Rubenstein, Talmudic Stories

Chapter 1

Introduction

R. Abba said Shmuel said:
The House of Hillel and the House of Shammai disputed for three years. These said, "The Law (*halakha*) is according to us," and those said, "The Law is according to us." A heavenly voice went forth and said, "Both these and those are the words of the living God. But the Law follows the House of Hillel."

And since "These and those are the words of the living God," why did the House of Hillel merit that the law be established according to their [words]?

Because they were pleasant and modest, and they would teach their words and the words of the House of Shammai. Not only that, but they would mention the words of the House of Shammai before their own words. (Babylonian Talmud, Eruvin 13b)

This well-known story of a heavenly voice that resolved an intractable human conflict raises a number of questions. How does the Torah of "the living God" include two contradictory opinions, two mutually exclusive rulings? Does Shmuel mean that conflicting interpretations are equally "true"? If so, why not accept both opinions as valid practices; why decide one way or the other? An anonymous interlocutor already articulated the major puzzle: why should the law follow the House of Hillel? Yet the answer, stated by another anonymous voice, invites further probing. Why should character or disposition be related to legal primacy? Why specifically the traits of pleasantness and modesty rather than brilliance, intuition, or patience? What motivated the Hillelites to preserve the words of Torah of the Shammaites, and why does this redound so greatly to their credit?

Turning from narrative content to composition provokes additional questions. Who are the anonymous voices responsible for the discussion of Shmuel's statement? Is this a later, secondary development? In other words, would Shmuel himself have given or approved of this solution? If not, do we have two competing visions of authority—that Shmuel attributes Hillelite supremacy to arbitrary divine fiat, whereas later anonymous sages insist on the importance of character? These considerations in turn trigger questions about the cultural matrix in which the story was produced. What institutional setting explains the emphasis on pleasantness and modesty? Does the portrait of the Hillelites preserving their opponents' opinions reflect the values and enterprises of those anonymous voices? What was the purpose of the talmudic redactors who preserved and transmitted this story? And why did they include it in this section of Tractate Eruvin?

This book attempts to answer such questions through detailed study of six of the longer stories of the Babylonian Talmud (=BT). Each chapter applies three interrelated modes of analysis. First, a literary analysis elucidates the narrative art, structure, and principal tensions of the story. Second, the story's composition and antecedent sources are assessed, together with its redactional setting within the the larger literary unit of talmudic discourse (*sugya*). Third, the story is located within the general cultural context of the talmudic redactors by coordinating the major tensions and themes with those found in other talmudic sources.

The basic argument of the book is as follows. The redactors of the BT constructed stories by reworking earlier narrative sources in the same way as they reworked earlier legal traditions to fashion talmudic *sugyot*. To understand the stories they created it is profitable to use the critical methods appropriate for both the genre of the material and the redactional process. Literary analysis, which attends to the narrative art and rhetorical tendencies of didactic stories, should be combined with source-criticism and redaction-criticism, which recognize the composite, multitiered nature of the talmudic text. Analysis of talmudic stories along these lines opens a window to the cultural world of the redactors. Their primary value was the study of Torah for its own sake, and they pursued their studies in the rabbinic academy, a highly structured scholastic institution. The stories they created express the tensions inherent in the Torah-centered worldview and the conflicts that arise between Torah study and other values. At the heart of each story is the enterprise of integrating aspects of rabbinic culture with

the dominant value of Torah as a pattern of life and a path to the holy. Like the legal discourses of the BT, the stories generally do not offer simple conclusions. They provide the sages a way to ponder the tensions inherent in their culture, not an easy means of resolving them.

This introductory chapter discusses the central issues relating to the two major trends in rabbinic scholarship upon which my work is founded. The first is the understanding of rabbinic stories as didactic tales rather than reliable historical accounts. The second is the recognition of the literary character and compositional process of the Babylonian Talmud. After summarizing these advances in critical scholarship, I will discuss my methods and goals in more detail, set forth some assumptions, and define important terms.

The Rabbinic Story: Historical Account or Didactic Tale?

Rabbinic literature contains hundreds of stories about rabbinic sages and other historical figures who lived during the second temple and rabbinic periods. These stories appear in compilations redacted long after the events reported. The Babylonian Talmud, for example, redacted in the fifth through seventh centuries C.E., contains traditions about the Tannaim who flourished in the first two centuries C.E. This temporal distance raises questions about the reliability of the sources. Do later compilations preserve accurate records of events that occurred centuries earlier? Even if the redaction of the text was roughly contemporaneous with the event described, can we trust that the authors had accurate information? If not, what are we to make of this massive literature?

From the beginnings of the academic study of Judaism in the nineteenth century (*Wissenschaft des Judentums*) until recently, scholars considered such stories as reliable historical sources. Rabbinic stories supplied a mine of data that could be used to reconstruct the Jewish past. While scholars recognized the exaggerated, legendary, and contradictory aspects of the stories, they believed that behind the trappings lay a "historical kernel" that could be discerned through discriminating critical analysis. These assumptions produced an odd paradox: scholars read less and less of the content of stories, ignoring layers of legendary accretion corrupting the pure historical core. Yet they managed to compose complete biographies of sages and detailed reconstructions of rabbinic history by harmonizing the remains and adding a healthy dose of imagination. The results were predictably subjective: one historian's kernel was another's husk.

Jacob Neusner demonstrated the flaws of this method on a systematic, principled basis.[1] Neusner and his students collected traditions about the sages and made two crucial observations. First, different traditions found in different rabbinic documents—sometimes in the same document—irreconcilably contradicted each other, and no methodological criteria enabled the scholar to distinguish true history from fiction. Second, later texts consistently embellished stories from earlier sources. Previous scholars tended to consider all versions as divergent, but fundamentally reliable, accounts of the same historical event. Neusner showed that the later versions were not independent historical testimonies but resulted from the nature of the transmission process. As stories were passed down from one generation to another they were changed, expanded, and combined with other traditions. This revolutionary approach called into question not only the results of previous histories of the rabbinic period but also the basic viability of the project.

Neusner combined this methodological criticism with skepticism regarding the accuracy of attributions and the traditions in general. Even the earliest versions of traditions could not be trusted because they appear in sources redacted many years after the events. Traditions found in the Mishna, edited about 200 C.E., were of questionable worth in reconstructing the lives of the Pharisees or early rabbis who lived in the first century. Only credulous historians, in Neusner's view, consider factual the traditions found in the BT, which reached completion only in the seventh century, about the sages who flourished in the third through fifth centuries. If scholars who believe that King David said and did all the things the Bible claims he said and did are considered gullible, so too scholars who believe rabbinic traditions about Hillel, Akiba, or Rabbi Zeira. Such credulity also fails to appreciate the functions of biographical traditions to model behavior, create group identity, and provide founding myths. Neusner concluded that biographical traditions were not historical testimonies but stories told by later sages for didactic and theological purposes. Rather than use stories to reconstruct the historical events and biographies described in the stories, Neusner studied the "development of tradition," the process of accretion and transformation that took place over time.

The old, historically oriented method destroyed, Neusner's strictures left open the question of how this literature should be studied. Together with his diachronic approach Neusner applied a type of structuralist literary analysis popular among the literary critics of the times. He emphasized the structure of the story as the key to its meaning, but he skimmed over details of the plot, narrative technique, use of language, and other literary considerations. His basic interests were consistently historical, and he attempted to place his structural analyses in historical and social contexts. Essentially Neusner shifted the historical context from that of the characters within the stories to that of the storytellers who told them. Neusner was not a literary critic and perhaps should not be faulted for neglecting to appreciate the rich narrative art of rabbinic stories. Yet for all his awareness of the literary processes that governed the transformation of traditions, he made only rudimentary beginnings in describing the literary characteristics of the sources themselves. Despite Neusner's voluminous writing, the genre, narrative art, and literary traits of rabbinic stories remained to be explored.[2]

Rabbinic Story and Biography in Late Antiquity

The rabbinic story was a product of late antique culture, so the characteristics of late antique literature, especially history and biography, are relevant to its proper understanding.[3] Yet the historians Neusner attacked rarely attempted to place the rabbinic story in a wider literary context. Influenced by the dominant methods and interests of their times, they sought history—to know "what actually happened"—and they assumed that the rabbis had a similar investment in the historical record. This nineteenth-century concept of history, however, certainly does not characterize the ancients' attitudes toward the past, nor that of most premodern cultures.[4] The distinctions between historical "truth," verisimilitude, and outright fiction were blurred in classical history-writing, for the authors were interested in teaching morals, demonstrating a thesis, or the need to supply a past where no information existed. By assuming that rabbinic stories were transmitted to report historical events as they "actually happened," these historians committed a grave anachronism.[5] But there is an even more basic issue. Before asking about the nature of ancient history-writing and how it differs from modern conceptions, one must ask whether the literary work at hand is indeed history. Classical authors themselves drew a distinction between the genres of history and biography.[6] And whatever the extent to which ancient historians strove for "truth" and historical accuracy, ancient biographers operated with different conventions and goals.

Even as Jewish historians pursued their historical reconstructions, some classicists and literary historians began to investigate the genre of the rabbinic story against its late antique background.[7] Classical literature exhibited a variety of genres and literary forms: satire, parody, fable, romance, anecdote, oration, thesis, biography. Should rabbinic stories be identified with one of these? To mistake the genre of a literary work inevitably produces misinterpretation. One who fails to recognize satire as satire misses the point entirely, to say nothing of one who takes a fable relating the interactions of two animals as realistic description. Henry Fischel questioned whether the historians properly understood the genre of their rabbinic sources: "Before any effort is made to utilize materials of rhetorical coloration, whether Greco-Roman or Near Eastern, for historiography or biography, the question of the literary genre of the material must be clarified."[8] He pointed out that some rabbinic stories with a clever sage, dense antagonist and didactic punch resemble Roman fables. Why could later sages not have used earlier masters rather than animals as characters? If so, then a story about Hillel and Shammai is of no greater historical worth than a fable of the fox and the hare.[9]

Rabbinic stories are predominantly biographical in that they focus on the lives and deeds of sages and other important figures. Even stories that mention historical events such as the destruction of the temple concentrate less on the incident per se than on the sages who played important roles in the conflict. Hence it is well worth considering genres of biographical writing in late antiquity when assessing the nature of the rabbinic story. The main difference between late antique biographies proper (*bioi*) and rabbinic stories is that the former are typically much longer, often relating the lives of a hero from birth to death, while the latter are terse, generally reporting a single episode of the subject's life. Yet we do find shorter biographical sketches in classical literature, such as some of the *Lives of the Philosophers* of Diogenes Laertes, as well as other brief biographical forms, while rabbinic texts occasionally feature composite accounts that encompass several encounters.[10] Moreover, ancient biographers worked with anecdotal sources reporting individual events and sayings, such as the *chria* discussed below. Biographers collected these sources from anthologies and handbooks, and then wove them into longer biographical narratives.[11] These sources of classical biographers resemble rabbinic stories in many respects.

Ancient biographers did not intend to present the "true" life of their subject—the life as actually lived, the "what actually happened" of the nineteenth-century historical vision. They sought "truth" in a different sense, the eternal truths that the meaning of the life of their subject held for others. The biographers constructed their subjects such that the lives embodied the values they wished to impart to their audience. They attempted to make the famous men about whom they wrote appear great by portraying the ideal life and the exemplary character. Patricia Cox observes that late antique authors themselves did not really claim historical accuracy but that the events they recorded "could have been true" or should have been true.[12]

Biographers had various social and political purposes—moral instruction, entertainment, propaganda, social criticism, behavioral modeling—and their goals and imaginative powers determined their product. As Cox writes, "We know that biography functioned in a literary sense by mythologizing a man's life, that is, by using fiction to convey truth; and we know that as a literary form biography was suitable to the creation of caricatures, portraits so dominated by the ideals imposed by the biographer that history was distorted, if not actually lost."[13]

Henry Fischel drew attention to the similarities between many rabbinic stories and a particular genre of biographical literature, the *chria* (also known as *exemplum*): a brief anecdote relating the encounters, performances, deeds, and sayings of a wise man.[14] *Chriae* emerged primarily from schools of philosophy and rhetoric, a setting that recalls the rabbinic academy and the master-disciple relationship.[15] These brief anecdotes circulated both orally and in written collections. *Chriae* satirized or criticized sages as often as they depicted their wisdom. They contained well-known proverbs and stock motifs: the sage's beginning as ignorant or impoverished, his foreign provenance, his sudden rise to a position of leadership, and so forth. *Chriae* told of well-known sages and philosophers, but the stories were designed to teach values and social ideals, not to report actual encounters or sayings.[16] Training in rhetoric even required students to invent *chriae* by imaginatively devising narratives in which to place the sayings of wise men or elaborating upon brief outlines with fictive detail.[17] Consequently themes and subthemes were constantly reused and recombined in conjunction with standard plot patterns to create new *chriae*.[18] That these qualities characterize numerous rabbinic stories has important repercussions on how stories should be studied and what we should learn from them. Fischel accordingly suggested that the quest for the "historical Hillel" may be as much of a chimera as the quest for the "historical Socrates" and other wise men who had become the subject of *chriae*.[19] Hence it is not surprising that Fischel and other scholars called attention to stunning parallels between rabbinic and Greco-Roman stories in content and dialogue, not only in form.[20] Likewise the contradictory traditions that Neusner found so frustrating to the historical project characterize classical *chriae* as much as rabbinic sources; both result from different schools shaping material for their own needs.[21]

The rabbinic stories found in Palestinian sources took shape in this cultural milieu. While the stories analyzed here derive from the Babylonian Talmud, a product of Sasanian Persian culture, most are reworkings of earlier stories found in Palestinian sources. Persian historiography and biography, in any case, were much closer to legend and myth than their Hellenistic counterparts, much farther from modern conceptions of these disciplines.[22] Indeed, the fictional nature of late antique historiography and biography characterizes most ancient cultures, not only the classical world. Rabbinic stories, therefore, should not be seen as historical testimonies but as rhetoric that serves the purposes of the storyteller(s). They relate deeds of the sages that "could have happened" and speech that "should have been spoken" according to the storyteller's sensibilities. While rabbinic stories may contain some accurate historical recollections, to retrieve them is not my interest here. My analysis of the rabbinic story, like the analysis of *chriae* and ancient biographies, concentrates on the ideas and values which the story was designed to illustrate.

Literary Analysis of Rabbinic Stories

Literary critics were not far behind the historians and classicists in recognizing the rhetorical and fictional aspects of rabbinic stories.[23] They brought to the field not only a negative critique of previous scholarship but methods to analyze the stories and recover their meaning. For if the genre of the rabbinic story was fiction or rhetoric and not historiography, then methods to study fiction were the appropriate methods to apply. Rather than try to get behind the story to a historical reality, scholars needed ways to determine the meaning of the extant text. Some form of literary criticism, not historiography, was necessary. In principle, the same approaches that suited prose fiction or even poetry should be suited to rabbinic stories as well.

