Since its posthumous publication in 2003, John Howard Yoder’s portrayal of rabbinic Judaism, particularly in his *The Jewish-Christian Schism Revisited*, has generated a wide range of critical and concerned responses. One key concern, which will form the focus of this essay, is that Yoder has (mis)represented rabbinic Judaism in his own image. That is, in attempting to present rabbinic Judaism as sharing many theological-political commitments in common with his own conception of Christianity, Yoder puts forth an account of rabbinic Judaism that misconstrues fundamental elements of the rabbinic texts and tradition. The scholar who has most extensively engaged Yoder on this issue in a simultaneously critical and sympathetic manner is Peter Ochs, who has devoted substantive attention to it in no less than three separate works. Here, I reassess Yoder’s account by examining Ochs’ criticisms of Yoder, in order to evaluate the extent to which Yoder indeed misrepresents important aspects of rabbinic Judaism, while also highlighting the extent to which Yoder may ‘get rabbinic Judaism right’ in ways not fully acknowledged by Ochs.

I focus first on Yoder’s claims about rabbinic Judaism’s orientation towards violence and power and then, but only secondarily, examine Yoder’s claims about rabbinic Judaism’s orientation towards landedness. Many contested aspects of the latter, I maintain, can be more readily addressed after clarifying basic points about the former. In addition, in examining these issues, I limit my analysis specifically to the texts of classical rabbinic Judaism—that is, to the body of literature bounded essentially by the Mishnah (c. 200 CE) on one end, and by the Babylonian Talmud (c. 550 CE) on the other end. While these texts express a diversity of views on many issues, they nevertheless put forth a notably uniform position with regard to the particular issues that I discuss here. Moreover, this body of literature exercises a central shaping

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1 This essay arises from out of many years of earnest and energetic conversations with Peter Ochs on these topics. While he may or may not agree with various aspects of my argument here, his conceptual critique of its earlier instantiations has contributed greatly to its present form, and I am very grateful for his continued commitment to seeking out improved understandings of Yoder’s strengths and weaknesses and of their implications for contemporary Jewish-Christian relations.


3 See Peter Ochs, “Editors’ Introduction” and “Commentary” in *JCSR*; Peter Ochs, *The Free Church and Israel’s Covenant* (Winnipeg, Manitoba: CMU Press, 2010); Peter Ochs, *Another Reformation: Postliberal Christianity and the Jews* (Grand Rapids, MI: Baker Academic, 2011), 127-163. In addition to Ochs, some other notable engagements with Yoder’s account of Rabbinic Judaism include Michael Cartwright, “Editors’ Introduction” and “Afterword” in *JCSR*; Daniel Boyarin, “Judaism as a Free Church: Footnotes to John Howard Yoder’s The Jewish–Christian Schism Revisited,” *Cross Currents*, vol. 56, no. 4 (Winter 2006-7), 6-21; Alain Epp Weaver, “John Howard Yoder’s ‘Alternative Perspective’ on Christian-Jewish Relations,” *Mennonite Quarterly Review*, vol. 79, no. 3 (July 2005), 295-328. These additional studies, while contributing fruitfully to the broader question of Yoder’s approach to Judaism, do not, however, devote as much attention to the ethical and theopolitical specificities of classical rabbinic literature, which are the focus of the present essay.
force on subsequent rabbinic tradition, from the medieval period up to the present day. While various important developments, changes, and discontinuities can be found in post-classical rabbinic Judaism, examining the texts of classical rabbinic literature provides a core starting point for a consideration of rabbinic Judaism more broadly. Although the full task of evaluating specific theological and *halakhic* continuities and discontinuities between classical rabbinic literature and later periods of Jewish thought is beyond the scope of this essay, my primary point here is to show that *at the very least* there are key elements of Yoder’s claims that do resonate strongly with the theological and legal conceptions displayed in the central classical texts, and that establishing this point is crucial for considering the ways in which later periods interpret and reevaluate those texts. Thus, if it turns out that Yoder’s account does convincingly map onto classical rabbinic thought and theology in certain core regards, then *The Jewish-Christian Schism Revisited* may yet give rise to renewed scholarly dialogue between contemporary Jews and Christians, while also serving as an important signpost for Jews seeking to engage the theological and theopolitical roots of attitudes towards peace and violence within their own classical tradition.

