; whose Christianity? Shall we make the determining point an act of inner-Jewish hostility to certain authorities that we choose now to name “the Jews,” or are we looking for something else, and if so, what? What is revealed and concealed in this or that way of framing or defining the issues, in seeing Christianity as separate from Judaism *ab ovo* or in claiming that “it takes an army” to separate them? I am interested in the disclosures that await us when we take something like the second position enumerated by Lieu, that sometime around the fourth century we can begin to speak of Judaism and Christianity as separate “religions,”<sup>24</sup> and, even then, as I shall try to show, primarily (if not exclusively) when speaking from a Christian location. But a partial answer to the paradox that, as early as the first century, Christians were,

nevertheless, recognizable at least in some places as not-Jews (Tacitus, the *fiscus judaicus*, other evidence) is to note that whether or not there were Christianity and Judaism, there were, it seems, at least some Christians who were not Jews, and, of course, many Jews who were not Christians, and the distinctions of identity/identification would, ultimately, make a difference. They hadn't, however, yet. There seems to be no absolute point, theological or otherwise, at which we could say for this early period: It is this that marks the difference between Judaism and Christianity. I don't wish to argue that this position is correct but rather consciously to make it the starting point in a search for "the boundaries that were also crossing points," and for more glimpses of the folks, "even perhaps the majority," who dwelt in the interstices of the texts and objected to or simply ignored the work of the religious customs officers. Moreover, adopting such a perspective—a perspective that refuses the option of seeing Christian and Jew, Christianity and Judaism, as fully formed, bounded, and separate entities and identities in late antiquity—will help us, I hope, to perceive more fully the work of those early Christian and Jewish writers as they were making the difference. Accordingly, rather than attempting (even if that were possible) a complete coverage of the texts of my period, looking for the voices and texts of the suppressed versions of Judaeo-Christianity in hopes of discovering diversity there, I choose to look at the ideological work being done by some of our most canonized and central of texts—Justin Martyr, Jerome, Athanasius, the Mishnah, the Tosefta, the Talmuds—looking for the interstices internal to the "orthodox" canons and what these texts are trying to hide and suppress there.

The problem, then, of how my texts relate to reality, that is, the methodological problem of how one moves from the legendary and legal texts of the Talmud to some understanding of the lives of Jews in late antiquity, is, in a sense, solved by revealing it as an instance of a theoretical problem of the relation of language in general to social practice in general. "Discourse in this sense is a whole field or domain within which language is used in particular ways. The domain is rooted (as is Gramsci's or Althusser's notion of ideology) in human practices, institutions and actions."<sup>25</sup> Analysis of discourse in this sense, whatever its other theoretical and political virtues and defects, is ideally situated for constructing the past with greater complexity, depth, and nuance than might otherwise be attempted or thought possible, since—adapting words of Ania Loomba—"It seeks to widen the scope of studies [of religious history] by examining the intersection of ideas and institutions, knowledge and power."<sup>26</sup>

In the end, I will argue that there is a real dissymmetry between a reading of that difference from within Christianity or from within Judaism. While Christianity finally configures Judaism as a different religion, Judaism itself, I suggest, at the end of the day refuses that call, so that seen from that perspective

the difference between Christianity and Judaism is not so much a difference between two religions as a difference between a religion and an entity that refuses to be one.

In Western languages one habitually speaks—in both the scholarly and the quotidian registers—of “Judaism” and “Christianity” (and, for that matter, Islam, Buddhism, Taoism, Confucianism, and Hinduism) as members of a single category: (names of) religions, or even—faiths. This scholarly and popular practice, as the last term particularly reveals, involves the reproduction of a Christian worldview. The questionable appropriateness of projecting a Christian worldview or a Christian model upon peoples and practices who don’t quite fit, or even don’t wish to fit that model and worldview should be evident. Indeed, speaking for Judaism, it seems highly significant that there is no word in pre-modern Jewish parlance that means “Judaism.” When the term *Ioudaismos* appears in non-Christian Jewish writing—to my knowledge only in 2 Maccabees—it doesn’t mean Judaism the religion but the entire complex of loyalties and practices that mark off the people of Israel; after that, it is used as the name of the Jewish religion only by writers who do not identify themselves with and by that name at all, until well into the nineteenth century.<sup>27</sup> It might seem, then, that Judaism has not, until some time in modernity, existed at all, and that whatever moderns might be tempted to abstract out or to disembed from the culture of Jews and call their religion was not so disembedded nor ascribed particular status by Jews until very recently.

Until our present moment, it could be defensibly argued, Judaism both is and is not a “religion.” On the one hand, for many purposes it—like Hinduism—operates as a religion within multireligious societies. Jews claim for their religion a semantic, cultural status parallel to that of Christianity in the West. We study Judaism in programs of religious studies, claim religious freedom, have sections on Judaism at the American Academy of Religion—even one on comparative Judaism and Hinduism—and in general function as members of a “faith” (or system of ultimate meaning or whatever) among other faiths. On the other hand, there are many ways that we continue to be uncomfortable and express our discomfort with this very definition. For both Zionists and many non-Zionist Jews (including me), versions of description or practice with respect to Judaism that treat it as a faith that can be separated from ethnicity, nationality, language, and shared history have felt false. Precisely that very position of Judaism at the American Academy of Religion has been experienced by us, sometimes, as in itself a form of ambivalently capitulating behavior (which is not, I hasten to add, altogether unpleasurable). Something about the difference between Judaism and Christianity is captured precisely by insisting on the ways that Judaism is not a religion.<sup>28</sup> This ambivalence has deep historical roots.

The theory of interpellation, inter alia, the calling of names is relevant here. As Judith Butler has remarked, “To be called a name is one of the first forms of linguistic injury that one learns. But not all name-calling is injurious. Being called a name is also one of the conditions by which a subject is constituted in language; indeed, it is one of the examples Althusser supplies for an understanding of ‘interpellation.’” Butler goes further than this, however. She discerns that the injurious and the noninjurious moments of calling a name can be one and the same moment. Hailing is recognition. “In being called an injurious name, one is derogated and demeaned. But the name holds out another possibility as well: by being called a name, one is also, paradoxically, given a certain possibility for social existence, initiated into a temporal life of language that exceeds the prior purposes that animate that call.”<sup>29</sup> As a surprising instance of this phenomenon, one might refer to the apparent invention of the term *rhetoric* by Plato as a term of reproach, “as part of an effort to limit the scope and popularity of Sophistic teaching, particularly that of his rival Isocrates.” The term, however, quickly became an empowering one “for organizing thought and effort around a specific set of problems—those of being a persuasive *rhētor*.” Indeed, “Plato may have helped to empower a discipline that his philosophical outlook found repugnant.”<sup>30</sup> *Rhetoric*, oddly, has a history similar to *Christianity*. Or as the Rabbis put it: He came to curse, and in the end blessed.

Recently Virginia Burrus has mobilized the Althusser/Butler theory as a way of articulating the possible effect of one Christian heresiologist, Athanasius, on Jewish history. Burrus argues, following Butler and Althusser, that Athanasius’s “hate-speech,” although directed at “Arians” and, therefore, seemingly having nothing to do with Jews, is nevertheless well worth attending to, because Athanasius’s heretics are so often named as Jews, and indeed may be supremely relevant for the history of Judaism, because “injurious address may, in the very act of inflicting pain, give rise to an ‘other’ agency within language, summon a [Jewish] subject into existence.”<sup>31</sup> Once again, as Butler has put it: “If to be addressed is to be interpellated, then the offensive call runs the risk of inaugurating a subject in speech who comes to use language to counter the offensive call.”<sup>32</sup> If, for example, to be called the name “queer” in a powerful sense is not only to be injured but also to be called into being, then to be called “Jew” or “heretic” is similarly so to be interpellated. Indeed, as David Brakke has shown, at the time that Athanasius was active, there was a kind of Jewish revival in Alexandria itself.

