REWRITING ANCIENT JEWISH HISTORY

THE HISTORY OF THE JEWS IN ROMAN TIMES AND THE NEW HISTORICAL METHOD

ROUTLEDGE STUDIES IN ANCIENT HISTORY

AMRAM TROPPER

ROUTLEDGE

Rewriting Ancient Jewish History

The History of the Jews in Roman Times and the New Historical Method

Half a century ago, the primary contours of the history of the Jews in Roman times were not subject to much debate. This standard account collapsed, however, when a handful of insights undermined the traditional historical method, the method long enlisted by historians for eliciting facts from sources. In response to these insights, a new historical method gradually emerged. *Rewriting Ancient Jewish History* critiques the traditional historical method and makes a case for the new one, illustrating how to write anew ancient Jewish history.

The painted folio on the book cover – Koninklijke Bibliotheek, The Hague, MMW 10 B 21 fol 152v – is a depiction of the Roman siege of Jerusalem by Michiel van der Borch for Jacob van Maerlant's Rijmbijbel/Wrake van Jerusalem. In this dazzling miniature dated to the year 1332, the siege of Jerusalem is recast as a battle scene from the Middle Ages. The combatants' garb and gear are typical of fourteenth century Europe and Jerusalem is rendered as a medieval castle surrounded by a moat. In dressing the Roman siege of Jerusalem in medieval attire, the miniature embodies the formative role of the present in the rewriting of ancient Jewish history.

Amram Tropper is Senior Lecturer in Jewish History at Ben-Gurion University. His previous publications include *Wisdom, Politics, and Historiography* (2004), *Like Clay in the Hands of the Potter* (2011) and *Simeon the Righteous in Rabbinic Literature* (2013).

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Amram Tropper

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״נַעֲשֶׂה נָּא עֲלִיַּת קִיר קָטַנָּה

וְנָשִׂים לוֹ שָׁם מִטָּה וְשֻׁלְחָן וְכִסֵּא וּמְנוֹרָה

וְהָיָה בְּבֹאוֹ אֵלֵינוּ יָסוּר שָׁמָּה״

(מלכים ב׳, ד׳:י).

לנעמי ובן ציון,

על פינה ברוכת אור

על השלווה ליצור

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Introduction

The history of the Jews in Roman times is not what it used to be just a few decades ago. The past, of course, remains unchanged. Since time incessantly moves forward towards the future, subsequent events cannot alter the past or impinge upon it. Reconstructions and interpretations of the past, however, are another matter entirely. Past and present entwine in the histories we pen. As the lens through which we view the past, the contemporary setting animates the historical record, generating facts and infusing them with meaning. The contemporary setting itself, however, changes over time and some recent advances in the historical method have thoroughly transformed the history of the Jews in Roman times.

A half century ago, the primary contours of the history of the Jews in Roman times were not subject to much debate. Generations of scholarship dating back to the early nineteenth century had crystallized in a standard account of the period that was widely (though not unanimously) embraced. Greatly simplified, this mainstream account featured a distinctive narrative arc of decline, destruction, and immediate renewal—the decline of Jewish–Roman relations in the late Second Temple period; the destruction of Jerusalem and its temple in 70 CE along with the shattering of Jewish life in Judaea during the Bar Kokhba revolt almost seventy years later; and the immediate renewal of Jewish life and leadership in the early rabbinic period. In respect to social history, the standard account promoted an analysis of the structure of Jewish society in Roman Palestine which viewed the Pharisees and their rabbinic heirs as mainstays throughout. In the realm of cultural history, it offered a portrait of Jewish culture and thought culled from an assemblage of statements and ideas scattered across rabbinic literature.[1] Many viewed the standard account as a testament to the modern historical method and its careful analysis of ancient sources. Yet despite its purportedly secure foundations, this account collapsed in the late twentieth and early twenty-first centuries.

What tripped up the standard historical account? Over the past century archaeologists and talmudists discovered new material artifacts and manuscripts, but these finds did not undermine the standard account. Instead the development which changed the face of ancient Jewish history was a shift in the historical method. A handful of recent insights gradually transformed our assessment of the historical value and reliability of the written remnants

of the ancient past. Criteria which convinced historians just fifty years ago no longer persuade us today. Fundamental working assumptions of past historians are not considered tenable or prudent anymore. As the grounds underlying the traditional account were undercut by increased methodological sophistication, the account floundered.

Today, we deploy a revised set of working assumptions, a new historical method, to guide us in creating probable and compelling reconstructions of the ancient past. The new historical method plots anew the limits of rational historical argumentation and, as a result, the facts it generates differ from those produced by the traditional historical method. This book is my attempt to make a case for this novel historical method, my justification for casting aside the old assumptions in favor of the new.

The new historical method is often unknown to the public and is still debated in scholarly circles. While some of its basic assumptions are embraced by a majority of historians today, others have gained less traction. Moreover, some "old school" historians maintain that the traditional historical method, the classical philological-historical method which dates back to the nineteenth century, is as sound as ever. They continue to work much as historians did fifty and even a hundred years ago, arguing that the flaws in the traditional method are slight and by no means crippling.

The continued influence of the traditional historical method attests to the fact that the transition to the new method is incomplete. This book, accordingly, is not a retrospective overview of a *fait accompli* but a participant in an ongoing methodological debate. It maintains throughout that the new historical method should take the place of the traditional one and guide us in rewriting the history of the Jews in Roman times.[2]

WHAT IS HISTORY?

To set the stage for my treatment of the recent breakthroughs in the historical method, let us consider the definition of history. In everyday conversation, history is often used as a synonym for the past. The past is history and history the past. This simple definition may serve us well in daily conversation, but history as an intellectual enterprise and scholarly venture is certainly not the past. As noted above, the past happened and will forever remain unchanged, but history is the ongoing study and interpretation of the past. History, in this sense, is subject to change in the present.

Defining history as the study of the past is better than defining it as the past, but even this improved definition is insufficient for our purposes. History as the study of the past might be taken to imply that historians enjoy direct and unmitigated access to the past, but that is not so. The past no longer exists, so no one can observe it directly anymore. Unlike an anthropologist who can visit a foreign community or a biologist who can perform experiments on living organisms, the past is beyond our reach.

Living in the present, the historian investigates the remnants and traces of the past susceptible to direct observation. The historian ruminates on the remnants of the past and by means of inference and interpretation, she or he imaginatively constructs an account of the past.

A historian's account can never capture the past as a whole because the objects of historical analysis, the traces of the past, reflect only a small portion of past reality.

> Only a part of what was observed in the past was remembered by those who observed it; only a part of what was remembered was recorded; only a part of what was recorded has survived; only a part of what has survived has come to the historians' attention; only a part of what has come to their attention is credible; only a part of what is credible has been grasped; and only a part of what has been grasped can be expounded or narrated by the historian.[3]

Due to the narrow scope of the traces at hand, any attempt to describe the past in its entirety is doomed to failure.

Our own finite senses, bounded intellect, and peculiar frames of reference also dictate that any account of the past will always be partial in both senses of the term, incomplete and biased. Without access to an impartial or God's eye view of the world, historians, like everyone else, make do with our limited and fallible human faculties. Our minds cannot grasp the past in its near infinite detail and what we can understand we do through social, cultural, and biological filters, as individuals embedded in society, in culture, in family, and in genes. No one can write a complete and impartial history. No historian can describe "the way it really was"[4] in a perfectly neutral and unbiased manner, for to do so one would need to contemplate the past from an inaccessible Archimedes point independent of human perception, cognition, and language. Historians, of course, should still aspire to objectivity, though not in the sense of an impartial or detached inquiry. Rather, objective historical inquiry entails the fair treatment of the sources in spite of one's inevitable biases and preferences.[5]

Since the past as a whole is well beyond our ken, historians focus on the parts of the past refracted through its remnants. Some historians used to imagine that the foci of historical investigations, the historians' research questions, emerge from the sources all by themselves,[6] but that is not the case. Research questions do not spontaneously generate, they are posed by historians who are themselves rooted in concrete contemporary settings. Influenced by norms of the historical discipline, personal inclinations, social concerns, cultural trends and countless other factors, historians pursue research questions they consider meaningful or interesting. The past is not inherently meaningful or interesting: what one person finds valuable and exciting, another may consider worthless and dull. Our values and tastes determine what we consider meaningful and interesting, hence the process of formulating a research question is necessarily imbued with contemporary values and sensibilities.[7]

History, then, is the study of the remnants of the past with an eye towards constructing a representation that faithfully portrays the parts of the past historians find meaningful. Just as a map is supposed to capture the contours and configuration of a landscape in a pictorial representation, history seeks to relate the contours and configuration of an earlier time in a literary representation.[8] This map analogy helpfully illustrates the notion that a historical account is a representation but it teeters when one considers how a representation's match with reality is verified. A map is verifiable because it can be compared to the reality it purports to represent: for example, it can be tested through navigation. Successful navigation with the help of a map attests to the map's fit with reality. History, by contrast, cannot be compared to a past that no longer exists; it cannot be tested against reality. The best historians can do is offer the most reasonable analyses and interpretations they can imagine for the known relics of the past.[9] These analyses and interpretations will always be tentative to some degree because future discoveries and insights may prompt the revision of current historical accounts. In light of the above, I would define history as the study of the extant traces of the past with the goal of creating a probable though tentative representation of selected aspects of the past deemed meaningful in the present.

In contrast to my definition, most proponents of the traditional historical method would opt for a more strident definition of history, at least insofar as the facts are concerned. These traditionalists view the facts of history as truths discovered through the application of the traditional historical method. For traditionalists, "millions of historical facts can be established as convincingly for laymen and experts alike as that two and two make four or that hydrogen and oxygen mixed in certain proportions under certain conditions make water."[10] I suspect that this extreme confidence in the truth of historical facts stems, in no small part, from the persuasive power of textual criticism, a discipline to which the traditional historical method is heavily indebted.

When history emerged as a professional discipline in the nineteenth century it drew inspiration from the "textual criticism of the philologist."[11] Textual criticism seeks to reconstruct the most original and authentic version of a text as possible. With the help of a number of common sense guidelines (carefully and critically applied),[12] textual criticism identifies and removes transcription errors that were introduced into a text by ancient or medieval copyists. Many text-critical guidelines remain uncontroversial till today and textual criticism's compelling identification of transcription errors gained the discipline a reputation for certitude already by the early nineteenth century. Inspired by textual criticism's accomplishments, the nineteenth century's philological-historical method sought to devise comparable common sense guidelines for the extraction of facts from ancient sources. With textual criticism as its model, the traditional historical method composed a set of guidelines designed to isolate the pristine historical kernels enmeshed in ancient sources.

Not only did the traditional historical method model its guidelines on those of textual criticism, it also incorporated textual criticism itself into the historical method. Recognizing the need to rely upon the most original and authentic version of ancient sources, the traditional historical method enlisted textual criticism to reconstruct the original form of ancient texts. The recent testimony of a prominent scholar trained in the traditional historical method attests to the ongoing centrality of textual criticism within the traditional historical method:

> As a disciple of teachers trained in the classical historical-philological methodology established by the luminaries of *Wissenschaft des Judentums*, I was weaned on the assumption that the "true tale" (give or take some obvious legendary embellishments) can be uncovered once the text has undergone critical scrutiny. This would entail a careful analysis of the relevant talmudic manuscripts and parallel traditions, language, comparisons with external information of both a literary and physical nature, and the proper insertion of each case into a known historical context. Thus, by establishing something considered fairly close to the original, "authentic," text, we are that much closer to the "things" that these texts describe.[13]

By virtue of the close connection between textual criticism and the traditional historical method, I imagine that the confidence and self-assurance of textual criticism overflowed onto the traditional historical method. Many traditional historians came to consider their method as effective as the text-critical method and the facts it produced as certain and true.

A good number of common sense guidelines espoused by the traditional historical method remain convincing and uncontroversial even today, but, as a whole, as a set of principles, the traditional historical method is flawed and incomplete. Some facts about the history of the Jews in Roman times established by the traditional historical method are viewed today as pure fiction. Other supposed facts no longer can be considered probable, let alone certain. The erosion of so many facts, facts once considered certain and true, intimates that we ought to be more tentative and self-conscious when establishing historical facts. As we apply the new and revised historical method, we should always keep in mind that the future might bring new data or insights which will change or undermine the facts we discover.

THE HISTORICAL METHOD AND HISTORIOGRAPHY

The historian's craft, or the process of writing a historical account, may be roughly parsed into three stages. The historian first formulates a research question and assembles the relevant sources. Second, he or she analyzes the relevant sources in order to elicit facts. Third, the historian interprets the facts, molding them into an overarching historical account.[14]

1. The research question

A research question initiates a historical inquiry by pointing the historian in a direction. It guides the historian in identifying the traces of the past that hopefully will supply the basis for an answer and the more relevant traces identified, the better. The ancient historian's traces are usually written sources, but he or she will also consider material artifacts when they are pertinent. In practice, the historian may initiate an inquiry with only a vague sense of his or her desired avenue of inquiry. As the historian becomes more and more familiar with the relevant sources, she or he will often fine-tune the focus of the investigation, reformulating the research question in order to ensure that it is answerable. But regardless of its evolving form, the research question remains the driving force of the historical inquiry from beginning to end since the inquiry's ultimate purpose is to respond to it.

2. Analysis: authenticity, hermeneutics, and credibility

The analysis of the selected traces of the past, the second stage of the historian's craft, is comprised of a three-prong investigation designed to extricate facts refracted in these traces. The first prong assesses whether the sources are authentic, the second aims to discover the original meaning(s) of the sources via hermeneutics, and the third gauges the credibility of the sources' contents. A fact is a credible datum drawn or inferred from an authentic source, "a detail derived from a critical examination of historical documents rather than a detail of past actuality."[15] A fact is a product of the three-prong analysis.

3. Writing a historical narrative

With the facts in hand, the historian explores their historical implications in the third and final stage of the historian's craft. He or she answers the research question with a nuanced historical account and integrates the facts into a historical account, most commonly a narrative.

*

The terms "historical method" and "historiography" have assumed different meanings over the course of the last two centuries and I adopt here the following definitions. The historical method is the second stage of the historian's craft. It is the three-prong analysis of the sources: the analysis of the authenticity and original meaning(s) of the sources as well as the credibility of their contents. Its ultimate goal is to extract facts from the remnants of the past. Historiography, by contrast, is the third stage in the historian's craft. Historiography interprets the facts, invests them with significance, and synthesizes them within a historical account.[16] Historians seek to establish facts with the historical method and to make sense of the facts from a frame of reference, in tune with a historiographical theory (or theories).

The facts generated by the historical method are the raw materials which historiography molds into a narrative.

Facts isolated by the historical method do not, in and of themselves, comprise a narrative or a historical account. Historians select facts, link them together and identify patterns in the past and in doing so they inescapably add something to the bare facts. Historiography is the source of this added something; it is the process of interpretation wherein historians make sense of the facts in the context of a frame of reference, in accordance with a theory.[17] Some historians explicitly identify the theory which animates their synthesis. Structural-functionalism and agency theories, feminism, and post-colonialism, Marxism and post-structuralism are just a few of the prominent theories in contemporary historiography. Jewish historiography has enjoyed some of its own idiosyncratic theories evident in the reformatory, emancipatory, diaspora-nationalist, Zionist and post-Zionist narratives of the last two centuries.[18] Other historians prefer a common sense approach to history without espousing an explicit theory, but common sense itself is no less a frame of reference, no less a set of background assumptions, than any explicit theory. In every case, historiography involves casting the facts of the past within a present frame of reference.[19] Whereas the historical method is more craft than art, historiography is more art than craft.

The research question, as noted above, is also embedded in a frame or frames of reference. While relevant sources help a historian direct and focus a research question to ensure that it is answerable, the question ultimately stems from the historian's interests, interests that crystallize within definite frames of reference. For example, since the theory of historiography applied in any given study is usually known in advance, it often serves as a central frame of reference for the formulation of a research question. By influencing the nature of the research question, the third stage of the historian's craft, historiography, informs the first.

Since the inception of modern historiography in the early nineteenth century, historians of different stripes have asked a wide variety of research questions and applied all sorts of theoretical models in their answers. Political, social, economic, intellectual, and cultural historians introduced many new theories into historiography, but, for the most part, they did not disagree over the facts. Regardless of one's theory of historiography, most historians usually agreed that the traditional historical method, the second stage in the historian's craft, was the optimal strategy for extricating facts from the sources. The traditional historical method's common sense assumptions, its frame of reference, were compatible with diverse schools and philosophies. Even theoreticians who were skeptical about the value of any historical narrative usually did not question the viability of the traditional historical method. For most of the nineteenth and twentieth centuries, the traditional historical method was viewed as the best way to cull facts from the traces of the past.

In the last half a century or so, however, a handful of insights have crippled the traditional historical method. In addition, scholars of ancient Jewish history have traditionally worked with some further assumptions of their

own, assumptions which became part and parcel of their own variation on the traditional historical method, but a growing number of historians no longer find these extra assumptions compelling. In short, the traditional historical method long practiced by historians of ancient Jewish history is flawed. Many of the facts it claims to establish, as well as the standard account built upon those facts, no longer pass critical scrutiny. I explore below both the shortcomings of the traditional historical method and the remedies of the new historical method, the method which I believe should guide historians today as they write anew the history of the Jews in Roman times.

THE OUTLINE OF THIS BOOK

In line with the three prongs of the historian's craft, this book is divided into three main parts: authenticity, hermeneutics, and credibility. In each part, I describe and critique the relevant features of the traditional historical method, spelling out their shortcomings and failings. On the heels of each critique I introduce the alternative approach advanced by the new historical method, a method specifically designed to overcome or circumvent the traditional historical method's flaws.

In Part I: Authenticity, I examine a key element of the traditional historical method's textual criticism: the inclination to view multiple versions of a text as equally authentic, as independent reflections of a no longer existent and unattested precursor. Though a mainstay of traditional textual criticism, this inclination is flawed on various grounds. For example, it postulates the existence of hypothetical and unattested sources all too easily and fails to explain the nature of the similarities and differences between multiple versions of the same text. Upon illustrating this fundamental feature of traditional textual criticism as well as pointing out its drawbacks, I explain and promote the new historical method's alternative approach to parallel manuscript readings.

In Part II: Hermeneutics, I critique the narrow scope of the traditional historical method's hermeneutics and endorse the broad scope of the new historical method's hermeneutics. Traditional hermeneutics usually reads ancient Jewish sources written in Hebrew or Aramaic in light of the immediate Jewish setting only. Viewing Jewish society as secluded, cloistered, and largely insulated from external forces, the traditional method presumes that most ancient Jewish texts in Hebrew and Aramaic were generated by immanent Jewish traditions and processes. However, once empirical studies revealed that ancient Jewish communities were intricately embedded within the ambient gentile context, this internal approach to Jewish texts faltered. In keeping with the realization that ancient Jewish society was not hermetically sealed, the new historical method developed a broader perspective which reads ancient Jewish sources in light of the surrounding pagan and Christian settings.

In Part III: Credibility, I investigate the traditional historical method's credibility analysis. With the history of events as its primary focus, the traditional

historical method analyzes ancient Jewish sources in order to determine what happened in the past. Towards this end, it makes a number of working assumptions. Barring any local or immediate causes for suspicion, it presumes that ancient Jewish texts faithfully preserved their sources and that they, as well as their underlying sources, are essentially reliable historical reports. It assumes that even uncorroborated particulars can be established as facts so long as they are plausible, and it regularly presupposes that highly similar texts are independent accounts of the same historical reality and hence corroborate one another. After explaining and criticizing these traditional working assumptions, I make a case for the alternative approach of the new historical method, clarifying how it avoids the traditional method's faulty working assumptions.

I end the book with Part IV: Conclusion. In this final part, I survey all the themes of the previous parts with the help of a representative test case and offer some thoughts on the modern setting which fostered the transition from the traditional historical method to the new. In tune with the rest of the book, Part IV seals my case for the new historical method.

NOTES

1. For some variations on the standard account, see Moore (1946); Baron (1952); Goldin (1960); Stern (1969); Safrai (1969); Schürer *et al.* (1973–1987) vol. 1; Avi-Yonah and Baras (1977); Alon (1980–1984); Baras, Safrai, Avi-Yonah and Stern *et al.* (1982); Avi-Yonah (1984); Stern (1984); Herr (1985); Safrai and Regev (2011). See also Neusner (1965–1970) on the Jews of Babylonia and Urbach (1975) on Jewish thought.
2. For some recent histories informed by the new method, see Grabbe (1992); *CHJ4* (2006); Lapin (2012); Schwartz (2014).
3. Gottschalk (1950) 45.
4. See Novick (1988) 28; Evans (1997) 14–15; Iggers (2011) xiii–xiv.
5. See Haskell (1990); Gould (1996) 36; Moore (2006) 8–11.
6. See Elton (1967) 62; cf. Skinner (1997) 307–308; Evans (1997) 197–198; Clark (2004) 19–20, 156.
7. See Veyne (1984) 20, 28, 33. For more detailed analyses of the issues discussed in the last six paragraphs, see Evans (1997); Gaddis (2002); Kosso (2009) 9–25; Moore (2006) 6–32.
8. See Gaddis (2002) 32–33.
9. See Mason (1993) 234–235; Iggers (2005) 144–145. See also Friedman (2010) 90, 130; Stern (2010) 160.
10. Gottschalk (1950) 8.
11. Elton (1967) 24. See Müller (2009) 22–24.
12. See Housman (1922) 67–68; Tov (2012) 270–282.
13. Gafni (2011) 355.
14. For a classic presentation of the historical method, see Gottschalk (1950).
15. Gottschalk (1950) 205.
16. See Gottschalk (1950) 8–9, 48–49. See also Gossman (1989) 30–44.
17. See Gottschalk (1950) 9; Veyne (1984) 12. See also Quine (1951) 39–43; Kuhn (1962) 77–91; Fish (1980) 338–355.
18. For an overview of Jewish historiography, see Brenner (2010).
19. See Barstad (1997) 47–48; Fulbrook (2002) 3–50.

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Part I
Authenticity

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1 Can multiple versions of a text be equally authentic?

A historical inquiry opens with a research question and continues with the search for relevant traces of the past. With question and sources in hand, the historian proceeds to the second stage of the historian's craft: the three-prong analysis of the sources' authenticity, meaning, and credibility. In the first prong, the historian assesses the authenticity of the assembled ancient sources. Authentication is the first of the three prongs because any attempt to represent a slice of the past must be founded on testimony or evidence that genuinely stems from that particular slice. When evaluating whether or not an ancient source is genuine, the historian poses two series of questions. The first series authenticates the source as a whole and the second authenticates the source's individual components.

The historian's first series of questions examines a source as a whole in order to determine whether it is genuine or not. The historian asks if the source is what it purports to be. Was it composed by the person it identifies as its author or editor? Was it created when and where it claims to have been created? With such questions in mind, the historian searches for clues that the source might be a forgery or misrepresentation. If it appears that the source is not what it claims to be, the historian will take care not to interpret it as one would a genuine source. If the source is deemed genuine, the historian will move on to the second series of questions.

Through the second series of questions, the historian assesses the genuineness of the source's assorted components, its contents and wording. Aside from inscriptions and a small collection of documents that have survived from antiquity, our oldest manuscripts usually date to the early Middle Ages and hence are copies of copies of copies. Over centuries of textual transmission in which ancient texts were passed down orally or copied by scribes, the texts were often altered and revised, sometimes accidentally and sometimes intentionally. Since the historian of antiquity needs to rely on ancient sources and not medieval or modern ones, the vagaries of textual transmission—the accretions, revisions, repetitions, and omissions that took place during the transmission process—distance the historian from genuine ancient sources. In order to minimize the late and inauthentic elements in a source, the historian seeks to identify and discount changes

made to the original source over time. Were any words accidentally garbled or erased during the process of textual transmission? Were any phrases or sentences intentionally enhanced or reworked? Through a critical analysis of the source's textual witnesses, such as manuscripts, printed editions and citations in other sources, the historian tries to reconstruct, as best as possible, the earliest and most original version of the source.

The traditional historical method deploys an array of criteria for assessing the authenticity of ancient sources, many of which remain compelling today. For example, since authors usually cannot predict the future, anachronistic references to future events are a classic sign of the interference of a later hand. But regardless of its many merits, one central feature of the traditional assessment of authenticity is flawed. The traditional method is too quick to confirm the authenticity of manuscript readings on the basis of hypothetical and unattested sources and traditions. It posits the existence of underlying sources all too readily and reconstructs their contents all too easily. The new historical method questions the ease with which these unattested precursors are postulated and recommends instead an alternative way of judging the authenticity of manuscript readings.

A BRIEF SURVEY OF SOURCES FOR JEWISH HISTORY FROM ROMAN ANTIQUITY

Before discussing the process of source authentication any further, a short survey of our ancient sources is in order. The Jews of Roman times bestowed to posterity many and varied written sources, spanning numerous genres and disciplines. Jews wrote history and literature, philosophy and law, poetry and prose, mysticism and apocalypse, prayer and *piyyut*, testament and epistle, *Mishnah* and *Talmud*, wisdom and books of magic, apologetics and polemics, biblical translations and biblical *midrash*, legal documents and inscriptions, amulets, and magic bowls. Throughout the Roman Empire and the Persian east, Jews composed texts in Hebrew, Aramaic, and Greek.[1]

Ancient Jews also left behind a wide variety of non-written material remains. Private homes, synagogues, household vessels, stepped pools, and graves are just a few types of these remnants.[2] Archaeologists are usually the ones to discover these sorts of non-written traces of the past but, once revealed, they often play a significant role in historians' representations of the past.

The ancient writings of non-Jews comprise yet another group of sources for Jewish history.[3] Christian and pagan writings on Jews and Judaism teach much about Jews and ancient attitudes towards Jews. Other gentile sources which do not mention Jews or Judaism are also relevant when they help us recover the social, cultural, and literary backdrop for ancient Jewish sources.

Despite the plethora and variety of ancient sources on Jews and Judaism, two groups of sources are the mainstays of Jewish history in Roman times: Josephus's writings and rabbinic literature. Josephus offers the only extant running narrative of the history of the Jews from the Roman conquest of Judaea (in 63 BCE) till the end of the first Jewish revolt against Rome (in 73 or 74 CE) and rabbinic literature offers an unrivaled view of Jewish life in the first centuries of the Common Era. Though other works may shed more light on specific issues—as Philo's writings do on philosophy, *Third Enoch* on mysticism, and *Sefer Ha-razim* on magic—the range illumined by rabbinic literature is without parallel. Owing to their key role in any history of the Jews under Rome, Josephus's writings and rabbinic literature are the chief sources discussed in this book. Of the two literary corpora, rabbinic literature takes center stage because it is more unusual in the ancient literary landscape. While Josephus's writings largely follow in the Greek tradition of writing history, rabbinic literature's diverse mix of literary genres is unparalleled in all ancient literature.

THE AUTHENTICITY OF ANCIENT JEWISH SOURCES

In the wake of this short survey of our sources for the history of the Jews in Roman times, let us consider how one authenticates a source. The first step, as noted, above, involves assessing the source's genuineness. Is the source what is purports to be?

Some ancient Jewish sources were written anonymously but were subsequently attributed to well-known legendary personalities. For example, a collection of anonymous psalms from the last two centuries BCE were subsequently ascribed to the biblical king Solomon and were accordingly entitled the *Psalms of Solomon*. A late attribution of this kind, however, has no bearing on the question of a source's authenticity, since the source itself does not stake a claim to this attribution. Authenticity is properly assessed through the analysis of a source's language, style, literary coherence, and professed attribution, through the fit of its contents and form with a particular period, and also in light of references to the source in other ancient materials.

Another group of ancient sources was originally written under the assumed names of earlier figures. For example, *Fourth Ezra* is narrated by Ezra the Scribe of the fifth century BCE but internal evidence and the earliest external references both point to a date of composition in the late first century CE.[4] Similarly, *Third Enoch* is narrated by the second century CE Rabbi Ishmael but the preponderance of evidence points to a date of origin for the work in the fifth or sixth century CE.[5] These sorts of falsely attributed literary works, or pseudepigrapha, were common in ancient times and their attributions were prompted by a variety of motives, some admirable and some less so. Scholars debate whether religious pseudepigraphal works should be called forgeries,

i.e. intentional deceptions, but regardless of their authors' motives, pseudepigraphal and pseudonymous works misrepresent their origins.[6] *Fourth Ezra* is not a genuine source for the fifth century BCE and *Third Enoch* is not a genuine source for the second century CE. However, once scholars establish the time and place of origin of a pseudepigraphic work, it *can* function as a genuine historical source. Today, *Fourth Ezra* is viewed as a genuine source for the first century CE and *Third Enoch* for the fifth or sixth century CE.

When it comes to ancient legal documents, rabbinic compositions and Josephus's writings, forgeries and misrepresentations do not pose a major challenge. For example, though the greater part of the *Zohar* purports to be the words of the second century sage, Rabbi Simeon ben (= son of) Yohai, both internal and external evidence place the *Zohar* in the thirteenth century CE.[7] Forgeries of some rabbinic works were published in the late nineteenth and early twentieth century, but scholars quickly proved that they were not genuine.[8] For the most part, rabbinic works and Josephus's writings originated in antiquity. In a similar vein, legal documents found in long lost archives in the Judaean desert, such as the Babatha archive and that of Salome Komaise's family,[9] are presumed genuine since it is hard to imagine why anyone in antiquity would have gone to the efforts to fabricate (and preserve) them.

Rabbinic works tend not to identify their authors or origins but careful analysis of their language, contents, and citations elsewhere enables us to determine, albeit only roughly, a date and place of origin for most rabbinic works. In some cases, such as the *Mekhilta de-Rabbi Ishmael* and *Pesikta de-Rav Kahana*, the name of a rabbinic sage was inserted into the title of a rabbinic work long after its completion but late title revisions have no bearing on the identity of the work's author. This is the case not only because the late attributions were devised so long after the original work was composed, but also because they were often prompted by a medieval habit to name literary compositions after the first sage mentioned in a work without necessarily ascribing authorship to that sage.[10]

Four extant compositions, *The Jewish War*, *The Antiquities of the Jews*, *Life*, and *Against Apion*, claim Josephus for their author[11] and both internal and external evidence corroborate these claims. Several church fathers also ascribed the anonymous *4 Maccabees* to Josephus but this late attribution has little in its favor.[12]

Thanks to the traditional historical method, we have an excellent sense of the genuineness of many ancient works. For a long time now the traditional historical method has guided scholars in exposing forgeries, authenticating ancient sources and assessing their date and place of origin. For the most part, disagreements over the origins of a text have been rooted in differences of interpretation, not in differences in method. Since there are no deep flaws in the traditional approach to authenticating complete works, let us move on to consider the second step in the authentication process: assessing the genuineness of our sources' contents and wording.

THE AUTHENTICITY OF THE INDIVIDUAL COMPONENTS IN ANCIENT JEWISH SOURCES

Due to the changes a text undergoes as it is passed down from generation to generation, the discrete components of ancient texts—the paragraphs, sentences, phrases, words, and letters—may not be original. The earliest full Greek manuscripts of Josephus's works were written in the tenth or eleventh centuries CE, long after Josephus's death around 100 CE,[13] and the earliest extant rabbinic manuscripts date to the ninth century CE, hundreds of years after many rabbinic works were composed.[14] We have no original or autographed Josephan or rabbinic manuscripts, but rather copies of copies of copies. Moreover, many rabbinic traditions were transmitted orally for decades or centuries before being put down in writing so they underwent a long period of oral transmission prior to their transmission in writing.[15] Over centuries of transmission omissions, alterations, revisions, and interpolations were made to the texts—at times accidentally and at times intentionally. Consequently, the extant manuscripts and printed editions often include late and inauthentic materials.

With the help of the common sense guidelines of textual criticism, philologists and historians strive to remove the inauthentic materials that have accumulated over time. Through painstaking analysis of the textual witnesses, scholars identify changes made to our sources during the long course of transmission. By removing or discounting these changes, they reconstruct as best they can the earliest and most original versions of our sources. Textual criticism may not always restore the precise wording of an original text but, in tune with our definition of history, it aims to make the most probable reconstruction of an original text on the basis of the extant evidence. In reality, a high percentage of the variations between textual witnesses are slight divergences that do not significantly alter the meaning of our sources and so scholars may often posit that their reconstructions are close, if not exactly identical, to the originals.[16]

Identifying the changes made to a text during the course of its transmission is often straightforward and uncontroversial. The following guidelines, for example, are commonly applied in the restoration of texts from a wide variety of genres, in diverse languages and from all periods.

If a word or phrase is *needlessly* repeated in a single manuscript (or in a branch of related textual witnesses that stem from a single archetype) but not in the other textual witnesses, it was probably created by a copyist who mistakenly copied the word or phrase an extra time.[17] For example, a comparison of the textual witnesses on the following line from *Pesahim* 43a of the *Babylonian Talmud* (which was edited in Babylonia between the sixth and eighth centuries CE, sometime after the close of the amoraic period[18]) suggests that the first printed edition of the *Talmud* (published in Venice) includes an accidental repetition of the phrase "of Rabbi Eliezer" ("*de-rabi eliezer*") (see Table 1.1).

Table 1.1

Babylonian Talmud Pesahim 43a according to all textual witnesses save for the Venice edition	*Babylonian Talmud Pesahim 43a according to the Venice edition*
Rather, the reason of Rabbi Eliezer is . . . [1]	Rather, the reason of Rabbi Eliezer *of Rabbi Eliezer* is . . .

Note
1 See Wald (2000), xvi.

If a passage well documented in the textual witnesses is missing from a single manuscript (or from a single branch of textual witnesses) and the final word or phrase of the missing passage is the very one that immediately precedes the passage, the passage was probably omitted when a transcriber's eye inadvertently jumped from the word or phrase preceding the passage to the final word or phrase of the passage.[19] This type of scribal error is called *homeoteleuton* and is illustrated in the following example (see Table 1.2).

Like MS Vienna, the other manuscripts of the *Tosefta* (which was edited in Roman Palestine during the third century CE[20]), MS Erfurt and MS London, include the clause "if he did not pour it out against the base." The only textual witness to omit the clause is the first printed edition and it apparently did so because of a transcription error. A copyist omitted the clause when his eye accidentally jumped from the first appearance of the phrase "against the base" to its second appearance. Without the intervening clause, however, the sentence is incomplete and makes no sense.[21]

Repetition (or dittography), *homeoteleuton* and many other text-critical guidelines are suggestive principles, not immutable laws. They are neither logically nor physically necessary but have gained the wide support of philologists and historians for two reasons. First, they are rooted in common sense. There is nothing fantastic or implausible about them. The notion that a

Table 1.2

Tosefta Pisha 4, 11 according to MS Vienna	*Tosefta Pisha 4, 11 according to the first printed edition*
The priest nearest the altar pours it out in a single act of pouring *against the base (ke-neged ha-yesod),* if he did not pour it out *against the base (ke-neged ha-yesod),* it is invalid.[1]	The priest nearest the altar pours it out in a single act of pouring *against the base (ke-neged ha-yesod),* it is invalid.

Note
1 Translation by Neusner (1981) *ad.loc.*

copyist might accidentally repeat a word or that his eye might jump between identical words is plausible and reasonable. Second, once scholars became attuned to the principles and guidelines of textual criticism, they found that they could make better sense of the textual record. Empirical analysis of textual variants coupled with the principles of textual criticism have revealed that the guidelines of textual criticism are not merely reasonable but also offer the best available explanation for countless textual variants. By extending common sense intuitions into principles that generate compelling explanations for innumerable (textual) phenomena, textual criticism accomplishes precisely what a discipline in the humanities (or sciences[22]) should.

Not all textual criticism, however, is rooted in common sense, nor is it all uncontroversial. One controversial feature of textual criticism is the traditional inclination towards conjectural textual emendations. For centuries text-critics have emended difficult texts or filled in lacunae with imaginative conjectures and these conjectures are often unnecessary and unconvincing. Today, self-conscious text-critics acknowledge the subjectivity of conjectural emendations and accordingly view emendations as a tentative hypothesis to be proposed only after all other efforts to solve a textual problem have failed.[23]

Similarly, another controversial feature of the traditional text-critical method is its tendency to view parallel and distinct versions of a rabbinic text as equally authentic and original.[24] This tendency is predicated on the assumption that once a rabbinic text was redacted, i.e. completed, its wording was fixed in writing and only subject to slight changes during the subsequent process of transmission. Driven by the mandate of this assumption, traditional text-critics have concluded that whenever the variants between textual witnesses are substantive (that is, neither transcriptional errors nor scholastic emendations), the variants must reflect independent and equally authentic recitations of originally fluid *oral* materials. Since traditional text-critics presuppose that written rabbinic texts only incurred minor changes during the course of their transmission, they maintain that significant differences between textual witnesses must stem from an earlier time when rabbinic traditions were still transmitted orally.

The central methodological flaw in the traditional inclination to view distinct versions of rabbinic texts as equally authentic is the assumption that redacted or written texts are only susceptible to slight changes. On the basis of this problematic assumption, traditional text-critics postulate far too quickly the existence of hypothetical and unattested oral originals. By contrast, the new historical method questions whether rabbinic texts were necessarily redacted in writing and, more importantly, it maintains that redacted and even written texts might still undergo substantive and significant changes during their transmission. This new assumption shies away from postulating the existence of unnecessary and unattested entities and also enables us to offer compelling explanations for countless textual variants that have confounded traditional text-critics.

THE INDEPENDENT REDACTIONS OF *BABYLONIAN TALMUD PESAHIM* ACCORDING TO ELIEZER SHIMSHON ROSENTHAL

In order to illustrate the excessive ease with which text-critics posit the existence of a hypothetical oral tradition which purportedly generated two independent versions of a text, I will examine an example from an influential article written by the renowned talmudist Eliezer Shimshon Rosenthal. In this article,[25] Rosenthal argues that unlike the text preserved in most of our textual witnesses to *Babylonian Talmud Pesahim*, the texts of two Yemenite manuscripts stem from a separate and independent textual redaction. In the course of making his case, Rosenthal brings the following example from *Pesahim* 7a (see Table 1.3).

In the statement attributed here to Rav Aha bar (= son of) Jacob, the bulk of our textual witnesses read "*a disciple sitting before his master*," while the Yemenite manuscripts read "*a disciple of the sages*." Rosenthal ultimately concludes that the textual branches differ here because they reflect two independent redactions of *Pesahim* but his argument begins with a simple though crucial interpretive step: Rosenthal maintains that the two expressions are synonymous. Both expressions, according to Rosenthal, articulate one and the same idea, the idea of a rabbinic disciple.[26]

In light of the apparent semantic equivalence of the two expressions, Rosenthal wonders how this difference between the two branches of textual witnesses came about. Why, asks Rosenthal, do the Yemenite manuscripts read "*a disciple of the sages*" when all other direct textual witnesses read "*a disciple sitting before his master*?" The presence of parallel synonymous expressions in the two branches is puzzling for Rosenthal because, as a proponent of the traditional text-critical method,

Table 1.3

The Dominant Branch of Textual Witnesses as represented by MS Lunzer Sassoon[1]	*The Yemenite Manuscripts as represented by MS New York—JTS Rab. 1623/2 (EMC 271)*[2]
Said Rav Aha bar Jacob: We treat here of a disciple *sitting before his master . . .*	Said Rav Aha bar Jacob: We treat here of a disciple *of the sages . . .*[3]

Notes

1 See also MS Munich 95; MS Oxford Opp. Add. fol. 23; MS Vatican 109; MS Vatican 134; Venice *editio princeps*; Vilna printed edition; Bologna-Archivo di Stato Fr. ebr. 401–402. (*Babylonian Talmud* manuscripts and textual witnesses are cited as they appear in The Sol and Evelyn Henkind Talmud Text Databank).

2 See also MS New YorK-Columbia X 893 T 14a (according to the Sol and Evelyn Henkind Talmud text Databank).

3 The translations of *Pesahim* here and below are variations on Freedman (1967) *ad loc*. See p.25 for a translation of the full talmudic discussion as presented by each branch of textual witnesses.

he posits that a written text incurs two and only two classes of changes—transcriptional errors and scholastic emendations.[27] Rosenthal presupposes that sometimes copyists made mistakes and sometimes they corrected what they perceived as mistakes but otherwise they did not modify the texts they copied. Since neither one of our synonymous expressions seems to be an error or an emendation, Rosenthal cannot view either one as the product of the written text's history of transmission. Reasoning that a variant which could not have been generated after the text had been written must have come from a period before the text was put in writing, Rosenthal concludes that both expressions date back to the period of oral recitation before our text was recorded on parchment.

In the course of his article Rosenthal argues that the noted textual variant is not the only synonymous variant in *Pesahim*, but one of many. In example after example Rosenthal contends that the Yemenite branch and the dominant branch of textual witnesses convey the same meaning but formulate their common material differently. In order to account for so many semantically equivalent variants, Rosenthal constructs a model of an earlier edition of *Pesahim* that purportedly served as the basis for two independent redactions of the tractate.

Pesahim, according to Rosenthal, was initially edited orally and by edited, he means that its contents and order were fixed and finalized but its language was still fluid and free. Unhampered by an authoritative formulation, the wording of each and every oral recitation of the edited *Pesahim* was potentially unique and unlike that of any other recitation. Subsequently, contends Rosenthal, *Pesahim* was redacted when it was written and by redacted, he means that its language was fixed and finalized. According to Rosenthal, *Pesahim's* redaction, the transition of the tractate from an oral to a written medium, occurred twice. *Pesahim*'s two branches, according to Rosenthal, reflect two distinct textual redactions each of which stems from an independent and distinct oral recitation. These recitations were formulations of a no longer extant oral *Pesahim* whose contents and structure were set but whose language was open and free. Since the language of the oral *Pesahim* was not fixed, autonomous recitations produced the many synonymous textual variants Rosenthal finds between the two branches of *Pesahim*.[28]

The following six points summarize Rosenthal's argument:

1 Many variants between the Yemenite manuscripts and the other textual witnesses of *Pesahim*, like the variant "*a disciple of the sages*"/"*a disciple sitting before his master*," are synonymous.
2 The only changes made to a text after its redaction, after its language is fixed in writing, are transcriptional errors and emendations.
3 Synonymous variants are neither transcriptional errors nor scholastic emendations.
4 Consequently, synonymous variants must predate *Pesahim*'s redaction and the finalization of its language in writing.

5 Before *Pesahim*'s language was finalized in writing, the tractate was edited orally. Oral *Pesahim* had fixed contents and a set structure but fluid and free wording.
6 The two branches of *Pesahim* stem from two independent recitations of oral *Pesahim* which were redacted separately; their synonymous variants are alternative formulations of the same organized subject matter.

THE FLAWS IN ROSENTHAL'S ARGUMENT

Let us now examine Rosenthal's argument point by point, starting with point 1, which maintains that there are many *synonymous* textual variants between the Yemenite branch of textual witnesses and the dominant branch. This is not the place for an exhaustive analysis of Rosenthal's examples and I shall limit my treatment to the one brought above.[29] The dominant branch's expression "*a disciple sitting before his master*" does sound like just another way of referring to the Yemenite branch's "*a disciple of the sages*" so it would appear, at first glance anyway, that this example is a fine illustration of a synonymous variant. However, the context for Rav Aha bar Jacob's statement (cited below) reveals that the parallel expressions *are not, in fact, synonymous*.

The goal of the statement attributed to Rav Aha bar Jacob is to reinterpret a *baraita*, a purportedly early source from tannaitic times (*c*.60–220 CE). Biblical law prohibits enjoying leaven (i.e. fermented dough) and storing it in one's home on Passover[30] and, according to the simple and straightforward meaning of the cited *baraita*, a disciple may void his ownership of leaven during Passover in order to conform to the biblical prohibition. The *baraita* poses a problem for the *Talmud* because, shortly before our *sugya* (or Talmudic discussion), the *Talmud* ruled that ownership of leaven *cannot* be voided on Passover. Hence, in order to harmonize the *baraita* with the *Talmud*'s earlier prohibition, Rav Aha bar Jacob reinterprets the *baraita*, arguing that it only permits a disciple to annul his ownership of *almost* leaven. The *baraita*, according to this new interpretation, can be reconciled with the *Talmud*'s earlier ruling because the *baraita* and ruling now relate to different situations: the *baraita* permits the annulment of one's ownership of *almost leaven* on Passover, while the *Talmud* prohibits the annulment of one's ownership of *actual leaven* on Passover.

More importantly for our purposes, Rav Aha bar Jacob contends that the *baraita* does not permit just any *disciple of the sages* to annul his ownership of almost leavened dough but only *a disciple sitting before his master*.[31] Since exiting the study-house *in medias res* would have been deemed an affront to his master, "*a disciple sitting before his master*" could not rush home to bake his almost leavened dough before it fermented and turned leaven.[32] Consequently, the *baraita*, as interpreted by Rav Aha bar Jacob, permits the disciple to void his ownership of almost leavened dough from his seat in the house of study.

Reading Rav Aha bar Jacob's statement in context reveals that Rosenthal's seemingly synonymous expressions are not actually synonymous. By referring to "*a disciple of the sages*" rather than the dominant branch's "*a disciple sitting before his master*," the Yemenite branch omits the factor on which Rav Aha bar Jacob's statement hinges—the disciple's location—and thereby invents an inferior reading. The disciple's presence in the study-house, the fact that he was occupied and could not return home in time to prevent his dough from turning leaven, is the crux of the Rav Aha bar Jacob's reinterpretation and is sorely missing from the Yemenite branch's "*a disciple of the sages*." This finding has no bearing on Rosenthal's other examples of synonymous expressions but it does suggest that they should also be checked in light of their literary contexts. In our case, there is no longer any reason to view the two parallel expressions as semantically equivalent.

Moreover, a comparison of Rav Aha bar Jacob's words in the two branches suggests that the dominant branch's version is original while the Yemenite branch's version is a secondary revision, the product of a scribal or editorial change. The expression "*a disciple of the sages*" of the Yemenite branch is far more popular than the parallel expression in the dominant branch: "*a disciple of the sages*" appears hundreds of times in rabbinic literature, while "*a disciple sitting before his master*" appears only about two dozen times. Owing to the widespread use of the expression "*a disciple of the sages*," it seems likely that a copyist or oral transmitter of the Yemenite branch replaced a relatively uncommon expression with a common one without worrying about the literary difficulty this change inadvertently entailed. In addition, Aaron Amit has argued that the Yemenite manuscripts of *Pesahim* absorbed paraphrases of talmudic text from the early commentary of Rabbenu Hananel[33] and Rabbenu Hananel's commentary reads here "*a disciple of the sages*" just like the Yemenite manuscripts.[34] Hence we may conclude that "*a disciple sitting before his master*" is the more authentic reading.

Rosenthal's point 2 claims that transcriptional errors and scholastic emendations are the only types of changes made to a text after it is redacted and its language is fixed in writing. This point expresses the traditional assumption, widespread in rabbinics, that the only changes made to a written text during the course of its transmission are errors and emendations.[35] This traditional assumption does not rest on the explicit testimony of textual witnesses because scribes and copyists usually do not identify or classify the changes they made to a text. Rather, the assumption emerges from textual criticism's traditional focus on transcriptional errors and scholastic emendations.

Text-critics of many and varied literatures have generally assumed that scribes and copyists worked conservatively when transcribing ancient texts, seeking to reproduce their texts faithfully and accurately. If a scribe truly sought to reproduce an exact copy of a text, his only alterations would have been accidental mistakes and minor corrections. For Rosenthal and many

traditional text-critics of like mind, it is a text-critical rule and philological fact that the only types of textual variants generated during the transmission of a written text are errors and emendations. Belief in this rule dictates that all other types of variants must stem from an earlier period when the text was still transmitted orally. This clear distinction between an early stage of fluid oral recitations and a later stage of fixed written texts leads Rosenthal to pinpoint the moment of redaction at the transition from an oral to a written medium.

The crux of Rosenthal's argument is the text-critical rule which limits the changes made to a written text during its transmission to errors and emendations. His model of an early oral edition of *Pesahim* is predicated on a neat division between the oral and written stages of textual transmission, on the distinction between the fluid formulations of oral recitations and the fixed language of written texts.

The text-critical rule at the heart of Rosenthal's argument, however, is flawed on three accounts. First, the rule views copyists as handicapped automata and imperfect Xerox machines. Copyists, however, were not impersonal machines but human beings. Copyists had ideological agendas, literary sensibilities, hermeneutic goals, stylistic preferences, religious beliefs, and a host of other concerns which might have prompted them to alter a text. Presupposing that copyists could always hold all their conscious interests and subconscious biases in check does not jibe with our view of human nature.[36]

Second, Rosenthal's traditional text-critical rule does not follow from the findings of textual criticism. It is true that the traditional text-critical method has adduced numerous examples of textual variants best explained as errors or emendations, but that does not imply that *all* changes made to written texts are errors or emendations. Traditional text-critics found the errors and emendations for which they were searching but these limited findings teach nothing about the wide variety of possible changes they did not consider. If one is fishing in a lake for trout one is not likely to catch any turtles, but that does not mean that the lake lacks turtles. In addition, even traditional text-critics acknowledge that some kinds of written texts were subject to significant alterations during transmission[37] and there is no reason to presuppose that the *Talmud* was not a text of this sort. Rosenthal himself appears to acknowledge that a folk story was interpolated into *Pesahim* after its redaction and a folk story is neither an error nor an emendation.[38] If a copyist could insert a story into his text, what prevented him from editing and changing the tractate in other ways?[39]

Third, the oral-written dichotomy Rosenthal creates on the basis of his text-critical rule does not do justice to the extent of the similarities between the parallel versions of rabbinic texts and the localized nature of their differences.[40] Consider the example from *Pesahim* discussed above. For the most part, the parallel versions of the *sugya* are the exact same, word for word (see Table 1.4).

Table 1.4

The Dominant Branch of Textual Witnesses as represented by MS Lunzer Sassoon	*The Yemenite Manuscripts as represented by MS New York—JTS Rab. 1623/2 (EMC 271)*
But is he not able to annul it (i.e. the leaven) after the prohibition (against leaven commences at noon on the fourteenth of Nisan)? Surely it was taught (in a *baraita*): If he is sitting in the house of study and recollects that he has leaven at home, he annuls it in his heart, whether it is the Sabbath or the Festival (of Passover). Now as for the Sabbath, it is well:	But is he not able to annul it (i.e. the leaven) after the prohibition (against leaven commences at noon on the fourteenth of Nisan)? Surely it was taught (in a *baraita*): If he is sitting in the house of study and recollects that he has leaven at home, he annuls it in his heart, whether it is the Sabbath or the Festival (of Passover). Now as for the Sabbath, it is well:
this is possible,	
for example, when the fourteenth (of Nisan) falls on the Sabbath, but the festival (which begins on the fifteenth of Nisan)	for example, when the fourteenth (of Nisan) falls on the Sabbath, but the festival (which begins on the fifteenth of Nisan)
is difficult since it[1]	
is after the prohibition (has already commenced)? Said Rav Aha bar Jacob: We treat here of a disciple	is after the prohibition (has already commenced)? Said Rav Aha bar Jacob: We treat here of a disciple
sitting before his master, and he recollects that	*of the sages,*
he has a rolled dough at home (kneaded and unbaked) and fears that it may turn leaven; (therefore) he anticipates and annuls it	and he has a rolled dough at home (kneaded and unbaked) and fears that it may turn leaven; (therefore) he anticipates and annuls it
before it turns leaven.	*in advance before the time of the prohibition arrives* (i.e. before it turns leaven).
This may be proved too: for it states, "If he is sitting in the house of study." (If the dough were already leaven, it would not matter where he is.) This proves it.	This may be proved too: for it states, "If he is sitting in the house of study." (If the dough were already leaven, it would not matter where he is.) This proves it.

Note

1 The phrase "is difficult since it" ("*qashya de . . .* ") is also absent from some direct textual witnesses of the dominant branch such as MS Oxford Opp. Add. fol. 23, MS Vatican 134, Venice *editio princeps* and the Vilna printed edition.

The only differences between the parallel versions are the absence of "*this is possible*" in the Yemenite branch; the replacement of "*a disciple sitting before his master and he recollects that*" of the dominant branch with "*a disciple of the sages*" of the Yemenite branch; and the replacement of "*before it turns leaven*" of the dominant branch with "*in advance before the time of the prohibition arrives*" of the Yemenite branch.[41] Setting these few

differences aside, the parallel versions are identical. How does Rosenthal explain this state of affairs?

According to Rosenthal, the contents and structure of oral *Pesahim* were fixed but its language was fluid and free. However, if the language of oral recitations were truly fluid and free, autonomous recitations would not produce largely identical texts! If a president were to comission two speech writers to write up a speech with the same contents and structure, there is little chance that the language of the two speeches would be mostly identical. Hence perhaps Rosenthal imagines that oral *Pesahim*'s language was not entirely fluid and free; perhaps he imagines that a basic format of the text's language was known but not authoritative and each reciter improvised as he saw fit. In a similar vein, perhaps Rosenthal thinks that oral *Pesahim* was comprised of a series of interchangeable variables—formulae, set pieces, and stock phrases—and no single series of variables was binding.[42]

The advantage of a more nuanced understanding of Rosenthal's position is that it can better explain the thoroughgoing similarity of parallel recitations/redactions. If the language of the oral edition was largely fixed, the shared language of parallel manuscripts could be explained as the common heritage of the oral edition upon which the parallels were modeled. However, the weakness of even this nuanced position is that it tends to close the door on attempts to explain the rationale for any variants that are neither errors nor emendations. Since Rosenthal believes that synonymous variants were created in the primordial soup of oral recitations, he believes it is often nigh impossible to recover the reason behind any specific variant.[43] Rosenthal apparently thinks that we cannot know whether oral *Pesahim* read "*a disciple of the sages*," "*a disciple sitting before his master*," or some other comparable formulation. The traditional method views synonymous variants as independent parallels, the products of distinct and autonomous oral recitations. According to the traditional line of thinking, neither parallel is necessarily more original than the other and both stem from an early, no longer extant, prototype.

