

BOOK REVIEWS

**Form-Analysis and Exegesis:
A Fresh Approach to the Interpretation of Mishnah
with Special Reference to Mishnah-tractate Makhshirin**

Jacob Neusner

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Jacob Neusner is to be congratulated for this fresh approach to Mishnah study in that this book reflects a grasp and presentation of new literary and linguistic methodologies which have been long overdue in making their debut in this important area of the study and presentation of textual resources of primary importance for the study of Judaism and the New Testament. Here for the first time is presented a valuable overall approach to the text — in this case Mishnah Makhshirin within the context of informed Form-Critical Exegesis. Together with examples of Tosefta and the Received Exegesis which, in the light of recent criticisms of Neusner's translation of the Talmud Yerushalmi, are most illuminating, Neusner pioneers an approach to Mishnah studies which has valuable implications for New Testament and Patristic studies where similar approaches are in application.

In Neusner's introduction to Mishnah Makhshirin he acknowledges that -

To understand why Mishnah presents a sizable problem for both exegesis and history of ideas, one has to be aware of two facts.

First, Mishnah is not written by a person who identifies himself. Furthermore, there is no one author; Mishnah is a collective document. It speaks for and to a community, the people who believe in its authority and who sponsor it. Mishnah does not want to be identified with the opinions of some one person. It speaks anonymously. Whoever is cited in it uses a single, highly formulaic, therefore public language. Mishnah's sages do not resort to language of idiosyncrasy and, in fact, eliminate signs of personal linguistic preference. This public and collective statement is a kind of constitution

that does not want to be identified with one person or one viewpoint; therefore we cannot be entirely certain who in particular speaks to us through this document.

Second, and to the contrary, Mishnah assigns a great many of its sayings to named authorities, who in general are assumed to have lived over a long period of time — approximately 200 years. So we are faced with a document that is both anonymous and full of attributed sayings. Furthermore, as we will see later on, the style of Mishnah is uniform. What individual authorities are made to say is phrased without regard to distinctions and differences of individual style. Everything is woven together into a single, uniform fabric of style.

In this study of Mishnah Makhshirin Neusner moves beyond the traditional legal approach which sees Mishnah as "the beginning of Jewish law" (p.6) to a refreshing new approach which permits "Mishnah to address its own times" (p.6). Outside the more purely literary and traditional approaches to the Mishnah one suspects that Neusner will find considerably support for his basic premises amongst those concerned with the history and particularly archaeology contemporary with the times and context of the Mishnah.

Neusner argues that:

It will never allow Mishnah to be read systematically and whole, in context, as the statement of people who lived at some one period, people who faced some distinctive set of problems, and who through Mishnah proposed to deal with the world in which they lived. But Mishnah *began* as a whole and in context.

So there are these three problems — (1) the anonymity of the document, its lack of a specific author, (2) the linguistic uniformity and absence of all punctuation of Mishnah's language, and (3) the established, atomistic and ahistorical, anticontextual tradition of how Mishnah is to be studied (pp.6-7).

In treating his basic interest in presenting this Tractate *wholistically* Neusner introduces the notions of Redaction Criticism by seeking out the larger framework in which the smallest units of thought (pericopae) and their contextual larger units occur:

First, we need to ask how the redactors of the tractate have grouped their materials, so that we may reconsider each item in the light of others, fore and

aft in particular, that discuss the same or closely related problems. Second, if we wish to know a tractate, we have to review it and so attempt to master it as a whole, not merely bit by bit. There is no better way for reviewing and seeing things whole and in perspective than to ask a fresh set of questions of materials already mastered from one viewpoint (p.137).

Neusner argues that the natural divisions of a tractate are defined "by the confluence of theme and form" (p.138). This is a very helpful approach and measures up nicely to the actual textual evidence as Neusner subsequently presents it. Basically Neusner shows that pericopae form "conglomerates" or "collections made up of individual pericopae": "Pericopae form a conglomerate when they share (1) a common form or formulary pattern, one the one side, and (2) a single problem, theme, or principle, on the other. This is not a definition that I made up; it emerges from the examination of the traits of the document itself" (p.138). It is this respect for the text and the exploration of the generative forces operative within its formation which is commendable and fascinating.

After some one hundred and eighty pages of instructive presentations of the text of tractate Makhshirin and an introduction to form-analytical methods Neusner is able to define the paramount theme of the tractate which is "the determination of the capacity of eligible liquids to impart susceptibility to uncleanness. The operative criterion, whether or not the liquids are applied intentionally, obviously is going to emerge in every pericope pertinent to the theme" (p.190).

