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The Story of Scripture, draft, chapters 5 and 6, 1989.

not there

Two inquiries from the Jerusalem Talmud

1. The Tannaim, the sages of the second and third centuries, successors to the Pharisees after The Temple's destruction, were aware that there were still unresolved textual questions (J. Taanit 26a-b) and that flawed scrolls were in circulation.

The citation seems to be inaccurate, and I cannot locate the correct source.

not
there

2. They would have denied with every breath that the Mishnah was a second Torah, which in fact it was. Indeed, they sometimes admitted as much: Mishnah Me'kademet le Mikra (J. Sab. 1c). In certain practical matters, Mishnah takes precedence over scripture.

Again, the citation seems to be one I have lost.

הוא לא נמצא - not

הוא לא נמצא פ"ב פ"ב

See Horayot 3:8

cf. Neusner Yerushalmi Horayot

Re Talmud of the Land of Israel p 125

פ"ב פ"ב
פ"ב פ"ב

Dear Dan,

I could not find the reference
in Neusner's The Talmud of the Land of Israel
so I looked up פ"ב פ"ב פ"ב in פ"ב פ"ב

there I found a reference to Horayot 3:8 - which in Neusner's
Talmud. H 4 on p 125.

ISRAEL'S SECOND SCRIPTURE

The two centuries that followed the disastrous rebellions against Rome (68-72 and 132-135 C.E.) saw the final selections made of those scrolls which would be considered Tanakh. The books which Tanakh embraced had been around for generations, but during these years the Palestinean leaders made the final decisions which would be included (Ezekiel, Esther, Ecclesiastes) and which would be excluded (Ben Sirach, Wisdom of Solomon). The Hebrew scriptures as we know them were now fully in place.

At first the general term, mikra, "that which is read," was accepted as an appropriate label for the Hebrew Scripture. By the fifth or sixth century C.E., the defining acronym Tanakh (Torah; Neviim, Prophets; Ketuvim, Writings) supplanted it, probably because it not only defined the anthology but also reflected the different degrees of authority accorded to the separate divisions. The term Tanakh does not suggest a single anthology of scrolls treated as equally significant but a three-tiered work. A single folio volume of the Tanakh would not appear until the sixth century.

Each scroll accepted as scripture had its own distinctive history. Each became part of a larger whole yet maintained its own place and weight. The five scrolls of the Sefer Torah and the works of the Prophets occupied a more significant role in Jewish thought than most of the Writings. The primacy of the Five Books of Moses, the heart of the Torah, was further symbolized by the fact that only these scrolls were placed in the Ark.

During these centuries the regulations which would govern the liturgical presentation of scripture were sorted out and firmly established. The Palestinian communities adopted a three or three-and-a-half year cycle for reading the entire Sefer Torah; the Eastern (Babylonian) communities adopted a one-year cycle which, after a considerable period, became Judaism's universal practice. Weekly portions were determined; they were read or more accurately, chanted during morning and afternoon services on the Sabbath. Selections from the weekly portion were also chanted at services on market days, Mondays and Thursdays. On the festivals, fast days, and the ~~New Moon~~ ^{new moon}, special readings were chosen because of their thematic or prescriptive relevance to the occasion. At first some communities took the idea of a continuous reading of the Torah quite literally and read successive sections of that week's portion on Monday and Thursday, concluding it on the Sabbath; but it became the rule that the complete weekly portion would be read each Sabbath ^{AM.} and short sections from it on ^{on Sabbath afternoon and on} market days.

During later Talmudic times it became the custom on the Sabbath and holidays to add to the weekly portion of the Sefer Torah a section from the Prophets or Writings (Haftarah), probably to make clear that these scrolls, too, were deemed inspired. Selections varied considerably from place to place; in some locations the custom was that the portion was chosen by the congregation or a local preacher. By the eighth or ninth century, a defined pattern of such additional readings had been established, and the portion

Not all
presentations

selected was related thematically or by some midrashic tradition to the Torah portion mandated for that occasion.

Somewhat later still, the custom developed of reading one of the five short scrolls known as megillot on specific holidays and fasts. The recitation of the scroll of Esther on Purim is already assumed in the Mishnah. In Amoraic times (3rd/4th-6th centuries, C.E.) the practice developed of reading Song of Songs on the last two nights of Passover, Ruth on Shavuot and Lamentations on the Fast of the Ninth of Av (b. Sof 41a).

The Tannaim, the sages of the second and third centuries, successors to the Pharisees after The Temple's destruction, were aware that there were still unresolved textual questions (J. Taanit 26a-b) and that flawed scrolls were in circulation. Among the five things that R. Akiba (2nd cent.) is said to have taught R. Simeon b. Yohai was "When you teach your son, teach him from a corrected scroll"

(b. Pes. 11a). An uncorrected Torah scroll should not be kept for more than thirty days (b. Ket. 19b). The Tannaim proposed as a general rule that in deciding controversies about a particular text, if two scholars differed a third was solicited and the majority opinion prevailed (b. Sab. 39b). The same standard was said to have been used when two Torah scrolls shelved in The Temple archives were found to contain variant readings. A third scroll was consulted and the majority reading was considered the authoritative version (Sifre II: 356, J. Taanit IV, 65a, Soferim VI, APT ver. B 46).

could not find ?

it appears that
this text does
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your pt.
well at all
it is a
misquoting
of the text
in the
Talmud

not a scribe
Av 1, 11
Leant
to
find some

A desire to fix the tradition and assert its dependability popularized pieties which emphasized that dependability. For instance, that the accepted version had remained unchanged since Moses: "Moses received the Torah at Sinai." Ezra's contribution was redefined as a limited one: placing diacritical marks above some ten passages where a word or words were to be omitted during the public reading to avoid any unwarranted or offensive assumptions about God's oneness, goodness, and power.

There was a well-established form for the inscription of a Sefer Torah. Some histories ascribed to Ezra and/or the Soferim, the priest-scribes of the late Persian period, the so-called Men of the Great Synagogue, the standardization of the chants for the reading of Torah and the proper form of text presentation, how the text should look on the parchment sheets. Each scroll was to be prepared from the skin of certain clean animals. Writing was to be done with a special quill and ink. The block letters of the Ashurit script were to be used, and were to be aligned under rather than on the line. The presentation of other Tanakh scrolls, with certain exceptions, particularly the Psalms and Esther, was less formally prescribed; but care was taken with all. All scrolls were written on parchment or leather and left unvocalized. Particular attention was paid to certain scribal niceties; for instance, some held that a scribe setting down the names of the sons of Haman in the scroll of Esther should write one above the other, as if they were half bricks laid on half bricks, to suggest a

badly built and unstable wall, a visual lesson that those who scheme against israel will fail and their plans collapse. In contrast the "Song of the Sea" (Ex. 15:1-19) was to be inscribed "Two bricks over one brick", that is, one line of two strophes separated in the middle above a line with a single strophe set in the middle. The two lines were said to represent the layers of brick which the slaves had been forced to lay in building the store-houses of Pharaoh. As bricks laid in such an alternating pattern create a solid wall, so the promises of redemption expressed in this hymn are solid and dependable.

The work of writing out sacred texts came to be seen as a sacred obligation, "melechet ha-Kodesh," and a class of professional Torah scribes came into being. Not all sages had a good hand and one could rise to the rank of scholar without being able to write with ease or skill. Still, some held that as an act of piety every man should write a Torah scroll, which explains the otherwise surprising prescription in the Talmud "that a scholar should learn how to write" (b. Hul. 9a).

Writing a Sefer Torah required considerable technical skill and training. Around the sixth century the rules and customs which had developed over centuries to govern such work were collected into a treatise known as Masseket Soferim, A Treatise ^{for(?)} on Scribes. A precis of this work also appeared, Masseket Sefer Torah. Both guide books circulated widely and were included as appendices to editions of the Talmud.

THE TANNAIM WERE RESPONSIBLE FOR ESTABLISHING AND STRENGTHENING THE ELEMENTARY EDUCATIONAL SYSTEM WHICH HAD BEEN BEGUN DURING THE PRECEDING CENTURIES. ELEMENTARY EDUCATION HAD RATHER A NARROW FOCUS: THE ABILITY TO READ AND CHANT PROPERLY THE SEFER TORAH AS PART OF SYNAGOGUE RITUAL. THOUGH BY THE FIFTH CENTURY CURSIVE SCRIPT WAS THE ACCEPTED WAY OF WRITING LETTERS AND BUSINESS DOCUMENTS, A JEWISH BOY CONTINUED TO BE INTRODUCED TO THE SOLID BLOCK LETTERS OF THE ASHURIT SCRIPT BECAUSE IT WAS THE SCRIPT USED IN THE TORAH SCROLL. HE LEARNED THESE LETTERS ONE-BY-ONE, THEN IN COMBINATION, THEN HE WAS SET SHORT TORAH TEXTS. ALL READING WAS DONE ALOUD AND EVERY PHRASE AND SENTENCE WAS CHANTED OVER AND OVER AGAIN UNTIL THE STUDENT HAD IT DOWN PAT. LITTLE CONCERN WAS SHOWN FOR ANY BUT THE MOST RUDIMENTARY COMPREHENSION.

AFTER SEVERAL YEARS, THE QUICKER STUDENTS KNEW MOST OF THE SEFER TORAH BY HEART; WHAT THEY KNEW WERE PHRASES AND SENTENCES THEY ACCEPTED AS GOD'S OWN AND AS BASIC ELEMENTS OF THEIR FAITH; BUT THE HOW AND WHY OF SUCH CONNECTION COULD NOT HAVE BEEN CLEAR TO MOST OF THEM. THEY TOOK THE VALUE OF THE TORAH FOR GRANTED. THE ENVIRONMENT REINFORCED ITS IMPORTANCE AND SACREDNESS. IF THE STUDENT DID NOT UNDERSTAND WHAT WAS READ, HE KNEW THAT THE SAGES DID.

STUDENTS WERE TAUGHT THAT THERE WERE NO PRIMARY OR SECONDARY TEXTS IN THE SEFER TORAH. NO ONE SAID TO THEM, THIS TEXT IS CRITICAL, THAT ONE ONLY ILLUSTRATIVE; ALL WERE ACCEPTED AS ESSENTIAL PARTS OF GOD'S MESSAGE. WHERE A MODERN MAY SEE AN INCONSISTENCY

OF PHRASES, AND WAS AN AID TO PRONUNCIATION, SPECIALISTS CALLED

OR SIMPLY A BIT OF TRIVIA, THE RABBINIC MIND SAW THE POSSIBILITY OF MEANING. THIS KIND OF EDUCATION CONDITIONED THE STUDENT TO ACCEPT AN EXEGESIS WHICH BINDS TOGETHER SENTENCES AND PHRASES WITH NO APPARENT CONNECTION BUT THAT MAY INCLUDE A SIMILAR TERM OR AN UNUSUAL GRAMMATICAL CONSTRUCTION.

✓ THE OBLIGATION OF KERAT HA-TORAH, READING FROM THE TORAH DURING PUBLIC WORSHIP, PRESENTED THE WORSHIPPER AN OPPORTUNITY TO PARTICIPATE VICARIOUSLY IN THE MOMENT OF REVELATION, SINAI, AND SO ACCLAIM THE COVENANT AND REJOICE IN ISRAEL'S ELECTION. BY SPEAKING THE WORDS GOD HAD SPOKEN, THE WORSHIPPER REAFFIRMED THE COVENANT AND DREW NEAR TO GOD. THE KERAT HA-TORAH CEREMONY DEVELOPED RULES OF ITS OWN. A SPECIFIC NUMBER OF READERS WERE REQUIRED: SEVEN ON THE SABBATH, THREE ON MONDAYS AND THURSDAYS. A MAN OF PRIESTLY DESCENT WAS TO BE CALLED FIRST, THEN A LEVITE, THEN THOSE OF LESS DISTINGUISHED BIRTH. TECHNICALLY, THOSE CALLED TO READ WERE TO READ; BUT THE UNVOCALIZED HEBREW TEXT AND THE TROPE WERE BEYOND THE COMPETENCE OF MOST SO IT BECAME THAT A MAN FULFILLED THE DUTY OF KERAT HA-TORAH WHEN HE RECITED THE DESIGNATED BLESSINGS WHICH PRECEDED AND CLOSED THE TORAH RADINGS, BLESSINGS EVERYONE KNEW BY HEART. ONE BETTER TRAINED THAN THE REST CHANTED THE TORAH TEXT.

CARE WAS TAKEN WITH THE READING AND THE CHANT. THE CHANT, WHICH DEVELOPED OUT OF THE LEARNING SONGS USED IN SCHOOLS, HELPED TO SEPARATE LONG AND SHORT SYLLABLES, SUGGESTED THE PROPER DIVISION OF PHRASES, AND WAS AN AID TO PRONUNCIATION. SPECIALISTS, CALLED

MASORETES, WOULD CONTINUE TO WORK FOR MANY CENTURIES PREPARING A STANDARD TEXT WHICH ANALYZED AND APPROVED EVERY VOWEL AND TROPE SIGN. THE FOLIO TEXTS PREPARED BY THESE GRAMMARIANS WERE NOT USED IN WORSHIP, WHERE ONLY A UNVOCALIZED SCROLL WAS CONSIDERED APPROPRIATE, BUT GUIDED THE READING OF THOSE CHARGED WITH THE DUTY OF KERIAT HA-TORAH.

THE MASORETES ALSO DESIGNATED THOSE FEW TEXTS WHERE THE ACCEPTED READING DIFFERED FROM THE WRITTEN TEXT (KETIB U-KERI) AND WHERE A WORD WAS NOT TO BE READ (KETIB VE-LO KERI). THE EXISTENCE OF SUCH PROBLEM TEXTS SUGGESTS THAT AFTER A CERTAIN POINT IN TIME, PROBABLY AS EARLY AS THE FIRST CENTURY C.E., SCRIBES WOULD NO LONGER REVISE A TEXT FOR GRAMMATICAL REASONS AS THEIR PREDECESSORS HAD RATHER FREELY DONE. BY NOW, THE TORAH TEXT WAS WELL KNOWN AND SEEN AS HOLY. WHO KNEW WHETHER GOD MIGHT NOT HAVE INTENDED THE TEXT TO BE READ AS IT APPEARED, EVEN IF THAT READING SEEMED NO MORE THAN A COMMON SCRIBAL ERROR. PERHAPS THE "ERROR" WAS DELIBERATE. PERHAPS GOD INTENDED IT TO CONVEY SOME IMPORTANT MEANING.

THE SAGES APPRECIATED THE VALUE OF KERIAT HA-TORAH AS A SPIRITUAL MOMENT AND AS A MEANS OF KEEPING ALIVE KNOWLEDGE OF THE TRADITION. THEY ENCOURAGED TORAH STUDY AND CREATED MECHANISMS LIKE THE TARGUM (AN ARAMAIC PARAPHRASE OF THE WEEKLY TORAH READING) TO INSURE THAT THE COMMUNITY UNDERSTOOD THE TORAH PROPERLY. OVER TIME SOME OF THESE RITUALS BECAME ACCEPTED CUSTOMS WHICH CONTINUED EVEN WHEN, AS IN THE CASE OF THE TARGUM, THE RITE NO LONGER

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P. 1010

SERVED ITS ORIGINAL PURPOSE. TARGUM WAS ORIGINALLY SIMPLY AN EXTEMPORANEOUS
 PARAPHRASE INTO ARAMAIC, THE COMMUNITY'S EVERYDAY SPEECH, BUT WHEN JEWS IN
 THE 7TH AND 8TH CENTURIES CEASED TO SPEAK ARAMAIC, OPTING INSTEAD FOR ARABIC,
 THE LANGUAGE OF THE NEW EMPIRE, IT BECAME A MEMORIZED RELIC RETAINED ONLY BY
 THE INNATE CONSERVATISM OF RELIGIOUS LIFE. THE TREASURE TROVE OF DOCUMENTS
 FOUND IN THE STOREROOM (GENIZAH) OF THE PALESTINIAN SYNAGOGUE OF OLD CAIRO
 CONTAINED LETTERS WHICH INDICATE THAT LONG AFTER ARABIC HAD REPLACED ARAMAIC
 AS THE PEOPLE'S VERNACULAR, YOUNGSTERS WERE TAUGHT AN ARAMAIC TARGUM AND
 MUCH APPLAUDED WHEN THEY RECITED THE APPROPRIATE TARGUM IN THE SYNAGOGUE.

TORAH SCROLLS WERE NOW AVAILABLE IN EVERY SYNAGOGUE AND SCROLLS OF THE
 PROPHETS AND WRITINGS MUST HAVE BEEN AVAILABLE IN MOST COMMUNITIES. INDIVIDUALS
 COULD OWN SCROLLS. THERE IS A GOOD BIT OF DISCUSSION IN THE TALMUD ABOUT
 DIVIDING SCROLLS AMONG HEIRS OR FOR SALE. A TORAH SCROLL COULD NOT BE DIVIDED.
 SCROLLS OF OTHER THAN TORAH BOOKS MIGHT BE SEPARATED AT THE SEAMS UNDER CERTAIN
 CONDITIONS. SYNAGOGUE SCROLLS, AT FIRST, WERE KEPT OUTSIDE THE PRAYER ROOM IN A
 CABINET, TEVAH, WHERE THEY WERE LAID IN BINS AND BOUND, AS MANUSCRIPTS GENERALLY
 WERE IN ANTIQUITY. IT IS NOT CLEAR IF SCROLLS OTHER THAN THE SEFER TORAH WERE
 KEPT IN THE EARLY TEVAH, BUT BY THE FIFTH CENTURY, WHEN THE ARK BECAME A PERMANENT
 ARCHITECTURAL FEATURE OF THE PRAYER ROOM, ONLY THE FIVE BOOKS OF MOSES WERE
 KEPT THERE. IN FRONT OF THE ARK WAS A CURTAIN WHICH IN PURPOSE AND NAME,
PAROCHET, RECALLED THE CURTAIN WHICH HAD FRONTED THE HOLY OF HOLIES IN THE
 TEMPLE, WHERE THE ARK CONTAINING THE TABLETS OF THE LAW WAS SAID TO HAVE BEEN
 KEPT IN PRE-EXILIC TIMES, AND WHERE IN THE SECOND TEMPLE THERE HAD BEEN AN
 EMPTY SPACE FILLED WITH GOD'S PRESENCE. CURTAINED IN THIS WAY, THE SEFER TORAH
 WAS UNDERSTOOD AS GOD'S IMMANENT PRESENCE. MEN BOWED WHEN THEY CROSSED IN

memorized
 or dictated
 together?

FRONT OF THE ARK AND ROSE WHEN IT WAS OPENED, BECAUSE OF ITS SACRED CONTENTS. POPULAR VENERATION OF THE SEFER TORAH SOMETIMES BORDERED ON IDOLATRY. FOR SOME THE SCROLL BECAME A SOURCE OF MIRACULOUS POWER, INDEPENDENT OF THE WORDS IT CONTAINED. OATHS WERE TAKEN BEFORE THE SCROLLS RESTING IN AN OPEN ARK.

THE SEFER TORAH HAD BECOME REVELATION, RESPLENDENT IN DIVINE MYSTERY, SYMBOL AND SUBSTANCE OF GOD'S WISDOM, THE SOURCE TOO HOLY TO BE HANDLED WITH ANY BUT THE MOST REVERENT HUMILITY. EVERY LETTER HAD ITS PURPOSE AND WAS A VEHICLE OF REVELATION. THE MIDRASH IS FULL OF INTERPRETATIONS WHICH TURN ON A SINGLE WORD OR LETTER. SERMONS AND TRADITIONS EMERGE UNEXPECTEDLY. R. HUNA BAR NATHAN ASKED R. ASHI: "WHAT IS THE POINT OF THE VERSE "KINAH AND DIMONAH

✓ AND ADDAH?" (JOSH. 15:22). R. ASHI REPLIED: "THE VERSE SIMPLY LISTS SOME TOWNS
 > IN THE LAND OF ISRAEL." R. GEBIAH FROM ~~(DE)~~ ARGIZA UNDERSTOOD THE NAMES THIS
 WAY: WHOEVER HAS CAUSE FOR RESENTMENT (KIN'AH) AGAINST HIS NEIGHBOR AND YET
 ✓ HOLDS HIS PEACE (DOMEN), HE WHO ABIDES FOR ALL ETERNITY (ADE'AD) WILL ESPOUSE
 ✓ HIS CAUSE" (B. GIT. 7A).

THE SAGES DERIVED MEANING NOT ONLY BY LOGICAL EXTRAPOLATION BUT FROM PECULIARITIES OF LANGUAGE AND STYLE, IRREGULARITIES IN SYNTAX, OR UNUSUAL SPELLINGS. NOT ONLY THE LETTERS BUT THE SPACES BETWEEN THEM HAD MEANING. AKIBA IS SAID TO HAVE DESCRIBED THE TORAH AS BLACK FIRE, THE WRITTEN WORDS, ON WHITE FIRE, THE SPACES BETWEEN THE WORDS. SINCE HEBREW HAD NO SEPARATE NUMERATION SYSTEM, AND USES THE ALPHABET FOR THAT PURPOSE, A TORAH SENTENCE WAS BOTH A SET OF IDEAS AND A SUM WHICH MIGHT SUGGEST WHEN THE MESSIAH WOULD COME. THE TORAH WAS BRIMFUL OF MEANING; INDEED, ITS WISDOM COULD NEVER BE EXHAUSTED.

GRADUALLY, THE ASSUMPTION OF THE DIVINITY OF THE SEFER TORAH MEANT THAT NO ONE DARED TOUCH OR TAMPER WITH A SEFER TORAH. BETWEEN THE FIRST AND THE TENTH CENTURIES, THE MASORETES PROVIDED THE TEXT WITH VOWELS, PUNCTUATION MARKS AND TROPE, MUSICAL NOTATIONS, AND DREW UP THOUSANDS OF BRIEF NOTES EXPLAINING USAGE, ETYMOLOGY, CITING OTHER EXAMPLES OF A PARTICULAR WORD, NOTING UNUSUAL TERMS AND THE LIKE. THEIR CAREFUL NOTES WERE ENTERED ON THE MARGINS OF FOLIOS, NEVER IN A SEFER TORAH TEXT INTENDED FOR SYNAGOGUE USE. THE CLASSIC BEN ASHER CODEX (9TH CENTURY), WHICH BECAME THE MASORETIC TEXT, THE STANDARD FOR ALL SUBSEQUENT HEBREW TEXTS, IS A MONUMENT TO CENTURIES OF PATIENT SCHOLARSHIP AND A TRIUMPH OF MANUSCRIPT ART, BUT IT WAS NOT INTENDED FOR SYNAGOGUE USE ANY MORE THAN WERE THOSE BEAUTIFULLY ILLUSTRATED TORAH MANUSCRIPTS WHICH WERE INSCRIBED AND PAINTED FOR WEALTHY PATRONS, PARTICULARLY IN SPAIN DURING THE FOURTEENTH AND FIFTEENTH CENTURIES. A FOLIO LIKE THE BEN ASHER CODEX WAS USED FOR RESEARCH AND TO CHECK OUT THE ACCURACY OF SCROLLS. THE TORAH SCROLL CARRIED A SPECIAL DEGREE OF HOLINESS AND WAS RESERVED FOR WORSHIP.

* * * * *

ONE OF THE PARADOXES OF JEWISH HISTORY IS THAT AT THE VERY MOMENT WHEN HEBREW SCROLLS WERE BEING TRANSFORMED INTO A SCRIPTURE, ANOTHER BODY OF TEACHINGS WHICH JEWS WOULD ALSO CALL TORAH WAS BEING ORGANIZED. THIS OTHER BODY OF TEACHINGS, THE MISHNAH AND ITS LATER COMMENTARIES, THE TWO GEMARAS (PALESTINIAN AND BABYLONIAN), CAME TO BE KNOWN AS THE TALMUD AND IN A SURPRISINGLY SHORT TIME REPLACED THE TANAKH AS THE PRIMARY SOURCE BOOK TO WHICH JEWS TURNED FOR KNOWLEDGE ABOUT DOCTRINE AND DUTY. THEY CALLED THIS NEW TORAH MISHNAH AND WOULD HAVE DENIED WITH EVERY BREATH IN THEIR BODY THAT THE MISHNAH WAS A SECOND TORAH,

but they
never do
it as
if
"unless by
second" you
mean changing logically
second.

WHICH IN FACT IT WAS. INDEED, THEY SOMETIMES ADMITTED AS MUCH, MISHNAH ME'KADEMET LE MIKRA (J. SAB. 1c). IN CERTAIN PRACTICAL MATTERS MISHNAH TAKES PRECEDENCE OVER SCRIPTURE.

COMPLEMENTING A SCRIPTURE BY A BODY OF TRADITION IS NOT AT ALL UNUSUAL IN RELIGIOUS HISTORY. THE CATHOLIC CHURCH INSISTS ON THE INFALLIBILITY OF ITS SCRIPTURE, YET DERIVES ITS TEACHINGS PRIMARILY FROM CANON LAW. ULEMAS WILL CITE THE SUNNA AND THE SHARIYAH AS WELL AS THE KORAN, AND RABBIS WILL QUOTE THE TALMUD AS WELL AS THE BIBLE. WHAT IS SURPRISING IS THAT EACH OF THESE NON-SCRIPTURAL ANTHOLOGIES BECAME, FOR ALL PRACTICAL PURPOSES, AN OPERATIVE SCRIPTURE.

THE MATERIALS WHICH BECAME THE ORIGINAL SCRIPTURE TEND TO COME FROM THE CREATIVE TIME OF THE FAITH'S BEGINNINGS, A PERIOD OF HIGH ENERGY AND CREATIVITY WHEN THE FOUNDERS DEVELOPED THEIR IDEAS, OFTEN IN HIGHLY DRAMATIC LANGUAGE. THE BIBLES OF THE WORLD ARE POWERFUL, DRAMATIC, AND EFFECTIVE DOCUMENTS, BUT THEY ARE NEITHER SYSTEMATIC NOR FULLY CONSISTENT. THEY WERE NOT SO DESIGNED, BUT AS THE FAITH MATURES THERE IS A PERCEIVED NEED FOR FILLING IN THE BLANKS: INSTITUTIONAL NEEDS REQUIRE REVIEW AND DEFINITION, AND THE INSIGHTS OF THE EARLY YEARS NEED TO BE CONCEPTUALIZED.

EACH OF THE SCRIPTURAL FAITHS CLAIMS THAT THEIR^{its} SCRIPTURE IS INSPIRED, BUT ONLY PROTESTANT CHRISTIANITY, AND MAINLY FOR ONLY A BRIEF PERIOD AT ITS BEGINNING, INSISTED ON THE SOLE SUFFICIENCY OF SCRIPTURE, WHAT THEOLOGICIANS CALL THE DOCTRINE OF SOLA SCRIPTURA. THE REFORMATION'S BATTLE WAS WITH THE PAPAL TRADITION, NOT WITH CHRISTIANITY. PROTESTANT CHRISTIANITY SUSPECTED ALL TRADITION EXCEPT THAT WHICH WAS DERIVED DIRECTLY FROM SCRIPTURE. EVERYONE WAS TO MAKE OF SCRIPTURE WHAT HE COULD. PROTESTANT CHRISTIANITY SOON DEVELOPED ITS

OWN TRADITIONS, SINCE NO FAITH, SCRIPTURAL OR OTHERWISE, CAN SURVIVE WITHOUT GIVING AUTHORITY TO THE RESULT OF YEARS OF CREATIVITY AND TEACHING. THE ROMAN CHURCH, LIKE ISLAM AND RABBINIC JUDAISM, INSISTS THAT AUTHORITY LIES IN SCRIPTURE AND TRADITION, AND GENERALLY DEFINES TRADITION AS THE OFFICIAL TEACHINGS OF THE CHURCH. ROME JUSTIFIED THIS CLAIM BY INSISTING THAT THE CHURCH WAS ESTABLISHED AND INSPIRED BY GOD AND GIVEN SPECIAL SPIRITUAL POWERS WHICH ALLOWED IT TO DEFINE THE MEANING OF SCRIPTURE AND TO DEFINE THE DUTIES AND DOCTRINES OF THE FAITH.

WE ARE NOT ACCUSTOMED TO THINK OF WORKS SUCH AS THE TALMUD OR CANON LAW AS A SECOND SCRIPTURE. EVERY FAITH TEACHES--AND ITS FAITHFUL ACCEPT--THAT ITS ORIGINAL SCRIPTURE CONTAINS THE FIRST AND LAST WORD. NO FAITH PLACES ITS SECOND SCRIPTURE ON THE ALTAR OR USES IT AS A MAJOR WORSHIP ELEMENT. THERE IS NO SCHEDULE OF READINGS FROM CANON LAW OR THE TALMUD DURING WORSHIP. THERE ARE MAGNIFICENTLY ILLUSTRATED BIBLES BUT NO ILLUMINATED TALMUDS. THE MASORETES WORKED FOR A MILLENNIUM TO PRESENT A CLEAN TEXT OF THE HEBREW SCRIPTURE; NO SIMILAR EFFORT WAS MADE TO EDIT A CLEAN AND AUTHORIZED TEXT OF THE TALMUD.

THESE SECOND SCRIPTURES ALSO DIFFER FROM THEIR BIBLES IN THAT NONE IS A GOOD READ. WHERE THE ORIGINAL SCRIPTURE CONTAINS PASSAGES OF POWER AND STYLE, THESE ACADEMIC AND SCHOLASTIC DOCUMENTS, THROUGH WHICH RELIGIOUS AUTHORITIES SOUGHT TO DEFINE WITH ELABORATE PRECISION THE PROPER ORGANIZATION OF THE RELIGIOUS COMMUNITY, ITS DOCTRINES AND DISCIPLINES, WERE WRITTEN IN DULL LEGAL STYLE.

WHEN WE THINK OF A SCRIPTURE WE CALL TO MIND THE COMPELLING AND FASCINATING MYTHS OF GENESIS, THE STRONG "THOU SHALT AND THOU SHALT NOT" CLAIMS OF THE COMMANDMENTS, THE POWERFUL PROPHETIC SERMONS OF AN AMOS, THE PASSIONATE LYRICISM

why not
cite every
part of the
Talmud?

yet certain
parts of
the Bible
are quite
poetic, lyrical
compelling

OF THE PSALMS, LITERATURE WHICH APPEALS TO THE MIND AND SPIRIT, EVEN OF NON-BELIEVERS. AS LITERATURE THE MISHNAH FALLS SHORT OF THESE STANDARDS. IT READS AS WHAT IT IS, LISTS OF DISCRETE STATEMENT ABOUT TORAH LAW AND PRACTICE BROADLY ARRANGED BY TOPIC. THERE ARE FEW ILLUSTRATIONS OR PARABLES AND FEW COMPELLING SPIRITUAL PASSAGES. PRAYERS, IF THEY ARE CITED, ARE REFERRED TO BY THEIR OPENING WORD(S).

THE TALMUD IS A CHILD OF THE CLASSROOM. IT READS AS WHAT IT IS, CLASSROOM NOTES. THE TALMUD IS PRIMARILY A MANUAL, NOT LITERATURE. WHERE A PARABLE OR STORY IS CITED, IT IS HASTILY SKETCHED. SENTENCES ARE OFTEN PRESENTED WITHOUT ANY INDICATIONS OF LOGICAL CONNECTION TO WHAT PRECEDES OR WHAT FOLLOWS. SOMETIMES A CRYPTIC ONE- OR TWO-WORD NOTE MAY STAND FOR A WHOLE ARGUMENT. WHAT MAKES THE SECOND SCRIPTURES AUTHORITATIVE IS NOT ITS STYLE BUT THE IMPORTANCE ASSIGNED TO ITS CONTENT BY RECOGNIZED RELIGIOUS LEADERS.

THE SECOND SCRIPTURES ARE NOT SIMPLY CONVENIENT REARRANGEMENTS OF MATTERS DEALT WITH IN AN ORIGINAL MANNER, THOUGH THEY OFTEN CLAIM TO BE THAT. EACH DEFINES A STRUCTURE OF RELIGIOUS PRACTICE AND A FORMULATION OF DUTY AND DOCTRINE WHICH IN SOME WAYS BUILDS ON THE SCRIPTURAL TEXT AND IN MANY WAYS GOES BEYOND IT. CANON LAW AFFIRMS A RIGIDLY STRUCTURED CHURCH HIERARCHY, REQUIRES PRIESTLY CELIBACY, AFFIRMS THE BODILY ASSUMPTION OF MARY AND THE SACRAMENT OF CONFESSION, ESTABLISHES A CALENDAR OF HOLY DAYS AND FAST DAYS, DEFINES A HAGIOGRAPHY, AND GIVES TO THE PRIESTHOOD AUTHORITY TO DEFINE DOCTRINE AND PRACTICE AND TO THE POPE INFALLIBILITY: THEMES WHICH ARE EITHER MISSING IN THE NEW TESTAMENT OR ONLY VAGUELY SUGGESTED THERE. CANON LAW'S CLAIMS TO OBEDIENCE DEPEND LARGELY ON THE NEW TESTAMENT'S AUTHORITY, BUT THE DEGREE TO WHICH THE ROMAN CHURCH RESTS ITS AUTHORITY ON CANON LAW, WHAT IT TENDS TO CALL TRADITION, RATHER THAN ON THE NEW

TESTAMENT, CAN BE SEEN IN THE TRAUMA WHICH CONVULSED WESTERN CHRISTENDOM WHEN MEN LIKE ZWINGLI, LUTHER, AND CALVIN CLAIMED THAT CANON LAW WAS THE CREATION OF ERROR-PRONE CHURCHMEN AND THAT DIVINE AUTHORITY INHERED ONLY IN THE ORIGINAL SCRIPTURES.

LIKE THE TANAKH AND THE NEW TESTAMENT, THE KORAN WAS DESTINED TO INSPIRE AND VITALIZE ISLAM, BUT IT WAS NOT ALLOWED THE FINAL WORD IN DEFINING ISLAM'S INSTITUTIONS, DOCTRINES, AND PRACTICES. FOR THAT PURPOSE MUSLIMS TURN TO THE SUNNA AND THE SHARIYAH. THE KORAN ASSUMES THAT TRADITIONS OF ARAB JUSTICE AND LOCAL CUSTOM (SUNNA) WILL PLAY A MAJOR ROLE IN THE COMMUNITY AS IT GOES ABOUT THE TASK OF CONSECRATING A PARTICULAR WAY OF LAW AND OF LIFE. TO AUTHORIZE THESE PRACTICES, NEW IDEAS AND INSTITUTIONS WERE NEEDED AND VARIOUS STATEMENTS OF THE PROPHET WERE "RECALLED" WHICH HAD NOT BEEN INCLUDED IN THE KORAN. SOME OF THESE STATEMENTS MAY ACTUALLY HAVE BEEN MOHAMMED'S. OTHERS CERTAINLY WERE NOT, THOUGH THEY WERE CLAIMED TO BE. THE STANDARD USED TO DETERMINE WHETHER A SAYING WAS ACCEPTABLE OR NOT WAS SAHIB, 'IS IT SOUND.' THE TEST OF SAHIB WAS EXTRINSIC. DID THE SAYING HAVE A RELIABLE PEDIGREE? COULD IT BE TRACED BACK TO MOHAMMED THROUGH A CHAIN OF RELIABLE TRANSMITTERS? ISLAM AND ITS JURISTS WERE ABLE TO DEVELOP AND ARTICULATE A WAY OF LIFE AND A WAY OF FAITH, INCLUDING THE FIVE MANDATORY DAILY PRAYERS, WHICH WENT FAR BEYOND THE ACTUAL TEACHINGS OF THE KORAN. BY THE NINTH CENTURY ANTHOLOGIES OF SOUND TRADITIONS (AL-SAHIB) HAD BEEN COLLECTED; THE MOST ACCEPTABLE OF THESE WERE DRAWN TOGETHER AND AS LAW CODES BECAME THE BASIS OF ISLAM'S SECOND SCRIPTURE (SHARIYAH).

AT SOME POINT IN TIME THE TORAH, THE NEW TESTAMENT, AND THE KORAN BECAME THE SCRIPTURES OF THEIR COMMUNITIES. EACH WAS A BRILLIANT AND IMAGINATIVE CLASSIC, BUT NONE WAS A SUFFICIENT GUIDE IN ALL MATTERS. EACH REQUIRED

INTERPRETATION, AND INTERPRETATION COULD NOT BE LIMITED TO A STRAIGHTFORWARD EXPLANATION OF THE TEXT ON WHICH ALL COULD AGREE. WHY NOT? BECAUSE NEW CONDITIONS CONSTANTLY AROSE WHICH THE CLASSIC TEXT HAD NOT CONTEMPLATED AND BECAUSE THE COMPLEX AND VARIED SCRIPTURAL TEXT HAS NO SELF-EVIDENT UNITY. ORTHODOX THEOLOGAINS TRIED TO DEFINE INTERPRETATION AS A NATURAL AND LOGICAL PROCESS WHOSE CONCLUSIONS ARE INEVITABLE. IN FACT, THERE IS NOTHING INEVITABLE ABOUT ANY INTERPRETIVE PROCESS. WORDS CAN BE GIVEN ALMOST ANY MEANING. TO AVOID CHALLENGE, EACH OF THE MAJOR WESTERN RELIGIONS GATHERED THE DESIRED "INTERPRETATIONS" INTO A SECOND SCRIPTURE.

EACH OF THESE SECOND SCRIPTURES HAS ITS OWN SHAPE AND STRUCTURE AND IS DIFFERENT IN FORMAT FROM THE ORIGINAL. THE BIBLE PRESENTS MATERIAL IN A RUSH OF POWERFUL STATEMENTS AND NARRATIVES. IT IS, FOR THE MOST PART, ORGANIZED CHRONOLOGICALLY. WHERE THE PENTATEUCHAL LAWS WERE PRESENTED AS SPECIFIC ITEMS IN VARIOUS LAW LISTS WHICH RELY LITTLE ON TOPICAL ARRANGEMENT, THE MISHNAH ARRANGES THE LAW INTO SIXTY-THREE CATEGORIES: 'BLESSINGS', 'CORNERS OF THE FIELD' . . .

ANOTHER IMPORTANT FEATURE OF THESE SECOND SCRIPTURES IS THAT THEY WERE NOT ORIGINALLY PREPARED WITH THE IDEA THAT THEY WOULD BE A BOOK. THE CHURCH TRADITION IS A COLLECTION OF INDIVIDUAL COUNCIL DECISIONS WHICH BECAME CANON LAW. THE SHARIYAH WAS DRAWN TOGETHER BY JURISTS WHOSE APPROACHES TO THE LAW WERE IN GENERAL AGREEMENT BUT WHO DIFFERED ON SPECIFICS.

TODAY WE CAN CHECK OUT A COPY OF THE MISHNAH FROM ANY GOOD LIBRARY OF JUDAICA, BUT IN THE THIRD CENTURY C.E. NO ONE COULD HAVE DONE SO. THE MISHNAH WAS ORGANIZED BY MEN WHO NEVER CONTEMPLATED ITS PUBLICATION BUT, RATHER, COMPOSED AND COMPILED IT AS AN ORAL MANUAL OF PRACTICES, PROCESSES, AND INSTRUCTIONS. IN ITS EARLY

DEVELOPMENT EVERY SECTION WAS TAUGHT ORALLY. THE MISHNAH'S AND THE TALMUD'S LANGUAGE BEARS ALL THE CHARACTERISTICS OF MATERIAL WHICH EMERGED OUT OF AN ORAL TRADITION: A SPARE, COMPRESSED STYLE, FORMS OF ARGUMENT DESIGNED TO EASE THE BURDEN OF MEMORY AS MUCH AS TO CLARIFY LOGICAL RELATIONSHIPS, AND THE USE OF MNEMONIC DEVICES.

WHO WERE THESE MEN WHO PROMOTED THE MISHNAH AGENDA AS THE RULE OF COMMUNITY LIFE? THEY WERE A LEARNED ELITE. NO ONE HAD ELECTED THEM TO ANY OFFICE. IN FACT, DURING MOST OF THE SECOND CENTURY THEY HELD NO OFFICIAL POSITION. THEIR AUTHORITY WAS AD HOMINEM, DERIVED FROM THE FACT THAT THEY WERE LEARNED MEN, CONFIDENT OF THEIR VIEWS AND INTENSE AND METICULOUS IN THEIR PRACTICE AT A TIME WHEN DEFEAT AND UNCERTAINTY HUNG HEAVY IN THE AIR. IN TROUBLED TIMES THERE IS A NATURAL TENDENCY TO DEFER TO THOSE WHO SOMEHOW REMAIN CONFIDENT. THESE SAGES, THE TANNAIM, SHOWED THEIR CONFIDENCE BY GIVING THEMSELVES A NEW TITLE - 'RABBI'. TODAY 'RABBI' SUGGESTS AN EXPERT IN RABBINIC LAW OR A CONGREGATIONAL MINISTER. THEN IT SUGGESTED THE AUTHORITY OF LEARNING AND SPECIAL KNOWLEDGE ABOUT GOD'S WILL RATHER THAN HUMBLE SCHOLARSHIP OR THE SHEPHERDING OF A FLOCK. RABBI COMES FROM A ROOT BEST TRANSLATED 'MASTER'.

THE PHARISEES HAD DEVELOPED THE IDEA THAT ALL ISRAEL MUST BECOME A KINGDOM OF PRIESTS AND A HOLY NATION, CLAIMING THAT THE CONCEPT OF PRIESTHOOD WAS NOT LIMITED TO A PARTICULAR CASTE BUT INCLUDED ANYONE WHO ACCEPTED THE PRIESTLY RULES OF PURITY AND WHO SERVED GOD WITH DEVOTION AND CARE. IN TEMPLE DAYS PRIESTS HAD LEARNED GOD'S WILL THROUGH ORACLES AND DIVINATION; THE LAY "PRIESTS" OF THE MISHNAH SCHOOLS DID SO BY CONSULTING THE TORAH. THEY HELD THAT PIETY, LEARNING, AND THE HOLY SPIRIT HAD OPENED THE TORAH'S SECRETS TO THEM. THE RIGHT TO TEACH AND LEAD WAS BASED ON LEARNING, SACRED LEARNING. THE RABBIS DID NOT SEE THEMSELVES

What about
tradition
any new
claims
of received
truth to be
considered
false?

about Mishnah
 NOR DID THEIR DISCIPLES REGARD THEM AS SIMPLE TEACHERS SATISFIED TO SPEND THEIR LIVES INTRODUCING STUDENTS TO TEXTS. THEY TAUGHT THEIR TORAH ON THE TORAH'S AUTHORITY AND THEIR OWN, AND CLAIMED THE RIGHT TO DEFINE THE HALACHA, THE WAY GOD INTENDED HIS COMMUNITY TO LIVE.

PERHAPS THE MOST SURPRISING FACT ABOUT THE MISHNAH IS THAT THE DECISION TO KEEP IT ORAL WAS A CONSCIOUS ONE. THE TANNAIM WERE LEGAL FOLK, USED TO SETTING OUT THEIR CAREFULLY REASONED AND NEATLY SCULPTED ARGUMENTS. MANUALS OF LAW ARE, AFTER ALL, REFERENCE WORKS TO WHICH A SITTING JUDGE OR LEGAL COUNSEL CAN TURN FOR PRECEDENT AND CITATION. WHY KEEP SUCH A WORK OFF PARCHMENT? WHY NOT MAKE A LAW CODE READILY AVAILABLE?

THE ANSWER IS THAT, DESPITE APPEARANCES, THE MISHNAH WAS NOT INTENDED TO BE A LAW MANUAL.

1? MISHNAH PRESENTS THE REQUIREMENTS OF JEWISH LIFE, TORAH, AS UNDERSTOOD AND ORGANIZED BY SEVERAL GENERATIONS OF TANNAIM. MISHNAH IS A COLLECTION OF DISCRETE TRADITIONS ORGANIZED INTO SIX THEMATIC CATEGORIES, ARRANGED ACCORDING TO TOPICS WITH LITTLE IF ANY ATTENTION BEING DRAWN TO HOW THESE RULES DERIVE FROM THE WRITTEN TORAH. TODAY THE MISHNAH IS A BOOK BUT IT BEGAN AS A PROCESS, A WAY OF ARRANGING MATERIAL, A WAY OF LOOKING AT THE LAW. THE RABBIS ARRANGED IN THEIR MINDS LISTS OF STATEMENTS OF LAW TOGETHER WITH A FEW SPARE DISSENTS AND COMMENTS, ARRANGED THEM TOPICALLY, AND REQUIRED THEIR STUDENTS TO MEMORIZE THESE COMPOSITIONS AS BASIC STATEMENTS ABOUT GOD'S REQUIREMENTS OF ISRAEL'S RELIGIOUS AND COMMUNAL LIFE.

THE MISHNAH PRESENTS LISTS OF TANNAITIC INSTRUCTIONS WITHOUT ANY APPARATUS LINKING ITS RULINGS TO THE TORAH TEXT. RABBINIC

STATEMENTS ARE GENERALLY PRESENTED ON THEIR OWN AUTHORITY. THE WRITTEN TORAH IS RARELY CITED AND THEN USUALLY IN AN AGGADIC CONTEXT. THE MISHNAH HAS BROKEN FREE OF THE TORAH TEXT. ITS THEMATIC UNITS ARE ORGANIZED AROUND SIX ORDERS (SEDARIM) WHICH, AS FAR AS ANYONE KNOWS, REPRESENT A MAJOR PHARISAIC-TANNAITIC INNOVATION.

WHEN I PRESENT THE MISHNAH TO A CLASS AND WE ANALYZE A PAGE OR TWO, THEY IMMEDIATELY TYPE IT AS A LAW CODE. IT CONTAINS LAW, AND LIKE ANY CODE, TENDS TO ARRANGE THE LAW TOPICALLY. THE MISHNAH CONTAINS LAW SPECIFICALLY DESCRIBED AS SACRED TRADITIONS RECEIVED BY MOSES AT MOUNT SINAI BUT NOT INCLUDED IN THE SEFER TORAH, TORAH L' MOSHE MI SINAI, AS WELL AS LAW PROMULGATED BY CONTEMPORARY AND EARLIER AUTHORITIES AS FAR BACK AS THE SOFERIM, THE LITTLE KNOWN RELIGIOUS LEADERS OF THE PERSIAN PERIOD. WHERE THE ORIGINAL TORAH RELATES LAW TO ONE EVENT IN ISRAEL'S PAST, SINAI, THE MISHNAH CITES LAWS ON THE AUTHORITY OF GENERATIONS OF SAGES BEGINNING WITH THE PHARISAIC LEADERS OF THE SECOND CENTURY B.C.E. AND RUNNING THROUGH THE TANNAIM OF THE SECOND CENTURY C.E. SOME RULES ARE PRESENTED WITHOUT ANY CITATION OF AUTHORITY, OTHERS ON THE AUTHORITY OF A PARTICULAR SAGE OR OF A GROUP OF SAGES.

IF MISHNAH IS A LAW CODE IT FAILS IN ONE MAJOR RESPECT. IT IS NOT EXHAUSTIVE OR CONCLUSIVE. IT ASSUMES MANY PRACTICES AND RULES WITHOUT SPECIFYING THEM; IT MAY CITE TWO CONFLICTING STATEMENTS WITHOUT RECONCILING THEM. SPREAD THROUGHOUT THE TEXT ARE A SMALL NUMBER OF BIBLICAL INTERPRETATIONS AND ANECDOTAL ILLUSTRATIONS WHICH ARE NOT ALWAYS APPARENTLY RELEVANT TO THE TOPIC AT HAND. IN BRIEF, IF IT IS A CODE, IT HAS BEEN SLOPPILY EDITED.

