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Oral Tradition in the Writings of Rabbinic Oral Torah: On Theorizing Rabbinic Orality

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Introduction

By the tenth and eleventh centuries of the Common Era, Jewish communities of Christian Europe and the Islamic lands possessed a voluminous literature of extra-Scriptural religious teachings.¹ Preserved for the most part in codices, the literature was believed by its copyists and students to replicate, in writing, the orally transmitted sacred tradition of a family tree of inspired teachers. The prophet Moses was held to be the progenitor, himself receiving at Sinai, directly from the mouth of the Creator of the World, an oral supplement to the Written Torah of Scripture. Depositing the Written Torah for preservation in Israel's cultic shrine, he had transmitted the plenitude of the Oral Torah to his disciples, and they to theirs, onward in an unbroken chain of transmission. That chain had traversed the entire Biblical period, survived intact during Israel's subjection to the successive imperial regimes of Babylonia, Persia, Media, Greece, and Rome, and culminated in the teachings of the great Rabbinic sages of Byzantium and Sasanian Babylonia.

The diverse written recensions of the teachings of Oral Torah themselves enjoyed a rich oral life in the medieval Rabbinic culture that

¹ These broad chronological parameters merely represent the earliest point from which most surviving complete manuscripts of Rabbinic literature can be dated. At least one complete Rabbinic manuscript of Sifra, a midrashic commentary on the biblical book of Leviticus (MS Vatican 66), may come from as early as the eighth century. For a thorough discussion of Sifra from a perspective most congenial to the present discussion, see Naeh 1997. Fragmentary texts, written on scrolls, have survived from perhaps the seventh or eighth century. Many of these are known from an enormous cache of texts found in the late nineteenth century in a Cairene synagogue. These are commonly referred to as the "Cairo *genizah* (storage room) fragments." On the significance of such fragments, see Friedman 1995, Bregman 1983, and Reif 1996.

copied and studied them. Indeed, those familiar with the orality-oriented and mnemonically grounded literary culture of medieval Christian or Muslim scribes, authors, and readers will find a familiar picture among their Rabbinic contemporaries. But our primary concern in this essay is not with the oral life of the medieval Rabbinic codex (although we will touch upon it). Rather, our plan is to move behind the surviving codices themselves to the nature of the earlier literary tradition to which they give oblique testimony. This is the antecedent Rabbinic tradition of Greco-Roman and Sasanian Late Antiquity, from roughly the third through the seventh centuries of the Common Era. These centuries witnessed the origins of Rabbinic Judaism as a self-conscious communal form. Its circles of masters and disciples provided the social matrix for the formulation and transmission of the learned traditions whose literary yield is now preserved with greater or lesser reliability in the medieval codices.

The present paper and the three essays following, by Yaakov Elman, Steven Fraade, and Elizabeth Alexander, will explore specific problems in theorizing the relation of written composition and oral-performative text within the various genres of Rabbinic learned tradition of Late Antiquity. For my part, I intend only to offer some introductory comments on the Rabbinic literature in general and some further observations intended to contextualize the more text-centered contributions to follow.

The discussion unfolds in three parts. The first, an orientation for those unfamiliar with the Rabbinic literature, defines certain of its foundational generic aspects as these are attested from the medieval documentary recensions. The second focuses on the symbolic value that orally transmitted learning bore in medieval Rabbinic culture and traces very briefly some of the roots of the idea of an exclusively Oral Torah back to the literary sources themselves. The ancient and medieval understanding of Oral Torah as an unaltered, verbatim transmission of an original oral teaching through a series of tradents (“transmitters”) is an ideological-apologetic construction that bears little relationship to conceptions of oral tradition currently shaping scholarly discussions outside of contemporary Rabbinic studies. But, as we shall see, its inertial presence continues to emerge in not a few modern discussions of Rabbinic literary sources.

The third unit, following from the conclusions of its predecessor, introduces basic issues in current discussions of oral tradition and its relation to written texts in Rabbinic Late Antiquity. It focuses on powerful theoretical paradigms proposed by a pair of major figures in contemporary Rabbinic studies, Jacob Neusner and Peter Schäfer. Aspects of their work attempt to illuminate the compositional intentions and strategies that best account for the literary peculiarities of the extant compilations and

recensions. Neither paradigm, we shall conclude, is entirely convincing. We shall see that “oral tradition,” although conceived with greater nuance than we find in ancient and medieval Rabbinic circles, is still rather under-theorized in contemporary Rabbinic studies. In Neusner’s paradigm it is appealed to at times as a crucial factor in the tradition’s literary shaping; in Schäfer’s, its impact is deemed negligible. I shall offer some closing comments intended to include what is useful from each scholar’s paradigm while proposing another that takes into account developments long-discussed in classics, folkloristics, and other areas familiar to readers of *Oral Tradition*. In any event, this essay is only propaedeutic. Some of the most exciting recent work in this area is represented on the pages following my own in the contributions by Alexander, Fraade, and Elman.

Basic Generic Traits of Rabbinic Literature

In the medieval codices that constitute the primary material remains of classical Rabbinic teachings, the words of the sages were gathered into a variety of discrete literary compilations.² Nearly all of these compilations can be resolved into smaller units of literary tradition that exhibit one or more of three basic generic forms. While some documents are composed almost exclusively of traditions cast in a single basic form and its subgenres, others eclectically combine aspects of all three. Nevertheless, discrete compilations tend to exhibit a preponderance of a single generic transmissional form.³

The form called *mishnah* (“repeated tradition”) consists primarily of brief legal rulings, narratives, and debates, normally ascribed to teachers who lived from the last century BCE through the early third century CE. A compilation of such opinions, itself referred to as the Mishnah, is believed to have received at least penultimate completion under the direction of a magisterial third-century CE Palestinian sage, Rabbi Judah the Patriarch. Its earliest complete manuscripts are no earlier than the thirteenth century

² The best current guide to the Rabbinic literature from the perspective of modern critical scholarship is Stemberger 1996. It includes historical and methodological overviews as well as surveys of all the major texts, their contents, the nature of the manuscript testimonies, histories of editions, commentaries, major translations, and extensive bibliographies.

³ I follow Weiss Halivni (1986) in identifying these three basic generic forms. I do not, however, share his views regarding the historical priority of the midrashic form in particular, or his evolutionary plotting of the various genres.

(e.g., MS Kaufman), but many medieval authorities believed that its first appearance in writing occurred centuries earlier, not long after the editorial work of Rabbi Judah himself.

