

BECOMING A RABBI IN FIRST-CENTURY PALESTINE

LEONARD D. GORDON

Kenyon College, Gambier, Ohio 43022

Students of early Christianity, faced with a renewed interest in the historical background of the Gospels, have turned to historians of early rabbinic Judaism for information and have entered a field where the lack of consensus on the most basic facts rivals anything in the history of New Testament scholarship. Some scholars of Judaism find the roots of rabbinism in the prophetic schools that produced Deuteronomy, others look to the time of Ezra, still others to the Maccabean age, and others begin rabbinism's story only after the Temple's destruction in 70. Most radical of all, some have insisted that the history of rabbinic Judaism can begin only from the date of the earliest literary production of the movement, the Mishnah, promulgated around 220 c.e. Much more is at stake here than the mere question of where to begin "Introduction to Rabbinic Judaism" courses; at stake is the nature of rabbinism itself. I will suggest that rabbinic Judaism is a creative response to the events of 70, and therefore a post-Christian religion. The early Rabbis did not simply preserve a system that was already in place during the decades when Judaism was a cultic religion centered around the Jerusalem temple. It follows that study of rabbinic Judaism yields little about the religious background of the Jesus movement and the early Christian communities. Rather, from the study of rabbinism we learn how a small group of Jews responded to the social world of post-70 Palestine. Recent attempts to understand Christian institutions against the background of rabbinism succeed only insofar as they limit themselves to comparing responses to common historical events rather than tracing influence.

To exemplify, I will focus on the question of becoming a Rabbi during the first century, asking about the institutional setting, if any, in which Rabbis were trained and ordained and in which they later taught and judged. In the context of New Testament studies, this question has been important

because evidence about the rabbinic house of study or bêt midrāš has been accepted as a model for understanding early Christianity, including the activities of Jesus, Paul, and the evangelists. This evidence needs reevaluation to produce a history of the bêt midrāš that is more firmly based on literary and archaeological evidence.

Rabbinic literature itself, the primary source for such a study, tells us remarkably little about the setting in which it was composed. Despite numerous references to the bêt midrāš, no single sustained discussion, let alone chapter or tractate, deals with the procedures by which a Jew entered the rabbinic class. For example, the Mishnah, which discusses Temple practices and priestly life in great detail, fails to tell us how Rabbis were ordained, what they studied or if, in fact, any formal procedures for the rabbinic life existed at all. Scattered references to court rulings and the life of study are idealized and, like the rabbinic discussion of the Temple, may best be understood as reflecting a vision of the messianic future juxtaposed with the vaguely remembered practices of the recent past.

While a number of studies, such as Gerhardsson's Memory and Manuscript, Stendahl's The School of St. Matthew, Jesus the Teacher by Robbins, and Jesus als Lehrer by Riesner have taken fresh looks at rabbinic instruction, Culpepper's The Johannine School attempts most systematically to evaluate the contemporary scholarly debate over the use of rabbinic models in the study of early Christian institutions.¹ The contrast between my conclusions and his places the issue before us in high relief.

Culpepper's starting point is a quarrel with the received consensus that one may speak of schools in early Christianity without specifying their nature "as if there were no longer any need to justify or explain the idea."² Culpepper abstracts the traits of formal educational institutions by comparing and contrasting nine ancient "schools." He gathers evidence from both the Greek and Roman worlds over a number of centuries. What is sacrificed to breadth of data is the possible advantage of limiting the comparison to institutions contemporary with the writing of the fourth Gospel. For this reason, the seventh school covered, that of the House of Hillel, should have been the most instructive. Located in Palestine, during the first century c.e., the House of Hillel is presented in later rabbinic sources as the founding institution of the rabbinic movement. It is from Hillel that rabbinic tradition traces the scholarly pedigree of Rabban

Johanun ben Zakkai and the actual lineage of the Patriarchal House. Furthermore, the House of Hillel is relatively well documented in our sources. Opinions in the name of the House of Hillel are found throughout the Mishnah and are augmented in later works by both other legal sayings as well as narrative accounts of the House's deliberations. Further traditions present in detail the life and teachings of the school's founder, Hillel, and of his noted opponent Shammai, the founder of a rival House. If the traditional picture is correct, then the House of Hillel represents the transitional moment between Pharisaic and Rabbinic Judaism. After all, Hillel is the last of the pre-70 masters who is not called Rabbi and his student is the first of the post-70 figures to be so designated.