But what is
its
frame of
reference?
Does it
presuppose
knowledge
of its own
past?

much

WHY DID ISRAEL NEED A MISHNAH? ONCE IT CAME TO BE BELIEVED THAT THE WRITTEN TORAH COULD NOT BE REVISED OR AMENDED, THE ONLY WAY TO KEEP TORAH RELEVANT TO THE TIMES WAS TO BEND EVERY ENERGY TO ITS INTERPRETATION AND ENLARGEMENT.

WHY THEN NOT SIMPLY CONTINUE TO PRODUCE SCROLLS OF LEGAL EXEGESIS, SUCH AS WERE BEING DEVELOPED AT THE TIME, IN WHICH A WIDE RANGE OF RULES AND PRACTICES WERE DRAWN OUT OF THE BIBLICAL TEXT? AFTER ALL, EXEGESIS, MIDRASH, WAS THE CUSTOMARY WAY OF INTERPRETING SCRIPTURE AND THE SAGES ASSUMED THAT ALL JEWISH PRACTICE ULTIMATELY HAD ITS SOURCE IN THE WRITTEN LAW. A MIDRASH SCROLL MIGHT RELATE TO THE WRITTEN TEXT, AN EXTENSION OF BIBLICAL LAW OR A RULE NOT IMMEDIATELY APPARENT AS INCLUDED IN IT. THERE WERE SUCH VOLUMES. SOME WERE APPARENTLY BEING WORKED ON AT THE SAME TIME AND BY THE SAME MEN WHO WORKED ON THE MISHNAH. COPIES OF THE MEKHILTA, A VERSE-BY-VERSE COMPENDIUM OF RULES RELATING TO LAWS IN EXODUS, SIFRA (LEVITICUS), SIFRE (NUMBERS) AND SIFRE (DEUTERONOMY) WERE IN THE PROCESS OF BEING COMPILED; AND THOUGH RESEARCHERS STILL DEBATE WHEN THESE TEXTS WERE ACTUALLY PUBLISHED--THE JARGON TERM IS "REACHED CLOSURE"--THERE IS GENERAL AGREEMENT THAT A MAJOR PART OF EACH WAS DEVELOPED BY THE TANNAIM.

THE RABBIS PRIZED MIDRASH BUT EVIDENTLY FOUND THAT ITS VERSE-BY-VERSE ARRANGEMENT FOLLOWING THE BIBLICAL TEXT HAD MANY LIMITATIONS. IT IS DIFFICULT TO KNOW WHERE TO LOOK, FOR THE BIBLICAL TEXT IS REPETITIVE. IT PROVIDES, FOR INSTANCE, THREE DIFFERENT CALENDARS OF HOLY DAYS (EXODUS, LEVITICUS, AND DEUTERONOMY) AND THE LISTS DO NOT

ALWAYS USE THE SAME TERMS. LAWS RELATING TO SIMILAR THEMES ARE RECORDED IN SEVERAL PLACES IN SLIGHTLY DIFFERENT LANGUAGE. THE WRITTEN TEXT DID NOT DEAL WITH A WHOLE AREA OF REAL ESTATE LAW, AN ISSUE OF GREAT CONCERN TO A COMMUNITY SUCH AS JUDEA WHERE THERE HAD BEEN SIGNIFICANT EXPROPRIATION OF PROPERTY IN RECENT TIMES. THERE IS NO TEXT ESTABLISHING THE PERMISSIBLE LIMITS OF SABBATH TRAVEL. THE RABBIS WERE FULLY AWARE OF THE PROBLEMS INVOLVED IN PROVING THE DEPENDENCE OF THE ENTIRE ORAL LAW ON THE WRITTEN LAW: "THE LAW CONCERNING ABSOLUTION FROM VOWS (BY A SAGE) HOVERS IN THE AIR. THEY HAVE NO TEXT OR SCRIPTURE ON WHICH THEY CAN LEAN. THE LAWS OF THE SABBATH, FESTIVAL OFFERINGS AND SACRILEGE ARE AS MOUNTAINS HANGING BY A HAIR. THERE IS LITTLE SCRIPTURE AND MANY LAWS. THE LAWS CONCERNING CIVIL MATTERS, THE TEMPLE CULT, PURITY AND FORBIDDEN DEGREES (IN RESPECT TO MARRIAGE) HAVE SCRIPTURE ON WHICH TO DEPEND. BOTH THE FORMER AND THE LATTER (ALL THESE RULES) ARE ESSENTIALS OF THE TORAH" (M. HAG. 1:8). SOME LONG ACCEPTED PRACTICES HAD NO APPARENT BASE IN TORAH TEXT, OR AT MOST AN EXTREMELY TENUOUS ONE. THE RABBIS EVIDENTLY FELT THE NEED FOR A MORE READILY ACCESSIBLE AND MORE AUTHORITATIVE STATEMENT OF THE SPECIFIC RULES WHICH SHOULD GOVERN ISRAEL'S RELIGIOUS PRACTICE.

THE YEARS OF DEFEAT AFTER THE FAILED AND COSTLY REBELLIONS AGAINST ROME WERE DESPERATE TIMES. TO PROVIDE ISRAEL WITH A QUICK WAY TO UNDERSTAND WHAT WAS REQUIRED OF THEM WAS, THE RABBIS FELT, THEIR FIRST AND GRAVEST RESPONSIBILITY. LIFE HAD FALLEN APART FOR THE JEWS. URBANIZATION, HELLENIZATION, ROMAN AUTHORITY, THE APPEAL

OF THE MYSTERIES AND MILLENNARIAN CULTS, HAD SOMEHOW CULMINATED IN THE TRAGEDY OF 70 C.E.. THAT CATAclysmic EVENT HAD THE BELIEF WHICH THE PHARISEES HAD LONG ESPOUSED, THAT EVERYONE NEEDED TO BE SURE OF WHAT GOD'S INSTRUCTIONS REALLY WERE, SO THAT THERE COULD BE NO QUESTION OF WHAT WAS RIGHT, SO THAT THE COMMUNITY COULD DO THE RIGHT AND BE GUARANTEED GOD'S FAVOR. A SET OF FORMAL, HIGHLY ARTICULATED RULES HAD GOVERNED TEMPLE RITUAL. NOW A SIMILAR FORMAL, HIGHLY ARTICULATED SET OF RULES WOULD GOVERN AND REDEEM THE LIFE OF THE SURVIVORS. THE MISHNAH'S PURPOSE WAS TO DRAW TOGETHER THIS ENTIRE RANGE OF DISCRETE STATEMENTS ABOUT LAW AND PRACTICE, BRIEF CASE CITATIONS, EQUALLY BRIEF REFERENCES TO DIFFERING LEGAL OPINIONS, VARIATIONS OF CUSTOM AND COMMUNITY PRACTICE INTO THEMATIC BLOCKS.

THE SAGES GAINED STANDING DURING THOSE DESPERATE YEARS WHEN "THINGS FALL APART, THE CENTRE CANNOT HOLD, MERE ANARCHY IS LOOSED UPON THE WORLD, THE BLOOD DIMMED TIDE IS LOOSED. . ." (W. B. YEATS, THE SECOND COMING). AFTER THE YEAR 70 C.E. MOST JEWS SIMPLY HUNKERED DOWN AND TRIED AS BEST THEY COULD TO SURVIVE. THE TEMPLE, THE PRIESTLY VENUE, LAY IN RUINS. LOCAL GOVERNMENT BUREAUS WERE IN DISARRAY. SOME PRACTICAL MEN UNDOUBTEDLY TREATED WITH THE ROMANS FOR PERMISSION TO REBUILD THEIR LIVES AND THE SANCTUARY. SIMPLE FOLK WENT ABOUT THEIR WORK AS BEST THEY COULD. THE LOCAL SYNAGOGUES WERE A HELP, BUT PEOPLE STILL NEEDED TO BE WITH AND DRAW STRENGTH FROM STRONG AND CONFIDENT LEADERS. THE TANNAITIC MASTERS WERE THE ONLY SUCH GROUP WHO HAD AN ARTICULATED AGENDA. THERE WAS SIMPLY NO AUTHORITY OTHER THAN THE RABBIS FOR PEOPLE TO TURN TO FOR ADVICE,

yet the
Temple ritual
was included
in the
new

also

where
the
treated?

PERMISSION, OR JUDGMENT. THEY WERE NOTABLE NOT ONLY BECAUSE OF THEIR PIETY AND LEARNING BUT BECAUSE OF THEIR CONFIDENCE IN THEIR TEACHING.

RECONSTRUCTION INEVITABLY FOLLOWS DEFEAT. VICTIMS ORGANIZE TO TAKE ADVANTAGE OF WHATEVER OPPORTUNITIES EXIST. IN TIME ROME FOUND IT EXPEDIENT TO ALLOW THE JUDEANS TO GOVERN THEMSELVES IN DOMESTIC MATTERS AND TURNED AUTHORITY OVER TO A NOBLE FAMILY WHICH HAD NOT BEEN IMPLICATED WITH THE REBELS. A MEMBER OF THIS FAMILY WAS NAMED: THE PATRIARCH, AN OFFICIAL NOMINALLY RESPONSIBLE FOR THE MAINTENANCE OF LAW AND ORDER AND THE COLLECTION OF TAXES. IT HAPPENED THAT THIS FAMILY, DESCENDANTS OF HILLEL, HAD LONG-STANDING TIES WITH THE PHARISAIC SAGES AND THEIR SUCCESSORS, THE TANNAITIC RABBIS. ROME WAS QUICK TO RECOGNIZE THE VALUE OF THE RABBIS IN MAINTAINING LAW AND ORDER AND MADE NO PROTEST WHEN THE PATRIARCHS TURNED TO TANNAIM FOR ADMINISTRATIVE HELP AS LAW OFFICERS AND MEMBERS OF THE VARIOUS COURTS OF APPEAL. NO OTHER GROUP HAD SUFFICIENT STATUS, LEARNING, AND COMMITMENT TO RESTRUCTURE THE COMMUNITY'S RELIGIOUS AND CULTURAL LIFE, TO BRING ORDER OUT OF CONFUSION, AND TO OFFER HOPE AND CLEAR DIRECTION. SO THE TANNAIM WERE COOPTED INTO THE SYSTEM AND THEIR THEORETICAL DELIBERATIONS INCREASINGLY HAD PRACTICAL CONSEQUENCE. THAT THE RABBIS BROKE NEW GROUND SHOWS HOW EAGER THE LEADERSHIP WAS DURING THIS PERIOD OF DEFEAT, CONFUSION, AND TURMOIL TO FIND A WAY TO EXPRESS CLEARLY THEIR PURPOSES AND COMMITMENTS.

THEY RECOGNIZED THAT A BRIEF MOMENT OF OPPORTUNITY WAS OFFERED BY THE POWER VACUUM WHICH FOLLOWED THE DEFEAT AND THAT THIS OPPORTUNITY

MIGHT BE LOST UNLESS THEY MOVED QUICKLY TO IMPOSE ON THE COMMUNITY THEIR VISION AND THEIR WAY AND TO MAKE THAT WAY CLEAR AND UNDERSTANDABLE. HAD THEY CONTINUED TO USE EXCLUSIVELY THE MIDRASHIC METHOD OF LINE-BY-LINE AND PHRASE-BY-PHRASE COMMENTARY, MANY MIGHT HAVE RECOGNIZED JUST HOW TENUOUS WERE THE RELATIONSHIPS BETWEEN WHAT THE TANNAIM TAUGHT AS TORAH AND THE ORIGINAL TORAH. WHETHER THEIR REASONS INCLUDED A DESIRE FOR COMPREHENSIVENESS OR A DESIRE TO CLOSE OFF ANY DOUBTS ABOUT THE AUTHORITY BEHIND THEIR PROGRAM OR SOME OTHER REASON, THE SAGES BEGAN TO ORGANIZE THEIR TEACHINGS IN A STRIKINGLY UNIQUE WAY--THE WAY WE CALL THE MISHNAH.

THE MISHNAH QUICKLY BECAME THE FOUNDATION STONE OF A RESHAPED TORAH TRADITION. THIS RABBINIC MODULATION WAS NOT A NATURAL AND INEVITABLE DEVELOPMENT FROM WHAT HAD BEEN BEFORE. QUITE THE CONTRARY. ITS STRAIGHTFORWARD, ALMOST APODICTIC STATEMENTS SUGGEST A HIGH DEGREE OF INNOVATION, AS CAN BE SEEN FROM THE OPENING PARAGRAPH OF THE WHOLE MISHNAH.

"FROM WHAT TIME IN THE EVENING MAY THE SHEMA BE RECITED: FROM THE TIME WHEN THE PRIESTS ENTER

(THE TEMPLE) TO EAT OF THEIR HEAVE-OFFERING

UNTIL THE END OF THE FIRST WATCH. SO R.

ELIEZER. BUT THE SAGES SAY: UNTIL MIDNIGHT,

RABBAN GAMALIEL SAYS: UNTIL DAWN. HIS SONS

ONCE RETURNED (AFTER MIDNIGHT) FROM A WEDDING

FEAST. THEY SAID TO HIM, 'WE HAVE NOT RECITED

THE SHEMA.' HE SAID TO THEM, 'IF THE DAWN

So in Danby
but I think
it's incorrect,

eg see Albeck
דגל ראוי
commentary p.13

על שם שמים
אשר ירדנו

לדבר אלהים

לדבר אלהים

REVELATION AND PROVIDING A FULLER UNDERSTANDING OF IT.

HAS NOT RISEN YOU ARE (STILL) BOUND TO RECITE IT. MOREOVER, WHEREVER THE SAGES PRESCRIBE "UNTIL MIDNIGHT" THE DUTY FULFILMENT LASTS UNTIL DAWN.' THE DUTY OF BURNING THE FAT PIECES AND THE MEMBERS (OF THE ANIMAL OFFERINGS) LASTS UNTIL THE RISE OF DAWN. WHY THEN HAVE THE SAGES SAID: UNTIL MIDNIGHT? TO KEEP A MAN FAR FROM TRANSGRESSION" (M. BER. 1:1).

THE WRITTEN TORAH INCLUDES THE SHEMA TEXT BUT MAKES NO MENTION OF THE OBLIGATION OF DAILY RECITATION OF THE TIMES WHEN SUCH AN OBLIGATION IS TO BE CARRIED OUT. AS THIS MISHNAH STATES, SUCH RULES WERE RABBINIC FORMULATIONS.

THE RABBIS DID NOT LOOK ON THEMSELVES AS INNOVATORS--THE LAW WAS ALREADY IN THEIR MINDS AND HEARTS. BUT THE MISHNAIC STRUCTURE AND METHOD WERE NEW: IT WAS ARRANGED BY SUBJECT CATEGORIES AND ITS PRESCRIPTIONS FOR JEWISH PRACTICE WERE BASED ON RABBINIC AUTHORITY. THE SAGES WERE CONFIDENT THAT THEY WERE BEING TORAH-TRUE, BUT FROM OUR PERSPECTIVE THE DEGREE OF REORDERING AND RECASTING OF TEXTS THEY INTRODUCED IS STRIKING.

7. EVERYONE ADMITS THAT THE MISHNAH REPRESENTS SOMETHING NEW UNDER THE JEWISH SUN, BUT THE RABBIS WOULD HAVE ARGUED THAT THINGS HAVE NOT BEEN SO MUCH CHANGED AS REORGANIZED, A MATTER MORE OF STYLE THAN OF SUBSTANCE. LAWS SUPPLEMENTING THE WRITTEN TORAH HAD EXISTED SINCE SINAI AND THE TANNAIM BELIEVED THEY HAD MERELY DRAWN TOGETHER WHAT HAD ALWAYS BEEN PRESENT. RELIGIOUS REFORMERS ALMOST ALWAYS CLAIM THAT THEY ARE NOT BREAKING NEW GROUND BUT GOING BACK TO THE ORIGINAL REVELATION AND PROVIDING A FULLER UNDERSTANDING OF IT.

~~Beat 2:4~~
Beat 2:4
J. 1801
no pin
pen?

OF it?
IS it?
in what way?

TEACHINGS IN A WAY THAT MADE THEM EASY TO REMEMBER AND REFER TO.

BECAUSE THE MISHNAH IS FAMILIAR TO US AS A BOOK, WE TEND TO ASSUME THAT IT WAS EDITED BY SOMEONE BEFORE BEING SENT TO A PUBLISHER. MOST MANUALS DO, IN FACT, INDICATE THAT THE MISHNAH WAS PUBLISHED UNDER THE AUSPICES OF A WEALTHY AND POWERFUL PALESTINEAN PATRIARCH, JUDAH HA NASI, SOME TIME SHORTLY AFTER THE YEAR 200 C.E., AND THAT JUDAH'S MISHNAH WAS BASED ON THE WORK OF TANNAITIC PREDECESSORS WHO OVER THE PREVIOUS THREE GENERATIONS HAD DEVELOPED ITS TOPICAL ARRANGEMENT AND MUCH OF THE PRESENTED MATERIAL AS ELEMENTS IN THE CURRICULUM OF THEIR ACADEMIES. ACTUALLY, NO ONE PERSON WROTE THE MISHNAH AND NO ONE PERSON EDITED IT. THE MISHNAH WAS NOT INTENDED TO BE A BOOK. WHAT JUDAH SEEMS TO HAVE DONE WAS TO LEND HIS AUTHORITY TO ONE OF SEVERAL FORMULATIONS OF MISHNAH BEING DEVELOPED IN THE VARIOUS RABBINIC SCHOOLS AND BY SO DOING EFFECTIVELY END THE PROSPECTS OF OTHER ARRANGEMENTS. HIS MOTIVE APPEARS TO HAVE BEEN ADMINISTRATIVE. SOME MASTERS ARRANGED THE BLOCKS OF LAW ONE WAY, OTHERS ANOTHER. JUDAH, LIKE ANY GOOD ADMINISTRATOR, WAS EAGER TO REDUCE SEVERAL CHOICES TO ONE AND THEREBY REDUCE THE CHANCE FOR CONFUSION.

THE MISHNAH DID NOT BECOME ISRAEL'S SECOND SCRIPTURE IN 200 C.E. WHEN JUDAH AUTHORIZED A PARTICULAR TEXT. MANY JEWS OF THAT TIME PROBABLY DID NOT KNOW OF ITS EXISTENCE. THE RABBIS WERE STILL FEW AND OLD WAYS DISAPPEAR SLOWLY. THE MISHNAH'S AUTHORITY EXPANDED GRADUALLY AS THE RABBIS EXTENDED THEIR PREROGATIVES, AIDED BY THEIR ASSOCIATION WITH AND SUPPORT FROM THE OFFICE OF THE PATRIARCH, THE DELEGATED CIVIL LEADER OF THE PALESTINIAN COMMUNITIES. IN THOSE EARLY CENTURIES IT WAS NOT THE TEXT WHICH WAS CENTRAL BUT THE

So isn't that a code = guide to administration

Why not
stress Rabbinic
reluctance to
publish oral
law cf
10:20
11:12

TEACHINGS AND THE TEACHERS. INDEED, THE GEMARA RARELY QUOTES
TEXT - IT IS TANNA, 'HE TAUGHT,' NOT KATAV, 'HE WROTE'.

* * * * *

ELEMENTARY EDUCATION WAS THE PROVINCE OF BEIT SEFER. HERE,
AS WE HAVE SEEN, THE STUDENT LEARNED LITTLE BESIDE HIS LETTERS AND
THE PROPER WAY TO CHANT THE SEFER TORAH TEXT, PERHAPS HOW TO TRANSLATE
IT. THE SCHOOL'S GOAL WAS TO TRAIN THE STUDENT TO PARTICIPATE IN
THE RITUAL OF READING/CHANTING THE SEFER TORAH. ELEMENTARY LEARNING
AIMED AT CONTROL OF THE TEXT OF THE SEFER TORAH SO THAT EVERY MALE
COULD PARTICIPATE IN THE RITE OF KERAT HA-TORAH.

HIGHER EDUCATION WAS CARRIED ON AT THE BEIT-HA-MIDRASH. MATRI-
CULATION AT THIS LEVEL WAS OPEN TO STUDENTS WHO COULD SHOW MASTERY
OF SEFER TORAH AND MISHNAH. "AT FIVE THE AGE IS REACHED FOR MIKRA,
AT TEN FOR MISHNAH, AT FIFTEEN FOR TALMUD." MATRICULATION DEPENDED
ON THE RECOMMENDATION OF A TANNA. THE LATER LITERATURE SUGGESTS
THAT THEY CHECKED A STUDENT'S COMPETENCE BY TESTING HIS ABILITY TO
FINISH A TORAH OR MISHNAH VERSE WHEN GIVEN ITS OPENING. THE TEST
WAS A TEST NOT OF KNOWLEDGE BUT OF MEMORY. THE MISHNAH WAS THE
SET TEXT STUDENTS HAD TO MASTER BEFORE THEY WERE ADMITTED TO ADVANCED
STUDY. ITS TEXT DETERMINED WHAT WAS DISCUSSED IN THE SCHOOLS.
THE TERM'S ASSIGNMENT WOULD BE A PARTICULAR TRACTATE, TO BE GONE
THROUGH THOROUGHLY AND SYSTEMATICALLY. ON THE BASIS OF THESE
DISCUSSIONS, SPECIFIC QUESTIONS ABOUT PRACTICE WERE ANSWERED.
ISSUES WERE RAISED BUT NOT FINALLY ANSWERED, FOR THE MOST PART
ON MATTERS OF MINOR DETAIL.

AT ITS UPPER LEVELS THE JEWISH SCHOOL SYSTEM WAS HIGHLY DECENTRALIZED. A YESHIVAH WAS SIMPLY THE PLACE WHERE THE MASTER SAT; HIS CLASS CONSISTED OF THOSE DISCIPLES WHO GATHERED AROUND. AKIBA TAUGHT AT B'NAI B'RAK, ELIEZER B. HYRAKANNUS AT LYDDA, ISHMAEL AT Kfar AZIZ. MOST TEACHING WAS DONE OUT OF DOORS. WE HEAR OF MASTERS TEACHING IN A VINEYARD, IN THE SHADE OF A DOVECOTE, IN THE OPEN FIELD, UNDER FIG AND OLIVE TREES, AND EVEN IN THE MARKETPLACE. APPARENTLY CONCERN THAT THE UNTRAINED MIGHT BE MISLED BY OVERHEARING CONVERSATION THEY DID NOT UNDERSTAND, OR BE DISTURBED WHEN THEY DISCOVERED THAT THE RABBIS DID NOT ALWAYS AGREE AMONG THEMSELVES, LED JUDAH HA NASI AND A FEW OTHERS TO PROHIBIT OPEN-AIR SESSIONS. BUT BUILDINGS WERE AT A PREMIUM AND SOME SCHOOLS CONTINUED TO BE HELD OUT OF DOORS. HOWEVER, THERE WERE ALSO SCHOOL BUILDINGS. A FEW YEARS AGO A LATE SECOND-CENTURY LINTEL WAS FOUND IN THE GOLAN WHICH HAD BEEN INSCRIBED: "THE SCHOOL OF ELIEZER HA-KAPPER." THINK OF LOW BENCHES BUILT INTO THE WALL RATHER THAN SHELVES, BOOKS, AND DESKS. SOME WEALTHY TEACHERS (HALAPHTA AT SEPPHORIS AND HANANIAH B. TERAYDON AT SIKKIN) EVEN MAINTAINED DORMITORIES FOR THEIR DISCIPLES.

IN THE EARLY RABBINIC YEARS THERE WAS NO FIXED CURRICULUM AND NO GOVERNING BODY WHICH COULD HAVE ESTABLISHED ONE. SCHOOLS WERE AUTONOMOUS, BOTH GEOGRAPHICALLY AND IN TERMS OF INTEREST; AND, INEVITABLY, SEVERAL VERSIONS OF CERTAIN TOPICAL UNITS DEVELOPED. ONE REFERENCE SPEAKS OF THIRTEEN MISHNAH VERSIONS. MASTERS WERE SIMPLY MEN WHO SHARED A PARTICULAR VISION AND A GENERAL APPROACH TO TRADITION, WHO PROBABLY AGREED ON THE TOPICAL DIVISIONS AND ON THE

MAJOR TERMS OF DISCUSSION BUT DID NOT ALWAYS AGREE ON DETAIL. THE RECEIVED MISHNAH CONTAINS REFERENCES TO TEXT WHICH HAD BEEN REJECTED (MISHNAH RISHONAH) AND THE GEMARA OF THE PALESTINIAN TALMUD CONTAINS MISHNAH TEXTS AND FORMULA CALLED BARAITOT WHICH ARE SOMETIMES DIFFERENT FROM THOSE IN THE "OFFICIAL" VERSION: SO DOES IOSEFTA, ALSO AN EXPANSION AND ALTERNATE VERSION OF THE MISHNAH.

ONE OF THE MAJOR FUNCTIONS OF THE RECEIVED MISHNAH WAS TO PROVIDE THE SCHOOLS WITH A BASIC CURRICULUM SO THAT MEN WHO TRAINED FOR RELIGIOUS LEADERSHIP WOULD SHARE THE SAME BASIC KNOWLEDGE. THE SAGES HAD A SPECIAL FEAR OF RELIGIOUS DIVISION, WHICH THEY HELD TO HAVE BEEN A MAJOR FACTOR FOR JUDEA'S DEFEAT BY ROME AND THE DESTRUCTION OF THE TEMPLE. WHEN THE DISCIPLES OF HILLEL AND SHAMMAI, EARLY FIRST-CENTURY PHARISAIC SAGES, DID NOT FOLLOW THE EXAMPLE OF THEIR RESPECTIVE MASTERS, WHO COULD DISPUTE WITHOUT CREATING FRICTION, ONE SAGE COMMENTED THAT THE COMMUNITY WAS RENT APART AND "TWO TORAHS WERE FORMED" (TOS. SAN. 1:1)? *Sanhed. 88b. Sota 47b*

JUDAH HA-NASI DID NOT ACTUALLY PUBLISH THE MISHNAH. WE DO NOT KNOW WHEN THE FIRST WRITTEN MANUSCRIPT OF THE MISHNAH APPEARED THOUGH IT SEEMS TO HAVE BEEN SET DOWN SHORTLY BEFORE THE END OF THE THIRD CENTURY C.E.; EVEN THEN THE MISHNAH REMAINED PRIMARILY A SET PIECE TO BE MEMORIZED BY STUDENTS INTENDING TO PURSUE GRADUATE JEWISH STUDIES. HOW COULD A GRADUATE STUDENT MEMORIZE A NON-EXISTENT TEXT? IN THOSE DAYS, EASILY. HE WENT TO A TEACHER WHOSE FIRST RESPONSIBILITY WAS TO REPEAT THE TEXT AGAIN AND AGAIN UNTIL HE HAD IT DOWN PAT. THE GEMARA USUALLY INTRODUCES QUOTATIONS FROM THE MISHNAH

BY A FORMULA WHICH INDICATES THAT THE SAGE WAS QUOTING HIS MISHNAH FROM MEMORY. NEITHER TALMUD EVER CITES A BOOK CALLED THE MISHNAH OR SUGGESTS THAT A CITATION IS BEING QUOTED FROM A BOOK. THERE IS EVEN AN INCIDENT, CERTAINLY APOCRYPHAL, IN WHICH JUDAH HA-NASI HIMSELF IS ASKED ABOUT THE WORDING OF A PARTICULAR RULE IN HIS MISHNAH; AND COULD NOT IMMEDIATELY REMEMBER IT. WHAT DID HE DO? HE COULD NOT TURN TO THE LIBRARY SHELF, PICK UP THE BOOK AND LOOK UP THE QUOTATION. RATHER, HE TURNED TO THE PROFESSIONAL MEMORIZER ATTACHED TO HIS COURT WHO QUICKLY REMINDED HIM OF THE QUOTATION'S FULL TEXT.

*called
also called
1200*

LIMITING ADVANCED STUDY TO DIRECT CONTACT BETWEEN MASTER AND STUDENT AND KEEPING THE TEXTS ORAL CONTRIBUTED SIGNIFICANTLY TO THE SUCCESS OF TWO KEY ELEMENTS OF THE RABBINIC AGENDA: IT CONCENTRATED INTERPRETIVE AUTHORITY IN THE HANDS OF THE MASTERS AND PREVENTED THE GROWTH OF ANY SIGNIFICANT CHALLENGE TO THEIR PLANS. THE SAGES CONTROLLED NOT ONLY THE SUBJECTS DISCUSSED IN THE SCHOOLS BUT THE TERMS ON WHICH ANY DEBATE WOULD TAKE PLACE. THERE WERE SAGES WHO CHALLENGED ANOTHER'S AUTHORITY, BUT APPARENTLY NO CHALLENGE RESULTED IN ANY DEBATE ABOUT THE AUTHORITY OF THE SECOND SCRIPTURE.

THE IMPACT OF THESE SCHOOLS DEPENDED UPON THE CHARISMA OF THE MASTER WHO WAS GENERALLY RECOGNIZED BOTH AS HEAD OF THE SCHOOL AND AS A HOLY MAN. WE HEAR OF MASTERS HEALING THE SICK, WRITING PROTECTIVE AMULETS, AND ORGANIZING PRAYERS FOR RAIN DURING PERIODS OF DROUGHT. THE POWER WHICH RADIATED FROM THESE SCHOOLS IS SURPRISING. THEY HAD NO STATUTORY AUTHORITY. TEACHERS ARE NOT USUALLY SEEN AS

SHAKERS AND MOVERS. BUT THE CENTURY AFTER THE DEFEAT OF 70 C.E. WAS A TIME WHEN THE TRADITIONAL SOURCES OF AUTHORITY HAD BEEN DECIMATED AND DISMANTLED BY THE ROMANS. SOMEONE HAD TO TAKE CHARGE.

AFTER THE DISASTERS IN 70 C.E. THE RABBINIC SCHOOLS WERE FIRST INSTITUTIONS TO REASSERT THEMSELVES, WHICH THEY COULD DO IN PART BECAUSE THE ROMANS DID NOT ASSOCIATE MOST OF THE MASTERS WITH THE REBELS. EVEN IN THE TERRIBLE CONFUSION WHICH FOLLOWS ON DEFEAT, PEOPLE NEEDED TO REGULATE THEIR LIVES. RULES, LAWS OF PERSONAL STATUS -- MARRIAGE, DIVORCE, AND INHERITANCE -- NEEDED TO BE ADMINISTERED, AND THE RABBIS, ARMED WITH THE NECESSARY KNOWLEDGE, WERE AVAILABLE TO ADMINISTER WHAT THEY AFFIRMED AS A GOD-MANDATED SET OF RULES.

THE TANNAIM PRESENTED THEIR MISHNAH IN HEBREW -- TO BE MORE SPECIFIC, IN A CONTEMPORARY HEBREW DIALECT WHICH RETAINED THE LOOK AND FLAVOR OF THE CLASSIC TONGUE, BUT DIFFERED FROM IT IN SEVERAL AREAS OF GRAMMAR AND SYNTAX AND INCLUDED WORDS WHICH WERE NEW OR HAD TAKEN ON NEW MEANINGS. THE USE OF HEBREW WAS A CONSCIOUS CHOICE. ARAMAIC WAS MORE GENERALLY SPOKEN BY PALESTINIAN JEWS. THE CHOICE OF HEBREW FOR THE MISHNAH WAS THE TANNAIM'S WAY OF SAYING: THIS IS TORAH, NO MISTAKE. GOD HAD USED HEBREW AT SINAI. THE PRIESTS HAD USED HEBREW IN THE TEMPLE, WHEN THEY SPOKE GOD'S PROTECTIVE BLESSINGS AND WHEN THEY RECITED THE SACRED FORMULAS AT THE ALTAR. THE TALMUD CALLS HEBREW LASHON HA-MIKDASH, THE LANGUAGE OF THE SANCTUARY.

THE MISHNAH WAS HOLY, THE AGENDA THROUGH WHICH ISRAEL COULD BECOME A "KINGDOM OF PRIESTS AND A HOLY NATION", THE CONDITION THE

TANNAIM MOST DEVOUTLY LONGED FOR. WHILE THE MISHNAH WAS IN NEO-HEBREW, AS IS TANNAITIC LITERATURE GENERALLY, THE GEMARA WAS NOT. COMMENTARIES ON THE MISHNAH DEVELOPED IN THE VARIOUS SCHOOLS OF PALESTINE AND THE EAST. BEGINNING IN THE LATE THIRD CENTURY, THE ATTEMPT TO MAINTAIN ALL THIS MATERIAL IN HEBREW WAS LARGELY ABANDONED AND VARIOUS ARAMAIC DIALECTS BECAME THE LANGUAGE OF INSTRUCTION. ONE SUSPECTS THAT THE LANGUAGE CHANGE WAS PROMPTED BY THE VASTNESS OF THE OCEAN OF LEARNING AND MEMORIZATION INVOLVED AS WELL AS BY A GROWING LINGUISTIC DEFICIENCY AMONG THE TEACHERS. IT IS ALSO TRUE THAT BY THE THIRD CENTURY THE MISHNAH HAD ALREADY ESTABLISHED ITSELF AS THE CENTRAL OPERATIVE DOCUMENT OF JEWISH LIFE AND THERE WAS NO LONGER THE SAME NEED TO REINFORCE SYMBOLICALLY THE IDEA THAT THIS WAS TORAH.

THE MISHNAH HAD BEEN COMPLETED WITHOUT ANYONE SETTING PEN TO PARCHMENT. TEACHERS DREW TOGETHER IN THEIR MINDS BLOCKS OF MATERIAL ON A CERTAIN SUBJECT AND TAUGHT THEM AS A UNIT TO THEIR STUDENTS. A STUDENT'S FIRST ASSIGNMENT WAS TO MEMORIZE THE BLOCK. IF DISCUSSION DEVELOPED, ADDITIONAL MATERIAL OF INTEREST MIGHT BE ADDED, BUT IN THE BRIEFEST FORMULATION POSSIBLE. THE PROCESS WAS ONE OF FORMULATION, RECITATION, REPETITION, ADDITION, AND MEMORIZATION.

THE SAGES OBVIOUSLY DID NOT TAKE A LUDDITE VIEW OF LITERACY, SO WHY DID THEY GO TO ALL THIS TROUBLE? SEVERAL REASONS SUGGEST THEMSELVES, BUT THERE ARE MORE QUESTIONS THAN ANSWERS. THE EMPHASIS ON ORALITY GOES BACK AT LEAST TO THE PHARISEES. MANY JEWS WROTE BOOKS DURING THE SEVERAL CENTURIES BEFORE THE DESTRUCTION OF THE

TEMPLE, BUT THE PHARISEE SAGES WERE NOT AMONG THEM. ALL THAT WE HAVE OF EVEN THE BEST KNOWN PHARISEE, HILLEL, ARE A FEW GNOMIC SAYINGS, NOT ALL OF WHICH CAN BE VALIDATED AS ORIGINATING WITH HIM. WE TOUCH HERE OBVIOUSLY ON A PECULIAR FEATURE OF THE PHARISAIC MOVEMENT, ONE WHICH, UNFORTUNATELY, THE PHARISAIC TEACHERS DID NOT EXPLAIN. THEY DID NOT LEAVE TO POSTERITY ANY PROGRAMMATIC EXPLANATION OF THEIR WORK.

DID THEY WANT TO HIDE SOME PARTS OF THEIR TEACHING FROM ANYONE OUTSIDE THEIR FELLOWSHIP? THE ESSENES OF THE QUMRAN COMMUNITY SEEM TO HAVE WRITTEN FREELY BUT THEIR GROUPS PHYSICALLY SET THEMSELVES APART, WHILE THE PHARISEES REMAINED WITHIN THE LARGER COMMUNITY. WAS THIS EMPHASIS ON ORALITY PART OF A PHARISAIC EFFORT TO PROMOTE THEIR ROLE AS THOSE WHO MUST BE CONSULTED BY ANYONE WHO WANTED TO KNOW THE LAW, SINCE THE LAW WAS NOT PUBLISHED. THE PHARISEES SAW THEMSELVES AS THE NEW PRIEST CLASS WHO WOULD PRESENT GOD'S ORACLES AS THE PRIESTS HAD DONE IN THE TEMPLE. THEY WOULD DISPENSE TORAH TO JEWS AND ORGANIZE THEIR AFFAIRS. DID THE PHARISEES, WHO SOUGHT THE AUTHORITY OF THE PRIESTS AND TOOK ON SO MANY OF THEIR DUTIES, COPY THEM HERE ALSO? MANY BALK AT THIS SUGGESTION BECAUSE THEY ASSOCIATE THE SAGES WITH THE ENSHRINEMENT OF THE RELIGIOUS DUTY OF TALMUD TORAH AND ASSOCIATE TALMUD TORAH WITH A GENERAL ENCOURAGEMENT OF STUDY. BUT TALMUD TORAH WAS NOT A PHARISAIC MANDATE WHICH ENCOURAGED ECLECTIC READING; ONLY TORAH WAS MEANT TO BE READ.

✓ THE TANNAIM OFTEN QUOTED ISAIAH, "ANYONE WHO IS THIRSTY, LET HIM COME AND DRINK" (Is. 55:1). TRUE, PHARISAIC JUDAISM INSISTED

THE ROMAN LAW... THE LAW EVEN IF TEXTS WERE AVAILABLE.

Duties or Restrictions?

THAT THE SEFER TORAH BE AN OPEN BOOK -- PROVIDED, OF COURSE, IT WAS PROPERLY INTERPRETED. ELIAS BICKERMAN FOUND EVIDENCE OF THIS OPEN APPROACH TO TORAH IN FOURTH CENTURY C.E. ICONOGRAPHY, "IN THE MITHRA TEMPLE AT DURA IT IS A MAGICIAN IN HIS SACRED ROLL CLOSED IN HIS HAND. IN THE SYNAGOGUE OF DURA A LAYMAN, WITHOUT ANY SIGN OF OFFICE, IS REPRESENTED READING THE OPEN SCROLL" (STUDIES IN JEWISH AND CHRISTIAN HISTORY 1:199. THE OPEN SCROLL IS THE SEFER TORAH).

AS CHILDREN OF A SKEPTICAL AGE, WE SEEK MOTIVES OF POWER AND PRIVILEGE BEHIND ALL HUMAN ACTIVITY. CYNICS, WITH SOME FAIRNESS, WILL POINT OUT THAT RESERVING A TRADITION TO THOSE WHO HAVE ACCESS TO IT AND THE SOLE RIGHT OF INTERPRETATION IS A WAY FOR A PARTICULAR CLASS TO MONOPOLIZE POWER AND PRESTIGE. TRADE SECRETS ARE A SOURCE OF PROFIT, PRESTIGE, AND POWER, AND THE RABBINIC MIND COULD NOT HAVE BEEN TOTALLY IMMUNE TO SUCH TEMPTATIONS. BUT I SUBMIT SUCH CRASS GOALS WERE NOT AS IMPORTANT TO THE SAGES AS THE POWER TO CONTROL THE DEFINITION OF TORAH. ONLY TRAINED MINDS COULD MASTER THE MISHNAH AS AN ORAL DOCUMENT. ONE COULD LEARN TORAH ONLY FROM A KNOWLEDGEABLE TEACHER, WHO WAS NOT LIKELY TO ACCEPT OR TRAIN STUDENTS WHOSE ATTITUDES WERE SUSPECT. MONOPOLIZING THE MEMORIZED MISHNAH, AS THEY DID, THE RABBIS INEVITABLY GAINED A DEGREE OF CONTROL OVER THE TRADITION.

THE SAGES' PREFERENCE FOR ORALITY MAY ALSO HAVE BEEN INFLUENCED BY THE HABIT, PARTICULARLY OF GREEK AND ROMAN RHETORS AND LAWYERS, NOT TO PUBLISH INTERPRETATIONS OF THEIR LEGAL CODES. A STUDENT IN THE ROMAN LAW SCHOOLS HAD TO MEMORIZE THE LAW EVEN IF TEXTS WERE AVAILABLE.

PERHAPS THE RABBIS DIDN'T WANT TO ALLOW ANYONE TO CHALLENGE THEIR TEXTS WITH OTHER TEXTS. MORE LIKELY, THEY WANTED TO MAKE SURE THAT THEIR TEXTS WERE CORRECTLY UNDERSTOOD. EACH TEXT CONSISTS, FOR THE MOST PART, OF A FEW BARE-BONED STATEMENTS WHICH NEED TO BE FLESHED OUT AND PROVIDED WITH CONTEXT. MANY TALMUDIC SAYINGS WARN AGAINST THOSE WHO KNOW TEXTS BUT HAVE NOT "SERVED THE RABBIS," THAT IS, WHO HAVE NOT BEEN TAUGHT THE ACCEPTED IMPLICATIONS OF THE TEXTS BY AN ACCREDITED MASTER (T. B. SOT. 22A). BY MAKING IT DIFFICULT FOR ANYONE TO LEARN THE TEXT SIMPLY BY MEMORIZING A BOOK IN WHICH TEXT APPEARED, THE SAGES BUILT INTO THEIR SYSTEM AN EXTRA SAFEGUARD AGAINST MISUNDERSTANDING AND DIVISION. NO BRIGHT AND UNTRAINED REBEL COULD GET HOLD OF A TEXT AND "PROVE" THAT THE SAGES HAD MADE THE TEXT SAY WHAT IT CLEARLY DID NOT. THE GOAL OF TALMUD TORAH WAS NOT TO DEVELOP A CRITICAL LITERARY SPIRIT BUT TO GAIN AND INSURE ACCEPTANCE OF THE RABBINIC POINT OF VIEW AS NORMATIVE. IN THE TWELFTH CENTURY MAIMONIDES, WITH HIS USUAL ACUTE PERCEPTION, RECOGNIZED MANY OF THE ISSUES WHICH MUST HAVE BEEN INVOLVED.

THE WORDS THAT I HAVE COMMUNICATED TO YOU ORALLY,

YOU ARE NOT ALLOWED TO PUT DOWN IN WRITING (B. GIT.

60B) SHOWS EXTREME WISDOM IN REGARD TO THE LAW FOR

IT WAS MEANT TO PREVENT WHAT HAS ULTIMATELY COME

ABOUT IN THIS RESPECT. I MEAN THE MULTIPLICITY OF

OPINIONS, THE VARIETY OF SCHOOLS, THE CONFUSIONS

OCCURRING IN THE EXPRESSION OF WHAT IS PUT DOWN

DOWN IN WRITTEN FORM (B. TEN NIS. GIT 60B). THERE WERE ALSO ALL

:

IN WRITING, THE NEGLIGENCE THAT ACCOMPANIES WHAT IS
WRITTEN DOWN, THE DIVISIONS OF THE PEOPLE WHO ARE
SEPARATED INTO SECTS, AND THE PRODUCTION OF CONFUSION
WITH REGARD TO ACTIONS ~~E~~ ().

THE RABBIS DO NOT SEEM TO HAVE BEEN UNASSUMING MEN. THEY KNEW
WHAT THEY WERE ABOUT. THEY CALLED THEMSELVES RABBIS, MASTERS, A
TERM WHICH CARRIED INTIMATIONS OF AUTHORITY. THEY RECOGNIZED THE
MASTERY THAT SUCH A BODY OF KNOWLEDGE GAVE THEM. THEY WANTED TO
BECOME THE RELIGIOUS AUTHORITIES OF JEWISH LIFE, BELIEVING THAT
ONLY BY FOLLOWING THEIR WAY COULD THE COMMUNITY BE RIGHT WITH GOD.

RETAINING CLOSE CONTROL OVER THIS EMERGING BODY OF KNOWLEDGE
LOCKED OTHERS OUT, IF YOU WILL, BUT MONOPOLISTIC REASONS WERE NOT
THE ONLY ONES THAT IMPELLED THEIR ACTIVITY. TRADITION, AS ALWAYS,
PLAYED A ROLE. MANY OF THE TRADITIONS THEY ESPOUSED HAD CIRCULATED
ORALLY FOR CENTURIES. RELIGIONISTS, NOTORIOUSLY CONSERVATIVE,
CERTAINLY REASONED THAT THEIR PREDECESSORS HAD ACTED AS GOD WANTED
AND LOYALLY FOLLOWED SUIT.

IT IS EASY TO UNDERSTAND HOW THEY CAME TO BELIEVE THAT WHAT
THE GOD OF ISRAEL WANTED WAS FOR JEWS TO OBEY THE TEXT. SCRIPTURE
✓ SEEMED TO REQUIRE IT. THERE WAS EXODUS 34:27, WHICH THEY TRANSLATED:

* "THE LORD SAID TO MOSES, WRITE THESE LAWS, FOR FROM MY MOUTH ARE
THERE LAWS." BY SEPARATING THE TWO FINAL CLAUSES THEY GAVE THIS
TEXT THE MEANING "THAT LAWS GIVEN TO YOU IN WRITING ARE NOT TO BE
TRANSLATED ORALLY AND LAWS TRANSMITTED ORALLY ARE NOT TO BE SET
DOWN IN WRITTEN FORM" (B. TEM ^{14 B} ~~14 B~~, GIT 6LB). THERE WERE ALSO ALL

:

But
60B
Tem. 14 B

MANNER OF LATER RATIONALIZATIONS. SOME SAGES SUGGESTED THAT GOD

WANTED TO KEEP THE MISHNAH ORAL TO RESERVE THESE DOCUMENTS FOR ISRAEL'S SOLE BENEFIT (TANHUMA, VAYERA 9A). SOMEONE ELSE REPORTED MOSES HAD ASKED FOR PERMISSION TO WRITE OUT THE ORAL LAW, BUT GOD HAD REFUSED, KNOWING THAT GENTILES WOULD TRANSLATE THE WRITTEN TORAH INTO GREEK AND CLAIM IT FOR THEIR OWN, SAYING: "WE ARE ISRAEL." GOD IS MADE TO SAY: "ONLY THEY ARE MY CHILDREN WHO POSSESS MY MYSTERIES. THAT IS THE MISHNAH" (URBACH 305 NOTE 63). *Tan chuma Ki Tish #37 Vayera #5*

HISTORY SUGGESTS THAT THERE ARE TWO KINDS OF THINKERS: ROMANTICS WHO DELIGHT IN GOLDEN WORDS LIKE 'JUSTICE', 'PEACE', 'BEAUTY', AND REALISTS WHO ARGUE THAT SUCH TERMS ARE MEANINGLESS UNLESS UNDERSTOOD WITHIN A SPECIFIC CONTEXT. ROMANTICS TEND TO DISMISS REALISTS AS NIT-PICKERS AND SPOIL-SPORTS. THEY ADMIT THAT LEGAL ANALYSIS IS USEFUL BUT FIND IT, FOR THE MOST PART, SPIRITUALLY UNSATISFYING. THE SOUL SHOULD BE ABLE TO SOAR ABOVE THE CONSTRAINTS OF QUALIFYING CLAUSES. SOME SPIRITS SOARED TO THE HEAVENS. BUT THEIR LABORS ON THE MISHNAH WERE CONCERNED WITH PRECISION AND ACADEMIC DEFINITION. MISHNAH PRESCRIBED AN ALMOST ENDLESS SERIES OF SPECIFIC AND DETAILED STRUCTURES FOR THE RELIGIOUS LIFE AND DEVOTES LITTLE SPACE TO MYSTICAL OR MESSIANIC FANCIES. THE RESULT IS THAT A SEARCHING SOUL WOULD NOT PICK UP A MISHNAH TO FIND CONSOLATION AND ENCOURAGEMENT. INDEED, THIS IS GENERALLY TRUE OF THE SECOND SCRIPTURES OF ALL TRADITIONS. CANON LAW MAY BE NEATLY ARGUED, BUT AS A GUIDE FOR A TROUBLED SOUL SEEKING SPIRITUAL ENCOURAGEMENT, IT IS INADEQUATE. FOR SPIRITUAL SUSTENANCE, EACH RELIGION TURNS TO ITS ORIGINAL

✓ SCRIPTURE. FOR THE DEFINITION OF DOCTRINE AND PRACTICE, IT TURNS TO ITS SECOND SCRIPTURE.