THE EDITED PARALLELS METHOD

In contrast to the traditional method of independent parallels, Shamma Friedman has spearheaded a new method of talmudic textual criticism, the edited parallel method, which rejects the traditional assumption at the heart of Rosenthal's argument.[44] Recognizing that copyists were only human, the new method refuses to presuppose that the only changes a written text undergoes during the course of its transmission are errors and emendations. It rejects the sharp distinction between the fluid language of oral recitations and the fixed language of written texts, maintaining that oral texts can be fixed and written texts fluid. According to the new

method, the redaction of *Pesahim* and the finalization of its language could have occurred while the text was still (primarily) oral and there is no need to assign redaction to the moment of transition from an oral to a written medium. The edited parallels method ascribes a large measure of creative freedom and artistic license to editors and scribes, recognizing that they might have modified fixed texts with an active editorial hand. According to the new method, many types of variants are indicative of editorial revisions, not autonomous recitations.

The payoff of the edited parallels method is that the extensive similarities and localized differences between parallel textual branches are perfectly natural if one assumes that one version is a modified or edited version of the other. The thoroughgoing similarity of most textual witnesses of the *Babylonian Talmud* intimates that the text was already fixed (in oral or written form) by the time the parallel versions emerged. If one version were modeled on its parallel, the two versions would obviously share the same structure, contents, and language. Insofar as the differences between parallel versions are concerned, analysis of numerous test cases has revealed that the differences often fall into well-known literary or stylistic categories. The nature of these categories and their limited number strongly suggest that the differences between parallel versions are editorial in nature. The edited parallels method accordingly surmises that parallel versions are highly similar because one version was modeled on the other and they differ when a copyist or editor modified the original. In line with this new method of textual criticism, I suggested above that the variants "*a disciple of the sages*"/"*a disciple sitting before his master*" do not reflect two independent oral recitations but that the original version, "*a disciple sitting before his master*," was changed to "*a disciple of the sages*."

The new method of talmudic textual criticism, which is part of a broader shift in textual criticism more generally,[45] teaches that once we open our minds to the common sense notion that a copyist might have changed a text for a wide variety of reasons, we can make sense of many textual phenomena previously left unexplained. Just as traditional textual criticism confirmed the common sense notion that copyists might err or emend a text with countless examples, the new and revised textual criticism is similarly confirming its expanded repertoire of common sense criteria with example after example. It is discovering the turtles that no one searched for in the past. In offering intuitive explanations for previously unexplained textual phenomena, the new method is revolutionizing textual criticism.

With the new method's rejection of the crux of Rosenthal's argument, the rest of his points naturally lose their force. Points 3 and 4 argue that synonymous variants must predate the written text of *Pesahim* because they are neither errors nor emendations, but once we are willing to attribute an active editorial hand to copyists, there is no reason to suppose that synonymous variants could not have been created during the transmission of a written text. We also need not agree with Rosenthal's points 5 and 6 which

claim that synonymous variants reflect independent oral recitations since the edited parallels method maintains that copyists might invent seemingly synonymous parallels for a wide variety of reasons.[46] From beginning to end, Rosenthal's argument in favor of the independent parallels method is no longer compelling.

The edited parallels method is a key component in the new historical method's approach to authenticating ancient sources. It reasons that once we recognize that the revisions of oral transmitters and copyists might not have been limited to minor errors and slight emendations, the traditional method of independent parallels loses its force. Once we reject the dogmatic assumption that a redacted text incurs only two types of changes, transcriptional errors and scholastic emendations, the notion that synonymous variants necessarily reflect multiple authentic texts is no longer compelling. In respect to *Pesahim*, the edited parallels method reveals that there is no reason to posit the existence of an unattested oral *Pesahim* with set contents and a fixed structure but fluid language.

Unlike the traditional independent parallels method which postulates the existence of hypothetical and unattested precursors all too readily, the edited parallels method focuses almost exclusively on the extant evidence, classifying the types of differences found between highly similar textual parallels. The edited parallels method tentatively reconstructs the earliest and most authentic versions of our sources and postulates the existence of hypothetical and unattested sources only after all else has failed. In case after case, the edited parallels method has convincingly shown that parallel versions are usually best viewed as reflections of a more authentic text and a later reworking rather than as autonomous and equally authentic original texts.

The recent transition in textual criticism from the independent parallels method to the edited parallels method has significant ramifications for historical inquiry because it has transformed the process of authenticating ancient sources. Whereas the independent parallels method expands the corpus of genuine sources by arguing that parallel texts are equally authentic, the edited parallels method curtails the corpus of genuine sources by showing that highly similar sources are not equally authentic. Due to the edited parallels method, many sources considered authentic just a half a century ago are no longer deemed authentic today.

NOTES

1. See Schürer *et al.* (1973–1987) vol. 3; Stone (1984); Safrai (1987); Stemberger (1996); Nickelsburg (2005); Safrai *et al.* (2006); Ben-Eliyahu *et al.* (2012).
2. See Stern (1993–2008).
3. The Christian writings on Jews and Judaism are so extensive that they have never been assembled together. For gentile writings on Jews and Judaism in Greek and Latin, see Stern (1976–1984).
4. See Stone (1990) 9–10.

5. See Alexander (1983) 225–229.
6. See Metzger (1972); Grafton (1990) 5–6.
7. See Scholem (2007).
8. See Schischa (2007).
9. See Lewis (1989); Cotton (1995).
10. See Stemberger (1996) 227, 252, 292, 329.
11. There is no evidence, however, that Josephus used the titles *Life* or *Against Apion*.
12. See Schürer *et al*. (1973–1987) vol. 3, 590.
13. See Leoni (2009).
14. See Ben-Eliyahu *et al*. (2012) 10.
15. See Jaffee (2001); Naeh (2005); Susmann (2005).
16. See Milikowsky (1988), (2006); Neusner (1994); Jaffee (1999); Schäfer and Milikowsky (2010); cf. Schäfer (1986), (1989). See also Sussmann (1993) 79–87; 102–107.
17. See West (1973) 24.
18. See Ben-Eliyahu *et al*. (2012) 34–35.
19. See West (1973) 24–25.
20. See Ben-Eliyahu *et al*. (2012) 27.
21. See Lieberman (1955–1988) vol. 4, 561.
22. See Ziman (1978) 9, 135–136.
23. See Tov (2012) 327–330; Schwartz (2013) 27–70.
24. Cf. Tov (2012) 163–169.
25. Rosenthal (1987). See also Rosenthal (1957), (1985).
26. See Rosenthal (1987) 11–12.
27. See Rosenthal (1957) 18, (1985) 32–33, (1987) 10–11, 31. See also Housman (1922) 68 and the overview of the textual criticism of the *Babylonian Talmud* in Friedman (1983) 97–104.
28. See Rosenthal (1957) 18–19, (1985) 32–33, (1987) 30–31. See also Brody (1990) 276–286; Sabato (1998) 299–300, 339–340; Rosenthal (2003) 215.
29. See also Amit (1995) 47–63, (2002) 40–45, 74–77; Friedman (2010) xiv.
30. See *Exodus* 12–13. According to the rabbis, the prohibition actually commences on the fourteenth of the month of Nisan, the day before Passover. See *Mishnah Pesahim* 1, 4; *Babylonian Talmud Pesahim* 4b.
31. See the *sugya*'s conclusion: "This may be proved too: for it states, 'If he is sitting in the house of study.' (If the dough were already leaven, it would not matter where he is.) This proves it."
32. See Rashi in the *Babylonian Talmud ad loc*. Cf. Teomim (1787–1788) 444.10 (p. 127a). For our purposes, it is irrelevant whether the dough-owner was prevented from rushing home to bake his dough because he was fulfilling a religious obligation or was otherwise occupied.
33. See Amit (2002) 51–57, (2006); cf. Sabato (2006).
34. Metzger (1991) 13.
35. See, for example, Epstein (1948) 1; Brody (1990) 276; but cf. Weiss (1954) 171–173.
36. Cf. Jaffee (2007).
37. See, for example, West (1973) 16–17.
38. See Rosenthal (1987) 26–27. See also Brody (1990) 285.
39. See Benovitz (1994) 17 n. 51.
40. See Friedman (2000) 37.
41. The phrase "before the time of the prohibition arrives" is difficult because the *sugya* is discussing a disciple with almost leavened dough on Passover so the prohibition, which begins before Passover (see n. 30 above), had already taken effect. The Yemenite branch may have been influenced by the presence of the phrase "the time of the prohibition" shortly before our *sugya*, incorporating it into the *sugya* without paying heed to the interpretive difficulty it created in its

new context. (For a similar introduction of the word "arrives" into the Yemenite manuscripts, see Amit (2002) 64.)

42. See Brody (1990) 276–281; Benovitz (1994) 25 n. 75; Shanks Alexander (2006) 35–40.
43. See Brody (1990) 284–285; Amit (1995) 8; Friedman (2000) 37; Sabato and Shushtri (2012) 47 n. 8. For some rare exceptions see Amit (2002) 32–33 n. 4.
44. See, for example, Friedman (1991), (2000), (2013) xii, 152, 219–222; Benovitz (1994); Amit (2002). (See also Yorav (2011) vol. 2, 653–660.) The terms "independent parallels" and "edited parallels" were coined by Friedman (2000) 37–38.
45. See, for example, Friedman (1991) 74–76 nn. 16–17; Brooke (2005).
46. Amit (2002) 35 maintains that if the Yemenite branch had truly reflected an independent early redaction as Rosenthal believes, its influence should have been felt in textual witnesses throughout the Jewish world and not just in Yemen. It also bears mentioning that Rosenthal's attitude towards the Yemenite manuscripts of *Pesahim* may have been influenced by a longstanding romantic view of Yemenite manuscripts held by scholars of Jewish studies. See Gerber (2013) 52–83.

Part II
Hermeneutics

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2 The rabbis as unusual Romans

Hermeneutics, the art of interpretation, is the second prong in the historical analysis of ancient sources. Stationed between the first and third prongs, between the authentication of ancient sources and the evaluation of their reliability, hermeneutics is the process of recovering the original meaning (or meanings) of the sources. Written in ancient languages, embedded in remote cultures, and presupposing unfamiliar thought patterns, ancient sources are often difficult to understand. Hermeneutics is the historian's attempt to bridge the gap with the distant past, to recapture what our ancient sources intended to say and how they would have been understood in ancient times. Only once we grasp the original meaning(s) of a source, can we evaluate the credibility of its contents and integrate them into a historical narrative.

LANGUAGE, CONTEXT, AND SETTING

The traditional historical method explores three dimensions of a source in order to recapture its original meaning: language, context, and setting.[1] The language of a source is clarified with the help of dictionaries, lexicons, and a close familiarity with the semantic range the source's words possessed in antiquity. For example, many commentators have maintained that the tension between divine foreknowledge and free will is expressed in the following saying from *Mishnah Avot* (which was edited, like the rest of the *Mishnah*, in third century CE Roman Palestine[2]): "Everything is foreseen (*tzafuy*) but freedom of choice is granted."[3] Ephraim E. Urbach points out, however, that the Hebrew verb stem *tzfh*, translated here as "foreseen," only came to denote knowledge of the future in later periods; in the time of the *Mishnah*, *tzfh*'s semantic range was limited to "seeing that which exists and is present."[4] *Tzfh*'s circumscribed semantic range leads Urbach to conclude that this famous mishnaic saying does not encapsulate a philosophical paradox but rather cautions one to behave well at all times since God is ever watching: "Everything is *seen* but freedom of choice is granted."[5]

The literary context of a source helps resolve ambiguities and obscurities, while the ancient cultural setting helps reconstruct how contemporaries would have perceived and understood a source. For example, both literary

context and cultural setting must be enlisted in order to recover the original meaning of a seemingly ambiguous statement found in a story on *Babylonian Talmud Yoma* 71b.[6] In the story's dramatic climax, a high priest welcomes Shemaiah and Avtalyon, two sages of the late Second Temple period, with the greeting: "May the sons of the nations come in peace!" At first glance the meaning and significance of this greeting are unclear. Why does the high priest call Shemaiah and Avtalyon "sons of the nations" and is the appellation complimentary or derogatory?

The first clue to deciphering this puzzling greeting is found in its literary context. Prior to the greeting, the crowd which had gathered to honor the high priest abandoned him in favor of Shemaiah and Avtalyon and immediately following the greeting, the pair of sages denounced the high priest's callous behavior towards them. The location of the greeting, betwixt abandonment and admonition, suggests that it was an insult. The jealous high priest resented that Shemaiah and Avtalyon had upstaged him and so he snubbed them, justly earning their subsequent reproach.

Though the literary context indicates that the high priest's greeting was a resentful snub, it does not explain how the snub worked. For that we must turn to the ambient cultural setting. According to *Babylonian Talmud Gittin* 57b[7] Shemaiah and Avtalyon were descendants of non-Jews. *Mishnah Bava Metzia* 4, 10 demands that no one remind a convert of his non-Jewish lineage and numerous ancient sources indicate that lineage was a key ingredient in an ancient Jew's social status.[8] These bits of the story's cultural backdrop clarify the rationale of the high priest's snub. By calling attention to Shemaiah and Avtalyon's non-Jewish lineage, the high priest meant to embarrass them and to highlight, by implication, his own illustrious lineage.

TRADITIONAL HERMENEUTICS' SHORTCOMINGS

Traditional hermeneutics has much to be said in its favor. Recovering the ancient meaning of words, using the literary context to resolve ambiguities and reading sources in light of their historical settings are all indispensable elements of historical analysis and standard tools of the historian's trade. As a full-blown hermeneutics, however, this set of analytical tools is incomplete and has two major shortcomings.

Traditional hermeneutics' first shortcoming is its underestimation of the rhetorical and literary nature of ancient sources.[9] While recognizing that ancient sources express the conscious interests, subconscious biases and literary license of their authors, traditionalists rarely interpret these features of the sources since they view them as mere obstacles to be overcome. In traditional eyes, most ancient Jewish sources are authentic historical reports cloaked within literary embellishments and rhetorical riffs, that is, within textual elements which obfuscate pristine historical data. The crux of the traditional historical method is the peeling away of superficial literary

flourishes and tendentious remarks in order to isolate authentic historical kernels. As Shemuel Safrai contends, "even where conspicuously legendary descriptions are used, it is possible to determine what constitutes the historical element in the narrative."[10] Traditionalists assume that historical kernels are easily separated from ornamental husks and they usually do not bother to interpret what they view as creative embellishments.[11] However, the literary and rhetorical features of both rabbinic literature and Josephus's works are far deeper and pervasive than traditionalists ever imagined and therefore the isolation of historical kernels is no simple task.

In the second half of the twentieth century, literary criticism and literary theory flourished as never before and the close detailed analysis of a text became a *sine qua non* for literary criticism. In tune with this broad academic trend, scholars started to treat ancient Jewish sources as texts, as meticulously wrought literary artifacts shaped by the interests and biases of their authors and embedded within specific social realities and cultural settings.[12] For example, scholars came to recognize oft-neglected literary features of ancient sources such as imagery and choice of language, literary structures and stock formats, character development and dramatic tension, rhetorical techniques and intentional ambiguities, overarching messages and hidden assumptions. A new literary dimension of hermeneutics emerged as scholars demonstrated how the literary qualities of a text help generate meaning, mobilize associations and evoke a particular atmosphere. Bringing to the fore the ubiquitous literary and rhetorical features of the sources, hermeneutics' new literary bent called attention to the artistry of ancient Jewish texts and revolutionized their historical analysis. Calling for a more thorough literary analysis of ancient texts, the new and revised hermeneutics discovered that culling credible information from ancient sources is far more difficult than previously had been thought. However, since the literary dimension of the new hermeneutics has monumental ramifications for the assessment of a source's reliability and the credibility of its contents, I will save further discussion of it for later chapters that take up the question of credibility.

The second shortcoming of traditional hermeneutics is the limited scope of the historical setting it explores. Historians have long recognized that Jewish texts written in Greek (and usually in the diaspora) display many affinities with their surrounding cultures. For example, the intermingling of Greek, Roman, and Jewish elements in Josephus's works was never considered surprising given that all of Josephus's extant writings were written in Greek and in Rome. In contrast, ancient Jewish texts written in Hebrew or Aramaic traditionally have been interpreted in light of the immediate Jewish setting, while the surrounding pagan or Christian settings have been sidelined. This internal approach views Jewish society as self-enclosed and largely impervious to external influences from the ambient gentile setting. Traces of superficial interactions with non-Jews are acknowledged, as are purportedly polemical texts, but the traditional internal approach presupposes that most Jewish sources are products of immanent tendencies and

processes largely untouched by external forces.[13] This internal approach is characteristic not only of ancient Jewish history but of Jewish history more generally and it has a close counterpart in the parochial approach to history often found in the study of other peoples.[14] The internal approach to Jewish texts floundered, however, once scholars came to realize that Jewish society was never hermetically sealed. For ancient Jewish history in particular, the internal approach was dealt a mortal blow when Saul Lieberman demonstrated the "broad if not always deep influence of Graeco-Roman culture on the rabbis and their Palestinian-Jewish contemporaries."[15]

THE NEW CULTURAL DIMENSION OF HERMENEUTICS

By illuminating numerous rabbinic texts with material drawn from the surrounding culture of the Roman Empire, Lieberman firmly established the importance of interpreting rabbinic texts in light of the surrounding pagan or Christian setting. In doing so he made a powerful case for a revision to the traditional historical method, for a hermeneutics that takes into account the broad cultural setting. Guided by this new hermeneutics, scholars today compare rabbinic texts to the surrounding non-Jewish setting, highlighting both similarities and differences.[16] In theory, similarities could be coincidental or products of parallel social structures, a shared cultural milieu, a common source, or more direct literary interaction. The extent and improbability of the similarities help us decipher the nature of the relationship between the parallel materials: the more detailed and uncanny a similarity, the stronger the likelihood that there was a historical connection between the parallel materials. Similarities also help us explain difficult passages in rabbinic literature and tentatively fill in gaps when Jewish sources do not complete a picture. By contrast, differences expose how rabbinic sages were unlike their gentile neighbors. Differences underscore traditional Jewish customs and ideas as well as efforts to differentiate the rabbinic community from the surrounding non-Jewish environment. Investigating both similarities and differences enables historians to sketch a detailed portrait of rabbinic society in which the rabbis were similar to their non-Jewish neighbors in some ways but different in others.

As more and more studies compare and contrast rabbinic texts to the surrounding cultures of antiquity, it becomes ever more apparent that the rabbinic community was not insulated and sealed shut. Rather, the rabbinic community was part and parcel of the wider cultural environment, one subculture alongside many others within an overarching imperial setting. The parallel materials presuppose a great measure of interaction between Jews and non-Jews in areas of life unrelated to religious polemics.[17] The rabbis absorbed and adapted countless features of the ambient culture but also rejected many others. While similarities between rabbinic texts from Roman Palestine and the imperial setting demonstrate that the rabbis were Romans, differences underscore that the rabbis were *unusual* Romans.

Just as the new literary dimension of hermeneutics has refined the traditional analysis of ancient texts, the new cultural dimension of hermeneutics has widened the scope of the cultural setting explored in traditional hermeneutics. Today, texts are interpreted not only in line with their immediate setting, but also in light of the wider world. This new outlook enriches our comprehension of the ancient sources, adding layers of meaning and honing our interpretations. In order to illustrate the added value of the new method's broad scope, I will consider three examples: one linguistic, one social, and one literary. Each example will demonstrate how our ancient Jewish sources reflect a community entwined within the ambient non-Jewish cultural setting.

Acclamatio

The meaning of the Hebrew verb stem *qls* underwent a dramatic transition between the biblical and rabbinic periods. In biblical Hebrew, *qls* means to mock or deride but in mishnaic Hebrew and the Jewish Aramaic of the rabbinic period it bespeaks the opposite, it means to praise.[18] In the eleventh century, Nathan ben Yehiel of Rome suggested that the rabbinic *qls* did not derive from the biblical *qls* but was a loanword modeled on the Greek *kalos* (καλός, καλῶς).[19] Saul Lieberman embraces Nathan ben Yehiel's etymology but then raises a question not posed by any scholar before him. Given that mishnaic Hebrew and Jewish Aramaic did not lack verbs that denote praise,[20] what prompted the Jews to borrow a loanword from Greek when they had perfectly good synonyms in Hebrew and Aramaic? Lieberman suggests that loanwords like *kalos* were assimilated into the Jewish setting not for their dictionary definitions, but for the specific setting or institution to which they alluded.[21] After surveying the rabbinic use of the loanword *kalos*, Lieberman concludes that *kalos* refers to a specific form of praise, the Graeco-Roman *acclamatio*.[22]

The *acclamatio* in Graeco-Roman antiquity was a "vocal expression of goodwill and approval,"[23] an ovation "sometimes spoken in unison, expressing congratulations, praise, applause, joy or the contrary."[24] Initially the *acclamatio* was a spontaneous expression of approbation but in time it also referred to ritualized and stereotyped cheers repeated on specific occasions. *Acclamationes* were proclaimed to statesmen like the emperor and at weddings, funerals, public assemblies, and in various other contexts. Sometimes the *acclamatio* was accompanied with bodily movements like clapping and raising the right hand.[25] The Greek word *kalos* (καλός), meaning beautiful or good, was often cried out in *acclamationes* and so it became closely associated with this particular form of cheering, one that was commonly practiced in Graeco-Roman antiquity.[26]

Lieberman argues that *kalos* was assimilated into Hebrew and Aramaic because, unlike its Hebrew and Aramaic synonyms, it connoted the *acclamatio*. Lieberman makes his case by showing that many rabbinic texts with the calque *kalos* are best understood as referring to the *acclamatio*, a short,

exclamatory form of praise. For example *Leviticus Rabbah* (which was edited in Roman Palestine during the fifth century CE[27]) states that when the emperor Titus returned to Rome after destroying the Jewish temple in Jerusalem, "all the citizens of Rome came out and lauded (*ve-qilsu*) him with the words: 'O Conqueror of the Barbarians!' "[28] The verb used here for "lauded" is derived from *kalos*; the cry "O Conqueror of the Barbarians" is a transliteration of the Greek phrase νικητὴς βαρβάρων in Hebrew letters; and the account is akin to the *acclamationes* of Roman emperors found in non-Jewish sources.[29] *Leviticus Rabbah* portrays Titus's reception in Rome as a classic *acclamatio*, just the type of *acclamatio* an emperor might enjoy upon his return from a successful military expedition. Similarly, a number of other rabbinic texts employ *kalos* in respect to the public acclamation of both kings and God.[30] Just like the wedding and funeral *acclamationes* practiced in the Roman Empire, *Palestinian Talmud Hagigah* (which was edited in late fourth century CE Roman Palestine[31]) uses *kalos* in reference to the praises showered on brides and the deceased.[32] *Song of Songs Rabbah* (which was edited between the fifth and seventh centuries CE[33]) employs *kalos* to denote the endearing compliments lovers address to one another[34] and the romantic *acclamatio* which featured the word *kalos* was quite common in the Graeco-Roman world.[35] In *Babylonian Talmud Shabbat*, a Boethusian (or non-rabbinic Jew) who is impressed with an argument set forth by Rabbi Joshua the grits dealer, cries out his appreciation in Greek: "*kalos*!" ("καλῶς!"), "Beautiful!"[36] The parallel role in rabbinic literature of the popular Hebrew phrase, "beautifully said" ("*yafeh 'amarta*"), suggests that perhaps it too should be viewed as an *acclamatio*. *Lamentations Rabbah* (which was edited in the fifth or sixth century CE[37]) tells the story of a dream in which people praise ("*meqalsin*") the dreamer with their fingers[38] and this form of gesticulation seems to be a finger-pointing *acclamatio*.

The close parallels between the rabbinic use of *kalos* and the Graeco-Roman *acclamatio* suggest that despite the availability of synonymous Hebrew and Aramaic words, *kalos* was assimilated into rabbinic literature because it evoked associations of the *acclamatio*. Lieberman's new hermeneutics not only divulges heretofore unknown features of our sources, it reveals the rabbis' intimate familiarity with the Graeco-Roman *acclamatio* and the incorporation of this widespread cultural practice into rabbinic circles.

Salutatio

Rabbi Judah ha-Nasi is the earliest figure consistently called *nasi* (or patriarch) in early rabbinic literature.[39] He and some of his immediate descendants were leading members of the rabbinic movement[40] and prominent men of means in third-century Palestine.[41] The following twin stories[42] from *Palestinian Talmud Horayot* portray some Jewish families vying for a third-century *nasi*'s attention and favor.

> Those (members of the families) of Rabbi Hoshaiah and Bar Pazi would greet the *nasi*[43] every day and those of Rabbi Hoshaiah would enter first and exit first. They of Bar Pazi went and married into the family of the *nasi*. They (then) came and sought to enter first. The question was brought before Rabbi Immi (=Ammi). Rabbi Immi (=Ammi) said to them: "And you shall erect the Tabernacle according to its judgment" (*Exodus* 26:30). Is there a 'judgment' for wood? Rather whichever board merited to be placed in the north will be placed in the north, (and whichever board merited to be placed) in the south will be placed in the south (i.e. let the Hoshaiah family continue to enter and exit first)."
>
> Two families in Sepphoris, the Bulvati and Pagani,[44] would greet the *nasi*[45] every day and the Bulvati would enter first and exit first. The Pagani went and earned merit in Torah. They (then) came and sought to enter first. The question was brought to Rabbi Simeon ben Laqish. Rabbi Simeon ben Laqish asked Rabbi Yohanan. Rabbi Yohanan entered the house of study of Rabbi Benaia and preached: "In the case of a bastard sage and an ignorant high priest, even the bastard sage takes precedence over the ignorant high priest."[46]

The traditional internal hermeneutics treats these twin stories as evidence for competition amongst Jewish families (or groups) who aspired to solidify their ties with the *nasi* and gain his backing. In light of a late parallel to the first story,[47] the internal approach suggests that good relations with the *nasi* were particularly important because they could lead to significant financial rewards.[48] The internal approach also notes the unclear and perhaps peripheral role of the rabbis in the stories.[49] However, the internal approach fails to see that these stories enmesh Jewish families and well-known rabbinic figures within typical Roman social relations and portray them performing a widespread Roman custom.

So far as I can tell, the first scholar to point out that these stories reflect Roman notions of patronage and the Roman custom of *salutatio* was the archaeologist Michael Avi-Yonah in 1946.[50] Perhaps it is no accident that an archaeologist made this discovery because one simply cannot miss the imprint of Roman culture throughout the region when studying the material remains of Roman Palestine. Patronage, or the patron-client (*patronus-cliens*) relationship, was a fundamental and distinctive feature of Roman society. Wealthy and well-respected patrons would grant their social inferiors all sorts of goods, favors, and services and, in return, clients and other dependents would honor their patrons and support their ambitions for public office. *Salutatio* was a Roman custom that reflects the central role of patronage in Roman life. The Latin verb *salutare* means to greet and *salutatio* was a formal, ritualized greeting. In the early morning, social inferiors would greet their patron at his home. After being admitted according to class, social inferiors would honor their patron and escort him to work. In return, the patron would give presents and grant favors.

> The *salutatio* provided a visible marker of status in two ways: the standing of the callers was indicated by the order in which they were received by the patron, and the patron's status was displayed by the number and importance of his callers.[51]

Patronage, or the mutual dependency of men of unequal social status, is a reciprocal relationship that pervaded Roman society.[52]

The daily greeting of the *nasi* in our twin stories, the admission to his presence according to social status, the attempt to enhance one's status through marriage, and the contest for the *nasi*'s favor are all characteristic features of the Roman *salutatio*. These stories, even if their plots are entirely fictional, reflect a society which could easily imagine that a leading Jewish figure functioned as a typical Roman patron of local dependents and clients. If the original audience for the stories had been unfamiliar with the *salutatio* and its rules, the stories would have come across as alien and bizarre. At the very minimum, we may conclude that patronage was part of the ideology and cultural assumptions underlying the stories. However, this minimal conclusion seems too thin since it is unlikely that the rabbis would have projected the *salutatio* into Jewish society had Jews not practiced it at all. The most plausible interpretation of the stories is that they reflect an ideology that was rooted in a local social reality. The stories imply that Roman-style patronage had a place within Jewish society and that some Jews practiced *salutatio*.[53]

The stories not only presuppose that the Jews adopted the Roman *salutatio*, they reveal how Jews adapted and modified it as well. The Pagani hope to enhance their social status through the study of Torah which was a specifically Jewish route towards upward social mobility;[54] in gentile communities throughout the Roman Empire, Torah knowledge would not have enhanced one's social status. Similarly, disputes over the order of entry at the *nasi*'s *salutatio* were presented to rabbis in order to determine the rightful order.[55] On the one hand, the Jews in the twin stories are clearly identifiable as Romans but, on the other hand, they are quite different from the Romans portrayed in Roman literature and historiography. The synthesis of the Roman *salutatio* with the Jewish reverence for Torah study and the fusion of local Jewish traditions with Roman culture embody a Jewish variation on a Roman theme.

Like the twin stories from *Palestinian Talmud Horayot*, *Palestinian Talmud Ta'anit* tells a story which also seems to portray the *salutatio* in the *nasi*'s home.

> Samuel and members of the house of Shila would greet the *nasi* every day. The members of the house of Shila would enter first and sit down first. They paid honor to Samuel and sat him down first. Rav came there and Samuel paid him honor and sat him down first. The members of the house of Shila said: "We are second" and Samuel agreed to be seated third.[56]

Echoing the twin stories from *Palestinian Talmud Horayot*, this story also opens with the daily greeting of the *nasi* and follows with a disagreement between the *nasi*'s callers over the order of their reception in his home. However, since Rav, Samuel, and Shila were all Babylonian Jews the natural location for this story is in Babylonia, far from the *nasi*'s home in Palestine. Scholars have accordingly surmised that the *nasi* in *Ta'anit* is not the patriarch of Roman Palestine but the *reish galuta* (or exilarch), a parallel Jewish figure in Sasanian Babylonia.[57] Some scholars view the *Ta'anit* story as evidence for the practice of *salutatio* in the house of the *reish galuta*.[58] However, *salutatio* is never mentioned in the *Babylonian Talmud* and is nowhere else ascribed to Babylonians. The robust similarities between the twin stories in *Hoyarot* and the story in *Ta'anit* make it more likely that the *Palestinian Talmud* of Roman Palestine projected the local practice of *salutatio* onto Babylonia.[59] The Roman custom of *salutatio* seemed so natural that it was easily imagined that Babylonian Jews practiced it as well.

The Narcissistic Nazirite

The Jewish laity in antiquity, for the most part, did not maintain a high level of ritual purity or holiness. However, if a layperson so desired, he or she could exploit a biblically mandated method for enhancing personal sanctity by becoming a nazirite. The biblical institution of the nazirite entailed pronouncing a vow which prohibited ingesting intoxicants and any grape produce, cutting one's hair, and incurring ritual corpse contamination for a designated period of time.[60] Naziriteship offered a layperson the means for satisfying his or her aspirations for holiness. It enabled a layperson to approximate the sacred status of the high priest, the most exalted official in the Jerusalem temple who was bound by a similar set of prohibitions.[61] In the following rabbinic story, a renowned high priest from Second Temple times, Simeon the Righteous, meets a troubled nazirite who impresses him greatly with his tale of vanquished passions.

> Simeon the Righteous said: "Only once in (all) my days have I eaten a nazirite penalty offering. When one came from the south, with beautiful eyes and of handsome appearance, and with his locks arranged in curls. I said to him: 'Why did you see fit to destroy this beautiful hair?' He said to me: 'I was shepherding in my town and went to draw (water) from a well. When I gazed upon my reflection (in the well) my heart rose upon me seeking to remove me from the world. I said to it (my lustful heart): Wretch! How you pride yourself in what is not yours, in what is of dust, worm and maggot! Behold I will shave it off for the sake of heaven!' I lowered his head and kissed him on his head (and) I said to him: 'May there be many like you carrying out the will of God in Israel and in you is fulfilled (the verse): "If anyone, man or woman, (explicitly utters a nazirite's vow, to set himself apart for the Lord)" ' (*Numbers* 6, 2)."[62]

As the southern shepherd recounts to the high priest, he once traveled to a well to draw water for his flock and glanced at his reflection in the water. Upon seeing the reflection of his face, the shepherd's heart rushed upon him, overloading him with desire. The shepherd became entranced by his visage and his stunning hair in particular electrified his sexual passions. Tragically he desired not another but himself and his desire was so overwhelming yet so impossible to appease that it threatened to destroy his very being. The shepherd, however, managed to overcome his desire, chastising his lustful and rapacious heart as if it were another person: "Wretch! How you pride yourself in what is not yours, in what is of dust, worm and maggot!" The shepherd castigated his passions, arguing that the body is not a suitable object of pride but a putrid substance, destined to rot away as the fodder of worms and maggots. In order to rid himself of the source for his misplaced pride, the shepherd cried: "Behold I will shave it off for the sake of heaven!" These words were no mere threat but a nazirite vow and the vow enabled the shepherd to triumph over his powerful sexual passions.[63] As a nazirite, the shepherd dedicated himself to God, committing to shave off his hair and burn it in the temple precincts at the end of the duration of his naziriteship.

Our initial expectations of this shepherd from the south are not high, since shepherds in rabbinic literature are not typically known for their piety[64] and the rabbis apparently viewed southerners as boorish and ignorant.[65] Hence, the southern shepherd surprises us when he overcomes his desire with a nazirite vow. For his part, Simeon the Righteous is perfectly suited to acknowledge the merits of the nazirite from the south. As high priest, Simeon the Righteous was consecrated to God just like a nazirite[66] and was constrained by similar prohibitions. In addition, perhaps it is no coincidence that a high priest known for his own righteousness is the one who recognizes the righteousness and piety of another.

The nazirite is an offering to God, a form of self-dedication. However, since one cannot literally sacrifice oneself and survive the ordeal, the nazirite consecrates and sacrifices his or her hair. The nazirite's hair is a renewable part of the body which symbolically substitutes the nazirite's person as a whole.[67] When the shepherd is mesmerized and captivated by his own beauty, he behaves like the polar opposite of the nazirite. Far from selflessly dedicating himself to God, the shepherd, at first, is entirely self-absorbed to the exclusion of all others, God included. Naziriteship serves here as the ideal corrective for the self-obsessed shepherd because how better to remedy a self-centered existence devoid of the divine than by dedicating oneself entirely to God.

Commentators have long sought to resolve certain ambiguities in this story. For example, Simeon's opening statement refers to the nazirite *penalty* offering but the *penalty* offering was only sacrificed by a nazirite who had been defiled by a corpse.[68] Whereas a nazirite who successfully completed his or her tenure brought a burnt offering, a sin offering, and a wellbeing offering, only the defiled nazirite brought a *penalty* offering. Since the story

does not describe how the nazirite was defiled, some commentators argue that the *penalty* offering functions here as a proxy for all nazirite offerings and Simeon meant to say that he had never partaken of any nazirite offering. Others maintain that since the *penalty* offering was only brought by defiled nazirites, it was not a representative nazirite offering and would not have been chosen as a proxy offering. These commentators contend that Simeon meant what he said and his reference to a *penalty* offering implies that the shepherd had been contaminated by a corpse. The story does not bother to describe how the shepherd had been contaminated because, like most early rabbinic stories, it supplies the reader with only the bare essentials.

A second ambiguity in the story is Simeon's declaration that *he had never eaten* a penalty offering and interpretations of this declaration range from ideologically driven abstention to a prosaic dearth of opportunities. Those in favor of the abstention interpretation suggest that Simeon objected to penalty offerings, asceticism or naziriteship while those in favor of the lack of opportunity interpretation argue that defiled nazirites were few and far between because nazirites were careful to distance themselves from corpses.

In addition to resolving literary ambiguities, commentators have noted that the story bears a striking resemblance to a famous story from the Graeco-Roman world, the myth of Narcissus.[69] Narcissus was very popular in the Roman world and appears in almost fifty murals at Pompeii alone.[70] His myth was told with marked variations but the most popular version is that of a youth who becomes enraptured and obsessed by his own reflection when he catches sight of it in a spring. Narcissus's self-admiration is so potent and overwhelming that he becomes rooted to the spot and refuses to depart the spring for fear of losing sight of his beloved visage. Our nazirite, like Narcissus, undergoes the same unusual experience and in both cases the youth's overpowering passions come to threaten his life.

Due to the fame of the Narcissus myth, scholars could not miss this Graeco-Roman parallel but the traditional hermeneutics failed to explore the ramifications of the parallel for the interpretation of our story. Consider Jonah Fraenkel's attitude to the parallel in his analysis of our story. First, Fraenkel shies away from the parallel when he states that "it is very possible that the (Narcisuss) motif emerged independently in the land of Israel but of course it is also possible that it reached the houses of study in the land of Israel from abroad."[71] For Fraenkel, it is "*very possible*" that the Narcissus motif emerged twice independently, once amongst the Jews and once amongst the gentiles, but it is only "*possible*" that the Jews absorbed a gentile motif. The similarities between the stories are so uncanny, however, that it is hard to deny a historical connection between them (and there is no reason to posit the existence of an unattested early common source). In addition, since the Graeco-Roman parallel is attested long before the rabbinic one and since the Palestinian rabbis lived in the orbit of Graeco-Roman culture, the most plausible conclusion is that the rabbis absorbed and adopted a Graeco-Roman literary motif. Faithful to an internal hermeneutics, however, Fraenkel insists

that it is "very possible" that the Jewish story was not influenced by the Narcissus motif.

Second, Fraenkel argues that there is not much to be learned from the Narcissus parallel: "one way or another, the use of this motif in our story proves indisputably how the mere fact of the use of a popular or foreign motif still says nothing about the ideological contents of the rabbinic story."[72] The use and adaptation of a Graeco-Roman motif, however, can illuminate both the cultural setting of our story's author and the literary decisions that he made when composing the story. A short exploration of the Narcissus parallel suggests that it has much to teach us about the story of Simeon and the nazirite.

Ovid preserves in his *Metamorphoses* (written in the early first century CE)[73] the fullest extant version of the Narcissus myth and his account is worth sketching here. Narcissus, writes Ovid, was a handsome young man whose love was sought by many youths and maidens, but he was too arrogant and haughty to love anyone in return. A nymph named Echo fell in love with him but he spurned her as well and her broken heart caused her to waste away and lose her physical form. One of Narcissus's slighted admirers beseeched the gods to punish Narcissus with unrequited love and Nemesis, goddess of retribution, granted his wish. At long last Narcissus fell in love but the object of his love, the reflection of his visage in the water of a spring, could not love him in return. Narcissus yearned to kiss and touch his reflection but to no avail and, unwilling to remove himself from the spring, he wasted away and died.[74]

Unlike Ovid's *Metamorphoses*, the rabbinic narrative makes no reference to any rejection of aspiring lovers and so the shepherd's predicament apparently is not the product of long-term ongoing hubris. The shepherd may well have been an upstanding youth prior to his experience at the well—perhaps even loving and being loved in return—but the absence of any mention of his earlier life indicates that his previous behavior is irrelevant for the purposes of the rabbinic narrative. The shepherd's story revolves around a onetime event wherein the shepherd was so overcome by desire that his passions came to threaten his very life. In communion with his reflection, the shepherd not only rejected all potential lovers, but he repulsed anyone and everyone, God included. The shepherd's trance is a caricature of desire and his obsessive self-centered behavior excluded even God. While Narcissus's hubris is expressed in the social sphere of human interaction, the shepherd's has an added spiritual dimension as well. Naziriteship, however, successfully extricates the shepherd from his trance by replacing his all-consuming selfishness with uncompromising selflessness. Thus while the tragic myth of Narcissus cautions us to be mindful of fate's inexorable retribution, the rabbis' optimistic story illustrates the ongoing possibility of repentance and redemption.

Though we cannot point to any specific Greek or Latin text, such as Ovid's *Metamorphoses*, and claim that our author read it and was influenced by it, the striking similarities between our rabbinic narrative and the myth of Narcissus demonstrate that the ancient myth served as the

source of inspiration for the shepherd's predicament. However, other central elements in the rabbinic narrative surely do not stem from the myth of Narcissus. The nazirite and the role of hair in the rabbinic narrative are utterly alien to the Greek myth. Ovid describes Narcissus's eyes, cheeks, neck, face, and hair in order to portray his beauty, but beyond its descriptive function Narcissus's hair plays no role in any extant version of the myth. The nazirite and hair themes were not inspired by the myth of Narcissus; they were apparently modeled on the biblical story of Absalom.

The stories of Absalom and the southern shepherd are alike in fundamental and striking ways. Like the southern shepherd, Absalom is portrayed as a beautiful man with remarkable hair:

> No one in all Israel was as beautiful as Absalom; from the sole of his foot to the crown of his head he was without blemish. When he cut his hair—he had to have it cut every year, for it grew too heavy for him—the hair of his head weighed two hundred shekels by royal weight.[75]

Just as the shepherd's hair almost led to his death, Absalom's long locks were instrumental in his:

> Absalom encountered some of David's followers. Absalom was riding on a mule, and as the mule passed under the tangled branches of a great terebinth, his hair got caught in the terebinth; he was held between heaven and earth as the mule under him kept going. One of the men saw it and told Joab, "I have just seen Absalom hanging from a terebinth." Joab said to the man who told him, "You saw it! Why didn't you kill him then and there? I would have owed you ten shekels of silver and a belt." But the man answered Joab, "Even if I had a thousand shekels of silver in my hands, I would not raise a hand against the king's son. For the king charged you and Abishai and Ittai in our hearing, 'Watch over my boy Absalom, for my sake.' If I betrayed myself—and nothing is hidden from my king—you would have stood aloof." Joab replied, "Then I will not wait for you." He took three darts in his hand and drove them into Absalom's chest. (Absalom) was still alive in the thick growth of the terebinth, when ten of Joab's young arms-bearers closed in and struck at Absalom until he died.[76]

Just as the shepherd's obsession with his hair endangered his life, Absalom's fatal flaw, in rabbinic eyes, was his excessive pride in his beautiful locks:

> With the measure a man measures out, it shall be measured to him (in return). . . . Absalom gloried in his hair—therefore, he was hanged by his hair.[77]

Absalom and our shepherd are the sole individuals in all rabbinic literature who take too much "pride" ("*mitga'im*") in their hair and in both stories hair plays a pivotal role in a measure for measure equation. Whereas Absalom is cornered and killed because of the long hair in which he was excessively proud, the shepherd saves himself by shearing off the long locks which aroused his self-destructive passions.

Not only did the story of Absalom apparently supply the literary inspiration for the shepherd's dangerous pride in his hair, it also seems to have provided the idea of making him a nazirite. Whereas the Bible simply reports that Absalom cut his hair infrequently, the rabbis viewed Absalom as a nazirite:

> Rabbi Judah says, "(Absalom) was a nazirite for life and would shave his hair every twelve months, as it is said, 'After a period of forty years had gone by, Absalom said to the king, "Let me go (to Hebron and fulfill a vow that I made to the Lord" ' (*2 Samuel* 15, 7)), and it says, 'For your servant made a vow when I lived in Geshur' (*2 Samuel* 15, 8)." Rabbi Jose the Galilean says, "he was a nazirite of a certain number of days and he would shave once every thirty days, as it is said, 'after a period of days' (*2 Samuel* 14, 26)."[78]

In rabbinic eyes, Absalom became a nazirite in order to let his beautiful hair grow long. The rabbinic notion that Absalom was a nazirite apparently prompted the idea to portray the shepherd as a nazirite who, like Absalom, took excessive pride in his hair. However, whereas Absalom's naziriteship was driven by his vanity, the shepherd hoped to contain his vanity through naziriteship.[79]

The story of Simeon and the nazirite is designed to showcase an ideal conception of naziriteship. Naziriteship, in rabbinic eyes, involves the dedication of the self to God and in order to accentuate this essential dimension of naziriteship, the author of our story chose to contrast self-dedication with its opposite, self-love. In seeking to portray the ultimate self-lover, our author modeled his character, in part, on a well-known figure in antiquity who embodied egotism more than any other: Narcissus. Narcissus's self-obsession is unmatched in all classical literature and he is without a doubt a perfect example of self-centered vanity. Recognizing that the radical transformation of a Narcissus into a nazirite would lucidly illustrate the impressive powers of naziriteship, our author chose to model the crux of his story on the myth of Narcissus. The Narcissus myth was retold and reworked in a Jewish framework because Narcissus represents the polar opposite of naziriteship self-dedication. Narcissus served as the perfect foil in a story designed to promote self-control and the conquest of desire.

The shepherd's indulgent and immoderate pride in his hair, however, stemmed from Absalom, not Narcissus. Absalom is the vainest of all biblical figures and the closest counterpart to Narcissus in all biblical literature.

In light of our author's intention to critique narcissism, the biblical account of Absalom naturally resonated with him since Absalom's beauty, vanity, and eventual downfall perfectly illustrate the dire threat of unchecked desire and self-obsession. In addition, the idea to present naziriteship as the antidote to narcissism was inspired by the rabbinic notion that Absalom was a nazirite. Our author thus synthesized Narcissus and Absalom in the creation of a new hero. However, since the purpose of the rabbinic story was to showcase naziriteship as an ideal, the tragic dooms that befell Narcissus and Absalom had to be reversed. Whereas Narcissus and Absalom both died because of their self-centered behavior, the shepherd, as the ideal nazirite, defied his own passions and modeled naziriteship as a means of self-control and metamorphosis.

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Traditional internal hermeneutics reads ancient Jewish texts in Hebrew and Aramaic mostly in light of the immediate Jewish setting only. In doing so, it limits our understanding of the sources and their cultural world. The hermeneutics of the new historical method directs us to situate ancient Jewish sources in a broad historical setting, a setting which promises to shed new light on our sources and their cultural reverberations. The rabbinic use of *kalos* reveals how the Roman *acclamatio* was integrated into Jewish life. Stories about the patriarchate teach that Jews practiced their own version of the Roman *salutatio* at the homes of leading Jewish figures in late antique Palestine. Comparing the story of Simeon the Righteous and the nazirite to the myth of Narcissus reveals how a rabbinic author enlisted the most egotistical literary persona in classical antiquity for a story in praise of self-control and self-dedication. The intermingling of Jewish culture with surrounding cultures in so many different ways underscores that the ancient Jewish community was a sub-culture in a wider cultural community. By exploring both the similarities and differences between the Jews and their neighbors, scholars are beginning to map out a more nuanced portrait of ancient Jewish society and culture.

NOTES

1. See Gottschalk (1950) 133–138. See also Rosenthal (1963) 15.
2. See Stemberger (1996) 122; Tropper (2007) 749; Ben-Eliyahu *et al.* (2012) 25; cf. Stemberger (1996) 122, (2005).
3. *Mishnah Avot* 3, 15 with my translation. See, for example, Maimonides (1963–1968) vol. 4, 435; Herford (1930) 88; Albeck (1952–1959) vol. 4, 367.
4. Urbach (1975) 257.
5. See Urbach (1975) 256–258; Sharvit (2006) 93–94.
6. For a recent discussion of this story and its formation see Tropper (2011) 67–88.
7. See also *Babylonian Talmud Sanhedrin* 96b.
8. See Rubenstein (2003) 80–101.

9. See, for example, Fraenkel (1978) 139–157; Woodman (1988) x; Mason (1991); Rubenstein (1999) 8–10.
10. Safrai (1971) 210.
11. See Rubenstein (1999) 3.
12. For surveys of this turn in scholarship in reference to rabbinic literature, see Rubenstein (1999) 1–33; Gafni (2001) 215–226; Fox (2002); Schwartz (2002), (2011) 214–216; Newman (2006).
13. See Goodman (1999) 76–81, (2002) 184; Schwartz (2002) 84, 90, 104, (2007) 84–85.
14. See Endelman (1997) 1–13; Biale (2002) xxii; Banks (2006) 145; Rosman (2007) 17–18; Brenner (2010) 128, 182, 186, 212–213.
15. Schwartz (2002) 87. See Lieberman (1942), (1950); see also Levine (1998) 96–138.
16. In respect to Roman culture, see Goodman (2007), Schwartz (2010) and Lapin (2012). In reference to Christian culture in the west, see Boyarin (2004) and Schremer (2010a) and in respect to Christian culture in the east, see Bar-Asher Siegal (2013). On Sassanian culture, see Secunda (2014).
17. See Goshen-Gottstein (2003–2004); Bar-Asher Siegal (2013) 13, 17.
18. See Jastrow (1903) 1379; Lieberman (1948–1952) 75; Brown *et al.* (1979) 887; Koehler *et al.* (1996) 1105; Sokoloff (2002) 494–495; Clines (2010) 259–260.
19. Nathan ben Yehiel (1883) 224. Cf. Krauss (1898) 547; Rabin (1963) 122–123.
20. See Lieberman (1948–1952) 75; Urbach (1983) 8.
21. See also Tropper (2005b) 207.
22. See Lieberman (1948–1952) 75–78.
23. Badian (1996a) 4.
24. Hurschmann (2002) 65.
25. See Badian (1996a) 4; Hurschmann (2002) 65–66.
26. See Liddell and Scott (1843) 870; Smothers (1947) 52–53.
27. See Stemberger (1996) 291.
28. See *Leviticus Rabbah* 22, 3 (p. 501). The translation is that of Slotki (1939) *ad loc*.
29. See Lieberman (1948–1952) 78 and his references in nn. 14–16; see also Smothers (1947) 18.
30. See, for example, *Palestinian Talmud Berakhot* 9, 5, 14b; *Babylonian Talmud Berakhot* 3a; *Babylonian Talmud Shabbat* 89b.
31. See Ben-Eliyahu *et al.* (2012) 30.
32. See *Palestinian Talmud Hagigah* 1, 7 76c.
33. See Ben-Eliyahu *et al.* (2012) 92; cf. Stemberger (1996) 320.
34. *Song of Songs Rabbah* (1980) 1, 11 (p. 11).
35. See Lieberman (1948–1952) 77; Smothers (1947) 9–23.
36. *Babylonian Talmud Shabbat* 108a. See Lieberman (1948–1952) 77.
37. See Stemberger (1996) 285–286; Ben-Eliyahu *et al.* (2012) 87.
38. See *Lamentations Rabbah* 1, 1 (p. 53). See also Lieberman (1948–1952) 78.
39. See Stern (2003) 196 and his references in n. 8.
40. On viewing the social configurations of rabbinic sages as a movement, see Hezser (1997); Fraade (2011) 580; Lapin (2012) 64.
41. See Schwartz (2014) 119. For a more institutionalized view of the patriarch, see Appelbaum (2012) 21; Levine (2013) 256–258.
42. See Hezser (1997) 287.
43. The *nasi* in this story is usually identified as Rabbi Yudan Nesiah II, who lived in the late third century CE. See, for example, Levine (1979) 661; Goodblatt (1994) 295; Miller (1999) 553 n. 53; cf. Hezser (1997) 419 n. 103. (See also Fraade (2011) 313 n. 77; Appelbaum (2013) 36 n. 35).

44. "Bulvati" is derived from the Greek word for council member, *bouleutes* (βουλευτής), and "pagani" (in Latin) are villagers, rural landowners or commoners. See Liddell and Scott (1843) 324; Lewis and Short (1879) 1290; Kimelman (1983–1984) 137; Levine (1985) 161, 168 n. 143.
45. The *nasi* in this story is apparently Rabbi Yudan Nesiah I, who lived in the mid third century CE. See Levine (1979) 661; Goodblatt (1994) 295; Miller (1999) 550 n. 45.
46. *Palestinian Talmud Horayot* 3, 8 48c = *Palestinian Talmud Shabbat* 12, 3 13c. I consulted the translations of Levine (1979) 661, Neusner (1982) *ad loc.* and (1991) *ad loc.*
47. See *Esther Rabbah* 4, 4 (*Midrash Rabbah*, pp. 15–16).
48. See Lieberman (1934) 175; Levine (1979) 661–662; cf. Miller (1999) 553 n. 53.
49. See Levine (1979) 662.
50. See Avi-Yonah (1946) 11. See also Mantel (1961) 243; Baumgarten (1981) 153 n. 75; Goodman (1983) 114; Kimelman (1983–1984) 137; Levine (1985) 161; Hezser (1997) 420–421; Miller (1999) 550–557; Shapira (1999) 18. On *salutatio* in rabbinic parables, see Ziegler (1903) 33–35; Stern (1999) 155.
51. Saller (1989) 57.
52. On Roman patronage and *salutatio*, see Friedländer (1965) 207–209; Saller (1982), (1989); Badian (1996b) 1350; Hurschmann (2008) 910; Goldbeck (2010); Schwartz (2010) 1–20.
53. Cf. Levine (2009b) 56–64.
54. See Tropper (2005a) 219.
55. See Miller (2006) 245–246.
56. *Palestinian Talmud Ta'anit* 4, 2 68a. I consulted the translations of Hezser (1997) 421 and Neusner (1987b) *ad loc.*
57. See Neusner (1965–1970) vol. 2, 112 n. 2; Mantel (1969) 7 n. 12; Herman (2012) 118 and the references in the following two notes. Cf. Levine (1979) 660; Jacobs (1995) 230 n. 1107; Hezser (1997) 422.
58. See Beer (1970) 161 n. 2; Gafni (1987a) 84.
59. See Goodblatt (1994) 295; Shapira (1999) 18 n. 44; Herman (2010) 72 n. 62.
60. See *Numbers* 6, 1–21. Unless otherwise stated, biblical translations are drawn from *JPS Hebrew-English Tanakh* (1999).
61. See Milgrom (1990) 355; Tropper (2013) 81–82.
62. *Sifre Numbers* 22 (pp. 59–60) with my translation. See also *Tosefta Nezirut* 4, 7; *Palestinian Talmud Nedarim* 1, 1 36d; *Palestinian Talmud Nazir* 1, 7 51c; *Babylonian Talmud Nedarim* 9b–10a; *Babylonian Talmud Nazir* 4b; *Numbers Rabbah* in *Midrash Rabbah* 10 (p. 75). For an in-depth analysis of this story and the history of its formation, see Tropper (2013) 81–111.
63. See *Mishnah Naz*ir 2, 5–6 (and the references in Tropper (2013) 95 n. 41).
64. See, for example, *Tosefta Bikkurim* 2, 16; *Tosefta Sanhedrin* 5, 5.
65. See, for example, *Palestinian Talmud Pesahim* 5, 3 32a.
66. See *Numbers* 6, 8 and *Leviticus* 21, 6.
67. See Diamond (1997) 1–12.
68. See *Numbers* 6:8–12.
69. See, for example, Halevi (1975) 33; Milgrom (1990) 358; Fraenkel (1991) 498.
70. See Rose and Spawforth (1996) 1026.
71. Fraenkel (1991) 498 (my translation).
72. Fraenkel (1991) 498 (Newman's translation). See Newman (2006) 122 for a translation and critique of Fraenkel's position.
73. See Anderson's *Ovid's Metamorphoses Books 6–10* (1972) 4–5, 31.
74. See Ovid, *Metamorphoses* 3.340–510. Cf. Pausanias, *Description of Greece* 9.31. 7–8; Conon (1923) 26 F 1, 24 (197–198); *Oxyrhynchus Papyri* (2005) no. 4711.
75. *2 Samuel* 14, 25–26.

