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The Talmud Yerushalmi and Graeco-Roman Culture

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Shattering the Logos – or, The Talmuds and the Genealogy of Indeterminacy

by

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Of the two Talmuds and their differences, Jacob Neusner has written:

The sages of the Talmud of the Land of Israel seek certain knowledge about some few, practical things. They therefore reject – from end to beginning – the chaos of speculation, the plurality of possibilities even as to word choice; above all, the daring and confidence to address the world in the name, merely, of sagacity. True, the Talmud preserves the open-ended discourse of sages, not reduced to cut-and-dried positions. But the [Palestinian] Talmud makes decisions.¹

While this is a lucid characterization of the difference of the two Talmuds, I would reframe the point in a way that places the two Talmuds more clearly in diachronic relation. Rather than presenting the practice of the Palestinian Talmud as a deviation, a “rejection,” I would prefer to imagine that it was the practice of the Babylonian Talmud that was constituted through a rejection – a rejection of the desire for “certain knowledge.” The making of decisions is, after all, the more obvious telos of an intellectual endeavor, while the “chaos of speculation” and “plurality of possibilities,” the endless deferral of decision that characterizes the Babylonian Talmud, is more of a novellum.² Reframing the relation between the two Talmuds in this way follows Neusner’s own documentary history approach more plausibly, with the later “document” responding to the earlier one. This diachronic difference between the two Talmuds can be identified as part of a significant epistemic shift between the earlier and the later stages of rabbinic thought.³ In that shift within rabbinic

² For an exhaustive discussion of these characteristics of the Babylonian Talmud, also dating them to the redactional level of the text but presented in a somewhat different explanatory framework, see David Charles Kraemer, The Mind of the Talmud: An Intellectual History of the Bavli (New York: Oxford University Press, 1991) with many examples as well. Christine Hayes, Between the Babylonian and Palestinian Talmuds (Oxford: Oxford University Press, 1997) is also very instructive in this regard.
³ Cf. the explanations offered by Kraemer, Mind, 114–20. Cf. also Mind, 121 where we find a curious denial of history and change within rabbinism, substituting instead a sort of
Judaism, the Logos, one of the central theological entities of the common Judaeo-Christian heritage of Judaism and Christianity, is shattered, with the notion of determinate meaning giving way to a notion of truth not as unitary and univocal, but as plural and indeterminate, like the sparks struck by a hammer from a rock. The Palestinian Talmud seems to consider determination of the correctness of one of the views of paramount importance, whereas for the Babylonian it is most often the case that such an apparent proof of one view is considered a difficulty (qushia) requiring a resolution which, in fact, shows that there is no resolution, for “These and these are the words of the Living God.” David Kraemer writes that “This contrast in overall compositional preferences may be the most important difference between the Bavli [Babylonian Talmud] and the Yerushalmi [Palestinian Talmud].” When seen, as it traditionally is, from the point of view of the Bavli – after all, the hegemonic work for rabbinic Judaism – the practice of the Yerushalmi can seem as strange and even defective. Thus Zecharia Frankel’s classic observation that “The Yerushalmi will frequently raise questions or objections and never supply an answer to them. This phenomenon is extremely rare in the Bavli.” However, when looked at from a non-Bavliocentric point of view, this translates as precisely the willingness of the Yerushalmi to declare that one opinion is wrong and another right – Neusner’s “making of decisions” –, while the Bavli’s practice of refusal of such closure discloses the stranger and more surprising epistemology, one that I would characterize as virtually apophatic with respect to the divine mind, its text, and intentions for practice, as well.

It is the moment when the Babylonian Talmud is redacted, then, that is the moment in which something like indeterminacy and its social correlate, endemic disagreement, become the most striking and salient characteristics of rabbinic Judaism, and thus, the moment, in which, on my reading, the most salient difference between rabbinic Judaism and orthodox Christianity appears, gradual revelation of a truth always known and held by the Rabbis: “It is radical to deny that a single divine truth is available. This fact, at the earliest stages, had to be spoken softly. It could be fully realized only slowly and cautiously, and its comprehensive application had to wait much later.” To his credit, it must be said that Kraemer has at least recognized the diachronic dimension here in some wise even if I find his explanatory model less than compelling.

4 Kraemer, Mind, 95.
5 As paraphrased in Kraemer, Mind, 96.
6 Cf. also Kraemer, Mind, 123–24 for related observations. See Jacob Neusner, The Documentary Foundation of Rabbinic Culture Mapping up After Debates with Gerald L. Bruns, S.J., Cohen, Arnold Maria Goldberg, Susan Handelman, Christine Hayes, James Kugel, Peter Schäfer, Eliezer Segal, E.P. Sanders, and Lawrence H. Schiffman (Atlanta, Ga.: Scholars Press, 1995), 103–06 for a rich characterization of the Bavli that I believe is compatible with the aspect that I am exploring here, as well. See also Foundation, 94–95. One way, however, of thinking of this would be to say that Neusner has exposed the kataphatic correspondence with the apophatic aspect of the Bavli’s theology.
the final form of the Yavneh-myth versus the final form of the Nicaea-myth. A closer reading of some Babylonic rabbinic texts will show that although often presented as an ahistorical definitive attribute, the vaunted indeterminacy of Judaism—perhaps its most striking feature—is the product of this specific moment in history, and not a transcendental essence of rabbinic Judaism. This specific moment, moreover, can be illuminated by close attention to epistemic shifts within Christian discourse that can be elicited from texts of the same period.

Keith Hopkins argues that “unlike Judaism after the destruction of the Temple [in 70 A.C.], Christianity was dogmatic and hierarchical; dogmatic, in the sense that Christian leaders from early on claimed that their own interpretation of Christian faith was the only true interpretation of the faith, and hierarchical in that leaders claimed legitimacy for the authority of their interpretation as priests or bishops.” Hopkins here refines Christianity, as if it were always and everywhere (at least from “early on”) “dogmatic and hierarchical.” Both the “dogmatic” form of Christianity of which Hopkins speaks and the “undogmatic” form of Judaism of which he speaks, however, are the products of particular historical processes. In neither case do we have a transhistorical essence, and in both cases (I suppose), the processes that produced the differences are complexly intertwined. Indeed, rabbinic Judaism and orthodox Christianity, as two hypostases of post-destruction Judaism, found their separate and characteristic forms of discourse and textuality, only toward the end of late antiquity, and not near the beginning.

Hopkins accounts for the rabbinic formation historically in the following way: “Admittedly, individual leaders claimed that their own individual interpretation of the law was right, and that other interpretations were wrong. But systematically, at some unknown date, Jewish rabbis seem to have come to the conclusion, however reluctantly, that they were bound to disagree, and that disagreement was endemic.” From a literary point of view, as we shall see below, “systemically” is given by the redactional level of the rabbinic texts, a given that enables historical placement and diachronic interpretation of the difference between “individual Rabbis,” that is, the earlier stages and the system, that is, its latter formulation. To state this more simply, since the rabbinic text is made up of a virtual anthology of earlier individual statements rewoven into a new document, when we can find systematic and consistent tensions between the statements and the overall meaning of the document, it

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1 Richard Lim, Public Disputation, Power, and Social Order in Late Antiquity, Transformations of the Classical Heritage, XXIII (Berkeley & Los Angeles: University of California Press, 1994) suggests that this form of Christian authority was the product of relatively late socio-historical processes.

would seem that we can reconstruct diachronic changes within rabbinic thought. We can, therefore, locate Hopkins’s “unknown date,” if not precisely, surely more accurately than “after the destruction of the Temple,” specifically towards the end of the rabbinic period in the 4th–5th centuries, at the time of redaction of the classic texts. We also can locate the phenomenon spatially, because it may very well have been much more thematically explicit in Babylonia than in Palestine. 9

