Special Issue: Rabbis and Others in Conversation II

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The Emperor’s Daughter’s New Skin: Bodily Otherness and Self-Identity in the Dialogues of Rabbi Yehoshua ben Hanania and the Emperor’s Daughter*

MIRA BALBERG

I. Introduction

Talmudic and midrashic accounts of dialogues between rabbinic figures and representatives of other social, ethnic, or religious groups are, most immediately, narratives of cultural competition in which the Sages emphatically prevail in wit and wisdom over “Others” – be they non-Jews or other kinds of Jews. By portraying the rabbinic sage as skillfully defeating his opponents through sharp retort or sophisticated manipulation, rabbinic intercultural dialogue narratives can be read as a form of chreia stories – that is, as narrative frameworks that celebrate the acumen of the sage and construct him as an admirable figure. ¹ This rhetorical format, in which a sage verbally faces-off with an Other who contests the values and beliefs for which the sage stands, relocates cultural struggles and animosity between different groups into the realm of knowledge, wisdom and command of the Torah, a realm in which the sages are empowered (in their own eyes, of course) to supersede Others

who may be, in actuality, possessed of much greater power than they are. Furthermore, the safe literary environment that such dialogue narratives create, an environment in which the rabbis are guaranteed the triumphant last word, allows the rabbis to negotiate concerns that are largely unspeakable otherwise. The setting of the dialogue enables the rabbis to grapple with theological, political, aesthetic, ethical and other challenges in a serious and engaged way without actually taking the risk of crossing boundaries of faith and tradition by presenting these challenges as arising from within the rabbinic circles themselves. Put differently, the Other functions in such dialogues not only as an opponent to be defeated in order to solidify the rabbinic standing, but also as a foil, as an instrument for raising questions and doubts from the unconscious to the conscious.

In this article I focus on one aspect of the rabbinic dialogical engagement with Others that is less immediately discernible and not as often discussed: the aspect of the Other as presenting a mirror (albeit perhaps a distorted mirror) of the sage or the group the sage represents, and of the dialogue as a site of rabbinic identity construction in confrontation with the images and stereotypes of Others. The Other, as I argue, is not only a source of real or imagined cultural competition for the rabbis; it is also the backdrop against which they perceive and shape themselves. In the terms of Jean-Paul Sartre, who defined the Other as the quintessential “mediator of the self,” since one can only identify oneself as “me” against an Other who is “not-me,” the Other essentially functions as a self-consciousness: one – an individual or a group – is only identifiable to oneself insofar as one excludes others.2

On the most immediate and obvious level, the dialogue narratives emphasize ways in which the rabbis (or, in most cases, the rabbis as self-proclaimed representatives of Jews in general) are thought to be distinguished from other groups – in their monotheistic convictions, in their commitment to the commandments, in their interpretations of Scripture, etc. By presenting these facets as the bone of contention between “us” and “them,” the authors of these narratives construct and hone an idea of what it means to be one of “us.” The two stories that I examine in detail in this article, however, speak to another level of the definition of oneself vis-à-vis the Other – namely, the identification of the self as the Other’s Other. As Frantz Fanon powerfully argued, in a significant way the construction of self-identity, especially for members

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of oppressed groups, takes place through the internalized eyes of the Other; thus, the black person sees herself not only as non-white, but also through the stereotypes and prejudices of the white person about the black person. Similarly, in the stories I discuss, the confrontation is not simply between the worldviews of the sage and the worldviews of his opponent, but between the sage and what the opponent thinks about the sage or the group the sage represents. In other words, the rabbinic self-identity that is being negotiated and developed in these stories is distinctly an identity of Others to the dominant culture. More specifically, the two dialogues I discuss are concerned with the theme of bodily otherness – that is, with the ways in which the rabbis imagined their own bodies vis-à-vis the bodies of the Others, in this case the Romans, and vis-à-vis the Roman view of the Jewish bodies.

The two narratives, which are dialogical exchanges between Rabbi Yehoshua ben Hanania and the emperor’s daughter, appear in the Babylonian Talmud (one of them appears twice, in slightly different versions, in two different tractates). In both stories, I argue, the underlying theme of the dialogue is the Roman image of the Jewish body as deformed and inferior to the Greco-Roman body: in the first dialogue the rabbis embrace their alleged bodily inferiority by turning it into a source of power, whereas in the second dialogue they project a bodily inferiority that was commonly attributed to Jews onto the body of the emperor’s daughter herself. In both cases these dialogues reveal a complex and delicate web of relations between endorsement of Greco-Roman cultural values and rejection of them, and between internalization of stereotypes and prejudice and an attempt to refute and invert them.

The dialogues between R. Yehoshua and the emperor’s daughter can be considered as part of a larger collection of dialogues between R. Yehoshua, who is presented as one of the most prominent sages in the so-called “Yavneh generation,” and Roman figures. According to two

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4 R. Yehoshua is mentioned among the five disciples of R. Yohanan b. Zakkai (*m. Avot* 2:8) and presented as having firsthand memories from the time of the Temple (e.g., *t. Sukkah* 4:5). He is also said to have witnessed and reacted to the Roman initiative to rebuild the Temple that was eventually abrogated (*Gen. Rab.* 64:10); this would suggest that R. Yehoshua was still alive in 130 CE, when Hadrian visited the Land of Israel and contemplated the rebuilding of the Temple Mount. The historical accuracy of this source is, however, highly questionable.

5 On dialogues between rabbinic sages and Roman dignitaries, see M. D. Herr, “The Historical Significance of the Dialogues between Jewish Sages and Roman Dignitaries,” *Scripta Hierosolymitana* 22 (1971) 123–50. According to Herr, while it is unlikely that these dialogues ever took place in actuality, they “could have taken place”
sources, R. Yehoshua paid one or more visits to Rome, and he is said to have had discussions with “the Romans” on the resurrection of the dead; most notably, however, there are more than fifteen rabbinic sources that present a dialogue between R. Yehoshua and the Roman emperor. The Babylonian Talmud refers to the Roman figure as Caesar, whereas the Palestinian Midrashim narrate several dialogues between R. Yehoshua and “Hadrian, may his bones rot.” While most of the accounts of R. Yehoshua’s interaction with the emperor include a simple exchange of questions and answers, a few of them are structured in a distinct pattern: As a point of departure, the emperor presents a question or a statement, either naïve or intentionally provocative, contesting fundamental aspects of Jewish faith or tradition. R. Yehoshua then proves to the emperor how erroneous his view is, usually not through mere verbal retort but by resorting to a tangible concretization: he creates a demonstrative scene in which the emperor himself plays the leading role. For instance, when the emperor suggests that there is no Master to the world because he never reveals Himself, R. Yehoshua goes out with him at high noon and asks him to look directly at the sun, thus illustrating his own claim that human beings are not able to look directly at God, and therefore cannot see Him (b. Hul. 60a). In another story, Hadrian argues that he is greater than Moses, because he is alive and Moses is dead. R. Yehoshua proves to him that Moses’ decrees are kept more devoutly than the emperor’s by asking him to decree that no fire be lit in Rome for three days. The decree is not obeyed, of course, and R. Yehoshua contrasts this with the Jewish adherence to the commandment not to light a fire on the Sabbath, thus proving that Moses is greater than Hadrian, or any other emperor for that matter (Eccl. Rab. 9:3).

In these stories the emperor is not only intellectually defeated by the Jewish sage and by the doctrines and values that the sage represents; the emperor actually embodies the defeat of the Roman imperial power for which he stands. The figure of the emperor is emblematic of the theme of these dialogues, which is power, and particularly the limitations of human power as opposed to the inexhaustible power of God. It is the Roman culture of power, in which emperors are considered virtually

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insofar as their themes can be seen as the main aspects of Jewish faith and tradition by which Romans were likely to be intrigued.

6 b. Git. 58a = Lev. Rab. 27:1; Lam. Rab. 4:4.

7 b. Sanh. 90b.

8 R. Yehoshua’s unique “pedagogical” tactic in these dialogues was noted by Wilhelm Bacher, Aggadot ha-Tannaim, trans. A. Z. Rabinowitz (Hebrew; 2 vols.; Berlin and Jerusalem: Dvir, 1922) vol. 1 pt. 1, 126.
omnipotent during their lives and are deified after their death, that R. Yehoshua actually challenges and defeats in these stories.

The two dialogues that stand at the center of this article, in which R. Yehoshua’s interlocutor is not the emperor but his daughter, essentially align with the aforementioned paradigm – that is, R. Yehoshua responds to a question/statement posed by the emperor’s daughter by creating a tangible demonstration of the answer/counter-statement. However, the unusual literary choice to present the daughter rather than her father as the opponent merits attention. I argue that this choice can be explained by the theme of these two dialogues, which is the body in general and the body as a cultural sense of self in particular. In other words, if the emperor is seen as a figure through which notions of power can be debated, the emperor’s daughter – his feminine counterpart – is the figure through which notions of beauty and bodily integrity can be debated. While beauty and perfection of form were highly esteemed in both men and women in Greco-Roman culture, physical appearance was seen as a central area of preoccupation, not to say obsession, distinctly of women. Particularly in Rome, as Otto Kiefer pointed out, men who were notably concerned with beauty and appearance were disapprovingly seen as effeminate.9 I suggest that the authors of these stories considered the theme of bodily form to be somewhat beneath the dignity of the Roman emperor, and thus chose to present a female protagonist, for whom such concerns are culturally appropriate, in his stead. Further considerations that may have led the rabbis to “feminize” R. Yehoshua’s interlocutor in these particular dialogues will be considered in the course of my analysis.10

Setting the emperor’s daughter as R. Yehoshua’s Other in these dialogues establishes three distinct oppositions, which are presented upon the very exposition of the protagonists.11 First, there is an opposition of gender. Second, an opposition of class: the emperor’s daughter, who in

10 The emperor’s daughter might not be the only Roman woman who participates in dialogue with the rabbis. It has been a common view that Matrona, a recurrent discursive partner of the rabbis (particularly of R. Yose) in midrashic sources, is of Roman origin. For a rejection of this view, see Tal Ilan, “Matrona and R. Jose: An Alternative Interpretation,” *Journal for the Study of Judaism* 25 (1994) 18–51.
11 The emperor’s daughter is mentioned in three other talmudic narratives, all of them in the Babylonian Talmud: *b. Git.* 57a, in which the breaking of her chariot ends up inciting the war in Betar; *b. Sanh.* 39a, in which she, surprisingly, advocates the rabbinic position to her father in the course of his discussion with Rabban Gamliel on the nature of God; and *b. Me'il.* 17b, in which R. Shimon b. Yohai exorcises a demon that had taken hold of her.
both stories is depicted as a highly spoiled girl, represents measureless wealth, whereas R. Yehoshua (who in another place is mentioned to be a coal maker\textsuperscript{12}) represents men of very modest means. Finally, by relating the girl directly to the emperor, she, like her father, becomes an emblem of Rome itself; hence, the third opposition is one between two socio-cultural worlds, or, to be more accurate, between the way the rabbis imagine themselves and the way they imagine the Romans. The \textit{topos} around which these three dichotomies revolve is that of the body: male vs. female, pauper vs. pampered, Jewish vs. Roman.

These narratives appear only in the Babylonian Talmud and do not have any parallels in Palestinian corpora. Thus, they cannot be taken without qualification as authentic accounts of the ways Palestinian rabbis, subordinates of the Roman Empire, perceived themselves and their Roman Others in a Greco-Roman cultural setting. Nevertheless, one cannot dismiss the possibility that these narratives do put across genuine Palestinian voices: as Richard Kalmin has shown, as of the fourth century the creators of the Babylonian Talmud seem to have had vast knowledge of Roman lifestyles, values and mentalities, and were very receptive to the Palestinian experience of living under Roman rule.\textsuperscript{13} I tend to agree with Daniel Boyarin that the Babylonian texts are more concerned with the contrast between the classic Greco-Roman body and the imperfect or even grotesque rabbinic body than the Palestinian texts, possibly because the Palestinian rabbis were so entrenched in Greco-Roman ideas and ideals on the body that they did not even consider them to be problematic.\textsuperscript{14} However, I believe that the Babylonian stories discussed here do not present only a simple rejection or problematization of the Greco-Roman body ideology, as Boyarin argues, but also an appropriation and internalization of it. That is to say, although the Babylonian creators or re-creators of these stories may have been quite alienated from the Hellenistic perceptions that underlie the dialogues, these dialogues do suggest that these perceptions shaped the rabbis’ views, both of themselves and of Rome as their cultural Other.

\textsuperscript{12} b. Ber. 28a.
II. “Fair is Foul, and Foul Is Fair”: Rabbis as Ugly

The first dialogue between R. Yehoshua and the emperor’s daughter appears, with slight variations, in two different talmudic tractates. In Ta’anit (7a-b) the context of the story is the analogy between rain and the Torah, which leads to a further analogy between the Torah and three kinds of liquids – water, milk and wine. Rabbi Hosha’ayah then makes the statement, “Just as these three liquids can only be preserved in the simplest of vessels, in the same way the words of the Torah can only be preserved in one whose mind is humble”; the story of R. Yehoshua and the emperor’s daughter is juxtaposed with this statement. In Nedarim (50b), the story is juxtaposed with a collection of six or seven stories that are by and large concerned with the great poverty of the sages (and some miraculous ways by which they become wealthy).

b. Ned. 50b (per MS Munich 95)  b. Ta’an. 7a-b (per MS Vatican 140)

[The empire’s daughter said to R. Yehoshua b. Hanania: A magnificent Torah in an ugly vessel! He told her: Go and learn from your father’s house: in what do they put wine? She said: In clay vessels. He said: Everyone [uses] clay vessels, and you [also use] clay vessels? You should put it in gold and silver vessels. She went and put wine in gold and silver vessels, and it turned sour. He said: The same is with the Torah. – But are there not some who are beautiful and learned? He said: If they were ugly they would be more learned.]

[The emperor’s daughter said to R. Yehoshua b. Hanania: A magnificent wisdom in an ugly vessel! He told her: The daughter of one who puts wine in clay vessels! She asked: Rather, in what should we put it? He said: You, who are of importance, put it in gold and silver vessels. She went and told her father. They brought gold and silver vessels and put wine in them, and it turned sour. He said to his daughter: Who told you that? She told him: R. Yehoshua b. Hanania. They called R. Yehoshua b. Hanania; he told him: Why did you tell her so? [He told him]: Just as she told me, I told her. 15 [He told him:] But are there not some who are beautiful and learned? If they were ugly they would be more learned.]

In the Nedarim version, the simpler and the shorter of the two versions, the dialogue between R. Yehoshua and the Emperor’s daughter takes place in rather friendly tones, whereas in the Ta’anit version R.

15 In MS Jerusalem (Yad Harav Herzog 1) the version is slightly different and shorter: “They put wine in vessels of silver and gold and it turned sour. They came and told him: What did you say? He told them: As she told me, so I have told her.” A similar version appears in MS Oxford Opp. Add. Fol.23 and in MS Vatican 134.
Yehoshua’s pedagogical experiment results in a tumult that involves the entire household, and possibly even the emperor himself. In this version R. Yehoshua is virtually put on trial and must defend his act and explain it, but whoever the addressee of his explanation may be, it is not the daughter. While more could be said about the subtle differences between the two versions, I will focus here specifically on the daughter’s initial statement and R. Yehoshua’s response to it, which are identical in both versions.

At the outset of the story, the emperor’s daughter makes a statement on the contrast between the beauty of the Torah/wisdom and the ugliness of the body – or “vessel” – in which it is contained. It is difficult to know whether, by referring to an “ugly vessel,” she is referring to the homely appearance of R. Yehoshua in particular or to the entire group for which he stands: the rabbis or even Jews in general. R. Yehoshua’s retort, however, identifies ugliness as the marking quality of Torah-leaners as such, and not just as a quality unique to him. In response to the emperor’s daughter’s statement, he tries to demonstrate to her that her expectation that the “vessel” should always fit the “content” is untenable. He thus suggests that she put expensive wine in expensive vessels, as he knows that it is bound to turn sour. This “experiment” is meant to illustrate a rather radical idea: not simply that exteriority does not matter, but that in fact there is an inverse relation between external appearance and internal value.

The exchange between the emperor’s daughter and R. Yehoshua is, of course, more than a dialogue between two individuals. The very choice to posit R. Yehoshua’s interlocutor as the emperor’s daughter, a figure who is emblematic of Rome itself, indicates that this dialogue should be read as an episode of cultural clash between Roman and rabbinic worldviews – in this case, views about body and beauty. As Boyarin pointed out, the assumption that seems to be underlying the emperor’s daughter’s comment, which is guided by an expectation that the “content” should fit the “vessel,” can be understood as the highly prevalent Greco-Roman view that outward appearance is a reflection and attestation of inner character and personal traits.16 This view, which is manifested in the common attic appellation kalos kagathos (“handsome and good”) used to describe members of the well-born elite,17 is famously articulated in several Platonic dialogues: for instance, in the Republic we find the statement that

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“ugliness and discord and disharmony go hand in hand with bad words and bad nature, while the opposite qualities are the sisters of good, virtuous characters” (*Republic III*, 401a). Similarly, in her momentous speech in the *Symposium*, Diotima proclaims that “the ugly is discordant with whatever is divine, whereas the beautiful is accordant” (*Symposium* 206c).

Most notably, the conviction that there is congruence between appearance and morals stood at the core of the elaborate Greek and Roman science of physiognomy, which offered detailed methods of deciphering personal traits by examining bodily and especially facial features. The exact manner in which one’s character can be decoded through one’s physical appearance was developed most thoroughly by Polemon of Lao-dicea (ca. 90–144 CE), whose works were of great impact throughout the Mediterranean world.

The emperor’s daughter’s question, then, can be read as stemming from deep-seated physiognomical assumptions regarding the compatibility of appearance with personal value. How is it, she asks R. Yehoshua, that your “content” is so marvelous, yet you are so ugly? We might wonder whether her praise of the sage’s Torah/wisdom should be seen as candid, or her query actually implies that the sage’s Torah/wisdom cannot possibly be as glorious as he claims it to be, since he who embodies it is so ugly. According to Boyarin, by introducing the expectation for congruence between inner and outer traits as voiced by a distinct Other – namely, the emperor’s daughter – the Babylonian talmudic rabbis are emphatically dismissing this expectation (which might have been quite common in some Jewish and even rabbinic circles) as profoundly different from their own, and are openly rejecting it:

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18 While in some dialogues Plato voices the identification of the good with the beautiful (most notably in *Greater Hippias*), his Orphic notions according to which the body is the tomb of the soul also drove him to renounce physical beauty as deceitful and misleading (for instance, *Cratylus* 439b). Socrates himself, as we might remember, is depicted as physically ugly (*Symposium* 215b).


This story stages the conflict explicitly as a difference between the Hellenistic sensibility of the fictional daughter of Caesar and the rabbi, reflecting a perception on the part of its author that the doctrine that “moral paradigms that had bitten to any depth in the soul would and should show themselves by reassuringly consistent body-signals” is a foreign concept.22

On one level, then, the dialogue between R. Yehoshua and the emperor’s daughter can be read as a didactic narrative, setting out to convey the message that a book must not be judged by its cover and that one should not be misled by external appearance.23 This position is hardly unique to the rabbis of the Talmud: the call to look at the soul (form) and ignore the body (matter) appears already in Plato’s *Phaedrus* (279d) and is prevalent in neo-platonic works, most notably in Plotinus.24 Margaret Miles comments that by the fourth century the dismissal of external appearance had such impact that a shift can be identified in Roman art: sculptors attempted to convey the beauty and radiance of the soul, especially through the shaping of the eyes, and focused less on the perfection of the body.25 Indeed, if one reads the “wine experiment” story without the concluding exchange, R. Yehoshua’s message can be said to be simply that appearance is deceiving, and the story as a whole can be taken as an example of the similar views shared by rabbis and philosophers.26 The concluding line of the dialogue, however, takes the reader in a different and more radical direction.

It is quite plausible that the final exchange (“but are there not some who are beautiful and learned? – if they were ugly they would be more learned”) was added to the story at a later stage, as it is phrased as somewhat of an afterthought and not as part of the main narrative. However, if one does read the story in its entirety, including the last exchange, the bottom line is not that physical appearance is not important or that it is inconsequential to character and personality: rather, this exchange suggests that it is of crucial importance – but in an inverse

23 As we find, for instance, in *m. Avot* 4:20: “Do not look at the pitcher but at what is in it.” Yonah Frenkel makes the point that incongruence between inner and outer characteristics is a prevalent theme in rabbinic narratives; see Frenkel, *Agadic Narrative: Harmony of Form and Content* (Hebrew; Tel-Aviv: Ha-kibbutz Ha-me’uhad, 2001) 295–316.
manner: ugliness is a prerequisite for “internal” value, and the greater the ugliness, the greater the knowledge and wisdom.

This surprising claim regarding inverse relation between beauty and wisdom allows several interpretations. When read specifically vis-à-vis the wine vessels experiment, the merit of ugliness can be seen in terms of humility or modesty: in the same way that wine has to be kept in the simplest of vessels so that the vessel’s qualities will not affect the wine, the Torah has to be placed in homely human beings so that their “ego” will not affect the study of Torah.\textsuperscript{27} Another way of reading this claim is not as prescriptive, but rather as descriptive: those who are ugly have to compensate for their appearance with other virtues; therefore, the uglier one is, the greater one is in Torah. It is interesting that the Aramaic word for “ugly” used in this story is \textit{sanu}, which primarily means “hated” (much like the German \textit{häßlich}): this implies that it is not just physical ugliness that generates greatness in Torah, but also the social isolation and contempt that ugliness entails. If one takes the self-characterization as ugly in this passage as referring to Jews in general, and not just to rabbis, it might also convey the idea that Israel’s misfortune (that is, being “hated” among the nations) is in accord with this people’s unique position as the bearers of the Torah.\textsuperscript{28}

While the proclamation that ugliness is a prerequisite for excellence in Torah serves to contest the emperor’s daughter’s assumption that poor appearance is an indication of poor personal traits, however, it also essentially affirms her initial disparaging statement: it confirms that R. Yehoshua is in fact extremely ugly, and so are the rabbis as a group – at least, the best of them. In other words, this story suggests an overarching characterization of rabbis as unsightly. Of course, one could dismiss this self-identification of R. Yehoshua and his fellow Torah-learners as ugly as a mere jest, as a humorous retort potentially meant to entertain the audience of this story and demonstrate the rabbi’s wit; but two midrashic passages suggest that this self-identification is a recurring theme in rabbinic culture, Palestinian as well as Babylonian. These two midrashic sources contrast the intellectual and spiritual treasures of the disciples of the sages with their being “black and ugly.” In Leviticus Rab-

\textsuperscript{27} This is the reading suggested by most of the traditional commentators; see also Admiel Kosman, \textit{Women’s Tractate: Wisdom, Love, Faithfulness, Passion, Beauty, Sex, Holiness} (Jerusalem: Keter, 2007) 115–21.

\textsuperscript{28} According to the Tosafot’s commentary \textit{ad loc.} in \textit{Ta’anit}, the word is to be read not as the passive participle \textit{sanu} but as the active past tense \textit{seno}. The interpretation suggested by the Tosafot, then, is “If they had hated beauty, they would have been greater disciples of the sages.”
bah 19:3, in a homily on the verse “His head is as the most fine gold, his locks are black as a raven” (Song 5:11), R. Yehudah b. Simon says, “These are the sons of the Torah (bene Torah) who seem ugly and black in this world, but in the world to come they will look like torches of fire.” In Song of Songs Rabbah 1:1, in a homily on the verse “I am black but comely, oh daughters of Jerusalem, as the tents of Kedar” (Song 1:5), it is said: “Just as the tents of Kedar seem black and ugly and raggedy, but inside them there are precious stones and gems, so are the disciples of the sages: they seem black and ugly, but inside them there is Torah, Mishnah, Halakhot and Aggadot.” While both these passages contrast the external appearance of the sages’ disciples with their true value, they also clearly and emphatically – and apparently without any suggestion of irony – identify them as painfully ugly. Whereas in the dialogue of R. Yehoshua with the emperor’s daughter the ugliness of the rabbis is presented with an air of pride, as an endearing quality, the midrashic passages suggest that the unsightly appearance of the disciples of the sages – in the eyes of others or in their own eyes – is a sensitive spot, and part of the rabbinic fantasy of a utopic future includes a transformation of the appearance and sight of the Torah-learners.29

One way of accounting for the presentation of the Sages’ disciples as ugly would be to see it as a rhetorical manner of making a point on the incongruity between appearance and merit. That is to say, by depicting as ugly those who are possessed of the greatest cultural capital (in the rabbinic worldview), the authors of those texts convey the message that looks are inconsequential. Such reading of a literary characterization of a positive figure as ugly has been suggested by several scholars who

29 Presumably, one could see this discrepancy as an indication that the Palestinian rabbis embraced the Hellenistic ideals of beauty, whereas the Babylonian rabbis dismissed them; however, a Babylonian narrative that immediately follows the emperor’s daughter’s story in tractate Nedarim 50b clearly shows that Babylonian rabbis were quite sensitive regarding their depiction as unattractive. It is told of a woman who came to court before Rav Yehudah, and when she was not content with Rav Yehudah’s ruling she protested that Rav Yehudah’s master, the great Babylonian sage Shmuel, would not have ruled this way. To prove that she indeed personally knows Shmuel, she describes his appearance as “stocky with a great belly, black with large teeth.” Rav Yehudah is outraged by the woman’s unflattering description of Shmuel and decrees that she should be ostracized. While this story does not suggest a generalization of all the rabbis, it makes the point that at least some rabbis were hardly indifferent to the depiction of other rabbis as ugly. In both this story and the story of the emperor’s daughter a woman voices her opinion about the unattractive appearance of a sage (although the woman who comes before Rav Yehudah never uses the word “ugly”), but whereas the outsider receives a crafted retort on the value of ugliness to Torah learning, the insider ends up being ostracized.
discussed the unflattering description of the apostle Paul in *The Apocryphal Acts of Paul and Thecla*, in which Paul is described as short and bald with crooked legs and a hooked nose. It was argued that this description, which goes against all the physiognomic ideals of antiquity, serves to contest the Greco-Roman emphasis on beauty and appearance as reflective of character, by stressing that Paul’s great lure, which caused Thecla to follow him and tie her life with his, was not physical but spiritual.\(^{30}\) In a similar vein, J. Albert Harrill discusses 2 Cor 10:10, in which Paul answers to the charges that although his letters are forceful his physical appearance is unimpressive and frail (*parousia tou sōmatos asthenēs*), charges that are guided by a physiognomical suspicion towards those whose appearance does not fit their alleged character. Harrill argues that Paul utilized those charges and embraced this disparaging depiction of his appearance in order to defy the prevalent ideas on the appearance of freemen as opposed to the appearance of slaves.\(^{31}\) However, while we may certainly understand the rabbis’ self-identification as ugly as a way of bolstering their message that the content must not be judged by the vessel, I am inclined to think that this rhetorical enterprise is a creative reaction to actual stereotypes about rabbis – or Jews in general – that prevailed in the Greco-Roman world.

What could cause the rabbis to be considered as ugly and to identify themselves as such? At this point one ought to raise the question whether this self-characterization in rabbinic sources pertains specifically to rabbis or to Jews in general. All the sources examined above refer directly to sages or their disciples and explicitly contrast beauty with Torah, thus implying that ugliness is a not only a characteristic rabbinic trait, but also a crucial component in the making of a sage. Nevertheless, in a broader sense the entire community of Israel can be seen as the bearer of the Torah. Moreover, the overall nature of rabbinic sources as aiming to establish and represent an idealized notion of “Israel” inevitably means that rabbinic identity and “Jewish” identity


as conceptualized in rabbinic sources are often conflated. Thus, while I submit that the dialogue of R. Yehoshua and the emperor’s daughter fleshes out the self-identification of rabbis as ugly, I believe that this theme resonates with a more encompassing image of Jews as uncomely, which seems to have been quite prevalent in the Greco-Roman world.

As Benjamin Isaac has shown, the elaborate physiognomic science of Greek and Roman antiquity included not only distinctions between character traits of different individuals based on their physical appearances, but also ways of classifying members of different ethnic groups by proposing congruities between typical bodily features of different peoples and the qualities thought to be characteristic of these peoples. At the root of this ethnic physiognomy stood, naturally, the view that the Greeks and/or Romans are the standard against which all other groups are measured, and in comparison to which all other groups are by definition found wanting – in beauty and form as in virtues. In this paradigm the Jews were identified, like other Semitic peoples, as inferior in their appearance and bodily stature, not only because they presented somewhat different physical features (they were often shorter, hairier and of darker skin than the Greeks and the Romans), but also because their very position as subordinated and subjugated to the Romans implied inferiority. As Dale Martin observed, in the Roman worldview barbarians and people of lower status were expected to be ugly and deformed.

One of the central bodily features of the Jews on account of which they were considered unattractive was their relatively dark complexion; this is echoed in the midrashic passages cited above that identify the disciples of the sages as “black and ugly.” It is possible that the blackness of the disciples of the sages in these passages should be understood in terms of their great poverty, which is commonly referred to in rabbinic literature as having a blackening affect, but this characterization does

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34 On the political implications of Greco-Roman physiognomy, see Caroline V. Stichele and Todd Penner, *Contextualizing Gender in Early Christian Discourse: Thinking Beyond Thecla* (New York: T&T Clark, 2009) 71–82.
correspond with the broader identification of Jews as dark-haired and dark-skinned. As Abraham Melamed showed in detail, the notion that black complexion and dark features are ugly and unsightly recurs throughout rabbinic literature, and it is very evident that the rabbis shared the view that light colors are superior to darker colors that prevailed in the Greco-Roman world. The self-identification of the disciples of the sages as “black” thus emerges in a context in which blackness is emphatically seen as a despised feature. This suggests that the rabbis not only internalized Hellenistic and Roman aesthetic ideals, but also, at least in some contexts, internalized a view of themselves as ugly and inferior according to these ideals.