**Yoder and Ochs on Classical Rabbinic Attitudes Towards Bloodshed**

Let us begin by laying out some of Yoder’s central claims concerning violence and power in connection with rabbinic Judaism, as well as Ochs’ criticisms of such claims. According to Yoder, core elements of “Talmudic Judaism” include the following:

1. Blood is sacred. Blood is the life and belongs to God; the shedding of human blood is the fundamental denial of human dignity (stated in the strongest possible terms as ‘the Image of God’). …Those points in the Torah where exception can be made to the wrongness of shedding blood are in the context of the Noachic prevention of murder, the Mosaic provisions for civil administration or in the holy war narratives. *At the most* such room for killing would apply to a pre-exile Israelite state.

2. The Messiah has not yet come. If anyone could have a right to restore the patterns of divine vengeance, or of national policing, which alone could justify the shedding of blood, it would be the Messiah.4

Yoder explicitly describes rabbinic Judaism as putting forth a form of “pacifism”,5 in which all forms of justified killing lie strictly in the past pre-exilic era, meaning that the Jewish task for the present has no remaining place for legitimate bloodshed. Indeed, Yoder even argues that “Jews…look on past and present righteous violence and religious nationalism, including that of their own ancient history, as mistaken.”6 This latter description appears to incline toward an ideology wherein not only is ‘righteous violence’ ruled out in the present, but even all past

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4 Yoder, *JCSR*, 82, emphasis in the original.
5 Yoder, *JCSR*, 82.
6 Yoder, *JCSR*, 81.
instances of such violence are deemed to be ‘mistaken.’ Such an account moves beyond a periodized approach (violence was legitimate then, but is not legitimate now) and raises non-violence to a general supra-temporal principle (violence was/is not proper either then or now).

In engaging with these claims of Yoder’s, Ochs affirms that rabbinic Judaism does indeed have strong tendencies towards critiquing violence and promoting peaceful modes of living. However, he thinks that Yoder has absolutized these tendencies in a conceptually one-sided manner that ignores other rabbinic tendencies that uphold the legitimacy of violence in certain circumstances, particularly in defending the lives of individuals from attack. Contrary to Yoder’s assertion of ‘Jewish pacifism’, Ochs maintains that “Rabbinic Judaism is…neither pro- nor anti-pacifism.” Likewise, according to Ochs, “For the overall moment of rabbinic Judaism, the path to peace cannot be defined in the clear and distinct ways that Yoder commends…Except in certain circumstances, one may defend one’s own life through the use of force…While the rabbinic sages privileged nonviolence and nonkilling, their position cannot be captured in any single concept like ‘pacifism’ or even ‘peace’.” In order to substantiate his assertion, Ochs points to passages such as Babylonian Talmud Sanhedrin 72a, which, in the context of a thief breaking into a private person’s home at night (Ex. 22:1-2), states, “The Torah decreed, ‘If he comes to kill you, kill him first.’” Likewise, in the case of a rodef (one who pursues another person with intent to kill), the Talmud affirms one’s duty to stop the pursuer, even if this would entail killing the pursuer: “Our Rabbis taught: when do we know that he who pursues after his neighbor to slay him must be saved [from sin] even at the cost of his own life? From the verse, Thou shalt not stand by the blood of your neighbor (Lev. 19:16).” For Ochs, passages such as these indicate that the classical rabbinic attitude towards killing is more complex than Yoder makes it out to be. Accordingly, one cannot rightly make sweeping and ‘pure’ claims about ‘rabbinic pacifism’, since the legitimacy or non-legitimacy of killing is dependent on engaging the concrete details of any given situation and cannot be determined through a principle ‘ahead of time.’

In adjudicating this dispute between Ochs and Yoder, let me first detail the ways in which Ochs’ critique is substantively on-target. Yoder does indeed seem to ignore or overlook rabbinic Judaism’s allowance for the legitimate killing of the would-be murderer. As this allowance is stated in the rabbinic texts in an open and straightforward manner, Yoder’s omission of this matter does not seem to be simply a matter of ignorance. Indeed, Yoder even cites a Talmudic text pointing to restrictions on the legitimate killing of a rodef, but he does not explicitly acknowledge that such restrictions in some situations precisely indicate that there are certain
other situations in which it is legitimate to kill the rodef.\textsuperscript{11} Given this notable lack of acknowledgement of these forms of violence, it appears that Yoder is in fact projecting his own form of pacifism—which rejects killing even in defending against an immediate threat to life—onto rabbinic Judaism in an unjustified and distorting manner.\textsuperscript{12}

