Interpreting Midrash 3: Midrash and the Tannaitic Aggada

Fraade, Steven D., *From Tradition to Commentary: Torah and Its Interpretation in the Midrash Sifre to Deuteronomy,* SUNY Series in Judaica: Hermeneutics, Mysticism, and Religion, ed. R. Goldenberg, M. Fishbane and A. Green. Albany: State University of New York Press, 1991, xviii + 343 pp.

Scholarly interest in tannaitic midrash tends to go through cycles of popularity. This fact might derive from the noncanonical status that has been accorded these works since the acceptance of the Babylonian Talmud as "*the*" repository of the Jewish oral tradition. The sparse use made of these documents by students of the aggadah may also owe something to the misleading convention of referring to the tannaitic exegetical works as "*halakhic* midrash,"[1] in supposed opposition to the collections of "aggadic midrash" of the amoraic era.

At the turn of the century, the study of tannaitic midrash promised to be one of the most exciting areas of Jewish *Wissenschaft,* with an impressive record of scholarly achievement, including the recovery and reconstruction of several lost works, and the successful division of the corpus between the schools of Rabbis Akiva and Ishmael. Unfortunately, though this burst of interest was followed up in the early decades of this century by the preparation of manuscript-based editions of most of these works, the tannaitic midrashim seem to have attracted considerably less attention than other genres of rabbinic literature, such as the Mishnah or the Talmuds.

In recent years, the Sifre on Deuteronomy has inspired a renewal of scholarly interest, evidenced by the publication of no fewer than two new English translations,[2] a German one,[3] and several analytical studies.[4]

This development is assuredly a welcome one. The compendia of tannaitic midrash have a character that is distinct from their better-known and more frequently studied[5] amoraic counterparts. Whereas the latter are usually fragmentary assemblages of disparate sources[6] whose structure and content reflect a close tie to the public discourses preached in the synagogue, the former come across, on the whole, as integral and unified works, presented in a single language (Hebrew, without Aramaic) and with a redactional presence that is subtle and relatively

1. This perception is not entirely unfounded (in spite of the irritation felt by Jewish readers when confronted with the Pauline equation of Torah and "The Law"), and is reflected in the structures of the collections of tannaitic midrash; e.g., the Mekhilta begins only in Exodus 12, with the laws of Passover.

2. R. Hammer, ed., *Sifre: The Tannaitic Commentary on the Book of Deuteronomy,* Yale Judaica Series (New Haven, 1986); J. Neusner, ed., *Sifre to Deuteronomy: An Analytical Translation,* 3 vols. (Atlanta, 1987).

3. Hans Bietenhard, ed., *Der Tannaitische Midrasch Sifre Deuteronomium* (Berlin, New York, 1984).

4. E.g., Herbert Basser, *Midrashic Interpretations of the Song of Moses,* vol. 2 of *American University Studies: Series 7, Theology and Religion* (New York, Frankfort on the Main, 1984).

5. The greater familiarity of the amoraic collections is both reflected and compounded by such phenomena as the publication of the Midrash Rabbah (in itself a heterogeneous collection) by the Soncino Press as "*The* Midrash"!

6. Or revisions of such materials, as in the case of the *Tanhuma–Yelammedenu* genre.

seamless. Arguably, it is precisely the lack of glaring redactional difficulties or discernible editorial tampering that accounts for the reluctance of rabbinic philologists to deal with the Sifre and its companions.[7] The tannaitic midrashim lend themselves less to technical source-critical analysis than to simply being works that are to be understood, explained and appreciated by the student of literature or intellectual history.[8]

Steven Fraade has taken on this task of literary and intellectual appreciation of the Sifre. The present study consists of a set of commentaries on selected aggadic passages from the Sifre to Deuteronomy, arranged according to topic. As I shall try to demonstrate in the course of this article, his treatment of the material is exemplary,[9] and can serve as a model for subsequent studies of aggadah.

Fraade has struck a very successful balance between the broad literary and historical outlook that he brings to bear upon his subject-matter and the meticulous philological analysis of the text.[10] The latter aspect is a particularly problematic one when applied to the Sifre. It would appear at first glance that the need for digging through the manuscript collections had been obviated by the publication of L. Finkelstein's edition of the text,[11] with its extensive critical apparatus and learned notes. Unfortunately, this edition has been recognized from the beginning as inadequate. As is made clear from several of the passages analyzed in Fraade's study, the shortcomings of this edition are not confined to the well-known criticisms voiced by Epstein and Lieberman against the editor's criteria for presenting readings;[12] they extend to the actual accuracy and completeness of the data, for many manuscript variants find no mention in the critical apparatus, and conjectural emendations are indistinguishable from attested readings.

