

Law as Allegory? An Unnoticed Literary Device in Talmudic Narratives

The literary interpretation of rabbinic texts has proven to be one of the most fruitful endeavors of talmudic scholarship.¹ This study has however posed methodological questions which are perhaps common to any modern attempt to evaluate literature from a distant culture: To what extent do the facts, patterns and values which a reader will discover today as he studies a rabbinic text actually reflect the esthetic standards and artistic goals of the original authors? Though lacking the equivalent of an Aristotelian (or Ibn Ezran) *Poetics* for rabbinic literature, we are generally treading on solid ground in our delineation of the basic structural forms of the midrashic homily: e.g., the types of proems and concluding passages, the accepted norms of transition from unit to unit, and of course the nature of midrashic exegesis in both its technical and ideological aspects. Beyond the above-listed elements, however, our footing becomes progressively less certain. The critic who chooses to judge or interpret an aggadic text according to some other literary criterion must always be asking himself the question: Could my standards also have been the standards of the original author? And especially in cases where I feel that I have uncovered a type of literary sophistication more appropriate to modern authors—to what extent am I praising the author for features which he did not intend even unconsciously?²

With this basic problematic in mind, I wish to express some of my own hesitations, in deciding whether a certain feature which I have encountered in some *Aggadot* was in fact put there intentionally by the formulators, or is rather the product of anachronistic judgments of a modern reader.

The feature to which I refer is the use of halakhic quotations as a means of underscoring motifs in aggadic contexts.³ The mixing of aggadic and legal materials is, of course, common in rabbinic literature. In midrashic works it is frequently a consequence of the Bible's own tendency to mix together narrative and legal elements. Thus, the halakhic debates between Korah and Moses over questions of the "garment that is entirely *tekelet*," or "a house full of Torah scrolls" etc., are quickly seen to result from the juxtaposition of these laws to the Torah's account of Korah's rebellion.⁴ Yet in many instances we find both biblical protagonists and talmudic Rabbis discussing legal questions whose connection to the aggadic narrative context is far from clear. What I have noticed is that in many such cases a careful analysis of the stories and the halakhot involved seems to reveal a deeper connection between the two

Clearly, we cannot accept the *Aqeda's* philosophical formulation of the story, but I do feel that once we have removed the rationalistic coating, the underlying explanation is basically simple and acceptable. Bread is, as is well known, a traditional image for Torah.¹⁹ Manasseh is viewed by the Midrash as the prototype of the renegade scholar.²⁰ Perhaps he is reminding Rav Ashi that the greater the scholar,²¹ the greater is the likelihood of his getting "burned" in sin or heresy. Perhaps there is some allusion to the tradition that Manasseh repented after being cast into the fiery furnace.²² It is difficult to be certain here, though one feels that there must be some thematic significance to the selection of this particular halakhah in this specific context.

Let us proceed now to a number of additional examples, all from biographical stories concerning various Rabbis, all of them found in the Babylonian Talmud. This one is from the account of the death of Rabbah bar Nahmani, as related in Baba Metsi'a 86a:

Said Rav Kahana: I heard from Rav Hama the son of Hasa's daughter:²³ Rabbah bar Nahmani died through persecution (*shemada*). They informed against him to the King. They said: "There is one man among the Jews who causes twelve thousand Israelites to be idle (exempt) from the payment of the royal poll-tax, one month in the summer and one month in the winter.²⁴ They dispatched a royal officer (*peristeqa*) after him, but he did not find him. He [Rabbah] fled from Pumbeditha to Aqra, from Aqra to Agama, and from Agama to Shaḥin, and from Shaḥin to Tsarifa, and from Tsarifa to 'Ena Damim, and from 'Ena Damim to Pumbeditha.²⁵ In Pumbeditha he found him; for the royal officer chanced to visit the same inn as Rabbah. They placed a tray before him [the royal officer], gave him two glasses, and removed the tray from before him; his face was turned backward.²⁶ They said to him: "What shall we do with him? He is a royal officer." He said to them: "Bring him the tray and let him drink one cup; then remove the tray from before him, and he will be cured." They did so to him, and he recovered. He said: "I know that the man whom I am seeking is here";²⁷ he searched for him and found him. He said, "I will depart from here; if they kill the man [i.e., me] I will not disclose [his whereabouts]; but if they torture him, I will." They brought him before him. They led him into a chamber and locked the door in his face. But he [Rabbah] prayed for mercy. The wall fell down.²⁸ He fled and went to Agama. He was sitting upon the trunk of a palm and studying. They were disputing in the Heavenly Academy: If the bright spot preceded the white hair, he is unclean; if the white hair preceded the bright spot, he is clean. If [the order is] in doubt—the Holy One, blessed be He, says: clean; and the entire Heavenly Academy says: unclean. And they say: Who shall decide it?—Rabbah bar Nahmani; for Rabbah bar Nahmani said: I am unique in leprosy, I am unique in "tents." They sent a messenger after him. The Angel of Death could not approach him, because he did not interrupt his studies. In the meantime, a wind blew and caused a rustling in the bushes. He imagined it to be a troop of soldiers.²⁹ He said: "Let that man [me] die, rather than be delivered into the hands of the State." As he was dying, he said, "Clean, clean!" A Heavenly Voice (*bat qol*) cried out and said, "Happy are you, Rabbah bar Nahmani, whose body is pure and whose soul has departed in 'Clean!'"³⁰ A

note fell from Heaven in Pumbeditha: "Rabbah bar Nahmani has been summoned by the Heavenly Academy."

This too is a remarkable story which has been studied from many vantage-points.³¹ Our focus here is primarily on the debate in the Heavenly Academy, and even this not from a legal standpoint, or with regard to the interesting problem of its relation to the Mishnah Nega'im 4:11,³² but rather with reference to the question: Why was this particular case brought in this particular story? I think we can quickly do away with such simple answers as the suggestion that this was the way it actually happened historically, or that they had to conclude with the word "*tahor*," "clean"—Records of the Heavenly Academy are unreliable as history, and there are plenty of rabbinic disputes in the realm of ritual purity which could have achieved the same end of concluding with "clean." What immediately springs to mind is the ancient association between leprosy and slander or informing, which was learned from the Biblical account of Miriam,³³ and underlies such rabbinic traditions as the Mishnah Nega'im 12:5 and Leviticus Rabbah Ch. 16. Here indeed we are dealing with a case of informers—both the original informer who accused Rabbah of depriving the royal treasury, and the royal officer who was not certain whether he could keep his secret under torture. In fact we are never explicitly told what happened to this agent, and what role he played in Rabbah's subsequent capture or death. Nor is Rabbah's death explained in terms other than supernatural ones. This tension might be suggested in the halakhic problem: The white hair would appear to suggest a sage—the roots *ZQN* and *SWB* and their correlates in Hebrew and Aramaic suggest both hair and age, as well as wisdom. The bright spot represents slander. In our story the two powers stand in balance and it is not certain whether the destructive force of slander will prevail over the merits of the wise elder. The resolution, as suggested in Rabbah's own legal decision, might be that the death of a righteous man is an event of purity whatever its circumstances, and that the purity of the soul is more important than the facts of life or death.

Are we reading too much into the text? Would the author of the talmudic story be capable of devising such a complex symbolic counterpoint? If not, must we say that the choice of the Halakhah is in fact random and insignificant? Let us, for the moment, have a look at a similar instance a few folios earlier in the same talmudic tractate, in the account of the personal relationships between Rabbi Johanan and Rabbi Simeon ben Laqish (*B.M.* 84a):