As early as the twelfth century (MS Erfurt) there circulated a manuscript compilation of mishnaic-style traditions entitled the Tosefta (“Supplement” or “Amplification”). Similar to the Mishnah in content and form, but larger in size, the Tosefta was commonly believed by medievals to be identical to a compilation of the same name edited, also in third-century Palestine, by a younger contemporary of Rabbi Judah. In fact, the relation of the extant Tosefta to whatever might have been called by that name in Late Antiquity remains a topic of ongoing debate.⁴ In any event, the Mishnah and the Tosefta together constitute primary sources for the content of Rabbinic legal tradition as of the mid-third century CE.

A rather different generic form believed by medieval Rabbis to serve as a vessel for immemorial oral tradition is called *midrash* (“interpretive tradition”). Encompassing a wide variety of subgenres, the common denominator of this form is the linkage of a traditional Rabbinic lemma to a Scriptural testimony. The copula of this conjoining is the ubiquitous phrase, “as it is written.” Midrashic discourse only episodically concerns itself with expounding the semantic content of a Scriptural passage in a straightforward exegetical mode. More usually, a given Scriptural verse functions in Rabbinic midrash as a kind of anchor that associatively chains diverse Rabbinic lemmata to a single textual location in Scripture. A given verse, therefore, can promiscuously lie with diverse Rabbinic lemmata, never exhausting its capacity to enter into further relationships with sayings devoted to an enormous range of themes.⁵

Between the mid-third and mid-seventh centuries, Rabbinic culture in Palestine in particular produced a rich and highly varied series of midrashic compilations. The dominant opinion among modern historians of Rabbinic literature is that most, if not all, of these compilations existed in written form from the point of their original compilation, although they may often preserve materials transmitted orally, in the form of sermonic or other homiletical presentations, until the point of redaction.⁶ Many such

⁴ Elman 1994:13-46 offers helpful documentation of the key issues.

⁵ For three approaches to this phenomenon from rather different literary-theoretical perspectives, see Boyarin 1990:22-38, Fraade 1991:25-68, and D. Stern 1996:15-38.

⁶ The English reader may consult Heinemann 1971 for form-critical discussion of the passage of certain midrashic literature from oral-sermonic to written-homiletic forms. In Hebrew, see Heinemann 1974:17-47. Cf. also Fraade’s discussion in this issue.

compilations (probably the earliest) were organized as verse-by-verse commentaries on books of Scripture. These could have been produced anywhere from the third through the fifth centuries, although most of the authorities named within them are also known from the Mishnah and Tosefta and appear to have lived in the second and third centuries. Other compilations, produced throughout this period and afterward and containing the names of many post-third-century masters, were more loosely organized around Scriptural books. Yet others, of similar chronology, took their principle of organization from the passage of the liturgical year and its accompanying Scriptural leitmotifs. Medieval Rabbinic scholars possessed many copies of such midrashic compilations and routinely cited them by name while composing their own discursively exegetical commentaries to Scripture.

A third, and the most prestigious, generic form treasured as immemorial oral heritage in medieval Rabbinic culture was that known broadly as *talmud* or *gemara* (“learning,” “analytical discourse”). The signature trait of this rather diffuse form was the intricately filigreed, multi-party conversation concerning legal, historical, or theological matters. Often generated by a passage of Mishnaic or Toseftan vintage (or one formulated in similar style) and frequently employing midrashic texts as part of its data or imitating midrashic style in its own discourse, *talmud/gemara* offers the most complex literary materials of the classical Rabbinic literature.⁷ The original composers of materials in this genre had more in mind than to convey legal or theological information. Their concern was to transmit not only content but, perhaps even more importantly, a discursive process by which content could be intellectually mastered. Whether or not they composed in writing,⁸ they clearly chose a rhetorical style that would reconstruct, and draw students into, the richly oral/aural world of the Rabbinic *bet midrash* (“study group”), *bay rav* (“disciple circle”), or *yeshivah* (“learning community”).

⁷ Kraemer 1990:26-78 offers a helpful guide to the construction of these complex literary discussions in the Babylonian Talmud that, in contrast to the Palestinian predecessor, brings the genre of *gemara* to its literary apogee.

⁸ I am inclined to assign a larger role for written composition in this genre than does my colleague, Yaakov Elman. (See his essay in this issue.) For a helpful recent effort to take account of both scribal and oral traits in interpreting the rhetorical structures characteristic of Talmudic discourse, see Rovner 1994:215-19. For the Hebrew reader, an important programmatic discussion of the distinction between the orally composed Talmud and its extant manuscript traditions may be consulted in Rosental 1987.

Medieval scholarship preserved two compilations dominated by this genre. The older one, known most widely as the Talmud Yerushalmi (“Jerusalem/Palestinian Talmud”), is available in manuscripts as early as the thirteenth century (MS Leiden). But it probably reached something approaching its extant medieval form by the late fourth century in Palestine and preserves teachings attributed to masters until that time. The younger, larger, and more authoritative version was the Talmud Bavli (“Babylonian Talmud”), parts of which are preserved in manuscripts as early as the twelfth century (MS Hamburg 165, MS Florence). This Talmud, compiled in at least preliminary form in the major fifth- through seventh-century Rabbinic academies of Mesopotamia, serves as the literary summa of the entire antecedent Rabbinic tradition. It was, according to its medieval students, the teleological unfolding and final explication of all authoritative Oral Torah entrusted to Rabbinic teachers up through the dawn of the Islamic conquests of the mid-seventh century. To this day, among most Jews the term “Talmud” connotes the Talmud Bavli.⁹

This sketch amounts to an overly schematic picture of Rabbinic generic forms and documentary genres. Stemberger’s excellent handbook of Rabbinic literature (1996) will offer some crucial supplementation and nuance. Nevertheless, what has been said should suffice for a preliminary orientation to the following discussion, to which we now turn.

The Context of the Idea of Oral Torah

As suggested above, opinions of learned medieval Rabbinic scholars differed regarding how and when the various classical compilations of oral teaching came to be written down. But all agreed that the writings known to them in manuscript stemmed from, and, but for vagaries of scribal error and other sorts of natural corruption, faithfully reproduced teachings that for centuries had been inscribed only in the memories of scholars and transmitted solely in the oral instruction imparted by masters to their disciples. Taking its cue from a phrase scattered here and there in the post-third-century midrashic and Talmudic compilations in particular, medieval Jewish culture referred to these writings collectively as *torah shebe‘al peh*. “Oral Torah” is only the most common English rendering of a phrase that connotatively suggests such equivalents as “Torah Available in the Mouth” and “Memorized Torah.” Existence in written form did not, for the medievals at least, preclude a text from falling into the category of Oral

⁹ Stemberger 1996 devotes a rich section to all matters concerning each Talmud.

Torah; what made a text Oral Torah was neither the medium of its contemporary preservation nor the fact that mastery of the text involved the capacity to call its sources immediately to mind from the ark of memory.