While the attributes of darker skin and hair color were common to several of the peoples of the Roman Empire in the regions of the Middle East and North Africa, there was one quintessential feature of Jews that marked them as particularly revolting according to the Hellenistic bodily aesthetics – namely, circumcision. As Peter Schäfer showed, a circumcised penis was seen by the Romans not only as mutilated, but also as hideously ugly and as compromising the body’s entire form. The fact that we hear of Jews seeking cosmetic surgeries to undo their circumcision as early as in the first century CE attests to the fact that this aesthetic view may have been internalized in Jewish circles as well. Finally, it should be noted that since moral traits and physical appearance were seen as inextricably linked in the Greco-Roman world, the recurring reference to the Jews as a “most disgusting race” (taeterrima gens),

37 On the common characterization of the Jews as black, see Alexandra Cuffel, Gendering Disgust in Medieval Religious Polemic (Notre Dame: Notre Dame University Press, 2007) 162–5.

38 See Melamed, Image of the Black, 60–121. In one mishnaic passage we even see an attempt of a sage to describe Jews emphatically as possessed of a perfect skin-tone, not too light and not too dark, which was championed as an aesthetic ideal in the Greek and Roman world: “A bright discoloration appears as dark in the German (germani), and a dark [discoloration] in the Ethiopian (kushi) [seems] bright. R. Ishmael says: The House of Israel, I am their atonement! They are like a box-tree, not black and not white, but intermediate” (m. Neg. 2:1). Even more remarkably, in a later midrashic passage we find that the rabbis identify the Jews not as “intermediate” in their skin-tone but in fact as “German,” as if to distance them as much as possible from the image of blackness: in Genesis Rabbah the sale of Joseph to the Egyptians by the Ishmaelites is referred to as a case of “a kushi selling a germani,” as opposed to the more common case of “a germani selling a kushi” (Gen. Rab. 86:3).


41 On this characterization of the Jews in the Roman imperial context see Isaac, Invention of Racism, 440–91.
notably in the works of Tacitus but also in other sources,\textsuperscript{42} although
directed primarily at Jewish customs and morality, indicates that they
were also seen as physically repulsive.

Thus I suggest that what we see in the dialogue of R. Yehoshua and
the emperor’s daughter is a rabbinic response to the very characteriza-
tion of Jews as ugly by the Romans. That is to say, the emperor’s daugh-
ter not only represents a contesting cultural view of beauty and its
significance, but actually embodies the way in which the Jews were per-
ceived in the cultural world in which they lived. The dialogue, then, is a
confrontation of the rabbis with their image as the Other’s Other – with
the way they themselves, and the group for which they stood, were seen
by the Romans. The mode in which the authors of this story chose to
grapple with this unflattering image was by embracing it, and in fact
proudly turning it into the marking feature of the elitist Jewish group –
that is, the rabbis. The rabbis’ choice to identify themselves as ugly, I
suggest, is part of an attempt to mark themselves as “hyper-Jews” –
that is, to exaggerate their image as epitomes of Jewishness, who are
distinct and identifiable not only among the other nations, but even
among their fellow Jews who are more assimilated into Greco-Roman
culture. Thus, the rabbis defiantly characterize themselves as an elite
Jewish group by emphasizing their complete failure to meet Greco-
Roman aesthetic ideals.\textsuperscript{43}

This embodied rejection of Greco-Roman aesthetic ideals as a marker
of excellence and even choseness can be paralleled with similar themes
in early Christianity. As Peter Brown has shown, early Christians often
presented themselves in explicit contrast to Roman social and cultural
norms,\textsuperscript{44} laying out an inverse world in which losing is winning and
dying is living.\textsuperscript{45} Part of this was establishing the ugly and the despised
as beautiful, starting with Jesus himself, to whom the words of Isaiah
53:2 were referred: “He had neither form nor comeliness, and now we

\textsuperscript{42} See N. W. Goldstein, “Cultivated Pagans and Ancient Anti-Semitism,” \textit{Journal of
Religion} 19 (1939) 346–64; Jerry L. Daniel, “Anti-Semitism in the Hellenistic-Roman

\textsuperscript{43} This is not to say that sages are systematically depicted as ugly in rabbinic litera-
ture. We also see the opposite impulse of describing certain rabbis as surpassing
the Greco-Roman standards of beauty. Most famously, in the Palestinian Talmud we find
that “on the day that R. Yohanan died, the icons bent over. They said: It is because
none of the icons was as beautiful as he was” (\textit{y. Abod. Zar.} 3:1, 42c).

\textsuperscript{44} Peter Brown, \textit{The Body and Society} (New York: Columbia University Press, 1988)
1–64.

\textsuperscript{45} See also Judith Perkins, \textit{The Suffering Self: Pain and Narrative Representation in
look at him who has no beauty and we desire him.” 46 The Desert Fathers were also depicted (and celebrated) as gruesomely unattractive.47 We do not necessarily need to argue for direct influence here; suffice it to say that both patristic and rabbinic thinkers were engaged in an attempt to define themselves vis-à-vis the Roman beauty culture, and one of their trajectories in doing so was to create an opposing ideology in which physical ugliness was embraced and regarded as a sine qua non for real beauty and as an esteemed quality identified with spiritual role models.48

Finally, it is worth mentioning that one more rabbinic tradition creates a connection (a rather morbid one) between the emperor’s daughter, a sage and physical beauty. This tradition does not appear in the Talmud itself but in the piyyut “Ele ezkera” (“those I shall remember”) and is also mentioned in Rashi’s commentary on the Talmud’s statement that Rabbi Ishmael’s scalp is still preserved in the treasury of Rome (b. Abod. Zar. 11b). To quote Rashi’s concise version:

R. Ishmael was a high priest and was among those who were killed by the empire, and because of his beauty the emperor’s daughter’s heart was taken with him. She peeled the skin off his face and preserved it in persimmon, so that it will never change, and it is still preserved in the treasury of Rome.

On the one hand, attributing such overwhelming beauty to R. Ishmael, especially in a Roman context, is a way of outshining the Romans in their own territory: if the emperor’s daughter, who is obviously surrounded by handsome Roman men, is taken with the beauty of the Jewish sage, it can certainly be understood as a defiance of the stereotype that Jews (or rabbis) are ugly. On the other hand, the Roman obsession with beauty is depicted here as fetishistic and deeply inhumane: the emperor’s daughter wishes to keep R. Ishmael alive as a plaything, an object, and when this request is denied, she settles for his beauty alone, robbed of his life. Perhaps we can understand this as an implied criticism of the Roman admiration of “dead” beauty – that is, of statues and

48 It is interesting to see, however, that later Christian texts placed great emphasis on the image of the Jews – particularly of the enemies of Christ – as ugly, and specifically as “black.” See Cuffel, *Gendering Disgust*, 165–72.
images – which was also criticized by philosophers such as Plotinus.\(^{50}\)

More importantly, however, the story suggests that beauty is dangerous, and that under Roman rule it is in fact better to be ugly and go unnoticed than to be beautiful and thereby cruelly objectified and toyed with.\(^{51}\) We may therefore see the self-identification of rabbis as ugly not only in terms of a counter-ideology, but also in terms of self-protection. In the words of R. Elazar in the Babylonian Talmud: “Be black and you shall live” (b. Sanh. 92b).

III. Rome as Leprous

The second story I examine here is part of a collection of four dialogues of R. Yehoshua b. Hanania – three of them with the emperor and one with the emperor’s daughter (b. Hul. 59b–60a). The apparent context for this collection is the Talmud’s discussion of the physical attributes of different animals, among them the *tagras* (tiger?), which is identified as “the lion of bet Ila’ei.” This serves as the trigger for the incorporation of this collection of stories, the first of which mentions this extraordinary lion.

All of the three dialogues with the emperor concern the attributes of God and the inability of any human being (including the emperor himself) to surpass them, and involve an enactment of the emperor’s request or question so that the emperor concretely experiences the lesson he ought to learn. In the first story the emperor claims that if God is like a lion, he can be defeated by a gladiator – and R. Yehoshua brings forth the monstrous “lion of bet Ila’ei,” whose very footsteps make the wall of Rome collapse and the emperor fall down from his throne. In the second story, the emperor asks why God does not show himself and is asked to look directly at the sun. Finally, in the third story, the emperor wants to prepare a meal for God, in response to which R. Yehoshua asks him to

\(^{50}\) Miles, *Plotinus*, 46.

\(^{51}\) Several other stories revolve around R. Ishmael’s beauty and the lethal results of his encounters with the Roman voraciousness for beautiful things. As a child R. Ishmael is taken captive to Rome, possibly because of his beauty, and (interestingly enough) R. Yehoshua b. Hanania redeems him because he is impressed with his wisdom, thus contrasting the Roman ideology with the rabbinic one (b. Git. 58b = Lam. Rab. 4:4; the same story appears in t. Hor. 2:6, but the beautiful child remains unnamed in this version.). In another story R. Ishmael’s son and daughter are sold to slavery – again, because their Roman buyers are impressed with their outstanding beauty (b. Git. 58b) – and the story ends with their tragic death. (In Lam. Rab. 1:46 the same story is told of the two children of Zaddok the priest.)
The meal is arranged on the seashore, and the feast is blown away by the wind and washed into the sea, demonstrating the transience of human actions as opposed to the almightiness of God’s cosmic powers.

Although the emperor is to a certain extent ridiculed in these stories, one cannot say that he is truly humiliated; this is not the case with the fourth dialogue, in which the emperor’s daughter makes a derogatory comment about God and in turn is brutally and mortifyingly disgraced. The creators of this story may have chosen to “feminize” the emperor in this context because it was conceptually easier for them to molest the (literary) body of a woman than the body of a distinguished man. The story reads as follows:

b. *Hul.* 60a (per MS Hamburg 169)

[The] emperor’s daughter said to R. Yehoshua b. Hanania: Your God is a carpenter, for it is written *He lays the beams of his upper chambers* (Ps 104:3). Tell him to make me one yarn-disentangling device! He told her: Let it be [lit. “to life”]. He prayed for mercy (on her), and she was afflicted [with leprosy]. It was the custom that everyone who became afflicted – they would give him a yarn-disentangling device, and he would sit and disentangle yarn in the market of the Romans, so that people would see him and ask for mercy on him, as it was said, *And “unclean, unclean” he shall cry out* (Lev 13:45) – he should let his sorrow be known to the many so that many will ask for mercy on him.52 One day he [R. Yehoshua] found her sitting there disentangling yarn in the market. He told her: What a beautiful yarn-disentangling device my God gave you! She said: I beg of you, ask for mercy that he will take it away from me. He said: Our God only gives, He does not take away.

The story begins with a disparaging comment by the emperor’s daughter about R. Yehoshua’s god, a comment comprised of two parts: a general defamation of the god of the Jews, and a proclamation regarding the way she sees the power relations between this god and herself. She first equates God with a carpenter, allegedly inspired by the very graphic biblical depictions of God as “building” the world, thus implying that he is a god of inferior status.53 The daughter could be implying that the god of the Jews is inferior in respect to another god or gods, but mainly, and more importantly, she makes the point that this god is inferior in respect to herself: she maintains that the god of the Jews should be at

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52 This sentence appears only in MS Hamburg 169 and in a Genizah Fragment, Cambridge T–S F1 (2) 9, and seems like a late and inadvertent incorporation of a famous homily that appears multiple times in the Babylonian Talmud (b. *Shab.* 67a; b. *Mo. Qat.* 5a; b. *Sotah.* 32b; b. *Hul.* 78a; b. *Nidd.* 66a). It does not seem to fit the context of the story here.

53 It is possible, although not entirely verifiable, that this comment is meant to convey a Gnostic position, which identifies the creating god with the inferior demiurge.
her disposal. While her order (“tell him to make me a yarn-disentangling device”) can be taken as a means of pure derision, it also divulges an important component of the imperial state of mind as perceived by the rabbis: the powerful among the Romans think they are entitled to have everything they want and that everyone is their subordinate. It is not inconceivable for the Romans, the story implies, to think that they have subdued not only Israel, but also their God.54

When the emperor’s daughter “asks” for a yarn-disentangling device, she is clearly thinking of it as the epitome of something mundane and unimportant, asking for it in order to convey her disrespect to the god of the Jews: not only is this god to be at her service, but it is also a most trivial and negligible service. R. Yehoshua complies with her derisive request, and his compliance is phrased by the proclamation “to life” – a standard expression of assent, but perhaps also an ironic precursor of the social and possibly physical death that is about to meet the emperor’s daughter. The yarn-disentangling device for which the daughter asks, which has symbolic resonance throughout the story, is called masturit, the root of the word being STR, which means “to undo” or even, in certain contexts, “to destroy.” This device and the semantic connotations of its name play an important role in the theme of positive creation as opposed to negative creation, which is critical to this story. While the daughter asks God to “make her” a masturit – that is, to create something new – the object for which she asks is an object used for undoing, and specifically an object associated in the story with lepers, who pass the time of their disease – that is, their continuous bodily destruction and disintegration – by aimlessly disentangling yarn.

The daughter’s request for a yarn-disentangling device is fulfilled in a particularly cruel way: she indeed gets what she asked for, but it is given to her along with leprosy. When the daughter is afflicted with leprosy, her life as she knew it is quickly and abruptly undone: she loses all her status symbols and is treated, like any other leper, according to the (imagined) Roman customs. She is displayed in the marketplace and engages in the endless, futile activity of untangling knots – an activity that is the opposite of creating something new. Her life now becomes an emblem of worthlessness, of a state in which her only hope is to invoke enough pity in the hearts of people that they will “ask for mercy on her.”55 She, who thought that even God was at her disposal, is left

54 Cf. b. Git. 56b. According to the story there, Titus believed that he had killed God after his sword came out from the chamber of the Holy of Holies dripping with blood.

55 Interestingly, the effective prayer of R. Yehoshua to God for “mercy” resonates with the comment that the Romans “ask for mercy” when they see the lepers; it is not
with nothing but what she asked for – a *masturit*, a symbol of destruction. When she tells R. Yehoshua (who is clearly jubilant at her calamity) “tell your god to take it away,” he tells her that his God only gives and does not take away, or in other words, that He only creates and does not destroy. Even her “destruction” is, in these terms, a form of divine creation.

On the most basic level, this story is a fantasy of malicious delight (*Schadenfreude*), in which the degrader is degraded and the powerful becomes powerless. On another level, this story presents a theological debate: it confronts the notion that the God of the Jews is essentially inferior (either because of His role as creator or because of His alleged “loss” to the gods of Rome) and then overthrows this notion by showing the absolute power of God over Rome as manifested in the imperial *gens*. The level with which I am concerned here, however, is that of bodily identity and bodily otherness as reflected in the theme of leprosy.

The most immediate aspect of leprosy in the context of this story is, of course, the way it entirely disrupts – indeed, undoes – the life of the person afflicted with it. In the late antique (as well as the medieval) world, leprosy is probably the most horrific form of calamity, since it combines destitution, social degradation and physical suffering; in many ways, the leper is dead while still alive.56 Gregory of Nazianzus (329–389 CE) described lepers as “wretched remnants of once-human beings … They are driven away from the cities, driven away from their homes, from the market-place, from public assemblies, from the streets, from festivals and private celebrations, even – worst of all suffering – from our water! … They wander around night and day, destitute and naked and homeless, showing their disease publicly … asking for a bit of bread or some tiny scrap of food, or for some tattered rag to protect their modesty and offer some relief to their sores.”57 Afflicting the emperor’s daughter with leprosy was the most efficient way of rendering her misfortune and defeat. Moreover, leprosy is famously associated with two sins with which the emperor’s daughter can be accused: defiance of...
authority and slanderous speech. Biblical narratives describe how and why protagonists such as Miriam, Gehazi and King Uzziah contracted leprosy: Miriam contested the superiority of Moses (Num 12:1–16); Gehazi disobeyed Elisha’s orders (2 Kgs 5:21–27); and King Uzziah wanted to assume the role of a priest and burn incense in the Temple (2 Chr 26:16–23). The famous midrashic pun metsora = motsi ra (leper = slanderer) identifies leprosy as a punishment for malevolent speech.⁵⁸ Leprosy can therefore be seen as an appropriate punishment for the emperor’s daughter’s remark about God as a carpenter.

However, since the emperor’s daughter functions in the narrative as an emblem of Rome, we must ask ourselves what it means for Rome to be a “leper.” Indeed, the author of this story implies as much by making the comment on the Roman custom of placing lepers in the marketplace, thus identifying the Roman public sphere with leprosy. As we can infer from Gregory’s quote above, which mentions the marketplace as a place from which lepers were normally excluded, it is quite implausible that this was a customary dwelling place for lepers. In Rome, as in most places, people with lethal illnesses (including leprosy) were usually relegated to the margins of the town and distanced from its center.⁵⁹ By stating that in Rome lepers were located in the center of the city, in stark contrast not only to biblical law (which requires their placement “outside the camp,” as mentioned in Lev 13:46 and Num 5:2), but also to what was probably seen as commonsensical at the time, the story presents the city itself, like the woman who represents it, as infected. Descriptions of the city of Rome as hopelessly diseased and filthy and as harboring illness and death – “an urban dystopia” in the words of Neville Morley – are recurrent in the works of Roman poets such as Horace and Juvenal: “Rome is portrayed as an over-crowded, filthy slum, its streets choked with rubbish and roamed by dogs, muggers and vultures; the lives of the majority of its population are seen to be squalid, miserable, and above all, short.”⁶⁰ It is quite possible that the rabbinic implication that the city is a “leprosarium” can be seen as corroborating an existing negative image of Rome.

An explicit identification of Rome with leprosy appears in Leviticus Rabbah, in a passage in which the four kinds of skin afflictions men-

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⁵⁸ Lev. Rab. 16:1.
tioned in Leviticus 13 are allegorized as the four major empires: “a spot (se’et): this is Babylonia … a scab (sapahat): this is Media … a discoloration (baheret): this is Greece … leprosy (tsara’at): this is Edom (=Rome)” (Lev. Rab. 15:9). Interestingly enough, the first three skin conditions are potentially ritually pure; it is only leprosy (i.e., the fourth kingdom) that is a definite source of impurity. There is no question, then, that in this midrashic passage Rome is seen as the worst of all empires, and its identification with leprosy is used to convey this idea.

The rabbis were not exceptional in their use of the theme of leprosy to derogate those they despised. As Alexandra Cuffel showed, in late antique and medieval culture the rhetorical charge of leprosy was commonly raised as the ultimate weapon against members of rival groups. In the ongoing attempt to construct the other as an Other, significant effort was often taken to depict the Other’s body as repulsive, foul-smelling, physically ugly, filthy and prone to disease. Marking the Others’ body with leprosy, which was seen as the epitome of physical deformity as well as a proof of God’s wrath, was one of the most prevalent ways of portraying Others as invoking disgust and horror. However, I suggest that the rabbinic depiction of Rome as leprous, and more specifically the construction of its leprous state as a form of defeat by the Jewish God and the witty and victorious Jewish sage, can be seen as a response to the deep-rooted Hellenistic stereotype that marks Jews as lepers.

A popular story on the origin of the Jews, according to which they started off as a group of lepers who were expelled from Egypt on account of their disease, first appears as early as the third century BCE and continues to be told and adapted throughout the following centuries until it reaches its utmost pungency in the works of Tacitus in the early second century CE. Thus Tacitus writes in his Historiae 5.3:

Most authorities … agree on the following account. The whole of Egypt was once plagued by a wasting disease which caused bodily disfigurement (corpora foedaret). So pharaoh Bocchoris went to the oracle of Hammon to ask for a cure, and was told to purify his kingdom by expelling the victims to other lands, as they lay under a divine curse. Thus a multitude of sufferers was rounded up, herded together, and abandoned in the wilderness …. But one of them, who was called Moses, urged his companions not to wait pas-

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61 See also Lev. Rab. 15:14: “When the children of Israel heard the laws regarding skin-afflictions they were filled with fear. Moses then told them: Have no fear; those [afflictions] are designated only to the nations of the world, but you are designated to eat and drink and rejoice, as it reads, Many sorrows shall be to the wicked but he who trusts the Lord, grace shall encompass him (Ps. 32:10).”

62 Cuffel, Gendering Disgust, 156–97.

63 See Schäfer, Judeophobia, 15–32.
sively for help from god or man, for both had deserted them: they should trust to their own initiative and to whatever guidance first helped them to extricate themselves from their present plight .... 64

Alongside the notion that the Jews originate from a group of expatriated lepers who were united into a people by Moses, we find statements of Roman authors such as Pliny and Celsus 65 according to which leprosy (or what they called elephantiasis) was not native to Italy but emphatically originated in Egypt, wherefrom it was brought to Rome by foreigners. 66 While these authors do not suggest that it was specifically the Jews who brought leprosy along with them to Rome, the very identification of the Jews as strangers in the land also identified them, in the Roman view, as bearers of diseases and detriments, 67 of which leprosy could be one.

I thus suggest that the dialogue of R. Yehoshua b. Hanania with the emperor’s daughter, in which the daughter embodies the defeat of Rome through the corporeal calamity of leprosy, be read as a cultural response to the Hellenistic and Roman view of the bodies of Jews as repulsively diseased and afflicted. As in the narrative we examined earlier, the authors of this narrative utilize the setting of the dialogue to grapple with their self-perception as the Other’s Other – that is, to confront the ways in which the Jews were unflatteringly imagined by the Romans. In this story, however, the confrontation does not take place by talking about the bodies of the Jews, but by using the body of the emperor’s daughter as a screen on which to project the bodily image of the Jews. By presenting the emperor’s daughter as afflicted with leprosy – indeed, as seeking the help of the sage to save her from this condition – the creators of this story reverse the cultural stereotype and introduce the Jewish/rabbinic body as healthy and sound (“to life!”), as opposed to the diseased and deformed body of the imperial protagonist.

What we see in these two dialogues, then, are two different modes of negotiating bodily otherness in the construction of self-identity. In both stories the dialogue between the sage and the emperor’s daughter entails

a confrontation with a deviant body that is perceived as hideous and marked as culturally different. In both stories, I have suggested, the hideous body is the image of the Jewish body as seen by the Romans (or as the rabbis believed it was seen by the Romans) – that is, it is an unflattering mirror in which the Jew sees himself as distinctly Other to the dominant culture. However, whereas in the first dialogue the rabbis embrace this bodily otherness and even celebrate it as an esteemed marker of the elite group, in the second story they overturn the picture and present the Roman body as deformed and revolting. Put differently, in both these stories the emperor’s daughter presents a mirror through which the sage sees his reflection in Roman eyes, but, while in the first story the sage steps into the mirror and says, “Yes, this is what I am,” in the second story he snatches the mirror from the daughter’s hands, places it in front of her and says, “No, this is what you are,” thus positioning himself as the norm against which the Other – in this case, Rome – is construed as deviant.

IV. Becoming Others, Becoming Jews

In his work on bodily images of Jews in fin-de-siècle Europe, Sander L. Gilman powerfully makes the point that Jewish identity, like any other kind of cultural or ethnic identity, is continuously negotiated and constructed through processes of interaction with non-Jewish others, against whom Jews measure themselves and against whose prejudice about Jews, Jews conceptualize what they are:

[Identity is a combination of internal and external, psychological and social qualities – you are always where you are, not who you are ... Identity is a dynamic process – not a fixed point. Seen in this light, there is no such thing as a “purely” Jewish identity: from the prebiblical world to the Babylonian Diaspora to the world of Sepharad or Ashkenaz, Jews – like all people – have formed themselves within as well as against the world that they inhabited, that they defined, and that defined them.]

Thus Gilman suggests that being a Jew cannot be seen as a state of being but as constant becoming, and this process of becoming – of constructing oneself as a Jew in changing contexts and circumstances – is in essence a process of becoming Other to the non-Jew. In other words,

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the notions of Jews about themselves are inextricably linked, whether in a link of appropriation or in a link of defiance, to the notions of non-Jews about Jews.

I have examined two rabbinic literary scenes of interaction with an emblematic Roman figure as arenas in which the rabbis confront their image as Others and construct their own identity as Jews and as an elite group among the Jews, vis-à-vis this otherness. I focused on one of the most fundamental sites, and perhaps the most immediate site, of ethnic and cultural otherness – namely, the image of the Jewish body as critically different from and inferior to the Greco-Roman body. The two dialogues between R. Yehoshua and the emperor’s daughter reveal different strategies used by the rabbis in confronting the perceived physical infirmity and unsightliness of the Jews – from embracing it and celebrating it to defying it and projecting it on the dominant group. The Roman interlocutor in both stories, however, functions not only as a representative of contesting theological or philosophical views in these dialogues, but as a mirror through which the rabbis view themselves and specifically their physical appearance.

These stories thus turn our attention to the embodied dimension of Jewish and rabbinic identity as an ethnic minority – that is, to the experience of being seen as inhabiting bodies of a lesser standard – and remind us that the encounters of rabbis and/or Jews with cultural Others, whether real or imagined, were not only encounters of doctrine, but also encounters of visual images and bodily stereotypes. Furthermore, these stories poignantly illustrate that the cultural encounter with the Other is ultimately an encounter with oneself as seen through the internalized eyes of the other. It is through these internalized eyes that the disciples of the sages self-identify as “black and ugly” and define the incongruity between their appearance and their content as the feature through which they become Jews, and become sages.
A New Reading of the Three Dialogues in Mishnah Avodah Zarah*

AMIT GVARYAHU

“Rabbi Benaya said: One should always dwell deep in mishnayot. For if he knocks, they will reveal to him – if [on the door of] study, study; if [on the door of] Aggadah, Aggadah.”¹

Mishnah Avodah Zarah discusses and describes the laws pertaining to relationships between Jews and the Gentile world that they inhabit. It is also studded with narrative, dialogue and homily: approximately 20 percent of the tractate belongs to at least one of these genres. The combination of legal and non-legal material in this tractate makes the tractate a perfect starting point for any discussion of the complex relationships the rabbis had with Others around them and the laws they shaped for dealing with them and their world.

Within the tractate there are three dialogue-stories between rabbis and Gentiles or between rabbis about Gentiles. These stories share various formal textual traits. First, they are dialogues. Second, they all begin with the verb sha‘al, which in this context has the technical mean-

¹ Thanks are due to Sarit Kattan-Gribetz for the kind invitation to the workshop “Rabbis and Others in Conversation” at Princeton in 2009 and Moulie Vidas for his warm hospitality while I was there, and both for their generous and meticulous editing work. I am also grateful to Christine Hayes, who responded to this paper, and to Mira Balberg, Yair Furstenburg and especially Ishay Rosen-Zvi, who read the paper and furnished extensive notes and kind advice. Thoughtful advice and references also came from the anonymous reader, whom I thank as well. Hebrew texts are not quoted in this paper for editorial reasons. Translations are all my own and are based on MS Kaufman A50 for Mishnah and MS Vienna 40 for Tosefta. Other sources were quoted and studied according to their manuscripts. Critical editions were also consulted (and are referred to in the notes when necessary). The discerning reader is advised to consult these sources as well. With some exceptions, bibliography is updated to 2010.

¹ Lev Rab. ed. Margulies, 481, according to MS London 340.
ing of “posing a halakhic inquiry.” That is, they are all etiological dialogues, as attested by the shared inquiry *mipenei mah* (“for what reason?” “in light of which factor?”). Each of these dialogues has been read extensively on its own, as if analyzing the dialogue in isolation was sufficient for understanding the “rabbinic” approach to the problem posed therein. The problems in the tractate that are worked out in the set of dialogues, however, are greater than those within each single dialogue. A comprehensive approach that attempts to pinpoint the function of the three dialogues as part of the larger tractate will, I believe, lead us to a deeper understanding of the tractate, or at least of some of the problems that it so artfully covers up.

This paper is an attempt to understand the construction and redaction of this tractate through the study of these dialogue-stories and their context. It will demonstrate sensitivity to genre and aesthetics in exploring questions of higher criticism. Additionally, I explicate the role of the dialogues as a stylistic and rhetorical device in the shaping of tractate Avodah Zarah. This will be a three-fold process. First, I read the dialogues as “stories.” Next, I examine them in light of the collections of *mishnayot* into which they are embedded. Finally, I present a reevaluation of the place of these dialogues in the overall textual structure of the tractate.


3 This question is quite rare in the Mishnah (it appears sixteen times in MS Kaufmann) and appears in stories only here. (My use of the designation “stories” follows Moshe Simon-Shoshan, “Halacha Lema‘aseh: Narrative and Legal Discourse in the Mishnah” [PhD diss., University of Pennsylvania, 2005].)

4 For literature, see notes on each dialogue below.

5 Two prerequisites for such a study – textual criticism and a philological study – were filled by David Rosenthal, “Mishnah Avodah Zarah: A Critical Edition and Introduction” (Heb.; PhD diss., Hebrew University of Jerusalem, 1980) [hereafter: Rosenthal, *AZ*].

6 In this respect, it is a departure from Moshe Simon-Shoshan, “Halachah,” 81–82, who does not wish to “impinge” on the source-critical debate: “The claim that on a literary-linguistic level, the Mishnah is composed of a diversity of genres and forms is not contingent on the question of whether the Mishnah is made up of different strata and diverse sources on the historical-philological level, or the extent to which these strata and sources were integrated in the editorial process.” Indeed, it is not necessarily contingent, but in this case it is.

