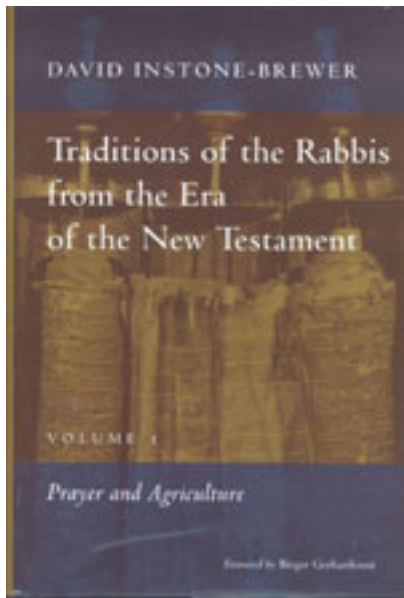


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Instone-Brewer, David

Traditions of the Rabbis from the Era of the New Testament, volume 1: Prayer and Agriculture

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Advances in rabbinic study over recent decades, lead almost single-handedly by Jacob Neusner, have brought critical expertise to the field and have reliably established rabbinic literature's place in the study of first-century Judaism. Now with good reason, many scholars are willing to agree that early strata exists in all of the major rabbinic works of antiquity. How one goes about identifying those earliest traditions, however, remains a matter of debate. Moreover, agreement on the coherence of those traditions with parallel literatures, such as the New Testament, has been reticent. The challenge, of course, is the relative lateness of the rabbinic corpus and the seemingly obscure amalgamation of original tradents with their later permutations in apparently borderless fashion. How can one responsibly identify rabbinic traditions that predate 70 C.E. and, when applicable, demonstrate the coherence of those traditions with New Testament literature?

David Instone-Brewer, in the launch of his ambitious undertaking, *TRENT (Traditions of the Rabbis from the Era of the New Testament)*, is evidence of a new generation of scholars committed to resolving this challenge. Building upon his earlier doctoral work at Cambridge, published as *Techniques and Assumptions in Jewish Exegesis before 70 CE* (TSAJ 30; Tübingen: Mohr Siebeck, 1992), the author embarks upon a massive analysis of early rabbinic literature. His aim is to identify all rabbinic traditions in the Mishnah, Tosefta, and Talmudim that originate prior to 70 C.E. and to demonstrate their coherence

with the New Testament. Structured around the six Orders (*Sedarim*) of the Mishnah, *TRENT* will yield a series running six volumes. *Prayer and Agriculture* is the first installment in that series.

The author's aim, as he concedes, is formidable, due in no small part to its divergence with that of the early rabbinic framers, "who wished to preserve *conclusions* of scholarly debate, rather than their *origins*" (5). Typically, rabbinic redactors preserved original strata of debate only when it helped elucidate the later formulations and rulings. As such, the articulation of first-century rabbis in the Mishnah and its commentary is textually sporadic. But when these original debates are included, Instone-Brewer is optimistic that, with the right criteria in place, they can be confidently dated to the period before 70 C.E.

In this first volume of *TRENT*, Instone-Brewer introduces the reader to rabbinic literature, lays out his method for locating its earliest tradents, and provides a thorough analysis of mishnaic, toseftan, and talmudic texts from *Seder Zera'im* (the order of the seeds), which the author thematically titles as *Prayer and Agriculture*. His choice of texts is not random, selecting only those that he believes contain the earliest of rabbinic traditions. He determines the candidacy of those traditions based on five main criteria.

First, sayings attributed to first generation (T1) rabbis (10–80 C.E.), or even better, pretannaitic authorities (T0, such as the Houses) are given the highest level of legitimacy. The second criteria concerns anonymous sayings that are commented on by second-generation (T2) authorities (80–120 C.E.). If a T2 rabbi quotes and engages an already-established view, it logically follows that the view is older than the T2 rabbi. The obvious problem with these first two criteria is the potential presence of pseudepigraphy. Though Instone-Brewer does not overlook the possibility of late material being falsely attributed to an antique source, he is clearly optimistic that rabbinic editors faithfully preserved T1 traditions. Some may find his engagement of the pseudepigraphy issue overly simplistic. Third, when a parallel between a rabbinic tradition and a nonrabbinic source from the Second Temple period is identified, the rabbinic tradition can be located historically before 70 C.E. Fourth, certain (but certainly not all) references to temple practice suggest an origin in the period prior to the destruction of the temple. The fifth criteria considers the internal structure of a tractate, noting that later material was often added near the ends of paragraphs and sections, which can conversely illuminate the earlier stages and traditions.