Medieval Rabbis and their predecessors in Late Antiquity, after all, knew the Scriptures—Written Torah—by heart as well. Much like the Christian and Muslim literati with whom they shared common traits of literary culture, medieval Rabbinic scholars learned the written texts of Scripture and Oral Torah by meditating and memorizing them.¹⁰ Like these same contemporaries, medieval Rabbinic intellectuals viewed the written copy of the memorized book—whether a Scriptural or Rabbinic codex—as an almost accidental existant, a material object whose most authentic being resided as spiritual possession in the memory of its student. It was, in fact, theory—not reading practice—that distinguished Oral from Written Torah in the medieval Rabbinic mind.

Medieval Rabbinic scholars believed that their commitment to memorization replicated in a fashion the ontogenesis of the original Sinaitic revelation, one that had been heard by all Israel amidst thunder and trumpet blasts prior to its reduction to written tablets and one that was read, still later, in the more ample scroll of the Written Torah. A crucial portion of that revelation had remained unwritten and had been necessarily committed to memory. To memorize now was to take one's place within millennia of memorized learning since the moment at which the Creator of Heaven and Earth disclosed his will to his prophet, Moses, in the Written Torah canonized in Scripture and in the Oral Torah. The manuscript of Oral Torah memorized now was the faithful rendering of text that was orally transmitted up until the moment of its first (and relatively recent) written redaction.¹¹

The theorists of Oral Torah, particularly those of Islamic lands, were the first to provide systematic historical accounts of the history of the transformation of ancient Jewish oral tradition into written compilations.¹²

¹⁰ For introductory comments on the oral life of books in medieval Jewish culture, see Reif 1992.

¹¹ Readers will want to turn to Fraade's essay in this issue for a fuller discussion of other early sources relevant to the developing Rabbinic conception of Oral Torah.

¹² The most influential of these was cast in the form of a legal responsum by the tenth-century head of the Rabbinic academy in Pumbedita (Babylonia), Rav Sherira Gaon. No scholarly translation into English is available, but see the excellent German translation and commentary in Schlüter 1993. Early medieval European Jewish scholarship produced no systematic historical account of the Oral Torah in its entire sweep. But the presumption

But they did not invent the idea of primordial oral tradition going back to Moses. They found crucial anticipations of their basic views here and there in the manuscripts of Oral Torah themselves.

A prestigious collection of wisdom-sayings known as the “Sayings of the Founders” (*Pirquei Avot*), included in all collections of the Mishnah, offered a thumbnail sketch of the history of the transmission of Torah from Moses down to the second- and third-century sages credited with teaching the traditions of the Mishnah. In the Babylonian Talmud medieval scholars could read detailed accounts of how Moses taught the oral tradition to his disciples (B[abylonian]T[almud] Eruvin 54b). There they could learn as well that a contemporary of Moses, one Otniel b. Kenaz, used deductive logic alone to reconstruct for renewed transmission 1700 Sinaitic oral teachings forgotten by Israel in the shock that engulfed the people upon the death of Moses (BT Temurah 16b). Elsewhere, teachers like the third-century Palestinian sage Rabbi Joshua b. Levi affirmed that all traditions transmitted by his Rabbinic contemporaries had already been known to Moses (P[alestinian]T[almud] Pe’ah 17a and parallels). And his contemporary, Rabbi Yohanan, had pointed out that many laws transmitted orally to Moses at Sinai remained embedded in the extant body of memorized oral tradition (PT Pe’ah 17a).

In addition to a uniform image of the Mosaic origins of all Rabbinic teaching, the sources available to medieval scholars placed great emphasis on continuing the unwritten, exclusively oral nature of the tradition in the present. Rabbi Yohanan himself reasserted the absolute primacy of the orally managed text of Oral Torah, proscribing the study of Oral Torah from written copies (BT Gittin 60b/Temurah 14b). And throughout the thousands of manuscript pages of Oral Torah, generation upon generation of masters were described as “opening discourses” to their disciples, even as those disciples “sat and repeated” from memory before their masters. No sage in the entire corpus of Rabbinic literature was ever portrayed as consulting a book in order to verify his rendition of a teaching of early masters of the tradition, but many consulted professional memorizers (*tannaim*) who functioned as walking libraries.¹³

of its essentially oral character until a relatively late date is spelled out by the major eleventh-century Franco-German Biblical and Talmudic exegete, Rabbi Shlomo Izhaki (Rashi). See, for example, his comments on the Babylonian Talmud’s representation of the authorities standing behind various Rabbinic compilations (BT Bava Metzia 86a).

¹³ A widely cited modern presentation, focused primarily on the question of the original oral nature of the Mishnah in particular, is that of Lieberman (1950:83-99). Safrai (1987:43-49) gives a useful summary of the classical Rabbinic sources that contributed to

So the medievals did not misrepresent the image of orally mastered learning that emerged from the manuscripts of Oral Torah. Their contribution was to give it systematic ideological articulation in light of a comprehensive examination of all the sources, buttressed by a chronological periodization foreign to the primary sources themselves. With the exception of some articulate skeptics in medieval Jewish circles, the conception of Oral Torah outlined above came to dominate images of oral tradition in medieval and modern Rabbinic cultures. It remained for modern academic critics to call the received view into question. Thus, since the nineteenth-century emergence of the critical study of ancient and medieval Judaism (in the same academic culture that produced the various critical schools of classical Biblical scholarship), it has been well remarked that the medieval picture of the exclusive orality of Oral Torah might require some revision.¹⁴

Many have observed that the medieval construction of the history of Rabbinic oral tradition needed to be assessed in light of the polemical settings in which its various theorists had contributed to its production. In Islamic lands in particular, Rabbinic leadership insisted on the purity and reliability of a solely oral tradition largely by way of defending Rabbinic authority against the attacks of anti-Rabbinic Jewish historians (such as the Karaite controversialist, Jacob al-Kirkisani) who regarded the entire extra-Scriptural Rabbinic literary corpus as a pious fraud, interpreting its claims to primordial orality as serving merely as a thinly disguised legitimation of Rabbinical privilege. In Christendom as well, the doctrine of an age-old oral tradition of revealed knowledge possessed solely by Israel served well in disputative encounters with Christian polemicists, convinced doctrinally of a congenital Jewish hermeneutical insufficiency in the interpretation of Israel's Scripture.

From the mid-nineteenth century until the present hour, then, critical historians of Judaism have attempted to move behind medieval ideological representations of a pristine Rabbinic oral tradition to a more empirically grounded account based upon literary analysis of the surviving Rabbinic material. The best of the modern and current work in this area is that which combs the medieval manuscripts of the Rabbinic literature of Late Antiquity for internal evidence of the means of its transmission, redaction, and composition. To what degree is it possible, working backwards from

the medieval constructions of Oral Torah.