God’s Word that Is Not One

The key to a more historically nuanced description of rabbinic Judaism has been provided not by a historian, but by a literary critic, David Stern who discussed the alleged “undecidability” (or protodeconstruction) of language promulgated in midrash. 10 I am going to try, however, to turn his literary critical observations into history. In this formative paper, Stern argued against the notion that midrash represents a species of early deconstruction, or at any rate a theory of language and interpretation that had escaped the logocentrism of Western, Hellenistic (read Christian) interpretation, “an antecedent to the concept of indeterminacy.” In doing so, he raised several important questions, theoretical and historical. 11 The central theoretical questions are whether there is possible anywhere a praxis 12 of interpretation that is not logocentric, and whether or not by claiming that midrash escaped Western logocentrism we are imposing contemporary so-called postmodern categories where they cannot be sustained except by dint of some severe orientalizing moves. 13 The central historical questions are whether it is even appropriate to consider rabbinic Judaism as a system of meaning that has somehow escaped “contamination” by Hellenism with its allegedly attend-

9 I do not mean to inscribe an absolute or binary opposition here between Palestinian and Babylonian rabbinism, just to indicate, as I will below that certain historical vectors already present in the former were taken to a further, more developed and explicit conclusion in the latter. For a highly sophisticated study of these processes, not, however, with respect to our particular issues here, see Hayes, Between The Talmuds.


11 Stern, “Midrash and Indeterminacy.”

12 By using the technical term “praxis” I mean to signify a body of particular theoretical (theological) perspectives, whether articulated or not, and the actual results in hermeneutical practice in which they issue.

ant logocentrism or whether it is indeed a species of Hellenism itself. Stern makes a strong argument for the latter in both cases, further interrupting the essentialist binary opposition between “Jewish” and “Christian” textualities. Stern’s close reading of rabbinic texts suggests that their pluralism – even the highly limited and internal pluralism – is a product not of the rabbinic schools or teachers, but of the redactors of rabbinic texts.

In a famous derasha (rabbinic sermon) analyzed by Stern, the problem of Scripture’s multiple interpretations and their consequences for practice is explicitly confronted in social terms of univocity (of the community, not the text) and difference:

[What does the phrase “the masters of assemblies” [mean]? These are the disciples of the wise, who sit in assemblies and study the Torah, some pronouncing unclean and others pronouncing clean, some prohibiting and others permitting, some declaring unfit and others declaring fit. Should a man say: Since some pronounce unclean and others pronounce clean, some prohibit and others permit, some declare unfit and others declare fit – how then shall I learn Torah? Therefore Scripture says: All of them were given by one shepherd.” One God gave them, one leader (i.e., Moses) proclaimed them from the mouth of the Lord of all creation, blessed be He, as it is written, “And God spoke all these words” (Exod. 20:1; [my italics]). Therefore make your ear like the hopper and acquire a perceptive heart to understand the words of those who pronounce unclean and the words of those who pronounce clean, the words of those who prohibit and the words of those permit, the words of those who declare unfit and the words of those who declare fit. [TB Hagiga 3a–b]]

Here we seemingly have an explicit legendary (aggadic) representation of the consequences in the practice of learning of the (relatively late) talmudic

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15 Stern, Midrash and Theory, 16.
16 I would quibble slightly, however, with his formulation of the “historical” point. He writes: “Classical Rabbinic exegesis, like Rabbinic Judaism itself, was not so much completely ‘other’ to, or apart from, Western culture as it was a marginal presence upon its borders, a tradition that developed by drawing upon Western categories and transforming them without becoming wholly absorbed by them. Historically, Rabbinic Judaism arose in late antiquity out of the fusion between ancient Near Eastern Israelite tradition and Hellenism,” Stern, Midrash and Theory, 16. My quibbles would be with the very binary opposition that Stern is setting up here between “Western” categories and the Ancient Near East on the one hand. Pursuing Stern’s own line of thought further, one realizes that this is already a false opposition (not always already, but historically already), and secondly with the formulation of a Hellenism with which ancient Israelite tradition could fuse. Since Hellenism is always, by definition a fusion and not a “pure” essence, rabbinic Judaism (as Judaism in general) is a Hellenism: Jewish Hellenism, not the same thing, of course, as Hellenistic Judaism. I am in total sympathy with the course of Stern’s thought, therefore, only wanting to pull it somewhat further in the direction in which he is already taking it.
17 as translated in Stern, Midrash and Theory, 19.
18 That is, unattested in tannaitic literature (the rabbinic literature produced in the third and early fourth centuries, and only known from the late fourth-century (Palestinian) and sixth-century (Babylonian) Talmuds.
theological principle that "these and these," however contradictory, "are the words of the Living God." Stern, however, argues that this theology of language was not the operative ideology within the House of Study itself, but is a purely literary phenomenon. Nor does it represent the social reality of human language use but a theological representation of the divine language. It is at the level of the theology of language encoded in the redaction of the rabbinic texts themselves, in their very textuality, and not in the practice of the House of Study, that the moment of undecidability is produced:

This representation, however, is a literary artifact ... The phenomenon we witness in multiple interpretation, in other words, is in actuality a literary impression given by the redaction of Rabbinic literature, the result of a common choice made by its anonymous editors to preserve minority as well as majority opinions, the varieties of traditions rather than single versions.  

Stern introduces an important distinction here. In the literary redactional textuality of the documents, the reader is implicitly informed that what is in human eyes a contradiction is in God's eyes a unity: All of these contradictory words are God's words. But this "unity" does not correspond to any historical reality of rabbinic practice of disputation, according to Stern. Rabbinic literature records bitter and sometimes violent strife between the various groups that constituted "Judaism" after the destruction of the Temple, even if we leave out of the picture the excluded *minim*, the heretics: Gnostics, Sadducees, and Jewish-Christians. As he emphasizes, in the century following the founding of Yavneh, far from a "grand coalition," we find instead a scene of constant combat "to consolidate Palestinian Jewry under the form of the specific religious vision that eventually came to be known as Rabbinic Judaism ... The task of unification was not accomplished easily, indeed, the endemic divisiveness that was a source of tragic factionalism in Palestinian Judaism as well as a source of its individualism and creativity was never entirely eradicated."  

Stern shows compellingly that the narrative context within which the above homily is recited in the Babylonian Talmud refers not to a world of idyllic pluralism, but rather to one in which "conflict [is] a malignant presence and its resolution [is] the violent exercise of power, as indeed it sometimes was in Rabbinic society."  

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19 Stern, Midrash and Theory, 33. This practice is, accordingly quite different from the patristic practices discussed by Elizabeth A. Clark, Reading Renunciation: Asceticism and Scripture in Early Christianity (Princeton: Princeton University Press, 1999), 128–32, which are much more closely analogous to the controversies in rabbinic literature between Rabbits and "heretics" minim than they are to the inner-rabbinic hermeneutical controversies that the Midrash so lovingly reproduces (or makes up).

20 Stern, Midrash and Theory, 34.

21 Stern, Midrash and Theory, 37.
The redactors of the later rabbinic texts chose, however, to enshrine multiple views as being of equal validity:

"In making this choice, the Rabbinic editors did not act without precedent; indeed, they followed in a venerable tradition of early Jewish literature that included such other sacred 'compromise texts' as the Pentateuch, in which separate documentary sources are combined into a single composition as though their agenda and ideologies were compatible (which eventually they are made out to be) ... The difference between these earlier texts and the Rabbinic midrashim is simply that in the latter, editorial policy was elevated to the order of exegetical ideology, to the conception of polysemy as a trait of sacred Scripture. Here, for the first time, editorial pluralism has become a condition of meaning."