However, while Yoder’s own ‘principled’ approach to nonviolence does not properly correspond to the stance of rabbinic Judaism, there may nevertheless be key ways in which rabbinic Judaism does uphold an approach to nonviolence that, while different from Yoder’s, is no less ‘principled’ and is tied to core theological and theopolitical commitments. In this regard, Ochs’ legitimate criticism in connection with Yoder’s particular form of ‘purity’ may itself overlook a different but related type of ‘purity’ that does in fact characterize the rabbinic approach. While classical rabbinic Judaism upholds the legitimacy of defense of individual life from an immediate aggressor, it simultaneously holds that what might be termed ‘political violence’—characterized most prominently in rabbinic literature by the practices of the death penalty and of war—is not a legitimate mode of engagement for Israel in the present era of exile in which the Messiah has not yet come. In the classical rabbinic portrayal, such practices of ‘righteous bloodshed’ require direct sanction from God in the immediate moment of decision: because God is Israel’s direct sovereign, God alone can authorize such socio-political decisions involving matters of life and death. That is to say, there are no merely ‘human’ or ‘secular’ judgments that can legitimate such forms of bloodshed. Thus, for a Jewish court to carry out the death penalty legitimately, the Jerusalem Temple—as the locus of God’s presence on earth—must be standing and its priesthood operating.\textsuperscript{13} Likewise, a direct confirmation of God’s will, either through prophecy or through the priestly oracle of the Urim and Tumim, is necessary in order to legitimately engage in war.\textsuperscript{14} While some later Jewish thinkers may come to conceive of a category of war that does not require direct divine sanction and can thus be justified on the basis of ‘human’ or ‘secular’ judgment, the classical rabbinic approach seems to treat war, in all its forms (including so-called ‘defensive wars’), as a strictly ‘sacral’ affair.\textsuperscript{15} Accordingly, in an era where the Temple is destroyed, the priesthood is no longer operating, prophecy has ceased, and the priestly oracles of the Urim and Tumim are in abeyance, Israel ‘on its own’ cannot


\textsuperscript{12} For Yoder’s stance against killing even in self-defense, see, for instance, his “‘What Would You Do If ...?’: An Exercise in Situation Ethics,” \textit{The Journal of Religious Ethics}, vol. 2, no. 2 (Fall 1974): 81-105.

\textsuperscript{13} See, for example, BT Sanhedrin 52b; BT Avodah Zarah 8b; Mekhila de-rabbi Shimon bar Yochai to Ex. 21:14.

\textsuperscript{14} On the sacral representation of war in classical rabbinic literature, see, for example, BT Sotah 44b, BT Yoma 73a-b, BT Yevamot 78b, BT Sanhedrin 16b.

legitimately engage in such bloodshed. Instead, Israel’s normative communal task is—very much as Yoder portrays it—to wait faithfully for God to send the Messiah, while actively engaging in Torah, mitzvot (commandments), and teshuvah (repentance).

Contrary to Yoder’s view cited above, however, this stance does not imply a judgment that all pre-exilic Jewish violence was a “mistake.” Rather than rejecting the very notion of violence, the rabbinic stance aims to place violence specifically in the context of God’s direct command. Just as it was in God’s power to command Abraham to kill, so it was in God’s power to authorize certain types of killing, such as war and capital punishment, for Israel. While the rabbinic texts do seek sharply to limit the scope of such forms of killing, they do not reject them outright. Thus, rabbinic texts maintain that past social-political killing had legitimacy (in contrast to Yoder’s inclination towards a supra-temporal rejection of killing, whether past or present), and they also hold that individual self-defense is legitimate (in contrast to Yoder’s desire to reject all killing, whether political or in individual self-defense). Yet, they nevertheless hold that in the present era in which God’s direct sanction is no longer accessible, collective or political forms of bloodshed are simply impossible for Israel to carry out legitimately.