76. *2 Samuel* 18, 9–15.
77. *Mishnah Sotah* 1, 7–8. See also *Mekhilta Shirata* 2 (p. 123); *Mekhilta de-Rashbi* 15, 1 (pp. 74–75); *Tosefta Sotah* 3, 16; *Palestinian Talmud Sotah* 1, 8 17b; *Babylonian Talmud Sotah* 10a, 10b.
78. *Mekhilta Shirata* 2 (p. 123) with my translation. See also *Tosefta Sotah* 3, 16; *Palestinian Talmud Nazir* 1, 2 51b; *Babylonian Talmud Nazir* 4b–5a.
79. Cf. Lieberman (1955–1988) vol. 8, 641–642.

Part III
Credibility

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3 An introduction to credibility

On sources, credibility, and corroboration

The third and final prong in the historical method's three-prong analysis is the evaluation of a source's reliability and the credibility of its contents. After the authenticity of a source is established in the first prong and its meaning(s) disclosed in the second, the third prong assesses the reliability of the source, checking whether its contents are credible and trustworthy. The credibility prong investigates whether some or all of a source's contents most likely reflect an ancient reality. This chapter outlines the central features of the credibility prong and subsequent chapters explore them in greater depth.

At the risk of stating the obvious, it is worth explaining why the basic building blocks of history are the *credible data* preserved in or inferred from authentic sources and not *all the data*. Why must historians examine the reliability of their sources and the credibility of the information drawn from them? The rationale for this prong stems from the very nature of the historical project. As discussed in the Introduction, historians seek to interpret the remnants of the past in the most compelling manner they can imagine. Striving after highly probable interpretations not only underscores that historical interpretations are uncertain and tentative, it also explains why historians cannot be satisfied with mere possibilities. The goal of history is not to reconstruct what might possibly have happened, it is to reconstruct what most probably did happen and the problem with *non-credible data* is that we have no way of ascertaining their fit with reality, we have no means of advancing them from the realm of the possible to that of the probable. Simply wishing that a possible event happened, does not make it a fact.[1] At best non-credible data represent unverifiable possibilities and at worst they are demonstrable fabrications or fictions. As a result, historical representations of the past must be founded on credible data only, on information culled from reliable (even if partial and subjective) descriptions of the past.

For the sake of clarity, let us break down the analysis of a source's credibility into three questions:

1 How close was the source to the subject it describes?
2 What considerations strengthen or weaken the reliability of the source and the credibility of its contents?
3 Can we corroborate the source with one or more independent and reliable sources?

Only after answering all three questions do historians decide whether information derived from an ancient source is sufficiently credible to be considered a fact and a building block in a historical narrative.[2]

THE PROXIMITY OF SOURCES TO THE EVENTS THEY PORTRAY

Let us now spell out in greater detail the three questions of the credibility prong. The first question measures the nearness of the source to the subject matter it conveys, delineating the degrees of separation between the source and its contents. Ultimately all valid historical evidence stems from first-hand testimony, the account of a spectator or participant who observed an event, social reality, or cultural formation. First-hand accounts are commonly called primary sources and their great advantage for historical purposes is that their authors enjoyed direct and unmitigated access to the past. Since first-hand accounts did not traverse a chain of successive transmitters in order to reach their authors, they were not exposed to the interference of intermediaries, they were neither modified nor embellished by earlier sources. Unlike the first-hand accounts of primary sources, however, second-hand, third-hand, and further removed accounts, i.e. secondary sources, are not founded on personal and immediate experience but rather on the reports of others.[3]

Traditionally, historians of ancient Jewish history have been most interested in *events*, their causes and consequences,[4] but neither Josephus's writings nor rabbinic literature usually relate first-hand accounts of *events*. Even as a participant in the first Jewish revolt against Rome, Josephus could have witnessed only a small portion of the events narrated in his work *The Jewish War*. Similarly, the anonymous editors of rabbinic literature could not have witnessed most of the events they relate, many of which did not even take place during their lifetimes. Hence, the bulk of our information for events in the history of the Jews in Roman times was preserved in secondary sources, not in primary ones.

In contrast to their indirect knowledge of most of the events they depicted, Josephus and rabbinic authors and editors were directly acquainted with their own social, cultural, and intellectual setting and so are first-hand accounts for these matters. However, traditionalists, as noted above, primarily investigate events rather than the social, cultural, and intellectual setting within which ancient sources were composed. As a result, traditional historians plumb ancient sources more for information about the events they portray and less to shed light on the world of their authors.[5]

As secondary sources, Josephus's writings and rabbinic literature were dependent on both written texts and oral traditions or testimonies. Many of these earlier sources no longer exist today and even when they did exist, they were not all cut from the same cloth. Some of the earlier sources were primary, some secondary, and some legendary, partially or even entirely

fictitious. Hence in order to evaluate the credibility of our extant sources, historians must not only assess their credibility but also the credibility of the underlying non-extant sources, all the way back to the first-hand testimonies.

When assessing the reliability of an underlying source historians hope to identify its author and reconstruct its contents, but doing so is difficult and, at times, impossible. The author of a no longer existent underlying source is often so hard to identify because ancient historians tended not to name their sources or informants for particular statements. In contrast to modern historians who are expected to provide references for their sources, ancient historians, like Josephus, usually did not identify their sources.[6] Sometimes modern historians can identify the probable author of an anonymous underlying source with the help of literary or philological criteria, but in many cases modern suggestions are no more than blind stabs in the dark. The traditional historical method puts far too much faith in the guesswork often involved in identifying sources and it is now apparent that we often do not know whence Josephus derived his information.[7]

Like Josephus, the rabbis also do not identify their sources much of the time. A good portion of rabbinic literature is anonymous and earlier sources are regularly left unnamed. Hence we often lack any hints regarding the identity of the ultimate source for an anonymous rabbinic statement.

Unlike Josephus's writings, however, rabbinic literature cites countless statements explicitly attributed to specific sages. The traditional historical method generally views these attributed statements as verbatim quotes or close paraphrases, that is, it deems the attributions reliable. According to the traditional method, rabbinic sages took tremendous efforts to faithfully preserve attributed statements and therefore rabbinic attributions reliably identify the original authors of their statements so long as there is no local reason to doubt the attributions.[8] In other words, an attribution is traditionally considered genuine unless there are immediate textual, literary or historical considerations which render it suspect. The new historical method, however, has tempered this view, arguing that the oral transmission of rabbinic statements and the editorial activity of rabbinic editors were far more active and intrusive than traditionally thought. Rabbinic statements were often formulated decades and even centuries before they were incorporated into our extant sources and during this time they were passed down orally in disciple circles and study-houses. Over the course of their oral transmission and during the final editorial process itself, rabbinic statements were often altered, reworked and inserted into new contexts. In light of the changes these statements often underwent prior to their integration into our extant sources, the new method has sought to develop a more sophisticated approach to rabbinic attributions which does not presuppose their authenticity.[9]

Just as the traditional historical method presumes that most attributed statements in rabbinic literature are genuine and preserve their original contents if not always their original formulations, it also maintains that Josephus, in his role as an ancient historian, quoted his sources verbatim

or at least in a close paraphrase that preserved his sources' genuine contents.[10] By the same token, the traditional historical method contends that even though the rabbis embellished sage stories with literary ornamentations, they were honest religious leaders dedicated to truth. Accordingly, traditionalists reason, the rabbis generally preserved the gist of their source material and often the details as well.[11] In short, the traditional historical method works with a broad presumption of genuineness, arguing that so long as there is no local reason for doubt we may presuppose that Josephus, in his role as a historian, and the rabbis, as honest truth-tellers, reproduced their sources faithfully and accurately.

The new historical method maintains, however, that reconstructing the contents of no longer extant early sources is far more difficult than traditionally acknowledged. Josephus often revised his sources freely and liberally, hence it is quite challenging to pinpoint the contents, let alone the language, of his underlying sources.[12] In a similar vein, the rabbis creatively recast earlier traditions and so it is often nigh impossible to reconstruct their no longer extant sources.[13] In light of empirical evidence which suggests that Josephus and rabbinic editors were far more creative than the traditional historical method ever imagined, the new historical method undermines the traditional presumption of genuineness, arguing that the evidence does not support such a far-reaching methodological assumption. Although the new method sometimes reconstructs underlying sources or their essential cores, it never does so on the basis of the traditional presumption of genuineness.

In sum, the traditional historical method identifies the authors of anonymous source material and reconstructs non-extant sources far too readily. The new historical method argues that traditional guesses regarding the identity of underlying sources are often blind and hence insufficiently probable. The new method also contends that while traditional reconstructions of non-extant sources usually presuppose that Josephus and rabbinic editors were little more than copiers or compilers, the evidence suggests that Josephus and the rabbis often reworked and transformed their sources.

CREDIBILITY

The second question of the credibility prong asks what considerations bolster or diminish the reliability of our sources and the credibility of their contents. Traditionally, historians pose a series of pointed queries in order to determine if and when a source is reliable and its contents credible. Since our extant sources for ancient Jewish history are usually secondary sources, historians not only examine the extant sources but also their underlying sources, following the chain back to the no longer existing, first-hand accounts. Examination of the underlying sources is crucial because even if Josephus, for example, honestly and accurately recounted a story he considered historical, his report is no more credible than his ultimate source.

If his ultimate source were a muddied report or a fictitious legend, the credibility of his own account would be undermined regardless of his intentions. By subjecting our sources and their underlying materials to critical examination, historians separate out the wheat from the chaff, the credible from the possible, unlikely, and impossible.

Historical sources, unlike defendants in a court of law, are not innocent until proven guilty. Rather, once a source has been evaluated as authentic, "in the subsequent process of determining the credibility of its particulars, even the most genuine of documents should be regarded as guilty of deceit until proven innocent."[14] The suspicion that our sources might be unreliable and inaccurate, if not necessarily deceitful, has long been the historian's default position. Hence, when initially confronting a source, the historian suspends judgment regarding the source's reliability and the credibility of its particulars. A particular derived from a source may be accepted as credible only after one has established the essential reliability of the author, the feasibility of the particular, and its probable credibility.

The first query historians traditionally pose when assessing the essential reliability of an author is whether the author was *able* to report his or her account. If the author purports to offer a first-hand account, was he or she witness or party to the events recounted? Was he or she sufficiently intelligent, competent and talented to compose an accurate description of the events? In the case of a secondary source, historians ask if the author had access to an earlier account and, if so, did that account ultimately rest on a genuine first-hand account. Only if historians determine that an extant source stems from an authentic first-hand account, the account of a witness who was capable of observing, understanding, and reporting his or her experience, can they proceed further in the analysis of a source's reliability.

The second query historians traditionally pose when judging the essential reliability of an author is whether the author was *willing* to write a faithful and accurate report. More precisely, this query examines the range of factors which impinge upon an author's willingness to pen a fair (if partial and subjective) account. For example, how did the author's conscious interests and subconscious biases inform his or her report? How did the author's philosophy and identity influence his or her perception of the event? Was the author trying to please or displease someone and how might this personal goal have affected his or her account? Since an author's interests, biases, frames of reference and personal goals inevitably prejudice his or her account, historians must take them into consideration if they hope to reconstruct historical events and not the wishful thinking of ancient authors.

After judging an ancient source to be essentially reliable, historians consider the feasibility of its assorted details in order to weed out the implausible, incredible and impossible. For example, historians, as scholars in a secular discipline, presuppose that supernatural and miraculous events are impossible and therefore they do not believe such events occurred even when they are reported in ancient sources. In a similar vein, historians

are skeptical about ancient descriptions of fantastic and highly unlikely, even if not impossible, events. Sometimes ancient sources include anachronisms—such as the retrojection of a late social institution into an earlier period—chronological impossibilities and geographical inaccuracies, and historians try to identify and rectify all such imprecisions. Historians question sources that conflict with our knowledge of the historical setting and they are sensitive to the common tendency of ancient authors to exaggerate numerical figures. Historians are wary when ancient sources claim that an unusual or distinctive event happened twice and they suspect that we often cannot reconstruct the historical reality hidden behind common motifs and literary conventions. With an extensive repertoire of criteria, historians seek to uproot from the ancient sources the unfeasible and incredible particulars.

Weeding out the incredible, however, does not mean that the all the remaining particulars are equally credible. Rather historians traditionally bolster the credibility of specific bits of information with a variety of considerations. For example, incidental comments, commonplace phenomena, and matters of indifference to the author are considered more credible than vital parts of the author's agenda. The contents of private documents are usually considered more reliable than those of public ones and unstated presuppositions are often more credible than explicit statements. Information harmful to the author or his or her loved ones is considered highly credible, as is information that strikingly conforms to the historical setting as known from other sources. In sum, historians distill credible data from an essentially reliable source by locating and inferring historical information that neither contributes to the author's agenda nor reflects his or her biases, interests, or frames of reference.

The historian's default position, as noted above, is the methodological assumption that all sources "should be regarded as guilty of deceit until proven innocent." This working assumption is designed to ensure that the basic building blocks of history are credible data only. The traditional historical method, however, hopes to overcome this working assumption by arguing that Josephus and the rabbis are essentially "innocent" and trustworthy. Traditionalists maintain that Josephus, as an ancient historian, and the rabbis, as sincere jurists, scholars, and educators, were truth-tellers who sought to represent the past as honestly as possible. Consequently the traditional method regards Josephus's writings and rabbinic literature as credible so long as there is no immediate reason to doubt their fidelity or accuracy. Just as the traditional historical method presumes that the sources cited by Josephus and the rabbis are genuine, it also presumes that the contents of Josephus's writings and rabbinic literature are credible. Hence once traditionalists compensate for the vantage points of the ancient authors and disregard their sources' unfeasible elements, they view the rest of Josephus's writings and rabbinic literature as credible, rarely feeling the need to bolster the credibility of their sources with additional considerations.[15]

However, just as the new historical method rejects the traditional method's presumption of genuineness, it also rejects its presumption of credibility.

According to the new method, the central flaw in the traditional approach to credibility is the expectation that Josephus's historical reporting and rabbinic literary activity mirror modern conceptions of historical fidelity and accuracy. Stated differently, the traditional historical method neglects a single but crucial question: What are the rules of the literary genres to which our sources belong? Once scholars began to pay attention to this question, they quickly realized that traditionalists grossly underestimate the rhetorical and literary dimensions of both Josephus's writings and rabbinic literature.[16]

While the new historical method agrees that it is important to question whether an author was willing and able to report an event and whether the details he or she recounted are feasible and probable, it argues that historians must *first* examine the literary dimension of the ancient source. Before credible data can be distilled from a source, one must understand what the source is trying to say and by what rules it is playing. Analysis of the literary and rhetorical dimensions of Josephus's writings and rabbinic literature reveals that Josephus and the rabbis were not following our modern rules of history writing, they were not trying to represent the past faithfully and accurately as we understand these terms. They recast the past in ways anathema to modern historians and the liberties they took indicate that any presumption of credibility is unwarranted. In reality, eliciting credible data from Josephus's writings and rabbinic literature is far more difficult than traditionally imagined.

CORROBORATION

The third question of the credibility prong asks whether we can corroborate a reliable source with the help of one or more independent and reliable sources, that is, whether we can corroborate credible information derived from one source with credible information derived from one or more other independent sources. Credible particulars generated through the analysis described above are deemed rather trustworthy, but historians generally hesitate to accept a credible particular as a fact until it is corroborated by another independent credible particular.[17] This call for corroboration is reminiscent of the biblical law: "At the mouth of two witnesses, or three witnesses, shall he that is to die be put to death; at the mouth of one witness he shall not be put to death" (*Deuteronomy* 17:6).[18] The chances that two or more independent witnesses would erroneously make the identical report is so slight that corroborating testimony is generally viewed as the clincher for accepting a credible datum as a historical fact.

However, in ancient Jewish history, as in ancient history more generally, our evidence frequently originates from a single ultimate source and so we often lack two or more independent lines of evidence. Without additional lines of evidence, we simply have no means of corroborating the credible information that we draw from the sources. For example, Josephus is often our sole source for the history of the Jews during the late Second

Temple period and so much of his account cannot be corroborated by any independent witnesses. The traditional historical method does not seem to have engaged the challenge posed by the frequent absence of corroborating evidence, but, in recent decades, Steve Mason has argued that the absence of corroborating evidence is actually an intractable problem for traditional event-oriented histories:

> Where we enjoy independent lines of evidence, especially if one line involves material remains, we may entertain some hope of resolving modest questions.
>
> Where we have only one *narrative* source, however, and no other evidence can be brought directly to bear, we have an insurmountable problem. The best explanation of Josephus's narratives will normally be Josephus's interests as author and artist, beyond which we cannot reach. Speculation based on hunches about seeming incongruities has no place to gain traction, to move it beyond speculation. Only where we have a second or third independent narrative that overlaps in significant measure can it become a meaningful exercise to test a hypothesis concerning the lost reality that produced those different artifacts.[19]

According to Mason, without corroboration we have no facts and without facts we cannot write history.

Some aspects of a source, however, need not and often cannot be corroborated by an independent source. "Of the emotions, ideals, interests, sensations, impressions, private opinions, attitudes, drives, and motives of an individual only that individual can give direct testimony."[20] Hence, the fact that an author's composition reflects his or her self needs no external corroboration. Moreover, since every author, like every individual, is embedded within a specific setting, his or her composition converses with an ambient linguistic, social, and cultural environment. Every source, consequently, reflects the explicit ideas and implicit assumptions of its author and refracts the surrounding social, cultural, or intellectual setting. In light of these insights and a newfound appreciation for Josephus's literary and rhetorical techniques, Steve Mason has spearheaded a new stream in scholarship which argues that the value of Josephus's narratives "may lie less in what he *writes about* than in what he actually *says*: his language, its implicit assumptions, and its likely effects."[21] Mason argues that while Josephus's writings are reliable first-hand accounts of his own ideas and implicit assumptions and, as such, need no external corroboration, the underlying particulars of his history of events lack credibility as long as they remain uncorroborated. Mason accordingly recommends that whenever Josephus's depiction of events is uncorroborated, historians should abandon event-oriented history in favor of contextualizing Josephus within his social, cultural, and intellectual setting.

If we were to limit history to certain or near certain knowledge, then Mason's argument would be compelling and historians would be wise to shy away from the history of uncorroborated events. In my opinion, however, history is best defined not as certain knowledge but as the most probable interpretation we can imagine for the traces of the past.[22] The lack of corroboration, consequently, is not as decisive a blow to event-oriented history as Mason believes. Since a particular that is cautiously extrapolated from a reliable source is considered trustworthy, we may regard it as a fact even though it remains uncorroborated. Although Mason correctly points out that traditionalists have been overly confident in the fidelity of uncorroborated evidence, he has overcompensated for their excessive confidence and set the credibility bar too high. An uncorroborated credible particular is surely not as certain as a corroborated particular but it is far more than a mere possibility.[23] If it defies belief that a particular detail in a reliable source is imaginary, it may be regarded as a fact.[24]

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Josephus's writings and rabbinic literature potentially figure in two strains of history: the history of the events they portray and the history of the world in which they were composed. The traditional historical method has long been primarily occupied with the former but the factual basis of its narratives is often defective because the way it assesses credibility is fundamentally flawed. The traditional method confidently identifies the authors of no longer extant sources even when the evidence is minimal or non-existent. The traditional method presumes that Josephus and the rabbis cite their sources with only slight alterations and that they are generally reliable witnesses, but empirical analysis of their works suggests otherwise. The traditional method also tends to forget that in comparison to our (near) certain knowledge of corroborated facts, uncorroborated facts are probable particulars "capable only of a lower order of proof."[25]

In order to avoid all these pitfalls, the new historical method has revised the traditional one and its credibility assessment varies from source to source and genre to genre. At times, the new method concludes that we can still extract facts from uncorroborated sources for a history of events, but its sensitivity to the rhetorical and literary nature of our sources means that the new method usually establishes far fewer facts than those supposedly established by the traditional method. At other times, the new method concludes that we simply lack any credible data and the history of events is beyond our reach. Nonetheless, so long as our sources are authentic and our interpretations reflect their original meaning(s), they are still first-hand accounts for the explicit statements and implicit assumptions of their authors and, as such, require no external corroboration. As a result, even though the history of events is not always in hand's reach, one can usually write a history of the ancient sources and the settings in which they were composed.

NOTES

1. See Ellenberg (2015) 30.
2. See Gottschalk (1950) 139–171 for a detailed overview of the credibility prong.
3. See Gottschalk (1950) 53–56. Cf. Tosh (1984) 29–30; Potter (1999) 22; Moore (2006) 34–40.
4. See, for example, Stern (1969); Safrai (1969); Schürer *et al.* (1973–1987) vol. 1.
5. See Moehring (1983) 491, (1984) 868, 925; Schwartz (1987) 20–21, (2013) 2–3; Mason (2009) 16–18, (2011) 195. See also Damon (2007) 440.
6. See Pitcher (2009) 6–10, 47–48, 68. See also Varneda (1986) 266; Price (2009) 45.
7. See Moehring (1980) 240–241; Mason (2003) 154–156; Mason *et al.* (2012) 316. See also Chapters 4 and 5.
8. See, for example, Safrai (1994); Schremer (2003) 29; cf. Neusner (1999) 134–135. See also Feldman (1999) 213–214. Cf. Mason (2009) 16.
9. See Chapter 7.
10. See, for example, Schwartz (2013) 7–14, 22 n. 38.
11. See Safrai (1969), (1971) 209–210; Safrai (1994) 4; Feldman (1999) 213–217. See also Chapter 6.
12. See Moehring (1957) 110–111, 145; Bilde (1988) 17–18, 24, 123–171; Mason (1993) 28–29, (2009) 37–38; McLaren (1998) 45–67; Landau (2006) 203–224; Mason *et al.* (2012) 294, 315–317.
13. See Fraenkel (1978) 139–157; Rubenstein (1999) 3–10; Levinson (2006a) 1–2. See also Chapters 7, 8, and 9.
14. Gottschalk (1950) 144. See also Finley (1986) 9, 21; Woodman (1988) 203. Cf. Rajak (2002) 127.
15. See nn. 4 and 11 above. See also Woodman (1988) 203; Grabbe (1997) 28–29.
16. See nn. 12–13. See also Zakovitch (1983); Schwartz (2007) 82, 86; Brettler (1998) 1–7.
17. See Gottschalk (1950) 166. (Sometimes, however, even "multiple witnesses may share distorted impressions in certain circumstances" (Mason (2011) 201). See also Howell and Prevenier (2001) 82.)
18. See also Ginzburg (2012) 167–168.
19. Mason (2009) 40. See also Mason (2003) 159–160, 184–185, (2009) 2, 24, (2011) 197, 200.
20. Gottschalk (1950) 167.
21. Mason (2009) 43. See also Mason (2003) 187, (2009) 42.
22. See the Introduction to this volume.
23. See Gottschalk (1950) 139–149; Schwartz (1987) 20, (1990) xiv; Ben Zeev (1998) 362; Pitcher (2009) 98–99; Goodman (2012) 516; Momigliano (2013) 184. See also Cohen (1979) 182.
24. See Mason (2009) 42, who uses the very same logic to argue that Josephus's portrait of Judaean society could not have been purely imaginary. See also Brettler (1995) 222 n. 53.
25. Gottschalk (1950) 170.

4 Recovering Josephus's sources

The beginning of the history of the Jews under Rome is traditionally dated to the fall of Jerusalem to Pompey in 63 BCE and Josephus's writings comprise our only ancient running narrative of Jewish history from Pompey's conquest till the end of the first Jewish revolt in 73 or 74 CE. Josephus, however, could have witnessed only a small part of this history. Josephus states that he was born in the first year of Caligula's reign, i.e. in 37 or 38 CE,[1] and therefore he was close to thirty years old at the outbreak of the Jewish revolt against Rome in 66 CE. Josephus also tells us that shortly after the fall of Jerusalem (in 70 CE) he accompanied the Roman general Titus to Rome (in 71 CE) where he apparently spent the rest of his life.[2] Consequently, by his own account Josephus did not witness most of the history he recounted. He did not witness the final years of Hasmonean rule in Judaea (63–37 BCE), the rule of Herod (37–4 BCE) and his immediate descendants, most of the direct Roman rule of the first century CE and large swaths of the first Jewish revolt against Rome, such as the fall of Masada. Josephus indicates that Masada fell to the Roman army in 73 or 74 CE and at that time, according to his own testimony, Josephus was already living in Rome. Clearly, if Josephus did not invent his history out of whole cloth, he must have derived much information from written or oral sources.

Whenever Josephus was dependent on an earlier source, the credibility of his account is no greater than the credibility of his source but, unfortunately, most of his sources no longer exist. A historian who hopes to elicit facts about the events Josephus recounts, first has to perform some elementary source criticism. He or she must identify Josephus's no longer extant sources and ascertain whether Josephus represented them in a fair, faithful, and accurate manner. Did Josephus identify his sources or at least hint at their origins? Did Josephus quote his sources verbatim? Did he paraphrase them but preserve their genuine contents? Did he modify or rework his sources such that *we* cannot differentiate between authentic particulars and his alterations and additions? In theory there is a wide spectrum of possible relationships between Josephus and his sources, ranging from slavish copying to creative rewriting. The question for the historian and source critic is how faithfully Josephus preserved his sources in practice.

For a long time now, traditionalists have been confident that they can identify Josephus's no longer extant sources and reconstruct them, or at least their contents, with relative ease. As noted in the previous chapter, however, Josephus tended not to identify his sources and many traditional attempts at identification are no more than blind guesses.[3] So long as we cannot identify the probable author of Josephus's sources, we cannot assess the reliability of Josephus's informant and, as a result, we cannot establish the facts of the matter.

In addition, the traditional confidence in our ability to reconstruct Josephus's no longer extant sources is founded upon a view of Josephus as a copier or compiler which is hard to uphold any longer. The notion that Josephus copied or closely paraphrased earlier sources and compilations and then stitched them together while making only minimal contributions of his own that are easily bracketed as personal asides[4] is hard to square away with the empirical analysis of Josephus's writings. Although we cannot compare Josephus's writings to his no longer extant sources, we can compare his writings to his extant sources and then extrapolate from one group to the other.[5] The central goal of comparing Josephus's writings to his extant sources is to determine whether *we* could have reconstructed his underlying sources, or at least parts of them, on the basis of Josephus's narrative alone. Comparisons of Josephus's writings to his extant sources reveal that reconstructing Josephus's sources is far more difficult than traditionalists suppose, since Josephus wielded an active hand when rewriting his sources. With the help of three comparisons to Josephus's extant sources—one biblical, one Hasmonean, and one Herodian—I illustrate why the new historical method rejects the traditional view of Josephus as a passive anthologist in favor of viewing him as a creative author. In addition, I explain the far-reaching ramifications of this new view for the enlistment of Josephus in the writing of event-oriented history.

THE FIRST BIBLICAL EPISODE OF HAGAR IN JOSEPHUS'S *ANTIQUITIES*

Between his *Antiquities of the Jews* and *The Jewish War* Josephus offers a running narrative of Jewish history, from the creation of the world up through the first Jewish revolt against Rome. For the biblical period, the Hebrew Bible or its early Greek translation, the Septuagint, was Josephus's main source though he supplemented the Bible with other literary materials, oral traditions, and personal contributions.[6] Josephus usually does not announce when he is weaving non-biblical material into his account in keeping with his general practice to leave his sources unidentified. This practice of leaving his sources unnamed clouds our view of Josephus's use of sources. Since we are trying to measure Josephus's fidelity in preserving and transmitting his sources, let us commence with a case study that compares Josephus's account to his biblical source. More specifically, let us check

whether we can reconstruct the first biblical episode[7] of Hagar on the basis of Josephus's rendition of the story.

The first Hagar episode, narrated in *Genesis* 16, tells of Sarai's desperate plan to give her maidservant, Hagar, to her husband Abram, so that Hagar might bear Abram a son in her stead. Hagar conceives as planned, but the story subsequently unfolds in an unfortunate series of events:

> Sarai, Abram's wife, had borne him no children. She had an Egyptian maidservant whose name was Hagar. And Sarai said to Abram, "Look, the Lord has kept me from bearing. Consort with my maid; perhaps I shall have a son through her." And Abram heeded Sarai's request. So Sarai, Abram's wife, took her maid, Hagar the Egyptian—after Abram had dwelt in the land of Canaan ten years—and gave her to her husband Abram as concubine. He cohabited with Hagar and she conceived; and when she saw that she had conceived, her mistress was lowered in her esteem. And Sarai said to Abram, "The wrong done me is your fault! I myself put my maid in your bosom; now that she sees that she is pregnant, I am lowered in her esteem. The Lord decide between you and me!" Abram said to Sarai, "Your maid is in your hands. Deal with her as you think right." Then Sarai treated her harshly, and she ran away from her.
>
> An angel of the Lord found her by a spring of water in the wilderness, the spring on the road to Shur, and said, "Hagar, slave of Sarai, where have you come from, and where are you going?" And she said, "I am running from my mistress Sarai."
>
> And the angel of the Lord said to her, "Go back to your mistress, and submit to her harsh treatment." And the angel of the Lord said to her, "I will greatly increase your offspring, and they shall be too many to count." The angel of the Lord said to her further, "Behold, you are with child and shall bear a son; you shall call him Ishmael, for the Lord has paid heed to your suffering. He shall be a wild ass of a man; his hand against everyone and everyone's hand against him; he shall dwell alongside all of his kinsmen." And she called the Lord who spoke to her, "You are El-roi," by which she meant, "Have I not gone on seeing after He saw me!" Therefore the well was called Beer-lahai-roi, it is between Kadesh and Bered. Hagar bore a son to Abram and Abram gave the son that Hagar bore him the name Ishmael. Abram was eighty-six years old when Hagar bore Ishmael to Abram.[8]

In the wake of the biblical original (which appears in the Septuagint with only minor differences), consider Josephus's parallel account found in *Antiquities* 1.186–191:

> Habramos was dwelling near the oak called Ogyges (it is a place in Chananaia not far from the city of the Hebronites), and being distressed

> at his wife's not becoming pregnant, he besought God to grant him offspring of a male child. When God encouraged him to be confident, as in all other things he had been led from Mesopotamia for his wellbeing, so also he would have children, Sarra, at God's command, caused him to lie down with one of her handmaidens, Agare, by name, who was an Egyptian by race, so that he might procreate children by her. And becoming pregnant, the maidservant dared to show insolence to Sarra, assuming queenly airs, as though rule would pass over to her son about to be born from her. And when Habramos handed her over to Sarra for punishment, she planned flight, being unable to endure hardships, and she besought God to take pity on her. But as she went forth through the wilderness, an angel of God met her, bidding her to return to her masters. For she would attain a better life through being self-controlled for, indeed, she was in these troubles because she had been thoughtless and stubborn toward her mistress: he said if she disobeyed God and went further on her way she would perish whereas if she returned she would be the mother of a son who would be king of that land. She obeyed this and returning to her masters she obtained pardon. Not long afterwards she gave birth to Ismaelos; someone might render it "heard by God," because God had listened to her entreaty. The aforementioned son was born to Habramos when he was already 86 years old . . . [9]

Let us survey some of the ways in which Josephus modified and recast this Hagar episode. Josephus opened his account by identifying Abram's location: "Habramos was dwelling near the oak called Ogyges (it is a place in Chananaia not far from the city of the Hebronites)."[10] The parallel biblical episode does not specify Abram's location and Josephus's description was borrowed from *Genesis* 13:18. Three chapters prior to our episode, *Genesis* reports that "Abram moved his tent, and came to dwell at the terebinths of Mamre, which are in Hebron." Josephus relocated this biblical description to our episode while transforming the terebinths of Mamre into the oak called Ogyges, a Greek term for age-old or primeval.[11] In his parallel to *Genesis* 13:18 Josephus underscored the antiquity of Hebron, a city associated with Abram,[12] and here he highlighted the antiquity of a tree associated with Abram by calling it Ogyges. Linking Abram to the ancient past is in tune with a recurring apologetic theme in Josephus's *Antiquities*. Time and again *Antiquities* emphasizes the antiquity of the Jewish people because Josephus's Roman audience respected the past, viewing history as a story of gradual decline.[13] The change from Mamre to Ogyges also reflects Josephus's effort to render Hebrew names more familiar to his Graeco-Roman audience. In this vein, Josephus added Greek nominative endings to Hebrew names changing Abram, or the Septuagint's Habram, to Habramos, Hagar to Agare, and Ishmael to Ismaelos.

The plot of the biblical account is generated by Sarai's distress over her barrenness[14] but Sarai's plight is left unmentioned by Josephus. Abram is the

focus of Josephus's story, not Sarai. In *Antiquities* it is Abram, not Sarai, who is distraught. He prays to God for a male child and he is rewarded with an encouraging response.[15] From where did Josephus draw the inspiration to depict Abram's distress and prayer as well as God's response? Josephus apparently drew all these elements from the previous biblical chapter, *Genesis* 15. In relocating these elements from *Genesis* 15 to our story, Josephus expanded Abram's role and minimized Sarai's.[16] Similarly, whereas Sarai initiates the offer of Hagar in *Genesis*, *Antiquities* downplays her role in the offer (and absolves her of responsibility for any whiff of adultery), asserting that God commanded her to do so. Josephus's notion that God prompted Sarai to action may well have been borrowed from a passage in the second Hagar episode found in *Genesis* 21: "But God said to Abraham, 'Do not be distressed over the boy or your slave, whatever Sarah tells you, do as she says."[17] Josephus apparently inferred from God's support for Sarah in the second episode that Sarah had been following God's orders all along and then he retrojected God's command back into the first episode. Once Josephus had made God the driving force behind the idea to give Hagar to Abram as a concubine, he apparently felt it unnecessary to explain that Sarai had been barren for over ten years and therefore he omitted this biblical detail.[18]

A number of changes Josephus introduced into the story were apparently designed to whitewash Abram and Sarai's seemingly cruel behavior, sometimes at the expense of Hagar's moral character. Whereas *Genesis* simply notes that once Hagar was pregnant "her mistress was lowered in her esteem,"[19] Josephus wrote that she "dared to show insolence to Sarra, assuming queenly airs, as though the rule would pass over to her son about to be born to her."[20] Josephus transformed Hagar's biblical snub into hubris, a classical Greek concept and popular theme in his writings,[21] and he also introduced the notion that Hagar had hoped to make her son heir to Abram's rule. By amplifying Hagar's arrogance and defining her as a potential threat to Sarai, Josephus justified Abram and Sarai's seemingly pitiless reaction to her insulting behavior.[22] Similarly, Josephus's omission of Sarai's accusatory complaint against Abram and her appeal to God for revenge against Hagar[23] soften Sarai's disposition and enhance her moral character.[24] While the biblical angel commands Hagar to return to her mistress and "submit to her harsh treatment,"[25] Josephus has the angel order Hagar to return to her masters, not only her mistress, and he omits all mention of harsh treatment.[26] The angel's moralizing lecture implicitly absolves Abram and Sarai of responsibility for Hagar's plight because it states that Hagar was rightfully punished for her thoughtless and stubborn behavior.[27] In further mitigating the Bible's portrait of Abram and Sarai, Josephus creates a new conclusion for the episode in which Abram and Sarai pardon Hagar for her insulting behavior and take the runaway maid back in.[28]

In describing Hagar's flight, Josephus read between *Genesis*'s lines and added two details only implied by the biblical narrative. While *Genesis* does not explicitly state Hagar's motive for fleeing the home of Abram and Sarai,

Josephus accurately explained that Hagar fled because she was unable to endure the hardships Sarai had imposed on her. Similarly, whereas the biblical Hagar does not pray, Josephus's Hagar "besought God to take pity on her."[29] Since Hagar's son was eventually named Ishmael, i.e. "heard by God," Josephus apparently deduced that Hagar had prayed in her time of need.[30]

In contrast, when Josephus rewrote the angel's role in the story, he diverged significantly from the original biblical account. On the one hand, Josephus condensed the narrative and omitted details. He omitted all mention of the place where the angel found Hagar and the name subsequently given to the spring there,[31] perhaps because the geographical details do not contribute to the story's plotline or because the obscure location would not have interested his Roman audience. Josephus skipped over the initial conversation between the angel and Hagar in *Genesis* 16:8 as well as the angel's prophecy about Ishmael in 16:12, perhaps because these elements do not advance the storyline.[32] Whereas Ishmael is named twice in the biblical account, once by the angel and once by Abram, Josephus apparently wanted to avoid repetition so he conflated the two naming scenes into one without specifying who actually named Ishmael.[33] On the other hand, Josephus revised and added details as well. He transformed direct speech in the Bible, "Go back to your mistress," into indirect speech, "bidding her return to her masters."[34] More strikingly, Josephus assigned the angel a moralizing role not hinted at in the biblical parallel. Josephus's angel reproaches Hagar for her hubris, a classical Greek character flaw, and he encourages her to practice self-control, a popular virtue in Greek and Roman times.[35]

In sum, Josephus utterly revamped the first Hagar episode in *Genesis*. He created a new preface and a happy ending. He interpolated biblical materials from elsewhere, introduced entirely new elements, and painted Abram and Sarai in a more favorable light and Hagar in a less favorable one. Josephus condensed and eliminated biblical materials, interpreted the biblical text, inserted a moralizing tone, revealed Hagar's motive, modified names for his audience, turned direct speech into indirect speech, transferred roles between characters, and developed popular Graeco-Roman themes. It bears stressing that Josephus's changes here are not exceptional in any way and the episode is a typical example of Josephus's rewritten Bible.

The drastic changes Josephus made to his biblical source may come as a surprise to readers of his writings since on various occasions Josephus stated that he would not alter his biblical source. In his introduction to *Antiquities*, for example, Josephus claimed that his "narrative will, therefore, in due course, set forth the precise details of what is in the Scriptures according to its proper order. For I promised that I would do this throughout this treatise, neither adding nor omitting anything."[36] Josephus made similar claims in respect to his overarching historical method, "Nothing shall be concealed, nothing added to facts which have been brought to light,"[37] and he repeatedly stressed his accuracy as a historian.[38] Scholars have offered a wide variety of attempts to harmonize Josephus's explicit claims with his actual practice

of adding and omitting all the time.[39] For example, some have argued that Josephus did not practice as he preached and others have contended that expressions like "neither adding nor omitting anything" were stock phrases and historiographical commonplaces which should not be taken seriously. In any case, comparisons of Josephus's *Antiquities* to the biblical source reveal that Josephus's rewritten Bible is quite unlike the original.

Recent comparisons of Josephus's *Antiquities* to his underlying biblical source, like the example above, have revealed a whole assortment of changes Josephus made when he rewrote the Bible. Josephus interpreted, conflated, rearranged, omitted, invented, fleshed out, condensed, embellished, simplified, dramatized, romanticized, harmonized, Hellenized, Romanized, eroticized, psychologized, naturalized, philosophized, apologized, whitewashed, moralized, theologized, systematized, exaggerated, enhanced, and more.[40] In light of this newfound appreciation for Josephus's intensive editing and rewriting, let us return to the question of recovering Josephus's sources.

After analyzing Josephus's rewriting of *Genesis*, Thomas W. Franxman concludes that "one could hardly say that the sense and significance of the Masoretic Text could be adequately reconstructed from Josephus should in fact the Hebrew (and all more literal versions thereof) be lost."[41] Were the Hebrew Bible lost not only would we be unable to reproduce its text on the basis of *Antiquities*, we would also be unable to reconstruct its sense and significance. For example, on the basis of Josephus alone one might think that his biblical source located the Hagar episode in Hebron; mentioned Abram's distress and prayer as well as God's response; ascribed to God the idea of enlisting Hagar as a surrogate mother; had the angel reprimand Hagar for her hubris and concluded the story with Abram and Sarai forgiving Hagar. None of these particulars, however, appear in Josephus's biblical source. Furthermore, on the basis of *Antiquities* one would not know that in Josephus's biblical source Sarai initiated the Hagar offer after more than ten years of barrenness, Hagar's insolence led to tension between Abram and Sarai, the spring where Hagar received her revelation was named after God, Ishmael was named by both the angel and Abram, and the angel prophesied about Ishmael's destiny. Since Josephus so transformed his biblical source, Franxman concludes that Josephus's *Antiquities* is not a viable window onto the original biblical text. Franxman's conclusion also suggests that so long as we lack external means of verifying that a particular appeared in Josephus's source, we have no way of knowing whether Josephus derived the particular from his principal source, from elsewhere, or from his own imagination. Though it is always theoretically *possible* that the particular appeared in his source, Josephus's active editorial hand prevents us from presuming it to be genuine; the creative process of rewriting bars us from concluding that the particular *probably* appeared in his source.

Since there is no reason to think that Josephus's treatment of the Bible differed significantly from his treatment of other sources,[42] the ramifications of his active editorial hand for modern historian are tremendous.

If any particular detail might not have been drawn from Josephus's source, how can we identify the details of his no longer extant sources? In truth, we usually cannot. When Josephus's sources no longer exist, most of their details remain possibilities, not probabilities. However, there are a few ways to identify genuine source material with a good measure of probability. The most powerful method rests on the observation, culled from comparisons of Josephus's writings to his extant sources, that Josephus usually did not invent the literary core of his story.[43] The literary core of an episode in a running historical narrative is its skeletal structure, it is the minimal plot-line which links the preceding episode to the following one. Accordingly, even if we were entirely ignorant of *Genesis*, it would be fair to conclude that the following elements most probably appeared in Josephus's source: Since Sarai was barren, Abram tried to have a son with Sarai's maid, Hagar. Hagar conceived and tensions with Sarai caused her to flee. After Hagar returned, thanks to the intervention of an angel, she gave birth to a child named Ishmael. Furthermore, the fact that Josephus was not inclined to invent stories about angels[44] strengthens this assessment. In short, the new historical method illustrated here rejects the traditional presumption of genuineness which postulates that Josephus faithfully and accurately preserved his sources in favor of the empirically based claim that Josephus transformed his sources while preserving their literary cores.

JOSEPHUS AS ANTHOLOGIST OR AS AUTHOR

Given the extensive gaps and countless differences between Josephus's rewritten Bible and the original, it might seem surprising that the traditional historical method also postulates that Josephus did not revise his sources for later historical periods as well. Since Josephus freely transformed the Bible (albeit while preserving its literary core), why would he have treated his sources for later periods any differently?

For a long time now the traditional historical method recognized that Josephus's rewritten Bible diverges significantly from the original but it nonetheless maintained, at least initially, that Josephus did not liberally rework his biblical source. In the late nineteenth and early twentieth century, traditionalists argued that the differences between *Antiquities* and the Bible did not stem from Josephus's input but from anonymous, usually no longer extant, sources.[45] According to this line of thinking, Josephus was not a creative author but a copier or compiler who was dependent on earlier sources for practically everything he wrote. As a result, traditionalists also assumed that Josephus faithfully preserved his sources for the Hellenistic and Roman periods as well.

Over the course of the twentieth century, this traditional view of Josephus faltered as historians gradually embraced a new hermeneutics which stressed the importance of the literary and rhetorical dimensions of

Josephus's writings. Stylistic, linguistic and, most importantly, literary and rhetorical consistencies across Josephus's oeuvre pulled out the rug from under the anonymous source approach and pointed to Josephus's role as an active author who rewrote and synthesized his materials.[46] For example, themes which reappear in Josephus's writings, such as his moralizing tone and explication of motives, are best adduced to Josephus and not to disparate anonymous sources which Josephus employed for different periods of his history. By the late twentieth century, most scholars came to recognize that even if Josephus sometimes drew extra-biblical information from earlier sources, the rewritten Bible he wrote was his own synthetic creation. Given that Josephus creatively rewrote biblical history and freely recast his sources, it stands to reason that he did the same for later periods as well.

Some still argue, however, that what is true for Josephus's biblical history is not true for his history of the Jews in Roman times. Most prominently, Daniel R. Schwartz has articulated a new variation on the traditional method which contends that Josephus's sources for the first, biblical, half of *Antiquities* "required much more rewriting in order to be presentable to the Greco-Roman world than did the material which he seems to have had available for the Herodian period."[47] Since Roman sources, such as the writings of Nicolaus of Damascus, were originally written for a Roman audience, Schwartz suggests that Josephus would have edited these sources only minimally and superficially. According to Schwartz, Josephus would have left his Roman sources "more or less as he found them,"[48] since they were already primed for his target audience.

Schwartz's variation on the traditional historical method founders, however, for two reasons. First, whereas the new historical method concludes that Josephus was an active and creative author on the basis of comparative analyses to his extant sources, Schwartz's argument has no similar empirical basis. He simply postulates the traditional assumption that Josephus was at heart a copier and anthologizer and then he imagines that Josephus would have had little reason to adjust his Roman sources. The traditional assumption that Josephus closely copied his sources, however, was undermined by comparisons of Josephus's writings to his extant sources and therefore there are no longer any grounds for viewing Josephus's default role as that of a copier or anthologizer.

Second, Schwartz contends that Josephus would have had little reason to adjust his Roman sources because of two entwined assumptions: Schwartz assumes that Josephus's goal in rewriting his sources was to make them presentable to the Graeco-Roman world and, therefore, when his sources were of Roman origin, Josephus would have deemed it superfluous to insert changes of his own. Comparisons of *Antiquities* to the Bible indicate, however, that Josephus hoped to do far more than merely adjust his sources for a Graeco-Roman audience. The comparisons teach that Josephus transformed his biblical sources in order to create his own distinctive historical narrative with its own voice, style, tempo, messages, and themes. There is little reason

to think Josephus would have usually found the whole complex of specific factors which make up his own signature narrative in any of his sources, Roman or otherwise. Hence Schwartz's claim that Josephus, as a rule, edited his Roman sources in a minimal and superficial way seems highly unlikely.

In the nineteenth and early twentieth century, the source criticism of Josephus's writings was widely practiced. Presupposing that Josephus copied and pasted his sources, historians imagined that they could extract Josephus's sources from his writings with relative ease. In the course of the twentieth century, however, the traditional source criticism of Josephus's works collapsed for a number of reasons, chief among them the realization that Josephus reworked and edited his sources.[49] Schwartz has made great efforts to rehabilitate source criticism and today, many scholars welcome a nuanced form of source criticism which acknowledges the literary dimension of Josephus's writings and does not postulate that Josephus cited his sources verbatim.[50] From time to time historians, in their role as source critics, compellingly argue that vestiges of earlier unattested sources explain a contradiction, infelicity or sharp transition in Josephus's running narrative.[51] However, contemporary source critics need not subscribe to Schwartz's broad presumption that Josephus generally left his Herodian sources "more or less as he found them." A source critic may simply posit the uncontroversial assumption that Josephus did not always integrate his sources in perfect harmony.

GORGIAS'S SURPRISE ATTACK ACCORDING TO JOSEPHUS'S *ANTIQUITIES*

The first half of Josephus's *Antiquities*, books one through ten, tells the story of the First Temple in Jerusalem, starting with the foundation of Israel and culminating in the destruction of the First Temple. The second half of *Antiquities*, books eleven though twenty, narrates the history of the Second Temple period all the way up to the eve of the first Jewish Revolt and the destruction of the Second Temple. In the beginning of the second half, books eleven through thirteen describe the re-establishment of Israel in the Persian and Hellenistic periods, focusing primarily on the Hasmonean monarchy. Following these three books, books fourteen through twenty tell the story of Roman rule and the eventual fall of the Second Temple, with books fourteen to seventeen covering the Herodians and books eighteen to twenty the era of direct Roman rule.[52]

In rewriting the history of the First Temple in the first half of *Antiquities*, Josephus's main source was the Bible. Turning to post-exilic history in book eleven, Josephus relied primarily on biblical and pseudepigraphal works, such as *Esther* and *1 Esdras*, which still exist today, though he concluded the book with the help of no longer extant legendary material about Alexander the Great's relationships with the Jews and Samaritans. In books twelve and

thirteen Josephus rewrote the *Letter of Aristeas*[53] and most of *1 Maccabees*,[54] two works which still exist, though he also included other materials from no longer extant sources such as a lengthy account of the Tobiad tax collectors of the third century BCE. For most of Josephus's account of the history of the Jews under Rome in books fourteen to twenty, Josephus's sources no longer exist though scholars have long assumed that most of his account of Herod's life relied on Nicolaus of Damascus's no longer extant *Histories*.[55]

Our second case study of Josephus's treatment of his sources relates to an event from the early Hasmonean period. Antiochus IV Epiphanes, king of the Seleucid Empire from 175 to 164 BCE, abolished the temple cult in Jerusalem and outlawed the observance of Jewish law according to both *1* and *2 Maccabees*.[56] In response to this religious persecution, the Hasmonean family led a revolt and *1 Maccabees* reports that sometime in 165 BCE the Seleucid general Gorgias led an unsuccessful surprise attack against Judah, the Hasmonean leader, and his rebel army camped at Mitzpeh:

> Gorgias took a force of five thousand infantry and one thousand picked cavalry, and the detachment set out during the night, so that it might fall upon the camp of the Jews and take them by surprise. The men of the Akra served him as guides. Judas, however, learned of their plan. He set out himself with his warriors to attack the king's force at Emmaus while Gorgias's troops were still away from the camp. Gorgias marched by night to the camp of Judas and found no one there. He searched the mountains for Judas's men, saying, "They are fleeing from us." At daybreak, Judas appeared in the plain with three thousand men, though their armor and swords were not such as they would have wished.[57]

Relying on *1 Maccabees* for his account of the Hasmonean revolt, Josephus depicted Gorgias's foiled surprise attack as follows:

> [305] But the enemy sent Gorgias with five thousand foot-soldiers and a thousand horsemen to fall upon Judas by night, for which purpose he took some of the Jewish refugees as guides; and when the son of Mattathias became aware of this, he decided to fall upon the enemy's camp himself, and to do this when their force was divided. [306] Having, therefore, supped in good time and left many fires in his camp, he marched all night toward those of the enemy who were in Emmaus. And when Gorgias found that his foes were not in their camp, he suspected that they had withdrawn and hidden themselves in the mountains, and so he decided to go in search of them wherever they might be. [307] But near dawn, Judas appeared before the enemy at Emmaus with three thousand men poorly armed because of their poverty.[58]

At first glance Josephus's version of Judah's (=Judas's) well-timed maneuver seems quite close to the original account in *1 Maccabees*, but

closer analysis uncovers a number of differences in tone, style, and substance. Just as Josephus turned direct speech in *Genesis*'s first Hagar episode into indirect speech, Josephus transformed direct speech in *1 Maccabees* 4:5, "saying, 'They are fleeing from us,'" into indirect speech, "he suspected that they had withdrawn . . . and so he decided to go in search of them wherever they might be."[59] Similarly, just as Josephus made explicit Hagar's motive for fleeing Abram and Sarai, he also described the internal mental states of Gorgias and Judah, making explicit decisions and suspicions only implied in *1 Maccabees*. Whereas *1 Maccabees* focuses primarily on actions and utterances, Josephus's *Antiquities* narrates thoughts and emotions as well. According to *Antiquities*, Judah "decided" to attack when the enemy's force was divided and Gorgias "suspected" that Judah and his rebel army had fled so he "decided" to search for them.[60] Josephus not only inferred thoughts and emotions from his sources, he inferred causes as well hence *Antiquities* notes that the rebel soldiers were poorly armed "because of their poverty."[61] Prior to Gorgias's attack, *1 Maccabees* mentions that Judah was encamped in Mitzpeh[62] but Josephus omitted this topographical detail, perhaps because he viewed it as an anachronism inspired by Mitzpeh's prominent role in the Bible.[63] Although none of these changes significantly alter the storyline of *1 Maccabees*, they nonetheless illustrate that Josephus was not simply paraphrasing his source as traditionalists have long claimed.

Josephus also introduced some other elements into the text which stray further from his source. When describing the guides Gorgias enlisted in his surreptitious advance, *1 Maccabees* notes that the guides were men of the Akra. According to *1 Maccabees* 1:33–40, the Akra was a citadel that the Seleucids had built in Jerusalem for their newly stationed garrison shortly before Antiochus's religious persecution. *1 Maccabees* never explicitly states that Jews lived in the Akra as well. When describing Gorgias's guides, however, Josephus did not mention the Akra and he wrote instead that the guides were Jewish refugees. Unlike *1 Maccabees*, *Antiquities* explicitly claims elsewhere that renegade Jews lived in the Akra[64] and Josephus apparently assumed that Gorgias's local guides must have been Jews because Jewish natives would have been far more familiar with the Judaean hills than the foreign soldiers of a newly installed garrison. Although some modern scholars agree with Josephus's assessment of the guides' origins, we should note that his interpretation is not the only way, and probably not even the obvious way, to read *1 Maccabees*.[65]

At the beginning of *Antiquities* 12.306, Josephus reworked *1 Maccabees* by implanting two new elements and by modifying a third. *1 Maccabees* describes Judah's departure from Mitzpeh for his own sneak attack on Emmaus without any mention of Judah's preparations for the offensive. By contrast, *Antiquities* reports that Judah ate dinner in good time and then left many torches burning in his camp prior to his departure. Presumably, the Judah of *Antiquities* ate dinner promptly in order to leave sufficient time for the overnight trek and he left the camp torches burning in order to fool his enemies into thinking that he and his rebel army were still ensconced

in their camp. However, neither Judah's dinner nor the torch trick were copied from the parallel account in *1 Maccabees*. With the help of these two elements Josephus opened a new sentence with Judah as its subject and afterwards he completed the sentence by transferring the night expedition which *1 Maccabees* 4:5 ascribes to Gorgias, "Gorgias marched by night to the camp of Judas," to Judah, "he (=Judas) marched all night toward those of the enemy who were in Emmaus." Altogether, the opening sentence of *Antiquities* 12.306 is comprised of two elements that were not derived from *1 Maccabees* and a reworking of the opening of *1 Maccabees* 4:5.

