4

Extra-Mishnaic Aspects of the Early Rabbinic Profile

In the previous chapters, I described the early rabbis as (primarily) Mishnanians. As Mishnanians, they shared a specific profile of acquired knowledge and analytic skills oriented to expert halakhic thinking. Chapters 5 and beyond consider what in chapter 1 I referred to as the cultural currency of the early rabbis' professional profile. For without such currency, it is hard to understand that anyone in Judah-ic society at the turn of the third century CE (including the early rabbis themselves) would have viewed such a profile as having any value and legitimacy.

Before proceeding, however, to discuss such issues later in this volume, and as stated at the end of chapter 3, there are at this point at least two questions that nag at me (as they should at you). I say "nag," because while I would like to be able to answer them definitively, I am not sure I can do so both fully and responsibly for the rabbinic collective near and soon after Mishnah's production and promulgation as an authoritative text among the rabbis. Here, again, are the two nagging questions, nonetheless. First, to what (intended) social ends, outside of serving to establish a shared social identity within early rabbinic circles themselves, did the early rabbis develop this profile? Second, is what I have attempted to characterize as their shared, self-defining profile a complete or nearly complete account? Let me address these questions in reverse order.

IS THE PROFILE NEARLY COMPLETE?

So, is my characterization of the core elements of shared, rabbinic group identity a complete or nearly complete one? My best judgment produces a three-part response to this question.

1. It is most likely *not* a complete characterization; other elements are probably additional features of *some* early rabbis' profiles near and soon after the beginning of the third century.
2. It is difficult reliably to date such additional elements of their shared professional identity and profile to the period that is our focus, namely, near and just after the promulgation of Mishnah within early rabbinic circles.
3. What I have characterized thus far in this book as the elements of the early rabbis' shared identity and professional profile—complete knowledge (in their heads) of both scriptural and extra-scriptural law underlying Mishnah and ongoing cultivation through Mishnah study of expert halakhic thinking—are (a) most likely the primary, central elements; (b) probably those that most engendered the social formation of the early rabbinic group; and (c) likely the more central elements of the early rabbinic profile that, *in the rabbis' view at least*, qualified them for roles outside of the social enclave of their own group.

That is to say, along with a number of normative beliefs (many of which were discussed in ch. 2), the elements elaborated in chapter 3 may be said to have constituted the group's *normative skills profile* in the era of interest to us. Let me now expand somewhat on this three-part response.

As I have had occasion to state several times in this volume, there is a substantial body of early rabbinic literature that is post-mishnaic and that was composed over a roughly four-century-and-more period following Mishnah's production. As you already know, these documents fall into two broad categories: halakhic literature (c. 200–600) and aggadic literature (c. 250–900).[1] (The former texts are primarily legal in substance, although some contain aggadic sections. The two Talmuds, and especially the Babylonian Talmud, contain collections of aggadic materials, even though both Talmuds' primary focus is legal; they model forms of Mishnah analysis.) Aggadic texts proffer many aphorisms and short stories[2] about both biblical

1. The only aggadic text that I would reasonably date as early as the mid-third century is Avot, a late insertion into Mishnah.

2. "Short" warrants some specification. Do not think of "short stories" as anything like what the term means in English literature today. Rather, the short aggadic stories of

and rabbinic figures. Via these aphorisms and stories, values, appropriate beliefs, proper comportment, and an ethos are conveyed, often as lessons portrayed as coded in Scripture's language (in which case, a text is of the genre of aggadic midrash).[3]

I believe that I may safely say that in the early rabbinic movement over the four hundred-plus years that followed Mishnah's production and promulgation, halakhic texts and their study figured much more prominently than aggadic texts. (Indeed, most aggadic-midrashic texts were composed after the composition c. 600 of the Babylonian Talmud, albeit using earlier material in all likelihood.) I do not get the impression that early rabbis would have been "credentialed"[4] on the basis of knowledge of aggadic teachings, even though it is clear that rabbis and would-be rabbis studied and were encouraged to study such teachings. By contrast, no rabbinic candidate would have been credentialed, as far as I can tell, without having mastered halakha and halakhic thinking. By way of illustrating this last point, the Mishnah passage at m. Horayot 1:1b, discussed in the previous chapter, assumes this. Halakhic acumen was a central and necessary