However, many of the theological considerations that Yoder puts forth do seem to capture the rabbinic mindset very well. Because political sovereignty, in this as-yet-unredeemed world, necessarily involves violence and bloodshed (to say nothing of the question of idolatry), God’s present task for Israel is indeed a stance of “not being in charge” prior to the coming of the Messiah. The overall rabbinic perspective seems to be that Jews might, in certain circumstances, be justified in employing a sword in individual self-defense against an immediate pursuer, but they nevertheless renounce ‘the Sword’ (with a capital ‘S’), where the latter means the employment of violence for the sake of gaining or maintaining political control or sovereignty. While this stance may entail suffering, it is better, in the classical rabbinic view, to suffer or even to die or be martyred in an act of kiddush hashem (sanctification of God’s name), rather than to engage in illegitimate bloodshed. Moreover, the classical rabbinic texts view Israel, by virtue of having lovingly accepted the Torah and the yoke of God’s kingship, as distinctively obligated to uphold this stance: whether or not the ‘nations of the world’ engage in forms of political violence by means of the Sword, such actions are not still in keeping with Israel’s normative task. While order in society may be a desirable feature generally, Israel’s responsibility for maintaining such order, if the task requires bloodshed, is viewed by the rabbis as necessarily suspended in light of Israel’s higher responsibility to God and to the sanctity of human life as the image of God.

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17 For the significance of this phrase for Yoder, see *JCSR*, 168ff.

In assessing the question of Israel’s responsibility to maintain order, care must be taken to distinguish the classical rabbinic stance from that of some later inheritors of the rabbinic tradition. Thus, Ochs cites medieval Jewish figures such as Rabbi Solomon ibn Adret (Rashba), who affirms that Jews can and should engage in killing for the sake of ‘preservation of society.’ However, this stance seems to operate in a markedly different theological framework than that displayed in classical rabbinic literature. While one could seek to draw links from this medieval position back to certain classical rabbinic passages—e.g., treatment of an informer [moser] as a rodef in BT Sanhedrin 58a—a stance such as Adret’s (which was by no means unanimously upheld by medieval authorities) must, in my judgment, be viewed as representing a distinctly different ‘flavor’ with regard to the notion of God’s unique sovereignty and the corresponding restrictions placed on Israel’s (merely human) actions in the pre-messianic era of exile. While the question of continuity or discontinuity in a tradition is a complex one, Adret’s orientation toward Israel’s present responsibilities can plausibly be judged to be in discontinuity with the classical rabbinic orientation in important ways.

In addition, while classical rabbinic texts do present Israel as having engaged in war in the biblical past, they appear to indicate that Israel’s warfare has ceased not only for the present, but permanently, including the messianic future. While the Messiah is sometimes portrayed as taking part in an eschatological military battle, there do not seem to be any textual indications that the rest of Israel, as a community, would themselves engage in any such warfare. Likewise, while a political restoration is envisioned for Israel, the politics of the messianic future (unlike political sovereignty in the present era) are not presented as entailing the actual enactment of political violence; rather, the messianic kingdom, once established, is itself conceived of as a reign of peace. Thus, the rabbinic conception appears to view Israel’s present removal from warfare not simply as a temporary stance, but one that will continue throughout the coming of the Messiah and its aftermath. In this sense, as Yoder indicates, the rabbinic renunciation of the Sword in the present era simultaneously functions an anticipation of the future peace of the messianic era.

Given these resonances with Yoder’s broader account, if Yoder had restricted his claim concerning opposition to bloodshed to a prohibition of killing in the service of ‘social-political causes’ (rather than applying it to killing per se), his portrayal of rabbinic Judaism would have been much more justified. Nearly all of the ‘Jewish’ themes relating to violence and God’s sovereignty, which Yoder traces back to earlier biblical representations, do apply to the classical rabbinic stance. However, categorical rejection of individual self-defense is not part of this array, either with regard to the Hebrew Bible or with regard to classical rabbinic literature. This unwarranted elision on Yoder’s part enables his broader point about rabbinic Judaism to be too quickly dismissed. A reader could easily raise the charge that, insofar Yoder is clearly mistaken in his claim that rabbinic Judaism rejects all bloodshed, and insofar as he seems to be projecting

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19 Ochs, *Free Church*, 94-96.


21 See Yoder, *JCSR*, 82-83.
his own Anabaptist pacifist stance onto rabbinic Judaism, his claim concerning rabbinic Judaism’s renunciation of political violence and the Sword must therefore also be a similar misrepresentation. By contrast, in my evaluation of Yoder’s work, even though the former claim is a significant misrepresentation, his latter claim—which, moreover, seems to be Yoder’s primary intended point—actually has a great deal of rabbinic textual evidence in its favor.