7 Simon-Shoshan’s framework for regarding “narrative” as part of the warp and woof of almost every mishnaic text, and differentiating between various “levels” of narrativity in the text, is quite compelling. See esp. chs. 1 and 2 of his “Halachah.” For a survey of those before him who introduced literary methods into the study of rabbinic literature, see his introduction, idem.
David Rosenthal posited that what we know today as Mishnah Avodah Zarah consists of two separate compositions: chapters 1–4 are “tractate Avodah Zarah,” which we shall discuss in this paper. This tractate has a typical homiletic ending at 4:8. Chapter 4:9 to the end of the tractate is a separate composition, which could be termed “tractate Libated Wine” (yeyn nesekh). The two tractates are distinct from one another in various stylistic points, in the focus of the latter specifically on Gentile wine as opposed to other food of the Gentiles, and in the names of the sages in the latter half, which are later than those in the first half. The second half also features more exempla than the first half. I find this theory of two separate compositions quite convincing, and this premise, though not without difficulties, is the basis of our current study.

A. Mishnah Avodah Zarah 2:5

The first dialogue in the tractate is a conversation between R. Ishmael and R. Joshua on the subject of Gentile cheese.

R. Judah said: R. Ishmael asked R. Joshua when they were on the road, “Why did they forbid the cheese of Gentiles?”
He said: “Because they ferment it in the stomach of a carcass.”
He said: “But the [prohibition of the] stomach of the burnt-offering is more severe than [that of] a stomach of a carcass,”
and they said: “A priest who is of ‘sound’ mind slurps it raw,” and the sages did not agree but said: “No benefit may be derived [from it], but it is not a sacrilege (ein nehenin ve-ein mo’alin)?”
They said to him: “Because they ferment it in the stomach of calves [dedicated to] idolatry.”
He said: “If so, why did they not forbid benefit derived from it?”
He led him to a different matter.
He said: “Brother Ishmael, how do you read: for your love is better than wine (Song 1:2), in the masculine (dodekha) or in the feminine (dodayikh)?”
He said: “In the feminine.”
He said: “It is not so, for his companion [i. e., the next verse] testifies, to the smell of your good oil (Song 1:3) [in the masculine, shemanekha].”

R. Ishmael seems to be asking an innocent question: why did the rabbis forbid the cheese of Gentiles? He receives no good answer. R. Joshua tries to explain that Gentile cheese is forbidden because it is fermented in the stomach of a carcass. However, the milk in the stomach of the

8 Rosenthal, AZ, 1:261–263.
9 A full apparatus of Mishnah variants may be found in Rosenthal, AZ. Brackets indicate notes by the author.
10 m. Avod. Zar. 2:5.
carcass may be consumed, according to rabbinic halakhah. This is proved by R. Ishmael with an inference from a similar case, in which the stomach of a burnt offering may be consumed: although the offering is forbidden more severely than a carcass, a priest passing by the offering burning on the altar may slurp fermented milk from its stomach. R. Joshua then tries to argue that Gentile cheese is forbidden due to the laws of idolatry, but R. Ishmael refutes this explanation by pointing out that benefit derived from the cheese is permitted, unlike all other derivatives of idolatry. R. Joshua gives up, and “leads” R. Ishmael to a different matter.

Shlomo Naeh has suggested that this conversation is no innocent exchange: R. Ishmael knows that there is no answer to his question; he asks it simply to make a theological statement about forbidden Gentile foods more generally. R. Joshua tries to use a formalistic framework of specific prohibitions to explain the reasoning behind every forbidden Gentile item. In the end, however, formalism makes way for theology – just as R. Ishmael planned. R. Ishmael forces R. Joshua to agree that formalistic distinctions have no place in deciding which foods are forbidden. Using the verse from the Song of Songs, and its allegorical interpretation, he reads “for your love is better than wine” to mean “the love of God is better than wine”: the people of Israel love their God more than Gentile foods, wine and oil, and therefore do not partake of such Gentile foods. Though R. Joshua does not answer R. Ishmael’s specific question about cheese, he offers a rationale for all forbidden Gentile foods as a unit. They were forbidden by the Jews, or the rabbis, because Jews (or rabbis) love God more than wine or oil. This, Naeh persuasively explains, is the precise meaning of “he led him to a different matter” (hissi’o ledevar aher), R. Joshua is questioning the premise of the

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13 That Gentile foods are forbidden per se is a prevalent opinion in Second Temple literature. See, most recently, David C. Kraemer, Jewish Eating and Identity through the Ages (London: Routledge, 2007) 25–38. See also Christine Hayes, Gentile Impurities and Jewish Identities: Intermarriage and Conversion from the Bible to the Talmud (New York: Oxford University Press, 2002) 108, 138–144. Hayes contends that foods can either be prohibited due to Gentile impurity or due to the fact that the foods themselves contain a prohibited substance. This dichotomy seems a bit problematic: some foods (for example, the bread of the Gentiles or the oil of the Gentiles) can be forbidden because they belong to Gentiles, not because they are impure – and Gentiles, since they are impure, like those with genital influxes, can render food impure, but this does not necessarily make the food forbidden.
question R. Ishmael is presenting: ask not, he says, why it is prohibited; it is prohibited, as are all other Gentile foods.

The story in the Mishnah, however, is situated in the midst of a sequence of mishnayot; an analysis of the exchange between R. Ishmael and R. Judah in its proper literary context will further illuminate its purpose within the tractate. The mishnayot into which this story is placed are arranged in descending order of severity, from the most severe prohibitions to the least severe ones:

1. These are items of Gentiles that are forbidden, and from which no benefit may be derived: […]
   Meat on its way into a temple of an idol is permitted; and on the way out it is forbidden, for it is similar to the “offerings of the dead” (Ps. 106:25) – the words of R. Akiva.
   Those who are on their way to worship […]\(^1\).\(^4\)
   2a. Wine belonging to a Jew that is stored in wineskins of Gentiles or their jugs is forbidden, and no benefit may be derived from it – the words of R. Meir;
     the sages say, benefit may be derived from it.
   2b. Murries\(^1\) and cheese bithuniak\(^1\) of Gentiles are forbidden, and no benefit may be derived from them – the words of R. Meir;
     the sages say, benefit may be derived from them.
   2c. Stones of grapes and grape skins of Gentiles are forbidden, and no benefit may be derived from them – the words of R. Meir;
     the sages say, benefit may be derived from them.
   The story of R. Ishmael and R. Joshua
   3. These are items of Gentiles that are forbidden, but benefit may be derived from them: […]
   4. These may be consumed: […]

\(^1\) The matter of “those who are on their way to worship” (tarafut) is an interpolation introduced here based on the stylistic similarity of that mishnah with the previous one. In both, those who are “going in” have one status (meat is permitted, worshippers forbidden), and on the “way out” the status is reversed (meat is forbidden, worshippers are permitted).


\(^1\) “Cheese bithuniak” is not a kind of cheese. Bithuniak is merely a Greek gloss on “cheese” that means “Bythinian.” Just as “Asakalonia” means “onions (from Ascalon),” so “bithuniak” means “cheese (from Bythina).” See Rosenthal, AZ, 258–259. It is also a gloss in t. Avod. Zar. 5:13 and t. Shevi. 5:9. In later sources, however, there is a distinction between cheese and “cheese bythuniak”; see b. Avod. Zar. 34b.
There are four units in this collection. Unit 1 enumerates products from which no benefit may be derived. These include wine and wine products, as well as other by-products of idolatry (“hearted hides”). Unit 2 features products similar to those in unit 1 according to the opinion of R. Meir, but similar to those in unit 3 according to the sages. Unit 3 enumerates products that everyone agrees are forbidden but from which benefit may be derived. Unit 4 lists products that are permitted even for consumption. Without the dialogue, the division between units and the gradual easement of prohibitions from unit 1 to unit 4 would be obvious. The dialogue is inserted at the center point of the collection, and it does not fit into the neat structure of descending severity upon which the collection of mishnayot is based.

Following Naeh, I see this dialogue as ending on an emphatic note: formalistic distinctions are no impediment to the love of God that is manifest in the avoidance of Gentile food according to the laws in the Mishnah.17 If so, the conclusion of the dialogue, which contends that all Gentile foods are forbidden equally, is out of place in a collection of mishnayot that posits that some Gentile foods are in fact forbidden more than others.18 The prohibition of wine and oil, the two items cited by R. Joshua in the verse to which he is referring, are not identical: benefit derived from wine is forbidden, whereas benefit derived from oil is not.19 The mishnayot

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17 This is not to say of course that the author of the dialogue does not know of such distinctions, as two of them come up in the course of the dialogue! The author, and R. Joshua, know of such distinctions but undermine and virtually delegitimize them.

18 It is interesting, however, that R. Ishmael and R. Joshua both agree in their argument that benefit derived from cheese is not forbidden. This means that R. Joshua’s homiletical answer, appealing as it is, does not actually even fit the facts of the question.

19 On oil, see Rosenthal, AZ, 166–174; Zvi Aryeh Steinfeld, “Concerning the Prohibition Against Gentile Oil” (Heb.), Tarbiz 49 (1980) 264–77; Martin Goodman, “Kosher Olive Oil in Antiquity,” in A Tribute to Géza Vermès: Essays on Jewish and Christian Literature and History, ed. P. R. Davies and R. T. White (New York: Continuum, 1990) 227–245; and recently, Jordan Rosenblum, “Kosher Olive Oil in Antiquity Reconsidered,” JSJ 40 (2009) 356–365. Vermes sees the repeal of the decree on oil as the work of a confused halakhist; Rosenblum believes it is an economic enactment. Rosenblum calls the insertion of the emendation “Rabbi and his court allowed oil” an “editorial insertion” (p. 359). This is a terminological blunder, unless he means something like “copy-editor,” someone reading a manuscript and inserting a gloss which is not part of the Mishnah at all. The gloss is attested in two different formulae; various MSS use different names – within these two formulae – for the authority who “allowed” the oil, and it is attested in different places within the Mishnah in various MSS, a clear sign of a late interpolation into a work. Moreover, in many good witnesses of the Mishnah there is no gloss (see Rosenthal, AZ, edition ad loc.). As Rosenthal has shown (AZ, 166–174), the authority that permitted the oil is R. Judah Nesi’ah, Rabbi’s grandson, who flourished around 260 or even 270. The interpolation was not known by Rav and Samuel, meaning that it did not hark back to the circle of Rabbi.
distinguish, for example, between Gentile milk that has been milked un-
supervised and milk that was milked under supervision; between meat
going into the house of an idol and meat coming out; and between wine
and wine derivatives, from which benefit is forbidden, and all other pro-
ducts, which are simply not to be consumed. These distinctions make
sense only in the context of discreet prohibitions, such as forbidden
admixtures and idolatry, not in the context of a blanket prohibition on
Gentile food.20

At the same time, of course, our mishnah offers a blanket justification
for the prohibitions on Gentile foods. This justification is much stronger
than the individual justifications apparent from the mishnayot in the
collection. It is plausible that the dialogue was introduced to provide
such a justification for the collection as a whole – according to the
dialogue. But while the “theological” reasoning of the dialogue is more
compelling, because it encompasses all the forbidden food-items and
provides for the arbitrariness of the system (things are the way they
are because they are the way they are), it also hangs on a thread, since
it cannot be supported by any previously known system of food laws
(such as kashrut or the prohibition on idolatry). The Talmudim, due
to this exchange, are hard-pressed to find a good reason for the prohibi-
tion of cheese.21 The dialogue therefore offers a justification for the

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20 Naeh, “Love.” This is precisely as Hayes contends (see n. 7 above); but Hayes’s
opinion is only one opinion that prevailed among the rabbis, and the dialogue presents
a differing opinion. Jordan Rosenblum, Food and Identity in Early Rabbinic Judaism
(Cambridge: Cambridge University Press, 2010) 83–90, attempts to explain these pro-
hibitions on the ground of the identity of the party preparing the food. This would go
well for milk, but not for “hearted hides” or meat going into the house of an idol.
Additionally, I am not sure that the mere “supervision” of a Jew over a Gentile milking
a goat constitutes a relationship of “chef” and “sous-chef” between them, as Rosen-
blum posits for cheese (ibid.).

21 See y. Avod. Zar. 2:4–5, 41c for a multitude of reasons for this prohibition, none of
which is especially convincing. The Bavli distinguished between cheese from Bythinia/
beit oniake (see n.9 above) and “regular” Gentile cheese, and discussed the latter on 35b.
For subsequent controversies over Gentile food items, see Sefer hiluf minhagin bein
benet erez israel uvein benei bavel, ed. B. M. Levine (Jerusalem, 1942) and Hahilukim
shebein anshe mizrah uvenei erez israel, ed. M. Margulies (Jerusalem, 1938) §§10 (cheese
and milk), 30 (bread), 53 (cooked food). (These are two editions of the same work,
which enumerates a number of differences in ritual and practice between Babylonian
and Palestinian Jews. Ed. Levine is a collection of citations, while ed. Margulies is a
critical edition from manuscript material.) Pirqoi ben Bavoi chastised Palestinian Jews
for their leniency over these matters. See Neal (Nahman) Danzig, “Between Palestine
1–32 and Robert (Yerahmiel) Brody, Pirkoi ben Bavoi and the History of the Inter-Jewish
Polemieic (Tel Aviv: Tel Aviv University, 2003). See also the opinion of R. Jacob Tam
(12th c.) in Teshuvot ufesakim, ed. Kupfer, 32 (“For myself, I permit the cheese of
Gentiles”) and the various opinions presented in Tosafot, Avod. Zar. 35a, s. v. “hada.”
prohibition on all Gentile foods, but it does not fit with the thrust of the collection of mishnayot that it is meant to justify.

B. Mishnah Avodah Zarah 3:4

The second dialogue in the tractate recounts an exchange set in a bathhouse in Akko.22

Paraklos b. Plaslos asked Rabban Gamaliel in Akko, as he was bathing in the bath of Aphrodite.

He said, “It is written in your Torah, none of the herem24 shall cling to your hands (Deut 13:18); why then do you bathe in the bath of Aphrodite?”

He said, “Answers are not given in the bath.”

And when he left, he told him, “I did not come into her precinct (gevu- lah), she came into my precinct. They do not say, let us make a bath a decoration for Aphrodite, but Aphrodite is made a decoration for the bath. Another thing: were they to give you much money, would you come to your idol naked and impure of seminal emission, and urinate in front of her? This one stands on the sewer, and all the people urinate in front of her. It says their gods (Deut 12:2). That which is treated like a god is forbidden, and that which is not treated like a god is permitted.”25

Paraklos26 and R. Gamaliel were bathing together in Aphrodite’s bath in Akko. The former, deridingly nicknamed “ben Plaslos” or “bean-

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25 This is the vocalization in MS Kaufman; MS Parma 3173 (De Rossi 138) is not vocalized here, but the spelling there reflects a similar vocalization. See Rosenthal, AZ, edition ad loc. for variants.
man,” asks R. Gamaliel why he is deriving benefit from the bath of Aphrodite. Your Torah, says Paraklos, explicitly forbids benefit derived from idols, for the verse says “and none of the condemned things shall cling to your hand” (Deut 13:18). Four alternative answers are provided in the name of R. Gamaliel:
1. Answers are not given in/on the bath.
2. I did not come into her limits.
3. They do not say, “Let us make a bath for Aphrodite.”
4. The idol is permitted, for this is not how a god is treated.

First, note that the answers shift from the bath to the goddess. The answer “we do not give answers in/on the bath” can be interpreted as “perhaps we should not be having this discussion at all.” Then R. Gamaliel addresses the area around the goddess, her precinct, temen about the building at the center of the sacred precinct (temple/bath). The final answer, the linchpin of the entire dialogue, focuses on the idol itself and the mode

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27 Yadin, “Question,” prefers the reading Plosos, attested in the Babylonian witnesses of the Mishnah, because there is no “Plaslos” in the Greek onomasticon (per Avraham [Adi] Wasserstein, “Rabban Gamaliel and Proclus of Naucratis” (Heb), Zion 45 [1980] 257–267). Dov Zlotnick, “Proklos ben Plaslos” (Heb), in Saul Lieberman Memorial Volume, ed. S. Friedman et al. (Jerusalem and New York: Jewish Theological Seminary, 1993) 49–52, points out that plaslos is the Yellow Lupin (Lupinus Luteus); see m. Kil. 1:3 and t. Kil. 1:2, as well as Yehuda Feliks, Plants and Animals of the Mishnah (Heb.; Jerusalem: Institute for Mishnah Research, 1985) 124.

28 Rosen-Zvi, “High Places,” points out that Paraklos is using the rabbinic interpretation of Deut 13:18 in his question, which understands the verse as referring to a prohibition on idols and benefit derived from them, not an obligation to destroy them, as is inherent in the term herem. This, explains Rosen-Zvi, frames the discussion from its very inception in terms of prohibition. According to the verse he quotes, Paraklos could well have asked why Gamaliel does not ransack the bathhouse, but he does not, and this choice is significant.

29 As the anonymous reader of this article suggested, this may be read as an anticipation of R. Gamaliel’s final response: bathhouses are not suitable arenas for religious engagement – neither R. Gamaliel’s religion, nor that of his interlocutor (see also below, n 34.)

in which it is treated by its visitors. Second, we see that none of these replies is satisfactory at all. The first one is not even much of an answer – it is an avoidance of the question. The other three answers make no sense: although the ritual status of the bath in Roman religion is a point of contention,31 this bath was made for Aphrodite, and R. Gamaliel did indeed come into her precinct: it was, after all, “the bath of Aphrodite.” As the Bavli already points out, if the bath was made for Aphrodite, then that is how the god is worshipped.32 Indeed, the Talmudim do not hold these answers in high regard.33

The Tosefta contains perhaps the first attempt to bring R. Gamaliel’s homily in line with the rest of the Mishnah, by using it as a justification for the laws of nullification.

And could all idols nullified by Gentiles be forbidden? Scripture says, the statues of their gods (Deut 12:3) – those that are treated like God are forbidden, and those which are not treated like God are permitted. And could

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31 See Friedheim, “Bath,” and Yaron Zvi Eliav, “On Avodah Zarah in the Roman Bath – Two Notes” (Heb.), Kathedra 110 (2003) 173–180, esp. n. 10. Eliav’s contention on p. 180 that the bath was “public” is conjectural. See also Shelley Hales, “Aphrodite and Dionysus: Greek Role Models for Roman Homes?” in Role Models in the Roman World: Identity and Assimilation, ed. S. Bell and I. L. Hansen (Ann Arbor: University of Michigan Press, 2008) 235–255. Compare this to Halbertal’s contention (“Coexisting,” p. 166) that R. Gamaliel is attempting to describe the bath as neutral space, so as not to allow idolatry to claim what is in his mind rightfully his, as part of the public sphere (note also that if the first reply of R. Gamaliel does indeed prefigure the last reply, then he is marking the bath as off-limits to all religions, making it completely neutral). Eliav, ibid., points to flaws in Halbertal’s “neutrality doctrine,” as does Beth Berkowitz, “The Limits of ‘Their Laws’: Ancient Rabbinic Controversies about Jewishness (and Non-Jewishness),” IQR 99 (2009) 121–157. Berkowitz points out that it was the school of R. Akiva that attempted to create neutral spaces, while the school of R. Ishmael was more suspicious of this tendency. Even the school of R. Akiva, however, would be hard pressed to call the bath of Aphrodite a “neutral space.” Berkowitz also makes important observations on the problems inherent in assuming the rabbis – or any other ancient intellectual group – even had a concept of “neutrality” in their world; see pp. 155–157.

32 As stated by m. San. 7:6, and perhaps significantly nowhere in m. Avod. Zar.: “He who defecates (pó’er ‘atzmo) before Baal Peor [is liable], for such is his worship. He who throws a stone at Mercurius [is liable], for such is his worship.” Mercury-Hermes was indeed worshipped by stone-throwing (as suggested by the very name Hermes, meaning “of the heap [of stones]”); see W. K. C. Guthrie, The Greeks and Their Gods (Boston: Beacon, 1954) 88 and n. 5. Baal Peor, however, had nothing to do with the sort of worship attributed to him (see K. Sprock, “Baal of Peor,” in Dictionary of Deities and Demons in the Bible, ed. K. van der Toorn et al. [Leiden: Brill, 1995] 147), and the attribution seems to be a folk etymology for an obscure name of an unknown god. See also the cycle of tales regarding Baal Peor in Sifre Num 131.

33 y. Avod. Zar. 3:4, 42d calls the answer “distracting” (hefleg); b. Avod. Zar. 44b calls it “stolen” (genuvah); the Bavli picks the dialogue apart from every possible direction.
the idol of Israel nullified by a Gentile be permitted? Scripture says, *the statues of their gods* – only their gods, those which are treated like God are prohibited and those which are not treated like God are permitted, and those of Israel, whether or not they are treated like God, are prohibited.34

The Tosefta attempts to use R. Gamaliel’s homily in order to ground the laws of nullification in scripture.35 However, R. Gamaliel’s homily in the Mishnah is not a justification for these laws at all! Nullification of an idol must entail at least the semblance of a physical action directed at an idol, not just bathing by it – which is an accepted use of an idol, as we have shown.

Even if R. Gamaliel is trying to ignore these realities and posit a law that states that if idols are to create forbidden spaces around themselves they must be treated “like gods” (i.e., in a manner that R. Gamaliel would deem fit for a god), this law is contradicted by other parts of the Mishnah. The Bavli is quick to point out that *m. Avod. Zar.* 4:3 rules that an idol with a garden or a bathhouse prohibits benefit from the garden or bathhouse “for profit” (*betovah*), while benefit “not for profit” (*shelo betovah*) is permitted. The term *betovah* implies a price paid, in money, goods, services or simply a returned favor, for the use of the bath. This is a clear criterion for deciding when one may or may not use a bathhouse belonging to an idol, regardless of the unseemly actions that go on there.

Additionally, *m. Avod. Zar.* 1:7 decrees that bathhouses may be built with Gentiles until the dome that holds the statue is erected, implying that the statue in the dome is indeed an idol, whose presence in the dome makes it forbidden, contrary to R. Gamaliel’s contention.36 R. Gamaliel makes no mention of either law, and his distinctions are disregarded by those sources.37

34 *t. Avod. Zar.* 6:6. In MS Erfurt, “of Israel” in line 5 is missing but is implied by the end of the text. MS Erfurt also reads *leshum eloah* in place of *minhag eloah*, translated here “like God.” The meaning is the same for our purposes.

35 On these laws and their supposed basis in scripture (or lack thereof), see Noam Zohar, “Avodah Zarah and Its Annulment” (Heb.), Sidra 17 (2002) 63–77, esp. 63–66. See also the discussion of the term and meaning of the laws of annulment below.

36 As noticed by Halbertal, “Coexisting,” 167, this is an additional attempt to distinguish building and idol, which should not necessarily be distinguished or even distinguishable from each other.

37 Various distinctions could be made between these mishnayot (for 1:7 more easily than for 4:3), but they would mostly be artificial, scholastic attempts at resolving the manifest incongruity between treating the bathhouse in a formalistic manner and taking it to the realm of the theological.
Moreover, not only are the answers not congruent with the laws regarding bathhouses in the rest of the tractate, but they are also decidedly out of place in their literary context. The collection of mishnayot regarding images is constructed as an exegesis of Deut 7:25–26. Scholars have long noticed that the Mishnah replaced the commandment to destroy idols with a prohibition on their use. This replacement was not just legislative. As can be seen in a comparison of the verses and the collection of mishnayot beginning “All images” (3:1), it was exegetical as well:

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38 The phenomenon of midrash hidden in the Mishnah, following verses and expounding on them, while making no explicit mention of this fact, is quite prevalent in the Mishnah, and has received no proper scholarly treatment to date (see, e.g., Rosen-Zvi, “Protocol,” ch. 4). It is distinct from whole midrashic units woven into the Mishnah (e.g., San. 2:3), as well as from single verses explicitly quoted in the Mishnah.

39 This was, in fact, a point of contention among Tannaim. As pointed out by Rosen-Zvi, “High Places,” the school of R. Ishmael did not accept this change and continued to hold to the original obligation to destroy the idols literally (taking into account, of course, pragmatic considerations). The first to discuss this revolution was Efraim E. Urbach, “The Laws of Idolatry and Archaeological and Historical Reality in the Second and Third Centuries” (Heb.), in From the World of the Sages, ed. idem (Jerusalem: Magnes, 1988) 125–178, who explained these rabbinic leniencies as part of an attempt to adapt to changing economic conditions in the Roman Near East after the destruction (pp. 134–136), as well as a realization that both Jews and Gentiles were not all that serious about the powers attributed to the gods (p. 155). His position was problematized by Hayes, Talmuds, 57–63, and Seth Schwartz, Imperialism and Jewish society, 200 B. C. E. to 640 C. E. (Princeton: Princeton University Press, 2001) 172–177 (their critiques hold true for Rosenblum, “Oil,” as well). Schwartz, however, fails to provide a compelling explanation for this change, especially in light of the Ishmaelian position (to which he does not refer), which abrogates the obligation to destroy idols as a matter of expediency, not ideology. Yair Furstenberg reads this revolution in the context of Greco-Roman religion, especially civic religion, in the Roman Near East; see Furstenberg, “Nullification of Idols: The Rabbis’ Dialogue with Idolatry under the Roman Empire” (Heb.), Reshit 1 (2009) 117–144. Ishay Rosen-Zvi, “High Places” contends that m. Avod. Zar. 3:3, which rules that vessels found with the shape of the sun, moon or dragon should be “taken to the Dead Sea,” is an Ishmaelian opinion which does not abrogate destruction of idols entirely. I do not believe this reading is the only correct one, and the term “taken to the Dead Sea” is purposely ambiguous. Cf. the other occurrences of the term in the Tannaitic corpus that all rule about monies obtained in problematic circumstances (e.g., m. Naz. 4:4, 4:6; m. Avod. Zar. 3:9). The ruling could be referring to use of the vessels, which is prohibited and thus there is nothing left to do with them except destroy them. The sages object to R. Jose’s ruling that other forms of destruction may be used, since benefit can be derived from that destruction as well (“it, too, can become fertilizer”), implying that benefit from the idolatrous vessel and its use are the locus of the prohibition, not its mere existence.

40 The verse is expounded neither in Sifre Deut., nor in the remaining fragments of Mek. Deut., as it is outside the scope of both works.
<table>
<thead>
<tr>
<th>Torah</th>
<th>Mishnah</th>
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<tr>
<td>(Deut 7:25a) You shall burn the statues of their gods in fire.</td>
<td>(3:1) All images are prohibited, for they are worshipped once a year – the words of R. Meir. The sages say: None are prohibited unless they hold a staff or a bird or a ball. R. Shimon b. Gamaliel says: Anything that holds anything [is prohibited].</td>
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<td></td>
<td>(3:2) He who finds broken images, they are permitted. If he finds the shape of an arm or leg, they are forbidden, for similar [objects] are worshipped.</td>
</tr>
<tr>
<td></td>
<td>(3:3) He who finds vessels with the shape of the sun or the moon or a dragon should take them to the Dead Sea.</td>
</tr>
<tr>
<td>(Deut 7: 25b) You shall not covet the silver and gold on them, and take them for yourself, lest you stumble upon it, for it is the abomination of the Lord your God.</td>
<td>R. Shimon b. Gamaliel says: [Images] on the dignified [vessels] are forbidden; on the common [vessels] are permitted. R. Jose says: He can file them and scatter [the dust] to the wind, or throw [the vessel] into the sea. They told him: it, too, can become fertilizer, for it says and none of the condemned should cling to your hand (Deut 13:18).</td>
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<tr>
<td>(Deut 7:26a) And you shall not bring an abomination into your home and become herem like it.</td>
<td>(3:3) [story of R. Gamaliel in the bath] (3:4) Gentiles who worship mountains and hills: they are permitted, and what is on them is forbidden. For it says: You shall not covet the silver and gold on them, and take them (Deut 7:25). R. Jose the Gallielan says […] R. Akiva says […]</td>
</tr>
<tr>
<td>(Deut 7:26b) You shall entirely abhor and detest it</td>
<td>(3:5) One whose home was adjacent to the home of an idol, and [the house of the former] fell, he may not rebuild it. What should he do? […] If the wall was jointly his and the idol’s, [half is forbidden, and half is permitted].</td>
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<tr>
<td></td>
<td>Its stones, wooden beams, and rubble carry the impurity of a crawling thing, for it says: Entirely abhor them.</td>
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</table>

The Mishnah expounds the verse carefully: the images of the gods are forbidden (“burn the statues of their gods in fire,” 3:1–3), while natural
phenomena are permitted ("do not covet the gold and silver on them," 3:5).41 "Bring no abomination into your home" is the basis for a discussion on the matter of a person who was unlucky enough to share a collapsed wall with a temple (3:6).42 "Entirely abhor them" is read as meaning that idols and idolatry impart impurity like a crawling thing.43 The exchange in m. Avod. Zar. 3:4, specifically R. Gamaliel’s last answer, introduces a new criterion that modifies this entire system and makes it much more lenient. Idols, actual statues of gods, must be treated like gods in order to be subject to any sort of prohibition – all the more so vessels with images.44 This criterion is an exegesis of the words “their gods” in the verse, and R. Gamaliel says so explicitly.45 This exegesis also breaks the homiletical sequence of the Mishnah and re-reads, out of place, two words in the phrase it has already read.

These connections to the immediate context are somewhat weakened by the fact that the story offers a criterion for leniency unheard of in the entire tractate, and in doing so significantly modifies the laws of idolatry (in a manner subsequently adopted, in a modified form, by Gamaliel’s son, and in another modified form by the Tosefta, Avod. Zar. 6:6, discussed above).

41 Since the first part of the verse forbade idols, the part that forbids coveting the gold and silver on them must be about idols that are not forbidden, i.e., natural phenomena that are worshipped, such as mountains or hills. The mention of mountains and hills is a reference to Deut 12:2, which is also the subject of the debate between R. Akiva and R. Jose Haglili, paralleled in Sifre ad loc.