early rabbinic literature are usually vignettes that are more likely to be a paragraph or maybe two in length—a brief setting of the scene in several sentences and a depiction of the act of the rabbi—something done or said—in the context of the conditions. These may be longer than the typical length of a legal precedent story found in Mishnah and post-mishnaic legal passages, but a paragraph (or two) usually suffices to bring these aggadic vignettes to their intended conclusion. Sometimes, several such aggadic vignettes about a biblical or rabbinic figure may be strung together, resulting in a composite giving the impression of a more sustained narrative. For examples of the latter, see the extended narratives about Rabbi Akiva (c. early second century CE) in Avot de Rabbi Nathan (Schechter edition), version b, ch. 12, and in version a, ch. 6. See also the extended aggadic narrative about Rabbi Yohanan ben Zakkai (c. late first century CE) in Avot de Rabbi Nathan (Schechter edition), version b, ch. 6., and in version a, ch. 4. These two extended narratives seem to me to be as long as they get in early rabbinic literature, and their lengths are *not* the norm. Elements of both these composite narratives have parallels in other post-mishnaic rabbinic literature. This process of creating the appearance of a more extended narrative is familiar to any academic student of the canonical gospels. But nothing like a gospel of this or that rabbi was ever produced in antiquity.

3. Among the more recent scholarly works on the historical development of midrash is Mandel, *Origins of Midrash*. I am indebted to Joel Gereboff for highlighting for me the importance of Mandel's work on the subject.

4. What could being credentialed have entailed in the early rabbinic movement? We cannot show that the "laying on of hands" (*semikha*) by a rabbinic master upon a disciple, thereby marking the latter as a rabbi, was used in the early third century CE. But as we have already seen in m. Horayot 1:1b, by the turn of the third century, when Mishnah was produced, the notion was firmly established that a disciple of a sage at some point would have been deemed by his teacher to have attained the level of learning to make the disciple "worthy" (*ra-ui*) of independently issuing authoritative, halakhic "instructions" (*hora-ah*).

feature of the early rabbinic profile. But was it also a *necessary and sufficient* element? In my view, yes! So what is *additionally* reflected about the early rabbis' profile in aggadic content in which early rabbinic personages (whether of the Tannaitic or Amoraic eras) are the dramatis personae? And where do such additional elements fit?

When such aggadic aphorisms and stories feature early rabbinic personages, the values, belief system, normative comportment, and ethos of notable early rabbis (some Tannaim and others Amoraim) are either held up as *exemplary* and/or as *exceptional*. If they are exemplary, then their comportment, ethos, and talents represent something that is *aspirational* for many or all rabbis and their disciples. When they are held up as *both* exemplary *and* exceptional, their talents are portrayed as achievable only by the very few (an elite) among the members of the rabbinic cadre. It is not always easy to distinguish aphorisms and stories portraying aspirational talent from those conveying exceptional talent. But before discussing further what is conveyed as exemplary or exceptional, I must (despite the focus of this volume, and with apologies) make some important methodological points.

It is very difficult to establish if the talents on display in such aggadic traditions, whether intended as aspirational or exceptional, represent the rabbinic group's culture at and soon after the turn of the third century (when Mishnah was produced and initially promulgated). Why? Because the dating of these aggadic traditions cannot be established simply by reference to the supposed dates of the personages that appear in them or of the tradents "in whose mouths" these traditions are conveyed. One may portray the exceptional talents of Rabbi Akiva (a notable, early second-century rabbi) in a tradition composed in the second, third, fourth, or fifth century (or later still, if one is dealing with much of the literature of aggadic midrash). Certainly the date (if knowable) of the composition of the tradition matters for our purposes. So let us say for the sake of argument that an aggadic portrayal of Rabbi Akiva may be shown to have been first composed in the late second or third centuries, and let us even grant that much of that portrayal results from lionizing and heroizing Akiva (making him an early rabbinic figure of legend). At least such a portrayal tells us something about what *counts* as a rabbinic hero in the late second or early third centuries, the period upon which we are focused, even if it may constitute a legend about Akiva, an early second-century rabbi. Unfortunately, it proves very difficult to date many or even any of these aggadic traditions' compositions to this period, let alone earlier. Tractate Avot, the major aggadic insertion into Mishnah, is likely no earlier than the mid-third century.[5] And as you have ready read in chapter 2,

5. And Avot's composition is probably no later than the early fourth century. Avot's

early rabbinic traditions about Oral Torah first appear in passages attributed to mid-third and fourth-century rabbis (Amoraim) and/or in documents often composed later still. What does this mean for what I have to say in much of the remainder of this chapter? Read what follows with imagined caution signs embossed on the pages.

