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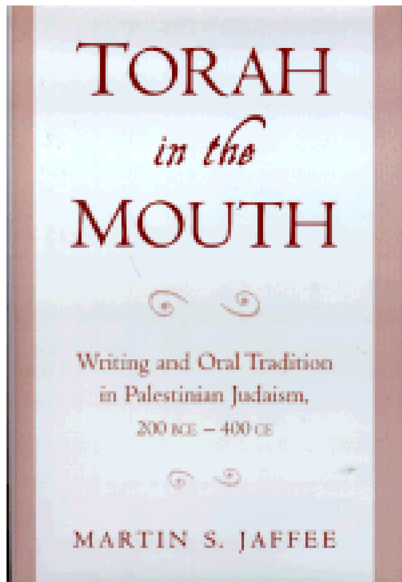

Jaffee, Martin S.

Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism, 200 B.C.E.-400 C.E.

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Martin Jaffee's *Torah in the Mouth* traces the process by which Palestinian Amoraic rabbis came to assert that their orally transmitted tradition was revealed to Moses at Sinai in conjunction with the written Scriptures. To this end, Jaffee explores the social, cultural, and historical circumstances of prerabbinic and rabbinic Judaism that preceded this ideological development. Beginning with Second Temple (including Pharisaic) Judaism, Jaffee examines the function and meaning of orality and the relationship of written texts and writing to the formation of the rabbinic oral tradition. Moving outward, he points to important parallels in Greco-Roman rhetorical education and argues ultimately that the particular Palestinian Amoraic ideology of Oral Torah was intimately connected with and supportive of the phenomenon of rabbinic discipleship in third- and fourth-century Galilean rabbinic communities. In addition to being beautifully written and well argued, the book is sober and balanced in its claims and conclusions.

Jaffee defines *oral-literary tradition* as the verbal products of a culture preserved and shared in public settings, *oral-performative* tradition as the sum of performative strategies through which the oral-literary tradition is summoned

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and delivered, and *text-interpretive tradition* as the body of interpretive understandings that arise from multiple performances of a written or oral text and exist in the memories of the performers and their audience (7–8). He argues that the praxis of oral tradition (its composition, transmission, and performance) must be carefully distinguished from the ideological claims and constructions that frame the cultural significance of that praxis. Thus, although rabbinic literature may preserve some text-interpretive traditions of the Second Temple period, this does not automatically entail the equal antiquity of the full oral-performative tradition of the sages or the ideological representation of that tradition as "Torah in the Mouth." Jaffee argues that the fictionalization of rabbinic oral tradition as Torah in the Mouth emerged only in the late third century as a crucial part of the developing social systems of the rabbinic masters. Through the ideological trope of Torah in the Mouth, Palestinian rabbinic sages constructed their oral-literary tradition as the embodiment of a generations-long series of transmissions that linked contemporary tradents and performers to ancient founders and, in so doing, forced a separation between themselves and other Scripture-based communities (nonrabbinic Jews and Christians) who did not accept rabbinic text-interpretive tradition as the exhaustive and authoritative explanation of Scripture (10). The three chapters in part 1 focus on the roots of this process in the Second Temple period, and the four chapters in part 2 turn to the rabbinic construction of Torah in the Mouth.

Chapter 1 reviews the oral-aural setting of Second Temple literary culture in which books *were* their oral declamation and aural appropriation. The written or manuscript substrate of a book bore the influence of its performative contexts so that a faithful copy might include interpretative traditions that clarified the author's meaning. "Books" thus circulated in a variety of distinct textual forms, and the line between author, scribal copyist, and interpretive audience was blurred. Only in the late first and second centuries do we see a profound change in the perception of books. Books come to be increasingly equated with their written version rather than their interpretive performance. The text interpretive tradition ceases to be the invisible environment of a text's composition and transmission and, in the case of Scripture, becomes an independent entity that will eventually emerge among the rabbis in ideological garb as Torah in the Mouth—an independent interpretive complement to a canonical corpus of sacred writings fixed at the moment of their delivery to the prophet. There is no sign of this idea among the scribes of the Second Temple period.