There is, however, reason to doubt this traditional picture, a picture that depends on both the historicity of the Houses as fixed institutions and on the direct transmission of authority from Pharisees to Rabbis. As Culpepper acknowledges, "very little can be said about [the School of Hillel] with certainty."³ Nevertheless, Culpepper rejects indications of pseudepigraphy, particularly the evidence that the Houses were a literary fiction that served as a mnemonic form for the preservation of disputes among later Sages. Assuming the historicity of the House of Hillel, Culpepper refers in his conclusions to a School of Hillel and to a preserved Pharisaic-Rabbinic tradition. Such a tradition is, however, doubtful. Culpepper concludes that Rabbinic Judaism was a conserving movement that preserved both forms and contents that existed during second Temple times.⁴ If this form of Judaism can be shown to have dominated in Palestine during the first century, it can provide strong support for the reliability of Christian oral traditions whose tradent/redactors would presumably have had access to such methods.

Whoever the Pharisees were, political leaders, as Josephus tells it, or participants in a table fellowship cult, as the Rabbis and the Gospels would lead us to believe, the discussion of rabbinic higher education found in early rabbinic literature yields a picture of radical discontinuity between the Pharisaic sect and the Rabbis. The reason that the evidence for such discontinuity has been evaded is that it undermines Jewish and Christian oral traditions. These oral traditions claim that a chain of transmission guarantees methods of reliable preservation of information and methods of study. The site of preservation was, in Jewish circles, presumably the

rabbinic bêṭ midrāš. We need to know, therefore, what was meant by this term.

For the analysis of the term bêṭ midrāš, I have limited my review to texts of Palestinian origin written during the third and early fourth centuries, thereby including the Mishnah, its cognate text, the Tosefta, and the legal midrašim to the books of Exodus, Leviticus, Numbers and Deuteronomy. Our earliest literary sources, therefore, were redacted at least 120 years after the period under discussion, at a time when rabbinic Judaism had taken major steps towards formalizing its control over Palestinian Jewish life.

Bêṭ Midrāš in the Mishnah: A Missing Generation

My review begins with the Mishnah, where the term bêṭ midrāš appears twelve times. Five of the Mishnah's references point to the bêṭ midrāš as a place of legal decision making and/or study. (1) Rabbi Nehunya b. ha-Kanah's prayer in m. Ber. 4:2 asks that he not lead others into error as a result of his actions in the bêṭ midrāš. (2) In Besā 3:5 "outsiders" ask a legal question of Rabbi Tarfon, who enters the bêṭ midrāš and receives an answer. (3) ʾAbot 5:14 distinguishes among those who attend the bêṭ midrāš on the basis of how they practically apply what they learn. (4)-(5) Yad. 4:3-4 presents the bêṭ midrāš as a place for voting on legal matters, where one might expect something new to be decided/discussed at each session. Four of the narratives mention Yavnean masters, that is, Rabbis who flourished between the years 70 and 135 c.e., between the first and second wars against Rome; the fifth is not attributed.

Three rulings identify the bêṭ midrāš as a place of activity on the Sabbath and Festivals. (1) Šabb. 16:1 explains why the Writings (the final division of the Hebrew Canon) are not read on the Sabbath. If common Israelites were permitted to read the narratives and wisdom literature of the Writings on the Sabbath they would not attend the bêṭ midrāš. (2) Šabb. 18:1 rules that lest the bêṭ midrāš be left empty, areas within it may be cleared of obstructions on the Sabbath. (3) Pesah. 4:4 mentions the bêṭ midrāš as a place where lights are lit on the eve of the Yom Kippur. What we need to know, that is, whether the bêṭ midrāš was an established institution

of higher learning that preserved Pharisaic traditions, is not even suggested by these references.