Notably, in other places in his corpus, Yoder explicitly acknowledges the potential significance of the distinction between violence in the name of individual self-defense and violence in the name of social-political causes. In a 1974 article, for example, he writes, “If I could agree that it might be my Christian duty to defend my family against an attacker by killing, I could still with complete consistency reject all war.” While Yoder ultimately rejects this distinction with regard to his own Christian position, it is precisely this sort of distinction that appears to characterize the classical rabbinic stance towards violence. If there is absolutely no other way to prevent a rodef from killing, it can, in limited circumstances, be a ‘Jewish-rabbinic duty’ for an individual to defend herself or others against an attacker, even by killing. Yet, while allowing this narrow scope for legitimate violence, the classical rabbinic texts simultaneously represent war as ‘requiring direct divine sanction’, and thus place such forms of political killing beyond the sphere of merely-human legitimation. As such, in classical rabbinic theology, ‘dependence on God alone’ does not apply to the preservation of individual human life, since a human being, while also depending on God, is simultaneously permitted to play an active and potentially even violent role in his or her own survival or in the survival of another human being. However, with regard to the ‘political-national’ survival of Israel as a collective, the rabbinic approach does appear to uphold a theology of ‘dependence on God alone’ and accordingly rejects a ‘synergistic’ conception of divine and human ‘judgments of violence’ in this connection. The first type of killing remains a live though restricted possibility in the present era, and must be carefully evaluated on a case by case basis, whereas the second type of killing, given the current absence of prophecy and the Urim and Tumim that would convey God’s will directly, is ruled out ‘in principle.’

Yoder and Ochs on Classical Rabbinic Attitudes Towards Landedness

Having attempted to point towards a path between Yoder and Ochs with regard to the question of violence, we are now in a better position to consider their competing accounts of the classical rabbinic attitudes towards landedness. In this case, too, we find that an over-generalization on Yoder’s part serves to obscure some of his key insights into the rabbinic stance. Essentially, Yoder presents rabbinic Judaism as embracing a ‘Jeremianic’ stance towards exile and landedness, in which Israel is called upon to embrace exile as God’s calling for Israel. While Ochs agrees that a certain type of acceptance of exile represents a key element in rabbinic Judaism, he criticizes the way in which Yoder absolutizes the notion of exile to the neglect and

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22 Yoder, “‘What Would You Do If ...?’: An Exercise in Situation Ethics,” 87.

23 By contrast, Yoder seems more inclined to uphold ‘dependence on God alone’ both on the communal level and on the individual level.
exclusion of other streams of rabbinic thought that place emphasis on the centrality of *eretz yisrael* (the Land of Israel) and on the hope of a future return and overcoming of exile.

I maintain that there is a tension and ambiguity in Yoder’s work as to what precisely he means by a ‘Jeremianic’ stance, and that, in different places, he puts forth importantly different accounts of what such a stance conceptually entails. One version of the Jeremianic position *does* involve an end to exile in the future. In connection with ‘seeking the peace of the city’ (Jer. 29:7), Yoder comments, “The return from exile will come in seventy years, Jeremiah says; but that figure (although it will be looked to later as a literal promise) means on a deeper level ‘a long time’, so long that present plans should not be based on any idea of return.”

This version does not eliminate the significance of Jerusalem and *eretz yisrael*; instead, it retains them as a central focus of hope, while simultaneously emphasizing that the practical focus of everyday activity should be directed towards living a full and engaged life in the place where one currently lives. Yoder likewise describes this stance as characterizing the communal self-conception of rabbinic Judaism, which entails “living without a temple, while yet retaining the mythic memory of the Temple and the hope of the return in the messianic age.” In this version, exile is not conceptually absolutized: it represents God’s will for Israel in the present era and quite possibly ‘for a long time’, but it is not treated either as permanent or as Israel’s ultimate state of affairs. Likewise, along these lines, Yoder points to figures like Ezra and Nehemiah to emphasize that “even the part of the story which returns to *Eretz* Israel” is not bound up with active pursuit of ‘kingship’ or ‘statehood’. In other words, Yoder is able to distinguish between a focus on and even a physical return to land, on the one hand, and an active pursuit of control over land, on the other. In this version of the Jeremianic orientation, therefore, the stance of ‘not being in charge’ and of affirming God’s sovereignty over history need not entail the conceptual rejection of a geographical center.