A historically close analogy may help to clarify matters here. A leading historian of Christianity in late antiquity, Robert Markus, has argued (partially following Momigliano) that “paganism” also became a religion through the discourses of Christian orthodoxy: “The image of a society neatly divided into ‘Christian’ and ‘pagan’ is the creation of late fourth-century Christians, and has

been too readily taken at its face value by modern historians. Unlike Christianity, with its growing world-wide cohesiveness, ‘paganism’ was a varied group of cults and observances. It never constituted a single coherent religious movement analogous to either Christianity or Judaism. It existed only in the minds, and, increasingly *the speech habits* of Christians. Insofar as a particular section of Roman paganism acquired some sort of homogeneous identity—as did that of some groups of Roman aristocrats in the last decades of the fourth century—it was a response to the growing self-confidence and assertiveness of a Christian establishment.”<sup>33</sup> The hailing of the “pagan” subject via the hate speech of the Christian thus produced this subject and her religion (just as, earlier, one could say it was the hate speech of the crowd in Antioch that produced “Christian” as a separate identity, if not religion; what goes around, comes around).

What about Jews and Judaism? Did the hailing of Judaism as religion call forth a response similar to that of the “pagans” of whom Markus speaks, those upper-class Romans who adopted this interpellation/appellation as a name for a religion? The argument of this book is that the answer to this question has to be disclosed diachronically, that, at the first stage of its existence, at the time of the initial formulation of rabbinic Judaism, the Rabbis, at least, did seriously attempt to construct Judaism (the term, however, is an anachronism) as an orthodoxy, and thus as a “religion,” the product of a disembedding of certain realms of practice, speech, and so on from others and identifying them as of particular circumstance. If you do not believe such and such or practice so and so, you are not a Jew, imply the texts of the period. At a later stage, however, according to my hypothesis, that is, at the stage of the “definitive” formulation of rabbinic Judaism in the Babylonian Talmud, the Rabbis rejected this option, proposing instead the distinct ecclesiological principle that “an Israelite, even if he [*sic*] sins, remains an Israelite.” The historical layering of these two ideologies and even self-definitions by the Rabbis themselves of what it is that constitutes an Israel and an Israelite provide for the creative ambivalence in the status of Judaism today. Christianity, it would seem, or rather, the Church, needed “Judaism” to be a religious other, and some maintained and reified this term as the name of a religion.

That Judaism is both interpellated as a religion and partly accepts and partly evades that position is perhaps an artifact of the Christian invention of religion, to start with. According to Rowan Williams, “Orthodoxy” is a way that a “religion”—disembedded from ethnic or geocultural self-definition, as Christianity had made itself—asks itself: “How, if at all, is one to identify the ‘centre’ of [our] religious tradition? At what point and why do we start speaking about ‘a’ religion?”<sup>34</sup> I choose to understand these questions as historical rather than methodological ones, temporal rather than spatially located queries. At what point in history, and why, did *they* begin speaking about a religion, an ortho-

doxy, a heresiology? As I shall attempt to show, heresiology plays a powerful role within Judaism precisely in the period of mutual differentiation, yet once that border is (more or less) firmly inscribed, heresiology virtually drops out of Judaism, leaving in its wake Judaism's equivocal status as a "religion." It is not a trivial but a very interesting fact that as the history moved on, heresiology remained a living, vital, and central part of Christianity, while in rabbinic Judaism, eventually Judaism *tout court*, heresiology was to wither and (almost) die out,<sup>35</sup> leaving in its wake the ambiguity that marks Judaism till this day as sometimes a religion, sometimes not.<sup>36</sup>

This book thus seeks to locate the roots of this ambiguity about being a religion in a time long before the present moment by examining the "postcolonial" situation of Judaism at the time of the invention of religion. It has become a truism that religion in its modern sense is an invention of Christians. This argument has been made by several theoreticians/historians, notably Wilfred Cantwell Smith and Talal Asad.<sup>37</sup> These scholars have claimed that "religion" in the sense in which we use the term today is a post-Enlightenment concept and category produced within Protestant Christianity.<sup>38</sup> Other scholars locate the "invention of religion" not in the Enlightenment but during the time of the very formation of Christianity at the dawn of late antiquity. This historical production does not belong to the eighteenth century but was in process from nearly the beginning of certain parts of the Jesus movement and was largely complete—whatever that might mean—by the beginning of the fifth century. Supporting the notion of a late ancient epistemic shift that we might call the invention of religion, Maurice Sachot has argued that the term *religio*, in the sense in which we use it, is entirely the product of Christianity.<sup>39</sup> This view has been maintained as well by historian of late ancient Judaism Seth Schwartz, who has phrased this point strikingly by referring to "Christianization, and what is in social-historical terms its sibling, the emergence of religion as a discrete category of human experience—religion's *disembedding*."<sup>40</sup> Schwartz is claiming that the production of Christianity is, itself, the invention of religion as such—a discrete category of human experience. The production of this category does not imply that many elements of what would form religions did not exist before this time, but rather that the particular aggregation of verbal and other practices that would now be named as constituting a religion only came into being as a discrete category as Christianization itself.<sup>41</sup> In this sense, one cannot speak of Judaism as existing before Christianity but only as part of the process of the invention of Christianity. "Religion," Denis Guénoun has recently pointed out, "is constituted as the difference between religions."<sup>42</sup> Christianity, in its constitution as a religion, therefore needed religious difference, needed Judaism to be its other—the religion that is false.

I hope in this book to add several new perspectives to this theme by asking

and attempting to answer several new questions, questions that are generated out of new ways of understanding difference that I will elaborate below. How was heresiology implicated in the Christian invention of religion? How did these Christian inventions interact with and affect the developments taking place among non-Christian Jews at the same time? Heresiology, I will argue, was the technology, as well, for the initial rabbinic acceptance of membership in the category of “religion,” while the end of rabbinic heresiology constituted an ultimate refusal of that membership. The self-definition by certain Christians of Christianity over and against Judaism and the self-definition of orthodoxy as opposed to heresy are closely linked, for much of what goes under the name of heresy in these early Christian centuries consists in one variety or another of Judaizing, or, sometimes the opposite, as in the case of Marcion, of denying any connection with the Bible and the “Jewish” God.<sup>43</sup> Heresy, then, is always defined with reference to *Judaism*. The rise to power of the Rabbis, I will suggest, is deeply dependent on the impact of the notion of orthodoxy on rabbinic Jewish discourse: that is, the autonomy brought by the self-definition of an “orthodox” Judaism vis-à-vis an “orthodox” Christianity, or Judaism as a religion.

Schwartz has written that the disembedding of religion that constitutes the invention of religion per se “had a direct impact on the Jewish culture of late antiquity because the Jewish communities *appropriated* much from the Christian society around them.”<sup>44</sup> In other words, when Christianity separated religious belief and practice from *Romanitas*, cult from culture, Judaism as a religion came into the world. The Rabbis articulated their own sense of identity and definition in part through “appropriation” of the question of identity asked by at least some early Christians. This partial “appropriation” referred to by Schwartz is not, on the interpretation to be offered here, the product of the influence of Christianity on Judaism but is an exercise of agency in a “colonial” situation by non-Christian Jews.<sup>45</sup> It should be read, I will argue, as a kind of mimicry in the technical postcolonial sense and thus as an act of resistance. As Homi Bhabha writes: “Resistance is not necessarily an oppositional act of political intention, nor is it the simple negation or exclusion of the ‘content’ of another culture, as a difference once perceived. It is the effect of an ambivalence produced within the rules of recognition of dominating discourses as they articulate the signs of cultural difference and reimplicate them within the deferential relations of colonial power—hierarchy, normalization, marginalization and so forth.”<sup>46</sup>

In the end—at least in the end of late antiquity—rabbinic Judaism refused the option of becoming a religion, another species of the kind that Christianity offered. At the final stage of the development of classical rabbinism, a reassertion of the “locative” of identity as given and not as achieved—or lost—came to be emblematic of Judaism. One might say, adopting the language of Schwartz,

that what made Judaism and Christianity different in the end, different products of the history of post-Israelite religious culture, was the re-embedding of the former, the sub/mergence of religion as a discrete category of human experience, the refusal by the Jews of their interpellation as a religion. A fascinating modern instantiation and even proof for this proposition can be discovered, I think, in the fate of the Jewish sect known as Lubavitch Hasidim in the last decades. Certain groups within this sect have held that their deceased Rabbi was the Messiah, that his death is only temporary, as it were, and that he will soon return, a set of religious ideas strikingly reminiscent of Christianity. Demonstrating the heterodox nature of these notions, Orthodox scholar David Berger has vigorously argued that these radical Hasidim should be declared heretics.<sup>47</sup> The logic of Berger's position cannot be gainsaid. What he misses, however, in my opinion, is precisely that Judaism is not and has not been, since early in the Christian era, a "religion" in the sense of an orthodoxy whereby heterodox views, even very strange opinions, would make one an outsider. This is the force of the historical reconstruction attempted here.