THE MISHNAH WAS NOT SHAPED AND DEVELOPED SOLELY AS A CODE OF PRACTICE FOR THE GOVERNANCE OF JEWISH LIFE. AT LEAST ONE-SIXTH OF ITS SIXTY-THREE DIVISIONS, ELEVEN TRACTATES IN ALL, RELATE TO THE OPERATION OF THE TEMPLE, WHICH, OF COURSE, WAS NO LONGER IN EXISTENCE WHEN THESE TRACTATES WERE PUT TOGETHER. YET, THESE TEXTS SEEM TO HAVE BEEN STUDIED WITH THE SAME ATTENTION TO DETAIL AND INTENSITY THE RABBIS EMPLOYED IN DISCUSSIONS OF IMMEDIATE MATTERS. THE MISHNAH IS JEWISH IN A CLASSIC JEWISH WAY. IT IS INTERESTED IN TODAY, THE BUSINESS OF LAW, AND TOMORROW, THE BUSINESS OF HOPE. IT LIVES IN TWO TIME ZONES, THE PRESENT AND END TIME, WHEN THE MESSIAH WILL COME. WHEN THE TEMPLE WILL BE REBUILT, IT WILL BE NECESSARY TO KNOW WHAT IS REQUIRED OF THOSE WHO WILL SERVE AT THE ALTAR.

THE MISHNAH'S STYLE IS PRESUMPTIVE. "CASES CONCERNING (PROPERTY) ^{monetary matt} ARE DECIDED BY THREE JUDGES; CASES CONCERNING THEFT OR PERSONAL INJURY BY THREE, CLAIMS FOR FULL DAMAGES OR HALF DAMAGES, TWO-FOLD RESTITUTION AND CLAIMS AGAINST THE ^{Rapist} ~~ADULTER~~, THE SEDUCER, AND 'HE THAT HATH BROUGHT ^{Defamer} ~~ONTO~~ AN EVIL NAME' (ARE DECIDED) BY THREE (JUDGES) SO R. MEIR. BUT THE SAGES SAY, "HE THAT 'HATH BROUGHT AN EVIL NAME' (MUST BE JUDGED) BY THREE AND TWENTY, ^{since it may involve} (FOR THERE MAY ARISE THERE FROM) A CAPITAL CASE" (M. SAN. 1:1). THE WRITTEN TORAH INCLUDES REFERENCES TO ORDINARY COURTS AND COURTS OF APPEAL; BUT THE PRINCIPLE THAT THE SERIOUSNESS OF THE PENALTY TO WHICH A PERSON MAY BE EXPOSED

SHALL DETERMINE THE NUMBER OF JUDGES REQUIRED TO HEAR A CASE CLEARLY GOES BEYOND ANYTHING STATED IN THE SEFER TORAH. THAT THIS MISHNAH FOLLOWS INEXORABLY FROM THE WRITTEN LAW WAS TAKEN FOR GRANTED, BUT NO ATTEMPT WAS MADE TO PROVE THE CASE. THIS METHOD -- OR ABSENCE OF METHOD -- IS TRUE THROUGHOUT THE MISHNAH. THE VALUE OF THE LAW IS, IN A SENSE, INDEPENDENT OF ITS PEDIGREE. THE RABBIS' JUDGMENTS HAD AN AUTHORITY INDEPENDENT OF THE WRITTEN TEXT. THESE MEN KNEW THEIR TORAH. THE PHRASE "HE THAT BRINGS AN EVIL NAME" IS USED IN DEUT. 22:19 ~~19:22~~ WHERE IT REFERS TO ONE WHO CASTS DOUBT ON A MAIDEN'S VIRGINITY, A REFERENCE THE SAGES WOULD HAVE RECOGNIZED IMMEDIATELY. THEY HAD, NO NEED FOR CITATIONS. NO SYSTEM OF REFERENCE BY CHAPTER AND VERSE WOULD BE IN GENERAL USE FOR NEARLY ANOTHER THOUSAND YEARS.

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literally: mikdash AFTER THE DEFEATS OF 70 AND 135 C.E., THE SYNAGOGUE STOOD ON ITS OWN AS A MIKDASH ME'AT, A REPLACEMENT SANCTUARY. THE TANNAIM OF THE FIRST GENERATIONS AFTER THE DESTRUCTION OF THE TEMPLE ATTACHED TO THE SYNAGOGUE CERTAIN RITES WHICH HERETOFORE HAD BEEN RESERVED TO THE TEMPLE: THE BLOWING OF THE SHOPHAR ON CERTAIN OCCASIONS, THE HANDLING AND BLESSING OF THE ETHROG ON ^{the intermediate days of} SUCCOTH, AND THE BURNING OF INCENSE. WORSHIP WAS CALLED AVODAH, THE SAME WORD WHICH HAD BEEN APPLIED TO TEMPLE CEREMONY. THE COMMUNITY NOW MET AND WORSHIPPED IN SYNAGOGUES, A PURELY LOCAL INSTITUTION WHICH EXISTED WHEREVER JEWS LIVED, WITH NO AUTHORITY OVER THE WHOLE COMMUNITY AND FEW LEGISLATIVE POWERS. THE RABBIS RECOGNIZED THESE LIMITS AND DID NOT ATTEMPT TO

USE THE SYNAGOGUE AS THE INSTITUTION THROUGH WHICH TO EXERT AUTHORITY. FOR THAT PURPOSE THEY TURNED TO THEIR SCHOOLS AND THE COURTS. THE SCHOOLS WERE USED TO DEVELOP THE LAW, THE COURTS TO ENFORCE THE LAW. THROUGH THEIR CONTROL OF SCHOOL CURRICULUM AND COURT PROCEDURES RABBINIC LAW SLOWLY AND INEXORABLY BECAME THE OPERATIVE LAW OF THE JEWS.

THE SAGES DID NOT HAVE ANY MANDATE TO LEGISLATE FOR THE COMMUNITY. THEIR CLAIM TO POWER CAME NOT FROM ANY TORAH TEXT BUT FROM THE HISTORY OF THE TIME AND THE NATURE OF THEIR STUDIES. THEY WERE MASTERS OF HALACHA, THE RULES WHICH WERE ACCEPTED AS GOD-ORDERED. THE CONSEQUENCES FOR THE MISHNAH ARE THAT, INSTEAD OF SEEMING TO MANDATE STATUTORY LAW, IT CONVEYS THE SENSE OF BEING AN IDEAL STATEMENT OF GOD'S LAW. THE MISHNAH SEEMS LESS INTERESTED IN PRACTICAL CONCERNS THAN IN DETERMINING WHAT IDEALLY SHOULD BE THE PRACTICE OF THE COMMUNITY IN REGARD TO SABBATH, MARRIAGE, OR CIVIL AND CRIMINAL LAW. THE MISHNAH SAGES DID NOT THINK PRIMARILY IN TERMS OF POWER AND AUTHORITY. INDEED, THEIR ASSUMPTION OF AUTHORITY SEEMS AS UNCOMPLICATED AS IT WAS BECAUSE DURING THESE FORMATIVE YEARS THE RABBIS WERE "MASTERS" OF THE LEGAL PROCESS AND SO DID NOT HAVE TO COMPROMISE WITH ANY OTHER GROUP. WHAT THEY DISCUSSED, AND CONSEQUENTLY THE MAJOR THRUST OF THE MISHNAH, IS THE IDEAL OF A TORAH COMMUNITY, THE RULES WHICH OUGHT TO GOVERN JEWISH LIFE.

ONE CAN SPECULATE ON THEIR MOTIVES. IN THOSE TUMULTUOUS TIMES, THE STUDY OF A BODY OF KNOWLEDGE FOR THE SIMPLE BENEFIT OF STUDYING

IT, TORAH LI-SHEMAH, WAS A WAY OF KEEPING SANE. IF YOU CAN CREATE A MEANINGFUL INNER WORLD WHEN ALL ABOUT IS CHAOS, MEANINGLESS, YOU CAN SOMETIMES REACH BEYOND DESPAIR. THERE WAS VALUE IN DISCUSSING SUCH ISSUES AS THE OPERATION OF THE ABANDONED CULT. HAD NOT GOD PROMISED SOME DAY TO RETURN THE SACRED FIRE TO THE TEMPLE? THE VERY LAST SENTENCE IN THE WHOLE MISHNAIC COMPENDIUM IS ONE OF ITS FEW MESSIANIC EXPRESSIONS: "R. SIMEON B. HALAFTA SAID: THE HOLY ONE, BLESSED BE HE, FOUND NO VESSEL THAT COULD HOLD ISRAEL'S BLESSING EXCEPT PEACE, FOR IT IS WRITTEN, 'THE LORD WILL GIVE STRENGTH TO HIS PEOPLE; THE LORD WILL BLESS HIS PEOPLE WITH PEACE' (M. UKTZIN 3:12, Ps 29:11). THIS HOPE WOULD BE REALIZED THE RABBIS BELIEVED, WHEN ISRAEL FULLY AND PROPERLY OBEYED GOD'S WILL. TO THEIR MINDS DISASTER WAS ALMOST ALWAYS DESERVED. THEY SIDED WITH JOB'S COMFORTERS. ISRAEL HAD SINNED, BUT GOD IS MERCIFUL AND AN OBEDIENT ISRAEL MIGHT MERIT GOD'S FAVOR. THEIR IDEAL TORAH WAY WAS A PRACTICAL CONTRIBUTION TO THE POLITICAL SITUATION BECAUSE BY FOLLOWING IT AND OBEYING GOD, ISRAEL WOULD REGAIN GOD'S FAVOR.

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IN THE FOURTH CENTURY THE MATERIAL INCLUDED IN THE MISHNAH AND OTHER CONTEMPORARY HALACHIC COMPENDIA CAME TO BE KNOWN AS THE TORAH SHE-BE'AL PEH, THE ORAL OR MEMORIZED TORAH. THE PHRASE WAS DESIGNED AS A COMPLEMENT TO ANOTHER, TORAH SHE-BI-KETAV, THE WRITTEN TORAH, AND WAS MEANT TO INDICATE THE EXISTENCE OF A SECOND SCRIPTURE. THE PIETY THAT BOTH TORAHS HAD BEEN PART OF THE REVELATION AT SINAI,

THAT A TWO-TIERED REVELATION HAD TAKEN PLACE IN MOSES' DAY, LATER BECAME A COMMONPLACE OF RABBINIC JUDAISM. ON ORDERS FROM GOD, MOSES HAD INSCRIBED THE WRITTEN TORAH AND MEMORIZED AN ORAL TEACHING WHICH HE HAD PASSED ON TO JOSHUA WITHOUT ADDITION OR CHANGE. IN HIS TURN, JOSHUA HAD PASSED THIS TRADITION TO HIS IMMEDIATE SUCCESSORS, AND THEY TO THEIRS. AN UNBROKEN CHAIN OF RESPECTED TEACHERS HAD PRESERVED THIS TEACHING ORALLY AND WITH FIDELITY DOWN TO RABBINIC TIMES. THE ORAL TORAH IS SEEN AS A COMPLEMENTARY TORAH, PART OF THE ORIGINAL REVELATION, FULLY SHARING IN ITS COMMANDING AUTHORITY.

DESPITE THE LATER POPULARITY OF THIS MYTH OF A TWO-TIERED TORAH, IT IS DIFFICULT TO IMAGINE MEN SUCH AS HILLEL OR AKIBA, SAGES OF THE FIRST AND SECOND CENTURIES, ACCEPTING IT WITH ANY DEGREE OF LITERALNESS. TO BE SURE, THEY KNEW OF SPECIFIC TRADITIONS LABELED TORAH LE-MOSHE MI-SINAI, TRADITION CLAIMING A PEDIGREE WHICH COULD BE TRACED BACK TO MOSES AT SINAI. SURPRISINGLY FEW OF THESE TRADITIONS, ACTUALLY ONLY TWO, ARE CITED IN THE MISHNAH. THE SAGES ALSO ARGUED THAT THIS ORAL LAW WAS AUTHORITATIVE, BUT THEY PRESENTED THE MISHNAH ON THEIR OWN AUTHORITY, NOT AS REVELATION. THE MISHNAH TEXT DOES NOT INCLUDE SUCH PHRASES AS : 'AND THE LORD SAID TO RABBAN SIMEON B. GAMALIEL, SAY TO THE CHILDREN OF ISRAEL.' RATHER, IT SAYS, "RABBAN SIMEON B. GAMALIEL SAID ~~OR~~ 'THE SAGES SAID. /' (M. GIT. 6:6).

TO BE SURE, THE OPENING PARAGRAPH OF THE MISHNAH TRACTATE KNOWN AS PIRKE AVOT, THE SAYINGS OF THE FATHERS, EXPLICITLY STATES THE

PIETY OF THE ORAL LAW. [?] MOSES RECEIVED TORAH FROM SINAI AND GAVE IT TO JOSHUA. . ." (1:7). HERE TORAH (M. PIRKE AVOT 1:1) OBVIOUSLY INDICATES THE ORAL TRADITION. RECENT RESEARCH HAS MADE IT CLEAR THAT THIS PARTICULAR TRACTATE WAS A LATE ADDITION TO THE MISHNAH; AND THE EARLIEST DATABLE REFERENCE TO THE TWO-TIERED LAW COMES FROM A MIDRASH GENERALLY DATED TO THE LATE THIRD OR FOURTH CENTURY C.E. IN IT THE TITULAR HEAD OF THE TANNAIM, RABBAN GAMALIEL, RESPONDS TO SOMEONE NAMED AGENITOS THE HEGEMON, APPARENTLY A ROMAN OFFICER, WHO HAD ASKED THE MASTER, "HOW MANY TORAHS WERE GIVEN TO ISRAEL" AND IS TOLD "TWO, ONE ORAL, ONE WRITTEN" (B. SAB. 31A, YOMA 28B, KID. 66A) ✓

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IN THE PRE-MISHNAIC ERA SADDUCEES HAD DENIED THAT THE UNWRITTEN TRADITION CARRIED AUTHORITY, AND THERE MUST HAVE BEEN MEN OF SIMILAR VIEWS IN THE COMMUNITY AFTER 70 C.E. HAD THE EARLY TANNAIM THOUGHT IN TERMS OF A SECOND TORAH, THEY WOULD NOT HAVE UNDERTAKEN THE EXTENSIVE AND ELEGANT EFFORTS THAT THEY INVESTED IN THE HALACHIC MIDRASH, THAT COMPLEX INTERPRETIVE EFFORT UNDERTAKEN TO PROVE THAT RABBINIC TEACHINGS WERE DERIVED FROM A CAREFUL READING OF THE WRITTEN TEXT. THE EARLIEST CLAIM ADVANCED FOR THE MISHNAH WAS NOT THAT IT WAS AN ACTUAL TRANSCRIPT WHICH GOD HAD SENT TO MOSES BUT THAT ITS TRADITION SOMEHOW PARTICIPATED IN THE AUTHORITY OF SINAI. THE TEXT MAKES THIS CLEAR SINCE IT CONTAINS COMMENTS BY SAGES WHO TAKE OPPOSING VIEWS AND INCLUDES REFERENCES TO OUTDATED OR ONCE ACCEPTED BUT NOW SUPERSEDED MISHNAH STATEMENTS (M. KET. 5:3, NAZ. 6:1, GIT. 5:6. . .). WHAT WAS CLAIMED, THOUGH THE SIMPLE FOLK AS

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ALWAYS TOOK THE MYTH LITERALLY, WAS THAT THE MISHNAH AND ITS COMMENTARIES, FAITHFULLY INTERPRETED THE TORAH, AN INTERPRETATION WHICH WAS A BLEND OF THE ORAL AND WRITTEN LAW TO WHICH ISRAEL HAD PRESUMEDLY BEEN BOUND SINCE SINAI.

THE MISHNAH LAYS OUT THE FUNDAMENTS OF THAT MODULATION OF THE JEWISH TRADITION WHICH WAS CHERISHED AND PRACTICED BY THE PALESTINIAN RABBIS. RABBINIC JUDAISM MINGLES TEACHINGS OF BOTH BIBLE AND TRADITIONS. THE MISHNAH AND ITS COMMENTARIES ARE RABBINIC JUDAISM'S FUNDAMENTAL DOCUMENTS, WHICH WERE STUDIED OVER THE CENTURIES IN THE RABBINIC ACADEMIES AND CITED IN RABBINIC RESPONSES. THIS LITERATURE DEALS PRIMARILY WITH QUESTIONS OF DISCIPLINE AND PRACTICE, AND ONLY SECONDARILY WITH QUESTIONS OF BELIEF AND DOCTRINE. THE CLINCHING ARGUMENT IN A DEBATE IS LESS LIKELY TO BE THE CITATION OF A TORAH TEXT THAN THE CITATION OF A DECISION MADE BY A SAGE OF THE MISHNAIC PERIOD. A PRONOUNCEMENT BY AN AMORA, A RABBI OF THE THIRD/FOURTH THROUGH SIXTH CENTURIES, CANNOT REVERSE A TANNAITIC STATEMENT, BUT IN THEIR TURN AMORAIC OPINIONS REPRESENT A SECOND LEVEL OF AUTHORITY ACCEPTED BY ALL SUBSEQUENT GENERATIONS. RABBINIC AUTHORITY RESTS ON THE RABBINIC TORAH AND ON THE RABBIS.

THERE IS ONE MISHNAH BUT TWO STREAMS OF MISHNAIC ELABORATION AND INTERPRETATION, TWO GEMARAS, ONE DEVELOPED IN THE ACADEMIES OF PALESTINE AND THE OTHER IN THE ACADEMIES OF THE EAST, IN THE AREA THE JEWS ANACHRONISTICALLY CALLED BAVEL, BABYLON. THE PALESTINIAN, OR JERUSALEM, TALMUD OCCASIONALLY, BUT INFREQUENTLY, QUOTES A

TO STUDY THE TALMUD WHEN A RABBI WAS CITY-GUEST TO BE SHARED.

BABYLONIAN SAGE. THE BABYLONIAN TALMUD DOES CITE PALESTINIAN SAGA. BUT THE SAGES EAST AND WEST RECOGNIZED THE MISHNAH'S AUTHORITY. DIVERGENCES IN INTERPRETATION WHICH DEVELOPED BETWEEN THE PALESTINIAN AND BABYLONIAN ACADEMIES, AS CODIFIED IN THEIR RESPECTIVE GEMARAS, SHOULD BE SEEN AS DEALING PRIMARILY WITH MARGINAL RATHER THAN WITH CENTRAL ISSUES. HAD THIS NOT BEEN SO, PALESTINIAN AND DIASPORA JEWS WOULD HAVE BASED THEIR LIVES ON DISTINCTLY SEPARATE SCRIPTURES AND SERIOUS DIVISIONS BETWEEN THE COMMUNITIES WOULD CERTAINLY HAVE ARISEN.

A THOUSAND YEARS AFTER THE PUBLICATION OF THE MISHNAH, CATHOLIC MISSIONARIES WERE PUZZLED THAT THEIR CONVERSIONIST SERMONS MADE SO LITTLE IMPACT ON JEWS. AN OCCASIONAL APOSTATE TRIED TO EXPLAIN TO THESE FISHERMEN FOR JEWISH SOULS THAT THE JEWISH TRADITION WAS TALMUDIC RATHER THAN BIBLICAL AND THAT TO UNDERSTAND JEWISH PIETY, THEY WOULD HAVE TO STEEP THEMSELVES IN RABBINIC LITERATURE. NO EASY TASK. THE TALMUD IS MASSIVE, ONLY PARTIALLY EDITED, WRITTEN IN VARIOUS ARAMAIC DIALECTS AND NEO-HEBREW. MOREOVER, CHRISTIANS HAD BEEN TAUGHT AS A MATTER OF DOCTRINE THAT JUDAISM HAD BEEN SPIRITUALLY INERT SINCE THE ONCE-CHOSEN PEOPLE REJECTED JESUS AND HAD BEEN REJECTED BY GOD; THAT THE SYNAGOGUE WAS BLIND AND ITS TALMUD NOTHING BUT A COMPENDIUM OF SUPERSTITIONS AND FOLLIES. AS EARLY AS 553 JUSTINIAN IN HIS NOVELLA CONSTITUTIO SIGNALS THIS APPROACH WHEN HE ALLOWS THE JEWS A RABBI BUT CONDEMNS THE STUDY OF THE SECOND SCRIPTURE. "FOR IT IS NOT PART OF THE SACRED BOOKS. . . AND CERTAINLY WITHOUT DIVINE " (BAUMGARTEN, JUSTINIAN AND THE JEWS, 37). THERE WAS LITTLE MOTIVATION TO STUDY THE TALMUD WHICH REALLY WAS FIT ONLY TO BE BURNED.

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STILL, THE APOSTATES SPOKE FAIR. THE JEWS AFFIRMED A TORAH TRADITION WHICH RESTED ON THE MISHNAH FAR MORE THAN ON THE BIBLE. OVER THE CENTURIES, MANY A YESHIVAH STUDENT SPENT HIS YEARS STUDYING THE TALMUD, YET RARELY HANDLED THE SCROLLS OF THE PROPHETS.

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JEWS HANDLE TORAH SCROLLS WITH CARE AND CEREMONY. AN ELABORATE SET OF SCRIBAL CONVENTIONS GOVERN THE WRITING. A QUILL MUST BE USED. THERE MUST BE FORTY-TWO LINES TO EACH COLUMN, CERTAIN LETTERS ARE DOUBLE SIZED, OTHERS HALF-SIZED, MANY LETTERS ARE CAPPED WITH CROWNS. THE WRITING SURFACE MUST BE ON CAREFULLY SIZED AND PREPARED PARCHMENT. NO ONE WOULD DREAM OF ADDING HIS OWN OR ANYONE ELSE'S INTERPRETATIONS IN THE TEXT OR MARGIN. ONCE INSCRIBED, A SEFER TORAH IS ENSHRINED IN THE SYNAGOGUE ARK BEHIND A CURTAIN, A PAROCHOT, WHOSE PRESENCE SUGGESTS THAT WHAT LIES BEHIND IS HOLY. THE INNERMOST SANCTUARY OF THE TEMPLE IN JERUSALEM, THE HOLY OF HOLIES, HAD BEEN SIMILARLY CURTAINED OFF. THE CONGREGATION RISES WHEN THE TORAH IS TAKEN FROM THE ARK. AS THE SCROLL IS PROCESSED MEN REACH OUT TO TOUCH ITS MANTLE WITH THEIR PRAYER SHAWLS AND THEN KISS THAT BIT OF SHAWL WHICH HAS BEEN TOUCHED WITH THE TORAH'S SANCTITY. BLESSINGS ARE SAID BEFORE AND AFTER THE ASSIGNED READING. CARE IS TAKEN THAT THE READING SHALL BE CHANTED FLAWLESSLY AND GREAT ATTENTION IS LAVISHED ON THE CEREMONIAL RETURN OF THE SCROLL TO THE ARK.

NO SUCH FORMALITIES WERE ATTACHED TO THE MISHNAH EITHER IN THE SYNAGOGUE OR IN THE SCHOOLS. THE MISHNAH PLAYED NO MAJOR ROLE IN SYNAGOGUE LITURGY. SEVERAL PARAGRAPHS FOUND THEIR WAY INTO THE

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PRAYER BOOK, BUT THE MISHNAH ITSELF WAS NEVER SYSTEMATICALLY READ OUT. NOR DID THE MISHNAH RECEIVE THE CAREFUL EDITORIAL OVERSIGHT THAT THE MASORETES GAVE TO THE TANAKH. NO SET OF FORMAL SCRIBAL CONVENTIONS WAS DEVELOPED TO GOVERN ITS MANUSCRIPT PRESENTATION; AND, ONCE PRINTING WAS AVAILABLE, NO EFFORT WAS MADE TO CONTINUE PRODUCING MISHNAH OR TALMUD MANUSCRIPTS AS THE SCRIBES CONTINUED TO PRODUCE TORAH SCROLLS. THE MISHNAH WAS A UTILITARIAN WORK. FROM THE BEGINNING SCHOLARS FELT FREE TO ADD NOTES IN THE MARGINS OF ITS TEXT. WITH THE DEVELOPMENT OF THE GEMARA, THE TEXT OF THE MISHNAH WAS BROKEN UP INTO BLOCKS, EACH OF WHICH WERE APPENDED THE AMORAIC COMMENTARY. TO BE SURE, IF A COPY OF THE MISHNAH WERE ACCIDENTALLY DROPPED ON THE FLOOR, THE CLUMSY READER WOULD PICK IT UP HASTILY AND KISS IT, BUT HE WOULD ACT THE SAME WAY WITH A PRAYER BOOK OR ANY OTHER TEXT WHICH CONTAINED THE NAME OF GOD. IF ONE WERE TO JUDGE A SCRIPTURE SOLELY BY WHETHER OR NOT IT IS TREATED AS A SACRED OBJECT, THE MISHNAH WOULD NOT QUALIFY.

THE MISHNAH WAS A SCHOOL RATHER THAN SYNAGOGUE TEXT. THE MISHNAH WAS RECITED, USUALLY FROM MEMORY, IN AN ATMOSPHERE WHICH INVITED DEBATE. ONE PARTICIPATED IN A SCHOOL OF MISHNAH AND TALMUD IN ORDER TO LEARN WHAT IT MEANT TO BE A JEW. THE WRITTEN TORAH HAD ITS CEREMONY, PUBLIC READING IN THE SYNAGOGUE; THE SECOND SCRIPTURE NEVER DEVELOPED A FORMAL PUBLIC RITUAL. INSTEAD IT BECAME THE FIXED CONTENT OF A KEY RELIGIOUS DISCIPLINE, TALMUD TORAH. TALMUD TORAH IS OFTEN MISTRANSLATED AS BIBLE STUDY. IT WAS A MUCH BROADER DISCIPLINE.

TALMUD TORAH WAS A NEW RABBINIC OBLIGATION. NO RULE MANDATING TALMUD TORAH APPEARS IN THE WRITTEN LAW. IT WAS A RABBINIC ENACTMENT TO WHICH THE RABBIS GAVE GREAT WEIGHT: "THESE ARE THINGS FOR WHICH NO MEASURE IS PRESCRIBED; CLEANSING, FIRST FRUITS, THE FESTAL OFFERING, DEEDS OF LOVING KINDNESS, AND TALMUD TORAH EQUALS ALL OF THESE" (Pekh 3:1).

AMONG THE JEWS, LEARNING WAS PRAISED FOR ITS IMPORTANCE IN CHARACTER FORMATION. TALMUD TORAH, THE VIRTUE OF STUDY, WAS A DISCIPLINE QUITE UNLIKE WHAT ANY MODERN MEANS WHEN HE TALKS OF SCHOOLING. WE THINK OF THE CLASSROOM AS THE PLACE WHERE A STUDENT MASTERS A BODY OF USEFUL KNOWLEDGE. WE READ SILENTLY AND SEEK TO GRASP THE KEY FACTS AND TO DISCOVER WAYS TO SOLVE, OR AT LEAST UNDERSTAND, A PROBLEM. ONCE WE HAVE LEARNED A DISCIPLINE'S VOCABULARY AND METHODS, WE ARE SATISFIED IF WE KNOW WHERE TO LOOK UP THE REST. LEARNING EQUIPS US PRIMARILY WITH SURVIVAL SKILLS, AND DESPITE JOHN DEWEY AND OTHERS OF HIS MIND SET, WE HAVE NO ILLUSIONS THAT KNOWING HOW TO BUILD A BRIDGE OR WRITE ACCEPTABLE PROSE WILL MAKE US BETTER PEOPLE.

TALMUD TORAH TAUGHT THE JEW HOW TO PLEASE GOD AND, IN THE PROCESS, BECOME A BETTER PERSON. "THE MORE TORAH, THE MORE LIFE" (Pekh 2:7), TOOK AS ONLY PART OF THEIR GOAL IMPARTING FACTUAL KNOWLEDGE OF JEWISH LAW AND PRACTICE. BASIC KNOWLEDGE OF THE LAW WAS ASSUMED SINCE IT GOVERNED LIFE IN THE COMMUNITY. RATHER, THE GOAL WAS THAT KNOWLEDGE OF TORAH WOULD PUT MORE TORAH INSIDE A

PERSON'S HEAD. TALMUD TORAH WAS A DISCIPLINE WHOSE VALUE WAS THE DISCIPLINE ITSELF. TORAH PRESENTED GOD'S OWN WORDS. RECITING GOD'S WORDS WAS A POWERFUL ACT OF IDENTIFICATION WITH GOD. KNOWING GOD'S WORDS WAS A POWERFUL TOOL IN ONE'S ETHICAL DEVELOPMENT. THE ANCIENTS BELIEVED THAT WE ARE WHAT WE KNOW. THE MORE TORAH SINGS IN YOUR MIND, THE MORE ABLE YOU ARE TO LIVE THE COVENANTAL LIFE. THROUGH REPEATED RECITATION THEY HOPED TO IMPRINT THE SOUND OF GOD'S WORDS ON THEIR MINDS, TO HEAR THEM AS GOD HAS SPOKEN THEM AT SINAI, TO RESPOND WITH THE IMMEDIACY WITH WHICH WE RESPOND TO A SPOKEN COMMAND.

TORAH WAS NOT LITERATURE BUT WORDS WHICH DERIVED FROM GOD'S OWN SPEECH. THOSE WHO CHANTED FROM THE SEFER TORAH PARTICIPATED IN A DIVINE ACT, SPEAKING ALOUD THE WORDS GOD HAD SPOKEN AT SINAI. WHEN THEY RECITED THE ORAL LAW, THEY SOUGHT TO HEAR NOT ONLY WHAT HE HAD SAID, THE WORDS, BUT THE TONE, INFLEXION, AND RHYTHM WHICH TRADITION ASSOCIATED WITH HIS SPEAKING.

RABBINIC EDUCATION REQUIRED A GOOD MEMORY. WHAT IS IN THE MIND REMAINS ALIVE. WHAT IS ON PAPER MAY BE REMEMBERED, OR MAY NOT BE. A BOOK MAY BE PICKED UP OR MAY NOT BE. A PRAYER WHICH IS LEARNED AND RECITED DAILY IS ALWAYS ON ONE'S MIND. ZAKHOR, REMEMBER, WAS FOR THE JEW NOT ONLY A MANDATE TO KEEP ALIVE HIS PAST BUT TO KEEP ALIVE THE TERMS OF GOD'S COMMANDMENTS.

MANY BELIEVED THAT BY RECITING AND STUDYING THESE TEXTS THEY WERE LEARNING TO FREE THEMSELVES OF EARTHLY CONCERNS AND JOINING

THEIR HEARTS TO GOD. JUST AS THE GREEK THINKERS HAD BELIEVED THAT THE EXERCISE OF PURE REASON LED TO THE ACTIVATION OF THE INTELLECT AND TO A FORM OF TRANSCENDENCE, MORAL PURITY, AND PERHAPS EVEN IMMORTALITY, SO THE JEW WHO SPENT HIS DAYS WITH TORAH WAS BUSY NOT ONLY WITH GOD'S WORK, HELPING GOD OUT, BUT LIKE THE MONK WHO SPENT HIS LIFE IN MEDITATION AND DENIAL, APPROACHED GOD HIMSELF.

THE LEARNED WERE NOT THE ONLY ONES WHO ACCEPTED THE REDEMPTIVE VALUE OF TALMUD TORAH. IN THE TIGHT JEWISH COMMUNITIES OF THE MIDDLE AGES, IT WAS NOT UNCOMMON FOR ORDINARY WORKING PEOPLE TO FORM A FRATERNAL SOCIETY, A HAYURAH, AROUND THE TWIN AIMS OF PROVIDING MUTUAL AID AND A WEEKLY SABBATH REGIMEN OF BIBLE OR MISHNAH RECITATION AND STUDY. INDEED, THESE INFORMAL HAYUROT FOCUSED ON THE PSALMS AND THE MISHNAH FAR MORE THAN THE SEFER TORAH.

"THESE ARE THINGS WHOSE FRUITS A MAN ENJOYS IN THIS WORLD WHILE THE CAPITAL IS LAID UP FOR HIM IN THE WORLD TO COME: HONORING FATHER AND MOTHER, DEEDS OF LOVING KINDNESS, MAKING PEACE BETWEEN A MAN AND HIS FELLOW; AND TALMUD TORAH IS EQUAL TO THEM ALL"

Shabbat (127a). TALMUD TORAH DESCRIBES AN ACTIVE INTELLECTUAL INVOLVEMENT, PRIMARILY WITH THE CONCERNS OF THE ORAL LAWS.

AFTER THE THIRD CENTURY, GRADUATE EDUCATION WAS CALLED TALMUD TORAH. THE ADVANCED STUDENT FOUND A MASTER WHO TAUGHT HIM TALMUD, MORE LAW, AND MUCH MORE INTERPRETATION. THE TEACHER PRESENTED THE TEXT AND REPEATED IT - (B. HOR. 13B). THESE TEXTS WERE NOT USUALLY UNENCUMBERED STATEMENTS OF MISHNAH LAW, BUT BLOCKS OF COMMENTARY

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AND FRAGMENTS OF CLASSROOM DISCUSSION WHICH DEFINED THE TEACHING AND TRIED TO UNDERSTAND ITS UNDERLYING PRINCIPLES. GEMARA LITERALLY MEANS STUDY. AFTER STUDENTS MEMORIZED A TEXT THERE MIGHT BE DISCUSSION OF THE CONCEPTS OF LAW AND THEOLOGY IMPLICIT IN IT OR OF THE APPROPRIATENESS OF THE USE OF HERMENEUTIC RULES IN ITS INTERPRETATION. AS THE SAGES RECOGNIZED THAT NOT ALL COULD MANAGE SUCH ERUDITE MATERIAL, THEY DECREED THAT SOMEONE WHO CAN DO NO MORE THAN READ OR RECITE THE SHEMA TWICE A DAY, MORNING AND EVENING, HAS FULFILLED HIS TALMUD TORAH OBLIGATION; BUT ONE SAGE ADDED: 'DON'T TELL HIM THIS LEST HE FEEL THIS IS ALL THAT IS REQUIRED', (CF B. MEN 99B).

THERE ARE TRACTATES ON THE SABBATH AND THE HOLY DAYS, CIVIL AND CRIMINAL LAW, MATTERS OF PERSONAL STATUS, VOWS, THE RULE OF THE NAZARITE -- ALL MATTERS REFERRED TO IN ONE WAY OR ANOTHER IN THE WRITTEN TORAH -- BUT THE MISHNAH GOES FAR BEYOND THE TORAH TEXT. DEUTERONOMY 6 CONTAINS A KEY LITURGICAL TEXT: "HEAR (SHEMA) O ISRAEL, THE LORD OUR GOD, THE LORD IS ONE" (V. 4). THE MISHNAH WAS NOT PRIMARILY INTERESTED IN THE THEOLOGY OF THE SHEMA BUT IN ITS PRACTICE. IS THE SHEMA ONLY THIS ONE SENTENCE? THE MISHNAH SUGGESTS A LENGTHIER RECITATION AND LATER MAKES IT CLEAR THAT IT REFERS TO A SET OF THREE BIBLICAL PASSAGES BEGINNING WITH DEUT. 6:4-9 AND INCLUDING DEUT. 11:13-21 AND NUM. 15:37-41. WHEN IS THE SHEMA TO BE SAID? TWICE DAILY AT CAREFULLY STIPULATED TIMES.

THE TALMUDIC JUDAIISM INTENDED TO REGULATE ALL ASPECTS OF THE INDIVIDUAL'S AND COMMUNITY'S LIFE.

✓ PRECEDING AND CONCLUDING BENEDICTIONS ARE STIPULATED AND THEIR WORDING CLOSELY EXAMINED (M. BER. 2:2FF). RULES DETERMINE WHETHER ONE CAN INTERRUPT THE RECITATION AND FOR WHAT REASONS. THERE ARE RULES CONCERNING THE WORSHIPPER'S POSTURE DURING THE RECITATION. VOICE LEVEL IS REGULATED. THERE ARE RULES WHICH GOVERN WHAT TO DO IN CASE A MISTAKE IS MADE. CERTAIN EXEMPTIONS ARE INDICATED: A BRIDEGROOM ON THE FIRST NIGHT OF HIS MARRIAGE IS NOT OBLIGATED TO RECITE THESE PARAGRAPHS.

WE KNOW THAT THE SHEMA WAS RECITED DAILY. ITS CENTRAL TEXTS ARE FROM THE SEFER TORAH, BUT THE TORAH CONTAINS NO LAW REQUIRING THAT THESE TEXTS, OR ANY OTHER, BE RECITED DAILY OR THAT SUCH RECITATION BE ACCOMPANIED WITH A PRESCRIBED SET OF BLESSINGS. IN RABBINIC DISCUSSIONS OF THE SHEMA WE COME UPON THIS STATEMENT: "HE WHOSE DEAD LIES BEFORE HIM IS EXEMPT FROM RECITING THE SHEMA, FROM SAYING THE TEFFILAH AND FROM WEARING TEFILLIM (PHYLACTERIES)" (M. BER. 3:1). ✓ THE TEFFILAH IS A SERIES OF PETITIONAL PRAYERS, USUALLY EIGHTEEN, WHICH TOGETHER WITH THE SHEMA CONSTITUTE THE CORE LITURGICAL FORMULAS OF THE SYNAGOGUE SERVICE. TEFILLIM ARE PHYLACTERIES, WORN DURING MORNING PRAYERS, WHICH CONTAIN SMALL PARCHMENT SCROLLS INSCRIBED WITH SEVERAL BIBLICAL PASSAGES. THE MISHNAH HERE DESCRIBES EXISTING PRACTICES WHICH ARE NOT NECESSARILY GROUNDED IN THE TORAH'S TEXT. THERE IS NO SPECIFIC TORAH TEXT REQUIRING THAT THE TEFILLAH BE RECITED OR TEFELLIM PUT ON. UNLIKE BIBLICAL JUDAISM, RABBINIC JUDAISM INTENDED TO REGULATE ALL ASPECTS OF THE INDIVIDUAL'S AND COMMUNITY'S LIFE.

WHEN IN THE FOURTH CENTURY THE MISHNAH ACHIEVED SCRIPTURAL AUTHORITY, IT SANCTIFIED FOR JEWS A WIDE VARIETY OF CUSTOMS AND PRACTICES WHICH HAD GROWN OVER THE CENTURIES AND BESTOWED ON THEM THE CACHET OF EQUAL STANDING WITH THE INSTRUCTIONS CONTAINED IN THE WRITTEN TORAH. THIS ENLARGED SIGNIFICANTLY THE BODY OF REGULATIONS WHICH JEWS ACCEPTED AS OBLIGATORY.

THE MISHNAH EXUDES A NEW SENSE OF AUTHORITY. THE OPENING PARAGRAPH OF THE MISHNAH AS WE HAVE SEEN, CITED RABBI ELIEZER, RABBAN GAMALIEL AND THE HACHAMIM, THE SAGES, AS AUTHORITATIVE TEACHERS, RABBIS WHO OFFERED LAW ON THEIR OWN AUTHORITY. THE MISHNAH RARELY CITES TORAH TEXTS TO SUPPORT A RABBINIC POINT OF VIEW, EVIDENCE OF RABBINIC CONFIDENCE THAT THEIR AUTHORITY WAS SUFFICIENT TO ESTABLISH THE ORAL LAW.

THE RABBIS TAKE OVER FROM THE PROPHETS, PRIESTS, AND SCRIBES AS THE LEADERS WHO TRANSMIT TO ISRAEL GOD'S WORDS AND WILL. AUTHORITY NOW RESTS WITH THE LEARNED AND THEIR LEARNING. RABBINIC AUTHORITY, LIKE PROPHETIC AUTHORITY, WAS NOT AUTOMATIC. AS THERE HAD BEEN FALSE PROPHETS, SO SOME RABBIS FELL INTO ERROR. WE HEAR OF RABBIS BEING EXCOMMUNICATED. NOT ALL JEWS ACCEPTED THE FULL RANGE OF OBLIGATIONS WHICH THE RABBIS LAID OUT, BUT IN MOST OF THE JEWISH SETTLEMENTS THE MISHNAH WAS SLOWLY ACCEPTED AS FUNDAMENTAL AND AUTHORITATIVE. THE MISHNAH BECAME AND REMAINED THE BASIS OF A CURRICULUM THAT WAS EVER AFTER TO DOMINATE AND CONDITION THE JEWISH MIND. HOW THIS CAME ABOUT HAS NEVER BEEN SATISFACTORILY

EXPLAINED. CHRISTIAN LAYMEN RARELY READ CANON LAW. HOW IS IT THAT JEWISH NON-PROFESSIONALS READ THE MISHNAH, AND THAT THE MISHNAH AND THE GEMARA BECAME THE STAPLES OF A PROGRAM OF LIFELONG EDUCATION? PART OF THE ANSWER LIES IN THE NATURE OF THE SCHOOL SYSTEM THE RABBIS DEVELOPED, OF WHICH THE MISHNAH WAS THE CENTER-PIECE. PART OF THE ANSWER LIES IN THE NATURE OF THE JEWISH MIND WHICH TENDS TO PREFER THE PRACTICAL TO THE THEORETICAL.

THE TALMUD CONTAINS AN IMAGINARY DRAMA: MOSES DESCENDS TO EARTH TO VISIT THE SCHOOL OF R. AKIBA, PERHAPS THE MOST RENOWNED TANNA OF THE FIRST HALF OF THE SECOND CENTURY. HE SLIPS INTO A BACK ROW AND LISTENS ATTENTIVELY, BUT WITH GROWING PERPLEXITY. HE DOES NOT RECOGNIZE WHAT IS BEING TAUGHT IN HIS NAME. ACCORDING TO THE SAGE WHO INVENTED THIS STORY, MOSES IS SATISFIED WHEN HE HEARS AKIBA CERTIFY HIS TEACHINGS AS PART OF THE ORAL TORAH WHICH MOSES HAD RECEIVED AT SINAI. THE ONLY WAY ONE CAN UNPACK THIS STORY IS TO SUGGEST THAT MOSES DID NOT RECOGNIZE THE TEACHINGS BEING QUOTED IN HIS NAME AND, THEREFORE, THAT HE COULD NOT RECOGNIZE THE PRACTICE OF AKIBA'S DAY. SUCH ADMISSIONS OF CHANGE ARE RARE. THE JERUSALEM TALMUD DOES SAY: "IN THREE PLACES THE HALACHA UP-ROOTS SCRIPTURE." THE THREE SPECIFICS SEEM MINOR: THAT ONE MAY WRITE A DIVORCE DOCUMENT ON ANY KIND OF WRITING SURFACE RATHER THAN ONLY IN A SCROLL (DEUT. 24:1); THAT THE BLOOD OF A DEAD BEAST MAY BE COVERED BY ANY KIND OF GROWTH, NOT JUST DUST AS LEV. 17:13 REQUIRES; OR THAT THE EAR OF THE HEBREW SLAVE WHO

TO DO WHAT IS RIGHT CAN LEAD TO DOING RIGHT FOR ITS OWN SAKE.

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b. Sota 64a
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DURING THE SABBATICAL YEAR REFUSED HIS FREEDOM CAN BE PIERCED WITH A NEEDLE OR A BIT OF GLASS AND NOT JUST THE AWL AS Ex. 21:6 ✓ REQUIRES. IN NONE OF THESE CASES IS A BASIC CHANGE MADE IN THE TORAH LAW; A BILL OF DIVORCE MUST BE WRITTEN, THE BLOOD OF AN ANIMAL MUST BE COVERED, THE EAR OF A SLAVE WHO REFUSED HIS FREEDOM MUST BE PIERCED; BUT TO TINKER WITH EVEN THE DETAILS OF GOD'S OWN WORDS IS NO SMALL MATTER. THE WRITTEN TORAH SPECIFICALLY INSISTS: "YOU SHALL NOT ADD NOR SUBTRACT FROM IT." MISHNAIC JUDAISM WAS A NEW MODALITY, BUT THE RABBIS RARELY ACKNOWLEDGED THAT FACT.

BY INTERPRETING THE LAW TO INCLUDE BOTH CURRENT PRACTICE AND VENERABLE TRADITION, THE RABBIS CREATED A RELIGIOUS DISCIPLINE AND TEACHING WITH QUITE A DIFFERENT TEXTURE ^{which (?)} THAN THAT MANY JEWS HAD KNOWN BEFORE. AUTHORITY WAS TO REST WITH A LEARNED ELITE, PRECISE RULES WERE TO GOVERN ALL ASPECTS OF THE RELIGIOUS LIFE, WORSHIP WAS PROVIDED WITH A FIXED LITURGY, PART OF EVERY DAY WAS TO BE DEVOTED TO TALMUD TORAH, AND HOPE LAY NOT ONLY IN THE PROMISE OF NATIONAL RENEWAL BUT IN PERSONAL IMMORTALITY. THE MANAGEMENT OF ONE'S PRIVATE LIFE, THE FOOD AND DRINK ONE CONSUMED, THE GARMENTS ONE WORE, THE CARE OF ONE'S HOUSEHOLD, EVEN MARRIAGE AND PARENT-CHILD RELATIONSHIPS WERE TO BE GOVERNED BY A DEFINED AND ALL-ENCOMPASSING SET OF RULES. WHAT WAS RIGHT WAS RIGHT BECAUSE IT WAS STIPULATED. ✓ DUTY BEGAN IN OBEDIENCE RATHER THAN IN MAN'S CONSCIENCE. THE RABBIS BELIEVED IN DOING THE RIGHT THING FOR GOOD MOTIVES, BUT

THEY ALSO BELIEVED THAT THE FORCE OF HABIT AND COMMUNITY PRESSURE TO DO WHAT IS RIGHT CAN OFTEN LEAD TO DOING RIGHT FOR ITS OWN SAKE.

הם פשוט
אני חושב
שהם
(Jer Hag. 1:6)
b. Sot. 22b)

NOT UNDERSTAND (b. Sot. 22a).

what he says
(b. Sot. 22b)

unclear ? f

EVEN HOUSEHOLD PRACTICE COMES UNDER THE LAW: SEPARATE MEAT AND MILK DISHES, PROPERLY SLAUGHTERED MEAT, CONCERN FOR THE PURITY OF FOOD INTO WHICH OTHER FOOD MAY ACCIDENTALLY HAVE FALLEN, RULES GOVERNING THE CLEANSING OF POTS AND PANS WHICH HAVE BEEN RITUALLY CONTAMINATED. NEAT AND PRECISE RULES DETAIL HOW MARRIAGE CONTRACTS OR BILLS OF DIVORCE ARE TO BE WRITTEN, WITNESSED, AND HANDLED. RELATIONSHIPS WITH NON-JEWS WERE CAREFULLY REGULATED, AS WERE THE RELATIONSHIPS OF HUSBAND AND WIFE. CODES OF CIVIL AND CRIMINAL LAW WERE EXPANDED. IT IS RABBINIC REGULATION, ONE FROM THE WRITTEN TORAH, WHICH REQUIRES THE SEPARATION OF MEN AND WOMEN IN THE SYNAGOGUE AND LIMITS THE ROLE OF WOMEN IN THE SYNAGOGUE.