Jonah Fraenkel almost singlehandedly defined the literary approach to rabbinic stories. The fruits of his labors, analyses of hundreds of rabbinic stories, appear in numerous articles and in his magnum opus, a summa of his work over the previous two decades, *Darkhei ha'aggada vehamidrash* (The Methods of the Aggada and Midrash).[24] These articles and the chapters of this book provide close readings of stories with meticulous attention to the wording, structure, and plot. He also describes the literary devices and characteristics of rabbinic stories, such as paronomasia, irony, and the use of biblical verses.[25] Both in theory and practice, in description and example, Fraenkel laid the groundwork for all subsequent literary analysis of rabbinic stories.

Fraenkel shares Neusner's rejection of all approaches that consider rab-

binic stories as historical testimonia.[26] While Neusner attacks the historical approach on the basis of external considerations such as contradictions among multiple accounts of the same event, Fraenkel focuses on the internal characteristics of the story. To read stories as history, for Fraenkel, is a fundamental category error, a misunderstanding of their genre. The linguistic precision that marks rabbinic stories reflects a process of composition determined by literary-artistic factors, not by attempts to record historical events for posterity. Rabbinic stories present cause and effect in terms of spiritual and metaphysical forces, not the material factors such as political or economic power that underlie "historical" causality. Stories are generally limited to a single event, unaware of time and space beyond their frame. History, on the other hand, places events in a sequence with each situation related to the past and the future in substantive ways. Fraenkel does not deny that numerous historical figures, events and data figure in the stories as "core material." To see that core material as the essence, however, fails to understand the literary-artistic character of the story as shaped by the authors. Stories express the spiritual world of the storytellers, not the real world of the characters.

Fraenkel considers the genre of rabbinic stories to be dramatic rather than lyric or epic. In contrast to epic, there is minimal description of the outside world; in contrast to lyric, little attention to the emotions. As in drama, the rabbinic story emphasizes human reality with its tensions and contradictions.[27] In the rabbinic worldview, ambiguous reality gives rise to tensions and oppositions in human experience which make it difficult to perceive the truth. The hero of most stories is a sage who knows or learns of the true nature of things as opposed to their surface appearance. His (or the audience's) realization comprises the didactic or ideological point of the story. Note that this discussion of the genre of the rabbinic stories invokes not the empirical genres of classical literature but the theoretical genres of literary theory.[28]

Because rabbinic stories are "literary-artistic creations"—that is, fictions—not historical testimonies, Fraenkel insists that they be analyzed with a method appropriate to their highly literary character. To decode the story and uncover its meaning the reader must apply literary analysis. Rabbinic stories always have a well-defined structure, appearing in two parts, three parts, or a chiasm.[29] Formal criteria such as the repetition of words or phrases as well as shifts in content signal the boundaries of the parts. The parts must be understood on the basis of the whole and the whole on the basis of the parts, in what Fraenkel acknowledges is a type of a "hermeneutic circle." Interpretation therefore requires a detailed structural analysis and careful attention to the language that comprises the building blocks of structure. The reader must also be sensitive to the nuanced use of vocabulary in the dialogue of the characters, which often includes wordplays and double meanings.

A dogmatic principle of Fraenkel's is that stories display "internal and external closure."[30] By "internal closure" Fraenkel means that stories are self-contained units, complete in and of themselves. The story supplies all the information necessary for its interpretation. The end refers back to the beginning, completing the circle and sealing the story in a world of its own.[31] Indeed, this self-contained quality is part of the literary artistry of the rabbinic story. By "external closure" Fraenkel means that each story is independent of a wider narrative framework. One cannot ask what happened before or after the events related in the story, what caused the situation, or what consequences ensued. Nor do stories relate in any way to other stories, even if they portray the same character or address a common theme. Thus stories about a given sage may contradict since each story was created for its own didactic purpose. A story exists in a secluded textual space with no allusion or reference to other texts.

Fraenkel's method, then, is essentially that of the New Criticism, the school of literary criticism that flourished in the 1940s and 1950s.[32] Opposing the positivist historical orientation of the prevailing literary criticism, the New Critics minimized the importance of authorship and historical context in order to concentrate on "the text itself." The meaning of a poem or story, they argued, inheres in the text, not in the historical background, the social setting, the personality or even the explicit purposes of the author. That meaning emerges through a close reading that identifies the structure, determines the plot, describes the characters and analyzes literary devices.[33] Similarly, Fraenkel generally confines his analysis to the contours of the story, its structure, literary devices, and internal character. The result: a New Critical reading of "the rabbinic story itself."[34]

Fraenkel must be acclaimed for the scope of his work, the depth of his analysis, and his success in defining and describing the literary characteristics of the rabbinic story. His penetrating analyses invariably leave his readers with fresh understanding and insight. While I will argue that Fraenkel's approach is not sufficient, it is certainly necessary. A close reading is indispensable to the proper interpretation of a rabbinic story. I also share Fraenkel's view of the genre of the rabbinic story as fiction, and more specifically dramatic narrative.[35] Fraenkel made the crucial paradigm shift that revolutionized the interpretation of rabbinic stories.

The Rabbinic Story in Its Cultural and Literary Contexts

Modern literary theory emphasizes the importance of contexts—cultural, historical, social, and literary—to the interpretation of literature. Neglect of the cultural and historical context of a literary work was the major complaint against the New Criticism. Opponents charged that the failure to understand the meanings of words, values, and concepts in their historical contexts and to appreciate that these meanings changed over time rendered New Critical interpretations subjective or simply mistaken.[36] How can one understand the meaning of "honor" in a poem written by a sixteenth century British nobleman unless one knows what "honor" meant at this time to this social class, which might be very different from what "honor" involves today? Likewise, failure to understand the literary conventions of a society, even when they do not correspond precisely to a cultural reality, inevitably produces misunderstandings.

The importance of the literary context to interpretation is another hallmark of recent literary theory, and especially of semiotics. Semioticians argue that language does not have a stable or determinate meaning. Language does not correspond to an objective reality beyond itself that the reader apprehends directly. There is no absolute meaning of a word, no natural relationship between a word (the signifier) and its meaning (the signified), nor even a simple, one-to-one correspondence between the two. Words, phrases, sentences—ultimately entire texts—have meanings only within specific settings. To understand the meaning of a text always requires interpretation. A reader inevitably begins the interpretive process by drawing information from the literary context as he or she attempts to make the best sense of words within sentences, sentences within paragraphs, paragraphs in light of the proximate text, and so on for larger units. Reading (or listening), in other words, has a sequential component. How we interpret a text, or any communication, depends on the preceding material, which creates certain expectations, and on the larger frame in which we encounter it. The same words have different meanings when expressed sarcastically, ironically, untruthfully, or seriously, but to judge how best to interpret them requires an assessment of their context. To quote Stanley Fish: "Consider, as an example, the sentence 'I will go.' Depending on the context in which it is uttered, 'I will go' can be understood as a promise, a threat, a warning, a report, a prediction, or whatever, but it will always be understood as one of these, and it will never be an unsituated kernel of pure semantic value."[37] While we cannot speak of meaning in an absolute sense, we can speak of a meaning in a given context. To divorce stories completely from their literary contexts is a problematic endeavor. There is no noncontextual space in which to analyze a story any more than there is noncontextual space to define the absolute meaning of a given word or phrase.

Similar criticism should be leveled against Fraenkel's New Critical readings of rabbinic stories. His principle of closure causes him to neglect both the literary and cultural context of rabbinic stories. Fraenkel isolates the story from its literary context, that is, from the section of text in which the story is placed, the preceding and following material. He ignores the legal discussions of the Babylonian and Palestinian Talmuds in which stories are embedded. In some cases Fraenkel even detaches one episode from its narrative context and analyzes it independently, even though it comprises part of a larger plot.[38] Fraenkel likewise does not make much of the wider cultural context, namely the values, concerns, symbols, motifs, and conventions of the culture in which the story was produced. These dimensions are partially accessible to us by examining other talmudic texts, other expressions of the same talmudic culture. When confronted by a symbol, such as a column of fire, or a motif, such as a sage forgetting his studies, Fraenkel normally does not turn to other talmudic sources to understand its significance. To be fair, Fraenkel does recognize a general context, "the spiritual world of the sages," and a *Sitz im Leben,* the rabbinic academy. But these contexts have a negligible impact on the actual analysis. The academic setting guarantees little more than that stories were intended for an intellectual elite who could understand their subtleties, not as popular tales for commoners. In the undifferentiated "world of the sages" Fraenkel does not take into account whether the story is Tannaitic or Amoraic, whether of Babylonian or Palestinian provenance, although these cultural worlds were significantly different.[39] While a literary analysis of a talmudic story is indispensable to its interpretation, that analysis should not neglect contextual factors.

The importance of the literary context to the interpretation of talmudic stories has been argued cogently by Ofra Meir, whose insightful studies over the past twenty years have had neither the influence nor acclaim they deserve.[40] Like Fraenkel, Meir considers literary analysis the proper tool to analyze the rabbinic story. Her dissertation, unfortunately still unpublished, is the most thorough study of character and modes of characterization in rabbinic literature,[41] while other studies address narrative technique, symbolism, and hermeneutics.[42] One of Meir's studies of the role of the literary context examines four occurrences of "The Story of the Hasid and the Spirits in the Cemetery," found in four different rabbinic compilations.[43] While the textual variants among the four occurrences are minimal, the four contexts are significantly different. Meir claims, convincingly in my opinion, that the didactic impact of the story—the meaning absorbed by the audience—differs in each case.[44] The disparate contexts accentuate different aspects of the story and produce different readings.[45]

In other important articles Meir demonstrates that context may also influence the text.[46] Differences between versions of a story are not arbitrary but result from the interests and pressures of the respective contexts. For example, a story of R. Hanania b. Hakinai and his wife appears in the BT and in *Leviticus Rabba.*[47] The core plot is almost identical: Hanania leaves home and studies in the academy (*beit midrash*) for twelve or thirteen years. When he finally returns and enters his house, his wife dies of shock, but Hanania protests to God and she revives. Meir points out that the context in *Leviticus Rabba* has to do with the importance of proper order. That passage concerns the death of Aaron's sons Nadav and Avihu, who deviated from the correct ritual order, and God's instructions to Aaron of how to avoid such catastrophes (Lev 16). In this context the story provides additional proof of the danger of violating the proper order of things, as did Hanania who returned home without advance warning. The beginning of the story stresses Hanania's irregular behavior by contrasting Hanania with another sage who sent letters home and kept in contact with his family. Hanania never corresponded with his wife, and when he returns, the narrator points out the abruptness of the encounter: "He entered after her [into the house] suddenly. His wife hardly had time to see him when she died." Meir notes that the BT version omits mention of the letters home and the sudden entry. There the story appears in a series of stories about sages who leave home to study in the academy for many years. The tension between study of Torah and obligations to wife and family runs through all these stories, each of which provides a different perspective. The BT story accordingly emphasizes the wife's predicament and Hanania's appreciation of her suffering: "His wife was sitting and sifting flour; she lifted her eyes, she saw him, her heart rejoiced and her spirit departed"—a description which does not appear in *Leviticus Rabba.* Thus the BT casts no blame on the sage, as does *Leviticus Rabba* through the lack of correspondence and sudden entry. Indeed, the BT follows Hanania's protest of the injustice of her fate by mentioning that he prayed for her, suggesting that his merits—apparently those earned by the long years of study—restored her to life, and not only God's mercy.

Meir offers the guarded conclusions that "the same story may reflect different aspects of a worldview, because these are not only dependent on the interpretation but also dependent on the context," and that "the literary contexts produced in the stages of the redaction of rabbinic collections shed light on the influence of context on the story brought within its frame, and about the worldview communicated by it."[48] But I think her studies show more: not only are text, context, and interpretation interrelated, but the redactors tailored the texts of stories to suit the literary contexts in which they placed them. Redactors were as much authors or storytellers as compilers, so the interpretation of a story should not be pursued independently of the literary context they chose. My work will support Meir's conclusions by demonstrating that the BT redactors reworked stories in light of the literary contexts they selected. It is untenable to claim that the process of redaction did not affect the text of the stories to any significant degree, that rabbinic stories were originally told in another setting, perhaps orally in the rabbinic academy, and later were incorporated into talmudic passages without change. No stable meaning exists without a literary context, and in the case of the BT, the redactional process shaped the story in relation to that context.

The indispensability of the wider cultural context for interpreting rabbinic stories has been argued by Daniel Boyarin in *Carnal Israel: Reading Sex in Talmudic Culture.*[49] Boyarin considers his method an example of the "New Historicism" or "cultural poetics," as he prefers to call it. As the name implies, the New Historicists reacted against the anti-historicism of the New Critics by returning to an emphasis on the historical context of literature. For Boyarin and the New Historicists, literature is a social process akin to other social processes, such as law, politics, and economics. The social meanings constructed in literature are therefore related to meanings constructed in the other cultural spheres. New Historicists consequently have an open view of texts: all texts of a given culture will be interrelated since all result from the same social processes. This means that any text, no matter what its genre, will be informed or influenced by meanings found in other texts, known as intertexts. Boyarin accordingly studies rabbinic biographical stories in light of halakhic sources:

> [T]he method of cultural poetics recombines aggada and halakha, but in a new fashion. I assume that both the halakha and the aggada represent attempts to work out the same cultural, political, social, ideological, and religious problems. They are, therefore, connected, but not in the way that the older historicism wished to connect them. We cannot read the aggada as background for the halakha, but if anything, the opposite: the halakha can be read as background and explanation for the way that the rabbinic biographies are constructed.[50]

So Boyarin examines aggada (including stories) together with halakha as two social processes in order to recover important cultural themes. By considering a network of legal discussions, exegetical traditions and stories—intertexts—he observes the tensions of rabbinic culture.

Boyarin's work is particularly relevant to a study focused on the BT such as this, since the BT is primarily of legal character, and is organized as a commentary to the Mishna. Stories embedded in the BT should be considered in relation to talmudic halakha in general, as well as to the particular halakhot with which they are juxtaposed—which brings us back to the immediate literary context. These considerations contest the view of talmudic stories as closed and self-contained texts. I claim in each chapter that both the halakhic context of a story and other related texts indeed contribute to our understanding.

I use the term *cultural context* rather than *historical context* because our knowledge of the historical setting of the BT is minimal. The political, economic, and social situations of the Jewish communities in Sasanian Persia throughout late antiquity are known only in their most general contours. Material cultural remains of Babylonian rabbinic Jewry are almost nonexistent. Yet we do have the massive text of the BT and the numerous sources contained therein to help us understand the terms, concepts, conventions, and codes of the culture that produced it.[51] To neglect this cultural data therefore risks subjectivity and misinterpretation. To appreciate the general significance of a story requires a sense of the dominant problems and struggles of Babylonian rabbinic culture, which again must be derived from other texts. The only way to bridge the gap between the language and culture of talmudic times and language and culture today, the only way to understand how the stories fit into talmudic culture, is to exploit the full range of talmudic data available.