42 This exegesis seems to be an instance of hakkatuv meddaber. For this mode of exegesis, see Azzan Yadin, Scripture as Logos: Rabbi Ishmael and the Origins of Midrash (Philadelphia: University of Pennsylvania Press, 2001) 23–24.

43 Shaketz (translated “abhor”) is associated with crawling things and their impurity, using Lev 7:21. Sheketz and sheretz are interchangeable. See BDB, זֶרֶץ, 1056, 1054. R. Akiva’s dictum appears also in m. Shab. 9:1, Mek. Deut. 12:3 and t. Avod. Zar. 5:6. The original context of the dictum is difficult to ascertain, but it seems that it is in Mishnah Shabbat. See also Noam Zohar, “‘Rabbi Akiva Said’: The Incorporation of a ‘Foreign’ Collection in the Redaction of the Mishnah” (Heb.), Tarbiz 70 (2001) 353-366.

44 This criterion is also mentioned in the previous mishnah by R. Gamaliel’s son, R. Shimon b. Gamaliel, but not about idols per se, only about vessels with images that may or may not have been worshipped. Other criteria mentioned in the mishnah are also exegeses of the words their gods: “all images are forbidden for they are worshipped” (R. Meir); “none are prohibited unless they hold a staff, or a bird, or a ball” (the sages; these are symbols of dominion and thus typical of the emperor cult, as pointed out by Urbach, “Idolatry”). Broken images are prohibited, for they are not gods, but if they are worshipped they may be gods, etc.

45 Our findings significantly corroborate Yadin’s contention in “Question,” 167: “Nor should Rabban Gamaliel be automatically understood as a representative of ‘the rabbis.’” Yadin’s prosopographical evidence is now supported by internal and structural findings within the tractate itself.
C. Mishnah Avodah Zarah 4:7

The third dialogue in the tractate is more philosophical in nature, and it inquires as to God’s role in confronting idolatry. Understanding this dialogue requires some more background information about the conceptual framework of tractate Avodah Zarah and its way of interpreting and developing biblical law.

In rabbinic parlance, *avodah zarah* means “idol worship,” rather than “foreign worship.” Worship of idols in the tractate is usually centered on statues (called *tzelem*, “image,” or *tzurah*, “figure”), sometimes associated with a temple (*bayit shel avodah zarah*) or a grove (*asherah, avodah zarah she-haytah lah ginah*). Nature is not usually an object of worship. When someone finds images of the sun or moon on a vessel, the vessel is prohibited because of the image, not because of its connection with a sun or moon cult (i.e., if the vessel had “sun” or “moon” written on it, it would not be prohibited).

Moreover, as mentioned above, the biblical imperative to destroy idols has all but disappeared in the Mishnah. The verses associated with the destruction of idols have been reinterpreted to mean that idols and the objects associated with them are prohibited. This prohibition may be circumvented by use of a procedure called *bitul* (“nullification”), in which a Gentile creates a minor defect in the cultic object, signifying that it is no longer a god. Noam Zohar contends that *bitul* is an essen-

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47 As is typical of Greco-Roman gods. See above, n. 32.
48 Indeed, the only instance of nature-worship in the tractate is used as an illustration for the fact that idolizing nature does not prohibit it (3:5); even that instance is probably a homily on Deut 12:2 or 7:25. See the discussion above, Section B.
49 See above, n. 15.
50 *Bitul* is an Aramaism that crept into later strata of biblical Hebrew (Ecl 12:3), and its basic meaning in both Hebrew and Aramaic is “to be idle.” It is cognate with the Hebrew roots *sh-b-t* and *n-w*-. (See e.g., Targ. Neofiti on Deut 32:26, Ex 5:5 12:15, Lev 2:3 and 26:6.) In one case, the rabbis differentiated between the two: In the context of *hametz*, biblical *sh-b-t* (in Ex 12:15) was read as an obligation to destroy (see Mek. RS, ed. Epstein-Melamed, 17: “*tashbitu* – by means of burning”). *Bitul*, however, was read as a mental process, as in *m. Pes.* 3:7: “If one is on the way to slaughter his paschal offering […] and remembers that he has *hametz* in his home, if he is able to return [home] and burn [the *hametz*] and return to the mitzvah, he should. And if not, he should nullify it in his heart (mevatelo belibbo).” This *mishnah* explicitly juxtaposes *bi’ur* (i.e., *hashbatah*) with *bitul*: the former is a physical process, the latter mental. It is not unreasonable that *bitul* was then transplanted to the arena of Avodah Zarah in which mental invalidation was required. Notice, for example, that the rabbis’ opinion of how to dispose of *hametz* is echoed by R. Jose in *m. Avod. Zar.* 3:3, the only *mishnah* that details a method for ridding oneself of idols. There are other instances of *bitul* in
tially psychological procedure and that the Gentile, in breaking a piece of the idol, essentially forsweares the god.\textsuperscript{51} This forswearing is what causes the prohibition to cease.\textsuperscript{52} Yair Furstenburg, however, has pointed out several striking parallels between bitul and damnatio memoriae, destruction meted out on images of Roman emperors who fell out of favor with the Senate and the people. Damnatio is a physical action, a political process played out on the terrain of the images of the emperor.\textsuperscript{53} In the same way, mere forswearing has no effect in the Mishnah: even defiling the idol with excrement or urine has no power to affect bitul, still less just talking at it or about it.\textsuperscript{54} Additionally, Furstenburg claims, just as damnatio is the result of a consultation between a new emperor and the Senate (as a representative of the people), bitul cannot be enacted by Jews (n. 76), but only by Gentiles, as they are the ones who are replacing their old gods with the new God.

Against this background, situated at the end of the segment in the Mishnah that discusses nullification, Gentiles ask the elders in Rome why God does not effect bitul on all the idols in the world. The dialogue that ensues is quite curious:

They asked the elders in Rome. “If He does not will idolatry to exist, why does he not annul it?”

They said: “If they worshipped something the world does not need, he would have annulled it. But behold, they worship the sun, and the moon, and the stars. Would he destroy his world on account of the mindless?” They said: “If so, he can destroy what the world does not need, and keep what the world needs.” They said: “Then we too strengthen the hands of the worshippers of the latter, for they will say, know that they are gods, for they have not been annulled.”\textsuperscript{55}

\footnote{\textsuperscript{51} Zohar, “Avodah Zarah.”\textsuperscript{52} Zohar contends that the Yerushalmi’s ruling that a Gentile may be compelled to nullify an idol is “ungrounded in Tannaitic sources”; see his “Avodah Zarah,” 74 n. 40.\textsuperscript{53} Furstenberg, “Nullification.”\textsuperscript{54} Rabbi (in MS Munich 95, R. Eliezer) holds that selling the idol, however, does effect bitul – but this is a minority opinion. However, if held, it would mean that Jews could have unfettered access to the housewares market and buy any and all vessels they wished to buy, whether with images or without. Cf. \textit{m. Avod. Zar.} 3:3.\textsuperscript{55} \textit{m. Avod. Zar.} 4:7.}
The elders are asked why God does not nullify all the idols in the world; they reply that if God were to effect *bitul* on all the foreign worship in the world, he would destroy it. This is a play on words, and a puzzling one at that. *Bitul* has a technical meaning: causing an idol to lose its prohibited status. But it also has a more simple meaning: to cause something to cease its action, or cease to exist. The inquirers could be asking about the technical meaning, and this is what the reader/listener expects, after a discussion of the particulars of nullification. The elders in the dialogue, however, understand it in the less technical manner and equate it with “destruction.” Indeed, their consternation at the mere possibility also reflects a view that the entire world is an object of the cult, a view not prevalent in the rest of the Mishnah. The rabbis are retreating to a more biblical picture of the laws of idolatry, in which nature is the object of the cult, and the law for dealing with it mandates that it be destroyed. They even translate “nullify” with the biblical term “destroy” (*ye’aved*), borrowed from Deut 12:2. The exchange in the dialogue plays on this dual meaning. To paraphrase: In context the question means “why does God not effect nullification on all the idols in the world?” But the rabbis understand it as meaning “if God does not will other worship to exist, why does he not destroy the cults?”

The dialogue itself may not be employing this wordplay at all: it might be a skilled redactor who took a dialogue that existed in a similar form elsewhere and wove it into the series of *mishnayot* that discuss nullification of idols, perhaps to provide a homiletic ending to the tractate.

The dialogue stands at odds with the surrounding *mishnayot*, both regarding the meaning of the term *bitul* and also in the reality it depicts, portraying idols as focused on nature worship, not on image worship. The shadow of doubt the dialogue casts on the entire enterprise of *bitul* is quite striking. In the hands of God, *bitul* means something else entirely, and the mishnaic *bitul* is not good enough for God. Indeed, while the laws of nullification provide an adequate substitute for the obligation to destroy idols and idolatry, the dialogue says that the only way to really “solve” the problem of idolatry is to destroy the world, and a piecemeal solution is not possible. As this is not desirable, idolatry is

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56 See above, n. 17.
57 See parallels in *Mek. RI Bahodesh* 6 (ed. Horowitz-Rabin, 226) and *t. Avod. Zar.* 7:7. The ending, however, is not in any of the parallels (“They said: If so, he can destroy what the world does not need, and keep what the world needs. They said: Then we too strengthen the hands of the worshippers of the latter, for they will say, Know that they are Gods, for they have not been annulled”). See Furstenburg, “Nullification.”
portrayed not as a temporary reality, but rather as inherent in the very existence of the world.58

D. Summary

The three dialogues in Mishnah Avodah Zarah are very much at odds with their surroundings. They undermine and cast doubts on all the laws around them. They are placed at strategic focal points inside a collection of mishnayot – either in their center, as is the case with the first two dialogues, or at their end, as with the last one. I have argued that these collections of mishnayot are independent of the dialogues and have an internal structure of their own. Each one of these dialogues is a “foreign body” within the collections, added to already formed and shaped collections of mishnayot at a later date, perhaps as part of the redaction process of “Rabbi’s Mishnah” itself.

As pointed out at the beginning of this paper, the dialogues share certain formal traits: they are about justifications, and contain questions and answers. The reasons given are not good and must be backed up by additional reasons. There is a narrative twist in each of the stories.59 The realm of the divine is invoked in each to justify discrepancies between conception and practice (of Jews, of R. Gamaliel, and of God).

The dialogues are obviously at odds with their immediate context, but they were not interpolated by mistake: they are in dialogue with the mishnayot around them. They are formally connected to the mishnayot that precede and follow them, and engage with the subject matter. They are not transferred from elsewhere. It is more plausible that they are there for a reason.

This reason is probably a justification for the laws and the reality these laws react to, together with a certain concession that these justifications are neither self-evident nor very convincing. The dialogue about cheese attempts to explain a law that has no explanation, and in doing so ends up almost undermining the entire hierarchy of Gentile foods in

58 This position should be compared and contrasted with the position of the Ishmaelian Mekhilta to Deuteronomy on Deut 12:2. See Midrash Tannaim ad loc.; Solomon Schechter, “Geniza Fragments,” JQR 16 (1904) 425–452, 776–777; and the new reading by Menahem Kahana, Geniza Fragments of the Halachic Midrashim (Heb.; Jerusalem: Magnes, 2005), frags. [12] and [13].

the Mishnah. The dialogue about the bathhouse has formal connections to the *mishnayot* around it, but undermines the system of prohibitions of idolatry in the Mishnah and lays out a different criterion, which is later only partially adopted by other Tannaim. The dialogue about the teleological significance of God’s patience towards idols has the potential to make all the newly-formed laws of nullification of idolatry into a farce, because in the eyes of God, “nullification” is still simply “destruction.”

All three dialogues, therefore, point out real problems in the rabbinic laws of idolatry. They try to “solve” these problems by subverting the question, but in doing so they end up calling attention to discomfort the rabbis may have felt with their own laws, as well as the strategies they used in facing this discomfort. The innovations the Mishnah introduced into the laws of idolatry are far-reaching: a prohibition on use and benefit supplanted the obligation to destroy idols. Nullification of idols was introduced. The food of the Gentiles, entirely taboo in the Second Temple period, was subjected to categorization and rationalization that connected it to other prohibitions more grounded in scripture. There was a movement towards more leniency in the use of the urban arena, full of statues and images as it may have been. All of these innovations are apparent from the laws of the Mishnah, not the dialogues. The reasons for these sea changes are not part of the scope of this paper and have been debated by scholars for many years, but the rabbinic reaction to them was apparently not unequivocal. The changes in the laws of idolatry required good explanations, which the redactors of the Mishnah did not want to give outright.

However, these dialogues have an additional purpose. As we have shown, they stand apart from the collections of *mishnayot* around them, but they are connected to them by certain traits of form and content. They are also connected to each other by virtue of their formal

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60 I would add that it knows full well that it is advancing an innovative and problematic claim: it is attributing a question that should be dealt with seriously to a Gentile with a funny name (“bean man”) and gives four answers that are more rhetorical than substantive. This is comparable to those matters that are marked by the rabbis as being the advice of the *yetzer*; see below, section E, as well as Moshe Weinfeld, “Things About Which Satan/the Evil *yetzer*/the Nations of the World Retort,” *Atara Lehayyim*, ed. D. Boyarin et al. (Jerusalem: Magnes, 2000) 105–111. This is, however, not a case of the “true” answer being concealed by the rabbi and then revealed to his students, as discussed in Jenny Labendz, “Socratic Torah: Non-Jews in Rabbinic Intellectual Culture” (PhD diss., Jewish Theological Seminary, 2010). In stories such as those read by Labendz there is always a prooftext waiting to be presented to the students, whereas in this story it is presented to the interlocutor. Rabban Gamaliel does not appear to be leading Paraklos on, lying to him, or trying to teach him anything at all. This dialogue is therefore not an instance of “Socratic Torah.”
traits. Together they form a stylistic device that accompanies the learner throughout the tractate, bringing forth a message that is not necessarily the one that comes across from the rest of the tractate, or at least not as strongly.

The laws in Mishnah Avodah Zarah expend much effort towards two conflicting ends. The first is setting Jews and Gentiles apart. Jews should stay away from various items of Gentiles and Gentiles themselves in certain cases. The second is allowing Jews to traverse the idolatrous public arena by limiting the scope of what an “idol” is and allowing for the nullification of the idol. The rabbis (of the school of R. Akiva) decided that one need not destroy idols as a matter of obligation, but just keep away from them.61 However, the laws separating Jews from Gentiles were not only maintained, but cemented and explained in ways that firmly portray the Gentile as a demonized Other to the Jew.62 Our dialogues form a sort of “redactorial backbone” for the tractate and radicalize both rabbinic revolutions. On the one hand, they do away with any need to explain and ground the prohibitions of certain Gentile foods in previously known laws. They claim a theological origin for these prohibitions and link abstention from Gentile cheese (or wine or oil) to the love of God, no less – against the thrust of the collection of mishnayot about Gentile food. On the other hand, the second dialogue contracts and explains the laws concerning contact with idolatry to a point that one would be hard-pressed to actually transgress them without engaging in a formal act of worship as defined by the Mishnah. The third dialogue explains that the existence of idols is actually a logical imperative and that God cannot do anything against it, further cementing the new reading of the imperative to destroy idols as a prohibition against using them, since destruction of individual idols is cosmically futile. These three dialogues therefore form a secondary layer in the

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62 See the restrictions in m. Avod. Zar. 2:1–2 and t. Avod. Zar. 3:1–10. Gentiles are suspect of murder, bestiality and adultery (2:1–2); even barbers, stable hands and wet-nurses are suspect of these heinous sins. This has nothing to do with their idolatry; it is portrayed as a characteristic of the fact that they are not Jewish. The very laws of the Gentiles are perverted; see Berkowitz, “Limits,” and the texts cited there. Noam Zohar recently read the tractate completely differently. See Zohar, “Partitions around a Common Public Space: Gentiles and Their Statues in Mishnah Avodah Zarah” (Heb.), Reshit 1 (2009) 146–163. He made some exceptional points, especially his method of reading “tapestries” in the tractate as whole units with literary sensitivity, as well as his observation that some of the heaviest restrictions in the tractate can be understood as leniencies compared to previous legislation. However, his reading was heavily influenced by Halbertal, “Coexisting,” and by an apologetic agenda. Additionally, he was not attentive to issues of higher criticism in the tractate and read it all as one.
tractate, at odds with some of its details but at the same time grounding, justifying and radicalizing its most basic – and audacious – claims.

Did the redactor(s) understand the import of their work? Perhaps, but this is largely immaterial. The dialogues are clearly not cut of the same cloth as the rest of the tractate, and the joining of the collections of mishnayot with the dialogues created the tractate as a whole, as we know it today. This is an example of redactorial work, the kind of work that wove individual strands of oral traditions into a multi-voiced tractate.

E. A Concluding Note

The role of aesthetics in the Mishnah has recently taken a central place in scholarship, as the Mishnah has become a focal point of study not merely as a collection of traditions or laws, but also as a work with literary properties. The place of narratives in the Mishnah has been studied extensively by Moshe Simon-Shoshan, who brought earlier studies not only to firmer theoretical footings, but to actual fruition, by realizing the central role of narrative in legal discourse, and in the Mishnah especially. The place of aesthetics and literary organization in the Mishnah has been highlighted by Avraham Walfish, Noam Zohar and Menahem Kahana. At first glance this reading seems to value the

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63 Cf. Simon-Shoshan, “Halacha,” 213: “It may be that the editors of the Mishnah were fully aware of the implications of what they were doing. They purposefully formulated laws in a way that would allow maximum flexibility for interpretation and application by future generations of halachists. They sought to present their own authority in a nuanced way, warts and all, in order to present the Mishnah’s students with a sophisticated and realistic model for the functioning of rabbinic authority. In this reading, the Mishnah argues that rabbinic authority stands despite challenges to centralized authority and the ultimately subjective and ambiguous nature of rabbinic rulings.”

64 Although I contend that they were inserted into the tractate together, as part of the redactorial process, this is not necessary for my argument about the stylistic function of the dialogues. Regardless of the date of the insertion of each dialogue into its respective host-collection, and the connection between all three dialogues, the impact they have on the tractate as we have it is unmistakable. We also know that by the time of the earliest Amoraim, all of these dialogues – unlike the glosses (see above, n. 25) – were firmly in place.


Mishnah as a whole, shying away from higher criticism, while quietly acquiescing with the results of critical inquiry into lower criticism. A similar turn towards lower criticism was initiated by David Rosenthal and his students. But the questions of higher critics that focus on the creation and development of texts are still relevant. A revamped higher criticism, combining its sensitivity to stratification and periodization in texts with literary and aesthetic criteria, as we have done here, is a handy tool for answering these questions, perhaps with surprising results.

This paper examined three dialogue-stories, and it is important to note that the use of this format in highlighting the problems the rabbis had with their own laws of idolatry is not coincidental. As we pointed out in our analyses, the dialogues make it possible both to voice discontent and to dismiss it; they allow for the articulation of good arguments in a way that makes them ludicrous. The reader knows to beware of the argument, while acknowledging it as possible and even plausible. This perhaps reflects the way Jews are expected to interact with Gentiles. They will no doubt make arguments, and one should know that the arguments should be dismissed from the onset.

Ishay Rosen-Zvi, in his recently published *Demonic Desires*, points out that arguments attributed to the evil yetzer are often those that point out real flaws in rabbinic theology and discourse. Thus, for example, the idea that God cannot find the sinners in Sheol – an idea backed by much biblical precedent – is attributed in *m. Avot* 4:22 to the yetzer. The rabbis disagree with this idea but do not want to confront it head-on. They attribute it to the yetzer to avoid the argument. Similar kinds of flaws in the halakhic system itself are marked here with dialogues with or about Gentiles. The redactors of the tractate used the dialogue not to create a conversation but rather to end it before it began.

The real dialogue in the tractate, however, is not between the characters in the dialogue-stories, but rather between the laws and the stories. The laws are both undermined by the stories and undergirded by them.

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69 The monologic qualities of the Bavli’s dialogues have recently been described at length by Barry Wimpfheimer, *Narrating the Law: A Poetics of Talmudic Legal Stories* (Philadelphia: University of Pennsylvania Press, 2011); see especially the methodological introduction on pp. 13–25. More research is required to examine this thesis, as well as its applicability to other rabbinic works.
They exist in a tension that holds the tractate together. These dialogues could perhaps also be read as a reflection of the way the rabbis understood their interactions with Others. In fact, these interactions are mere reflections of the interactions between the rabbis themselves, inside the study house. Cheese, wine, statues and Gentile interlocutors may perhaps just be a backdrop for the real drama: the rabbis in conversation with each other.
“Were not understanding and knowledge given to you from Heaven?” Minimal Judaism and the Unlearned “Other” in *Seder Eliyahu Zuta*

LENNART LEHMHAUS

In memory of my father, Friedrich W. Lehmhaus (1948–2009)

*Introduction: Dialogues with the Unlearned in the Context of Jewish Diversity and Rabbinic Identity-formation*

In this study I examine, by close reading, three episodes from *Seder Eliyahu Zuta* (SEZ) that recount conversations between a rabbinic character and different “others” from an unlearned or alleged “heretical” background. I argue that these literary formats of dialogue, as they are employed within SEZ, reflect rabbinic ambitions to interact with a variety of non-rabbinic Jews and to promote a program of “minimal Judaism.” I begin by briefly discussing the relevance of recent scholarship on identity-formation and the gradual rise of the rabbinic movement within a broader Judaism. Then I analyze the shared literary and ideological features of the dialogue narratives in SEZ with regard to their self-referential and didactical aspects.

SEZ and its cognate tradition, *Seder Eliyahu Rabba* (SER), are puzzling and fascinating texts that deal with questions of ethical lifestyle and righteous conduct. Though the only focus of scholarly discourse so...
far has been the date and origin of these texts, these factors are still disputed. Most studies have been concerned with the dating of SER, and suggestions range from third-century Palestine, to Babylonia in the fifth or ninth century, to eleventh-century Italy. The absence of attributions to rabbinic sages and the confusion of two titles (Seder Eliyahu/Tanna devei Eliyahu), as well as a puzzling transmission history, complicate the picture. Only a few studies have addressed questions of language, literary style, composition and thematic concerns in a more detailed and critical way. Their findings, as well as my own – with special regard to the text’s close relation to the Bavli, ethical Wisdom traditions (Avot, Avot de-Rabbi Nathan, Derekh Eretz, Massekhet Kallah) and the later Midrashim (Pirqe de-Rabbi Eliezer, Qohelet Rabbah, Midrash Tehillim, Midrash Mishle, Pesiqta Rabbati) – point to a post-talmudic date, in the early geonic period (post-sixth c.). A possible terminus ante quem is given by the reference to structure and content of the two traditions in the writings of Natronai Gaon (860).²

Most research on Seder Eliyahu has tried to extract from the text itself reliable information about its author, place and date of redaction, as well as historical events that gave rise to these specific traditions. However, the naive usage of such data (dates, places, names and other realia) as historical facts has proved to be particularly problematic, as recent scholarship has shown.³ Thus, one definitely has to avoid prema-

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3 The shortcomings of this approach become obvious when the notion of a particular occupation leads to assuming medieval Italy as the background. Also, single allusions to common and ubiquitous phenomena like persecutions, Jewish hardship or messianic aspirations cannot help to lay down a definite date and place of origin. Similarly, dates given in the text were often liable to interpolations or corrections by later copyists. For careful use of rabbinic texts as historical sources, see Richard L. Kalmin, “The Use of Midrash for Social History,” in Current Trends in the Study of Midrash, ed. C. Bakhos (Leiden: Brill, 2006) 133–160; for an in-depth discussion of the problem, see the contributions of Zeev Safrai, Jacob Neusner, Richard Kalmin, Günter Stemberger and others in Jacob Neusner and Alan J. Avery-Peck, eds., Judaism in Late Antiquity, part 3 (Leiden: Brill, 1999) 123–232.
ture conclusions regarding the historical reliability of narratives like those in SEZ, as they constitute primarily parts of a literary rabbinic discourse with a pedagogic focus. Still, one can certainly assume that rabbinic texts and traditions did not evolve in a vacuum of pure exegesis. Rather, they were inspired by diverse socio-religious and cultural factors of their historic environment (Lebenswelt) that transcended the intellectual and scholarly sphere. We thus have to consider both the self-referential dimension of rabbinic narrative discourse and its socio-cultural embedment.

Current research on late antiquity intensively discusses the importance of identity-formation, cultural construction and the discourse of heresy-making in ancient Pagan, Christian, Jewish and Islamic societies. These strategies have aptly been described as “making selves and marking others.” Moreover, a great deal of scholarship has analyzed in detail how Judaism was constructed as the “other.” Yet recently scholars have started to study how Jewish and rabbinic texts and traditions took active part in the process of identity-formation. This includes various strategies of “cultural borrowing,” negotiation, and ethnic, religious and social “othering,” which, as I will show, can be traced in SEZ.

Several scholars have aptly demonstrated that a self-reflexive understanding of rabbinic literature allows us to peek into the world of the sages and to learn substantially about their self-perception. Thus, behavior, words and interaction of the literary characters in the dialogues of

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4 This is the title of the introductory chapter of the volume by E. Iricinschi and Holger M. Zellentin, eds., Heresy and Identity in Late Antiquity (Tübingen: Mohr Siebeck, 2008). For related research, see Judith M. Lieu, Christian Identity in the Jewish and Greco-Roman World (Oxford: Oxford University Press, 2004); Tessa Rajak et al., eds., The Jews Among Pagans and Christians (London: Routledge, 1992); Jörg Frey et al., eds., Jewish Identity in the Greco-Roman World (Leiden: Brill, 2007).


6 The share of motifs, traditions, practices and concepts among different groups, as well as the appropriation and subversion of (dominating?) discourses, are highlighted in Richard L. Kalmin and Seth Schwartz, eds., Jewish Culture and Society Under the Christian Roman Empire (Leuven: Peeters, 2003), esp. 1–6; See also Galit Hasan-Rokem, Tales of the Neighborhood: Jewish Narrative Dialogues in Late Antiquity (London: University of California Press, 2003); Adiel Schremer, Brothers Estranged: Heresy, Christianity, and Jewish Identity in Late Antiquity (Oxford: Oxford University Press, 2009).

SEZ do not offer a straightforward report of historical encounters between sages and non-rabbinic others; instead, they may tell us how the author(s) of these traditions imagined and anticipated such interactions across intellectual boundaries and the role of the rabbis within this context.

As with most discourses, rabbinic discourse shapes and is shaped by its cultural context in a complex, reciprocal process. Consequently, on a second level one can try to observe how the narrative and self-referential features of texts are intricately interwoven with their socio-historic and ideological dimensions. Recurrent or exceptional ideas and patterns may serve as indicators for the text’s nature and functions, its intended audience and the socio-cultural matrix from which it evolved.

Recently scholars have shifted away from a “rabbinocentric” history of Judaism and turned their focus to the larger socio-cultural context to which the rabbinic movement belonged. From this emerges “a setting of continued inner-Jewish competition” and a greater variety of a “complex common Judaism” within a broader cultural context of late antique and early medieval times. Thus, Jewish identity was not mono-

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8 This twofold approach is discussed intensively by Carol Bakhos, “Method(ological) Matters in the Study of Midrash,” in Bakhos, Current Trends, 161–187. She also refers to Joshua Levinson, “Literary Approaches to Midrash,” Current Trends, 189–226, for his concise description of “literature neither as a separate and separable aesthetic realm nor as a mere product of culture, but as one realm among many for the negotiation and production of social meaning, of historical subjects, and of the systems of power and identity that at once enable and constrain those subjects” (204).


10 Annette Yoshiko Reed argues for a pluralistic Judaism with various competitors to the rabbinic movement in her “Rabbis, Jewish Christians, and Other Late Antique Jews,” in The Changing Face of Judaism, Christianity and Other Greco-Roman Religions in Antiquity, ed. Ian H. Henderson and Gerbern S. Oegema (Gütersloh: Gütersloher Verlagshaus, 2006) 323–46.

11 Stuart Miller, Sages and Commoners in Late Antique Ḥiṣb al-ʿAẓima (Tübingen: Mohr Siebeck, 2006) 1–28, goes not as far as Schwartz, when he suggests, based on E. P. Sanders, that a biblically inspired “complex common Judaism” provided a loose framework for a diversified Jewish society, in large part non-rabbinic, which was open for cultural adaptations and innovations. As attested by material finds, epigraphic data and textual accounts, these “common Jews” varied considerably in their religious practices, beliefs, traditions and cultural affinities, though an interplay with rabbinic Judaism seems very likely.
lithic but was in a constant formative process of (re)drawing, stretching, and crossing internal and external boundaries. Against this backdrop, narratives about non-rabbinic others in SEZ should not be perceived as mere literary phenomena. Rather, they are to be understood as rabbinic literary reflections of a diversified and pluralistic Judaism in its broader contexts of mutually influencing, surrounding cultures and religions.

Within a broader and diversified Jewish world, the rabbis presented a marginal and limited group or scholarly network. According to new studies, the transformation of the rabbis from an intellectual elite into a group exerting wider influence and power took a long and winding road and was pervasive only in the geonic period. Thus, the sages, who saw themselves as being in charge of delineating and negotiating their own self-perception and ideal of Jewishness, had to develop attitudes and strategies to interact with a broader non-rabbinic community. According to different studies, the sages were not only interested in their fellow Jews. Rather, through an active commitment to public affairs and the needs of non-rabbis they tried to promote their teachings, likely in order to reach out and gain influence over their fellow Jews. This process may have been mutually connected to new forms of rabbinic discourse, as displayed by the dissemination and popularization of


13 Regarding non-rabbinic others, we have to consider a variety of internal and external others vis-à-vis Judaism or vis-à-vis the rabbinic element. Various non-rabbinic others are described in Sacha Stern, Jewish Identity in Early Rabbinic Writings (Leiden: Brill, 1994) 87–138. In “Stepped Pools, Stone Vessels, and Other Identity Markers of ‘Complex Common Judaism,’” JSJ 41 (2010) 214–43, Stuart S. Miller writes: “For their part the rabbis were keenly aware of the complex nature of the society in which they lived and divulge useful information about the threats to their worldview and way of life. […] they continuously defined themselves over and against other Jews” (222).