7. Though I cannot find an explicit programmatical statement to that effect [cf. Steven D. Fraade, "Interpreting Midrash 1: Midrash and the History of Judaism," *Prooftexts* 7 (1987): 179–94], Fraade seems to prefer approaching the text as a totality, rather than as a concatenation of discrete source units. This approach is most pronounced in his analysis of the Sifre's comments to Deut. 32:1 (128–49), where he finds literary and theological significance to the ordering of the midrash's thirteen suggested interpretations. His question (p. 148) ". . . what purpose is served by the intervening eleven interpretations?" makes no sense according to the view that the redactor is merely stringing together available traditions.

8. Our intention is not to deny the applicability of higher criticism to the Sifre, but merely to note that the redactional features and difficulties are not as glaring or urgent as in the amoraic collections.

9. Which is more than can be said for the editing of the volume. SUNY Press has done us a grave disservice in the sloppiness with which the book was edited, leaving in hundreds of typographical errors, most of which could have been eliminated with a simple computerized spell-check.

10. The author is nonetheless considerate in not allowing the more technical aspects of his argument to distract the reader from the main flow of the argument. The text-critical notes, as well as a set of exhaustive bibliographies on topics dealt with in the text, are put into endnotes (constituting more than half of the volume), which the author himself suggests reading separately.

11. Louis Finkelstein, ed., *Siphre ad Deuteronomium*, Corpus Tannaiticum (Berlin, 1939).

12. I.e., the use of an eclectic selection of readings from different witnesses or from the editor's own conjecture.

Fraade appears to have done his groundwork faithfully, in full awareness that, as with any ancient text, our access to what the Sifre said comes only through the (usually late-) medieval manuscripts in which its words were preserved, and that (to put it crudely) the history of second-century Judaism cannot be founded on fourteenth-century scribal errors.[13] He has reexamined the manuscripts that were consulted by Finkelstein, in addition to utilizing texts that have become available since that time (e.g., fragments from the Cairo Geniza). His judgment is usually intelligent, and guided by an awareness of the relative merits of the textual *testimonia* (e.g., the weight that he attaches to MS Vatican 32). In most cases, he is thereby doing work that was not done by the authors of the existing English translations of the Sifre, who often based themselves uncritically on Finkelstein's edition.[14]

Having determined the most likely reading of a passage, Fraade proceeds to translate and analyze it. He first attempts to explain the intentions of the author from within the context of the ideological world and literary aesthetics of the tannaitic rabbis. In these explanations, Fraade strives for clarity rather than originality, working to identify allusions to biblical and rabbinic passages[15] and concepts. Only afterward does he try to apply the evidence to broader theoretical concerns.[16]

In his Introduction, Fraade asserts his determination to avoid getting locked into a one-dimensional methodological dogmatism. He posits a flexible model for understanding midrashic activity, in which the darshan stands midway ("double-facing") between the text and the "world."[17] Either of these directions might be primary or decisive for explaining a given passage, and in most cases there will be an unconscious combination of both; each instance must be evaluated on its own terms, without imposing a rigid theory upon it. It is clear throughout that the exegesis of the Sifre (as of all midrash) is not subjectively arbitrary. It is delimited by a set of hermeneutical rules that flow from the Jewish sages' views about the divine origin of the biblical word, an intricate universe of religious value-concepts, and an aesthetic sense of the appropriate way to present the products of the exegesis.

13. Cf. Jacob Neusner, *Translating the Classics of Judaism in Theory and Practice*, vol. 176 of *Brown Judaic Studies* (Atlanta, 1989), pp. 16–17 and chap. 7.

14. See for example p. 265 n. 26.

15. While recognizing that comparison of parallel passages is essential for elucidating rabbinic texts, he cautiously avoids the temptation of automatically interpreting such passages on the basis of one another. For an interesting instance, see the comparison between Sifre and Mekhilta on 34 ff. A particularly instructive exercise in carefully identifying the points of similarity and difference between sources (this time extending beyond the rabbinic corpus) may be found in pp. 149–58.

16. It is interesting to note that, in spite of the author's proven erudition in the schools of post-modern literary theory (as evidenced, e.g., in the bibliographical essays that make up pp. 183–85), he includes very few references to this literature (including quotations from Kermode and Ricoeur) outside the endnotes.

17. On pp. 13 ff. he rejects the extremes of the "hermeneuticist and historical fallacies," according to which the commentary is either a direct personal confrontation with the text, or a literary fiction through which the commentator makes observations about his society. "I wish to deny neither of these facings or groundings, but to assert their inextricable interconnection."

