

*Is there really such a thing as the Judeo-Christian tradition?  
If not, what are the implications of that reality?*

# WHO WERE THE RABBIS? WHY DO WE CARE?

BY LEONARD GORDON

**T**he rabbis, the architects of what has come to be called rabbinic Judaism, date from the years following the destruction of the second Temple in 70 CE and include the men responsible for producing such classic texts as the Mishnah (edited ca. 220 CE) and the Babylonian Talmud (ca. 550 CE). When we consider Jewish origins, however, we think not of rabbinism, but rather of the religion of biblical Israel. In the popular imagination, Judaism is the oldest of three Western religious traditions (Judaism, Christianity and Islam) and rabbinic documents are conceived of as forbidding books for legal experts, books that, one guesses, elaborate on the Bible.

What if we acknowledge an important break in continuity between ourselves and our Israelite ancestors? What happens once we acknowledge that we have no greater claim to continuity with biblical traditions than do our Christian and Moslem neighbors? If we acknowledge that our roots are in rabbinism rather than in the Bible, we must look into rabbinic texts to appreciate how this Judaism functions as a religious system and how it offers us solutions to contemporary problems, solutions distinct from those available in the Hebrew Bible. Although the Bible certainly occupies a central place in Jewish tradition, the last two thousand years of our history have seen even that great work through the lens of rabbinism.

## The Implications of this Perspective

**T**his idea is not a new one. Theories of discontinuity in the history of Judaism played prominent roles, for example, in the nineteenth-century debates over reforming the tradition. Contemporary scholars, most notably Jacob Neusner, have stressed the radical change in religious world view and way of life promoted by the early rabbis. By way of contrast, Mordecai Kaplan downplays the

significance of the changes effected by the rabbis. By stressing the organic response of the people to changed social conditions, he finds that the "most important result of the fact that religion became the sole outlet of national self-expression (after the Temple's destruction in 70 CE) was the conservation of the revelational basis of the belief in God."<sup>1</sup>

By thus limiting the scope of rabbinism's reconstruction of Judaism and of Jewish civilization, Kaplan joins others, including both outsiders and insiders, who locate ultimate religious authenticity in biblical traditions. According to a relatively recent statement of Pope John Paul II, for example, Judaism is to be valued by Christians as an "older brother." This praise implies that Christianity picks up where Judaism leaves off, an understanding that appeals to the view that today's Jews preserve something of the customs of Jesus' time. Jewish neo-orthodoxy has other reasons for maintaining a similar fiction. The neo-Orthodox, who have tended to resist change, maintain the view that the later history of Judaism does no more than conserve and apply the teachings of the Bible. Alternatively, many liberal Jews have accepted Martin Buber's position that the rabbis radically misrepresented the content of revelation, which must be sought in prophetic and neo-Hasidic ethics rather than in rabbinic law (*halakhah*). Different as these positions and motivations are, all lead to an aversion from viewing rabbinism as a creative movement.

Why did Buber offer such an injunction and why have we obeyed? For the same reason that the only tractate of the Mishnah that we routinely translate and study is *Ethics of the Fathers* (*Pirkei Avot*). The Christian tradition, now misnamed the Judeo-Christian tradition, has shaped how we imagine religious language. We have lost the ability to read legal discourse as religious. If we are to utilize the vast majority of our books in ways that speak to our own needs, then we must relearn these skills.

## The World of the Rabbis

The first rabbis left us no account of their lives and work, and contemporary sources (such as Josephus and the New Testament) know nothing of a rabbinic movement in the Land of Israel or in the diaspora during the first two centuries of our era. When later rabbis sat down to remember and edit their work, the first document they produced was the Mishnah, a work best known to us for passages such as that from Rabbi Akiba: Everything is foreseen, yet freedom of choice is granted. The world is judged favorably, yet all depends on the preponderance of good deeds. *Pirkei Avot* 3:19<sup>2</sup>

*Avot*, a small tractate of five chapters (many books of the Mishnah are two to four times that length), is the only one containing such teachings. The opening lines of tractate *Makhshirin* (on fluids which render objects susceptible to impurity) or tractate *Zevahim* (on animal sacrifices in the Temple) are more typical of the rest of the Mishnah:

If any liquid was acceptable in the beginning even though it was not acceptable in the end, or if it was acceptable in the end even though it was not acceptable in the beginning, the law if water be put on applies. *Makhshirin* 1:1

All animal-offerings that have been slaughtered under the name of some other offering remain valid excepting a Passover-offering and a sin-offering. *Zevahim* 1:1

These two rulings make little sense on first reading and appear to be material fit for study only by cult-obsessed legalists. Even rabbinic Judaism's staunchest defenders have ceased to teach the Mishnah's laws as being of religious (as opposed to ritual) significance. Already during the medieval period, Jews were beginning to abandon writing commentaries to those parts of the Mishnah that deal explicitly with purity and cult.

