

# Methodological Problems with the Study of Rabbinic Literature

Raquel E. Hasofer

*University of Sydney*

The methodological intercourse with rabbinic literature is still in its infantile stage. Scholars such as Daniel Boyarin and Jacob Neusner are still in the exploratory phase of the academic search for what type of methodology to employ in this field. Consequently, any discussion (including mine) is still in the experimental stage of harmonising between traditional modes of discourse (*Midrash*) and hermeneutical procedures developed in the academy. This paper will address my engagement with rabbinic methodology, focusing primarily on the work of contemporary master of rabbinic literature Jacob Neusner, and the more recent studies of Daniel Boyarin.

In post-enlightenment academic discourse it has become recognised in the academy that history and context are as much a part of any discourse as the contents of the discourse itself. History and society inform the reader's understanding of the text in both its writing and its reading. This makes the reading of the text without reference to its social context extremely problematic, if not impossible. By contrast, the hermeneutical approach of rabbinic Judaism tends to place little emphasis on the social context of the discourse; rabbinic sources are more concerned with the intellectual history, rather than the literal historical contents of an argument.<sup>1</sup> Major problems with the academic study of rabbinic literature involve contrast between the entirely different and opposing worldviews of the scholars *versus* the traditional method of the rabbis.

To rabbinic sources it is not so much *when* something has been said but the *authority* with which it is said which is of primary significance. The issue here is not whether a saying can be accurately ascribed to an historical person, but rather that the personage can be linked to a much older and more profound tradition, grounding rabbinic wisdom at the base of Mount Sinai:

Moses received (*qibel*) the Torah at Sinai and handed it on (*umesarah*) to Joshua, Joshua to elders, and elders to prophets. And prophets handed it on to the men of the great assembly. They said three things: Be prudent in judgement. Raise up many disciples. Make a fence for the Torah.<sup>2</sup>

This excerpt from the *Sayings of the Fathers* perhaps best exemplifies the power given to tradition in rabbinic Judaism. It asserts several premises: first, the root variations of the words 'received' (*qabbalah*) and 'hand on' (*masoret*) each have a dual meaning, both of which are the word 'tradition'.<sup>3</sup> This is a most powerful way of stating that to rabbinic Judaism, the Torah is primarily a matter of tradition,

a tradition which has been transmitted from master to disciple, from Moses to Joshua, to this day. The excerpt also indicates that the Torah spoken of in this text includes not only the written Torah, but the Oral Torah as well, because the words attributed to the “men of the great assembly” are words that do not exist in the written Torah. What is important in the rabbinic tradition is not to quote a verse of Scripture and then expound on it, but that a saying is said, it is known who said it, and that the credentials of the authority are able to be traced back to Moses.<sup>4</sup> This process of tradition (hopefully) moves forward in an unending stream *ad infinitum*, but also forms an unbroken chain of transmission of God’s will that goes back to Sinai.

The reliance on traditional sources of authority within rabbinic Judaism has caused several major methodological problems within the academy, which arise from the question of understanding the historicity of rabbinic literature. One of the foremost of these involves the dating of only broadly dateable texts. The reason that many of the texts within rabbinic literature are essentially undateable is quite simple: based on the tradition supporting the oral Torah, various quotations and stories have been written in the name of certain sages who may or may not have lived, or who may or may not have lived at the time attributed to them. Even if the sages existed, the additional problem arises that they may or may not have been the authors of the quotations attributed to them. The authenticity of many of these quotations and stories is often fairly dubious. The reason for the attribution of names to stories and quotations is also simple; again, according to the basis of the Oral Tradition, attributing a story or quote to an author, especially if that author is a well known sage, gives an oral account a greater likelihood of acceptance by the community.