The Composition and Redaction of the Babylonian Talmud

Because the redactors contextualized the stories found in the BT and contributed to their composition, it is necessary to understand their historical and social contexts and redactional methods. David Weiss Halivni has articulated a comprehensive theory of the composition and redaction of the Babylonian Talmud.[52] His theory is anchored in the distinction between statements attributed to the Amoraim (*meimrot*) and anonymous statements (*stammot*).[53] After studying hundreds of talmudic passages Halivni concluded that the anonymous material always postdates the attributed statements, that the two types of statements emerge from two chronologically discrete layers of tradition. He called the tradents of the unattributed statements "Stammaim," from the word used for an anonymous section of Talmud, *stam*. Halivni also observed that statements of the Amoraim and Stammaim are of substantially different character. Amoraic statements are terse, apodictic pronouncements, while Stammaitic expressions are lengthy and discursive. More important, the Stammaitic layers contain most of the dialectic argumentation, the give-and-take of the discussion, the legal reasoning, including explications and comments on the shorter Amoraic traditions. Halivni concluded that a substantial change in legal philosophy transpired between the Amoraic and Stammaitic periods:

> At first . . . they felt no need to preserve for posterity the derivation of laws and the reasoning through which they came to their conclusions. In their eyes the conclusion was the essence and the rest was secondary, not worthy of the same precision in transmission as was required of apodictic law . . .
>
> . . . At a certain point it became more accepted that the derivation of laws deserved to be preserved and written for posterity, that argumentation, the give-and-take (even if rhetorical) has independent value and is not secondary to the conclusion that results from it. This period had tremendous influence on the study of Talmud and profound impact for the following generations. *This period is the period of the Stammaim.*[54]

So highly did the Stammaim value argumentation that they discussed not only authoritative legal opinions but also discredited positions. The Stammaim, for example, explored the reasoning of opinions attributed to the House of Shammai, although the Tannaim had long before given primacy to the House of Hillel. Lengthy Stammaitic passages produce no practical conclusion and suffice with probing, testing, and justifying the various opinions.

The two-tiered view of talmudic material and the Stammaitic interest in, and provenance of, argumentation have significant implications for the composition of the Talmud. Because argumentation had not been preserved, the Stammaim were forced to reconstruct or reinvent the reasoning of the Amoraim on the basis of the meager fragments of tradition they had inherited. The Stammaim composed *sugyot*—discursive units—by embedding Amoraic statements in logical frameworks and supplying the underlying reasoning.[55] Stammaim, then, are essentially the authors (they composed the bulk of the text) and the redactors (they organized antecedent traditions and provided their present frameworks) of the Talmud. They were not mere "transmitters" of Amoraic tradition, but "their hands were everywhere in the Talmud, and everything came from them."[56]

The discursive interests of the Stammaim fostered the development of a distinct literary style. Halivni describes Stammaitic argumentation as "colorful, pulsating, outreaching, often presenting an interwoven and continuous discourse with a distinct identifiable style of its own." Symmetry is one aspect of "Stammaitic style": the Stammaim sometimes present contrived or artificial arguments in order to balance the presentation of opposing positions.[57] Spurious questions and false answers appear as literary devices to emphasize sections of the dialectic.[58] So too does repetition of territory previously covered. The Stammaim, then, have a deeper interest in rhetoric and style, in modes of argumentation, than in the final decision.

Shamma Friedman independently reached conclusions similar to those of Halivni.[59] He too distinguished the attributed, Amoraic statements from anonymous material; described the different characteristics of the two layers; and dated the anonymous material to post-Amoraic times (although he does not use the term "Stammaim"). He provides fourteen "stylistic and textual considerations" for separating the Amoraic kernel from its later elaboration.[60] Friedman's second major contribution is the analysis of the literary structure of the *sugya*.[61] He observes that the *sugya* often has a tripartite structure, contains a series of three objections, or brings three different types of proof. Other *sugyot* are composed of units of seven, ten, or fourteen.[62] Many *sugyot* defer the solution to the end so as to allow other sources to be introduced and discussed. The composers were therefore motivated by rhetorical, structural, and literary concerns as much as legal interests. Like Halivni, Friedman points to cases where aspects of the argumentation are spurious, and were added for the sake of rhetoric or style.[63]

Halivni, Friedman, and other scholars debate the dating of the redactors and the breakdown of the post-Amoraic period. Geonic sources call the sages of the sixth and seventh centuries "Saboraim" and attribute to them various types of editorial activity.[64] Did the Stammaim flourish in the fifth century and precede the Saboraim? Or should the Stammaim be identified with the Saboraim of Geonic sources or with the first few generations of Saboraim?[65] In the case of aggada, the potential distinction between Stammaim and Saboraim becomes less certain. Geonic traditions about the role of the Saboraim pertain to halakhic material—technical terminology, some forms of argumentation, and occasional legal decisions. Signposts of their editorial activity can be detected almost exclusively in the halakhic portions of the Talmud. For my purposes here it is not necessary to resolve this issue. *I use the term* Stammaim *for all post-Amoraic sages, who composed, redacted and edited the talmudic text in the fifth through seventh centuries.* It was during this time that the Babylonian Talmud text took shape.

The theories of Halivni and Friedman impact this study in several ways. In general, they provide a theory of authorship and audience, and a historical context in which to locate talmudic stories. More specifically, the identification of distinct literary strata raises the question of how to categorize stories. The redactors ultimately transmitted all talmudic material, whether early or late; whether of Tannaitic, Amoraic, or post-Amoraic provenance; whether narrative, exegetical, or legal. On the crudest level, then, every talmudic story can be attributed to them.[66] However, the extent to which they reworked their sources—hence their direct contribution to the different literary strata—varied:[67]

1. Tannaitic sources, that is, *baraitot:* Comparison of *baraitot* in the BT to their parallels in the PT, the Tosefta, and other Tannaitic midrashim, shows minor development in the long process of transmission.[68] The Hebrew of BT *baraitot* differs slightly from that of the Mishna and Tosefta. Awkward and difficult expressions are occasionally simplified and the style periodically adjusted. Some technical terms have been changed to conform to standard BT terminology. Most of these changes were probably unintentional, although deliberate emendations are occasionally found. For the most part, Babylonian Amoraim and the redactors attempted to transmit the *baraitot* as accurately as possible. Thus *baraitot* can be considered of Tannaitic provenance until proven otherwise.[69]

2. Amoraic dicta, that is, *meimrot.* Comparison of Amoraic dicta with those found in the PT (and occasionally in parallel *sugyot* in the BT) shows considerably more development. Some BT dicta are identical to those found in the PT; others are equivalent in content but not form; others are profoundly different.[70] In some cases the Stammaim (and perhaps later Amoraim) found it necessary to complete the truncated Amoraic traditions they inherited by adding words or phrases, interpolating, and appending prefaces or conclusions. Although the Stammaim had great respect for the precise wording of the Amoraic traditions, they sometimes modified the formulations, substituted more common words or stylized them to conform to the BT standard.[71]

They paraphrased or abstracted from specific cases to general formulations. It seems that only in rare cases did the Stammaim fictionalize attributions and thereby create pseudepigraphic Amoraic statements.[72] Considering the years that passed from the early Amoraim of the third and fourth centuries to the redactors in the fifth through seventh centuries, the degree of drift is remarkably small. In the vast majority of cases the dictum probably preserves the teaching of the Amora if not his *ipsissima verba.* The redactors did not treat dicta as inviolable, but they were very conservative in the amount of reworking.

3. Unattributed material (*stam hatalmud*). Comparison of the unattributed strata of the *sugya,* the discursive material, with that of the PT or early rescensions within the BT shows a gap of major proportions. In almost every case the redactors have freely reworked whatever rudimentary framework or basic structure they had received, supplemented it with other sources, transferred traditions from related passages and created the rich argumentation described above. This, of course, is why Halivni and Friedman attribute the anonymous strata to post-Amoraic redactors or Stammaim. As opposed to *baraitot* and Amoraic dicta, unattributed material is almost exclusively the free composition of these redactors. Shamma Friedman assesses the differences between the strata thus: "The degree of malleability of the unattributed material (*stam hatalmud*) is infinitely greater when compared with the *meimrot.*"[73] Here the redactors exercised their literary talents with little restraint.

How did the redactors treat their narrative sources? What do we find when we compare BT stories with earlier versions found in Tannaitic sources or in Palestinian documents? Did they transmit narrative sources almost exactly as they received them, like the *baraitot,* or with a minor degree of editing, like Amoraic dicta? Or did they freely revise them like the unattributed material? And if so, did they rework narrative sources with the same compositional methods as applied to legal *sugyot?* In other words, to which of the literary strata should talmudic stories, as a genre, be assigned?

Only a few studies to date have attempted to answer these questions by applying the theories of Halivni and Friedman to stories or focusing on the narrative activities of the redactors. Louis Jacobs called attention to "aggadic *sugyot*" such as the "*sugya* of suffering" found in bBer 5a–b.[74] These "aggadic *sugyot*" organize exegetical and narrative traditions on a particular topic into highly structured discussions. Yaakov Elman's article

"Righteousness as Its Own Reward: An Inquiry into the Theologies of the Stam," as the title suggests, argues that the Stammaim have defined theological ideas that can be distinguished from those of the Amoraim.[75] Most significant is an illuminating article by Shamma Friedman that compares the lengthy story of R. Eleazer b. Shimon, bBM 83b–86a, with its earlier versions found in Palestinian sources.[76] Friedman shows that the BT redactors altered narrative details, added episodes, transferred motifs from disparate talmudic passages and supplied connective phrases to smooth the transitions and clarify the turns of the plot. Yet the redactors did not change the basic order of events recounted in the Palestinian antecedents, although this produced obvious problems in the flow of the new story due to the additions.[77] Friedman's main point is that the BT version cannot be relied on for historical purposes since it is a secondary reworking of Palestinian traditions, not an independent historical witness. He insists that historians determine the "literary kernel" before rendering judgments about the historical kernel. In this respect his punctilious study comes to similar conclusions regarding the literary development of rabbinic historical testimonies as did Neusner.[78] For our purposes, Friedman's study suggests that the Stammaim reworked their narrative sources with a considerable degree of freedom.[79] This book continues these studies of the redactors' handling of earlier stories. It provides comprehensive answers to the questions raised above by demonstrating that the Stammaim indeed played a significant role in producing stories and by describing the methods with which they reworked their sources.

Halivni's account of the values of the Stammaim may also shed light on the content of the stories we will examine. The Stammaim valued argumentation itself, the give-and-take of talmudic dialectic, even when it had no impact on practical law. Torah, for the Stammaim, was an ongoing process of learning and interpretation. By meditating on the reasoning behind rejected Amoraic positions, the Stammaim took the principle of "Torah for its own sake" to new levels. Torah study had always been the central value of the sages, but the Stammaim expanded and intensified its import. For the Stammaim, Halivni writes, "theoretical learning was a main mode of worship."[80] This view constructs Torah as the supreme value, the ultimate goal and underlying principle of creation, in a manner that goes beyond earlier rabbinic views of Torah. I hope to show that the general view of Torah in the stories coheres with what we should expect of the Stammaim.

Finally, the theories of Halivni and Friedman of the literary activities of the redactors, in my view, are what justify the application of literary analysis that attributes significance to structure, repetition, and the artful use of language in general. These are the characteristics of the conscious process of Stammaitic redaction, as we know from studying legal *sugyot,* not necessarily the inherent properties of drama, fiction, ancient biography, or whatever genre we assign to BT stories.[81] Similarly, the implied audience of the Stammaim were like-minded sages in the rabbinic academy who could be expected to be persuaded by the rhetoric, to decode the structures and literary features, and to understand the conventions and cultural tensions of the stories.[82]

The Social Setting of the Redactors: The Rise of the Babylonian Academy (Beit Midrash)

The findings of Halivni and Friedman that the literary strata of the Amoraim and Stammaim are distinct, and Halivni's theory that the values of the Stammaim differed from those of the Amoraim, correlate with current theories of the rise of Babylonian rabbinic institutions of higher learning. In a comprehensive study of references to rabbinic institutions in the BT, David Goodblatt concluded that large-scale institutions of rabbinic learning did not exist in the Amoraic period.[83] Throughout Amoraic times small groups of students gathered around rabbinic masters in "disciple circles." They dispersed when their masters died, moved on and perhaps attracted disciples of their own. The institutionalized *beit midrash* and *yeshiva* (academy) with their accompanying structures—buildings, hierarchies, curricula, means of financial support—were a later development: "[T]he organization of rabbinic instruction in Sasanian Babylonia was rather different from the way it has been described in medieval and modern accounts. The large Talmudic academies (*yeshivot* or *metivata*) known from the Islamic era did not exist in Amoraic times. Instead disciple circles and apprenticeships appear to have dominated academic activity."[84]

Goodblatt essentially limited his study to the talmudic sources and did not offer firm conclusions as to when such institutions developed. Geonic sources of the eighth and ninth centuries take such institutions for granted and even retroject them to much earlier periods. This places their emergence in the fifth through seventh centuries.

Isaiah Gafni challenged Goodblatt's conclusion and argued that a few talmudic traditions reflect the existence of an academy or similar institution.[85] However, most of Gafni's sources that mention the *beit midrash* or *yeshiva*—including several narrative sources—are actually found in the anonymous strata of the Talmud, the strata Halivni and Friedman assign to the Stammaim.[86] Unfortunately, this debate took place before the theories of Halivni and Friedman gained acceptance, so neither Goodblatt nor Gafni tried to correlate references to institutions with literary strata.[87] There is no scholarly consensus on this issue, and comprehensive study remains a desideratum. But it seems that the question could be resolved by greater sensitivity to the literary strata of the BT.[88] On the one hand, Goodblatt is probably correct in concluding that talmudic evidence does not conclusively associate the Amoraim with large-scale institutions. On the other, the passages identified by Gafni (and some passages which Goodblatt recognizes as glosses) should not be ignored or explained away, but understood as evidence of post-Amoraic institutional developments of the fifth and sixth centuries.

The question of the rise of the rabbinic academy thus intersects with the question of the literary strata within the Talmud. It is likely that the two developments are related.[89] The shift in values and styles of legal expression probably did not occur in a vacuum. The very fact that we speak of "Stammaim" or "anonymous post-Amoraic redactors," that is, that these sages stopped attaching their (or their teachers') names to traditions, points to a substantive break with the past. The transition from short, apodictic utterances of the Amoraim to the discursive, verbose, argumentative expressions of the Stammaim may reflect a larger structural change in rabbinic society such as the rise of a new type of institution. Production of a distinct literary stratum suggests a distinct social setting.