Is this Talmudic? (Sukka refers to not synagogue)

✓

DETERMINED TO KEEP MISHNAH UNWRITTEN, THE SAGES INEVITABLY CONFRONTED THE UNEQUAL CAPACITIES OF INDIVIDUAL MEMORY. A GOOD MEMORY IS NOT ALWAYS ATTACHED TO A GOOD MIND. AS THE GREEKS KNEW OF RHAPSODISTS WHO COULD RECITE HOMER FLUENTLY BUT HAD NO UNDERSTANDING OF THE POEM'S MEANING, SO THE JEWS KNEW OF TANNAIM OF SIMILAR LIMITATION, "A BASKET FILLED WITH BOOKS" (B. MEG 28B). DURING THESE CENTURIES, WE HEAR OF MEN WHO WERE USED AS LIVING TAPE RECORDERS. LECTURERS IN ADVANCED SEMINARS COULD ASK SUCH MEN TO RECITE A BLOCK OF MATERIAL WHICH THE LECTURERS INTENDED TO DISCUSS OR SIMPLY TO REFRESH THE MASTER'S MEMORY OF THE EXACT WORDING OF A PARTICULAR CITATION (J. MA'ASER SHENI 5:1). THE TALMUD WARNS THAT DESPITE THEIR ABILITY TO RECITE BLOCKS OF THE TALMUD, MEMORY PROFESSIONALS WERE NOT TO BE TREATED AS SCHOLARS. "THE MAGICIAN MUMBLES AND DOES NOT UNDERSTAND WHAT HE SAYS; SIMILARLY, THE MEMORIZER RECITES BUT DOES NOT UNDERSTAND" (B. SOT. 22A).

✓

what he says
(2nd. 'hnd)

THE SAGES' EMPHASIS ON MEMORY GREW OUT OF A CONSCIOUS DECISION AND THUS DIFFERS FROM THE OLDER TRADITIONS OF THE EARLY BIBLICAL PERIOD WHERE FEW WERE LITERATE AND ORALITY WAS INEVITABLE. THE SAGAS AND LAWS WERE RECITED IN THE VERNACULAR, HEARD AND UNDERSTOOD BY ALL. IN RABBINIC TIMES BASIC LITERACY WAS FAIRLY COMMON, BUT HEBREW HAD CEASED TO BE THE PEOPLE'S EVERYDAY SPEECH AND EVEN THE HEBREW OF THE MISHNAH WAS SPOKEN ONLY BY A MINORITY. TO BE SURE, THERE WAS STILL A FOLK TRADITION IN RABBINIC TIMES: TALES, CURES, SUPERSTITION, CUSTOMS, CONVENTIONAL WISDOM, LEGENDS, TALES OF HOLY MEN AND THEIR MAGIC, POPULAR MEDICINE AND THERAPIES, PASSED ON NATURALLY FROM GENERATION TO GENERATION. THERE WERE POPULAR STORYTELLERS. FATHERS TAUGHT THEIR SONS, MOTHERS THEIR DAUGHTERS. THERE WAS NO NEED TO SYSTEMATIZE THIS KNOWLEDGE AND SO, THOUGH IT PENETRATED AND INFLUENCED EVERY ASPECT OF COMMUNITY LIFE, IT WAS NEVER COLLECTED OR CODIFIED.

THE NEW ORAL TRADITION WAS QUITE DIFFERENT. IT WAS ELITIST, SELF-AWARE, ARTIFICIAL IN THE PRECISE MEANING OF THE WORD, A CREATION OF HUMAN ARTIFICE. THE SUBSTANCE OF THE NEW ORAL TRADITION WAS A HIGHLY SOPHISTICATED TRADITION OF RELIGIOUS AND JURIDIC ANALYSIS WITH WHICH ORDINARY FOLK HAD LITTLE CONTACT. IT BELONGED TO A SCHOOLED, LITERATE AUDIENCE OF THE ACADEMY, NOT TO THE WORLD OF THE STORYTELLER. STUDENTS LEARNED THESE TRADITIONS FROM A MASTER, NOT AT HOME OR IN THE STREET.

IN AN ACADEMIC WORLD WHICH EMPHASIZED ORAL KNOWLEDGE, THE EDUCATIONAL SYSTEM NEEDED TO ENCOURAGE THE DEVELOPMENT OF THE MEMORY CAPACITY. BEGINNING STUDENTS WERE REPEATEDLY SET THE TASK OF RECITING TORAH VERSES THEY HAD LEARNED IN SCHOOL (B. HAG 15A-B, B. GIT 58A) OR PORTIONS OF THE LITURGY (M. PES. 10:4; M. SUK. 3:15). IN THE MORE ADVANCED CLASSES, A TEACHER MIGHT RECITE BIBLICAL VERSES DEALING WITH THE SABBATH OR A HOLY DAY, AND THEN A BLOCK OF RULES ELABORATING ON SABBATH OR FESTIVAL LAW AND ASSIGN THE CLASS THE RESPONSIBILITY OF LEARNING IT ALL BY HEART (M. SAB 7:2, 10:3-5, 12:1-3). WHEN A YOUTH BEGAN TO STUDY MISHNAH HIS TEACHER WOULD RECITE A BLOCK OF LAW AND THE STUDENT WOULD REPEAT IT UNTIL HE HAD IT MEMORIZED. MONTHS OF ROTE PRECEDED ANY DISCUSSION OF MEANING. THOUGH THE MASTERS TAUGHT THAT JUDAISM RESTED EQUALLY ON THREE VIRTUES -- TORAH STUDY; AVODAH, RELIGIOUS PRACTICE; AND GEMILUT HASADIM, ACTS OF COVENANT LOYALTY -- FOR THE ADVANCED STUDENT TORAH STUDY WAS PRIMARY. HE NEED NOT LEAVE HIS STUDIES TO ATTEND WORSHIP IN THE SYNAGOGUE. TOLD THAT HIS SON, AN ADVANCED STUDENT, WAS SPENDING HIS TIME DOING GOOD DEEDS, A RABBI SENT HIM A STIFF NOTE WHICH SAID, IN EFFECT, 'YOU COULD HAVE DONE THOSE GOOD DEEDS AT HOME. THAT'S NOT WHY YOU ARE AT SCHOOL' (TOS. PES. 3:7 cf. J. GOLDIN, "SEVERAL SIDELIGHTS ON A TORAH EDUCATION," EX ORBE RELIGIONUM VOL. I (1971) P. 179 NOTE 4).

How do these
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(? final 'ON)

HOMESWORK MEANT REPETITION AND MORE REPETITION. FOR THE TEACHER, A LECTURE BEGAN BY RECITING THE TEXT TO BE DISCUSSED, THEN THE STUDENT REPEATED THE TEXT. IT WAS SUGGESTED THAT A TEACHER SHOULD REPEAT A VERSE OR PORTION AT LEAST FOUR TIMES TO MAKE SURE THE STUDENT HAD MASTERED IT (B. EREV. 54B). SOME TEACHERS AND STUDENTS WERE PREPARED TO REPEAT A LESSON FOUR HUNDRED TIMES. STUDENTS WERE ADVISED TO REPEAT A NEW SECTION IN THE EVENING, REVIEW IT THE NEXT MORNING, AGAIN AT NOON AND AGAIN IN THE EVENING (B. MEN. 18A). "ONE SHOULD ALWAYS RECITE EVEN IF ONE DOES NOT UNDERSTAND WHAT ONE IS SAYING" (B. A.Z. 19A). IT IS NOT UNUSUAL TO HEAR OF A STUDENT WHO "HEARD HIS MASTER REPEAT HIS INTERPRETATION FORTY TIMES UNTIL IT BECAME LIKE MONEY THAT HE CARRIES IN HIS PURSE," I.E., HE CAN SUMMON UP THE EXACT TRADITION AT WILL (B. MEG. 7B).

OBVIOUSLY, FEW STUDENTS MEMORIZED THIS ENTIRE OCEAN OF ATOMIZED LITERATURE. "HERE IS THE WAY IT REALLY IS OF A THOUSAND WHO START OUT TO LEARN HOW TO READ SCRIPTURE, ONLY A HUNDRED GO FURTHER; OF THE HUNDRED WHO STUDY MISHNAH, ONLY TEN GO FURTHER; OF THE TEN STUDYING TALMUD, ONLY ONE BECOMES AN AUTHORITY" (LEV. R. 2:1) S. ~~OF~~ S. ~~R~~ 2:28). IT WAS NO EASY MATTER TO MEMORIZE BLOCKS OF LAW OR BIBLICAL INTERPRETATION; BOTH MIDRASH AND MISHNAH REFLECT THE PRESSURE FOR COMPRESSION. "A TEACHER SHOULD PRESENT THE MATERIAL TO BE MEMORIZED IN THE FEWEST POSSIBLE WORDS" (Ps 3a). A JUDGE OR TEACHER WHO MADE AN ELEMENTARY ERROR AND RULED AGAINST THE

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CLEAR INTENT OF THE TEXT WAS TOLD IN NO UNCERTAIN TERMS TO "GO BACK TO SCHOOL AND LEARN IT" (B. SAN 33B).

YET, PRODIGIOUS FEATS OF MEMORY WERE COMMONPLACE. R. MEIR ON ONE PURIM FOUND HIMSELF IN AN OUT-OF-THE-WAY SPOT IN TURKEY AND HAD NO ~~MEGILLAH~~ (in Hebrew) WITH WHICH HE MIGHT FULFILL THE COMMAND TO READ THAT SCROLL ON THE HOLIDAY. WHAT DID HE DO? HE WROTE A MEGILLAH FROM MEMORY AND THEN READ IT ALOUD (P.T. MEG. 4:1). ✓ AS LATE AS GAONIC TIMES, LEGEND HAS IT THAT A SCHOLAR SHIPWRECKED IN SPAIN WAS ABLE TO PROVIDE THAT COMMUNITY WITH A TALMUD BY DICTATING IT FROM MEMORY.

SCHOOLS WERE NOISY PLACES. THE ORAL LAW, LIKE THE WRITTEN LAW, WAS CHANTED AS IT WAS BEING LEARNED. THE GEMARA DESCRIBES THIS NOISINESS WITH WORDS WHICH CAN BE APPLIED EQUALLY WELL TO MISHNAIC TIMES. "CAUSE YOUR EARS TO HEAR WHAT COMES OUT OF YOUR MOUTH" (B. BER. 13A). A MASTER NEEDED TO HEAR A RECITATION IN ORDER TO CORRECT IT. SPEAKING SOFTLY OR MOUTHING THE WORDS WAS FROWNED ON. THE LITERATURE INCLUDES MONITORY TALES OF STUDENTS WHO CHANTED SOFTLY AND WHO FORGOT EVERYTHING THEY KNEW (S. ERUV 54A).

STUDENTS WERE JUDGED BY THEIR MEMORY APTITUDE. "THERE ARE FOUR TYPES OF PUPILS: SWIFT TO HEAR AND SWIFT TO LOSE, HIS GAIN IS CANCELLED BY HIS LOSS; SLOW TO HEAR AND SLOW TO LOSE, HIS LOSS IS CANCELLED BY HIS GAIN; SWIFT TO HEAR AND SLOW TO LOSE, A HAPPY LOT" (M. P.A. 5:12). AGAIN, "FOUR TYPES SIT BEFORE THE SAGES;

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THE SPONGE, THE FUNNEL, THE STRAINER AND THE SIEVE. THE SPONGE ABSORBS EVERYTHING; THE FUNNEL TAKES IN AT THIS END AND LETS OUT AT THE OTHER; THE STRAINER LETS OUT THE WINE AND COLLECTS THE DREGS; THE SIEVE EXTRACTS THE COARSELY GRAINED FLOUR AND COLLECTS THE FINE FLOUR."

MASTERY OF THE RABBINIC AGENDA EARNED STATUS AND RESPECT, BUT THE MASTERS COULD NOT BE CERTAIN OF RETAINING THEIR KNOWLEDGE. IMAGINE THE FEARS THEY MUST HAVE HAD ABOUT POSSIBLE MEMORY LOSS CAUSED BY FEVER OR ILLNESS AS WELL AS AGE. WHEN HE BECAME ILL, JUDAH HA-NASI IS SAID TO HAVE FORGOTTEN THIRTEEN BLOCKS OF MATERIAL FROM HIS MISHNAH AND TO HAVE HAD TO BE TAUGHT THESE AGAIN BY OTHERS (B. NAH 41A, AZ 52B). TO AVOID ANY LAPSE OF MEMORY, SOME SAGES REPEATED ALOUD ALL THEY KNEW AS THEY WALKED OR WORKED. OTHERS DISCIPLINED THEMSELVES TO REPEAT THE ENTIRE ORAL LAW EVERY THIRTY DAYS (B. PES. 68B).

OVER TIME, PARTICULARLY IN THE EASTERN DIASPORA, THE MASTER CAME TO BE SEEN NOT ONLY AS MENTOR BUT AS EXEMPLAR OF THE TORAH WAY. THE STUDENT LITERALLY ATTENDED THE MASTER AND LEARNED BY COPYING HIS MANNER AND DAILY ROUTINES AS WELL AS BY MEMORIZING HIS RECITATIONS. LEARNING WAS NOT SIMPLY A MATTER OF MASTERING A BODY OF KNOWLEDGE, BUT INVOLVED EMULATING THE TEACHER WHOSE EVERY ACTION WAS BELIEVED TO EXEMPLIFY TORAH, JUST AS HIS SPEECH DEFINED TORAH. SCHOLARS AND DISCIPLES WERE DISTINCTLY COSTUMED. KNOWLEDGE,

how he had forgotten support for One law

Berachot 62a

SELF-CONFIDENCE AND CULTURE BREED AWE, AND RABBIS TENDED TO BE TREATED WITH THE AWE DUE A SHAMAN. SOME SEEM TO HAVE DELIBERATELY TRADED ON CHARISMA. OTHERS APPARENTLY RESTRICTED THEMSELVES TO THE PIETIES OF STUDY.

THE TEACHER SAT IN FRONT OF STUDENTS ON A PILLOW OR CHAIR WITH HIS DISCIPLES CROSS-LEGGED ON FLOOR MATS. AT PUBLIC LECTURES WHEN SEVERAL MASTERS AND STUDENTS WOULD MEET TOGETHER, A METURGAMAN OR AMORA (SPEAKER) WAS PROVIDED. THE SAGE EXPLAINED THE RULE TO THE METURGAMAN, WHO SHOUTED OUT THE SAGE'S THOUGHTS. QUESTIONS WERE GIVEN TO THE METURGAMAN WHO CONSULTED THE SAGE AND THEN ELABORATED THE SAGE'S ANSWER. THE METURGAMAN WAS OFTEN SOMETHING OF A SCHOLAR THOUGH NOT NECESSARILY A MASTER, THAT IS, SOMEONE PERMITTED TO VOTE IN THE COUNCIL OF SCHOLARS WHICH HAD FINAL AUTHORITY IN JUDICIAL MATTERS.

MEMORY WAS KEY AND KING. IT WAS A HIGH COMPLIMENT WHEN ONE SAGE DESCRIBED AS A CEMENTED CISTERN WHICH DOES NOT LOSE A DROP. THERE CAN BE NO DOUBT THAT METHODS FOR DEVELOPING THE ART OF MEMORY WERE MUCH DISCUSSED. THE TALMUD IS FULL OF ACROSTICS AND SIMANIM, SIGNS, PUT THERE BY EDITORS AND TEACHERS TO HELP FIX PARTICULAR FORMULATIONS IN THE MIND.

ONE SIMANHA FOCUSES ON A MEMORABLE PHRASE WHICH SUGGESTS AN EXTENDED LEGAL FORMULA. ANOTHER DEVICE TIED TOGETHER UNRELATED STATEMENTS BY PROVIDING THEM IDENTICAL OPENING FORMULAS, AN ANCIENT PRACTICE WE FIND IN THE ORACLES OF THE EIGHTH-CENTURY B.C.E. PROPHET AMOS ("FOR THREE TRANSGRESSIONS. . . YEA FOR FOUR").

even 2
one master
(?)

Av.
2:11

NUMBERS WERE USEFUL: "THREE THINGS MUST A MAN SAY WITHIN HIS HOUSE WHEN DARKNESS IS DESCENDING ON THE EVE OF SABBATH. . ." THE FALLIBILITY OF SUCH DEVICES IS SUGGESTED BY A COMMENT UNFAVORABLY COMPARING THE MEMORIES OF THE SAGES OF THE GALILEE TO THOSE OF JUDEA: "THE SAGES OF JUDEA RETAINED THEIR KNOWLEDGE WHILE THOSE OF THE GALILEE DID NOT BECAUSE THEY EMPHASIZED SIMANIAS" (T., B. ER. 53A). VARIOUS BIBLICAL TEXTS WERE CITED TO "PROVE" THE IMPORTANCE OF THESE TECHNIQUES. "PUT IT (SIMA) IN THEIR MOUTHS" (DEUT. 31:19). "ERECT MARKERS (TZIPIM), SET UP SIGNPOSTS" (JER. 31:20). ONE TECHNIQUE ASSOCIATED BLOCKS OF MATERIAL WITH SOME SHORT, EASILY RECALLED STATEMENT: THUS, THE PHRASE, 'GREAT IS THE SANCTUARY OF MOSES,' SUGGESTED TO A CERTAIN R. MANESSEH THREE STATEMENTS ABOUT CHARITY WHICH BEGIN SUCCESSIVELY WITH "GREAT", "SANCTUARY" AND "MOSES". WHILE IT'S HARD TO PROJECT OURSELVES BACK INTO THE MENTAL GYMNASTICS OF SUCH A TOTALLY DIFFERENT CULTURE, WE CAN RECOGNIZE HOW THE BIBLICAL VERSES MEMORIZED IN CHILDHOOD AND FREQUENTLY HEARD IN THE SYNAGOGUE, BECAME THE LATTICE ON WHICH THE SAGE HUNG THE ASSOCIATED FORMULAS HE WANTED TO BE ABLE TO RECALL. HE SUMMONED THE TORAH TEXT TO REMIND HIMSELF OF ALL THAT HAD BEEN DEVELOPED FROM IT.

IT WAS SUGGESTED THAT STUDENTS FORM AN IMAGE OF THE MASTER WHO HAD PROMULGATED A RULE EVEN AS THEY MEMORIZED THE RULE, THUS FULFILLING THE REQUIREMENT THAT A RULE BE CITED IN THE NAME OF ITS PROPOUNDER (J. SHEK. (II, 7, 47A). THIS WAS A PECULIARLY JEWISH VERSION OF A GRECO-ROMAN MEMORIZATION TECHNIQUE WHOSE METHOD IS

how about Av 6:6
 what about 12:1
 what about 12:1
 what about 12:1
 what about 12:1
 what about 12:1

Sub 2:7

Deut 31:19
 Jer 31:20

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OUTLINED IN THE FIRST CENTURY TEXT AD HERENNIIUM. THE AUTHOR, AN ANONYMOUS TEACHER OF RHETORIC, CONSIDERED TWO ASPECTS OF MEMORY: AS A NATURAL ENDOWMENT, AND AS AN ENDOWMENT WHOSE EFFICIENCY AND CAPACITY CAN BE INCREASED BY CAREFUL TRAINING. HOW IS ONE TO TRAIN HIS MEMORY? SINCE SIGHT, THE AUTHOR BELIEVED, IS THE STRONGEST AND SHAPREST OF THE SENSES, THE BEST WAY TO FIX SOMETHING IN ONE'S MEMORY IS TO ASSOCIATE IT WITH A PLACE AND WITH OBJECTS IN THAT PLACE WHICH CAN BE EASILY RECALLED TO THE SCREEN OF THE MIND. THE AUTHOR SUGGESTS THAT THE READER WALK THROUGH A LARGE, MULTI-CHAMBERED BUILDING AND FIX IN HIS MIND THE SHAPE OF EVERY ROOM AND THE PLACEMENT OF OBJECTS IN EACH ROOM. THEN WHEN HE WANTS TO MEMORIZE A SPEECH OR A TEXT HE SHOULD ASSOCIATE THE VARIOUS IDEAS HE PROPOSES TO PUT FORWARD WITH EACH OF THE ROOMS HE HAD WALKED THROUGH AND EACH SENTENCE OR PHRASE WITH AN OBJECT IN THE APPROPRIATE ROOM. TO RECALL THE SPEECH, HE HAS ONLY TO WALK THROUGH THE ROOMS IN HIS MIND.

THE JEWISH SAGES SEEM TO HAVE USED A WRITTEN TEXT AS THE ROMANS USED A BUILDING. THE PARAGRAPHS, WORDS AND LETTERS BECAME KEYS TO MEMORY. THE PHRASES AND LETTERS OF A MEMORIZED TEXT CAN STAND FOR THE PALACE AND ITS VARIOUS ROOMS AND OBJECTS. THE PLACES SELECTED FOR THIS PURPOSE ARE VERY MUCH LIKE WAX TABLETS OR PAPYRUS, THE IMAGES LIKE THE LETTERS, THE MANAGEMENT AND DISPOSITION OF THE IMAGE LIKE THE SCRIPT AND THE DELIVERY IS LIKE THE READING' (YATES P. 7, THE ART OF MEMORY, CHICAGO, 1966).

Did not
del

TODAY STUDENTS ATTEND A LECTURE TO LEARN A SPECIFIC BODY OF KNOWLEDGE AND ARE RELATIVELY INDIFFERENT TO THE PROFESSOR'S PRIVATE LIFE AND CHARACTER. THAT LEARNING AND CHARACTER CAN BE SEPARATED IS A MODERN ATTITUDE WHICH THE ANCIENT WORLD DID NOT READILY ACCEPT. CLASSIC THEORIES OF EDUCATION TREATED LEARNING AS ESSENTIAL TO THE DEVELOPMENT OF CHARACTER. LEARNING, THE GREEKS SAID, WAS WHAT DISTINGUISHES MAN FROM BRUTE, GREEK FROM BARBARIAN. THEIR THEORY OF EDUCATION ASSUMED THAT THE PURPOSE OF SCHOOLING WAS TO INITIATE THE YOUTH INTO HIS COMMUNITY'S WAYS OF LIFE AND TO HELP HIM BECOME A GOOD CITIZEN BY HELPING HIM TO KNOW, UNDERSTAND, AND CONFORM TO ITS CUSTOMS.

LEARNING WAS SEEN AS MORE THAN A CLASSROOM-BOUND EXPERIENCE. THE ROMAN TEACHER WAS A PEDAGOGUE, OFTEN A FREED GREEK SLAVE, WHO WAS WITH HIS CHARGE CONSTANTLY, TEACHING HIM NOT ONLY TO READ AND WRITE BUT HOW TO BEHAVE IN ALL POSSIBLE SITUATIONS. THE CHILD WAS TOLD THAT HIS GOAL SHOULD BE TO PATTERN HIMSELF ON HIS MENTOR. HE WAS TO SHAPE HIS MIND AND BODY INTO AN ESTHETICALLY AND ETHICALLY PLEASING PERSONNA. HIS STUDIES WERE NOT ENDS IN THEMSELVES, AS THEY ARE FOR US, BUT WAYS TO DEVELOP ASPECTS OF CHARACTER. PHILOSOPHY WAS THE QUEEN OF THE DISCIPLINES BECAUSE IT OPENED THE MIND TO ORDERLINESS OF THE UNIVERSE, AN ORDER THE STUDENT WAS TO DUPLICATE IN HIS PERSON.

IT WAS A RARE JEW WHO HAD HIS OWN PEDAGOGUE, BUT THE UNDERLYING JEWISH APPROACH TO LEARNING WAS NOT VERY DIFFERENT. THE

RABBIS USED MUSAR TO MEAN BOTH INSTRUCTION AND CORRECTION AS TO MANNERS AND MORALS. PROVERBS PLAINLY SAID, "TRAIN UP THE CHILD IN THE WAY THAT HE SHOULD GO" AND THE SAGES OFTEN QUOTE AS CONVENTIONAL WISDOM A MAXIM SPOKEN ORIGINALLY TO QUOTE ANOTHER PURPOSE, "~~AM~~ ¹⁰ ~~AM~~ ¹⁰ HA-ARETZ HASID," WHICH THEY TOOK TO MEAN AN IGNORANT MAN CANNOT HAVE A GOOD CHARACTER. THE GOAL WAS TO LEAD A RIGHTEOUS LIFE.

THE ANCIENT WORLD ASSUMED THAT THE MORE LEARNING, THE MORE VIRTUE, AND THAT THE PHILOSOPHER WOULD DISTINGUISH HIMSELF IN ALL AREAS OF LIFE AND BE THE PROPER LEADER FOR HIS CITY. MEN CAME TO PLATO OR ZENO NOT ONLY TO LISTEN TO THEIR PHILOSOPHY BUT TO BENEFIT FROM THEIR EXAMPLE. SIMILARLY, LEARNING PRESUMEDLY MADE THE RABBIS MORE TORAH-LIKE AND, THEREFORE, BETTER EQUIPPED TO GUIDE AND ORGANIZE COMMUNITY LIFE. THE RABBI BECAME A ROLE MODEL FOR HIS DISCIPLES WHO SAW HIM AS A LIVING TORAH, WHOSE EVERY ACT, THE WAY HE DRESSED, ATE, CONVERSED, EVEN THE WAY HE CLEANED HIMSELF, WAS A REFLECTION OF TORAH. THE RABBIS' ACTIONS AS WELL AS THEIR WORDS REFRACTED TORAH.

KNOWLEDGE ALLOWED THEM TO SHARE SOME OF GOD'S POWERS, EVEN TO THE EXTENT OF DEFINING GOD'S WILL. SINCE TORAH IS A DIVINE DISCIPLINE, THEIR ADVICE AND DEEDS ULTIMATELY PARTICIPATED IN DIVINITY. A LATE LEGEND MAKES THIS POINT. A DEBATE RAGED AMONG THE SAGES OF THE ACADEMY OF USHA OVER THE RITUAL FITNESS OF AN OVEN. A VOTE WAS TAKEN. ALL THE SAGES BUT ONE DECLARED IT FIT. THE DISSENTER WAS ABSOLUTELY CONVINCED OF HIS VIEW AND TOLD HIS COLLEAGUES THAT

HIS VIEW WAS IN FACT GOD'S. GOD WOULD BACK HIM UP. HOW? GOD WOULD CAUSE A LARGE TREE IN THE YARD TO MOVE. THE TREE MOVED. THE VOTE WAS TAKEN AGAIN AND THE SAGE REMAINED A MINORITY OF ONE. GOD, HIMSELF, COULD NOT STAND AGAINST THE WILL OF THOSE WHO HAD THE CREDENTIALS OF TALMUD-TORAH.

THE RABBIS OF THE TALMUDIC PERIOD WERE NOT MEMBERS OF A CLERICAL PROFESSION. UNLIKE THE LEADERS OF THE QUMRAN COMMUNITY, MOST DID NOT WITHDRAW FROM THEIR COMMUNITIES. UNLIKE HELLENISTIC TEACHERS AND RHETORS, THEY DID NOT LIVE OFF TUITION OR ESCHEW BUSINESS OR THE CRAFTS. THOSE FORTUNATE ENOUGH TO INHERIT WEALTH OR TO HAVE BEEN BORN INTO THE PRIEST CLASS LIVED OFF THEIR INHERITANCE OR TITHES. OTHERS EARNED THEIR LIVING AS BEST THEY COULD. SOME HELD PUBLIC OFFICE, SOME WERE ARTISANS. ALL TAUGHT -- ONLY A VERY FEW OF THEM IN LARGE LECTURE HALLS -- BUT GENERALLY WE SHOULD ENVISION A SAGE RECITING AND DISCUSSING TORAH WITH A FEW ADVANCED STUDENTS.

THEORETICALLY, THE RABBINATE WAS A MERITOCRACY OPEN TO ALL WHO QUALIFIED, BUT, AS IS ALWAYS THE CASE, THE SONS OF THE MASTERS, BECAUSE OF THEIR EARLY TRAINING AS WELL AS FAMILY CONTACTS, WERE AT AN ADVANTAGE. ONE JOINED A MASTER ONLY AFTER YEARS OF PATIENT MEMORIZATION AND A LONG AND ARDUOUS EDUCATIONAL EXPERIENCE. JOINING A MASTER INVOLVED A PROLONGED PERIOD OF APPRENTICESHIP AND FAITHFUL PERSONAL SERVICE AS WELL AS ATTENDANCE AT HIS LECTURES.

IN THE CENTURIES IMMEDIATELY AFTER THE DESTRUCTION OF THE SECOND TEMPLE, A STRANGE THING HAPPENED IN JEWISH LIFE. A

COMMUNITY TO WHOM BOOKS OF VARIOUS KINDS HAD BEEN IMPORTANT, A COMMUNITY WHICH HAD EASILY ADOPTED THE LITERARY INTERESTS OF THE HELLENISTIC WORLD, TURNED ITS BACK ON MOST OF THE LITERATURE WHICH ITS LITERARY FOLK HAD PRODUCED, AND WITH THE EXCEPTION OF THE TWENTY-^{four}~~two~~ SCROLLS WHICH WERE ACCEPTED AS SCRIPTURE, TRIED TO CREATE A BOOK-LESS CULTURE. COMPARISONS WITH CHRISTIAN LITERATURE OF THE TIMES OFFER A STRIKING CONTRAST. THE GOSPELS ARE NOVELLAS, BIOS. PAUL'S WRITINGS ARE LITERARY. MANY OF THE ANTE NICENE FATHERS PROUDLY SIGNED THEIR NAMES TO THEIR BOOKS.

NONE OF THIS LITERARY ACTIVITY SEEMS TO HAVE HAD A JEWISH PARALLEL. THERE DOES NOT SEEM TO HAVE BEEN AN ACTUAL BAN ON WRITING DOWN RAB-
BINIC LAW, CERTAINLY NOT ONE WHICH WAS ENFORCED, ALTHOUGH THERE WERE TRADITIONS KNOWN IN THE SCHOOLS OF THE FOURTH AND FIFTH CENTURIES THAT NO ONE WAS TO WRITE DOWN THE ORAL LAWS, AYN KOTEVIM HALACHOT B'SEEFER (SCHOL. TO MEG. TAANIT)? FOR SOME REASON, AFTER THE FIRST CENTURY JEWS SEEM TO HAVE LOST INTEREST IN WRITING BOOKS. JUST BEFORE THE REBELLIONS, THERE WERE A NUMBER OF JEWISH HISTORIANS LIKE JOSEPHUS, BUT FOR CENTURIES AFTER HIM, NOT ONE. JEWS NOT ONLY STOPPED WRITING BOOKS BUT APPARENTLY LOST INTEREST IN MUCH OF THEIR LITERARY PATRIMONY. THE SAGES DID NOT BOTHER TO READ, TEACH, OR COPY LITERATURE WHICH HAD BEEN PRODUCED BY DIASPORA JEWS THOUGH WE KNOW THAT SOME OF THE RABBIS, AND CERTAINLY THE DIASPORA COMMUNITIES, SPOKE GREEK. NOR WAS THEIR INDIFFERENCE LIMITED TO BOOKS IN GREEK. A SIMILAR FATE BEFELL MOST OF THE

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SCROLLS WRITTEN IN HEBREW OR ARAMAIC WHICH WERE NOT INCLUDED IN THE TANAKH.

RABBINIC CULTURE WAS NOT ANTI-LITERATE, FAR FROM IT. THESE WERE MEN WHO BENT EVERY EFFORT TO HAVE THE COMMUNITIES ESTABLISH THE FIRST WESTERN MANDATORY EDUCATIONAL SYSTEM FOR BOYS. ONE OF THE IMPORTANT RITES OF THE SYNAGOGUE WAS THE CHANTING OF PORTIONS OF THE TORAH AND IT WAS THE TASK OF TUTORS AND PRIMARY TEACHERS TO PREPARE EVERY MALE CHILD FOR THIS ACT. THE SAGES WERE LITERATE BUT EVIDENCE LITTLE LITERARY INTEREST. AS FAR AS WE KNOW, FOR MORE THAN HALF A MILLENNIUM AFTER THE FIRST CENTURY NO JEW SET OUT ON HIS OWN TO WRITE A BOOK. THERE WERE COMPILATIONS BUT NOT COMPOSITIONS. PHILO HAD NO SUCCESSOR AS AN AUTHOR OF TORAH COMMENTARY. JOSEPHUS HAD NO SUCCESSOR AS HISTORIAN. THE BOOKS THAT EMERGE - THE MISHNAH, TOSEFTA, THE HALACHIC MIDRASHIM - WERE NOT PLANNED. THEY REPRESENT A DEPOSIT OF ACADEMIC NOTES.

THERE IS NO INDICATION OF BOOK BURNING OR OFFICIAL CENSORSHIP, BUT, RATHER, OF A DELIBERATE DECISION BY THE RABBIS TO LIMIT THE CURRICULUM OF THEIR SCHOOLS TO THOSE WORKS THEY ACCEPTED AS SCRIPTURE. INSOFAR AS WE CAN RECREATE THEIR THINKING, IT WOULD SEEM THAT THEY FELT THAT THE TRAGIC REBELLIONS AGAINST ROME WERE MISJUDGMENTS, IN PART THE RESULT OF THE WEAKENING OF JEWISH LIFE BY INTELLECTUAL CONFUSIONS AND RELIGIOUS DIVISION ENGENDERED BY MISPLACED CONFIDENCE IN MISLEADING TEXTS AND IDEAS. GOD, THE IANNAIM SEEM TO HAVE BELIEVED, HAD BEEN DISPLEASED BY FALSE DOCTRINE AND IMPROPER PRACTICE. TO

REGAIN GOD'S FAVOR, JEWS HAD TO PAY CAREFUL ATTENTION TO THE "RIGHT" WAY. CARE MUST BE TAKEN THAT THE CURRICULUM FOCUSES ON TORAH AND ITS PROPER INTERPRETATION, THAT IS, ON THE TORAH THE RABBIS ACCEPTED. THE SAGES HAD NO INTEREST IN BEING KNOWN AS AUTHORS. THEY WERE INTERPRETERS OF TORAH. THE WORK THE RABBIS PRODUCED OVER THE SIX CENTURIES AFTER 70 C.E. WERE COMPILATIONS OF TORAH, THE IOSEFTA, THE TALMUD(S), THE HALACHIC MIDRASHIM, GENESIS AND LEVITICUS RABBAH. TO US THESE ARE ORDINARY BOOKS, LINES OF TYPE ON PAPER TO BE STUDIED AND RESEARCHED IN THE USUAL WAY; BUT IF YOU COULD GO BACK TO THE EARLY RABBINIC SCHOOLS AND ASK THEIR LIBRARIAN FOR A COPY OF ANY OF THOSE WORDS NO BOOK WOULD HAVE BEEN BROUGHT TO YOU. TALMUD WAS A PROCESS, NOT A PARCHMENT. IF YOU KNEW THE SUBJECT MATTER OF ONE OR ANOTHER OF THE TALMUD'S TRACTATES AND ASKED FOR THE VOLUME DEALING, SAY WITH DAMAGES, ASSUMING THAT YOUR GUIDE WAS EAGER TO BE HELPFUL, HE WOULD HAVE EXCUSED HIMSELF FOR A BIT AND RETURNED WITH A SAGE WHO SPECIALIZED IN THAT SECTION OR WITH A SCHOOL OFFICIAL CALLED A TANNA, A REPEATER, WHO SERVED AS THE SCHOOL'S MEMORY BANK AND COULD RECITE THE RELEVANT MATERIAL.

WHAT WE DO NOT KNOW IS WHETHER JEWS OF TROUPS OTHER THAN THE TANNAIM WROTE. IF THEY DID THE SAGES HAD NO INTEREST IN THEIR WORK AND ALLOWED IT TO DISAPPEAR. OUT OF SIGHT WAS OUT OF MIND, LITERALLY; ONLY THE MATERIAL THE TANNAIM CARED ABOUT SURVIVED.

IT WAS NOT UNCOMMON FOR A GRADUATE STUDENT TO GO FROM ONE

STUDENT TO ANOTHER TO LEARN THE SPECIFIC TRADITIONS IN THE AREAS IN WHICH EACH MASTER SPECIALIZED. WHEREAS A VARIETY OF BOOKS HAD PLAYED A MAJOR ROLE IN THE SCHOOLS OF THE HELLENISTIC AGE, LIKE BEN SIRAH'S THEY PLAYED A MINOR ROLE IN THE RABBINIC ACADEMIES. THERE WERE FEW, IF ANY, READING ASSIGNMENTS. THE TALMUD DOES NOT REFER TO A SINGLE YESHIVAH LIBRARY.

WHILE ONE WAS EXPECTED TO LEARN THE TEXTS BY RECITATION AND REPETITION, THIS WAS NOT A BOOKLESS WORLD. THERE WERE, OF COURSE, BIBLICAL SCROLLS. SOME SAGES KEPT PINKASIM, NOTEBOOKS, WHICH SEEM TO HAVE BEEN LITTLE MORE THAN PRIVATE LISTS OF RULES, HALACHOT, KEPT BY STUDENTS OR TEACHERS AS AIDS TO MEMORY. WE HEAR OF SCHOLARS WHO KEPT SHORTHAND NOTES (MEGILLOT SETARIM) OF "SCROLLS OF SECRETS." IN THE FOURTH CENTURY STUDENTS ARE DESCRIBED WRITING OUT A TEXT OF THE MISHNAH FOR CLASSROOM USE. WE ARE TOLD THAT SOME BABYLONIAN STUDENTS MADE NOTES ON THEIR CLASSROOM WALLS (B. HUL. 60B, B. SHAB 19A). THERE WERE ALSO ROLLS OF AGGADAH THOUGH, IN TIME, THE SAME EMPHASIS ON ORAL TRANSMISSIONS SEEMS TO HAVE GOVERNED AGGADAH AS GOVERNED THE LAW. ONE OF THE FOUNDERS OF THE EASTERN RABBINIC COMMUNITY, RAV, IS SAID TO HAVE CONSULTED SIFREI D'AGGADATA, COLLECTIONS OF TORAH-RELATED MIDRASHIC MATERIALS (B. GIT. 60A). THERE IS A REFERENCE TO A SEFER AFTARTA, A COLLECTION OF SECTIONS OF PROPHETIC READINGS USED IN THE LITURGY (B. GIT. 60A). BUT THAT IS THE SUM OF IT.

GREATER WEIGHT. IT SERVED AS THE BASIS OF THEIR EDUCATIONAL CURRICULUM AND LEGAL DECISIONS. DESPITE THE CENTRICAL

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WHAT THE MASTERS EMPHASIZED WAS MEMORY AND THEY TOOK FOR GRANTED THAT THE ORAL LAW SHOULD BE KEPT ORAL. THERE IS NO EVIDENCE FROM THE THIRD TO THE SEVENTH CENTURY, WHEN COLLECTIONS OF GEMARA BEGIN TO APPEAR, THAT THE SAGES MADE ANY CONCENTRATED EFFORT TO PREPARE A STANDARDIZED TEXT OF ANY RABBINIC WORK. IT WAS THE KNOWLEDGE AND MEMORIES OF THE MASTER RATHER THAN THE TEXT OF THE MANUSCRIPT WHICH DETERMINED MEANING. NO MISHNAIC RITUALS, NO KERAT HA-MISHNAH, WAS DEVELOPED. THE MISHNAH AND OTHER RABBINIC ANTHOLOGIES WERE CREATIONS OF THE SCHOOL AND BELONGED IN THE SCHOOL. THEIR IMPORTANCE LAY IN THE FACT THAT TORAH CAME OUT OF THESE SCHOOLS. AS WE SHALL SEE, AFTER THE THIRD CENTURY RABBINIC DECISIONS WERE, FOR THE MOST PART, GIVEN DE FACTO AUTHORITY BY THOSE -- THE PATRIARCHS AND THE EXILARCH -- REQUIRED TO ORGANIZE THE JEWISH COMMUNITY'S DOMESTIC LIFE; CONSEQUENTLY, THIS ACADEMIC MATERIAL BECAME THE BASIS OF THE NEW TORAH TRADITION.

WHAT BEGAN AS A LOOSELY DEFINED SECOND SCRIPTURE WHICH CLAIMED THAT MUCH OF ITS "ORIGINAL" MATERIAL HAD THE SAME AUTHORITY AS THE SEFER TORAH CAME TO BE DESCRIBED AS TORAH SHE-BEAL PEH, AS AN ORAL SCRIPTURE CO-EQUAL TO, IF NOT IN FACT SUPERIOR TO, THE TORAH SHE-BI-KETAV, THE WRITTEN LAW. BY THE FOURTH CENTURY THE CONCEPT OF THE TWO TORAHS HAD BEEN BROADLY ACCEPTED. THE IMAGE IS OF CO-EQUAL ELEMENTS, BUT IN ACTUAL PRACTICE THE SAGES GAVE THEIR ORAL TORAH THE GREATER WEIGHT. IT SERVED AS THE BASIS OF THEIR EDUCATIONAL CURRICULUM AND LEGAL DECISIONS. DESPITE THE CEREMONIAL

THE SYNAGOGUE'S LITURGY EMERGED FROM THE SCRIPTURAL TRADITIONS OF THE COMMUNITY. PEOPLE KNEW THE RUBRICS AND MELODIES FROM THEIR USE IN WORSHIP. THERE WERE NO PRAYER BOOKS. INDEED, HERE AGAIN WE NOTE A CONSCIOUS EFFORT TO KEEP THE TORAH TRADITION IN THE HEART AND THE MIND RATHER THAN ON PAPER. AS FAR AS WE KNOW, AFTER THE GENERATION OF PHILO AND JOSEPHUS, THAT IS, AFTER THE DESTRUCTION OF THE SECOND TEMPLE, FOR PERHAPS SEVEN CENTURIES NO SAGE WROTE A BOOK, BE IT HISTORY, APOLOGETIC, OR A CODE. NONE OF THE LITERATURE OF THE PERIOD -- MISHNAH, TOSEFTA, TALMUDIM, HALACHIC MIDRASHIM, ETC. -- WERE BOOKS IN THE SENSE OF MATERIAL PRESENTED BY A SINGLE AUTHOR ON A PREDETERMINED THEME; RATHER THESE ARE SIMPLY COLLECTIONS OF FORMULAS AND MEMORIZED NOTES WHICH EMERGED OVER A NUMBER OF GENERATIONS, COLLECTED AND SET DOWN AS GUIDES TO ACTION RATHER THAN AS SHAPED LITERATURE.

THE RABBIS OF THE PERIOD WERE LITERATE BUT NOT BIBLIOPHILES. THEY STUDIED TORAH. THEY DID NOT WRITE BOOKS. THEY HAD LITTLE INTEREST IN ESTABLISHING LIBRARIES. THEY FINALIZED THE ANTHOLOGY OF VOLUMES WHICH WOULD EVER AFTER BE KNOWN AS TANAKH, THE WRITTEN SCRIPTURE, BUT THEIR WORK WAS AT LEAST IN PART TO SET ASIDE ALL OTHER EARLY WORKS. THE LITERATURE WHICH SURVIVES FROM THE PERSIAN AND HELLENISTIC PERIODS SURVIVE BECAUSE OF HAPPY CHANCE - THE DEAD SEA FIND - AND THE INTEREST OF THE CHURCH (THE APOCALYPSE-PHILO). THE RABBIS WERE INTERESTED ONLY IN THOSE TEXTS WHICH SUITED THEIR PURPOSES.

THE YEARS WHEN TRADITION IS NOT YET BECOME SCRIPTURE WAS A TIME OF DEVELOPMENT AND CHANGE. SCRIPTURE SUGGESTS "SO IT HAS ALWAYS BEEN." NOT SO. NO HISTORIC, TIME-INFORMED STUDY CAN ACCEPT THE PROPOSITION THAT JUDAISM IS SIMPLY THE SUM OF ITS TORAH BOOKS OR THAT JEWISH DISCIPLINES AND VALUES ARE FULLY SET OUT IN THESE BOOKS. THAT WAS NOT THE INTENTION OF THE PROPHETS OR SAGES OR THE RABBIS FOR WHOM THE BOOK WAS A TOOL, NOT A TOTALITY.

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(see Rashi 3118
1250)

By the third century, the Mikra, the twenty-two books which constitute the Hebrew Bible, had become the Hebrew Scripture, a collection of works deemed holy, unique in content and different from all other literature. The rabbis said that these works render the hands of those who touch them unclean, a term understood to mean that a man who touched any of these holy scrolls must wash away the last vestiges of their holiness before resuming his normal routines. No other Hebrew scrolls were holy to the touch. The scrolls of the Mikra, particularly the first five, the Sefer Torah, had achieved a special sanctity in the popular imagination. They had become Scripture.

The magisterial A History of the Jewish People (ed. H. H. Ben Sasson, Harvard, 1976) typically labels the period between the destruction of the Temple in 70 C.E. and the beginning of the Arab conquests around 640 C.E. as the era of the Mishnah and the Talmud, and there can be no gainsaying the significance of the period and its achievement for the future development of Judaism. This new text, the Talmud (comprising Mishnah and Gemara, the commentaries on Mishnah), defined the way of life held sacred by the rabbis and set out a core curriculum for the Jewish school and for continuing Jewish education. Over the subsequent centuries, the Jew knew his everyday Judaism through the Talmud, and the Talmud would vie with the Sefer Torah for scriptural pride of place.

The Mishnah-Talmud culture remained for a long time largely

ORAL. WHAT WAS TRUE OF THE TORAH PROVED TO BE TRUE OF THE TALMUD: THE ABSENCE OF AN AUTHORIZED WRITTEN TEXT DID NOT PREVENT A TRADITION FROM ACQUIRING A SHAPE THAT WAS GENERALLY AGREED ON OR A POWER THAT WAS BROADLY ACCEPTED. IT IS DOUBTFUL THAT MOST THIRD-CENTURY JEWS KNEW OF THE MISHNAH. ONLY LATER WOULD MOST JEWS CONSCIOUSLY THINK OF IT AS AN AUTHORITATIVE BODY OF TRADITION. YET, WITHIN THE SPAN OF A CENTURY OR SO AFTER THE MISHNAH'S VIEWS WERE COLLECTED, THEY HELD SWAY OVER LARGE PORTIONS OF THE JEWISH COMMUNITY.