Stern thus draws a distinction between earlier Palestinian texts and the "editorial policy" of rabbinic literature by indicating that it is only within the latter that we find "Scriptural polysemy" not only enacted, but thematized, lifted up, as it were, as a theological principle in the form of aggadic narratives such as the one that Stern himself cited. What Stern fails to look at, however, is how the work of these redactors, themselves, is part of the history of rabbinic Judaism and thus of the Rabbis, as well. In his privileging of the individual voices and traditions as the reality of rabbinic practice, versus the redactors whose work is taken to be as merely a "literary artifact," an idealization, Stern is both implying a positivist position (to which I don’t think he really subscribes) and missing an opportunity to do some real historical work on the development of those features of rabbinic textuality which have come (at least in our time) to be the defining features of rabbinic Judaism per se, its vaunted (if haunted "pluralism") and so-called undecidability or indeterminacy, the lack of resolution of debates in the Babylonian Talmud and the multiple, contradictory interpretations of the midrashim.

Before making further progress on the history of ideas here, however, we have to make some distinctions between different casts of rabbinic multiplicity of meaning and their textual analogues. Stern himself makes a sharp contrast between the theoretical/philosophical notion of indeterminacy and the rabbinic practice of producing multiple meanings for Scripture based "Scriptural polysemy." However, the binary opposition between polysemy and indeterminacy is not sufficiently nuanced. We need to distinguish within rabbinic texts themselves between "Scriptural polysemy" and the much more radical theologoumen of the Babylonian Talmud that even mutually exclusive and contradictory views are all part of God’s speech. Moreover, the theologoumenon of

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22 Stern, Midrash and Theory, 34.
23 "In reality," writes Stern, Midrash and Theory. 34. Stern goes on, after this "in reality," to represent rabbinic legend as historical fact.
Scriptural polysemy itself is not a constant in "the Rabbinic midrashim," Stern's view notwithstanding, but is itself a historical product of developments within rabbinic ideology. Secondly, we need to draw a distinction between statements that indicate that the text has multiple valid meanings (even these not a constant of rabbinism, as we shall see immediately) and the much more radical position that even God cannot decide the meaning of his own language.

Stern seems to regard the practices of the redactors of the rabbinic texts and the practices of the Rabbis as coterminous chronologically, with the former representing the ideal speech situation and the latter the real one. It is only thus that he can claim that "polysemy" is a "literary artifact," the product of the redactors of the rabbinic texts, and at the same time write that "the idea of Scriptural polysemy ... represents a virtual ideological cornerstone of midrashic exegesis. The concept does not appear to have changed or developed perceptibly through the classical Rabbinic period, and its use characterizes statements of both halakhah, Rabbinic law, and aggadah." The seemingly ironic practices of the redactors of the rabbinic midrashim, however, cannot be situated earlier than the fourth century, whereas there is every reason to believe, as Stern himself notes, that the situation of the conflict within the House of Study seems clearly to belong to an earlier stage. It doesn't seem possible, therefore, to claim at one and the same time that the concept was in place from the very beginning of rabbinic literature and also to claim that it is only an artifact of the historical moment of the editorial formation of the rabbinic texts. In what follows, I will suggest that the view that emerges from Stern's interpretative insight, that "indeterminacy" is a late phenomenon, is much to be preferred over the view that it is an unchanged cornerstone of rabbinic texts and thinking. In fact, as far as I can see, there is very little, indeed no evidence that would suggest that the ideology of the possibility of multiple contradictory readings that cannot be disqualified, still less the ideology that contradictory opinions are all in some sense correct, can be found in earlier strata of rabbinic textuality, either in the form of explicit thematized claims nor in narratives, or even in the forms of textuality that the earlier texts provide.

I would propose, therefore, that Stern's synchronic "literary" terms -- "traditions" and "redactions" -- correspond instead to diachronic developments within rabbinic literature and thus in rabbinic culture. In analyzing the derashah and its narrative context, Stern opts for a synchronic reading according to which:

The events to which the narrative frame alludes, though they may not be entirely factual historically, represent what Edward Said has called the 'wordly'

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25 Stern, Midrash and Theory, 33.
26 Stern, Midrash and Theory, 18 Actually, unless I have much misunderstood Stern's text, there is a bit more of a contradiction built into it than this. One could ask how a mere "literary artifact" (as Stern puts it, strongly implying a distinction between literary artifact and that which is "real") be a cornerstone?
aspects of the text, the human and social conditions out of which the homilies in the passage came into being. Yet these aspects, with their unhappy implications about the nature of social reality, tend to undermine the idealized portrait of interpretive pluralism portrayed in the homilies. The homilies, in turn, when viewed from the perspective of the frame, appear almost as a kind of rhetorical denial of historical reality, a reality that persists in making its presence felt with the text even as it is being denied.27

Rather than employing a hermeneutic that contrasts one type of information as being about the real speech situation of the rabbinic academies and the other an ideological idealization, we would do better to read both as representations of ideological positions regarding both human and divine speech. Read thus, the texts record a change in the status of multiple meaning within rabbinic ideology, practice, and memory. In other words, the thematized representation of the multiplicity of meaning that we find at the redactional level of the rabbinic texts is, itself, historical in that it discloses the ideology of that late stage in the development of rabbinism, one that has had a major effect in at least some later receptions of that religious formation, as well.

The production of what Stern calls “sacred compromise texts” can be located in other Palestinian Jewish documents, including the Mishna, with its harmonization of the schools of Rabban Gamaliel and Rabbi Yohanan ben Zakkai,28 and the Gospels as collected in the New Testament Canon. But the “elevation of editorial policy” to the order of exegetical ideology,” indeed, “the conception of polycenony as a trait of sacred Scripture” seems a somewhat later phenomenon, having its beginning in Palestinian texts to be sure, but reaching its fullest articulations in the Babylonian Talmud. The distinction between these two categories is that while in the earlier Palestinian texts incompatible views are set side by side, as in the Pentateuch itself, in the Babylonian Talmud, it is a matter of principle that all the views, however incompatible, are right—“all have been given by the same shepherd”—as long, of course, as they are expressed by Rabbis.

At the same time that the emblem of multivocality was being produced in the late talmudic academy, the borders of the social body in whose hands it was

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27 Stern, Midrash and Theory, 37–38.
28 Moshe Halbertal, People of the Book: Canon, Meaning, and Authority (Cambridge, Mass.: Harvard University Press, 1997), 45 points out that in another respect, “The Mishnah, edited at the end of the second century by Rabbi Yehudah the Prince, is the first canon of its kind known to us, a canon that transmits the tradition in the form of controversy: the House (school) of Shammai said one thing, the House of Hillel said another, and so on ... By contrast, in the earlier canon, the Bible, debates are either repressed, concealed, or harmonized.” While I think that Halbertal’s point is well taken, and does reveal how the Mishnah lies—as it ought to—at the rudimentary beginning of the textual practice that would culminate in the Babylonian Talmud, we cannot ignore also the ways that the Mishnah functions also precisely as the Bible does, e.g., in this very tacit merger between the diadochoi of what were clearly rival schools, the “Gamalielites” [=Pharisees] and the “Yohannites” [=Scribes].
given to determine the parameters of radical doubt—to erect the walls of the House of Study, as it were—were being constructed through a process of “domestication” of figures who might otherwise be found outside these borders, figures such as Rabbi Eliezer or the early pietists. On the other hand, frequently enough, while the texts are explicitly intimating the “pluralism” of the Babylonian rabbinic ecclesiology, at the very same time, brushed against their grains, they indicate the sharp limits of that pluralism itself, in large part through their crucial and disturbing focus on gender.