A rule related to those found in Sabb. is found in Menah. 10:9 which permits clearing the ground of grain before the 'omer lest the bêt midrās be abandoned. Dem. 7:5 may strengthen this association of the bêt midrās and the outdoors because it juxtaposes the term bêt midrās with a "field" as possible places where a farmer/scholar might be found. The term bêt midrās need not, therefore, refer to a building, but like the later rabbinic bê rab and the Greek hē kat' oikon (+ possessive pronoun) ekklēsia, is likely to simply designate a basic unit of religious organization.⁵

Four other texts imply that the bêt midrās was located in a building. (1) Ber. 4:2 refers to entering/leaving the bêt midrās. (2) Besa 3:5 refers to entering the bêt midrās. (3) 'Abot 5:14 speaks of those who go to the bêt midrās. (4) Yad. 4:3 contains the question as to what happened in the bêt midrās. The authorities mentioned here are all Yavneans.

Two rulings (Ter. 11:10 and Pesah. 4:4) compare the bêt midrās with the synagogue and a dark alleyway as places which require the burning of oil lamps. Finally, Rabbi Judah adds to the list of requirements for the hābēr (member of the pre-rabbinic fellowship) in Dem. 2:3, that he must serve/attend the bêt midrās. Rabbi Judah's position is rejected.

To summarize: The Mishnah's narratives present the bêt midrās as a place of legal decision making and study. Notably, each of the narratives concerns Yavneans, that is Rabbis who lived before 135 c.e. No statements locate the Rabbis of 135-200 (Ushans) in the bêt midrās. But it is these later Rabbis whose words comprise the majority of all attributed sayings in early rabbinic literature. Indeed, the only Ushan to comment on the bêt midrās is Rabbi Judah, whose assumption that the pre-rabbinic hābēr was obligated to attend the bêt midrās is, notably, rejected. These facts suggest that references to the bêt midrās are to an idealized portrait of a world dimly remembered.

The Mishnah's legal dicta concerning the bêt midrās imagine an institution parallel to the synagogue, to the field, and the dark alleyway. As was true for the synagogue, the bêt midrās seems to be in use on the Sabbath and Festivals, implying non-legal activity. The importance of the bêt midrās is stressed in rulings which permit otherwise prohibited actions

(Sabb. 18:1, Menah. 10:9) and prohibit otherwise permissible actions (Sabb. 16:1) in order to guarantee attendance at the bêt midrās̄.

Bêt Midrās̄ in the Tosefta: Third-Century Developments

The term bêt midrās̄ appears twenty one times in the Tosefta, of which four cite the Mishnah (Dem. 3:8/m. Dem. 7:5; Menah. 10:31/m. Menah. 10:9; Yad. 2:17/m. Yad. 4:4; and Yad. 2:16, (see also Sota 7:9/m. Yad. 4:3) and one is repeated (Hag. 2:9 = Sanh. 7:1), leaving fifteen independent citations.

Thirteen texts place the bêt midrās̄ in the context of Sabbaths and Festivals and daily prayers. (1) On the eve of the Sabbath one went to the bêt midrās̄ before the evening meal, Ber. 5:3. (2) Reading with the Vienna ms. of Ber. 2:13, Rabbi Meir reports on an incident which took place during prayers in the bêt midrās̄ (the Erfurt ms. omits the words "in the bêt midrās̄"). (3) The bêt midrās̄ was also a place where meals might be eaten, Ber. 5:30. (4) Sabb. 5:13 (Erfurt ms. 6:13) tells that Rabbi Tarfon went out to the bêt midrās̄ on the eve of the Sabbath. (5) On the eve of Passover, Rabbi Eliezer b. Zadok was before Rabban Gamaliel in the bêt midrās̄ in Lod, when Zonen, "the officer in charge," announced that the time had arrived for the removal of leaven (Pesah. 3:11, Erfurt ms. 2:11). (6) Rabban Gamaliel is reported to have interrupted his study of the laws of Passover in order to go to the bêt midrās̄ in the morning (Pesah. 10:12). (7) Yoma 4:2 (Erfurt ms. 5:2) reports that Rabbi Akiba led the prayers in the bêt midrās̄ on Yom Kippur. (8) Rabbi Eliezer b. Zadok reports on the custom of the men of Jerusalem to dispose of their lulavs when they went to the bêt midrās̄ (Sukk. 2:10). (9) In Temple times, according to Rabbi Joshua b. Hananiah, people would go to the bêt midrās̄ after prayer and meals and before the evening sacrifices (Sukk. 4:5). (10) Besa 2:6 tells that when Simeon of Teman failed to attend the bêt midrās̄ his absence was noted. (11) On account of fear lest the bêt midrās̄ be left empty, retailers pre-measure their goods for the intermediate days of the festival (Besa 3:8). (12) Besa 4:6 states the law concerning a man who borrows a cloak to wear on the morning of a festival on his way to the bêt midrās̄. (13) Sota 7:9 expands on m. Yad. 4:3, restating the expectation that something new will be learned at each