In the end, it is not the case that Christianity and Judaism are two separate or different religions, but that they are two different kinds of things altogether. From the point of view of the Church's category formation, Judaism and Christianity (and Hinduism later on) are examples of the category *religions*, one a bad example and the other a very good one, indeed the only prototype. But from the point of view of the Rabbis' categorization, Christianity is a religion and Judaism is not. Judaism remains a religion for the Church because, I will suggest, it is a necessary moment in the construction of Christian orthodoxy and thus Christian religion, whereas occasional and partial Jewish appropriations of the name and status of religion are strategic, mimetic, and contingent. Like the layerings of the unconscious or the interpenetrating stratifications of Roman material culture that so inspired Freud, however, the vaunted ambivalence of Judaism is, I suggest, a product of that history, of that partial acceptance and then almost total refusal of the option of orthodoxy and heresy as the Jews' mode of self-definition—the refusal, that is, finally to become and be a religion. Reading the archaeological record given by that stratification is the work of this book.

## Hybrids and Heretics

A recent writer on the history of comparative religion, David Chidester, has developed the notion of an "apartheid comparative religion." By this (working out of the southern African situation as a model for theorization), Chidester means a system that is "committed to identifying and reifying the many languages, cul-

tures, peoples, and religions of the world as if they were separate and distinct regions.”<sup>48</sup> The point of such a knowledge/power regime is that “each religion has to be understood as a separate, hermetically sealed compartment into which human beings can be classified and divided.” I locate the beginnings of such ideologies of religious difference in late antiquity. Following Chidester’s descriptions, I want to suggest that the heresiologists of antiquity were performing a very similar function to that of the students of comparative religion of modernity, conceptually organizing “human diversity into rigid, static categories [as] one strategy for simplifying, and thereby achieving some cognitive control over, the bewildering complexity of a frontier zone.”<sup>49</sup> Heresiology is, I might say, a form of apartheid comparative religion, and apartheid comparative religion, in turn, is a product of late antiquity.

Generally, the orthodox topos that Christian heretics are Jews or Judaizers is seen as a sort of sideshow to the real heresiological concern, the search for the Christian doctrine of God, to put it in Hanson’s terms.<sup>50</sup> According to this view, heresiology is primarily an artifact of the contact between biblical Christian language and Greek philosophical categories which forced ever more detailed and refined definitions of godhead, especially, in the early centuries, in the face of the overly abstract or philosophical approaches of the “Gnostics.” The naming of heretics as Jews or Judaizers is treated, on such an account, as a nearly vacant form of reprobation for reprobation’s sake. Without denying that interpretation’s validity for the history of Christian theology, I nonetheless hypothesize that it is not epiphenomenal that so often heresy is designated as “Judaism” and “Judaizing” in Christian discourse of this time,<sup>51</sup> nor that a certain veritable obsession with varieties of “Jewish Christianity” (Nazoreans, Ebionites) became so prominent in some quarters precisely at the moment when Nicene orthodoxy was consolidating.<sup>52</sup> Furthermore, it is not a necessary outcome for even a very refined theological discourse and controversy on such issues as the relations of the persons of the Trinity to have produced a structure of orthodoxy and heresy, without some other cause or function intervening.<sup>53</sup> At least one major impetus for the formation of the discourse of heresiology, on my reading, is the construction of a Christianity that would not be Judaism. The “Jews” (for this context, heretics so named), the Judaizers, and the Jewish Christians—whether they existed or to what extent is irrelevant in this context—thus mark a space of threatening hybridity, which it is the task of the religion police to do away with.<sup>54</sup>

Note that these religion police, the border guards, were operating on both sides; hybridity was as threatening to a “pure” rabbinic Judaism as it was to an orthodox Christianity. An elegant example is the fair of Elone Mamre, which, according to the church historian Sozomen, attracted Jews, Christians, and pa-

gans, who each commemorated the angelic theophany to Abraham in their own way: the Jews celebrating Abraham; the Christians the appearance of the Logos; and the pagans, Hermes.<sup>55</sup> Here is, perhaps, the very parade instantiation of Bhabhan “interstitial” spaces that bear the meaning of culture. The Rabbis prohibited Jews from attending at all (PT Avoda Zara 1.5. 39d), thus reinscribing the hybridity as something like what would later be called “syncretism,” and banishing it from their orthodoxy. We will see that this is an oft-repeated phenomenon at this particular time.<sup>56</sup>

One of the most important themes of postcolonial theorizing is the hybridity of cultural identifications and the instability of dominating cultural paradigms, which necessitate their constant reproduction and the constant assertion of their naturalness and of hybridity as unnatural and monstrous.<sup>57</sup> Homi Bhabha has written that cultures interact, not on the basis of “the exoticism of multiculturalism or the *diversity* of cultures, but on the inscription and articulation of culture’s *hybridity*.” Bhabha concludes, “it is the ‘inter’—the cutting edge of translation and negotiation, the *in-between* space—that carries the burden of the meaning of culture.”<sup>58</sup> The instability of colonial discourse makes possible the subaltern’s voice, which colonizes, in turn, the discourse of the colonizer. As Bhabha puts it, “in the very practice of domination the language of the master becomes hybrid—neither the one thing nor the other.”<sup>59</sup> Robert Young glosses Bhabha: “Bhabha shows that [the decentering of colonial discourse from its position of authority] occurs when authority becomes hybridized when placed in a colonial context and finds itself layered against other cultures, very often through the exploitation by the colonized themselves of its evident equivocations and contradictions.”<sup>60</sup> Bhabha focuses on the fault lines, on the border situations and thresholds, as sites where identities are performed and contested.<sup>61</sup> Borders, I might add, are also places where people are strip-searched, detained, imprisoned, and sometimes shot. Borders themselves are not given but constructed by power to mask hybridity, to occlude and disown it. The localization of hybridity in some others, called the hybrids or the heretics, serves that purpose.

I thus argue that hybridity is double-edged. On the one hand, the hybrids “represent . . . a difference ‘within’, a subject that inhabits the rim of an ‘in-between’ reality,”<sup>62</sup> but on the other hand, the literal ascription of hybridity on the part of hegemonic discourses to one group of people or one set of practices disavows the very difference within by externalizing it. Hybridity itself is the disowned other. It is this very disowned hybridity that supports the notion of purity. Talal Asad clarifies this operation: “The claim of many radical critics that hegemonic power necessarily suppresses difference in favor of unity is quite mistaken. Just as mistaken is their claim that that power always abhors ambigui-

ity. To secure its unity—to make its own history—dominant power has worked best through differentiating and classifying practices. . . . In this context power is constructive, not repressive. Furthermore, its ability to select (or construct) the differences that serve its purposes has depended on its exploiting the dangers and opportunities contained in ambiguous situations.”<sup>63</sup> Following this mode of analysis, the commonplace that orthodoxy needs heresy for its self-definition can be nuanced and further specified. “Heresy” is marked not only as the space of the not-true in religion but also as the space of the syncretistic, the difference that enables unity itself. A similar point has been made in another historical context by Young, who writes: “The idea of race here shows itself to be profoundly dialectical: it only works when defined against potential intermixture, which also threatens to undo its calculations altogether.”<sup>64</sup> Young helps us see that it is not only that “white” is defined as that which is “not-black,” but that the very system of race itself, the very division into white and black as races, is dependent on the production of an idea of hybridity, against which the notion of the “natural” pure races comes into discourse. This way of thinking about hybridity in the classification of humans into races can be mobilized in thinking about heresy and the classification of people and doctrines into religions as well. This provides a certain corrective, then, to those versions of a postcolonial theory that would seem to presuppose pure essences, afterward “hybridized,” thus buying into the very activity of an apartheid they would seek to subvert.<sup>65</sup>

As Schwartz, providing us with a model for a non-essentialist way of thinking about this question, has urged: “We should not be debating whether some pre-existing Jewish polity declined or prospered, or think only about relatively superficial cultural borrowing conducted by two well defined groups. In my view, we should be looking for *systemic change*: the Jewish culture which emerged in late antiquity was radically distinctive, and distinctively late antique—a product of the same political, social and economic forces which produced the no less distinctive Christian culture of late antiquity.”<sup>66</sup> By systemic change, Schwartz means changes in entire systems of social, cultural, and, in this case, religious organization that affect Jews, Christians, and others equally, if not identically. This seems just right to me, but calls for a bit more of an emphasis on the differentiating factors in that very same productive process, in addition to highlighting the forces tending toward similarity.