The emergence of the *beit midrash* or *yeshiva* in Stammaitic times provides an institutional context for understanding the Stammaitic values and styles Halivni describes. The interests of the Stammaim are scholastic—dialectical argumentation, artificial debates, an emphasis on legal reasoning and explanation—and point to a scholastic institution. While law courts are most interested in final decisions and rulings, law academies such as the *beit midrash* emphasize argumentation, even hypothetical argumentation on behalf of minority opinions. Within the rabbinic academy the Stammaim pursued their scholastic activities, what we might call the "pure theory" of Torah. As we shall see, the stories analyzed below place numerous scenes in the academy and portray rabbis engaging in extensive dialectical debate. The picture of rabbinic activity and institutions of learning constructed by the stories suit the Stammaitic scholastic setting.

Goals and Methods

This book comprises detailed studies of six important stories from the Babylonian Talmud. The objective is to build on the close analysis of these texts to advance our understanding of the issues discussed above.

First, the studies contribute to our appreciation of the artistry and literary features of BT stories. How did the storytellers employ wordplay, irony, dialogue, rhetorical questions, repetition, biblical verses, and structural parallels to create meaning? In this respect the book continues the work of Jonah Fraenkel and Ofra Meir in describing the poetics of the rabbinic story, although it focuses specifically on the BT.[90]

Second, these studies help us to understand the compositional methods of the redactors. To what extent and in what ways did they adapt other sources and rework earlier versions to construct new stories?

Third, study of the relationship between stories and their literary and halakhic contexts sheds light on redactional methods. Why have the Stammaim included a given story in the *sugya*? Why has this story been juxtaposed with a certain Mishna or halakhic issue?

Finally, these studies enhance our understanding of Babylonian rabbinic culture, particular that of the Stammaim. Each story addresses fundamental issues and tensions of the rabbinic worldview. By identifying those issues and tensions and relating them to issues and tensions reflected in other BT sources, we gain insight into the cultural world of the storytellers, the Stammaim. Attention to the themes and motifs repeated in several stories also helps us to recognize the dominant concerns of their culture.

These multiple interests and the complexity of the text of the BT require that several methods be employed. From the discussion of previous scholarship presented above it should be clear that no one method adequately addresses the spectrum of issues that contribute to the fullest understanding of a story. A combination of methods is necessary to manifest the full richness of a talmudic text. The three primary methods I use are redaction-criticism, source-criticism, and literary analysis.

Redaction-Criticism

Redaction-criticism characterizes my approach insofar as the focus is the extant form of the story. I am most interested in reading the stories as formulated by the redactors, as they now appear in the BT. While the redactors sometimes built their story out of independent sources, or added an extraneous source to a given story, it is the composite product that they created. While the redactors reworked earlier sources, it is the reworked sources, not the original forms, that they transmitted. The focus on the redacted form of the story in general, and on the redactional layers of additions to and reworkings of earlier sources in particular, is what makes this book a contribution to the study of the BT, not a study of hypothetical early traditions or "rabbinic literature" in general.[91]

The relationship of the story to its literary and halakhic contexts is also a question for redaction-criticism. Because the BT is organized as a commentary to the Mishna, every talmudic passage is located in reference to a particular Mishna-paragraph. Whatever the original provenance of the rabbinic traditions—including stories—contained in the Talmud, the redactors located those traditions in connection with a given Mishna and transmitted them to us in that context. Thus every story has a "halakhic context" provided by the proximate Mishna. In some cases a narrower halakhic context may be provided by a legal discussion that precedes the story, or by a *baraita* cited in the course of that discussion. The immediate literary context, the talmudic passages preceding and following the story, which often drift far from the content of the framing Mishna, may provide another context. A story, for example, may occur within a series of other stories or after a lengthy collection of exegetical traditions. Redaction-criticism considers the relationships of the story to these contexts and the purposes of the redactors in these juxtapositions.

Some stories of course may have but a superficial relationship to their redactional contexts. The only connection between a story and its location may be a lexical association such as a common word or name.[92] A halakhic ruling attributed to Rava may be followed by a story attributed to Rava or a story that features Rava. In such cases redaction-criticism will contribute little to our understanding of the stories. I consider it counterintuitive, however, to think that the stories in a work as carefully edited over as long a period as the BT should not have a substantive connection to the primary interests of the redactors, namely the particular Mishna, halakhic issue or theological matter at hand.[93] And I believe that the following chapters substantiate this point. But even superficial associations between stories and their redactional contexts inform us about the methods of the redactors.

Source-Criticism

Study of the redactional form of stories requires careful attention to the BT's sources, since the specific contribution of the redactors is identified best by distinguishing their voice from that of their sources.[94] Where the redactors changed their sources or supplemented the story they received with another source we discern the clearest signs of their activity. Attention to the redactors' methods of reworking or supplementing sources also contributes to understanding their compositional techniques.

Attention to sources is demanded, moreover, because the redactors themselves often mark the sources they integrated into larger legal, exegetical, and narrative compositions. Signs of sources include terms such as "Our rabbis taught" that introduce Mishnahs and *baraitot,* attributions such as "R. So-and so-said . . ." that introduce Amoraic statements, terms such as "They said in the West" that precede Palestinian traditions, and explicit references to documentary formulae, court decisions, epistles, homilies, and so forth.[95] In this respect the talmudic redactors differed from the biblical redactors who integrated their sources without signaling this fact to the reader. Talmudic redactors quite candidly admit that their work is a montage of earlier discourses. Indeed, if Halivni is correct, the redactors would prefer to see themselves as recovering and completing those traditions of the past rather than creating anything anew. To ignore the sources of a talmudic story therefore discounts valuable information concerning the construction of the story, information that the redactors themselves disclose. For these reasons my studies involve a certain amount of source-criticism, namely the methods that identify and distinguish the sources used in the composition of the text. However, the purpose of source-criticism is not to study the original sources for their own sake but to understand how the storytellers used their sources to create a larger story.

The main source of BT stories are the parallel versions that appear in the Palestinian Talmud, *Genesis Rabba,* and other Amoraic midrashic collections. As with all cases of parallel sources, it cannot be proved absolutely that one borrowed from the other, for it can always be argued that the borrowing went in the opposite direction, or that both versions derive from a common source. Yet it is reasonable to proceed with the hypothesis that, while the Palestinian stories in their current forms are not themselves sources of the BT, they are substantially closer to early versions subsequently reworked in Babylonia. Shamma Friedman demonstrated this point in the article mentioned above,[96] and a growing body of individual studies by other scholars supports this conclusion.[97] So too does the chronology: the BT, redacted in the fifth through seventh centuries, considerably postdates the PT, redacted in the fourth century, as well as the major Palestinian midrashic collections such as *Genesis Rabba* and *Leviticus Rabba.* It is more likely, then, that the Palestinian versions are sources of the BT than the reverse. Both the dating of the rabbinic compilations and empirical study suggests that the BT revised Palestinian versions, rather than the other way around. My working assumption is that at some point a version close to that currently preserved in Palestinian sources reached Babylonia. Where we find major discrepancies — the addition or omission of complete scenes, the presence of new characters, and the incorporation of exegetical traditions — we should attribute the changes to Babylonian reworking.[98] Only in Chapter 2 have I catalogued each discrepancy in detail so as to establish this point and become acquainted with the methods by which the BT redactors revised their sources. In subsequent chapters I point out the principal differences and consider their implications, but do not make an exacting inventory of each and every deviation.

Even if this assumption is rejected, the Palestinian versions nevertheless provide a crucial anchor for determining the distinctive Babylonian component. That is, Palestinian versions may serve not as sources but as comparative bases. They show us the ways not taken by the BT redactors. They embody a narrative possibility realized in a similar rabbinic culture but not realized in the BT.

Source-criticism of talmudic stories may also contribute to the literary analysis in accounting for contradictions and other inconsistencies in the plot or characters. Here it is important to learn from biblical literary critics. Although the internal evidence of sources is much weaker in the case of the Bible than the BT, biblical literary critics sometimes resolve literary difficulties and contradictions by source-critical techniques. They do so despite their emphasis on the importance of holistic readings of the received text and general disdain for the source-critical approach.[99] Similarly, inconsistencies found in talmudic stories sometimes should be attributed to the fact that the redactors employed disparate sources and failed to integrate them smoothly.[100] As noted above, the Stammaim took substantial liberties with the traditions they inherited but not the freedom to reformulate them completely. They were constrained to a certain extent by the authority of tradition.[101] Awareness of the difficulties imposed by sources does not absolve us of the obligation to make sense of the text as a literary whole. But it can help to explain why certain incongruities remain despite our best efforts at holistic reading.

Literary Analysis

"Literary analysis" is a sadly inadequate and rather general term. Of course all Talmud study is "literary analysis" by virtue of the fact that the Talmud is a literary artifact. I use this term to indicate an interest in the literary dimensions of the text — an interest common to the literary analysis of any other piece of literature — as opposed to narrowly historical, legal, or source-critical concerns. Because the literary study of rabbinic stories is in its infancy, the broadest mode of analysis is called for, rather than one particular school of literary criticism. I have in mind the same general approach Robert Alter describes in his work on biblical narrative:

> By literary analysis I mean the manifold varieties of minutely discriminating attention to the artful use of language, to the shifting play of ideas, conventions, tone, sound, imagery, syntax, narrative viewpoint, compositional units, and much else; the kind of disciplined attention, in other words, which through a whole spectrum of critical approaches has illuminated, for example, the poetry of Dante, the plays of Shakespeare, the novels of Tolstoy.[102]

This "artful use of language" includes techniques and literary devices deployed in order to persuade, locate within the narrative structure, provide aesthetic pleasure, and achieve other such effects on the audience. Artful language is a mode of entertainment that draws the reader (or audience) into the world of the story. At the same time, recent literary criticism stresses the importance of literary devices in apprehending meaning, since no transcendental meaning of a text exists separable from its language. They are not adornments to the real "stuff" of the story, but the signifiers that form discourse in the same way as the turns of the plot and other content. Repetition of key phrases and verbal echoes, for example, produce correspondences between parts of the story, provide a means of cohesion, and invite comparisons and contrasts.[103]

Because I am a consumer of methods of literary analysis, not a producer, I have drawn on a variety of approaches. My goals are thoroughly pragmatic — to make the best possible sense of the text — so there is no reason to privilege one particular theory. I employ both traditional literary theories that view narrative as a rhetorical form for conveying meaning to the reader, as well as structuralist and formalist approaches. Recent narratological theory, especially the work of Gérard Genette, Mieke Bal, and Shlomith Rimmon-Kenan, has provided valuable concepts and modes of analysis.[104] Further references to the relevant aspects of these works will be provided in the chapters to follow.[105]

Motifs, Themes, Cultural Context

I have identified important motifs and themes—the fixed literary images that express specific ideas in a given body of literature. Motifs are concrete images, such as a carob tree or Moses's staff, while themes are more abstract, such as measure-for-measure punishment, the blind man who sees, or the holy stranger.[106] To recognize motifs and themes is an important interpretive step since a story exists within a specific cultural context and inevitably makes use of cultural codes and conventions. Not only does awareness of motifs and themes help avoid anachronism, but it helps locate the concerns of the story among the general concerns of the redactors.[107]

Attention to the wider cultural context complements the study of motifs and themes. This involves the attempt to correlate the primary values, tensions, and problematics of the story with the general values, tensions, and problematics of its culture. Here too the principal, if not exclusive, source of information are other BT texts, both narrative and legal (intertexts).[108] If a story advances a certain view of converts, for example, then that view should be situated in terms of the general attitude, or spectrum of attitudes, toward converts found in the BT. It may be that a story's view of converts or some other subject deviates from all other views. This too is significant, for the story should then be understood as a voice of protest, as a minority view resisting the dominant cultural ideology.

To identify motifs, themes, and the wider cultural context I have searched for pertinent material and related discussions found elsewhere in the BT—a task made considerably easier these days by the concordance and computer. The relevance of these outside passages must be defended in each case, and some fits will be better than others. Such excavative research is the only port of entry to the cultural world of the BT.

The Stories

The six stories analyzed here deal with critical aspects of the rabbinic ethos and worldview: scriptural interpretation, sin and repentance, the mundane world, gentiles, eschatology, character virtues, and the nature of rabbinic leadership. Torah in all its complexity features in each story, and provides a common thread that links the chapters together. That a great deal of literature—traditional, theological, and scholarly—invokes or appeals to these stories attests to their significance.[109]

The first three chapters analyze stories with substantial Palestinian par-

allels, which facilitate the identification of sources and of redactional activity. These texts are excellent models for illustrating the utility of a method that combines redaction-criticism, source-criticism, and literary analysis with attention to context.

Chapter 2 treats the famous story of the "Oven of Akhnai" (bBM 59a–59b). Prior discussions of this text generally do not read the story in its entirety but evaluate only the first scene or two, and fail to pay attention to the literary context. We have then a prominent test-case to see whether a reading that takes account of these factors yields a more satisfactory interpretation. Comparing the brief and unusually close PT version allows us to study in detail the changes introduced by the BT redactors. The results illustrate the variety of compositional techniques employed by the redactors to revise their sources.

Chapter 3 analyzes the story of Elisha b. Abuya or Aher, "the Other" (bHag 15a–15b). In contrast to previous interpretations, I understand the story as addressing a basic question of rabbinic culture, whether the merit accrued from the study of Torah is inviolable or contingent. This story provides examples of two common narrative techniques—the narrative exegesis of a Toseftan passage and the use of nonnarrative comments within the discourse. The BT and PT versions diverge to a greater degree than do the versions of the previous chapter. These differences can be attributed, in large part, to the efforts of the BT redactors to integrate the story with its halakhic context.

Chapter 4 takes up the story of R. Shimon bar Yohai and the cave (bShab 33b–34a). This story grapples with the deep tension in rabbinic culture between the value of Torah as opposed to demands of mundane life and worldly occupation. The relationship of the story to its literary context—actually contexts—is more complicated than the cases discussed in the previous two chapters, and the wider cultural context also contributes to the interpretation of the story in significant ways. Here the redactors supplemented the PT story by modifying sources found elsewhere in the BT, which provides another example of their compositional technique.

Chapters 5, 6, and 7 treat stories that exemplify particular literary processes or methodological issues. Chapter 5 studies the story of Rabbi Yohanan ben Zakkai and his escape from Jerusalem (bGit 55b–56b). Analysis of this text reveals that the redactors created an extended story by combining discrete narrative sources. The contextual question is particularly interesting, for there appears, on first glance, little reason the story should appear in the fifth chapter of Tractate Gittin. The story also proves to be a type of aggadic exegesis of a Toseftan tradition. Unlike the case of Elisha b. Abuya (Chapter 3), this Toseftan tradition is not cited explicitly. Still, it is a crucial intertext that illuminates the purpose of the BT story.