One day R. Johanan was bathing in the Jordan. Resh Laqish saw him³⁴ and leapt into the Jordan after him. Said he [R. Johanan] to him, "Your strength [should be] for the Torah." He said to him: "Your beauty [should be] for women." He said to him: "If you will repent, I will give you my sister, who is more beautiful than I." He accepted. He wished to return and bring his weapons, but could not. Subsequently, [R. Johanan] taught him Bible and Mishnah, and made him into a great man. One day they were debating in the academy: A sword, knife, dagger, spear, hand-saw and a scythe—at what stage [of their manufacture] can they become unclean?³⁵ When their manufacture is finished. And when is their manufacture finished?—R. Johanan ruled: When he has tempered them in a furnace. Resh Laqish

said: When he has furbished them in water. Said he to him: "A bandit understands his banditry." Said he to him, "and wherewith have you benefited me: There [as a robber] they called me Master (*Rabbi*), and here they call me Master." He said to him: "I have benefitted you by bringing you under the wings of the Shekhinah."³⁶ R. Johanan therefore felt himself deeply hurt. Resh Laqish fell ill. . . .

This story revolves around a conflict between two stages in Resh Laqish's life.³⁷ At first he was the mighty bandit (so, at least, according to our account),³⁸ whom Rabbi Johanan encountered bathing in the Jordan and by whose strength he was impressed. Afterwards begins a new phase as he begins life anew as a student of Torah. In both lives he is a "*Rav*," a leader. Our story captures a moment of truth, in which his two lives overlap. Rabbi Johanan condensingly recalls his protege's previous life, and Resh Laqish retorts by mentioning the benefits and prestige he enjoyed then. In light of these themes, should we not see the problem of ritual purity under discussion as a reflection of the same issue: The swords and weapons being discussed symbolize Resh Laqish—who is associated throughout the passage with the concept of *Hayil*, which carries in Hebrew the connotations of both strength and military weaponry.³⁹ At what stage did he achieve his true completeness: as a bandit leader, as when R. Johanan spotted him in the Jordan River, or now, after he has been refined in the fire of Torah?⁴⁰ Interpreted in this manner, R. Johanan's angry reaction becomes understandable. When Resh Laqish claims that the sword [read: *himself*] was finished by being steeled in water, he is symbolically expressing a preference for his former way of life. Otherwise it is difficult to account for the vehemence or maliciousness of his mentor's reaction.⁴¹

Or, alternatively: Was the author of this story merely mechanically looking for a reference to swords and weaponry in order to supply R. Johanan with an occasion to mention his colleague's past? Or are we simply dealing with a story which happened to have actually taken place with reference to that particular Mishnah? Once again, we hesitate in determining that we have recaptured the original intentions of the author.

Our final example is methodologically the most problematic. It involves the story of the death of Rabbi Eliezer ben Hyrcanus, as related in TB Sanhedrin 68a:⁴² Rabbi Akiva and other Sages come to visit him and all those present lament the loss of this great teacher and of the untold treasures of wisdom which he will not have the occasion to teach, as he lies on his deathbed, still under the ban for his refusal to conform to the authority of the Sanhedrin.

They said to him: "What is the law of a ball, a shoemaker's last, an amulet, a leather bag containing pearls, and a small weight?" He said to them: "They can become unclean, and they are restored to their cleanliness just as they are." "What of a shoe that is on the last?" He said to them: "It is clean," and his soul departed in purity. R. Joshua rose to his feet and said: "The vow is annulled, the vow is annulled!"

Here too the halakhic question can be seen as symbolic of the story in which it is embedded. The story is that of an embittered, broken man who has lived his last days in a state of excommunication, as a result of his stubborn refusal to renounce his halakhic traditions in favor of the decision of the

majority. As the question is raised regarding torn leather objects and whether they may be restored to a state of ritual purity without emptying them of their contents, we sense that perhaps they are speaking about R. Eliezer himself, the broken shell of frail flesh who lies before us (the words for leather and skin are the same in Hebrew)—Is there some way of annulling his excommunication before his death even if he refuses to renounce his opinions in favor of the majority decisions? As he utters his last halakhic opinion—which is also his last word—"clean"—it is declared that the ban has been lifted. On what grounds? He has apparently not renounced his views in claiming that the contents of a leather article are considered part of it and do not interfere with its immersion, or in his view that a shoe that has not been removed from the last is not yet deemed completed for the purpose of being susceptible to ritual uncleanness. It would appear that the logic of the allegory (that R. Eliezer himself is, as it were, "clean") is stronger than that of the halakhic issue itself.⁴³

We seem to have, then, an actual genre of rabbinic storytelling: in which laws of ritual purity are used to underline themes in biographical tales of talmudic Sages.