With these very important methodological caveats in mind, what types of rabbinic talents, in addition to the core necessary and sufficient elements of the shared, halakhically oriented early rabbinic profile, are portrayed as either exemplary (and, therefore, aspirational for many rabbis) or exemplary *and* exceptional (and, consequently, the purview of the very few)? Here are some principal ones that I have observed, articulated thematically in no particular order:

- The rabbi as the devoted disciple (exemplary and aspirational)
- The rabbi as the exemplar of everyday piety (exemplary and aspirational)
- The rabbi as the local sage (exemplary and aspirational)
- The rabbi as mystic/gnostic (exemplary and exceptional)
- The rabbi as a gifted local preacher (exemplary and aspirational)

Let me say just a bit about each theme.

Devoted Disciple

As you would expect from the preceding chapters, discipleship, that is, close association with (even devotion to) one's rabbinic master, was a key element of early rabbinic social identity and group relations within the early rabbinic movement. Why? Because it provided the institutionalized basis for study, and specifically for Mishnah study, as the central process of socialization into the early rabbinic group. As with all institutionalized social relationships, discipleship was governed by espoused norms, values, dispositions, and virtues. In these regards, we are fortunate indeed to have the evidence of Avot, since the composition of its first five chapters dates to a period relatively soon after Mishnah's promulgation as the principal object of study among the early rabbis. One of Avot's sustained themes is the comportment and ethos of the devoted rabbinic disciple, both as a student of Torah/Mishnah

presentation of a legitimating "pedigree" for Rabbi Judah the Patriarch and his son(s) is probably indicative of when Avot was composed.

and as an actor in society.[6] Rabbis and would-be rabbis are to be diligent students in the acquisition of Torah knowledge (specifically, we may surmise, the study of Mishnah). They are to limit activities that would distract them from this pursuit. Humility furthers learning. Service to one's teacher is an essential feature of a discipleship of learning. How so? Learning from one's teacher involves not only listening to lessons but also watching the teacher's comportment and imitating it. So, the "quality time" spent with one's teacher in service facilitates this learning by example.

For all this, the circle of teacher and disciples is not some quasi-monastic institution. The rabbinic teacher/master has a family and must make a living "in the world." If you cannot make a living, you do not have the means to devote sufficient time to study. Work and study are mutually upholding activities—"if there is no flour [in the house with which to make bread], there is no Torah [study]; and if there is no Torah [study], there is no flour [in the house with which to make bread]" (Avot 3:17). So, work is to be valued by the disciple of the sage (Avot 1:10; 2:2). The disciples, then, are faced with the obligation, challenges, and necessity of earning a living, being an attentive spouse, being a devoted parent, or caring for one's parents. The challenge is to do all this, and yet not become overly distracted from learning. For Avot, women's discourse in particular is seen as a distraction from devoted study (Avot 1:5; 2:7). (The early rabbinic view of women is largely one that sees them and their speech as too often frivolous—a view obviously rejected by most modern societies.) That said, social or communal responsibility legitimately demands time away from study. For example, the disciple of the sage must stop a study session in order to participate fully in the public, communal celebration of the bride, or to join in the communal cortege honoring the deceased.