Chapter 6 discusses the story of the attempt by R. Meir and R. Natan to depose Rabban Shimon b. Gamaliel from his position as head of the academy (bHor 13b–14a). The academic setting offers a more direct representation of the tensions that pervaded the institutional life of the Stammaim. The nature of the academic conflict is so interesting as to warrant an attempt to set the story in a more concrete historical context. While my findings are perforce speculative, they may shed some light on the influence of the Exilarch on the rabbinic academies in Stammaitic times. The difficulty of reaching firm conclusions in this case illustrates the general obstacles to probing beyond the cultural context of BT stories to the historical reality behind the text.

Chapter 7 analyzes a "homiletical story," a story based on the interpretation of scripture, rather than a story about the sages (bAZ 2a–3b). The story describes the unhappy eschatological fate of the gentiles and justifies it on the grounds that they did not fulfill the Torah. The redactors gloss the story with a series of comments, a type of footnoting, that questions aspects of the story. The story and comments amount to a cultural dialogue that manifests the tensions surrounding this vision of the gentiles' fate.

The final chapter synthesizes the results of the six individual studies and provides additional support from other BT stories. Because each chapter focuses on one primary text, a summary organized by topic is necessary. I will also present a more general picture of the values and worldview of the redactors.

Translation and Terminology

I have translated each story and labeled its units so that the reader can follow the analysis comfortably. The translations replicate literary devices and structural markers such as repetitions, balanced phrasing and verbal echoes. When it is difficult to reproduce the literary device in English, as in the case of wordplay or rhyme, the Hebrew is included in parentheses. I generally underline these markers so as to allow the reader to recognize them more easily. To some extent I have sacrificed smooth, idiomatic English in order to replicate more faithfully the literary features of the original language. In this respect my translations differ from previous translations which eliminate repetitions and paraphrase in the interests of English idiom, but thereby destroy important textual features.

The translations are based on manuscripts of the Talmud. Unfortunately, there is no critical edition of the Talmud text. Much of the lower-critical work of dividing the manuscripts into families and collating variants still remains to be done.[110] Nor is it clear that we can speak of a single or original text of the Talmud, for textual transmission occurred in a relatively fluid state as late as the Middle Ages.[111] A further complicating factor is that aggadic sections exhibit a higher degree of textual variation (and of outright corruptions) than halakhic passages because the transmitters did not consider them as authoritative.

Until these issues are resolved there is no choice but to treat each manuscript independently. I have therefore translated the manuscript that contains the cleanest version of the story. By "cleanest" I mean most free of major scribal errors, omissions or blatant corruptions. Strictly speaking the analysis holds only for that particular manuscript; variant readings of other manuscripts may produce different structural divisions or alter a literary feature.[112] In practice I have not found that variant readings substantially alter the larger picture. A minor point here and there may depend on a particular manuscript tradition, but the basic reading of the story is not affected. I have attempted assiduously to resist the temptation to harmonize manuscript readings so as to produce a literarily superior text.[113] Only in cases of obvious mistakes or omissions have I emended or supplemented based on other manuscripts. Major textual variants are collated in an appendix to each chapter, and the notes occasionally refer to different interpretations that would result from the variants. Significant textual variants, moreover, sometimes signal problems in the composition, use of sources, or editing process. But I have not produced a comprehensive critical text nor collected all the variants, since most are insignificant for my purposes. The original Aramaic/Hebrew texts of the chosen manuscript (though not the variants) can be found at the end of the book.

Let me conclude this chapter by defining some of the terms I use more precisely.

Story, Fabula, Narrative

Story, fabula, narrative, and other terms are used variously among narratologists.[114] I use *story,* as I have in this introduction, as a general, nontechnical term for the texts at issue. When additional precision is required, *fabula* refers to the plot set in temporal and causal order. *Narrative* or *narrative discourse* refers to the written (or spoken) words, to the story as actually encountered by the reader/audience, that is, the way that the fabula is communicated. The order of the narrative discourse may differ significantly from that of the fabula by filling in earlier events through flashbacks or by anticipating later events through flashforwards. Thus the fabula is roughly equal to the plot, while the narrative discourse includes the rhetoric, literary techniques, and stylistic elements. This terminology facilitates distinguishing glosses, interpolations, and some Amoraic comments, which are part of the narrative but not of the fabula.

Narrator, Author, Storyteller, Redactor

The term *narrator* applies at the level of narration, that is, to the situation of a teller and his audience. Most talmudic stories are told by an anonymous narrator. However, in some cases a story or a portion of the story is narrated by an Amora. Behind the narrator is a real author or storyteller(s). "Author" usually refers to the producer of written literature and "storyteller" to an oral performance. Scholars generally agree that the Amoraim functioned in an oral cultural milieu. The situation of the redactors is less clear, although they probably continued to work predominantly in an oral matrix, even if they consulted written sources (see Chapter 7). I generally refer to the composers of the stories as "storytellers."

Redactors and *Stammaim* are interchangeable and refer both to the post-Amoraic sages who edited and redacted a given story as well as the sages responsible for the placement of the story in its literary setting. Occasionally I argue that a late gloss has been added to a story. These glosses probably were added after the stabilization of the Talmud text and should not be attributed to the redactors but to copyists and glossators.

Interpretation and Objectivity

Finally, let me address the thorny matter of *objectivity*. A perennial question regarding any interpretation of literature—actually any work of scholarship in the humanities—is the extent to which it is "objective" and replicable or "merely" the subjective reading of the interpreter. I am not claiming that my readings are the only valid readings of these stories, nor that they uncover the absolute meaning as opposed to the misinterpretations of others. Reading is a process of filling gaps in a text, and different readers will fill gaps in different ways and choose different gaps to fill.[115] A common thread of all modern literary theory is an awareness of the role of the reader in the production of a meaning. My reading—an interpretation—is conditioned by my culture, historical context, social situation, and

other "forestructures," not the least being the canons of the university. At the same time, I do not share the extreme skepticism that all readings are equally good on the grounds that no objective standards exist.[116] As Mieke Bal has argued, empirical features of stories can be identified and analyzed and criteria for assessing the plausibility of different readings articulated.[117] According to the criteria of academic criticism at least (which are ultimately conventional), an interpretation should be judged on how well it accounts for literary characteristics, analyzes conflicts, appreciates motifs and themes in their cultural contexts, avoids anachronism and constraining theological dogmas, and satisfies shared assumptions (such as those described above). In the end the measure of a good reading is whether it persuades the reader and advances his or her understanding of the text.[118] If subsequent readings build on my work and yield better and more persuasive readings, as I hope they will, then I will feel amply rewarded.

Notes

Chapter 1 *Introduction*

1. Jacob Neusner, *Development of a Legend: Studies on the Traditions Concerning Yoḥanan ben Zakkai* (Leiden: Brill, 1970); idem, *The Rabbinic Traditions about the Pharisees before 70*, 3 vols (Leiden: Brill, 1971); idem, *Eliezer ben Hyrcanus: The Tradition and the Man* (Leiden: Brill, 1973). William Scott Green's "What's in a Name?—The Problematic of Rabbinic 'Biography,'" *Approaches to Ancient Judaism: Theory and Practice*, ed. William Scott Green (Missoula, Mont.: Scholars Press, 1978), 77–96, clearly articulates the methodological issues. Many scholars prior to Neusner rejected the historical accuracy of a given story and recognized fictional aspects of stories in general. However, Neusner was the first to reject the entire method. For summary and criticism of previous historians, see Neusner, "The Rabbinic Traditions about the Pharisees before 70 in Modern Historiography," in *Method and Meaning in Ancient Judaism, Third Series* (Chico, Calif.: Scholars Press, 1981), 185–213.

2. For illustration of Neusner's literary theory and method see "Story and Tradition in Judaism," in *Judaism: The Evidence of the Mishna* (Chicago: University of Chicago Press, 1981), 307–28. For later writings see *Judaism and Story: The Evidence of the Fathers according to Rabbi Nathan* (Chicago: University of Chicago Press, 1992). Neusner's inattention to detail calls into question his analysis since there is no guarantee that his structural judgments are persuasive. His tendency to summarize and abstract the message of the story became more pronounced in his later work which focused on the overall traits of rabbinic documents while insisting that sources be analyzed in light of documentary characteristics.

3. I refer primarily to the longer, more developed anecdotes and stories. Extremely brief one-line or two-line stories, mainly reporting legal precedents,

are common. These should be considered a separate genre and may be more reliable historically.

4. See Charles W. Fornara, *The Nature of History in Ancient Greece and Rome* (Berkeley: University of California Press, 1983), 91–141. T. P. Wiseman, *Clio's Cosmetics* (London: Leicester University Press, 1979), 23, observes, "The idea of creating history out of next to nothing was well known to the Greeks . . . and some of their techniques were borrowed by Roman historians." Concerning the Roman historian Antias, Wiseman notes, "When he wanted documentary evidence, he invented it" (ibid.). In "Lying Historians: Seven Types of Mendacity," *Lies and Fictions in the Ancient World*, ed. C. Gill and T. P. Wiseman (Exeter: University of Exeter Press, 1993), 122–46, Wiseman explores various types of lies, falsification, and fabrications that characterize ancient historiography. This characterization applies even to Thucydides. See J. L. Moles, "Truth and Untruth in Herodotus and Thucydides," in Gill and Wiseman, ibid., 88–121.

5. The Jewish historians of the nineteenth and early twentieth centuries were no more anachronistic than their colleagues. They simply applied the dominant modes and assumptions of Western historiography to Jewish sources.

6. Thus the oft-quoted statement of Plutarch (*Alexander* 1.2): "We are not writing history but lives." See Arnoldo Momigliano, *The Development of Greek Biography* (Cambridge: Harvard University Press, 1971), 1–7; Patricia Cox, *Biography in Late Antiquity* (Berkeley: University of California Press, 1983), 12–16; *Latin Biography*, ed. T. A. Dorey (London: Routledge & Kegan Paul, 1967), 5–6, 53–54. Roman imperial historians tended to include a great deal of biography in their histories, which only made their writings more fictional. See Fornara, *The Nature of History in Ancient Greece and Rome*, 180–93, who calls this process a "degeneration of history" and "intellectual debasement" (189).

7. See the articles collected in Henry Fischel, ed., *Essays in Greco-Roman and Related Talmudic Literature* (New York: Ktav, 1977), and especially the prolegomenon and the "Selected Annotated Bibliography: Monographs, Articles, and Chapters on Greco-Roman Philosophical and Rhetorical Literature and Talmudic-Midrashic Writings, 1850–1975," xiii–lxxii.

8. Henry Fischel, "Story and History: Observations on Greco-Roman Rhetoric and Pharisaism," in *Essays in Greco-Roman and Related Talmudic Literature* (New York: Ktav, 1977), 449.

9. Ibid., 449–51.

10. See the story of Elisha b. Abuya analyzed in Chap. 3, and the story of R. Eleazar b. R. Shimon, bBM 83b–85a. While neither of these resembles a classical *bios*, they do resemble some of the shorter lives of Diogenes Laertes. See Fischel, "Story and History," 445–46; Moses Hadas, "Rabbinic Parallels to *Scriptores Historiae Augustae*," *Classical Philology* 24 (1929), 258–62.

11. Fischel, "Story and History," 451 and n. 42; idem, *Rabbinic Literature and Greco-Roman Philosophy* (Leiden: Brill, 1973), 12 and n. 101; Cox, *Biography in Late Antiquity*, 58–65; Elizabeth Haight, *The Roman Use of Anecdotes in Cicero, Livy and the Satirists* (New York: Longmans, Green, 1940), 33–78. A second important difference is that ancient biographies are the product of one author, while rabbinic stories, like the documents in which they are found, are the product of a group. However, biographers relentlessly copied, excerpted, and anthologized earlier works, and drew on anthologies and handbooks of unknown provenance. Thus ancient biographies, in many respects, are also communal efforts.

12. Cox, *Biography in Late Antiquity*, xi–xvi, 45–65. Sometimes the standards were less rigorous. See Wiseman, "Lying Historians," 137: "Cicero's Atticus used a similar phrase—'it's your choice' (*tuo arbitratu*). 'Write what you want,' said the City Prefect to the imperial biographer; 'you can safely say whatever you like'" (from Cicero, *Brutus*, 42).

13. Wiseman, "Lying Historians," 145. So, Momigliano, *Development of Greek Biography*, 102: "Even historians like Xenophon with a philosophic education forgot about truth when they came to write encomia and idealized biographies." See also Wiseman, *Clio's Cosmetics*, 38: "In pursuit of the same educative ideal as Cicero, Livy and Tacitus, Valerius produced a collection of schematic caricatures in which historical accuracy is entirely subordinated to rhetorical 'point.'" On legendary elements in biographies of philosophers see Anton Priessnig, "Die literarische Form der spätantiken Philosophenromane," *Byzantinische Zeitschrift* 30 (1929), 23–30.

14. Fischel, "Story and History," 450–56; idem, *Rabbinic Literature and Greco-Roman Philosophy;* Dan Ben-Amos, "Narrative Forms in the Haggada: Structural Analysis" (Ph.D. diss., Indiana University, 1967), 160–79; Catherine Hezser, "Die Verwendung der hellenistischen Gattung Chrie im frühen Christentum und Judentum," *JSJ* 27 (1996), 371–439, with copious references. For rabbinic use of other Greco-Roman genres see A. Marmorstein, "The Background of the Haggadah," *HUCA* 6 (1929), 183–204 (on diatribe); E. Bi(c)kerman, "La Chaîne de la tradition pharisenne," *Revue Biblique* 59 (1952), 44–54; David Daube, "Alexandrian Methods of Interpretation and the Rabbis," in *Festschrift Hans Lewald* (Basel: Helbing & Lichtenhahn, 1953), 27–44; S. Stein, "The Influence of Symposia Literature on the Literary Form of the Pesaḥ Haggadah," *JJS* 8 (1957), 13–44; Shaye Cohen, "Patriarchs and Scholarchs," *PAAJR* 48 (1981), 57–86; and see Fischel's bibliography, above, n. 7.

15. See Momigliano, *Development of Greek Biography*, 71–73. On the use of

chriae (and other anthologies) in classical education, see John Barns, "A New Gnomologium: With Some Remarks on Gnomic Anthologies (I)–(II)," *Classical Quarterly* 44–45 (1950–51), 136–37, 11–19.

16. Fischel, "Story and History," 460–63. However, in *Rabbinic Literature,* 85, Fischel notes that "the use of a particularly literary form, even a sterotype [*sic*] such as a Sage anecdote, does not yet by itself indicate fiction. A true event can be described by means of a literary convention. On the other hand, it can be argued that no author would wish to invite disbelief in a true story by writing it in a literary genre that serves to transmit didactic-legendary material and is known as such." Fischel wavers on this point in his various writings.