¹⁴ The most balanced recent discussion of reasons for doubting the value of the classic Rabbinic descriptions of a purely oral tradition is offered by Stemberger (1996:31-44). See also, in Hebrew, Naeh 1997.

the medieval textual tradition, to reconstruct the oral and written literary culture of classical Rabbinic Judaism? Moreover, is the technology of the pen incidental to the surviving shape of that tradition or, to the contrary, essential to its formation as well as to its preservation? We attend now to some concrete approaches.

Rabbinic Compilations and their Oral Foundations

Contemporary work bearing on these matters focuses its literary-analytical lens at three different levels of inquiry, each level bringing into resolution a particular literary phenomenon. Without claiming any particular originality, I shall call these the “lemmatic,” the “intermediate,” and the “documentary” levels of textual focus.¹⁵ Broadly speaking, the “lemmatic” focus brings into view the smallest whole units of Rabbinic literary tradition—its sentences; the “intermediate” focus attends to the composition of lemmatic material into transmissional units that transcend their incorporated lemmata yet have no intrinsic literary dependence upon other materials beyond their boundaries; and the “documentary” focus attempts to define the processes by which such intermediate units of tradition are compiled into the extant works themselves. Despite general agreement that discrete literary structures are discernible at each range of focus, there is much controversy surrounding their larger description and explanation. No “unified field theory” of Rabbinic textuality, accepted by broad segments of the scholarly community, accounts for all aspects of the Rabbinic text from lemma to documentary compilation.

The Lemmatic Range

We begin with the problems raised at the lemmatic range of focus. Here one finds in all genres of Rabbinic composition a fundamental literary building block: the individual statement of Rabbinic tradition, comprising at most a few sentences, transmitted anonymously or in the name of one or more sages. These may be formulated as brief narratives or *chreias*, that is, legal opinions or wisdom-sayings. Most contemporary scholars have departed from an earlier tendency to claim, with the great medieval historians of Oral Torah, that such lemmata reproduce verbatim the original

¹⁵ My use of these terms is shaped by Jacob Neusner’s many writings, although I apply them rather differently. See, for example, Neusner 1985:29-67 and 1989:9-18.

orally transmitted teachings of the sages in whose names they circulate. There is, rather, virtually universal recognition that the formalism of Rabbinic lemmata is the result of a transmissional prehistory that has erased the original language of the oral message in the service of preserving its substance for memorization and stable transmission.

But there remains much debate concerning how such lemmata preserve the character of Rabbinic oral traditions prior to the compositional efforts that produced larger intermediate units of tradition and—all the more so—entire documentary recensions. To phrase the question most sharply: do documents preserve the orally transmitted lemmata as they might have circulated prior to the creation of the larger literary units in which they are now preserved? A maximalist view regards lemmata found in early compositions such as the Mishnah, and even in the later midrashic works and the Talmuds, to be more or less faithful written renderings of the materials as they existed in an earlier oral stage of transmission.¹⁶ The passage, that is, from oral to written transmission occasions in principle no substantial change in form or substance of the tradition, other than those produced by errors of hearing, understanding, or redactional transmission.

As David Weiss Halivni, an important maximalist has put it, the task of criticism, on this view, is to identify texts that reveal signs of such distortion. Employing what Weiss Halivni terms “dialectical criticism,” the literary critic must ask how “the present text most often evolved from a different, preceding oral text and . . . point out and show how it happened” (1979:200). Such criticism is grounded in the premise that most oral traditions are preserved in relative purity. This premise alone is what enables the critic to interpret other texts as the result of the distortions introduced into them by later redactions or textual transmission.

By contrast, minimalists tend to question the possibility of ever moving from redacted texts to the preredactional form of the lemmata. The most theoretically articulate minimalist, Jacob Neusner, reshaped much of the scholarly discussion in the 1970s and 1980s by arguing that maximalist positions were grounded in fundamental misconceptions about the nature of memorization in the transmission of oral tradition in general. Taking his point of departure from the work of New Testament form-criticism and the work of Parry and Lord, Neusner recognized that oral tradition does not preserve the idiosyncratic “natural” speech of individuals, but rather the

¹⁶ Among influential maximalist positions are those of Gerhardsson (1961:71-84), Safrai (1987:35-42), Zlotnick (1988:51-71), and Weiss Halivni (1979).

stereotypical formulaic discourse of communities.¹⁷ Accordingly, he focused his research on identifying the generative formulas used in the transmission of Rabbinic lemmata.¹⁸ He persuasively argued that the original forms of the lemmata in the Mishnah, Tosefta, and (by implication) early midrashic collections were no longer retrievable.

The reason: it was the editorial work of combining Rabbinic lemmata into larger units of tradition that had itself occasioned the creation of the formulas that govern the transmission of the lemmata. Maximalists had erred in two respects. First, they focused upon the lemma, rather than the redacted arrangement of lemmata into a complete unit, as the mnemonic foundation of oral tradition. Secondly, they employed a model of oral tradition that assumed an unchanging stability of oral material memorized verbatim and preserved intact (except in the case of error) throughout its history of oral transmission and transition to written form. By contrast, Neusner's model of Rabbinic oral tradition recognizes its formulaic character as a mnemonic artifice that simultaneously preserves and transforms the tradition at the expense of its "original" formulation.

Accordingly, whatever might have been transmitted as oral tradition in Rabbinic circles of the first and second centuries CE had been substantially erased by the mnemonically driven reformulations that were the price of their preservation. In short, the oral tradition behind Rabbinic lemmata was lost; what remained was the oral tradition preserved in and generated by the larger compositional units that had, from the second and third centuries, swallowed up the original forms of the tradition (e.g., Neusner 1987a:95).

Neusner by no means speaks for all minimalists. Indeed, further on we shall attend to some key criticisms. But no critic to date has proposed a testable method for moving behind received Rabbinic texts to the "original" form or content of Rabbinic oral tradition prior to the transformation of discrete lemmata into larger editorial units.¹⁹ Rather, most working

¹⁷ See his programmatic essay: Neusner 1979 (espec. 64-66).

¹⁸ With regard to the Mishnah, his most important discussion is found in Neusner 1977, summarized helpfully in Neusner 1985.