After explaining his selection criteria, Instone-Brewer turns to a tractate-by-tractate analysis of mishnaic, toseftan, and talmudic texts containing candidate traditions located in *Seder Zera'im*. The structure of his textual analysis is consistently fourfold. First, parallel columns of Hebrew text and English translation are provided. For Hebrew, the

author chooses unpointed text, apt for preserving antiquity but challenging for the unskilled reader. His primary texts are drawn from “standard sources” (1), a rather vague acknowledgment, though he more precisely reports that his Tosefta follows Lieberman’s edition (along with convenient references to Zuckermann). He is less forthcoming regarding his Mishnah and Talmud. The author’s discussion of editions and surviving documents is overly brief and fragmentary, failing to cite the Mishnah’s single most important surviving manuscript, Kaufmann A50 (16–17). He does, however, give attention to variant readings at various points in his analysis, and this is a commendable feature. Candidate traditions in each Hebrew text are bolded. The column of English translation intends to be “deliberately literal” (2), though at some points lacks precise verbatim, such as plural forms (often the author will have “one” instead of “they”). The parallel columns are broken up nicely, making it easy to correlate Hebrew with English. The author provides a very fine translation, unadulterated by later traditions, yet including explanatory words in square brackets. Overall, Instone-Brewer provides a great pedagogical format.

The second element of the analysis consists of commentary on the traditions and debates raised within each text. Here the author demonstrates an extensive familiarity not only with rabbinic traditions in both the historical context of their origin, as well as their subsequent expansion, but with nonrabbinic traditions of the Second Temple period as well. He elucidates the key concerns driving the various rabbinic debates, matters otherwise obscured in the encrypted and formulaic structure of this ancient literature. The author’s commentary is not excessively complex, providing a very useful resource for a broad range of interested readers.

Third, the author determines the strength of the tradition’s candidacy. In order to achieve this, Instone-Brewer employs an extensive and innovative scheme. He constructs a scale for measuring the relative probability of each contending text as having traditions that predate 70 C.E. Each of the thirteen levels in the scale contain their own set of criteria: one being the highest level of confidence, thirteen being the lowest. A level-one text must contain a direct attribution to a T0 or T1 authority. Level two must contain an already-established dictum discussed by a T2 authority. Of the 193 texts analyzed, 114 fall into these two categories alone. Another 65 texts are designated as level five (a T2 discussing an established but unrecorded dictum), level eight (texts containing temple-based activities), and level nine (like the former, but with less confirming evidence). For the most part, only texts with a level-eight probability or better are included. Some may question the veracity of the author’s verdicts, as he seems all too willing, at times, to allow first-generation attributions to go unchallenged. This generosity is highlighted in the repetition of a sentence that follows almost every Hillel or Shammai tradition, in

which Instone-Brewer repeatedly states, “There is no reason to doubt that this is a genuine school debate.”

The fourth and final element of the analysis consists of, when applicable, a demonstration of the text’s coherence with the New Testament. Here we find perhaps the finest component of this work. Instone-Brewer provides a number of profound and insightful possibilities concerning the evidence of early tannaitic tradition as an illuminator of New Testament text, indeed tantalizing for the student of New Testament backgrounds. However, of the 193 traditions analyzed, only sixty-eight New Testament correlations were demonstrated. In some cases the author was restricted by overlapping themes from one tradition to the next, making comment redundant. Nevertheless, with only one third of the textual analysis addressing New Testament coherence, this first volume of *TRENT* may leave some readers, charmed by the main title, discontent.

Instone-Brewer includes some useful resources in his work. He provides a helpful table outlining the chronological periods of the tannaitic and amoraic generations, along with their geographic centers and the corresponding corpora produced during each relative time period (18). A second table lists each authority cited in the Mishnah and authorities named one hundred times or more in the Talmudim, all subdivided by generation (20–23). Third, the author provides an alphabetized list of each rabbi listed in the second table, referenced with generation division (24–26). Further resources are found at the conclusion of his book, including a discussion regarding grammatical and syntactical differences between biblical and rabbinic Hebrew, a glossary of select rabbinic vocabulary, as well as indices for rabbinic persons and places, subjects, and references to ancient literature.

Prayer and Agriculture is not without editorial oversights. Some spelling errors occur: “to translated” should be “to translate” (2); tractate *Betzah* is abbreviated “Bes” instead of “Betz” (12); “R. Levi (bar Sisi) [T6] or ” should be “R. Levi (bar Sisi) [T6] or [PA3]” (23); “may attributed” should be “may attribute” (33); “immediate it” should be “immediately after it” (37). In one case, a footnote is orphaned (35 n. 23), and in another a reference to Cohen’s book is missing a date (8 n. 14). Inconsistencies and errors occur in the table of contents. The heading “m.Ber.1.3–2.4” is mistakenly indented as a subheading (v). Four of the six times Mishnah and Tosefta are analyzed synoptically the texts are listed together in one subheading, but twice they are listed separately, *m. Dem.* 1:3 followed by *t. Dem.* 1:26–28 (viii), and *m. Orl.* 3:9 by *t. Orl.* 1:8 (xv). No less than twenty-two times the pagination in the list of contents is one number too high (vi–viii) and at one point breaks its numerical sequence (ix). The line spacing in the table of rabbinic authorities (20–23) significantly overlaps, resulting in the truncation of all letters and brackets that extend below the base line, causing notable confusion: “Hunya” looks