17. Stanley F. Bonner, *Education in Ancient Rome* (Berkeley: University of California Press, 1977), 256–59. Similarly, students were called upon to invent stories, fables, speeches, and other rhetorical forms.

18. Fischel, "Studies in Cynicism and the Ancient Near East: The Transformation of a *Chria,*" in *Religions in Antiquity, Essays in Memory of Erwin Ramsdell Goodenough,* ed. Jacob Neusner (Leiden: Brill, 1968), 374.

19. Fischel, "Story and History," 461–62, and "Studies in Cynicism and the Ancient Near East," 371–76. Classicists heatedly debated—and continued to debate—the historical worth of much of ancient biography and historiography despite the growing awareness of literary conventions. See Wiseman, *Clio's Cosmetics,* 52–53, on continuing mistakes and gullibility among classical historians. Neusner's criticism of earlier rabbinic historians as credulous and primitive is therefore exaggerated. They were not far behind classical scholars in coming to terms with the problems of historical reconstructions. See n. 5.

20. See the aforementioned studies of Fischel and the articles he collected in *Essays in Greco-Roman and Related Talmudic Literature,* and see the numerous works of A. A. Halevi, including *'Olama shel ha'aggada* (Tel Aviv: Devir, 1972) and *Ha'aggada hahistorit-biografit* (Tel Aviv: Niv, 1975).

21. See Fischel, *Rabbinic Literature,* 114; idem, "Story and History," 461; Hezser, "Die Verwendung der hellenistischen Gattung Chrie," 436–39.

22. See Ehsan Yarshater, "Iranian National History," *The Cambridge History of Iran,* vol. 3, *The Seleucid, Parthian, and Sasanian Periods,* ed. Ehsan Yarshater (Cambridge: Cambridge University Press, 1983), 366–69. "[N]o distinction was made between the factual, the legendary, and the mythical. All three are blended in a unified whole, presented as a continuous narrative of events. . . . Applying the principles of Western historical criticism, which are the product of a different environment and different intellectual concerns, will be little help in achieving an appreciation of the true purport of Iranian historiography. . . . History was not conceived as a 'discipline' to satisfy a thirst for fact, nor were its methods attuned to such a purpose. History had primarily an edifying aim; in the hierarchical, conventional and conservative world of the Sasanian establishment, the purpose of history was to maintain and promote the national and moral ideals of the state . . . Thus the historiographer, far from being an impartial investigator of facts, was an upholder and promoter of the social, political and moral values cherished by the Sasanian elite." Moreover, much of Persia was influenced by Roman-Hellenistic culture. See ibid., 12–17, 821–34, 866–74, 1029–54.

23. I am trying to avoid crude distinctions such as "historiography" as opposed to "literature." All historiography is obviously not only literature but narrative, and it need not be devoid of literary features. Fiction generally displays a greater concentration of these techniques, and poetry still greater. I am using these categories in an imprecise manner to illustrate general differences. See Linda Orr, "The Revenge of Literature: A History of History," *New Literary History* 18 (1986), 1–22.

24. Jonah Fraenkel, *Darkhei ha'aggada vehamidrash* (Masada: Yad Letalmud, 1991). See the following note and the bibliography for references to his articles.

25. Jonah Fraenkel, "Paronomasia in Aggadic Narratives," *Scripta Hierosolymitana* 27 (1978) 27–51; "Bible Verses Quoted in Tales of the Sages," *Scripta Hierosolymitana* 22 (1971), 80–99; "The Structure of Talmudic Legends," *Folklore Research Center Studies* 7 (1983), 45–97 (Hebrew); *Darkhei ha'aggada vehamidrash,* 260–73.

26. His programmatic article, "Hermeneutic Problems in the Study of the Aggadic Narrative," *Tarbiz* 47 (1978), 139–72 (Hebrew), comprises a powerful assault on the historical analyses of rabbinic stories and a prolegomenon for his subsequent studies.

27. *Darkhei ha'aggada vehamidrash,* 240–43.

28. The classification of genres in terms of drama, lyric and epic derives from Aristotle. But Fraenkel uses the genres as theoretical constructs, not as types of ancient literature. On the misinterpretation of Aristotle's classification, see Gérard Genette, *The Architext,* trans. Jane E. Lewin (Berkeley: University of California Press, 1993).

29. Fraenkel, "The Structure of Talmudic Legends," 45–97; *Darkhei ha'aggada vehamidrash,* 261–68.

30. "Hermeneutic Problems," 157–63; *Darkhei ha'aggada vehamidrash,* 237, 260–63.

31. "Internal closure is a distinct literary-artistic phenomenon. Its meaning is that every detail of the story is connected to the next [detail], every part is planned in light of the entire story, the beginning reflects the end and the end is understood from the beginning" ("Hermeneutic Problems," 159).

32. Fraenkel identifies himself with the "hermeneutic approaches" to liter-

ary criticism that descended from phenomenology; in the notes to the introduction of "Hermeneutic Problems" (above, n. 26) he refers to the work of Wilhelm Dilthey, Emilio Betti, and E. D. Hirsch. While his assumptions perhaps derive from phenomenology or hermeneutics, his practice is essentially that of the New Criticism. Fraenkel takes from hermeneutic criticism the principle that the text is a stable artifact, that the interpreter, with appropriate caution, can avoid anachronism, weed out his biases, and arrive at an "objective" understanding. He then deploys techniques of the New Criticism to analyze the meaning of the story. Unlike some practitioners of hermeneutic criticism, Fraenkel does not discuss "prejudice" (in the Gadamerian sense), "forestructures," "horizon of expectations," "hermeneutics of suspicion," and other problematic aspects of the method. One could say that Fraenkel invokes one trend among hermeneutical methods to provide a type of philosophical underpinning for New Critical readings. On the similarity between phenomenology and New Criticism see Terry Eagleton, *Literary Theory: An Introduction,* 2d ed. (Minneapolis: University of Minnesota Press, 1996), 49–50.

33. It is interesting to note that both Fraenkel and the New Critics were reacting to historicizing heresies, albeit of different types. The New Critics reacted to the prior overemphasis among literary critics of the historical background as sufficient explanation of a literary artifact. Fraenkel's insistence on the "closure" of rabbinic stories was a reaction to the method of recovering history by reconciling and harmonizing contradictory sources. While the New Critics treated the historical background as basically irrelevant, Fraenkel found that it is nonexistent. But this aspect of closure should be applied to the historical period of the characters of the stories, not the historical context of the storytellers. The events referred to in stories may be fictions, but the historical context of the storytellers may be important for interpretation. Fraenkel, it seems to me, allowed his reaction against the former to spill over into his approach to the latter.

34. However, even Fraenkel, in one of his studies, argues that three stories about R. Yehoshua ben Levi must be understood in light of each other; see "The Image of Rabbi Joshua ben Levi in the Stories of the Babylonian Talmud," *Proceedings of the Sixth World Congress of Jewish Studies–1973* (Jerusalem, 1977), 3:403–17. So in rare cases, at least, there are strong intertextual markers. In "Outer Forms and Inner Values," in *Michtam Le-David: Rabbi David Ochs Memorial Volume,* ed. Y. Gilat and E. Stern (Ramat-Gan: Bar-Ilan University Press, 1978), 120–36 (Hebrew), Fraenkel recognizes the existence and importance of literary *topoi* and explores several in brilliant fashion.

35. Fraenkel's categorization of stories as "dramatic" is confusing, since drama, at least according to Aristotle (whom Fraenkel invokes), consists exclusively of dialogue, whereas stories typically involve a narrator. Thus I prefer the term "dramatic narrative." It should also be noted that Fraenkel's distinction between "history"—a better term would be "historiography"—and "literature" or "literary creation" is overstated. See n. 23. And see Wiseman, *Clio's Cosmetics,* on the blurring of history, rhetoric, and poetry in practice, even if the genres were theoretically distinct.

36. See, e.g., Robert Hodge, *Literature as Discourse: Textual Strategies in English and History* (Baltimore: Johns Hopkins University Press, 1990), 23–37; Meir Sternberg, *The Poetics of Biblical Narrative* (Bloomington: Indiana University Press), 7–22.

37. See Stanley Fish, *Is There a Text in This Class? The Authority of Interpretive Communities* (Cambridge: Harvard University Press, 1980), 284.

38. In these cases Fraenkel considers the episode an independent source which later compilers used for their own purposes. However, in *Darkhei ha'aggada vehamidrash,* 455–56, Fraenkel does observe that the BT editors occasionally incorporated aggadic sources into a larger framework. In particular, they constructed introductions and conclusions to units of aggadic material. So while Fraenkel is not oblivious to the redactional process, his analysis generally removes the story from its framework. Fraenkel is also quick to treat part of a story as a later accretion or corruption, a result of the editing process, and not as a part of the "original" story. But these purported later accretions are sometimes problematic only in that they violate what Fraenkel has identified as the ideal structure of the story. See his "Remarkable Phenomena in the Text-History of the Aggadic Stories," *Proceedings of the Seventh World Congress of Jewish Studies–1977* (Jerusalem, 1981), 3:45–69 (Hebrew). For further discussion of Fraenkel's method see the reviews of Menahem Hirshman, "On Midrash as an Art Form: Its Creators and Its Forms," *Mad'ei hayahadut* 32 (1992), 83–91 (Hebrew), and Richard Kalmin, "The Modern Study of Ancient Rabbinic Literature: Yonah Fraenkel's *Darkhei ha'aggada vehamidrash,*" *Prooftexts* 14:2 (1994), 189–204.

39. In cases where Fraenkel has no choice but to draw on outside sources he proceeds with great hesitation or buries the cross-references in his notes. Rarely does he take a broader view of how a story may relate to a general cultural tension. But unlike the isolation of the story from its literary context, Fraenkel's restricted attention to the wider cultural context is not a methodological principle but a tendency. In his popular book, *'Iyyunim be'olamo haruhani shel sipur ha'aggada* (Tel Aviv: Hakibbutz Hameuhad, 1981), Fraenkel does his best work in describing the broader cultural tensions that frame the story.

40. See the studies listed in the following notes and in the bibliography. Unfortunately, Meir's writings to date have not made a significant impact on

the field of talmudic-midrashic studies. This neglect may be due to the unfortunate reluctance of many rabbinists to cross disciplinary boundaries. Meir came to rabbinics somewhat from the outside, training in the disciplines of folklore and Hebrew literature and publishing primarily in journals devoted to those fields. On the importance of the redactional context see too Jacob Neusner, *Judaism: The Classical Statement. The Evidence of the Bavli* (Chicago: University of Chicago Press, 1986), 124–29.

41. "The Acting Characters in the Stories of the Talmud and the Midrash" (Ph.D. diss., Hebrew University, 1977) (Hebrew). See also her "The 'Changing Character' and the 'Character Disclosed' in Rabbinic Stories," *JSHL* 6 (1984), 61–77 (Hebrew).

42. Ofra Meir, "The Narrator in the Stories of the Talmud and the Midrash," *Fabula* 22 (1981), 79–83; "Hasipur 'al nahshon—diuqan vesemel basipur hadarshani," *Sinai* 99 (1986), 22–37; "The Story as a Hermeneutic Device," *AJSR* 7–8 (1982–83), 231–62.

43. Ofra Meir, "The Literary Context of the Sages' Aggadic Stories as Analogous to Changing Storytelling Situations—The Story of the Hasid and the Spirits in the Cemetery," *Jerusalem Studies in Hebrew Folklore* 13–14 (1992), 81–98 (Hebrew).

44. Ibid., 90, 92. She also suggests that the text of the story in the Talmud may not be the "original" formulation, although she concedes that there is no way to reconstruct that original version (90).

45. In this study and the studies cited below, Meir also offers an analysis of the story as an "isolated text." This aspect of her method resembles Fraenkel's decontextualized readings.

46. Ofra Meir, "Hashpa'at ma'ase ha'arikha 'al hashqafat ha'olam shel sipurei ha'aggada," *Tura* 3 (1994), 67–84; "The Story of Hezekiah's Ailment in the Legends of Hebrew Homiletical Literature," *Hasifrut* 30 (1981), 109–30 (Hebrew); "The Story of Rabbi's Death: A Study of Modes of Traditions' Redaction," *JSHL* 12 (1990), 147–77 (Hebrew).

47. Meir, "Hashpa'at ma'ase ha'arikha"; bKet 62b; *LevR* 21:8 (484–86). A third version of the story appears in *GenR* 95 (1232).

48. Meir, "Hashpa'at ma'ase ha'arikha," 81.

49. Berkeley: University of California Press, 1993.

50. Boyarin, *Carnal Israel*, 15–16; see his analysis of the story found in bBM 83b–85a. See also Eliezer Diamond, "Wrestling the Angel of Death," *JSJ* 26 (1995), 76–92.

51. See Christine Hayes, *Between the Babylonian and Palestinian Talmuds* (New York: Oxford University Press, 1997), 23–24, for a similar approach. Meir Sternberg, *Poetics of Biblical Narrative*, 16, makes a related observation of the Bible: "When all is said and done, the independent knowledge we possess of the 'real world' behind the Bible remains absurdly meager, almost non-existent when compared with the plenty available to, say, Joyceans or even Shakespeareans. For better or for worse, most of our information is culled from the Bible itself."

52. See the introductions to *Meqorot umesorot* (Tel Aviv: Devir and Jerusalem: Jewish Theological Seminary, 1968–94), vol. 3 (*Shabbat*) and vol. 5 (*Bava Qama*), and his English book, *Midrash, Mishnah, and Gemara: The Jewish Predilection for Justified Law* (Cambridge: Harvard University Press, 1986), 76–104. Halivni first articulated his theory in the second volume of *Meqorot umesorot* (on tractates Yoma-Hagiga), published in 1975 (1–12). He added refinements and details in the introduction to vol. 3, published in 1982. This is not meant to be a comprehensive history of scholarship on the composition and redaction of the BT or of the precursors of Halivni and Friedman. For a detailed treatment see David Goodblatt, "The Babylonian Talmud," in *The Study of Ancient Judaism*, ed. Jacob Neusner (New York: Ktav, 1981), 144–81.

53. While several scholars realized the distinct character of these strata, no one proposed a history of the talmudic text on that basis. See Goodblatt, "Babylonian Talmud," 177–81.

54. *Meqorot*, 3:9–10 (emphasis in the original). See too *Meqorot*, 5:1–21. In a survey of the entire Talmud, David Kraemer found "only thirty-three cases of explicit argumentation from the first four Amoraic generations"; "The Beginning of the Preservation of Argumentation in Amoraic Babylonia," in *New Perspectives on Ancient Judaism*, vol. 4, ed. Alan J. Avery-Peck (Lanham, Md.: University Press of America, 1989), 37–46.

55. Halivni claims that in some cases the Stammaim inherited proto-*sugyot* from the Amoraic period. Even in these cases the Stammaim had to reconstruct, complete, and integrate the material, and so must be considered the creators of the *sugya*; see *Midrash, Mishnah, and Gemara*, 79.