¹⁹ Lapin (1995:35-117) has recently offered a penetrating account of the intermediate units and redactional techniques employed in the creation of a Mishnaic tractate. While he acknowledges few specific debts to Neusner, his approach and results seem to fit rather comfortably within the Neusner paradigm. Lapin, however, exhibits no particular interest in the question of the medium of pre-Mishnaic literary tradition and seems to assume that the tractate was produced by reworking received written texts.

scholars interested in reconstructing the oral matrix of the Rabbinic literary tradition in Late Antiquity currently focus upon the intermediate units of Rabbinic tradition and attempt to account for the way they are transformed in diverse documentary settings. It is this level of analysis that engages the possibility that written inscription and oral compositional performance each played roles in the shaping of the transmitted textual tradition of Oral Torah.²⁰

The Intermediate and Documentary Ranges

As suggested earlier, there is little consensus on these matters in current scholarship. What might be useful now, therefore, is a sketch of two well articulated—yet diametrically opposed—models of how intermediate units are related to their documentary settings. Our observations regarding their strengths and weaknesses will focus upon the question of how each model imagines the place of oral-literary processes in the shaping of the extant texts. My own provisional effort to mediate between these two models will, I hope, serve as a point of departure for appreciating the newer developments represented in the essays that follow the present one.

Our first model is the position staked out by Jacob Neusner himself in a series of translations, monographs, and articles over the past two and one-half decades devoted to explaining the principles of literary and conceptual coherence behind diverse Rabbinic compilations. First articulated in reference to the Mishnah, the model has been honed and reiterated *mutatis mutandis* in Neusner's further studies of all the major Rabbinic compilations.²¹

In essence, he holds that Rabbinic documents within each major generic division display such particular traits of rhetoric, logic, and topic that each must have been composed by a supervising “authorship” or

²⁰ Elizabeth Alexander's contribution to the present issue is a major step forward with regard to the Mishnaic and Toseftan compilations. See also Fraade 1991:19, which likens Rabbinic midrashic texts in particular to “the literary face of an otherwise oral circulatory system of study and teaching.” Israeli scholarship, written almost exclusively in Hebrew, has produced impressive manuscript studies that attempt to trace the impact of a parallel tradition of oral transmission. See, e.g., Zussman 1981 on Mishnaic texts, Shinan 1981 and Naeh 1997 on midrashic texts, and Friedman 1991 on Talmudic texts.

²¹ Recent summaries of his positions on all documents in the Rabbinic canon can be consulted in Neusner 1994.

editorial team unique to each documentary genre. These authorships, anonymous collectivities, wielded a hegemonic literary hand. In sovereign control of their literary agenda, they self-consciously selected intermediate literary units from the preceding deposit of tradition, recast them for their own purposes, composed their own distinctive materials, and combined the whole into the larger compositional projects that yield Mishnaic tractates, midrashic compilations, and Talmudic commentaries on the Mishnah.

In Neusner's view, the ideological commitments of these several Rabbinic authorships, despite significant overlaps of shared symbolic idiom, were sharply distinct from each other. Indeed, the documents they composed can only with great caution be read in light of each other as evidence of a larger "Rabbinic Judaism" of which each represents a particular literary summary (1990:23):

Documents reveal the system and structure of their authorships, and, in the case of religious writing, out of a document without named authors we may compose an account of the authorship's religion: a way of life, a worldview, a social entity meant to realize both. Read one by one, documents reveal the interiority of intellect of an authorship, and that inner-facing quality of mind inheres even when an authorship imagines it speaks outward, toward and about the world beyond. Even when set side by side, moreover, documents illuminate the minds of intersecting authorships, nothing more.

Each document in the eventual Rabbinic canon, therefore, represents its own specific Rabbinic "system"—to wit, an intellectual intersection of a sociologically distinct, historically specific community and the textual constructions through which it expresses a unique conception of what it means to be Israel.

A principal consequence of this systemic view is that any passage of a Rabbinic text must first be interpreted within the boundaries of its immediate system—its documentary setting—before it can be adduced as evidence for some larger, meta-documentary "Rabbinic Judaism." There is, in other words, no transtextual, synchronic *langue* that can be adduced hypothetically to explain the particular *parole* of this or that Rabbinic compilation.

This attempt to give a historical account of Rabbinic Judaism disciplined solely by the analysis of the agendas of particular authorships as they develop themes and symbols culled from early documents is driven by a laudable motive. Neusner seeks to disable what he perceives as a naive tendency among some scholars to treat all Rabbinic documents, early and late, as equally valuable testimony to a historically undifferentiated "normative" or "Rabbinic" Judaism obscuring crucial lines of fissure and

conflict.²² But, for many in the field, Neusner has gone too far in confining accounts of Rabbinic Judaism to the rhetorical traits and topical plans of documents mapped against the sequence of their historical appearance (e.g., Fraade 1987 and Boyarin 1992).

Here we cannot focus on the historiographical issues, for these would take our discussion far afield from its primary purpose. Rather, in terms of our present concerns, we must probe more deeply into the conception of the relation between literary authorship and traditional oral-literary culture underlying Neusner's account of the creation of Rabbinic compilations.

The best place to begin is with a concept we encountered a moment ago, Neusner's idea of "an authorship." By this he means (1988:70-71):

that collectivity—from one to an indeterminate number of persons, flourishing for from ten minutes to five hundred or a thousand years—[that] determined and then followed fixed and public rules of orderly discourse that govern a given book's rhetoric, logic, and topic. . . . That consensus derives not from an identifiable writer or even school but from the anonymous authorities behind the document as we have it.

The concept of "an authorship," then, attempts to convey the point that what gains expression in Rabbinic textual composition is the ethos and worldview of a social entity, rather than the creative imagination of a given individual.²³

Neusner's concept of authorship is entirely appropriate as a way of expressing the idea that the ethos of a community, rather than an individual's creative imagination, serves as the generative matrix of Rabbinic textual production. Problems arise, however, when Neusner begins to specify the literary processes by which his authorships do their work. We do not find in his writing a Rabbinic weaver of oral lore analogous to the oral epic poet who, working with inherited verbal formulas and typical scenes recognized broadly within a specific cultural community, produces original compositions that remain intelligible as collective possessions by virtue of their setting in a larger framework of traditional oral performances. Rather, the terms Neusner employs to describe the process of literary creation employed by the Mishnah's authorship consistently commit him to models of literary production more

²² For a statement of his ideas in the context of recent discussions of intertextuality, see Neusner 1987b:3-13.

²³ For a useful discussion of how personal and collective authorship are imagined in the Babylonian Talmud, see S. Stern 1995.

characteristic of individual writers working in isolation towards creative self-expression.