The following talmudic text, from tractate Gittin, dating from circa fourth-century Babylonia, is both scandalous and revealing. The text explores a biblical locus: “And his concubine went astray” (Judges 19:2) in the so-called “concubine of Gibeah” story (Judges 19–21). Two rabbis, in interpreting this story, try to discover what had caused the concubine’s husband to drive her out of his house in anger:

R. Evyatar said, He found a fly on her.
R. Yonatan said, He found a hair on her.
R. Evyatar met up with Elijah [the prophet], and said to him, What is the Holy Blessed One up to?
Elijah said, He is studying [the story of] the concubine of Gibeah.
Evyatar: And what does He say about it?
Elijah said to [Evyatar], He [God] says, Evyatar my son says thus, and Yonatan my son says thus.
Evyatar said to [Elijah], God forbid—there is no doubt before Heaven?
Elijah said to him, These and these are the words of the Living God: [the husband] found a fly and did not get angry; [but] he found a hair and got angry.
R. Yehudah said, The fly was in the cup, and the hair was in that place [her v'la]. The fly is disgusting, but the hair is dangerous.30
R. Hisdai said, A man should never produce fear within his household, for behold the concubine of Gibeah; her husband produced fear in the household, and there was a massacre of tens of thousands in Israel. (Gittin 6b)

This rabbinic narrative deals with one of the most horrifying of biblical stories. In this story, a wife (or concubine) leaves her husband and is eventually violated and murdered. The story is a savage narrative of the most appalling violence toward a woman. It results in civil war, but for the Rabbis it conveys the domestic moral that a husband should not display anger toward his wife, for if he does, she may run away, with devastating personal and public consequences. The Rabbis debate what fault her husband found in her that made him so angry that the concubine grew afraid and ran off. According to one of the Rabbis, he had found an unwanted fly; according to the other, he had found

30 An interesting bit of sexual lore is alluded to here. Women were apparently expected to shave their pubic hair, and even one hair was understood to represent a danger of castration during the act of intercourse (see Rashi on this passage, referring to Deut. 23:2).
unwanted hair. The remarkable thing about the rabbinic text is that it seemingly encodes radical indeterminacy in the biblical narrative itself.

Let us follow this process with the text. In the first move, when Elijah, the mediator of divine knowledge, is asked what God Himself has to say on the question that the rabbis are debating, the text informs us that all He does is quote His “sons,” the Rabbis: “Evyatar my son says thus, and Yonatan my son says thus.” According to the Rabbis, even God, the author of the Book, can only say with certainty that there are various interpretive possibilities. He can only repeat the tradition of interpretation that is extant in the Bet Midrash. Stern is generally correct to assert that,

“What differentiates midrash from indeterminacy ... is the latter’s formal resistance to closure, its final revelation of a perspective that, as Hartman writes, ‘may be, precisely, the absence of one and only one context from which to view the ... world, of one and only one method that would destabilize all but itself, of one and only one language to rule understanding and prevent misunderstanding.’” 10 In contrast, midrashic polysemy is predicated precisely upon the existence of such a perspective, the divine presence from which all contradictory interpretations derive.” 11

If, however, that divine presence confesses of itself that it also has no method and language with which to guarantee correct meaning, then on the level of theory we are very close, I think, to a version of indeterminancy. As if in panic at its own suggestion that the text is inhabited by such radical indeterminacy, that even God can only “teach the controversy” not resolve it, the narrative then opts for harmonization of the two views: The husband found both fly and hair. This weak retreat, however, can be read as only emphasizing the drastic character of what Elijah has actually reported as God’s knowledge/lack of knowledge about what this text means. It remains the case that God is reported as being able only to report the different views of the human readers, as it were, and not to go beyond them. At the same time, it needs to be marked and noted well that the legitimate site of such radical undecidability, the parameters of indeterminacy, are to be set only by Evyatar, My son, and Yonatan, My son. The male Rabbis are the only legitimate subjects of reading. 12 As in other instances

11 Stern, Midrash and Theory, 22.
12 I would disagree somewhat with Stern’s statement that “there is little evidence to support the existence of explicit mechanisms for internal censorship in Rabbinic society,” David Stern, “Forms of Midrash H: Homily and the Language of Exegesis,” in Midrash and Theory (Evanston: Northwestern University Press, 1996), 26. I would argue that the condemnation of heresy in the form of “two powers in heaven,” which can be demonstrated to be the expulsion of an internal theogonamon and not the repulsion of a contaminating force from without constitutes precisely such evidence. See my “The Heresy of Rabbi Akiva,” to appear in James Kugel Festschrift. Moreover, how can we square Stern’s correct insight that early rabbinic society was marked by endemic and near violent conflict with this statement?
in rabbinic and non-rabbinic literatures, we see here too the discursive occupation of female bodies, ostensibly in a "liberatory" utterance, as the means for the securing of rabbinic control.\textsuperscript{33}

It is stories such as these that have been taken up in much contemporary writing on rabbinic Judaism as encoding either radical undecidability in the theoretical sense or radical pluralism in the social sense. No one, scholars suggest, can exercise control over interpretation according to the rabbinic system of midrash, for the Rabbis allegedly understood that no textual interpretation is ever definitive, even that of the Author himself.\textsuperscript{34} Somewhat less lyrically, but still idyllically, we sometimes find this structure described as one of a radical democratization of interpretation within rabbinic polity.\textsuperscript{35} Neither of these two constructions, however, pays attention to the fact that interpretative authority is located exclusively in the rabbinic Study House. Far from representing a utopian moment of ludic interpretative freedom,\textsuperscript{36} the project of a hermeneutic parable like this one is to advance the rabbinic program of exclusive control over the religious lives of Jews and to secure the interpretation of the Torah for their institution, the House of Study, in whose controversies all truth and authority lie.\textsuperscript{37} This recognition, slightly reformulated, is, I think, one of the solid achievements of Stern's essay.\textsuperscript{38}

At the same time that we recognize clearly that on a political level we are not dealing here with a relaxation of social control, but rather with an elegant and powerful technique of "consensual Orthodoxy" – that most telling of ironies of the fourth-century Church –, we also find before us here a genuinely


\textsuperscript{35} See Halbertal, People, 7. In fact, this is no more a democratization than is the "medicalization of childbirth," on the assumption that "everyone" can become a gynecologist. Halbertal explicitly refers to the fact that all men (!) had theoretical access to the beth midrash as proof of its democratic nature, not noticing that the stringent controls that the institution placed on interpretation, legitimate and illegitimate, represented an even more general set of exclusions (that is, of all those who did not accept the rabbinic program) rather than simply the exclusion of women, which Halbertal duly and fully remarks.


\textsuperscript{37} I mean by this to ascribe nothing sinister to the rabbis, although the effects on some Jews (especially women) might well have been very deleterious, as the subject matter chosen for this hermeneutic parable might hint. It is not inapposite for me to mention that I am one of the scholars whose (former) opinions I am here revising – cf. Daniel Boyarin, Intertextuality and the Reading of Midrash (Bloomington: Indiana University Press, 1990), esp. 33–37.

\textsuperscript{38} This point alone does not, however, serve to dismiss the claim for a theoretical "indeterminacy" akin to deconstruction alive in these Babylonian texts. We should not forget the will to power wielded by theory either, something that it that Derrida, at least, is indeed ever mindful of; as opposed, perhaps, to some of his American epigones.
radical theological critique of the notion of determinate meaning of the biblical text, so radical that, as we have just seen, the last stratum of the text retreats from it in virtual panic.\textsuperscript{39} The notion that even God does not know, cannot know as it were, the meaning of the text, because there is no determinate meaning in a written text to be known, is, to the best of my knowledge never found in Palestinian rabbinism,\textsuperscript{40} although in a sense it is encoded in the final (fourth-century or later) form of Palestinian midrash, with its profusion of multiple interpretations set side by side. This suggests to me a three-stage development, from the earliest practice of tacitly sacred compromise texts, to the redactorial level of Midrash in which the sacred compromise is thematized, to a final Babylonian stage in which it is theorized and made an explicit theological reflection on divine language. This does result, I think, in a phenomenologically significant difference between a late ancient (post-Nicene) Christian textuality in which we find normative statements effectively of the form: St. Augustine says, or St. Gregory says (i.e., two separate and alternative normative statements, and indeed, in "patristic orthodoxy," they say the same thing),\textsuperscript{41} while the definitive form of the rabbinic normative statement is rather: Rabbi Eyyatar says and Rabbi Yonathan says.