An examination of how midrash responds to the world should deal with the question of the *sitz im leben* of midrashic activity. Traditionally, scholarship tries to choose between two possible venues for the midrash, the yeshiva and the synagogue. While in the case of the amoraic midrashim, the imprint of the synagogue context is conspicuous in the fundamental structures of the collections (e.g., the division into lection-units, the various proem and peroration forms, etc.), the Sifre and its siblings are less revealing about their origins. The fact that none of the above formal traits of amoraic homilies is prominent in tannaitic midrash seems to tilt the scales in the direction of a yeshiva origin; i.e., an essentially academic exchange among scholars. This appears to be the approach taken by Fraade in the present work. At the outset of the book (p.2), he seems to define his interest in the commentary-form in such a way as to exclude the homily or sermon forms. In doing so he has, as it were, committed himself to the view that the Sifre's aggadah originated with, and was addressed to, a relatively narrow group of scholars. His treatment of the question sidesteps some important literary issues that have direct bearing on his entire enterprise, e.g., to what extent does the literary character of the Sifre indicate that it has (or has not) incorporated material that originated in the popular preaching of the synagogues? This is an essential consideration when assessing the functional purposes of the Sifre passages, since, for example, we presume that the need to give a literary garb to a midrash will be more pronounced in a public discourse than in an academic commentary.

Fraade's disinclination to consider these options appears to be linked to a rare departure from his usual reluctance to force the texts into preconceived molds. I refer to his comments, concentrated mostly in Chapter Three, concerning the role of the rabbinic Sage as reflected in the Sifre.

For reasons that relate to the author's views about the place of the scribe/sage in the context of Second-Commonwealth sectarianism, he is determined to find traces in the Sifre of a conscious struggle by the rabbinic movement to legitimize itself in the face of competing claims to leadership, especially from the side of the priesthood.[18]

Without attempting to assess the *historical* truth of Fraade's claim, it seems clear that the *literary* testimonies adduced by him testify overwhelmingly that the authors of the Sifre consistently present themselves as spokesmen for and to *all* of Israel, in a manner that transcends any divisions into parties or movements.[19] Try as he might, Fraade is unable to come up with a credible instance of "priest-bashing" in the Sifre, and must resort to forced interpretations[20] and arguments *ex silentio*.

18. This approach is in keeping with his repeated references to the Rabbis as a "class" (see his justification on p. 229 n. 1), a term that does not reflect the self-perception that comes through the midrashic texts themselves; see below.

19. In another context (p. 157) he underscores the contrast between the partisan sectarianism of apocalyptic writers and the more general Jewish audience addressed by the Rabbis.

20. E.g., on p. 87, his claim that the citation from Eccl. 7:10 "Do not say, 'How is it that the former days were better than these?'" is an attempt to justify the current (rabbinic) leadership against the former ("presumably priestly!") leadership. The forced quality of his interpretation is especially blatant in those passages where the midrash confirms the authority assigned by Scripture to the priests and Levites.

On the whole, however, Fraade's erudition in the Judaism of the Second Commonwealth serves him well in inspiring provocative insights into the place of tannaitic aggadah within the religious literature and movements of that period. Of especial value are such insightful gems as his remark about the scarcity of the commentary-form as a vehicle for religious expression in ancient Judaism,[21] and the instructive comparisons with the Qumran *pesher* literature and Philonic exegesis, particularly regarding the use of "deictic" and dialogic formulations and their respective uses of intertextual quotation.[22]

From Tradition to Commentary succeeds very well in its principal purpose of suggesting an approach through which we may appreciate the literary craft of tannaitic midrash while remaining true to the aesthetic and ideological world of the ancient rabbis. The philological scholarship that underlies Fraade's analysis is thorough and responsible in its treatment of textual and redactional issues, to a degree that has not typified recent English-language midrashic studies. It raises the hope that Fraade has indeed set a standard that will deter future studies (and we hope he will inspire many of these) from ignoring the essential "drudgeries" of manuscript comparison and linguistic investigation. It is to Fraade's credit that he synthesizes all these *desiderata* into a presentation that is at once erudite, incisive and readable.

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The Compunctious Hebrew Poet

Ross Brann, *The Compunctious Poet: Cultural Ambiguity and Hebrew Poetry in Muslim Spain.* The Johns Hopkins University Press, Baltimore and London, 1991. xiii + 228 pp.

In the second half of the tenth century of the common era Muslim Spain was home to an ancient Jewish community whose numbers had been swelled by immigration since the Arab conquest. After a period of turmoil, the country had again found peace, under the long reign of Abd al-Rahman III. Arabs and Berbers, Muslim Spaniards, Christians and Jews lived side by side, if not as equals, then as accepted and secure members of a single polity. The economy flourished. Andalusia produced a variety of luxury goods for home and abroad, and Spanish merchants played an important role in international trade. The Jews, not identified with either the Christian or the Muslim powers, were well placed to engage in long-distance commerce. The trade routes they traveled stretched deep into Europe and to Iran, India and beyond. A wealthy Jewish upper class came into being that in many ways adopted the lifestyle of the upper classes in Islamic society. Moreover, beginning with Ḥasday ibn Shaprut, doctor, adviser and diplomat to Abd al-Rahman III, several Jewish figures held important offices at Muslim courts. Perhaps inevitably, courtiers and men of wealth came to enjoy and, like

21. As opposed to such genres as the "rewritten Bible" (p. 2).

22. Cf. Daniel Boyarin, *Intertextuality and the Reading of Midrash,* Indiana Studies in Biblical Literature (Bloomington, 1990).