session of the bēt midrās and adding details concerning the practice of giving a sermon each Sabbath in the bēt midrās.

Only two references to bēt midrās indicate a possible legal function.

(1) Erub. 6:4 (Erfurt ms. 9:4) tells of a legal discussion held before Rabbi Meir in the bēt midrās concerning the laws of erub. As in Ber. 2:14, the Vienna manuscript omits the words bēt midrās. (2) Hag. 2:9/Sanh. 7:1 tell of the bēt midrās on the Temple Mount from which laws were promulgated in Second Temple times. Finally, Erub. 8:17 (Erfurt ms. 11:16) deals with the case of a man who finds himself in the bēt midrās wearing his phylacteries, customarily worn only on weekdays. This reference suggests that the bēt midrās was not considered a place of weekday prayer.

To summarize: The bulk of Tosefta's material locates the bēt midrās as an institution connected with Sabbaths and Festivals. No clear indication is given, however, as to what was done there. Narrative and legal texts tell of meals, prayers, and sermons in the bēt midrās. The Sabbath/Festival texts do not mention study or legal decision making. Pesah. 10:12 specifies, in fact, that the Rabbis left their place of study to go to the bēt midrās.

It is striking that the only two narratives to mention Ushans in connection with the bēt midrās present textual difficulties. The Erfurt ms. of Ber. 2:13 and the Vienna ms. of Erub. 8:17 omit the words "in the bēt midrās." As in the Mishnah, the remaining narratives concerning Rabbis in the bēt midrās only involve Yavneans, the earlier Rabbis.

Bēt Midrās in the Legal midrašim:

The Schools of Jethro and Moses

The legal midrashic literature, which was redacted in the fourth century and later, introduces a new level of anachronism, frequently applying the term bēt midrās to biblical times. Thus, the Mekilta (the rabbinic legal commentary to Exodus) identifies Jethro's tent as being his bēt midrās (yitrô 1:1). Yitrô 2:10 places the bēt midrās parallel to the synagogue as a place where it is prohibited to establish idols.

Sipra, the commentary to Leviticus, places the bēt midrās parallel to synagogues (bēhūqōtay, pārāsā 2, chapter 6).

Sipre to Numbers, pisqa 90, identifies Moses' tent as his bēt midrās. Another passage (pisqa 115) states that the bēt midrās where one has learned

Torah should be specified in a legal document, and later a reference is made to the bêṭ midrās̄ of Rabbi Hiyya. Pisqa⁷ 116 tells the story of Rabban Gamaliel's response to Rabbi Tarfon's absence at the bêṭ midrās̄. Finally, three other passages, pisqa⁷ot 68, 113 and 133, repeat identical traditions concerning the bêṭ midrās̄ which existed in the desert following the exodus from Egypt.

Sipre to Deuteronomy contains a single reference to a bêṭ midrās̄ (pisqa⁷ 135). Rabbi Judah the Patriarch rules that on a festival one should spend some time in the bêṭ midrās̄ and some time engaged in eating and drinking.