WHILE THERE IS GENERAL AGREEMENT THAT THE PATRIARCH JUDAH HA NASI (LATE 2ND CENTURY) AUTHORIZED A PARTICULAR MISHNAH COLLECTION AMONG SEVERAL THAT WERE BEING DEVELOPED, IT IS NOT CLEAR WHEN OR UNDER WHAT CONDITIONS WRITTEN COPIES OF THIS AUTHORIZED MISHNAH BEGAN TO CIRCULATE AND EVEN LESS CLEAR UNDER WHAT CONDITIONS HIS VERSION OF THE MISHNAH DEVELOPED COMMENTARY, GEMARA. GEMARA SHOWS A REAL INTEREST IN ESTABLISHING AN AGREED-ON TEXT. MANY STATEMENTS BEGIN: "THIS IS NOT THE MISHNAH. . . THIS IS THE WAY IT SHOULD READ. . ." THE GEMARA ON OCCASION SUGGESTS THAT A PARTICULAR RABBI TAUGHT TWO TEXTS THAT CONTRADICT EACH OTHER AND THEN PONDERES WHICH STATEMENT TRULY REFLECTS HIS VIEW OR WHETHER, UNDER CERTAIN CONDITIONS, BOTH STATEMENTS COULD. THE DEVELOPMENT OF COMMENTARY WAS NOT A NEAT PROCESS, AS EVIDENCED BY THE FREQUENT APPEARANCE OF VARIANT READINGS IN THE GEMARA AND IN THE IOSEFTA, AN ENLARGED VERSION OF THE MISHNAH PROBABLY DATING TO THE 4TH CENTURY.

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EACH MISHNAH TRACTATE, A DISCUSSION OF A SINGLE TOPIC, WAS TREATED AS A SEPARATE UNIT. THE EARLIEST STRATA OF THE GEMARA TEND TO BE EXPLANATORY, CLARIFYING AND ELABORATING ON MISHNAH TEXTS. TOGETHER THEY CONSTITUTE THE TALMUD, WHICH CONSISTS OF LAYERS OF BRIEFLY STATED DEBATES, DECISIONS, CASE LAW, AND COMMENTS ON VARIOUS TYPES OF LAW AS THESE HAD ACCUMULATED IN THE ACADEMIES WHERE TALMUD WAS REVIEWED AND STUDIED. THE TALMUD EMERGES IN AND FROM THE MAJOR YESHIVOT. IT IS THE CREATION OF AN INTELLECTUAL CASTE, PRIMARILY THE RESULT AND RECORD OF THE DISCUSSIONS THEY HELD IN A FEW CENTRAL ACADEMIES IN PALESTINE AND IN BABYLONIA. THESE ARE LONG AND COMPLICATED TEXTS, THE BABYLONIAN TALMUD ALMOST TWICE THE LENGTH OF THE PALESTINEAN. THEY WERE EDITED IN EACH GENERATION AND RE-EDITED BY THE SAVORAIM, SIXTH- AND SEVENTH-CENTURY SCHOLARS WHO APPARENTLY WORKED ON THE VARIOUS PARTS PIECEMEAL. CERTAINLY EDITORIAL EFFORTS BY MANY HANDS ARE APPARENT. THE TWO TALMUDS--THE BABYLONIAN AND THE PALESTINEAN--REFLECT SLIGHTLY DIFFERENT TENDENCIES. THERE IS MORE EVIDENCE OF LATER EDITING IN THE BABYLONIAN THAN IN THE PALESTINEAN TALMUD. AS EACH GENERATION OF SAGES DEBATED THE POSITIONS TAKEN BY THEIR PREDECESSORS AND LOOKED FOR GENERAL PRINCIPLES WHICH WOULD EXPLAIN WHY EARLIER SAGES RULED AS THEY HAD OR WHY THEY HAD DISAGREED, THEY DISCUSSED RELEVANT CASES AND LEGAL PROCEDURES AND SOMETIMES BROUGHT INTO THE DISCUSSIONS TANNAITIC TRADITIONS WHICH HAD NOT HERETOFORE BEEN INCLUDED.

JUST AS MOST JUDEANS DURING TEMPLE DAYS NEVER SAW A TORAH SCROLL,

SO MOST JEWS DURING THE TALMUDIC PERIOD NEVER SAW A TALMUD SCROLL. DURING THE THIRD AND FOURTH CENTURIES, THERE WAS LITTLE NEED TO PUBLISH THIS MATERIAL. THE SAGES REPRESENTED A SMALL, THOUGH SLOWLY ENLARGING, GROUP WITHIN THE COMMUNITY, BUT UNTIL THEY BECAME PART OF THE OFFICIAL ADMINISTRATIVE APPARATUS--AS THEY FINALLY SUCCEEDED IN DOING IN PALESTINE IN THE THIRD CENTURY AND IN BABYLONIA A BIT LATER--THEY HAD NO AUTHORITY TO IMPOSE THEIR WAY. MANY JEWS WERE SIMPLY NOT INTERESTED IN THE SAGES' COMPLICATED AND OFTEN ESOTERIC ACADEMIC DISCUSSIONS. EVEN IF INTERESTED, ORDINARY FOLK COULD NOT MASTER THE DETAILS. MANY ACKNOWLEDGED THE SPIRITUAL AUTHORITY OF INDIVIDUAL MASTERS, SEEING THEM AS HOLY MEN WHO COULD HEAL THE SICK AND EXORCISE EVIL SPIRITS. MANY ACCEPTED THE ESSENTIAL ELEMENTS OF THE RABBIS' TORAH, THE TALMUD, INsofar AS IT AFFECTED DAILY LIVING. BUT THEY WERE FAR FROM ACCEPTING THE IDEA THAT TALMUD TORAH--THE READING OF SCRIPTURES--REQUIRED OF ALL JEWS A DISCIPLINE OF LIFELONG STUDY OF MISHNAH AND GEMARA TEXTS; THAT VIEW LAY WELL IN THE FUTURE. FIRST THERE HAD TO BE TEXTS; THEN THERE HAD TO BE A REASON TO MASTER THESE TEXTS. FOR MOST JEWS THE ABILITY TO READ A FEW LINES OF TORAH WAS HARD ENOUGH.

Contra
p. 355

TALMUD SCROLLS WERE NOT AS READILY AVAILABLE AS TORAH SCROLLS WERE. COPIES OF THE MISHNAH DID NOT BEGIN TO CIRCULATE BEFORE THE FOURTH CENTURY AND NONE BUT THE MAJOR COMMUNITIES BEFORE THE EIGHTH OR NINTH CENTURIES HAD A COPY OF EVEN ONE OF THE TALMUDIC TRACTATES. SOME TEACHERS HAD NOTES ON ONE OR ANOTHER OF THE EMERGING BLOCKS

OF TALMUDIC COMMENTARY, BUT THESE PINKASIM WERE RESERVED FOR THE USE OF A FEW FAVORED STUDENTS AND COLLEAGUES. MEGILLAT SETARIM-- LITERALLY, SECRET SCROLLS, BUT IN ALL PROBABILITY SIMPLY A STUDENT'S PRIVATE NOTES--ARE KNOWN TO HAVE EXISTED IN EARLY AMORAIC TIMES (THIRD CENTURY). THERE IS EVERY REASON TO BELIEVE THAT SOME STUDENTS MADE UNAUTHORIZED RECORDS OF SOME PORTION OF THE TEXTS THEY MEMORIZED. BUT THE ORAL LAW WAS INTENDED TO BE ORAL. MOST MASTERS KNEW MOST OF THE TALMUD OF THEIR DAY BY HEART, YET THEY HAD AS A MEMBER OF THEIR SCHOOL STAFF A "LIVING BOOK," A METURGEMAN, WHO COULD FILL IN ANY OF THEIR LAPSES. THE REASON THEY NEEDED HIM WAS SIMPLE ENOUGH: THE TALMUD DID NOT ACHIEVE ITS FINAL FORM UNTIL AFTER THE WORK OF THE SAVORAIM IN THE SIXTH AND SEVENTH CENTURIES.

TALMUD SCROLLS WERE NOT YET READILY AVAILABLE IN THE DIASPORA DURING THE EARLY GAONIC YEARS (SEVENTH-EIGHTH CENTURIES). SURVIVING CORRESPONDENCE BETWEEN DIASPORA COMMUNITIES AND THE ACADEMIC CENTERS INCLUDES PETITIONS FROM THE COMMUNITIES ASKING THAT THE ACADEMIES SEND THEM, THROUGH THE MERCHANT-MESSENGER WHO PRESENTS THEIR PETITION, A COPY OF THE TALMUD BECAUSE NONE WAS LOCALLY AVAILABLE. A RESPONSE-- THAT IS, A LETTER ANSWERING SUCH A PETITION OR AN INQUIRY FROM A DIASPORA COMMUNITY--OF PALTIEL (NINTH CENTURY) MAKES SPECIAL MENTION THAT THE GAON HAD HAD A COPY OF THE TALMUD WRITTEN AT THE REQUEST OF SPANISH JEWS. THE DIASPORA'S LACK OF AND LONGING FOR A TALMUD IS PERSONIFIED IN AN EIGHTH-CENTURY LEGEND WHOSE HERO, ASPIRING TO BECOME THE HEAD OF ONE OF THE ACADEMIES AND DESPAIRING OF HIS PROSPECTS, LEFT BAGHDAD FOR SPAIN. WHEN HE LANDED IN HIS NEW HOME, HE

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FOUND THERE WAS NO COPY OF THE TALMUD, AND HE PROCEEDED TO REMEDY THE SITUATION, AS ONLY A MASTER OF THE ORAL LAW COULD, BY WRITING OUT A TALMUD FROM MEMORY. IT WAS NOT UNTIL THE ELEVENTH CENTURY THAT COPIES OF THE TALMUD WERE SUFFICIENTLY WIDELY DISTRIBUTED THAT THE DIASPORA COMMUNITIES--AND THE SCHOLARS WHO LIVED IN THEM--WERE NO LONGER COMPLETELY DEPENDENT FOR COPIES ON THE ACADEMIES OR ON THE REMARKABLE MEMORIES OF PROFESSIONAL MEMORIZERS AND SCHOLARS. DESPITE ITS MANIFEST CENTRALITY IN JEWISH LIFE AND DESPITE THE FACT THAT IT BECAME THE PEOPLE'S SECOND SCRIPTURE, THE TALMUD WAS NEVER TREATED WITH THE SAME FORMAL CARE AS THE TORAH. EFFORTS OF EDITORS SUCH AS THE SAVORAIM NOTWITHSTANDING, THE TALMUD--OR RATHER, THE TWO TALMUDS--WERE NEVER SUBJECTED TO THE RIGOROUS EDITORIAL PROCESS THAT WOULD HAVE PRODUCED A SINGLE ACCEPTED TEXT. LITTLE EFFORT WAS MADE TO CREATE A CLEAN TEXT. INDEED, THERE PROBABLY NEVER EXISTED A UNIFORMLY RECOGNIZED TEXT. THERE WAS NO FORMAL ORDER FOR THE PRESENTATION OF MISHNAH. VARIOUS VERSIONS CIRCULATED, GENERALLY ALIKE IN SHAPE AND CONTENT BUT FULL OF VARIANT READINGS AND INCONSISTENT SELECTIONS.

THE TALMUD WAS IN THE PROCESS OF BECOMING BUT ALMOST CERTAINLY FEW EARLY WRITTEN VERSIONS CIRCULATED. THE TALMUD DID NOT REACH CLOSURE--THAT IS, ACHIEVE ITS FINAL FORM--UNTIL AFTER THE LABORS OF THE SAVORAIM, IN THE SIXTH AND SEVENTH CENTURIES, AND THE WORK OF COPYING OUT THESE LONG AND COMPLICATED TEXTS DID NOT BEGIN TO BE SERIOUSLY UNDERTAKEN UNTIL THE EMERGENCE OF THE GREAT CENTRALIZED

ACADEMIES IN THE EIGHTH AND NINTH CENTURY¹⁰⁰. THE EXPENSE AND EFFORT INVOLVED IN WRITING SUCH EXTENDED MANUSCRIPTS SUGGESTS THAT COPIES WERE AVAILABLE ONLY IN THE CENTERS WHERE PATRONAGE WAS AVAILABLE, IN SUCH GREAT ADMINISTRATIVE ACADEMIES AS SURA, POMPIDITA, AND MAHOZA, WHICH FLOURISHED UNDER THE UMMAYAD AND ABASSID CALIPHATES IN THE EIGHTH AND NINTH CENTURIES. THERE FOR THE FIRST TIME WAS THE WILL AND THE MEANS, IN A PROSPEROUS JEWISH COMMUNITY THAT HAD GROWN UP AROUND THE POWERFUL MUSLIM COURTS, TO CARRY OUT THE EXPENSIVE TASK OF SETTING SCRIBES TO MAKE COPIES OF THIS VOLUMINOUS TEXT.

THE TALMUD'S AUTHORITY WAS ESTABLISHED NOT BY A TEXT BUT BY AND THROUGH THE AUTHORITY OF RABBIS, BY THEIR REPUTATIONS AND THEIR ACTIVITIES AS ADMINISTRATIVE AND JUDICIAL OFFICERS IN THE COMMUNITY. WHAT WAS UNIQUE ABOUT THE TALMUDIC PERIOD WAS THAT IT SAW THE SUCCESSFUL MARRIAGE OF THE RELIGIOUS AND SECULAR AUTHORITIES OF THE JEWISH COMMUNITY. THE ROMAN AND SASSANIAN EMPERORS WERE EAGER TO HAVE SOMEONE RESPONSIBLE FOR THE DOMESTIC PEACE OF THE MANY MINORITY COMMUNITIES WHICH MADE UP THEIR EMPIRES. THEY ASSIGNED THIS ROLE AMONG THE JEWS--THE PATRIARCH OR NASI IN PALESTINE AND THE EXILARCH, RESH GALUTHA, IN THE EAST--TO CERTAIN MEN OF NOBLE BIRTH AND WEALTH, GENERALLY TO THOSE WHO CLAIMED DESCENT FROM THE DAVIDIC DYNASTY. THESE MEN PAID FOR THE OFFICE, WHICH INCLUDED CERTAIN TAX FARMING RIGHTS THROUGH WHICH THEY GENERALLY RECOUPED THEIR INVESTMENT.

TO MAINTAIN DOMESTIC PEACE, WHICH WAS AMONG THE REQUIREMENTS OF THEIR COMMISSION, THESE OFFICIALS NEEDED A COMMITTED ADMINISTRATION; THEY FOUND A READY-MADE ONE IN THE RABBIS. THE RABBIS HAD

THE NECESSARY SKILLS AND INTEREST AND GENERAL RECOGNITION OF THEIR AUTHORITY, AS WELL AS THEIR OWN RABBINIC-JURIDIC AGENDA. THEY SEIZED THIS ADMINISTRATIVE OPENING WITH THE STIPULATION THAT THE SECULAR AUTHORITIES, IF WE CAN CALL THEM THAT, GRANT THE RABBIS THE RIGHT TO ADMINISTER THE LAWS OF PERSONAL STATUS AND OF JUSTICE ACCORDING TO THE TENETS THEY HELD TO BE SACRED. IN THIS WAY RABBINIC LAW BECAME SLOWLY, BUT SURELY, THE NORM IN JEWISH LIFE. IT WAS AN INSTANCE OF LEGAL PRACTICE PRECEDING ITS FORMULATION IN A LEGAL CODE. THE CODE, THE WRITTEN TALMUD, APPEARED CENTURIES AFTER TALMUDIC LAW HAD BECOME WIDELY ACCEPTED.

RABBINIC LAW BECAME THE ALMOST UNIVERSAL NORM IN THE COMMUNITIES OF THE DIASPORA UNDER THE STRONG CENTRALIZED AUTHORITY OF THE ACADEMIES, WHICH WERE EMPOWERED AS AGENTS OF LAW AND JUSTICE BY THE ABBASID CALIPHATE. AFTER 750 C.E. IT WAS THE CALIPH WHO DEVOLVED POWER ON THE LEADERS OF THE TOLERATED AUTHORITIES (DHIMMIS) TO GOVERN THEMSELVES AND THE ACADEMIES WHO ENTHUSIASTICALLY TOOK ON THE RESPONSIBILITY OF BEING THE EXILARCH'S AGENTS.

THE EFFECTIVE SPREAD OF RABBINIC AUTHORITY CAN BE TRACED TO THE MILITARY CONQUESTS OF ISLAM AND THE CENTRALIZATION OF CALIPHATE AUTHORITY OVER THE AREAS WHERE JEWS LIVED. IN ORDER TO ORGANIZE THE PROPER GOVERNANCE OF THE DHIMMI, THE TOLERATED NON-MUSLIMS, THE CALIPHATE EMPOWERED OVER EACH COMMUNITY ONE OF ITS OWN AUTHORITY TO KEEP THE PEACE AND THE RESPONSIBILITY TO COLLECT TAXES. IN THE JEWISH COMMUNITY A RESH GALUTHA, AN EXILARCH, WAS APPOINTED.

Referred
to p. 314
and 315

THIS NOBLE HAD HIS OFFICES AT THE CALIPH'S COURT IN BAGHDAD AND TURNED TO THE BAGHDADI ACADEMIES TO PROVIDE HIM WITH A CADRE OF LEGAL OFFICERS AND KNOWLEDGEABLE ADMINISTRATORS.

THEIR FUNCTIONS AS OFFICIALS HELP TO EXPLAIN THE THEORETICAL BENT OF MUCH OF THE GEMARA, WHICH, AS THE YEARS PASS, MOVES INCREASINGLY AWAY FROM DESCRIPTIONS OF PROPER PRACTICE TOWARD A SEARCH FOR THE GENERAL PRINCIPLES BEHIND DISCRETE AND SEPARATE PRACTICES. THE MISHNAH HAD SAID MOST OF WHAT NEEDED TO BE SAID ABOUT PRACTICE. THE RABBIS OF THE THIRD THROUGH SIXTH CENTURIES, THE AMORAIM, TRIED TO UNDERSTAND THE SPIRIT BEHIND THE MISHNAIC IDEAL OF PRACTICE, THE NATURE OF GOD'S WILL, AND TO WORK OUT HOW THEY AND THEIR COLLEAGUES COULD USE THE COURTS TO BRING COMMUNITY PRACTICE UP TO THAT IDEAL; THUS, THE GEMARA'S USE OF DETAILS OF SPECIFIC CASES AND CITATIONS OF PRECEDENT.

THE EMPHASIS ON THE MISHNAH AND THE GEMARA AS THE KEY DOCUMENTS OF THIS PERIOD LEAVES THE UNFORTUNATE IMPRESSION THAT THE PALESTINEAN AND BABYLONIAN TALMUDS ARE IN MANY WAYS PROOF OF THE INTELLECTUAL ELITE'S INDIFFERENCE TO SCRIPTURE. NOT SO. ISRAEL NOW HAS A SCRIPTURE. WHILE THE SAGES OF THE MISHNAIC AND TALMUDIC PERIOD RULED ON THEIR OWN AUTHORITY, THEY AND THOSE FOR WHOM THEY RULED BELIEVED THAT ALL THAT THE RABBIS SPOKE AND WROTE GREW OUT OF AND DEPENDED UPON THE WRITTEN TORAH AS INTERPRETED BY THEIR PREDECESSORS. THE MISHNAH AND THE BLOCKS OF COMMENTARY ON IT, THE GEMARA, REPRESENT THE THOUGHTS AND CONVICTIONS OF THE RABBIS. MUCH OF THE MATERIAL IS

PRESENTED ON RABBINIC AUTHORITY AND MUCH OF IT RESHAPES OR TRANSCENDS THE SCRIPTURE. BUT IT IS ALSO TRUE THAT WHEN WE EXPLORE ONE OR ANOTHER TALMUDIC TRACTATE, WE FIND IT REplete WITH SCRIPTURAL PROOF TEXTS. IF THE RABBIS MADE THE ORAL LAW IN A SENSE THEIR LAW, TOOK IT AS THE FINAL WORD, THEY DID NOT DIMINISH IN ANY WAY THE AUTHORITY OR THE SYMBOLIC VALUE OF THE WRITTEN TORAH TEXT.

QUITE THE CONTRARY. THE WRITTEN LAW WAS OFTEN CITED AS A PROOF TEXT. ALL TALMUDIC CITATIONS, SIGNIFICANT OR INSIGNIFICANT, SHOW A CLOSE READING OF THE TORAH TEXT. THE GEMARA OF BERACHOT, THE OPENING TRACTATE IN THE BABYLONIAN TALMUD, CONTAINS QUOTATIONS FROM EVERY VOLUME OF THE WRITTEN SCRIPTURE EXCEPT FOUR OF THE MINOR PROPHETS, EZRA AND CHRONICLES. AT THE BEGINNING OF BERACHOT, WHERE THE ISSUE AROSE OF ESTABLISHING THE PROPER TIME FOR THE PUBLIC RECITATION OF THE SHEMA, THE MISHNAH SETS OUT TO ESTABLISH THE EVENING HOUR BEFORE THE MORNING HOUR. WHY? BECAUSE OF THE SEQUENCE EXPLICIT IN A TORAH TEXT: "AND THOU SHALT RECITE THEM. . . WHEN YOU LIE DOWN AND WHEN YOU RISE UP" (DEUT. 6:7). AND IF ONE TEXT WERE NOT ENOUGH, ANOTHER SAGE OFFERS A TEXT FROM GENESIS: "AND THERE WAS EVENING AND THERE WAS MORNING, ONE DAY" (GEN. 1:5).

AN ILLUSTRATION FROM THE END OF BERACHOT DEMONSTRATES ANOTHER HABIT OF THE GEMARA, THAT OF ENDING A TRACTATE WITH AN ENCOURAGING MIDRASH. A CERTAIN R. ELEAZAR SAYS, "THE DISCIPLES OF THE WISE INCREASE PEACE IN THE WORLD, AS IT IS SAID: 'AND ALL YOUR CHILDREN SHALL BE $\frac{1}{2}$ LORD, AND GREAT SHALL BE THE PEACE OF YOUR CHILDREN'"

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(Is. 54:13). READ NOT YOUR CHILDREN (BANAYAK), ADVISES R. ELEAZAR, BUT YOUR BUILDERS (BONAYK). THERE THEN FOLLOW LINES FROM THE PSALMS: "GREAT PEACE HAVE THEY THAT LOVE YOUR LAW AND THERE IS NO STUMBLING FOR THEM." "PEACE BE WITHIN YOUR WALLS, PROSPERITY WITHIN YOUR PALACES." ^{FOR} "MY BRETHREN AND COMPANION'S SAKE I WILL ~~NOT~~ SAY, PEACE BE WITHIN YOU." "FOR THE SAKE OF THE HOUSE ^{of the} ~~&~~ LORD OUR GOD, I WILL SEEK ^{thy} ~~THE~~ GOOD." "THE LORD WILL GIVE STRENGTH UNTO HIS PEOPLE, THE LORD WILL BLESS HIS PEOPLE WITH PEACE."

ONE OF THE UNIQUE FEATURES OF EARLY RABBINIC JUDAISM, AS WE HAVE NOTED, WAS ITS LACK OF INTEREST IN ANY BOOKS OTHER THAN THOSE IT ACCEPTED AS SCRIPTURES. BY THE FOURTH CENTURY C.E. THE PATTERN OF JEWISH EDUCATION WAS LARGELY FIXED. THE SEFER TORAH HAD BECOME AND REMAINED THE BASIC TEXT FOR ELEMENTARY EDUCATION, NOW REQUIRED FOR ALL JEWISH MALES FIVE YEARS OF AGE AND OLDER. EVERYONE, EVERY MALE AT LEAST, KNEW SOME SCRIPTURE. THE ELEMENTARY SCHOOL SYSTEM WHICH HAD BEEN SPREADING ACROSS THE WHOLE JEWISH LANDSCAPE DURING THE PREVIOUS SEVERAL CENTURIES ASSURED BY ITS CONCENTRATION ON THE LAW AND, TO SOME DEGREE, THE PROPHETS, THAT THE LANGUAGE OF THE BIBLE WOULD BE AN ESSENTIAL PART OF THE COMMUNITY'S EVERYDAY IDIOM. MOST JEWS NEVER WENT BEYOND ELEMENTARY SCHOOLING. ONE SAGE ESTIMATED THAT FOR EVERY ONE HUNDRED BOYS WHO STARTED THEIR EDUCATION AT THE AGE OF FIVE, ONLY TEN PROCEEDED TO STUDY THE MISHNAH AT ABOUT THE AGE OF TEN, AND FAR FEWER, PERHAPS ONLY ONE, WENT ON TO STUDY WITH A TALMUD MASTER. "AT FIVE ONE STUDIES THE

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WRITTEN TORAH, AT TEN MISHNAH AT FIFTEEN TALMUD" (Ant 5:25).

WHILE ABLER STUDENTS LEARNED TO READ PORTIONS OF THE PROPHETS AND WRITINGS AS WELL AS THE TARGUM, IT WOULD APPEAR THAT THE SYSTEMATIC STUDY OF THE WRITTEN SCRIPTURE WAS DROPPED BY MOST AT ABOUT THE AGE OF TEN. FOR THOSE WHO WENT ON, EDUCATION CENTERED ON THE TALMUD.

THE SCHOOLS MADE SURE THAT STUDENTS AT THE SECONDARY LEVEL LEARNED A PROPER VERSION OF THE MISHNAH. PERHAPS THE SCHOOLMASTERS TAUGHT A FEW BRIGHT, UPPER-LEVEL STUDENTS SOME TALMUD, BUT MORE PROBABLY THOSE WHO WERE READY FOR SUCH INTELLECTUAL EFFORTS WERE PASSED ON TO THE ACADEMIC CENTERS. INCREASINGLY, ADVANCED STUDENTS WENT TO ACADEMIES TO STUDY.

BUT WE MUST NOT MINIMIZE WHAT THE OLD-FASHIONED, ROTE EDUCATION ACCOMPLISHED. THE YOUNG MAN HAD HEARD THE LANGUAGE OF THE BIBLE, HEBREW. HE UNDERSTOOD MANY BIBLICAL PHRASES AND KNEW MANY BIBLICAL STORIES. HE HAD BEEN BROUGHT INTO A UNIVERSE OF DISCOURSE WHICH GAVE COHESION, COHERENCE, UNITY, AND DIRECTION TO JEWISH LIFE. IF HE COULD NOT READ FROM SCRIPTURE DURING PUBLIC WORSHIP, HE KNEW THE TORAH BLESSINGS AND APPRECIATED WHY THE TORAH WAS READ AND COULD NOD HIS HEAD SAGACIOUSLY WHEN A PREACHER MADE A TELLING TEXTUAL POINT. THE TORAH WAS HIS.

EVERY COMMUNITY HAD AT LEAST ONE SYNAGOGUE, AND EVERY SYNAGOGUE HAD AT LEAST ONE SEFER TORAH, PROBABLY MANY MORE. EVERYONE HEARD IT READ ON THE SABBATH AND MARKET DAYS AND ON FAST DAYS AND FESTIVALS.

ADVANCED LEARNING, RESERVED TO AN ELITE, WAS TALMUDIC.

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MOST SYNAGOGUES PROBABLY ALSO OWNED SCROLLS OF THE PROPHETS AND WRITINGS. DURING THE EARLY RABBINIC PERIOD, THE PRACTICE BECAME COMMON OF ADDING TO THE TORAH READINGS AN ADDITION^{al} THEMATICALLY RELATED PORTION (HAFTARAH) FROM THE LATTER SECTIONS OF SCRIPTURE. SO THE JEW WAS CONDITIONED TO THE BIBLE. IT WAS THE BIBLE TO WHICH HE RETURNED DURING WORSHIP WEEK IN AND WEEK OUT. IN SCHOOL HE HAD MEMORIZED MANY BIBLICAL PHRASES, AND HE SPRINKLED THEM THROUGH HIS DAILY SPEECH, WHETHER HE SPOKE GREEK, ARAMAIC, LATIN, OR ARABIC. MOST KNEW THE TALMUD ONLY AS THEY HEARD A PREACHER OR TEACHER SPEAK OF IT OR, MORE SIGNIFICANTLY, AS ITS TEACHINGS AFFECTED THEIR DAILY LIVES. IT WAS THE TALMUD WHICH CODIFIED WHAT THEY COULD AND COULD NOT EAT, WHEN THEY SHOULD WORSHIP, HOW THEY WERE TO REGULATE MARRIAGE, DIVORCE, AND ADOPTION, HOW CRIMINAL AND CIVIL COURT CASES WERE TO BE MANAGED, AND LIKE MATTERS.

FOR ALL JEWS, THE LEARNED AND THE HALF-LITERATE, THE BIBLE WAS THE BASIC TEXT. KERAT HA-TORAH, THE READING OF TORAH, WAS A BASIC REDEMPTIVE RITE. MISHNAH AND TALMUD, AS ELEMENTS IN AN EDUCATIONAL CURRICULUM, WERE TREATED WITH UTMOST SERIOUSNESS. THEY WERE THE TECHNICAL EDUCATION, IF YOU WILL, OF THE JEWISH COMMUNITY, THE WAY A JEW MASTERED THE RABBINIC WAY OF THINKING AND LIVING. TALMUD EDUCATION WAS TREATED WITH GREAT GRAVITY, BUT IT WAS THE ASSUMPTIONS AND TEACHINGS OF THE BASIC TEXT, THE BIBLE WHICH GAVE THE JEW HIS TIE WITH GOD AND WITH HIS PEOPLE. TO NINETY-FIVE OUT OF ONE HUNDRED JEWS, THE TALMUD WAS UNEXPLORED TERRITORY. ONLY ADVANCED LEARNING, RESERVED TO AN ELITE, WAS TALMUDIC.

CLEARLY, THE EMERGENCE OF RABBINIC JUDAISM SHOULD NOT BLIND US TO THE STEADILY GROWING IMPORTANCE OF MIKRA DURING THESE FIRST SEVEN CENTURIES AFTER THE DESTRUCTION OF THE SECOND TEMPLE. THE SAGES WHO WORKED ON TALMUD WERE STEEPED IN BIBLICAL STUDY, QUOTING FROM THE BIBLE REPEATEDLY AND EXTENSIVELY IN THEIR DISCUSSIONS OF HALACHA, THE LAW, AND AGGADAH, THE STORIES. THEY APPROACHED ALL BIBLICAL TEXTS AS EQUALLY SACRED AND IMPORTANT, SINCE ALL WERE PART OF GOD'S MESSAGE. THEIR CONCEPTION ^{of} AND BIBLICAL UNITY PREPARED JEWS TO ACCEPT THE EXEGESIS THEY HEARD IN SERMONS WHICH BOUND TOGETHER IDEAS AND SENTENCES WITHOUT WHAT WE WOULD CALL ANY SELF-EVIDENT LOGICAL OR TEMPORAL CONNECTION; THE CONVENTIONAL EXEGESIS SOMETIMES LINKED UNRELATED BIBLICAL VERSES OR SENTENCES ON THE BASIS OF AN IDENTICAL WORD OR SIMILAR SOUNDING WORDS. THE SAGES INSISTED THAT "A SENTENCE NEVER LOSES ITS PLAIN MEANING" (PESHAT), BUT THEY READ THE BIBLE SO THAT EACH SENTENCE HAD BOTH ITS PLAIN MEANING AND AN ALMOST INFINITE NUMBER OF POSSIBLE MEANINGS. JEWS WERE CONDITIONED BY SUCH READINGS TO A DIFFERENT PERCEPTION OF CONTEXT THAN WE HAVE. ^{of} TORAH, AS THEY KNEW IT, CONSISTED OF GOD'S SPEECH, WAS OF GOD'S DEVISING, A MIRACLE. THOUGH THEY MIGHT NOT HAVE PHRASED IT THIS WAY, THEY BELIEVED THAT GOD'S WORDS WERE NOT CONFINED BY THE FAMILIAR CANONS OF COMMON SENSE AND CONTEXT OR BY THE LAWS OF LOGIC. THESE WERE CATEGORIES APPLICABLE TO HUMAN COMPOSITIONS, NOT TO GOD'S. GOD'S SPEECH HAD ITS OWN LAWS. EVERYTHING THEY EVER HEARD ABOUT THE TORAH EMPHASIZED ITS DIVINITY, ITS DEPTHS, AND ITS MYSTERIES.

APPARENTLY INTENDED TO INCREASE THE RESPECT IN WHICH THE SPEAKER WAS HELD. SERMONS WERE NOT FREE THEMSELVES OF AFFAIRS BUT FOLLOWED

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THE SAGES SAW THE WRITTEN AND ORAL LAWS AS IN SPIRIT ONE AND THE SAME. MUCH OF THEIR EFFORT WAS DIRECTED AT MAKING EXPLICIT THE UNDERLYING UNITY THEY ASSUMED. HAVING SATISFIED THEMSELVES THROUGH THEIR INVESTIGATIONS OF THE LAW, MIDRASH HALACHA, THAT THE ORAL LAW WAS IMPLICIT IN THE WRITTEN, THE SAGES DEVELOPED A NEW DIMENSION OF MEANING FOR THE TERM, TORAH. TORAH WAS NOT ONLY THE WRITTEN TEXT BUT ALL THAT COULD "LEGITIMATELY"--THAT IS, WITHIN THE BOUNDS OF THEIR EXEGETIC POINT OF VIEW--BE DEDUCED FROM IT. SCRIPTURE BECAME THE SUM AND SUBSTANCE OF WHAT THE RABBIS KNEW IT TO BE. THUS, WE HEAR SAGES SPEAK OF USING TORAH TO ESTABLISH TORAH: MEI TORAH? WHAT IS TORAH? MIDRASH TORAH. TORAH IS WHAT HAS BEEN SEARCHED OUT AND FOUND THROUGH RABBINIC EXEGESIS TO BE TORAH.

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THERE WAS CONCERN, PARTICULARLY IN TALMUDIC TIMES WHEN RABBINIC AUTHORITY DID NOT YET REACH THROUGHOUT THE DIASPORA, THAT THE COMMUNITY UNDERSTAND THAT THE WHOLE SCRIPTURE WAS IN FACT THIS LARGER ENTITY.

POPULAR SERMONS SERVED AS ONE EFFECTIVE WAY TO MAKE THE POINT. OFTEN ON THE SABBATH AND FESTIVALS, A HOMILY OR SERMON WOULD BE GIVEN. ALTHOUGH SERMONS SOMETIMES, AS IN THE EXAMPLES TO BE CITED HERE, INTRODUCED THE SCRIPTURAL PORTION, THEY WERE GENERALLY OFFERED AFTER THE SCRIPTURAL READING. THE PREACHER GENERALLY SAT DURING HIS DELIVERY. NOTED SPEAKERS USED A METURGEMAN (LITERALLY, TRANSLATOR)

AS A HUMAN MEGAPHONE. THE SPEAKER SPOKE HIS THOUGHTS TO THE METURGEMAN, WHO CRIED THEM OUT TO THE CONGREGATION, A CONVENTION APPARENTLY DEVISED TO INCREASE THE RESPECT IN WHICH THE SPEAKER WAS HELD. SERMONS WERE NOT FREE-WHEELING AFFAIRS BUT FOLLOWED

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STRICT CONVENTIONS THAT TESTED THE SPEAKER'S ORIGINALITY AND PLUCK. TYPICALLY, THE SPEAKER WOULD TAKE A SENTENCE OR THEME FROM THE PROPHETS OR WRITINGS--AT FIRST GLANCE THEMATICALLY UNRELATED TO THAT DAY'S SEFER TORAH PORTION--AND BY STRINGING TOGETHER A NUMBER OF TEXTS, PASS FROM TEXT TO TEXT, FROM IDEA TO IDEA, UNTIL HE CAME, MIRABILE DICTU, TO THE TEXT WHICH BEGAN THE WEEK'S TORAH PORTION.

ONE EXAMPLE CAN STAND FOR MANY. A PREACHER BEGAN WITH A LINE FROM ECCLESIASTES (12:11). "THE WORDS TO THE WISE ARE AS GOADS, AND AS NAILS WELL PLANTED ARE THOSE THAT ARE COMPOSED IN COLLECTIONS; THEY ARE GIVEN FROM ONE SHEPHERD." WHY, HE ASKED RHETORICALLY, ARE THE WORDS OF THE TORAH LIKENED TO A GOAD? HIS ANSWER WAS THAT JUST AS THE GOAD DIRECTS THE HEIFER ALONG THE FURROWS IN ORDER TO BRING FORTH LIFE FROM THE EARTH, SO THE WORDS OF THE TORAH DIRECT THOSE WHO STUDY THEM AWAY FROM THE PATHS OF DEATH TO THE PATHS OF LIFE. THEN HE NOTED A PROBLEM WITH THE ANALOGY. A GOAD IS MOVABLE. ARE THE WORDS OF THE TORAH MOVABLE, TRANSIENT? OBVIOUSLY NOT. THEREFORE, THE TEXT SAYS "NAILS." HE NOTED ANOTHER PROBLEM WITH THIS ANALOGY: A NAIL DOES NOT GROW, DO THE WORDS OF THE TORAH NOT GROW? THEREFORE, THE TEXT ADDS: "WELL PLANTED;" JUST AS THE PLANT GROWS AND INCREASES SO THE WORDS OF THE TORAH GROW AND INCREASE. HE CONTINUES THEN WITH THE ANALYSIS OF THE TEXT'S IMPLICATION. WHEN THOSE WHO OCCUPY THEMSELVES WITH THE TORAH DISAGREE, SOME PRONOUNCING UNCLEAN AND OTHERS PRONOUNCING CLEAN, SOME PROHIBITING

AND OTHERS PERMITTING, A MAN SEEING THIS DIVISION OF OPINION MIGHT SAY: "HOW SHALL I LEARN TORAH FROM MEN OF SUCH DIVERGENT VIEWS?" THEREFORE, THE TEXT SAYS: "THEY ARE GIVEN FROM ONE SHEPHERD." ONE GOD GAVE THEM; THEY WERE SPOKEN BY THE MOUTH OF THE LORD OF ALL CREATION, BLESSED BE HE FOR IT IS WRITTEN: "AND GOD SPOKE ALL THESE WORDS" (EXODUS 20:1)--WHICH BRINGS US TO THE OPENING LINE OF THAT WEEK'S TORAH PORTION, WHICH PRESENTS THE TEN COMMANDMENTS (B. 3A/B).

MIDRASH WAS THE GREAT EXEGETICAL ENTERPRISE OF THE COMMUNITY, AN APPROACH TO SCRIPTURE BASED ON A PIECE-BY-PIECE ANALYSIS OF THE TEXT. ASSUMING THE UNITY OF THE SCRIPTURE AS THEY DID, THE SAGES WENT ABOUT THE BUSINESS OF INTERPRETATION USING AN UNSYSTEMATIC AND ATOMISTIC APPROACH; THEY HAD NO NEED OF A SEQUENTIAL AND SYSTEMATIC ONE. ANY TEXT THEY REACHED FOR WAS RELATED TO EVERY OTHER. THE TORAH BECAME TEXT, CONTEXT, AND PRETEXT. MIDRASH EXAMINED IT ALL DOWN TO THE MOST MINUTE DETAIL. EVEN THE SHAPE OF A LETTER OR THE UNUSUAL SPELLING OF A WORD MIGHT REVEAL GOD'S TEACHING. THROUGH MIDRASH PREACHERS AND SAGES DEVELOPED THE MYRIAD IDEAS THEY FOUND IN SCRIPTURE AND IN EXPERIENCE, AND THEY BOUND DISPARATE TEXTS INTO WHAT WAS TO THEM A SINGLE, UNIFIED WHOLE--GOD'S WORDS.

MIDRASH IN ITS CLASSIC FORM IS BIBLICAL INTERPRETATION AS IT WAS PRACTICED DURING THE FORMATIVE PERIOD OF RABBINIC JUDAISM. THE GREAT COLLECTIONS WERE BEGUN IN THE THIRD CENTURY AND WERE

DEVELOPED UNTIL ABOUT THE SEVENTH, ALTHOUGH COLLECTIONS CONTINUED TO BE BUILT UP FOR ANOTHER FIVE HUNDRED YEARS AFTER THAT. MIDRASH COLLECTIONS FROM THE TALMUDIC PERIOD FALL INTO TWO GENERAL CATEGORIES, ONE DEALING WITH LEGAL MATTERS AND THE OTHER SERMONIC OR HOMILETIC. THE FIRST ONE, MIDRASH HALACHA, TENDS TO INVESTIGATE SERMONS OF THE TIME, MOST OF WHICH WERE BASED ON BIBLICAL TEXTS.

SERMONS SEEM TO HAVE HAD A THREE-FOLD PURPOSE: EDUCATION, ENCOURAGEMENT, AND ENTERTAINMENT. THE SERMON WAS AN EFFECTIVE WAY TO TEACH JEWS ABOUT SCRIPTURE, ABOUT THE UNITY OF ITS TEXTS, ABOUT THE REQUIREMENTS OF THE RABBINIC TORAH, AND ABOUT THE TEACHINGS OF THE FAITH, ABOUT SUCH THEMES AS GOD, THE NATURE OF TORAH, DIVINE PROVIDENCE, IMMORTALITY, AND HUMAN NATURE. THAT THE SCRIPTURE WAS THE TEXT CONSTANTLY RAIDED TO DEVELOP THIS WIDE VARIETY OF THEMES IS EVIDENCE OF ITS IMPORTANCE IN PEOPLE'S MINDS AND OF THE DETAILED FAMILIARITY THAT EVEN UNLEARNED PEOPLE HAD WITH ITS NARRATIVES AND WORDINGS. THE BIBLE WAS ACCEPTED AS THE SOURCE OF ALL TRUTH. SINCE TRUTH IS ONE, THE TORAH IN ALL ITS PARTS WAS ONE. EVERY TEXT RELATED TO ALL OTHERS AND REFRACTED A SINGLE TRUTH. SINCE THE TRUTH IS ONE AND THE TORAH, BEING THE WORD OF GOD, IS TRUTH, ALL PHRASES AND EVEN SINGLE WORDS OF THE TORAH WERE SOMEHOW RELATED TO EACH OTHER, AND EVERY LINE AND PHRASE WAS PREGNANT WITH MEANING.

PARADOXICALLY, THIS ASSUMPTION OF UNITY ALLOWED THE SERMONIZER A GREAT DEAL OF FREEDOM. SINCE HE BEGAN WITH GOD'S WORD, THE

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SOURCE GUARANTEED THE VALUE OF HIS OBSERVATION. IF HE TOOK A POSITION WHICH CONTRADICTED THAT TAKEN BY ANOTHER SAGE, HE DID NOT HAVE TO WORRY THAT HIS POINT OF VIEW BE IN ALL RESPECTS DOGMATICALLY CORRECT. THE HEARER COULD ASSUME EITHER THAT HE WAS MISTAKEN--WHICH, BEING HUMAN, HE COULD, OF COURSE, BE--OR THAT TWO SAGES HAD DERIVED DIFFERENT INSIGHTS FROM THE SAME PHRASE OR TEXT. JEWISH LIFE NEVER IMPOSED AGGADIC UNIFORMITY. "BOTH THIS VIEW AND ANOTHER ARE THE WORDS OF THE LIVING GOD" (Eruvin 13b).

SUBJECTS WERE CHOSEN FROM THEMES AS WIDE AS LIFE'S EXPERIENCES. SOME TIED TOGETHER WHAT WE MIGHT DESCRIBE AS LOOSE TEXTUAL ENDS. SOME UNITED POPULAR FOLK TRADITIONS WITH MORE OFFICIAL TRADITIONS. SOME SIMPLY MADE OBSERVATIONS ON AGING, ON MEN AND WOMEN, OR THE MEANING OF LIFE. SOME REFLECTED ON CONTEMPORARY POLITICAL CONDITIONS. UNFORTUNATELY, NO FULL TEXT OF A SERMON FROM THE TALMUDIC PERIOD SURVIVES. WITHOUT THE TECHNIQUES FOR INSTANT STENOGRAPHY OR THE MEANS OF STORING SUCH MATERIALS, THEY COULD NOT BE COMPLETELY RECORDED OR PRESERVED. WHAT WE HAVE ARE THE BARE BONES, AN OUTLINE OR PRECIS OF THE POINTS MADE AND THE TEXTS USED. ONE ELEMENT IS CERTAIN: THESE TALKS FREQUENTLY ENDED WITH AN ENCOURAGING REAFFIRMATION OF THE MESSIANIC HOPE, A CONFIDENT RESTATEMENT OF GOD'S CARE FOR HIS PEOPLE OR A PRAYER FOR REDEMPTION. THE RABBIS WERE WELL AWARE THAT THE PEOPLE'S LONGING FOR REDEMPTION WAS EVIDENCE OF DIFFICULT TIMES, EVEN FOR A COMMUNITY STEEPED IN

FAITH. "IN FORMER TIMES, WHEN COINS WERE EASY TO COME BY, THE COMMUNITY WANTED TO HEAR WORDS OF MISHNAH AND TALMUD. NOW THAT COINS ARE NO LONGER READILY AVAILABLE, AND WE SUFFER FROM FOREIGN DOMINATION, PEOPLE WANT TO HEAR WORDS OF SCRIPTURE AND AGGADAH" (P. R. KEH. 101B). *✓ Soferim ch XVI*

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? SPEAKERS IN ALL AGES HAVE FOUND THAT A LIGHT TOUCH WILL DRAW A FAR LARGER AUDIENCE THAN A DRY AND AUSTERE MESSAGE; YOU CAN INSTRUCT PEOPLE ONLY IF THEY WILL LISTEN. SINCE THE SERMON WAS A SIGNIFICANT FEATURE OF JEWISH LIFE IN TALMUDIC TIMES, THE PREACHER HAD TO LEARN THE ART OF ENTERTAINING. WOMEN AND CHILDREN AS WELL AS MEN CAME TO THE SERMON, THE ILLITERATE AS WELL AS THE LITERATE. THE SERMON'S POPULARITY TESTIFIES TO THE SKILLS OF THOSE WHO SPOKE AND TO THE AUDIENCE'S THIRST FOR AN ENCOURAGING WORD AND FOR THE PLEASURE OF BEING CAJOLED BY ONE WHO KNEW HOW. EVEN LISTENERS WHO REALLY DID NOT KNOW THE SOURCES WERE EAGER TO BE ENTERTAINED AND ENTICED. THERE WAS A RABBINIC SAYING THAT WHAT IS DONE FOR A LESS THAN HIGH-MINDED REASON OFTEN COMES TO BE DONE FOR THE BEST OF REASONS. THOSE WHO CAME TO BE ENTERTAINED OFTEN LEFT INSPIRED.

J. Chagel 9.6
EVEN IN THE ABSENCE OF COMPLETE SERMONS, THE SERMON MORE THAN ANY OTHER FEATURE OF TALMUDIC TIMES ILLUSTRATES THE DEGREE TO WHICH THE JEWISH COMMUNITY'S SPEECH WAS IMPREGNATED WITH THE LANGUAGE OF SCRIPTURE. BIBLICAL PHRASES WERE ON EVERY TONGUE, AND THESE PHRASES KEPT HEBREW ALIVE. THE OUTLINES OF SERMONS WHICH SURVIVE IN COLLECTIONS OF MIDRASHIM ARE USUALLY ARRANGED AS IF

THEY PROVIDE A RUNNING COMMENTARY ON A BIBLICAL BOOK. AS AGGADIC MIDRASH TRULY BEGAN TO FLOURISH IN THE TALMUDIC AGE, A NUMBER OF MIDRASHIC COLLECTIONS BEGAN TO TAKE SHAPE, PARTICULARLY GENESIS AND LEVITICUS RABBAH AND PESIKTA DE RAV KAHANA. THE OPENING CHAPTER OF LEVITICUS RABBAH, USUALLY ASSIGNED TO THE FIFTH CENTURY C.E., IS ANOTHER EXAMPLE OF THE MIDRASHIC METHOD. THE SAGE PICKS A TEXT, IN THIS CASE FROM THE PSALMS. THOUGH THERE IS NO APPARENT CONNECTION BETWEEN IT AND THE OTHER MATERIALS HE CHOOSES, HE MOVES THROUGH THE SCRIPTURES AND MANAGES TO SUGGEST A CONNECTION BETWEEN THE PSALM AND THE OPENING OF LEVITICUS, "AND THE LORD CALLED UNTO MOSES."

