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## Book Reviews

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**Paul M. Mandel**

*The Origins of Midrash: From Teaching to Text.* Leiden-Boston, Brill 2017. Pp. xviii + 405; € 147. ISBN 9789004153141.

Mandel introduces his book with the famous quote from Simeon ben Gamliel in *Pirke Avot* 1:17: "Not midrash is the essence, but deeds." Nevertheless, the essence of the presently reviewed book is undoubtedly midrash. The opposition is not so much between "midrash" and "deeds" as between "what we always thought and taught about midrash" and "what Mandel now comes to teach us about the meaning of the term midrash." That is: its original meaning. Indeed, this book deals with the *meaning* of the terms *midrash* and *darash*, as well as *hakham* and related titles, such as *sofer*, used for the practitioners of midrash.

Since Isaac Heinemann, Chanoch Albeck, and the other authorities in Jewish Studies in the beginning of the twentieth century, the consensus about the terms *midrash* and *darash* is that they refer to the interpretation of Scripture and the derivation of teachings from this. In more recent scholarship, this is often specified to refer to multiple interpretations of an "open" text. The latter would be the core activity of the *hakhamim*, the Sages. And this would ultimately go back to the Second Temple period, starting with Ezra's "searching" (*lidrosh*, Ezra 7:10) of the Law. Also in Qumran, and in the circles of the Pharisees—traditionally conceived as the predecessors of the Sages—biblical interpretation is said to have been the core activity designated with the term *darash*, or in Greek translation *exegeisis*.

The thesis Mandel defends in this book is that *darash*, and its derivate *midrash*, did not obtain this specific meaning until the end of the tannaitic period. In the Second Temple, and in most of the tannaitic period, these terms referred to the transmission and teaching of laws not necessarily contained in or derived from Scripture. The *hakham*, accordingly, was a teacher of law. His audience was the general public, not students or fellow *hakhamim*. The *beit midrash* where he would "serve" was an institution for public consultation, operating on *shabatot* and holidays, when the people were free to come

and consult with him. This is not to say that the study of texts of Scripture did not happen before the late tannaitic period. However, the terms *midrash* and *darash* in earlier texts do not refer to this, and should therefore not be adduced as arguments for such activity. Starting in the third century, however, the meaning of the said terms shifted from “legal-instructional” to “textual-hermeneutical,” and it continued to develop further until it reflected the “polysemy” so popular with the present “reigning view.” This is, in a nutshell, the argument of the book. The author sets out his main points in his Introduction, with the telling title: “Toward a Legal-Instructional Model of *midrash*.<sup>1</sup>

In the following, I will give a brief overview of the chapters where Mandel develops this argument, generously furnished with textual sources. In the past ten years or so in which Mandel has worked on this book, he must have seen and meticulously studied each and every text that features the verb *darash*, the noun *midrash*, and their cognates. The result is a remarkably complete and thorough overview of these sources, accompanied by a systematic reflection on them in which the author develops his argument consistently.

The core study is divided chronologically, in two parts. Part 1, “Darash and the Jewish Leaders of the Second Temple Period,” explores three types of leaders to whom the terms *darash* and *midrash* are applied. Chapter 1 deals with the *sofer*. Mandel explores the use of the root *sfr* and cognate Semitic terms from early Mesopotamian until late Second Temple Period sources. He concludes that in all these texts, the *sofer* is a “mediator of Divine knowledge.” Central in part 1 is the figure of Ezra, in whom the term *sofer* is combined with the activity of *darash* (notably in Ezra 7:10-12). The “reigning” idea that Ezra was the first to engage in interpretation of Torah comes from a preconceived “Scriptural-hermeneutic” notion of *darash*. However, in view of the literary prehistory and context of these verses, Ezra’s function is that of an expert in the interpretation of divine laws and customs, and the instruction of these to the people. The word *torah* which is found in Ezra 7:10 in combination with the root *darash* (*lidrosh et torat adonai*), as well as “to do” (*la’asot*) and “to teach” (*lelamed*), refers not to a difficult part of Scripture that needs to be “searched,” but to “God’s law as embodied in his commandment and statutes” that must be expounded.