Some scholars suspect that Josephus might have drawn the dinner and torch elements from a no longer extant account of the Hasmonean revolt.[66] The possibility that Josephus was dependent on a no longer extant source is compelling to those who assume that Josephus would have hesitated to modify and rework his sources, but once we abandon this traditional assumption there is no reason to conclude that Josephus derived these elements from an unattested account of the revolt.[67] Moreover, "the stratagem of leaving fires burning to deceive the enemy was a commonplace of Greek war narratives."[68] This stratagem already appears in the writings of Herodotus and Thucydides and was well known in the Hellenistic world.[69] *1 Maccabees*, for example, states that Demetrius's commanders used this stratagem to trick Jonathan the Hasmonean:

> When the enemy learned that Jonathan and his men were ready for battle, they were struck with terror, and their courage melted. They withdrew after leaving fires burning in their camp. Jonathan and his men did not realize what had happened until morning, for they saw the campfires burning.[70]

By Josephus's lifetime, the torch stratagem was so well known that it even appeared in military handbooks such as *The General*, written by Onasander:

> If the general desires to withdraw his army by night without the knowledge of the enemy, either to be the first to occupy a certain position or to escape from the position he is in, or to avoid the present necessity of battle, he should retreat leaving many fires burning; for as long as the enemy see the fires they believe that the army is remaining in the same place, but if the camp becomes dark while the retreat is going on, the enemy will suspect their flight, send ahead ambushes, and follow in pursuit.[71]

Onasander also emphasized the importance of proper mealtimes for soldiers and the danger of fighting while hungry[72] so Josephus's addition of Judah's dinner is also in keeping with common thinking about supping while at war. By enlisting these standard features of war narratives and military practice, Josephus apparently sought to enhance his narrative by explaining why the Seleucid forces did not suspect that the rebel army had left Mitzpeh.

The *differences* between *Antiquities* 12.305–307 and *1 Maccabees* 4:1–6 shed light on some of the ways in which Josephus recast his sources. Most strikingly, Josephus added particulars that do not appear in *1 Maccabees*. According to Josephus, Gorgias's guides were Jewish and Judah supped then lit torches before hurrying off to Emmaus. There is nothing about these particulars which suggests that they could not have appeared in *1 Maccabees* so the only reason we know that Josephus invented them is that we can compare *Antiquities* to its source. If *1 Maccabees* were no longer extant, we would not know whether Josephus's source noted that Gorgias's guides were Jewish, or whether it described how Judah supped and executed a torch deception before departing for Emmaus. Without *1 Maccabees*, there simply is no way to tell which parts of the *Antiquities* account Josephus invented. This example, like Josephus's account of the first Hagar episode, illustrates the extraordinary ramifications of Josephus's active editorial hand. Since Josephus was wont to modify his sources and add to them, we often cannot tell whether a particular detail stems from Josephus or his source.

The *similarities* between *Antiquities* 12.305–307 and *1 Maccabees* 4:1–6, by contrast, reinforce the claim that Josephus did not invent the literary core of his narrative. If we were to deduce from *Antiquities* alone that its source described a surprise attack by Gorgias which was foiled when Judah and his rebel army hurried off, we would be correct. This literary core captures the gist of our story and links together the episodes which precede and follow it. While we may not simply presume that any particular detail in Josephus's writings is genuine, comparisons to his extant sources intimate that Josephus did not invent the core of his account.

REWRITING NICOLAUS OF DAMASCUS IN JOSEPHUS'S *ANTIQUITIES*

Nicolaus of Damascus was a statesman, philosopher, rhetorician and historian. Born around 64 BCE, Nicolaus became Herod's trusted counselor by 14 BCE. Nicolaus accompanied Herod on various journeys and performed important tasks on the king's behalf. He also penned, amongst other works, a monumental history and an autobiography. Nicolaus's *Histories* and *Autobiography* are no longer extant but a handful of fragments were preserved. [73]

Scattered references to Nicolaus appear in Josephus's writings[74] and Josephus even mentioned Nicolaus's *Histories* on one occasion,[75] but Josephus never stated that Nicolaus served as one of his principal sources. Nonetheless, since Josephus wrote far less about Herod's immediate successors than he did about Herod, most contemporary scholars surmise that Nicolaus's writings were Josephus's main source for his history of Herod's reign.[76]

Since Josephus referred to Nicolaus's *Histories* by name, there is no doubt that he was familiar with the work. However, since Josephus never

referred to Nicolaus's *Autobiography* by name, there is no explicit evidence that Josephus was familiar with the *Autobiography* or enlisted it as a historical source. In addition, an extant fragment of Nicolaus's *Autobiography* even seems to contradict Josephus on one significant point. As we shall see below, Josephus claimed that Nicolaus justified Herod's execution of his sons Alexander and Aristobulus by falsely accusing them of treason,[77] but a fragment from Nicolaus's *Autobiography* states that Nicolaus pleaded on Herod's sons' behalf. Since Josephus never mentions Nicolaus's *Autobiography* by name and since the *Autobiography* appears to conflict with Josephus's account, many have concluded that Josephus did not rely on the *Autobiography*.

Moreover, some traditionalists have gone on to argue that Josephus must have learned that Nicolaus falsely accused Herod's sons of treachery from Nicolaus's no longer extant *Histories*. They reason that when Nicolaus wrote his *Autobiography* after Herod's death, he was free to speak his mind about the princes' innocence. However, when he wrote his *Histories* during Herod's lifetime, Nicolaus was forced to write as a partisan court historian and therefore his *Histories* justified Herod's execution of his sons.[78] Even though Nicolaus's *Histories* no longer exists, these scholars reconstruct the contents of the *Histories* on the basis of Josephus's account of Nicolaus's false accusation.

Traditionalists who reconstruct elements from Nicolaus's no longer extant *Histories* on the basis of Josephus's *Antiquities* presume that Josephus would not have invented Nicolaus's false accusation. They assume that if Josephus reported Nicolaus's behavior, he must have relied on a source for his report. However, it was a literary commonplace in ancient historiography to paint earlier historians, and especially one's sources, in a negative light and therefore Josephus's criticism of Nicolaus's false accusation should not be taken at face value. Since Josephus could have easily invented the negative portrait of Nicolaus's false accusation, some scholars have rejected the traditionalist presumption that Josephus relied on an account from Nicolaus's *Histories* which differed so significantly from the account in his *Autobiography*. These scholars conclude that Josephus most probably relied on Nicolaus's *Autobiography* or, alternatively, that Nicolaus's accounts of Herod in his *Autobiography* and *Histories* were essentially the same.[79]

Our third and final case study of Josephus's treatment of his sources involves Herod's consultation with Nicolaus prior to the execution of his sons, Alexander and Aristobulus, around 7 BCE.[80] Alexander and Aristobulus were two of Herod's sons from his Hasmonaean wife, Mariamme, and some twenty-two years after Herod had put their mother to death, according to Josephus,[81] Alexander and Aristobulus were tried and found guilty of plotting to murder their father. The consultation regarding Alexander and Aristobulus's fate is reported in a fragment of Nicolaus's *Autobiography* and in Josephus's *Antiquities*. Within an overarching narrative that blames Antipater, Herod's firstborn from his wife Doris, for falsely accusing his brothers of treason and

inciting Herod against them, Nicolaus describes his own attempt to restrain Herod from rashly executing Alexander and Aristobulus:

> Before Nicolaus had returned from Rome, the young men were convicted by the council, and the father, having been much exasperated, was on the point of having them executed. After Nicolaus had sailed home, Herod informed him of what happened and asked his advice. Nicolaus suggested that they should be removed to one of the fortresses, in order to gain time for better consultation, and thus not appear to make a fatal decision concerning his nearest while actuated by anger.[82]

Unlike the context for the consultation in this fragment from Nicolaus's *Autobiography*, the context in the *Antiquities* parallel does not have Nicolaus fault Antipater for orchestrating his brothers' execution. Nonetheless, Josephus's description of the consultation episode is strikingly similar to Nicolaus's description:

> From there [i.e. from Berytus, where Alexander and Aristobulus had been sentenced to death] Herod at once went to Tyre, taking them along, and when Nicolaus sailed from Rome to meet him there, Herod, after first telling him what had happened in Berytus, asked him just what his friends in Rome thought about his sons. Nicolaus said that while they thought that his sons' intentions toward him were unfilial, nevertheless he ought merely to imprison them and keep them in chains. "And if, indeed, you are resolved to punish them in some other way, do not appear to be giving way to anger rather than using your judgment. If, on the contrary you choose to absolve them, do not let your unfortunate position remain unremedied. This same opinion is held by most of your friends in Rome." Thereupon Herod, after remaining silent in deep thought, ordered Nicolaus to sail with him.[83]

Glossing over the differences between the parallel accounts for the moment, consider their remarkable similarities. Both accounts share the same literary core which may be summed up as follows. Nicolaus was away in Rome when Alexander and Aristobulus were tried and sentenced to death. Upon Nicolaus's return, Herod reported the verdict to him and sought counsel. Nicolaus's counsel recommended imprisoning Alexander and Aristobulus and postponing their execution so that Herod might refrain from making such a weighty and irrevocable decision while burning with anger. Shortly following the consultation, according to both accounts, Herod put Alexander and Aristobulus to death.[84]

The extensive similarities between the two parallel accounts, Josephus's acknowledged reliance on Nicolaus in other instances and the fact that this episode revolves around Nicolaus's counsel, make it most likely that Josephus drew this episode from Nicolaus's writings. Accordingly, some scholars

conclude that Josephus relied here on Nicolaus's *Autobiography* while others hypothesize that Josephus used a more detailed version of the episode which Nicolaus supposedly included in his no longer extant *Histories*.[85] In any event, Josephus used a source close if not identical to the parallel episode in Nicolaus's *Autobiography*. Although we normally cannot compare Josephus's history of the Jews in Roman times to his sources, in this rare case we can compare Josephus to his source or, at least, to something quite like it.

Let us return now to consider the differences between the two accounts of the consultation episode. As noted above, while the *Autobiography*'s literary context for our episode has Nicolaus blame Antipater for falsely accusing his brothers of treachery, Nicolaus made no such claim in the parallel context in *Antiquities*. However, later on in its account of Antipater's trial *Antiquities* does report that Nicolaus condemned Antipater for falsely accusing his brothers[86] and it may well be that Josephus chose to save Nicolaus's accusation of Antipater for his speech in Antipater's trial.

In *Antiquities*, Josephus noted that the princes were tried in Berytus and that Nicolaus met Herod in Tyre,[87] but these cities are not mentioned in the *Autobiography*. Similarly, Nicolaus's response to Herod in *Antiquities* is more elaborate than his response in the *Autobiography* and even includes some direct speech unattested in the *Autobiography*.[88] Josephus probably invented these details though it is theoretically possible that he found some or all of them in the *Histories*'s allegedly more expansive version of the episode.

In any event, there is one crucial difference between *Antiquities* and its source which is almost certainly the product of Josephus's editorial hand, namely, the identity of the person or people who advised Herod. The *Autobiography* asserts that Herod requested and received *Nicolaus's* advice but *Antiquities* claims that Herod requested and received the counsel of *Herod's friends* in Rome![89] There is no reason to think that Nicolaus changed his story, no reason to imagine that Nicolaus identified the source of Herod's counsel any differently in his *Histories*,[90] and so it appears that Josephus replaced Nicolaus with Herod's friends when he recast the story. What might have led Josephus to make this change?

I would like to suggest that Josephus modified his source in order to distance Nicolaus from the moderate and judicious counsel Herod received. Earlier on in Book 16 of *Antiquities*, Josephus claimed that Nicolaus had falsely accused Alexander and Aristobulus of treason in order to justify Herod's decision to put them to death:

> For since he lived in Herod's realm and was one of his associates, he wrote to please him and to be of service to him, dwelling only on those things that redounded to his glory and transforming his obviously unjust acts into the opposite or concealing them with the greatest care. For example, in his desire to give a colour of respectability to the putting to death of Mariamme and her sons, which had been so cruelly ordered by the king, Nicolaus makes false charges of licentiousness against her and

> of treachery against the youths. And throughout his work he has been consistent in excessively praising the king for his just acts, and zealously apologizing for his unlawful ones. But, as I said, one may fully forgive him since what he produced was not a history for others but a work meant to help the king.[91]

Later on in Nicolaus's speech at Antipater's trial in Book 17, Josephus also had Nicolaus condemn the two princes for attempted patricide.[92] In both texts and in keeping with the common practice of ancient historians to depict predecessors unfavorably, Josephus portrayed Nicolaus as a lackey and court historian who justified Herod's execution of Alexander and Aristobulus by falsely charging them with treachery. A partisan underling, so implicated in the trumped up charges against the two princes, would not have advised Herod to wait and reconsider the sentence. It therefore seems likely that Josephus altered his source and transferred the moderate advice from Nicolaus to Herod's friends in order to keep his portrait of Nicolaus consistent and consistently negative.

Our comparison of the consultation episode in Josephus's *Antiquities* and Nicolaus's *Autobiography* highlights the deep flaw in the traditional method's presumption that Josephus faithfully and accurately copied his sources. Just as Josephus reworked the biblical story of Hagar and the account of Gorgias's foiled surprise attack in *1 Maccabees*, he creatively rewrote Nicolaus's account of the advice offered to Herod regarding Alexander and Aristobulus's execution. Josephus drastically changed Nicolaus's account by transferring Nicolaus's advice to Herod's friends in Rome, but we would have no inkling of this change if not for the lucky accident that the relevant fragment from Nicolaus's *Autobiography* just happened to be preserved in a collection of excerpts commissioned by Constantine VII in the tenth century CE.

On the one hand, all three case studies reveal that Josephus could have invented, modified or omitted practically any detail in his histories so without his source as a control, we would be none the wiser.[93] On the other hand, the case studies also suggest that even though Josephus liberally rewrote his sources, he preserved their essential cores. Comparing Josephus's writings to his extant sources suggests that he did not invent the underlying skeletal structures and bare minimum literary core. For example, even without Nicolaus's *Autobiography*, we could have surmised that Josephus's source described a piece of mollifying advice given to Herod before he executed his sons. Hence, the empirical study of Josephus and his sources reveals both the scope and limitations of Josephus's literary creativity and these conclusions guide the new historical method. As we shall see in the next chapter, these conclusions are also in line with the way history was written in Roman times.

Since the literary cores, the recoverable contents of Josephus's sources, are only as reliable as their ultimate sources, Josephus's depiction of the first Hagar episode, Gorgias's surprise attack, and the advice Nicolaus conveyed

to Herod are no more reliable than his ultimate sources for these events. *Genesis* is a literary work that was composed many centuries after Hagar's lifetime so regardless of its relationship to earlier Israelite traditions, one cannot presume that it depicts any credible information about Hagar's biography.[94] The author of *1 Maccabees* apparently relied on the writings or oral testimonies of eyewitnesses to the Hasmonean revolt[95] and though he also recast his sources like Josephus did,[96] the basic framework of the Hasmonean battles is probably accurate. Nicolaus is a primary and potentially reliable source for the counsel he gave Herod, but the self-serving nature of his counsel does not inspire confidence in its credibility. In short, the credibility of Josephus's literary cores rise and fall with the reliability of their ultimate sources and the trustworthiness of their particulars.

NOTES

1. Josephus, *Life* 5, *Antiquities* 20.268. See also Feldman (2001) 9 n. 33.
2. See Josephus, *Life* 422–29, *Jewish War* 7.116–162. See also Rajak (2002) 11; Feldman (2001) 167 n. 1740.
3. See Chapter 3, nn. 6 and 7.
4. See, for example, Schürer *et al.* (1973–1987) vol. 1, 50–52, 57–58; Schiffman (1991) 170; Schwartz (1994) 84–85. See also Mason *et al.* (2012) 298–299, 304, 315–317 and Bilde (1988) 123–171 for a history of earlier scholarship.
5. See Feldman (1998) xiv; Mason (2003) 148–149. See also Brunt (1980) 477; Oakley (1997) 16–17.
6. See Schürer *et al.* (1973–1987) vol. 1, 49; Schalit (1983) xxxvi–xlii, xlix–l; Attridge (1984) 211–212; Feldman (1998) 51–56; , 65–73.
7. On defining the scope of an episode or incident, see Mclaren (1998) 261, 265.
8. *Genesis* 16:1–16.
9. Translation by Feldman (2000) *ad loc.*
10. Josephus, *Antiquities* 1.186.
11. See Feldman (2000) 70 n. 584.
12. See Josephus, *Antiquities* 1.170.
13. See Mason (2000) xxiii.
14. See *Genesis* 16:2.
15. See Josephus, *Antiquities* 1.186–187.
16. See Franxman (1979) 139; Feldman (2000) 71 n. 585.
17. *Genesis* 21:12. See Franxman (1979) 138 n. 12; Feldman (2000) 71 n. 587
18. See *Genesis* 16:3.
19. *Genesis* 16:5.
20. Josephus, *Antiquities* 1.188.
21. See Levine (1993) 64–65.
22. See Feldman (2000) 71 nn. 588–589.
23. See *Genesis* 16:5.
24. See Feldman (2000) 71 n. 589.
25. *Genesis* 16:9.
26. See Josephus, *Antiquities* 1.190.
27. See Josephus, *Antiquities* 1.189. See also Franxman (1979) 139; Feldman (2000) 71 n. 590.
28. See Franxman (1979) 140; Feldman (2000) 72 n. 592.
29. Josephus, *Antiquities* 1.188.

30. See Franxman (1979) 139.
31. See *Genesis* 16:7, 16:13–14.
32. See also Feldman (2000) 71 n. 591.
33. See *Genesis* 16:11, 16:15; Josephus, *Antiquities* 1.190. See also Franxman (1979) 140.
34. See *Genesis* 16:9; Josephus, *Antiquities* 1.189.
35. See Josephus, *Antiquities* 1.189–190. See also Tropper (2013) 109–110.
36. Josephus, *Antiquities* 1.17 (translation by Feldman (2000) *ad loc.*) See also Josephus, *Antiquities* 4.196–197, 8:56, 10:218, *Against Apion* 1.42.
37. Josephus, *Jewish War* 1.26 (translation by Thackeray in Josephus (1927) *ad loc.*). See also Josephus, *Jewish War* 5.97.
38. See Rengstorf (2002) vol. 1, 55–56. See also Varneda (1986) 258.
39. See, for example, Cohen (1979) 24–66; Feldman (2000) 7–8 n. 22; Inowlocki (2005) 48–65.
40. See, for example, Varneda (1986) 266–272; Bilde (1988) 94–98, 158, 196; Feldman (1999) 132–220.
41. Franxman (1979) 284 (with slight editorial modifications). Cf. Bilde's (1988) 98–99.
42. Cf. Schwartz's position discussed below. See nn. 47–48.
43. See Cohen (1979) 47; Bilde (1988) 196.
44. See Feldman (1999) 212–213.
45. See, for example, von Destinon (1882); Hölscher (1916).
46. See, for example, Laquer (1920); Thackeray (1929); Braun (1934).
47. Schwartz (1990) xiv n. 9. Cf. Damon (2007) 439–440.
48. Schwartz (2013) 8, 13.
49. See Cohen (1979) 44 n. 77; Mason (2003) 154, (2009) 37–38; Schwartz (2013) 11–12.
50. Even Steve Mason, perhaps the harshest critic of the source criticism of Josephus's writings today, does not reject source criticism out of hand. See Mason (2003) 156; Mason *et al.* (2012) 316.
51. Contradictions in a running narrative should be distinguished from contradictions in parallel accounts of the same episode since "it is characteristic of Josephus, in keeping with ancient rhetorical practice, to tell the same story differently on each new occasion" (Mason (2003) 154).
52. On the structure of *Antiquities*, see Attridge (1984) 213; Bilde (1988) 89–91; Mason (2000) xx–xxii.
53. See Pelletier (1962), (1989).
54. See Gafni (1988); Feldman (1994).
55. On *Antiquities*' sources, see Schürer *et al.* (1973–1987) vol. 1, 48–52; Attridge (1984) 211–216; Bilde (1988) 80–89.
56. See *1 Maccabees* 1:41–51; *2 Maccabees* 6:1–2.
57. *1 Maccabees* 4:1–6 (translation by Goldstein (1976) *ad loc.* with minor alterations).
58. Josephus, *Antiquities* 12.305–307 (translation by Marcus and Wikgren in Josephus (1933) *ad loc.*).
59. See Josephus, *Antiquities* 12.306.
60. See Josephus, *Antiquities* 12.305–306.
61. Josephus, *Antiquities* 12.307.
62. See *1 Maccabees* 3:46.
63. See *1 Samuel* 7:5–7. See also Bar-Kochva (1989) 159, 251.
64. See, for example, Josephus, *Antiquities* 12.252. See also Sievers (1994) 200–201.
65. For a variety of positions, see Marcus's notes in Josephus (1963) 129 n. e; ibid. 158–159 n. a.; Goldstein (1976) 123–124; Bar-Kochva (1989) 261; Sievers (1994) 198–202; Rappaport (2013) 129–130.
66. See, for example, Goldstein (1976) 264; Rappaport (2013) 155–156.

67. See Bar-Kochva (1989) 263.
68. See Goldstein (1976) 264.
69. See Herodotus, *Histories* 8.19; Thucydides, *History* 7.80.1–3. See also Goldstein (1976) 264; Feldman (1994) 52 n. 13. For a list of more ancient references, see Bar-Kochva (1989) 263. (Cf. Rappaport (2004) 156.)
70. *1 Maccabbes* 12:28–29 (translation by Goldstein (1976) *ad loc*).
71. Onasander, *The General* 10.13 (translation by Oldfather *et al*. in Onasander (1977) *ad loc*.).
72. See Onasander, *The General* 12.1–2.
73. See Jacoby (1926) vol. 2a, 324430, vol. 2c, 229291; Wacholder (1962) 14–36; Schürer *et al*. (1973–1987) vol. 1, 28–34; Stern (1976–1984) vol. 1, 227–260.
74. See, for example, Josephus, *Antiquities* 13.249, 13.347, 14.9, 14.68, 14.104, 16.183.
75. See Josephus, *Antiquities* 12.127.
76. See, for example, Thackeray (1929) 66–67; Shutt (1961) 83–85; Wacholder (1962) 5–6; Schürer *et al*. (1973–1987) vol. 1, 30; Stern (1976–1984) vol.1, 229; Attridge (1984) 193; Schwartz (1990) 38, 120; Toher (2003) 428 n. 4.
77. See Josephus, *Antiquities* 16.183–185.
78. See the previous note as well as Wacholder (1962) 32–34, 64; Stern (1971) 389; Schwartz (1990) 120–122; Toher (2003) 430.
79. See, for example, Ilan (1996) 242–243; Landau (2006) 23 n. 74; Toher (2009) 66–74; Teets (2013) 98 n. 31.
80. See Schürer *et al*. (1973–1987) vol. 1, 324.
81. See Josephus, *Antiquities* 15.232–239. See also Schürer *et al*. (1973–1987) vol. 1, 302.
82. Stern (1976–1984) vol. 1, 251 with Stern's translation on p. 253.
83. Josephus, *Antiquities* 16.370–372 (translation by Marcus (1980) *ad loc*. with slight modifications).
84. See Stern (1976–1984) vol. 1, 251, 253; Josephus, *Antiquities* 16.373–404.
85. See n. 78 above.
86. See Josephus, *Antiquities* 17.114.
87. See Josephus, *Antiquities* 16.370.
88. See Josephus, *Antiquities* 16.371–372.
89. See Josephus, *Antiquities* 16.370. See also Stern (1976–1984) vol. 1, 257–258.
90. Wacholder (1989) 156, 163.
91. Josephus, *Antiquities* 16.184–185 (translation by Marcus (1980) *ad loc*. with a slight modification).
92. See Josephus, *Antiquities* 17.106–113.
93. Barclay (1996) 263 (nn. 12–13) reaches a similar conclusion regarding Josephus's use of no longer extant official documents. In contrast, Ben Zeev (1998) 367–372 suggests that Josephus quoted (copies of) Roman documents verbatim even though she acknowledges that his quotations are plagued with omissions and that most historians of the time did not quote documents verbatim. Her argument that Josephus would have revised the documents more extensively had he decided to modify them does not do justice to the range of ways Josephus recast his sources.
94. See Miller and Hayes (1986) 54–79.
95. See Goldstein (1976) 37; Rappaport (2004) 33. (Bar-Kochva ((1989) 158–159) argues that the author of *1 Maccabees* was a member of Judah's army who witnessed Judah's night maneuver and subsequent battle at Emmaus.)
96. See for example, Gera (1996) 25–53; Bar-Kochva (1989) 153–168.

5 Josephus and history

The gist of the previous chapter is that save for the minimal literary cores which he preserved from his sources, Josephus liberally modified many of his sources' details while inventing and omitting others. His accounts of Hagar, Gorgias, and Nicolaus reveal that he treated biblical, Hasmonean, and early Roman sources in roughly the same manner and comparisons of Josephus's parallel descriptions of events from his own lifetime indicate that he treated his own experience no differently. Josephus "told the same story differently on each new occasion,"[1] preserving the story's essential core but revising its particulars.

The notion that Josephus maintained the fundamental core of his sources and his own experiences but freely played with the potpourri of surrounding details emerges from empirical analysis, from the comparison of Josephus's writings to his extant sources and from the comparison of parallel accounts in *The Jewish War* and *Life*.[2] This notion is also consonant with a recent shift in our understanding of the nature of historiography in the Graeco-Roman world.

Scholars have long recognized that ancient Greek and Roman historians did not always present an accurate portrait of the past. In the words of Peter A. Brunt:

> Ancient historians could certainly be variously negligent in collecting material, careless in reporting what they found in their sources, credulous in accepting marvels, anecdotes and ill-authenticated reports, given to sheer inventions, adulatory or malignant, and ready to conceal or misrepresent the facts which did not suit their interests or prejudices.[3]

Yet despite the negligence, carelessness, credulity, deceit, biases, and inventiveness of ancient historians, the traditional historical method has remained confident that we can usually determine whether a particular thread in an ancient history is "information, inference, or coloring,"[4] that is we can usually separate the fictional and erroneous chaff from the authentic and historical wheat.[5]

The traditional confidence in our ability to distinguish fiction from fact in ancient histories stems from the belief that ancient historians were much

like their modern counterparts and "tellers of true tales about the past."[6] According to the traditional historical method, the commitment of Greek and Roman historians to faithfully recount past events molded the ancient practice of history from start to finish. Albeit with varying degrees of competence and skill, ancient historians sought to compose accurate and engaging accounts of the past on the basis of the past's remnants. They struggled to critically assess the reliability of their sources, to thoughtfully interpret past events and to carefully compose narratives that accurately captured the past in elegant prose. Great efforts were made to write history in a compelling and riveting style though literary grace was not supposed to be attained at the expense of the truth. The ancient historians' firm commitment to truth severely constrained their freedom to stray from it and these constraints undergird the presumption of credibility traditionally granted ancient histories. Modern historians normally presuppose that their sources are untrustworthy until the evidence indicates otherwise,[7] but the ancient historians' commitment to truth prompted traditionalists to reverse this default position. Instead of questioning the reliability of ancient Greek and Roman histories, the traditional method maintains that so long as there is no local reason to doubt a detail in an ancient historical account, it may be presumed credible.[8]

In recent decades, the presumptions of genuineness and credibility traditionally bestowed upon ancient histories wilted as scholars came to appreciate that there is a fundamental gap between ancient and modern conceptions of history and historical accuracy. Whereas historians today constantly search for new and unfamiliar sources in the hopes of enhancing the accuracy of their historical accounts, "Roman historians did not, as a general rule, carry out original research."[9] More importantly, ancient history was much closer to rhetoric, literature, and poetry than its modern counterpart. Viewing history as literary art, ancient historians not only tried to write with elegance and grace, they sought to enliven the past with precise descriptions, vivid narratives,[10] thrilling events, and insightful interpretations. Comparisons of many ancient histories to their extant sources reveal that ancient historians often felt free to embellish their accounts of the past, omitting and modifying elements from their sources on the one hand and inserting unattested elements on the other. The freedom with which ancient historians introduced unattested and fictitious details into their accounts sharply contrasts with the far more cautious and restrained approach to historical reconstruction adopted by modern historians.[11]

One rhetorical technique embraced by ancient historians that is particularly problematic for modern historians is called *inventio*. As Anthony J. Woodman points out:

> *Inventio* is defined by Cicero himself as "the devising of matter true or lifelike which will make a case appear convincing" (*De Inventione* 1.9), and what is convincing is "that which for the most part happens or which does not strain credibility or which contains within itself an approximation to either of these, whether it be true or false" (*De Inventione* 1.46).

> And since *inventio* makes no distinction between the true and the probable, but accords the same status to the latter as to the former (and sometimes even more), its prescriptions share no common ground at all with modern historiography.[12]

The widespread practice of *inventio* reveals that the rules for writing history in ancient times were quite different from the rules for writing history in modern times. It was perfectly acceptable and even expected for ancient historians to invent unattested and fictitious details and incorporate them into their historical account. Ancient historians seamlessly wove together credible data with their own plausible inventions, making it often nigh impossible to distinguish fact from fiction without an independent source as an external control. Consequently, the traditionalists' easy confidence in our ability to elicit facts from ancient histories is misplaced. A presumption of credibility is only warranted for genres, such as ancient legal contracts, which prize accuracy and shun invention. Ancient historiography, however, encouraged innovative embellishment and therefore one may not simply presume that if we know of no local reason to question a detail, it should be accepted as a fact. Since the rules for writing history in the Graeco-Roman world promoted inventive ornamentation, the new method replaces the traditional method's default presumptions of genuineness and credibility with a default suspension of judgment.

The new method underlines the intractable problem that the smooth blending of fact and fiction in ancient histories poses for the traditional historical method's presumptions, but it does not claim that history in antiquity was no different than fiction. Rather, the new method acknowledges that while ancient historians ornamented and revamped their materials, they did not invent the hearts of their accounts. In Cicero's work on rhetoric, *De Oratore*, Cicero has the orator Antonius employ the term *monumenta* to refer to the kernels of historical narratives, "the bare records of dates, personalities, places and events," and *ornamenta* to refer to rhetorical elaboration.[13] Antonius's distinction seems to differentiate between the hard core which was rooted in reality and the decorative details which were the province of rhetoric. Moreover, empirical analysis of ancient histories, i.e. comparisons of ancient histories to their extant sources and to parallel independent accounts, confirms that ancient historians invented much but not the cores of their accounts. Unlike poets and novelists, ancient historians were anchored in the external world via the hard core of the events they witnessed or the literary cores of the sources they consulted.[14]

Although the new historical method grants that ancient historians did not make up the essential cores of their accounts, scholars still debate whether and how to extricate these cores. As Stephen P. Oakely states in reference to the Roman historian Livy, "No one has yet found a yardstick by which truth and fiction in Livy may be securely distinguished, and probably no one ever will."[15] Since ancient historians enriched their narratives with *plausible*

fictitious details, we often have no way to distinguish the real from the imagined. In light of this state of affairs, many historians of ancient Greece and Rome now shy away from event-oriented history and explore instead other forms of history, such as social, cultural, and intellectual history, which do not rely on the historicity of the events depicted in ancient histories.[16] In the same vein, some historians of ancient Jewish history, like Horst Moehring and Steve Mason, have largely relinquished enlisting Josephus for the history of events and pursue instead other forms of history.[17]

Expanding the scope of historical inquiry is a welcome development which enriches our knowledge of the past, but the history of events need not be entirely abandoned. Fully aware that we lack a yardstick to distinguish fact from fantasy in the uncorroborated portions of Livy's history, Oakley nonetheless attempts to recover "the authentic factual substratum behind Livy's narrative" while avoiding "extremes of both scepticism and credulity."[18] If Oakley has no yardstick, no clear set of criteria, to distinguish fact from plausible fiction in Livy's history, how does he recover its hard core?

The key to retrieving the hard core of an ancient history or, at least, some basic elements of the core, is to back into the issue rather than confront it head on. Since we lack a yardstick to distinguish fact from plausible fiction, there is no sense in trying to assess each and every reported detail in order to distinguish the real from the imagined. However, there is a backdoor route to the hard core which does not try to differentiate between fact and fiction but focuses instead on the way ancient historians treated their sources. If Livy followed his extant sources "very closely, even in the detailed organization of his own sentences,"[19] then we can rest assured, as Oakley claims, that even when Livy's sources are no longer extant he did not invent the "general outlines" of his narrative.[20] More generally, if we have good reason to think that an ancient historian preserved, at the very least, the skeletal outline of his sources or personal narrative, we can identify his hard core on *literary grounds alone*. By distilling the minimal literary cores of his account, we inadvertently capture the hard core without attempting to distinguish fact from fantasy.

Since comparisons of Josephus's writings to his extant sources reveal that he did not invent the minimal thread of his narrative at the very least,[21] the backdoor route to the hard core works for Josephus as well. Lacking a yardstick to determine whether most details in Josephus's uncorroborated narratives were invented or not, it is usually fruitless to try to distinguish fact from fiction in any straightforward manner. However, since Josephus mirrored the central outline of his sources, it is most likely that he did not invent the fundamental literary cores of his history, the bare minimal elements which drive his narrative forward. In short, despite the literary and rhetorical considerations at play in ancient history, Josephus may still serve as a source for lean and unadorned facts.

In describing the task of grappling with Josephus's writings Moehring writes that "even at best we can expect no more than to approach in general outlines the history underlying our data."[22] Moehring thereby acknowledges

the possibility of distilling a minimal constellation of events from Josephus's writings[23] but he largely refrains from writing event-oriented history because he thinks that the "raw historical data that can be isolated are usually without much interest."[24] Unlike traditionalists who draw rich and vivid accounts from Josephus, Moehring understands that beyond Josephus's bare outlines, we usually cannot distinguish between fact and fiction. Since Moehring finds the outlines uninteresting he does not write event-oriented history, but interest is a matter of taste and others may find the hard cores, and the process of identifying them, fascinating.

The new historical method rejects the traditional method's presumption of credibility because it appreciates that the genre of history in ancient times did not insist upon credible particulars. Cognizant of the fusion of fact and fiction in ancient histories, many contemporary historians explore questions which do not depend on the historicity of the events portrayed in Josephus's writings. Nonetheless, it is still possible to extract facts about events from Josephus's writings though not by removing suspicious details from what is otherwise presumed to be a trustworthy account. Since practically any particular might be a literary invention, the way to recover the hard core of Josephus's narratives is to reduce them to their minimal plotlines. In the previous chapter we saw how Josephus preserved the basic plotlines of extant sources from earlier periods and in the current chapter we apply the new historical method to two episodes from Josephus's own lifetime: the publication of *The Jewish War* and the mass murder/suicide at Masada. These illustrations exhibit how to draw facts from Josephus's account but they do not explore the significance of those facts. Facts derive meaning and significance from context, from an ancient or modern narrative.[25] The process of interpreting facts from a frame of reference and integrating them into a narrative belongs to historiography, not the historical method, and is beyond the purview of this book.

THE PUBLICATION OF *THE JEWISH WAR*

Josephus described the publication and initial distribution of his work *The Jewish War* on two occasions, in his *Life* and *Against Apion*. In both cases Josephus did not discuss *The Jewish War*'s publication for its own sake but rather to convince his readers of its reliability. Arguing that witnesses to the war verified it, Josephus hoped to bolster the credibility of *The Jewish War*. In the context of Josephus's response in *Life* to the claims of a rival historian, Justus of Tiberias,[26] Josephus offered the following description of the publication of *The Jewish War*:

> In the case of my own text, I certainly was not anxious in the same way as you, but I delivered the volumes to the *imperators* themselves when the deeds were barely out of view. They concurred that I had preserved

> the transmission of the truth. Accordingly, having expected to meet with their endorsement, I was not mistaken. I also immediately delivered the history to many others, some of whom had even chanced to be involved in the war – for example, King Agrippa and certain of his relatives. The *imperator* Titus, for his part, insisted that knowledge of events should be transmitted to the people from these alone, so that after he had inscribed the volumes with his own hand, he ordered them to be made public.
>
> And the king, Agrippa, wrote sixty two letters attesting to (my) transmission of the truth. Two of these, in fact, I have appended, in case you insist on knowing from them what was written.
>
> King Agrippa,
>
> To dearest Josephus,
>
> Greetings!
>
> I went through the volume with greatest pleasure, and it really seems to me that with superior care you have precisely described what you have portrayed. Send me the rest also. Be well.
>
> King Agrippa,
>
> To dearest Josephus,
>
> Greetings!
>
> From what you have written, you look as though you need no instruction – (we can read you) instead of our learning everything from the start. Whenever you should next meet me, I myself will inform you of many things that are not (widely) known.
>
> He was not flattering my finished history with "truth," for that would not occur to him; nor was he dissembling, as you will claim, for he was beyond such bad character. But he confirmed the truth in the same way as all those who have perused these histories.[27]

Just after criticizing Justus for publishing his history long after participants in the war, such as Vespasian, Titus, and Agrippa, were no longer living,[28] Josephus argued here that all these participants confirmed his account of the war. And after noting that Agrippa had been Justus's patron and employer,[29] Josephus highlighted Agrippa's support for his account of the war.

In a discussion of the above excerpt from *Life*, Steve Mason claims that even if Josephus "invented the letters or exaggerated the contact" with Agrippa, we may learn from his account that "Josephus circulated pieces of *War* to others, including Agrippa, while he was writing ("Send me the rest also"; "I myself will inform you"), not merely on completion."[30] Although Mason is hesitant to accept the letters as authentic,[31] he claims that the

hard core of the section is credible: Josephus circulated volumes of *The Jewish War* to a group of friends and associates, including the emperors[32] and Agrippa, even before the work was completed.

Josephus described the publication of *The Jewish War* once again in the following passages from *Against Apion*, which were designed to bolster Josephus's credentials as a historian:[33]

> Then, when I had leisure in Rome, and when all the work was prepared, having made use of some collaborators for the Greek language, I thus constructed my account of the events. So confident was I of its truthfulness that I decided to use as my witnesses, before everyone else, the commanders-in-chief during the war, Vespasian and Titus. For I presented the books to them first of all; after them I sold the copies to many Romans who had fought with them in the war, and to many of our own people, men also steeped in Greek wisdom, among whom were Julius Archelaus, the most distinguished Herod, and the most renowned king Agrippa himself. These all bore witness that I had carefully guarded the truth, and they would not have held back or kept silent if, out of ignorance or bias, I had altered or omitted any facts.[34]

Alongside the elements it shares with the parallel account in *Life*, *Against Apion* contradicts *Life* in two ways. In *Life* Josephus *gives* the books to Agrippa, but in *Against Apion* he *sells* them to the king.[35] In *Life* Agrippa writes that he wants to tell Josephus "of many things not widely known" and presumably not known by Josephus, but in *Against Apion* Josephus's audience, including Agrippa, does not speak up to disclose that Josephus altered or omitted any of the facts "out of ignorance or bias."[36] Although they differ on certain details, Mason argues that Josephus's two presentations of *The Jewish War*'s publication share the credible hard core described above: Josephus initially circulated *The Jewish War* among a local group of friends and associates including Agrippa and the emperors.[37]

Mason's reasonable conclusions are perfectly in line with the new historical method's working assumption that Josephus did not invent the hard core of his account. Although Josephus might have embellished the literary core of his sources or his own memories with a host of plausible details, he would not have concocted the heart of his account. Like other ancient historians, Josephus would not have fabricated the events which comprise the skeletal plotline of his account. In this case, Josephus was a participant in the events described and even if he invented or exaggerated Agrippa's letters or the emperors' endorsement, he would not have made up the hard core out of whole cloth. Furthermore, the hard core's description of publication amongst local friends and associates was, as Mason notes, "in keeping with the normal practices"[38] of book publication in the ancient world.

The puzzling part of Mason's argument is not what it claims, which is in keeping with our expectations of Josephus, but rather the conflict it creates

with the methodological stance Mason outlines just fifteen pages prior to his discussion of *The Jewish War*'s publication:

> We must not rely on Josephus, *not* because he is any more "unreliable" than any other ancient writer but because, like all of them, he crafts a work of art. His work may be relied upon to fulfill its own aims, but not as a window to real events. We cannot rely on Josephus (or Tacitus or others) because historical problems that we define for investigation can only be pursued and resolved, if they *can* be pursued and resolved, by evidence that we identify, gather, and control—in the sense of being able to check it. Where Josephus provides our only account(s) of episodes in Judean history, we still know nothing about them, but only *that* he said what he said. The default posture of the historian about the underlying events must be agnostic, in advance of a disciplined investigation.[39]

According to Mason's explicit methodology, the parallel sections on the publication of *The Jewish War* are doubly problematic. First, since both *Life* and *Against Apion* are crafted works of art, they are not reliable as windows to real events. Second, since no source provides independent corroboration of Josephus's descriptions of *The Jewish War*'s publication, all we can know is that Josephus described the publication in a certain way, not that the publication actually occurred that way. However, in his analysis of *The Jewish War*'s publication, Mason derives from *Life* and *Against Apion* facts about the actual publication and not facts about Josephus's depiction of the publication.

In truth, I do not see how to resolve the contradiction between Mason's methodological stance and his fine analysis of *The Jewish War*'s publication and I suspect that the contradiction emerged because his method is a bit overstated.[40] According to Mason, an event reported by an ancient historian may be considered a fact only if it is independently corroborated[41] and while ancient circulation practices reveal that Josephus's descriptions of *The Jewish War*'s initial circulation are plausible, they do not corroborate that the circulation actually happened this way. Since Mason compellingly argues that the uncorroborated hard core of Josephus's descriptions of *The Jewish War*'s publication is factual, his own analysis reveals that independent corroboration is not a *sine qua non* for establishing the historicity of an event. Even though the publication of *The Jewish War* is not corroborated by any independent witnesses, Mason was right to establish that Josephus published *The Jewish War* amongst friends and associates, including the emperors and King Agrippa.

THE FALL OF MASADA

The Roman conquest of Masada, according to Josephus, stamped out the last embers of the first Jewish revolt against Rome in Judaea. The story

of the Roman siege of Masada and the collective murder/suicide of the Jewish insurgents there serves as the climax of the seventh and final book of Josephus's *The Jewish War*.[42] Following a detailed description of the triumph parade in Rome which celebrated the suppression of the Jewish revolt,[43] Josephus turned to the mop up operations in Judaea, the Roman offensive planned to subdue the few remaining pockets of resistance. This concluding chapter of the Jewish revolt escalates in a tragic and emotional crescendo which culminates in the fall of Masada, the last rebel stronghold.

The legate Lucilius Bassus, according to Josephus, was charged with finishing off the remnants of the Jewish revolt. In a terse and succinct manner Josephus described Bassus's first action in Judaea as follows: "Meanwhile, Lucilius Bassus had been dispatched to Judaea as legate, and, taking over the command from Cerealius Vetilianus, he first reduced the fortress of Herodium with its garrison to surrender."[44] With minimal details, Josephus related that Bassus conquered Herodium, a Herodian fortress in the Judaean desert south of Jerusalem.

Bassus's second action, according to Josephus, was to subdue Machaerus, a fortress located east of the Dead Sea. In contrast to his brief account of the fall of Herodium, Josephus's portrait of the fall of Machaerus is far more detailed. Josephus described at length the topography of Machaerus and its strategic value, the history of the fortress in Hasmonean and Herodian times, the defenses of the fortress and its arsenal, the fortress's stockpiled food and some local natural delights, the Roman siege, and the rebels' eventual surrender in response to the pleading of an insurgent named Eleazar whom the Romans had captured.[45]

Bassus followed the conquest of Machaerus with the eradication of the rebels in the Jardes forest. After Bassus's cavalry surrounded the forest, his infantry cut down the trees and then the rebels who dashed out to attack them, including the rebel leader Judah ben Ari.[46]

After subduing the rebels at Jardes, *The Jewish War* reports that Bassus and the procurator Laberius Maximus settled Roman veterans near Jerusalem, farmed out Jewish lands, and imposed a new tax on the Jews in place of the annual donation previously sent to the temple in Jerusalem. Sometime later, *The Jewish War* recounts, Bassus died and his replacement, Flavius Silva, marshaled the requisite forces in order to subdue the final rebel fortress, Masada, which was located on the west coast of the Dead Sea. Josephus did not date Silva's arrival in Judaea and scholars debate whether he besieged Masada in 73 or 74 CE.[47] In any event, after the surrender of Machaerus and the battle at the Jardes forest were reported in far more detail than the conquest of Herodium,[48] the conquest of Masada, the climax of the mop up operations, was described at even greater length and in even more detail.

Josephus opened his account of Masada[49] by explaining that Masada was occupied by a group of rebels, known as *sicarii*, who had occupied the fortress some years earlier.[50] Earlier on in *The Jewish War*, Josephus had

described the *sicarii* as assassins who murdered their fellow Jews, presumably for supporting the Romans,[51] and *Antiquities* explains that the group's title was inspired by the curved daggers, *sicae* in Latin, which they used to slay their foes.[52] Eleazar ben Yair is portrayed here in Book 7 of *The Jewish War* as the leader of the *sicarii* occupants of the desert fortress and his presence is not surprising because Josephus had already reported in *The Jewish War* 2.447 that Eleazar ben Yair had fled from his Jewish enemies in Jerusalem to Masada in the early days of the revolt. Eleazar is depicted here as a descendant of a certain Judah, who incited revolt against Rome decades earlier,[53] and the *sicarii* are presented as rebel extremists who attacked Jews for submitting to Roman rule.[54] While *The Jewish War* ascribes to the *sicarii* a radical philosophy which repudiated submission to Rome, it also opines that this philosophy was a mere pretext for cruelty and greed, an excuse to tyrannize fellow Jews.[55]

Mention of the *sicarii*'s cruelty and crimes gives way to an extended digression on the crimes and atrocities committed by a variety of rebel leaders and parties.[56] The digression claims, amongst other things, that the *sicarii* initiated the lawlessness and cruelty that were eventually adopted by other rebels and this idea is further elaborated later on in Eleazar ben Yair's first speech which states: "For as we were the first of all to revolt, so are we the last in arms against them."[57] According to Josephus, the first battle in the Jewish revolt was the *sicarii* conquest of Roman occupied Masada[58] and the final battle was the Roman conquest of *sicarii* occupied Masada. With both the *sicarii* and Masada opening and closing the revolt, Josephus neatly framed the Jewish war against Rome in a literary envelope.

After digressing to lament the savagery of the different rebel groups, Josephus described Silva's initial preparations for the siege of Masada.[59] According to Josephus, Silva's first task was to take control of the area surrounding Masada, stationing his garrisons at strategic locations, erecting a siege wall around the fortress to prevent escape and setting up his own camp on an adjacent mountain with a clear view of the fortress and siege works. Faced with the logistical challenge of maintaining an army in the arid and barren landscape of the Judean desert, Silva also arranged the transport of food and water from a distance, enlisting Jews for the hard labor entailed by this project. Having completed these preliminary arrangements, Silva began to execute the siege operations, an enterprise which, Josephus claimed, "demanded great skill and severe exertion, owing to the strength of the fortress."[60]

In order to justify his claim that Masada was a formidable fortress, Josephus interrupted his narrative of the siege with a survey of the history and topography of Masada.[61] A Hasmonean high priest, Josephus recounted, originally erected a fortress on the mountain and called it Masada but the intensive construction and development of the site was commissioned later on by King Herod who sought for himself a refuge in case the Jews should depose him or Cleopatra should plot his downfall. The site, according to

Josephus, is a vast towering plateau with only two means of access, a windy and dangerous snake path from the east with daunting chasms on either side and a more traversable path from the west which, however, "Herod barred at its narrowest point by a great tower."[62] Herod also enclosed the entire summit with a casemate wall of white stone fortified with thirty-seven towers, cultivated the soil so the mountain's residents could be self-sufficient, built a luxurious palace in the northwest corner with columns "each formed of a single block,"[63] cut out reservoirs for water in the bedrock, built a sunken road from the northern palace to the summit, stocked the stores with an abundance of foodstuffs that Eleazar ben Yair eventually found in perfect condition, and stockpiled large numbers of weapons. Josephus's detailed description of Masada as a fortified, well-stocked, daunting fortress in a most inhospitable environment echoes a theme he introduced at the very beginning of the *The Jewish War*: the more potent the revolt, the greater the Roman glory in its suppression.[64] Silva's siege operations were so impressive only because Masada was so unassailable.

After relating the history of Masada's fortifications and the topography of the fortress, Josephus returned to the siege and battle at hand. According to Josephus, Silva identified a wide projection of white rock 300 cubits below the summit of Masada as the ideal location for a ramp. On this strategic spot Silva's forces constructed a mound 200 cubits high as the ramp's base, on top of which they assembled a massive stone platform that ascended another 50 cubits towards Masada's summit. The ramp then served as the springboard for the Roman attack which was executed with the help of various siege weapons, such as a battering ram and a 60-cubit tower covered in iron from which the Roman army shot catapult bolts and *ballistae* balls to chase the defenders off the ramparts. Battering away with the ram, Silva's forces eventually breached the wall over the ramp but the *sicarii* quickly erected an internal, defensive wall out of wood and earth. The new wall was pliable and absorbed the force of the battering ram so with the battering ram rendered ineffective, Silva decided to burn down the rebels' newly constructed flammable wall. The internal wall blazed as planned and after a north wind almost blew the fire towards the Romans, the wind veered "as if by divine providence"[65] and directed the flames against the rebels' defenses. Recognizing that the rebels could no longer prevent their entry into the fortress, the Romans rejoiced and decided to invade Masada the very next day.

At this point in Josephus's account the focus shifts and the account concentrates on the *sicarii* besieged rather than the Roman besiegers.[66] Seeing the wall go up in flames, Eleazar ben Yair, the *sicarii* leader, understood that all hope was lost and that the time was ripe for a noble death. Hoping to convince his bravest companions that a pre-emptive death was the best course for all the men, women, and children in the fortress, Eleazar delivered a speech which preached, amongst other things, that a noble death is preferable to slavery, that the breaching of the wall was a divine punishment for the *sicarii*'s crimes and that his followers should set the fortress and their possessions

on fire but spare their food provisions so as to show the Romans that they died not for lack of sustenance but because they preferred death over slavery. Eleazar's speech, however, did not do the trick and some rebels were unwilling to slaughter their families and themselves. Gauging the need for a more compelling plea, Eleazar roused himself and delivered an emotional second speech rife with themes from Greek philosophy.[67] This speech discussed the immortality of the soul, credited God with the Jewish defeat and counseled the *sicarii* to kill their families in order to save them from a fate worse than death. The second speech accomplished Eleazar's goal and after all the men rushed off to kill their families and burn their possessions, ten men were chosen by lot to execute all the others. After slaughtering their comrades alongside the corpses of their families, the ten remaining *sicarii* drew lots. The chosen one executed the nine others and then committed suicide. Not all the occupants of Masada died, however, since two women, one of whom was a wise relative of Eleazar, and five children hid underground in subterranean aqueducts. All together 960 rebels died on that day, the fifteenth of the month of Xanthicus. Josephus often used the Greek names of months in lieu of their Jewish counterparts[68] and if he did so in this case, then he dated the collective murder/suicide of the *sicarii* to the first night of Passover.

With the conquest of Masada, Judaea was fully vanquished but Josephus was not yet ready to end *The Jewish War*.[69] Josephus added that the *sicarii* continued to incite rebellion in Egypt and Cyrene and that the Roman response in both cases was severe.[70] With this addendum to the *sicarii*'s last stand in Masada and some final comments on the accuracy of his account,[71] *The Jewish War* comes to end.

In the new historical method, literary analysis precedes historical analysis[72] so let us conclude this short survey of Josephus's account of the fall of Masada with some literary observations. Certain recurring themes of *The Jewish War* resonate in the story of the fall of Masada. The ultimate cause for the catastrophic war, according to *The Jewish War*'s introduction,[73] was civil strife, and the *sicarii*, as rebels who specifically targeted their fellow Jews, perfectly illustrate the internecine dimension of the war. In a fitting comeuppance, the rebels who wickedly took other Jewish lives, in the end took their own lives and those of their families.[74] The theological flipside of the civil dimension of the war is that Josephus's narrative is no less a story of Jewish defeat than of Roman victory, no less a story of divine punishment than of imperial power. In changing the direction of the fateful wind, God alone determined the fall of Masada and by dying at their own hands, the *sicarii* deprived the Romans of a glorious and honorable battle.[75] This theological theme, which credits God with the outcome of the Jewish revolt, moderates the military theme of Roman might. Josephus stressed time and again that the Roman forces in Judaea were an indomitable force who defeated a worthy enemy and, as noted above, by describing the desert topography and siege operations at Masada at length, Josephus implicitly extolled the fortitude and skill of the Roman forces. However, by subtly

pointing to God's hand behind the scenes, Josephus also hinted at the limits of Roman power.

The first step in the historical analysis of Josephus's account of Masada is the question of Josephus's sources, since the reliability of his account is directly dependent on that of his sources. Josephus, as noted above,[76] was already living in Rome for some time before the Roman army besieged Masada so he did not witness the conquest of the secluded desert fortress. As was his wont and in keeping with standard practice in ancient historiography Josephus did not identify his sources, so in lieu of any explicit evidence modern scholars have tried to infer the nature of the sources underlying his narrative.

Josephus's almost exclusive focus on Roman military activities at Masada—no mention is made of any *sicarii* attacks—and the corroboration of many details in his account by the archaeological record have encouraged scholars to conclude that Josephus relied on a Roman source about the siege. Some speculate that he may have used Silva's own notes, his *commentarii*, from the war,[77] but though Josephus did mention the emperors' *commentarii* on a few occasions,[78] he nowhere stated that *Silva* penned notes or that he had access to such notes. The most judicious conclusion is that Josephus apparently employed a Roman source, written or oral, about the siege of Masada. It stands to reason that such a source would have also described the topography of the region in order to explain how the siege unfolded[79] but it most probably was not the ultimate source for Josephus's history of the fortress in Hasmonean and Herodian times. The foundation and early history of the fortress took place long before the participants in the siege were born. In a similar vein, a Roman combatant would not have witnessed Eleazar's speeches or the collective murder/suicide, so many scholars have postulated that the account of Jewish affairs on the night of the fifteenth of Xanthicus ultimately stemmed from the female survivors. I will return to these possible Jewish informants below and for now the best we can say is that Josephus apparently relied on a contemporary Roman source (or perhaps sources) for the siege of Masada and an earlier source (or sources) for the history of the fortress. Without any further information, however, it is difficult at this stage to gauge the general reliability of these unnamed sources.

In analyzing Josephus's account of Masada, the traditional historical method has applied its presumptions of genuineness and credibility, postulating that the account is credible so long as there is no local or immediate reason to doubt it.[80] Armed with these presumptions, traditionalists have sought to bolster or corroborate elements of the account on the one hand while also searching for local reasons to doubt it on the other. Most traditionalists acknowledge that, in accordance with the standard role of speeches in Graeco-Roman historiography, Josephus rewrote Eleazar ben Yair's speeches (at the very least), but they strongly differ on the historicity of many other details in his account.