In looking at that differentiating process within the context of a shared systemic change, I may be able to suggest at least a tentative hypothesis as to one of the factors that set this systemic change in motion, or in other words to begin to suggest an answer to the question of “why that was border written.” In my historical construction, a serious problem of identity arose for Christians who were not prepared (for whatever reason) to think of themselves as Jews, as early as the

second century, if not at the end of the first. These Christians, whom I will call by virtue of their own *self*-presentation, Gentile Christians (“The Church from the Gentiles, *ek tôn ethnôn*”), were confronted with a dilemma: Since we are no longer “Greeks” and not “Jews,” to what kind of a group do we belong? We are told that it was in Antioch that the disciples were first named “Christians” (Acts 11:26).<sup>67</sup> I think it no accident that this act of naming occurs in a context where the entry of “Greeks” into the Christian community is thematized. Nor is it an accident that Justin is our earliest source for both heresiology and the notion that the Gentile church has replaced the Jews as Israel.

These Christians had to ask themselves: What is this *Christianismos* in which we find ourselves? Is it a new *gens*, a new *ethnos*, a third one, neither Jew nor Greek,<sup>68</sup> or is it an entirely new something in the world, some new kind of identity completely? For one important strand of early Christianity, beginning with Justin Martyr, the option of seeing *Christianismos* as an entirely novel form of identity was chosen. Christianity was a new thing, a community defined by adherence to a certain canon of doctrine and practice. For these Christian thinkers, the question of who’s in and who’s out became the primary way of thinking about Christianity. The vehicle to answer that question was, again for these Christians, orthodoxy and heresy. “In” was to be defined by correct belief; “out” by adherence via an alleged choice to false belief. This notion that identity is achieved and not given by birth, history, language, and geographical location was the *novum* that produced religion, having an impact, I suggest, on the whole semantic system of identities within the Mediterranean world. Exploring this impact on Jews and on the formation of Judaism within these same centuries and thus the ambiguous production of Judaism and Christianity as separate (and politically unequal but semantically equal members of a paradigm) is a large part of this book. I shall argue that the question raised by Justin and his fellows became an important question for the Rabbis as well and, moreover, that for a crucial moment in history, they adopted a similar answer and a similar technique for answering—namely, heresiology.

### Thinking Hybridity in Language

In my 1999 work, *Dying for God*, I suggested that we might think of Christianity and Judaism in the second and third centuries as points on a continuum from the Marcionites, who followed the second-century Marcion in believing that the Hebrew Bible had been written by an inferior God and had no standing for Christians, and who completely denied the “Jewishness” of Christianity, on one end, to many Jews on the other end for whom Jesus meant nothing. In the middle, however, there were many gradations which provided social and

cultural progression across this spectrum.<sup>69</sup> In other words, to use a linguistic metaphor, I proffered a wave theory account of Christian-Jewish history to replace the older *Stammbaum* (family tree) model. Wave theory posits that linguistic similarity is not necessarily the product of a common origin but may be the product of convergence of different dialects spoken in contiguous areas, dialects that are, moreover, not strictly bounded and differentiated from each other but instead shade one into the other. Innovations at any one point spread like the waves created when a stone is thrown into a pond, intersecting with other such waves produced in other places and leading to the currently observed patterns of differentiation and similarity. The older theory, the *Stammbaum* model, presumed that all similarity between languages and dialects is the product of a shared origin, while differentiation is produced after the languages no longer have contact with each other. It will be seen that the older model corresponds with descriptions of the history of Judaism and Christianity that talk of a “parting of the ways” and assume that all that is shared between the two is a product of their common origins, while the wave theory model leads us to think of much more fluid and not strictly defined borders on the ground, with partitioning taking place well above the ground.<sup>70</sup> To put the same point in terms drawn from postcolonial studies, we must imagine, I think, a “contact zone,” a space of “transculturation,” where, as Mary Louise Pratt defines it, “disparate cultures meet, clash, grapple with each other, often in highly asymmetrical relations of domination and subordination.”<sup>71</sup> The advantage of the wave theory model for my purposes here is that it does not presuppose an originary separatedness of the two cultures in question, which the colonial description sometimes tends to.<sup>72</sup> Thus, to put one possible point on this, I and many if not most scholars of Judaism currently do not operate with an opposition between Judaism and Hellenism, seeing all of Jewish culture in the Hellenistic period (including the anti-Hellenists) as a Hellenistic culture.<sup>73</sup> Rabbinic Judaism can be seen as a nativist reaction, a movement that imagines itself to be a community free of Hellenism, and therefore it is itself no less Hellenistic precisely because of its reaction.<sup>74</sup> Inscriptions of purity against some “other” hybridity are the bread and butter of heresiological discourses.

The religious dialect map is a hybridized one, and the point is that that hybridity extends even to those religious groups that would consider themselves “purely” Jewish or “purely” Christian in their self-understanding. This shift in model is significant, not only for scholarly reasons, by which I mean that it provides a better, “truer” description of “facts,” but also because it represents a shift in fundamental understandings of human difference and its meanings. Writing in an analogous context, Robert Young has said: “We may note here the insistently genetic emphasis on the metaphor of ‘families’ of languages, and the oft-

charted language ‘trees’ which were to determine the whole basis of phylogenetic racial theories of conquest, absorption and decline—designed to deny the more obvious possibilities of mixture, fusion and creolization.”<sup>75</sup> It is, then, no minor matter to revise our basic metaphors for understanding how “religions”—Christianity, Judaism, and Paganism—came into being. According to the new way of thinking, these entities are not natural kinds that have somehow split off from each other or been born of each other but are distinctions produced (and resisted) for particular purposes by particular people.

Jonathan M. Hall has undertaken a critical rethinking of the use of ancient genealogical texts for the reconstruction of archaic Greek history.<sup>76</sup> Among the other issues and methods that Hall has employed in his investigation are linguistic ones, in particular *Stammbaum* versus wave theory. Traditional historiography of Greek ethnicity has assumed that the various Greek groups, as well as their dialects—Ionian, Dorian, and so forth—derived from a once unified proto-Greek. Assuming this original unity and subsequent divergence has enabled historians to construct narratives of tribal migrations and invasions in the pre-archaic period. Hall mounts a critique of this methodology. Hall’s argument, however, could have been enhanced by a sharper articulation of wave theory itself. Clarifying the difference between his and my understanding may prove an effective way for me to propose a first rough draft of the theory that I am developing in my work. Hall believes that wave theory, just as much as *Stammbaum* theory, presupposes primal linguistic (cultural) uniformity and merely explains the differences between dialects as owing to diffusion of innovations over various parts of the language area.<sup>77</sup> However, it is the virtue of wave theory, as usually understood by historical linguists, that it does *not* presuppose a unified protolanguage at any point in time and imagines dialects in contiguous geographical areas becoming more like each other than previously, not less, and thus producing dialect groups. Wave theory is thus more akin to the situation that Hall himself imagines as the historical origin of groupings such as Dorian in archaic Greece, where once unrelated groups became more like each other, linguistically and otherwise, and agglomerated into the “ethnic” groups known from the archaic period.