56. *Meqorot*, 3:11. In *Meqorot*, 5:13–19, Halivni defines three categories of Stammaim: repeaters, editors, and combiners. He also describes their types of activity in greater detail.

57. *Midrash, Mishnah, and Gemara*, 82.

58. Ibid., 88. See also Yaakov Sussmann's description of the style of the BT over against the PT in "Veshuv lirushalmi neziqin," *Mehqerei talmud I*, ed. Y. Sussmann and D. Rosenthal (Jerusalem: Magnes, 1990), 97–99.

59. Friedman details his methodology in an introduction entitled "'Al derekh heqer hasugya" ("On the Method of Critical Research of the Sugya") in his "Pereq ha'isha rabba babavli," in *Mehqarim umeqorot*, ed. H. Dimitrovksi (New York: Jewish Theological Seminary, 1977), 283–321.

60. Ibid., 301–6. Friedman built on the work of Hyman Klein, "Gemara and Sebara," *JQR* 38 (1947), 67–91; "Gemara Quotations in the Sebara," *JQR* 43 (1953), 341–62; "Some General Results of the Separation of Gemara from Sebara in the Babylonian Talmud," *Journal of Semitic Studies* 3 (1958), 363–72.

61. Avraham Weiss first defined the *sugya* as a literary unit and began research into its structure and composition. See *Habavli behithavut hasifrutit,* vol. 2 (Warsaw, 1939); *Hithavut hatalmud bishleimuto* (New York: Alexander Kohut Memorial Foundation, 1943); *'Al heyetsira hasifrutit shel ha'amoraim* (New York: Horeb, 1962); *Mehqarim batalmud* (Jerusalem: Mosad Harav Kook, 1975). On Weiss's contribution see Shammai Kanter, "Abraham Weiss: The Search for Literary Forms," in *The Formation of the Babylonian Talmud,* ed. J. Neusner (Leiden: Brill, 1970), 95–103.

62. "Pereq ha'isha rabba babavli," 315–19; Shamma Friedman, "Some Structural Patterns of Talmudic *Sugiot,*" *Proceedings of the Sixth World Congress of Jewish Studies–1973* (Jerusalem, 1977), 3:391–96 (Hebrew).

63. "Pereq ha'isha rabba babavli," 326–27.

64. The literal meaning of *savora'im* is "thinkers" or "reasoners."

65. In his early work Halivni considered the Stammaim to be the main authors of talmudic *sugyot* and limited their activity to the years between 427 C.E. (the death of Rav Ashi, one of the last Amoraim) and 501 or 520 C.E.; *Meqorot,* 3:16–27, especially n. 37, and *Midrash, Mishnah, and Gemara,* 76–77, 83–84, 99–100 and 140 n. 1. More recently, Halivni has given up the distinction between Stammaim and Saboraim and considers the two equivalent (Lecture delivered at Tel Aviv University, Dec. 22, 1997). Friedman does not use the terms "stam" or "Stammaim" to refer to the sages of a distinct age but to describe a type of literature. Nor does he date the compositional and redactional activity precisely. A rough *terminus ante quem* is the fixing of the base text of the Talmud in the mid to late seventh century C.E. ("Pereq ha'isha rabba babavli," 283). On the question of Stammaim and Saboraim, see too Richard Kalmin, *The Redaction of the Babylonian Talmud: Amoraic or Saboraic?* (Cincinnati: HUCA Press, 1989), 1–11, 89–94, and Yaakov Sussmann, "Veshuv lirushalmi neziqin," 102–6 and n. 192. The current consensus essentially identifies the Stammaim with the Saboraim who flourished in the late fifth, sixth, and seventh centuries. This coheres with the early critical work of Hyman Klein, Avraham Weiss, and Julius Kaplan that gave the Saboraim a major role in redacting the Talmud. On the dating of the Saboraic age see Yaakov Ephrati, *The Sevoraic Period and its Literature* (Jerusalem: Dror, 1973), 33–62, 74–81 (Hebrew). And see Hayes, *Between the Babylonian and Palestinian Talmuds,* 20–22.

66. This is essentially the position of Neusner, who gives the final redactors full responsibility for the talmudic text. See below, n. 91.

67. The following discussion builds directly on Friedman: see "Pereq ha'isha rabba babavli," 309–13, and *Talmud 'arukh: pereq hasokher 'et ha'omanin* (Jerusalem: Jewish Theological Seminary, 1990–96), 2:8–23. See also Birger Gerhardsson, *Memory and Manuscript: Oral Tradition and Written Transmission in Rabbinic Judaism and Early Christianity,* trans. E. J. Sharpe (Lund: Gleerup, 1961), 136–48.

68. Shamma Friedman, "Habaraitot shebatalmud habavli veyihasan latosefta" (forthcoming). See too Yaakov Elman, *Authority and Tradition: Toseftan Baraitot in Talmudic Babylonia* (Hoboken, N.J.: Ktav, 1994), 44–46, 145–64.

69. Let me emphasize that this is only a presumption. In some cases it can be demonstrated that a *baraita* is a late, redactional creation, not an authentic Tannaitic source. See the discussion of "pseudo-*baraitot*" in Chap. 8.

70. On the reliability of Amoraic attributions, see David Kraemer, "On the Reliability of Attributions in the Babylonian Talmud," *HUCA* 60 (1989), 175–90, and Richard Kalmin, *Sages, Stories, Authors and Editors in Rabbinic Babylonia* (Atlanta: Scholars Press, 1994). Jacob Neusner takes an extremely skeptical view of the reliability of attributions. See his *Judaism: The Evidence of the Mishna,* 14–22, and Green, "What's in a Name?" 77–96.

71. Friedman, *Talmud 'arukh,* 2:9–12; Halivni, *Meqorot,* 5:14–21, and *Midrash, Mishnah, and Gemara,* 77. Halivni considers the Stammaitic intervention most pronounced in the fragmentary argumentative statements that survived from the Amoraic periods, as opposed to apodictic law, which survived more intact. The Hebrew of the BT Amoraim differs slightly from Tannaitic Hebrew: see Yohanan Breuer, "On the Hebrew Dialect of the Amoraim in the Babylonian Talmud," *Mehqerei lashon* 2–3 (1987), 127–52 (Hebrew).

72. See Menahem Kahane, "Intimation of Intention and Compulsion of Divorce: Towards the Transmission of Contradictory Traditions in Late Talmudic Passages," *Tarbiz* 62 (1993), 230–31, 248–50, 260–62 (Hebrew); Halivni, *Meqorot,* 5:18–19; Hayes, *Between the Babylonian and Palestinian Talmuds,* 14–15.

73. *Talmud 'arukh,* 2:16–17.

74. Louis Jacobs, "The Sugya on Sufferings in B. Berakhot 5a,b," in *Studies in Aggadah, Targum and Jewish Liturgy in Memory of Joseph Heinemann,* ed. J. J. Petuchowski and E. Fleischer (Jerusalem: Magnes, 1981), 32–44. See also his *Structure and Form in the Babylonian Talmud* (Cambridge: Cambridge University Press, 1991), especially 100–106. Jacobs observes that the "editors/authors" of the BT substantially reworked their sources for dramatic effect.

75. *PAAJR* 57 (1990–91), 35–67. See too Elman, "The Suffering of the Righteous in Palestinian and Babylonian Sources," *JQR* 80 (1990), 315–40; Michael Satlow, "'Wasted Seed,' The History of a Rabbinic Idea," *HUCA* 65 (1994), 137–76; David Kraemer, "Composition and Meaning in the Bavli," *Prooftexts* 8

(1988), 271–91; idem, *Responses to Suffering in Classical Rabbinic Literature* (New York: Oxford University Press, 1995), 184–210; idem, *Reading the Rabbis: the Talmud as Literature* (New York: Oxford University Press, 1996); Eliezer Segal, *The Babylonian Esther Midrash: A Critical Commentary* (Atlanta: Scholars Press, 1994).

76. Shamma Friedman, "La'aggada hahistorit betalmud bavli," in *Saul Lieberman Memorial Volume*, ed. Shamma Friedman (New York: Jewish Theological Seminary, 1993), 119–63. An abbreviated English translation appears as "Development and Historicity in the Aggadic Narrative of the Babylonian Talmud—A Study Based upon B.M. 83b–86a," *Community and Culture: Essays in Jewish Studies in Honor of the Ninetieth Anniversary of the founding of Gratz College*, ed. N. M. Waldman (Philadelphia: Gratz College, 1987), 67–80.

77. "La'aggada hahistorit," 127–31.

78. However, Friedman seems to be more sanguine about the historical reliability of the earliest versions of stories, which Neusner treated with skepticism. See "La'aggada hahistorit," 162.

79. Friedman's study also suggests that much of the reworking occurred specifically during Stammaitic times and not during the Amoraic period or in earlier stages of oral transmission, for the reworkings postdate the Palestinian version of the fifth century. See also Sussmann, "Veshuv lirushalmi neziqin," 100–101, n. 186, discussing the character of the aggada of the BT: "It seems to me that here too [scholars] have not taken into account sufficiently the long span of time; and it seems that one should not necessarily make a firm, fundamental or essential distinction between halakha and aggada in this respect. The original Amoraic material (Palestinian and Babylonian—in this literary frame or another) continued to live, to change and to develop throughout a very lengthy period in Babylonia."

80. *Midrash, Mishnah, and Gemara*, 77. See also Louis Jacobs, *The Talmudic Argument: A Study in Talmudic Reasoning and Methodology* (London: Cambridge University Press, 1984), 21–22, 211–12: "Their main aim was purely academic. They evidently wished to provide argument and debate as an intellectual exercise, precisely because . . . the study of Torah was by this time the established and acknowledged supreme way of worship." And see David Kraemer, *The Mind of the Talmud* (New York: Oxford University Press, 1990). This is not to deny that the Stammaim were also interested in exegesis and practical law. See Jay Rovner, "Rhetorical Strategy and Dialectical Necessity in the Babylonian Talmud: The Case of Kiddushin 34a–35a," *HUCA* 65 (1994), 184–87, 220–22, and Menahem Kahane, "Intimation of Intention and Compulsion of Divorce."

81. I am not claiming that these devices are unique to the BT or to the

Stammaim. They are found, to a certain extent, in folktales and stories throughout the world, and are especially prominent in oral literature. My point is that Stammaitic composition consciously and intentionally employs such methods, hence they contribute significantly to the overall meaning.

82. In this I agree with Fraenkel (see the section on Literary Analysis), although I hesitate to speak for all rabbinic stories and all rabbis. The Stammaitic Babylonian academy differed from earlier situations of Torah study (see below). On narrative situations and the role of the reader (sometimes called the "implied reader") see Shlomith Rimmon-Kenan, *Narrative Fiction: Contemporary Poetics* (London: Routledge, 1983), 117–29. See also David Kraemer, "The Intended Reader as a Key to Interpreting the Bavli," *Prooftexts* 13 (1993), 125–40.

83. David Goodblatt, *Rabbinic Instruction in Sasanian Babylonia* (Leiden: Brill, 1975).

84. Ibid., 7.

85. Isaiah Gafni, "Yeshiva and Metivta," *Zion* 43 (1978), 12–37 (Hebrew).

86. For example, Gafni's reference to the phrase "*metivta* in heaven" (bBM 86a) as solid evidence of an Amoraic academy is not probative, for the passage appears in a story of late provenance (25, 29; and see Friedman, "La'aggada hahistorit," 139 n. 106).

87. Goodblatt published his *Rabbinic Instruction* in 1975, and Gafni's article appeared in 1978. But the research and writing was obviously done earlier. Halivni first articulated his theory of the Stammaim in the introduction to the second volume of his *Meqorot umesorot* published in 1975. Friedman's "Pereq ha'isha rabba babavli" appeared in 1977. Goodblatt refers once to Friedman's study in his response to Gafni ("New Developments in the Study of the Babylonian *Yeshivot*," *Zion* 46 [1981], 14–38 [Hebrew]). Goodblatt argues that some references to institutions derive from later copyists, and occasionally distinguishes between the Amoraic statement and a later gloss; see, e.g., 274. Gafni also recognizes that some references to *metivta* or *beit midrash* appear in Aramaic glosses to Amoraic statements. See, e.g., the discussion of bSot 7b, 29, and bShab 114a, 32. These are clearly Stammaitic additions that reflect a later historical period. And see the following note.

88. Goodblatt distinguishes "anonymous anecdotes" about biblical personages, Tannaim, Palestinian Amoraim and Babylonian Amoraim from "traditions attributed" to Palestinian and Babylonian Amoraim, but focuses more on the Palestinian/Babylonian distinction than the anonymous/attributed division. For example, in his analysis of instances of *be midrasha* he concludes that the anonymous anecdotes mention Palestinians sixty times and Babylonians only eight, and therefore these terms do not characterize Babylonian institu-

tional life (97, 105). Perhaps more significant is that there are sixty *anonymous* anecdotes as opposed to just seventeen *attributed* traditions. I shall return to this issue in Chap. 8, "The Academy."

89. See Jack N. Lightstone, *The Rhetoric of the Babylonian Talmud, Its Social Meaning and Context* (Waterloo, Ont.: Wilfred Laurier University Press, 1994), especially 264–81. Lightstone argues that the rhetorical traits of the BT shed light on the institutional and social setting of the editors, and also legitimate the newly emerged academies of the fifth and sixth centuries.

90. Because BT stories have been reworked by the Stammaim, there is no guarantee that their narrative art matches that of other rabbinic documents. Before we write a synthetic account of the poetics of the rabbinic story, the poetics of the stories in each rabbinic work must be studied independently.

91. Jacob Neusner has championed the method of redaction-criticism in his numerous studies of the Babylonian Talmud and other rabbinic works. See *The Bavli's One Voice: Types and Forms of Analytical Discourse and Their Fixed Order of Appearance* (Atlanta: Scholars Press, 1991), and *Sources and Traditions: Types of Compositions in the Talmud of Babylonia* (Atlanta: Scholars Press, 1992). However, Neusner argues that the sources have been reworked to such an extent that they can no longer be distinguished. For criticism of Neusner's position see Daniel Boyarin, "On the Status of the Tannaitic Midrashim," *Journal of the American Oriental Society* 112 (1993), 455–64, and Eliezer Segal, "Anthological Dimensions of the Babylonian Talmud," *Prooftexts* 17 (1997), 35–37.

92. For an interesting example, see Friedman, *Talmud ʿarukh,* 1:152. In this case the story is short, and actually cited in a type of outline form. Lengthier stories generally have an intrinsic connection to their halakhic context.