Further reflection and investigation, however, suggest that the situation is considerably more complex. The story of R. Eliezer presents us with a consideration which we did not encounter in our other examples: Whereas the tales of Rav Ashi, Rabbah bar Nahmani and R. Simeon ben Laqish were preserved only in the Babylonian Talmud, Rabbi Eliezer's death scene and the halakhic questions involved in it have come down to us in a variety of different versions in a number of talmudic complications emanating from differing times and places.⁴⁴ The halakhic disputes are clearly attributed to R. Eliezer in the Mishnah (Kelim 26:2) and Tosefta (Kelim B.B. 4:3; 2:6)—as distinct from our other two examples, in which our stories dealt with Amoraim and the parallels were to tannaitic arguments. This makes it somewhat more difficult to posit that the author of our story was concerned with the literary use he could make of the legal question, and not the historical fact of its having actually been discussed at R. Eliezer's death. In fact we possess several traditions which report that precisely these laws were debated on that occasion, such as Avot de-Rabbi Nathan A 19, 25; Pirquei Ben Azzai (ed. Higger, 164).

By examining the various parallels, we can, I think, sort out several independent versions which form the basic building-blocks for subsequent redactors: According to one (TJ Shabbat 2:7 et al), R. Eliezer is asked unspecified questions about ritual purity, and at the end his soul departs on "clean." According to another tradition, attributed to his contemporary R. Eleazar ben Azariah, he is asked about five leather objects—and his final ruling is that the stuffings are defiled with the covering, emphasizing that the need for their immersion constitutes a tradition transmitted to Moses on Sinai. The version which singles out the questions about the shoemaker's last would appear to be an attempt at compromise, so that a question about leather objects can culminate in a decree of "clean." It is still possible to argue that the very fact that early traditions singled out questions about leather articles is to be seen as an indication that our proposed interpretation is an old and authoritative one. However, it seems more significant that the earlier versions do not fit the halakhic question into the context of the human tragedy. They certainly do not

emphasize the connection between the ritual questions and the fact of R. Eliezer's excommunication, the juxtaposition of which themes stands at the center of our interpretation of the Babylonian Talmud's version of the story. The evidence seems to suggest, then, that what we have before us in the Babylonian Talmud⁴⁵ is an inadvertent combination of various traditions, with no actual intention to emphasize any thematic connection between them. If this is so, then it calls into question our method of interpretation with regards to our other examples as well. We are basically dealing with claims that are not ultimately provable, and subjective evaluations which perhaps can be played around with infinitely. For example, the famous dispute of R. Eliezer and the Sages over the ritual status of the "Oven of Akhnai,"⁴⁶ which was the occasion for R. Eliezer's ban and a major precedent in invoking the authority of the majority over dissidents—is basically a question of an oven which has been assembled together from different pieces. Here too it would be very tempting to interpret the legal question as a reflection of the narrative context, as symbolic of a question of unity within a diversity of opinions. However, here too it seems that the evidence indicates an actual historical controversy, rather than an ingeniously contrived literary creation.

The ultimate decision regarding the truth of our main claim—if it is at all possible to arrive at a clear-cut decision—will have to depend on the amassing of a sufficiently large corpus of examples which can verify or disprove the hypothesis.⁴⁷ Each example must be examined in its parallel versions and according to a philologically sound text. Like any generalized claim about rabbinic literature, it probably does not lend itself to absolute verification, and we will have to allow for exceptions and inconsistencies. In any case, experience tells us that any examination of talmudic texts might prove to be its own reward, even if it does not really yield the answers which we were seeking.