Exemplar of Everyday Piety

The rabbinic sage and disciple must behave in a manner that accords with the virtues of piety. On the one hand, what is acquired through study must be made manifest in pious deeds (Avot 1:10; 1:17; 2:2; 3:9; 3:17; 5:14); on the

6. In light of the methodological caveats of the preceding paragraphs, I have attempted to punctuate what follows in the next several paragraphs with references to passages in Avot, although one could equally do so with many (more) references to aggadic traditions in other post-mishnaic, early rabbinic texts, such as the Jerusalem Talmud, Avot de Rabbi Nathan (which is a commentary on, and supplement of sorts to, Avot), and the Babylonian Talmud. Avot's first five chapters are generally held to be a relatively early addition to the Mishnah, perhaps as early as the mid-third century CE (and likely no later than the turn of the fourth century).

other, one is not to profit (monetarily or otherwise) from Torah knowledge (Avot 4:5) or be prideful as a result of one's learning (Avot 1:8). Piety—the "fear of sinning" (Avot 3:9)—like humility (Avot 4:4; 3:1; 1:17; 4:10; 4:12; 5:19) and self-control (Avot 4:1; 2:11–12) are the appropriate ways of being in the world and/or facilitating study. This piety has religious ritual and social-ethical dimensions. The rabbi is to praise and acknowledge God and God's sovereignty through both prayer (Avot 2:13) and, of course, the study of God's revelation. Rabbis pray multiple times daily, sometimes in the synagogue with "the community," and sometimes "communally" in the "study house" with other rabbis and rabbinic disciples. In addition to communal prayer, life's everyday activities, such as eating and drinking, present occasions to express thankfulness for God's blessings. That said, for the disciple of the sage, study together with others is also a form of worship, and a substitute for sacrificial offerings in a post-temple era (Avot 3:2–3) And of course, bearing the "yoke of heaven" by following God's "Way," the halakha, is both a display of loyalty and devotion to the God of Israel and a partnering with the deity to effect the type of society that God is understood to want for humankind. The rabbi's behavior is to bring honor and repute to the God of Israel, to reflect well on the people of Israel, and to reflect well on the cadre of rabbis as a whole and on one's teacher. For example, such things as gambling and (excessive) drinking are forbidden. The disciple of the sage is to keep good company (Avot 1:9; 3:10). Charity and charity work conducted with humility are expected (Avot 5:13). And the rabbi and disciple are expected to observe those purity taboos and ritual purifications that may be practiced without recourse to a Jerusalem temple (sitting in ruins).

At this juncture, I should stress two points. First, it is clear, that the piety of the rabbis was *not* that of ascetism, but rather an ethos of everyday, in-the-world self-discipline; of commitment to family and society; and of devotion to God (all as enjoined by the halakha), coupled with their own group's particular commitment to the study of distinctively rabbinic tradition. Second, when the sages and their disciples endeavor to live up to the standards and norms of their own halakha, they are doing nothing more or less than what they expect every other Jew to do or aspire to do, even though they recognize (and accept?) that many (most?) Jews do not.[7] With the exception of their

7. The early rabbis often use the term *am ha-aretz* (literally, "the people of the land") as a label for Jews who either do not share their view of what halakha specifically demands in a given set of circumstances, or who do not know what halakha specifically demands in a given set of circumstances. Much later, the term came to mean "ignoramus," which is *not* its meaning in early rabbinic traditions in my view (although modern translators of early rabbinic literature often render it so). Thus in Mishnah's imagined world, a high priest can be an *am ha-aretz*, and I do not think that Mishnah intends to convey that such a high priest is uneducated or illiterate; rather, he is not educated in

devotion to study and discipleship, they do not see themselves as a class that is defined by a supererogatory set of norms.[8]

The rabbis, then, were to be immersed in society like everyone else; they were in no way sectarians, even if they expected of themselves exemplary faithfulness to the demands of their halakha. Their ethos of study and discipleship was to be pursued as something "on top of" or "alongside" their activities and responsibilities as social actors among other social actors. Indeed, in principle, their learning was not to be the basis for claiming social superiority or for exacting social privileges or economic advantage (although, as we have discussed at great length in ch. 2, their learning was certainly the basis for their claim to possess special authority to decide matters of halakha).[9] Their exemplary piety and actions were to bring repute, rather than disrepute, on the rabbinic group, as well as to enshrine attitudes and dispositions conducive to learning and discipleship. Authority, it would seem, would be *accorded to them* by the community and its leadership by reason of this repute and learning in combination. (Later, by the medieval period, the rabbis were,

specifically rabbinic halakha (and/or does not share the rabbis' views on such matters) and, therefore, must be instructed what to do by a rabbinic sage—no doubt part of the creative fantasy/imaginings of Mishnah's ideal world.