Having completed the exegesis of the tractate from individual units to the structure of the tractate as a whole Neusner addresses the logically consequent question of why, in the middle of the second century CE, the issues of tractate appeared to be so urgent and compelling as to generate the composition of such a document. Thus relating the totality of Tractate Makhshirin to the intellectual and mythic world in which the document was generated Neusner moves away from this individual tractate and attempts a brief (and one suspects tentative) answer to the question: What is Mishnah? His answer is instructive and has implications for the methodology of New Testament and Patristic studies:

For the net effect of all this work is to make the definition of Mishnah exceedingly difficult.

That is not to suggest Mishnah is unique. If it were unique, we should be unable to study it. For we

learn through using what we already know. We build knowledge and understanding by using analogies and contrasts that our mind and imagination provide. What is unique also is unknowable, because it lies beyond the power of analogy and contrast.

Yet what analogy is useful? Mishnah is not a philosophical treatise. What philosopher of metaphysics talks about damp barley and the muzzle of an ox?

Mishnah is not a law-code. Who ever heard of a law code so useless in deciding the concrete law, so repetitious in its structure of problems, and so uninterested in concrete times and places, as this one?

Mishnah is not a school book, for the same reason it is not a lawcode or a philosophical treatise. For to whom will someone have wanted to teach these sorts of things? And for what purpose will people have wanted to learn them?

Mishnah is *like* a philosophical treatise, because it takes up a profound issue of interpretation of what it means to be human and of what we are supposed to do. Mishnah is *like* a law code, because, after all, it does make descriptive-normative statements that tell me the consequences of what I do. Mishnah is *like* a school-book (a textbook, such as this book) because it organizes and teaches knowledge in a systematic and obviously purposive way. It is like all those things, but is not those things.

What we have accomplished is a fresh approach to the interpretation of a Mishnah-tractate. What we have not accomplished is to explain what *Mishnah* is. When we ask that question, so different from the questions of this book as to be deemed wholly other and utterly unrelated to what we have done, then we shall hope to have concluded the work that has occupied us here. It is here to end with the question that leads us out of the orbit of this book and its range of discourse: If *this* is Mishnah, then *what* is Mishnah? (pp.192-193).

As can be seen from these concluding remarks Neusner has attempted to bring to bear some fundamental issues concerned with the sociology of knowledge and the new approaches generated by the literary-critical theorists of the New Criticism. In doing this he has taken the Mishnah out of the *Yeshiva* and the *seminary* and placed it in a wider and less restrictive context which lays

the text open to unrestricted critical analysis. As with all new approaches there will no doubt need to be refinements and even correctives applied to the approach and methodology which Neusner has attempted in this study. His other publications reveal that he is a scholar who is prepared to do this and so it is to be hoped that we may look forward to future advances along the lines of the analysis and exegesis of Tractate Makhshirin presented in this study.

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An Introduction to Maori Religion

James Irwin

Australian Association for the Study of Religions, Adelaide
1984, 85pp., \$6.95 Aust.

Maori Religion, as covered in this book, refers to the indigenous religious beliefs of the Maori of New Zealand, before the coming of the Pakeha. Despite the European culturally-based judgements to the contrary which were made by some early missionaries, the Maori had a well developed system of religion, covering a rich mythology, and application at every level of society and aspect of everyday life.

This book, as its title states, is an introduction to the subject, and is therefore suitable for students of primal religions and a starting place for anyone wanting to learn something of the topic.

The first pages cover short explanations of the Maori world view, creation myths, and Maori cosmology. These are assisted by several diagrams which, while such things are much loved by academics, tend to make the subject appear much more schematic than is appropriate. The author, however, has included a statement with some to the effect that the Maori view did not include closed systems, and this should be kept in mind by readers.

The concepts of mauri, mana, tapu, and noa are absolutely basic to an understanding of not only Maori belief, but of the ordering of society. These are all considered and explained, with personal anecdotes and examples being given to assist understanding.

The chapter on Gods, Demons, and Ghosts gives a basic coverage of the topic, and could be supplemented by other writings, such as those of Elsdon Best, for those who want to study this area more fully. A fair assessment of the controversy over the original supremacy of Io is included, though perhaps the point could be included on page 33 that whereas the deity is not considered supreme anywhere outside New Zealand other Polynesian peoples did have the concept of a Supreme Deity, and in coming to any conclusion it is the existence of such a figure which should be considered, rather than whether the same figure holds a similar position. Comparative study of deities around the Pacific area shows that while the major figures recur in most societies, their functions vary, and this is to be expected as belief was not static.