14 Martin Goodman and Lee Levine observe a trend to greater openness of the rabbis which is connected to communal involvement (as teachers, judges, parnasim, etc.), as well as to a growing consideration of non-rabbinic halakhic needs; see Goodman, State and Society in Roman Galilee A. D. 132–212 (Totowa: Rowman and Allanheld, 1983) 94ff and 179ff, and Levine, The Rabbinic Class of Roman Palestine in Late Antiquity (New York: Jewish Theological Seminary, 1989), esp. 116ff. Schwartz ties this process partly to rabbinic involvement in the synagogue through piyut; see Schwartz, Imperialism, 215–88.
rabbinic teachings in homiletical midrashim and ethical and liturgical traditions.15

Hence, we have to ask how the changing roles and attitudes of the rabbinic characters in SEZ, from instructive and rebuking to forbearing and persuading, may attest to processes of consolidation and outreach of the rabbinic movement within a context of diverse Judaism and its cultural surroundings. In the main part of this paper I integrate SEZ’s narratives into the cultural framework sketched out above. I suggest that the dialogues with non-rabbis reflect strategies or intentions for involvement in and dedication to a wider Jewish society. Thus, the sages reacted to inner-Jewish competitors by familiarizing non-rabbis with a specific rabbinic concept of Judaism. In order to facilitate this project, the sages had to refine their ideas into a condensed form. This less stringent and more appealing “minimal Judaism” encompasses distinctive rabbinic lore (including the concepts of the dual Torah, divine justice, and the world to come), in addition to basic education in Torah and moral standards. This programmatic approach is attested by other teachings in SEZ, as well as by its overall rhetoric of indulgence, forgiveness and care.16 Further, I show how the narratives convey their messages through a twofold rhetorical structure that possibly addressed different audiences or/and served as a model of instruction.

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15 Rachel Anisfeld describes the development of homiletical (synagogal?) midrash as a new discursive form within a context of rabbinic outreach to the larger community which was certainly influenced by similar trends in the Roman Christian surroundings (e.g. preaching); see Anisfeld, Sustain Me With Raisin-Cakes (Leiden: Brill, 2009), esp. 147–62. Of certain importance for my discussion is also Günter Stemberger’s theory about the wider reception and popularization of Pirqe Avot. He suggests that the late developments of inclusion into the prayer book and the addition of Pereq Qinyan Torah were a reaction to inner-Jewish challengers, like the Karaites; see Stemberger, “Mishna Avot: Frühe Weisheitsschrift, pharisäisches Erbe oder spätrabbinische Bildung?” ZNW 96 (2005) 243–58; idem, “Verdienst und Lohn: Kernbegriffe rabbinischer Frömmigkeit? Überlegungen zu Mishna Avot,” Frankfurter Judaistische Beiträge 25 (1998) 1–21; idem, “Die innerrabbinische Überlieferung von Mischna Abot,” in Geschichte-Tradition-Reflexion. Festschrift für M. Hengel, ed. H. Cancik et al. (Tübingen: Mohr Siebeck, 1996) 511–527.

16 Also in SEZ one finds various teachings that promote basic moral behavior, fear of God, respectful interaction and solidarity with the community. These points are framed in tropes that depict an all-loving God as a caring father (or lover) whose grace, pardon and mercy for his children is infinite. This is illustrated by a comparison to the vengeful but shortsighted attitude of the prophets (Elijah/Hosea/Jeremiah). The Sinai narrative, with its plot of revelation, sin and repentance, also covers several chapters. A good portion of other discussions centers on the idea of repentance available to all, even the greatest sinner. One teaching (SEZ 6) highlights God’s compassion for those who have none of their own merit but are rewarded for their intense (penitential) prayers. Other passages exhibit a positive attitude towards the unlearned, who are devoid of moral defects (e.g., SEZ 13).
I. Dialogue Narratives in SEZ

In this section I outline the main literary and compositional features of the dialogue narratives with non-rabbis and discuss their possible rhetorical functions. All three episodes are anonymous and told from a first-person perspective, which is a unique characteristic feature of Seder Eliyahu traditions. According to Rivka Shemesh, the narrative type beginning with the fixed formulation “once/one time” (pa’am ahat) serves strong rhetorical and illustrative purposes, reinforcing teachings or precepts previously discussed in the text. The motive or plot type used in SEZ can be characterized as “polemic dispute” or “instructive dialogue.” This plot is integrated into the frame of a “narrative of wandering and encounter” in a sparsely described rural, non-urban space of transit or passage as its setting. The plot comprises a journey of the main character and an encounter with an opponent from which arises a challenge or a problem to be solved. All opponents are constructed as typological figures who serve as a foil to the rabbinic protagonist. The three types of opponents in SEZ are a well-off member of a rural community inviting the rabbi to dwell among and teach the unlearned (SEZ 1), a non-rabbinic “heretic” questioning and challenging rabbinic lore (SEZ 2), and an aggressively contemptuous ignorant fisherman (SEZ 3).

17 Also in SER we find conversations between a rabbinic first-person and several other characters. Cf. the dialogues with a Persian priest in SER 1, pp. 5–6; with other sages or students in SER (9)10, pp. 51f; SER 16, pp. 80–83; and short question-and-answer episodes with common people in SER 18, p. 99.

18 Passages told from the first-person perspective, without attribution to a sage, are scarcely to be found elsewhere in rabbinic literature. About one-sixth of all pa’am ahat passages (22 passages) and one half of all first-person narratives (18 of 40) in post-Tannaitic texts occur in SER and SEZ. The narrator in SEZ is identified as the rabbinic protagonist of the dialogue-narrative. Thus, for the reader the narrator is only slightly overt since the perspective (Genette’s “focalization”) is internal and not made explicit through commentary and retelling of personal biographic details. Cf. H. P. Abbott, The Cambridge Introduction to Narrative (Cambridge: Cambridge University Press, 2002) esp. 62–76.


20 In rabbinic traditions we find similar narratives of a journey (walking/riding/sea-faring) in different settings – natural (coastal area, sea, desert), historic-geographic (cities/routes/landmarks) and socio-cultural (urban market-space/house of study/synagogue/court/bathhouse, etc.). Cf. Sifre Deut §354; b. Jeb 121a, b. Meg 24b, QohR 1.3.

(SEZ 14). All literary characters – the rabbinic first-person narrator(s) as well as the “other(s)” – are invented, shaped and controlled by authors/editors who remain invisible (or covert) for the reader/audience. Still, we can analyze the self-perception of the rabbinic authors and their conception of specific “other(s)” as expressed in these characters.

These dialogue narratives in SEZ share certain forms and functions with the aggadic ma’aseh, the “sage-story,” and especially with the pronouncement story or chreia. Their literary and rhetorical style is lively, appealing and persuasive. The first-person perspective lends to the dialogues the effect of a personal, authentic report of the rabbinic narrator. At the same time, the dialogues appear as vivid conversations and actions (resembling a dramatic performance on stage) with paradigmatic and exemplary features.

Through a close reading of selected dialogues from SEZ – each in its own contextual discourse and in comparison with important parallels from rabbinic tradition – the main rhetorical and structural features, as well as the thematic concerns of the texts, will be elicited. To anticipate our conclusions, the episodes exhibit three daring challenges to the rabbinic worldview: neglect of Torah among wealthy non-rabbis (SEZ 1), semi-learned contenders of rabbinic concepts (SEZ 2) and simple-minded ignorance of the totally unlearned (SEZ 14). Simultaneously, we observe different strategies for dealing with non-rabbinic others that share a sympathetic and inclusive attitude and may point to a closer engagement with broader Jewish society.

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22 The episodes in SEZ resemble these literary forms, since they offer initial situations (setting) provoking (through the requests of the opponents) a significant, final pronouncement (the rabbi’s answers). See Jacob Neusner, Judaism and Story: The Evidence of the Fathers According to Rabbi Nathan (Chicago: University of Chicago Press, 1992); cf. Catherine Hezser, Form, Function and Historical Significance of the Story in Yerushalmi Neziqin (Tübingen: Mohr Siebeck, 1993) 283–320, and also “Die Verwendung der hellenistischen Gattung Chrie im frühen Christentum und Judentum,” JSJ 27 (1996) 371–439.

23 The dramatic dialogues apply the mimetic narrative mode of showing (the characters acting as if they were on a scene). This intensifies the authenticity of the conversation (rather than rendering it by mere telling). Simultaneously, it blurs the fictional and composite aspects for the reader or the audience. Unfortunately, we know nothing about the performative aspects if such a story was read, told or performed for a (wider) audience. But we can assume that the authentic impression, already apparent in the written episode, was amplified in a performance, which might add further dimensions to the rabbinic narrative through gesture, intonation, etc. See Steven D. Fraade, “Literary Composition and Oral Performance in Early Midrashim,” Oral Tradition 14 (1999) 33–51; Gary G. Porton, “Rabbinic Midrash: Public or Private,” Review of Rabbinic Judaism 5 (2002) 141–69.
In chapter 1 of SEZ we find a dialogue with a stranger, following a
passage that discusses the value of Torah study, charity and good deeds.
In this sudden encounter on the road, the rabbinic narrator seems to
be faced with the challenge of neglect of Torah (pish'ah shel torah) in a
rather unlearned milieu.

Once I was travelling from place to place, when a man accosted me and
greeted me. But he did not know me.

He asked: “Rabbi, from what place are you?” And I replied: “I am from
great Yavneh, from the city of sages and rabbis.” He said: “Rabbi, come and
dwell in the place I will show you, and I will give you wheat, barley, beans,
lima beans, lentils and all kinds of pulse.” I said to him: “My son, if you were to give me
a thousand thousands of thousands of gold denars, I would not leave the
Torah and dwell in a place where there is no Torah.” He said: “Rabbi, why?” I answered him: “My son, the world was destroyed only because of
neglect of Torah. The Land of Israel was destroyed only because of neglect
of Torah. And all troubles that befell Israel came only from neglect of
Torah. Great and grievous is neglect of Torah before the Holy One, blessed be he. It is equal to all transgressions in the world. As is said: For

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24 In all episodes, identification of the main character as a rabbi is based on the title
used by his opponents when addressing him, as well as on the teachings he delivers,
expressing his affiliation to rabbinic thinking. Since MS Parma 2785 and MS Oxford
Mich 910 read “Elijah z”l said,” one could identify the first-person character as the
Prophet Elijah himself, who has an encounter with different people. I cannot discuss
the question of pseudepigraphy in detail, but it seems likely that this ascription, like
rabbinic attributions in general, serves as a literary device of self-legitimization via
inscription into a discourse or tradition in the sense of Foucault. Marc Bregman sug-
gests labeling this common rabbinic practice as “creative attribution”; see Bregman,
“Pseudepigraphy in Rabbinic Literature,” in Pseudepigraphic Perspectives: The Apocry-
pha and Pseudepigrapha in Light of the Dead Sea Scrolls, ed. E. G. Chazon et al. (Lei-

25 For the Hebrew text, see the edition by M. Friedmann (Ish Shalom), Seder Eliahu
rabba und Seder Eliahu zuta (Tanna d’be Eliahu) (Weid, 1902). The English version is
based on Braude and Kapstein, Tanna, with slight changes of my own. Textual variants
of other manuscripts of Seder Eliyahu Zuta (SEZ) are given in the footnotes.

26 While MS Parma 2785 refers simply to “a man,” the text of SEZ 1 in MS Vatican
ebr. 31 has נסוף, which should be read as quaestor. Braude and Kapstein, Tanna, 360,
translate “magistrate.” The term (usually written in Hebrew as רושם and occurring 12
times in rabbinic tradition) denotes the lowest office in the higher Roman administra-
tive career, responsible for financial and juridical matters or police investigations. But it
could be literally understood as someone who seeks/asks for knowledge, as the narra-
tive presents him to us.

27 MS Parma 2785: “Come and dwell with me in my place […] I would not leave a
place of Torah.”

28 MS Parma 2785: “My son, the Land of Israel was destroyed for the first time
only because of neglect of Torah. And Israel were led from their lands into exile and
the Temple was burnt down only because of neglect of Torah.” The version in MS
the transgression of Jacob is all this [and for the sins of the house of Israel] (Mic 1:5). And ‘this’ only [refers to] Torah. As is said: What man is wise enough to understand this? […] Why has the land been ruined and laid waste like a desert that no one can cross? (Jer 9:11) and [Scripture] says: The LORD said, It is because they have forsaken my Torah [which I set before them; they have not obeyed me or followed my law.] (Jer 9:12).” The man then said to me: “Rabbi, blessed be the Name who chose you from the seventy languages and gave you the Torah, for you trust Him in every place.”

In this scene, after having revealed his scholarly background, the narrator is asked by his opponent to become a teacher in his town with full economic support, to be paid in kind. However, the protagonist rejects the generous offer outright. He does not want to live in a place where there is no Torah; that is, he does not want to teach Torah in an unlearned milieu. His argument is based on the assumption that neglect of Torah in Israel caused the destruction of Israel and the whole world and currently brings constant suffering to Israel.

A comparison with a similar story in *Avot* 6:9 and parallels in *SER* 18 and *Kallah Rabbati* (KR) 5:9, despite their overall narrative similari-

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Oxford Mich 910 is shorter and provides only one example of neglect of Torah, which seems to be a combination of the starting sentence in MS Vatican and MS Parma.

The agricultural goods offered may point to a rural area as a purported background. Material support (clothing, food, shelter) was frequently demanded by the rabbis and was usually provided by their fellows, followers and sympathizers. Patronage and charity were of great importance for some sages and were considered a mitzvah by which the donor participated in the work of the rabbis and was granted divine reward. Cf. *b. Ber* 10b; *y. Sotah* 7:4 (21d); LevR 5:4. See Hezser, *Social Structure*, 354ff; Levine, *Rabbinic Class*, 53–59, 69–76; Richard L. Kalmin, *The Sage in Jewish Society in Late Antiquity* (London: Routledge, 1999) 29–31. The formulation of the teaching proposal, bo’ we-shev, resembles the term *yashar darash* which is generally related to public education through lectures on the Sabbath and on other occasions; cf. Heszer, *Social Structure*, 102.

*Avot* 6:9: “R. Josse ben Kisma said: Once I was walking on the road when a man met me. And he greeted me, and I returned his salutation. He said to me: Rabbi, what place are you from? And I replied to him: From the great city of sages and scribes I am. He said to me: If you are willing to dwell with us in our place, I will give you a thousand thousand gold denars and precious stones and pearls! I answered him: My son, if you were to give me all the silver and gold, precious stones and pearls in the world, I would only dwell in a place of Torah. And thus it is written in the Book of Psalms by David King of Israel: The Torah from your mouth is more precious to me than thousands of pieces of silver and gold (Ps 119:72). For in the hour of man’s departure [from this world], neither silver nor gold, nor precious stones nor pearls accompany him, but only Torah and good deeds. For [Scripture] says: When you walk, they will guide you; when you sleep, they will watch over you; when you awake, they will speak to you (Prov 6:22). When you walk, they will guide you – in this world, when you sleep, they will watch over you – in the grave, when you awake, they will speak to you – [this applies] for the world to come. And [Scripture further] says: 'The silver is mine and the gold is
ties, reveals some crucial differences regarding the focus of their teachings. Similar to the rabbi in SEZ 1, the protagonist rejects the offer of an unlearned but wealthy man to live and teach in a remote place for an abundance of gold and pearls.\(^{31}\) In *Avot* and its parallels the spiritual value of Torah study is highlighted against the emptiness of wealth for the world to come. SEZ 1, by contrast, concentrates on neglect of Torah as a reason for devastating experiences in this world. Thus, the ultimate relevance of Torah for everyone’s life and well-being is emphasized, over the more abstract idea of spiritual benefit in the world to come.\(^{32}\)

Identifying the opponent in SEZ 1 is no easy task. One single manuscript designates the man as “quaestor,” a foggy term with a corrupt spelling which is of little use. The other sources, as well as the parallels mentioned above, present the other simply as “a man” (*adam ehad*). Furthermore, there is an important generic difference, since in all other rabbinic traditions the *quaestor* is depicted as a Gentile Roman official (police inspector/prosecutor) who observes, blames and punishes rabbis for officially prohibited Jewish religious practices.\(^{33}\) Such a characterization and action are certainly not implied by the depiction of the non-rabbinic character in SEZ 1, who is interested in rabbinic instruction.

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\(^{31}\) There is a strong intertextual connection between the offer in *Avot* (“I will give you a thousand thousand gold denars”) and the analogical rejection in SEZ 1: “If you were to give me a thousand thousands of thousands of gold denars.” Thus, a learned audience/reader could anticipate this reaction of the narrator in SEZ 1. When in *Avot* all wealth in the world is rejected, why should this scholar be attracted merely by provision of victuals?

\(^{32}\) Although this topic is not absent from the agenda of SEZ, I suggest that the emphasis on this-worldly effects just follows the rhetorical and didactical needs in this context. It illustrates the impact of Torah for everyone’s personal life. However, in other sections the text deals intensively with spiritual benefits and rewards. Cf. Friedmann, SEZ 1, 167–69; SEZ 11, 191; SEZ 12–13, 193–95; SEZ 14, 196.

\(^{33}\) In *t. Ber* 2:13 the Shema prayer is recited silently because of a *quaestor* standing at the entrance of the Bet Midrash. Other episodes also refer to the *quaestor* in the context of religious persecution. Cf. *b. Shab* 49a and 130a (prohibition of *tefillin*); *b. Yoma* 11a (checking of public mezuzot).
The contrast between “great Yavneh, […] the city of sages and rabbis” and the hometown of the “other,” in a rather rural, peripheral and unlearned or less scholarly milieu, stresses a certain spatial and intellectual distance. The man’s offer displays a degree of economic well-being from which he can easily provide for others. In the rabbi’s rejection, this remote and unlearned milieu figures as a “place where there is no Torah.” He focuses on ignorance, indifference and willful neglect of Torah (both biblical and rabbinic lore). His main critique aims at those who, despite their wealth, are occupied with their worldly affairs instead of engaging themselves in study and practice of Torah. This critique, however, cannot be applied to the “other” in SEZ 1: he values his rabbinic counterpart, strives for the sage’s teaching and offers him full support.

Due to his origin and his intellectual status, the opponent in this chapter may correspond to the non-rabbinic unlearned am ha-aretz. However, since such a designation is missing in the text, Stuart Miller’s study of non-rabbinic “commoners” should be considered. He argues

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35 The designation as am ha-aretz was not limited to a poor, peasant population of unlearned people. As a category relating to intellectual abilities, it also included illiterate members of the highest social ranks. See C. Hezser, Jewish Literacy in Roman Palestine (Tübingen: Mohr Siebeck, 2001) 169–226 and 465–504, and Social Structure, 154ff, 386–401, 496ff; Stern, Jewish Identity, 114–120; Miller, Sages and Commoners, 330, esp. n. 81. See also b. Shab 33b-34a (the complaint about the peasants forsaking eternal life while busying themselves with this-worldly matters resembles the ideas promoted in SEZ 1 and m. Avot 6:9) and b. BB 8a (“Disaster comes into the world only because of the amei ha-aretz”). According to Aaron Oppenheimer, The Am Ha-Aretz (Leiden: Brill, 1977), the other in SEZ would be due to his purported “negligence,” understood as am ha-aretz le-Torah. Other scholars understand the am ha-aretz as a literary and fictional character in rabbinic literature. Cf. Peter J. Haas, “The ‘am ha’aretz’ as Literary Character,” in From Ancient Israel to Modern Judaism II: Intellect in Quest for Understanding: Essays in Honor of Marvin Fox, ed. J. Neusner and E. S. Frerichs (Atlanta: Scholars Press, 1989) 139–153. Miller, Sages and Commoners, 302–38, discusses the problem of a straightforward equation of the non-rabbinic Jewish masses with the amei ha-aretz without an explicit marker. He questions the assumption of a purely negative rabbinic view of the am ha-aretz and integrates them into the ranks of “commoners.” However, he notes that the association of the am ha-aretz with the countryside by Amoraic rabbis in the Yerushalmi “reflects nothing more than their own evolution and self-perception as creatures of the city” (337).

36 Miller, Sages and Commoners, 301–393, elaborates three types of commoners: those with no connections to the sages; those with occasional, informal and sometimes
that some non-rabbinic commoners, also in remote places, are depicted “as receptive to, indeed eager to hear and follow the teachings of the sages.” This characterization resembles the attitude of the opponent who, despite his distance from a rabbinic milieu, displays openness for instruction.

Based on this, the contradiction between the rabbi’s harsh rejection and his opponent’s willingness to learn can be reappraised in light of the man’s concluding blessing: “Blessed be He who chose you out of the seventy languages and gave you the Torah, for you trust Him in every place.” At first glance this praise by the non-rabbi seems to appreciate and reinforce the rabbi’s teaching, for it summarizes the central idea about the protective power of Torah for everyone. However, a closer look at this allusion to a Torah blessing from the liturgy reveals possible irony or critique. The slight change of perspective in the blessing of SEZ 1 (from “us” to “you”) introduces a distance to the rabbinic character. From the point of view of his counterpart, the divine protection through Torah is granted exclusively to the rabbi and his colleagues. This statement can be understood as a subtle critique of the contradictions between the rabbi’s teaching and action. He rebukes the unlearned for their neglect of Torah and promotes the Torah as a ubiquitous device for spiritual and material protection. So why does the rabbinic narrator insistently reject the offer to instruct those unlearned who, like the man in SEZ 1, are obviously willing to learn? The rabbi contradicts his own teachings regarding salvation through Torah for all Israel. He turns away from disseminating rabbinic lore and creating multiple “places of Torah,” which according to his own critique is so sorely needed.

conflicting interaction with rabbis; and those quasi-followers who were possibly affiliated to the wider network of rabbinic circles and households. The sources refer to them by a concrete geographic name (e.g., Zippora’ei) or by a less specific label (e.g., bnei/anshei ha-ir/ ha-kefar X). In contrast to the amei ha-aretz, who were conceived as not reliable regarding purity laws and tithing, these commoners figure as responsible residents who are “observed of the Shabbat and festivals and even look to the rabbis for leadership and guidance in halakhic matters” (327).

37 Miller, Sages and Commoners, 339.

38 Three blessings over the Torah are said at the beginning of the daily morning prayer and one before the reading from the scroll. The benediction used in SEZ 1 is similar to the third blessing: “Blessed are you, LORD, king of the world, who has chosen us from all nations and has given us His Torah.” For the basic formulas and justification of this blessing, see b. Ber 11a-b; y. Meg 4:1 (74d); y. Ber 1:11.

39 The opponent’s critique of Torah as exclusive possession of the sages is similar to LamR 1. This midrash states that, while the sages have plenty of bread (=Torah), there is “no bread left for the am ha-aretz” (Jer 52:6).

40 Miller, Sages and Commoners, 314: “In fact the learned are assumed to be in constant exchange with the ‘ammei ha-aretz concerning Torah and to have a responsi-
This ironic or critical intent of the blessing in SEZ is underlined when it is compared to two parallels. In one manuscript tradition of SEZ, which lacks this concluding blessing, only the elitist rabbinic separation and rebuke of unlearned Jews is retained. In the parallel in SER 18, the teachings about neglect of Torah, as well as the blessing, which are so central to SEZ 1, appear dispersed in following sections, not as part of the encounter with the “other.” Thus, it becomes obvious that the integration of these teachings as core elements of the dialogue demonstrates a deliberate choice and literary strategy of the SEZ tradition.41

I suggest that the narrative dialogue in this chapter functions rhetorically on two levels. On the surface level we find the critique of neglect of Torah among wealthy but unlearned Jews and the promotion of minimal engagement with Torah as highly protective and rewarding. The depiction of the fatal consequences of such neglect may be intended as a wake-up call for the non-rabbinic unlearned, in order to make them receptive to rabbinic lore. Still, the obvious inconsistencies between the rabbi’s critical attitude and the pursuit of instruction on the side of the “other” hint at a second level of comprehension. From the perspective of a learned rabbinic reader, the narrative demonstrates that a motivation for education in rabbinic traditions exists even in distant and non-scholarly social settings. The interplay of the dialogue and the blessing thus emphasizes the need for (desirable) rabbinic commitment in the unlearned milieu. In sum, interaction with the other is depicted here...
more as an opportunity for rabbinic instruction than as a threat on the part of unlearned competitors. 42

SEZ 2

Virtually the whole chapter of SEZ 2 is composed of a complex dialogue scene, starting with an accidental encounter on the road between the first-person narrator and another man. The conversation addresses various questions about theological ideas (dual Torah/reward and punishment, etc.) and ritual practices (prayers and benedictions) of rabbinic and also common Judaism. Thus, the dialogue allows us to learn about non-rabbinic contenders as presented by rabbinic authors.

Once I was walking on the road, when a man accosted me. He came against me in the way of the heretics. He had [knowledge] of Scripture but not of Mishnah. 43 He asserted: “Scripture was given us from Mount Sinai. Mishnah was not given us from Mount Sinai.” But I said to him: “My son, were not Scripture and Mishnah spoken from the mouth of the Almighty? What is [the difference] between Scripture and Mishnah? A parable: to what is the matter comparable? To a mortal king who had two servants whom he loved with utter love. To one he gave a measure of wheat and to the other he gave a measure of wheat, to one a bundle of flax and to the other a bundle of flax. What did the clever one of them do? He took the flax and wove it into a tablecloth. He took the wheat and made it into fine flour, sifting and grinding it. He kneaded [the dough] and baked it. He set [the bread] upon the table, spread the tablecloth over it and kept it until the king should come. And the foolish one of them did not do anything at all. After some days the king came into his house and said: My children, bring me what I gave you. One brought the [bread of] fine flour on the table, with the tablecloth spread over it. And the [other] one brought out the wheat in a box and the bundle of flax upon it. O what shame! What a disgrace! Woe to the one asking: who was [more] beloved? [Of course,] the one who brought the table with the [bread of] fine flour upon it. […] Thus, when the Holy One, blessed be He, gave the Torah to Israel, He gave it to them only as wheat to produce fine flour out of (it) and as flax to produce [fine] linen cloth out of (it).” 44

42 A similar observation is made also by Miller, Sages and Commoners, 202: “Curiously, residents of the rural settlements are sometimes depicted in aggadot as either wanting or deficient in Torah, but the editors of the Yerushalmi make a point of indicating that villagers were interested in what the sages had to say and even sought them out for direction.” See also the following discussion on pp. 202–208 of villagers requesting rabbinic specialists as teachers, judges, lecturers and for other positions.

43 The terms miqra and mishnah, throughout the text of SEZ, do not refer to a certain book, i.e., the Mishnah. Rather, these terms allude to the concept of dual Torah as written (scripture) and oral (mishnah in the sense of repeated lore).

44 This nimshal (application) is included after the interrogation sequence about the other’s liturgical practices (SEZ 2, 172). However, MS Parma 2785 and MS Oxford Mich 910 offer a similar teaching before the mashal, which is more consistent with
The episode in SEZ 2 provides us with a twofold characterization of the other that depicts him as distant or not belonging to the rabbinic movement. Although we have to be cautious with these kinds of attributes because of their literary or fictional character, they provide the only available evidence that might point to the rabbinic perception of non-rabbis. Firstly, the narrator refers to his counterpart as having “[knowledge of] Scripture but not Mishnah” (yesh bo miqra ve-ein bo mishnah). The knowledge of Scripture alone, without knowledge of the oral rabbinic law, is conceived by rabbinic literature as deficient but without direct connotations of heresy or religious deviancy. In Midr Prov 10 the slackness of “one who has Scripture but no Mishnah in his hands” is punished, and according to a teaching in the Bavli (b. Sotah 22a) such a person should be considered as uncultivated (boor). In fact this type of student is included into the category of “disciples of the sages” (tal-midei hakhamim), but on the lowest and most wretched rank possible. It bears mentioning, however, that such a one-sided curriculum is not considered a “way of heresy.” For secondly, the narrator labels the mode in which the opponent approaches him as a “way of heresy” (derekh minut), a term which is not clearly defined throughout rabbinic traditions but mostly refers to liturgical contexts, which are also highly important for the discussion in SEZ 2. The prominent category of minut is used by the rabbis to designate the non-rabbinic otherness of a specific behavior or idea. However, the flexible terms min (heretic) and

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45 The discussion in Midr Prov 10 alludes to the previous teaching: “What man has read [in Scripture] will be in his hands, and what he has repeated [while learning Mishnah] as well.” The passage in b. Sotah 22a continues to characterize the totally unlearned with a verse from Jer 31:27 as “a beast” (behemah), in contrast to the learned, who is a whole human being. In the preceding paragraph the term “uncultivated” (boor) is even applied by R. Shmuel bar Nahmani to “one who reads [Scripture] and repeats [Mishnah] but does not serve the disciples of the sages.” In other texts the terms boor (uncultivated) and am ha-aretz (unlearned) are likely intended to designate similar types of illiterate and uncultured persons. For literacy among learned circles of “urban” elites as a non-decisive factor in the social hierarchy, see Hezser, Jewish Literacy, 496ff.

46 By contrast, Natronai Gaon mentions in a responsum different types of heresy. One is described as rejecting the Oral Torah only. Cf. Haggai Ben-Shammai, The Karaites Controversy, 19 n. 31.