A maximalist stream in scholarship argues that Josephus's account is trustworthy, save for a few minor details. In bolstering the facts established by the presumptions of genuineness and credibility, maximalists deploy two arguments. The first argument, usually only implied, rests on the confirmation of so many of Josephus's details via archaeology. Josephus's story of the fall of Masada cannot be corroborated by any parallel ancient literary accounts because there are none,[81] but archaeological excavations have shed much light on Masada and its history. The archaeological excavations of Masada and its surroundings corroborate that Masada is a mountain west of the Dead Sea; that it has a large plateau on the summit, steep cliffs on its sides, and two main access paths, a dangerous snake path from the east and a safer path from the west. The summit has extensive waterworks and room to grow food if necessary. The excavations have confirmed the Herodian construction of the casemate wall and the luxurious northern palace. Remnants of the siege wall and Roman army camps still exist and one camp is located precisely where Josephus placed Silva's camp. The ramp founded on white rock to the west still stands and the breach in the casemate wall above the ramp is just as described in Josephus's account.[82] Numerous objects, coins, and weapons found at the site confirm that it was occupied during the early 70s CE and was the scene of a Roman siege. The locations of the excavated *ballistae* balls fall in an arc which indicates they were probably shot from a Roman tower on the ramp. The absence of wooden beams in many of the excavated buildings suggests that they were removed in order to build the internal defensive wall. An ostracon with the name "Ben Yair" on it confirms that Eleazar ben Yair was on the mountain and the collection of eleven ostraca with names on them, written by the very same hand, may have been the lots cast by the *sicarii*. A fragment from the *Aeneid* found on Masada, in which Dido refers to her terrifying dreams some time prior to her suicide, may have been written by a Roman soldier appalled by the awful evidence of collective murder/suicide he witnessed on the mountain.[83] In light of all this corroborating or suggestive evidence, the maximalist stream maintains that Josephus's account of Masada must be largely reliable even when unconfirmed.

The maximalists' second argument maintains that it is highly implausible that Josephus intentionally fabricated many elements in the story beyond the rhetorical flourishes of Eleazar ben Yair's speeches. Not only did Josephus explicitly state that he was fully committed to accurate reporting and that the emperors endorsed his work, he also would not have invented a fictitious account of a mass murder/suicide that could have easily been refuted by the many live Roman combatants who actually stormed Masada.[84] The maximalist stream contends that Josephus carefully rewrote the *reliable* notes of a Roman soldier for his account of the siege, and ultimately relied on the trustworthy testimony of the wise survivor for Eleazar ben Yair's speeches and the mass murder/suicide. Hiding in the subterranean aqueducts with excellent acoustics, the survivors could have heard the speeches quite well

and "inasmuch as memories were highly cultivated in antiquity, especially among Jews," the wise survivor may have easily committed whole stretches of Eleazar ben Yair's speeches to memory.[85] The maximalist stream denies that there is any reason to doubt Josephus's claim that two women and some children survived the ordeal or that Eleazar ben Yair delivered a speech or two in favor of collective murder/suicide.[86] Moreover, since Josephus hated the *sicarii*, maximalists argue that he had no incentive to fabricate a noble death for rebels he thought deserved to be slaughtered by the Romans.[87] Maximalists also presuppose that specificity is indicative of reality hence the specific casualty figures and the named *sicarii* leader, Eleazar ben Yair, are indicative of reality, not fiction.[88] In a related vein, the maximalist stream maintains that Josephus's account is too elaborate and complex to have been a literary invention.[89]

In contrast to the maximalist stream, a minimalist stream rejects the supposed implications of the archaeological excavations of Masada as well as the slew of plausibility claims tendered by maximalists. On the archaeological front, minimalists refute certain maximalist interpretations. For example, the claim that the eleven ostraca should be identified with Josephus's ten lots as well as the notion that a Roman soldier wrote out the passage from *Aeneid* while contemplating the deaths of the *sicarii* are both fanciful over-interpretations.[90] In addition, the minimalist stream highlights the discrepancies between Josephus's account and the archaeological findings. In contrast to Josephus's account, the snake path only has a chasm on one side, the casemate wall was not built out of white stone and each pillar in the northern palace was not made from a single stone.[91] There are no vestiges today of the ramp's capping stone platform,[92] archaeologists did not find a single catapult bolt,[93] and the corpses of the 960 defenders have not been located.[94] Moreover, the skeletal remains that were discovered in a mountainside cave suggest that at least some of the occupants of Masada were hiding there when they were killed by the Romans.[95] In a similar vein, some literary and structural findings suggest that not all the occupants of the mountain fortress were *sicarii*.[96] The signs of numerous burnt piles indicate that the *sicarii* did not burn all their stores in one pile as Josephus claimed in 7.395.[97] A tremendous pile of debris on the northern square of the mountain's summit may well have been a second ramp erected by the Romans to facilitate the storming of the northern palace, but Josephus omits any mention of this ramp or a battle for the northern palace since he claims that all the insurgents were already dead by the time the Romans ascended onto the summit.[98] Some of Josephus's measurements and figures are inaccurate and he neglected to mention the existence of the Herodian storerooms and the western palace.[99] Highlighting the discrepancies between Josephus's account and the archaeological finds, the minimalist stream rejects the notion that archaeology can bolster the historicity of any uncorroborated particulars.

On the plausibility front, minimalists maintain that there is a wide array of local considerations which undermine the plausibility and historicity of

many elements in Josephus's account of Masada. For example, why did the Romans retreat for the night just when they had overcome Masada's last defenses? After the internal wall went up in flames, the Romans should have immediately stormed the mount; the melodramatic and unrealistic decision to retreat seems to be a literary device contrived to afford Eleazar ben Yair and the *sicarii* time for two speeches and a collective murder/suicide.[100] Similarly, would Eleazar ben Yair have been able to convince hundreds of fighting men to murder their families and commit suicide while they still had ample opportunity to kill more enemies? The idea that so many *sicarii* would have agreed to Eleazar's plan strikes some as unbelievable,[101] indeed almost as far-fetched as the idea that Eleazar could have convinced his followers to kill themselves with a speech replete with Greek philosophical ideas.[102]

From a literary perspective, the minimalist stream questions elements in Josephus's account of Masada that also appear elsewhere in *The Jewish War* because their repeated use raises the likelihood that they are not accurate historical representations but rhetorical devices or literary commonplaces. For example, just as a supernatural force changed the direction of the wind to determine the fate of Masada, a supernatural force raised a storm to end the siege of Gamla. The wind at Masada blew the flames against the Jews and set the internal wall ablaze and, in like manner, the storm at Gamla, blowing in the faces of the Jewish defenders, "carried against them the arrows of the Romans and checked and deflected their own."[103] Eleazar ben Yair's speeches in favor of collective murder/suicide reverse the arguments in Josephus's speech against suicide delivered earlier in Jotapata[104] and the concerted effort to create a literary interplay between the speeches for and against suicide points to Josephus's authorship of Eleazar's speeches.[105] The lots drawn at Masada echo Josephus's desperate ploy at Jotapata, where he convinced his compatriots who were set on killing themselves to "leave the lot to decide the order in which we are to kill ourselves."[106] Josephus already claimed that there were collective suicides at Jotapata and Gamla[107] and the mass murder/suicide as a last resort in battle was a common literary motif in the Graeco-Roman world.[108] The presence of survivors at Masada is automatically suspect because their existence anticipates the obvious criticism that Josephus could not have known what transpired on the mountain. Their presence is doubly suspect once one realizes that two women also survived the collective suicide at Jotapata, one of whom was also the relative of a notable man.[109] Since Josephus reported that some years earlier the *sicarii* of Masada had slaughtered the people of Ein Gedi on Passover, the fall of Masada on Passover might convey the notion that the *sicarii* were being punished for their past deeds.[110] Due to these considerations, the minimalist stream questions the historicity of the fateful wind, Eleazar's speeches, the lots, the mass murder/suicide, the survivors, and the precise date. Although it is possible that a literary commonplace also reflects an actual event, the minimalist stream recognizes that the suspicion raised by the presence of a literary commonplace undermines the traditional presumption of credibility.

In general, the minimalist stream acknowledges that ancient historians had the literary license to embellish their materials, hence eyewitness readers or auditors of *The Jewish War* would not have been troubled by invented details and vividness is no measure of reality.[111] In claiming that Josephus had no incentive to create a noble death for the hated *sicarii*, the maximalist stream sidelines the literary dimension of *The Jewish War* since Josephus might have invented the suicide/murder in order to furnish his history with a tragic and memorable ending. The maximalist claim that the Masada account is too complex to be fictitious may underestimate Josephus's literary skills (or those of his source) and even were we to grant that a complex account is indicative of a factual substratum, complexity itself provides no yardstick to differentiate fact from fiction within *The Jewish War*'s blend of literary motifs. In short, the minimalist stream elicits far fewer facts from Josephus's account of Masada than the maximalist stream, granting the presumption of credibility only to plausible elements not undermined by literary considerations.

Focusing on the various ways archaeology confirms Josephus's account, maximalists err in thinking that archaeological confirmation on some issues enhances the credibility of others. In addition, the maximalist stream grossly underestimates the measure of literary freedom ancient historians, like Josephus, enjoyed in constructing their narratives.

By contrast the minimalist stream acknowledges the limitations of archaeology and appreciates that implausibility and literary considerations render significant elements in Josephus's Masada account unknowable or unlikely. However, even the minimalist stream errs when it attempts to reconstruct the events at Masada on the basis of their plausibility. For example, some minimalists have suggested that the occupants of Masada fought to the very end and that Josephus created the murder/suicide in order to downplay their courage;[112] others have argued that the occupants surrendered and that Josephus created the murder/suicide to whitewash the Romans for the slaughter which ensued.[113] But however plausible these scenarios may or may not be, they are highly speculative conjectures which lack any good measure of probability. Some minimalists offer less fanciful reconstructions of the events at Masada, accepting as historical the mass murder/suicide[114] or the notion that Eleazar delivered a speech.[115] However, even these minimalists wield plausibility as the primary criterion for identifying the hard core hidden in Josephus's account and plausibility is not a sufficient criterion for eliciting facts from a genre that encouraged the invention of plausible details.

In short, the traditional historical method in both its maximalist and minimalist forms makes three fundamental working assumptions: it grants Josephus's account of Masada presumptions of genuineness and credibility and enlists plausibility as the central means of bolstering uncorroborated facts elicited from Josephus. All three assumptions, however, are rejected by the new historical method. Since Josephus might have invented any uncorroborated detail however plausible, the presumptions of genuineness and credibility are

unwarranted and plausibility is an insufficient criterion for distinguishing fact from fiction.

Recognizing that the plausibility criterion alone will not do, the new historical method establishes the hard core of Josephus's Masada account on literary grounds. According to the new method, the only parts of Josephus's account that can be confidently assigned to its hard core are the elements indispensable to the skeletal outline of the story, an outline which may be articulated as follows: After the death of Lucilius Bassus, Flavius Silva came to Judaea and led the local Roman forces in the successful conquest of Masada, the last rebel fortress in Judaea. This brief description of the Masada account's literary core is not unlike Josephus's concise description of the conquest of Herodium cited above: "Meanwhile, Lucilius Bassus had been dispatched to Judaea as legate, and, taking over the command from Cerealius Vetilianus, he first reduced the fortress of Herodium with its garrison to surrender."[116] Without external corroboration, anything beyond the basic outline of Josephus's account, whether of the conquest of Masada or Herodium, cannot be attributed to the hard core with a good measure of probability.

In order to establish the historicity of the hard core of an episode in *The Jewish War*, we must consider whether Josephus's source was willing and able to faithfully report the basic facts. In the case of Masada, it seems fair to say that the apparently Roman source or sources Josephus relied on for the mop up operations in Judaea most probably supplied a faithful representation of the operations' outline at the very least. On the basis of this reasonable assumption, we would conclude that the Masada story's *hard core* accurately relates the fall of Masada even if we had no means of external corroboration.

In the case of Masada, however, we are fortunate to have in archaeology an external means of corroboration. The archaeological excavations at Masada not only corroborate much of the hard core of Josephus's account, they also corroborate many other details in his account as well. While archaeology does not confirm that Silva oversaw the siege, it verifies many details regarding the history, topography, and siege of the fortress. Sometimes archaeological findings also enable us to correct Josephus and they often add details which do not appear in *The Jewish War*, but archaeology cannot shed light on events which left no impression on the material record. The archaeological findings have no bearing on Josephus's depiction of Eleazar's speeches or the collective murder/suicide[117] and since these elements do not belong to the hard core of Josephus's account, we cannot establish them as facts. Furthermore, the cogent arguments of the minimalists strongly suggest that the speeches and collective murder/suicide were fictitious inventions.

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Our discussion of the publication of *The Jewish War* and the fall of Masada highlights two significant advantages of the new historical method. First and foremost, the new method rests on firm methodological foundations.

Our newfound appreciation for the scope and depth of the literary and rhetorical features of Josephus's writings has undermined the traditional method's presumptions of genuineness and credibility as well as the central role it assigns plausibility. Instead of the traditional historical method's twin presumptions, the new historical method restores the suspension of judgment as the historian's default position. Rather than establishing plausible particulars as facts, the new method backs into the facts through the literary core of an account.

Second, while there is much room for subjective interpretation in historiography, in the crystallization of a narrative framework around facts, establishing facts with the historical method should be a less subjective and arbitrary matter. In light of this need for some semblance of objectivity, the traditional approach to Masada creates an untenable situation in which even traditional historians differ greatly over the facts. When plausibility serves as the primary criterion for historicity, historians will establish widely different fact sets with great gaps between maximalists and minimalists because what is plausible to one scholar is implausible to another.[118] In contrast, by concentrating on bare literary cores, the new historical method recommends a more objective route to the facts with less room for disagreement. Deploying criteria more amenable to consensus, the new approach restores a good measure of objectivity to the historical method.

NOTES

1. Mason (2003) 154. See also Cohen (1979) 65.
2. See Laquer (1920) 6–128; Cohen (1979) 67–83.
3. Brunt (1993) 208.
4. Damon (2007) 450.
5. See, for example, Grant (1970); Fornara (1983); Brunt (1993).
6. Lendon (2009) 41.
7. See n. 14 in Chapter 3.
8. See Rhodes (1994) 166.
9. Cornell (1995) 4. See also Grant (1995) 90.
10. Vividness of narrative is not a sign of historical fidelity in a genre replete with plausible fictions. See Pitcher (2009) 85–87.
11. See Wiseman (1979); Woodman (1988). See also Oakley (1997) 3–12, 72–79.
12. Woodman (1988) 87 (with slight editorial modifications).
13. Cicero, *De Oratore* 2.53. See also Woodman (1988) 77.
14. See Woodman (1988) 93; Oakley (1997) 100–102.
15. Oakley (1997) 100 (with a slight editorial adjustment). See also Finley (1986) 18; Woodman (1988) 92–93; Beard (2007) 40.
16. See Damon (2007) 440; Marincola (2007) 2–4; Lendon (2009) 42 n. 3.
17. See Moehring (1980) 241; Mason (2003) 187
18. Oakley (1997) 102 (with a slight editorial adjustment).
19. Oakley (1997) 18.
20. Oakely (1997) 101. Cf. Grabbe (1997) 24–26, 30–31.
21. See Chapter 5.
22. Moehring (1984) 867. Cf. Mason (2009) 42.
23. See, for example, Moehring (1984) 910.

24. Moehring (1980) 241. Cf. Barstad (1997) 64.
25. See McLaren (1998) 255–265; Kraus (2010) 415–416.
26. See Josephus, *Life* 336–367.
27. Josephus, *Life* 361–367 (translation by Mason (2001) *ad loc.*).
28. See Josephus, *Life* 359.
29. See Josephus, *Life* 335–356.
30. Mason (2009) 56.
31. See Mason (2001) 150 n. 1501.
32. See Mason (2001) 148–149 n. 1493.
33. See Barclay (2007) 34 n. 191.
34. Josephus, *Against Apion* 1.50–52 (translation by Barclay (2007) *ad loc.*).
35. See Josephus, *Life* 362, *Against Apion* 1.51. See also Mason (2001) 149 n. 1499, (2009) 57; Barclay (2007) 37 n. 207.
36. See Josephus, *Life* 366, *Against Apion* 1.52. See also Barclay (2007) 38 n. 213.
37. See Mason (2009) 56–57.
38. Mason (2009) 57.
39. Mason (2009) 42.
40. See Chapter 4.
41. See Mason (2009) 39–43.
42. See Josephus, *Jewish War* 7.252–406. Some scholars argue that the seventh book of *The Jewish War*, or at least parts of it (though not the account of the fall of Masada), were not written along with the previous six books in the 70s but some twenty years later in the 90s. See, for example, Cohen (1979) 87–89, 238; Schwartz (1986); cf. Brighton (2009) 33–41.
43. See Josephus, *Jewish War* 7.116–157. On the Roman triumph more generally, see Beard (2007). See also Rajak (2002) 220–221.
44. Josephus, *Jewish War* 7.163 (translation by Thackeray (1979) *ad loc.*, slightly modified).
45. See Josephus, *Jewish War* 7.164–209.
46. See Josephus, *Jewish War* 7.210–215.
47. See Eck (1969), (1970) 93–111; Schürer *et al.* (1973–1987) vol. 1, 512, 515; cf. Jones (1974); Bowersock (1975) 183–184, (1991) 344; Smallwood (1981) 334, 546–547; Cotton (1989); Cotton and Geiger (1989) 21–23. (Niese (1893) argued that Masada was besieged in 72 CE but his position is no longer tenable.)
48. I have skipped over the intervening portion of Josephus's narrative (7.219–251) which does not relate to the Roman operations in Judaea.
49. On the name Masada, see Zeitlin (1964–1965) 299.
50. See Josephus, *Jewish War* 7.253. See also Josephus, *Jewish War* 2.408, where the *sicarii* are not mentioned. On this issue and on the *sicarii* more generally see Brighton (2009), who summarizes modern scholarship on the *sicarii* and also suggests that "the label *sicarii* was used not primarily to describe a group of people but to marginalize and condemn certain types of behavior" (ibid. 150).
51. See Josephus, *Jewish War* 2.254–257, 2.425.
52. See Josephus, *Antiquities* 20.185–187.
53. See Josephus, *Jewish War* 2.118.
54. See Josephus, *Jewish War* 7.253–255. On the possible connection between the *sicarii* and Judah as well as his radical philosophy, see, for example, Zeitlin (1962) 395–398, (1964–1965) 302, 316–317, (1966–1967) 251–252, 261–262; Rhoads (1976) 54–55; Stern (1982-1983) 387–397; Hengel (1989) 386; Rajak (2002) 88; cf. Brighton (2009) 50–53, 100–101.
55. See Josephus, *Jewish War* 7.256–258.
56. See Josephus, *Jewish War* 7.259–274.
57. Josephus, *Jewish War* 7.324 (translation by Thackeray in Josephus (1979) *ad loc.*).
58. See n. 50 above,

59. See Josephus, *Jewish War* 7.275–279.
60. Josephus, *Jewish War* 7.279 (translation by Thackeray in Josephus (1979) *ad loc.*).
61. See Josephus, *Jewish War* 7.280–303.
62. Josephus, *Jewish War* 7.293 (translation by Thackeray in Josephus (1979) *ad loc.*).
63. Josephus, *Jewish War* 7.290 (translation by Thackeray in Josephus (1979) *ad loc.*).
64. See Josephus, *Jewish War* 1.7–8.
65. Josephus, *Jewish War* 7.318 (translation by Thackeray in Josephus (1979) *ad loc.*).
66. See Josephus, *Jewish War* 7.320–401.
67. See Morel (1926); Luz (1983).
68. See Schürer *et al.* (1973–1987) vol. 1, 595–599; Price (1992) 221–224; Roth (1995) 88 n. 8; Stern (2001) 34–38.
69. See Josephus, *Jewish War* 7.407–408.
70. See Josephus, *Jewish War* 7.409–453.
71. See Josephus, *Jewish War* 7.454–455.
72. See, for example, Mason (1991) 43, (2003) 146–147.
73. See Josephus, *Jewish War* 1.10–12.
74. See Ladouceur (1987) 103; Brighton (2009) 63–65, 123, 141.
75. See Brighton (2009) 31–32, 123–124, 142. See also Mason (1998) 72–74.
76. See the beginning of Chapter 5.
77. See, for example, Feldman (1975) 236; Stern (1982–1983) 371; Brighton (2009) 130.
78. See Josephus, *Life* 342, 358, *Against Apion* 1.56.
79. Some scholars imagine, however, that Josephus actually visited Masada and knew the topography first hand. See, for example, Yadin (1966) 46; cf. Eshel (2009) 32–33.
80. See, for example, Stern (1969) 303; Schürer *et al.* (1973–1987) vol. 1, 511; Rajak (2002) 219–220; Price (2009) 65.
81. See Feldman (1975) 225.
82. See Netzer and Stiebel (2008) 1937; cf. Arubas and Goldfus (2008) 1939, (2010) 28.
83. Aviram *et al.* (1989–2007) present the reports of the Masada excavations and Yadin (1966) and Ben-Tor (2009) provide succinct overviews. See also Feldman (1975) 237; Shatzman (1997). On the location of Silva's camp, see Magness (2011) 344. On the scatter pattern of *ballistae* balls, see Holley (1994) 360; Davies (2011) 79. On the removal of the wooden beams, see Netzer (1991) 653. On the Ben Yair ostracon, see Yadin and Naveh (1989) 28–30. On the passage from the *Aeneid*, see Cotton and Geiger (1989) 34.
84. See, for example, Hoenig (1970) 16; Brighton (2009) 130. Cf. Chapter 5.
85. Feldman (1975) 245. Cf. Weiss-Rosmarin (1967) 3.
86. See, for example, Brighton (2009) 130; Shatzman (2009) 603 n. 404.
87. See Cohen (2010a) 147–148, 152. Cf. Ladouceur (1987) 106–110.
88. See Newell (1989) 289–290. Cf. Klassen (2000) 459. (In respect to Newell's form of critical argument, cf. Droge and Tabor (1992) 92.)
89. See Rajak (2002) 220; Cohen (2010a) 147–148.
90. See Yadin and Naveh (1989) 31; Bowersock (1991) 343; Ben-Tor (2009) 159, 173.
91. See Yadin (1966) 46, 141; Eshel (2009) 33.
92. See Arubas and Goldfus (2008) 1939, (2010) 28; cf. Davies (2011) 77–78; Magness (2011) 347.
93. See Stiebel and Magness (2007) 31; Arubas and Goldfus (2008) 1939, (2010) 28; cf. Davies (2011) 79 n. 12; Magness (2011) 354–356.
94. See Weiss-Rosmarin (1967) 5–6; Atkinson (2007) 356–357.
95. See Smallwood (1981) 338; cf. Zias *et al.* (1994) 367.

96. See Cotton and Price (1990); Meshel (1996) 441; Ben-Yehuda (2002) 82–83; Ben-Tor (2009) 282–286; Eshel (2009) 78–80; Pollak (2012).
97. See Cohen (2010a) 142.
98. See Geva (1996) 302–304 cf. Netzer (1991) 114; Ben-Tor (2009) 48.
99. See Ben-Tor (2009) 281. Cf. Shahar (2011) 366, 374.
100. See Smallwood (1981) 337; Cohen (2010a) 144–145.
101. See Weiss-Rosmarin (1967) 3–4. In a medieval rendition of *The Jewish War* called *Josippon*, the rebels kill their families and then rush out to die in battle with the Romans. See Flusser (1978) 430–431.
102. See n. 67. See also Ladouceur (1980) 253.
103. Josephus, *Jewish War* 4.76 (translation by Thackeray in Josephus (1979) *ad loc.*).
104. See Josephus, *Jewish War* 3.361–386.
105. See, for example, Droge and Tabor (1992) 91–96; Huntsman (1996–1997) 372–373; van Henten (2007) 205.
106. Josephus, *Jewish War* 3.388. See also Cohen (2010a) 145.
107. See Josephus, *Jewish War* 3.387–391; 4.79–80.
108. See, for example, Stern (1982–1983) 377–383; Ladouceur (1987) 106–109; Droge and Tabor (1992) 92; Cohen (2010a) 134–142.
109. See Josephus, *Jewish War* 4.81. See also Zeitlin (1964–1965) 305, (1966–1967) 258; Hoenig (1970) 11–12; Luz (1983) 25–26; Rajak (2002) 219; Ginzburg (2012) 167–168; cf. Brighton (2009) 130; Shatzman (2009) 603 n. 404.
110. See Eshel (2009) 28–29. Alternatively, perhaps as the holiday of freedom, Passover was considered the optimum moment for the *sicarii* to kill themselves in order to avoid being enslaved to Rome. See Klausner (1920–1921) 240; Cf. Hoenig (1970) 28.
111. See n. 10.
112. See Weiss-Rosmarin (1967) 31.
113. See Smallwood (1981) 338.
114. See, for example, Cohen (2010a) 147.
115. See, for example, Brighton (2009) 130.
116. Josephus, *Jewish War* 7.163 (translation by Thackeray in Josephus (1979) *ad loc.*, slightly modified).
117. See Ladouceur (1987) 104, 109–110; Atkinson (2007); Magness (2011) 358–359.
118. See Mason (2011) 163–166. (See also Rubenstein (1999) 3; cf. Fox (2002) 135.)

6 The traditional historical method on the credibility of rabbinic literature

The traditional historical method maintains that rabbinic literature is a largely reliable source for the events, conversations, and attributed statements it relates. In Chapter 3, I outlined the fundamental features of this traditional approach and pointed out some of its central shortcomings. Sparing many details, Chapter 3's brief overview and critique offers a rough sketch of the recent revolution in the historical analysis of rabbinic literature. In order to present a fine-grained portrait of this transformation, I develop here in greater detail the cursory sketch traced out above. This chapter explains the traditional approach to the reliability of rabbinic literature and the following two chapters lay out the critique which prompted the emergence of the new historical method.

When investigating the credibility of an ancient account, the historian's default position is to suspend judgment since there are no grounds to presuppose in advance that any specific source is reliable.[1] In order to overcome this suspension of judgment and determine whether an authenticated primary source preserves credible information, historians assess both the reliability of the source's author and the credibility of its particulars. When an ancient account is a secondary source which relied on earlier texts or traditions, its credibility is not only a function of its own reliability but also of the reliability of its underlying sources, going back to the ultimate firsthand testimony. In order to judge whether a secondary source is credible, one first identifies the authors of its underlying sources and reconstructs their contents. Having identified the original authors of the underlying sources and reconstructed their contents, one assesses the proximity of the testimonies to the events described and discounts the authors' biases, interests, and frames of reference. In the case of rabbinic literature, however, we rarely know who composed our texts or their underlying sources. The identities of the (purported) eyewitnesses of rabbinic traditions are usually unknown; the identities of the tradents, who orally transmitted the traditions, are usually unknown; and the identities of the editors responsible for the traditions' redaction(s) are almost always unknown. Yet despite the absence of so much crucial information, the traditional historical method nonetheless presumes that, as a rule, rabbinic literature is a trustworthy historical source. According to traditionalists, the rabbis carefully preserved

their sources, which ultimately stem from eyewitness accounts, and faithfully relayed essentially credible historical testimonies.

As noted in Chapter 3, the investigation of a source's credibility can be broken down into the following three questions: How close was the source to the subject it describes? What factors bolster or weaken the reliability of the source and the credibility of its contents? Can we corroborate the credible contents of a source with one or more independent and reliable sources? The traditional historical method's responses to these three questions make the traditional case for the basic fidelity of rabbinic sources.

On the question of a rabbinic source's proximity to its subject matter, traditionalists maintain that the countless sources cited in rabbinic works enjoy a presumption of genuineness. Barring any local or immediate reasons to doubt a source's authenticity, traditionalists presume that rabbinic texts ultimately rely on first-hand historical testimonies which they reproduce or paraphrase.

On the question of the trustworthiness of rabbinic literature, traditionalists contend that the stories and events recounted in rabbinic literature warrant a presumption of credibility, that is, they are deemed trustworthy just so long as there are no immediate grounds to doubt their credibility. In addition, when parallel versions of the same tradition differ on details, traditionalists presume that each parallel represents an independent rendition of a first-hand testimony in line with the traditional independent parallels method presented in Chapter 1. Viewing each parallel as a separate window onto the original tradition, traditionalists classically seek to reconstruct the underlying historical kernel by fitting together the plausible particulars scattered across the parallel accounts.

On the question of corroboration, traditionalists argue that when distinct and diverse rabbinic sources disclose the same historical information, they corroborate the historicity of the shared data. Once again traditionalists deploy the independent parallels method but this time to different effect. Whereas traditionalists view parallel versions of the *same* tradition as independent renderings of a common *source*, they view otherwise *dissimilar* rabbinic texts which convey some shared data as independent accounts of the same *event*. In other words, the independent parallels method considers close parallels as variations on a common source whereas it views the parallel contents of distinct and (purportedly) independent sources as corroborating evidence for an underlying event.

In short, three presumptions—the presumption of genuineness, the presumption of credibility, and the presumption that parallels are independent and reliable—define the traditional way of assessing the historical credibility of rabbinic literature. All three stances are crucial elements in the traditional historical method and all three are severely flawed.

Before surveying the underlying rationales for the traditional presumptions, let us review a few broad claims which traditionalists have deployed to undergird all three presumptions. Traditionalists maintain that the ancient rabbis were truth-tellers who would not have misrepresented their sources or their own experiences. Underscoring the rabbis' role as religious leaders, traditionalists

argue that rabbinic sages would have faithfully followed the biblical commandment to refrain from lying.[2] Even if some rabbis might have dissembled at times in their private lives, none would have dared dissimulate or fabricate when contributing to a sacred literature.[3] In addition, since the rabbis, like other ancients, were adept memorizers, traditionalists presume that they faithfully and accurately transmitted transcripts of their dicta and debates down through the generations.[4] The passage of time, it is argued, would not have eroded rabbinic traditions because these traditions were pristinely preserved in the minds and hearts of memory experts. In short, the traditional method maintains that the rabbis were honest sages who would not lie and memory experts who accurately transmitted their traditions.

THE PRESUMPTION OF GENUINENESS

Let us turn now to examine the traditional method's presumption of genuineness. The presumption of genuineness presumes that sources cited in rabbinic literature are genuine just so long as there is no local reason to doubt their authenticity. Discrepancies between parallel textual witnesses and explicit rabbinic concerns over the authenticity of a cited tradition or the identity of its author are just a few examples of local reasons to question the authenticity of a source or its attribution. However, barring any immediate cause for suspicion, if a source is attributed to a specific sage, the attribution is accepted as authentic; if a source is assigned to an earlier period (via technical introductory formulae), the dating is considered accurate; if talmudic discourse is presented in dialogue form, it is viewed as the protocol of an actual discussion that took place in a rabbinic academy.[5] Some traditionalists posit that attributed materials are verbatim quotations, i.e. the actual words enunciated by the named sages. Others acknowledge that rabbinic statements usually appear in standardized literary formats and so they claim that attributed materials preserve the ideas of the named sages if not necessarily their actual words.[6] In any event, the traditional historical method presumes that the ancient rabbis carefully preserved both the contents and attributions of their sources.

Beyond the pious honesty of the ancient rabbis and their highly trained memories, the traditional historical method has offered a few other reasons for presuming the genuineness of rabbinic sources. A number of passages in rabbinic literature encourage the careful preservation of both rabbinic teachings and their attributions such as the following statement from *Avot* 6, 6:

> (The possessor of Torah is one) who . . . notes with precision that which he has heard, and says a thing in the name of him who said it. Lo, thou hast learnt: Everyone that says a thing in the name of him who said it, brings deliverance into the world, as it is said: "And Esther told the king thereof in Mordecai's name" (*Esther* 2:22).[7]

In light of such exhortations to carefully preserve the teachings of the past, traditionalists conclude that rabbinic sages were especially exacting when transmitting legal traditions.[8] Furthermore, traditionalists maintain that it was also in the self-interest of each and every individual rabbi to accurately transmit the traditions he had received because if it were ever discovered that he had misrepresented or fabricated a tradition, his credibility would have been impugned.[9] In this manner, self-interest purportedly reinforced the rabbinic cultural ideals of noting "with precision that which he has heard" and saying "a thing in the name of him who said it."

The traditional historical method also offers one further argument in favor of the presumed authenticity of attributions: the apparently successful program of rabbinic chronology. On the basis of rabbinic literature, scholars have reconstructed a relative chronology of most rabbinic sages and have even identified which sages interacted with one another. Throughout rabbinic literature and across varied genres, the underlying chronological framework is largely consistent. For the most part, each and every rabbi only interacts with a handful of other rabbis, presumably a coterie of his contemporaries, and only relates to the teachings of certain rabbis, presumably his contemporaries and predecessors. The largely consistent chronology which emerges from rabbinic literature, the fact that rabbinic works rarely have rabbis conversing with apparent non-contemporaries or relating to the teachings of rabbis from later periods, suggests that rabbinic attributions are largely reliable. If attributions were mostly corrupted or invented, it is hard to imagine how such a coherent and consistent chronology could have possibly emerged. The notion that a single rabbinic editor consulted (or fabricated) a chronological timeline to ensure that the pseudepigraphic statements and conversations he invented were chronologically consistent, seems highly unlikely. The idea that all rabbinic editors did so, seems even more far-fetched. Consequently, traditionalists conclude that rabbinic attributions are largely reliable.[10]

Although traditionalists acknowledge that stories in rabbinic literature, or at least non-legal stories, were not transmitted with the same precision as rabbinic teachings and legal traditions,[11] they nonetheless maintain that rabbinic stories are also genuine sources or, at least, paraphrases of genuine sources. According to the traditional historical method, rabbinic stories ultimately stem from reliable eyewitness accounts. Even though the identity of the original authors of rabbinic stories are mostly unknown, traditionalists presume that, as honest religious figures, the rabbis would not have fabricated the stories and, as critical thinkers, they would have cited only reliable sources.[12] Although traditionalists acknowledge that rabbinic stories about biblical times are most likely fictitious inventions typical of midrashic creativity,[13] they presume that stories about Second Temple and rabbinic times are genuinely early sources or, at the very least, were based on authentic sources. Even if a story about an early Second Temple or rabbinic figure appears in a late composition, even if a gap of decades or centuries separates

the events depicted in a story from the redaction of the work in which the story is currently found, traditionalists usually do not doubt that the story, or at least its nucleus, stems from a genuine historical source.[14]

THE PRESUMPTION OF CREDIBILITY AND THE INDEPENDENT PARALLELS METHOD

Like the traditional historical method's presumption of genuineness, its presumption of credibility also rests on the claim that the rabbis honestly reported the events they observed and critically evaluated the eyewitness testimonies they inherited. According to traditionalists, "sage stories" (or dramatic rabbinic narratives[15]) relied on the accounts of eyewitnesses who were able and willing to report the events they experienced and, consequently, these stories warrant a presumption of credibility. According to this presumption, if there are no local grounds to doubt the events and details depicted in a sage story, they should be accepted as credible data. Hence so long as a story rings true, the traditional historical method presumes that its contents are credible.[16]

Although the traditional historical method underscores the rabbinic commitment to the careful and exact preservation of traditions, the method also acknowledges that sage stories are an exception to this rule. Since sage stories include exaggerated, legendary, implausible, contradictory, anachronistic, and impossible details, traditionalists recognize that rabbis felt free to embellish and embroider them. According to the traditional method, the historian's task is to distill a story's historical kernel by removing all the literary chaff and rhetorical ornamentation that were attached to the story over time. Despite the liberties rabbis took for themselves when transmitting and editing stories, traditionalists maintain that, in essence, rabbinic stories are genuine and reliable historical reports. With common sense criteria and close familiarity with the historical setting, traditional historians hope to identify and remove all the literary trimmings in order to isolate the pristine factual basis of a story, that is, the historical kernel or hard core.[17]

In recent decades some traditionalists have come to acknowledge that stories about Palestinian sages in the *Babylonian Talmud* are often torn from their original literary contexts and are heavily embellished. Nonetheless, they maintain that despite the *Babylonian Talmud*'s penchant for literary ornamentation, there is no reason to doubt that the plausible and, in particular, the political elements in Babylonian accounts are authentic historical kernels.[18]

If a story appears just once in rabbinic literature, the traditional historian's primary challenge is to recover the story's supposed historical kernel by peeling off the surrounding literary husk. However, if a story appears more than once, the traditionalist also contends with a second, equally important, challenge. Though parallel versions of the same story are sometimes identical or mostly identical, sometimes they differ on details and even contradict one another.

Since traditionalists hope to recover the historical kernels supposedly hidden in rabbinic stories, they examine a story's parallels in order to determine which elements spread across the parallels belong to the story's historical kernel. Viewing each parallel as an independent rendering of an authentic tradition in line with the independent parallels method, traditionalists integrate the parallels into a single account—harmonizing discrepancies, resolving conflicts and fusing together the plausible particulars selected from the different parallels. For the most part, traditionalists treat Josephan parallels to rabbinic texts in the very same manner,[19] conflating the parallels just as long as the similarities between them are so striking that it seems most likely that the rabbis were dependent on a "Josephus-like" tradition.[20]

The application of the independent parallels method in hopes of reconstructing an authentic and original tradition is reminiscent of a rabbinic hermeneutic principle for the interpretation of parallel portions in the Bible: "the words of Scripture are poor in their place, and rich in another place."[21] This hermeneutic principle calls for the amalgamation of biblical parallels, for the supplementation of a poorly detailed biblical portion with a richly detailed parallel. The justification for this principle is the assumption that parallel biblical portions reflect a single historical or legal reality. By the same token, the traditional historical method views parallel rabbinic texts as independent windows onto an authentic tradition. One parallel may divulge a little and another a lot, so the historian's task is to combine the parallels and reconcile inconsistencies in order to recover all the authentic material preserved in the sources.

Though some contemporary traditionalists still attempt to reconstruct early rabbinic traditions by integrating and harmonizing parallels, others shy away from this approach because of the now widespread recognition that later editors tended to embellish earlier parallels with all kinds of literary and rhetorical flourishes. Although it is possible that authentic materials were preserved only in late parallels, more and more traditionalists appreciate that this cannot be presupposed in advance. Due to the literary liberties often taken by later editors, these traditionalists recognize that materials only found in late parallels may well be literary decorations and not authentic particulars. As a result, these traditionalists limit their search for the historical kernel to the earliest or most reliable parallel, or to the common denominator shared by a full set of parallels.[22]

Since traditionalists focus first and foremost on the history of events, the traditional presumption of credibility is usually directed at rabbinic texts which purportedly narrate events, such as sage stories. Prescriptive texts, by contrast, are seldom enlisted in event-oriented histories. Since prescriptive texts, such as legal dicta and wisdom sayings, seek to influence or dictate behavior rather than describe events, the credibility of their contents is rarely at issue in traditional event-oriented histories.

Prescriptive texts, however, play a key role in other sorts of traditional histories, such as social, cultural, and intellectual histories. These histories

often imagine that rabbinic ideals and norms reflected widespread beliefs and practices. On the basis of the claim that the rabbis were the official leaders of the Jewish people and heirs of the popular Pharisees, traditional historians often maintain that rabbinic norms and ideals were shared by the Jewish people at large or, at the very least, by Jews in the land of Israel. In light of the supposed hegemony of the rabbis, traditional historians assume that rabbinic ideals and practices were normative rulings viewed as binding by most Jews.[23] For example, since rabbis interpreted the biblical passage—"You shall appoint magistrates and officials for your tribes, in all the settlements that the Lord your God is giving you, and they shall govern the people with justice"[24]—as a requirement to establish a local court in every Jewish town,[25] some traditionalists have concluded that every Jewish town in Roman Palestine must have had a court, or at least a council that adjudicated in lieu of a court.[26] In short, the traditional historical method treats prescriptive texts as descriptive and normative sources, as if rabbinic ideals and laws reflected standard Jewish aspirations and social norms.

Not all traditional uses of prescriptive texts, however, presume their normativity. One traditional technique draws out social or cultural data incidentally or unwittingly preserved in prescriptive (descriptive, and fictional) texts. For example, the material reality of daily life is often mentioned in passing within prescriptive texts and social structures are often presupposed. While the new historical method is otherwise highly critical of the traditional use of prescriptive texts as we shall see below, the careful extraction of unwitting evidence from prescriptive and even fictional texts is one feature of the traditional historical method which continues to remain a staple of historical analysis.

CORROBORATION AND THE INDEPENDENT PARALLELS METHOD

Corroboration is the third and final question historians traditionally pose when analyzing the reliability of a source and the credibility of its contents. Can we corroborate the credible information elicited from a reliable source with one or more independent and reliable sources? Although ancient historians are inclined to view credible data carefully extrapolated from reliable sources as facts, these facts are not indubitable certainties.[27] In the historian's quest to nail down the facts as firmly as possible, to confidently upgrade highly credible data into certain or near certain facts, independent corroboration is the key.

It bears reiterating that for corroboration to work, the corroborating sources must ultimately stem from separate and independent eyewitnesses. Corroborating sources bolster each other and the joint weight of their evidence, the improbability that two or more independent eyewitnesses erroneously made the same report, promotes their shared credible data into

near certain facts. Corroboration, in other words, is mutual and reciprocal, it is a two-way street, and each corroborating source endorses the historicity of the information shared by other independent and reliable sources.

However, if sources are not independent and ultimately do not stem from separate eyewitnesses, they cannot corroborate one another. When sources are located on the same literary trajectory, that is when sources originate from the same wellspring or when a later source is dependent on an earlier one, there is no mutual corroboration. Hence, parallel rabbinic texts which belong to the same literary trajectory cannot corroborate each other. Sometimes traditionalists maintain that parallel rabbinic texts do corroborate their shared core[28] but the fact that a story is repeated again and again in rabbinic literature does not enhance its credibility, it only attests to the story's popularity or cultural resonance. Similarly, parallels between rabbinic literature and Josephus's writings located on the same literary trajectory also do not corroborate one another. Such parallels might illuminate discrete moments in the history of a tradition and if one source, say Josephus's account, is deemed essentially reliable, it may help us identify credible elements in the rabbinic parallel.[29] This process of confirmation, however, is a one-way street which does not upgrade any credible data into near certain facts; it merely points out the particulars in rabbinic literature that were already deemed credible on the basis of Josephus.[30] Distinguishing bilateral corroboration from unilateral confirmation is important because traditionalists tend to highlight parallels between rabbinic literature and Josephus's writings, sometimes giving the impression that the parallels corroborate the historicity of the shared data. However, whenever parallel sources belong to a single literary trajectory, the underlying data remain uncorroborated.

In some cases, traditionalists have convincingly corroborated data elicited from rabbinic literature with independent and apparently reliable non-rabbinic evidence. For example, certain particulars concerning the Gate of Nicanor mentioned in tannaitic works, the earliest stratum of rabbinic literature, have been corroborated by an inscription found in Jerusalem. *Sifra* and *Sifre Numbers* mention in passing a gate in the Jerusalem temple called the Gate of Nicanor;[31] the *Mishnah* alludes to a miracle or miracles involving the Gate of Nicanor's doors;[32] and the *Tosefta* relates the following story about the miraculous journey of the Gate of Nicanor's doors from Alexandria to Palestine:

> They say: When Nicanor was bringing them (=the doors) from Alexandria, in Egypt, a gale rose in the sea and threatened to drown them. They took one of them and tossed it into the sea, and they wanted to throw in the other but Nicanor would not let them. He said to them: "If you throw in the second one, throw me in with it." He was distressed all the way to the wharf at Jaffa. Once they reached the wharf at Jaffa, the other door popped up from underneath the boat. And there are those who say one of the beasts of the sea swallowed it, and when Nicanor came to the wharf at Jaffa, it brought it up and tossed it unto land.[33]

Discounting the implausible and miraculous elements in the *Tosefta*'s story (as well as the literary echoes of the biblical book *Jonah*), a traditionalist might reconstruct the supposed historical kernel underlying the tannaitic sources as follows: One of the gates in the Jerusalem temple was called the Gate of Nicanor and it was so named in honor of a certain Nicanor who brought the gate's doors all the way from Alexandria.[34] In an uncanny parallel to this postulated historical kernel, the inscription on an ossuary found on Mount Scopus in 1902 refers to the "bones of the sons of Nicanor the Alexandrian who made the doors."[35] The "doors" in the inscription would not have referred to the doors of the ossuary's sepulcher, since no one would have bothered to memorialize such a trivial and unimpressive bequest. "The reference is evidently to some memorable deed which one loved to recall in honour of the family,"[36] and the donation of the Gate of Nicanor's doors is the obvious candidate. Since it is highly unlikely that the rabbinic tradition was inspired by the inscription or vice versa and since both the rabbis and the inscription link a certain Nicanor to remarkable doors and to Alexandria, we may surmise that the inscription's Nicanor of Alexandria dedicated doors to the temple and that the gate which housed his doors was named in his honor.[37] As an independent and reliable source, the inscription corroborates the particulars in the rabbinic tradition which it parallels, but only those particulars. Other details in the rabbinic traditions about the Gate of Nicanor, such as the miraculous sea journey (and the exact location of the gate), remain uncorroborated by the epigraphic evidence.

The corroboration of rabbinic materials with independent and reliable non-rabbinic sources remains a compelling feature of the traditional historical method, but such corroborations are scarce. Independent non-rabbinic sources that corroborate rabbinic materials are few and far between. Hence when it comes to corroboration, the traditional historical method corroborates rabbinic sources primarily with other rabbinic sources.

For traditionalists, the standard way to corroborate the particulars of a rabbinic text is to identify the same or similar particulars in another rabbinic text. As Shemuel Safrai puts it:

> Even where conspicuously legendary descriptions are used, it is possible to determine what constitutes the historical element in the narrative, and this can be confirmed by reference to other well grounded accounts appearing in the aggadic tradition or else in the Halakhah. Almost without exception, the deeds ascribed to the Sages have not been severed altogether from authentic traditions and historical fact. It is possible, in most instances, to verify the main element by reference to the Halakhah or else to dicta uttered by the very same person who has happened to become the hero of the story or to statements made by their own immediate circle of disciples.[38]

This traditional mode of corroboration presumes that distinct rabbinic texts with overlapping or shared materials are independent and, therefore,

if the similarities between them are too close to be coincidental, they reflect a common historical kernel. In this case, the independent parallels method is deployed to reconstruct the event which purportedly stands behind the similar but independent traditions. For example, since an assortment of rabbinic texts with different and even conflicting details share the very specific notion that Rabbi Akiva and his wife suffered in poverty during the period Rabbi Akiva studied to become a rabbinic sage, the traditional mode of corroboration views this common core as a corroborated fact.[39] In traditional eyes, the best explanation for the uncanny agreement between rabbinic sources regarding the poverty of Rabbi Akiva's family is the dependence of each source on a separate eyewitness testimony. In short, traditionalists view divergent rabbinic texts with overlapping information as independent sources capable of corroboration.

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The traditional historical method wields a few fundamental assumptions when assessing the authenticity of rabbinic citations, the credibility of rabbinic accounts, and the corroborating force of parallel traditions. The method presumes that, barring any local reasons for doubt, citations in rabbinic literature are genuine and rabbinic accounts, or at least their hard cores, are credible. Prescriptive texts are often considered descriptive since traditionalists view rabbinic sages as the official Jewish leaders of normative Judaism. In the case of parallel sources which belong to the same literary trajectory, the traditional method assumes that the parallels are independent formulations of an early tradition. Accordingly, it attempts to reconstruct the original tradition through the combination of supposedly genuine elements scattered across the parallels. In the case of otherwise divergent rabbinic traditions which share similarities too uncanny to be coincidental, the method assumes that the common elements stem from a single underlying event. Viewing distinct rabbinic sources as independent apertures onto the past, the traditional historical method employs them to corroborate the historicity of their common ground. These assumptions define the traditional analysis of rabbinic literature and set the stage for the extraction of countless supposed facts.

With their facts in hand, traditional historians proceed to synthesis, to historiography, to the embedding of facts in an overarching narrative. Classically, traditionalists imaginatively string together historical kernels culled from rabbinic sources, synthesizing them in biographies and histories.[40] Rabbinic sources usually do not relate to the events described in other rabbinic sources, so traditional historians often invent causal and chronological relations between the historical kernels elicited from distinct sources. Traditionalists naturally seek to enmesh their historical kernels within coherent timelines and plausible schemes but regardless of the possible merits (or lack thereof) of the emergent narrative tissue, traditional narratives ultimately rest on the historicity of their building blocks, on the historical

kernels extricated from rabbinic literature. Traditional historical narratives rely on historical kernels generated by the traditional historical method but these narratives have collapsed as a new and revised historical method has cast aside the traditional historical method's underlying assumptions.

NOTES

1. See Chapter 3 (n. 14).
2. See *Exodus* 23:7; *Babylonian Talmud Ketubot* 17a.
3. See, for example, Feldman (1999) 214.
4. See, for example, Feldman (1999) 215.
5. See, for example, Safrai (1994) 3–4, (1999) 146; Schremer (2003) 29. Cf. Green (1978) 86–87; Neusner (1979) 46, (1990a) 86; Kraemer (1989) 175; Levine (2001) 22; Friedman (2010) x–xi.
6. See, for example, Rubenstein (1999) 18–19; Moscovitz (2006) 672; cf. Jaffee (1999) 12–13.
7. See Albeck (1952–1959) vol. 4, 385 (translation by Israelstam (1988) *ad loc*.). See also *Babylonian Talmud Megillah* 15a.
8. See, for example, Bacher (1920) ix–x; Safrai (1999) 155–156, 158; Feldman (1999) 214; Shapira (2001) 373 n. 5.
9. See Feldman (1999) 214–215.
10. See, for example, Safrai (1999) 156–157; Kalmin (1999) 190; Gafni (2001) 219.
11. Cf. Noam (2012–2013) 382.
12. See, for example, Feldman (1999) 229.
13. On the rabbinic view(s) of stories which expand upon the biblical narrative, see Milikowsky (2005).
14. See, for example, Herr (1971) 125–128; Safrai (1999) 147. Cf. Cohen (1999) 924–925; Gafni (2001) 220; Newman (2006) 105.
15. See Rubenstein (1999) 10 (302–303 n. 35).
16. See, for example, Feldman (1999) 229. Cf. Neusner (1990a) 91, (1999) 134–135.
17. See, for example, Safrai (1971) 210; Herr (1971) 127–128; Efron (1987) 143–144; Safrai (1994) 3–4, (1999) 147. Cf. Green (1978) 86–87; Neusner (1979) 46; Cohen (1999) 925; Rubenstein (1999) 3; Levine (2001) 22; Tropper (2011) 12–13; Simon-Shoshan (2012) 5.
18. See Safrai (1971); Efron (1987) 143–147; Safrai (1999) 147–150; Oppenheimer (2007) 14–15; Ben Shalom (2008) 506. For earlier assessments of the historical value of the Babylonian Talmud, see Gafni (1999).
19. See the examples discussed by Noam (2012–2013) 374–375. In reference to parallels between rabbinic literature and the Dead Sea Scrolls, see Fraade (2011) 118–124.
20. Richard Kalmin's phrase "Josephus-like traditions" is meant to make room for the possibility that the same or a similar tradition devolved to Josephus and the rabbis. (See Kalmin (2005) 218 n. 41, 235–236.) The rabbis and Josephus could have used the same or a similar source or, alternatively, Josephus's writings themselves could have engendered traditions which were eventually integrated into rabbinic discourse. See also Schwartz (2008) 69–84.
21. See *Palestinian Talmud Rosh Hashanah* 3, 5 58d. The translation is that of Goldman (1988) *ad loc*.
22. The different traditional approaches to parallel rabbinic traditions are well illustrated in the following studies: Graetz (1956) 322–324; Alon (1977) 296–313; Schalit (1974) 429–432. Cf. Neusner (1984) 11; Levinson (2006b) 202; Tropper (2011) 13.

23. See, for example, Lieberman (1962) xi; Schürer *et al*. (1973–1987) vol. 1, 524–525; Alon (1977) 381–386; Levine (1985) 139 (cf. 132); Urbach (1999) 437; Herr (2009) 219–229, (2010) 30–48; Safrai and Safrai (2009) 194.
24. *Deuteronomy* 16:18.
25. See, for example, *Sifre Deuteronomy* 144 (pp. 197–198).
26. See, for example, Alon (1977) 382; Safrai (1995) 76–88.
27. See the end of Chapter 3 (p. 59).
28. See, for example, Lieberman (1955–1988) vol. 8, 990, 992; Schalit (1974) 429.
29. See Feldman (1999) 217–229; Stemberger (1999) 182–183; Cohen (2010b) 155–156; Tropper (2011) 18–19; Noam (2012–2013) 372–373.
30. See Moore (2006) 56 in reference to a similar phenomenon in biblical scholarship.
31. See, for example, *Sifra* 3, 2, 6 (p. 71b), 3, 3, 4 (72a); *Sifre Numbers* 9 (p. 35).
32. See *Mishnah Yoma* 3, 10; *Mishnah Middot* 2, 3. See also Hauptman (2005) 148–150.
33. See *Tosefta Kippurim* 2, 4 (translation by Neusner (1981) *ad loc*.). See also *Palestinian Talmud Yoma* 3, 8 41a; *Babylonian Talmud Yoma* 38a.
34. See, for example, Newman (2006) 131–132.
35. On the preferred translation of the inscription, see Schwartz (1991) 248 n. 15.
36. Clermont-Ganneau (1903) 129.
37. See Clermont-Ganneau (1903) 130; Dickson (1903) 331; Macalister (1905); Sukenik (1942) 134–137; Ilan (2002b) 297; Noam's *Megillat Ta'anit* (2003) 299 n. 18; Newman (2006) 131–132; cf. Schwartz (1991) 280.
38. Safrai (1971) 210.
39. See, for example, Boyarin (1993) 138 n. 9; Ilan (2002a) 39.
40. For discussion of this traditional practice, see Neusner (1979) 45–46, (1990a) 73–75; Cohen (1999) 924–925; Gafni (2001) 216; Fox (2002) 106–107; Levine (2009b) 41–47.