Further chapters consider the ritual aspects of Maori religion — approaching the sacred, the rituals of death, forest lore and

associated rituals, sacrifice and offerings. Perhaps the most obvious of these to non-Maori are the rituals which surround death and the tangihanga (funerary rites). Of all Maori institutions, the tangihanga appears to have changed the least in the period since European contact, and it is in this area that outsiders will most likely come into contact with Maori practice. Here the author wisely considers the topic at a little more length than some, mentioning some modern adaptations.

The book is supported by an interesting conclusion which points to some thoughts on various views of Maori religion, a bibliography and glossary.

The author is well qualified to produce such a contribution to the field of Maori religion. As the Rev. James Irwin, he has served in the Maori section of the Presbyterian Church, acted as Principal of a Maori Theological College, and has recently retired from the position of Dean of Maori and Polynesian Studies at Knox College, Dunedin. As Hemi Ewene, he has been a friend to the Maori people of several areas for a number of years.

If I were to make any criticism of this book it would be that in some places it will disappoint those who know something of the topic already, in that it often does not go far enough to take a further step which might seem appropriate in places. But as the title and the author himself make quite clear — this is an introduction to the topic. When the volume is judged on the basis of its aim and purpose, then it must be said to succeed.

To me the strength of this book is in the many examples which Hemi Ewene has used to illustrate the concepts. Many years of living amongst Maori of many persuasions has shown him how the beliefs of the past are not gone but are in fact incorporated into the society today. I would like him to record even more of these in a larger volume aimed more for the Pakeha lay reader, for the purpose of promoting understanding between the races.

Considering the books available on associated topics, this one would appear to fill a gap between those more specific studies on the Maori religious view (for instance those of Elsdon Best), and the more sociological studies of Maori society (for example, those by Joan Metge, and Eric Schwimmer). As such, it is a welcome addition.

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Approaches to Modern Judaism, Vol.II**Marc Lee Raphael (ed.)**

Brown Judaic Studies 56, \$16.95. 117pp.

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A reader, approaching a volume of essays on a theme which is in his general area of interest, would expect to find some which excite him, either because of their scholarly excellence, or through their stimulation of lines of thought that direct his mind along intellectual avenues not yet trodden. He would also expect to find some essays that are of no immediate relevance to him because they are peripheral to his concerns. Often enough, in such circumstances, one or other item is noted for future reference for the anticipated occasion when the subject concerned would come to be of interest and the article would be revisited for refreshment and reinforcement. This slim volume is nearly an exception to these general truths, for, though all the essays discuss, in one way or another, attitudes or approaches to modern Judaism — hence the title — there is really no unity of subject matter and only two studies that are worth revisiting, and which maintain the quality which one has come to expect in the Brown Judaic Studies.

The best of the essays are Daniel Silver's 'The Ageing of Reform', and Richard Marks' 'Teaching Judaism in Thailand'. Whilst Silver's study is no intellectual *tour de force*, it is a well-constructed and articulate description of the malaise facing the Reform movement in the USA, that derives its value both from Silver's personal status and because it shows traces of Silver's established scholarly habits. Daniel Silver is a man of considerable standing in the Reform Rabbinate whose own experience extends that of a father in the same career. It is his personal status which gives his description of the changes he has seen in the Reform approach to Judaism an authority which might otherwise be lacking in a study which is experiential in type and not a carefully forged and well sourced document. Because Silver has a lifetime of experience of the subject — man and boy — his departure from traditions of scholarship in which each piece of evidence is properly attested in no way weakens what he has to say. (The same cannot be said for other 'experiential' essays in the volume.) His message, fundamentally, is that the divine, the mystical and the holy elements

of Judaism have been lost to the Reform movement in the USA. He suggests that Reform Judaism has become a key to conscience only in the social and not in the religious plane, in his way reflecting the humanism of the contemporary era. The writer does not denigrate the social values of Judaism but one rather gains the impression that he finds that Judaism, when devoid of divinity, is trivialised and without purpose. One also gains the impression that he feels that the Reform Rabbinate has been derelict in its duties in not emphasising the spirituality of Judaism and the role of belief in religion. The study closes on a hopeful note with the observation that there is a hard core of believers around whom it is possible to build afresh.

Richard Marks' study of 'Teaching Judaism in Thailand' is not read easily for it is full of detail. While one is grateful for his personal warmth and the unusual autobiographical information the essay appears at first to be a singularly unpromising catalogue of individual estimates of what Judaism is. It is not until an advanced stage of the reading that one sees the true value of the study — a value which will certainly take the reviewer back to it again. It is difficult for a Jew, or for a Westerner for that matter, to approach the phenomenology of his own or any Western religion in any sort of detached and objective manner, because of the intellectual baggage he carries with him. We are inculcated from childhood with philosophical ideas which are bred from the very material which we are meant to examine with objectivity — surely the ultimate in circularity. Marks' study shows us students raised in a different religious tradition grappling with Western concepts of theology and deity, and in his reports of his individual dialogues there are clues which can allow us to reappraise our own theological preconceptions, i.e. our objectivity or lack of it. From this point of view alone, the study is worth reading, though it undoubtedly has a human curio value that is welcome in this dusty volume.