like “Hunva” (23). In his prefaced summary of tractate *Kil’ayim*, uncharacteristically the author provides no summary of *m. Kil. 2:6–3:7* (195) but does so in the body of the analysis (200), where he mistakenly states that 2:6–3:7 contains no pre-70 C.E. traditions, having overlooked *m. Kil. 2:6*, which he incorrectly placed under section *m. Kil. 1:1–2:5* (199). Finally, the author begins using abbreviations for rabbinic generations (7) before explaining what they mean (18).

The author could have at times taken greater care in crafting his discussion. For example, he states that only “about half of the tractates of Mishnah and Tosefta are discussed in the Talmuds” (9). Yet he then indicates that “most are commented on in the two Talmuds” (12). Surely he was intending to assert that each Talmud comments on roughly half of the tractates (BT has 37 of 63 tractates, PT has 39 of 63 tractates), which together represent most of the tractates (48 of 63). Additionally, in discussing missing tractates from the Talmudim, Instone-Brewer comments that almost all tractates in the order of *Mo’ed* are missing, yet almost all are present in the order of *Qodashim*. This is true only of the Babylonian Talmud and is thus misleading. Further, confusion occurs when toseftan and talmudic texts are analyzed but their references not mapped to mishnaic versification, making it unclear as to which Mishnah is being discussed in the nonmishnaic materials. Likely, the author himself was not consistently tracking the mishnaic flow of the texts, apparent in his premature location of *t. Ber. 3:7* prior to *m. Ber. 4:4*, where the toseftan passage is actually an expansion of a text that occurs later than the portion quoted in *m. Ber. 4:4* (56–57). On a few occasions, the author makes surprising remarks. He offers the startling and antiquated judgment that the Tosefta is “relatively unimportant because the earliest material is either missing from it or is virtually identical to that which is preserved in the Mishnah” (8). This statement makes little sense, as he acknowledges the work of toseftan prioritist Judith Hauptman (8 n. 14) and himself incorporates a good number of Tosefta traditions. Similarly, Instone-Brewer’s declaration that “[m]ost, and perhaps all, of the NT was completed by 70 CE” will certainly not go unnoticed (1). Some may wonder why the author does not apply the same scrutiny to the New Testament as he does to the rabbinic corpora when it is now commonplace to suggest, for example, that Pauline literature extends beyond 70 C.E.

The author makes certain choices that might raise concerns for some readers. He elects to use a nontechnical system of transliteration, which at times produces some peculiar spellings, such as the odd looking “Demay” in place of “Demai.” Also, he alters the translation of some long-established words for which he believes the “traditional translation is confusing” (2). As an example, he chooses to translate “heave offering” (*terumah*) as “elevation offering,” a decision that itself creates confusion as “wave offering” (*tenupah*) is also translated as “elevation offering” in some English editions (such as NRSV, JPS). Moreover, it creates unnecessary discontinuity with English

scholarship. The author also makes the bold decision to relocate traditions that are in the “wrong place” to the “correct tractate” (8–9). So, for example, the author relocates *m. Yad.* 4:3 to his analysis of *Pe’ah*, although he does not clearly state why *Yadayim* was the wrong place for the text, or for that matter why *Pe’ah* is the correct place (162). Perhaps it would have been better to keep the redaction intact and point out to readers those texts that may have been inadvertently dislocated by the ancient editors. Finally, the reader may be surprised to learn that no bibliography is provided outside of the footnotes. This is an unusual request, asking the reader to search back through previous pages in order to find the full, initial bibliographic reference. It may be that, in order to avoid producing repetitive lists in each volume, the author is planning a comprehensive bibliography for his final installment.

Although rabbinic specialists may debate the technical value of the work, there is no doubt that *TRENT* will soon be a familiar acronym on the lips of teachers and students of early Judaism. It is evidence that a new wave of rabbinic scholarship is emerging, and this first volume charts a new course for scholars interested in publishing work on the intersection of tannaitic tradition with first-century Judaism. *Prayer and Agriculture*, with its fine introduction, would make an excellent choice as a course text on early Judaism in the context of New Testament studies and will, one hopes, stimulate the study of rabbinic literature in our academic institutions. I applaud Instone-Brewer and certainly look forward to the forthcoming publication of his five remaining volumes, which will complete a set unparalleled to date.