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NOTES

1. Some of the main currents in the literary study of the Aggadah are reviewed by R. Sarason, "Towards a New Agendum for the Study of Rabbinic Midrashic Literature," in *Studies in Aggadah, Targum and Jewish Liturgy in Memory of Joseph Heinemann*, J. Petuchowski, E. Fleischer, eds., (Jerusalem, 1981), pp. 55-73. The article contains a concise bibliography. Note A. Shinan's bibliography of the works of Joseph Heinemann in the same volume (Hebrew section, pp. 184-92).

2. For examples of attempts to explain Aggadah in terms of general literary theory see: J. Fraenkel, "Hermeneutical Problems in the Study of the Aggadic Narrative," *Tarbiz* 47 (1978): 139-72; S. A. Handelman, *The Slayers of Moses—The Emergence of Rabbinic Interpretation in Modern Literary Theory* (Albany, 1982), and compare the perceptive criticism of D. Stern, "Moses-cide: Midrash and Contemporary Literary Criticism," in *Prooftexts* 4 (1984): 193-204. See also: G. H. Hartman and S. Budick, eds., *Midrash and Literature* (New Haven, 1985).

3. The idea that Halakhah can be used as a literary motif was suggested by H. Ehrenreich, 'Iygunim bedivrei HaZa"l. *uwilshonam* (Jerusalem, 1978), 92ff., and elsewhere.

The best characterization of the nature and extent of rabbinic allegory is still, to my mind, that of I. Heinemann, *Darkhei ha'aggadah* (Jerusalem-Tel Aviv, 1974), pp. 150-61.

4. On the aggadic retelling of the Korah story see L. Ginzberg, *The Legends of the Jews*, 7 vols. (Philadelphia, 1911-1928) [hereafter: Ginzberg, *Legends*], 3:286-307; vol. 6:48ff.; M. Beer, "Korah's revolt—Its Motives in the Aggadah," in *Studies in the Aggadah* Hebrew section, pp. 9-33.

5. I have translated the passage with what is perhaps excessive literalness, in order to emphasize some of its literary features. References are made to relevant variant readings as found in R. N. Rabinowicz's *Diqduqei soferim* [*Variae Lectiones*] (New York, 1960), ad loc. See also: J. Neusner, *A History of the Jews in Babylonia*, 5 vols. (Leiden, 1970), 5:188-89.

6. Referring to the previous mishnah in Sanhedrin 11:2, listing the "three kings and four commoners [who] have no share in the World to Come . . . Jerobaam, Ahab and Manasseh." W. Bacher, in his chapter on Rav Ashi in *Die Agada der babylonischen Amoräer* (Strassburg, 1878), notes that Rav Ashi is referred to occasionally as a king, and that this fact lies at the root of this confrontation.

7. The law as such is not found elsewhere in the Talmud. The legal codes seem to understand that the ruling depends on which is the most important portion of the bread—this is the piece that is to be broken first in the recitation of the "hamotsi," the blessing over the bread. Thus in Rabbi Meir Halevi Abulafia's *Yad Ramah* ("This is the choicest section"), and he is, as far as I am aware, the only major authority who explicitly spells out a reason for the ruling, though from the contexts in which it is brought by Alfasi (to Berakhot ch. 7), Maimonides (*Hil. berakhot* 7:3, etc.), it might be understood that they accept this same explanation. Note also the Ashkenazic custom described in the *Hagahot Maimuniyyot* (glosses to Maimonides) ad loc. The author of *Diarei hakhamim vehidotam*, cited in the *Hiddushei ge'onim* section of the 'Eyn Ya'aqov, offers a different halakhic rationale for the talmudic passage. He begins by observing "How much ink has been spilled and how many pens broken in interpreting this passage! . . . Generally they have attempted to fit together and find a connection between the statement 'You call us your colleagues and the colleagues of your father!' and the question 'From where does one begin the hamotsi?' . . ." His own explanation is based on a halakhic discussion in TB Berakhot 38a, concerning the distinction between the formulas *motsi* and *hamotsi* in the blessing before bread, where it is established that the latter is to be taken as referring to a past action. This is seen as coded reference to God's eternity, which would in turn be appropriately recited over that portion of the loaf which was baked first. Thus, Manasseh's halakhic query was in fact a test of whether Rav Ashi realized the deeper meaning of an everyday ritual, and Rav Ashi recognized the king's profound wisdom. As will be evident from our own comments below, we are not persuaded by this ingenious interpretation, though it does present a good example of the traditional commentators' determination to find a meaningful link between the legal question and the theme of the story.