Another way to articulate the difference between the final, Babylonian stage of this development and the earlier stages would be to say that if for the earlier Palestinians undecidability seems to be the product of the limitations of human knowing,\textsuperscript{42} for the Babylonian Talmud, in its late redactorial stage, it would seem to be a condition of language itself, so that the idea that even God cannot know the truth of the text can at least be entertained.

We can widen this reading by extending its textual base in two directions, first, to the Babylonian talmudic context of the derasha itself, as suggestively read by Stern, then to Palestinian rabbinic parallels to that text. The narrative context in the Babylonian Talmud implies, interestingly enough, precisely the opposite situation from that which the derasha itself projects. It begins with the following story:

Our Sages have taught: There was an incident in which Rabbi Yohanan ben Beroqa and Rabbi El'azar Hasma went to visit Rabbi Yehoshua' in Peki'in. He said to them: "What was the innovation in the House of Study today?" They said to him: "We are

\textsuperscript{39} See for a quite similar point, Stern, Midrash and Theory, 34–35.

\textsuperscript{40} Although to be sure, there is a version of the "Stove of Akhnai" in PT 81 e-d that approaches this idea. Since Rabbi Yirmiah the fourth-century Babylonian, is cited centrally within that text, however, we have a terminus post quem for it after his time. See also Kline, Mind, 122–23 for discussion of crucial differences between the two versions.


\textsuperscript{42} Or, as in Augustine "the result of the biblical author's own obscurity," Stern, Midrash and Theory, 25.
your students, and we drink your water." He said to them: "Even so, there cannot be a session of the House of Study without an innovation. Whose Shabbat was it?" -- "It was the Shabbat of Rabbi El'azar the son of 'Azaria" -- "And what was the Haggada today?"

The disciples go on to detail the teaching of the day in the House of Study and then Rabbi Yehoshua' himself provides them with the derasha on the "disciples of the wise, who sit in assemblies and study the Torah, some pronouncing unclean and others pronouncing clean, some prohibiting and others permitting, some declaring unfit and others declaring fit," cited above from Stern's discussion.

The narrative context is somewhat ironic. The question "Whose Shabbat was it?" is an explicit allusion to another Babylonian legend (which will be discussed below) in which anything but an ironic pluralism is comprehended. In that story, Rabbi Yehoshua' has had the temerity to disagree with Rabban Gamaliel and for this act was forced to humiliate himself and publicly violate the halakhic principles for which he stood — hardly an instantiation of "pluralism." Moreover, in revolt against Rabban Gamaliel's act against the popular Rabbi, the Rabbis deposed him from the Patriarchy and installed Rabbi El'azar ben 'Azaria in his place. At the end of the story, Rabban Gamaliel is reinstated as Patriarch, but he and his temporary replacement alternate preaching in the House of Study, hence the question: "Whose Sabbath was it?" In spite of the "happy ending" of the Talmud's story, it would seem from the present text that in at least some version of the story, Rabbi Yehoshua' remained an exile as a consequence of these events. The narrative context, therefore, ironizes the irenicism implied by the derasha, which can actually be read as a plea on the part of Rabbi Yehoshua' for such a pluralistic approach and indicates that it was, at best, a utopian ideal, an ideal, moreover, that is only promulgated in the latest layers of the talmudic redaction.

This point can be further made by referring to parallel texts. To be sure, the very late midrashic compilation Numbers Rabba (14:4) incorporates this story in the form that we find it in the Babylonian Talmud (very likely taken from that tradition), however, like other Palestinian midrash texts, and especially the significantly earlier Ecclesiastes Rabba, it has a different version of the derasha in which quite a different point is made:

And if he has heard Torah from the Sanhedrin, it is as if he heard it from Moses, for it says "They were all given by one shepherd" — that is Moses" [Kehellet Rabba 12:1].

As we can see, in this Palestinian midrashic version, there is no discussion of disputing voices as all divine, no notion that all are correct in the divine mind.

\[\text{\footnote{The fact that the text refers to the Babylonian narrative of Rabbi Yehoshua's exile supports this argument as well.}}\]
That view is found only in the latest of the versions of rabbinic Judaism, a version that is at least arguably Babylonian.

The narrative from BT Berakhot 27b–28a alluded to in the Ḥagiga story above will further support the reading of a shift within rabbinic ecclesiology, one that the rabbinic narrators themselves seem to remember as such. This legend represents the time of Yavneh as a time of exclusivity, centralized authority, and monovocality in halakhic discourse, in direct opposition to the later talmudic representation that “these and these are the words of the Living God.” The narrative, however, also encodes a transformation of the power/knowledge nexus of the rabbinic academy. This passage and its seeming contradiction of the dominant self-representation of the culture have been much discussed in the literature.

According to the story in the Babylonian Talmud, Rabban Gamaliel forces Rabbi Yehoshua’ to submit to his position on a particular matter of practice, indeed “to appear before him with his stick and rucksack on the day [that Rabbi Yehoshua’ held to be] The Day of Atonement.”44 In other words, we have here the precise opposite of the ideological position enshrined in the phrase “These and these are the words of the Living God.” The question that needs to be raised is: Why would the Talmud represent a reality so at variance with its own ideological position on the role of halakhic diversity?45 An answer to this question can be found in the sequence of the narrative that follows this. First, the Sages in the academy rise up and rebel against Rabban Gamaliel for his high-handed treatment of the popular Rabbi Yehoshua’. Rabban Gamaliel is deposed from his position according to the legend.

44 It is interesting to compare the activity of “the Wicked Priest” in Pesher Habakkuk col. 11 (II. 4–8) on Habakkuk 2:15: “Its interpretation concerns the Wicked Priest who pursue the Teacher of Righteousness to consume him with the fierceness of his anger in the place of his banishment, in the festival time, during the rest 7 of the day of Atonement. He paraded in front of them, to consume them 8 and make them fall on the day of fasting, the sabbath of their rest” (trans. in Florentino, García Martínez, The Dead Sea Scrolls Translated: The Qumran Texts in English, translated by Wilfred G. E. Watson [Leiden New York: E.J. Brill, 1994], clearly an earlier example of a narrative of an authority forcing a dissident group to violate their appointed Day of Atonement. I would go so far as to suspect that the rabbinic story is a late reflex of the same topos. Even though by the time of the Rabbis (at least among them) it would seem certain that the solar calendar was no longer an issue, still calendrical conflict remained a major bone of contention.

45 This point has been emphasized together with citation of earlier critical views in Haim Shapira, “The Deposition of Rabban Gamaliel: Between History and Legend,” in Hebrew with English summary, Zion LXIV, no. 1 (1999): 25–6: “The behavior of Rabban Gamaliel towards Rabbi Yehoshua requires explanation, for it does not sit well with the approach that lends legitimacy to controversy in the world of the Sages.” As Shapira shows there quite ably, the Palestinian talmudic and Babylonian talmudic versions of these stories about Yavneh in no wise represent first-century realities but the particular political situations of the relatively late Palestinian and Babylonian rabbinic politics in which they were told, and only the Babylonian version raises this issue.
The text continues, however, with a vitally important narrative sequence, one that once more is found only in the Babylonian talmudic version:

It is taught: On that day they removed the guard at the door [of the Study House] and gave permission for the students to enter.

For Rabban Gamaliel used to announce and say: “Any student whose inner self is not identical to his outer self shall not enter the Study House.”

On that day they added many benches.