A prime example of this type of occurrence is the apocryphal story of the marriage of Rabbi Akiva.<sup>5</sup> The story details Rabbi Akiva’s romance with his wife, Rachel, the daughter of a wealthy man. Because of Akiva’s poverty, Rachel’s father disowned her on their marriage, and so the couple was exceedingly poor. Despite this hardship, Rachel encouraged her husband to leave her to study in a remote city, where the best teachers were to be found. After studying for twelve years, Akiva returned to hear a neighbour berating his wife for her continuing devotion to her husband, despite the fact that, to all appearances, she had been abandoned and was desperately poor. Her response, that if she had her wish, her husband would continue studying for another twelve years, was overheard by Akiva, who promptly fulfilled her wish and returned to his studies. As a result, Akiva became one of the most respected scholars in Judaism, with thousands of followers, and reconciled with Rachel’s father, who shared his wealth with the couple. The story thus demonstrates that devotion to study brings many kinds of wealth, and would appear to have little to do with the life and times of Rabbi Akiva and second-century life in Palestine. Rather, it would appear to reflect more on Jewish marriage and sexual practices in fourth and fifth century Babylonia,<sup>6</sup> particularly dealing with the struggle of the rabbis in balancing the commandment to devote one’s life to Torah study, and the commandment to marry and multiply. The account itself is not necessarily fictitious,

and may well have occurred to another personage, but it is almost certain that Rabbi Akiva was not originally connected with it. By making him the centre of the narrative, the story is lent an authority it might not otherwise have had.

It is in searching out the historical ‘truth’ of these texts that academia encounters a further methodological problem. The debate amongst academics regarding the problem of historicity and authentication in rabbinic texts has seen a long process of evolution. The traditional positivistic historiographical approach allowed for “a kernel of biographical-historical truth which could be discovered by careful literary archaeology.”<sup>7</sup> The problem with this approach is discovering how to differentiate between the kernel and the rest of rabbinic biographical myth; in other words, a method akin to that of archaeology was developed, whereby the key elements were accepted, with other information garnered by supposition and speculation. In direct contrast to this approach, contemporary scholarship has proceeded on the assumption that the texts are completely fictitious. Scholars then use the socio-historical background of the traditions to explain the development of the myths.<sup>8</sup> This method is also problematic, because it is almost impossible to date with any accuracy the time period in which any given text was composed; if this is not possible, the context in which the text appeared is even more difficult to reconstruct.

Here again arises the clash of the diametrically opposed worldviews that form the heart of methodological concern with rabbinic literature. Because this literature is based almost entirely on the Oral Tradition (whether we accept that tradition as being valid or not), there is no necessity within the religious community to validate claims by academic historical method. Rather, acceptance is based on the force of the argument and the oral genealogy of which it is the culmination.<sup>9</sup> As Neusner so eloquently puts it:

The system does not recapitulate the canon. The canon recapitulates the system. The system forms a statement of a social entity, specifying its worldview and way of life in such a way that, to the participants of the system, the whole makes sound sense, beyond argument.<sup>10</sup>

Not only are the historical facts of the stories a problem to authenticate, but a much greater difficulty in terms of scholarship arises. Knowing precisely when a rabbinic text was written is almost impossible. Due to a long tradition of attributing texts to famous sages probably dead centuries before the composition of our sources,<sup>11</sup> and the problem of authenticating the authors of the quotations in the texts, the traditional mode of dating whole texts is highly questionable. Traditional academic method has dated these sources according to the approximate date of the last Rabbi quoted in the text.<sup>12</sup> This method does not work, of course, if the sage named is not the actual author of the passage cited.

Furthermore, philology provides no help (as it often does in other languages), as the only means of dating texts relies on the same problematic evidence as using history or biography. Texts of different periods usually have certain common grammatical or linguistic patterns; with rabbinic literature, these patterns do not

necessarily assist in determining the time or place of origin of a part of that text. The stages of development are also generally reconstructed by the connection of certain portions of text with the sages to whom the sayings have been attributed.<sup>13</sup> Scholars today are still searching for a suitable method with which to date rabbinic texts.<sup>14</sup>