7 The collapse of the traditional presumptions about rabbinic literature

The credibility assessment of any source begins with the suspension of judgment. Since a source may be unreliable or inaccurate in part or in whole, historians never presume in advance of investigation that a source is trustworthy and its details credible. Instead, we assess the credibility of a source's particulars by examining the reliability of the source and its underlying sources, all the way back to the ultimate first-hand testimony. In other words, suspension of judgment is our default position when evaluating a source's credibility.[1] If we have not identified the original author and subsequent revisers of an account, we may fail to discount their biases, interests, and frames of reference. If we have not established the reliability of a source and its underpinning sources, we do not know if they are reliable. If we have not shown that a source ultimately stems from an eyewitness account, we may not presume that it does.

The traditional historical method, as discussed in the previous chapter, hopes to sidestep the historian's default position vis-à-vis credibility and overcome the need to suspend judgment. With a handful of sweeping arguments, the traditional method tries to circumvent this default position and replace it with a presumption of genuineness, a presumption of credibility, and the presumption that parallels in rabbinic literature are independent renditions of a common source. Rather than examining the reliability of specific rabbinic texts and their underlying sources, traditionalists argue that rabbinic sources *in toto* are largely reliable and therefore the primary job of the historian is to mine for credible particulars by stripping away implausible, discordant, anachronistic, fantastic, and impossible details.

About half a century ago, however, scholars started to realize that the arguments supporting the traditional method's faith in the essential reliability of rabbinic literature are not sound. The rejection of these sweeping arguments undercut the traditional method's central presumptions and entailed a return to the suspension of judgment. The realization that traditional confidence in the basic reliability of rabbinic literature is unfounded and the consequent reinstatement of suspension of judgment as our default position constitute a watershed in modern scholarship. In retrospect, it is evident that these entangled developments comprise the first stage in the evolution of the new historical method's approach to credibility.

This first stage, the restoration of suspension of judgment as the historian's default position, quickly paved the way for further developments. Although these developments unfolded in fits and starts and overlap with one another, I will portray them as four distinct stages in order to organize and make sense of the messy reality.[2] The second stage investigated the nature and duration of the transmission of rabbinic sources; the third explored the literary and rhetorical dimensions of rabbinic literature; the fourth undermined the traditional approach to corroboration and the fifth redirected the focus of historical inquiry. Together, these five stages spelled out the major failings of the traditional approach to the credibility of rabbinic literature and mapped out an alternative approach, the new historical method.

UNDERMINING THE TRADITIONAL FAITH IN THE ESSENTIAL RELIABILITY OF RABBINIC LITERATURE

At the heart of the traditional arguments in favor of the essential reliability of rabbinic literature stand the following claims: the rabbis were truthful, at least when composing their sacred works, and they critically assessed the historical reliability of their sources. As pious religious luminaries, the rabbis honestly reported the events they observed and, armed with sophisticated intellects, they critically evaluated the eyewitness testimonies they had inherited from previous generations. The rabbis, in other words, were willing and able to faithfully record past events. According to this traditional conception of the rabbinic attitude to history, rabbinic sages were not so different from modern historians: they were committed to recounting the past to the best of their ability and, towards that end, they carefully tested the authenticity and credibility of their sources.

The central flaw in this view of the rabbinic attitude towards history is that it misconstrues the goals of rabbinic literature and the nature of the rabbinic enterprise. Ancient rabbis assumed multiple roles in Jewish life but not that of historians.[3] Rabbis were educators and preachers, jurists and arbitrators, mystics and scholars, authors and intellectuals, functionaries and dignitaries, but none of their varied roles suggests that the ancient rabbis were collectively committed to our modern notions of historical fidelity and accuracy. If a rabbinic source did not intend to offer a faithful reconstruction of the past, the (presumed) honesty of its author is beside the point.

In addition, few rabbinic texts reveal anything approaching critical historical inquiry and the rabbis' reasoning skills, however sophisticated, were not engaged in the careful reconstruction of past events. For all their interest in history, even ancient historians like Josephus did not share our modern penchant for historical accuracy[4] and the rabbis were even less concerned with the historical record than ancient historians. Since the rabbis were not historians, there is no reason to presume that the cores of rabbinic sage stories are the credible components of authentic first-hand accounts.

Traditionalists raise a few further arguments in support of their presumptions of genuineness and credibility, but all fall short of the mark. A number of passages in rabbinic literature encourage the careful preservation of both rabbinic teachings and their attributions but this ideal, expressed in a handful of *prescriptive* texts, merely expresses a rabbinic aspiration. It does not imply that the rabbis preserved the pristine original formulation of any *specific* rabbinic tradition.[5]

The claim that rabbinic self-interest would have deterred misrepresentation and fabrication postulates that discovery of such malfeasance would have impugned a rabbi's credibility, but this argument is unfounded. A misrepresentation or fabrication might have been passed off as an unintended error and there is little evidence that the propagation of a compromised tradition ever tarnished any rabbi's reputation.

Many rabbis assuredly were expert memorizers but, contrary to the traditional presumption, a cultivated memory faculty does not safeguard the integrity of any *specific* rabbinic tradition. Even experts err and the opportunities for error only multiply as the duration of the transmission extends to decades and centuries. More importantly, why posit that rabbinic oral traditions were always treated as fixed literary entities never to be modified? Perhaps the actual process of oral transmission was often more fluid and active than traditionally imagined.

The traditional claim that the (largely) consistent timeline which emerges from rabbinic literature is most likely not fictitious compellingly dispels the possibility that rabbinic literature is primarily pseudepigraphic, but it has no bearing on the authenticity or credibility of any *specific* rabbinic tradition. Ahead of all analysis, we simply cannot rule out the possibility that a particular statement, conversation, debate, or story was not modified during the course of its transmission or was not modeled upon other, chronologically accurate, materials.

The traditional harmonization and fusing together of parallel rabbinic sources is not only a highly subjective and arbitrary process but also presumes, without warrant, that close parallels are independent renditions of a common tradition. Since late sources might have relied on earlier parallels and not on independent testimonies, one cannot presuppose that elements only attested in late sources are authentic segments of the original tradition and not later embellishments.

In short, the sweeping and impressionistic arguments designed to establish the traditional presumptions are sorely insufficient. A major deficiency of all these arguments is that they assume what needs to be shown or, as Jacob Neusner put it time and again, "what we cannot show, we do not know."[6] This realization, the notion that we may not simply presume that a citation is genuine, a datum credible, and a parallel independent, encapsulates the gist of the first stage in the evolution of the new historical method. This stage identified fault-lines in the traditional approach to credibility by pointing out the plausibility of alternative scenarios that conflict with traditional assumptions. Subsequent stages

intensified the case against the traditional method by upgrading these alternative scenarios from plausible to highly likely (or even near certain) by means of exacting empirical analyses.

TRANSMISSION AS TRANSFORMATION

A fundamental claim undergirding the traditional method's presumption of genuineness is that the rabbis carefully preserved their traditions, transmitting dicta and stories, or at least their historical kernels, with the utmost care. On the basis of this claim, traditionalists presume that late rabbinic works accurately recount early traditions just so long as there are no local grounds for doubt. Even if a gulf of decades or centuries (and thousands of miles) stands between a purported event and the work in which it is reported, traditionalists regularly postulate the authenticity and essential credibility of the event described.

By the same token, the traditional historical method, in its classical form, presumes that early and late parallels are equally reliable. The presumption that parallel rabbinic sources are independent recitations of an authentic common tradition is warranted, according to traditionalists, because the rabbis were expert memorizers. In line with this presumption, traditionalists treat late parallels no differently than early ones, eliciting supposedly credible information from both early and late parallels in the same manner.

The second stage in the evolution of the new approach to credibility, however, weakened the traditional method's presumption of genuineness and constrained its independent parallels method by dismantling the notion that the rabbis, as a rule, meticulously preserved their traditions. Through close comparisons of early and late rabbinic materials, this stage revealed that rabbinic traditions evolved over time; it showed that the oral transmission of rabbinic materials was potentially fluid and free. Although some rabbinic parallels are identical, others evince minor discrepancies and yet others differ fundamentally. As scholars carefully considered the sorts of differences found between parallels they discovered that many are not the random fluctuations one would expect from independent accounts (or performances) of a shared tradition, but rather belong to a set of well-known literary and stylistic categories that are viewed across the humanities as developmental and editorial changes. Painstaking analysis of the repertoire of differences found between rabbinic parallels demonstrated time after time that the differences are largely developmental and editorial in nature. As a result, scholars realized that the edited parallels method often models rabbinic parallels far better than the independent parallels method.[7]

In addition, numerous comparisons revealed that later compositions often reworked materials paralleled in earlier ones, elaborating, reinterpreting, recasting, and embedding in new contexts. As rabbinic literary materials were passed down from generation to generation, edited (sometimes on

multiple occasions) and redacted in overarching compositions, they were inevitably subject to revisions and modifications. The longer the process of oral transmission, the greater the opportunities for change. Unveiling a process far more transformative and invasive than traditionalists had ever imagined, scholars belied the claim that the rabbis, as a rule, preserved their traditions in pristine condition and thereby challenged the traditional presumption of genuineness.[8] In the wake of the recognition that materials which only appear in late compositions are apt to be late, the new historical method refuses to presume that supposedly early materials in late rabbinic works are genuine. Genuineness needs to be shown, not presupposed.[9]

In order to account for the existence of parallel texts, the independent parallels method postulates that parallels independently emerge from a hypothetical common tradition. When differences between parallels are of a developmental or editorial nature, however, the edited parallels method rejects the need for a hypothetical source and argues instead for direct dependency between the parallels. In such cases, the edited parallels method maintains that one parallel was modeled upon another (or upon an ancient version quite like it). This method is reminiscent of the rabbinic principle: "the judge is to be concerned only with what he actually sees with his own eyes."[10] Just as a rabbinic judge is supposed to focus on the evidence before him, the edited parallels method adopts an empirical approach to rabbinic literature, postulating the existence of hypothetical entities only as a last resort. As Austin M. Farrer argued in a similar Christian context:

> For if we find two documents containing much common material, some of it verbally identical, and if those two documents derive from the same literary region, our first supposition is not that both draw upon a lost document for which there is no independent evidence, but that one draws upon the other. It is only when the latter supposition has proved untenable that we have recourse to the postulation of a hypothetical source.[11]

Of course one cannot prove with certainty that one parallel drew upon another, since it is always imaginable that each parallel drew upon a hypothetical source or an unattested web of materials. Similarly even when two parallels clearly belong to the same literary trajectory, it is also imaginable that the later parallel was modeled on a hypothetical and no longer extant intermediary parallel which, in turn, was dependent on the early parallel. However, even though we usually cannot rule out all these hypothetical possibilities, they are beside the point. Historians are not pursuing absolute certainty but the most compelling explanation for the *extant* remnants of the past. Hence, whenever the edited parallels method offers the best available explanation for the nature of the differences between parallel texts, it should be adopted because of its superior explanatory power. Furthermore, simple parsimonious explanations are generally to be preferred over explanations which multiply unattested entities.[12] Consequently, the mere potential existence of a hypothetical and

unattested common source is no argument in the face of the edited parallels method's empirical orientation and explanatory power.

GENRE

The thrust of the second stage in the evolution of the new historical method is that, contrary to the traditional conception, transmitters of rabbinic traditions and editors of rabbinic literature regularly revised their sources with a heavy editorial hand. By comparing parallel texts in early and late compositions, the second stage revealed that rabbinic traditions often changed and developed over time. However, since these empirical studies investigated processes that occurred between early and late parallels, the second stage was hesitant to also apply these insights to traditions preserved in early or near contemporary rabbinic works.

By contrast, the third stage set forth a wide-ranging critique of the traditional historical method which crippled the traditional approach to all rabbinic compositions regardless of their proximity to the events or dicta related. The third stage's central theme is that the traditional historical method overlooks (or dismisses all too easily) the full ramifications of literary genre for historical analysis. In investigating whether the author of an ancient source was able and willing to faithfully record events, the traditional historical method neglects to consider the source's genre. Postulating that the rabbis were committed to recounting the past as faithfully and exactly as possible, traditionalists ascribe to the ancient rabbis modern notions of historical fidelity and accuracy. They do not consider whether the rules of the various genres within rabbinic literature align with a commitment to historical fidelity and accuracy as we understand these terms. Traditionalists do not realize "that the nature and genre of a text predetermines the kind of information that can be legitimately extracted from it, and how one should set about doing so."[13] On the basis of systematic empirical studies, however, the third stage revealed that the rules of the assorted rabbinic literary genres do not distinguish between fact and fiction. In this manner, the third stage quashed the traditional method's presumptions of genuineness and credibility.

Rabbinic literature is teeming with statements attributed to named individuals and, traditionally, these attributions are presumed to be trustworthy absent any immediate causes to think otherwise. According to the traditional historical method, most attributions reliably flag their statements as the precise words of a specific rabbi or, at least, as a close paraphrase of his words.

In the late twentieth century, however, systematic studies of attributions revealed that rabbinic attitudes towards attributions were far more flexible than traditionally imagined. Although traditionalists viewed the attributed sage as the author of an attributed statement, attributions were also employed when the attributed sage was a tradent rather than the author.[14] In addition, the ancient rabbis themselves were aware of some pseudepigraphic

(or fictitious) attributions and critical talmudic study has revealed many more.[15] While the full scope of rabbinic pseudepigraphy is still unknown, the documented cases alone already suggest that the rabbinic commitment to say "a thing in the name of him who said it" apparently allowed for fictitious attributions. Perhaps, as Louis Jacobs argues, the rabbis were concerned with plagiarism or intellectual theft but had "no objection at all to attributing sayings to teachers who were not, in fact, responsible for them!"[16] Moreover, the rabbinic conception of authorship permitted attributions in cases when the attributed legal stance was never explicitly taken by the attributed sage but was inferred from his behavior or from other teachings ascribed to him.[17] In a related vein, attributed statements were sometimes unmoored from their original settings and transferred to entirely new ones.[18] In short, the systematic analysis of attributions revealed that the rabbinic conception of authorship was far more malleable than our own and since rabbinic attributions do not necessarily identify authors, the traditional presumption that rabbinic attributions are genuine is unwarranted. What is more, not only is there no good reason to presume that any specific attribution is genuine, there do not even seem to be any objective criteria with which we might identify a reliable attribution.[19] The reliability of rabbinic attributions, accordingly, is apparently unknowable.[20]

Extending the third stage's critique of rabbinic attributions in a literary direction, systematic studies revealed that rabbinic statements are not fragments of natural speech and that the *sugya*, the talmudic discussion, is not a transcript of the give and take in disciple circles or academies.[21] Rather, rabbinic statements and talmudic discussions are intricately designed literary constructions. Rabbinic statements are concise and stylized, often packaged in standard forms with common phrases and stereotypical formulations. These homogenizing literary forms fail to capture interpersonal settings, tones of voice, body language, and facial cues. They tend to erase unique expressions and distinctive character or intellectual traits, and the original meanings of statements are regularly lost when editors straitjacket earlier materials into their own literary structures. In fact, it is quite possible that rabbinic dicta were often formulated (and revised) by disciples, tradents, or editors and not by the attributed rabbis themselves. Likewise, talmudic *sugyot* are not transcripts of actual discussions but crafted rhetorical schemes with regular patterns and literary structures.[22] The upshot of all these revelations is that the pervasive literary dimension of rabbinic legal discourse obscures the underlying historical reality, hiding the original contents of rabbinic statements and the give and take of any actual discussions behind an opaque and impenetrable literary screen. Although it is possible that a rabbinic statement might have faithfully captured the intention of an original author, *we* have no way of detecting the measure of agreement between the author's intention and the extant literary formulation.[23]

Although traditional historians study rabbinic legal discourse as well, the mainstay of traditional historical narratives of the rabbinic period has

always been the sage story. More than any other rabbinic genre, sage stories supply the raw materials from which traditionalists mine facts. While the second stage in the evolution of the new historical method demonstrated that late sage stories, like other late rabbinic traditions, are often unreliable, the third stage thoroughly undermined the presumption of credibility traditionally bestowed upon sage stories, late and early.

According to the traditional historical method, rabbinic sage stories are thinly veiled historical accounts which ultimately stem from eyewitness testimonies. Hence, the traditional historian's task is to peel away a sage story's literary trappings in order to recover its pristine historical core, to shuck the supernatural, fantastic, impossible, and implausible husk and restore the historical kernel.

In the final decades of the twentieth century, however, a new literary approach to rabbinic literature, with Jonah Fraenkel at its helm, demonstrated that traditionalists had made a categorical error, an error in genre, when they classified sage stories as ornamented historical accounts. Close readings of numerous sage stories laid bare their sophisticated narrative art, revealing that they were not embroidered historical reports but didactic fiction.[24] The close readings unveiled the stories' careful wording and poignant imagery, character development and dramatic tension, balanced structures and spiritual causal scheme. They also uncovered rhetorical strategies in the service of ethical, theological, ideological, and polemical goals as well as varied literary techniques, such as keywords, symbolic names, typology, paronomasia, and the use of biblical verses. The pervasive and deep literary qualities of sage stories are quite unlike the methods of even ancient historians[25] and the pointed focus of individual sage stories on single, circumscribed events, with stories only rarely relating to one another, decouples the stories from any overarching flow of events. In short, rabbinic sage stories do not map onto the chaotic stream of the real world,[26] where the main driving forces are often not spiritual but material, i.e. political, social, and economic. Amongst other literary and rhetorical goals, sage stories were designed to model behavior, develop character, create group identity, establish foundation myths,[27] bolster rabbinic authority, and spread rabbinic ideology. They were not intended, however, to record history.[28]

This newfound recognition for the literary orientation of sage stories buried the traditional historical method's presumption of credibility vis-à-vis sage stories when it refuted the notion that sage stories are embroidered historical reports. Since the authors of sage stories were free to invent events, plotlines, details, and characters as they saw fit, there is no reason to presume that their stories ultimately stem from eyewitness testimonies, let alone from *reliable* eyewitness testimonies. Moreover, since sage stories are didactic fiction, there are no objective or rational criteria for identifying their credible components absent an external independent control. Although the rabbis did incorporate credible events and details into sage stories, we lack a rational method, a compelling set of arguments, for distinguishing fact from fiction in sage stories

since we cannot ascertain the limits of *rabbinic* creativity. Plausibility and realism are no guides to credibility because fictional stories are often plausible and realistic. Plausibility, in other words, is a necessary but insufficient condition for the historicity of an account.[29] The political focus of a story is no sign of credibility because the rabbis could have easily invented or reworked political stories. A fictional story may fit neatly into a historical setting no less than a reliable historical account, so a sage story's suitability to a historical context is also no measure of credibility. Archaic words might possibly preserve the formulation of a pre-rabbinic source but they could just as easily have been intentional archaisms. Once one recognizes that sage stories are literature and not history it becomes apparent that, without independent evidence, there is no way to identify their credible elements.[30]

Unlike rabbinic sage stories, other stories in rabbinic literature are relatively brief and less sophisticated. For example, case stories of legal precedents are often terse reports without ideological overtones. In light of their apparent lack of ideology and tendentiousness, some scholars have granted a presumption of credibility to case stories, or at least to their hard cores, so long as they are found in near contemporary compositions.[31] However, since even case stories are packaged in stylistic language and formal patterns and since even they underwent a process of oral transmission and editing, they must not be taken at face value nor granted a presumption of credibility. Any specific case story might be wholly or partially fictitious and hence cannot attest to the credibility of its particulars. However, since case stories only served a legal function if they were believable, ancient rabbis apparently considered them in tune with the social reality they refracted.[32]

In sum, the third stage established that the understanding of authorship expressed via the rabbinic attribution practice differs significantly from our modern understanding of authorship. It demonstrated that statements in rabbinic literature are not snippets or echoes of natural speech but rather literary formulations whose distance from the underlying reality which prompted them is unknowable. Similarly, the third stage revealed that talmudic dialogues are not transcripts of actual discussions but extended rhetorical expositions. Most significantly, perhaps, the third stage showed that rabbinic stories are not ornamented historical reports but full-fledged literary inventions, inventions in which the classical criteria of historicity, such as plausibility, realism, and political focus, are woefully insufficient. Hence, just as traditionalists miscalculated the rhetorical dimension of Josephus's writings, they grossly underestimated the literary and rhetorical dimensions of rabbinic literature.[33] Biographies and histories of events cannot get off the ground when most of our texts are not reliable historical sources.

With the collapse of the traditional historical method's presumptions of genuineness and credibility, the traditional treatment of prescriptive texts as descriptive accounts floundered as well.[34] Viewing rabbis as the uncontested leaders of the Jewish people duly recognized by Rome and heirs of the popular Pharisees, traditionalists often imagine that rabbinic ideals and norms

reflected widespread beliefs and practices.[35] However, the central role of the rabbinic movement in Jewish society, the simple identification of the rabbis with the Pharisees and the evidence for Roman recognition of rabbinic hegemony all stem from rabbinic sources no longer considered reliable.[36] In fact, many historians today agree that the rabbis were not the official leaders of the Jewish people during the first few centuries of the Common Era, although the extent of rabbinic popularity is still hotly debated. Some maintain that the rabbis were a marginal group with little sway in Jewish life, while others argue that the rabbis were highly popular, albeit unofficial, religious leaders.[37] In truth, we have no means of measuring how most ancient Jews viewed the rabbis and I suspect that their popularity was primarily dependent on local factors and fluctuated from place to place. In any event, there is no longer any good reason to think that the early rabbis were the official leaders of the Jewish people and therefore prescriptive ideals and norms found in rabbinic literature should not be equated with standard Jewish beliefs and practice. For example, the rabbis called to establish a local court in every Jewish town but that does not mean that most Jews of Roman Palestine actually did so.[38] We simply do not know the range and potency of rabbinic influence.

THE LITERARY FORMATION OF RABBINIC TRADITIONS

In the wake of the devastating critique of the traditional historical method's presumptions of genuineness and credibility, the fourth stage critiqued the traditional approach to corroboration. Corroborating a rabbinic tradition with the help of independent and external sources is viable but rare since independent non-rabbinic sources hardly relate to the contents of rabbinic traditions. As a result, the traditional method for corroborating rabbinic traditions relies primarily on other rabbinic traditions. Presuming that distinct rabbinic texts with some overlapping materials preserve independent testimonies of the same event, traditionalists employ the independent parallels method to corroborate the underlying event. Hence, since a variety of distinct and even conflicting rabbinic texts agree that Rabbi Akiva and his wife suffered in poverty while Rabbi Akiva pursued his rabbinic studies,[39] traditionalists accept this common core as a corroborated fact.

However, once scholars realized that rabbinic traditions grew over time and once they internalized the inherent literary nature of rabbinic literature, they understood that the common core of a few rabbinic texts might easily be a "literary kernel"[40] rather than a historical one. Since rabbis invented and reinvented their traditions, the materials which inspired this creative literary process were not necessarily tidbits of accurate historical information. A number of texts might share certain elements not because they are independent echoes of an authentic eyewitness testimony, but because earlier texts influenced later ones or because they all stem from the same *literary* tradition. Once attuned to this new way of thinking, scholars discovered a more compelling

approach to the striking resemblances between otherwise distinct rabbinic traditions, an approach which extended the central insight of the edited parallels method. Owing to the extensive literary freedom enjoyed by rabbinic authors and editors, unexpected and uncanny similarities between non-parallel texts are best understood as the products of literary dependence. Just as closely paralleled sources are often best viewed as edited, not independent, parallels, prodigious similarities between non-parallel texts are also often best viewed as the fruits of literary dependence, not as the parallel testimonies of independent and corroborating historical sources. When composing a new text, rabbinic authors drew all sorts of inspiration from other texts, borrowing, for example, names, phrases, plotlines, literary structures, webs of motifs, and philosophical stances. Consequently, texts often share similarities because one relied on the other and not because each independently reaches back to a common source.

In line with this new approach, Shamma Friedman makes a very strong case against the supposed poverty Rabbi Akiva and his wife suffered while Rabbi Akiva acquired his Torah education. First, Friedman points out that there is no whiff of Rabbi Akiva's poverty in near contemporary tannaitic works and only amoraic works, edited hundreds of years after Rabbi Akiva's lifetime, refer to his poverty. Moreover, Friedman locates a tannaitic text about Rabbi Akiva's son and daughter-in-law which is uncanny in its similarities to the common core of the late amoraic sources.[41] Like Rabbi Akiva and his wife in amoraic tradition, Rabbi Akiva's son and daughter-in-law suffered in poverty while the son learned Torah in the tannaitic tradition. Friedman compellingly suggests that the literary motifs linked to the son and daughter-in-law during the tannaitic period were transferred to Rabbi Akiva and his wife during the amoraic period. Rabbi Akiva was the most famous rabbi of tannaitic times and once we appreciate the malleability of rabbinic traditions, it is really not surprising that literary motifs originally linked to Rabbi Akiva's son were eventually transferred to Rabbi Akiva in legends designed to celebrate the renowned sage's total commitment to the study of Torah.[42] As Friedman's analysis of the literary trajectory from son to father illustrates, the critique of traditional corroboration gave birth to a whole new dimension of historical research: the study of the literary formation of rabbinic traditions.[43]

RELINQUISHING EVENT-ORIENTED HISTORY FOR CONTEXTUAL STUDIES

Taking stock, the critique of the traditional historical method outlined above re-established the suspension of judgment as our default position in the historical analysis of rabbinic sources. However, it also did so much more. Not only did the critique refute the presumption of genuineness in reference to attributions, it showed why the authenticity of attributions is unknowable. Not only did the critique undercut the presumption of credibility, it revealed that we usually have no objective criteria to assess the

reliability of a rabbinic source or the credibility of its contents. Not only did the critique rebut the notion that rabbinic sources about the same event can corroborate one another, it paved the way for an entirely new approach to the study of the formation of rabbinic traditions.

In the wake of the critique of the traditional historical method, the mainstream account of the period and traditional histories of all stripes collapsed. The traditional historical method relied on the key assumption that rabbinic traditions are essentially reliable historical sources and absent this assumption, traditional histories—biographies,[44] political histories, social histories, and intellectual histories—had the rug pulled out from under them. At heart, most traditional histories are histories of events and event-oriented history cannot be written as long as the events depicted in our sources might be partially or wholly fictitious and we lack the means to distinguish fact from fiction.

In order to avoid the pitfalls of the traditional historical method, the new method turned away from event-oriented history in favor of other sorts of histories, histories which do not presume that rabbinic citations are genuine or that rabbinic traditions are credible. In the fifth stage of its evolution, the new method shifted the gears of historical inquiry, focusing on the literary qualities of rabbinic texts rather than on their hypothetical historical kernels, on storytellers rather than on characters in stories, on trends rather than on onetime occurrences, on cultural contexts rather than on historical events. Since rabbinic citations may not be accurate and rabbinic stories may be fictitious, the new method does not take rabbinic sources at face value. Instead, the new method views rabbinic sources as texts, as literary and cultural artifacts which emerged in specific historical, social, and cultural contexts.

As literary artifacts, rabbinic sources offer direct and excellent testimony for the "emotions, ideals, interests, sensations, impressions, private opinions, attitudes, drives, and motives"[45] of their authors and editors. Sensitive to the literary dimension of rabbinic sources, the new historical method carefully examines the literary and rhetorical qualities of each source in order to reconstruct its explicit goals and decipher its underlying assumptions and driving ideologies.[46] As first-hand accounts of the ideas, opinions, emotions, and self-interest of their authors or editors, rabbinic sources need no independent corroboration since it is self-evident that a source faithfully represents itself or, as the rabbinic legal principle puts it, "the admission of a litigant is equivalent to a hundred witnesses."[47]

As cultural artifacts, each and every rabbinic text was composed within a particular linguistic, social, and cultural environment. Recognizing that texts emerge enmeshed in societies and cultures, the new historical method seeks to reveal the links between the texts and their ambient communities, situating explicit statements and implicit assumptions in both the immediate local context and the broader historical setting. When authors and editors express their perceptions of their surroundings and make assumptions about their society, they inevitably refract the encircling social and cultural setting.[48]

Texts, however, are not transparent and the transition from text to an ambient social or cultural context is not always straightforward. Historians accordingly deploy a wide range of strategies designed to plausibly cull from rabbinic sources information about ancient Jewish society. For example, if rabbinic sources impute to Jews of Roman Palestine social practices widely practiced in the Roman world, it is highly likely that these practices were also found amongst the Jews.[49] If an institution is mentioned in passing and it serves no rhetorical function, it most probably existed. If a pattern or social structure emerges from numerous independent sources, it is most likely that the pattern or social structure refracts some aspect of the ancient reality.[50] Although rabbinic texts do not necessarily recount events which actually took place, even fiction is usually framed within contemporary norms, institutions and practices.

When contextualizing a rabbinic passage, sometimes the relevant context persisted for centuries and so long as the passage is cited in a work from the appropriate period, there is no need to pinpoint the date of the passage any further. At other times, historians hope to produce a more fine-grained view of the past, which focuses on a shorter span of time, and this requires dating rabbinic passages, even if only roughly. However, since attributions and citations are no longer presumed genuine, dating a rabbinic passage is no easy matter.

Some scholars sidestep this issue by limiting their inquiry to the late or final editors of a work. These scholars argue that even if rabbinic editors enlisted many earlier sources, they edited, arranged, reinterpreted, and re-contextualized these materials in order to create a singular whole which reflects their own literary program.[51] The merit of this approach is that it attunes us to themes which only come across in relatively large chunks of texts, such as talmudic discussions, story collections, and chapters, and not in single passages. Since late editors were responsible for the themes sustained over large textual segments, the investigation of these themes is also an exploration of their theological and ideological programs.

This approach, however, should be moderated by the realization that rabbinic editors did not exercise complete control over their materials. Rabbinic editors did not revise all their sources to match their own agendas and they did not omit everything with which they did not agree. Hence the overarching themes we discern in large mosaics of text should not blind us to the heterogeneous source materials which make up these literary mosaics.[52]

An alternative approach sets out to differentiate the various strata in rabbinic works and, when possible, to assign a rough date to a particular stratum without presuming that attributions are genuine. Since some rabbinic materials were well preserved over time while others were not, this approach deploys a variety of techniques to date rabbinic passages or, alternatively, to fit them into a relative chronology. While there are few general criteria which are always applicable, scholars have developed a variety of criteria to be sensitively applied on a case by case basis. Comparisons to parallel passages from earlier rabbinic compositions help solidify the time frame of a particular passage.

Layers of argumentation assigned to rabbis of different generations suggest relative chronologies[53] and tensions between distinct literary strata often indicate that the earlier stratum was not heavily revised in line with the understanding of the later one.[54] Idiosyncratic grammar, language, literary style, terminology, quotation forms, social institutions, and cultural attitudes consistently appear in distinct literary strata and are typical of them.[55] External and independent evidence, such as archaeological findings, sometimes enable us to pinpoint the date of a literary stratum or a particular rabbinic passage.[56] By applying such criteria and the more criteria the better, we are often able to determine the date, however roughly, for the emergence of a rabbinic source.

The new historical method has relinquished the notion that we can write a history of events on the basis of rabbinic literature. While rabbinic sources say much about social, cultural, material, and intellectual matters, they shed little light on ancient events.[57] Rabbinic sources express rabbinic views and project their ideologies, they mirror cultural practices and refract social settings; however, they were not the repository for an accurate and faithful account of the past. In essence, the new historical method vis-à-vis rabbinic literature is closely akin to Steve Mason's approach to Josephus, which also ceded the history of events in favor of other forms of history. However, there is a crucial difference between rabbinic literature and Josephus's writings. Since Josephus wrote history in the Graeco-Roman tradition, we may presume that he would not have invented the literary cores of his historical narrative but since the rabbis were not part of this literary tradition, they did not hesitate to invent even the hard cores of their traditions.

In addition, a deep and wide-ranging exploration of rabbinic literature and non-rabbinic sources allows us to get behind our sources though not in the traditional way. Unlike traditionalists who hope to detect the supposed historical kernels hidden in rabbinic sources, the new study of the formation of rabbinic traditions locates the extant literary kernels which inspired and influenced the invention and formation of rabbinic traditions. Hand in hand, the study of the formation of rabbinic traditions and the analysis of their literary, cultural, and social contexts form the two focal points of the new historical method.

NOTES

1. On the suspension of judgment as the historian's default stance, see Chapters 3 and 5.
2. Cf. Levine (2009b) 47–51.
3. See Herr (1977); Milikowsky's *Seder Olam* (2013) vol. 1, 6–7.
4. See Chapter 5.
5. See Hayes (1997) 14.
6. See, for example, Neusner (1984) 8. See also Cohen (1999) 925; Fox (2002) 108–109; Lapin (2012) 43–45.
7. See Friedman (2000) 35–39.
8. See, for example, Weiss-Halivni (1968) 15, (1982) 5–9; Green (1978) 80–85, 90; Neusner (1984) 11; Sussman (1990) 110, (1993) 83–85; Kraemer (1999)

202–209; Gafni (2001) 217; Levine (2001) 19–20; Schwartz (2002) 101; Rubenstein (2003) 10–11; Schremer (2005) 220–223; Friedman (2010) xi, 59; Stern (2010) 157–158.

9. See, for example, Neusner (1984) 11, (1990a) 91–92, (1999) 139. See also Rubenstein (1999) 3–4; Levinson (2006b) 202–203.
10. *Babylonian Talmud Sanhedrin* 6b. Translation is that of Schachter in Schachter and Freedman (1969) *ad loc*. See also *Babylonian Talmud Bava Batra* 131a and *Babylonian Talmud Nidah* 20b.
11. See Farrer (1955) 56.
12. See Baker (2013). See also Friedman (2013) xii, 127, 139. (In light of the hypothetical possibilities listed above, some scholars prefer to suspend judgment and hence refrain from trying to determine the relationship between parallel texts. The edited parallels method, by contrast, focuses on the extant evidence and only postulates the existence of unattested entities as a last resort.)
13. Alexander (2010) 9. (On the definition of genre in respect to ancient writings, see Kofoed (2005) 194–201.)
14. See Stern (1994b) 37–38.
15. See Jacobs (1977); Green (1978) 84; Stern (1994b) 43; Hayes (1997) 14–15; Friedman (2010) 52, 66.
16. Jacobs (1977) 53.
17. See Green (1978) 84; Stern (1994b) 35.
18. See Jacobs (1977) 58; Green (1978) 82.
19. See Neusner (1979) 53; Stern (1994a) xxiv–xxv.
20. The sole criterion which might perhaps enable us to identify some authentic elements of a particular statement is the detection of idiosyncratic patterns (or underlying principles) which cut across a certain rabbi's attributed statements. However, if the pattern is obvious, its multiple appearances may not be due to the attributed rabbi but to later editors who duplicated it; if the pattern is not obvious, we run the risk of inventing anachronistic consistencies and attributing to rabbis ideas "which had never crossed their minds" (Moscovitz (2002) 65. See also Green (1978) 87–88). To date, in any event, this criterion lacks significant empirical support.
21. On disciple circles and academies, see Rubenstein (2007); Lapin (2012) 49–52, 77–83.
22. See, for example, Jacobs (1974); Friedman (2010) 31–36; Wimpfheimer (2011).
23. See, for example, Friedman (1977) 309, (2010) x–xi, 59. 74; Green (1978) 80–85; Neusner (1990a) 80; Kalmin (1992) 171; Sussman (1993) 83–85; Jaffee (1999) 13–14; Stern (2010) 157–158.
24. See Levinson (2006b) 203; Rubenstein (2010) 7. Cf. Carroll (1997) 101–103.
25. See Newman (2006) 107–108.
26. See Gafni (2001) 220.
27. See Rubenstein (1999) 4.
28. See Fraenkel (1978). See also Green (1978) 85; Alter (1980) 150 n. 1; Neusner (1990a) 88–89; Meir (1993) 11; Rubenstein (1999) 5–10, (2010) 7–8: Shapira (2001) 371–373; Levinson (2006a) 1–2, 28–32, (2006b) 203. See also n. 3.
29. See Friedman (1993) 119–122; Newman (2006) 131.
30. See, for example, Levinson (2006b) 203; Tropper (2011) 18–19.
31. See Kalmin (1994) 197; Rubenstein (1999) 297–298 n. 3; Reichman (2010) 122; Appelbaum (2013) 28. Cf. Newman (2006) 108; Fraade (2011) 12–14, 33–34; Tropper (2011) 16–17; Simon-Shoshan (2012) 6–8.
32. See Neusner (1990a) 100; Hezser (1993) 391–405.
33. I suspect that recent attempts to reconstruct early Second Temple documents supposedly used by the rabbis (see, for example, Noam (2012–2013) 386–390, (2014) 58 n. 127) also underestimate the literary liberties enjoyed by rabbinic authors and editors.

34. See Satlow (2001) xxiv; Schwartz (2001b) 6, (2002) 87, (2009) 62–63.
35. See Chapter 6 n. 23.
36. Granting the connection of some individual rabbis and proto-rabbis to the Pharisees and that some beliefs and legal rulings were shared by rabbis and Pharisees, the identification of the *rabbinic movement* with the Pharisees or as heir to the Pharisees is rather weak in near contemporary tannaitic literature. See Jaffee (2001) 52–60; Goodman (2007) 39–46; Cohen (2010c) 53–57; Fraade (2011) 365–379; Lapin (2012) 46–49; Tropper (2013) 31–33; Schwartz (2014) 107–111. On the lack of Roman recognition for the patriarchate prior to sometime during the fourth century, see Goodman (1992); Jacobs (1995) 342–344; Lapin (2012) 20–25, 52–55; Appelbaum (2013) 20–22, 40–47, 125–126. On the lack of evidence for a Sanhedrin, a council of rabbis which exercised national leadership, see Levine (1985) 76–83; Goodblatt (1994) 232–276; Hezser (1997) 185–227. (From the perspective of modern historiography, the traditional account of the rabbis as leaders of robust institutions was in tune with Roman institutional history as reconstructed during the nineteenth century and later on dovetailed neatly with the political focus of Zionist historiography. See Goodman (1999) 77–78; Schwartz (2002) 86–87, (2007) 80–82.)
37. For a range of views, see Hezser (1997) 495–497; Schwartz (2001b) 110–128, (2013); Fine (2005) 35–46; Levine (2009a); Newman (2009); Miller (2010); Schremer (2010b); Rosenfeld (2010). (The similarities between rabbinic law and legal documents found in the Judaean desert reveal the proximity of the rabbis to local Jewish legal practice and do not attest to rabbinic influence. See Goodman (1983) 160–161; Cotton (1998); Lapin (2012) 133–135; Schwartz (2013) 7–12.)
38. See Chapter 6 nn. 25 and 26.
39. See Chapter 6 n. 39.
40. See Friedman (1993) 119–122.
41. See *Tosefta Ketubot* 4, 7.
42. See Friedman (2004) 84–90. (See also Zakovitch (1983) 59 n. 43.)
43. See, for example, Tropper (2011), (2014).
44. Traditional biographies and intellectual biographies are also faced with two other debilitating flaws. Rabbinic literature does not supply sufficient materials for a robust and nuanced portrait of most rabbis and there are no objective criteria for integrating rabbinic sources which do not relate to one another into a causal schema or chronological sequence. See Green (1978) 86–88; Levine (2009b) 54. See also Gray (2003).
45. Gottschalk (1950) 167. See also the end of Chapter 3 (p. 60).
46. See Fraenkel (2001) 215 n. 59; Gafni (2001) 220.
47. See, for example, *Tosefta Bava Batra* 10, 1 (translation by Neusner (1981) *ad loc.*).
48. See, for example, Meir (1993) 12–13, 34; Boyarin (1993) 10–16; Rubenstein (1999) 5–14, (2003) 11–13; Levinson (2006b) 204; Newman (2006) 118; Stern (2010) 160; Fraade (2011) 8; Tropper (2011) 19–22.
49. See, for example, the discussion of *salutatio* in Chapter 2 (pp. 38–41).
50. See Hayes (1997) 3–4; Cohen (1999) 925.
51. See, for example, Green (1978) 80; Neusner (1995).
52. See Boyarin (1991) 456; Segal (1997) 36; Goldenberg (2000) 9; Rubenstein (2003) 10–11.
53. See, for example, Green (1978) 84; Neusner (1979) 54–55; Stemberger (1996) 57.
54. See, for example, Segal (1997) 36; Weiss-Halivni (2013) 143–145.
55. See, for example, Goodblatt (1980) 36–38; Kalmin (1992) 166–174, (1999) 187–196, (2006b) 860; Bokser (1994) 168–169; Stemberger (1999) 172; Gafni (2001) 219–221; Friedman (2010) 22–27; Lapin (2012) 45.
56. See, for example Gafni (1977) 118.
57. See Goodblatt (1980) 35–36.

8 The new historical method on the credibility of rabbinic literature

Three case studies

A fundamental advantage of the new historical method's approach to the credibility of rabbinic literature is its superior explanatory power. Not only is the new method founded on more stable ground than the traditional one, on numerous empirical studies rather than on sweeping and impressionistic assumptions, but it also outperforms the traditional method, successfully accounting for innumerable findings for which the traditional method has no adequate explanation. The new historical method opens our eyes to previously unnoticed evidence and offers the most compelling explanation available for all the relevant extant sources.

The best way to gain a sense for the unrivaled explanatory power of this new method is through examples or case studies. With the help of three case studies, I illustrate below the unparalleled explicative force of the new historical method. Unhampered by presumptions of genuineness and credibility and by a strict adherence to the independent parallels method, the new historical method discovers heretofore neglected evidence while devising compelling explanations for both similarities and differences between the extant sources.

"BEHOLD I AM ABOUT SEVENTY YEARS OLD . . . "

> The exodus from Egypt is to be mentioned at night. Said Rabbi Eleazar ben Azariah, "Behold I am about seventy years old and I have never been worthy[1] to (find a reason) why the exodus from Egypt should be mentioned at night[2] until Ben Zoma expounded it: 'for it says "so that you may remember the day of your departure from the land of Egypt all the days of your life" (*Deuteronomy* 16:3). (Had the text said) "the days of your life" (it would have meant only) the days; but "all the days of your life" includes the nights as well.' " The Sages, however, say, " 'the days of your life' refers to this world; 'all the days of your life' is to include the days of the messiah."[3]

This *mishnah*, *Mishnah Berakhot* 1, 5, is one of the most famous *mishnayot* because it also appears in the *Haggadah*,[4] the rabbinic text recited

at the Passover Seder which commemorates the exodus of the Israelites from Egypt. The central reason for including this particular *mishnah* in the *Haggadah* is the biblical verse it cites:

> You shall not eat anything leavened with it (i.e. with the Passover sacrifice); for seven days thereafter you shall eat unleavened bread, bread of distress—for you departed from the land of Egypt hurriedly—so that you may remember the day of your departure from the land of Egypt all the days of your life.[5]
>
> (*Deuteronomy* 16:3)

The *mishnah* fits so naturally into the *Haggadah* because of the reference in its biblical citation to the commemoration of the exodus on Passover. Despite its biblical citation and presence in the Passover *Haggadah*, however, the *mishnah* does not deal with the obligation to commemorate the exodus on Passover but with the obligation to commemorate the exodus each and every day of the year. Against the straightforward and contextual meaning of the biblical verse, the *mishnah* performs an exegetical leap, a midrashic maneuver, and reads the verse as if it discusses a daily obligation to remember the exodus.[6]

According to the position ascribed in the *mishnah* to Ben Zoma, the exodus from Egypt must be commemorated not only during the day but also at night. The midrashic exegesis supporting this position interprets "so that you may remember the day of your departure from the land of Egypt *all the days* of your life" as "so that you may remember the day of your departure from the land of Egypt *the entire days* of your life," that is, inclusive of nights. By contrast, the position ascribed to the Sages interprets "*all the days* of your life" to mean forever and hence concludes that the exodus will be commemorated even in messianic times.[7] According to this position, no future redemption will ever eclipse the exodus from Egypt so it will always be commemorated, even after the final redemption of the messianic era.

Rabbi Eleazar ben Azariah warmly endorses Ben Zoma's position in our *mishnah* and careful investigation of his statement and its close parallels reveals that there are no local grounds to question the accuracy of the attribution. No rabbinic source doubts the attribution to Rabbi Eleazar ben Azariah, no rabbinic text cites a conflicting tradition also attributed to Rabbi Eleazar ben Azariah, and the tradition's textual witnesses are largely stable. The variations between the textual witnesses are slight and not one attributes the statement in our *mishnah* to anyone other than Rabbi Eleazar ben Azariah.[8] Since there are no local reasons to suspect the attribution, traditionalists conclude that it is accurate. Hence, according to traditionalists, Rabbi Eleazar ben Azariah was about seventy years old[9] when he first heard Ben Zoma's creative interpretation of "all the days of your life" and found it so compelling.[10]

Consider, however, the following parallel from the *Mekhilta de-Rabbi Ishmael* (which was edited, like the *Mishnah*, in third-century CE Roman Palestine):[11]

> And Moses said unto the people: "Remember this day, on which you departed from Egypt" etc. (*Exodus* 13:3).
>
> From this I know only that the exodus from Egypt should be mentioned during the daytime. How about the nighttime? Scripture says: "So that you may remember the day of your departure from the land of Egypt all the days of your life" (*Deuteronomy* 16:3). (Had it said only) "the days of your life," (it would have meant only) the daytime. "All the days of your life" means during the nighttime also—according to the words of Ben Zoma. But the Sages say, " 'The days of your life' would have meant only in the present world; 'all the days of your life' includes the days of the Messiah."
>
> Said Ben Zoma to the Sages, "In the future Israel will not mention the exodus from Egypt, as it is said: 'Assuredly, a time is coming—declares the Lord—when it shall no more be said, "As the Lord lives who brought the Israelites out of the land of Egypt," but rather, "As the Lord lives who brought the Israelites out of the northland" ' (*Jeremiah* 16:14–15)." Rabbi Nathan says, "the words 'who brought out and led' (*Jeremiah* 23:8) teach that even in the future they will mention the exodus from Egypt."[12]

In sharp contrast to our *mishnah* (and its close parallels),[13] the *Mekhilta* does not mention Rabbi Eleazar ben Azariah or his glowing approval of Ben Zoma's biblical exegesis. In the same manner, a parallel text in the *Palestinian Talmud* also leaves Rabbi Eleazar ben Azariah unmentioned.[14] Were these two texts our only sources for Ben Zoma's exegesis, we would not know of Rabbi Eleazar ben Azariah's endorsement, we would not know that the *mishnah*'s Rabbi Eleazar ben Azariah exclaimed: "Behold I am about seventy years old and I have never been worthy to (find a reason) why the exodus from Egypt should be mentioned at night until Ben Zoma expounded it." Rabbi Eleazar ben Azariah's absence from the *Mekhilta* does not conflict with his presence in the *Mishnah* but it does suggest that, at some point in time, the Ben Zoma tradition circulated without Rabbi Eleazar ben Azariah's excited endorsement.

Moreover, if we expand our purview of the *Mekhilta* and read just a few lines above the dispute between Ben Zoma and the Sages, we discover a shocking find. The immediately adjacent portion of the *Mekhilta* also contains uncanny parallels to our *mishnah*:

> Once the disciples spent the Sabbath in Yavneh. Rabbi Joshua, however, was not there on that Sabbath. When his disciples came to him, he said to them, "What lessons did you have in Yavneh?" They said to

him, "After you, master." He said to them, "And who was there for the Sabbath?" They said to him, "Rabbi Eleazar ben Azariah." He said to them, "Is it possible that Rabbi Eleazar ben Azariah was there for the Sabbath and he did not give you anything new?" So they said to him, "He brought out this general idea in his exposition of the text: 'You stand this day, all of you, (before the Lord your God . . .) your children your wives . . . ' (*Deuteronomy* 29:9). Now what do the little ones know about distinguishing between good and evil? It was but to reward for bringing the children, thus increasing the reward of those who do His will. This confirms what has been said: 'The Lord desires His (servant's) vindication' etc. (*Isaiah* 42:21)." Then Rabbi Joshua (exclaimed and) said to them, "Is there a teaching more new than this? Behold, I am about seventy years old and I have never been worthy to get this teaching until this very day. Happy are you our father Abraham in that Eleazar ben Azariah is a descendant of yours. Surely the generation in which there is a Rabbi Eleazar ben Azariah is not to be considered orphaned."

Then they said to him, "Master, he also brought out this general idea in the exposition of the text: 'Assuredly, a time is coming – declares the Lord – when it shall no more be said, "As the Lord lives (who brought the Israelites out of the land of Egypt," but rather, "As the Lord lives who brought the Israelites out of the northland)" ' (*Jeremiah* 16:14–15). To what can it be compared? To one who was very desirous of children. After a daughter was born to him, he would swear by the life of his daughter. When again a son was born to him, he left off swearing by the daughter and swore only by the life of the son."[15]

First and foremost among the parallel materials is the unusual exclamation shared by the *Mishnah* and the *Mekhilta*. The exclamation "Behold, I am about seventy years old and I have never been worthy" appears in only two traditions in all of rabbinic literature: in our *mishnah* (and its close parallels) and here, adjacent to the *Mekhilta*'s version of the dispute between Ben Zoma and the Sages. So, outside of our *mishnah*'s tradition, the sole appearance of the exclamation "Behold, I am about seventy years old and I have never been worthy" is located adjacent to the very biblical exegesis that is the subject of the exclamation in our *mishnah*.

In addition, in our *mishnah* Rabbi Eleazar ben Azariah cries out "Behold, I am about seventy years old and I have never been worthy" in praise of Ben Zoma's creative biblical exegesis and in the *Mekhilta* Rabbi Joshua cries out the same exclamation in praise of Rabbi Eleazar ben Azariah's creative biblical exegesis. Therefore, just as Rabbi Eleazar ben Azariah is linked to the exclamation in our *mishnah* (by way of attribution), he is also linked to the single other appearance of the exclamation (as the target of its praise). In sum, our *mishnah* is comprised of three components—Rabbi Eleazar ben Azariah, a highly unusual exclamation, and a dispute between Ben Zoma

and the Sages over the commemoration of the exodus from Egypt—and all three discrete components are found practically side by side in the *Mekhilta*.

The chances that all three components of our *mishnah* just happen to appear together in the *Mekhilta* by sheer coincidence seems very unlikely. Recognizing the series of uncanny parallels between the *Mekhilta* and our *mishnah*, Judith Hauptman and Moshe Benovitz independently conclude that Rabbi Eleazar ben Azariah's exclamation in the *mishnah*'s tradition was modeled upon Rabbi Joshua's exclamation about him in the *Mekhilta*.

The link between Rabbi Eleazar ben Azariah and Ben Zoma was apparently inspired by the second teaching ascribed to Rabbi Eleazar ben Azariah in the *Mekhilta*. This teaching deduces from *Jeremiah* 16:14–15 that the fresh memory of a recent redemption (illustrated by the birth of a son) replaces the memory of an earlier redemption (illustrated by the earlier birth of a daughter) and, according to the *Mekhilta*, Ben Zoma derived the same principle from the same verses. Although the *Mekhilta*'s Rabbi Eleazar ben Azariah does not spell out the legal ramifications of this principle like the *Mekhilta*'s Ben Zoma does, the common principle and shared understanding of *Jeremiah* 16:14–15 apparently inspired a later editor to conclude that Rabbi Eleazar ben Azariah would have endorsed Ben Zoma's legal position. This later editor not only inferred from Rabbi Eleazar ben Azariah's second teaching in the *Mekhilta* that he would have approved of Ben Zoma's legal application of the principle embedded in *Jeremiah* 16:14–15, but he also modeled Rabbi Eleazar ben Azariah's endorsement of Ben Zoma's exegesis on the exclamation directed at Rabbi Eleazar ben Azariah's first teaching in the *Mekhilta*.[16]

Granting the robust literary connections between the *Mekhilta* and the tradition found in our *mishnah*, one might wonder if perhaps the parallel materials developed in the reverse direction. Is it possible that the *mishnah*'s tradition was the source of inspiration for the *Mekhilta* and not vice versa? This scenario is not probable since the conflation of scattered and disparate elements is far more likely than the dispersal of integrated elements.[17] In other words, it is far more probable that a later editor creatively fused together a few discrete elements already situated together in the *Mekhilta* than that the *Mekhilta* erased Rabbi Eleazar ben Azariah from its source, transferred him to a separate tradition about Rabbi Joshua, located the two traditions close to one another, devised a new exclamation on the basis of the original one, and invented Rabbi Eleazar ben Azariah's teaching on *Jeremiah* 16:14–15. Even though the *Mekhilta* was apparently edited shortly after the *Mishnah*, this case and many others indicate that the *Mekhilta* often preserves an earlier form of tannaitic materials also found in the *Mishnah*.[18]

Traditionalists learn from Rabbi Joshua's use of "Behold, I am about seventy years old and I have never been worthy" that Rabbi Eleazar ben Azariah was not the only rabbi to cry out this particular exclamation. For traditionalists, the double appearance of the phrase indicates either that the phrase was commonly used or, alternatively, that Rabbi Eleazar ben Azariah learned it from Rabbi Joshua or vice versa.[19] This traditional approach, however, cannot explain why all three components in our *mishnah* just happen to appear

together in the *Mekhilta*. The traditional historical method fails to do justice to the full series of uncanny parallels between the *Mekhilta* and our *mishnah*.

In sum, since there are no local grounds to question the authenticity of the attribution to Rabbi Eleazar ben Azariah in *Mishnah Berakhot* 1, 5, traditionalists view the statement as a quote or close paraphrase of his actual words. As far as the traditional historical method is concerned, Rabbi Eleazar ben Azariah first heard Ben Zoma's creative exegesis, which impressed him so, when he was just about seventy years old. Close comparison with the *Mekhilta*'s parallel materials, however, uncovers evidence that the traditional historical method cannot account for but is easily explained by the new historical method. According to the new method, Rabbi Eleazar ben Azariah's endorsement of Ben Zoma was probably *inferred* from a non-legal position attributed to him in the *Mekhilta* and the tight constellation of parallel materials in the *Mekhilta* suggests that the phrase "Behold, I am about seventy years old and I have never been worthy" was *fictitiously* attributed to Rabbi Eleazar ben Azariah in the *mishnah*'s tradition. These findings not only demonstrate the new historical method's superior explanatory power, but they also illustrate how the ancient rules for attributions differ greatly from our modern standards and, consequently, why the traditional historical method's presumption of genuineness presumes too much.