Some authorities claim, in fact, that four hundred benches were added and some that seven hundred were added. As shown by Haim Shapira, there is virtual unanimity among talmudic philologists that this narrative is a Babylonian talmudic production.46 The phrase “on that day” is explicitly referred in the text to this foundational shift in the politics of the House of Study, remembered, memorialized, and narrated exclusively in the tradition of the Babylonian Talmud. “That day” is the day on which a shift took place to a “democratic” and “pluralistic” form of rabbinism from Rabban Gamaliel’s version of a Judaism in which there was a central authority who decided whose “inner self was identical to his outer self” – a hermeneutics of the person corresponding to a monistic hermeneutics of the text as well.47 The text even takes the trouble to inform us that everywhere in the Talmud that it says that something happened “on that day,” this is the fateful day that is meant. Obviously, if this were only some form of moral exhortation, there would have been no need for guards to enforce it, or any possibility that guards could enforce it, so it must have referred to some sort of test of orthodoxy and submission to the authority of Rabban Gamaliel.

This shift in the ecclesiological system explains the otherwise nearly unprecedented treatment of Rabbi Yehoshua in our story. In this legendary form, the Talmud itself is preserving/constructing a memory of when things were not quite as they are now, but also not quite as the Talmud ordinarily memorializes Yavneh, in order to deal with or dispense with that alternative memory. We find in this narrative a structure not unlike that found Athenian myth-making, including even the drama,48 for instance, in the Oresteia. A currently dominant institution (whether The Law Courts of Athens or the rabbinic House of Study) establishes its authority via a myth of foundation that represents the bad old days that it displaced and replaced. This aggada narrates this as a conflict

47 As pointed out to me by Dina Stein. David Goodblatt, “The Story of the Plot Against R. Simeon b. Gamaliel II,” in Hebrew, Zion 49, no. 4 (1984): 362–69 has shown that the motif of a guard at the doors of the House of Study is itself an exclusively Babylonian element.
between Rabban Gamaliel and Rabbi Yehoshua, whom we have already met as dominant dramatis personae in the Yavneh narrative.

The Talmud makes its values entirely transparent here by informing us that Rabban Gamaliel was upset when he saw the change, thinking that he had withheld the Torah from Israel. In a dream, he sees, however, pitchers fall of ashes, implying that all the newly admitted scholars are unworthy, and Rabban Gamaliel is comforted thinking that his former behavior has been divinely approved. The talmudic narrator, however, takes the trouble to inform us that it wasn’t so, that the only reason that Rabban Gamaliel was afforded this dream was to calm him down. The new regime of open access to Torah is thus firmly and definitively approbated by the authoritative voice of the talmudic narrator, matching up well with the literary practices of the talmudic and midrashic redactors, as well.

The Babylonian Talmud thus narrates a diachronic change in the ecclesiological pattern, the end of “the bad old days,” associated with Rabban Gamaliel, the Babylonian mythic representation of the Palestinian Patriarch. The comparison to the Oresteia is, I think, apt, for just as that narrative marks a shift in power structure within the Athenian polity to one of “democracy” and “rationality,” so does the talmudic epic before us. And just as that narrative appalls at least some of us for its representation of the respective worth of men and women, so also the talmudic story appalls for its severe exclusionary practices. The vanquishing of real religious dissent in Israel, the safe haven of power and privilege which the Rabbis had achieved by the fifth century enabled a portrayal of themselves as the ultimate democrats and meritocrats. All who would once have produced real dissension were now firmly out of the community, so within: Let pluralism ring! According to the Talmud, in the beginning, there was a “Monarchian bishop” in Judaism, and in the end, a kind of democratic meritocracy. The Babylonian Talmud itself “remembers” that there has been a change in the pattern of rabbinic truth, a redeployment of the terms of orthodoxy and heresy, so that where once borders were being thrown up with insistence on only one true Torah, now the notion of many indeterminate truths can safely be promulgated. It thus remembers the diachronic difference which the redaction of the Babylonian Talmud itself marks.

This historicist argument gives us further understanding of both the similarities and the striking differences between “Nicaea” and “Yavneh.” Barnes sharply phrases the new narrative of Nicaea: “In the end, Nicaea 325 became orthodoxy only when its potential cost to real distinctions was contained at Constantinople 381.” Of Yavneh we could say (marking at once both the similarity with

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50 Barnes, “Trinitarian Canon,” 62.
Nicæa and the difference from it) that the myth of a universal, inclusive creation of a non-sectarian Judaism became orthodoxy only when its potential cost to the blurring of the boundaries of rabbinic Judaism was contained—also late in the fourth century if not later than that. By the time the Babylonian Talmud retales this story, the Rabbis have won the struggle for hegemony (at least in Babylonian and its tributary communities—North Africa for instance), the heresiological strife of the past and of Palestine is over, the “parting of the ways” has taken place, the lines are clearly drawn between Jewish identity and Christian identity, between Jewish practice and Christian practice, and it is plausible at least to speak at this point of a single Christianity and a single Judaism—at least for a time. In this sense, as Rosemary Ruether put it a quarter of a century ago, “The fourth century is the first century for Christianity and Judaism.”

Shattering the Word; or, Indeterminacy Historicized

The theological principle of the undecidability of the divine language came into being in that Babylonian moment, the moment when real dissent was banished from Israel. To pay attention only to the negative or critical aspect of that moment, however, is to misread rabbinic culture, for it was in that moment that the characteristic forms of rabbinic literary and religious creativity became crystallized, as well. Isaac Heinemann described midrash, long before Derrida, as the “shattering of the Logos.” On the social level, the legendary decision to allow all to enter the House of Midrash may require a very suspicious hermeneutic but it very compellingly parallels the development of hermeneutical theory as well. The notion of only allowing to enter he whose “inner self” was identical to his outer self is predicated on a kind of hermeneutical certainty that is the very opposite of the hermeneutical—again not social—free play that characterizes the later midrash and constitutes its very mark of cultural and literary creativity.

I will read here the locus classicus for this image and thus for the notion of midrashic indeterminacy. As we shall see, this locus is a Babylonian site, in spite of its being cited in the name of Palestinian Rabbis.

51 The reasons and conditions for this containment remain to be explored elsewhere.
54 I am grateful to Dina Stein for helping me see this point.
Rav Asi asked Rabbi Yohanan, "if two have said the same law from two verses, what is the law?" He said, "they are not counted as more than one." From where is this principle? Abaye said, "for the verse says, One spoke God, these two have I heard."

One verse gives rise to several laws [meanings], but one law does not come out of several verses." He of the house of R. Ishmael teaches it, "Like a hammer which shatters a rock;" just as the hammer is divided into several sparks, so a single verse gives rise to several laws." [BT Sanhedrin 34a]

The talmudic text begins by articulating a rather surprising principle in rabbinic legal hermeneutics: on the one hand, it is excluded that the Torah ever repeats the same law in two places, on the other, any given verse can have multiple meanings. This principle demonstrates how thoroughly different this rabbinic conception of language is from that which for us is so commonplace that we can hardly think our way out of it long enough to understand another culture. In the end, however, the shattering of the Logos reflected in such a conception of language provides the most significant clue for understanding how rabbinic Judaism and orthodox Christianity formed distinct religio-cultural systems, at least for a time at the end of late antiquity, and not just distinct social groups.

Before we can assess the significance of this rabbinic text for religious history, we will have to read it carefully. This midrash is not simply a simile, but an interpretation, a reading of a simile, so let us begin by looking at the biblical text that it glosses: "Behold, thus is my Word like a fire and like a hammer which shatters the rock/which is shattered by the rock." The ambiguity of the Hebrew syntax will have some importance, as we shall see below. In the verse itself, however we construe it grammatically, it is clear that it is God's word which is being compared to the hammer. The midrash is not necessarily constrained by the grammar of the verse, but a priori, there seems no reason to assume that it is not. Therefore, I will begin with the assumption that in the interpretive remark of the tanna it is the hammer which represents the verse of the Torah. If so, then all the text says is that just as the hammer is shattered by or shatters the rock into several entities, so does the verse give rise to several meanings. The rock is not identified in the simile at all.