47 The formulation used in SEZ 2 is unique to this text. The term “way of heresy/heretics” occurs about eight times in other rabbinic texts but not in a similar context (approaching someone “in the way of heresy”). In the basic discussion on “ways of heresy” in m. Meg 4:8–9, certain liturgical customs, prayer rituals and blessing are referred to as minut. Other sources (b. Meg 24b-25a; y. Meg 4 [74c]; ARNb 3; Mas. Tefillin 1:13) refer mainly to this mishnaic account and elaborate on it.
*minut* (heresy) as rabbinic umbrella-terms are not restricted to specific sects or other religions. The variety of “heretics” likely served the rabbis’ purpose of dealing with different dangers and challenges to their authority and to construct the boundaries of their (imagined or real) rabbinic or Jewish community.⁴⁸

We will see shortly that this twofold characterization encompasses a surface labeling of the counterpart (one who knows only Scripture is equivalent to *minut*) that is partly mirrored in his concerns and questions throughout the dialogue. Although one has to be aware of the narrative’s purported and fictional character, the critique within the questions may help to outline the nature of the “heretical” criticism.⁴⁹ With his provocative first statement the opponent challenges the fundamental rabbinic idea of a dual Torah and the authority of the Oral Law. The narrator defends the divine nature of both and then illustrates the concept of a dual Torah in a lively parable.⁵⁰ The gift of two kinds of raw material given by a king to two servants represents the dual Torah given by God at Sinai. One servant, representing Israel or the rabbinic element, refines these products⁵¹ and his efforts are approved by the

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⁴⁹ However, we have to keep in mind that most likely the rabbis, in contrast to Christian heresiology, deliberately used this category in an ambiguous and flexible way, in order to ignore or neutralize different non-rabbinic opponents. Therefore, a clear reconstruction of these opponents remains problematic, since it is based solely on reports from rabbinic documents. See Janowitz, *Rabbi and Their Opponents*, 452f.; Reed, *Rabbis*, 332ff.

⁵⁰ Cf. David Stern, *Parables in Midrash* (Cambridge: Harvard University Press, 1991) 211–216. In his discussion of SER traditions Stern stresses the transition from exegesis to illustration, or as I would say, rhetoric. There is no exegetical motivation for the parable at all. The story is rather told as reaction to the daring statement about hierarchical differences between written and oral Law. It is used in order to reinforce the viewpoint that both traditions are of divine provenance (*me-pi ha-geburah*).

⁵¹ While the rabbi’s initial teaching asserts that God issued both the written and the oral Torah on Mount Sinai, the *mashal* stresses that the written Torah has been refined by the later sages, as the final *nimshal* explains. One metaphor of refinement (“fine flour”) resembles the prominent saying in *m. Avot* 3:21: “Without flour (food), no Torah; [but] without Torah, no flour.” The metaphor of the refined products as
king. The passive conservation of the goods by the other servant, who very likely represents an alternative non-rabbinic branch in Judaism, is condemned.

I assume here a shift in the text’s argumentation. The issue of divine origin, called into question by the opponent at the beginning, is taken for granted by the rabbinic speaker and needs no explanation. Rather, he gives priority to the dichotomy between the rabbinic heritage, which includes the development of extra-biblical oral traditions, and the shortcomings of any contenders who did not accept these genuine rabbinic refinements. The identity and background of these competitors on the socio-religious level is not easy to determine, for in the purported talmudic and geonic period we have to consider multiple non-rabbinic Jewish branches or movements within a complex sphere of influence nurtured by a diversity of Persian, Byzantine-Christian and Muslim cultures.52

Thus, the narrator confronts his opponent in the following detailed interrogation regarding his liturgical practices. He does so in order to specify his opponent’s deviance or to prove that he himself, in contradiction to his initial critique, has adopted post-biblical prayers and benedictions:

Then I said to him: “My son, if I find you [your liturgical practice] in the Mishnah of the Sages, your words will become a lie!” […] I asked him:

assembled on the table brings to mind the title of the popular halakhic compendium, Shulchan Arukh.

“When you are going down before the Ark on Sabbath, how many blessings do you recite?” He said: “Seven.” I asked him: “And on the rest of the days?” [He replied:] “Eighteen.” 53 [I said:] “How many men read Scripture on the Sabbath?” He said: “Seven” […] I asked him: “And how many blessings do you recite over the seven species of the Land of Israel?” He said to me: “Two. One blessing before and one blessing afterwards.” I asked him: “And over all other species?” [He said:] “One blessing.” [I asked him: “How many blessings do you recite in] the Grace after Meals?” [He replied:] “Three. [And with the blessing of] ‘He who is good and bestows good,’ [the total is] four.” I said to him: “My son, were [these commandments given] to us from Mount Sinai? Do they not [in fact] come out of the Mishnah of the Sages?54 Moreover, when the Holy One, blessed be He, gave the Torah to Israel, He gave it to them only as wheat to produce fine flour out of it and as flax to produce [fine] linen cloth out of it.”

As mentioned above, in other rabbinic texts the term “way of heresy” is linked mainly to liturgical concerns. Thus, we can consider the interrogation sequence as a test about possible deviant practice that demonstrates the opponent’s otherness.55 In this the narrator follows a rabbinic dictum that discerns from one’s liturgical competence or abilities a general intellectual status or degree of religious reliability. 56

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53 MS Vatican ebr. 31 reads “the entire prayer” (tefillah kulah), while the editio princeps, Venice 1598, has n° 18.

54 Thus, the narrator concludes that all the regulations concerning prayer, benedictions and reading of the Torah, which the man obeys, stem clearly from the Oral Law (Mishnah) and not from Scripture, proving that his opponent’s attitude towards Scripture and the rabbinic Oral Torah, though critical, is quite inconsistent.

55 For this liturgical context, see n. 48 above. Interestingly, the interrogation in SEZ 2 circumvents all the features of ritual or liturgical slackness assigned to the am ha-aretz in b. Ber 47b and b. Sotah 22a (Shema, tefillin, mezuzah, Torah study for the sons). Although the narrator describes his intentions as only being directed towards a refutation of the man’s claim regarding Scripture, the impression of testing cannot be easily dismissed.

56 Cf. t. Ber 1:6 and y. Ber 5:4, 9c: “From a man’s benediction one discerns whether he is a boor (boor) or a disciple of the sages.” In this case, the text discusses mainly the aspect of how one recites the benedictions and if he knows the rules of extension and shortening. The question in SEZ 2 about the blessing over the Torah on Shabbat shows that the opponent apparently was capable of reading Torah in public, as well as of leading a public prayer. The interrogation may imply an am ha-aretz background as target for the narrator. Thus the opponent’s answers would indicate his degree of proximity to or distance from the ideal of rabbinic custom, for at least some questions relate to the blessings recited over different kind of foods, especially the seven species of the Land of Israel, which play a decisive role in the rituals of heave-offerings (terumot) and tithes (ma’asserot) concerning the first-fruits (bikkurim). Cf. m. Bikk 1:3; 3:1–9. The laxity of the am ha-aretz in observing certain commandments made them unreliable (demai) concerning purity and tithes. Cf. m. Demai, y. Ber 5,8; y. Gitt 5,10 (47c); b. Chul 6b. Also, the question about the Grace after Meals resembles a similar narrative of testing in LevR 9:3 where R. Yannay invites a man for dinner. The man is comple-
The man’s answers, however, reveal adherence to liturgical precepts and prayer customs that under rabbinic influence had become common Jewish practice, as preserved in various rites and prayer-books. He mentions the Amidah (for Shabbat and weekdays), the reading of the Torah and various blessings from the domestic liturgy (grace after a meal/blessings over different products). None of his testimony reveals any preference for deviant or heretical practices in respect of common (rabbinic) liturgy. As has become clear, the opponent’s purported heresy can only be identified in the most general terms: theoretical skepticism towards a divine Oral Torah, paired with practical conformity regarding rabbinic liturgy. So we have to turn to the remaining challenge questions posed by the opponent:

He said to me: “Rabbi, [is it true that] from the day the world was created until the present hour, when a man carries out a command he is given a reward, and when he commits a transgression he is given a reward? [...]” He said to me: “Rabbi, why are the nations of the world different, since they enjoy this world?” I said to him: “Such is their reward that [the Holy One] set Israel apart from them, so they enjoy this world [...]” He said to me: “Rabbi, from now [it would be true that] when a man carries out a command he is given a reward, and when he commits a transgression he is given a reward?” I said to him: “My son, what [do you call] the reward of the ancient serpent who stood and corrupted the entire world? And what [do
you call] the ‘reward’ of Adam and Eve who transgressed the command? What [do you call] the ‘reward’ of Cain who slew his brother Abel?’”

One can assume that these last questions that criticize divine justice may possess some deviant or “heretical” touch from the perspective of the rabbinic counterpart. Yet, in contrast to harsh polemical disputes with Gentiles or sectarians, here the man’s query rather alludes to existential religious issues, open to misconception and discord. He questions the divine origin of Oral Torah, the scope of divine justice, and the system of reward and punishment with special regard to the merit for the world to come. Additionally, he is puzzled by the contrast between the Jewish experience of exile and the well-being of the Gentiles. These are very complex rabbinic conceptions that developed over a long period of time and underwent different conceptual changes. Moreover, those ideas were objects of numerous discussions and were not undisputed among the rabbis themselves. Hence, they likely required clarification for all non-specialists in religious concerns, including non-rabbinic partly-learned others. Consequently, the opponent seems rather to represent a non-rabbinic, semi-learned Jew who is influenced by competing ideas from his surroundings. His particular knowledge of Scripture, paired with skepticism towards rabbinic lore, challenges and troubles that group, whose members most likely considered themselves the preservers of the “core religion” of Israel, namely rabbinic Judaism.

59 The questioner’s doubts concerning divine justice and the system of reward and punishment correspond to central ideas of Muslim philosophical thought from a Mutazallite background. Scholars assume a strong link of influence between this group and (proto-)Karaite circles. See Moshe Zucker, Rav Saadya Gaon’s Translation of the Torah (Hebrew; New York: P. Feldheim, 1959) 116–127 and 205–219.

60 In his answer the rabbinic narrator validates the system of reward and punishment as functioning perfectly. In a consoling way he stresses Israel’s election (lit., “his portion in this world”). God bestowed upon Israel the gift of a dual Torah, which will guarantee the Jews eternal life. The Gentile nations will have no place in the world to come, even though they seem to benefit now. This idea of a postponed retribution for the Gentiles seems to be a rather late development. Cf. Johann Maier, “‘Messianische Zeit’ und ‘kommende Welt’ in der Zukunftserwartung des Judentums,” in Zukunftserwartung und Heilserwartung in den monotheistischen Religionen, ed. A. Falaturi et al. (Freiburg: Herder, 1996) 139–65.


62 Cf. Stern, Jewish Identity, 127–137.
In this context one has to keep in mind the literary strategy of staging or projection: assigning a deviating or challenging opinion to outsiders. As Hayes puts it: “[…] in some cases, the position is well attested in Jewish, if not rabbinic, circles. By assigning the view to minim, rabbinic storytellers can distance themselves from it and, in the process, create an orthodoxy on the matter.”

SEZ 14

The last episode, in SEZ 14, displays an aggressive and polemical confrontation between the rabbinic narrator and an unlearned fisherman who mocks the Torah and its teacher. Despite this aggression on the side of his counterpart, the protagonist exhibits an attitude of understanding that points to a rabbinic strategy of patience, persuasion and consolation rather than a stern rhetoric of rebuke:

Once I was traveling from place to place, when a man accosted me. Scorning and mocking at words (or things), he came upon me. I said to him: “My son, what will you reply to your Father in Heaven on the Day of Judgment?” He replied: “I have words (things) to reply to my Father in Heaven on the Day of Judgment. I will say to him: Understanding and knowledge were not given to me from Heaven.” I asked him: “My son, what is your work?” He said: “I am a fisherman.” I asked him: “My son, who told you to bring linen cord, weave it into nets, cast them into the sea and bring up fish from it?” He said: “Rabbi, with regard to this, understanding and knowledge were given to me from Heaven.” I said to him: “My son, if understanding and knowledge were given to you to cast nets and bring fish up from the sea, were not understanding and knowledge [of the] words of Torah [also] given to you, as is said: No, the word is very near you; [it is in your mouth and in your heart so that you may obey it] (Deut 30:14).” Immediately he sighed and raised his voice, weeping. I said: “My son, do not worry yourself! All other human beings reply [like you] in this matter. But the works of their hands will give the evidence.” Of him, of those like him, of those who resemble him, and act like him, what does [Scripture] say: Moreover those who work in flax and those who weave fine fabric will be ashamed (Isa. 19:9). [But] in the end, what it all comes down to is fear of Heaven and good deeds.

The opponent, a mocking fisherman, is clearly depicted as an illiterate and uncultured member of a lower social stratum. In his hostile attitude

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63 Hayes, “The ‘Other,’” 259.
64 Venice 1598: “mocking” (mitlotzet). MS Parma 2785 and MS Oxford Mich 910: “scorning and mocking me” (mitlotzet u-mal’ig ke-negdi). Most likely this mocking is directed against the “words of Torah” (divrei Torah) discussed at the end of the previous chapter. Otherwise one could relate it to the words of the rabbinic narrator himself, which as a sermon or teaching could be on a second level based on the Torah.
and mockery he resembles the unlearned (am ha-aretz) or uncultivated (boor), whose relations to the sages are described in rabbinic traditions as strained and conflict-ridden. From a literary perspective, his disregard and hostility towards the rabbinic narrator correspond to a rabbinic stock character: the scoffer. In rabbinic literature we can find similar plots of mockery against rabbis by unlearned, skeptical non-rabbis, women, heretics, magicians, witches and Gentiles. In most cases an act of retribution by the rabbinic protagonist underlines the importance of belief in rabbinic expertise and demonstrates the coercive power exercised against humiliating non-rabbinic challengers.

One can certainly observe a different mode of interaction between the rabbinic character and his counterpart in SEZ 14. Although the fisherman explicitly mocks him and ridicules the Torah, thereby expressing a deep ignorance of rabbinic tradition, the narrator remains calm and launches no aggressive counterstrike. In fact, though the narrator rebukes his challenger for his rude attitude, he does it implicitly by instructing the other about his fate on the Day of Judgment (with a reference to the “shame of the ignorant” in Isa 19:9). The advice emphasizes everyone’s responsibility for moral conduct with regard to their eternal fate.

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65 For the concept of the am ha-aretz and the boor, see discussion above, nn. 36 and 37. Cf. also m. Avot 2:5; 5:10. In Sages and Commoners, 335 n. 102, Miller points to Driver’s analysis of the term boor as stemming from the basic meaning “outside of the city,” an observation that connects the rabbinic boor with the rural milieu. Several accounts deal with arrogant sages and hate-filled unlearned; e.g., LevR 9:3; b. Pes 49a-b. The depiction in SEZ also recalls the literary stereotype of the epigoros as a spurner of Torah (=scholars) that prevails in post-Tannaitic rabbinic sources; see b. Sanh 99b-100a. According to Jenny Labendz, the term epigoros refers in post-Tannaitic texts to a negative type-character, lacking any concrete relation to epicurean philosophy. In fact, the term is applied to characters that show disrespect of Torah, Torah study and Torah scholars. Cf. Jenny R. Labendz, “‘Know What to Answer the Epicurean’: A Diachronic Study of the ‘Apiqoros in Rabbinic Literature,” HUCA 74 (2003) 175–214.

66 For example, the rabbi, just by throwing a glance on him, kills his opponent, who is reduced to a pile of bones. For these kinds of narratives, see y. Ber 2,8 (5c); b. BQ 117a-b; PRK 18,5 (R. Yohanan and the heretic sailor) and its parallels (b. Sanh 100a, b. BB 75a); y. Shev 9:1, 38d (R. Shimon bar Yohai, the Samaritan and the scribe) and its parallels (QohR 10:8, PRK 11,16, b. Shab 33b-34a). According to Kalmin’s study of these accounts, Palestinian sources exhibit an extremely sharp backlash against non-rabbinic scoffers, whereas Babylonian stories tend to depict a controversy between the characters on equal terms. Kalmin suggests differing social contexts: closer involvement with and anxiety of non-rabbinic skeptics in Palestine, in contrast to greater distance from non-rabbis in Babylonia. The stories’ purpose seems to be anticipation and refutation of external and internal attacks. Cf. Richard L. Kalmin, Jewish Babylonia between Persia and Roman Palestine (New York: Oxford University Press, 2006), 87–101.
The rabbi also indulgently counters the daring and blasphemous excuses of the fisherman related to his intellectual deficiencies, blaming God for not endowing him with sufficient intellectual capabilities for the study and observance of Torah. Instead of reproving him, the rabbi reminds him of his professional knowledge and capacities, which were also bestowed upon him from heaven. From the narrator’s point of view, the man’s boorishness and disdain are directly linked to his ignorance of Torah. Subsequently, the rabbinic character introduces discreetly the spiritual benefits that even a very basic knowledge of Torah can provide for him.

Yet the rabbi concludes that fear of heaven and good deeds are the most important virtues. Thus, study is of no use unless it is transformed into ethical practice.67 That consolation offers an additional or alternative way of gaining merit. This may aim at those who are intellectually not capable of full-scale Torah study or those who are not willing to embrace the deprivations of a rabbinic scholarly existence. Even they can receive divine reward through moral conduct and a god-fearing lifestyle alone.68

This dialogue also exhibits a twofold rhetorical structure. In a patient and educational way the rabbinic character stresses individual moral responsibility, as well as the accessibility of Torah for everyone. The alternative teaching about a minimal Judaism of little Torah, fear of God and ethical conduct, serves to comfort the unlearned. Thus, a person who lacks religious knowledge and basic moral standards, as illustrated by the character of the fisherman, requires rebuke but also help through teaching, in order to set him on the right path.

II. Out of Otherness: The Rabbis’ Reaction to Religious Challenges

Having discussed the relevant passages in SEZ in detail, I will highlight the main features that contribute to the text’s modes of “othering” and

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67 See y. Sanh 10:1 (27c) and y. Peah 1:1 (16b) on the pointlessness of studying the Torah without ethical practice and observance.

68 This idea is made even more explicit in a close parallel where the fate of the unlearned but pious man is discussed. According to this tradition, for an unlearned man even his regular conduct and daily labor, when carried out with faith and in fear of God, count as a mitzvah and guide him to eternal life. Cf. Tanhuma Va-yelekh 2: “And the last thing is fear of Heaven. And who does it with faith, for him [even] his labor is counted [as a merit] and he deserves life in the world to come.” Another parallel can be found in Jalqut Torah §940. This rendition is cited as a tradition of Tanna debe Eliyahu and contains parts of SEZ 15.
self-representation, and discuss these strategies and their discursive implications with regard to promotion of an alternative, less-intellectual “minimal Judaism.”

In each dialogue a different type of non-rabbinic “other” challenges, doubts and troubles the rabbinic counterpart. Their attitudes range from interest in rabbinic instruction (SEZ 1), to challenging inquiry of a semi-learned fellow Jew (SEZ 2), to open mockery and contempt by the ignorant (SEZ 14). Still, in all of the episodes the rabbinic narrator interacts with each outsider closely and in an affirmative way.69 This stands in sharp contrast to the defensive caution towards heretics and the hostile and arrogant attitude towards the unlearned frequently displayed in rabbinic literature.70 Instead of a sharp reaction or disregard, we discover a rhetoric of patience and instruction, paired with great openness to interaction with non-rabbinic others. The rabbinic narrator(s) in SEZ seem to follow rabbinic traditions that advocate the teaching of the unlearned or skeptics and the idea of mutual responsibility for all Israel.71 The strategies of “othering” displayed here point primarily to including or influencing non-rabbinic Jews, rather than excluding and...
vilifying them. Thus, SEZ is not only about “marking others and making selves,” but rather implies a “marking of others to make them ideally like ourselves.” To take up the teaching in Avot 2:14, the narratives in SEZ are not only “to answer the epigoros”72 and thereby ward him off. In fact, the episodes reveal a consistent effort of the rabbinic character to argue with the skeptic or ignorant in order to convince him and to open his eyes to the appealing truth and benefits accessible through the rabbinic version of Judaism.

Yet, the narrator tends to promote a rather minimalistic version of rabbinic lore, adapted to each dialogue.73 This “minimal Judaism” demands only a basic knowledge of rabbinic Torah in order to understand the essential theological ideas (dual Torah, reward and punishment, the world to come) and to practice the most important rituals (daily prayer and domestic benedictions). The traditional knowledge and practice required of the opponents comprehends only the basic distinctive features of rabbinic Judaism that even an unlettered or semi-learned person would be willing and able to manage. This point is emphasized in SEZ 14, where a god-fearing life of good deeds presents an alternative gateway to salvation for the unlearned.74

On the surface level, the rabbinic narrator in SEZ’s narratives responds directly to the queries of his opponents. In doing so, he conveys and promotes a minimum level of Torah study and other religious values (fear of God/good deeds/prayer/charity) even for the unlearned. In passing, this brief anthological sketch illustrates the fundamental ideas of rabbinic ideology, combining theory (theology) and practice (liturgy and ethics), in an ostensive way. This programmatic version of “minimal Judaism” does not require either extraordinary intelligence or an exclusive devotion to scholarly life. Moreover, unpretentious, vivid

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72 Cf. Labendz, “‘Know What to Answer’,” 175–214.
73 I am indebted to Jacob Elbaum, who discussed with me parts of my PhD research. We agreed on the idea of a minimalistic or essential concept of Judaism (Yahadut minimalit) promoted in the traditions of Tanna debe Eliyahu. This “minimal Judaism” is not fixed. Rather, the rabbinic narrator applies the features that are useful in each context of the narrative. Thus, in SEZ 1 he focuses on the importance of Torah study for unlearned but well-off Jews. With the partly-learned in SEZ 2, he discusses more complex religious ideas. The interaction with the ignorant scoffer in SEZ 14 highlights the non-intellectual virtues of a moral life.
74 However, access to a rewarding life and redemption in the hereafter is bound to a minimum observance of rabbinic lore, basic acquaintance with Torah and guidance by the sages. This point is also emphasized in SEZ 2, 173, where the sage serves as an atonement for Israel in exile and supporting the sages is like offering the first-fruits, and SEZ 12, 194, where the am ha-aretz enters the world to come as the servants of the righteous; cf. b. Ket 111b, where marrying their daughters to a sage is indicated as a way for the amei ha-aretz to gain reward.
literary depictions of patient interactions between rabbis and unlearned, common people – mediated as a personal experience of a first-person narrator – probably had an impact on a wider, non-rabbinic audience.

Implicitly, these narratives provide points of identification and contact for a learned audience. The concise review of rabbinic theology and ethics may have served as a mnemotechnical device.75 Those concepts were central to rabbinic self-perception in internal discussions, as well as in disputes with differing internal and external others. Furthermore, these narratives explore the functions and limits of the application of these ideas within a cultural framework of competing ideas. These vividly framed dialogues thus also provide a didactical model for inter- and intra-religious discourse or dispute.76

Conclusion

A variegated and exciting picture emerges from our survey of narratives about a rabbinic encounter with non-rabbinic characters. Three differing constellations can be summarized as follows. SEZ 1 touches upon the existential importance of basic Torah study for all Israel. This is combined with an appeal for the sages to teach the unlearned and for the illiterate to study a little and support the rabbis. The episode in SEZ 2 deals with the main concepts of rabbinic tradition and introduces a probably threatening challenge from partly-learned folks as competitors, who have a superficial knowledge of rabbinic lore and are influenced by circulating “heretical” ideas. SEZ 14 brings into focus the accessibility of Torah knowledge and righteous conduct for everyone, together with an alternative way to gain merit for the hereafter.

In the context of SEZ, this kind of dispute or challenging confrontation takes on the shape of a rabbinic travel narrative or narrative of encounter. This plot-type explores spheres of religious or cultural liminality through border-crossing interaction with internal or external


76 Cf. Kalmin, “Christians and Heretics,” 165: “Late storytellers may have imagined such disputes, inventing narratives in which rabbis easily and consistently defeated their heretical opponents. These narratives served as tools in their struggle to win converts or in their fight against heresy; the stories functioned as attempts to convince anxious Jews that heretical arguments were easy to refute and that the fundamentals of rabbinic belief and practice were sound and secure.”
“others.” Thereby, the rabbis are able to touch upon delicate and highly controversial issues discussed through a “safety screen” that presents such ideas as a challenge by external or internal others. Thus, the delineating of cultural or religious boundaries oscillates between distance and proximity while reflecting the dangers and pitfalls of religious deviance. In SEZ, the strategies applied in interaction with non-rabbinic contenders resemble the general tendency in narratives from later rabbinic sources. In these stories rabbis tend to dispute with their opponents in order to demonstrate their superiority, rather than to avoid any contact with deviant ideas and practices which might lead to defection.

These episodes exhibit a plurality of internal otherness, within a diversified Judaism and its surrounding cultures in late antiquity and early medieval times, as well as different rabbinic ways to cope with that challenge. The image and imagination of the “other” serve to illustrate and promote a kind of core religion or “minimal Judaism,” comprising distinct rabbinic ideas and basic ethics. This condensed version seems more appealing to broader Jewish society than a rigid and elitist rabbinic Judaism, concerned with more abstract theological and halakhic concepts. Consequently, the specific themes and constellations in the dialogues and other parts of SEZ may reflect rabbinic orientation and openness towards non-rabbinic others. This may have been intended


78 In this universal narrative-type (of wandering or a journey) the encounter with the other provides an open but still framed sphere for contest and examination of one’s own cultural or ideological identity. For an inspiring discussion of these issues in general, see Joshua Levinson, The Twice-told Tale: A Poetics of the Exegetical Narrative in Rabbinic Midrash (Hebrew; Jerusalem: Magnes, 2005); idem, “Literary Approaches to Midrash,” in Bakhos, Current Trends, 189–226; Janowitz, Rabbis and Their Opponents, 460f; Reed, Rabbis, 334f. Hayes stresses the constructed nature of the varying opponents who most probably served as foils in order to develop a rabbinic orthodoxy; see Hayes, “The ‘Other’,” 259. In rabbinic literature such narratives concentrate on blurring the boundaries of Jewish and surrounding cultures (typical areas are the bathhouse, the marketplace or the house of the Matrona). In such settings sages meet typological non-Jewish representatives (priest/emperor/philosopher/official). With them they discuss complicated and sometimes even delicate topics from the religious realm which seem to be crucial for the rabbis’ identity and their cultural self-definition. It is important to note that especially episodes about an encounter with the supernatural (angel/the prophet Elijah/bat qol) seem frequently to be realized within a narrative of wandering; cf. Qohelet Zutah 7:8; b. Ber 3a; b. Shab 134a; SER 16.

to attract a wider, non-academic audience through literary depictions of interaction across social classes that were drawn from life. (Unfortunately, we do not know much about the success of this rabbinic endeavor until the medieval period, as supporting documents about non-rabbinic or semi-learned Jews are scarcely to be found before then.) Simultaneously, the intensive preoccupation with the internal unlearned “other” in SEZ reflects the dynamics and ambiguities of rabbinic self-definition. Thus, these narratives function as a fictional anticipation by rabbinic authors in order to create paradigmatic patterns for dealing with non-rabbinic challenges. Combining an instructive narrative dialogue with a narrative on dialogic instruction, the encounters with the “other” in SEZ transcend the realm of mere polemics and bridge the gap between dispute and instruction.
Jewish Tradition and Bible Criticism: A Typology of Israeli Orthodox Approaches to the Question of Deutero-Isaiah*

AMOS FRISCH

Introduction

My goal here is to present a broad spectrum of the opinions about Deutero-Isaiah that have been propounded by Jewish scholars with “dual loyalty” – a commitment both to Jewish tradition and to modern biblical scholarship – to analyze their views, and to classify the different approaches in light of more general notions of “religion and science.” As Shalom Rosenberg put it so well, “in our generation, the center of gravity of the tension between religion and science has largely shifted from the natural sciences to the humanities and social sciences.” Within these disciplines, the tension is particularly fierce when it comes to biblical criticism, a discipline that touches the very foundations and sanctity of the Holy Scriptures.

Instead of a diffuse examination of the multitudes who have “dual loyalty” in this respect, I have chosen to focus on a relatively well-defined group of authors, Orthodox Israelis. The selection was based on three criteria: (1) These scholars find themselves in a more ambiguous situation (in my estimation), which leads to an especially broad
spectrum of views. (2) The members of this group have written exten-
sively on the issue I have chosen to highlight. (3) These diverse opinions,
expressed in Hebrew and circulated in Israeli publications, are not
widely known in the rest of the world, and I believe that disseminating
these views should be instructive for all who deal in the issue of religion
and science, even if they do not accept one or more of these opinions.

I make no judgment about the theses reviewed here. The present
paper should be seen as a literature survey that endeavors to identify
the various positions, analyze each of them in depth, set them in a
theoretical structure of basic approaches to the question of religion
and science, propose subcategories within these approaches, and offer
a general mapping of all the positions. Thus the theological or philoso-
phical core is given a sociological coloring.

In the autobiographical introduction to his book Torah Umadda,
Rabbi Norman Lamm, the former president of Yeshiva University, notes
that one of the two main reasons he decided to enroll in that institution
was his fascination with its ideal, “the ‘synthesis’ of Torah learning and
western culture that goes by the name of Torah Umadda.”