And yet laws of purity and laws of the temple cult inform over 5/6ths of the Mishnah, a document published at a time when the Temple had long ceased to exist and when cultic purity was an impossibility. If the Mishnah was intended to be a conservative law code it is truly a bizarre one, legislating in painful detail for a world that does not exist and that may never have existed. The Mishnah assumes that rabbis control the cult, while we know that during the era of the second temple the rabbinic movement had not yet begun!

How can one compare then such irrelevant and trivial laws with the majesty of the following well-known

passage written within one hundred years of the publication of the Mishnah?:

Blessed are the poor in spirit, for theirs is the Kingdom of Heaven; Blessed are those who mourn, for they shall be comforted. Blessed are the meek, for they shall inherit the earth. *Matthew* 5:3-5

To our ears, trained in the traditions of Western culture, it is clear that "Blessed are the meek" is religion, while "If any liquid was acceptable" is not. With this sensibility in mind, let us nevertheless consider that obscure ruling from tractate *Makhshirin* regarding the purity of fluids.

To understand this law we must remember that, in the imagination of the biblical book of Leviticus, a common Israelite was concerned about eating his meals in a state of ritual purity when, and only when, he went to Jerusalem to make an offering. During the rest of the year, however, the common Israelite did not have to be concerned with priestly purity rules. One of those rules specified that wet foodstuffs could become unclean if a dead, unclean animal fell in among them. Thus a dead creeping thing that fell into a bushel of grain that was wet would render the bushel impure. If the bushel was dry, the grain could still be eaten. So says the biblical text.

The rabbis of the Mishnah, however, held a different view of the matter. In their imagination, the common Israelite was required to eat even his everyday meal in a state of purity. They applied the rules that once applied only within the Temple to all of society. What in the biblical system had been the concern of priests would now be the concern of each Jew.

Howard Eilberg-Schwartz has convincingly demonstrated that, even more significantly than a simple broadening of the application of the purity rules, the rabbis changed the way the rules operated, making human intention central to their legal system.<sup>3</sup> For example, Mishnah *Makhshirin* tells us that it matters whether the water on the bushel of grain was put there purposefully by the farmer or whether it was there against his desire. That is, if the farmer wet the grain to keep it fresh, and the dead creeping thing fell on it, the grain is impure. If the farmer wanted to keep the grain dry, but dew

fell on it anyway and then the source of impurity fell into the grain, the grain remains pure, contrary to the biblical view. To abstract, these rabbis placed human motivation, rather than the mechanical operation of the law, at the center of the new Judaic religious system.<sup>4</sup>

The early rabbis were, by necessity, religious innovators (not conservative legalists) who used legal

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discourse to convey their world view. Once the Temple was no longer the physical center of Judaism, the rabbis reconstructed it as a metaphor to articulate religious values. By accepting this exegesis, contemporary Jews will lose the claim to continuity with biblical religion. Judaism will be seen as Christianity's younger sibling, with all the implications that statement bears both theologically and politically.

Jacob Neusner has firmly rooted his reconstruction of the historical context of the Mishnah in the events of 70 CE, drawing analogies between that history and our own moment, and developing implications for Judaism's current relationship to Christianity and Islam that have not been fully explored. As Neusner observes, the rabbis of the second century faced a situation much like that of contemporary Jews in America. They lived a secure existence, but one that balanced precariously on the memories of recent destruction. For the rabbis, it was the memory of the persecutions and death that followed the loss of two messianic wars against Rome. Yet when the rabbis sat down to reflect upon what had occurred, they did not write a document addressing what we consider to be the standard theological questions. They did not ask: Where was God? Was this punishment? Why did good people die with the evil? They avoided these questions as being unanswerable and unproductive. Instead they produced a work, the Mishnah, which recalls the past in all of its details but also changes the past fundamentally. It is a document filled with the concerns and issues of the priests, yet written at a time when priests were no longer active leaders in society: the Mishnah changed the religious center. No longer would the Temple be imagined as a place where mechanical steps were taken to achieve purification; instead, human beings, those same humans who had been so mercilessly murdered and sold into slavery, those same human beings who had labored so hard to build Herod's Temple, those human beings and their intention would stand at Judaism's religious center.<sup>5</sup>