✓ "BLESS THE LORD, YE MESSENGERS (MALACHIM) OF HIS, YOU MIGHTY IN STRENGTH WHO FULFILL HIS WORD, HEARKENING UNTO THE VOICE OF HIS WORD" (Ps. 103:20). THE MIDRASHIST ASKS, OF WHOM DOES THE TEXT SPEAK? HE ANSWERS, ON THE BASIS OF ETYMOLOGY, THAT MALACHIM (THE PLURAL OF MALACH, MESSENGER) DESIGNATES BOTH HUMAN MESSENGERS AND ANGELS. HE REASONS THAT HUMAN MESSENGERS ARE INTENDED HERE, FOR OTHERWISE THE SENTENCE WOULD BE MORE INCLUSIVE, 'ALL YOU HIS MESSENGERS.' HE THEN EQUATES MESSENGERS AND PROPHETS, ON THE BASIS OF A SECOND TEXT THAT INCLUDES A REFERENCE TO A PROPHET, "THEN SPOKE HAGGAI, THE LORD'S MESSENGER (MALACH)." IN A SHORT BUT INTERESTING DIGRESSION, SOMEONE ASKS "WHO ARE THE MIGHTY IN STRENGTH WHO FULFILL HIS WORD," AND PROMPTLY ANSWERS: "THOSE WHO OBSERVE THE SABBATICAL YEAR." WHY THESE PARTICULARLY? BECAUSE UNLIKE ALL OTHERS WHO OBSERVE A COMMANDMENT FOR A DAY OR A WEEK, THE ONE WHO OBSERVES THE

SABBATICAL YEAR MUST SEE HIS FIELD REMAIN UNTILLED FOR A YEAR AND STILL PAY HIS TAXES. WHEN HE DOES THIS IN AN UNCOMPLAINING MANNER, HE FULFILLS GOD'S COMMAND. IS THERE ANYONE WHO WITH GREATER MIGHT OR STRENGTH FULFILLS A GREATER OBLIGATION THAN THIS?

NOW THE MIDRASH TURNS TO THE TASK OF RELATING THE PSALM TEXT TO ^{LEV.} ~~LEV.~~ 1:1. QUOTING A RABBI AS SAYING THAT A TASK TOO DIFFICULT FOR ONE MAN CAN EASILY BE DONE BY TWO, THE MIDRASHIST OBSERVES THAT THE REVERSE IS IMPOSSIBLE, THAT A BURDEN TOO GREAT FOR SIXTY MYRIADS, THE NUMBER OF ISRAELITES AT SINAI, CANNOT BE DONE BY ONE MAN. YET, THAT IS PRECISELY WHAT MOSES DID. THE ISRAELITES AT SINAI WERE AFRAID TO HEAR THE VOICE OF GOD ~~LEST~~ ^{LEST} THEY DIE (DEUT. 5: ~~22~~ ²⁴). MOSES HEARD IT AND LIVED. SO "THE LORD CALLED UNTO MOSES" (LEV. 1:1) AND NO ONE ELSE.

MIDRASH COMES FROM THE ROOT DARASH, WHICH MEANS TO INVESTIGATE, TO SEARCH OUT AND EXPOUND. THE ROOTS OF MIDRASH GO BACK TO THE IMAGINATIVE EMBROIDERY OF OLD NARRATIVES AND TRADITIONS OF ISRAEL'S EARLY STORYTELLERS AND RHAPSODISTS. MANY OF THE SUGGESTED ETYMOLOGIES OF PROPER NAMES IN SCRIPTURE ARE A PRIMITIVE FORM OF MIDRASH. AN INSTANCE OF TWO PLACE NAMES THAT HAVE GENERALLY THE SAME SOUND AND MEANING: "ABRAHAM CALLED THE NAME OF THAT PLACE ADONAI-JIREH, AS IT IS SAID TO THIS DAY: 'IN THE MOUNT WHERE THE LORD IS SEEN'" (BE-HAR ADONAI-YE'RAEH) (GEN. ~~22~~ ¹⁴). BIBLICAL EDITORS USED MIDRASH TO ADJUST TEXTS TO CORRESPOND TO THE PEOPLE'S EXPECTATIONS OF A STORY LINE, A HERO'S BEHAVIOR, OR THE UNITY OF THE BIBLICAL TRADITION.

Handwritten notes:
 * KANDJ
 22-14

IN THE BOOK OF KINGS, DAVID TELLS HIS COURT HE WILL GIVE SOLOMON THE PLANS GOD HAD GIVEN HIM FOR THE TEMPLE, BUT THE TEXT NEGLECTS TO SAY THAT HE DID SO. THE PRIEST-EDITORS OF CHRONICLES MADE UP FOR THIS UNFORTUNATE LAPSE: "AND DAVID GAVE TO SOLOMON THE SON THE ✓ PATTERN OF THE PORCH" (1 Ch. 28:11ff). THE PRIESTLY EDITOR OF EZRA REPORTED THAT HIS HERO "SET HIS MIND TO INVESTIGATE (LI'DEROSH) THE ✓ LAW OF THE LORD IN ORDER TO TEACH EFFECTIVELY ITS STATUTES AND ORDINANCES" (Ezra 7:10).

THE MIDRASHIST APPROACHED THE TEXT WITH THE PSALMIST'S PRAYER: ✓ "HIDE NOT YOUR COMMANDMENTS FROM ME" (119:19) AND WHEN HE ACHIEVES HIS ENDS, HE REPEATS THE PSALMIST'S CONTENTED SIGH: "THE OPENING ✓ OF YOUR WORDS GIVE LIGHT" (119:130). IN MANY WAYS IT IS BEST TO LOOK ON MIDRASH NOT AS A LOGICAL SEARCH FOR WHAT CAN BE DEDUCED FROM A TEXT BUT THE OTHER WAY ROUND, AS AN IMAGINATIVE SEARCH FOR WHAT IT MEANS TO BE TORAH. THE RABBIS APPROACHED THE ACCEPTED TEXT MUCH AS GREEK INTERPRETERS APPROACHED HOMER, QUITE PREPARED TO USE ELEGANT EXEGETICAL TECHNIQUES TO ENABLE THEM TO FIND IN AN ANCIENT AND REVERED DOCUMENT THE CHERISHED VALUES OF THEIR DAY. WE SUPPOSE THEY HAD LITTLE SENSE THAT THEY WERE IMPOSING THEIR IDEAS ON THE TEXT. SINCE THE TEXT WAS A UNIQUE LITERATURE, GOD'S OWN WORDS, AND AS SUCH OF INFINITE DEPTH AND BREADTH, IT ALREADY HAD ALL IDEAS IN IT. THE MIDRASHIST BELIEVES HE IS SIMPLY UNCOVERING THE FULL MEANING OF A TEXT, ALTHOUGH HE INEVITABLY MOVES WELL AWAY FROM WHAT JOHN CALVIN MUCH LATER CALLED 'THE PLAIN SENSE OF A TEXT.'

SPELLING. WHEN THESE ARE REPORTED IN GOD'S OWN SPEECH, THEY MUST

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INTERPRETATION DEVELOPS FAR MORE NATURALLY AND EXUBERANTLY WHEN THE SCRIPTURE IS IN THE ORIGINAL LANGUAGE ASSUMED TO BE GOD'S OWN, THAN WHEN, AS IN CHRISTIANITY, THE SCRIPTURE IS A TRANSLATION. WHEN THE HOLY BOOK IS A TRANSLATION--THE NEW TESTAMENT IS IN GREEK, NOT IN ARAMAIC, WHICH WAS JESUS' TONGUE--INTERPRETATION AND COMMENTARY CAN DEAL WITH IDEAS, THEMES, AND TYPOLOGIES BUT NOT WITH IDEAS WHICH DERIVE FROM THE TEXT'S WORDS, PHRASES, SYNTAX, AND SPELLING. WHEN THESE ARE REPORTED IN GOD'S OWN SPEECH, THEY MUST

BE ASSUMED TO HAVE MEANING. FOR THE MUSLIM, GOD SPOKE ARABIC AND THE KORAN IS HIS SPEECH. FOR THE JEW, GOD SPOKE HEBREW AND THE TORAH IS IN HIS NATIVE TONGUE. IN ISLAM AND JUDAISM, INTERPRETATION CAN BE CONTEXTUAL AND CAN GO BEYOND THE WORLD OF CONCEPTS AND DOCTRINE TO A WORLD OF LANGUAGE WHERE EVERY DETAIL AND NUANCE CAN BE ASSUMED TO HAVE MEANING. JEWS DEVELOPED BOTH THE PESHAT, THE PLAIN SENSE MEANING OF SENTENCE AND PARAGRAPH, AND MIDRASH, THE MEANING OF THE WAY A WORD WAS SPELLED, A LETTER SHAPED, OF A PARTICULAR VOCALIZATION, THE ABSENCE OR PRESENCE OF AN UNEXPECTED LETTER, THE NUMERICAL VALUE OF THE LETTERS OR OF A WORD, EVEN OF THE WAY BLANK SPACES OCCUR IN THE TEXT.

OBVIOUSLY, TO GO SO FAR BEYOND THE CONTEXTUAL MEANING OF PHRASES AND SENTENCES IS TO OPEN THE TEXT UP TO AN INFINITE RANGE OF POSSIBLE MEANINGS. MIDRASH IS AN ASSEMBLAGE OF DISCRETE AND VARIED STATEMENTS, SOME OF WHICH STAND IN DIRECT CONTRADICTION TO OTHERS. FLATOUT CONTRADICTION WAS IMPOSSIBLE IN HALACHA--THE LAW AS GOD MEANT IT TO BE--FOR IN MATTERS OF LAW CONTRADICTIONS ARE UNTHINKABLE. THE TEXT WAS ASSUMED TO BE TRUTH AWAITING DISCOVERY.

THE COMMON PRACTICE OF THE RABBIS CREATED A UNITY OF HALACHIC MIDRASH, AS THEY AGREED, FOR EXAMPLES ON THE WAY AN ERUY WAS TO BE DEVELOPED OR THE DIETARY RULES TO BE MANAGED. THE LEGAL CONSENSUS WAS LARGELY COMPLETED BY THE END OF THE TANNAITIC PERIOD, ABOUT THE FIRST HALF OF THE THIRD CENTURY. LATER HALACHIC DISCUSSION IN THE GEMARA TENDS TO DEAL LESS WITH PRACTICAL ISSUES, AS WE HAVE NOTED, AND MORE WITH UNDERSTANDING THE BASIS AND PHILOSOPHY OF THE LAWS.

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THE GEMARA TREATS HALACHA, THE LAW AND LEGAL IDEAS, WITH GREAT CIRCUMSPECTION. THE BULK OF A STUDENT'S EFFORT WAS INVESTED IN LEGAL STUDIES. THESE WERE THE STAFF OF LIFE, THE BREAD THAT HELD THE JEWISH BODY AND SOUL TOGETHER. THE INTERPRETIVE, AGGADIC TRADITIONS PROVIDED THE WINE AND THE JOY OF LIFE. THEY OCCUPIED A MINOR PLACE IN THE SCHOOL CURRICULUM AND WERE TREATED WITH LESS CIRCUMSPECTION THAN HALACHA.

THIS IS NOT TO SAY THAT AGGADAH WAS NOT SEEN AS A USEFUL STUDY. IT WAS. IT SUGGESTED THE VARIOUS WAYS IN WHICH MAN APPROACHED GOD, CAME TO UNDERSTAND THE MEANING OF THE SPIRITUAL, TO APPRECIATE HIS HOPES AND THE MESSIANIC VISION OF HIS PEOPLE. BUT IT WAS NOT HALACHA, NOT THE BASIC STRUCTURE AND SUBSTANCE OF JEWISH LIFE. IN THE GAONIC PERIOD (9TH-10TH CENTURIES), THE GENERAL PRINCIPLE WAS, "ONE DOES NOT DEPEND UPON AGGADAH." WHAT, THEN, WAS THE VALUE OF AGGADIC STUDY OF THE TEXT? "IF YOU WISH TO KNOW ^{the One} GOD WHO SPOKE AND

THE WORLD CAME INTO BEING, STUDY AGGADAH, ^{By means of the text} ~~THE~~ MORE YOU WILL RECOGNIZE HIM AND CLEAVE TO HIS WAYS" (Sifrei (Deut) Aykeu #49)

FOR AGGADAH--TALES, INCIDENTS, STORIES WITHOUT THE FORCE OF LAW--UNIFORMITY WAS NEVER REQUIRED AND GREAT FLEXIBILITY WAS ALLOWED. IF SAGES DISAGREE ON A POINT OF ETIQUETTE OR ETHICS, THIS SIMPLY REVEALS THEIR FALLIBILITY AS HUMANS. AGGADAH IS NOT AUTHORITATIVE. A SAGE MIGHT BE EXCOMMUNICATED FOR TEACHING AGAINST THE HALACHIC CONSENSUS. HE WOULD NOT BE SO IF HE QUESTIONED AN AGGADIC MIDRASH--EVEN ON SUCH ELEMENTS OF FAITH AS FREE WILL OR A PARTICULAR SCENARIO OF END TIME AND EVEN IN A WAY WHICH VIOLATED THE CURRENT CONSENSUS.

SUCH VARIETY COULD BE TOLERATED BECAUSE OF THE CONVENTIONAL ASSUMPTION THAT THIS WHOLE WONDROUS BODY OF SCRIPTURE WAS, IN ALL ITS PARTS, FROM GOD. GOD IS ONE; ULTIMATELY, GOD'S TRUTH IS SINGULAR, IN THE END THE TRUTH WOULD OUT.

RABBINIC DOCTRINE INSISTED THAT TORAH HAD NOT CHANGED SINCE SINAI. BUT MUCH HAD CHANGED, INCLUDING THE TORAH AND MOST ESPECIALLY THE WAYS IT WAS UNDERSTOOD AND WHAT IT WAS UNDERSTOOD TO MEAN. RELIGIONS ARE NOT FREE-FLOATING SETS OF UNCHANGING IDEAS, BUT IDEAS TIED IN WITH THE LIVES OF PEOPLE. AS CHANGE TAKES PLACE IN THEIR ENVIRONMENT, AS PEOPLE ADJUST TO THE EVER-CHANGING CULTURE AND POLITICAL FACTS OF THEIR TIMES, THEIR UNDERSTANDING AND USE OF THEIR SCRIPTURE CHANGES. HOW TO MAKE THE NEW SEEM OLD AND FAMILIAR IS ONE OF THE ARTS OF MIDRASH. THE RABBIS LOOKED ON MIDRASH AS AN INSPIRED RATHER THAN A CRITICAL DISCIPLINE. THEY DEVISED CRITICAL RULES OF INTERPRETATION, BUT ULTIMATELY THE TRUTH OF MIDRASH DEPENDED LESS ON THE CANONS OF LOGIC AND ANALYSIS WHICH GOVERNED ITS USE THAN ON IMAGINATION, INSPIRED STUDY, AND THE ACCEPTANCE OF ONE'S INTERPRETATIONS BY ONE'S PEERS. MIDRASH COMMENTS, BUT IT IS NOT A COMMENTARY WHICH SEEKS TO PROVIDE AN EXTENDED INTERPRETATION OF A GIVEN CHAPTER OR SECTION; IT IS AN INDIVIDUAL STATEMENT, PHRASE OR WORD WHICH IS ANALYZED FOR ITS UNIQUE MEANING. BECAUSE THE MIDRASHIST KNEW HE WAS DEALING WITH A SACRED, NOT AN ORDINARY, TEXT, HE COULD BELIEVE THAT EVEN THE TRIVIAL--AN UNUSUAL SPELLING OR PLACE NAME--COULD BE TURNED INTO A MEANINGFUL TERM, THAT THE USE OF ONE ENIGMATIC EXPRESSION RATHER THAN ANOTHER HAD MEANING. JAMES

KUGEL IS USEFUL HERE: "MIDRASH MIGHT BEST BE TRANSLATED AS 'RESEARCH', A TRANSLATION THAT INCORPORATES THE WORD'S ROOT MEANING OF "SEARCH OUT, INQUIRE" AND PERHAPS AS WELL SUGGESTS THAT THE RESULTS OF THAT RESEARCH ARE ALMOST BY DEFINITION RECHERCHE, THAT IS, NOT OBVIOUS, OUT OF THE WAY, SOMETIMES FAR FETCHED" (KUGEL, J. TWO INTRODUCTIONS TO MIDRASH, PROOF TEXTS (VOL. 1, (1987) P. 146). THE RABBIS ACCEPTED AS SELF-EVIDENT THE THESIS "THAT EVERY READING HAS A MOTHER," WHICH IS TO SAY THAT EVERY BIBLICAL SENTENCE HAS A HISTORY THAT TIES IT TO ALL THAT WAS REVEALED AT SINAI, AND IN SUM MAKES EACH WORD PREGNANT WITH POTENTIAL MEANING, GOD'S (SIFRA 2 LEV. 12:5). *-cant find*

BECAUSE RABBINIC JUDAISM APPROACHES THE SACRED TEXT ARMED WITH THE ASSUMPTION THAT EVERYTHING IN THE TEXT RELATES TO ALL ITS PARTS, THE MIDRASHIST HAS NO QUALMS ABOUT TAKING A PHRASE OR A WORD OUT OF WHAT WE WOULD CALL ITS CONTEXT OR OF GIVING THE TEXT A READING THAT COMMON SENSE DOES NOT PERMIT. HE IS NOT LIMITED TO THE IDEA THAT A STRAIGHTFORWARD SEQUENTIAL READING MIGHT SUGGEST. EVERY WORD, EVERY ANOMALY, SPELLING, OR SYNTAX, EVERY TURN OF PHRASE IS SUGGESTIVE FOR HIM. MIDRASH DECONSTRUCTS SCRIPTURE TO EXPLORE ITS DEPTHS AND DETAILS, BUT WITH FAR DIFFERENT METHODS AND PURPOSE AND IN A WAY THAT SETS ITS METHODS APART FROM THE TECHNIQUES OF THOSE MODERN LITERARY CRITICS WHO ASSUME A SERIES OF PERHAPS UNRELATED MEANINGS IN THE VARIOUS PARTS OF A WORK. MIDRASH ASSUMES THAT BEHIND THE WORLD OF DETAIL AND MEANINGS LIES AN ABSOLUTE AND ETERNAL TRUTH, AN UNYIELDING AND UNBENDING TORAH TEXT.

AND WITHOUT EVER ESCAPING FROM THE CONTROL OF RELIGIOUS TRADITION.

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DESPITE APPEARANCES, MIDRASH IS UNCONGENIAL TO WORD PLAY OR INTERPRETIVE GAMES WHEN THESE ARE EMPLOYED ONLY FOR THEIR OWN SAKE. THE SAGES WERE BELIEVERS. THEY HELD A COHERENT FAITH. GOD DOES NOT SPEAK TO CONTRADICTORY PURPOSES. THEY WERE OBSERVANT. THEY WERE DEALING WITH A TEXT THEY ACCEPTED AS DIVINE WHOSE TEACHINGS THEY ACCEPTED AS BINDING. GOD HAD PLACED MUCH WISDOM IN THE TEXT: ONE SOURCE, ONE TRUTH. THEIR CHALLENGE WAS TO DRAW THAT WISDOM OUT, TO EXPLORE ITS DEPTHS.

ONLY IN THESE TALMUDIC CENTURIES, IN AN AGE WHEN THE TORAH WAS ACCEPTED FULLY AS SCRIPTURE, DID TORAH DEVELOP A FULL-BLOWN MIDRASH. THE MIDRASHIC COMMENTS, ORIGINALLY DISCRETE STATEMENTS, WERE ULTIMATELY DRAWN TOGETHER BY SAGES AND EDITORS INTO PRESENTATIONS, SERMONS OR SERMON OUTLINES WHICH FOLLOWED, MORE OR LESS SEQUENTIALLY, THE TEXTS OF THE BOOKS OF THE BIBLE OR WERE RELATED TO THE THEMES OF A READING RESERVED FOR SOME SPECIAL OCCASION.

OVER TIME THE RABBINIC, HALACHIC, AND AGGADIC AGENDA ACQUIRED A NAME WHICH EMPHASIZED ITS AUTHORITY, THE TORAH SHE-BE'AL PEH, THE ORAL, MEMORIZED TORAH. THE TALMUD ASCRIBES THE TERMS TO HILLEL AND SHAMMAI, THE FIRST-CENTURY PHARISEES (B. SAB. 31A), BUT IT IS MORE LIKELY THAT THE PHRASE DID NOT BECOME CONVENTIONAL UNTIL THE THIRD OR FOURTH CENTURY. IN ITS FINAL FORM THE FULL-BLOWN MYTH HELD THAT GOD HAD REVEALED THROUGH MOSES ALL OF SEFER TORAH, THE TORAH, AND THE TORAH SHE-BE'AL PEH, A COMPLEMENTARY ORAL REVELATION WHICH HAD PASSED DOWN TO THE PRESENT GENERATIONS WITHOUT SIGNIFICANT CHANGE AND WITHOUT EVER ESCAPING FROM THE CONTROL OF RELIABLE TRANSMITTERS.

Deuteronomy 5:28
Exodus 24:12
Leviticus 26:46
Numbers 1:1
Deuteronomy 10:1
Exodus 24:12
Leviticus 26:46
Numbers 1:1
Deuteronomy 10:1

THE TWO TORAHS HAD BEEN INTERPRETED BY GENERATIONS OF RESPONSIBLE LEADERS WHO THROUGH MIDRASH HAD WOVEN THEM TOGETHER INTO THE SINGLE ENTITY THEY, IN FACT, WERE.

AS A TECHNIQUE FOR WEAVING A TWO-FOLD TORAH INTO ONE, MIDRASH HAD ONE STRUCTURAL DISADVANTAGE. IT WAS WITHOUT SELF-EVIDENT LIMITS. SINCE THE SAGES' TECHNIQUES OF INTERPRETATION WERE ARTIFICIAL, IN THE SENSE THAT THEY TRANSCENDED LOGIC, THERE WAS NO OBVIOUS LIMIT TO WHAT COULD BE CLAIMED AS TORAH. ELEGANT INTERPRETATION CAN MAKE BLACK WHITE AND PERMIT THE FORBIDDEN. THE RABBIS LIMITED THE AUTHORITY TO DO MIDRASH ONLY TO QUALIFIED SAGES BY SETTING ASIDE MIDRASH OF WHICH THEY DISAPPROVED, BY ^{up}RENING IN THE IMAGINATION OF THE YOUNG, BY LIMITING DISCUSSION TO THOSE FEW EDUCATED AND ALREADY DEEPLY COMMITTED, AND BY CONFINING TO THESE CIRCLES THE DEVELOPMENT OF COLLECTED BLOCS OF MIDRASHIM. THIS CONCERN FOR CONTROL, FOR PROTECTING THE RABBINIC AUTHORITY OVER THE DEVELOPING TRADITION, WAS ALSO AN ORIGINAL MOTIVE FOR DRAWING TOGETHER AND EDITING MIDRASHIC COLLECTIONS. IN SO DOING, THE RABBIS IMPOSED STANDARDS. SINCE WRITING WAS NOT PARTICULARLY ENCOURAGED, MIDRASH, LIKE SO MUCH ELSE, WAS MOSTLY MEMORIZED; THAT WHICH A SAGE DID NOT DEEM WORTHY OF BEING ENSHRINED IN MEMORY GENERALLY DISAPPEARED.

MOST OF THE MIDRASH WHICH HAS COME DOWN TO US IS PRESENTED ATOM-
ISTICALLY, AS TERSE, SINGLE-SENTENCE COMMENT. MANY SUCH COMMENTS UNDOUBTEDLY FLOATED ABOUT THE SCHOOLS AND WERE ULTIMATELY LOST.

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Others, for various reasons, became part of a bloc of tradition which a teacher had his students memorize. Some traditions melded because they shared a stylistic element. Others were hung onto the opening sentence of a Torah section or some other Biblical portion. Since Midrash was still at this time a central part of the Rabbi's oral culture, in most cases its organizing principle was simply to make memorizing easier and surer.

Midrash rests on paradox. On the one hand, it is based on the premise that all ideas are rooted in scripture and it encourages belief in the coherence of the whole tradition. On the other hand, Midrash reflects not a single point of view, but rather diversity of insights and doctrines. This great effort of synthesis is full of contradiction and is not frightened by this fact. An identical formulaic statement can be given various readings. Without context, it is often difficult to know exactly what was intended by the Midrashist. Often the only connection between Midrashim is that they circulated in a particular school or were of interest to a particular compiler.

Midrash testifies, above all, to the continuing deep interest in the written scripture. It is simply not true that with the rise of the Talmud, the focus of Jewish interest switched from the written to the oral law. That assumption is based on little else but the very late medieval practice by European Jews of setting Talmudic studies above all else. It is true that in the yeshivot of

SLOBODKA OR VOLOZIN THE TANAKH WAS NOT SYSTEMATICALLY STUDIED AND THAT IN EVERY POLISH AND LITHUANIAN TOWN THE MOST PRESTIGIOUS CONTINUING EDUCATION CIRCLES STUDIED TALMUDIC TRADITION RATHER THAN THE BIBLE. BUT, EVEN THEN, WHEN THE BIBLE WAS NOT STUDIED SYSTEMATICALLY, KNOWLEDGE OF ITS TEACHINGS WAS ASSUMED AND FAIRLY CORRECTLY SO: IT REMAINED THE CURRICULUM OF ELEMENTARY EDUCATION, THE TEXT OF WEEKLY SYNAGOGUE RITUAL, THE SUBJECT OF OCCASIONAL SERMONS, AND ITS LANGUAGE REMAINED BASIC TO THE PEOPLE'S SPEECH.

ASHKENAZIC EUROPEAN SOCIETY WAS A BIT UNUSUAL IN ITS HEAVY EMPHASIS ON TALMUD. IN TALMUDIC TIMES, AND LATER IN THE ARAB WORLD, KNOWLEDGE OF THE WRITTEN TORAH PLAYED A MAJOR ROLE IN ALL THAT CONSTITUTED JEWISH STUDIES. INDEED, IN THE ISLAMIC ENVIRONMENT THERE WERE THOSE EAGER TO STUDY THE WRITTEN TORAH AND WILLING TO DO SO EVEN THOUGH IT REQUIRED THAT THEY SIMPLIFY THE ORAL TRADITION TO DO SO. IN ANY ARABIC COMMUNITY, TALMUD REMAINED THE CODE OF JEWISH LIFE WITHOUT IMPOSING ON THE COMMUNITY, IN THE NAME OF TALMUD TORAH, THE MONUMENTAL TASK OF MASTERING ITS INTRICACIES OR COMMENTARIES. IN THE EARLY CENTURIES OF MUSLIM DOMINANCE, MANY JEWS WERE UNABLE AND UNWILLING TO DEVOTE THE TIME AND EFFORT SUCH MASTERY REQUIRED; THEY WERE HEIRS OF TRADITION WHICH REQUIRED ONLY THE MORE ACTIVE RELIGIOUS RITUALS. IN THE ISLAMIC WORLD IN THE NINTH THROUGH TWELFTH CENTURIES THE CUSTOM DEVELOPED OF PREPARING PRECIS OF TALMUDIC LAW, CODES OF PRACTICE, ARRANGED TOPICALLY BUT WITHOUT METHODOLOGY. MOSES MAIMONIDES' MISHNAH TORAH WAS SIMPLY THE MOST FAMOUS OF THE CODES PREPARED SO THAT FAR-FLUNG COMMUNITIES AND THEIR JUDGES COULD OPERATE WITHOUT THE

PRESENCE OF A FULLY QUALIFIED TALMUDIST. HIGHER RABBINIC EDUCATION WAS PRESUMEDLY TO BE LEFT TO THE GREAT ACADEMIES OF BABYLONIA AND PALESTINE. THIS SIMPLIFIED CODIFICATION WAS AN ATTEMPT TO REFORM RABBINIC JUDAISM WITHOUT CHALLENGING ANY OF ITS MAJOR AFFIRMATIONS. THE CODIFIERS WERE GOOD SCHOLARS, BUT THEY KNEW THAT TALMUDIC ERUDITION WAS BEYOND THE AVERAGE JEW. WHENEVER JEWISH LIFE HAS BEEN ABLE TO GAIN A SIGNIFICANT DEGREE OF ACCESS TO THE LARGER BUSINESS AND PROFESSIONAL WORLD, AS WAS TRUE OF JEWS IN MANY PARTS OF THE ARAB WORLD DURING THE 8TH AND 9TH CENTURIES, JEWS HAVE TRIED TO MOVE AWAY FROM A LEARNING WHICH IS PAROCHIAL AND ALL-ABSORBING SO THAT THEY HAVE THE TIME TO PARTICIPATE IN THE LARGER WORLD.

DURING TALMUDIC TIMES AN EXTENSIVE LITERATURE OF HEBREW POETRY, BASED ON THEMES AND IDIOMS TAKEN PRIMARILY FROM THE TANAKH AND DESIGNED PRIMARILY TO FILL OUT THE STILL SPARE WORSHIP SERVICE, BEGAN TO BE EXTENSIVELY DEVELOPED. THESE POEMS GENERALLY DEALT WITH BIBLICAL THEMES AND DELIBERATELY USED BIBLICAL HEBREW AND BIBLICAL IDIOMS. THEY KEPT ALIVE THE LANGUAGE OF THE BIBLE AS WELL AS BIBLICAL AND FOLK STORIES ABOUT BIBLICAL HEROES. THIS LITERATURE, THE PIYYUT, APPARENTLY A HEBREW FORM OF THE GREEK 'POIETES', POET, BEGAN TO APPEAR IN THE THIRD CENTURY C.E., PARTICULARLY IN PALESTINE, AND WAS DESTINED TO HAVE A CREATIVE RUN OF OVER A THOUSAND YEARS.

THE IMPORTANCE OF PALESTINE RATHER THAN THE DIASPORA AS THE CENTER OF SCRIPTURE-BASED INTEREST NEEDS TO BE UNDERSTOOD AND EMPHASIZED. BABYLON, IN THE PARTHIAN EMPIRE, HAD RABBINIC ACADEMIES AND PRODUCED THE BETTER OF THE TWO TALMUDS, BUT PRIDE OF RANK IN

EXEGESIS AND AGGADAH GOES TO THE PALESTINIAN SAGES. ALMOST ALL THE MIDRASH COLLECTIONS COME FROM PALESTINE. THE PIYYUT EMERGES IN PALESTINE AND FLOURISHES ALMOST EXCLUSIVELY THERE RIGHT DOWN THROUGH THE EARLY CENTURIES OF THE MUSLIM PERIOD. IN THE EIGHTH AND NINTH CENTURIES KARAITE MASORETIC STUDIES WILL FLOURISH IN THE GALILEE, STIMULATE RABBINIC INTEREST IN SUCH STUDIES, AND BRING THAT THOUSAND-YEAR OLD DISCIPLINE TO A TRIUMPHAL CONCLUSION. ONE SUSPECTS THAT THE FACT OF PALESTINE AS A CENTER OF AGGADAH HAS SOMETHING TO DO WITH THE NATURALNESS OF HEBREW IN THAT ENVIRONMENT. HEBREW, AFTER ALL, WAS THE LANGUAGE OF THE JEWISH STORY. TANNAITIC MATERIALS DRAWN UP IN PALESTINE WERE IN HEBREW. WHEN THE CENTER MOVED EAST, THE BABYLONIAN GEMARA WAS WRITTEN IN ARAMAIC.

THEN, TOO, THE PALESTINIAN SCHOOLS HAD A HEAD START OF A CENTURY OR TWO ON THOSE OF THE DIASPORA. PALESTINIAN EMINENCE MAY ALSO HAVE ACQUIRED SOME OF ITS FORCE FROM THE PREFERENCE OF THE PALESTINIAN SYNAGOGUES FOR A THREE OR THREE AND A HALF-YEAR CYCLE OF TORAH READINGS--A PRACTICE MAINTAINED THROUGHOUT MOST OF THE FIRST MILLENNIUM--WHOSE SHORTER PORTIONS INSPIRED GREATER INTENSITY IN STUDY AND DISCUSSION. FINALLY, THE HISTORY OF THE TWO COMMUNITIES IS INSTRUCTIVE. THE PALESTINIAN HISTORY IS ONE OF UNINTERRUPTED CREATIVITY. THE EAST WAS AN ANCIENT CENTER, BUT WE HEAR OF LITTLE THAT IS CREATIVE AFTER EZRA IN THE 4TH CENTURY B.C.E. AND BEFORE THE RABBINIC REVIVAL OF LEARNING THERE IN THE THIRD CENTURY C.E.

THE BOOK OF PSALMS IS A RECOGNIZED CLASSIC OF LITURGICAL POETRY, A FEATURE AS OLD AS THE HEBREW TRADITION. WHILE THE PSALMS STAND

ON THEIR OWN, THE PIYYUT DIFFER IN DEPENDING HEAVILY ON THE BIBLE, THE TARGUM AND MIDRASHIC EXPLANATIONS. POEMS WERE COMPOSED FOR EACH OF THE SABBATHS OF A THREE-YEAR CYCLE; AS INSERTIONS OR SUBSTITUTIONS FOR PORTIONS OF THE AMIDAH, THE TRADITIONAL HEART OF THE SERVICE; AS ADDITIONS TO THE BLESSINGS WHICH PRECEDE THE SAYING OF THE SHEMA; AND FOR A VARIETY OF OTHER LITURGICAL PURPOSES, INCLUDING, SOME BELIEVE, AS A SUBSTITUTE FOR THE AMIDAH DURING PERIODS OF PERSECUTION WHEN THE BYZANTINE AUTHORITIES ORDERED THAT THE AMIDAH NOT BE RECITED PUBLICLY.

WE KNOW LITTLE ABOUT THE PERSONALITIES OF THE EARLY PAYYETANIM, THE AUTHORS OF THE LITURGICAL POEMS, SOMETIMES NOT EVEN THEIR NAMES. THEY WERE GENERALLY THE MEN WHO CHANTED THE SERVICE. AT A LATER PERIOD THESE POET-SINGERS WERE ALSO CALLED HAZZANIM, THOSE WHOM WE WOULD TODAY CALL CANTORS. DURING THE TALMUDIC CENTURIES THE SYNAGOGUE SERVICE HAD DEVELOPED A SET FORM THOUGH ITS CONTENTS WERE NOT COMPLETELY FIXED. PARTICULARLY THE SABBATH AND FESTIVAL SERVICES NEEDED MUCH MORE STRUCTURE. AT FIRST THE PAYYETANIM SOUGHT TO PROVIDE COMPOSITIONS WHICH COULD SUPPLEMENT OR SUPPLANT THE STILL UNDEVELOPED AND UNSTANDARDIZED PORTIONS OF THE SERVICE. WRITING FOR THEIR OWN CONGREGATIONS, PAYYETANIM PROVIDED VERSES WHICH ADDED SUBSTANCE AND FRESHNESS TO THE SERVICE AND ALLOWED THE PAYETON^A TO DISPLAY HIS SKILLS. SOME POEMS WERE LIKE THE SERMONS OF THE DAY, RECAPITULATIONS OF THE WEEKLY TORAH PORTION. SOME SELECTED A FESTIVAL THEME, LIKE THAT OF THE AWESOME PRIESTLY CONFESSION ON YOM KIPPUR, AND ENLARGED ON IT FOR THE FAST DAY'S ADDITIONAL SERVICE (MUSAF). POEMS INCLUDED

BOTH AGGADAH AND LEGAL MATERIALS. SOME ALLUDE TO DISPUTATION WITH OTHER FAITHS, SUCH AS THE GROWING FRICTION WITH THE NEWLY CHRISTIANIZED ROMAN EMPIRE AND LATER TO THE EXTORTIONS OF THE BYZANTINE EMPERORS AND OF ISLAM. SOME ARE FULL OF MYSTICAL THOUGHTS. ALMOST ALL, LIKE THE POPULAR SERMONS, CONCLUDE WITH SOME EXPRESSION OF ISRAEL'S MESSIANIC HOPE. SOME COMMUNITIES, LIKE TIBERIUS, ULTIMATELY PRODUCED MANUSCRIPT ANTHOLOGIES OF POEMS BY LOCAL WRITERS. WHATEVER THEIR CONTENT OR QUALITY, THESE POEMS--AND THEIR NUMBER RUNS INTO THE THOUSANDS--REFLECT THE IMPORTANCE WITHIN THE COMMUNITY OF AN EFFECTIVE SYSTEM OF TORAH EDUCATION. SOME WERE WRITTEN FOR ORDINARY FOLK. MOST WERE FULL OF LITERARY ALLUSIONS AND WERE OBVIOUSLY INTENDED FOR CONGREGATIONS OF THE INTELLECTUALLY ELITE. IT IS CLEAR THAT THE GENERAL AUDIENCE WAS EXPECTED TO UNDERSTAND BASIC BIBLICAL CITATIONS AND THAT THE ELITE WERE EXPECTED TO BE ABLE TO DECODE A SURPRISING NUMBER OF RECONDITE REFERENCES.

FORTUNATELY, WE KNOW THE NAMES OF A FEW OF THE IMPORTANT POETS OF THIS LATE TALMUDIC PERIOD: YOSE B. YOSE (4-5TH CENTURY), YANNAI, AND ELEAZAR B. KALLIR (6TH CENTURY) ARE THE BEST KNOWN. THEIR POEMS ARE MOSTLY ON BIBLICAL THEMES, EACH A TESTAMENT TO THE DEPTH OF BIBLICAL KNOWLEDGE IN THE COMMUNITY. THESE MEN AND THEIR PREDECESSORS AND SUCCESSORS WERE, OF COURSE, HEIRS OF A LONG TRADITION OF POETRY AND THEIR WORK REFLECTS STYLISTIC PATTERNS OF BOTH BIBLICAL AND MIDRASHIC TRADITIONS; EXAMPLES INCLUDE PARALLELISM, ALPHABETIC ACROSTICS, AND A FOUR-FOLD DIVISION OF VERSE IN WHICH EACH DIVISION HAS TWO ACCENTED TERMS. EARLY HEBREW POETRY, LIKE THE PSALMS, TENDS TO AVOID RHYME. IT WAS TOO EASY TO RHYME A

LANGUAGE IN WHICH CASE ENDINGS ARE COMMON.

A TYPICAL EARLY PIYYUT WRITTEN BY AN UNKNOWN AUTHOR IS A COMPLEMENT TO THE PRAYER FOR RAIN WHICH IS INTRODUCED INTO THE SERVICE FROM FALL TO SPRING.

"I SHALL SEND PRAISES NOW THAT THE TIME OF THE SINGING OF THE BIRDS HAS COME, I SHALL ANSWER IN SONG: GO IN PEACE, RAIN."

I SHALL LOOK AT THE DEEDS OF MY GOD, SO PLEASANT IN THEIR SEASON, AND SWEETLY SAY: COME IN PEACE, DEW.

THE RAINS ARE OVER AND GONE, THE WINTER IS PAST; EVERYTHING IS CREATED WITH BEAUTY; GO IN PEACE, RAIN.

THE MANDRAKES GIVE FORTH THEIR PERFUME IN THE LOVERS' GARDEN; SORROWS ARE PAST: COME IN PEACE, DEW.

THE EARTH IS CROWNED WITH NEW GRAIN AND WINE, AND EVERY CREATURE CRIES, GO IN PEACE, RAIN."

THE USE OF IMAGERY CLEARLY TAKEN FROM THE SONG OF SONGS AND THE PSALMS IS EVIDENT THROUGHOUT. INDEED, WE CANNOT IMAGINE MOST OF THESE SONGS WITHOUT REFERENCE TO BIBLICAL ANTECEDENTS.

MUCH OF THE POETRY, PARTICULARLY THAT WHICH RELATES DIRECTLY TO THE WEEKLY PORTIONS OF THE TORAH CYCLE, HAS A MORE APPARENT AND IMMEDIATE CONNECTION TO THE SEFER TORAH, AS DOES THIS POEM OF YANNAI'S WHICH REFERS TO MOSES' VISION OF GOD AT THE BURNING BUSH.

WHAT IS INTERESTING IS THAT THE AUTHOR COMBINES, AS DO MOST OF THESE POETS, BIBLICAL THEMES WITH THOSE WHICH DERIVE FROM THE MIDRASH AND ARE CLEARLY AS WELL KNOWN--HERE, FOR INSTANCE THE MIDRASH THAT MOSES AT THE BURNING BUSH HAD BEEN TRANSFORMED INTO AN ANGEL, AND THAT THE EXPERIENCE OF LOOKING AT THE BUSH ALLOWED

HIM TO BECOME AN ADEPT IN FIERY VISIONS.

"INTO THE WILDERNESS THE MESSENGER DROVE HIS FLOCKS; INTO THE WILDERNESS HE WOULD LEAD HIS PEOPLE LIKE A FLOCK.

WITHOUT FEET HE RAN, RUSHING HIS HERD TO THE PLACE WHERE HE WOULD SEE HIS VISION OF GOD.

GREEN CROPS SPRANG UP BEFORE HIM, THEN WERE SWALLOWED IN HIS WAKE.

IN A SINGLE DAY HE TRAVELED A LONG DISTANCE, FOR HE WHO LOVED STRAIGHTNESS STRAIGHTENED THE PATH BEFORE HIM.

WHEN HE REACHED THE MOUNTAIN OF GOD, HE WAS EASED OF HIS HARD-
SHIP AND RELIEVED OF HIS TOIL.

AT FIRST AN ANGEL APPEARED BEFORE HIM TO CHANGE HIS FORM TO THAT OF AN ANGEL.

AND GOD TAUGHT HIM TO LOOK AT FIRE, TO BE EXPERT IN FIERY VISIONS.

HIS HEART WAS STRENGTHENED BY LOOKING AT THE FLAME, SO THAT HE MIGHT BE ABLE TO WITHSTAND ALL MANNER OF FIRE.

THE PURE ONE REVEALED HIS SPLENDOR IN THE MIDST OF ISRAEL'S DEFILEMENT; THE HIGH ONE PROCLAIMED HIS GLORY FROM THE LOWLY BUSH.

FOR HIS PEOPLE'S DISTRESS IS HIS DISTRESS, AND THEIR SALVATION IS HIS OWN."

* * * *

THE SEMI-OFFICIAL TARGUM OF THE SEFER TORAH WAS DEVELOPED IN PALESTINE DURING THESE CENTURIES, ALTHOUGH IT WAS EDITED IN THE EAST, IN BABYLONIA IN THE SIXTH CENTURY C.E., THERE TO BECOME THE

* *Githin 56 B* "OFFICIAL" TARGUM OF THE SYNAGOGUE, TARGUM ONKELOS. THE ONKELOS TRADITION AVOIDED ALL ANTHROPOMORPHISM AND MANDATED THE PROPER RABBINIC INTERPRETATION OF THE LAW. IT IS LIKELY THAT ONKELOS IS A CORRUPTION OF THE NAME AQUILA, A SECOND-CENTURY TRANSLATOR OF THE BIBLE INTO GREEK. AQUILA WAS A CONVERT; ONKELOS IS SO DESCRIBED. BIOGRAPHICAL SIMILARITIES ABOUT THE TWO MEN ARE REPORTED IN THE TALMUD. IT SEEMS PLAUSIBLE THAT THE FACTS AND LEGENDS WHICH SURROUND THE LIFE OF AQUILA WERE ATTACHED TO AN IMPORTANT TARGUM TRADITION ABOUT WHOSE AUTHOR LITTLE WAS KNOWN. WHAT IS IMPORTANT IS NOT THE PERSONALITY OR EVEN THE IDENTITY OF THE PURPORTED AUTHOR OF THE TARGUM, WHICH, LIKE ALMOST ALL OTHER WORKS OF THE AGE, WAS A COMPOSITE ACHIEVEMENT, BUT THE FACT THAT BIBLE TRANSLATIONS CONTINUED TO BE MADE THROUGHOUT THE TALMUDIC CENTURIES INTO ARAMAIC, GREEK, SYRIAN, AND OTHER TONGUES. THE BIBLE WAS READ. ↓

BY DEFINITION A TARGUM IS A TRANSLATION OR PARAPHRASE OF BIBLICAL BOOK INTO ARAMAIC. THE TRANSLATION CONFORMED TO RABBINIC STANDARDS. ANTHROPOMORPHISMS, SO FREQUENT IN THE BIBLE, ARE REMOVED AND RABBINIC INTERPRETATIONS ARE MADE CLEAR. SOMETIMES THE TARGUM ADDED MIDRASHIC TALES TO THE BIBLICAL TEXT IT WAS TRANSLATING OR PARAPHRASING.

FOR OUR PURPOSES WHAT IS IMPORTANT IS THE EXISTENCE OF SEVERAL STRANDS OF TARGUM, EVIDENCE OF A CONTINUING AND FLOURISHING INTEREST IN BIBLICAL CONCERNS AND STUDIES IN PALESTINE AND LATER IN THE EAST. IN ADDITION TO THE TARGUM ONKELOS TO THE PENTATEUCH, A SIMILAR TARGUM DEVELOPED TO THE PROPHETS WHICH ALSO WAS BEGUN IN PALESTINE

AND DEVELOPED THERE FOR SEVERAL CENTURIES BEFORE IT, TOO, WAS TRANSPORTED AND FINALLY COMPLETED IN BABYLONIA AROUND THE SAME TIME AS ONKELOS, DURING THE SIXTH CENTURY. A NUMBER OF TARGUMIM OF THE HOLY WRITINGS WERE DONE AT THE SAME PERIOD.

THE TARGUM WAS TREATED WITH THE SAME FORMALITY WHICH CONTROLLED THE PUBLIC READING OF THE TORAH IN THE SYNAGOGUE. IT HAD BEEN CREATED, AFTER ALL, AS AN ADJUNCT TO THAT READING, TO GUARANTEE THAT THE READING WAS PROPERLY UNDERSTOOD BY JEWS WHO NO LONGER KNEW THE CLASSIC HEBREW. ACCORDING TO TALMUDIC PRESCRIPTION, THE TARGUM HAS TO BE READ, NEVER RECITED BY HEART, READ AFTER EACH VERSE OF THE PORTION OF THE WEEK AND AFTER EVERY THIRD VERSE OF THE HAFTARAH.

Mez 4:6

A MINOR COULD READ FROM THE TARGUM IN THE SYNAGOGUE, WHERE HE COULD NOT READ FROM THE TORAH, AND WE FIND IN THE CAIRO GENIZAH A FEW LETTERS FROM THE TWELFTH CENTURY PRAISING YOUNGSTERS FOR THIS ~~ACHIEVE-~~MENT. PORTIONS OF SCRIPTURE, LIKE THE STORY OF REUBEN (GEN. 35: ³²21-25, 35) ~~22~~ AND THE SECOND ACCOUNT OF THE GOLDEN CALF (EX. ³²31-34) ~~20~~ AND THE PRIESTLY BLESSING, WERE PROHIBITED TO BE TRANSLATED. THE PRIESTLY BLESSING WAS DEEMED TOO HOLY TO BE TRANSLATED; THERE WAS THE SUSPICION THAT THE GOLDEN CALF MIGHT HAVE HAD DIVINE POWERS SINCE IT EMERGED FULLY MOLDED OUT OF THE GOLD TOSSED INTO THE FIRE AND THEREFORE THE PORTION SHOULD NOT BE RECITED.