By contrast, in other passages, Yoder moves away from this position and turns exile and distance from a landed center into something more conceptually absolute. Thus, he describes the dominant rabbinic position, as represented by the Babylonian rabbinic leadership, as one in which “living without a Temple was possible and was accepted as permanent.” Here, the slip from ‘a long time’ to ‘permanent’ is very significant. Likewise, Yoder approvingly draws upon Stefan Zweig’s dramatic presentation of the book of Jeremiah, affirming the stance that “[t]o be scattered is not a hiatus, after which normality will resume.” In this version, diaspora or exile is not something that will subsequently involve a return to a specific land and a restoration of Temple worship in Jerusalem. Yoder seems again to be merging the rabbinic stance with his conception of Christian identity as articulated in *The Jewish-Christian Schism Revisited*, wherein

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24 Yoder, *JCSR*, 77.
26 Yoder, *JCSR*, 188.
27 Yoder, *JCSR*, 186.
communal self-conception is centered around “the book” specifically in contrast to land or Temple.  

It is particularly this second version of the Jeremianic stance that Ochs’ critique targets.  As in the case of the question of bloodshed, Ochs agrees with Yoder that rabbinic Judaism does place a strong emphasis on Israel’s task of living in exile and in diaspora. However, he points out that Yoder neglects the streams in rabbinic literature that place emphasis on landedness and on the importance of a geographic center. For Ochs, Yoder fails to see that “[t]he Jewish sages recognized that Judaism could be characterized, at once, by the religious ideals of centrality and non-centrality, landedness and non-landedness.”

Yoder’s mistake comes in assuming that “if Judaism fails to display characteristic ‘A’ (mere landedness, etc.), it must therefore display ‘non-A,’ or the logical contrary of characteristic ‘A’ (for example, strict non-landedness).” Because Yoder neglects the ‘landedness’ components in rabbinic theology, he is led towards a misrepresentation of the latter that prevents him from seeing the ways in which Jewish religious attitudes towards land may differ significantly from those of Christians. According to Ochs, while Christians may have developed a form of religious identity that is separate from any particular land, the situation is different for Jews, who retain important “responsibilities for landedness.” In this connection, Ochs points to a range of rabbinic sources that present exile in strongly negative terms and that encourage Jews to settle in eretz yisrael, even in the period of exile. For Ochs, because classical rabbinic literature presents prominent strands of landedness and prominent strands of non-landedness, one is not justified in one-sidedly eliminating, as Yoder appears to do, “Israel’s responsibility for life in the land,” particularly in relation to present-day disputes over the religious legitimacy of Zionism and the contemporary State of Israel.

I suggest that these competing accounts of rabbinic landedness display a paradigm similar to the one that I identified in connection to the question of bloodshed. I agree with Ochs that Yoder, particularly in his second version of the Jeremianic stance, neglects important components of the rabbinic approach to land and that his own Christian commitments seem to be influencing his portrayal. Yet, at the same time, Ochs’ critique may itself neglect or depart from core elements of the classical rabbinic approach; in these regards, by contrast, Yoder’s account—particularly in his first version of the Jeremianic stance—illuminates the rabbinic theological vision in important ways. According to Ochs, “Yoder has warrant, indeed, to refer to the exilic character of rabbinic Judaism and, moreover, to rabbinic Judaism’s tendency to postpone Israel’s theo-political return to the land until messianic times.”

The question then remains: what restrictions or duties does Israel have in relation to land in the meantime?

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29 Yoder, JCSR, 78-79.
30 Ochs, in JCSR, 120.
31 Ochs, in JCSR, 120.
32 Ochs, in JCSR, 179; see also Ochs, Another Reformation, 160-162.
33 Ochs, Free Church, 87-92; Ochs, Another Reformation, 151-152.
34 Ochs, Free Church, 41-42.
35 Ochs, Free Church, 87, emphasis in the original.
To address this question, we should consider the communal multiplicity that existed within the framework of classical rabbinic Judaism. Isaiah Gafni has argued convincingly for a divide, with regard to this question of diaspora and geographic center, between the Palestinian rabbinic community and the Babylonian rabbinic community during the classical rabbinic period. As a statement representative of the ‘Palestinian’ stance, consider Tosefta Avodah Zarah 4:3: “A person should always live in the land of Israel, even in a town in which the majority of inhabitants are Gentiles, and not live abroad, even in a town in which all of the inhabitants are Jews. This teaches that living in the land of Israel weighs as much as all the commandments of the Torah.” By contrast, the following statements are representative of the ‘Babylonian’ stance: “All countries are an admixture [with impure lineage] in comparison to the land of Israel, and the land of Israel is an admixture in comparison to Babylonia.” Likewise, “Rab Judah had expressed [the following view:] Whoever goes up from Babylon to the Land of Israel transgresses a positive commandment, for it is said in Scripture, ‘They shall be carried to Babylon, and there shall they be, until the day that I remember them, says the Lord’ (Jer. 27:22)...Rab Judah said: Whoever lives in Babylon is accounted as though he lived in the Land of Israel.” There is thus a clear divide over the question of ‘where ought a Jew to live?’, and while the ‘Babylonian’ approach tended to hold greater sway in subsequent centuries, the ‘Palestinian’ approach also represents a clear stream of thought within the classical rabbinic tradition.