Jeffrey S. Gurock's 'The Winnowing of American Orthodoxy' attempts to do for orthodoxy what Silver did for Reform, but without any credibility or authority. Here, the lack of documentary evidence had the devastating effect on the material that one finds in a student essay. This impression is in no way relieved by the cynicism of the approach, poor English and colloquialisms that detract from whatever intellectual impact the material might have made. In any event, one is left wondering about the purpose of the essay, for there seems to be nothing therein that cannot be found in, say, an encyclopaedia article on American Jewry.

The first two essays in the book attempt to set up systematic approaches to the impact on the study of Judaism of the

well-established fact that one tends to be subjective, rather than objective, in one's approach to material studies despite one's best endeavours to the contrary. Laurence J. Silberstine's 'Textualism, Literary Theory and Modern Interpretation of Jewry' attempts a theoretical exploration of this phenomenon and its consequences by extrapolating from observations on this topic in philosophy, to Judaism. He succeeds at least in reminding us that there is no point in speculating on the 'rightness' or 'wrongness' of the approach to Judaism, or their understanding of it, by such men as Maimonides, Buber and Scholem. Their output and intellect turned their personal understanding of elements of the Jewish tradition into naturalised layers of Judaism, creating in effect a new or mutant form of religion out of their perceptions. Silberstein discusses the accusation that his approach is anarchic, but rejects the accusation. He maintains in effect that studies of Hassidism and mysticism promote new philosophical or theological truths and that there are no unchanging constituents in Judaism. In a way, Silberstein obfuscates, rather than clarifies the issue of subjectivity in Jewish scholarship, for he fails to differentiate between the stable, ritual phenomena which are constant and the traditions and religious theologies which are changeable. However, he at least does us the service of moving the focus of the discussion from the disciplines of philosophy and history, where it is normally centred, to the milieu of religion.

William Cutter's 'My Text, Your Text, Our Text: Taming Interpretations' attaches the problem of objectivity/subjectivity to the study of texts. He raises a series of interesting questions about the nature of sense and meaning to be drawn out of a text and questions whether meaning is inherent to a text or whether interpretation produces the meaning. Clearly, such questions are important, perhaps even fundamental to the matter of *pshat* and *drash* and to questions of *halachah* and are worth pursuing further. However, Cutter failed dismally to interest the reviewer in his further study of the matter despite the obvious fact that he has read the secondary literature that had escaped the reviewer and teaching colleagues. Unfortunately, Butler's exploration of literary theory is followed by a highly personal extrapolation to Jewish studies couched in a style that leaves one groping for the meaning of sentences that are worded with little felicity. Especially, one must observe that there is a dearth of quantitative evidence in a paper which attempts to focus its attention on student-teacher interaction in specific situations. The author predicts what ought to happen as if that is veritably what does happen. Experienced

teachers are likely to challenge the authority and veracity of the conclusions offered.

The reviewer is bound to admit that he but skimmed Peggy Ward Corn's 'Structure and Meaning in *The White Hotel*' because of his aversion to psycho-analytical studies in English literature. The article seems to have but the slightest of approaches to Judaism.

In fine, one must say a word about the format of the volume. The text, like others in this series, which is generally of high technical, as well as scholarly quality, has been set on a word processor and printed directly from the typescript. Apart from the cost saving factor, the technique has the advantage that corrections to textual errors can be made with relative ease and comparative cheapness. There are, then, no excuses to be offered for the volume of the errors which can be hazardous to a reader rather than merely an irritant. The errors would not be so offensive if they were confined to the English text. The reader tends to overlook them in auto-correction. When transcriptions from Hebrew are rendered falsely - Kahser/Kasher, halakic/halakhic — or proper names are so treated — Schecter/Schechter — and mixed Ashkenazi-Sephardi transcriptions are offered, then the reader with no knowledge of Hebrew is likely to be misled. This point is brought home forcibly when one approaches the transcription of Thai words, a language of which the reviewer has no knowledge. If these transcriptions contain the same percentage error in transcription as appears in the English text of 'Teaching Judaism in Thailand' then the potential value to the reader of one of the better articles in the book is reduced. One approaches the text with considerable reserve and caution.

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