This is a model to which I appeal as well. I am not claiming an undifferentiated “Judaism” that formed itself into Judaism and Christianity through the “borrowing” of various religious traits but rather an assortment of religious “dialects” throughout the Jewish world that gradually developed structure as clusters through diffusion and were eventually organized as “languages” (religions) through processes very much analogous to those juridical processes by which national languages, such as French and Italian were also formed. In other words, I am not denying that in the second, third, and fourth centuries, there were re-

ligious groups that were more Christian than others (I shall immediately below be talking about what this comparative might mean). I am also not, of course, claiming that there were no Jewish groups that were not Christian at all, but rather that the various Christian groups formed a dialect cluster within the overall assortment of dialects that constituted Judaism (or perhaps better Judaeo-Christianity) at the time.

It is important, however, in this context to understand that “dialect” itself, as much as language, is a social construct. More accurately we might speak of clusters of particular linguistic (or in our case religious) practices. Hall himself argues that “the clustering of dialects within dialect groups is ‘a scholars’ heuristic fiction.’” Linguist William Labov has also written: “But in regard to geographical dialects, it has long been argued that such gradient models are characteristic of the diffusion of linguistic features across a territory and the challenge has been to establish that boundaries between dialects are anything but arbitrary.” But Labov goes on to state: “Nevertheless, even in dialect geography, most investigators agree that properties do bundle, and that is possible to show boundaries of varying degrees of clarity even when all variable features are superimposed upon a single map.”<sup>78</sup> In other words, one can model a situation in which there will be persons or groups who will clearly be “Christian” or “non-Christian Jewish,” that is form definable clusters of religious features, while the boundaries between the two categories will remain undefinable. The eventual triumph (or even partial triumph) of orthodoxies in defining a separate identity for the two religions is much like the formation of national languages. Remark that many dialects of Italian are more understandable by French speakers than by other Italians, and other similar phenomena, Hall writes: “What allows for this at first sight surprising phenomenon is the fact that a ‘national language’ is seldom a higher order linguistic category which embraces and subsumes its constituent dialects. It is, rather, an invention which rarely precedes the nineteenth century and which owes its existence to reasons ‘that are as much political, geographical, historical, sociological and cultural as linguistic.’ From a linguistic point of view, there is little or no difference between a standardized national language and a dialect in terms of their hierarchical ranking within the historical structure of a language.”<sup>79</sup>

Adding only the proviso, following Labov, that dialects do group eventually into dialect clusters, analogous to Judaism and Christianity in formation, I suggest, once more, that this provides a powerful analogy for thinking about the history of these nascent “religions.” “What an ethnic group does is actively and consciously to select *certain artefacts from within the overall material cultural repertoire* which then act as emblematic indicia of ethnic boundaries. In the words of Catherine Morgan, ‘ethnic behaviour affects only those categories of artefact

selected to carry social or political meaning under particular circumstances, rather than the totality of a society's material culture.'"<sup>80</sup> In this case, religious ideas and practices are the equivalent of artefacts. The crucial example of this process that will be developed in this book is the issue of belief in or rejection of the concept of God's Logos. A distinction that once did not divide between followers of Jesus and Jews who were not Jesus-folks, this was eventually chosen as the most significant of indicia for Christian and Jewish separate religious identity. Jews who continued to believe in the Logos and Christians who denied it were no longer Jews or Christians but heretics by decision of the "legislative" bodies, the metaphorical parliaments of religious power. Not via a separation, a parting of the ways, but by a dialect clustering through the choice of specific indicia of identity and the diffusion and clustering of such indicia (such as circumcision/not circumcision) were groups gradually congealing into Christianity and Judaism. But it was only with the mobilizations of temporal power (via ideological state apparatuses and repressive state apparatuses<sup>81</sup>) in the fourth century that the process can be said to have formed "religions," and even then only lopsidedly, as I shall try to show further on. One might say that Judaism and Christianity were invented in order to explain the fact that there were Jews and Christians.

In suggesting that Judaism and Christianity were not separate entities until very late in late antiquity, I am, accordingly, not claiming that it is impossible to discern separate social groups that are in an important sense Christian/not-Jewish or Jewish/not-Christian from fairly early on (by which I mean the mid-second century). In order to make the opposite claim, even if I believed it, I would have to do a very different kind of historical research from what I am doing here. Indeed, although I do not know quite how one would show this, such "separatist" groups may have been statistically dominant much earlier than the fifth century. Thus I cannot answer empirical questions such as: How much were Christian and other Jewish congregations mixed at any given time or place? Or, What was the social status of Jewish-Christian groups? Were they accepted as Jews, as Christians (by whom?), or neither at any given time?

Instead, the question that I pose is a theoretical one, or at least an interpretative one: Even if we grant the statistical dominance (and perhaps a certain power dominance, although, once more, I don't know how we would show or know this) of the separatists, in terms of the semantics of the cultural language, the discourse of the time, are there sets of features that absolutely define who is a Jew and who is a Christian in such wise that the two categories will not seriously overlap, irrespective of the numbers of members of the blurring sets? I think not.

The perspective adopted here is not unlike that of Beard, North, and Price,

who write: “[This section] does investigate the degrees of religious continuity in these cults traceable across the Roman world. By and large, however, in discussing the religions of the empire we have tried to avoid thinking in terms of uniformity, or in terms of a central core ‘orthodox’ tradition with its peripheral ‘variants’; we have preferred to think rather in terms of different religions as clusters of ideas, people and rituals, sharing some common identity across time and place, but at the same time inevitably invested with different meanings in their different contexts.”<sup>82</sup>

### The Semantics of Orthodoxy

Another body of theory (closely related to Labov’s<sup>83</sup>), prototype semantics, may help me make progress in understanding a situation in which there are recognizably separate entities within a given field but no way to articulate the borders between them. It may also help me to some clearer thinking on the constructed oppressiveness of the very borders themselves. These theories begin with Wittgenstein’s notion of family resemblance in the formation of semantic fields.<sup>84</sup> In Chana Kronfeld’s succinct formulation: “Members of one family share a variety of similar features: eyes, gait, hair color, temperament. But—and this is the crucial point—there need be no one set of features shared by all family members.”<sup>85</sup> There is, perhaps, one feature that constitutes all as members of the Judaeo-Christian semantic family—appeal to the Hebrew Scriptures as Revelation—but in all other respects, the category of Jews/Christians constitutes a family in which any one subgroup might share features with any other (on *either* side of that supposed divide) but not all features with any, and there is no one set of features that uniquely determines a Christian group (except, of course, for some appeal to Jesus, which is simply an analytic statement and therefore tautologous) over against a non-Christian Jewish group.

Kronfeld’s work, of course, has been devoted to an entirely different classificatory problem, namely the description of modernism as a literary movement, but it is a relevant one for my inquiry in that it has to do with groups of people and their practices and the ways that they and others (including scholars) array the people and the practices into named categories (as opposed, for example, to the ways that people, including scholars or scientists, categorize plants, animals, or colors).<sup>86</sup> The problems and solutions that she has envisioned will therefore be useful for me. Kronfeld has written:

Despite the overwhelming evidence that modernism defies reduction to simple common denominators, one study after another, after asserting the complexity and heterogeneity of the various manifestations of modernism, proceeds to attempt the impossibly pos-

itivist task of providing a definition of modernism; and this usually means, explicitly or tacitly, an attempt at what logicians call an *intensional definition*—namely, a list of necessary and sufficient conditions for all modernist trends. . . . While it would be nice for a theory of modernism to have the explanatory power that an intensional definition can facilitate (by showing clearly what makes all the branches of modernism part of one distinctive movement or trend), such an approach would force us to restrict severely the extension of what we could term modernist. Many important works, authors, and even entire groups that identified themselves as modernist and that are commonly perceived to be subsumed under this admittedly tattered and oversized umbrella would have to be kept out. There simply is no set of distinctive features that can apply to all the subgroupings of modernism (from futurism to surrealism) and separate them from all non-modernist groupings (classicism, baroque, romanticism, and so forth).<sup>87</sup>