Chapters 2 and 3 argue that the conceptions of the authority of the text-interpretive traditions of both the Qumran Yahad and the Pharisees were basically

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continuous with the conceptions of other Second Temple scribal communities. The Qumran Yahad possessed a rich tradition of orally mediated interpretation of sacred written texts, but this interpretive tradition was not designated by a specific term, nor was it perceived as having been received from the distant past or handed down orally by a succession of authoritative tradents. Its authority rested not on its oral transmission over time but on its connection to the sacred writings and its disclosure in contemporary moments of illumination or prophecy. Likewise, although the Pharisees were reputed to possess an ancient tradition of authoritative interpretations of Scripture, there is no evidence of an ideological commitment to the oral origins or exclusively oral transmission and preservation of that tradition. The customary practices of the Pharisees were venerable traditions of ancient teachers received from the past and transmitted accurately into the future, but it is not clear that the source of their authority was their orality.

Part 2 considers the development of an ideology of tradition in early rabbinism, the roots of which lie in an important shift in the perception of the role of oral communication in the genesis and transmission of literary tradition traced in chapter 4. Among Second Temple groups, orality was important insofar as it pertained to the genesis of a work. By contrast, for the rabbis orality was an important and defining characteristic of the process of textual transmission and, ultimately, interpretation. Sage superceded priest and scribe by virtue of his mastery of wisdom heard from a chain of masters. By the end of the third century, rabbinic sages had developed the concepts of Torah in Script and Torah in the Mouth by which they distinguished the written sources of textual study (Scripture) and the oral-literary tradition of textual performance and interpretation. However, while a few halakic norms are said to date back to Moses, the halakah as a total body of tradition preserved by the sages is understood to be of relatively recent vintage and, being grounded in the personal authority of human beings, to be subject to change and fluctuation.

Chapter 5 traces the next step in the ideological construction of Torah in the Mouth, which was to posit the Sinaitic origins of rabbinic tradition. Beginning in the Tosefta, halakah is no longer viewed as fundamentally independent of scripture. Torah is reconceptualized so as to make room for both Scripture and rabbinic tradition within a comprehensive body of authoritative learning that encompasses both. The classic view of Tannaitic midrash is that halakic tradition along with the entire spectrum of rabbinic learning was included with Scripture as part of the original revelation to Israel. This reconceptualization of Scripture is attested in "curriculum pericopes" found in various rabbinic texts, which

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consistently push every element of the rabbinic curriculum of learning, including the halakah, back to the revelation to Moses. The independence of halakic tradition from Scripture is overturned, and in the Sifre to Deuteronomy its transformation from human oral-performative tradition to the speech of God is complete. Palestinian Amoraim of the third century will go further, claiming that the Torah of the Sages was delivered to Moses by God.

Before addressing that final development, Jaffee devotes chapter 6 to the relation of the rabbinic oral-performative tradition to the surviving writings that claim to preserve it as Torah in the Mouth. Jaffee situates himself in an intermediate position between those who argue for an entirely oral transmission of rabbinic literary tradition until the production of early medieval manuscripts and those who argue that rabbinic texts were produced from the outset as written texts. Refreshingly, Jaffee dismisses the idea of orality and literacy as mutually exclusive domains of cultural transmission and insists on a model of interpenetration. He treats material in the Mishnah, for example, as the foundation of a scripted performance analogous in some ways to a dramatic or musical presentation, the meaning of which is activated in performance before an audience. Jaffee examines a number of exemplary passages in order to show that the evidence for an exclusively oral substrate to Mishnaic tradition uncontaminated by scribal interventions is ambiguous at best. He concludes that, though the Mishnah has deep roots in a rabbinic culture of oral performance, its orality is thoroughly literate and indeed literary. Writing played a crucial role in various stages of composition, editing, and transmission, so that manuscript and performance may be seen as part of a continuous loop, influencing and interpenetrating one another's formation.