RABBI HIYYA'S EDUCATIONAL MISSION ACCORDING TO THE *BABYLONIAN TALMUD*

Historians agree that Rabbi Judah ha-Nasi (or Rabbi Judah the Patriarch) was a leading figure of the rabbinic movement in Roman Palestine during the late second and early third century CE though some traditional historians, like Gedaliah Alon, maintain that he was also the official leader of the Jewish people.[20] In any event, Rabbi Judah ha-Nasi had a rabbinic colleague named Rabbi Hiyya and, according to Alon, the following story from *Babylonian Talmud Bava Metzia* 85b recounts an educational mission Rabbi Hiyya fulfilled on the Patriarch's behalf.

> When Rabbi Hanina and Rabbi Hiyya were in a dispute, Rabbi Hanina said to Rabbi Hiyya: "Would you dispute with me? If the Torah were forgotten in Israel, I would restore it by my argumentative powers." To which Rabbi Hiyya rejoined: "Would you dispute with me, who achieved that the Torah should not be forgotten in Israel? What did I do? I sowed flax, made nets (from the flax cords), trapped deer and prepared scrolls (from their hides), upon which I wrote the five books (of Moses). Then I went to a town and taught the five books to five children and the six orders (of the *Mishnah*) to six children. And I bade them: 'Until I return, teach each other the Torah and the *Mishnah*;' and thus I preserved the Torah from being forgotten in Israel." This is what Rabbi (Judah ha-Nasi meant when he) said, "How great are the deeds of Hiyya!" Said Rabbi Simeon

> son of Rabbi to him, "(Are they) even (greater) than yours?" "Yes," he replied. Said Rabbi Ishmael son of Rabbi Yose to him, "And even than my father's?" He rejoined, "Let not such a thing be (heard) in Israel."[21]

The *Talmud*'s tale presents a dispute between Rabbi Hiyya and Rabbi Hanina in which each rabbi tries to silence his colleague by boasting of his own merits. Calling attention to his own outstanding intellectual faculties, Rabbi Hanina chastens Rabbi Hiyya for arguing with a rabbi so astute that he could restore the whole Torah with sheer intellectual firepower should it ever be forgotten.[22] In response Rabbi Hiyya declares that Rabbi Hanina should not dare argue with him because he actually saved the Torah from oblivion through his tremendous efforts to teach Torah and *Mishnah* to young children. Rabbi Judah ha-Nasi, often called Rabbi for short, praises Rabbi Hiyya's educational activities though he subsequently qualifies the praise in a discussion with Rabbi Ishmael son of Rabbi Yose.

On the basis of this story, Alon establishes three historical facts: Rabbi sent Rabbi Hiyya on a mission to supervise and found schools, Rabbi Hiyya went to great lengths to accomplish his mission and Rabbi lauded Rabbi Hiyya's efforts.[23] The story describes Rabbi Hiyya's educational enterprise as well as Rabbi's ensuing admiration but it nowhere hints that Rabbi Hiyya was on a mission on behalf of the Patriarch. Perhaps Alon elicits this supposed fact from Rabbi's positive reaction to Rabbi Hiyya's deeds but if so, the implication is unwarranted: a person may win your admiration without being your emissary.[24]

Alon also hopes to bolster the facts he culls from our story with a tradition about Rabbi Hiyya from *Tractate Kilayim* of the *Palestinian Talmud*:

> Rabbi Simeon son of Laqish fasted three hundred fasts in order to see Rabbi Hiyya the Great (who had died), but he did not see him. Finally he began to be upset. He said, "Did he labor in the Torah more than I did?" They said to him, "He spread the Torah in Israel more than you did. Moreover, he went into exile (to do so)." He said to them, "But did I not also go into exile?" They said to him, "You went into exile to learn, but he (=Hiyya) went into exile to teach."[25]

Palestinian Talmud Kilayim describes Rabbi Hiyya as a sage who "spread the Torah in Israel" and even "went into exile to teach." The *Palestinian Talmud* extols Rabbi Hiyya's efforts on the educational front just like the *Babylonian Talmud* but it lacks the *Babylonian Talmud*'s details. The *Palestinian Talmud* gives no clue that Rabbi Hiyya taught young children and that he worked so hard to do so. Given the disparity between these sources, why does Alon imagine that the *Palestinian Talmud* confirms the facts he derived from the *Babylonian Talmud*?

Moreover, the immediate context in *Palestinian Talmud Kilayim* includes a literary parallel to the closing section of the *Babylonian Talmud*'s story that lacks Rabbi's glowing approval for Rabbi Hiyya's educational work (see Table 8.1).[26]

Table 8.1

Palestinian Talmud Kilayim 9, 4 32b	*Babylonian Talmud Bava Metzia 85b*
When he would go to the meetinghouse, (Rabbi) would say, "Let Rabbi Hiyya the Great go into the interior, (that is, to the front benches)."	This is what Rabbi (Judah ha-Nasi meant when he) said, "How great are the deeds of Hiyya!"
Said to him Rabbi Ishmael son of Rabbi Yose, "Before me?"	Said Rabbi Simeon son of Rabbi to him, "(Are they) even (greater) than yours?" "Yes," he replied. Said Rabbi Ishmael son or Rabbi Yose to him, "And even than my father's?"
(Rabbi) said to him, "God forbid! Rather, Rabbi Hiyya the Great (goes) into the interior, but Rabbi Ishmael son of Rabbi Yose (goes) into the innermost (part, or the very first benches)."	He rejoined, "Let not such a thing be (heard) in Israel."
Rabbi would praise Rabbi Hiyya the Great in the presence of Rabbi Ishmael son of Rabbi Yose . . . [1]	

Note

1 *Palestinian Talmud Kilyaim* 9, 4 32b. The translation is that of Mandelbaum (1990) *ad loc*., with minor alterations. See also *Palestinian Talmud Ketubot* 12, 3 35a; *Genesis Rabbah* 33, 3 (pp. 306–307).

In both the *Palestinian Talmud* and the *Babylonian Talmud*, Rabbi commends Rabbi Hiyya in the presence of Rabbi Ishmael son of Rabbi Yose, Rabbi Ishmael son of Rabbi Yose questions the scope of Rabbi's praise and, in response, Rabbi qualifies it. Unlike the *Babylonian Talmud*, however, the *Palestinian Talmud* does not mention that Rabbi's praise was in acknowledgement of Rabbi Hiyya's educational operations. Alon gleans from *Babylonian Talmud Bava Metzia* that Rabbi Hiyya founded schools and that Rabbi praised him for it, but neither "fact" appears in the parallel tradition in *Palestinian Talmud Kilayim*. Since the *Palestinian Talmud* was edited centuries before the *Babylonian Talmud*, why does Alon consider these details from the *Babylonian Talmud* authentic when they are missing from the parallel source in the *Palestinian Talmud*?

Alon, like many historians, does not spell out the rationale underlying his position but presumably he is applying the independent parallels method, viewing the parallel sources about Rabbi Hiyya as independent reports of a tradition or event. According to Alon, Rabbi Hiyya traveled far and invested a lot of energy in teaching children Torah and these facts prompted the tradition (or traditions) reflected in the two Talmuds. Each source refracts a part of the historical reality; each parallel preserves an authentic albeit incomplete record of Rabbi Hiyya's educational efforts. The *Palestinian Talmud* elected to stress the distances Rabbi Hiyya traveled

on behalf of his educational projects and the *Babylonian Talmud* chose to emphasize other impressive efforts he made in order to educate Jewish youth. The *Babylonian Talmud* opted to cite what prompted Rabbi's praise of Rabbi Hiyya while the *Palestinian Talmud* did not. Each parallel preserves a partial record of Rabbi Hiyya's educational enterprise and together they provide a more complete rendition of the authentic, though no longer extant, record of Rabbi Hiyya's role as an elementary school teacher.

Like Alon, Shamma Friedman also examines the tale of Rabbi Hiyya from *Babylonian Talmud Bava Metzia* 85b but, in tune with the edited parallels method, he concludes that the *Babylonian Talmud* reworked the *Palestinian Talmud*'s materials. According to *Palestinian Talmud Kilayim* Rabbi praised Rabbi Hiyya and Rabbi Hiyya promoted Jewish education, but only the *Babylonian Talmud* claims that Rabbi praised Rabbi Hiyya *for* his work in education. The link between Rabbi's praise and Rabbi Hiyya's educational activities emerged, says Friedman, when the *Babylonian Talmud* connected discrete details about Rabbi Hiyya found in the *Palestinian Talmud*.[27] Once we are

Table 8.2

Palestinian Talmud Megillah 4,1 74d	*Babylonian Talmud Bava Metzia 85b*
Rabbi Ishmael son of Rabbi Yose says, "I am able to write out the entire Scripture from memory."	When Rabbi Hanina and Rabbi Hiyya were in a dispute, Rabbi Hanina said to Rabbi Hiyya, "Would you dispute with me? If the Torah were forgotten in Israel, I would restore it by my argumentative powers."
Rabbi Hiyya the Elder said, "I can write it out for two hundred copper coins." What did he do? He went and bought flax seed worth two hundred copper coins. He sowed it, reaped it, made it into ropes, caught a deer, and wrote the entire Torah on the deer hide.	To which Rabbi Hiyya rejoined, "Would you dispute with me, who achieved that the Torah should not be forgotten in Israel? What did I do? I sowed flax, made nets (from the flax cords), trapped deer and prepared scrolls (from their skins), upon which I wrote the five books (of Moses). Then I went to a town and taught the five books to five children and the six orders (of the *Mishnah*) to six children. And I bade them: 'Until I return, teach each other the Pentateuch and the Mishnah;' and thus I preserved the Torah from being forgotten in Israel . . ."
Rabbi heard and said, "Blessed is the generation of which you (two) are a part."[1]	This is what Rabbi (Judah ha-Nasi meant when he) said, "How great are the deeds of Hiyya!"

Note
1 Translation by Neusner (1987a) *ad loc*. with slight alterations.

willing to grant that rabbinic editors might have recast their materials, it seems most likely that a rabbinic editor, or author, invented the *Babylonian Talmud*'s story about Rabbi Hiyya while drawing inspiration from earlier literary materials about Rabbi Hiyya. If the new details in the *Babylonian Talmud* were generated by an active editorial hand, there is no longer any reason to postulate that they reflect an early tradition attested nowhere else.

Friedman identifies in *Palestinian Talmud Megillah* a parallel to the *Babylonian Talmud*'s description of Rabbi Hiyya's preparation of Torah scrolls for children but in contrast to the *Babylonian Talmud*, the scrolls are not designated for children in the *Palestinian Talmud* (see Table 8.2).

In both parallel texts Rabbi Hiyya relates how he made a rope from flax to catch a deer (or several deer) so that he could write Torah scrolls on its hide and both parallels follow with Rabbi's commendation. In the *Palestinian Talmud,* however, the scrolls are not earmarked for children and Rabbi Hiyya's role as a teacher is never mentioned. These details appear only in the *Babylonian Talmud* and were probably formed, as Friedman suggests, when the *Babylonian Talmud* knit together the literary materials it drew from *Palestinian Talmud Kilayim* and *Palestinian Talmud Megillah*. When the *Babylonian Talmud* sought to illustrate Rabbi Hiyya's educational enterprise, which was barely described in *Palestinian Talmud Kilayim*, it drew inspiration from another story about Rabbi Hiyya in *Palestinian Talmud Megillah*.[28]

Friedman's analysis identifies the sources that inspired most of the key elements in the *Babylonian Talmud*'s tale[29] but one core feature still remains unaccounted for: the notion that Rabbi Hiyya taught children Torah and *Mishnah*. This element apparently originated from the following story in *Palestinian Talmud Hagigah*:

> Rabbi Yudan Nesiah (the Patriarch) sent Rabbi Hiyya, Rabbi Assi and Rabbi Ammi to travel among the towns of the Land of Israel to provide for them scribes (for Torah) and teachers (for *Mishnah*). They came to one place and found neither a scribe nor a teacher . . . [30]

The Patriarch, in this story, sends a Rabbi Hiyya and his colleagues on a mission to set up Torah scribes and *Mishnah* teachers in towns lacking them. Hence, just like our story from *Babylonian Talmud Bava Metzia*, Rabbi Hiyya is linked here to Torah scribes, *Mishnah* teachers and a town without both. The configuration of these discrete elements is so specific and distinctive that its presence in two rabbinic texts suggests that one was dependent on the other. Now it is true that Rabbi Yudan Nesiah was not Rabbi Judah ha-Nasi but his grandson and that the Rabbi Hiyya in *Palestinian Talmud Hagigah* is Rabbi Hiyya son of Abba and not Rabbi Hiyya the Elder, Rabbi's contemporary.[31] Nonetheless, it seems to me that the story from *Hagigah* inspired the *Babylonian Talmud* to introduce the notion that Rabbi Hiyya traveled to a town where he taught children Torah

and *Mishnah*. Once we allow that rabbinic editors revamped their raw literary materials, it seems only natural that the *Babylonian Talmud* felt free to conflate two Rabbi Hiyyas,[32] drawing inspiration from a story about Rabbi Yudan Nesiah and Rabbi Hiyya bar Abba for a story about Rabbi Judah ha-Nasi and Rabbi Hiyya the Elder.[33]

Guided by the independent parallels method, Alon surmises that the story about Rabbi Hiyya on *Babylonian Talmud Bava Metzia* 85b stems from an authentic early tradition unattested elsewhere. A major shortcoming in Alon's traditional approach is that it cannot explain the nature of the differences between the parallel sources and simply postulates that each parallel, however late, reflects an early tradition. In contrast, Friedman's analysis, which is informed by the edited parallels method, concludes that the *Babylonian Talmud*'s story is a late reworking of earlier Palestinian traditions. Friedman's conclusion is in line with the default assumption that naturally comes into play when comparing two sources edited centuries apart. Since the *Babylonian Talmud* was edited centuries after the *Palestinian Talmud,* the common sense assumption is that the *Palestinian Talmud*'s edition of parallel materials predates the *Babylonian Talmud*'s edition. A good number of case studies have confirmed this assumption and the earliest systematic study of this issue is Jacob Neusner's *Development of a Legend: Studies on the Traditions Concerning Yohanan ben Zakkai*. Since the default assumption is not only common sense but has also been confirmed in many specific instances, it can only be overturned by extremely compelling evidence.

In addition, various features of Rabbi Hiyya's story in the *Babylonian Talmud* attest to its secondary nature. For example, it is far more likely that the Babylonian editor blended diverse components from discrete sources in the *Palestinian Talmud* than that an assortment of editors scattered across the *Palestinian Talmud* various components from an original story about Rabbi Hiyya.[34] More generally, harmonization of distinct literary units by a single editor is far more likely than a coordinated effort of a group of editors, possibly from different times, to disperse elements throughout a literary corpus. Similarly, it is more probable that the Babylonian editor conflated Rabbi Hiyya the Elder with Rabbi Hiyya son of Abba than that *Palestinian Talmud* editors dissected our story, ascribing some elements to Rabbi Hiyya the Elder and others to Rabbi Hiyya son of Abba. In short, both the relative chronology of the two Talmuds and the nature of the differences between the parallel texts indicate that the *Babylonian Talmud* has heavily revised Palestinian traditions about Rabbi Hiyya.

Analysis of the Rabbi Hiyya traditions illustrates why the traditional faith in the authenticity of late parallels is unwarranted. The best explanation for the differences between the Rabbi Hiyya parallels is that the *Babylonian Talmud* reworked the Rabbi Hiyya tradition and if rabbinic editors enjoyed such wide ranging editorial (or authorial) license, we cannot assume that the details late editors added to their materials originated in authentic early traditions. Rabbi's praise for Rabbi Hiyya's educational efforts was devised by the *Babylonian Talmud* and there is no hint of it in the earlier traditions of

the *Palestinian Talmud*. In light of such creative editorial activity, any detail in a late text that is missing from its earlier parallels cannot be presumed to be a genuine part of the original tradition.[35]

RABBAN YOHANAN BEN ZAKKAI'S ESCAPE FROM JERUSALEM

The story of Rabban Yohanan ben Zakkai's escape from Jerusalem and Vespasian's gift of Yavneh to him is not only one of the most well known of all rabbinic sage stories, it also has played a vital role in traditional historical narratives of the early tannaitic period. Four versions of the story are found in rabbinic literature, with one version appearing twice, and the differences between them are both large and small.[36] Careful comparison of the four versions indicates that *Avot de-Rabbi Natan B* (which was edited sometime around the seventh century CE[37]) has preserved the earliest extant edition of the story,[38] hence our discussion will focus primarily on the story of Rabban Yohanan ben Zakkai and Vespasian as told in *Avot de-Rabbi Natan B*. After reviewing the traditional approach to the credibility of this story via the work of two influential historians, Heinrich Graetz and Gedaliah Alon, I will outline the new approach to the story.

> Now when Vespasian came and besieged Jerusalem, he encamped opposite the wall of Jerusalem and said to the men of Jerusalem: "Break one bow and one arrow and I will leave you in peace." He said this to them once and then a second time, but they did not accept. Rabban Yohanan ben Zakkai said to them: "You will be the cause of this city being destroyed and this temple being burned." They said to him: "As we sallied forth against the previous commanders and slaughtered them, so will we sally forth against this one and kill him." Everything that Rabban Yohanan ben Zakkai said to them, they (i.e. collaborators with Rome) wrote into documents which they attached to arrows and shot outside the wall, reporting: "Rabban Yohanan ben Zakkai is a friend of the emperor."
>
> When Rabban Yohanan ben Zakkai saw that the people were not willing to listen to him, he said to his disciples: "Comrades, stand up and take me out of here." They put him in a wooden coffin. Rabbi Eliezer took the head and Rabbi Joshua and Rabbi Judah the feet. They kept making their way until they reached the city's gateway. When they reached the city's gateway, they (=the disciples) said to them (=the gate keepers): "Open up for us so that we can go out and bury him." They (=the gate keepers) said to them (=the disciples): "We will not open until we first stab him with a sword." They (=the disciples) replied: "You will be the cause of the spreading of an evil report about your city; tomorrow people will say: 'They even stabbed Rabban Yohanan.' " Finally the guards stood and opened for them.

> When Rabban Yohanan ben Zakkai exited the gate of Jerusalem, he went and asked after the peace (= wellbeing) of Vespasian the way one asks after the peace (= wellbeing) of an emperor. He said to him: "Long live (my) lord, the emperor." Vespasian asked him: "Are *you* ben Zakkai?" He answered: "Yes." Vespasian said: "You have cornered me." Yohanan answered: "Fear not. It is written in our Scripture that this Temple will be destroyed only by a king, as Scripture says: 'And Lebanon shall fall by a mighty one' (*Isaiah* 10:34)." He (= Rabban Yohanan ben Zakkai) was put in the custody of two officers.
>
> In three days letters came to him (= Vespasian) from Rome, saying: "Nero the emperor died and the Romans have enthroned you." He sent (a messenger) and summoned Rabban Yohanan and said: "Ask me a favor." He (= Rabban Yohanan ben Zakkai) replied: "I ask of you Yavneh where I may study Torah and carry out the law of fringes and keep all the other commandments." He said to him: "Here, it is yours as a gift."[39]

Two conspicuous features of the traditional approach to the credibility of rabbinic sage stories play central roles in Graetz's account of Rabban Yohanan ben Zakkai's move to Yavneh. First and foremost, Graetz creates a hybrid account which weaves together elements from the different versions of the story. For example, he includes the messages sent to the Roman camp according to *Avot de-Rabbi Natan*; he claims, like the *Babylonian Talmud*, that Rabban Yohanan ben Zakkai's request was modest; and he refers to the rebel leader as Ben Battiah in line with *Lamentations Rabbah*.[40] In blending together different and discrete versions of the story, Graetz presumes that each one reaches back to an authentic and trustworthy original tradition or, perhaps, to an independent and reliable witness of the event. Furthemore, his hybrid account attests to his belief that, with the help of sound judgment and common sense, he can pinpoint the genuine and credible elements in each version.

Second, Graetz hopes to reconstruct the supposed historical kernel underlying the rabbinic story of Rabban Yohanan ben Zakkai and Vespasian by modifying and correcting the story's details in light of well-established historical facts. In this vein, Graetz replaces Vespasian with his son and heir, Titus, because Titus, not Vespasian, besieged Jerusalem. Replacing Vespasian with Titus, however, entails the need for further adjustments since Rabban Yohanan ben Zakkai's prediction of the besieging general's unexpected rise to the imperial office was inapplicable to Titus. While the prediction worked for Vespasian who, as a common Roman general, was not in line to the imperial throne, it did not work for Titus who was the natural heir to his father's throne. Since the prediction ascribed to Rabban Yohanan ben Zakkai could not have been delivered to Titus and it was Titus who besieged Jerusalem, Graetz concludes that the prediction is not a credible part of the story.[41] Beyond these blatant conflicts with the historical record, however, Graetz sees no local gounds to question the credibility of most other features of the story and so he accepts them at face value.

Like Graetz, Gedaliah Alon also believes that he can recover the historical kernel underlying the rabbinic account of Rabban Yohanan ben Zakkai's relocation to Yavneh but he differs with Graetz on two crucial points. First, Alon does not grant equal weight to each and every version of the story. In his opinion, the *Babylonian Talmud*'s parallel is far more embellished than the Palestinian accounts and, amongst the Palestinian parallels, he considers the version found in *Lamentations Rabbah* "nearest to the historical truth."[42]

Second, according to Alon's hard-headed reading of the political situation,[43] the harsh Roman policy towards Jews during the first Jewish revolt ruled out the possibility that a Roman general would have granted Rabban Yohanan ben Zakkai any generous gifts. Inspired by his view of the contemporary political reality, Alon imagines instead that Rabban Yohanan ben Zakkai was a prisoner of war and Yavneh a detention center or prison camp.[44] According to Alon, Rabban Yohanan ben Zakkai did not opt for Yavneh but was transferred there against his will, he was not afforded any generous gifts but was granted some minor concessions. For Alon, three elements comprise the historical kernel of the story: Rabban Yohanan ben Zakkai was forcibly removed from Jerusalem and relocated to Yavneh during the Jewish revolt against Rome; the Roman general besieging Jerusalem enabled Rabban Yohanan ben Zakkai to save some friends and relatives; and, before deporting them to Yavneh, the Roman general granted Rabban Yohanan ben Zakkai and his followers a small measure of freedom to perform religious duties.[45]

Notwithstanding the differences between their historical narratives, Graetz and Alon both reconstruct their accounts of Rabban Yohanan ben Zakkai's relocation to Yavneh through the prism of the traditional historical method. As traditionalists, both historians presume that the rabbinic story of Rabban Yohanan ben Zakkai and Vespasian ultimately stems from genuine and trustworthy eyewitness accounts.

By contrast, the new historical method views the story as a late literary invention rather than a lightly ornamented historical report. It maintains that we have no objective means to extract an early and reliable tradition about Rabban Yohanan ben Zakkai from the story and it arrives at this conclusion on the basis of the following two considerations.

First, the story of Rabban Yohanan ben Zakkai's escape from Jerusalem only appears in late rabbinic works like *Avot de-Rabbi Natan B* and *Lamentations Rabbah*. These works were not edited prior to the fifth century CE so, at the earliest, they were completed at least 300 years after the supposed events they describe. In addition, there is no hint of the escape story in all tannaitic and early amoraic literature. In light of the centuries separating the life of Rabban Yohanan ben Zakkai from the earliest rabbinic accounts of his flight from Jerusalem, the new historical method refuses to postulate that the rabbinic parallels were based on genuine and trustworthy eyewitness testimonies.[46]

Second, the earliest extant version of the story, the version in *Avot de-Rabbi Natan B*, is already a meticulously crafted literary narrative.

The story is comprised of four units, arranged in a chiastic order. The first and last units open with the word "came" ("Now when Vespasian *came*"/ "In three days letters *came* to him") and in both units, Vespasian takes the initiatve: he peacefully offers the Jews of Jerusalem an opportunity to surrender without penalty in the first unit and gratefully urges Rabban Yohanan ben Zakkai to make a request of him in the last. The two middle units open with the shared phrase "When Rabban Yohanan ben Zakkai" and portray Rabban Yohanan ben Zakkai's two daring actions: he escapes from Jerusalem in a coffin in the second unit and greets Vespasian as emperor in the third. In other words, Vespasian's kindly actions towards the Jews envelope Rabban Yohanan ben Zakkai's attempts to contact the Romans in the hopes of peacefully orchestrating a *modus vivendi* between the Jews of Jerusalem and the Roman authorities.

In addition, the repetition of certain terms highlights both Vespasian and Rabban Yohanan ben Zakkai's attempts to peacefully bring an end to the hostilities between their peoples. Twice the Jewish rebels are reprimanded by Rabban Yohanan ben Zakkai or his students ("*You will be the cause* of this city being destroyed and this temple being burned"/ "*You will be the cause* of the spreading of an evil report about your city"); time and again Vespasian is associated with peace ("I will leave you in *peace*"/ "he went and asked after the *peace* (=wellbeing) of Vespasian the way one asks after the *peace* (=wellbeing) of an emperor"); and Rabban Yohanan ben Zakkai consistenty sides with Vespasian: he is a "friend of the emperor" who calls upon his fellow Jews to surrender and he warmly greets Vespasian as emperor. Furthermore, the repetition of the Hebrew root for the verb "to ask" in the phrases "he went and *asked* after the peace of Vespasian," "*ask* me a *favor*"[47] and "I *ask* of you Yavneh," underscores that Rabban Yohanan ben Zakkai is rewarded Yavneh for his loyalty to the emperor. In short, *Avot de-Rabbi Natan B*'s story of Rabban Yohanan ben Zakkai and Vespasian artfully creates a vivid portrait of two opposing leaders with peaceful intentions who are partially stymied by the irresponsible zealousness of the Jewish rebels.

For current purposes, the thrust of these brief comments on the literary qualities of the story is that our source is a carefully designed artistic creation. Its form is a well-balanced chiastic structure and it makes rhetorical use of redolent terms. The artistic dimension of the story is typical of didactic fiction, not historical reports, and its genre undermines the traditional presumption of the story's essential reliability. A story of didactic fiction may be wholly or partially fictitious and owing to the story's thick and thoroughgoing literary veil, we have no objective means to identify and weed out the story's fictitious elements. Without the traditional method's presumptions of genuineness and credibility, there is no longer any reason to postulate that we can recover any historical kernels from this story.[48] Instead, careful attention to the story's literary qualities may clue us in to the central theme or themes of the story.

Contrary to one popular interpretation, our close reading of *Avot de-Rabbi Natan B*'s story indicates that it is not about a Jewish victory over an unwitting Roman emperor who would never have granted Yavneh to Rabban Yohanan ben Zakkai had he foreseen its role in the emergence of rabbinic Judaism.[49] On the contrary, *Avot de-Rabbi Natan B*'s story is highly critical of the rebel extremists, not Vespasian. Vespasian is portrayed as a reasonable and sympathetic Roman leader who does not want to spill blood unnecessarily. In addition, working hand in hand with Vespasian, Rabban Yohanan ben Zakkai is depicted as a wise Jewish leader who willingly cooperates with an amicable foreign leader in order to make provisions for Jewish life after the destruction of the temple. In situating the story of Rabban Yohanan ben Zakkai and Vespasian in its commentary on Simeon the Righteous's famous saying which regards the temple service as one of the three pillars that uphold the world,[50] *Avot de-Rabbi Natan B* intimates that the destruction of the temple was not as catastrophic as one might have thought. The story applauds Rabban Yohanan ben Zakkai for ensuring the preservation of Jewish rituals in a world devoid of the temple in Jerusalem. According to *Avot de-Rabbi Natan B*, Rabban Yohanan ben Zakkai "anticipated the destruction and made provisions for life-after-destruction by asking for Yavneh as a place to perform the commandments, study Torah, and pray."[51]

THE FORMATION OF THE STORY OF RABBAN YOHANAN BEN ZAKKAI'S ESCAPE FROM JERUSALEM

Unimpeded by the traditional historical method's presumptions of genuineness and credibility, the new historical method recognizes that the story of Rabban Yohanan ben Zakkai and Vespasian most probably does *not* stem from genuine eyewitness reports. Open to the possibility that the author of our story drew inspiration from a wide variety of earlier sources, the new historical method investigates the formation of the story, seeking out raw materials which most likely contributed to the story's construction. Since earlier texts with highly striking and uncanny similarities to our story are best viewed as direct literary antecedents or, perhaps, as conventional motifs, the new method identifies the raw materials enlisted in the formation of our story on the basis of their strong resemblance to elements in our story. The more detailed and unusual the similarities between our story and an earlier source, the less likely it is that the similarities are mere coincidences. As noted above, no earlier source relates our story but if we view the story as a handful of individual elements, we find precursors for each and every element. For current purposes let us break down the story into the following five elements and consider each element separately: Rabban Yohanan ben Zakkai's peaceful stance and opposition to the revolt; reports on Rabban Yohanan ben Zakkai's opposition to the revolt that were sent to

the Roman camp attached to arrows; Rabban Yohanan ben Zakkai's escape from Jerusalem in a coffin; Rabban Yohanan ben Zakkai's prediction; and Vespasian's gift of Yavneh.

Rabban Yohanan ben Zakkai's commitment to peaceful and non-violent resolutions is succinctly expressed in an argument attributed to him in the *Mekhilta de-Rabbi Ishmael*:

> Rabban Yohanan ben Zakkai says: "Behold it says 'You must build (the altar of the Lord your God) of unhewn (*shleimot*) stones' (*Deuteronomy* 27:6). They are to be stones that establish peace (*shalom*). Now, by using the method of *kal vahomer* (=*a fortiori*), you reason: The stones for the altar do not see nor hear nor speak. Yet because they serve to establish peace between Israel and their Father in Heaven, the Holy One blessed be He, said: 'Do not wield an iron tool over them' (ibid. v. 5). How much the more then should he who establishes peace between man and his fellow-man, between husband and wife, between city and city, between nation and nation, between family and family, between government and government, be protected so that no harm should come to him."[52]

In the argument ascribed to him in this tannaitic text, Rabban Yohanan ben Zakkai praises the leader who establishes peace "between nation and nation" and "between government and government"; in our story he becomes that very sort of leader. In a related vein, Rabban Yohanan ben Zakkai foresees the destruction of the temple in a tradition found in the *Palestinian Talmud* just like he does in our story and in both texts he offers midrashic exegesis on a biblical passage which refers to the temple as "Lebanon":

> It was taught (in a *baraita*): Forty years prior to the destruction of the Temple, the western-most lamp was extinguished, the crimson thread remained crimson, the lot for the Lord came up in the left hand and they would close the Temple's doors by night and get up in the morning and find them open. Said to it (i.e. the temple) Rabban Yohanan ben Zakkai: "O Temple, why do you frighten us? We know that you will end up destroyed for it has been said 'Throw open your gates, O Lebanon, and let the fire consume your cedars!' (*Zechariah* 11:1)."[53]

The two traditions cited from the *Mekhilta* and the *Palestinian Talmud* are found in works edited long before *Avot de-Rabbi Natan B* and they apparently set the stage for a later author to view Rabban Yohanan ben Zakkai as a leader who sought peaceful solutions in international affairs and foresaw the futility of the Jewish revolt against Rome.

Avot de-Rabbi Natan B's portrayal of the reports sent by arrow to the Roman camp is remarkably similar to the following amoraic tradition found in *Leviticus Rabbah* (which was edited in Roman Palestine during the fifth century CE[54]):

> Rabbi Berekhiah said in the name of Rabbi Abba bar Kahana: "What had Shebna and Yoah done? They wrote a missive, stuck it on an arrow and dispatched it through a window to Sennacherib. And on it was written 'We and all the children of Jerusalem seek to make peace with you but Hezekiah and Isaiah do not seek to make peace with you.' "[55]

In this tradition attributed to a third generation *amora*, the biblical account of Sennacherib's siege of Jerusalem is expanded as follows: arrows with missives conveying Shebna and Yoah's support for the besieging Sennacherib are dispatched to the enemy camp outside the city walls. This arrow episode, which is absent from the Bible and appears for the first time in *Leviticus Rabbah*, is uncanny in its similarities to the arrow episode in our story.[56] In both cases, arrows are dispatched from a besieged Jerusalem to the foreign army encamped outside the city walls with messages identifying foreign sympathizers within the city. It is possible that the parallel accounts reflect an arrow motif which was popular during the rabbinic period but since these two texts are the only sources which employ the motif, it seems more likely that the author of our story in *Avot de-Rabbi Natan B* modeled his arrow episode directly on the earlier tradition from *Leviticus Rabbah*.[57]

Imprisoned in Jerusalem by his own people, Rabban Yohanan ben Zakkai hoped to escape the city in a coffin and the city guards, suspecting the ruse, sought to ensure that his coffin carried a corpse. Ancient non-rabbinic sources reveal that Rabban Yohanan ben Zakkai's escape ruse was a known stratagem in antiquity and the guards' response was the natural and expected counter-measure. Plutarch, for example, describes how the first century BCE tyrant Nicocrates prohibited the citizens of Cyrene to leave their city and in order to foil any coffin escapes, he ordered the guards to maltreat all corpses exiting the city:

> Nicocrates, having made himself despot over the people of Cyrene, not only ordered the murder of many persons, but killed with his own hand Melanippus the priest of Apollo, and took the priesthood himself. . . . In addition to his other unnumbered acts of lawlessness, he stationed guards at the gates, who maltreated the dead that were being borne to the grave, prodding them with daggers, and applying red-hot irons to them, so that none of the citizens should be secretly carried out in the guise of a corpse.[58]

Moreover, long before the formation of *Avot de-Rabbi Natan B*, Josephus already told the story of a similar escape attempt from Jerusalem. According to Josephus, Herod's mother-in-law and her son also tried to escape Jerusalem in coffins:

> And so, for the time being, Herod seemed to have healed his domestic troubles. But still he did not long remain free of suspicion, as is natural

> after a reconciliation, for he had reason to fear from Alexandra's past attempts that she would try to overthrow his government if she found an opportunity. He therefore ordered her to remain in her palace and not do anything on her own authority; and as a careful watch was kept, nothing escaped him, not even what she did in her daily life. All this gradually made her wild with rage and caused hatred to grow in addition, for she had a full share of womanly pride and resented the supervision that came from his suspicion, and she thought anything was better than to be deprived of her freedom of action and to live the rest of her life in slavery and fear in spite of appearing to have honour. She therefore wrote to Cleopatra, making a long sustained lament about the state in which she found herself, and urging her to give her as much help as she possibly could. Thereupon Cleopatra told her to escape secretly with her son and come to her in Egypt. This seemed to Alexandra a good idea, and she contrived the following scheme. She had two coffins made as if for the transporting of dead bodies, and placed herself and her son in them, after giving orders to those of her servants who knew of the plan to take them away during the night. From there they had a road to the sea and a ship ready for them to sail in to Egypt. But her servant Aesop incautiously reported this to Sabbion one of her friends, thinking he knew of the plan. When Sabbion learned of it—he had, as it happened formerly been an enemy of Herod because he was believed to be one of those who had plotted to poison Antipater—he saw a chance to change Herod's hatred into goodwill by informing him of what was going on, and so he told the king all about Alexandra's plot. The king permitted things to proceed as far as the carrying out of the plan, and then caught her in the very act of fleeing. But he overlooked her offence because he did not dare take any harsh measures against her, even though he would have liked to, for Cleopatra, out of hatred toward him, would not have allowed her to be accused; and so he made a show of magnanimity as if forgiving them out of kindness rather than for another reason.[59]

The similarities between our story and these earlier sources suggest that the author of our story adopted a standard escape ruse already linked to Jerusalem in the tradition about Alexandra and then followed through with the obvious counter-measure of the city guards.[60]

The climax of *Avot de-Rabbi Natan B*'s story is Rabban Yohanan ben Zakkai's prediction of Vespasian's ascent to the imperial throne and, in a famous segment of *The Jewish War*, Josephus tells a strikingly similar story about himself.

> Vespasian, however, ordered him to be guarded with every precaution, intending shortly to send him to Nero. On hearing this, Josephus expressed a desire for a private interview with him. Vespasian having ordered all to withdraw except his son Titus and two of his friends,

> the prisoner thus addressed him: "You imagine, Vespasian, that in the person of Josephus you have taken a mere captive; but I come to you as a messenger of greater destinies. Had I not been sent on this errand by God, I knew the law of the Jews and how it becomes a general to die. To Nero do you send me? Why then? Think you that (Nero and) those who before your accession succeed him will continue? You will be Caesar, Vespasian, you will be emperor, you and your son here. Bind me then yet more securely in chains and keep me for yourself; for you, Caesar, are master not of me only, but of land and sea and the whole human race. For myself, I ask to be punished by stricter custody, if I have dared to trifle with the words of God." To this speech Vespasian, at the moment, seemed to attach little credit, supposing it to be a trick of Josephus to save his life. Gradually, however, he was led to believe it, for God was already rousing in him thoughts of empire and by other tokens foreshadowing the throne. . . . While he did not release Josephus from his custody or chains, he presented him with raiment and other precious gifts, and continued to treat him with kindness and solicitude, being warmly supported by Titus in these courtesies.[61]

Just like Rabban Yohanan ben Zakkai, Josephus predicts that Vespasian will be emperor and informs the Roman general of his foresight. In both stories the prediction is considered dangerous (hence Josephus requests a private interview) and the hero is kept under lock and key until his prediction is confirmed. This series of similarities between the rabbinic and Josephan parallels is so strong and unexpected that one story must have been influenced by the other. Since Josephus's account was already written up in the first century CE and the rabbinic parallel appears for the first time only centuries later, it stands to reason that rabbinic account was ultimately dependent on Josephus and not vice versa.[62]

In addition, one key feature common to both accounts—Vespasian's presence—fits naturally within Josephus's narrative but is like a fish out of water in the rabbinic parallel. When Josephus was captured by the Romans in the Galilee during 67 CE, Vespasian was the Roman general commanding the offensive there and so Josephus's narrative of his prophecy does not contradict any established historical facts. Vespasian was in the Galilee at the time and he was not yet emperor. However, the historical setting in the rabbinic parallel is the Roman siege of Jerusalem and the siege took place some three years later, when Vespasian was already emperor and back in Rome. Rabban Yohanan ben Zakkai, consequently, could not have met Vespasian outside of Jerusalem and, in any event, Vespasian was already emperor by the time the Romans besieged Jerusalem. Hence, the best explanation for Vespasian's presence in the rabbinic story is that the story's author lifted Josephus's plotline not knowing, or perhaps not caring, that Vespasian's presence conflicted with the historical setting in his own story. When literary materials are transferred from one place to another, they often preserve

remnants of their original literary context which do not dovetail perfectly with their new context.

The fifth and final element in *Avot de-Rabbi Natan B*'s story of Rabban Yohanan ben Zakkai and Vespasian is Vespasian's willingness to facilitate Rabban Yohanan ben Zakkai's move from Jerusalem to Yavneh. Although no early text describes Rabban Yohanan ben Zakkai's journey to Yavneh, some tannaitic texts place him in Jerusalem during temple times[63] and others place him in Yavneh after the destruction.[64] Tannaitic literature, in other words, portrays Rabban Yohanan ben Zakkai as a Jerusalem sage of Second Temple times who functions in Yavneh after the destruction. Like the early sources which portray Rabban Yohanan ben Zakkai as a proponent of peace who foresaw the Temple's destruction, these tannaitic sources also apparently supplied the author of our story with some basic building blocks. Having learned from tannaitic literature that Rabban Yohanan ben Zakkai was in Jerusalem before the revolt and in Yavneh after it, he fashioned a story which described how this early *tanna* ended up in Yavneh in the years following the first failed Jewish revolt.

Our investigation of the five elements in *Avot de-Rabbi Natan B*'s story of Rabban Yohanan ben Zakkai and Vespasian has revealed probable sources of inspiration for each element. With the help of early rabbinic literature, Josephus's works and ancient non-Jewish writings, we have identified building blocks for Rabban Yohanan ben Zakkai's peaceful stance and his miraculous foresight, for the arrow episode and the coffin ruse, for the meeting with Vespasian and the move to Yavneh. However, what about the story's narrative arc? Did any extant source inspire the story's plotline? Before responding, let us consider the story's skeletal plotline. In broad strokes, our story is about a Jewish leader living in besieged Jerusalem who opposes the revolt, foresees the city's destruction and therefore calls upon the Jews to surrender. His appeals, however, remain unheeded and the city's situation deteriorates. When he realizes that the destruction of the city is looming, he tries to flee the city but runs into difficulties with the Jewish guards at the city gates who oppose his exiting the city. In the long run, his anti-war stance serves him well and when he comes to the attention of the enemy leader, he is rewarded for his support. This sketch of a leader's actions at the end of the Temple period is quite remarkable because it applies in equal measure to both Jeremiah and Rabban Yohanan ben Zakkai. The biblical account of Jeremiah, in other words, apparently served as a crucial source of inspiration for the story of Rabban Yohanan ben Zakkai and Vespasian. As a religious luminary who foresaw both the destruction of the First Temple and the rebuilding of the Second, Jeremiah served as an excellent paradigm for the role ascribed to Rabban Yohanan ben Zakkai in the wake of the destruction of the Second Temple. Like the biblical portrait of Jeremiah, our story portrays Rabban Yohanan ben Zakkai as a bridging figure who was a witness to destruction yet also a harbinger of a better future.[65]

By revealing the literary matrix from which the story of Rabban Yohanan ben Zakkai and Vespasian emerged, the new historical method's analysis of the story's formation also impugns the story's credibility along the way. It stands to reason that each particular in our story originates from a single source (or literary commonplace) hence if we can identify that source (or commonplace) in an extant text, there is no reason to postulate—as traditionalists often do—the existence of an unattested historical kernel as well. Although it is theoretically possible that any particular stems simultaneously from two kernels, one literary and one historical, a simple and parsimonious explanation which does not multiply unattested and unnecessary sources is far preferable. For example, since the arrow episode already appears in early amoraic literature, it stands to reason that its appearance in our story was not triggered by an independent historical kernel. Since Rabban Yohanan ben Zakkai's prediction to Vespasian was most probably modeled on Josephus's parallel prophecy, there is no good reason to posit that Rabban Yohanan ben Zakkai's prediction is historical. Hence, while recognition of our story's literary genre teaches that we cannot know in advance whether the story occurred, study of the story's formation reveals that it almost certainly did not.

While the story of Rabban Yohanan ben Zakkai and Vespasian, according to the new historical method, is an unreliable source for Rabban Yohanan ben Zakkai's biography or Second Temple history, it is a perfectly reliable source for the explicit ideas and implicit assumptions of the late storyteller who invented it. As tokens of self-expression these ideas and assumptions require no corroboration and when deftly analyzed, they may shed light on the storyteller's ambient social, cultural, or intellectual context.

As hagiography or imagined biography, our story fantasizes how the famous *tanna* Rabban Yohanan ben Zakkai came to live in Yavneh following the failed Jewish revolt. Our story envisions that Rabban Yohanan ben Zakkai courageously sought to bring the Jewish revolt to a peaceful end and then heroically risked life and limb in his journey from Jerusalem to Yavneh.

As a foundation myth, our story imagines how the rabbinic movement was established at Yavneh in the wake of the first Jewish revolt. Since tannaitic literature presupposes that Yavneh was the central home of the rabbinic movement following the temple's destruction and that Rabban Yohanan ben Zakkai was the first leading rabbinic sage there, our story is a foundation myth for the rabbinic movement. Rabban Yohanan ben Zakkai's exit from Jerusalem in a coffin symbolizes the dying Judaism of Second Temple times and Vespasian's gift of Yavneh signifies Judaism's rebirth in the guise of the rabbinic movement.[66]

On the political front, our story lauds cooperation with the ruling non-Jewish authorities and condemns confrontation with them. This appeasing political mentality is in keeping with other rabbinic sources and seems to reflect the outlook of a community which, like other colonized groups in late antiquity, suppressed its nationalistic aspirations for independence, cultivating instead its spiritual and cultural heritage.[67]

On the literary front, our storyteller drew inspiration from a handful of literary precursors and antecedents, enrolling them as models while reshaping them for his purposes. Most strikingly, perhaps, our storyteller portrayed Rabban Yohanan ben Zakkai as a new Jeremiah, as the criticial bridging figure who foresaw the destruction of the temple but never lost faith in the future. Yet despite his prediction of Vespasian's future, Rabban Yohanan ben Zakkai is not depicted as a prophet. Unlike Josephus's account of his own prophecy, Rabban Yohanan ben Zakkai's prediction is rooted in midrashic exegesis, not prophecy. Rabban Yohanan ben Zakkai is not granted a divine prophecy but rather divines the future via careful biblical exegesis.[68] In replacing Josephus's prophecy with midrashic exegesis, our storyteller conformed to the standard rabbinic view that rabbis were exegetes and scholars but not prophets.[69] In this manner our storyteller remolded his raw literary materials in line with the preconceptions of his cultural heritage.

*

In short, the three examples explored above illustrate the superior explanatory power of the new historical method over the traditional one. Only the new historical method can explain the series of similarities between the statement attributed to Rabbi Eleazar ben Azariah in *Mishnah Berakhot* 1, 5 and the parallel material in the *Mekhilta*; only the new historical method can explain the nature of the differences between the parallel materials on Rabbi Hiyya in the two Talmuds; and only the new historical method offers a simple and parsimonious explanation for the nature of the similarities and differences between *Avot de-Rabbi Natan B*'s story of Rabban Yohanan ben Zakkai's escape from Jerusalem and its literary forerunners. Relinquishing the traditional aspiration to write event-oriented history on the basis of rabbinic literature alone, the new historical method focuses primarily on facets of the social, cultural, and intellectual reality refracted through rabbinic literature.

NOTES

1. See Albeck (1952–1959) vol. 1, 328; Lieberman (1955–1988) vol. 1, 12–13; Ginzberg (1971) 206; Benovitz (2006) 622; Safrai, Safrai and Safrai (2010) 73–74.
2. Many commentators have assumed that the commemorating text under discussion is the third paragraph of the *Shema*. The *Shema* is a collection of three biblical paragraphs recited twice daily according to rabbinic law and its third paragraph mentions the redemption of the Israelites from Egypt. The third paragraph, however, was not viewed by the *tannaim* (or *amoraim*) as a necessary component of the *Shema*'s night recitation and therefore the *mishnah* most probably refers not to the *Shema* but to one of its accompanying blessings. See Albeck (1952–1959) vol. 1, 15, 327; Lieberman (1955–1988) vol. 1, 12; Ginzberg (1971) 207–213; Kremer (1998–1999) 511; Hauptman (2005) 126, 127 n. 54, 131–132; Safrai *et al*. (2010) 72–73. Cf. Benovitz (2006) 619, 621, 623–624.

3. *Mishnah Berakhot* 1, 5 (translation by Simon (1960) *ad loc*. with slight revisions). See also *Tosefta Berakhot* 1, 10–15; *Sifre Deuteronomy* 130 (p. 188); *Palestinian Talmud Berakhot* 1, 5 3d; *Babylonian Talmud Berakhot* 12b.
4. See Safrai and Safrai (1998) 210. I use "*Mishnah*" to refer to the work known by that title and "*mishnah*" to refer to its individual textual units.
5. Translation by *JPS Hebrew-English Tanakh* (1999), slightly revised.
6. See Benovitz (2006) 620. Cf. Yuval (2006) 66 n. 84.
7. See Kremer (1998–1999) 511; cf. Holtz (1984) 202–203.
8. See Zaqash (1971) 12–13; *Tosefta Berakhot* 1, 10; *Sifre Deuteronomy* 130 (p. 188); Safrai and Safrai (1998) 210.
9. See *Palestinian Talmud Berakhot* 1, 5 3d; cf. *Babylonian Talmud Berakhot* 28a.
10. See, for example, Hyman (1920) 190–191; Lieberman (1955–1988) vol. 1, 12; Ginzberg (1971) 206; Safrai and Safrai (1998) 210; Yuval (2006) 66.
11. See Ben-Eliyahu *et al.* (2012) 64.
12. *Mekhilta* Bo 16 (60, translation by Lauterbach (2004) *ad loc*., slightly revised).
13. See the sources listed in n. 3 above.
14. See *Palestinian Talmud Berakhot* 1, 5 4a.
15. *Mekhilta* Bo 16 (pp. 58–59) with translation by Lauterbach (2004) *ad loc*., slightly revised).
16. See Hauptman (2005) 133–142; Benovitz (2006) 620–631.
17. For the application of this principle, see, for example, Friedman (2004) 87–88, (2006) 411–412; Tropper (2011) 129–130, (2013) 180–181.
18. See Hauptman (2005) 137–142; Friedman (2013) xiv. (See also Brody (2014) 115–154.)
19. See, for example, Ginzberg (1971) 206; Safrai and Safrai (1998) 210.
20. See Alon (1980–1984) vol. 2, 706. For a spectrum of views on the Patriarch's authority see Stern (2003) and the studies he cites (especially in nn. 1, 2, and 6). See also Chapter 7 n. 36.
21. *Babylonian Talmud Bava Metzia* 85b according to MS Munich 95. The translation is Freedman's (1962) *ad loc*. with slight modifications. See *Babylonian Talmud Ketubot* 103b. See also Friedman (1993) 139 nn. 107–109.
22. See Rubenstein (2003) 48; Blau (2009) 249.
23. See Alon (1954–1955) vol. 2, 139–140. See also Oppenheimer (2007) 136–137. Historians of education derive from our story a variety of historical facts, such as the dearth of elementary school teachers at the time of Rabbi Hiyya and the responsibility of teachers to prepare learning materials, such as the Pentateuch, for their students. See Aberbach (1983), 21, 35 and the references in Friedman (1993) 140 n. 114.
24. See Aberbach (1983) 27 and n. 33 below.
25. *Palestinian Talmud Kilayim* 9, 4 32b. The translation is that of Mandelbaum (1990) *ad loc*. with a slight alteration. See also *Palestinian Talmud Ketubot* 12, 3 35a.
26. See Friedman (1993) 140.
27. See Friedman (1993) 140.
28. See Friedman (1993) 141. See also Friedman (1987) 74–75.
29. Friedman (1993) 141 also identified some texts from the *Babylonian Talmud* which influenced our story.
30. *Palestinian Talmud Hagigah* 1, 7 76c (translation by Neusner (1986) *ad loc*. along with minor additions).
31. See Friedman (1993) 141 n. 120.
32. For another example of the *Babylonian Talmud*'s conflation of different people with the same name see Tropper (2011) 117–122.
33. I also suspect that Alon was influenced by the story from *Palestinian Talmud Hagigah* when he assumed that Rabbi Hiyya was *sent by Rabbi Judah ha-Nasi* to teach children Torah and *Mishnah*.

34. See n. 17.
35. Some contemporary scholars believe they can identify characteristics of authentic Second Temple materials in rabbinic literature (see, for example, Noam (2012–2013) 386–391) but I remain unconvinced.
36. See *Avot de-Rabbi Natan A* 4 (pp. 22–24); *Avot de-Rabbi Natan B* 6 (p. 19); *Lamentations Rabbah* 1, 5 (pp. 65–69); *Babylonian Talmud Gittin* 56a–b; *Midrash Mishle* 15 (pp. 125–126). The four versions are sufficiently similar, however, that they must belong to a single literary trajectory and hence do not corroborate one another. Cf. the references cited in Chapter 6 n. 28.
37. See Stemberger (1996) 227.
38. Various signs indicate that the *Avot de-Rabbi Nathan B* has preserved the earliest extant version of the story. For example, *Avot de-Rabbi Nathan A* duplicates elements which only appear once in *Avot de-Rabbi Nathan B* and adds explanatory glosses absent from *Avot de-Rabbi Nathan B* and both duplications and glosses are typical signs of secondary editorial revisions (see Friedman (2006) 414). The running narrative in both the *Babylonian Talmud* and *Lamentations Rabbah* is comprised of discrete elements spread across *Avot de-Rabbi Nathan B* and this apparent conflation of earlier materials from *Avot de-Rabbi Nathan B* is also a sign of later revisions. (On conflations as secondary revisions, see n. 17.) See also Saldarini (1975a) 190–191; 202–203; Rubenstein (1999) 144–147.
39. *Avot de-Rabbi Natan B* 6 (p. 19) according to MS Vatican 303 with corrections on the basis of other manuscripts (see *Avot de-Rabbi Natan Manuscripts*, pp. 328–239). The translation is a variation on Saldarini's (1975b) translation *ad loc*.
40. See Graetz (1956) 323–324.
41. See Graetz (1908) 13 n. 1.
42. Alon (1977) 313.
43. See Schwartz (2002) 85.
44. Cf. Neusner (1962) 122–124; Schwartz (2002) 85.
45. Alon (1977) 294–295.
46. See Neusner (1970) 228.
47. The word "favor" in Hebrew is also from the root of the Hebrew word "to ask."
48. For some recent discussions of this story and references to earlier scholarship, see Hasan-Rokem (2000) 171–189; Schremer (2005) 228–234; Tropper (2005c); Lapin (2012) 43–44; Marx (2013).
49. Cf. Graetz (1956) 324. (See also Marx (2013) 83–84.)
50. See *Mishnah Avot* 1, 2.
51. Rubenstein (1999) 361 n. 112.
52. *Mekhilta* Bahodesh 11 (p. 244) with translation by Lauterbach (2004) *ad loc*., slightly revised.
53. *Palestinian Talmud Yoma* 6, 3 43c with translation loosely based on Neusner (1990b) *ad loc*. See also *Babylonian Talmud Yoma* 39b.
54. See Stemberger (1996) 291.
55. *Leviticus Rabbah* 5, 5 (pp. 117–118) with translation loosely based on Israelstam and Slotki (1939) *ad loc*. See also *Babylonian Talmud Sanhedrin* 26a.
56. See Kaminka (1944) 73 n. 9; Zfatman (2010) 117–120.
57. Shortly before the statement about Shebna and Yoah, *Leviticus Rabbah* refers to a stone coffin (*Leviticus Rabbah* 5, 5 (p. 16)) which is reminiscent of the wooden coffin in our story and shortly after the statement, *Leviticus Rabbah* refers to a friend of the king (*Leviticus Rabbah* 5, 6 (p. 120)), much like the description of Rabban Yohnan ben Zakkai in our story. In light of the close proximity in which three elements from our story are found in *Leviticus Rabbah*, it is not unlikely that the scattered elements in *Leviticus Rabbah* were integrated together into a single story in *Avot de-Rabbi Natan B*. (See also n. 17.)