However, the presence of this internal disagreement simultaneously serves to highlight other related points of apparently unambiguous agreement across classical rabbinic literature. Given the divergence about where a Jew ought to live, it is all the more notable that both communities share a common view with relation to the connection between land and the use of political force. Thus, the significance of eretz yisrael for present-day liturgical hope and desire, as well as for the future messianic restoration, is a point of clear consistency: both the Palestinian and the Babylonian communities face towards Jerusalem in prayer, and both anticipate a rebuilt Temple and a return of all Israel to eretz yisrael in the days of the Messiah. Equally consistently, however, both communities hold that Israel is not to seek to gain control over the land via political violence. In other words, while the Palestinian community upholds the importance of living in the Land, it shares with the Babylonian community a renunciation of control or violence in relation to the Land.

Here, importantly, Yoder’s insights are particularly helpful for illuminating the specifically theological aspects of this rabbinic orientation. He emphasizes that the rabbinic stance towards land and control should not be viewed as having “developed as a merely pragmatic expedient, out of the collapse of Jewish nationhood after the year 70 or 135.” That is

37 BT Kiddushin 69b.
38 BT Kiddushin 110b-111a.
39 See Gafni, 77-78.
40 Yoder, JCSR, 79.
to say, the evidence of the classical rabbinic texts themselves does not indicate that the rabbinic movement renounced political violence simply out of a stance of political weakness. Its attitude towards control over land was not ‘refrain from seeking to regain control in a time when you lack the human military power to succeed’, but rather ‘refrain from seeking control by means of human military power tout court; whether or not you have the practical military capabilities, the question of control and political restoration is to be left specifically in the hands of God, who is Israel’s true political sovereign.’ In Yoder’s words, “The line of the school of Yavneh, the only one that remained visible for the centuries following the final defeat of Bar Kochba, was not merely making the best of a bad deal. It was the proper moral response to the lessons learned. Christian usage would say that to abandon kingship-like-that-of-the-Gentiles was not a pragmatic but a theological decision. It was a matter not merely of tactics but of integrity.”41 Such a description displays strong insights into the classical rabbinic mindset, particularly if kingship-like-that-of-the-Gentiles is taken, as Yoder seems to intend, to refer to the attempt to gain or maintain sovereignty by means of human power-politics.

Thus, in terms of the question of Israel’s relation to land in the pre-messianic era, the classical rabbinic texts appear to put forth a wide range of possibilities, but these are all couched within the sphere of a more basic rejection of ‘merely human’ political violence. With the competing presence of both Babylonian-centric and Palestinian-centric orientations, Israel is left with a great deal of freedom in terms of creating various forms of communal structures both in and outside of eretz yisrael, but the ‘rule of faith’ governing these permutations is that any such structure requiring the use of bloodshed and the Sword is ruled out in the absence of the divine sovereign’s direct command. While the rabbis may desire and long for a form of restoration, and while they may think negatively of exile (galut), obedience in exile is nevertheless better and more desirable than forms of political sovereignty gained by the use of physical power and violence. In this account, exile and diasporic forms of community may not be conceived of as Israel’s eternal vocation, but they nevertheless appear to represent the classical rabbinic conception of the vocation to which God has called Israel for the present era, up until the great change that will occur with the future messianic redemption.42 In this regard, Yoder’s notion of ‘Galut as Calling’ may indeed apply to the rabbinic conception of Israel, although messianic temporality of this calling remains crucial for the rabbinic framework.43