* * *

THE TALMUDIC AGE WAS A PERIOD OF TRANSITION. DURING THE FIRST CENTURIES OF THE MUSLIM PERIOD THERE WERE SEVERAL RATHER VIOLENT MESSIANIC UPRISINGS ~~THERE WERE SEVERAL RATHER VIOLENT~~

Nim 6:
24-6

~~MESSIANIC UPRISINGS~~ AGAINST AUTHORITY, BY SUCH MEN AS ABU ISA OF ISFAHAN AND HIS DISCIPLE, YUDGHAN. THESE REBELLIONS WERE LIMITED LARGELY TO RURAL AREAS AND TESTIFY NOT ONLY TO THE INTENSITY OF ✓ MESSIANIC HOPES BUT EQUALLY TO THE FACT THAT RABBINIC LAW HAD NOT YET BEEN FULLY ACCEPTED. THE LITTLE WE KNOW ABOUT THE DOMESTIC RULES OF THE BREAKAWAY GROUPS SUGGESTS THAT THEY DID NOT SLAVISHLY FOLLOW RABBINIC LAW. THE HEADS OF THESE ACADEMIES, THE GAONIM OF THE EIGHTH AND NINTH CENTURIES, WIELDED A STRONG AND CENTRALIZED AUTHORITY. THEY ACCEPTED THE PIETY THAT THE TALMUD HAD REMAINED AN ORAL TEACHING UNTIL POLITICAL CIRCUMSTANCES MADE ITS INSCRIPTION A MATTER OF SOME URGENCY, AND PAINTED A PICTURE OF VARIOUS SIXTH-CENTURY SAGES RECOGNIZING THIS NEED: RABINA FOR THE JERUSALEM TALMUD, RAV ASHI FOR THE BABYLONIAN.

THERE WERE NO RULES OR PATTERNS WHICH SCRIBES WERE OBLIGED TO FOLLOW FOR THE MISHNAH AND LATER FOR THE TALMUD. EACH TEXT COULD BE INSCRIBED ON ANY USABLE SURFACE. NOTES COULD BE MADE IN THE MARGIN OR EVEN IN THE TEXT ITSELF. SCRIBAL ERRORS COULD BE STRUCK OUT AND WRITTEN OVER. THOUGH IN THE CENTRAL ACADEMIES CARE WAS TAKEN WITH THE ACCURACY OF THE TALMUDIC TRADITIONS, NO AUTHORITATIVE VERSION WAS PUBLISHED. THIS IS NOT TO SAY THAT THE TEXT WAS TREATED CAVALIERLY. THE SAVORAIM WERE CAREFUL EDITORS WORKING WITH A CHAOTIC TEXT.

A GRAMMATICAL TRADITION BEGAN TO DEVELOP AROUND THE TEXT IN GAONIC TIMES, FROM WHICH A SMALL NUMBER OF MANUSCRIPTS SURVIVE.

SOME WERE VOCALIZED AND SOME, LIKE ONE PRODUCED FOR HAI GAON (11TH CENT.), INCLUDED USEFUL LINGUISTIC AND GRAMMATICAL COMMENTS. THOUGH THE MISHNAH CIRCULATED IN AN UNVOCALIZED FORM AND THE GEMARA GENERALLY FOLLOWED SUIT, READINGS WERE STANDARDIZED BY THE LEARNING SONGS WHICH ACCOMPANIED ITS STUDY IN SCHOOLS.

THE TALMUD BECAME THE SCRIPTURE OF THE SECONDARY SCHOOLS IN THE 8TH AND 9TH CENTURIES. STUDENTS EXPENDED PRODIGIOUS EFFORT IN MEMORIZING BLOCS OF TEXT. THE BAGHDAD ACADEMIES OF ADVANCED STUDY ALSO EMPLOYED MEMORY PROFESSIONALS TO MAKE SURE THAT THE ACCEPTED TEXT WAS THE ONE DISCUSSED AND TAUGHT. FORMALITY GOVERNED DISCUSSION IN THE ACADEMIES. A FESTIVE OCCASION CELEBRATED COMPLETION OF A TRACTATE OF 'READINGS.' THE KADDISH ^(d'rabanan) PRAYER WHICH PRAISES AND THANKS GOD FOR THE PRIVILEGE OF STUDY MAY HAVE HAD ITS ORIGINS AS A BLESSING ON SUCH OCCASIONS.

BY ITS VERY BULK AND ITS MANY HALACHIC INTERESTS, THE TALMUD SEEMS, AS WE HAVE SEEN, TO BE NOT ONLY AN ATTEMPT TO REARRANGE AND TO ELABORATE JEWISH LAW INTO POSITIVE CODES BUT TO CREATE A NEW WORLD OF DISCOURSE. IT INCLUDED AGGADAH, HISTORY, DISCUSSION OF EXEGETICAL PRINCIPLES, LEGAL METHODOLOGY, UNRESOLVED LEGAL ISSUES AND LIKE ISSUES.

THERE COULD BE NO MISTAKING THE IMPORTANCE OF THIS BODY OF TORAH. IT WAS THE ORAL LAW, GIVEN AT SINAI, NURTURED BY GENERATIONS OF LEADERS AND SAGES, GOD'S WILL FOR THE ORGANIZATION OF ISRAEL'S

COMMUNAL LIFE. YET, THE ISLAMIC-JEWISH WORLD'S DEVELOPING CONCERN FOR PRECISION AND ORDER WAS A BIT PUT OFF BY THE TALMUD'S DENSE COMPLEXITY. ATTEMPTS WERE MADE TO PRESENT ISSUES WITH SOME SENSE OF ORDER. THE LEARNING CHARTS OF THE ACADEMIES OF THE EAST EMPHASIZED CORRECT PRONUNCIATION AND MEANING. DISCUSSIONS WERE CONDUCTED WITH A CARE AND CEREMONY WHICH WOULD BE CONSPICUOUSLY LACKING IN LATER EUROPEAN ACADEMIES. A GAON AIDED BY A PROVOST (AV) AND A SCRIBE PRESIDED OVER ACADEMIC MEETINGS. THE ACADEMY WAS ARRANGED HIERARCHICALLY; EACH ROW HAD A HEAD AND DISCUSSION WAS CARRIED ON BY A STRICT RULE OF SENIORITY. TWICE EACH YEAR PUBLIC LECTURES (KALLOT) WERE ORGANIZED. THE GAON CHOSE A PARTICULAR TREATISE AS HIS SUBJECT FOR A KALLAH AND VARIOUS OFFICIALS WOULD ADD THEIR REMARKS TO THE GAON'S. VISITING SCHOLARS WHO WERE PRESENT WERE EXPECTED TO CARRY BACK DECISIONS AND FORMULATIONS TO THEIR COMMUNITIES. NO ONE COULD PREACH OR TEACH IN THE COMMUNITIES WITHOUT PROPER AUTHORIZATION. ACADEMIC SCRIBES PREPARED LETTERS FOR VARIOUS COMMUNITIES WHICH REPORTED ON THE KALLAH AND ANSWERED SPECIFIC QUESTIONS ON CHOSEN TEXTS AND OTHERS ASKED BY THE COMMUNITIES. THE ACADEMIES WERE SUSTAINED BY THE GIFTS THAT ACCOMPANIED SUCH REQUESTS AND BY THE INCOME FROM LANDS WHICH HAD BEEN DONATED TO THEM.

ONE OF THE PRINCIPAL ADVANTAGES OF THIS CORRESPONDENCE WAS THAT IT CLOSED DEBATE, PARTICULARLY ON ISSUES WHERE THE ACADEMY HAD MADE A SPECIFIC RULING ON AN ISSUE WHICH THE TALMUD HAD LEFT OPEN. EFFECTIVE AUTHORITY THEREFORE LAY IN THE INSTITUTION RATHER THAN IN THE TEXT. THE GREAT ACADEMIES WERE THE CENTER OF TALMUD STUDY.

OCCASIONALLY CIRCUMSTANCE OR APPOINTMENT WOULD LEAD AN ADVANCED STUDENT OR A SCHOLAR FROM THE ACADEMY TO SETTLE IN A (REMOTE) COMMUNITY WHERE HE WOULD BECOME THE RESIDENT AUTHORITY, WOULD LEAVE FOR OTHER PARTS AND THERE SET UP A SCHOOL FOR A FEW FAVORED SCHOLARS, ALMOST NEVER MORE THAN A HALF DOZEN OR SO. SOME MAY HAVE PREACHED IN THE SYNAGOGUE BUT ONE SUSPECTS THEIR IMPACT WAS GREATER IN AND THROUGH THE COURTS AND THE SCHOOLS. THE RABBIS LOOKED TO THE TEACHER, NOT THE TEXT, TO PROPAGATE THEIR IDEAS. THE TEACHER COULD EXPLAIN AND CLARIFY, PUT TEACHINGS IN CONTEXT, BRING NEW IDEAS TO BEAR ON THE ISSUES.

THE TALMUD WOULD BE A DIFFICULT TEXT EVEN IF IT HAD BEEN CAREFULLY EDITED. ITS THEMES ARE NOT SYSTEMATICALLY OR FULLY DEVELOPED AND CONFLICTING POINTS OF VIEW ARE FREQUENTLY CITED AND LET UNRESOLVED. MATERIALS STAND SIDE BY SIDE WHICH HAVE NO LOGICAL CONNECTION. THE ORAL TRADITION WAS TO BE STUDIED WITH A MASTER. AMONG THE TWENTY SOME WAYS THAT KNOWLEDGE OF THE LAW WAS ACQUIRED WERE "ATTENDANCE ON THE SAGES, CONSORTING WITH FELLOW STUDENTS, CLOSE ARGUMENT WITH DISCIPLES. . ." (Avot). STUDY OF A TALMUDIC TEXT IN THE QUIET OF ONE'S STUDY WAS NOT ONE OF THE TWO DOZEN RECOMMENDED WAYS. "LEAN NOT ON YOUR OWN UNDERSTANDING" (PIRKE AVOT 4:14).

AT FIRST THE RABBIS SHOW LITTLE INTEREST IN MAKING THEIR ORAL TRADITIONS AVAILABLE IN MANUSCRIPT. THE FAMOUS CHAIN OF TRADITION WHICH PREFACES THE ONLY WHOLLY AGGADIC TREATISE IN THE MISHNAH, THE RATHER LATE "SAYINGS OF THE FATHERS," DESCRIBES A VERBAL CHAIN

OF TRANSMISSION TO AND THROUGH RESPONSIBLE LEADERS IN EVERY GENERATION: "MOSES RECEIVED DIVINE TRADITION (TORAH) FROM SINAI, AND COMMITTED IT TO JOSHUA, AND JOSHUA TO THE ELDERS, AND THE ELDERS TO THE PROPHETS AND THE PROPHETS COMMITTED IT TO THE MEN OF THE GREAT SYNAGOGUE," WHO THEN SPEAK OF ITS VALUE AND OF COMMITTING THE TEACHING TO SELECTED DISCIPLES BUT NOT OF BROADCASTING IT: "THEY SAID THREE THINGS: TO BE DELIBERATE IN JUDGMENT, RAISE UP MANY DISCIPLES AND MAKE A FENCE AROUND THE LAW" (1:1).

THE ISSUE OF HOW MUCH TIME AND ATTENTION, BUT NOT HOW MUCH AUTHORITY, TO GIVE TO THE WRITTEN AND ORAL LAW, RESPECTIVELY, WAS FACED BY ALL WHO AFFIRMED THE RABBINIC TEACHING ABOUT THE AUTHORITY OF THE TWO-TIERED SCRIPTURE. NOT ALL JEWS DID. ALL JEWS AFFIRMED THE WRITTEN TORAH BUT NOT ALL ACCEPTED THE RABBINIC PIETY OF THE TWO TORAHS, WHICH IS TO SAY THAT NOT ALL ACCEPTED THE SELF-PROCLAIMED AUTHORITY OF THE RABBIS TO ORGANIZE JEWISH LIFE ACCORDING TO THEIR UNDERSTANDING OF THE ORAL LAW. IN EVERY GENERATION THERE WERE JEWS WHO OBSERVED THE SABBATH AND HOLY DAYS, WORSHIPPED IN A SYNAGOGUE, RECITED THE SHEMA, ADORED THE TANAKH, BELIEVED IN REPENTANCE, RESURRECTION, THE MESSIAH, AND AN ULTIMATE RETURN TO ZION, BUT WHO DID NOT FEEL COMPELLED TO ACCEPT THE AUTHORITY OF THE RABBIS OR MANY OF THEIR RULINGS. UNTIL RABBINIC AUTHORITY HAD BEHIND IT SUFFICIENT POLITICAL CLOUT TO INSIST ON CONFORMITY, THAT IS UNTIL THE LATE EIGHTH CENTURY, THESE GROUPS APPARENTLY SIMPLY CONTINUED TO BE TORAH-TRUE IN THEIR WAYS, LIVING QUIETLY ON THEIR OWN.

WITH THE RISE OF ISLAM AND THE CENTRALIZATION OF IMPERIAL POWER IN THE CALIPHATE AND OF EFFECTIVE POWER OVER THE JEWISH COMMUNITY IN THE RESH GALUTHA AND THE RABBINIC ACADEMIES, THESE GROUPS WERE FORCED OUT INTO THE OPEN.

KARAH COMES FROM THE SAME ROOT AS MIKRA, SCRIPTURE. THE B'NEI MIKRA OR KARAITES WERE JEWS WHO CHALLENGED THE AUTHORITY OF THE ORAL LAW AND CONSEQUENTLY OF THE TALMUD. THE HISTORY OF THE KARAITE CHALLENGE IS COMPLEX. IT WAS CATALYZED IN THE EIGHTH CENTURY, AS CHALLENGES OFTEN ARE, BY A DISGRUNTLED FIGURE FROM WITHIN THE ESTABLISHMENT. ANAN BELONGED TO THE EXILARCH'S OWN FAMILY. LEGEND HAS IT THAT HE HAD BEEN PASSED OVER FOR THAT OFFICE. THE FACTS ARE HARD TO ASCERTAIN, BUT HE CERTAINLY FOCUSED A LOT OF LOCAL DISCONTENT AND DIRECTLY CHALLENGED RABBINIC AUTHORITY. HE IS QUOTED AS SAYING, "FORSAKE THE WORDS OF THE MISHNAH AND THE TALMUD AND I WILL MAKE YOU A TALMUD OF YOUR OWN" ().

ANAN'S TEACHINGS WERE NOT ANTINOMIAN. HIS TALMUD, IF ANYTHING, INCREASED THE RANGE AND RIGOR OF JEWISH OBLIGATIONS. BUT RABBINIC OBLIGATIONS WHICH WERE NOT SPECIFICALLY PRESCRIBED IN THE WRITTEN LAW--HANUKKAH, THE SECOND DAY OF HOLIDAYS, AND USE OF A CALENDAR BASED ON ASTRONOMICAL CALCULATION--WERE DISCARDED. ANAN TOOK LITERALLY THE IDEA THAT NO LIGHT SHOULD BE LIT ON THE SABBATH AND THAT EVERYONE SHOULD STAY AT HOME. IN KARAITE COMMUNITIES THE LIST OF RELATIVES WITH WHOM MARRIAGE WAS PROHIBITED WAS ENLARGED AND IN MANY COMMUNITIES ALL MEAT WAS FORBIDDEN EXCEPT DEER AND FOWL.

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ANAN, LIKE LUTHER, HAD A COMPLEX, DIFFICULT, AND AUTHORITARIAN PERSONALITY. THE CHALLENGE HE RAISED WAS TO THE ORAL LAW WHICH HE DEFINED NOT AS SINAITIC BUT AS RABBINIC, NO MORE THAN THE INTERPRETATION OF CERTAIN SAGES. HE COMPILED IN ARAMAIC, USING RABBINICALLY FAVORED HERMENEUTICS AND EXEGESIS, HIS OWN BOOK OF PERCEPTS AS A DIRECT CHALLENGE TO THE GEMARA. ANAN AND HIS FOLLOWERS FOUND HALACHIC AUTHORITY IN ALL THE BOOKS OF THE TANAKH, NOT JUST IN THE FIVE SCROLLS OF THE SEFER TORAH. IN HIS EYES THERE WAS NO LONG-STANDING, CORRECT, GOD-DEFINED INTERPRETATION, NO ORAL LAW, ONLY THE RABBIS' OWN FANCIFUL INTERPRETATIONS. LIKE THE PROTESTANT REFORMERS, ANAN INSISTED ON HIS RIGHT TO CONFRONT THE TEXT DIRECTLY. A FEW YEARS LATER DISCIPLES WOULD GO FURTHER AND INSIST ON THE RIGHT OF EVERYONE TO INTERPRET SCRIPTURE. BEGINNING WITH KARAITE SAGES SUCH AS BENJAMIN HANAVEANDI (9TH CENT.) AND DANIEL AL KUMISI (EARLY 19TH CENT.), KARAITE SCHOOLS REPLACED ARAMAIC WITH HEBREW AS THE VEHICLE OF TEACHING AND MADE THE STUDY OF BIBLICAL EXEGESIS A MAJOR ACADEMIC DISCIPLINE. AS ONE WOULD EXPECT, THE KARAITES LAVISHED GREAT CARE ON THE WRITTEN TEXT. INDEED, MANY OF THE MOST IMPORTANT MASORETES WERE KARAITES AND THE STANDARD MASORETIC TEXT, THE BEN ASHER CODEX, WAS THE WORK OF MEMBERS OF THEIR COMMUNITY.

THE EARLY HISTORY OF KARAISM IS NOT SO MUCH THAT OF A COHESIVE MOVEMENT AS OF A SERIES OF LOCALIZED PROTESTS AGAINST RABBINIC AUTHORITY, OFTEN TRIGGERED BY MESSIANIC EXPECTATIONS AND COMPLAINTS ABOUT RABBINIC RAPACITY. THE RABBIS SEEMED TO BE SETTLING

and others
Baron refers
to him
as
Nahawendi

or
"of
Nihavend"
(E 223)

COMFORTABLY INTO GALUT. THEY HAD POWER AND PRESTIGE AND WERE FREE OF TAXATION. KARAITE PRACTICE CONTAINED A STRONG ELEMENT OF ASCETICISM AND OF ZIONISM'S IMPATIENCE WITH THE GALUT. THE FIRE OF THE MESSIANIC HOPE STILL BURNED BRIGHTLY IN MANY BREASTS. KARAITE LITURGY SOUGHT TO REPRODUCE THE WORSHIP OF THE TEMPLE. IN THE NINTH AND TENTH CENTURIES KARAITES ESTABLISHED PILGRIMAGE TO JERUSALEM AS AN ACT OF OBLIGATION AND MANY STAYED ON AS AVELEI ZION, MOURNING FOR ZION AND PRAYING FOR ITS REESTABLISHMENT. AS A PROTEST WHICH EMPHASIZED THE RIGHT OF INTERPRETATION INDEPENDENT OF THE CONSTRAINTS OF A DEFINED AND AUTHORITATIVE TRADITION, KARAISM IN ITS EARLY PHASE WAS MORE A DIVERSE MOVEMENT THAN A SINGLE-MINDED PROTEST AND INCLUDED VARIOUS SCHOOLS OF INTERPRETATION. HOW COULD IT BE OTHERWISE WHEN LEADERS, WISHING TO SPUR THEIR FOLLOWERS TO INDIVIDUAL STUDY, INSISTED ON A PRINCIPLE THEY PUT INTO THE MOUTHS OF SEVERAL LEADERS: "SEARCH THOROUGHLY IN THE TORAH AND DO NOT RELY ON MY OPINION" (JOSEPH B. ALI).

Isn't this a
quote from
Amos?

IN ORDER TO HAVE MUSLIM AUTHORITIES TREAT THEM AS A SEPARATE, SELF-GOVERNING COMMUNITY, THE KARAITES HAD TO CONVINCE THE ADMINISTRATORS THAT THEY HAD THEIR OWN LAWS AND COURTS AND NO NEED OF THE RABBINATE OR EXILARCHATE. THIS WAS ACCOMPLISHED AND, OVER TIME, THE KARAITES DEVELOPED THEIR OWN POST-TORAH TRADITION, THE SO-CALLED HEVEL HA-YERUSHA (THE YOKE OF INHERITANCE).

SEPARATION GAVE THE JEWISH COMMUNITIES A CHANCE TO SEE WHAT THEY HAD IN COMMON AS WELL AS WHAT THEY DID NOT SHARE. THEY WERE BOTH ISRAEL. OVER TIME A MODUS VIVENDI DEVELOPED AND THE BITTER

QUARRELS OF THE EARLY CENTURIES LOST MUCH OF THEIR IMPORTANCE. THESE KARAITES SHARED ISRAEL'S FATE AND EVEN BEGAN TO PERMIT INTER-MARRIAGE. THE LATER KARAITES ACCEPT RABBINIC RULES EXCEPT IN A FEW SPECIFIC AREAS WHERE THEIR TRADITIONS DIFFERED. KARAISM HAD RAISED THE ISSUE OF WHAT IS SCRIPTURE AND, IN PART, HAD ANSWERED IT. THE AUTHORITY OF THE TANAKH HAD BEEN UNDERScoreD. IT WAS BEYOND CHALLENGE. BUT THE AUTHORITY OF THE TALMUD, THE RABBIS' SECOND TORAH, HAD BEEN CHALLENGED AS IT WOULD AGAIN BE CHALLENGED IN MODERN TIMES. BUT KARAISM'S CHALLENGE HAD MADE IT CLEAR THAT A NAKED SCRIPTURE WAS NOT ENOUGH; A DISCIPLINED FAITH REQUIRED A BODY OF AUTHORIZED TRADITION AND INTERPRETATION. KARAISM COULD NOT SURVIVE WITH ONLY THE BIBLE. SCRIPTURE REQUIRES INTERPRETATION AND ELABORATION BECAUSE COMMUNITY REQUIRES DEFINITION AND AGREEMENT. PROTESTANT CHRISTIANITY WOULD RELEARN THE LESSON CENTURIES LATER AT NO INCONSEQUENTIAL COST.

KARAISM REMAINED A FORCE FOR MANY CENTURIES AND TINY REMNANTS OF THE COMMUNITY SURVIVED INTO THIS CENTURY. NEITHER KARAISM NOR THE SINGLE-SCRIPTURE ISSUES THAT IT RAISED WOULD EVER COMPLETELY DISAPPEAR. IN THE SIXTEENTH CENTURY, ALONGSIDE THE SURVIVING KARAITE COMMUNITIES BUT QUITE INDEPENDENT OF THEM, WE COME ACROSS INDIVIDUALS FROM MARRANO FAMILIES WHO HAD BEEN RAISED AND EDUCATED AS CATHOLICS IN SPAIN AND HAD MANAGED TO ESCAPE, PROBABLY AS MUCH OUT OF FEAR OF THE INQUISITION AS OUT OF DEEP LOYALTY TO JUDAISM. ONCE FREE, THEY SOUGHT TO REJOIN THE JEWISH COMMUNITY. SOCIETY

WAS CORPORATE; THERE WAS NO OTHER PLACE OR OTHER COMMUNITY FOR THEM TO BE PART OF. IN VENICE, AMSTERDAM, AND LEGHORN THEY PRESENTED THEMSELVES, AT TIMES FULL OF ENTHUSIASM, ONLY TO FIND THAT THEIR LIMITED KNOWLEDGE OF JEWISH PRACTICE AND THEIR EDUCATION AT CATHOLIC SCHOOLS, WHERE THEY LEARNED SOMETHING OF THE OLD TESTAMENT BUT NOTHING OF THE ORAL TRADITION, DID NOT PREPARE THEM TO UNDERSTAND THE JUDAISM OF THE COMMUNITIES THEY HAD NOW REJOINED. CHRISTIANITY DEFINED JEWS AS THE ONCE CHOSEN PEOPLE, THE PEOPLE OF THE OLD TESTAMENT. THE CHURCH CONDEMNED THE TALMUD AS ANTI-CHRISTIAN, A MASS OF SUPERSTITION. MARRANOS KNEW LITTLE OF THE RICH RABBINIC TRADITION AND WERE NOT PREPARED TO APPRECIATE ITS TEXTS OR METHODS. THEY FOUND IT HARD TO UNDERSTAND WHY THE BIBLE SHOULD NOT BE UNDERSTOOD AS THEY HAD HEARD IT INTERPRETED IN CATHOLIC SPAIN, WHERE IT WOULD HAVE BEEN WORTH THEIR LIVES TO FOLLOW THE DIETARY LAWS OR WORSHIP ON THE SABBATH. NEVER HAVING SEEN A TALMUD THEY FOUND IT HARD TO SPEAK OR THINK OF IT AS SCRIPTURE.

PERHAPS THE MOST DRAMATIC OF THESE STORIES IS THAT OF URIEL DA COSTA (1585-1646), A PORTUGUESE MARRANO WHOSE REVEALING AUTOBIOGRAPHY HAS ALL THE HALLMARKS OF A GREEK TRAGEDY. HERE IS THE STORY OF A MAN WHO SEEKS FAITH BUT CANNOT FIND PEACE. BORN IN OPORTO, PORTUGAL, DE COSTA WAS TROUBLED BY THE CATHOLIC TEACHINGS WHICH HIS FATHER AVIDLY ESPOUSED AND BEGAN TO WORK OUT WHAT HE BELIEVED TO BE A MORE PHILOSOPHIC AND RATIONAL FAITH WHICH HE IDENTIFIED WITH THE JUDAISM OF HIS ANCESTORS. HE DOES SO IN THE

ONLY WAY HE CAN, FROM A CAREFUL READING OF THE OLD TESTAMENT. SATISFIED THAT HE HAS FOUND HIS TRUTH, HE ESCAPED WITH HIS FAMILY TO AMSTERDAM AND EAGERLY JOINED THE JEWISH COMMUNITY ONLY TO FIND THAT THEIR JUDAISM WAS NOT WHAT HE HAD EXPECTED. UNHAPPY AND PUZZLED, HE LASHED OUT FROM THE DEPTHS OF HIS CATHOLIC CONDITIONING AND JEWISH NEED AGAINST THE "PHARISEES OF AMSTERDAM" WHO ARE TOTALLY ABSORBED WITH WHAT HE CONSIDERED TRIVIA. HE IS FINALLY EXCOMMUNICATED FOR PUBLISHING A BITTER PAMPHLET EXPRESSING HIS VIEWS. DE COSTA LEAVES AMSTERDAM, BUT THERE WAS THEN NO NEUTRAL GROUND AND HE WAS, IN EFFECT, A MAN WITHOUT A COUNTRY, NOT A CHRISTIAN YET EXCOMMUNICATED BY THE JEWS. HE RETURNS, RECANTS, AND ASKS TO BE READMITTED TO THE JEWISH COMMUNITY. HE IS READMITTED. HIS PAIN, HOWEVER, IS NOT OVER. DE COSTA HAS BEGUN TO ESPOUSE ADVANCED DEISTIC IDEAS AND TO DOUBT THE AUTHORITY OF ALL RELIGIONS. HE RENOUNCES JUDAISM AND TRIES TO PREVENT OTHER MARRANOS FROM REJOINING THE SYNAGOGUE. THERE IS A SECOND EXCOMMUNICATION. AGAIN, HE IS OUT IN THE COLD AND AGAIN, HE NEEDS TO BELONG. HE PETITIONS FOR READMISSION. THE COMMUNITY ELDERS AGREE BUT REQUIRE THAT HE MAKE A PUBLIC CONFESSION AND SUBMIT TO THIRTY-NINE LASHES. HE DOES, BUT HIS SPIRIT IS BROKEN AND SHORTLY AFTER THIS PURGATORY HE COMMITS SUICIDE.

OTHER RETURNEES HAD TROUBLE WITH THE ORAL TORAH, BUT DE COSTA IS ONE OF THE FIRST JEWS TO QUESTION THE DIVINE AUTHORITY OF THE

WRITTEN TORAH. IN THIS SENSE HE IS FAR AHEAD OF HIS TIME AND A FIGURE IN THE HISTORY OF CHANGING ATTITUDES TOWARD SCRIPTURE.

THE RISE OF ISLAM BROUGHT MANY CHANGES TO JEWISH LIFE. ISLAM, LIKE JUDAISM, AND UNLIKE CHRISTIANITY AND ZOROASTRIANISM, BELIEVED THAT THE TRUTH WAS IN A REVELATION, WRITTEN OUT IN GOD'S OWN LANGUAGE. DUTY AND PRACTICE LIE AT THE HEART OF THAT REVELATION. UNLIKE PERSIAN, GREEK OR LATIN, ARABIC IS A SEMITIC TONGUE WHOSE GRAMMAR APPROXIMATES HEBREW. ARABIC GRAMMARIANS MADE THE STUDY OF THE KORAN AN ACT OF DEVOTION AND DEVELOPED A NUMBER OF SIGNIFICANT GRAMMATIC IDEAS WHICH PROVED USEFUL TO JEWS IN THEIR UNDERSTANDING OF SCRIPTURE. ARAB LINGUISTS DISCOVERED THE TRI-LATERAL ROOT OF SEMITIC WORDS. JEWS QUICKLY PICKED UP ARABIC AS EVERYDAY SPEECH AND DID NOT HESITATE TO WRITE MAJOR RELIGIOUS WORKS IN ARABIC, ALTHOUGH USUALLY USING A HEBREW SCRIPT FOR THAT PURPOSE. BOTH ISLAM AND JUDAISM SPAWNED CADRES OF INDEPENDENT SCHOLARS AND JURISTS WHO SET OUT TO ORGANIZE THEIR COMMUNITY'S JUDICIAL SYSTEM. LIKE JUDAISM, AND UNLIKE CHRISTIANITY, ISLAM INSISTS ON A PRISTINE MONOTHEISM. THE EIGHTH-NINTH CENTURY DEVELOPMENT OF THE SCIENCE OF ARABIC JURISPRUDENCE, SHARIYAH, CORRESPONDS WITH THE HEYDAY OF THE AUTHORITY OF THE GREAT EASTERN ACADEMIES OF SURA AND POMPEDITA WHICH QUICKLY MOVED TO THE CENTER OF CALIPHATE POWER, TO BAGHDAD. FOR THE FIRST TIME IN NINE CENTURIES, JEWISH LIFE HAD A POLITICAL FOCUS. IT WAS THE AUTHORITY OF THE ACADEMIES AND THEIR RESPONSES TO QUERIES FROM THE WIDELY SCATTERED JEWISH COMMUNITIES WHICH DEFINED PRACTICE AND ESTABLISHED THE TEXTS AND THE CURRICULUM OF RABBINIC JUDAISM.

IN AN ENVIRONMENT WHERE THE MAJOR FAITH WAS BASED ON A WRITTEN SCRIPTURE, JEWISH THINKERS BEGAN TO TAKE A CLOSER AND MORE SYSTEMATIC LOOK AT THE WRITTEN TORAH. OF THE TRANSLATIONS INTO ARABIC, THE MOST IMPORTANT WAS THE TAFSIR OF THE GAON SAADYAH B. JOSEPH (882-942). WITH MANY ADDITIONS BY OTHER HANDS, IT BECAME THE QUASI-OFFICIAL BIBLE OF THE JEWS WHO LIVED IN ARAB LANDS.

THE WORK OF THE MASORETES ON THE HEBREW TEXT WAS BROUGHT TO EFFECTIVE CONCLUSION. FOR THE FIRST TIME THERE WAS SYSTEMATIC INTEREST IN PESHAT, A GRAMMATICALLY ACCURATE UNDERSTANDING OF THE TEXT WITHIN THE CONTEXT OF ITS ORIGINAL HISTORY, LITERARY STYLE, AND LANGUAGE. BIBLICAL SCROLLS WERE SYSTEMATICALLY ANNOTATED, BOTH IN ARABIC AND IN HEBREW. GROWING INTEREST IN THE TEXT OF THE WRITTEN TORAH PROMPTED FURTHER DEVELOPMENT OF COLLECTIONS OF SERMONIC MIDRASHIM--RUNNING COMMENTARIES ON THE FIVE BOOKS OF MOSES AND THE FIVE MEGILLOT (RUTH, ESTHER, SONG OF SONGS, LAMENTATIONS, AND ECCLESIASTES). HEBREW AND ARABIC POETRY FLOURISHED, MUCH OF IT CREATED IN BIBLICAL STYLE. RECORDS FOUND IN THE CAIRO GENIZAH INDICATE THAT DURING THE ENTIRE MEDIEVAL PERIOD GROUPS MET IN THE EVENINGS AND ON SABBATH AFTERNOONS TO STUDY TANAKH.

ONE CONSEQUENCE OF THE GROWING USE OF CODES AND MANUALS WAS A DIMINISHING ROLE FOR THE RABBI. HE WAS NO LONGER THE THIRD LIVING TORAH. THERE WERE MORE BOOKS, SCHOOLS, AND EVEN PRIVATE HOMES, HAD THEIR OWN LIBRARIES. INFORMATION WAS MORE READILY AVAILABLE. PEOPLE HAD BECOME FAMILIAR WITH THE RABBINIC WAY, AUTHORITY WAS

MORE CENTRALIZED. THE GREAT ACADEMIES IN BAGHDAD STUDIED THE LAW AND RULED ON LEGAL MATTERS. PEOPLE STILL LOOKED ON CERTAIN MEN AS HOLY MEN AND MIRACLE WORKERS, THOUGH THESE WERE NOT NECESSARILY THE GREAT RABBIS. THE IDEA THAT ONE MAN'S LIFE ILLUSTRATED TORAH BEGAN TO DISAPPEAR.

THE FORMULATION OF THE ORAL TORAH AND THE AUTHORITY TO TEACH AND INTERPRET IT WERE RESERVED BY HISTORICAL AND POLITICAL CIRCUMSTANCE TO THE RABBIS. THESE MEN WERE COMMITTED TO THE IDEA THAT THE OBLIGATIONS REQUIRED BY THE ORAL TORAH WERE NORMATIVE. SUCH WAS GOD'S WILL. THE INDIVIDUAL WHO OBEYED THE LAW MERITED LIFE IN THE WORLD TO COME, AND AN OBEDIENT COMMUNITY HASTENED THE DAY WHEN GOD WOULD END GALUT, THE EXILE, RESTORE THE TEMPLE, AND BRING THE MESSIAH. INFORMED BY THE AUTHORITY OF THE EXILARCH, EXPRESSED THROUGH THE BUREAUS AND THE COURTS, THE SAGES MADE RABBINIC LAW EFFECTIVE OVER ISSUES RANGING FROM FAMILY STATUS TO CRIMINAL LAW, ALL WITH THE GOAL OF OBEDIENCE THAT WOULD EARN THE END OF EXILE.

IN THE GAONIC PERIOD, THE FIRST FEW CENTURIES OF MUSLIM RULE, THE TALMUD WAS ONE ELEMENT IN THE CURRICULUM OF ADULT EDUCATION BUT NOT YET THE WHOLE OF IT. WE FIND AT THIS TIME A TENDENCY TO SIMPLIFY TALMUD INTO CODES OF LAWS WHICH COULD BE READILY AND EASILY CONSULTED. RABBINIC PRACTICES WERE WIDELY ACCEPTED AS NORMATIVE, BUT SOME MEN QUESTIONED THE SPIRITUAL BENEFIT OF SPENDING ALL ONE'S ENERGIES SORTING OUT THE SUBTLETIES OF RABBINIC REASONING. THE MANY-SIDED INTERESTS OF ISLAMIC CIVILIZATION ENCOURAGED JEWS TO STUDY PHILOSOPHY, MATHEMATICS, AND MEDICINE, AS WELL AS TORAH.

SHELEMUT HA-NEFESH, SPIRITUAL PERFECTION, COMMUNION WITH THE SPIRIT OF GOD, WAS NOT BELIEVED TO RESIDE, AS MANY EUROPEAN SAGES WOULD LATER ARGUE, IN A SINGLE-MINDED IMMERSION IN THE GIVE AND TAKE OF TALMUDIC DISCUSSION. FOR JEWS INFLUENCED BY ISLAMIC ATTITUDES, IT LAY, RATHER, IN A THOUGHTFUL IMMERSION IN THE WHOLE OF TORAH LITERATURE.

MANY TOOK A PRACTICAL APPROACH TOWARD THE TALMUD AS A SOURCE OF LAW AND WANTED TO MAKE IT POSSIBLE FOR THE COMMUNITIES TO HAVE ACCESS TO THE LAW. THEY ARGUED THAT MUCH OF THE HALACHIC DEBATE WAS TIRESOME AND MUCH OF THE AGGADAH UNINSPIRING. THEY HAD NO ARGUMENT WITH THE FUNCTIONAL PARTS OF THE TALMUD. ALFASI (11TH CENT.) PREPARED A SYNTHESIS OF THE TALMUD, BRILLIANTLY ELUCIDATED THE PRACTICAL HALACHA, AND DELIBERATELY ELIMINATED MOST AGGADAH. A SCHOLAR LIKE MAIMONIDES KNEW BUT HAD LITTLE PATIENCE WITH THE MASA-U-MATAN, THE ENDLESSLY UNRESOLVED LEGAL DEBATES OF THE TALMUD. FINDING THEM UNREWARDING, HE BROUGHT TO A CONSUMMATE CONCLUSION IN HIS MISHNAH TORAH SEVERAL GENERATIONS OF EFFORTS TO SYSTEMATIZE THE TALMUDIC APPROACH. THIS, NOT COINCIDENTALLY, WAS THE WAY MUSLIM SCHOLASTICS HAD PRESENTED THE SHARIYAH. MAIMONIDES FELT THE MISHNAH TORAH NOT ONLY SHOWED THAT IN EVERY RESPECT THE ORAL AND WRITTEN LAW WERE WOVEN OF ONE THREAD, BUT THAT THE MISHNAH TORAH ALSO HAD THE PRACTICAL BENEFIT, BECAUSE OF ITS COMPREHENSIVENESS, CLARITY, AND IMAGINATIVE ORGANIZATION, OF OBTAINING THE NEED TO SPEND ENDLESS HOURS MIRED IN THE EXHAUSTING, AND NOT NECESSARILY REWARDING EFFORT OF TALMUDIC DISCUSSION. OF COURSE, NOT EVERYONE

WAS HAPPY WITH THIS APPROACH. TO MANY SCHOLARS THE TALMUD WAS A LIBERATING DISCIPLINE, THE KEY TO ALL WISDOM.

WHILE ONE FINDS AMONG THE JEWS OF THE ISLAMIC WORLD A CERTAIN IMPATIENCE WITH TALMUDIC STUDY AS AN END IN ITSELF, THEY EVIDENCE A STRONG APPRECIATION OF THE DRAMATIC MYTHS AND EVOCATIVE LANGUAGE OF THE WRITTEN TORAH. PESHAT, CONTEXTUAL TORAH LANGUAGE, BECAME A FAVORITE LITERARY APPROACH FOR EVERYTHING FROM PHILOSOPHY TO LOVE POETRY. THE INTELLECTUAL CENTERS OF THE ISLAMIC WORLD WERE ATTRACTED BY PHILOSOPHIC SPECULATION, AND MANY PREFERRED TO APPROACH DOCTRINAL COMMENTS OR APOLOGETIC OR MYSTICAL SPECULATION THROUGH THE SIMPLE AND AFFECTING TEXTS OF THE WRITTEN SCRIPTURE RATHER THAN THROUGH THE COMPLEX MASS OF AGGADOT.

UNDER KARAITE AND RABBINIC INFLUENCE, AND AIDED BY THE LINGUISTIC SCIENCE AND LITERARY INTERESTS OF THE DOMINANT MUSLIM CULTURE, BIBLICAL EXEGESIS THRIVED. THERE WERE BIBLICAL TRANSLATIONS, PARTICULARLY INTO ARABIC, THE MOST IMPORTANT OF WHICH WAS THE IAFSIR. BY THE 10TH CENTURY THERE WAS AN OFFICIAL HEBREW TEXT, THE MASORETIC TEXT, WHICH BECAME THE BASIS FOR ALL SUBSEQUENT BIBLICAL STUDIES. THERE WAS A BURGEONING NEW DISCIPLINE, BIBLICAL COMMENTARY, IN BOTH HEBREW AND ARABIC WHICH DIFFERED SHARPLY FROM THE OLDER MIDRASH BECAUSE IT ESCHEWED NON-CONTEXTUAL EXEGESIS, PREFERRING TO SEEK THROUGH TEXTS FOR MEANING BY USING THE MOST ADVANCED TOOLS OF SCIENTIFIC GRAMMAR AVAILABLE. FROM THE 10TH THROUGH THE FOURTEENTH CENTURIES THERE WERE LITERALLY DOZENS OF COMMENTATORS ON INDIVIDUAL BOOKS OR ON THE WHOLE IANAKH. THE MOST IMPORTANT OF THESE WERE

TEXTS BY ABRAHAM IBN EZRA, RASHI, AND OTHERS WHICH DEVELOPED ALL POSSIBLE ASPECTS OF THE BIBLICAL TEXT. WITH THE RISE OF PRINTING IN THE LATE 15TH CENTURY, CERTAIN OF THE MORE POPULAR OF THESE WERE CHOSEN TO BE PRINTED ALONGSIDE THE BIBLICAL TEXT AND THE TARGUM, IN WHAT CAME TO BE SEEN AS AN "OFFICIAL" SCRIPTURE. ONE BRIEF EXAMPLE CAN STAND FOR ALL. "AND ESAU DESPISED HIS BIRTHRIGHT" (GEN. 25:34). THE STORY IS, OF COURSE, THAT OF JACOB'S DEFRAUDING ESAU OF THE BIRTHRIGHT^(25:29-34) IBN EZRA TENDS TO BE APOLOGETIC, ARGUING THAT ESAU THOUGHT SO LITTLE OF THE BIRTHRIGHT BECAUSE HIS FATHER WAS THEN A POOR MAN WHO HAD NOTHING TO GIVE, AND HE "PROVED" HIS CONTENTION BY CITING THE FACT THAT ISAAC FAVORED ESAU BECAUSE OF THE SOUP WHICH HE HAD BROUGHT AND WHICH COMPLEMENTED HIS RATHER SPARTAN DIET. IBN EZRA'S COMMENT TO THE TEXT IS CLEAR: "I SHALL BE CONCERNED WITH ANALYZING EACH WORD GRAMMATICALLY AND ONLY THEN PROCEED TO THE INTERPRETATION OF THE MEANING. . . I SHALL NOT DWELL ON THE REASONS AND EXPLANATIONS BY WAY OF DERUSH (HOMILETICAL INTERPRETATION) WHICH THE MEN OF THE TRADITION GAVE IN THEIR DAY, FOR THESE DO NOT BELONG AT ALL TO THE SUBJECT. . . AND ARE USEFUL ONLY FOR YOUNG CHILDREN IN ELEMENTARY SCHOOLS. I SHALL ALSO NOT MAKE USE OF THE EMENDATIONS OF THE LATER SCRIBES BUT TAKE INTO CONSIDERATION ONLY THE TARGUM (ARAMAIC TRANSLATION), FOR ITS RENDERING IS CORRECT AND MADE ALL THE OBSCURE PASSAGES CLEAR AND COMPREHENSIBLE" (INTRO TO COMM. ON PENTATEUCH). NACHMANIDES WOULD AGREE WITH IBN EZRA'S METHODOLOGY ALTHOUGH, AS WE SHALL SEE, HE AND THE EARLY KABBALISTS

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FOUND SOME ESOTERIC IDEAS IN THE TEXT. HIS EXPLANATION OF THIS TEXT WAS THAT ESAU'S ROLE AS A HUNTER PUT HIM IN MORTAL DANGER AND THAT HE HELD NO HOPE OF OUTLIVING HIS FATHER. THE BIRTHRIGHT, THEREFORE, WAS OF LITTLE VALUE TO HIM. RASHI, THE LEAST GRAMMATICALLY SOUND OF THE THREE, GAVE THE SIMPLE ANSWER: THAT AS A ROUGH MAN, ESAU DESPISED ALL THAT HAD TO DO WITH GOD'S SERVICE.

IN THE TALMUDIC PERIOD THE SERMON OR LECTURE HAD PULLED TEXTS FROM HERE OR THERE TO TEACH THE UNITY OF THE WRITTEN TORAH, BUT BEGINNING WITH THE SAADYA GAON IN THE TENTH CENTURY, WE FIND THE MORE PHILOSOPHICALLY-MINDED RABBIS FIXED ON THE SEARCH FOR THE MEANING OF THE WHOLE. INTELLECTUALS BEGAN TO OCCUPY THEMSELVES IN CONSTRUCTING "PHILOSOPHIES OF JUDAISM." TALMUDICALLY TRAINED AND OBSERVANT, THEY NONETHELESS, AND INTERESTINGLY, TENDED TO MAKE GREATER USE OF THE TEXTS AND IMAGES OF THE WRITTEN TORAH THAN THEIR PREDECESSORS HAD. THEY FOUND IN THE LAWS AND NARRATIVES OF THE TORAH, IN THE STATEMENTS OF THE PROPHETS, AND IN THE LITERATURE OF THE WRITINGS, THAT GOD HAD REVEALED WHAT COULD BE KNOWN ABOUT HIMSELF, DIVINE PROVIDENCE, FREE WILL, HUMAN NATURE, ELECTION, ATONEMENT, RESURRECTION, AND THE MESSIAH. TO THOSE WHO BECAME FASCINATED BY MATTERS PHILOSOPHIC AND APOLOGETIC, THE WRITTEN TORAH REGAINED PRIDE OF PLACE.

ONE SENSES THAT IN PRACTICE THE TALMUD WAS SEEN AS THE SCRIPTURE FOR POSITIVE LAW AND THE TORAH AS SCRIPTURE FOR FAITH AND PHILOSOPHY. WHY PHILOSOPHY? THE ANSWER WOULD SEEM TO LIE IN A NEW AND MORE RELAXED ATTITUDE TOWARD SCRIPTURE, AND A BROADER

DEFINITION OF LEARNING. ISLAM MADE MANY CONVERTS, PARTICULARLY AMONG WORLDLY AND AMBITIOUS JEWS AND NON-JEWS; THESE CONVERTS HAD A NEW FAITH BUT ESSENTIALLY NO FAITH. AN INTEREST IN THE SOCIOLOGY OF RELIGIONS, WHICH REACHED BACK TO PLOTINUS AND ZENO, WAS ENLARGED TO INCLUDE INQUIRY INTO THE DIFFERENCES BETWEEN ISLAM AND JUDAISM.

A FAITH WHICH CLAIMED TO BASE BELIEF IN GOD ON REASON WAS POPULAR. SAADYAH GAON NOT ONLY TRANSLATED MAJOR PARTS OF THE TANAKH INTO ARABIC BUT PRODUCED A MAJOR PHILOSOPHIC WORK, THE BOOK OF BELIEFS AND OPINIONS, THE OPENING GUN IN ISRAEL'S ATTEMPT TO ADJUST SCRIPTURE AND REASON. IN IT HE QUOTES FROM THE TANAKH OVER THIRTEEN HUNDRED TIMES AND FROM RABBINIC WORKS, INCLUDING THE MISHNAH AND THE TALMUD,^{less} THAN EIGHTY. MAIMONIDES' CLASSIC GUIDE TO THE PERPLEXED QUOTES FROM GENESIS AS OFTEN AS FROM THE MISHNAH AND BOTH TALMUDS.