The ambiguity built into Neusner's concept of authorship appears most starkly in his discussions of the literary processes that yielded the Mishnah. Neusner frequently proposes that the Mishnah, in particular, was orally composed and published, a result of formulation and redaction by a collective Palestinian Rabbinic authorship spanning the late second and early third centuries CE (e.g., Neusner 1985:110-12; 1987a:74). When recommending this model of oral composition, he routinely refers to a work published in 1950 by his teacher in Rabbinics, Saul Lieberman. Perhaps the greatest twentieth-century exponent of critical Rabbinic studies, Lieberman described the publication of the Mishnah as the oral performance, in the social setting of a Rabbinic collegium, of a text that had been composed and edited from previously memorized oral traditions and reworked for further oral transmission. On this model, the written copies of the Mishnah presently extant are merely, as the medieval polemicists held, transcriptions of an orally composed performative text.²⁴

This purely oral picture of Mishnaic composition is, however, only part of Neusner's entire portrait. For he at times expresses well grounded doubt about the exclusively oral character of the Mishnah's formulation (e.g., 1987a:72). He can even describe the orally composed Mishnah as "a document that is *written down* essentially in its penultimate and ultimate stages, taking shape within the redactional process" (1994:24; my italics). Thus a document composed orally on one account is composed of written materials on another. This is not an inconsequential inconsistency. The shift between describing the Mishnah's authorship as working orally but, then again, as also composed in writing bespeaks a theoretical unclarity that renders Neusner's account of Mishnaic composition most difficult to understand and assess.

This tendency toward imprecision regarding the media of the Mishnah's composition expresses itself as well in the hermeneutical tools Neusner brings to the interpretation of Mishnaic tractates. These tractates, sometimes conceived to have been composed orally out of orally transmitted materials, are nevertheless defined generically under the rubric of such individually authored, quintessentially writerly genres as "essays" or "philosophical treatises" (e.g., 1991). The boundaries and structures of

²⁴ For critical comments on Lieberman's depiction of the publication of the Mishnah, see Jaffee 1992:68-69. Readers of that article will note (on pages 70-71 in particular) a model of Rabbinic writing that requires much revision. I have attempted that revision in Jaffee 1994, 1997b, and 1998.

such oral compositions are conceived on the model of clearly delimited literary texts, meticulously crafted intellectual structures in which all parts are systematically made to explore a governing conceptual “generative problematic” (e.g., 1980:166ff.). Neusner can imagine Mishnaic tractates as orally composed works, yet this oral dimension plays little role in his account of the ways in which the compositional structures of Mishnaic tractates govern textual meaning. Rather, he applies to their interpretation a hermeneutic designed to divine a comprehensive authorial intentionality characteristic of written compositions.

At issue is whether that hermeneutic genuinely suits the literary character of the texts. Neusner’s strongest arguments for authorial design in Rabbinic compilations are grounded in two claims regarding Mishnaic composition. The first is that the intermediate units of Mishnaic tractates are disciplined, formal constructions in which a given formulaic pattern is selected as a rhetorical framework for pursuing a given legal theme. Any change in formulaic pattern signals a thematic shift and any shift in theme will take up a new pattern of formulation (Neusner 1987a:65). The second, already noted, is that the composers of a given tractate organized their intermediate units to pursue a preplanned conceptual program exploring the “generative problematic” of a specific legal issue.

It must be said that Neusner’s literary and conceptual analyses of nearly the entire Mishnah (e.g., 1974-77) have brought to light an enormous degree of previously unremarked formulaic consistency and programmatic thought in the Mishnaic corpus. But it is also the case that even the most elegantly arranged Mishnaic tractates are only occasionally as cogent in outline or as systematic in their intermediate units’ conjoining of form and meaning as Neusner insists. Others seem rather chaotic in overall structure and episodic in their efforts to link content and literary form throughout their intermediate units. These tractates are perhaps “not quite” essays—or the model of essay is not entirely appropriate to their interpretation. We shall have more to say on this matter in the section on “A Compromise Model” below.

In any event, Neusner’s views on the oral composition of the Mishnah are undermined by crucially mixed metaphors derived from both collective oral-literary tradition and individualistic authorial composition. No such confusion, however, mars his discussions of other Rabbinic works that, unlike the Mishnah, he regards as compositions produced through writing. But in these cases his passion for finding a comprehensive order and plan in Rabbinic composition continues to overcome the texts. Neusner claims for none of these the tight compositional discipline he finds in the Mishnah. Yet dozens of his literary-analytical studies of midrashic and

Talmudic compilations are committed to demonstrating the presence, behind any given Rabbinic compilation, of single-minded rhetorical, logical, or topical programs that impose their unified vision upon whatever comes to hand.²⁵ Like his Mishnaic commentaries, these studies have surely disclosed much more order in Rabbinic compilations than many had previously imagined. But they also tend to overstate it—postulating profoundly subtle order in what, to the uncommitted eye, often appears to be literary incoherence and random patchwork.²⁶

Neusner's appeal to a systemic intentionality as the principle of hermeneutical coherence behind Rabbinic compilations appears to ignore, in the first place, the most obvious element of Rabbinic compilations: that one can begin reading a given compilation almost anywhere between its first and last sentence and lose rather little in terms of comprehensibility. His work shows that it is indeed possible to read some compilations as if they were plotted works whose composers wanted them to be read from beginning to end. But this order is less "in the text itself," as he commonly insists, than it is a reflection of Neusner's own hermeneutical premises regarding authorial intentionality (and the power of his own considerable intelligence in applying that hermeneutic). There are no Rabbinic compilations that demand to be read syntagmatically from beginning to middle to end in the way that, for example, a philosophical argument demands such a reading.

In sum, Neusner has contributed abiding insights into the formalism of the Rabbinic literature and, more than any other recent scholar, has called attention to the complexity of worldviews supported by its texts. But his enormous scholarly output on the question of the nature of the Rabbinic compilations has failed to sway a majority of those who work closely with the same literature. Indeed, it has inspired others to rethink the nature of the intentionality that stands behind Rabbinic compositions and, in some quarters, to call into question its very existence.

Here we may focus on only one such effort. The most radical model for comprehending the lack of comprehensive intentionality behind Rabbinic compositions was proposed a decade or so ago by Peter Schäfer (1988). His model was shaped during his editorial work on one of the most intractably diffuse genres of Judaic antiquity, a collection of loosely edited

²⁵ See his overviews of the documents of the Rabbinic canon (1994).

²⁶ For more temperate attempts to discern a governing literary hand behind the construction of complex units of tradition, see Fraade 1983 and Kraemer 1988; see also Jaffee 1996 in review of Bokser 1994.

compilations of esoterica commonly called the *Hekhalot* (“Heavenly Sanctuary”) literature (Schäfer 1981). Whether or not this literature is classically Rabbinic in origin, its manuscripts were treasured in certain medieval Rabbinic circles as ancient esoteric wisdom of the sages. They enjoyed a particularly avid readership in twelfth-century Italy and the Rhineland. In any event, since finishing his work on these texts, Schäfer has applied his model to his ongoing edition of the conventionally Rabbinic Talmud Yerushalmi (Schäfer and Becker 1991). One of his students, Alberdina Houtman, has recently brought it to bear in most promising fashion upon the Mishnah and the Tosefta (1996).