I have experienced a lifelong romance with this ideal, a romance that was
not at all uncritical. It has inspired and frustrated me, challenged and
puzzled me, and made me feel that, in turn, it is incapable of theoretical
justification for a believing Jew – yet so self-evident as not to require any
justification.\footnote{N. Lamm, Torah Umadda: The Encounter of Religious Worldly Knowledge in the
Jewish Tradition (Northvale: Jason Aronson, 1990) xi. The challenge goes beyond coping
with different opinions; it also involves devoting time to the study of science (even if there
is no contradiction between it and religious belief) rather than to intensive Torah study.}

This ambivalence seems to be representative of Orthodox\footnote{For a comprehensive study of the history of this term, see J. C. Blutinger, “‘So-
called Orthodoxy’: The History of an Unwanted Label,” Modern Judaism 27 (2007)
310–328.} Jewish scho-

lars in general when they attempt to deal with the issue of religion and
science as it relates to modern Bible scholarship and criticism.

A three-part classification of approaches to the clash between science/
modern scholarship and traditional beliefs, based on how they relate
traditional truth to scientific truth, strikes me as appropriate. One cate-
gory accepts traditional truth and rejects science; the second does just
the opposite, accepting science and rejecting tradition; the third accepts
both truths. (The fourth permutation, rejecting both tradition and
science, does not seem to be useful for the present discussion.) There is
a parallel between these basic approaches and the three ideas enumer-
ated by Avi Sagi in his important study of post-talmudic views of the
nature of disputation: the monistic view that “the status of the opposing views is not identical: one is valid and the other is invalid”; the pluralistic view that “neither position is closer to the truth than the other”; and the harmonistic view (which Sagi introduces with “contraries don’t really exist”) that “does not recognize the existence of contradictory possibilities [and holds that] the contradiction is spurious.”

Adopting religious truth and rejecting scientific truth corresponds to the monistic approach; adopting both corresponds to the pluralistic approach; and adopting scientific truth and reinterpreting (in essence rejecting) the traditional truth is harmonistic (there are no contraries in nature). These are the three basic positions available to dual-loyalists. Even when such people reject a particular scientific verity or a particular traditional truth they do not abandon their basic commitment to both science and faith; they can still explain how their rejection of a specific scientific idea (the first stance) is itself based on scientific considerations, just as the rejection of a particular traditional truth (the second approach) is based on arguments derived from tradition itself.

Shalom Rosenberg, in his comprehensive study of the issue, lists six approaches, but he himself defines the first four as basic and the other two as supplementary. These four are: the limiting approach, the exegetical approach, the theory of distinct domains, and the theory of total separation. It seems, though, that the difference between the third and fourth of these is more quantitative than qualitative or essential, as is in fact reflected in Rosenberg’s description of the fourth approach: “This method takes the theory of domains to an extreme and posits a fundamental and absolute division between Torah and science with regard to their language and objectives.” Consequently we can relate his scheme, too, to our three basic approaches of rejecting science, making tradition conform to science, and divorcing tradition from science.

Raphael Schneller, in a study of how biology is taught in religious high schools in Israel, defined five approaches:

1. “recognizing the Lord as the creator and sovereign by looking at nature”;
2. “the unifying approach”;
3. “the exegetical approach”;
4. “the theory of distinct domains”;
5. “the theory of total separation”.

Schneller also offers a sixth approach, “The Approach of the Freethinker: Denying the Authority of Religion and Belief,” but dismisses it as irrelevant.
ing approach that identifies scientific theories with Jewish texts and philosophy – the ‘correspondence method’; (3) “the dualist approach that separates the world of faith from the world of science”; (4) “a critical approach towards science in general”; and (5) “scientific criticism of key scientific theories” (which he exemplifies with the issues of evolution and the age of the universe). For him too, however, there seem to be only three fundamental positions: the unifying stance, the dualistic stance, and the stance that is critical of science (his fifth approach seems to me a special case of the fourth approach rather than essentially independent; his first approach is not a way to resolve the confrontation but a purely religious attitude).

In “Bible Scholarship as a Religious Problem,” R. J. Zwi Werblowsky identified the same three basic approaches but used labels derived from Christianity (“a sort of terminological shorthand for convenience’s sake”): the fundamentalist approach (critical of science), the Catholic approach (harmonizing), and the Protestant approach (dualist). His precise formulations merit our attention. The first attitude is that “one should have firm faith in tradition. Science is not an intellectual problem, but a moral problem. It is to be rejected along with all the other devices of the evil impulse.” The second approach is that “religion, the world, and the intellect were all created by God. Consequently there cannot be any real contradiction among them and one must accept scientific research, which, in its own domain, is itself a form of divine worship.” Finally, the third approach “accepts the contradictions and does not look for explanations that are only spurious solutions. … Religion and science are each valid in its own domain and we must live in a dialectic tension.” To these three he adds a fourth, “dialectical-mystical approach,” which refers to the particular idea that inspired his article – Rabbi Mordechai Breuer’s approach, known today as the “aspects theory.” Werblowsky notes that this approach combines elements of the others and is “an astonishing mixture of theological structures and approaches.”

11 Near the end of his discussion of the first approach Schneller writes: “Should scientists one day propose a ‘scientific explanation’ for this or that phenomenon, … believers will see it as the product of the scientist’s thought and view the interpretation given it … as implausible and unacceptable” (p. 44). This is the classic critical attitude towards science (Schneller’s approaches 4 and 5).
13 Ibid., 163.
14 Ibid., 163–164.
15 Ibid., 168; compare 166. On Breuer’s approach and responses to it, see now Y. Ofer, ed., The “Aspects Theory” of Rav Mordechai Breuer: Articles and Responses
Rabbi Dr. Aharon Lichtenstein has suggested a distinction among the various issues that give rise to a conflict, as a function of their importance (see his foreword to the Hebrew translation of physicist Nathan Aviezer’s *In the Beginning*, which attempts a synthesis between modern biology and cosmology and the creation narrative of Genesis):

We have learned from the school of Maimonides that we must distinguish two types of clashes between Torah and science, between tradition and logic. There are essential conflicts that would subvert the very foundations of belief … and there are random contradictions that take the form of challenging authoritative texts and casting doubt on sacred truths, although, were it not for its origin, the issue itself would not be viewed as a fundamental tenet of belief.  

In this discussion of the collision between science and belief as it occurs specifically in the arena of Bible scholarship, I have decided to deal with the prophetic books rather than the Torah, because the debate is frequently concentrated on the Torah. As noted by Barry Levy in his comprehensive survey of how Orthodoxy in North America relates to Bible scholarship, “one of the hallmarks of Orthodoxy is the relatively little attention given to many of the non-Pentateuchal books.” In the Torah Umadda debate, the contradiction between religion and science is most extreme (the God-given Torah versus the documentary hypothesis), and most Orthodox scholars put it in Lichtenstein’s first cate-


16 A. Lichtenstein, “Foreword” (Hebrew), in N. Aviezer, *In the Beginning . . .: Biblical Creation and Science*, trans. D. Aviezer (Ramat Gan: Aviezer, 1994) 9. Compare Werblowsky’s distinction between two types of challenges to faith, where he cites the authorship of Isaiah as an example of the first type, of which he says, “This challenge is fairly general, and answering its arguments does not require any fundamental and deep theological turn” (Werblowsky, “Bible Research,” 163).

17 A conspicuous example is Breuer’s approach, which applies exclusively to the Torah. A second example is the discussion by Jonathan Sacks, chief rabbi of Great Britain, in “Judaism and Its Texts,” ch. 7 of his book *Crisis and Covenant*; there too, with only sporadic references to the entire Bible, almost all the discussion focuses on the Torah. See J. Sacks, *Crisis and Covenant: Jewish Thought after the Holocaust* (Manchester: Manchester University Press, 1992) 176–207.

gory – a conflict that subverts fundamental belief. The question of Deutero-Isaiah, on which we will focus here, seems to fit into the second category – a challenge to authoritative texts but not necessarily fundamental. Below we will consider whether all those who have dealt with the issue have seen it this way.

**Deutero-Isaiah**

Before we survey the diversity of opinions on the question of Deutero-Isaiah, we should review the data. The historical situation to which Isaiah chapters 40–66 refers is quite different from that which underlies the first 39 chapters of the book. Those speak of the nation as living in its own sovereign state, as was indeed the case in the time of Isaiah son of Amoz, who was active “in the days of Uzziah, Jotham, Ahaz and Hezekiah, kings of Judah” (Isa 1:1); that is, the second half of the eighth century BCE. By contrast, the people addressed in the second half of the book are exiles in Babylonia; the prophet urges them to return to their homeland, and speaks of the road that leads there and of the desolate land and ruined Temple. Cyrus of Persia is even mentioned by name (44:28 and 45:1). These data fit the second half of the sixth century BCE. There are also differences of ideology: for example, chapters 40–66 do not relate to a Davidic king, and view the Lord as sole sovereign.

But there is also evidence for the unity of the book. The second part of the book follows directly on the end of chapter 39, with no superscription, right in the heart of a prophetic message: “Comfort, comfort my people” (Isa 40:1). The tradition that it is all a single book can be traced back at least to Ben Sira in the second century BCE, who refers to Isaiah as a prophet who was contemporary with Hezekiah and who also “by the spirit of might … saw the last things, and comforted those who mourned in Zion” (Sirach 48:33 [RSV 24]), a clear indication that this author considered the second part of the book to be the work of Isaiah son of Amoz. Nor is there any distinction between the two sections in the complete Isaiah scroll from Qumran (1QIsa\(^{b}\)), copied in the second or first century BCE. In addition, there are locutions common to both sections, notably * qedosh yisrael* (the Holy One of Israel), which is used throughout Isaiah (12 occurrences in each section)\(^{19}\) but rarely appears in other books.\(^{20}\)

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\(^{20}\) Only in 2 Kgs 19:22 (= Isa 37:23); Jer 50:29; 51:5; Ezek 39:7; Ps 71:22; 78:41; 89:18.
The first modern to divide the book in two was J.C. Döderlein in 1775. The denial of Isaiah’s authorship of the second part became a solid axiom of Higher Criticism (and spawned further distinctions about which there is no general consensus, such as the assignment of chapters 34–35 to the later prophet, or the discovery of Trito-Isaiah and determination of where his contribution begins). Among Jewish commentators, the first inkling of Deutero-Isaiah appears in veiled form in Abraham Ibn Ezra’s commentary on Isa 40:1, which concludes with the standard esoteric formula, “and the intelligent will understand”; thus he anticipated modern critics by more than 600 years.21

Survey of Approaches

Our review of the various approaches to Deutero-Isaiah will assign them to the three basic categories sketched out above: rejecting the scholarly view, harmonizing tradition with the scholarly view, and erecting a wall between tradition and biblical criticism.22 Classifying each position will


22 There are other ways of classifying the approaches; even if they, too, are tripartite, they do not always overlap the division proposed here. Here are two examples: (1) Amos Hakham, in a methodological response to Breuer’s Aspects Theory, distinguishes three approaches: (a) absolute rejection of the scientific approach to study of the Torah; (b) a balanced acceptance of scientific research that rejects conclusions that are incompatible with Jewish tradition; and (c) acceptance of the conclusions of academic scholarship and harmonizing them with the tradition (he assigns the Aspects Theory to this category). He does not recognize the approach Rosenberg calls separate domains (our third approach.) See A. Hakham, “On Bible Study, the Documentary Hypothesis, and the Aspects Theory” (Hebrew), Megadim 3 (5747 [1986/7]) 67–81, esp. 88–89. I am skeptical that the Aspects Theory is truly an example of Hakham’s third approach, since ultimately its advocates interpret the data in a totally different fashion than do critical scholars, even if they accept all of the data. Breuer himself gave sharp expression to these differences in an article aimed at his own students; see M. Breuer, “On Bible Criticism” (Hebrew), Megadim 30 (5759 [1998/9]) 97–107. (2) Sacks proposes three slightly different approaches: (a) “The first is reconciliation between Jewish belief and contemporary scholarship … namely, that the challenge could and should be met on its own ground.” (b) “A second group of thinkers … sought to emphasize not the connections but the differences between biblical criticism and a religious approach to texts … but they question its claim to determine the meaning of the Bible for the community of faith.” (c) “A third group adopts the approach of rejection. Torah is to be understood from within. … No argument that proceeds from other premises touches the Jewish understanding of the Bible.” See Sacks, Crisis and Covenant, 194–201. I find it hard to accept Sacks’ third approach as independent; it seems
require going beyond a general presentation of a particular scholar’s views to examine what he or she actually wrote, since a close reading may facilitate a more precise location of his or her position on the map of the different approaches. Our investigation will lead us to establish subordinate categories within the basic tripartite division derived from Werblowsky’s article.

1. Rejecting the scholarly theory

In this approach, a scholarly theory that contradicts the traditional position is dismissed as wrong; although science is not intrinsically fraudulent and generally discovers the truth, when there is a contradiction between the facts propounded by the two different sources, the truth handed down by tradition, with its divine origin, must triumph over the modern scholarly theory, which is the product of human intellect.

a) Accepting the traditional truth unmodified (or only slightly modified)

With regard to the authorship of the book of Isaiah, a classic example of this approach is that of the German-born Rabbi Yissachar (Bernard Solomon) Jacobson (1901–1972), a leading Israeli religious educator. His book *Hazon ha-miqra* (The vision of Scripture) is a series of short studies of various biblical topics, in which he demonstrates openness to the views of non-Orthodox and even non-Jewish thinkers and commentators.

His essay for the haftarah of the weekly portion of *Va’ethanan*, which is taken from Isaiah 40, is devoted to “the unity of the book of Isaiah as a fundamental issue for the nature of prophecy.” After drawing on many sources, both ancient and modern, he concludes as follows:

rather to be a combination of the first two. On the other hand, Rosenberg’s exegetical approach (which corresponds to Hakham’s third approach) is not represented here. Sacks’ definition of the first approach as “reconciliation between Jewish belief and contemporary scholarship” may be misleading, because it accepts the tools of science but vigorously rejects its conclusions.

23 Although I have selected chiefly writings of contemporary Israeli Orthodox scholars, to complete the picture I have included a nineteenth-century Italian Jewish scholar (Luzzatto) and a twentieth-century Israeli scholar who would not define himself as Orthodox (Hoffman). I permit myself this latitude because it is clear that, as a matter of principle, their approaches can be found among contemporary Israeli Orthodox scholars and thinkers, though not on the specific issue of Deutero-Isaiah. See also nn. 47 and 85.

24 For this basic approach see, for example, Y. R. Etzion, *Ha-madda weha-dat* (Tel Aviv: Bitan ha-sefer, 1947); M. M. Schneersohn, “Religion and Science,” *Iggerot Qodesh* 1 (Kefar Chabad: Chabad Young Organization in Israel, 1972) 5–10 (letter dated 18 Tevet 5722 [Dec. 25, 1961]).

To sum up, we must emphasize that the arguments are not what matter here. When a Jew recognizes that he must accept the unity of the book of Isaiah he can find strong support for his opinion and outlook in a series of arguments that contradict the critical opinion and support the traditional one. First, however, he must decide how to view the Book of Books – whether as a conventional book, although sublime in content and lofty in form, or as a document that reveals the Lord’s power and word. … Let the believer find the strength to decide that he must accept the words of the prophets in general – and Isaiah 40–66 in particular – as the words of the living God and not as a composition produced in historical circumstances. Then he will know that when he enters the world of the prophets he is standing on holy ground!26

Clearly Jacobson does not see himself here as engaged in a merely academic discussion but as embarked on a holy mission. For him, the unity of the book of Isaiah is not a trivial issue but an essential principle related to the nature of prophecy. He assigns this issue to Lichtenstein’s category of “essential conflicts that would subvert the very foundations of belief.”

It is important to note, however, that he is by no means rejecting science and academic scholarship, but only a particular theory. For all that his verdict is grounded unequivocally on theological tenets, both at the beginning and end of his essay he takes pains to insist on the scholarly legitimacy of the traditional view.27 In the very first paragraph he writes, “the decision – which must be reached by a person who believes that the prophetic books are the revelation of word of the Lord: that what we have before us is a unified book – has both historical and literary support.” He considers the stance taken by M. H. Segal in his Mevo ha-miqra (Introduction to Scripture)28 – where Segal brings “in great detail all the proofs for dividing the book into two parts and notes a few examples of stylistic similarities between the two parts” – and compares it with the attitude of R. H. Pfeiffer, who refers in his Introduction to the Old Testament to “several scholars who vigorously upheld the unity of the entire book.”29

Despite the difference between what she writes and Jacobson’s approach, this is also where we would put the approach of Dr. Rivka Raviv, lecturer in Talmud at Bar-Ilan University and veteran teacher of

26 Ibid., 55–56.
27 A similar approach is taken by Zion Okashi, who emphasizes the relativity of scientific truth; see “The Religion of Science: Deutero-Isaiah as a Parable” (Hebrew), Derekh Efrata 7 (1997) 99–105.
28 M. H. Segal, Mevo ha-miqra (Jerusalem: Qiryat Sefer, 1967).
29 R. H. Pfeiffer, Introduction to the Old Testament (New York: Harper, 1941) 452 n. 15. For Segal’s approach to this issue, see 2c below.
Tanakh. Her short article on “How We Deal with Biblical Criticism When We Teach Tanakh” includes two examples, one of which is the composition of the book of Isaiah.30

Her starting point is an analysis of the differences between chapters 40–53 and 54–66, enumerated by Alexander Rofé as the basis for distinguishing Deutero-Isaiah from Trito-Isaiah.31 According to Raviv, these differences “are ‘facts’ and should be accepted on the level of the plain meaning.”32 But, she says, “We cannot accept the explanation of these differences proposed in [Rofé’s] article. We hold to what our Sages said in Tractate Baba Batra (14–15) about the authors of the Tanakh, and in particular about the author of the book of Isaiah.”33 She advances an alternative account of the differences: from a historical perspective they are to be seen as a manifestation of the prophet’s reaction to the changed situation in Judah. The prophecies through chapter 39 were delivered before Sennacherib’s failure at the gates of Jerusalem; those from chapter 40 on were uttered “against the background of the disappointment with the results of Hezekiah’s rebellion and Sennacherib’s expedition,” when there was a political and spiritual decline in Judah.

Starting in chapter 54, Raviv believes we have “a historical background of the transition from disappointment to the drawing of practical conclusions”;34 these prophecies are to be assigned to the reign of Manasseh (she notes the talmudic tradition that Isaiah was executed at Manasseh’s orders35). She does not address the question of the explicit references to the destruction of the Temple, the name of Cyrus, the

30 R. Raviv, “How We Deal with Biblical Criticism When We Teach Tanakh” (Hebrew), Megadim 4 (5748 [1987/8]) 84–88.
32 Raviv, “Bible Criticism,” 87.
33 Despite the wording, it seems that it is not the divergence from the baraita that bothers Raviv. Rather, it must be the denial that prophets can have foreknowledge of the future, which is strongly linked to the Deutero-Isaiah hypothesis. Similarly, Rabbi Yuval Cherlow – one of the heads of the hesder yeshiva in Petah Tiqva and a charismatic, daring and open thinker – recently stated his position explicitly, in his book on prophecy. After insisting that “there is no heresy in the mere statement that parts of the book of Isaiah were written by a different prophet,” he attacks the idea that the book is not a single whole, because of the motives behind it: “The assertion that there were two prophets named Isaiah is problematic because of its motives. Its roots lie in a rejection of the essence of prophecy and of the possibility that the word of the Lord was revealed to a prophet.” (Y. Cherlow, Looketh on the Heart [Hebrew; Tel Aviv: Miscal –Yediot Ahronot Books and Chemed Books, 2007] 246–247, n. 52)
34 Raviv, “Bible Criticism,” 88.
35 See B Yevamot 49b.
return from exile, and the like (although it is clear that she considers all
of these to be possible for a prophet), but focuses on the very existence
of differences between the parts of the book of Isaiah.

Introducing the article, Raviv writes, “The fundamental point of depar-
ture for our approach to biblical criticism was: to accept the scholarly
tools that criticism employs and the facts produced by the application
of these tools, but to winnow out the conclusions that are neither neces-
sary nor proven. In other words, to conduct a ‘critique of criticism.’”

Unlike Jacobson, who hews to the traditional view without modifica-
tion, Raviv is open to accepting the facts that ground the critical argu-
ment: the existence of differences between the two parts of the book of
Isaiah, as well as of differences between chapters 40–53 and 54–66.

Biblical criticism, as long as it employs sophisticated modern scientific
tools – literary, linguistic, historical and so on – is another product of
science. And just as we cannot bury our heads in the sand and say that
biology is totally false (we certainly benefit from its results), neither can
we dismiss biblical criticism as merely false.

But when the explanation of the facts contradicts what the sages wrote
about the author of the book of Isaiah, she rejects the explanation. She
takes the description of the situation from “science” but offers an explana-
tion that allows her to interpret the facts in line with the traditional view.

b) Rejecting the scholarly truth and proposing a new scholarly alternative

In the nineteenth century the Italian Jewish scholar Samuel David Luzz-
zatto proposed a novel solution to the problem of the authorship of the
book of Isaiah. He asserted that the prophecies of the second half of
the book are indeed the work of Isaiah son of Amoz, uttered with fore-
knowledge of future events, but that he wrote them down to be put away
for the generations to come and never delivered them as public orations.
Like the approaches outlined above, this hypothesis rejects the scholarly
theory, but it differs in two fundamental ways: (1) While maintaining the
core of the traditional view, it offers a new and original proposal about
their nature of the prophecies, and (2) it was not based on automatic
acceptance of the traditional religious view but was arrived at only after
ten years of close study.

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36 Raviv, “Bible Criticism,” 84.
37 Ibid.
38 See Kerem hemed 7 (1843) 225–242. For a detailed discussion of his position see
Shmuel Vargon, “S. D. Luzzatto’s Approach Regarding the Unity of the Book of
39 At the end of his long discussion of this issue, Luzzatto says, “I am always pre-
pared to accept the truth and to learn new things every day, as long as they are based
In presenting his theory, Luzzatto begins by declaring that his motivation is not dogmatic and supports this assertion with a list of the critical views he has already published (attributing the composition of the account of Moses’ death to Joshua, being the first Jew of his generation to proclaim that there are “scribal errors” in the text of the Bible, reading Isa 56:9–57:13 as an elegy on the death of Isaiah son of Amoz, and assigning a late date to Ecclesiastes). “[I]f I support the ancient sages’ statement that Isaiah prophesied about Cyrus,” he affirmed, “I do so not as a matter of piety, but because I see that this belief does in fact have a solid basis.”

In a letter to Solomon Judah Leib Rapoport (known as Shir), however, Luzzatto had written:

With regard to the second part of Isaiah, although I had not seen your proofs that it was written in Babylonia and in the time of Cyrus, I have seen the proofs advanced by Rosenmueller and Gesenius. … If you do not want to quarrel with me on an issue that I consider to be a holy war, please show me first that this in no way destroys the foundations of belief. … But that these prophecies were produced by a forger and deceiver … and all Israel was misled by him – that would be a grave and perilous evil.

Is there no tension between this statement and the openness Luzzatto claimed above? Vargon sums up his position as follows:

Despite Luzzatto’s declarations of his openness regarding biblical scholarship, in certain subjects, he regards himself as bound by tradition. He is confined to dogma; his theological arguments are dogmatic, and they are distinctive to those who believe in revelation and in the power of prophecy. He seeks to defend dogma with the tools of the Bible scholar, but he is not an outstandingly traditional commentator, because on other subjects he is on solid foundations. … But all those ‘plausible conjectures’ do not move me from my place with regard to a belief that has strong underpinnings; because as long as they do not set a clear truth before our eyes, we should adhere to the ancient dictum: ‘between the evident and the hypothetical, the evident is stronger’” (Kerem hemed, 242). Compare what another Italian commentator, Umberto Cassuto, wrote about how he arrived at his position on Genesis: “I approached my task without any bias, and I was prepared, from the start, to accept all the results of my investigations, be they what they might. … It was not my object to defend any particular viewpoint or any particular exegetical method, but only to arrive at a thorough understanding of the Torah’s meaning, whatever that might be.” (U. Cassuto, A Commentary on the Book of Genesis [trans. I. Abrahams; Jerusalem: Magnes, 1959] 1.3–4)


41 Luzzatto to Rapoport, 26 Tevet 5592 (Dec. 30, 1831), Letters of S. D. Luzzatto (Hebrew) (Przemysl, Poland: Zupnick and Knoller, 1882) 2.226. Compare another letter to Rapoport: “you let me know your view of the Book of Consolations, and then I raised my voice and cried out that this destroys the belief in the prophets” (ibid., 262).
willing to accept the opinion of modern scholarship that is in contrast to the tradition.42

Ultimately it is not the denial of these prophecies to Isaiah son of Amoz that bothers Luzzatto. The problem, rather, is the underlying motive behind this view. The prophet emphasizes that he is announcing future events: “Who told this long ago? Who declared it of old? Was it not I, the Lord?” (Isa 45:21). For Luzzatto, those who deny that Isaiah son of Amoz was the author of these prophecies and attribute them to some later author who was a witness of the events described, because they do not believe that Isaiah could have foreknowledge of the future, are denying prophetic revelation and holding up the author as a fraud and imposter – which is tantamount to blasphemy.43 Luzzatto sees himself as engaged in a holy war against this heresy,44 but is open to other ways of interpreting the facts, provided they do not repudiate the idea that these prophecies foretell the future.45

Luzzatto’s contention that the prophecies beginning in chapter 40 are different in nature – written texts as opposed to sermons delivered orally – is his response to what he sees as the strongest argument advanced by those who assign a late date to the composition of the second part of the book, namely, the difference in the language. He explains this difference: the prophecies “uttered for a distant age are in simpler and more accessible language, whereas those uttered about events in [Isaiah’s] own time are more laconic and enigmatic.”46 Luzzatto’s explanation is that the prophet’s audience could understand his spoken sermons, either because

43 Luzzatto, Kerem hemed, 237–238. He explains the difference between this rejectionist view and his own, which denies only 17 verses to Isaiah son of Amoz (56:9–57:13). Similarly, with regard to the unity of the book of Zechariah his explanation relates to an “error” with no attempt to deceive on the part of the writer, whereas the prophecies of Isaiah that are at issue emphasize their foreknowledge of future. Hence if they were written post factum (as Rosenmueller and others would have it), “the person who wrote these prophecies was deviously writing them in a way that would make people think they had been written in antiquity” – and that is fraud.
44 At the end of his commentary on Isaiah 35 (p. 269), he wrote: “He girded me with strength for battle to rescue, from the heretics who roar for their prey, the prophecies that they have taken away from Isaiah, so as to deny prophecy from heaven” (written 17 Elul 5591 [Aug. 26, 1831]). So too in a letter to Rapoport: “Now I am fighting the wars of the Lord and will not be afraid of the myriad scholars who surround me, because their plots are not against me but against the Lord.” (Letters of Luzzatto, 216)
45 Compare Vargon’s trenchant formulation: “It is not the identity of the authors of the prophecies that troubles Luzzatto but the veracity of the prophecies and, above all, the belief in the possibility of prophecy that foretells the distant future.” (Vargon, “Luzzatto’s Approach,” 295)
46 Ibid., 233.
they understood what he was referring to or because they could see him; whereas in prophecies meant for later generations he pared down the rhetoric, because those aids to understanding would not be available to readers.

Having explained the facts by means of this theory, Luzzatto goes on to challenge the presentation of the facts by minimizing the dissimilarity between the two parts of the book. He holds that a more accurate presentation of the evidence would be that “most of the first part is written in difficult and enigmatic language, and a minority is clear and intelligible, whereas the second part is just the opposite.” In other words, there is no essential difference between the two parts, but only a quantitative one.47 He then offers supplementary explanations for the stylistic differences: prophecies about current events deal with many diverse topics and consequently must be brief and enigmatic, whereas those about the future relate to a single topic – deliverance from exile – and can be treated at greater length; and prophecies written in the second half of the book were composed when Isaiah was an elderly man, and “it simply was not possible for his language … to be as concise and pithy as in the first part.”48

c) Rejecting the scholarly theory and pointing out its unacceptable motives

In addition to the positions we have examined, there seems to be a third subcategory within the rejection of the view of academic scholarship. An example of this, the most extreme of all, can be found in the approach of Rachel Margalioth, a Lithuanian-born teacher and scholar in Jerusalem (1914–2009).

In *The Indivisible Isaiah* Margalioth enumerates linguistic parallels between the two parts of the book and argues that their large number – some of them involving rare terms – are evidence that the entire book is the work of a single author.49 She follows this up by attacking supporters of the Deutero-Isaiah hypothesis like Karl Marti and Bernhard Duhm as antisemitic, holding that this antisemitism is evident in denying to Isaiah son of Amoz of words of comfort and encouragement

47 For a detailed analysis of the main points of those who would postdate the prophecies and Luzzatto’s counter-arguments, see Vargon, “Luzzatto’s Approach,” 12–22.