To summarize this evidence: as might be expected, five of the eleven references to bêṭ midrās̄ in the legal midrasim locate the bêṭ midrās̄ in the biblical period. Of course, there were no batê midrās̄ in biblical times. The earliest, and only pre-Mishnaic, reference to the term is in a disputed passage in Ben Sira (51:23). This anachronism is, however, typical of the later rabbinic tendency to authenticate distinctly rabbinic institutions by locating them in earlier times. Thus, Abraham is said to have worn phylacteries, and he even sends his son Isaac to study at the academy of Shem and Eber.

Following the profile found in the Mishnah and the Tosefta, two texts parallel the bêṭ midrās̄ to the synagogue, and one story tells of an interchange between the Yavneans Rabban Gamaliel and Rabbi Tarfon over Tarfon's failure to appear promptly at the bêṭ midrās̄.

The three remaining references, however, introduce personalities and ideas we have not yet encountered: the bêṭ midrās̄ as the place where one learns Torah, the bêṭ midrās̄ of Rabbi Hiyya, and Rabbi's ruling that opposes attendance in the bêṭ midrās̄ with eating and drinking as the main alternative festival activities.

These texts, redacted in the late third century c.e., are aware of the bêṭ midrās̄ as a contemporary institution, a house of study identified with a particular rabbinic authority. They also develop earlier traditions about biblical and post-70, pre-135 houses of study. Strikingly, however, like the Mishnah and Tosefta, they know of no houses of study in the period from 135-200 c.e.

The evidence of tannaitic literature substantiates the possibility that the functionally ill-defined bêṭ midrās̄ may not have existed as a rabbinic institution at all. Our sources may simply reflect the rabbinic

understanding of some other pre-70 institution(s) that combined study, communal prayers and sectarian meals.

Non-Rabbinic Evidence: Evaluating Silence

Non-rabbinic evidence for rabbinic higher education during the first and second centuries hardly exists. While the early church fathers, such as Justin Martyr and Origen do refer to Jews and even to nomodidaskaloi and sophoi among the Jews, they make no references to Rabbis, rabbinic Judaism, or firmly identifiable rabbinic legal or exegetical traditions. Only with Jerome can we say that a church father demonstrates direct knowledge of a Rabbi (Akiba) and a rabbinic text (the Mishnah). Patristic references to Jews and Judaism focus on the Pharisees (known from the New Testament), Old Testament law, and Jewish-Christian groups.⁶ In a parallel fashion, Roman legal and historical texts of this period know of Biblical traditions and express an interest in Palestinian geography but do not refer to rabbinic Judaism.⁷

The lack of archaeological evidence for rabbinic institutions is not surprising. After all, a school house would look like any other room or building. It is tantalizing, however, that a door lintel of uncertain date marked "This is the house of study of Rabbi Eleazar Ha-Kappar" has recently been discovered at Dabbura in the Golan. It is our sole bit of physical evidence for the existence of schools during Talmudic times (that is, post-third century), and I emphasize that the school is associated with the name of a particular sage.⁸

Conclusions

Lee Levine, in his recent work The Rabbinic Class in Palestine during the Talmudic Period, concludes that the period of Rabbi Judah the Patriarch was a time of major transition for rabbinism. Only during the third century, for example, is there evidence for the existence of permanent rabbinic Houses of Study.⁹ After Rabbi Judah's reign the Rabbis serve as leaders in Jewish Palestine, with a range of civil and religious functions and with institutions to support their newly found prominence. While his study does not explore the period of concern here, the implications of his results are

clear: during the period between the Temple's destruction and 200 the Rabbis were a small, inward looking group, without formal power or influence and without permanent institutions of higher learning. We may discuss the existence of rabbinic modes of exegesis, a set curriculum in rabbinic schools, and even the existence of schools around the figures of individual prominent Rabbis only as phenomena that developed after the promulgation of the Mishnah at the start of the third century.