WHY THIS HEAVY USE OF BIBLICAL IDEAS AND LANGUAGE? PART OF THE ANSWER LIES IN THE DISTINCTIVE NATURES OF THE BIBLICAL AND TALMUDIC TEXTS. THE TALMUD IS LACONIC, SOMETIMES GNOMIC. IT DOES NOT OFFER THE READER FULLY DEVELOPED SENTENCES OR A FULLY FLESHED OUT TEXT. MUCH OF THE BIBLICAL TEXT IS SPARE, BUT IT IS FULLY DEVELOPED; ITS LANGUAGE IS UNCOMPLICATED AND POTENTIALLY ALLEGORICAL, CRYING OUT FOR INTEREST. WHILE JEWISH PHILOSOPHY WAS THE PLAYTHING OF AN INTELLECTUAL ELITE WHO KNEW BIBLE AND TALMUD AND WHO WERE HEIRS TO A PARTICULAR BIBLICAL TRADITION, THE PESHAT COMMENTARY WAS BASED ON THE BRILLIANT ADVANCES OF ARAB AND JEWISH GRAMMARIANS AND LINGUISTS.

HERE WAS THE FAMILIAR SCENARIO OF "COMMENTS AND NARRATIVES" IMPORTANT, FULL OF INSIGHT, OPERATIVE, BUT NOT THE ORIGINAL TORAH.

SAADYAH'S BELIEFS AND OPINIONS DEFINED NOT ONLY REASON AND REVELATION, BUT TRADITION. PHILOSOPHERS AGREE THAT KNOWLEDGE CAN COME THROUGH OBSERVATION, EXPERIENCE, LOGICAL INFERENCES, AND THROUGH TRADITION. TRADITION INVOLVES REVELATION EMBODIED IN SCRIPTURE, THE TRADITIONAL INTERPRETATION OF THESE TEXTS, AND RELIGIOUS CUSTOM. WHAT SAADYAH IS SAYING IS THAT SCRIPTURE MUST BE INTERPRETED IN TERMS OF TRADITION SO UNDERSTOOD. REASON MAY NEVER BE USED TO CONTRADICT THE TRADITION, BUT REASON MAY REQUIRE THE TEXT TO BE INTERPRETED ALLEGORICALLY.

SAADYA'S CONCEPT OF TRADITION WENT BACK TO TORAH AND REFLECTS EXTREME REVERENCE FOR THE PAST. IT IS SCRIPTURE UPDATED BY THE POST-SCRIPTURAL BUT NOT NECESSARILY BY CONTEMPORARY ARGUMENTS. THE CONCEPT THAT SCRIPTURE MUST BE INTERPRETED IN TERMS OF TRADITION LIES BEHIND MOST, IF NOT ALL, MEDIEVAL JEWISH PHILOSOPHY.

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AS FAR BACK AS THE 7TH CENTURY B.C.E., AND CERTAINLY BEFORE THAT DATE, BIBLICAL PHRASES WERE ALREADY BEING USED AS TALISMANIC AMULETS. THE MAGICAL USE OF THE NAME(S) OF GOD IS A CONSTANT OF THE TRADITION. IN THE 12TH AND 13TH CENTURIES C.E. MAGIC AND MYSTICISM MELDED INTO KABBALAH A VAST LITERATURE WHICH CAN BE TRACED FOR WELL OVER A THOUSAND YEARS, DEALING PRIMARILY WITH THEOSOPHY, THE NATURE OF GOD.

ACCORDING TO THE KABBALISTS THERE WERE SEVERAL SCRIPTURES. THERE WAS THE FAMILIAR SCRIPTURE OF COMMANDMENTS AND NARRATIVES-- IMPORTANT, FULL OF OBLIGATION, OPERATIVE, BUT NOT THE ORIGINAL TORAH.

BEHIND ITS PHRASES LAY A SECRET OR MYSTICAL SCRIPTURE WHICH CONSISTED ENTIRELY OF THE NAMES OF GOD. THIS MYSTICAL SCRIPTURE WAS PART OF THE HIDDEN, YET REAL-LIFE, ENERGIES OF GOD WHICH THE KABBALISTS DEFINED IN TERMS OF TEN SEFIROT OR EMANATIONS. GENERALLY, THEY EQUATED THE SECRET SCRIPTURE WITH THE SECOND SEFIRAH, BINAH, UNDERSTANDING. PRESUMABLY, AN ADEPT MIGHT GLIMPSE THE SECRET OF THE NAMES AND SO MOVE TOWARD A FULLER KNOWLEDGE OF GOD AND CONSEQUENTLY HAVE GREATER POWER ON EARTH.

KABBALISTS DID NOT DENY THE AUTHORITY OF THE FAMILIAR SCRIPTURE. THEY WERE PART OF THE SELF-VALIDATING JEWISH WORLD, BUT THEIR ACTIVE INTEREST LAY NOT IN 'YOU SHALL' AND 'YOU SHALL NOT' BUT IN THE NATURE OF THE GOD-HEAD AND MAN'S RELATIONSHIP TO IT. AND SO THEY SPENT HOURS AND DAYS IN MYSTICAL COMMUNION. PHRASES AND LETTERS OF THE SCRIPTURES WERE STUDIED TO PIERCE THROUGH TO THE SECRET OF THE NAMES. THEOSOPHY RATHER THAN THEOLOGY WAS THEIR METIER. THE MYSTICAL TORAH WAS REALLY A MANIFESTATION OF GOD'S MOST PRIVATE LIFE. GOD MANIFESTED HIMSELF IN A PRIMAL STATE AS A THINKING GOD AND EACH STAGE IN GOD'S EXPOSURE TO THE "REAL" WORLD WAS PART OF THE PROCESS OF GOD'S THOUGHT MANIFESTING ITSELF. THE HEBREW LETTERS ARE THE BUILDING BLOCKS OF THE WORLD BEYOND--THE PLANETS AND CONSTELLATIONS AND THE UNIVERSE AS WE SEE AND KNOW IT. BUT ACCORDING TO THE RABBIS, THE TORAH WHICH GOD HAD LOOKED INTO TO GUIDE HIM THROUGH THE DIFFICULT TIME OF CREATION WAS NOT THE SAME TORAH AS THE ONE IN THE SYNAGOGUE ARK; IT WAS A DIFFERENT TORAH, YET THESE TWO TORAHS ARE NOT ABSOLUTELY DISTINCT. BOTH ARE COMPOSED OF THE NAMES OF GOD, BUT

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IN OUR SYNAGOGUE TORAH THE NAMES HAVE BEEN SCRAMBLED, WHILE IN THE CELESTIAL TORAH GOD'S NAMES ARE READILY APPARENT. OVER ITS TWO- THOUSAND YEAR HISTORY (KABBALAH) DEVELOPED MANY VARIATIONS ON THE NOTION OF AN EXISTING TORAH THROUGH WHICH MEN CAN SOMETIMES GLIMPSE THE TORAH OF GOD'S NAMES. IT IS A THESIS THAT ENCOURAGED ESOTERIC COMMENTARY AND THEOSOPHIC SPECULATION BUT DID NOT CHALLENGE THE AUTHORITY OF THE KNOWN TORAH IN EVERYDAY MATTERS.

FOR JEWS CHRISTIAN EUROPE WAS QUITE A DIFFERENT MATTER THAN THE ISLAMIC WORLD. UNLIKE THE MOSQUE, THE MEDIEVAL CHURCH DID ITS BEST TO KEEP ITS BIBLE OUT OF THE HANDS OF LAYMEN. THE TIES BETWEEN CANON LAW AND SCRIPTURAL TEXT WERE NOT SELF-EVIDENT. LAYMEN WERE TO TRUST THE PRIEST RATHER THAN THE TEXT. IN THE EARLY MIDDLE AGES FOLIOS OF THE BIBLE WERE ACTUALLY CHAINED TO THE DESKS OF MONASTERY LIBRARIES.

THE CHURCH FELT THAT SINCE JEWS AND CHRISTIANS SHARED THE OLD TESTAMENT, IT SHOULD BE EASY TO CONVINCE JEWS OF THE CHRISTIAN BELIEF THAT THE BIBLE PROMISED AND PROPHESED THE SECOND COMING OF THE CHRIST. THE CHURCH SAW THE TALMUD BOTH AS BLASPHEMOUS AND AN OBSTACLE TO JEWISH CONVERSION. ALREADY IN THE JUSTINIAN CODE (6TH CENT. C.E.) THERE IS A CHRISTIAN ATTACK ON THE TALMUD AS A SECOND LAW. THIS SECOND LAW, THE TALMUD, OFFERED ONE EXPLANATION TO CHRISTIANS OF JEWISH OBSTINACY; CHRISTIANS BELIEVED THE TALMUD HAD REINTERPRETED THE BIBLE TO DENY THE CHRISTOLOGICAL PROPHECIES THAT CHRISTIANS BELIEVED THE HEBREW SCRIPTURES CONTAINED. CHRISTIANS EXPLAINED THEIR LACK OF SUCCESS IN PERSUADING JEWS TO

CONVERT TO THE FACT THAT THE JEWS HAD OVER THE CENTURIES DELIBERATELY ALTERED THE TORAH. ONE OF THE REASONS WHY THE JESUITS WHO CAME TO CHINA IN THE SIXTEENTH CENTURY WERE SO EAGER TO VISIT THE JEWISH COMMUNITY OF KAIFENG WAS THEIR HOPE THAT THEY WOULD FIND THERE TORAH SCROLLS IN THEIR PRISTINE FORM. SINCE TRADITION REPORTED JEWS HAD COME TO CHINA BEFORE JESUS' DAY AND HAD BEEN CUT OFF FROM THEIR CO-RELIGIONISTS SINCE THEN, CHRISTIANS ASSUMED THAT THE TORAH OF CHINA WOULD BE ORIGINAL AND WOULD INCLUDE THE REFERENCE(S) TO THE CHRIST WHICH THE RABBIS HAD EXCISED.

IN EUROPE ~~an~~ JEWISH COMMUNITIES ADVANCED EDUCATION WAS ALMOST ENTIRELY TALMUDIC. TALMUD STUDY WAS AN END IN ITSELF. LIFELONG EDUCATION CENTERED ON MASTERING THE INTRICACIES OF THE TALMUD, WHICH OFTEN MEANT MANUFACTURING QUESTIONS FOR NO BETTER REASON THAN TO SHOW ERUDITION. THE TALMUD BECAME THE CENTER OF A VAST NUMBER OF COMMENTARIES, A FACT WHICH CAN BE VISIBLY APPRECIATED IF YOU LOOK AT A PAGE OF A PRINTED TALMUD. SINCE THE FIRST FOLIOS WERE PRINTED IN 1520, THE PRINTED TALMUD HAS FOLLOWED A GENERALLY SIMILAR FORM: IN THE CENTER OF THE PAGE IS A BLOCK OF MISHNAH AND/OR GEMARA, SURROUNDED ON ALL SIDES BY LARGE COLUMNS OF COMMENTARY IN SMALLER TYPE, USUALLY RASHI AND HIS STUDENTS, THE IOSEFISTS AND IN ANOTHER COLUMN, CROSS-REFERENCES TO OTHER PARTS OF THE TALMUD, VARIOUS MEDIEVAL CODES, AND BRIEF ADDITIONAL NOTES BY VARIOUS RABBIS.

DURING THE MIDDLE AGES THE IMPERIAL CHURCH HAD NO PATIENCE WITH JEWISH OBSTINACY. APOSTATES EXPLAINED TO CHURCHMEN THAT THEIR SERMONS FELL ON DEAF EARS BECAUSE THE JEWS HAD A SECOND SCRIPTURE,

THE TALMUD, WHICH HAD EFFECTIVELY REPLACED THE FIRST, AND THAT IT CONTAINED BESIDE ALL MANNER OF SUPERSTITIOUS BELIEF, BLASPHEMIES OF THE WORST KIND ABOUT JESUS, MARY, AND CHRISTIANS GENERALLY. BUSY ROOTING OUT CHRISTIAN HERESIES, THE CHURCH STILL FOUND THE ENERGY TO TURN ITS ATTENTION TO THE TALMUD AND FOUND MUCH OF IT PERNICIOUS. IN ITALY DOMINICAN CENSORS BLUE-PENCILED OFFENDING SECTIONS. THE FRENCH CHURCH AND THE DOMINCANS WERE PARTICULARLY ZEALOUS IN THIS REGIMEN. CARTLOADS OF TALMUDS AND OTHER HEBREW WORKS WERE CONSIGNED TO THE FLAMES IN 1215, THE FIRST OF MANY BOOK BURNINGS.

RABBIS WERE FORCED TO DEFEND THE TALMUD BEFORE COURTS OF PRIESTS AND NOBLES, MEN WHOSE MINDS HAD ALREADY BEEN MADE UP. SUCH ATTACKS MADE THE TALMUD EVEN MORE PRECIOUS TO THE JEW. IT MUST BE POWERFUL, INDEED, IF THE CHURCH HAD TO UNLEASH THE INQUISITION AGAINST IT. IT WAS A MARK OF ITS VALUE THAT THE TALMUD WAS INCLUDED IN THE FIRST PUBLISHED LIST OF BOOKS PROHIBITED BY THE SACRED OFFICE.

CULTURALLY, MEDIEVAL EUROPE WAS A MUCH NARROWER WORLD THAN THAT OF ISLAM, PARTICULARLY DURING THE TENTH TO THE TWELFTH OR THIRTEENTH CENTURY. EUROPEAN JEWISH SCHOOLS HAD ONLY ONE TEXT, THE TORAH. JEWS LEARNED TO READ FROM THE BIBLE AND THEN TO READ THE BIBLE WITH THE RATHER STRAIGHTFORWARD COMMENTARY OF SOLOMON B. ISAAC OF TROYES (RASHI) (11TH CENT.). THE IDEA OF A JUDEO-CHRISTIAN TRADITION HAD NO STANDING. NOT ONLY WERE THE JEWISH AND CHRISTIAN RELIGIOUS COMMUNITIES SOCIALLY, CULTURALLY, AND POLITICALLY SEPARATE, BUT THEY DID NOT, IN FACT, SHARE A COMMON SCRIPTURE.

EACH HAD A SCRIPTURE IN A DIFFERENT TONGUE.

THE ORAL TORAH WAS NOT THE ONLY ORAL TRADITION WHICH JEWS KEPT OUT OF BOOKS AS LONG AS THEY COULD. THE BASIC FORM OF THE SYNAGOGUE SERVICE WAS ESTABLISHED AND ACCEPTED FOR WELL OVER HALF A MILLENNIUM BEFORE COPIES WERE MADE READILY AVAILABLE (10TH CENTURY). THE ESOTERIC LORE OR MYSTICAL SPECULATION IN THESE SCROLLS CIRCULATED SUB ROSA. AUTHORS OF PHILOSOPHY AND KABBALAH WHICH BEGAN TO APPEAR IN THE EIGHTH CENTURY OFTEN INDICATED THAT THE HEART OF THE MATTER, THE SECRETS, HAD ONLY BEEN HINTED AT AND THAT KNOWLEDGE OF THESE COULD BE GAINED ONLY FROM A KNOWLEDGEABLE TEACHER AND PRIVATE TUTORIAL INSTRUCTION.

THE ARAB CULTURAL ENVIRONMENT ENCOURAGED THE WRITING OF BOOKS AND THE MAINTENANCE OF SIGNIFICANT LIBRARIES BY THOSE WHO COULD AFFORD THEM. EVEN SO, JEWISH LEARNING CONSISTED LARGELY OF MEMORIZATION. MAIMONIDES IN HIS CODE, THE MISHNEH TORAH (1180), INSISTED THAT A STUDENT WILL FORGET WHAT HE HAS NOT REVIEWED AND RECITED ALOUD. THE HEART OF THE JEWISH EDUCATIONAL ENTERPRISE REMAINED "LETTING YOUR EARS HEAR WHAT YOUR MOUTH HAS SPOKEN" (M.M. M.T. TALMUD TORAH 3:12). "IF ONE RECITES ALOUD WHILE STUDYING, WHAT HE LEARNS WILL REMAIN WITH HIM. HE WHO READS SILENTLY SOON FORGETS" (IBID 3:12).² MUSLIM LEARNING WAS OF THE SAME ORDER, THAT IS, IT BEGAN WITH THE MEMORIZATION OF PORTIONS OR ALL OF THE KORAN. AS BOOKS BECAME EVER MORE WIDELY AVAILABLE, THEY PLAYED AN EVER INCREASING ROLE IN JEWISH LIFE, BUT THE OLD SPIRIT WAS NOT DEAD AND MAJOR PROTEST MOVEMENTS-KARAISM, HASIDISM, REFORM--EMERGED WHEN

unclear

eg. Nachmanides
introduces the
Torah commentary
end.

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GROUPS FELT THAT UNDUE WEIGHT WAS BEING GIVEN TO THE AUTHORITARIAN, BOOK-DOMINATED SIDE OF TRADITION. JEWS WERE NOT ANTI-BOOK OR ANTI-LEARNING. QUITE THE CONTRARY; THEY VALUED EDUCATION AND LITERACY. THEIR GOAL WAS AN ACTIVE KNOWLEDGE OF ALL THAT WAS CONSIDERED TORAH, RATHER THAN A VENERATION OF BOOKS.

THE TORAH CAME TO OCCUPY A SPECIAL PLACE IN JEWISH LIFE AS DID THE TALMUD, THE PRAYER BOOK, CERTAIN CODES, AND BIBLICAL COMMENTARIES LIKE THE ZOHAR. HOWEVER MUCH JEWS RESPECTED TORAH LITERACY AND LOVED TORAH BOOKS, THE SAGES WERE GENERALLY NOT PREPARED TO MAKE THE LIVING FAITH DEPENDENT ON THE WRITTEN WORD. THE WORD OF TEACHERS TOOK PRECEDENCE OVER A WRITTEN TEXT. TEXTS WERE NOT ONLY FALLIBLE, PRONE TO SCRIBAL AND PRINTED ERROR, BUT FIXED, LIMITING. A WRITTEN SENTENCE GIVES NO INDICATION OF TIME, INFLECTION, OR EMPHASIS. THE ANSWER TO 'WHY MUST I?' WAS NOT 'SO IT IS WRITTEN' BUT 'SO IT IS TAUGHT.' THE DIFFERENCE SEEMS SLIGHT BUT THE REFERENCE TO AUTHORIZED SPEECH IS SIGNIFICANT. PAUL, WITH HIS USUAL TENDENCY TO EXCESS, CLAIMED THAT THE LETTER KILLS. THE JEWISH SAGES BELIEVED THE LETTER KILLS ONLY WHEN IT IS LEFT NAKED OF COMMENTARY, A DISCIPLINE THEY USED EASILY AND SUCCESSFULLY. TO COMMENT IS TO INTERPRET, TO SUGGEST THAT THERE ARE EVER NEW LEVELS OF MEANING. THE LETTER SUGGESTS THAT WHAT IS WRITTEN DOWN NEED NOT BE COMMITTED TO MEMORY. WHAT IS IN MANUSCRIPT NO LONGER NEEDS TO BE MEMORIZED, INEVITABLY CEASES TO BE MEMORIZED, AND SO DOES NOT BECOME AN INTIMATE PART OF ONE'S LIFE.

GOD DID NOT WRITE TO ISRAEL, HE SPOKE. THE SAGES DID NOT WRITE BOOKS, THEY TAUGHT. THEIR CLASSROOMS WERE NOT LIKE OURS, FILLED WITH STUDENTS BUSILY WRITING DOWN ALL THAT WAS SAID. THE SAGES SPOKE. THE CLASS LISTENED. THE FIRST ORDER OF BUSINESS WAS TO MEMORIZE THE MATERIAL TO BE DISCUSSED. DISCUSSION CAME LATER. IT WOULD HAVE EASED THE STUDENTS' EFFORTS TO GIVE THEM PROFESSIONALLY PREPARED TEXTS. THAT THE RABBIS DIDN'T DO SO TESTIFIES TO THE RABBINIC CONCERN THAT MEMORIZATION WAS BOTH AN INTELLECTUAL NECESSITY AND AN ETHICAL DISCIPLINE: YOU ARE WHAT YOU KNOW.

My 1st But in the times
midrash

like the one defined by Borges in a famous essay on Kafka, where a boldly original new writer retroactively makes earlier writers his "precursors" by introducing the authority of his innovative work into the system of literature. For a start, midrash has a coherence and power not much in evidence among the contemporary advocates of textual free play. In Harold Bloom's terms, the creators of midrash are the strong poets, Derrida and his followers the weak poets. Moreover, many of the procedural assumptions (not to speak of the aims) of midrash are very different from, or even radically opposed to, those of post-structuralism. These differences and oppositions deserve close attention.

To begin with, the associative play of midrash is not quite so free as it may look to the untutored eye, because in fact it proceeds along the course of fixed homiletic convention. Thus, every new section of midrash on the Pentateuch begins with a *proem* (in Aramaic, a *petihah*) more or less like the one in the first paragraph of our excerpt from Genesis Rabba. The trick of the convention—as modern scholarship has shown, and as the original congregations awaiting illumination on the weekly Torah reading surely knew—was to begin with a verse from somewhere at a distance in the biblical corpus, to link that with still other, mostly non-Pentateuchal verses, and then through a grand exegetical arabesque to alight deftly on the words from the weekly portion that were the point of departure, with a revelatory surprise in the juxtaposition of texts.

THE PROEM of our midrash is a virtuoso performance, beginning with the verse from Hosea, which it explicates by citing Song of Songs, Malachi, Psalms, and Exodus, reaching Genesis 39 only by way of "another reading." This second reading, in turn, by relating the end of the verse from Hosea ("And I laid food unto them") to Joseph's role as vizier, prepares the ground for the second section of our passage, in which the verse about Joseph brought down to Egypt is construed as an adumbration of his political ascendancy. It is also worth noting that the relation between the two readings of Hosea is by no means haphazard. What is first asserted about the history of Israel through a phrase-by-phrase reading of the verse is then reasserted about Joseph through a second scrutiny of the same phrases, so that Joseph sold into slavery becomes a typo-

logical image of Israel enduring exile.

What assumptions enable the midrash to read in this way? Is the effect of such reading in fact the "destructurization," the destabilizing of the text, that is the goal of deconstructive criticism? The

midrash always has warrant to propose "another reading" because the text is divinely revealed. That is its primary assumption. Thus, in principle, the meanings of the text are not exhaustible, are not the univocal or palely polysemous

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meanings of mere human speech. Moshe Idel, in a useful discussion of kabbalistic Bible interpretation in *Midrash and Literature*, rightly suggests that the later mystical doctrine of the infinity of the Torah, a book that comes from the infinite God, has its seeds in the orientation of the classical midrash. But to say that the text is inexhaustible is not the same as to say that it is "undecidable."

Similarly, intertextuality, which is so prominent in midrashic interpretation, is dictated by a firm perception of the biblical canon as a timeless, all-inclusive, self-referential concordance. The juxtaposed texts are not what happens to be in the interpreter's head—say, Hegel, Heidegger, Nietzsche, Carlyle, and Derrida—but what is eternally given as a textual system. This textual system has fixed boundaries, in which every utterance, every word, is potentially relevant to every other utterance, every other word, because all are divinely underwritten. Midrash, then, operates on the following paradox: its reading habits are atomistic, but what enables them is a conception of the Bible as an endlessly complex combinatory unity. The isolation for inspection of small pieces of the text does not bring about a fragmentation of the text. On the contrary, it contributes to a sense of the participation of the text in an overarching unity.

THE ISSUE OF unity points in turn to what may be the most fundamental difference between midrash and poststructuralism. The latter has developed ingenious strategies for exposing the hidden contradictions in all textual assertions, the negations with which all affirmations of value, in the deconstructive view, are necessarily pregnant. This activity of exposure has been generally formulated as the "reversal of hierarchical oppositions" (central and peripheral, canonical and extracanonical, presence and absence), which is the aim and virtual definition of deconstruction. Nothing could be further from the midrashic mind-set. Midrash is unabashedly a didactic mode of interpretation, in which, as one would say in rabbinic idiom, the ayes are ayes and the nays are nays. The free play of midrashic exegesis, far from unsettling hierarchical oppositions, constantly invokes them and reaffirms them: God and man, Israel and the nations, monotheism and paganism, good and evil, redemption and exile, and (in our passage) the

Land of Israel and Egypt—up and down. Historically, the program of midrash involved not the questioning of a canon, but its imaginative and symbolic consolidation. And there were pressures of the era that made this consolidation a compelling enterprise. Jacob Neusner has recently argued that the adoption of Christianity as the official religion of the Roman Empire under Constantine early in the fourth century signaled a major crisis for the recently institutionalized rabbinic Judaism. Subjugation now had to be endured not under a pagan regime, but under a competing monotheistic faith with potent symbols and rituals. Edom, the "wicked kingdom," the archetypal designation of the Roman Empire, figures importantly throughout the midrash, though it is not mentioned in our text; but the story of Joseph's enslavement in Egypt is used to evoke the pain of political subjugation, as well as the consoling promise of redemption.

THE THEME OF consolation in particular suggests the programmatic political force of the midrash, its thirst for affirmation. In this regard, what the midrash repeatedly does is not to destabilize the biblical text, but rather to give it a stability it does not have on its own—harmonizing contradictions, easing tensions, seeking to make bright but distant narrative ends explicitly present in the darkest beginnings. Genesis 39:1 reports a catastrophe: Joseph, the beloved son of Jacob, has been sold as a slave and is taken down to Egypt. The midrash converts this catastrophe into an intimation of triumph through the punning link it establishes between *hurad* (was brought down) and *yerd, rodeh* (to exercise domination). The third pun on this same verb, playing on the word used in Judges 14:9 to describe Samson's scooping out honey from the hive, intensifies this reversal by introducing the notion of forceful removal: Joseph the victim (passive verb *hurad*) is transformed into a powerful mover of peoples. And then the final pun, which revocalizes the verb to make it active ("He brought down to Egypt Jacob"), skips ahead from one narrative ending—Joseph's triumph as vizier—to another: the sojourn of Israel in Egypt, which in turn will be the precondition for the grand redemption of the people.

And lest we feel any uneasiness about the certainty of that awaited redemption—awaited in fact by the original au-

dience of the midrash—Rabbi Pinhas in the name of Rabbi Simon reminds us that Joseph brought down to Egypt not only his father and clan, but the Divine Presence as well.

The final point of difference between midrash and poststructuralism is in their style—style being, as usual, inseparable from substance and ideology. David Stern has shrewdly noted the frequency in midrash of the word *haviv*, meaning precious, dear, beloved; he has made the important suggestion that in general the style of midrash can be thought of as the language of *havivut* (roughly, affectionate intimacy):

Just as *havivut* represents an attempt through literary discourse to recover God as a speaking presence, so the literary homily must be seen as an attempt on the part of the redactor to capture in writing those qualities of intimacy and familiarity that would have been associated by a reader with the oral sermon.

In our passage, one hears the language of *havivut* in God's tender words, "He is my son, my firstborn, and can I bring him down in disgrace?" and one sees it in the homey image of the calf led before the cow to coax her to the slaughterhouse. The pervasive language of midrash reinforces this sense of intimacy and accessibility: the fluent colloquial style of rabbinic Hebrew, at times switching to the actual vernacular, Aramaic, stands in contrast to the loftier, more formal diction of the Prophets and the Psalms embedded by quotation in this plain-spun prose.

IN CONTRAST to the accessibility of midrash, the poststructuralists have made an ideology of cultivating a difficult style, bristling with esoteric language. Not long ago Geoffrey Hartman argued, in *Criticism in the Wilderness*, that criticism owes it to itself to be as difficult as the poetry it studies, with which it enjoys equal rights of primary creation. Subsequently, he has proposed that ever since Addison and Steele there has been a tacit conspiracy in Anglo-American culture to write about literature only in a language that would be perfectly intelligible to the polished gentlemen who frequented the coffeehouses. Because of this self-imposed limitation, Anglo-American criticism, at least until its newest wave, is supposed to have closed itself off from the profundities of Continental metaphysical thought. Alas, most of the contributors to *Midrash and Literature* offer no stylistic

signs of hanging around coffeehouses. To the quotation I gave earlier from Myrna Solotorevsky I will add, in deference to the reader's sensibilities, only one further example, from an essay by Betty Roitman called "Sacred Language and Open Text":

In the movement from an existential interpretation to a metaphysical one there is, to be sure, an allegorized transposition which effects a displacement in the use of the demonstrative pronoun from the acknowledgment of a particular presence to the acknowledgment of Omnipresence. To this extent the two planes of signification are in a symbolic relationship, wherein the semantic feature called designation is metamorphosed into a sememe of revelation.

Reading such prose alongside the midrash, one begins to suspect that the supposed language of the coffeehouses may have a much greater affinity with the midrashic language of *havivut*, precisely in the shared assumption that the deepest and most serious matters could be explored in terms intelligible to all.

THE ROLE OF loan-words in these two traditions of interpretation is especially symptomatic. The French-inspired vogue of criticism has triggered a veritable invasion of French and English by Greek: *aporia* (Derrida), *proairesis* (Barthes), *diagesis* (Gérard Genette), and so on. The double aim of such terms is to get at a concept presumably too complex or abstruse for ordinary language and to affirm criticism as the province of a small, specially informed elite working within the coordinates of a closed system. By contrast, the Greek and Latin with which the midrash is peppered are meant to give the Hebrew and Aramaic a flavor of immediacy. The cow in our passage is dragged to the *magolin*, the contemporary Greek term for slaughterhouse. The humiliation of enslavement or exile is having to wear a *qolar*, Greek and Latin for iron collar, as anyone living in the Roman Empire would vividly know. The shame of being hauled off in chains is *porifo*, apparently a somewhat mangled version of the Latin *opprobrium*. In its borrowings, then, as in its two indigenous languages, midrash strives to make its theology, its philosophy of history, its views of causation and morality, accessible to every ear—as pungently immediate as the trading stalls, the slave markets, and the bathhouses of the Greco-Roman world.

Of course the Torah is a text. But

there is an ultimate difference between Torah and textuality, especially as the latter is conceived by the new theorists to be the ineluctable human condition. (In Derrida's famous pronouncement, "There is nothing outside of text.") In the rabbinic view, the Torah was given by God, and is present in the world concretely as the source of all authority. It is not part of an infinite regression of texts mirroring other texts, of meanings endlessly deferred. Its imperative meanings are addressed clearly to the here and now, and that is the core of the midrashic enterprise.

JUST A LITTLE after the section from Genesis Rabba quoted above, there is an almost comic story about a certain matron who asks Rabbi Yosi how Joseph, in all the hormonal heat of his 17 years, could possibly have resisted the blandishments of Potiphar's wife, who attempted to seduce him. Rabbi Yosi's response is to take out a copy of Genesis and to read her the stories of quasi-incestuous union recorded about Reuben and Bilhah, Judah and Tamar:

He said to her: "If Scripture did not hide the acts of these, who were no longer minors and who were under their father's jurisdiction, how much more so would it not have hidden the act of someone who was a minor and who was under his own jurisdiction."

Scripture is a moral measure, as solid and close to hand as the copy of Genesis that the sage takes out for the benefit of the Roman lady. It provides, in the rabbinic view, a true, unflinching account of the human lives and historical events it reports. And it invites us to match those accounts against our empirical knowledge, in part because we are always implicitly invited to insert our lives into Scripture, to gauge them against it. Midrashic playfulness, then, is driven by a sense of moral and historical urgency. Unlike its supposed counterpart in contemporary literary theory, it cannot allow itself to lapse into the language of a mandarin elite. Nor can it conclude from the multiplicity of meanings that meaning is dizzyingly indeterminate, doomed forever to spin around in an arbitrary game of linguistic codes.

ROBERT ALTER

Robert Alter is professor of Hebrew and comparative literature at the University of California at Berkeley, and the author most recently of *The Art of Biblical Poetry* (Basic Books).



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failed to make me interested enough in her characters to care *how* they feel. Meanwhile, the work has been structured in a series of aimless episodic scenes marked "Wednesday, 2 in the afternoon" or "Tuesday, near dusk," as if it were a pseudodocumentary action film about tracking down terrorists in Central Europe or drug dealers in L.A. (There's no point whatever in identifying the

precise time of day or day of the week if you don't dramatize its relevance to the action of the play.) *Coastal Disturbances* is all very vapid and bloodless, totally lacking in density, and Tina Howe, who is certainly equipped to create wilder adventures than this, should not be encouraged to dissipate her talents in thin-lipped exercises about life among the boring and the bored.

OLD RABBIS, NEW CRITICS

Midrash and Literature

edited by Geoffrey Hartman and Sanford Budick

(Yale University Press, 415 pp., \$28.50)

Golden Doves with Silver Dots: Semiotics and Textuality in Rabbinic Tradition

by José Faur

(Indiana University Press, 226 pp., \$27.50)

There was a time not long ago when the term *midrash* would have been as puzzling to most literary scholars as the mysterious Hebrew *Keri* and *Chetiv* that Milton flaunts in the middle of his *Areopagitica*. Now, at least in some precincts of the academy, it seems as though midrash is on everyone's lips. As in most efforts to appropriate an exotic past, this new enterprise is impelled partly by the intrinsic fascinations of the material, partly by an intellectual agenda alien to the historical object of interest.

Midrash, a noun derived from the Hebrew verb that means to inquire, to investigate, to interpret, is exegesis of the Bible as it was practiced during and shortly after the formative period of rabbinic Judaism. The nucleus of the collections of these interpretations that have come down to us probably dates back to Palestine of the third century C.E.; the final articulation of the very earliest compilations occurred toward the end of the fourth century. The classical period of midrash continued until about the middle of the seventh century, and related midrashic compositions were produced for another 500 years or more. Midrash, then, is the great exegetical enterprise that went on during, as well as after, the creation of the Talmud. The Talmud also has exegetical moments, but

it is a set of discussions that follows the order and logic of a corpus of laws. Midrash, on the other hand, is based to a good extent on verbal games, and adheres to the verse-by-verse order of biblical texts. In the classical collections, convention distinguishes between legal and homiletic midrash, known respectively as midrash halakhah and midrash aggadah. For obvious reasons, it is homiletic midrash that has been of particular interest to contemporary literary critics.

I introduce this encyclopedia-like notation at the outset because one of the unfortunate consequences of the literary vogue of midrash is that some writers have begun to invoke the magic of the name for any interpretive text produced by a Jew. To be sure, the discovery of midrash by literary intellectuals is to be applauded on three grounds: as a distinctive body of athletically imaginative commentary, midrash is bound to be intriguing to anyone concerned with the interpretation of texts; through exegesis, midrash develops literary coherences of its own, both narrative and rhetorical, that are sometimes quite compelling; and, finally, midrash occasionally provides acute insights into certain minute literary aspects of the biblical texts it discusses. Still, it seems important to keep in mind that midrash arose in par-



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ticular historical circumstances, developed certain distinctive literary conventions, and was actuated by an ideology and addressed itself to issues that are not shared by modern literary culture. This element of historical distance does not mean, of course, that midrash is a matter of merely antiquarian interest. And yet something is awry in its contemporary critical use.

THE AMBIGUITIES of the current interest in midrash are vividly mirrored in a new collection of essays, *Midrash and Literature*, edited by Geoffrey Hartman of Yale University and Sanford Budick of the Hebrew University in Jerusalem. The editors' alliance is underwritten by Jacques Derrida, whose language is echoed by many of the literary contributors to the volume, and who is himself represented (alongside the aphorist Edmond Jabès) in a section called "Contemporary Midrash" by an essay on Paul Celan that is another of his virtuoso performances in punning and conceptual free association.

In inadvertent consonance with deconstructive doctrine, *Midrash and Literature* is a book deeply divided against itself. On the one hand, it aspires

to a responsible presentation of the historical phenomenon of midrash, being careful to make certain distinctions between midrash and contemporary critical theory. The book begins with a suggestive essay by Hartman on the story of Jacob and the angel as canonical narrative, followed by an instructive discussion of "Inner Biblical Exegesis" by the Bible scholar Michael Fishbane. Then there are two sections on traditional midrash, written, with one exception, by specialists in the field; most of these essays are helpful guides, though they go over ground familiar to scholarship. By far the longest, and also the most crucial, section of the book is "Literature and Midrash," and it is here that things begin to pull apart violently. The section includes an intelligent essay by Frank Kermode called "The Plain Sense of Things," as well as useful discussions by Harold Fisch of biblical allusion in *Robinson Crusoe* and by Gershon Shaked of midrashic elements in an early story of S. Y. Agnon's. Unfortunately, the other contributors to this section speak in the heavy Gallic accents of deconstructive formula, and all too often the early rabbis are made to join hands with Derrida in a saturnalian dance of

"open textuality." These pieces thus lead quite naturally into the Derrida-Jabès coda at the end of the book.

Although the editors recognize that midrash involves a fixed standard of truth that is nowhere to be found in poststructuralist thought, their own language, as early as the book's introduction, tends at points to collapse this difference:

By confronting the undecidability of textual meaning, this species of interpretation [that is, midrash and poststructuralism] does not paralyze itself. Instead its own activity is absorbed into the activity of the text, producing a continuum of intertextual supplements, often in a spirit of high-serious play.

The language of intertextual supplement is orthodox Derridean. Such formulations become even more gratingly insistent in the hands of some of the contributors, like this set of assertions by Myrna Solotorevsky at the end of an essay on Borges:

What seems to be important are the correspondences between Borges and midrash in the idea of intertextuality, in the concept of reading not as lineality but as a configuration of textual space, in the notion of de-structurization of the text as a condition for deciphering it, and in the arch principle, as I have said, of interpretative textuality as the basis of decentralization.

I shall return later to the sheer barbarity of style in these critics—not for aesthetic reasons, but for what it indicates about their relation to their purported midrashic antecedents.

The collapsing of distinctions between contemporary theory and ancient practice is beginning to take place on the other side of the interdisciplinary encounter between midrash and literature, too. José Faur, hitherto known as a respected scholar of Maimonides, has published a bizarre intellectual potpourri called *Golden Doves with Silver Dots: Semiotics and Textuality in Rabbinic Tradition*. In Faur's presentation, there is no distance at all between the rabbis and current literary theory:

The object of *derasha* [the activity of midrash] is liberation from conventional reading, and dissemination of knowledge; more precisely, it is dissemination of knowledge through liberation from conventional reading. As did Jacques Derrida, the rabbis sought "a freeplay," amounting to a "methodical craziness" whose purpose is the "dissemination" of texts; this craziness, though "endless and treacherous and terrifying, liberates us to an *errance joyeuse*."



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Faur's collapsing of distinctions between the rabbinic and the contemporary is combined with an even more egregious collapsing of distinctions among all the far-flung historical periods and ideological trends of Jewish history. All are amalgamated here as expressions of one underlying Jewish worldview, opposed to what is represented as the Greek worldview: "The Hebrew and Greek types of truth correspond to two different levels of reality. The Greek truth is visual. Therefore it is related to the spatial World-Out-There. For the Hebrews the highest form of truth is perceived at the auditory level." Faur's source for this nonsense is Thorlief Boman's *Hebrew Thought Compared with Greek*, a book long discredited for its sweeping simplifications and its leaps from formal features of language to conceptions of reality.

Still, the invocation of Boman, however naive, points toward the hidden agenda of the new midrashizers. For if Derrida and his literary followers have set as their goal nothing less than the subversion of Western metaphysics, with all its "logocentric" and theological assumptions, then the rabbis become attractive mentors if their activity can be shown to embody a radical alternative to

Western conceptions of reality. This, indeed, was the line of argument first proposed by Susan Handelman in *The Slaying of Moses*, which appeared in 1982: it invited us to see a distinctively Jewish, non-Greek mode of thought (an "alternative metaphysics") that descends from the early rabbis to Freud, Derrida, and the Ecole de Yale. No wonder, then, that Jonathan Culler, a leading spokesman for American deconstruction, should begin to murmur resentfully that at New Haven (to which one must now add Jerusalem) they talk as though critical theory were a Jewish invention.

There are marked differences, to be sure, between Hellenistic and rabbinic intellectual styles, but most of these stem from the rabbis' almost total lack of interest in symmetrical, sequential systems of the sort that played an important role in Greek thought. Since poststructuralism is unsystematic as a matter of principle, and often anti-systematic, it is easy to see how this un-Greek aspect of rabbinic literature would appeal to it. Still, it is quite another question whether the rabbis worked on assumptions that were a radical alternative to Greek metaphysics, as Faur explicitly argues and as the spokes-

men for the Jerusalem-New Haven axis often imply.

At the high end of the scale of expectations, some contemporary critics seek in midrash a historical precedent for a revolution in textual consciousness. At the lower end of the scale, somewhat more sensibly, others propose that the example of midrash will help us understand better how the activity of interpretation in modern literary and critical texts generates meanings and narratives. Thus Harold Fisch, on the utility of juxtaposing the concepts of midrash and of the novel: "The value, it would seem, is not only in providing a language of interdisciplinary communications, but in freeing the categories thus displaced from formal boundaries and restrictions and releasing their phenomenological essence." Fisch is obviously trying to be reasonable, but his formulation might well make a reasonable reader uneasy. What, after all, is the "phenomenological essence" of a mode of literature? Can it really exist outside the verbal forms in which the meanings of a literary text are so intricately embodied? Fisch's own intelligent essay on *Robinson Crusoe* is not reassuring, for although his afterword talks about midrash and the novel, the



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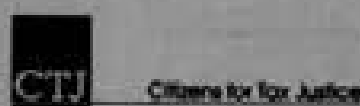
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essay itself discusses biblical allusions and Bible-reading in Defoe's novel, which are altogether different matters.

LET ME TRY to bring this whole new enterprise into better focus by presenting an extended example of midrash. The length of the excerpt is dictated by the need to illustrate more than a single midrashic strategy of interpretation. I have chosen a text that I think is fairly representative, from *Genesis Rabba*, a compilation of midrashic commentary on the book of Genesis that goes back to the end of the fourth century. The translation is my own, except for the biblical verses, where I have followed the King James Version, silently emending it at a few points when its construal of the original clearly diverges from that of the rabbis. The language of the text, as is common in the classical midrashim, is Hebrew, with some Aramaic (here limited to a couple of formulas of transition) and a sprinkling of Greek and Latin loan words. The midrash begins with a verse from Genesis 39, which tells the story of Joseph's removal to Egypt. The verse is cited, and immediately the midrash, composed of other biblical citations and brief comments upon them, begins:

"And Joseph was brought down to Egypt" (Gen. 39:1). It is written, "I drew him with cords of a man" (Hos. 11:4)—that is Israel. "Draw me, we will run after thee" (Song of Songs 1:4)—"with bands of love" (Hos., *ibid.*), for it is written "I have loved you, saith the Lord" (Mal. 1:2). "And I was to them as they that take off the yoke" (Hos., *ibid.*)—for I took their enemies off from them. And why to such an extent?—"From their cheeks" (Hos., *ibid.*), because of the utterance they emitted from their cheeks when they said, "these be thy gods, O Israel" (Exod. 32:8). Then finally, "and I laid food unto them" (Hos., *ibid.*)—I extended to them abundant foods: "There shall be a handful of corn in the earth" (Ps. 72:16).

Another reading: "with cords of a man" (Hos., *ibid.*)—that is Joseph: "and they drew and lifted up Joseph out of the pit" (Gen. 37:28); "with bands of love" (Hos., *ibid.*); "now Israel loved Joseph" (Gen. 37:3). "And I was to them as they that take off the yoke" (Hos., *ibid.*)—for I took his enemies off from him. And who are they?—the wife of Potiphar. And why, "from their cheeks" (Hos. *ibid.*), to such an extent? Because

of the utterance he emitted from his cheeks: "and Joseph brought unto his father their evil report" (Gen. 37:2). Then finally, "And I laid food unto them" (Hos., *ibid.*)—I extended to them abundant foods: "and Joseph was the governor over the land, and he it was that sold grain to all the people of the land" (Gen. 42:6).

Another reading: "and Joseph was brought down [*hurad*] to Egypt"—and Joseph was the governor. "And Joseph was brought down to Egypt"—he ruled them, as it is said, "and he shall have dominion [*yerd*] from sea to sea" (Psalms 72:8); he subjugated them, as it is said, "For he had dominion [*rodeh*] over all the region on this side of the river" (1 Kings 4:24); he uprooted them, took them down from their places, as it is said: "and he drew out thereof [*wayirdehu*] to his palms" (Judges 14:9).

He brought down [*horid*] to Egypt Jacob our father. Rabbi Berechiah in the name of Rabbi Yehudah son of Rabbi Simon said: It is like a cow that resists being drawn to the slaughterhouse. What do they do to her? They lead her calf before her and she goes after him despite herself, against her interests. Thus should Jacob our father have gone down to Egypt, in chains and a neck-collar. But the Holy One said, "He is my son, my firstborn, and can I bring him down in disgrace? Yet if I give the idea to Pharaoh, won't I bring him down in shame? Then let me lead his son before him, and he will go down after him despite himself, against his interests." And he brought the Divine Presence down with him. Rabbi Pinhas in the name of Rabbi Simon said: from where do we learn that the Divine Presence went down with him? From the verse, "and the Lord was with Joseph" (Gen. 39:2).

(Genesis Rabba 86:1-2)

Just a few years ago, this would have seemed merely bizarre to Western literary eyes. But today readers acquainted with poststructuralist criticism are likely to detect certain familiar strategies. It is worth listing the points of contact before attempting to sort out the differences. The most obvious similarity is the midrashic proliferation of readings (for which there is even a fixed introductory formula: *Umar aher*—"another reading"). This is accompanied by an element of flaunted play with the texts. Such proliferation tends to effect a displacement of attention from the text set for interpretation to the exegetical text itself, and

that shift might in some ways remind us of Derrida on Celan, Paul de Man on Shelley, and so forth.

The readings proposed, moreover, are not of any large textual continuum, but of a single verse. As James Kugel aptly observes, "There simply is no boundary encountered beyond that of the verse until one comes to the borders of the canon itself." Indeed, one should go further: it is not just the verse (as is the case in the passage quoted from Hosea 11:4) that is the object of attention, but the single phrase, the single word (as one sees here in the treatment of Genesis 39:1). This atomistic exegesis seems to accord nicely with the practice of the Derrideans, who for the most part have lost interest or faith in reading larger textual continuities, or have come to believe that such continuity is a pernicious illusion. The process of interpretation depends on an elaborate shuffling among different verses, which has the look of offering confirmation of the primacy of intertextuality argued for by structuralists and poststructuralists as the root condition of all literary texts; it may indeed recall Derrida's own agility at textual leapfrog.

The midrashic method of exposition, furthermore, is associative and unsystematic, again in apparent accord with the procedures of certain contemporary critics. Finally, as Kugel also notes, midrash quite often begins its constructions by perceiving some rub in the text, a practice loosely reminiscent of the deconstructive search for the small telltale flaw in the text. That procedure, admittedly, may be somewhat less the rule in midrash than Kugel claims: in our passage, the only rub is a minuscule one evident in the Hebrew consonantal text of the Bible—the word for "was brought down," *hurad*, is spelled, untypically, with a consonantal indication of the first vowel, which apparently encouraged the interpreters to read other, phonetically similar verbs into the word, as well as to detect in it a different conjugation ("he brought down") of the same verb.

HOW IMPORTANT are these similarities between the old rabbis and the new critics? They are one of those instances of the convolutions of cultural history in which a new loop exhibits surprising correspondences to a very old loop, and by so doing shows certain instructive continuities in the diversity of cultural expression. But such similarities are decidedly not an instance, I think,