A passage from Kiddushin 30b, however, raises difficulty with this reading:

The one of the house of Ishmael taught, 'my son, if the wicked one [the evil inclination] meets you drag him, to the study house. If he is a stone, he will be dissolved; if he is iron, he will be shattered, for it says, "And as a hammer which the rock shatters/stones shattered by the rock." If he is a stone, he will be dissolved, for it says, "All who are thirsty, go to water!" [Isaiah 55:1] and it says, "stones – water has worn them down" [Joh 14:19]

56 Psalms 62:12.
57 Jeremiah 23:29.
58 The translation is purposely vague at this point.
It is quite clear that the stone in the first half of the dilemma and the hammer in the second are figures for the evil inclination, but where is the study house? The continuation makes this clear, for it invokes a topos of midrashic interpretation, that “water” = Torah: “drag him, to the study house, for it says, ‘All who are thirsty, go to water.’” This what the midrash accomplishes by citing the verse from Isaiah, which is the traditional source of this topos, because in the prophetic text “water” actually does signify Torah. This enables “water” to be used as an intertextual sign for this equivalence in many places.\(^{59}\) Accordingly, the second half of the dilemma must also have an equivalent for Torah (justified, of course, by the explicit figurative content of the verse about, “My Word.”) If the “hammer” is the evil inclination, the only candidate left for the Torah is the rock—a reversal of the apparent meaning of the simile in its original biblical context, which certainly seems to be ‘My word is like a fire, and My word is like a hammer.’ The midrash is accordingly difficult, because the fragment of the verse is being torn entirely out of its context.

The difficulty has been well phrased by the Rashba\(^{60}\) on Sukkah, who says:

And if he be iron, he is shattered, like a hard rock which shatters the hammer, and this is what it says, “And like a hammer which shatters the rock,” that is to say, “like a hammer—the rock shatters it.” But this cannot be correct, because the verse compares the words of Torah to a hammer, and it must be causing the shattering, not being shattered.

Rashba’s solution is to adopt a radical emendation of the Talmudic passage:

There are some who read, “if it be stone, then it will shatter and if it be iron then it will melt,” meaning: the words of Torah are like the fire which heat the iron and melt it, as it is written, “Behold my word is like a fire.” And similarly, the words of Torah are like a strong hammer which shatters the pieces of rock, as it is written, “and like a hammer which shatters the stone.”

There seems to be no evidence, however, for this emendation, but it does expose the difficulty brilliantly and precisely. If we understand the “hammer” to refer to Torah, as the original biblical verse seems to mean, then the midrash is incomprehensible in its present form, but if we understand the “hammer” to be the evil inclination which is shattered by the rock—“the Torah”—rendering the midrash coherent, as in the Kiddushin passage, the sense of the verse is totally ignored. Is there any way to avoid emendation and save the text?

The Maharsha\(^{61}\) in Sanhedrin has tried a completely different approach to this problem:


\(^{60}\) Rabban Shlomo ibn Adret, a twelfth century Spanish Talmudic commentator of the school of Nachmanides.

\(^{61}\) R. Shmu'el Ederles, a major sixteenth century Polish Talmudist. His gloss is quoted by Handelman but apparently totally misunderstood.
One can interpret here that according to these homilies, the word *sela* is from rabbinic Hebrew *sela* where it means a coin, which is also from metal and iron.

Maharsha goes on to explain the simile according to this view. The “iron” of which the Talmud speaks is not the hammer, as we had previously thought, but rather the “rock,” which the Maharsha justifies because the word that means rock is also the name of a coin made ostensibly of iron. The coin with which the hammer=Torah shatters is the nature of the human. Just as a coin which is no longer valid is put under the fire and hammer to be recoined, so is the human with his or her evil inclination, remade under the fire and hammer of God’s word.\(^{62}\) For my taste, Maharsha’s comment is rather going beyond what seems to be a reading supportable in the text itself, which nowhere hints that it is speaking of a coin. Moreover, coins are not typically made of iron.

Philology, it seems, has reached its limiting case here. Either emendation or lexicographical pyroplatonic techniques seem to be required to save the text from splitting between the verse and its interpretation. Maharsha’s comment is nevertheless helpful. We have to identify the realia of a simile before we will be able to understand it. Of course, I do not mean the “real realia,” but the socio-linguistic code of realia to which the text seems to refer. Let us go back to the *Sanhedrin* text: “Like a hammer which shatters a rock: just as the hammer is divided into several sparks, so a single verse gives rise to several laws.” The most important questions of realia that we must ask here are: Are we in a quarry or a blacksmith’s shop?\(^{63}\) and are we dealing with fragments or sparks? Before we can begin to read the figure here, we simply have to know what it is, or know the parameters of doubt.

I believe that a strong argument can be made for the blacksmith’s shop and sparks, and that this argument will ultimately provide the answer to the dilemma above. That sparks that fly out from under a blacksmith’s hammer is a topos, and they are referred to via the same word used in our simile. Thus, for example, in TB *Baba Kamma* 32b, we find:

If one entered a blacksmith’s shop and sparks flew out and hit him on the face and he died, the blacksmith is not liable.

Moreover, in *Tanhumma* *Wayesheb* 1, Joseph’s sons are compared to “the sparks of his smithy, which would ignite the straw.”

There is, therefore, evidence for seeing the hammer here as the blacksmith’s hammer and the sparks as the red-hot bits of metal that fly out from under the hammer when it strikes metal.\(^{64}\) On the basis of these considerations, we can

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\(^{62}\) It is interesting to note a certain Pietist, even “Lutheran” note in the 16th century east-German Rabbi.

\(^{63}\) Rashi on Jeremiah, ad loc, showed awareness of this question when he asked whether the word *patish* should be translated “pick” or “mariel.”

\(^{64}\) See also Stern, Midrash and Theory, 18.
suggest that the Rabbis understood the two similes as being in synonymous parallelism. My Word is “like fire” and “like a hammer” which are to be understood as semantic parallels as well.\(^{65}\) It follows then, that the idea of “fire” is repeated in the second bi-colon of the verse. We then understand that the “hammer which shatters the rock” is not being understood concretely but rather referring metonymically to the situation of the hammer striking the rock.\(^{66}\) In other words, the whole figure, the hammer striking rock, is the vehicle of the tenor, the Word of God, and not one or the other entity. Since, as I have said, the semanteme “fire” is given by the parallelism with the first half of the verse, the Rabbis understood that what is being referred to is the shower of sparks that results from the hammer blow of the smith. Translating the verse in accordance with this reading, we would get something like, “My word is like fire, saith the Lord; yea like the hammer striking [sparks off] the rock.”

Notice that this reading solves all of the problems here, and one is no longer constrained to adopt the forced reading “As for the hammer, the rock smashes it.” On the other hand, the Kiddushin passage does force us to understand the verse in that way. The two midrashim have each understood the verse in a very different way, one reading the verse in its entirety and the other breaking a fragment free of its context and reading it alone. The two texts taken together then form a very elegant self-referential illustration of precisely the point that the Sanhedrin passage wished to make: “One God has spoken; these two have I heard.” A single verse give rise to two incompatible meanings, that is, it can be interpreted in accordance with all of the possibilities that its language allows.

We are not the first to be charmed by this moment of self-referentiality. The Tosefot (talmudic glossators of medieval Ashkenaz) have already remarked of this text:

And even though there [ in Kiddushin] he compares The Evil inclination to the hammer and here [ in Sanhedrin] the Torah [is read as the hammer], that should not disturb us, for a verse gives rise to many meanings. [ad loc]

I am not sure whether this is “a good version of the hermeneutic circle,” as Susan Handelman would have it,\(^{67}\) but it certainly is a lovely example of a text illustrating by its very form the point it wishes to make, an elegant self-reflexivity. This is a common move of midrashic rhetoric.\(^{68}\)

\(^{65}\) I owe this interpretation in part to a conversation (sometime in the 1970’s) with my friend and study partner of those years, Prof. Mark Steiner.