The fragmentary nature of rabbinic sources also adds to the methodological challenges involved with the study of these texts. Of all the sages mentioned or cited in rabbinic texts, there is no complete biography devoted to an individual. Moreover, biographical material is often pious exaggeration.<sup>15</sup> There is no document solely attributed to one author. The approximately contemporaneous Christian texts (including the Gospels, Paul's Epistles and the huge collections of personal letters of the Church Fathers) are part of a genre of literature entirely absent from rabbinic sources. In order to attain authority within the rabbinic tradition, it was necessary for a document or ruling to have the consensus of the sages. As a consequence, every document in rabbinic literature emerged anonymously under public authorship. The main reason for this, as Neusner explains, is that

[p]ersonality and individuality stood for schism, and Rabbinic literature in its very definitions and character aims at the opposite... framed in mythic terms, the literature aimed to make this theological statement: sages stood in a train of tradition from Sinai, and the price of inclusion was the acceptance of the discipline of tradition - anonymity, reasoned argument to attain for a private view the public status of consensus statement. The very definition of tradition that comes to expression in the character of Rabbinic literature - God's revelation to Moses at Sinai received and handed on unimpaired and intact in a reliable process of instruction by masters to disciples - accounts for the public, anonymous character of Rabbinic writing.<sup>16</sup>

Once again, as pointed out earlier, the tradition was set out in the *Sayings of the Fathers*: "Make a fence around the Torah,"<sup>17</sup> that is, form parameters. These consist of rabbinical enactments which make it less likely for written Torah commandments to be broken. These rules of rabbinic authority were intentionally formed to prevent apostasy, especially of the scholarly variety. There was, of course, a place within the tradition for opposing views and disputed opinions. These were encouraged in the process of elucidating the meaning of the Torah, and are well documented in the literature, if only to ensure that arguments already brought before the Great Council (and rejected) would not surface again at a later time. As part of the Oral Torah, the provision was established that a rabbinical enactment (*gzera*) would only be legally binding on the broader population if accepted by the majority of observant Jews.<sup>18</sup> Any dissenting opinions would be rejected, and majority would invariably rule.

This tradition has even been embodied in rabbinic literature, in the argument of Rabbis Yehoshua and Eliezer.<sup>19</sup> The two sages were arguing a point of Law, and the majority had ruled that Rabbi Yehoshua was in the right. Rabbi Eliezer responded by announcing that if he was right and his opinion had divine sanction, then the tree

outside the window should fall down, which it did. Rabbi Yehoshua countered that Rabbi Eliezer should not get involved in matters of nature and that this would not stir the decision of the majority. Rabbi Eliezer then argued that if he was right, the wall of the building should collapse, which then took place. After having this sign rejected also, Rabbi Eliezer commanded a voice from heaven to come down and authorise his interpretation, and indeed it did, pronouncing his verdict to be true. At this point, Rabbi Yehoshua countered by quoting a verse stating that "Torah is not in the heavens" - but rather that God had put the Torah in the hands of men. Some days later, one of the Rabbis bumped into Elijah the Prophet and asked him what God had thought about this incident, and he replied that God had laughed and said, "My children have been victorious over me!"

Not only do the texts quoted or cited in rabbinic sources have more weight if attributed to a great rabbi, but the consensus of learned opinion will ensure that Torah (especially the oral tradition) is preserved intact. As already mentioned, dissenting opinions are frequently included within the oral tradition. The relative chronology of the arguments presented within rabbinic sources can allow scholars to perform various important tasks. One of these is the approximate dating of texts. For example, when Rabbi Shmuel bar Nachmani refers to Rabbi Yonatan and not vice-versa, Rabbi Shmuel bar Nachmani is probably writing after Rabbi Yonatan.<sup>20</sup> In addition to this, it is possible to trace the evolution and development of rabbinic thought through the relative chronology contained within the sources. Whilst this is not always historically accurate, the evolution of the arguments may be traced as they are debated through the centuries by generations of rabbinic scholars.