In stark contrast to Neusner, Schäfer doubts there is much reason to view extant Rabbinic compilations as “works” with discernible documentary integrity, intentionality, or even identity (Schäfer 1986, 1989; cf. Milikowsky 1988). Noting the many major and minor discrepancies of content and redaction exhibited by diverse manuscripts circulating under the same title, Schäfer suggests that these titular rubrics are mere conventional designations for vaguely related clusters of previously circulated literary tradition. No pure “Ur-text” ever constituted the original version from which the present exemplars departed, and no author or authorship ever supervised the project of textual compilation at any comprehensive level. Rather, each compilation seems, in Schäfer’s view, to have developed in an agglutinative process, circulating in various states of redactional coherence until the fifteenth- and sixteenth-century printers of Rabbinic literature arbitrarily canonized particular manuscript traditions as “the” text.

Attempting to do justice to what he sees as the chaos of versions, Schäfer has framed a pair of neologisms for describing the relationship of compilations to their constituent intermediate units. The latter are “microforms,” protean clusters of traditional literary material. A given microform might consist of a narrative or other unit of tradition that is cycled and recycled in diverse textual versions and is placed in interlocking relationships with other microforms in a variety of documentary contexts. These documentary contexts are not “works,” but “macroforms,” a term denoting “both the fictional or imaginary single text, which we initially and by way of delimitation always refer to in scholarly literature . . . , as well as the often different manifestations of this text in various manuscripts” (Schäfer 1992:7).

Schäfer and Neusner might share some agreements regarding the protean character of intermediate units (“microforms”) of which Rabbinic documents are composed. Indeed, Neusner’s earliest scholarly contributions noted ways in which traditions about particular sages (transmitted in units that Schäfer would call microforms) are reshaped for use in diverse

documents. But it is obvious that Schäfer's "macroforms" could not be more different from Neusner's "essays." Neusner's model of a hegemonic editorial hand fine-tuning every compositional detail cannot be reconciled with Schäfer's conception of the Rabbinic document as a nearly random clustering of atoms into a literary molecule ready to combine with others in response to diverse changes in the literary-historical climate (see Neusner 1995).

A Compromise Model

As is common when entertaining theoretical extremes, it might be wise to carve out a median position. There is enough coherence in many Rabbinic compilations to justify the postulate of some sort of governing plan that informs the collection of intermediate units into larger documentary wholes (see Milikowsky 1988). Yet these wholes are just disjunctive enough in structure to caution us against subjecting them to hermeneutical torture in order to secure their confession of harboring some sort of comprehensive redactional intentionality. Perhaps, then, it is possible to propose a way of acknowledging both sets of observations by a small shift in perspective in thinking about the genres of Rabbinic compilations.

The most apt literary analogy for most Rabbinic compilations, I submit, is the anthology,²⁷ provided that we add one crucial proviso. Rabbinic anthologies must be distinguished from those composed in cultures that ascribe sovereign integrity to authored literary works or are engaged in the business of canonizing Scriptures. That is, Rabbinic compilations are anthologies whose compilers did not hesitate to alter the form and content of the anthologized materials, for the materials being gathered were never perceived as "works" in their own right.

The compilations are collections of materials—our previously mentioned intermediate units or Schäfer's microforms—known widely

²⁷ While crossing the last *t*'s and dotting the final *i*'s of this essay, I received from my colleague, Marc Bregman, a fax of portions of the Winter 1997 issue of the Jewish literary journal, *Prooftexts*, the entirety of which is devoted to "The Anthological Imagination in Jewish Literature." My selection of the genre of "anthology" as one most suitable for Rabbinic literature has been anticipated there by fine essays on midrashic literature (Bregman 1997) and the Babylonian Talmud (Segal 1997). I am relieved to note that Segal's essay in particular lends much nuance to some of the broad characterizations of the Talmud suggested here. I am even more relieved to discover that he has devoted no special attention to the question of the oral matrix of the Talmud's anthological project.

from antecedent tradition (whether oral or written one often cannot judge). They were brought together, after complex transmission histories of their own, in diverse new constellations depending upon the framework in which they were anthologized and the diverse degrees of redactional intervention employed by their compilers. The intermediate traditions were viewed by their literary handlers as elements in a larger kaleidoscope of tradition, what were generally known as authentic communal possessions. The documentary compilation is a kind of freeze-frame of that tradition, temporarily stilled by the intervention of the compilational activity itself. But such activity was not conceived as the production of a finished “work.” It was, at best, a “work in progress,” finished only at the point that the perceptions of its transmitters and users began to define the compilation as a text representing “tradition” itself rather than the ad hoc storage-place of tradition’s texts.

Precisely how consciously any of these kaleidoscopic compilations was composed, or even the degree to which “composition” is an appropriate term for the literary wholes transmitted under specific titles, remains to be decided on a case-by-case basis. Speaking only impressionistically, we might suggest that Mishnaic or Toseftan tractates routinely stand on the “highly composed” end of the spectrum—more “work” and less “progress.” By contrast, the *Hekhalot* corpus would stand close to the opposite, “uncomposed” pole in which the compilational process was conceived as an open-ended, agglutinative matter with no overall design other than that provided by the incorporated intermediate units. Various midrashic compilations and the Talmuds would fall at as yet unspecified points in between.

If the anthological model is a helpful way to make sense of compositional choices of Rabbinic compilations, we must still explain why this genre became the principal one for the preservation of Rabbinic literary culture. Despite the strong caveat of Schäfer himself,²⁸ it seems appropriate to point out that the anthological genre, as I have described it in its Rabbinic form, is a particularly apt compositional convention for a culture like that of classical Rabbinic Judaism. This culture cultivated a strong oral-performative tradition, as attested by the countless instances in

²⁸ Schäfer has rejected appeals to Rabbinic oral tradition as an uncritical *deus ex machina*. Oral tradition is adduced by scholars, in his view, primarily “to save the premise of firmly definable texts to which one can refer as self-contained unities, and at the same time to explain the incontestable phenomenon that works redacted later can contain ‘an earlier formulation of a tradition-unit,’ and works redacted earlier, ‘an evolved version of the same tradition-unit’” (Schäfer 1989:91).

which disciples and masters are represented in Rabbinic literature as engaging in discourse over a publicly recited text. At the same time, this oral-performative tradition intermeshed in numerous ways with scribal practices in which written texts were memorized and oral conventions of diction and formulation shaped what was written.²⁹

The crucial point is that Rabbinic oral-performative tradition must be imagined as a diverse phenomenon, incorporating aspects of rote-memorization of documents (fixed-text transmission) and more fluid oral-performative aspects (free-text transmission).³⁰ The former activity—whether grounded in written transcripts or exclusively oral transmission remains unclear—was eventually used for mastery of the Mishnaic tractates alone, with the possible exception of associated materials stemming from the generations of the Mishnaic sages. By contrast, I know of no claims in the Rabbinic literature that anyone ever set out to memorize a midrashic compilation or a Talmudic tract in its entirety. Such activities, characteristic of a later period, leave precious little trace in the classical sources.