8. On the *pirqa* see: D. Goodblatt, *Rabbinic Instruction in Sassanian Babylonia* (Leiden, 1975), pp. 171-96.

9. Literally: "From where the cooking (*bish-shula*) [of the bread; added in some texts] begins." Abulafia and *Hagadol ha'Talmud*: "Since its baking is more complete."

10. Some texts add: "At that time."

11. The printed text is a bit garbled. I have translated according to the texts in *Diqduqei soferim*. Some of the other variants: "And you would have taken hold of the edge of the robe in your hand." It is unclear whose robe is being referred to. Abulafia speaks of taking hold of his (own) robes with his teeth, in order to avoid tripping.

12. A gloss in MS Munich reads: "And there are those who say: Thus did he tell him: If the passion for idolatry had existed, you would have surely rubbed against it(?)" (Aramaic: *Mekhaskes leh kaskosei*).

13. Sanhedrin 10:2: "Rabbi Judah says: Manasseh does have a portion in the World to Come, as it is written (2 Chron. 33:13): 'And he prayed unto Him; and he was entreated of him,'

and heard his supplication, and brought him back to Jerusalem into his kingdom.' [The verse continues, though this part is not cited in the Mishnah editions: "Then Manasseh knew that the Lord He was God".] They replied [to R. Judah]: To his kingdom they brought him back; but they did not bring him back to life in the World to Come."

14. See TB Pesahim 118a; Genesis Rabbah 20:10, and other sources cited by L. Ginzberg, *Legends*, 5:102 ff., note 91.

15. TB Yoma 69b, Canticles Rabbah 7:8; see Ginzberg, *Legends*, 6:449 n. 57.

16. See note 9 above.

17. But cf. Lamentations Rabbah 1:9, in which "beshippuleha" is used to explain "beshuleha" ("in her skirts") in the verse.

18. On Arama's life and writings see: S. Heller-Wilensky, *Rabbi Yitshaq 'Aramah umishnato haphilosofit* (Tel Aviv, 1956).

19. See Genesis Rabbah 70:5 et al.

20. See Ginzberg, *Legends* 5:376.

21. See above note 6.

22. See Ginzberg, *Legends* 5:375 ff.

23. Variants in the names of the tradents are listed in *Diqduqei soferim*. See also: Ch. Albeck, *Mavo' latalmudim* (Tel Aviv, 1969), 307-8.

24. MS Hamburg (before emendation) speaks of six months each. Note also the version in the *Yalkut* cited in *Diqduqei soferim*.

25. The names of the places are preserved in a vast variety of versions. We have presented the text of the printed editions. As regards the identifications see: J. Obermeyer, *Die Landschaft Babylonien* (Frankfurt a/M, 1929), p. 237; and see the relevant entries in: B. Z. Eshel, *Yishshuvei hayehudim beVavel biteqfat hatalmud* (Jerusalem, 1979).

26. "Pairs" are notoriously dangerous in talmudic magic. See TB Pesahim 109b ff.; J. Neusner, *A History of the Jews in Babylonia*, 5:335-36.

27. MS Hamburg adds: "If you turn him over to me, fine; but if not, then I shall comb your flesh with steel combs. When they saw that everyone was coming upon them (?) he [or: they] handed him over. He said: Indeed I know that I am going, and they will seek you from me. If they kill me. . ."

28. MS Florence: "He took hold of the gate and a miracle transpired for him."

29. MS Florence: "He heard a noise in the meadow and thought it was the royal agent. . ."

30. MS Munich: "In purity."

31. The observations of H. Graetz, S. Baron, M. Beer, E. Urbach and others are reviewed by Neusner, *History*, 4:41-4, 100-2.