The problem with Judaism/Christianity is somewhat different, but analogous enough for this statement of the issue to be useful for me. While, as I have said, there is one (analytic) feature that could be said to be common to all groups that we might want to call (anachronistically) “Christian,” namely some form of discipleship to Jesus, this feature hardly captures enough richness and depth to produce an interesting category, for in so many other vitally important ways, groups that follow Jesus and groups that ignore him are similar to each other, or put another way, groups that ignore (or reject) Jesus may have some highly salient other religious features (for instance, Logos theology) that binds them to Jesus groups and disconnects them from other non-Jesus Jews, or some Jesus Jews may have aspects to their religious lives (to wit, following Pharisaic halakha) that draws them closer to some non-Jesus Jews than to other Jesus people.<sup>88</sup> Moreover, some Jesus groups might relate to Jesus in ways phenomenally more similar to the ways that other Jewish groups relate to other prophets, leaders, or messiahs than the ways that other Jesus groups are relating to Jesus; and the reverse, some non-Jesus Jews might very well have had in their religious lives elements similar to the belief in an incarnated or present mediator from God.<sup>89</sup> The model of family resemblance that Kronfeld develops for talking about modernism seems, therefore, apt for talking about Judaeo-Christianity as well. “[Judaeo-Christianity] can remain one clear category even though no two sub-trends within it may share the same features.”<sup>90</sup>

Kronfeld’s version of semantic categorization can crucially help with the theoretical problem that I have been exposing, namely how to indicate (at least nascent) articulation within a “family.” I am not only trying to describe a category called *Judaeo-Christianity*, but also to account for a division within this category that will ultimately produce a binary opposition between categories, namely between Christianity and Judaism. This is, as we have seen, an issue only partly addressed by the linguistic theories discussed so far. The part of the the-

ory of family-resemblance semantics that seems relevant for this is called the “prototype theory of categorization.”<sup>91</sup> The “*prototype*, in the technical sense developed by Rosch and others,<sup>[92]</sup> is a member of the category (for example, birds) which is considered a ‘best example’ of that category (sparrow, swallow, or robin, but not turkey, penguin, or chicken).”<sup>93</sup>

Prototype semantics makes, moreover, distinctions between categories, however family-resemblance-like, that have clear boundaries and categories that don’t. Some things may be prototypical birds, and indeed different birds can be more or less central to the category—this is called the *centrality gradient*—but in the end, a given object is either a bird or it isn’t. The category *bird* is not, seemingly, one with “extendable boundaries” like the categories *number* or *game*. Thus, George Lakoff has written with respect to Eleanor Rosch’s work:

For example, take her results showing prototype effects within the category *bird*. Her experimental rankings show that subjects view robins and sparrows as the best examples of birds, with owls and eagles lower down in the rankings and ostriches, emus, and penguins among the worst examples. In the early to mid 1970’s . . . such empirical goodness-of-example ratings were commonly taken as constituting a claim to the effect that membership in the category *bird* is graded and that owls and penguins are less members of the *bird* category than robins. . . . It later became clear that that was a mistaken interpretation of the data. Rosch’s ratings . . . are consistent with the interpretation that the category *bird* has strict boundaries and that robins, owls, and penguins are all 100 percent members of that category. However, that category must have additional internal structure of some sort that produces these goodness-of-example ratings.<sup>94</sup>

Similarly, there may be “best examples” (prototypes) of *Jew* and *Christian* already in the second or third century with, however, an internal structure to the category that will allow other than best examples to be members of the group as well.<sup>95</sup> This is the semantic analogue of Labov’s point about dialect grouping in language geography: Are there or are there not “objective” criteria with which such distinctions can be made? This is particularly relevant, I think, when there are different political actors in antiquity and in the present as well (both in scholarship and outside of it) attempting to make such determinations. *Best example* is, itself, a context-bound,<sup>96</sup> historically shifting, and, therefore, political category. In a situation such as the one under investigation, moreover, it can be (and is) a contested one. Another way of putting this is to say that I am inquiring whether an emu would have a different sense of what the best example of a bird is than a robin would, and, moreover, do robins get to judge what a bird is? We must all, I think, be careful when writing history to avoid simply reproducing the position of the Rabbins.

There is, moreover, a further wrinkle. While some birds are more birdy

than others in our experience and categorization, the category itself has definite borders. One is either a bird or not. Another kind of category has “unclear boundaries,” and then, in addition to a typicality gradience, there is a *membership gradience* as well. *Judaism* and *Christianity*, I want to claim, are categories more like *red* and *tall* than like *bird*: “It seems to me that (modernism) [Judaism/Christianity] present(s) so many difficulties for the (literary theorist) [historian of religions] partly because in its different constructions it involves both centrality and membership gradience.”<sup>97</sup> As Lakoff has argued, “Prototype effects are superficial. They may result from many factors. In the case of a graded category like *tall man*, which is fuzzy and does not have rigid boundaries, prototype effects may result from degree of category membership, while in the case of *bird*, which does have rigid boundaries, the prototype effects must result from some other aspect of internal category structure.”<sup>98</sup> There is an important consequence of this difference between types of categories. One cannot be both a *bird* and a *fish*, but one can be both a *tall* man and a *short* man. (On this last point, see already Plato *Republic* 479b6-8). Moreover, I suspect that this latter form of category is typically the case for the human construction of categories of the human and that much human violence is generated simply by resisting the fuzziness of our own categories of sociocultural division. Just as certain entities can be more or less tall or red, I wish to suggest they can be more or less Christian (or Jewish) as well. And just as certain entities can be tall and short given different perspectives, so too can certain people or groups be Christian or Jewish from different perspectives, or both.<sup>99</sup> Indeed, the determination itself will be a matter of contention. Jerome’s very important notice that the sect of Nazoreans are to be found “in all of the synagogues of the East among the Jews” and that they consider themselves both Christians and Jews but are really “neither Christians nor Jews,” is a case in point.<sup>100</sup>

Let us imagine that *Jew* and *Christian* are both categories with gradation of membership. Moreover, while both have central members (which can be different at different times and even at the same time for different groups), there will be a semantic (and in this case, therefore, social<sup>101</sup>) chain that connects the most central and salient members to others: “Another case is where I call *B* by the same name as *A*, because it resembles *A*, *C* by the same name because it resembles *B*, *D* . . . and so on. But ultimately *A* and say *D* do not resemble each other in any recognizable sense at all. This is a very common case: and the dangers are obvious when we search for something ‘identical’ in all of them!”<sup>102</sup> The net result will be that there might indeed be people who are prototypes of *Jew* but are also *Christian* (say a Pharisee who observes all of the Pharisaic laws and rules but believes that Jesus is the Messiah), and, moreover, that the “best example” of *Jew* and *Christian* would almost definitely be both a politically charged and a di-

achronically varying category. Further, while there would be Jews who would not recognize certain other Jews as such, there might be ones whom they would recognize as Jews who would recognize in turn those others as Jews, setting up the possibility of chained communion or communication. This would then be an example of a family resemblance with the additional element of agency among members of the family itself. An example of this phenomenon (from the other side) would be Justin who recognizes as Christians precisely those Jewish Christians to whom Jerome, much later of course, would deny the name *Christian*, but Jerome would certainly recognize Justin as Christian. Those so-called Jewish Christians surely thought of themselves as both Jews and Christians, and some non-Christian Jews may have recognized them as Jews as well.

Therefore, with respect to religious history we must add yet another factor, which may be less relevant to a literary movement like modernism (although probably equally salient for something like Marxism), to wit the activities of certain writers/speakers who wish to transform the fuzzy category into one with absolutely clear borders and the family resemblance into a checklist of features that will determine an intensional definition for who is in and who is out of the group as it defines itself and, therefore, its others. Insofar as this attempt to transform may serve the interests of particular power centers within the society or culture (as they did the nascent “Church,” for instance), the intensional definitions may be imposed on the “folk” through the operations of hegemony.<sup>103</sup> Note the contrast between this account and Lakoff’s statement that “we even have a folk model of what categories themselves are, and this folk model has evolved into the classical theory of categorization. Part of the problem that prototype theory now has, and will face in the future, is that it goes beyond our folk understanding of categorization. And much of what has given the classical theory its appeal over the centuries is that it meshes with our folk theory and seems like simple common sense.”<sup>104</sup> I am suggesting that for the categories *Jew* and *Christian* it is distinctly possible that “folk models” worked more like prototype or experiential real categories for centuries, while it was precisely the work of certain “experts” to attempt to impose “traditional” or “objective” categorization upon them.<sup>105</sup> Returning to the wave theory metaphor, these are the legislators who wish, as well, to determine and enforce clear boundaries between languages, to decide what is orthodox French and what is orthodox Italian. These are the writers whom we know of now as heresiologists.