8. Some may argue that distinctive dress codes were adopted by early rabbis and their disciples expressly to set them apart socially and to mark them as special. In this regard, Jacob Neusner, working with evidence from the Babylonian Talmud for the rabbinic group in Sassanian-ruled Babylonia, remarks that rabbis wore their prayer shawl (*tallit*) and phylacteries (*tefillin)* all day as a kind of uniform (see Neusner, *History of the Jews*, vol. 4). The earlier Jerusalem Talmud (at JT Berakhot 2:3) cites a precedent story (in which the protagonist is the late first-century rabbi Yohanan ben Zakkai) that is often taken to mean that rabbis wore their *tefillin* (and presumably *tallit* as well) all day. But neither Talmud seems to imply that this is a distinctively rabbinic practice, even if not all (male) Jews either in the land of Israel or Babylonia did so (see, e.g., BT Shabbat 118b). Rather, the implication is that some (many?) (male) Jews did, and many did not. And neither class nor vocation seems to be a determinative factor. Indeed, the same could be said about many halakhic norms (whether by rabbinic standards or not) in Jewish society of the period. Today, observant Jews don *tefillin* for the weekday morning service (with some exceptions, when it is worn for the afternoon service instead). But a recent pattern of behavior may be observed among some students in Jerusalem's traditional rabbinic academies (yeshivot); increasingly one observes them wearing *tefillin* all day, not only in the academies but also in the streets. I view this as an instance of adopting a regalia to identify themselves as yeshiva students generally or as students of particular yeshivot.

9. An often encountered interpretation of Avot 4:5; some contemporary Jewish authorities now shy away from this interpretation of Avot 4:5, since in modern times many rabbis do make a living out of studying the rabbinic classics, being supported by other Jews and, in the case of the state of Israel, also by the state, to do so. The political leaders of the nascent state of Israel were concerned that the Holocaust of World War II decimated the ranks of traditional rabbinic scholarship of Europe, and so decided to finance its revival using public money. This policy once established is difficult to revoke.

of course, much more "forward" in expecting to exercise not only authority but exclusive authority on matters of halakha, as was discussed in chapter 2. The consolidation of Karaite resistance to this claimed monopoly is probative evidence of this later development.)

Local Sage

Without wishing to slip overly much into who-type historical issues,[10] let me point out that many (most?) rabbis near and soon after the turn of the third century CE lived in what may be called economically second-tier towns in the land of Israel,[11] particularly on its coastal plain and in the lower and upper Galilee. The major metropolises (the centers of power, money and culture), like Caesarea, Sepphoris/Zippori, and Tiberias, possessed significant (majority?) pagan populations in this era. And these cities were the seats of sub-provincial Roman authority and administration. (Only in the last several years of his life did Rabbi Judah the Patriarch move his household and "court" to Sepphoris. And he or his successors then moved the patriarchal court to Tiberias.)

Whatever *formal* authority the early rabbis actually wielded—and it was probably little in the Jewish communities of the land of Israel at the turn of the third century—was (de facto, mostly) directed at Jews in communities in which Roman administration and pagan culture were relatively less blatant in everyday life than in the metropolises, and remained so even after 212 CE, when most free persons in the empire were accorded Roman citizenship. In these second-tier towns' Jewish communities, rabbis and their disciples operated alongside and in the interstices of traditional, local forms of Jewish communal organization, administration, governance, and authority. These latter forms were dominated by a largely hereditary class of local Jewish grandees ("elders"),[12] local councils, courts, and their administrative agents. Many rabbis likely aspired to be among these agents by reason of their particular education. But to aspire to be is not always to achieve to be. Indeed, some rabbis were attached to the court of Rabbi Judah the Patriarch and his successors as agents of his delimited trans-local administration of

10. For what, in my considered opinion, may be said of the history of the early rabbinic movement, the reader may turn to my account for nonspecialists in my book *In the Seat of Moses*, ch. 2, extracts of which appear as the appendix to this volume.

11. See Miller, *Sages and Commoners*.

12. In terms of normative forms of local town governance in the Roman provinces, it is probably quite apt to think of such a group of local hereditary elders as the *decuriones* of their towns.