32. The most complete discussion of this Mishnah from virtually all possible aspects is to be found in the commentary of R. Samson of Sens ad loc. Note also the wealth of sources assembled in the notes to: M. Hershler, *Maseket Ketubbot 'im shinnuyei nusha'ot* etc., 2 vols. (Jerusalem, 1975), 2:201-202. J. Neusner, *A History of the Mishnaic Law of Purities*, 23 vols. (Leiden, 1975), 6:87-93 presents some of the material in English translation. I shall limit myself in this note to a number of features which have direct bearing on our text.

1) The question as a whole emerges from the wording of Leviticus 13:3: ". . . And if the hair in the plague be turned white . . . it is the plague of leprosy; and the priest shall look on him and pronounce him unclean." Read in its most restrictive sense, this demands that the plague spot (*baheret*) must precede the white hair for the person to be considered ritually unclean.

2) The mishnah states: "If it is doubtful [which came first] then it is unclean. R. Joshua Kiheh" (?; see below).

3) The last sentence is uncertain as regards both text and meaning. Different textual witnesses record words from the roots *QHH* and *KHH*, and the meanings of both are doubtful. If the former, it may express either uncertainty ("he considered it difficult" or "he hesitated") or disagreement (implying the equivalent of "It is clean"). If the reading

is *KHH*, meaning "dim," then this would imply that it is to be treated as a non-leprous colouring, and would also imply a clear-cut ruling of purity, without using the word.

4) A similar textual uncertainty involves the reading of the word "*KHH/QHH*" as a quote ("R. Joshua says . . .) or a verb ("R. Joshua was uncertain/dimmed" it, etc.). The evidence seems to support the reading "R. Yehoshua qihah." See the relevant entries in the standard Talmudic dictionaries, notably A. Kohut's *Arukh Completum* (*KH*³ and *QHH*²) and M. Jastrow (q.v. *qihah*).

5) Of the various discussions on the legal issues involved, the principal controversy was raised by R. Jacob Tam, who raised the question: Why should the anonymous view in the Mishnah declare a man unclean on the basis of a mere doubt, in opposition to the normal rule that a man is presumed clean until proven otherwise? The discussion in the traditional commentaries draws in the various passages in which this Mishnah is cited in the Babylonian Talmud, as well as some other Mishnahs in *Nega'im*, which would take us far beyond the scope of this study.

6) In a number of the Babylonian Talmud passages, we find the statement: "What is 'qihah'? Rabbah says: 'qihah and declared clean.'" The reading "Rabbah" (i.e., Rabbah bar Nahmani) is, as usual, found as "Rava" in some versions and citations. This point is, of course, of great relevance to our own study. If Rabbah had indeed been known to have dealt with this Mishnah, it would be natural to use it as the text which inspired his final words. Moreover, it would make sense that he was in fact interpreting the unclear quotation of Rabbi Joshua with the unambiguous "clean."

33. Num. 12:10 ff.

34. Some versions read: "He stuck his javelin into the middle of the Jordan"; "Resh Laqish imagined he was a woman and leapt. . ."

35. Mishnah Kelim 14:5. The general rule governing the susceptibility of utensils to ritual defilement states that its manufacture must have been completed. Much of the discussion in the tractate Kelim concerns the definition of when different articles are to be considered complete (when they can be used for their normal functions). The Tosafot here point out that in fact the Mishnah in Kelim is not quite identical with the issue being discussed here, and explain it in a somewhat different manner, according to *Tosefta Kelim B.M.* 3:10.

36. This last sentence is missing in MSS Vatican and Hamburg; in the latter a gloss reads: "He said to him: I have given you no benefit whatsoever."

37. J. Fränckel, *Iyyunim be'olamo haruhani shel sippur ha'aggadah* (Tel Aviv, 1981) 73 ff., offers a different interpretation of the account, which I find unconvincing, as revolving around the definition of the master-student relationship between the two sages.