93. Jacob Neusner argues that the redactors composed large-scale passages by applying logical rules, and therefore the Talmud is a work of purposive compilation. See *The Rules of Composition of the Talmud of Babylonia: The Cogency of the Bavli's Composite* (Atlanta: Scholars Press, 1991), and *The Bavli's Massive Miscellanies: The Problem of Agglutinative Discourse in the Talmud of Babylonia* (Atlanta: Scholars Press, 1992). Neusner claims that only a few talmudic passages are "miscellanies" devoid of systematic and principled organization.

94. On the viability of source-criticism—the lack of homogenization of sources—see Kalmin, *Sages, Stories, Authors,* and the references provided on 2–3, n. 5 and 10–11, nn. 30–31; Hayes, *Between the Babylonian and Palestinian Talmuds,* 9–17.

95. See Hayes, *Between the Babylonian and Palestinian Talmuds,* 11–14, for further discussion and documentation.

96. "La'aggada hahistorit." He concludes the English version ("Literary Development and Historicity in the Aggadic Narrative"): "Much of the narrative Aggadah in the BT is of Palestinian origin. The literary sources used by the *BT* have generally not survived, but many parallels exist in the *PT* and Midrashim . . . The resemblance of these extended passages in content and structure . . . enables us to gain insight on the sources used by the *BT*" (75). See also his formulation in *Talmud ʿarukh,* 2:15: "The two extant Talmuds draw from the same earlier traditions, which the version of the PT resembles more closely in the majority of cases."

97. A. Karlin, *Divrei sefer* (Tel Aviv: Mahberot lesifrut, 1952); Neusner, *Development of a Legend* and *The Rabbinic Traditions about the Pharisees before 70;* Zipporah Kagan, "Divergent Tendencies and Their Literary Moulding in the Aggadah," *Scripta Hierosolymitana* 22 (1971), 151–70; David Goodblatt, "The Beruriah Traditions," *JJS* 26 (1975), 68–85, and "The Story of the Plot against R. Simeon B. Gamaliel II," *Zion* 49 (1984), 349–74 (Hebrew); Joshua Efron, "Bar-Kochva in the Light of the Palestinian and Babylonian Talmudic Traditions," in *The Bar-Kochva Revolt: A New Approach,* ed. A. Oppenheimer and U. Rappaport (Jerusalem: Yad Izhaq Ben Zvi, 1984), 47–105 (Hebrew); Louis Jacobs, "The Story of R. Phinehas ben Yair and his Donkey in b. ḥullin 7a–b," in *A Tribute to Geza Vermes,* ed. P. Davies and R. White (Sheffield: Sheffield Academic Press, 1990), 193–206; Pinhas Mandel, "Hasipur bemidrash ʾeikha: nusah vesignon" (master's thesis, Hebrew University, 1993), 1:192–93; Ofra Meir, "The Story of Rabbi's Death," and "Hateruma hahistorit shel ʾaggadot hazal," *Mahanayim* 7 (1994), 8–25; Tal Ilan, "The Historical Beruriah, Rachel, and Imma Shalom," *AJSR* 22 (1997), 1–17; Catherine Hezser, *Form, Function and Historical Significance of the Rabbinic Story in Yerushalmi Neziqin* (Tübingen: J. C. B. Mohr, 1993), 349–50.

98. While it is generally agreed that the BT did not know the PT in its extant form, it is also clear that many PT traditions and even entire *sugyot* reached Babylonia in substantially the same state as they appear in the PT. Martin Jaffee, "The Babylonian Appropriation of the Talmud Yerushalmi: Redactional Studies in the Horayot Tractates," in *New Perspectives on Ancient Judaism,* vol. 4, ed. Alan J. Avery-Peck (Lanham, Md.: University Press of America, 1989), 23–24, observes: "The correspondences between Bavli and Yerushalmi Horayot suggest that the post-Amoraic editors of the former had something much like the extant version of the latter before them and reflected upon the logic of its construction as they composed their own commentary." Yaakov Sussmann, "Veshuv lirushalmi neziqin," 98–99, observes that the BT and PT typically share the same Amoraic material. The unattributed stratum of the PT, however, is very thin, while that of the BT is highly developed. This again suggests that the Stammaim knew the PT in something close to its final state. See the careful formulation by Christine Hayes, *Between the Babylonian and*

Palestinian Talmuds, 22–23 and nn. 46–48, with which I am in complete agreement. Hayes applies the comparative method to halakhic material, comparing parallel PT and BT legal *sugyot* in order to determine the changes introduced by Babylonian sages to the core Palestinian tradition. See also the survey of scholarship in Hezser, *Rabbinic Story in Yerushalmi Neziqin,* 345–48.

99. See Robert Alter, *The Art of Biblical Narrative* (New York: Basic Books, 1981), 131–54; Meir Sternberg, *Poetics of Biblical Narrative,* 13–14.

100. For a clear example of an internal contradiction resulting from two disparate sources, see Friedman, "La'aggada hahistorit," 136.

101. For an excellent discussion and evaluation of the constraints that limited the redactors, see Hayes, *Between the Babylonian and Palestinian Talmuds,* 15–17.

102. *Art of Biblical Narrative,* 12–13.

103. A literary device may occur in any genre of literature, including historiography, chronography, and legal drafting. Indeed, some would avoid the term "literary device" so as not to imply that other genres are not literature or be suspected of a false dichotomy between the writing of history (objective, accurate) and poetry or literature (fictional, artistic); see Sternberg, *Poetics of Biblical Narrative,* 39–40. Nevertheless, I think the term is useful at least for a study of this sort. What usually distinguishes poetry, drama, and some forms of narrative from historiography is the density of literary devices. The concentration of numerous literary devices in a small amount of text is part of the "literariness" of the rabbinic story, what makes it an artistic creation for didactic purposes, not an attempt mimetically to represent the past. See n. 23.

104. Gérard Genette, *Narrative Discourse: An Essay on Method,* trans. Jane E. Lewin (Ithaca: Cornell University Press, 1972); idem, *Narrative Discourse Revisited,* trans. Jane E. Lewin (Ithaca: Cornell University Press, 1988); Mieke Bal, *Narratology: Introduction to the Theory of Narrative,* trans. C. van Boheemen (Toronto: University of Toronto Press, 1985); idem, *On Storytelling: Essays in Narratology,* ed. D. Jobling (Sonoma, Calif.: Polebridge Press, 1991); Rimmon-Kenan, *Narrative Fiction.*

105. Although I contend that literary analysis must be combined with source- and redaction-criticism, it is difficult to present the methods together. I generally present the literary analysis first, on the grounds that it is more interesting and less taxing to the reader, and tackle source-critical evidence and redaction-critical questions thereafter. However, I introduce source-critical issues in the course of the literary analysis when necessary, and sometimes adumbrate issues addressed more fully in later sections. The approaches constantly informed one another throughout the interpretive process, hence the results are more interdependent than they might appear. The "hermeneutic circle" of

interpretation moves not only from the parts of the text to the whole in a dialectical process, but from the text to context and context to text.

106. See Robert Scholes and Robert Kellogg, *The Nature of Narrative* (New York: Oxford University Press, 1966), 27.

107. Ibid., 51. "In order to discover the formulaic character of a narrative's diction or the conventional nature of its structure and theme, the critic must consult a body of narrative large enough to embody norms and to serve as at least a fragment of a 'tradition.'"

108. There results a certain degree of circularity in that the intertexts, including other stories, also must be studied in terms of their general context. So other stories provide the general cultural context for a given story, while the given story is part of the general cultural context of the other stories. But since the text of the Talmud is the only entrance to its culture, there is no escape from this circle.

109. Certainly there is an element of subjectivity in the privileging of some stories over others. But the importance of these texts results not only from subjective considerations, but from the culture transmitted over the centuries, which derives, to a certain extent, from the texts themselves. On the matter of selecting texts and their representative value, see Stephen Greenblatt, *Renaissance Self-Fashioning: From More to Shakespeare* (Chicago: University of Chicago Press, 1980), 6–8.

110. Shamma Friedman has begun the task. See his "Le'ilan hayuhasin shel nushei bava metsia—pereq beheqer nusah habavli," in *Mehqarim besifrut hatalmudit* (Jerusalem: Israel Academy of Sciences, 1983), 93–147; "On the Origin of Textual Variants in the Babylonian Talmud," *Sidra* 7 (1991), 67–102 (Hebrew); *Talmud ʿarukh,* 2:26–55. See also the references in the following notes.

111. Friedman, *Talmud ʿarukh,* 2:26–55.

112. This situation is similar, in some ways, to current thinking about text-types among literary critics of the Bible. Biblical literary critics consider the texts represented by the Masoretic text, the Septuagint, and the Samaritan Pentateuch to require independent analysis. They should not be harmonized to create a synthetic version because the literary peculiarities of each text-type produce different meanings. See, for example, Yair Zakovitch's masterful analysis of the story of Ahab and of the significance of the divergences between the Masoretic text and the Septuagint ("The Tale of Naboth's Vineyard," in Meir Weiss, *The Bible from Within* [Jerusalem: Magnes, 1984], 379–405.) On the other hand, Meir Sternberg aptly warns against attempting to make sense of blatant errors (*Poetics of Biblical Narrative,* 14).

113. See Kalmin's criticism of Fraenkel on this point, "The Modern Study of Ancient Rabbinic Literature," 196–97.

114. See Genette, *Narrative Discourse,* 25–32.

115. See Sternberg, *Poetics of Biblical Narrative,* 187–90.

116. At least not in practice. On this point see Fish, *Is There a Text in This Class?* 13–15, 318–37. Hypothetically, perhaps, no objective standards exist. But in reality, as Fish argues, we all exist within "interpretive communities," and therefore "the fear of solipsism, of the imposition by the unconstrained self of its own prejudices, is unfounded because the self does not exist apart from the communal or conventional categories of thought that enable its operations (of thinking, seeing, reading)" (335). Consequently "meanings will be neither subjective nor objective. . . . they will not be objective because they will always have been the product of a point of view rather than having been simply 'read off'; and they will not be subjective because that point of view will always be social or institutional. Or by the same reasoning one could say that they are *both* subjective and objective: they are subjective because they inhere in a particular point of view and therefore not universal; and they are objective because the point of view that delivers them is public and conventional rather than individual or unique" (336). Clearly my readings hold only for certain interpretive communities and not for others (e.g., medieval Jewish mystics) because of the difference in standards, assumptions, methods, etc.

117. See Mieke Bal, *Lethal Love: Feminist Literary Readings of Biblical Love Stories* (Bloomington: Indiana University Press, 1987), 12–15, and *On Storytelling: Essays in Narratology.* See also Fish, *Is There a Text in This Class?* 341–71.

118. See Fish on "Demonstration vs. Persuasion," 356–71: "It has been my strategy in these lectures to demonstrate how little we lose by acknowledging that it is persuasion and not demonstration that we practice. We have everything that we always had—texts, standards, norms, criteria of judgment, critical histories, and so on. We can convince others that they are wrong, argue that one interpretation is better than another, cite evidence in support of the interpretations we prefer; it is just that we do all those things within a set of institutional assumptions that can themselves become the objects of dispute." Thus I have disputed Fraenkel's New Critical assumptions and argued in favor of my own.

Chapter 2 *Torah, Shame, and "The Oven of Akhnai" (Bava Metsia 59a–59b)*

1. To name a few (in alphabetical order): E. Berkowitz, *Not in Heaven: the Nature and Function of Halakha* (New York: Ktav, 1983), 47–50; Daniel Boyarin, *Intertextuality and the Reading of Midrash* (Bloomington: Indiana University Press, 1990), 34–36; Menahem Elon, *Jewish Law: History, Sources, Principles,* trans. B. Auerbach and M. Sykes (Philadelphia: Jewish Publication Society, 1994), 261–65; Judah Goldin, "On the Account of the Banning of R. Eliezer ben Hyrqanus," *Journal of the Ancient Near Eastern Society* 16–17 (1984–85), 85–97; Daniel Gordis, *God Was Not in the Fire: The Search for a Spiritual Judaism* (New York: Scribner, 1995), 157–59, 198–202; Alexander Guttman, "The Significance of Miracles for Talmudic Judaism," *HUCA* 20 (1947), 363; David Weiss Halivni, *Peshat and Derash* (New York: Oxford University Press, 1991), 107–8; Susan Handleman, *The Slayers of Moses: the Re-emergence of Rabbinic Interpretation in Modern Literary Theory* (Albany: SUNY Press, 1982), 40–41; David Hartman, *A Living Covenant* (New York: Free Press, 1985), 32–33, 46–48; Yizhaq Heinemann, *Darkhei ha'aggada* (Jerusalem: Magnes, 1970), 11; Abraham Joshua Heschel, *Torah min hashamayim be'aspaqlaria shel hadorot* (London: Shontsin, 1962–1990), 3:23; Bernard Jackson, "Religious Law in Judaism," *ANRW* II.19.1 (Berlin: de Gruyter, 1979), 46–47; Louis Jacobs, *A Tree of Life* (Oxford: Oxford University Press, 1984), 27–28; Joel Roth, *The Halakhic Process: A Systemic Analysis* (New York: Jewish Theological Seminary, 1986), 123–27; Jonathan Sacks, "Creativity and Innovation in Halakhah," in *Rabbinic Authority and Personal Autonomy,* ed. M. Sokol (Northvale, N.J.: Jason Aronson, 1992), 127–30; Moshe Silberg, *Talmudic Law and the Modern State,* ed. M. Wiener, trans. B. Z. Bokser (New York: Burning Press, 1961), 63–66. This list is by no means complete.

2. Erich Fromm, *Psychoanalysis and Religion* (New Haven: Yale University Press, 1950), 54–57; Walter Kaufmann, *Critique of Religion and Philosophy* (New York: Harper & Brothers, 1958), 238–40; Suzanne Last Stone, "In Pursuit of the Counter-Text: The Turn to the Jewish Legal Model in Contemporary American Legal Theory," *Harvard Law Review* 106 (1993), 813–94; Edmond Cahn, "Authority and Responsibility," *Columbia University Law Review* 51 (1951), 838–39; Ronald Garet, "Natural Law and Creation Stories," in *Nomos XXX: Religion, Morality and the Law,* ed. J. R. Pennock and J. W. Chapman (New York: New York University Press, 1988), 225–26.

3. Izhaq Englard, "Majority Decision vs. Individual Truth: The Interpretations of the 'Oven of Achnai' Aggadah," *Tradition* 15 (1975), 137–52 = "The 'Oven of Akhnai': Various Interpretations of an Aggada," *Annual of the Institute for Research in Jewish Law* 1 (1974), 45–57 (Hebrew); Stone, "In Pursuit of the Counter-Text," 841–47, 854–65.

4. A few of the studies mentioned above (nn. 1–3) consider parts of the continuation of the story. Stone's review article criticizes others for failing to appreciate the entire story and its context (855–57).

5. Ari Elon, "Hasimbolizatsia shel markivei ha'alila basipur hatalmudi" [= The Symbolization of the Components of the Plot in the Talmudic Story] (master's thesis, Hebrew University, 1982).