### **Heresiology as Ideological Church Apparatus**

I shall be studying the forces that wish to draw such clear distinctions, the Christian and the rabbinic heresiologists, as well as looking for the forces that resist

the production of an episteme of religions as a disembedded category of human experience and, even more to the point, of human naming and group identification. The point is, and I cannot emphasize this enough, *not* that “religion” actually *is* such a disembedded category but that it is projected as such by the ideological church apparatuses of orthodox Christianity. I shall return to this point toward the end of the book.

The interests that are served by the ideological discourse (by ideological non-state apparatuses, to adapt Althusser) can be investments in other sorts of power and satisfaction for elites of various types within a given social formation. The discourses of orthodoxy/heresy, and thus, I will argue, of religious difference, of religion as an independent category of human identification, do not necessarily serve the interests of an economic class (it would be hard to describe the Rabbis of late Roman Palestine or Sassanid Babylonia or the bishops of Nicaea as an economic class), but they do serve in the production of ideology, of hegemony, the consent of a dominated group to be ruled by an elite (hence “consensual orthodoxy,” that marvelous mystification). This makes an enormous difference, for it leads to the Althusserian notion of ideology as having a material existence, as having its own material existence in that it “always exists in an apparatus, and its practice, or practices.”<sup>106</sup> Ania Loomba’s statement of the current theoretical position that “no human utterance could be seen as innocent,” that, indeed, “any set of words could be analysed to reveal not just an individual but a historical consciousness at work,”<sup>107</sup> is crucial for me, for it is this postulate that enables my work as historian. This set of notions, to which I can more or less only allude in this context, does not quite dissolve completely (as sometimes charged) but surely renders much more permeable any boundary between linguistic (or textual) practice and “the real conditions” of life within a given historical moment and society, thus empowering the study of texts not as reflective of social realities but as social apparatuses that are understood to be complexly tied to other apparatuses via the notion of a discourse or a *dispositif*.

## The Argument of This Book

The argument of the book proceeds through three parts.

The first part is entitled “Making a Difference: The Heresiological Beginnings of Christianity and Judaism.” Here I shall be reading texts of the second and third century, attempting to show that they can be construed as engaged in a process of creating a difference between Judaism and Christianity. I wish to make a case, moreover, that the production of the difference was intimately

connected with and implicated in the invention of the notion of heresy during these centuries. My goal will be to show that both Christian writers of the tendency that would ultimately be classified as orthodox and the Rabbis are invested in the model of orthodoxy/heresy as their favored mode of self-definition in these two centuries.

In the first chapter of the section, “Justin’s Dialogue with the Jews: The Beginnings of Orthodoxy,” I will read Justin Martyr with an ear out for echoes of the role that a construction of *Judaism* was playing in his efforts to produce Christian identity and, in particular, the nexus between these efforts and the nascent heresiological project of this author, all the while skating fairly lightly over the question of how realistic this construction was. Even the attention paid in these early heresiologies to the gnosticism, falsely so-called, can be read in this context, as Karen King has suggested, that is, in the context of the determination of the placement of Christianness with respect to a constructed Judaism, which it must both be and not be at the very same time. This section of the chapter is a prefiguration in two senses of the major arguments of the book. On the one hand, I suggest that Justin prefigures discourses that were to become dominant within the Christianity of a couple of hundred years later; on the other hand, my discussion of this figure outlines analyses and claims that will be more fully developed in the rest of the book. In my discussion of Justin Martyr—the originator, according to Le Boulluec, of the discourse of heresiology—I suggest a revision of our understanding of what it is that Justin means by *Judaism* in the *Dialogue*. Judaism is, for Justin, not a given entity to which he is opposed and which he describes accurately or not, or to which he addresses an apologetic, but an entity that he is engaged in constructing in the textual process. Note that this does not constitute the familiar question of whether or not Justin’s description is reliable or ignorant—it is, in fact, an independent variable of that question—but rather an argument for the discursive force of the *Dialogue with Trypho*. Rather than disputing with anyone or producing a genuinely apologetic text, on my reading Justin is working out in the dialogue form the whatness of Christianity as he would see it. In essence, the *Dialogue* is part of Justin’s overall project of inventing orthodoxy as the form and structure of Christianity and, as such, demonstrates the intimate role that producing a non-Christian Judaism plays in the project. To exemplify this take on the *Dialogue*, I present a sketch of what will be a major argument of the book as a whole, namely the case of Logos theology. Justin repeatedly presents himself in the *Dialogue* as attempting to prove to Trypho that God has a second person distinct in number from him, and Trypho, of course, argues against him. We are used to reading this as a straightforward theological disputation between Judaism and Christianity, but I propose that Logos theology is not an essential and aborigi-

nal distinguishing mark of Christianity as opposed to Judaism but rather a common theological inheritance that was construed and constructed as such a distinguishing mark via a virtual conspiracy of orthodox theologians on both sides of the new border line—Justin and followers on one side, the Rabbis on the other. The Logos becomes a virtual shibboleth for the production, then, of both orthodoxies. It was this invention, essentially the production of the idea of religion as separable from “ethnicity,”<sup>108</sup> I shall argue, that produced a powerful corresponding effect in the history of Judaism also. The invention of heresy and the invention of a Christian religion that is clearly distinct from a Jewish religion are thus shown to go intimately together, part and parcel of the very production of the discursive institution of orthodoxy itself.

In the second part of this chapter I turn a similar spotlight on the earliest of the rabbinic writings, the Mishna, apparently edited at the beginning of the third century, and the Tosefta, toward the middle of that century. On the one hand, I hypothesize that it was the challenge of Gentile Christianity, in the manner that I have interpreted this term above, as represented by figures such as Justin, that led the Rabbis to begin to transform Judaism into a Church (in a modified version of the Weberian [Troeltschian] sense) with its orthodoxy and its heresy, supported in large part by rules of faith, that is, practices of discourse expressed both in language and in action that serve to set the bounds of who is in and who is out of the religious group. I should emphasize that I employ *Gentile Christianity* in a sort of subtechnical sense to refer to Christian converts from among non-Jews (and their descendants) who have neither a sense of genealogical attachment to the historical, physical people of Israel (Israel according to the flesh), nor an attachment (and frequently the exact opposite of one) to the fleshly practices of that historical community. It is my strong intuition that it was this formation, Gentile Christianity, that first presented the structural irritant around which the notion of belonging by virtue of faith would arise.

In order to make this claim, earlier versions of Israelite religion, including Josephus and the Dead Sea Scrolls, will be analyzed in order to establish a difference between their structure and self-definition and that of the later Rabbis. On the other hand, it seems at least plausible to imagine that the notion of orthodoxy/heresy that manifests itself at the beginnings of the rabbinic movement in the guise of the Hebrew neologism *minut*, first attested at this time, is itself the appropriation of a Christian notion, a wheelbarrow smuggled across the border, precisely in service of the establishment and naturalization of the border and of the human kinds that it serves to identify.

Thus, after presenting arguments that the situation of the Jewish sects in the first century does not constitute a structure of orthodoxy/heresy, a structure

that needs to be distinguished from sectarianism, I attempt to delineate the rabbinic concept of *minut* and show that it is a close cognate semantically with Christian *heresy*. I suggest that while the development of this concept is a complex response to the challenge of a Christianity (the very line of Justinian discourse of “orthodoxy” discussed in the first part), this does not mean that the *minim* are actually a representation of Jewish Christians. They are, rather, a rhetorical construct for the production of a Jewish religion or church, functioning in this sense much as *gnostikoi* does for Christian orthodoxy—as argued by Karen King—and as *Ioudaioi* does for these same Christian writers. I read in this chapter the earliest rabbinic text, the Mishna, looking for the beginnings of rabbinic heresiology there and suggesting that this rudimentary heresiological project represents a dual response of the Rabbis to nascent Christian orthodoxy.