### Lessons For Our Times

For contemporary Judaism the message is clear. Explicit reflection on disaster will not yield useful religious thought. By ignoring the rabbinic revolution and viewing early rabbinic legal literature as essentially conservative and backward looking, modern Jewish thought loses a valuable model for its own work. By accepting the reading proposed here, theologians gain that resource but lose the claim to rabbinic continuity with biblical religion. One's evaluation of which loss is greater will depend in large measure on one's assessment of the relative importance of revealed truth versus human creativity.

For the larger world of Western Humanities this reading raises two important questions. First of all, it provides

further evidence that there is no such thing as the Judeo-Christian tradition. Judaism is a post-biblical religion and any claim to a true Judeo-Christian ethic would have to locate that ethic in the intersection between rabbinic writings and the works of the Church. The Hebrew Bible or, as it is known in the Western Christian Tradition, the Old Testament, does not represent anything properly called Judaic. Just as Christianity produced a "New" Testament, and Islam venerates the Koran with its rereading of biblical stories, so Judaism defines itself primarily through the writings of the early rabbis—the Mishnah, the Midrash, and the Talmud. While all three traditions reread and rewrite the Bible, Christianity focuses on Psalms and Prophecy, Islam on the narratives of Genesis, and the Judaism focuses on the Priestly Code. The Hebrew Bible is a library, and these three traditions have been taking out different volumes.

I return to my title, "Who Were the Rabbis? Why Do We Care?" The rabbis of the first centuries of our common era reflect our own interests, scholarly and theological. Diverse scholars from differing schools, who read the same texts, have reconstructed these men alternatively as tradition-obsessed legalists and as theologian-philosophers, bearers of a tradition uniquely applicable to our day. The study of the history of scholarship on the Mishnah teaches powerful lessons about the limits of interpretation and the role of the interpreter in creating meaning. The Mishnah can also teach us other lessons, lessons about creative responses to human suffering and lessons about how lines long abandoned in the Western tradition can be reappropriated in our ongoing effort to rethink who we are.

### NOTES

1. M.M. Kaplan, *Judaism as a Civilization* (N.Y.: Schocken, 1972), p.370.
2. Translation of Rabbi Jules Harlow, *Siddur Sim Shalom* (N.Y.: Rabbinical Assembly, 1985), p.627. Other citations from the Mishnah are taken from Herbert Danby, *The Mishnah* (Oxford Univ. Press, 1933).
3. See Howard Eilberg-Schwartz, *The Human Will in Judaism: The Mishnah's Philosophy of Intention* (Atlanta: Scholars Press, 1986).
4. An account of the laws of Mishnah *Makhshirin* is found in Jacob Neusner, *Form Analysis and Exegesis* (Minneapolis: Univ. of Minnesota Press, 1980).
5. Jacob Neusner, *Method and Meaning in Ancient Judaism* (Missoula: Scholars Press, 1979), see esp. p.1.
6. David Kraemer offers a parallel discussion of the contemporary relevance of talmudic (as opposed to mishnaic) discourse in *The Mind of the Talmud: An Intellectual History of the Bavli* (N.Y. and Oxford: Oxford Univ. Press, 1990). See especially pages 6-7. Similar claims are made for the midrash in Susan Handelman, *The Slayers of Moses: The Emergence of Rabbinic Interpretation in Modern Literary Theory* (Albany: SUNY Press, 1982) and for medieval exegetes in David Weiss Halivni, *Midrash, Mishnah and Gemara: The Jewish Predilection for Justified Law* (Cambridge, MA and London: Harvard Univ. Press, 1986). A major shift in the scholarly Jewish attitude towards law as a mode of religious discourse has come about during the 1980's. Its impact on folk Judaism remains to be felt.