The texts can also be approached from a non-historical perspective. By using the sources as they stand, it is possible to trace the development and evolution of rabbinic thought, and to examine the manner in which the contemporary community has developed. Postmodern biblical scholarship has utilised the interdisciplinary approach to further expound on the texts in terms of their socio-political and cultural milieu, through such disciplines as sociology and anthropology.<sup>21</sup> It further places the role of the reader/worshipper under the scrutiny of the psycho-analytic school of psychology.<sup>22</sup> Despite the fact that the texts may not be historically verifiable, they nevertheless help us to understand the background to the contemporary religious community, and the forces which have shaped the evolution of that community throughout history.

While traditional rabbinic scholarship has evolved over many centuries and has, in the process, finely tuned its methodology, academic scholarship on rabbinic texts is still in its infantile stage. As such, it is worthwhile for academic scholars to consider reconciling its methods of textual study and hermeneutics with the challenge of a fundamentally different textual methodology and worldview. Moreover, the entire historical basis of academia is irrelevant and redundant to the rabbinic community. Dating texts and placing them within their historical context has been made impossible, or perhaps futile, in terms of rabbinic literature for the academic

community. The intrinsic challenge for the academic, therefore, has become the striking of a balance between diametrically opposed worldviews and their accompanying methodologies. It is now up to the academics to enter into the world of the rabbis, and emerge with a new type of scholarship that, while understanding rabbinic method, is still within the bounds of the academy.

## Notes

1. Context is generally only important to rabbinic sources when trying to establish the authoritativeness of a source or ruling.
2. Joseph H. Hertz (trans.), *Pirke Aboth: Sayings of the Fathers*, Behrman House, New York, 1945, p. 12, verse 1:1.
3. Jacob Neusner, *Abo Addresses and Other Recent Essays on Judaism in Time and Eternity*, Scholars Press, Atlanta, 1993, p. 43.
4. This is preserved in the rabbinic institution of *smicha* (rabbinic ordination). It is because academic sources do not have *smicha*, that they are rejected as authoritative by most rabbinic authorities. Similarly, within the yeshiva, *smicha* conveys an authority to the sayings of rabbis even when academic sources can cast into question their historic certainty.
5. Babylonian Talmud *Nedarim*, 50a; cited in Daniel Boyarin, *Carnal Israel: Reading Sex in Talmudic Culture*, University of California Press, California, 1993, pp. 134-8.
6. See the work of Daniel Boyarin, *ibid.*
7. *Ibid.*, p. 10.
8. A prime example of a study based on this methodology is Murray Jay Rosman, *Founder of Hasidism: A Quest for the Historical Ba'al Shem Tov*, University of California Press, Berkeley, 1996.
9. As a prime example of this, see *Pirkei Aboth, op.cit.*, where generations of scholarship are traced back through the teacher-student relationship to Mount Sinai.
10. Jacob Neusner, *Abo Addresses and Other Recent Essays on Judaism in Time and Eternity*, Scholars Press, Atlanta, 1993, pp. 6-7.
11. See pseudepigraphal literature such as the books of Enoch. A medieval example is the attributing of the *Zohar* (which appeared in the thirteenth century) to R. Simeon bar Yochai c.130-160 CE. This tradition of attribution dates back even to the Bible itself with texts such as the Song of Songs and Ecclesiastes being almost certainly falsely attributed to King Solomon.
12. Neusner, *op.cit.*, p. 9. This is the 'archaeology' method spoken of earlier.
13. *Ibid.*, p. 9.
14. See Neusner's plea in *ibid.*, p. 10.
15. A prime example of which, though not itself Rabbinic literature (but of the same time and type), are the New Testament accounts of Jesus.
16. *Ibid.*, pp. 48-9.
17. *Pirkei Aboth: Sayings of the Fathers, op. cit.*, 1:1.
18. Babylonian Talmud, *Avodah Zarah* 36a and *Bava Basra* 60b.

19. Babylonian Talmud, *Bava Metziah* ' 59b.

20. Babylonian Talmud, *Sanhedrin*, Chapter 11, 90a.

21. See, for example, the work of Mary Douglas, *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo*, Routledge and Kegan Paul, London , 1966.

22. See Julia Kristeva, *Powers of Horror: An Essay on Abjection*, Columbia University Press, New York, 1982.

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