38. The Palestinian tradition (TJ Gittin 4:9, 46a-b; TJ Terumot 8:5, 45d) states that he was a *ludarius*, a gladiator. R. Jacob Tam, cited in the Tosafot, argues against Rashi's view that Resh Laqish is referring to his being called "*Rabbi*" as a bandit-chief; and sees the allusion as being to his youthful days as a scholar before turning to a life of outlawry. Such an interpretation seems unwarranted here.

39. The interplay between the themes of strength and weakness is ably pointed out by Fränckel, *Iyyunim*.

40. The midrashic identification of Torah and fire is, of course, a widespread motif, based on such biblical images as Deut. 33:2 (according to the traditional reading) and Jer. 23:29. See TB Baba Batra 79a and Rashi ad loc.

41. The traditional commentators were troubled by the vehemence of R. Johanan's response, which transgresses the severe Talmudic prohibition against publicly humiliating one's fellow by reminding him of his unsavory origins. R. Henokh Zundel, author of the '*Ets Yosef* commentary to the '*Eyn Ya'aqov*, suggests that the dispute originated in a simple misunderstanding: that R. Johanan had not intended his remark to be insulting, though Resh Laqish did take it as a slight. Similarly, the *Derekh hayashar* commentary, brought in the *Hiddushei ha'ge'onim* section of the '*Eyn Ya'aqov*, prefers to minimize the

personal element in the conflict and explain it as essentially a question of principle, concerning the right of Resh Laqish's personal expertise to challenge the authority of R. Johanan's traditional ruling.

42. The episode has been studied from several perspectives; for example: Y. D. Gilat, *R. Eliezer ben Hyrcanus—A Scholar Outcast* (Ramat-Gan, 1984), 389-93; J. Neusner, *Eliezer ben Hyrcanus, The Tradition and the Man*, 2 vols. (Leiden, 1973), 2:410-19; J. Fränckel, "The Shaping of Time in Aggadic Narrative" [Hebrew], in *Studies in Aggadah*, Hebrew Section, pp. 147-53 (dealing with the version in TJ Shabbat 2:6, 5b; though Fränckel (147 n. 33; 150 n. 42) makes it clear that his comments on the *Yerushalmi* version should not be transferred to the *Bavli* account, some of his observations are nevertheless instructive for our passage); cf. H. A. Fischel, *Rabbinic Literature and Greco-Roman Philosophy* (Leiden, 1973), pp. 90-91.

43. This point is emphasized by Fränckel, "The Shaping of Time," p. 153. The legal questions are best dealt with by Gilat (*ibid.*). See also: J. Goldin, "On the Account of the Banning of R. Eliezer ben Hyrcanus: an Analysis and Proposal," *JANES* 16-17 (1984-5), 97.

44. The material is assembled conveniently in English translation by Neusner, *Eliezer ben Hyrcanus*.

45. A very similar account is found in *Avot De-Rabbi Nathan*, ch. 25.

46. Mishnah Kelim 5:10; Mishnah 'Eduyyot 7:7; TB Baba Mets'a 59b; TB Berakhot 19a; TJ Mo'ed Qatan 3:1, 81d. Note that the last two sources attempt in their own way to attach a symbolic meaning to the name "Akhnai." See Goldin, particularly on p. 95.

47. An example which we have not yet succeeded in explaining in a satisfactory way is the strange tale of R. Simeon and the demon Bar Temalion (or Bar Telamion) as recounted in TB Me'ilah 17b, which incorporates a halakhic question regarding the source for the impurity of the blood of a "creeping thing." Perhaps we ought to also include the Mishnah 'Avodah Zarah 2:5, in which a problematic discussion concerning the prohibition of gentile cheeses is transferred to an apparently unrelated question of textual exegesis of Song of Songs 1:2, which the Talmud (TB 35b) may be interpreting as an allegoric reference to the nature of rabbinic ordinances. The halakhic questions addressed to Rav by Qarna in TB Shabbat 108b are probably to be seen as tests of possible Christian leanings. See also TB Sanhedrin 92a, where the Mishnah Nega'im 2:3 is interpreted symbolically.