The second chapter of this section, “Naturalizing the Border: Apostolic Succession in the Mishna,” continues this line of thinking by exploring yet another technology for the establishment of orthodoxy that seems to appear in Judaism at about the same time as (or slightly later than) its appearance in Christianity, *apostolic succession*, the claim to an unbroken chain of tradition from a foundational moment of revelation and a founding figure of the religious group. In addition to the hypothesis of influence from a nascent Christianity on an equally nascent Judaism (which should, in any case, also not be read as “influence” so much as appropriation; there is agency here), I also consider the possibility of a suppler, less definable, common historicocultural environment and situation leading to these joint (and mutually supporting) projects of religious identity formation through heresiology. Heresiology emerges at the moment when sectarian/school structure is becoming less viable everywhere. The transformation of both nascent Christianity and nascent Judaism from groups of sects—collections of philosophical schools, as Josephus had described Judaism and Allen Brent third-century Christianity<sup>109</sup>—into orthodox churches with their heretical others would be seen on this reading as part of the same sociocultural process and practice. Theological discourse was the major discursive vehicle for the making of this difference.

The second part of the book is entitled “The Crucifixion of the Logos.” The work of this section is to narrate, through readings of various sorts of texts, the transmutation, adumbrated above, of Logos theology from a doctrine of God commonly held (and as commonly contested) by non-Christian and Christian Jews to the essence of the theological difference between the two. *Logos theology*, in the sense in which I use it here, is constituted by several variations of a doctrine that between God and the world, there is a second divine entity, God’s Word (Logos) or God’s Wisdom, who mediates between the fully transcendent Godhead and the material world. This doctrine was widely held by Jews in the

pre-Christian era and after the beginnings of Christianity was widely held and widely contested in Christian circles. By the fourth century, Jews who held such a doctrine and Christians who rejected it were defined as “neither Jews nor Christians” but heretics. In the first chapter of this section, “The Intertextual Birth of the Logos: The Prologue to John as a Jewish Midrash,” I undertake a close intertextual reading of the Prologue to the Fourth Gospel. Rather than seeing in the Logos of John a parthenogenetic birth from a Greek mother-father, foisted illegitimately on a “Jewish” Christianity, I read a legitimate Hebrew birth in the intertextual matrix of early midrash. On the basis of this reading, arguing the specifics of the derivation of the Prologue from midrashic sources, it becomes, I think, highly conceivable to see this Prologue, together with its Logos doctrine, as a Jewish text through and through rather than, as it has often enough been read, a “Hellenized corruption” of Judaism.

The second chapter of this section is entitled “The Jewish Life of the Logos: Logos Theology in Pre- and Pararabbinic Judaism.” In this chapter I propose to show how widespread Logos theology was in the versions of Judaism that preceded the Rabbis and even coincided with them, and also how rich and vibrant it was, thus rendering stronger the argument that Logos theology is native, as it were, to Judaism. That said, I can go back and think further about the *Dialogue* of Justin, reading it more strongly as part of a dual-faced strategy to render binitarianism (the ante-Nicene predecessor to trinitarianism) orthodox for Christians and heretical for Jews. Non-binitarian Christians are effectively and simply named as “Jews.” This leads neatly into the third chapter, “The Crucifixion of the Memra: How the Logos Became Christian.” In this chapter I will try to show how the Rabbis, like Justin *mutatis mutandis*, also took a significant inner theological difference between Jews who held versions of Logos theology and those who didn’t, and rendered it a difference between Jews and Others, to wit, *minim* or heretics, thereby excluding Christians from Judaism via heresiological means. In an interesting kind of complicity, the Rabbis agree, as it were, to cede traditional Jewish Logos theology to Christianity, declaring it and its once orthodox holders (symbolized by no less than Rabbi Akiva) as members of an imagined heretical group, “Two Powers in Heaven.” On this reading, crucifying the Logos means giving it up to the Christians, complying with the work of heresiologists such as Justin who regard belief in the Logos as the very touchstone of Christian orthodoxy, and the modalism of many once acceptable Christian thinkers and of Rabbis alike, as heresy. The two heresiological projects form, therefore, a perfect mirror in which the Rabbis construct (as it were) Christianity, while the Christian writers, such as Justin, construct (as it were) Judaism. If my readings are cogent, we can observe within rabbinic texts the process so well documented for other moments in Christian history when an older form of “orthodox” be-

lief is rendered heresy.<sup>110</sup> The net result of this virtual conspiracy between Christian and Jewish would-be orthodoxies is a redistribution of both modes of identity and of identity itself, so that by the end of the process Judaism and Christianity had been more or less definitively divided on theological grounds, with both “religions” crucifying the Logos, that is, on my conceit, identifying Logos theology so thoroughly with Christology that the Logos became Christian and the rejection of binitarianism the very touchstone of Judaism.

In the last section of the book, “Sparks of the Logos: Historicizing Rabbinic Religion,” I aim to account for what happens in the two new entities thus formed (especially in Judaism) following in the wake of the consolidation of orthodox Christian theology in the fourth and fifth centuries, including finally the ultimate rejection by the Rabbis of the category of religion, Judaism, as a name for Jewishness. Attention to particular developments within the history of rabbinic Judaism at this juncture plays an important role in the discussion.

Rabbinic Judaism is no longer understood, at least not by most American scholars and some Europeans and Israelis too, as a single organic entity that gradually evolved out of biblical religion; nor are its texts understood to be a slow and gradual accretion of earlier “sources.” We see, rather, a series of breaks, near ruptures that lead to the identification of distinct strata of development within the tradition and the texts, with the texts themselves and their earlier matter being significantly reworked and recontextualized at the various stages. Surely, when conceived in this way, one of the most important of these passages is the one from everything that had come before to the particular social, cultural, and textual world of the Babylonian Talmud. The culture of the scholars who produced the Babylonian Talmud was significantly different from the rabbinic cultures that produced the other texts of classical rabbinic literature. The first is apparently in their social organization as members of formally organized academies (distinct from each other not in terms of philosophical approach but in geographical location). As Jeffrey Rubenstein has pointed out, this resulted in “new issues and tensions, including competition for rank, pursuit of status and protocol for selecting leaders. Scholastic values including skill in debate and the ability to construct hypothetical arguments increased in importance.”<sup>111</sup> These discursive characteristics that emerge with the redaction of the Babylonian Talmud in the late fifth and sixth centuries, in the end, produce a great deal of the sense of how different rabbinic Judaism is from Christianity. At the same time, I shall argue that Judaism and Christianity, as they finally emerged from late antiquity, were not in the end two species of the same genus, but that the difference between them consists in their assymetrical understandings of what Judaism is.

Chapter 7 thus intends to lay out the ways in which at this very end of late

antiquity, at the end of late ancient Judaeo-Christianity, rabbinic Judaism undergoes what is a virtual revolution in consciousness. In the process, the most salient phenomenal differences between the Judaism and the Christianity of the end of late antiquity are put into place, including the highly salient difference between their two major textual corpora, the Babylonian Talmud and the “Fathers of the Church,” respectively. This chapter consists largely, therefore, in extended readings of deeply interconnected talmudic narratives of Yavneh as produced in the post-amoraic phase of the final anonymous redaction of the Talmud in the context of patristic scholarship and the ways in which these indicate responses to the epistemological crisis that visited the entire Mediterranean thought-world, rendering in the end Judaism and Christianity both very different and oddly the same.<sup>112</sup>

In the final chapter of the book, turning again to some exemplary instances of fourth- and early fifth-century Christian discourses, notably heresiology and the Law, and then reading some narratives of the Talmud in their context, I try to show the asymmetry of the developments of the notion of religion in the Christian empire, with the Church (and its “secular” ally) defining Judaism as a religion, whereas the Rabbis (the Jews?) refuse this interpellation and re-ethnicize their distinction from the Christians, as simply now an instance, the exemplary instance of Gentiles.

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