48 For the adoption of Luzzatto’s position, see Y. Rachaman, “Isaiah as a Painter of the Image of Man” (Hebrew), *Beit Mikra* 48 (2003) 154 n. 1. Except for this short note at the start of the article, Rachaman does not address the issue.

while attributing to him a vision of the destruction of the Jewish people. Here is her description of Marti’s approach to Isaiah 1–39 in _Das Buch Jesaja_ (1900):

[H]e labors to remove from the book every verse, every sentence or statement, that contains anything good in regard to Israel. For that purpose he dissects the book, cuts passages and amputates statements. He reduces Scripture to his own arbitrary theories, set off by a burning hatred against Jewry.50

She also notes that Marti’s exegesis incorporates Christian ideology and redirects prophecies from Israel to faithful Christians. This, for example, is how he deals with the concept of the remnant expressed in the name of the prophet’s son, She’ar Yashuv.51

This and similar passages exemplify a sweeping rejection of the scholarly view (with regard to a particular issue, not en bloc) on the grounds, here, of its improper motives.52 In a later study Margalioth sums up her approach:

I have two goals in view: (1) to condemn a species of scholarship that is based on conjectures, theories and taking things out of context (some of it also has a distinctly antisemitic background) ...; (2) to propose a research method that weighs and measures every item, not on the basis of your axioms and mine, but according to objective considerations anchored in the nature of the text.53

2. Acceptance of a critical theory and harmonizing it with tradition

The second fundamental approach to issues raised by religion and academic scholarship holds that scholars propound a valid truth that is compatible with the truth of the Torah, and any apparent discrepancy results from our imperfect understanding of tradition. If we interpret the

50 Ibid., 20.
51 Ibid., 17–18 and n. 22. There is an instructive parallel to this argument in the controversy about Trito-Isaiah. See Y. Kaufmann, _Toledot ha-emunah ha-yisre’elit_ (Jerusalem and Tel Aviv: Dvir, 5716 [1955/6]) 4.74.
52 On the problematic origins of Bible criticism, see also U. Simon, _Seek Peace and Pursue It: Topical Issues in the Light of the Bible, the Bible in the Light of Topical Issues_ (Hebrew) (second ed., Tel Aviv: Miscal –Yediot Ahronot Books and Chemed Books, 2004), ch. 15, “The Sanctity of Scripture and its Scientific Study.” Simon writes: “The late, non-Jewish, and sometimes even hostile origins of critical Bible scholarship make it very difficult to incorporate it into an authentic belief system.” But, he adds, “this is a psychological difficulty and not a fundamental problem: we can and must overcome it, because the mere fact that Bible criticism is of alien birth does not mean that it was spawned by the evil impulse” (p. 283).
holy texts in a different fashion or look into other traditional sources we will find that they fully accord with scientific truth. This view corresponds to the “discovery position” advanced by Y. D. Silman – namely, that the Torah has a dynamic eternity, through constantly new interpretations in the light of fresh facts discovered by the current generation.

a) Accepting the core of the critical theory and working it into the traditional view

One of the best known modern biblical scholars in Israel, Amos Hakham (born in Jerusalem in 1921), has unambiguously accepted the assignment of chapters 40–66 to someone other than Isaiah son of Amoz, without allowing this to conflict with religious belief. He published this view in 1976 in the weekly sheet published by the Department for Torah Culture of the Israeli Ministry of Education and Culture and again in 1984, at greater length, in the introduction to his commentary on the book of Isaiah in the Da’at Miqra series, for which the editorial board included the renowned halakhic authority Rabbi Shaul Israeli. This series’ declared policy is to rely “on the results of modern scholarship … to the extent that its conclusions do not contradict Jewish tradition.”

There are differences in how Hakham formulates his position in the two publications. In the earlier one he takes a maximalist position: “The prophet Isaiah son of Amoz was the founder of a school (or college) of prophet-disciples, and this college lasted for many generations, until the return to Zion. All of the prophecies uttered by the members of that

54 Compare Maimonides on the doctrine of creation versus the reigning Aristotelian-scientific hypothesis of his day: “Know that our shunning the affirmation of the eternity of the world is not due to a text figuring in the Torah according to which the world has been produced in time. … Nor are the gates of figurative interpretation shut in our faces or impossible of access to us regarding the subject of the creation of the world in time. For we could interpret them as figurative, as we have done when denying His corporeality.” (Guide of the Perplexed 2.25 [trans. Pines], 327–328)

55 See Y. D. Silman, The Voice Heard at Sinai: Once or Ongoing? (Hebrew) (Jerusalem: Magnes, 1999).


college were in the spirit of Isaiah son of Amoz and in his style; consequently they were attached to his name and written in his book.” This is a “moderate” critical position, which does not speak of forgery or deception or mistaken attribution by editors, but of an organic development and natural continuation of the master’s prophecies by his disciples and heirs; Hakham states explicitly that he has borrowed this idea from Martin Buber.59

Eight years later he takes a more minimalist stand: the prophet’s disciples, “who continued to be active for several generations, until the exile to Babylonia,” assembled the book “in the final form as we have it today.”60 Here Hakham takes pains to keep from being understood in the maximalist spirit of his earlier piece: “As is appropriate for the members of the college of the prophet Isaiah, they wrote everything down in accordance with traditions they had received from their master Isaiah. … Everything [in the book] derives from a single source, from the prophecy of Isaiah son of Amoz.” Here he no longer relies on Buber but on classical rabbinic sources. Perhaps Hakham had changed his mind during the eight-year interval, but it is possible that he was trimming his sails (voluntarily or otherwise) to suit the editorial policies of the series.61 It is also possible that he meant for readers to remember the earlier piece and to understand the introduction as referring to the composition of prophecies and not only their compilation and editing.

Hakham enlists traditional sources in his cause. As a matter of principle, he notes, “the ancients did not attribute great weight to the problem of the individual identity of the prophet who is speaking, since all prophetic utterances come from the Lord and the prophet is only a conduit to convey them to Israel.”62 He also notes that the talmudic sages agreed that the bulk of the book of Samuel, after the description of his death, was written by other prophets, and he mentions the statement in Leviticus Rabba that two verses in Isaiah were written by the prophet Hosea’s father, Be’erah or Be’eri.63 He concludes, “even accord-
ing to the Sages it is possible for the prophecies of one prophet to be written in the book of the prophecies of another prophet” (although he adds that “many true believers” do not agree with this position).  

In Hakham’s cautious remarks the view of biblical criticism is trimmed so that it is compatible with the traditional language and outlook, to the point that readers may not even be aware of its nontraditional source.

b) Accepting the scholarly hypothesis and noting that it does not conflict with tradition

Within the category of accepting the scientific position, there is a variant in which the scholarly view is fully adopted and presented, along with a note to readers that accepting it is no sin.

In his guidebook for teachers, Dr. Nisan Ararat, lecturer in Bible in the Department of General Studies at the Technion and at Sha’anan College in Haifa, writes about Isaiah 40–66 as follows: “There is no way that teachers can avoid mentioning … the problem of the composition of some of the prophecies – chapters 40–66 – attributed to Isaiah son of Amoz.” After pupils have looked at the end of Jeremiah and at Isaiah 36–39, he says, “there will certainly be some who reach the conclusion that chapters 36–39 in Isaiah are the end of the first ‘book’ by Isaiah son of Amoz; whereas chapter 40 begins a new ‘book,’ which has a different historical background than the first one.” Ararat adds a religious-pedagogical note: “If necessary the teacher can explain why nothing in this conclusion offends the biblical tradition” and suggests two supports for this explanation: (1) “a critical approach to the editing of the books and sections of the Bible is also to be found among the sages” – a general argument that does not necessarily justify each specific case; and (2) “a prophet addresses his audience, whom he must inspire to change their ways. … If he wants to be understood, a prophet’s vision cannot be divorced from his contemporary milieu.” Ararat’s own conclusion was that “it is impossible to assign to Isaiah son of


65 N. Ararat, From Diaspora to Redemption: The Return to Zion in Historiography, Prophecy, and the Psalms (Hebrew) (Tel Aviv: Or Am, 1977).

66 Ibid., 80.
Amoz … prophecies (chapters 40–66) whose explicit background is the time of Cyrus and the Persian Empire.”

Three decades later Ararat returned to the topic in an article published in the yearbook of the religious Sha’anani Teachers’ College.67 He begins with a sort of “social” apology: “The proposal for teaching Isaiah 40–66 presented here has been on my mind for many years. I would not have presented it for readers’ consideration had there not emerged recently, even among the observant, a ‘tolerant’ attitude about scholarly methods in biblical exegesis in general, and about the problem of Isaiah 40–66 in particular.”68 The article advances no arguments in support of Deutero-Isaiah but only short conclusions: “The collection of prophecies in Isaiah 40–66 is a separate book, whose background is limited to the reign of Cyrus (ca. 550–530 BCE). Its author may perhaps be identified with Meshullam, the father of Sallu who was one of the leaders of the first wave of returnees (Neh 11:7).”69

Ararat’s article also exists in an expanded version published as a separate pamphlet, with additions even in the introduction, including the statement that the book of Isaiah is divided into two major sections and a short reference to the opinion of the eleventh-century Rabbi Moses Hacohen Ibn Gikatilla that these prophecies refer to the Second Temple.70 Here he states: “Most scholars agree that Isaiah 40–66 is a separate book and that its prophecies are not to be attributed to Isaiah the son of Amoz.”71 Later he writes, “There are very few scholars who attempt – on a linguistic, literary, and thematic basis – to attribute this unit of prophecies to Isaiah son of Amoz, who lived and was active in Judah in the Assyrian period.”72

69 Ibid., 10. Note the difference in principle between the positions of Ararat and Hakham. With regard to Isa 44:24–45:22, Ararat writes: “The rumors about the possibility that Babylonia would be conquered by the armies of Cyrus … spurred our prophet … to see Cyrus – explicitly by name – as the servant of the Lord and His anointed. … After Babylon was conquered and Cyrus permitted the exiles to return to Judah, our prophet encourages his brethren to leave Babylonia” (“Comforting Prophet,” 39). On the same prophecy, Hakham writes: “Isaiah did not publish Cyrus’ name in the prophecies he spoke in public, but consigned it to his disciples in prophecies that he ‘sealed’ … for the ‘later generation’ …. These prophecies were published in Cyrus’ generation by the members of his college” (Hakham, Isaiah, 2.497).
71 Ibid., §1.0, p. 7.
72 Ibid., §1.2, p. 10.
Rabbi Aviya Hacohen, instructor at Yeshivat Tekoa, who was born in Jerusalem in 1960 and earned his master’s degree in Bible at Hebrew University, also fully accepts the scholarly theory. His article “Was There Only One Isaiah?” expresses his disappointment that all religious writers in Israel toe the same line; in particular he mentions the periodical *Megadim*, a journal on biblical topics published by the Herzog College affiliated with the Har Etzion Yeshiva. By his count, of some 200 articles published in the first thirty issues of that periodical, only three dealt with the question of Deutero-Isaiah, and all three denied his existence. But, Hacohen says, “I live among my people and am acquainted with many of the most important of those authors. I know that the vast majority believe that there were at least two Isaiahs.” He had expected to encounter published reactions to this uniformity, but there were none. “This silence, whether the result of authorial reticence or editorial effort, manifests a culture of intimidation and censorship.”

Hacohen’s article deals with four arguments against the critical approach.

(1) “Some say that academics weave hypotheses and build castles in the air and then insist, in the name of ‘science,’ that their theories are gospel truth.” Hacohen rebuts this with a detailed presentation of the historical, structural, thematic and linguistic grounds for dividing the book of Isaiah. He rejects Margalioth’s interpretation of the rare words common to both parts; according to him, this is not evidence of the unity of the book, but simply that Isaiah son of Amoz influenced Deutero-Isaiah.

(2) “Some say that believers in prophecy have no problem with the reference to Cyrus by name.” If the debate is framed in terms of the possibility of prophecy (as in Luzzatto), Hacohen asserts that “a believing Jew cannot accept the critical stance that denies prophecy and its power.” He proposes, however, that the issue is not what a prophet can do, but what his audience can understand. Somewhat similarly, Elitzur distinguishes, on the basis of belief in prophecy itself, striking out “Josiah by name” (1 Kgs 13:2) as a later interpolation, from rejecting 2 Kgs 20:16–18 (Isaiah’s prophecy to Hezekiah of the Babylonian exile) as spurious: “Whoever added the [three] words here operated on the postulate that prophecy exists and that the prophet foresees what will happen in the future. ... Who was that son of the house of David – that is precisely what was realized by Josiah. ... But someone who adopts the same analytical method ... in 2 Kings 20 ... is as much as saying that there is no prophecy, that the prophet does not foresee the future, and, in particular, that what is stated here is not true” (Elitzur, “Religion and Science,” 20).
“Go forth from Babylon, flee from Chaldea” (Isa 48:20), and Hacohen finds “it difficult to accept that Isaiah delivered a prophecy that could not be understood by his contemporaries and was not needed by his contemporaries.”75

(3) “Some say that perhaps there were two Isaiahs, but what difference does it make? Both are the words of the living God, and it does not matter when they were written.” Hacohen asserts that it is important to understand prophecies against their background. “Ignorance of the conditions of the return to Zion renders the collection of prophecies devoid of meaning and context. Only knowledge of the period and its incidents can shed light on the meaning of the prophecies.”76

(4) “Some ask how we can know something that the earlier generations did not know; are we greater than the talmudic sages and Rashi?” In reply Hacohen quotes Ibn Ezra on Isa 40:1, where the commentator says that even though the sages maintained that Isaiah wrote the book, “this applies only to part of the book, whereas another part was apparently written at a different time.” While he acknowledges that Ibn Ezra’s opinion was “a solitary voice” on this issue,77 he states that this reading “follows in the footsteps of the sages,” as shown by the talmudic passage that attributes the latter parts of the books of Joshua and Samuel to other writers after the report of their authors’ deaths (B Baba Batra 14b–15a).

c) Accepting the critical theory and insisting that tradition must yield before it

In the afterword to his article, Hacohen adds a new point:

Skepticism is the foundation of all scientific progress, but sometimes skepticism is arrogance. ... The thesis that the book of Isaiah consists of two collections has been tested repeatedly and is well established and credible. ... Humility is a virtue in many areas; I call for some humility vis-à-vis Bible scholars. Humility toward Bible scholars and acceptance of their views is a value in religious education .... The critics have introduced us to several new prophets whom we had never known before. What could be more sublime than meeting a new prophet who conveys the word of the Lord to His people?

Here believers are called upon to adopt the position of academic scholars, whatever tradition may hold, exclusively because this is the scien-

75 He does not deal with Luzzatto’s idea that these are prophecies that Isaiah wrote down but did not deliver in public.
76 Hacohen, “One Isaiah,” 84.
77 Ibid., 86.
tific truth that has been tested and proven. Hacohen’s call for humility vis-à-vis Bible critics and his statement that “acceptance of their views is a value in religious education” brings us, I believe, to total acceptance, in principle, of the scholarly position, while ignoring the traditional truth. Hacohen’s stand can be seen, then, as including some elements of full adoption of the scientific position even if the traditional position is totally different.

This is also the stance taken by M. H. Segal (1876–1968), a Lithuanian-born Bible scholar and linguist who served in the rabbinate in England and taught at Oxford and the Hebrew University. In his Mevo ha-miqra, he notes the differences between the two parts of Isaiah with regard to language, style, ideas, Sitz im Leben and historical background. “For these reasons we are forced to conclude that the second part is not by Isaiah, but by some anonymous prophet who was active at the time of the Babylonian exile.”78 He rejects the option of explaining the second half as prophecies referring to the distant future, because even a prophecy about the far future is “always only from the present perspective of the contemporaries to whom [the prophet] speaks,” and in chapters 40–66 “the destruction and all its tribulations are described as if they are already in the past.”79

Segal’s only reference to the tradition of unified authorship occurs at the start of his discussion of the composition of the second part of the book, where he mentions Ben Sira as the earliest source that ascribes both parts of the book to Isaiah son of Amoz. As Segal phrases it, we are not dealing with a fundamental religious issue but only with a tradition that cannot be supported by the data. He concludes his review of the linguistic differences between the two parts of Isaiah by affirming that “the argument from the language does not support the traditional opinion.”80

The significance of Segal’s stance on the authorship of the book of Isaiah emerges in the light of his different approaches to the unity of chapters 40–66 (the question of Trito-Isaiah) and the unity of the

78 Segal, Mevo ha-miqra, §392, p. 325.
79 Ibid., §391, p. 325. Segal ignores Luzzatto’s idea that the prophet wrote down these chapters and did not speak them publicly. This is astonishing, because Segal himself was aware of the phenomenon of prophecies that were written down ab initio and never meant to be public orations; he explicitly assigned the prophecies in the second part of the book of Isaiah to this genre, where he explains that the prophet’s name was forgotten because his prophecies were not delivered in public but were written down to be read to the exiles in Babylonia (ibid., §§318–319, p. 251 and again §394, p. 327).
80 Ibid., §390, p. 324.
He devotes a long and detailed discussion to the issue of the unity of the Torah.

The Torah itself attests that the precepts and laws were spoken to Moses by the Lord. ... We have learned from tradition that the entire Torah, from beginning to end ... is ‘of heavenly origin.’ ... This ancient tradition is a matter of faith. A believing Jew who feels the sanctity and divine character of the Torah with all his soul, a Jew who loves and reveres the Torah, who lives in accordance with it, and who is even willing to die for it, such a Jew does not need any historical or literary proofs and demonstrations of the truth of this belief. ... Quite the opposite. ... Unbelief, like belief, is in the heart and cannot be significantly altered by arguments addressed to the mind.82

Before reviewing the arguments advanced by those who challenge the traditional view of the composition of the Torah, Segal sets their assumptions in a historical context and presents them as a reaction to an outdated worldview. “Today this worldview has lapsed, and its assumptions have been proven false, so that the structure erected on them has also been shaken.”83 He categorically rejects the axioms of “the founders of the critical study of the composition of the Torah and their false assumptions, which led them to begin their investigation with a heretical denial of its divine nature and the truth of the narratives of the Torah.”84

Segal’s treatment makes crystal clear how he feels when faced by a problem that has fundamental religious significance. This stands in stark contrast to his theological indifference with regard to the authorship of the book of Isaiah, where he adopts the scholarly position without qualm or reservation.

The table below schematizes these two fundamental views, each divided into its three subcategories: first, the most extreme, which totally rejects the other position; next, the subcategory that still upholds the position but conducts a sort of dialogue with the other position, attempting as it were to persuade those in the other camp by means of arguments drawn from their own world; and finally the most open subcategory, which is willing to modify and tone down its own basic approach out of consideration for the other view.

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81 The difference in Segal’s treatment of the several issues can serve as a paradigmatic example that scholars with dual loyalties need not always hew close to the same approach to resolve the conflict. For each problem they can adopt the approach they consider to be best suited to the situation and data.
82 Ibid., §175, pp. 127, 129.
83 Ibid., §178, p. 130.
84 Ibid., §182, pp. 132–133.
Of course the remarks of a particular scholar do not always represent a “pure” position, and his or her writings may include elements that could be assigned to more than one subcategory. In these cases we have placed the scholar’s name in the box that seems closest to his/her approach and parenthesized it in the other box.

<table>
<thead>
<tr>
<th>Basic position:</th>
<th>1. Rejection of the scientific position</th>
<th>2. Acceptance of the scientific position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intensity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Absolute, dogmatic</td>
<td>(Margalioth): The scientific position is motivated by antisemitism.</td>
<td>Segal: Acceptance of the scholarly position without question (because Isaiah is not the Torah)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Hacohen): Humility vis-à-vis modern biblical scholarship</td>
</tr>
<tr>
<td>b. Absolute but open to dialogue</td>
<td>Jacobson and Margalioth: Unitary authorship, based on solid grounds</td>
<td>Ararat: Multiple authorship, because “nothing offends the biblical tradition”</td>
</tr>
<tr>
<td></td>
<td>Raviv: In light of the sages, unitary authorship, with variations derived from the circumstances of the prophecies</td>
<td>Hacohen: Following the sages, a religious interpretation of academic scholarship</td>
</tr>
<tr>
<td>c. Moderate, open to dialogue</td>
<td>Luzzatto: Unitary authorship, but chapters 40–66 were not spoken in public</td>
<td>Hakham: The disciples of Isaiah son of Amoz prophesied in his spirit or wrote down his words</td>
</tr>
</tbody>
</table>

3. Full acceptance of the critical theory and a distinction between domains

A third basic category with regard to the issue of religion and science posits a total separation of domains. In this view each truth remains untouched by the other: there is religious truth, and there is scientific truth; each has its own kingdom and does not make incursions into the realm of the other.85 The advantage of this approach is that the tradi-

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85 One of the most conspicuous advocates of this approach in our generation is Yeshayahu Leibowitz (who did not discuss the question of Deutero-Isaiah); see for example, Y. Leibowitz, Judaism, Jewish People and the State of Israel (Hebrew) (Jerusalem and Tel Aviv: Schocken, 1975) 337–357. For a thorough analysis of this approach, focusing on its roots and the problems that it raises, see Rosenberg, Torah and Science, 37–40. For a historical survey, see R. Feldhay, “The Isolation of Religious Discourse from Scientific Discourse: A Short History of a Position in the Cultural
tional view remains unsullied by outside influences, while a believer may adopt the scientific truth of academia. This can be a schizophrenic acceptance of two contradictory truths, held simultaneously by the same person.

Such an approach can be found in the explanation of the term “Bible criticism” by Yair Hoffman, professor emeritus of Bible at Tel Aviv University (born in Tel Aviv in 1937). This was first published as a free-standing monograph, *Issues in Bible Criticism*, and then, with slight changes, as an article in the journal of the Teacher’s Union under the title “The Traditional Approach and the Critical Approach to Scripture: Each in Its Own Domain.”

Hoffman asks whether there is a contradiction between the traditional approach to Scripture and the critical attitude, pointing out the contrast between the “hypothesis” that is typical of the critical attitude and the “axiom” that characterizes the traditional approach to Scripture. His clear-cut answer to the question is as follows:

There is no such contradiction. The contradiction does not exist because we are dealing with two totally separate domains; or, metaphorically, two arenas, with a different game played in each, according to its particular rules. In this case whether you are allowed to touch the ball with your hand depends on the game. … Is there any contradiction between the games? Of course there is no contradiction between them, but we must always know what game we are playing and what its rules are.

In the monograph he notes: “In this work we will touch on several topics from the stance of Bible criticism; while they are reading, readers are asked to accept the rules of the critical game. But there is no reason why this should infringe any religious principles whatsoever.”

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86 A classic example of this approach is the bold article by Menahem Cohen, “The Idea of the Sanctity of the Text, Letter by Letter, and Textual Criticism” (Hebrew) in Simon, *The Bible and Us*, 42–69. His conclusion: “The form [of the text] that was fixed is what is binding halakhically, even if historically it turns out that it is not ‘correct’ in every detail” (p. 68). Born in Haifa in 1928, Cohen is a professor emeritus at Bar-Ilan University specializing in the text of the Bible and Mesorah and editor of *Miqra’ot Gedolot ha-Keter*.


89 Hoffman, *Aspects*, 16.
Hoffman exemplifies the difference between the two approaches through the problem of Deutero-Isaiah. How can we understand the references in Isa 44:28 and 45:1 to Cyrus of Persia as the person who will rebuild Jerusalem, when that king’s proclamation was issued in the year 538 BCE, but the career of Isaiah son of Amoz ended around 700 BCE?

The answer to the question depends on the rules of the game we are playing. According to the traditional approach, which is based on the religious axiom that God exists and is omnipotent, there is nothing astonishing in His making future events known to His servants and prophets. … According to the rules of the game of Bible criticism, we must try to explain how statements that, logically speaking, could have been made only 150 years later were attributed to Isaiah the son of Amoz, who lived in the eighth century BCE.⁹⁰

We reach the two contradictory answers about the authorship of Isaiah 40–66 through the application of different “rules of the game.” And Hoffman holds that

The very same person can answer the question in two ways. As a believer he will say, “Isaiah the son of Amoz was a divine prophet and consequently had foreknowledge that Cyrus would come. But now I must try to explain this in a logical fashion, without relying on my religious axiom.” The very presentation of the problem in this fashion relocates the questioner from the theological arena to the critical arena. … The answers to the questions do not contradict the religious approach on the one hand, but neither do they support atheism on the other. We can compare this to a passionate basketball fan who is listening to the broadcast of a soccer game on the radio but still understands all the rules.⁹¹

**Conclusion**

At the outset of this paper, we offered the conjecture that the authorship of Isaiah 40–66 is not a fundamental issue involving a basic collision with religious tenets. As we examined the positions of different scholars, however, we found that this issue itself is controversial. Scholars who give primacy to tradition actually do see the unity of authorship of Isaiah as a matter of fundamental importance and consequently reject any deviation from the traditional view. Those who take the side of modern scholarship generally explain that the issue is not one of fundamental import and there is no reason not to adopt the scholarly and

critical position.\textsuperscript{92} We have reviewed an extremely broad spectrum of opinions and strident statements of principle that totally deny the legitimacy of the opposing view. Clearly the topic is much more loaded than it seems at first sight; whence the passion of some of those who address it.

We have examined the diverse opinions from the perspective of tradition. But there is also room to study the various critical stances as well. The religious mindset may sometimes fixate on a particular critical approach as the sole representative of the opposing camp, focusing solely on it while failing to consider newer hypotheses.\textsuperscript{93} This disregard is caused not only by a failure to keep up to date with developments in scholarship and a fixation on the older notion, but also by the impression that the newer view is less radical than that which has been rejected. But even if this is true, we believe it is religiously essential to deal also with the new discoveries of research that is not identical with the basic view of tradition, even if it seems to be more compatible than the older critical approach.

This is not the place to survey all of the new hypotheses about Deutero-Isaiah, since here we are interested only in the explicit attitude of scholars who have a dual loyalty to scientific positions, but we will note briefly that in recent years there has been conspicuous shift from diachronic research to synchronous research, which looks at the book of Isaiah as a whole.\textsuperscript{94} This change of direction does not necessarily produce perfect harmony with the traditional truth.

\textsuperscript{92} Compare Vargon’s summary of Luzzatto’s position: “He accuses the later daters with a lack of belief in the revelation by the Lord to the prophet and with a lack of faith in the prophet to foresee events that will happen in the distant future. When the prophet Isaiah states expressly that he foresees from afar what will happen in the future, the scholars regard these prophecies as ‘sacred forgery.’ This conception is, in his opinion, opposed to the longstanding hallowed Jewish belief.” (Vargon, “Luzzatto’s Approach,” 296)

\textsuperscript{93} Compare the focus of Breuer’s Aspects Theory on the Torah and lack of attention to other critical methods.

Our discussion of the confrontation between traditional truth and scientific truth has focused on a single issue. This could serve as our starting point for investigating similar points. It would be interesting to consider whether they, too, are marked by such a diversity of opinions, and especially with regard to the little that has been written explicitly about the division of domains described in category three. My impression is that here there is a significant gap between words and deeds; evidently Orthodox scholars find it difficult to define and present the method theoretically, although in practice they adopt it. But additional research is required to verify this impression.

It is clear that the advocates of the various positions for and against the unity of the book of Isaiah attach different weights to each of them. The unifiers attribute great importance to the total absence of an ancient tradition about an anonymous second prophet and of course to the belief in prophecy itself, whereas those who adopt the modern scholarly view give more credence to the objective fact that there are significant differences between the two sections. At the same time, those whom we have characterized as “open to dialogue” employ arguments from the other camp (the rejectionists use textual evidence; the moderns include theological considerations).

It would be wrong to draw simplistic and sweeping sociological conclusions from the remarks of the scholars cited in this paper, with regard to fault lines within the Orthodox sector in the State of Israel. The distribution of views does not follow a simple group or chronological contour. For example, the most fervent “pro-science” positions are held by M. H. Segal (born in 1876) and Aviya Hacohen (born in 1960). By contrast, at the extremes we find two scholars we might expect to be much closer: Segal and Margalioth, both having been born in Lithuania only 38 years apart (Margalioth in 1914).

Nevertheless, rather than refusing to draw any general conclusions from the survey presented in the article, and taking into account my own personal impressions as an Israeli, I would hazard that among Orthodox academics in Israel since the second half of the twentieth century there has been a certain shift, with defections from the rejectionist

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95 For a short survey of the rise of academic study of the Bible in Orthodox circles in Israel, see Y. Sheleg, The New Religious Jews: Recent Developments among Observant Jews in Israel (Hebrew) (Jerusalem: Keter, 2000) 67–69. Bernstein comments on the difference between the situations in Israel and the United States: “We must remember that Israeli and American Orthodoxies are not identical. The American scene may
camp and new recruits to a willingness to adopt the academic view. Two plausible explanations for this come to mind: (1) The issue is no longer perceived as religious or ideological dynamite – as a debate about the very possibility of prophecy – so the urgent need to defend tradition against its enemies has faded. This seems to reflect a historical dialectic with parallels in other arenas: a first stage of openness to an original critical view; then fierce opposition to the critical view, which has become a symbol of anti-traditionalism; and finally a return to openness. (2) Some of the disputants, having fully integrated into the academic community, no longer feel so pressing a need to harmonize their scholarly views and the Orthodox religious consensus.96

My conclusion about such a shift refers to the issue of Deutero-Isaiah, which involves the prophetic books and not the Pentateuch, and it does not require discarding belief in prophecy, but only the question of whether a prophet would share with his contemporaries information about the future return from an exile that has not yet begun. I would not want to make simplistic analogies from this one issue to others, some of which would certainly be viewed as more essential. All the same, it seems that Orthodox Jewish academics hold a wide diversity of views on such issues as well, even if the balance of power among the several positions is not necessarily the same as with regard to the unity of Isaiah. Further research will be required to answer this question.

allow slightly more flexibility in developing a rigorous Orthodox approach to biblical studies than the Israeli, although in certain respects the Israelis appear to have more freedom” (Bernstein, “Orthodox Jewish Scholar,” 36 n. 40). I consider Bernstein’s article an important contribution to the study of religion vs. science in biblical scholarship and a good source of background for the present paper.

96 We encounter a striking example of this with regard to approaches to the application of the documentary hypothesis to the Pentateuch. These approaches were strongly condemned by Breuer, the father of the “aspects theory” that endeavored to combine acceptance of the critical view that the Torah had more than one human author with the religious tenet of the God-given Torah, inasmuch as God “could indeed have written the Torah in utter disregard of the rules of literary development.” He came out fiercely against “some of those who follow my lead,” writing: “All these things are fine and intelligent, and suffer only one flaw: this belief they hold is not the belief of Israel, as we have received it from sages, but a new belief that these people invented. … And inasmuch as the belief in the heavenly Torah is without doubt one of the main tenets of the Jewish religion, anyone who replaces this tenet with another one is in fact founding a new religion.” (Breuer, “Bible Criticism,” 102)