Rather, the depictions of Rabbinic instruction in midrashic and Talmudic corpora suggest that it was quite crucial to have ready at hand the substance and themes of materials that now surface in writing as the intermediate units (macroforms) of Rabbinic tradition. These would include, for example, Scripturally oriented homiletical discourses or exegetical traditions common in midrashic texts and the specific discourses on Mishnaic materials around which complex Talmudic discussions were constructed. These would not be memorized verbatim, but could be retrieved for performance within the repertoire of mnemonically driven formulaic discourse that constituted the main oral-performative training of the disciple.

We may now use our recognition of both fixed-text and free-text Rabbinic oral transmissional styles to lend some nuance to our earlier effort to characterize the anthological character of the various types of Rabbinic compilations. In the case of the Mishnah and Tosefta, the anthological model helps, first of all, to account for the high degree of intertextual material shared in common between the comparable tractates in each

²⁹ See Fraade 1991:69-121 and Fraade in this issue; see also Jaffee 1994 and 1998.

³⁰ This distinction corresponds in some respects to that proposed by Gerhardsson (1961:79-83) between the “oral text tradition” and the “interpretive tradition.” But readers of Gerhardsson will find that I do not follow him in claiming a total absence of written textuality for either tradition.

collection (Neusner 1994:129-52; cf. Shanks in this issue). Their textual interpenetration—especially at the level of intermediate units—is not best explained, as Neusner and many others have sought to do, as a matter of one document serving as the basis for or depending upon the other in a text-commentary relationship (see Houtman 1996:219-37). Nor is it a question of random agglutination of parallel materials. Rather, as Houtman has recently proposed (224-28)—and as Alexander’s contribution below might as well suggest—each compilation is best seen as representing the anthological tradition emerging out of related but distinct communal groups in the early Rabbinic world. Both draw upon a common pool of inherited intermediate units, reshaping them in distinctive ways to serve as organized curricula of canonized tradition for specific circles of masters and disciples.³¹ The result is a convenient storage system for such free-text intermediate literary units known widely from the oral-performative tradition, one that transforms the constituent units into fixed-texts destined for rote mastery.³² The resulting tractates are thematically guided anthologies that function both as mnemonic aids in the preservation of the material and as springboards for restoring textually fixed traditions to the aural/oral world of analysis and debate generated by the curriculum.

The midrashic and Talmudic compilations differ from the Mishnah and Tosefta primarily in their function—they serve as exegetical anthologies attached, respectively, to Scriptural or Mishnaic base-texts. Here, too, our anthological model is a helpful way of grasping the literary form of these compilations and the complex weave of oral and writerly traits richly present in all of them. Organizing diverse written traditions in tandem with an already memorized text, be it a Scriptural work (as in midrash) or a Mishnaic tractate (as in the Talmuds), creates a mnemonic back-up system for the oral-performative tradition. The memorized fixed-text (Scripture or Mishnah) serves as the hook or switch that guides memory to free-text traditional materials commonly associated in instructional settings with the “canonical” memorized passages. At the same time, the sequence of such extra-Scriptural or extra-Mishnaic texts, now preserved in a written compendium, calls to mind the richer array of versions and associated traditions already known largely from the aural/oral

³¹ For further discussion of the master-disciple circle as the matrix for the shaping of the Mishnaic corpus in particular, see Fraade 1991:69-121 and Jaffee 1997a:214-23. More broadly, see also Byrskog 1994:137-39, 156-59, 171-75.

³² The degree to which writing was employed in this process is difficult to assess. See Jaffee 1994, 1997b; and Alexander in this issue.

milieu. The written anthology serves, finally, as a point of departure for a return to orality, as the preserved text triggers other literary and conceptual associations drawn from previous experience in the aural/oral world of Rabbinic instruction.

Seen from the perspective of mnemonic function in a culture with a dual-track oral tradition of fixed-texts and free-texts, the Rabbinic compilation cannot be misinterpreted as an analogue to an authored work, an attempt to convey a larger concept or argument to a reader. It is not premised upon the attempt to communicate an authorial mind to an audience of one or many. Rather, the anthological compilation points attention away from itself to a world of speech in which there are no documents, but much discourse. It points to a literary culture in which the minds and intentions of authors are displaced by the *logos* that emerges among people engaged in mutual discourse over the shared text.

We may conclude with this point. The understanding, here outlined, of the aural/oral aesthetic underlying the preference for anthology has the merit of doing some justice to both of the two theoretical poles represented by Neusner and Schäfer. The editorial looseness of such anthologies, noted by Schäfer, bespeaks their function as text-storage sites rather than as structured compositions designed to preserve an invariant *logos*, the discernment of which constitutes the goal of textual study. The degree, correspondingly, to which larger documentary rhetorical and topical choices do in fact seem to be imposed upon the intermediate units need not contradict this observation.

As Neusner has argued, it is hard to dismiss evidence that a single intermediate unit migrating among a number of compilations has been persistently reshaped, from compilation to compilation, in accordance with editorial traits or rhetorical patterns distinctive to each compilation. Whether Neusner overestimates the degree to which this correspondence of intermediate unit to compilational style is uniform need not concern us here. The point is that—even if he were absolutely correct in this observation in each case—it would not serve as evidence of an original ideological conception designed for communication to the mind of a reader who would be unfamiliar with it or require indoctrination into it. A certain degree of rhetorical uniformity or topical agendas are more likely epiphenomena of local conventions in the particular community served by a given compilation. Texts shaped by such conventions express a shared literary sensibility that allows the user of the text to encounter in writing what is already familiar in the memory and anchor it yet more firmly through a new performative engagement with it.

Afterword

Despite a century and one-half of academic studies in Rabbinic literature, the relation of oral compositional and transmissional processes to the extant texts remains only partially understood. Neusner's work has proved enormously stimulating to the field as a whole, not only among those who accept selected aspects of his work but even among those who reject its methodological principles and concrete conclusions. Schäfer's model provides a corrective to a certain tendency to overestimate the self-consciousness of Rabbinic compositional practice but pays little attention to the aural/oral matrix in which written Rabbinic texts were shaped and which they reshaped in turn. But, as the essays to follow demonstrate, fresh models and perspectives have recently begun to have their own impact. The study of orality in the shaping of Rabbinic literature is—we may safely conclude—out of its infancy. The toddler is beginning to find its own distinctive powers of speech among the other oralist voices in the humanities and social sciences.

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