During the earlier period our sources suggest that disciples studied with individual masters, reconstructing memories of the past and laying down principles for coping with the new situation created by the Temple's destruction. Disciples looked to their masters as "living torah," and when masters died or moved from city to city the circle of disciples would disband. Thus, Josephus, the Gospel writers, and the early Church Fathers ignore the rabbinic estate because as late as the close of the second century, "Rabbi" was a general designation for leader and not a marker of a particular status as Jewish religious/communal leader.¹⁰ Non-rabbinic sources do not know of a conclave at Yavneh because no such "school of Rabban Johanan ben Zakkai" existed. Rabbinism, at that point in time, was a new movement that built loosely on the legacy of Pharisaic forebears and would have its dominion in the future. Only later in the third century, as the Rabbis formed an alliance with the Patriarchal house, did the movement begin to exert influence. By that time, the center of gravity of Christianity had shifted away from Palestinian Judaism, and Christian institutions were well on their way to their classical forms in Alexandria, Caesarea, Antioch, and other centers.

Robert Kirchner has observed that, like the early Rabbis, Jesus (as he is portrayed in the Gospels) is a master whose teaching was often expressed through personal example rather than formal, institutionalized instruction. Both Jesus' opponents (Mark 2:16, 3:2 and Luke 14:1, 11:37-38) and followers (John 13:4ff.) examine his conduct as a model presented for others to follow.¹¹ Thus, while the reading of the first decades of rabbinism presented here does mean to suggest that rabbinic modes of thought and behavior can not be used as sources for direct influence in our study of Early Christian communities, the early Rabbis can provide useful models for comparison and contrast.

We have seen scholars over-estimate the degree to which the institutions of later rabbinic Judaism existed already in classical times. Culpepper, despite the nuances of his study, exemplifies this tendency. Ultimately he would leave his readers with the understanding that the Rabbis preserved methods and basic religious principles established by pre-70 schools, such as that of Hillel and his circle. Others have taken later rabbinic narratives at face value and have drawn more detailed parallels. These parallels have been used to outline a portrait of early Christian schools, methods of transmission, and modes of thought. To the extent that the picture these scholars have drawn depends on the evidence of early rabbinic sources, it requires re-evaluation, because such sources are routinely misunderstood. And if we admit the possibility that there were no Rabbis in pre-70 Palestine, then we must reconsider much of what is taken for granted in historical portraits of the time during which Jesus lived and the evangelists wrote.

1 Birger Gerhardsson, Memory and Manuscript (trans. Eric J. Sharpe; Uppsala and Lund: C.W.K. Gleerup, 1961); Krister Stendahl, The School of St. Matthew (Phila.: Fortress, 1968); Vernon Robbins, Jesus the Teacher (Phila.: Fortress, 1984); Rainer Riesner, Jesus als Lehrer (Tuebingen: J.C.B. Mohr, 1981); R. Alan Culpepper, The Johannine School (Missoula: Scholars Press, 1975).

2 Culpepper, The Johannine School, 21.

3 Ibid., 171.

4 Ibid., 194-5.

5 On be rav see David Goodblatt, Rabbinic Instruction in Sasanian Babylonia (Leiden: E.J. Brill, 1975) 108-154. The significance of house churches in early Christianity is discussed by Wayne Meeks, The First Urban Christians (New Haven: Yale Univ., 1983) 75-77.

6 See the review of Patristic references to Jewish sects in Shaye J.D. Cohen, "Yavneh Revisited," SBL Seminar Papers (1982) 47-49.

7 Menahem Stern, Greek and Latin Authors on Jews and Judaism (3 vols.; Jerusalem: Israel Academy of Sciences and Humanities, 1976-1984).

8 Joseph Naveh, On Stone and Mosaic (Hebrew; Jerusalem: Karta, 1978) 25-6.

9 Lee Levine, The Rabbinic Class in Palestine during the Talmudic Period (Hebrew; Jerusalem: Yad Ben Zvi, 1985) 10.

10 Shaye J.D. Cohen, "Epigraphical Rabbis," JQR n.s. 72 (1981) 1-17.

11 Robert Kirchner, "Imitatio Rabbini" JSJ 17 (1986) 78 n. 16.