58. Plutarch, *On the Bravery of Women* 19.255F (translation by Babbit (1968) *ad loc.*). See also Lieberman (1955–1988) vol. 8, 991.
59. Josephus, *Jewish Antiquities* 15.42–48 (translation by Marcus (1976) *ad loc.*). See also Zfatman (2010) 114 n. 19; cf. Zeitlin (1968–1978) vol. 3, 78.
60. Cf. Lieberman (1955–1988) vol. 8, 990, 992.
61. Josephus, *Jewish War* 3.398–408 (translation by Thackeray (1976) *ad loc.*).
62. One significant difference between the parallel stories is that whereas Josephus prophesies Vespasian's enthronement, Rabban Yohanan ben Zakkai does not prophesy, he predicts the future with the help of midrashic exegesis. See Neusner (1980) 16; Rubenstein (1999) 157; Fraenkel (2001) 216–217.
63. See, for example, *Tosefta Parah* 3, 8.
64. See, for example, *Mishnah Rosh Hashanah* 4, 1.
65. See Tropper (2005).
66. See Hasan-Rokem (2000) 179–180.
67. See Tropper (2013) 156.
68. See n. 62.
69. For references, see Tropper (2013) 26 n. 8.

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Part IV
Conclusion

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9 On Hillel the Elder's rise to greatness

In lieu of a standard conclusion, let us review the shift from the traditional historical method to the new through the lens of a single source: the *Babylonian Talmud*'s story of Hillel the Elder's rise to greatness. In this story, Hillel the Elder is a seemingly unremarkable student whose extraordinary dedication to the study of Torah brings him to the attention of the leading sages of his generation in a most unusual manner. By examining the authenticity, hermeneutics, and credibility of the story according to both the traditional method and the new, I hope to illustrate one final time the advantages of the new historical method.

The story of Hillel the Elder's rise to greatness appears a single time in all rabbinic literature, on *Babylonian Talmud Yoma* 35b.[1] Within a collection of three stories designed to underline the importance of studying Torah whatever one's circumstances, our story illustrates how Hillel pursued his Torah studies even in dire poverty:

> Our Rabbis taught (in a *baraita*): The poor, the rich and the sensual (literally: the wicked) come before the (heavenly) court.
>
> They say to the poor: Why have you not occupied yourself with the Torah? If he says: I was poor and worried about my sustenance, they would say to him: Were you poorer than Hillel? It was said about Hillel the Elder that every day he used to work and earn one *tropaik* (= *Victoriatus* or half a dinar[2]), half of which he would give to the guard at the house of study, the other half being spent for his food and for that of his family. One time he found nothing to earn and the guard at the house of study would not permit him to enter. He climbed up and sat upon the skylight, to hear the words of the living God[3] from the mouth of Shemaiah and Avtalyon. When the dawn rose, Shemaiah said to Avtalyon: "Avtalyon, my brother, on every day this house is light and today it is dark!" They looked up and saw the figure of a man in the skylight. They climbed up and found him covered in snow three cubits high. They removed him, bathed and anointed him and sat him opposite the fire and they said: "This man deserves that the Sabbath be profaned on his behalf."
>
> To the rich man they say: Why have you not occupied yourself with the Torah? If he said that he was rich and worried about his possessions,

> they would say to him: Were you any richer than Rabbi Eleazar ben Harsom? It was said about Rabbi Eleazar ben Harsom that his father left him a thousand cities . . .
>
> To the sensual person they say: Why have you not occupied yourself with the Torah? If he said that he was beautiful and worried by his sensual passion, they would say to him: Were you any more worried by sensual passion than Joseph? It was said of Joseph the virtuous that every day the wife of Potiphar endeavoured to entice him . . .
>
> Thus (the example of) Hillel condemns the poor, (the example) of Rabbi Eleazar ben Harsom condemns the rich, and (the example of) Joseph the virtuous condemns the sensual.[4]

Babylonian Talmud Yoma portrays at length the service of the high priest in the Jerusalem temple on the Day of Atonment, the annual judgment day in the Jewish calendar. In rabbinic eyes, the rituals performed by the high priest on the Day of Atonement were meant to attain absolution and a favorable judgment for the Jewish people. With its focus on the divine judgment administered in the afterlife, our collection of stories dovetails smoothly with the divine judgment theme that pervades *Yoma*. Exploring *Yoma*'s central theme of divine judgment, our collection is comfortably at home in this specific talmudic tractate.

The collection's link to the immediate literary context, however, is more associative than thematic. *Mishnah Yoma* 3, 7 discusses the exorbitant price of the garments worn by the high priest on the Day of Atonement, noting that the high priest was free to purchase even costlier garments if he so desired. *Babylonian Talmud Yoma ad loc.* clarifies that if the high priest's garments were purchased with private funds, they could not remain in private hands and had to be donated to the temple prior to their use. Like all vessels in the temple, the high priest's garments had to be communal property. On the heels of this clarification, the *Talmud* brings two stories about high priests whose mothers made them very expensive garments. The second story, which immediately precedes our collection, tells of the expensive but transparent tunic made for the high priest Rabbi Eleazar ben Harsom by his mother. The second story *in* our collection also features Rabbi Eleazar ben Harsom and tells of the great efforts he made to learn Torah despite the riches endowed to him by his family. Hence it appears that wealthy Rabbi Eleazar ben Harsom is the associative link which anchors our collection in the immediate literary context.[5]

AUTHENTICITY

After reading the story about Hillel's rise to greatness in its literary context, the first stage in the historical analysis of the story is the examination of its authenticity. There is no reason to doubt that our story is an authentic

segment of the *Babylonian Talmud* since it appears in all textual witnesses of *Babylonian Talmud Yoma* 35b. However, one may wonder whether the manuscript cited above (in translation), MS Munich 95, preserves the earliest extant version of this segment. Although some textual witnesses are very close to the version of the story recorded in MS Munich 95, others preserve a longer version of the story, with the additions printed below in italics.

> It was said about Hillel the Elder that every day he used to work and earn one tropaik, half of which he would give to the guard at the house of study, the other half being spent for his food and for that of his family. One time he found nothing to earn and the guard at the house of study would not permit him to enter. He climbed up and sat upon the skylight, to hear the words of the living God from the mouth of Shemaiah and Avtalyon. *They say, that day was the eve of Sabbath in the winter solstice and snow fell down upon him and surrounded him/from heaven.*[6] When the dawn rose, Shemaiah said to Avtalyon: "Avtalyon, my brother, on every day this house is light and today it is dark; *perhaps it is a cloudy day.*"[7] They looked up and saw the figure of a man in the skylight. They climbed up and found him covered in snow, three cubits high. They removed him, bathed and anointed him and sat him opposite the fire and they said: "This man deserves that the Sabbath be profaned on his behalf."[8]

The traditional historical method regularly champions the independent parallels method and in this case, the independent parallels method would contend that the long and short versions of our story are equally authentic. Postulating that the original story (or underlying event) was composed of a series of discrete components, the independent parallels method would argue that the longer version simply included some genuine components left out of the shorter one.

By contrast, the edited parallels investigates the *nature* of textual variations in order to determine their genuineness. In this case, careful comparison indicates that the two unparalleled sentences of the longer version are not genuine components of the original story but secondary accretions to it.[9]

The first addition is unstable—MS London-BL Harl. 5508 (400) reads "and snow fell down upon him," MS Oxford Opp. Add. Fol. 23 reads "and snow fell down upon him *and surrounded him*" and the printed editions read "and snow fell down upon him *from heaven*"—and textual instability is often a sign of secondary revision.[10] Furthermore, the first addition is an explanatory gloss meant to prepare the reader for the otherwise shocking climax when Hillel is buried under 3 cubits of snow on a Friday evening, but in foreshadowing this climactic event the gloss impairs the dramatic force of the story. Without this addition, the story only crescendos at its end when we learn that Hillel was buried in snow on a Friday evening; once the snowfall and timing are mentioned up front, the electrifying surprise is ruined.

In like manner, the second addition, "perhaps it is a cloudy day," is a superfluous comment which adds some color to the story but does not enhance its plotline. Shemaiah only need look up at the skylight to see that the darkness is not due to inclement weather. In addition, the clause, "perhaps it is a cloudy day," was apparently drawn from a source cited just a few pages earlier in the *Talmud*: "The school of Rabbi Ishmael taught: *It was a cloudy day* and the light was scattered in all directions."[11] The attenuating effect of clouds on light in this source probably prompted a late editor or scribe to assign the clouds a similar role in our story.

In sum, the evidence suggests that the shorter version of the story is the more genuine one. This conclusion is also in line with the text-critical rule of thumb which states that, all else being equal, scribes were more inclined to embellish than to delete.[12]

HERMENEUTICS

With the most genuine extant version of the story in hand, we turn to hermeneutics and, more specifically, to a close reading of the structure and language of the story. The story neatly divides into two halves which complement and balance one another. The first half describes Hillel's exceptional dedication to Torah study despite his abject poverty, concluding with his ascent to the skylight of the house of study. The second half praises Hillel's dedication to the study of Torah, concluding with his descent from the skylight into the house of study. The first half contrasts "*every day* he used to work" with "one time he found nothing" just as the second half contrasts "*every day* this house is light" with "*today* it is dark." In the first half Hillel "*climbed up*" to the skylight in order to hear the teachings of Shemaiah and Avtayon and in the second half it is Shemaiah and Avtalyon who "*climbed up*" to rescue Hillel from the skylight. In the first half Hillel "*sat* upon the edge of the skylight" and in the second half Shemaiah and Avaylon "*sat* him opposite the fire." The first half ends with Hillel yearning to hear "the words of the *living* God" and the second half ends with the profanation of the Sabbath in order to save Hillel's life. In the first half Hillel is excluded from the house of study by its guard and in the second half he is brought into the house of study by its masters, Shemaiah and Avtaylon. This thoroughgoing structural and linguistic equilibrium suggests that the care Hillel receives in the second half of the story is compensation for his commitment to Torah study portrayed in the first half. Shemaiah and Avtalyon themselves "climbed up," removed Hillel from the skylight and then "sat" him by the fire to save his life because Hillel had risked life and limb when he "climbed up and sat upon the skylight" in order to hear "the words of the living God" from their mouths.

Our close reading indicates that the story's central theme is Hillel's commitment to Torah study at all costs. Because Hillel spent half his meager

wages on tuition and went to even greater lengths to continue his studies when lacking the requisite funds, he was brought to the attention of the two leading sages of his generation in a fortuitous encounter which presumably set him off on the path to greatness. This central theme, that is, Hillel's phenomenal commitment to Torah study, not only reflects the story's structural equilibrium, it also lines up with the story's stated role within the collection. Our story's prologue explicitly declares that the story is supposed to illustrate why poverty is no excuse for neglecting the study of Torah and it does so in no uncertain terms.[13]

Decoupling the story from its context, scholars have sought to detect other themes in the story. Jonah Fraenkel argues that the story critiques the rabbinic movement for its inordinate insularity and excessive focus on Torah study. More specifically, Fraenkel contends that Shemaiah and Avtalyon were unaware of their guard's practice to demand an unsanctioned admission fee and owing to their neglectful obliviousness, paupers like Hillel were tragically excluded from their study-house.[14] The crux of Fraenkel's interpretation consists of Shemaiah and Avtalyon's blissful ignorance of the guard's extortionary practice but it bears emphasizing that this crux is never actually stated or implied. Moreover, the reader's default assumption is that the heads of an educational institution not only are aware of their tuition policy, they determine it. Since the story nowhere indicates that the guard collected admission fees on his own initiative, we may assume, contra Fraenkel, that tuition collection was standard operating procedure in the house of study envisioned in our story.

Jacob Licht suggests that our story critiques sages whose total commitment to Torah study led them to neglect the welfare of others. According to Licht, the story condemns Hillel for selfishly spending half his paltry wages "to study Torah for his own personal pleasure"[15] rather than in support of his family. Finding himself one day without wages, Hillel should have made greater efforts to find employment in order to provide for his family but, instead, Hillel selfishly attended the house of study. Hillel prefered to study on Friday rather than help his family prepare for the Sabbath and his near-death experience was punishment for the gross neglect of his familial responsibilities. Moreover, says Licht, Hillel modeled his excessive commitment to Torah study on the callous example set by his teachers, Shemaiah and Avtalyon. Shemaiah and Avtalyon charged admission in order to weed out less committed students. They were so immersed in their learning that they did not notice Hillel's absence and they attended the house of study on the Sabbath when they should have been at home, spending time with their families. Shemaiah and Avtalyon's praise for Hillel in the final line of the story, "This man deserves that the Sabbath be profaned on his behalf," actually belittles them and betrays their unfeeling elitism since, according to Jewish law, *everyone* deserves that the Sabbath be profaned on his or her behalf.[16] In short, Licht views the story as one "critical of those sages who make the house of learning the monopoly of those who see it as their whole world."[17]

The central flaw in Licht's reading is over-interpretation. Interpolating critiques right and left, Licht simply expects too much from a very short story. Licht argues that our story condemns Hillel's neglect of his family but Hillel's family was only mentioned once and incidentally at that, in order to underscore the extent of Hillel's commitment to the study of Torah. As the story explains, Hillel was so dedicated to his studies that he split his daily wages down the middle, using half for his family's needs and half for his studies. The story nowhere criticizes Hillel, Shemaiah, or Avtalyon for attending the study-house on Friday or Saturday and it does not indicate that Hillel's absence from the study-house should have been noticed by Shemaiah and Avtalyon. By concluding with the praise—"This man deserves that the Sabbath be profaned on his behalf"—the story ends on a positive note, not a critical one, and it extols Hillel for actions explicitly illustrated in the first half of the story.

In truth, Licht hesitates before offering his novel interpretation, wondering himself whether it is overdone. Licht initially acknowledges that as "a short story with a limited framework," our story does not relate to the ethical concerns he raises. Instead, the story's "purpose is to present Hillel and his teachers clearly and sharply, and therefore it creates an extreme picture of one facet of their lives, their study of Torah."[18] Though Licht goes on to reject this assessment, I find it compelling. Due to their brevity, short rabbinic stories hone in on a theme or two without concern for all the story's potential ramifications. In this case, the various critiques Licht imputes to the story are not rooted in the story's structure, plotline, or literary qualities.

In the end, the creative literary interpretations offered by Fraenkel and Licht fail to convince whereas the local context in *Yoma* reflects the central theme conveyed by the structure and literary features of the story. This perfect alignment between story and context is not at all surprising because, as I will argue below, our story was apparently created for this very context.

CREDIBILITY

The credibility of our story, like any historical testimony, ultimately depends on the quality of the first-hand account(s) on which it rests. Does our story stem from an eyewitness's account of Hillel's experience and if so, was the eyewitness able and willing to report what happened on that fateful day? In response to these questions, traditionalists have offered a variety of credibility assessments, ranging from those who view the story as a trustworthy historical account to those who view it as a late Babylonian invention.

Detecting no local grounds to question either the genuineness of the story or the trustworthiness of its contents, some traditionalists, like Gedaliah Alon, accept our story as a perfectly reliable historical testimony. Our story appears in a source introduced by the phrase, "Our rabbis taught," a

technical talmudic formula which ascribes the cited source to the tannaitic period. Traditionalists like Alon see no reason to question the reliability of this citation formula and they also presuppose that the story ultimately stems from a first-hand account. Furthermore, since they find no local grounds to doubt the story's historicity, these traditionalists regard it as an accurate depiction of a historical event.[19] However, the tannaitic period flourished for a good 200 years after Hillel's lifetime so even if the ascription to tannaitic times were reliable, it would by no means guarantee that the story originated from the time of Hillel the Elder.

Other traditionalists, like Shmuel Safrai, question the purported tannaitic dating of the story because some of its central details are never mentioned in tannaitic literature. Hillel's poverty, the study-house doorkeeper, and study-house tuition are never so much as hinted at in tannaitic literature. In fact, the only other text which assigns a doorkeeper to a rabbinic study-house is also found in the *Babylonian Talmud*.[20] In light of the discrepancies between the story and tannaitic literature, scholars like Safrai reject the reliability of the *Talmud*'s citation formula, viewing the story's portraits of Hillel and the study-house as late Babylonian inventions.

For traditionalists like Safrai, not only do the story's anachronistic details belie its historicity, but its exaggerated literary features also disclose its fictitious nature. Hillel's dire poverty, the tremendous overnight snowfall (which is practically unheard of in Jerusalem[21]), Hillel's death-defying dedication to his studies, and the need to profane the Sabbath on his behalf are the extreme stuff of legend, not history. In light of all the late and legendary features of our story, these traditionalists conclude that the story is the fictional creation of a late Babylonian author.[22] However, some traditionalists who acknowledge the legendary nature of our story nonetheless maintain that Hillel's poverty and the study-house tuition fees comprise the story's underlying historical kernel.[23]

In contrast to the traditional historical method, the new historical method, to begin with, is less trusting of unconfirmed talmudic citations. Since our story does not appear in tannaitic literature and since it is cited nowhere else in all amoraic literature, our default position is to suspend judgment. Rather than presuming the genuineness of the citation barring any immediate reason to think otherwise, the new method maintains that we simply do not know, in advance of inquiry, whether an unconfirmed talmudic citation is genuine. In this case, inquiry strongly suggests that the citation formula is unreliable since the story's apparent anachronisms indicate that it is an amoraic invention rather than an authentic tannaitic *baraita*. This finding is in keeping with a tendency of the *Babylonian Talmud* to introduce stories about early rabbinic figures with the technical formulae reserved for tannaitic materials even when the stories are not genuine tannaitic sources.[24]

Furthermore, the credibility of our story is also impugned by its genre. The new historical method recognizes that sage stories, like our story, are didactic fiction which may or may not have depended on historical accounts for their

inspiration. Proponents of the new historical method accordingly can agree with traditionalists like Safrai who refute the credibility of our story on the basis of its late and legendary features.[25] Since any event in the story, however plausible and realistic, may be partially or entirely fictitious, the new method rejects the use of common sense criteria, like plausibility or realism, to recover a supposed historical kernel. Instead, the new method requires an external source to confirm or corroborate the presence of a historical kernel in our story, but no such source exists. Against traditionalists like Alon, proponents of the new historical method surmise that the *Babylonian Talmud*'s story of Hillel's rise to greatness is neither tannaitic nor credible.

THE STORY'S LITERARY FORMATION

Once we recognize that the story of Hillel's rise to greatness is mostly likely a late literary creation rather than an early historical report, we are open to consider the possibility that rabbinic literature may have preserved some of the raw literary materials which contributed to the formation of the story. Although no rabbinic work has preserved an obvious parallel to the story, *Avot de Rabbi Natan B* brings a source highly reminiscent of the collection of stories within which our story is found.

> In the future, a man will be asked: Why did you not study Torah in this world? If he answers: "Because I was poor," (he will be told) Rabbi Akiva also was poor. (If he answers:) "Because I was rich," (he will be told) Rabbi Akiva also was rich. (If he answers:) "Because I was burdened with a large family." Rabbi Akiva also was burdened with a large family. "Perhaps your ancestors laid up no merit for you?" Also Rabbi Akiva's ancestors did not lay up merit for him. Because of this the Sages, blessed be their memory, said that Rabbi Akiva will shame many, (that is,) all who did not study Torah in this world.[26]

Like our collection, the parallel in *Avot de-Rabbi Natan B* discusses the trial every Jewish man is said to undergo when he arrives in the world to come. The deceased, in both parallels, is asked the very same question: why did you squander your life and refrain from studying Torah? In both parallels some potential defenses are considered and in both parallels the poverty defense is rendered first and the excessive wealth defense second. In both parallels each defense is rebutted by an example, the poverty defense with that of a poor rabbinic sage and the excessive wealth defense with that of a rich rabbinic sage. The number and unusual nature of these similarilities are enough to warrant the conclusion that the two parallels belong to the same literary trajectory, but the similarities themselves cannot help us decipher which parallel is earlier and which later.

One hint that the parallel in *Avot de-Rabbi Natan B* predates our collection is found in the other defenses it cites. *Avot de-Rabbi Natan B* extends the poverty and wealth defenses with two family-oriented defenses, the burden of a large family and the absence of ancestral merit. Supporting a large family consumes a man's time and resources as if he were poor and the lack of ancestral merit hampers the study of Torah even for the rich. With these two pairs of interlocking defenses and with Rabbi Akiva as the constant foil, the *Avot de-Rabbi Natan B* parallel flows naturally from beginning to end. By contrast, the *Babylonian Talmud* falters when it moves beyond the first two defenses to its third and final defense, the "sensual" or "wicked." This defense differs from its predecessors in both substance and form. Unlike poverty or wealth, sensuality is a character trait and unlike Hillel and Rabbi Eleazar ben Harsom, Joseph is a biblical figure. In light of these and other differences, scholars have concluded that the *Babylonian Talmud*'s third defense is a secondary addition to the collection.[27] The secondary nature of this addition suggests, perhaps, that the *Talmud*'s collection as a whole is a revised edition of an earlier model.

Although scholars have noted the striking parallel to our collection in *Avot de-Rabbi Natan B*, they have not managed to unravel the nature of the relationship between the parallels or their relative chronology.[28] I would like to suggest that the key to discerning the relationship between the parallels lies hidden in the literary context of our parallel in *Avot de-Rabbi Natan B*:

> Another interpretation: "And sit in the dust at their feet." This refers to Rabbi Akiva who sought to study Torah . . .
>
> They said of him that he never worked as a laborer, but every day he gathered two bundles of wood; he sold one for a *tressis* (= a coin worth three ases[29]) and used one to keep warm by. His neighbors said to him: "Akiva, you are killing us with smoke. Sell your bundle (of wood) and get oil with it." He said to them: "I am not going to listen to you; I get two benefits from it. First, I keep warm by it and second, (the fire) gives me light."
>
> . . . In the future, a man will be asked: Why did you not study Torah in this world? If he answers: "Because I was poor," (he will be told) Rabbi Akiva also was poor . . . .
>
> Another interpretation: "And thirstily drink in their words." A story is told of Eliezer ben Hyrcanus, who wanted to study Torah. His father had many plowmen and he was plowing on rocky ground. He sat down and cried. His father said to him: "Why are you crying? Perhaps you are sad because you are plowing on rocky ground? Tomorrow come and plow on furrowed ground." He sat on furrowed ground and cried. His father said to him: "Why are you crying?" He replied to him: "Because I want to study Torah." He said to him: "You are twenty-eight years old and you want to study Torah? Go and take for yourself a wife and

beget children and send them to school." He was sad for three weeks until Elijah of blessed memory appeared to him. He (=Elijah) said to him: "Go up to Ben Zakkai in Jerusalem."

He went up to Ben Zakkai in Jerusalem, sat and cried. He (Rabban Yohanan ben Zakkai) said to him: "Whose son are you?" But he did not answer him. "Why are you crying? What do you want?" He answered: "To study Torah." He said to him: "Have you never entered a school and studied the Shema and prayer and the Grace after Meals?" He said to him: "No." He (=Rabban Yohanan ben Zakkai) immediately taught him the three. Then he said to him: "What do you want, to read Scripture or study Mishnah?" He said to him: "To study Mishnah." He taught him two laws every day of the week and on the Sabbath he (=Eliezer) reviewed them and made them his own.

He spent eight days without eating anything until a bad odor issued forth before him (=Rabban Yohanan ben Zakkai) and he expelled him from his presence. He sat and cried. He said to him: "Why are you crying?" He said to him: "Because you sent me away the way one sends away someone afflicted with sores." He said to him: "Whose son are you?" He said to him: "I am the son of Hyrcanus." He said to him: "You are a son of the nobles of the world and you did not inform me? Today you will eat at my house." He said to him: "I already dined at my lodgings." Rabban Yohanan sent (a messenger) to his lodgings who asked: "Did Eliezer dine with you today?" They said to him: "No, he has not eaten anything for the last eight days." Rabbi Joshua ben Hananiah, Rabbi Jose the Priest and Rabbi Simeon ben Nethanel went and said to Rabban Yohanan: "Alas, he has not eaten for the last eight days." When Rabban Yohanan ben Zakkai heard this, he stood up and tore his clothes. He said to him: "Woe to you Rabbi Eliezer that you were expelled from among us but I tell you that just as the bad odor of your mouth issued forth before me, the teaching of your mouth shall go forth from one end of the world to the other. I read concerning you: 'And the name of the other, Eliezer.' (*Exodus* 18:4)" . . .

Then, Rabbi Eliezer sat and interpreted more teachings than were spoken to Moses on Sinai and his face was radiant like the light of the sun and rays of light went went forth from him like the rays of light of Moses and no one knew whether it was day or night.

Rabbi Joshua and Rabbi Simeon ben Nethanel went and said to Rabban Yohanan ben Zakkai: "Come and see Rabbi Eliezer. He is sitting and interpreting more teachings than were spoken to Moses on Sinai and his face is radiant like the light of the sun and rays of light are coming forth from him like the rays of Moses and no one knows whether it is day or night." Rabban Yohanan ben Zakkai came up behind him and kissed him on the head and said: "Blessed are you Abraham, Isaac and Jacob because this man has come from your loins."[30]

In the portion of *Avot de-Rabbi Natan B* immediately preceding the parallel to our collection, a story about Rabbi Akiva is told with some marked similarities to our story of Hillel's rise to greatness. Like Hillel in our story, Rabbi Akiva splits his daily income in two, dedicating half to support himself (and family) and half to facilitate his learning. Just as Hillel earns a *tropaik*, an archaic term for a coin of little value, Rabbi Akiva earns a *tressis*, a similarly archaic term for another coin of little value.[31] In addition, just as Rabbi Akiva warms himself by a fire, Hillel is also warmed up by a fire.[32]

In the portion of *Avot de-Rabbi Natan B* immediately following the parallel to our collection, a story is told about Rabbi Eliezer ben Hyrcanus which shockingly shares the same skeletal structure as our Hillel story. Both stories open with the plight of a great rabbinic sage who, as a young disciple, suffered severe poverty in order to attend a house of study. Due to his extreme poverty the disciple was tragically turned out of the house of study but later on, the disciple's master(s) returned him to the house of study and showered upon him glowing praise.[33] In addition, this young disciple's dedication to his studies created a situation in which the people around him could not tell whether it was day or night.

In sum, *Avot de-Rabbi Natan B* 12–13 contains a long series of unexpected similarities to *Babylonian Talmud Yoma*'s story of Hillel's rise to greatness. These similarities include the division of daily income into two halves; an archaic term for an ancient coin; warming oneself by a fire; the afterlife trial; the poverty and affluence defenses in the afterlife trial along with counter-examples; the confusion between day and night caused by a young disciple; and the story of an impoverished disciple who is initially rejected by his study-house only to be embraced later on by its master(s). Since the number and unlikelihood of these similarities are so great, they are best explained as the product of direct literary influence. The notion that all these similarities are mere coincidence is difficult and far-fetched.

Furthermore, since it is far more likely that discrete elements spread across *Avot de-Rabbi Natan B* 12–13 were interwoven into our story than that elements from our story were scattered across two chapters of *Avot de-Rabbi Natan B*, it seems most probable that the author of our story drew inspiration from *Avot de-Rabbi Natan B* 12–13. In other words, since integration and conflation into a compact story is far more likely than the dispersal of previously synthesized elements over a large swath of text, it is most probable that *Avot de-Rabbi Natan B* 12–13 was a source of literary materials for the author of our story. The initial anchor in *Avot de-Rabbi Natan B* was probably the account of the afterlife trial and when developing his own account of the afterlife trial on the basis of *Avot de-Rabbi Natan B*, our author apparently drew inspiration from the surrounding materials as well, from the adjacent stories of Rabbi Akiva and Rabbi Eliezer ben Hyrcanus.

It bears mentioning that our story is not the only place where the *Babylonian Talmud* transformed an earlier story about a Palestinian sage, and even one starring Rabbi Akiva, into a story about Hillel the Elder.

The famous story from *Babylonian Talmud Shabbat* 31a of the prospective convert who asks Hillel to teach him the entire Torah in short order is largely based upon a story about Rabbi Akiva from *Avot de-Rabbi Natan B* 26 (p. 53).[34] Though Rabbi Eliezer ben Hyrcanus was a well known *tanna* and Rabbi Akiva was the most renowned *tanna* of all, both were Palestinian sages. Hillel the Elder, however, was of Babyloniain origins, at least according to some sources about him in rabbinic literature.[35] Consequently, perhaps the *Babylonian Talmud*'s transformation of traditions featuring famous Palestinian *tannaim* like Rabbi Akiva into two stories spotlighting Hillel the Babylonian is an expression of the local patriotism of Babylonian rabbis. [36] With few stories glorifying early Babylonian sages, perhaps some stories about Palestinian rabbis were transformed into stories about Hillel the Elder in order to fill this gaping hole in Babylonian lore.

After the parallel in *Avot de-Rabbi Natan B* 12, the next natural place to search for literary kernels underlying our story is the local context in *Babylonian Talmud Yoma*. Our story appears in the talmudic commentary to *Mishnah Yoma* 3, 6–7 which describes the high priest's immersion in the *parwah* chamber on the Day of Atonement:

> They brought him to the *parwah* chamber, which was on holy ground. They spread a sheet of linen between him and the people. He sanctified his hands and his feet and stripped. Rabbi Meir said: "He stripped, sanctified his hands and his feet." He went down and immersed himself, came up and dried himself . . . [37]

Two details of this *mishnah* bear notable similarities to our story. First, the high priest is brought to the *parwah* chamber on the temple mount to immerse himself and, according to *Mishnah Midot* 5, 3, the immersion pool or *miqveh* was located on the roof of the *parwah* chamber. Hence, just as the high priest ascended to the roof of the *parwah* chamber to immerse himself in water, Hillel climbed up onto the roof[38] of the study-house only to be fully immersed there in snow.

Second, in describing the *miqveh* of the *parwah* chamber, *Babylonian Talmud Yoma* 31a cites a *baraita* which determines that the quantity of water in the *miqveh* must be 1 cubit square and "three cubits high." The phrase, "three cubits high" is not a common phrase in rabbinic literature and it is the very phrase used to describe the snowfall in our story. Just as *Yoma* 31a employs the phrase "three cubits high" to describe the amount of water in which the high priest immersed on the roof of the *parwah* chamber, *Yoma* 35b enlists the very same phrase to describe the quantity of snow which covered Hillel on the study-house roof.[39]

In the wake of the similarities between our story and its proximate *mishnah*, *Mishnah Yoma* 3, 6–7, consider also the previous *mishnah* in our chapter, *Mishnah Yoma* 3, 5:

> "If the high priest was either old or of delicate health, warm water would be prepared for him and poured into the cold, to mitigate its coldness."[40]

The attendants, in this *mishnah*, heat the water of the *miqveh* in order to warm up the high priest, just as Shemaiah and Avtalyon bathe and warm up Hillel in our story. Moreover, right before our own *mishnah*,[41] the *Talmud* discusses how to heat the *miqveh* water for the high priest without profaning the holy Day of Atonement and concern about profaning a holy day is also expressed in Shemaiah and Avtalyon's acknowledgment that warming up Hillel involved profaning the holy Sabbath.

Three elements in our story—the ascent to a roof, immersion there in precipitation "three cubits high" and the profanation of a holy day in order to warm up a cold person—are all found in close proximity to our story in *Babylonian Talmud Yoma*. One might claim that the appearance of these elements in the vicinity of our story is mere coincidence, but that seems highly unlikely. Not one of the three elements is commonly found in rabbinic literature and the appearance of *three* such elements in close proximity to our story only compounds the improbability of their presence here. In addition, the only elements from our story which appear in the local context are elements without counterparts in *Avot de-Rabbi Natan B* and this finding would be hard to explain were their presence here accidental. Instead, the best explanation for the appearance of three elements from our story in the local literary context in *Babylonian Talmud Yoma* is that the author of our story drew them from this context.

Although most of the elements in our story stem from *Avot de-Rabbi Natan B* 12–13 or the local context in *Babylonian Talmud Yoma*, three elements were apparently drawn from other sources of inspiration. First, the (supposed) identity of Hillel's teachers, Shemaiah and Avtalyon, is known from a variety of earlier sources. For example, Hillel receives the Torah from Shemaiah and Avtalyon in *Mishnah Avot*'s depiction of the transmission of Torah across the generations[42] and Hillel cites a tradition he heard from Shemaiah and Avtalyon in a story told, with variations, in both Talmuds.[43] The evidence of these early sources discloses that the identity of Hillel's teachers was apparently common knowledge in rabbinic circles by the time our story was created.

Second, the phrase "the words of the living God" was linked to Hillel in a tradition already cited multiple times in the *Palestinian Talmud*:

> It was taught: A Heavenly voice went forth and proclaimed, Both (Houses) speak the words of the living God. But the law follows the words of the House of Hillel."[44]

In light of this oft-repeated tradition, our story intimates that Hillel's teachings were considered "the words of the living God" because Hillel had

received "the words of the living God" from his teachers, Shemaiah and Avtalyon.

Third, the only other rabbinic source which has a doorkeeper bar entry into a house of study also appears in the *Babylonian Talmud*, in the midst of a story on *Tractate Berakhot* 28a:

> On that day the doorkeeper was removed and permission was given to the disciples to enter. For Rabban Gamaliel had issued a proclamation (saying): "No disciple whose character does not correspond to his exterior, may enter the house of study."

Rabban Gamaliel was Hillel's descendant according to Babylonian tradition[45] and in this story he employs a doorkeeper to limit entry into his house of study, refusing admission to disciples whose character did not match their exterior. Since the study-house doorkeeper appears in stories of the *Babylonian Talmud* but nowhere else in rabbinic literature, the study-house doorkeeper was most probably a Babylonian invention.[46] Moreover, since the study-house doorkeeper appears in only two stories[47] and since both stories unexpectedly share some similar features, such as the exclusion of deserving disciples and the presence of a (purported) member of Hillel's family, one story probably borrowed the idea of the doorkeeper from the other.[48] The direction of influence between the two stories, however, is very hard to determine.

Having identified the main sources which apparently influenced or inspired the formation of the story of Hillel's rise to greatness, let us consider how this process probably unfolded, at least in very broad strokes. The goal of the high priest's temple service on the Day of Atonement was to secure atonement for the Jewish people on their annual judgment day and the earliest rabbinic account of this service commences in the third chapter of *Mishnah Yoma*. The commentary on the annual judgment day in the corresponding third chapter of *Babylonian Talmud Yoma* apparently inspired our author to introduce a related topic, the ultimate judgment in the afterlife. Towards this end, he reworked the classic description of the afterlife trial found in *Avot de-Rabbi Natan B* 12. He also drew inspiration from the local context in both *Avot de-Rabbi Natan B* and *Babylonian Talmud Yoma* while transforming the Palestinian sages of *Avot de-Rabbi Natan B* into Hillel, perhaps because of Hillel's (purported) Babylonian origins. In composing a Hillel story, our author naturally integrated some additional elements which had already been linked to Hillel (or Rabban Gamaliel) in earlier sources. With the help of this literary matrix, our author devised a memorable story about Hillel the Elder's astounding dedication to the study of Torah.

This analysis of the formation of the story of Hillel's rise to greatness, of course, cannot be proven. There is no way to verify with certainty that the author of our story was inspired or influenced by any specific source. However, our analysis of the story's formation offers the best explanation

for all the otherwise coincidental similarities noted above. Coincidences surely happen but as literary similarities intensify and multiply, as patterns emerge time and again, the notion that they were generated by accident becomes less and less convincing. It is also worth emphasizing that the literary kernels identified above have a distinct advantage over the traditional historical method's historical kernels: their existence is unquestioned. Whereas the traditional historical method simply postulates that an otherwise unattested event stands behind a story, the new historical method points to extant sources as the literary kernels underlying the story.

ON THE DOORKEEPER

Beyond the attempts to cull from our story event-oriented history or biographical information about Hillel, our story has also served as a key source on the role of the doorkeeper in the central study-house in Palestine. On the one hand, traditionalists who presume the story's credibility naturally consider its depiction of the doorkeeper to be historically accurate.[49] Moreover, even some scholars who question the story's historicity presume that its portrait of the doorkeeper must have been rooted in the social reality of Palestinian study-houses, though perhaps of a later period.[50]

On the other hand, some scholars who recognize that the study-house doorkeeper only appears in the *Babylonian Talmud* have argued that the study-house doorkeeper was a Babylonian institution. On the basis of the two Babylonian sources which mention a study-house doorkeeper, our story and the story from *Babylonian Talmud Berakhot* 28a cited above, these scholars argue that Babylonian rabbis projected a local practice onto Palestinian study-houses. They do not argue that Babylonian doorkeepers necessarily charged admission fees or restricted entry into the study-house to disciples with matching character and demeanor, but rather they claim more generally that the Babylonian doorkeepers monitored entry and excluded undesirables. Israel Ben-Shalom, for example, hesitatingly suggests that perhaps some Babylonian synagogues and study-houses in rural areas hired guards for safety purposes and it is these guards that served as the inspiration for the doorkeepers in our story.[51] Alternatively, Geoffrey Herman argues that the Babylonian academy was modeled, in part, on the Persian court and in line with the royal model, doorkeepers were hired to oversee entry into the academy. These Babylonian doorkeepers, according to Herman, are the historical kernel which underlie the doorkeepers mentioned in our story and in *Babylonian Talmud Berakhot*.[52]

In their attempts to locate the *Babylonian* social reality underlying the doorkeeper in stories which take place in Palestine, Ben-Shalom and Herman have moved well beyond the traditional historical method. However, their suggestions still underline how precarious it is to try uncover the social reality lying behind our sources. If Babylonian study-houses or academies truly

hired doorkeepers, why are they almost entirely absent from our sources? One could make a strong case for the presence of doorkeepers in Babylonian study-houses if they were found in a number of independent sources or if they were mentioned only incidentally. However, study-house doorkeepers are only mentioned in two stories and one of these two was apparently dependent on the other. In addition, the doorkeepers in these stories are not mentioned in passing but play central roles in the stories' plotlines. As a result, rabbinic literature supplies insufficient evidence to determine the institutional reality underpinning our stories. Perhaps the study-house doorkeepers were inspired by the guards of rural synagogues and perhaps they were inspired by the doorkeepers of the Persian court; the stories themselves simply do not supply enough clues to justify the move from text to any unambiguous social reality. Moreover, even if the study-house doorkeepers in the two rabbinic stories were modeled on a specific external exemplar, the modeling may have been a purely literary phenomenon unrelated to the institutional reality of actual study-houses.

Although Herman's interpretation in this case is somewhat wanting, the broad cultural perspective he deploys when considering the Persian context is in line with the wide purview of the new historical method's hermeneutics. Proponents of the new historical method hope to enhance our interpretation of rabbinic sources by contextualizing them in the ancient world, by comparing and contrasting their contents with contemporary practices attested in non-rabbinic and non-Jewish sources. For example, one might compare the doorkeeper in our story to the doorkeepers of the Persian court or, alternatively, to other doorkeepers in antiquity such as those in private homes or Christian churches.[53] To date, no one has made a compelling case that the doorkeeper in our story was modeled on the doorkeeper of any specific ancient institution, but the general task of ancient doorkeepers to exclude undesirables is well attested in our story.[54] The most we can say is that the study-house doorkeepers in the *Babylonian Talmud* are reminiscent of the role of doorkeepers who were widespread in the ancient world. Similarly, one might compare the admission fee in our story to tuition fees charged in other ancient institutions of higher education. Ancient teachers often demanded fees or expected gifts though some ancient sources, both non-Jewish and Jewish, criticize this practice.[55] It is unclear whether our story views tuition fees favorably or not but, at the very least, it seems to expect that institutions which do charge tuition should grant concessions to poor students. With comparisons like these, the new historical method seeks to explore the fine contours of ancient rabbinic culture by revealing its similarities and differences with contemporary non-rabbinic cultures.

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Not so long ago the rabbinic story of Hillel the Elder's rise to greatness was thought to illuminate a formative chapter in the life of an early rabbinic sage and the admissions policy of study-houses in Palestine. That, however, is no longer the case. According to the new historical method, the story

has nothing to teach us about Hillel's biography or the practices of early Palestinian study-houses. In truth, the story does not even provide us with a reliable depiction of the Babylonian study-house. Rather, the story sheds light on other dimensions of ancient Jewish history. Comparisons to other sources disclose the process of literary creation through which the story was born and a new hero invented. With the help of assorted raw materials and attuned to the thrust of *Tractate Yoma*, our author tailor-made a new story for a definite literary context. The story encourages its Jewish audience in Babylonia to intensify their own Torah studies and by starring Hillel the Babylonian, the story makes it easy for local Babylonians to identify with the hero's commitment and plight. Though it may not teach us event-oriented history, the story of Hillel's rise to greatness teaches us history nonetheless.

NOTES

1. Cf. the post-talmudic and truncated version of the story found in *Mishnat Rabbi Eliezer* 17 (p. 322). On the dating of *Mishnat Rabbi Eliezer*, see Stemberger (1996) 22–23.
2. See Jastrow (1903) 557.
3. See *Jeremiah* 23, 36. Alternatively, perhaps one should translate "the living words of God." See Fraenkel (1981) 68 n. 4.
4. *Babylonian Talmud Yoma* 35b according to MS Munich 95 with slight corrections on the basis of other manuscripts. The translation is a variation on Jung (1974) *ad loc*.
5. See Licht (1991) 121–122. Rabbi Eleazar ben Harsom is the most obvious link to the local context but see Feintuch (2009) 6–9, who notes some further links.
6. See MS London – BL Harl. 5508 (400); MS Oxford Opp. Add. Fol. 23; Venice edition; Vilna edition. "And surrounded him" appears only in MS Oxford Opp. Add. Fol. 23 and "from heaven" only appears in the Venice and Vilna printed editions. Cf. MS Munich 6; MS Munich 95; MS New York – JTS Rab 218 (EMC 270); MS New York – JTS Rab 1623/2 (EMC 271); MS St. Petersburg – RNL Evr. II A 293/1, in which the entire addition is absent. (Copies of the manuscripts may be found in The Sol and Evelyn Henkind Talmud Text Databank and Epstein (2000–2001) vol. 2, 38–39 offers a synopsis.)
7. The second addition appears in all the witnesses which include the first addition save for MS London-BL Harl. 5508 (400). Italics added for emphasis.
8. *Babylonian Talmud Yoma* 35b according to the Vilna edition. See also nn. 6–7 above.
9. See Fraenkel (1981) 168; Epstein (2000–2001) 126–127. Cf. Licht (1991) 128 (137 n. 20).
10. See Friedman (1977) 306. Italics added for emphasis.
11. *Babylonian Talmud Yoma* 28a with translation by Jung (1974) *ad loc*. Italics added for emphasis.
12. This text-critical rule is widely known as "*lectio brevior lectio potior*," "the shorter reading is the preferred reading." See Tov (2012) 277–279.
13. See Licht (1991) 121–129.
14. See Fraenkel (1981) 66–69.
15. Licht (1991) 131–132.
16. See Licht (1991) 129–136. (For another take on the story, see Rieser (2009) 1–13.)
17. Licht (1991) 136.

18. Licht (1991) 130.
19. See, for example, Weiss (1904) 148; Hyman (1920) 364; Alon (1958) vol. 2, 222; Buxbaum (1994) 16–19.
20. See *Babylonian Talmud Berakhot* 28a, which is also quoted on p. 176. See also Kaminka (1945) 125–126; Fraenkel (1981) 67.
21. See Safrai (1971) 222. See also Licht (1991) 138 n. 22.
22. See Safrai (1971) 221–223. See also Zeitlin (1968–1978) vol. 2, 105–106.
23. This is the way I read Finkelstein (1960) 130. See also Feintuch (2009) 3 n. 13.
24. See Kaminka (1945) 125–126; Tropper (2011) 113. Cf. Karlin (1940) 170.
25. See, for example, Fraenkel (1996) 364.
26. *Avot de-Rabbi Natan B* 12 (p. 29) according to MS Vatican 303 with corrections on the basis of other manuscripts (see *Avot de-Rabbi Natan Manuscripts*, p. 340). The translation is a variation on Saldarini (1975b) *ad loc*.
27. See Epstein (2000–2001) 98 n. 69; Feintuch (2009) 4–5.
28. See Safrai (1971) 221; Elbaum (1981) 74–75; Feintuch (2009) 5 n. 21.
29. See Jastrow (1903) 553; Kister (1998) 143 n. 138.
30. *Avot de-Rabbi Natan B* 12–13 (pp. 29–31) according to MS Vatican 303 with corrections on the basis of other manuscripts (see *Avot de-Rabbi Natan Manuscripts*, pp. 339–343). The translation is a variation on Saldarini (1975b) *ad loc*.
31. See Kister (1998) 143 n. 138.
32. See Elbaum (1981) 73–74.
33. Literary scholars have suggested that stories about the emergence of Hillel, Rabbi Eliezer ben Hyrcanus and Rabbi Akiva belong to the same literary sub-genre which David Stern labeled an education narrative (Stern (1991) 243), Eli Yassif labeled a spiritual rebirth narrative (Yassif (1999) 108–109) and Dan Ben-Amos labeled a biographical narrative (Ben-Amos (1999) 159–160).
34. See Elbaum (1981) 75; Alexander (1997) 368; Tropper (forthcoming); Cf. Safrai (1997) 314–315.
35. See, for example, *Tosefta Negaim* 1, 16; *Palestinian Talmud Pesahim* 6, 1 33a; *Babylonian Talmud Sukah* 20a. Cf. Kaminka (1939) 259–260.
36. On the local patriotism of the Babylonian sages, see Gafni (1997) 13–14, 96–117.
37. Translation by Jung (1974) *ad loc*., slightly revised.
38. See MS Munich 6 and MS New York – JTS Rab 1623/2 (EMC 271) which insert the word "roof" in order to highlight the location of the skylight.
39. See Feintuch (2009) 13.
40. Translation by Jung (1974) *ad loc*.
41. See *Babylonian Talmud Yoma* 34b.
42. See *Mishnah Avot* 1, 12.
43. See *Palestinian Talmud Pesahim* 6, 1 33a; *Babylonian Talmud Pesahim* 66a; cf. *Tosefta Pisha* 4, 13–14.
44. *Palestinian Talmud Berakhot* 1, 3 3b; *Palestinian Talmud Yevamot* 1 6 3b; *Palestinian Talmud Sotah* 3, 4 19a. See also *Babylonian Talmud Eruvin* 13b. Translation by Zahavy (1989) *ad loc*. though Zahavy translates "the living words of God." See n. 3 above.
45. See *Babylonian Talmud Shabbat* 15a.
46. See Cohen (1981) 78–79; Goodblatt (1984) 361; Ben-Shalom (1987) 114–115; Shapira (1999) 36–7. (See also Rubenstein (1999) 396 n. 98.)
47. Although the *Berakhot* story has an earlier parallel in *Palestinian Talmud Berakhot* 4, 1 7c–d (=*Palestinian Talmud Ta'anit* 4, 1 67d), the earlier source lacks the study-house doorkeeper.
48. See Ben-Shalom (1987) 114.
49. See, for example, the references in n. 19.

50. See, for example, Neusner (1971) 259
51. See Ben-Shalom (1987) 112, 114–115. See also Rubenstein (2003) 200 n. 64.
52. See Herman (2014) 381–382, 407.
53. See Kirsch (1911) 284–285.
54. See Ben-Shalom (1987) 115.
55. See, for example, Kaminka (1945) 126; Cameron (1965) 257–258; Aberbach (1983) 54–49; Hezser (1997) 265; Cribiore (2001) 61–65; Tell (2009) 13–33; Lapin (2012) 73 n. 46.

Epilogue

My goal in this book has been to describe and justify a new approach to the study of ancient Jewish history, to make a case for the rejection of the traditional historical method in favor of the new. Towards this end, I have analyzed the traditional historical method, underscoring its strengths and flaws, and I have mapped out the new historical method, showing how it builds upon the strengths of the traditional method and circumvents its flaws. Some proponents of the new historical method dismiss the traditional method out of hand, regarding it as naïve and uncritical;[1] but if the traditional method sometimes appears so to us, it is because we are accustomed to a different set of working assumptions. The working assumptions of the new historical method, however, are not obvious or self-evident and they only became widely accepted in the mid- to late twentieth century.

In broad strokes, the new historical method rests on three insights—one social, one literary, and one procedural—which conflict with three fundamental components of the traditional historical method. Against the traditional tendency to view ancient Jewish sources in Hebrew or Aramaic as the products of largely immanent forces of self-enclosed Jewish communities, the new historical method views ancient Jewish texts as the creations of local Jewish communities embedded within an overarching gentile society and culture. Against the traditional presumption that rabbinic texts and Josephus's writings are straightforward or thinly veiled historical reports, the new method recognizes that the nature and genre of a text circumscribe the sorts of historical information that can be gleaned from it. Against the ease with which traditionalists rely on the independent parallels method and postulate the existence of unattested hypothetical sources, the new method underscores the superior explanatory power of the edited parallels method and posits the existence of unattested sources only as a last resort. As a group, these three insights triggered new questions and studies which illustrated the fatal flaws of the traditional method and inspired the creation of the new. These insights replotted the limits of rational argumentation in historical inquiry, redefining the common sense which infuses our historical reasoning.

Although the modern study of Jewish history already flourished in the early nineteenth century, the social, literary, and procedural insights propelling the new historical method only emerged in the mid to late twentieth

century and one may wonder why. Why didn't these insights take hold earlier? Why didn't they transform the historical craft in the late nineteenth or early twentieth century? The answer, in a nutshell, is that each insight emerged in the context of broader social or cultural developments which only unfolded during the twentieth century. By way of closing this book I will briefly discuss a small part of this background, noting the apparently formative influence of some twentieth-century developments on the new method's three core insights.

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During the nineteenth century and into the twentieth, most Jewish historical scholarship was embroiled either in polemical debates over the fitness of the Jews to be citizens of the modern state or ideological debates over reform within Judaism. Since historical scholarship was "part and parcel of a passionate debate about the place of the Jews in the world and their future, it was in no position to view its subject in comparative perspective."[2] Mobilizing Jewish history for pressing contemporary concerns, Jewish historians apparently "lacked the emotional distance needed to take a detached view of the historical process"[3] and accordingly did not view ancient rabbinic culture as a sub-culture of an overarching gentile culture.

In addition, Jews for millennia had viewed themselves as God's chosen people, as an exceptional group with a unique destiny, and however Jewish exceptionalism was reinterpreted in modern times, many Jewish historians continued to believe that Jewish history unfurled in a largely immanent process. The failure of modern Jews to integrate into the nation-states of the nineteenth and early twentieth century only reinforced the notion that the history of the Jews followed its own rules and was incomparable to other histories. Moreover, since Jewish history and Jewish historians were not welcome in secular universities, Jewish historical training and research mainly took place in rabbinic seminaries and Jewish institutions of higher education. Presumably, the unsuccessful integration of Jewish historians themselves into gentile society only bolstered the appeal of the internal approach to Jewish history.

However, as Jewish historians gradually integrated into secular universities over the course of the twentieth century and the heated polemics over Jewish history died down, Jewish historians started to contemplate how ancient and medieval Jews were entwined, like themselves, within the fabric of non-Jewish society. As Jews became regular citizens of modern states and Jewish historians were hired as university professors, they became far more attuned to the intricate and nuanced ties between Jews and gentiles and accordingly adopted a more contextual approach to Jewish history.[4] Jewish historians gradually came to internalize the new historical method's social insight, to acknowledge how Jewish society was embedded in the ambient gentile society. As a result, only in the mid-twentieth century did Jewish historians begin to view the ancient rabbis as unusual Romans.

The new method's literary insight, the notion that a source's nature and genre predetermine the types of historical information that can be culled from it, developed in the wake of new streams in literary criticism which materialized in the mid-twentieth century. In the nineteenth and early twentieth century, most scholars of literature explored the language and history of literary works in literary histories and philological inquiries, and those of a Romantic bent offered their impressionistic assessments of the aesthetic value of literary works. By contrast, the literary criticism of the mid-twentieth century wedded aesthetic appreciation with academic rigor in a concerted effort to describe and characterize the literary features of a text. With attentive close readings, literary scholars replaced the old impressionistic assessments of beauty with concrete accounts of the literary qualities of the text, exploring genre and structure, techniques and tempo, forms and tropes, meaning and ambiguity.[5] After a short time lag, the literary tools of the new forms of literary criticism penetrated Jewish studies and transformed the historical analysis of ancient Jewish sources. Above all else, the newfound appreciation for genre was most significant. As historians became more attuned to the literary and rhetorical features of ancient Jewish sources, they understood that the rules of the ancient genres undermined event-oriented history as traditionally practiced.[6]

Like its literary insight, the new historical method's procedural insight is also indebted to twentieth-century literary criticism and, more specifically, to the practice of close reading, that is, to close, exacting, and sustained literary analysis. Through the close reading of parallel texts historians revealed that their differences are often not the random discrepancies one expects to find among independent traditions or recitations, but rather the characteristics typical of developmental or editorial change. In contrast to traditionalists who multiply unattested hypothetical sources in order to minimize the changes ascribed to any single rabbinic editor, transmitter, or scribe, the new *literary* approach acknowledges that rabbinic sources were reworked, sometimes extensively, and therefore it usually sees no need to postulate the existence of unattested sources. Whereas traditionalists conservatively presuppose that rabbinic traditions, for the most part, were faithfully and accurately transmitted and reproduced, close comparative readings strongly suggest that rabbinic traditions were composed, recast, transmitted, and copied with wide-ranging literary license. In light of the likelihood that later texts reworked earlier ones, proponents of the new historical method often find that the edited parallels method models the extant evidence much better than the independent parallels method. The edited parallels method regularly explains the nature of both similarities and differences between parallel sources in compelling fashion and it does so without postulating the existence of unattested hypothetical sources.

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While charting here the transition from the traditional historical method to the new, I have done my best to make a case for the new historical method.

I have tried to show how we can and cannot draw out facts from the traces of the ancient past. However, I have not discussed what questions to direct at these traces or how to fit facts into an enveloping narrative or explanatory framework. These sorts of issues belong to historiography,[7] not the historical method, and historiography is another matter entirely.

NOTES

1. See, for example, Neusner (1990a) 89.
2. Endelman (1997) 9.
3. Ibid.
4. On the arguments presented in the last three paragraphs, see Endelman (1997) 1–13; Goodman (2002) 182–184; Brenner (2010) 15, 121–155, 186, 198, 204–215.
5. See, for example, Baldick (2006); Matterson (2006); Graff (2007).
6. Over the last century literary theory has flourished and generated novel frames of reference used to interpret ancient Jewish sources and guide their synthesis into historical narratives. However, the new method's literary insight is primarily indebted to the method of close reading now universally practiced and not to any particular underpinning theory or frame of reference. See also Chapter 2 n. 12.
7. See the Introduction to this volume.

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