\(^{66}\) According to Steiner, what we have here is “deferred ostension.”

\(^{67}\) She has, moreover, seriously misread the sentence, taking it to refer to the Shabbat passage and not the one from Kiddushin. Indeed, she seems unaware of the latter text and its import.

\(^{68}\) “Any consideration of the relationship between theory and midrash might do well to begin with the difference between the self-reflexivity of contemporary theory — thought
I would suggest, then, that the Sanhedrin text does provide evidence for a special understanding of semiology among some Rabbis: The question is: Which Rabbis? There is an important parallel to the Sanhedrin passage which may direct us to an answer. In Shabbat 88b we read:

Rabbi Yohanan said: What is written, “H’ gives a word; great is the company of those who announce it [Psalms 68:12]”? Each and every word that came out of the mouth of the Power was divided into seventy languages. The one of the House of Rabbi Ishma’el teaches: “And like a hammer smashes a rock,” just as this hammer gives rise to many sparks, so each and every word that went out from the mouth of the Holy Blessed One, was divided into seventy languages.

As pointed out recently by Azzan Yadin, the Shabbat text, seemingly an almost exact parallel to the Sanhedrin passage, has, in fact, nothing whatever to do with “polysemy.” Yadin compellingly argues through the citation of well-known (but previously misunderstood) and recently discovered texts that the “seventy languages” of the Shabbat text has to be interpreted as seventy different human tongues, and not seventy different meanings, as one would perhaps predict from the Sanhedrin text. This point is of some importance, for as Yadin has demonstrated extensively, within the tannaitic corpora, Rabbi Yishma’el and his school stand for anything but midrashic “indeterminacy.” His argument thus throws into serious question Stern’s claim that “The concept [of Scriptural polysemy] does not appear to have changed or developed perceptibly through the classical Rabbinic period.” Not for the school of Rabbi Yishma’el does one text give rise to many and contradictory meanings. Moreover, in their relative “logocentrism,” the translatability of the text into other languages would be both plausible and expected. The point can perhaps be made more widely of Palestinian thought, since Rabbi Yohanan, also, of course, an early Palestinian, seems to be making it as well in the Shabbat passage. Moreover,

...
the idea of the Torah being given in many languages is to be found in other tannaitic texts, as well, such as Mishna Sohal 7:5, where it is a gloss on “Fully explicated” [Deut. 27:8]. If, indeed, as Yadin compellingly argues, the Shabbat version represents an earlier iteration of this text, then we would have some tentative further evidence for the point that the notion of the polysemic of the biblical language (as directly opposed to its translatability) is a late and Babylonian notion. Indeed, I would correlate these two terms, “late” and “Babylonian,” following the thesis of Christine Hayes22 that the differences between the two Talmuds in hermeneutics are in more often to be explained diachronically, rather than as a product of the different cultural environments of the two rabbinic communities.

The image of God’s word as a hammer striking sparks off an anvil made of rock is itself a striking representation of the inherent multiplicity of meaning in the language of the Torah, its always/already status of inscrutability that comes with a necessary dissemination of meaning. It is, therefore, precisely what it claims to be, a powerful metaphor for multivalence. There is testimony here for a late and Babylonian talmudic understanding of hermeneutics which denies completely the concept of a Logos lying behind and outside of the text, limiting and controlling meaning, an understanding that produces commentary that is very different equally from the hermeneutics of the so-called “simple meaning,” from a Philonic allegorical interpretation,23 from the Christological Logos interpretations of Clement and Origen, and from the hermeneutics of the hierarchic four-fold meaning.24

This “smashing” of the Logos, its shattering into midrashic indeterminacy, was at least in part conditioned precisely by the displacement of Logos theology by trinitarianism and total identification between the Logos and the Son within the Christian world – a transition that displaces Logos theology itself, with Logos superseding Logos,25 leading the Rabbis consciously or unconsciously to reject the Logos and all of his works, including the work of guaranteeing truth and meaning. This understanding correlates well with the explicit

22 Hayes, Between The Talmuds.
23 It certainly seems telling to me that while Thomas H. Tobin, S.J., The Creation of Man: Philo and the History of Interpretation, The Catholic Biblical Quarterly Monograph Series, vol. 14 (Washington, D.C.: The Catholic Biblical Association of America, 1983), 166 understands that Philo could consider mutually contradictory interpretations all “divinely inspired” and worthy of recording side by side, Winston considers this a “desperate solution,” David Winston, Logos and Mystical Theology in Philo of Alexandria (Cincinnati: Hebrew Union College Press, 1985), 23, a position that the latter could hardly maintain if it were late midrash of which we spoke.
25 As Virginia Burrus, “Creatio Ex Libidine: Reading Ancient Logos Differently,” conference presentation (Drew University, 2001) has shown, the Logos of Derridean logocentrism is precisely not the Logos of Logos theology!
ideology of the late narrative responsible for telling the story of the *derasha*
analyzed above, as well as with the implicit ideology of the redactional level of
the midrashic texts, to be sure Palestinian in provenience, but similarly late.

Comparing our Sanhedrin passage with its Palestinian talmudic parallel will
prove suggestive for this point. In that Talmud we can read:

“Remember” and “Keep” were said in one utterance, something which is impossible
for the mouth to say and for the ears to hear ... And so also it says ‘One spoke God’
in speech, ‘these two I have heard’, and it is written, ‘And as a hammer smashes a
rock’” [Yerushalmi Nedarim 3:2, 37d].

In this text, the topos, “as a hammer shatters a rock” at first seemingly the same
as in the Babylonian Talmud, performs an entirely different function. It explains
away obvious contradictions within the biblical text. In one version of
the Ten Commandments, the Jews are enjoined to “remember the Sabbath Day”
[Exodus 20:7], while in the other, they are enjoined to “Keep the sabbath day”
[Deuteronomy 5:11]. But the two versions of the Ten Commandments refer, of
course, to only one speech event on the part of God. The Yerushalmi, and also
its midrashic parallels, cite in this context several laws which seem to be
contradictory between their versions in Deuteronomy and in the earlier parts of
the Pentateuch, and in every case they conclude that God made only one
statement which was heard as two, that is, that God said the two things at the
same time, and it is up to humans to reconcile the apparent contradiction. The
hammer striking the rock here thus refers to the mysterious nature of the divine
speech, which can make two statements at the same moment, that are then
heard as if they were two statements, but need to be reconciled hermeneutically,
as the midrash does in this case, articulating a way in which the Sabbath is both
remembered and kept.

This usage of the verses “God has spoken one; two we have heard,” and the
hammer striking the rock are in almost the exact opposite sense in which the
midrash of the verse and the hermeneutical theory it implies would develop in
the latest strata of the Babylonian Talmud. This point can be made definitively
by citing one of the parallels from the Palestinian midrash texts. In the Mekhilta
of Rabbi Shim’on to Exodus, we read:

The words said here are identical to the words said there. They both mean the same
thing, which is impossible for the mouth to say and for the ears to hear. Here it says,
“And God spoke all of these words,” and further on it says, “One spake God, these
two have I heard.” And it also says, “Behold my word is like fire, the utterance of God
etc.” Just as that fire is divided into several sparks, so one matter is brought out in
several verses.

Whereas in the Sanhedrin passage of the Babylonian Talmud, it is insisted that
one utterance of the Torah has several meanings, here it is claimed that one
proposition, one meaning, may appear in more than one place in the written text
of the Torah and in synonymous but different language – precisely the claim that is being rejected in the Babylonian Talmud. This parallel again supports both the argument of Yadin as well as the larger argument that the notion of Scriptural polysemy belongs to a relatively late layer in the formation of rabbinic textuality, one that can be found in redaction of the midrashic texts and in narrative and theoretical formulations virtually exclusively in the Babylonian Talmud.

Bibliography