Chapter 7 explores the ideology of orality among Galilean discipleship communities. In several Palestinian Amoraic traditions R. Yohanan and his circle express strong disapproval of written texts of halakic tradition. Some scholars take these reports at face value and assert that Tannaitic traditions were transmitted orally through memorized performances and that written copies were banned from use. This alleged exclusive orality is then invoked to explain the presence of multiple versions of Tannaitic textual tradition in the Yerushalmi: diverse versions arise from the fluid state of oral tradition before its reduction to writing. Jaffee rejects this line of reasoning for several reasons. First, there is no Tannaitic precedent for the view that halakic tradition had been exclusively oral in its formulation and transmission and as a matter of principle could not be written down. Second, the existence of an exclusively oral Tannaitic literary tradition is not likely in light of contemporary Greco-Roman educational

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practices. An important exercise in rhetorical education involved the appropriation of the written text of a chreia (a concise statement attributed to a character), which was then worked orally through a series of grammatical and rhetorical transformations or recastings of its language. The written version retained its form, but the statement became malleable in light of the needs of the rhetorical situation. Finally, we need not posit an exclusively oral Tannaitic literary tradition in order to explain the presence of multiple versions of Tannaitic textual tradition, if in Greco-Roman rhetorical culture memorization of a written text was compatible with and encouraged the existence of the same text in a variety of orally presented versions. The variations of a text recorded in written versions of oral discourses were not always the result of erroneous transmission or failures of memory but may have been the intentional result of mastering a fixed written version for the purpose of communicating its meaning in diverse performative settings. Similarly, Jaffee argues, disciplined textual transformation was a routine feature of the Yerushalmi's citation of Tannaitic texts.

If, as Jaffee concludes, written texts were more widespread in the training of Galilean Amoraic masters than our sources acknowledge, why do they play virtually no role in the Yerushalmi's representation of study sessions? According to Jaffee, insistence on the oral nature of their text-interpretive and oral-performative tradition is thoroughly intelligible on the basis of the internal needs of the rabbis' own discipleship circles. Privileging the oral-performative tradition explained and celebrated the distinctive social form of rabbinic community: the master-disciple relationship. Suppressing written texts was an expression of the desire to preserve the living sage's transformative teaching presence as the crucial element in Amoraic paideia.

Torah in the Mouth is persuasive and illuminating. The use of Greco-Roman materials is not overdone but restrained and responsible. Jaffee does not make a simplistic equation between rabbis and rhetors—he does not assert that rabbis employed written texts within a larger oral-performative context simply because rhetors did. He does argue, however, that the Greco-Roman data frees us from the mistaken notion that orality and writtenness are mutually exclusive and allows us to imagine ways in which written texts and oral performance coexist and interact. Once we allow that such coexistence and interpenetration is a theoretical possibility, we begin to see the rabbinic evidence in a whole new light: diverse versions of Tannaitic teachings need not be understood as the mistakes that arise from a purely oral transmission process but as diverse oral performances of a basic, and possibly written, tradition applied to diverse contexts.

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This kind of theoretical reorientation to classical problems in the critical study of rabbinic texts is one of the book's great contributions. At times, however, there is a heavy emphasis on theoretical discussion at the cost of concrete illustration by, or reference to, actual texts. Indeed, part 1 is rather thin on textual examples that would bear out the author's claims. Part 2 delivers more in this regard, but even here some of the conclusions drawn on the basis of textual examples are more asserted than argued. Nevertheless, important observations emerge from the textual analyses, particularly the study of Mishnah-Tosefta Parah. Here Jaffee broaches the ongoing controversy over the literary relationship between the Mishnah and Tosefta and argues that the model of Toseftan expansion of preexisting mishnaic text is not always right. Rather, the compositional units of Mishnah and Tosefta exhibit complex patterns of relationship.

In sum, *Torah in the Mouth* is a thoughtful, thought-provoking, and erudite scholarly work that brings theoretical sophistication to some of the knottiest problems not only in the study of rabbinic literature but also in the study of rabbinic traditions—and rabbinic self-consciousness—about that literature. Jaffee brings the latest work in orality studies into fruitful conversation with rabbinic literature, leading to important new insights in every chapter. This volume is essential reading not only for students of Second Temple Judaism, early Christianity, and rabbinic Judaism but also for those who are interested in the function and authority of orality within Scripture-based traditions.

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