Accordingly, while Yoder may overly exclude the significance of land for rabbinic Judaism, Ochs may not sufficiently acknowledge the practical limitations that the rabbinic conception of God’s sovereignty places on the possibilities for Israel’s communal structuring in the pre-messianic era. While Ochs contends that “the dominant way of…rabbinic peace-seeking” is best understood as “a condition to be pursued within the limits of the earthly needs and realities of a landed people and a political entity,” he does not provide evidence from

41 Yoder, JCSR, 162.
43 See Yoder, JCSR, 184.
classical rabbinic literature in connection with this claim. By contrast, I argue that in the conceptuality of classical rabbinic thought, there may be certain forms of ‘return to the Land’ that could be potentially legitimate in the pre-messianic era (i.e., within the context of galut/exile), but not if they involve the Sword. Here, the crux of the matter has much less to do with ‘the Land’ than with ‘the Sword.’ When the rabbinic texts indicate that justified forms of ‘political bloodshed’ require the Temple, the Urim and the Tumim, a functioning priesthood, and a divinely anointed king, the most straightforward reading is that any forms of political bloodshed that lack such sacral authorization are illegitimate for Israel. In this regard, Yoder’s basic intuition seems very much on target: “If anyone could have a right to restore the patterns of divine vengeance, or of national policing, which alone could justify the shedding of blood, it would be the Messiah.” And, as Yoder emphasizes, a fundamental conviction of classical rabbinic Judaism is that “The Messiah has not yet come.” In this context, Israel’s “responsibility for landedness” is sharply restricted, for it is God, as the owner and ruler of the Land, who is ultimately and directly responsible for its fate.

Conclusion

On the whole, while Yoder’s misrepresentations of rabbinic Judaism remain problematic, particularly in terms of their conceptual and logical dynamics, he nevertheless displays great insight into the basic rabbinic orientation towards the Sword and towards the task of faithful obedience in an unredeemed world. Thus, while the preservation of individual self-defense and the retained theological centrality of eretz yisrael—and the connection of both of these to the broader question of whether or not the Messiah has already come—point to significant points of difference between the rabbinic stance and Yoder’s Christian stance, the points of theological commonality, as gestured towards by Yoder, do represent a strong foundation for exploration and dialogue between contemporary Jews and Christians. In a basic sense, his characterization of Judaism as a ‘peace church’ seems on balance to be a useful and illuminating description of the classical rabbinic representations of Israel’s theopolitical task before God and the nations. Accordingly, once Yoder’s mischaracterizations have been addressed, the evidence of classical

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44 See Ochs, JCSR, 90.
46 Yoder, JCSR, 82.
47 Yoder, JCSR, 82.
48 A parallel can be drawn here to Steven Schwarzschild’s characterization of the rabbinic approach as “the Torah is our business, Israel’s survival is God’s.” Just as Israel does not seek to ‘guarantee its own collective survival’ through the use of force, so too, in the rabbinic framework, Israel does not seek to ‘guarantee the fate of the Land’ through the use of force: the destiny of both Israel as a collective and the Land are left in God’s hands to determine. See Schwarzschild, “On the Theology of Jewish Survival,” in his The Pursuit of the Ideal (Albany, NY: SUNY Press, 1990), 98.
rabbinic literature provides a highly apposite resource for Yoder’s project of illuminating the ‘Jewish background’ to early Christianity. Likewise, Yoder’s account provides a very useful starting point for tracing out the ways in which these classical rabbinic themes were carried forward in later periods of Jewish thought and practice.

To be sure, even if Yoder is strikingly correct in important ways with regard to his claims about classical rabbinic Judaism, this does not in itself indicate precisely how present-day Jews ought to orient themselves. As Ochs has rightly pointed out, while many streams of contemporary Judaism accord classical rabbinic literature a central and normative role, various communities in different locations and at different points in time have interpreted and reinterpreted the classical texts as part of a living tradition and in response to changing circumstances. Yet, as a matter of scholarly and historical responsibility, it is still important, at the very least, to acknowledge the textual reality of the classical rabbinic stance, and even more so the specifically theological commitments that undergird it. Moreover, because those commitments have largely become obscured for many present-day Jews, Yoder’s conscious theological sensibilities can serve as an important aid and resource in carrying out a project of theological recovery. Thus, whether or not we want to call it ‘pacifism’, the classical rabbinic renunciation of the Sword on the basis of God’s unique sovereignty represents an important historical witness to the practical possibility of faithfulness in a world that all too often operates according the bloody logic of might over right.