Mandel reaches similar conclusions in chapter 2 about the Dead Sea Scrolls. After detailed exploration of all the textual evidence, he observes, again, that understanding *midrash* and *darash* as implying scriptural textual interpretation has misled scholars to conclude that the Qumran community emphasized the study of Torah. Admitting that textual interpretation following specific techniques can be found in the *peshar* texts, Mandel concludes (against Steven Fraade and others) that this was not a characteristic feature of the community

as a whole. Moreover, the title *doresh ha-torah* does not refer to an expert in textual interpretation but rather to a teacher of “revealed and (previously) hidden laws and the special prophetic revelations concerning the sect to the initiates” (125).

In chapter three, the Pharisees pass in review, especially their *exegesis* of the ancestral laws “in the most accurate fashion.” Also here, Mandel concludes that their “exegesis” has nothing to do with an explication of the text of the Bible” (159). This is important, as the “reigning view” is of course that the Pharisees were the predecessors of the Rabbis, and that their *exegesis* is the predecessor of rabbinic *midrash*. In a side note worth noting (166-67), Mandel suggests a relationship between the personal affiliation of the influential scholars of the early 20th century (Leo Baeck, Robert Travers Herford, Jacob Z. Lauterbach and others) with protestant and Jewish liberalism that favored personal interpretation of Scripture, and their favorable treatment of the Pharisees. The latter, long negatively perceived because of their alleged “legalism,” were now re-instated as the promoters of scriptural interpretation. In the wake of this legacy, scholarship of the second half of the 20th century, emphasizing textuality and intertextuality as the mark of *midrash*, fared well by presenting this as a long-standing Jewish scholarly activity going back to the Second Temple Period. This is a sharp insight of Mandel, as there is indeed little in the sources about the Pharisees that warrants the view that they were mainly involved in meticulous interpretation of Biblical texts. Rather, as Josephus himself observes, they were accurate interpreters of ancestral laws.

Reflecting on the first part, I cannot but be impressed with the thorough scholarship of Mandel and the amount of evidence he adduces. However, sometimes, I feel that he wants to make his argument too consistent and hereby smooths over bumps and seams that may indicate different views. For example, when discussing Philo’s records of the various Jewish groups in Second Temple Judaism, Mandel writes that “it would come as no surprise that the mention of Sabbath meetings of the Essenes should include allegorical readings of Scripture, while *Pharisees and other Jews* (emphasis mine) were described as concentrating on the elucidation of laws” (162-63). In a footnote (51) he refers to “passages in the New Testament describing the reading of the Torah and the prophets,” and states that “it is noteworthy that most of these passages describe either special groups (the Essenes and the Therapeutai) or Greek-speaking communities.” One wonders where the synagogue in Nazareth where Jesus read from Isaiah (Luke 4:16-20, quoted in note 51) fits in: this was most probably not a “special group,” nor a “Greek-speaking community.” Also, the phrase *Pharisees and other Jews* suggests that the Pharisees were representative for “common Judaism,” which is not agreed upon by everyone.

Part II, "Darash and the Sages of the Early Rabbinic Period," also consist of three chapters. The first two "The Rabbinic Sage (*hakham*) and the *bet midrash*" and "*Darash* and *midrash*: The Occupation of the *hakham*," discuss the meanings of the italicized terms in the titles, and the situation reflected by them in tannaitic literature until the "shift" that occurred near the end of the third century. The last chapter, "From an Age of Instruction to an Age of Interpretation," deals with exactly that shift, where midrash gradually received the meaning that is now usually attributed to it. To give only a short summary, Mandel pictures the following development of the terms *midrash* and *darash*: from legal teaching to legal derivation; then, to legal derivation from Scripture (midrash halakha); later, to any derivation from Scripture, also narrative (midrash aggada); and eventually from one derivation to multiple derivations. The activity of the *hakhamim* changes accordingly: from legal teaching, to teaching of Scriptural interpretation. And so does the meaning of the term (and institute) of the *bet midrash*: the *hakhamim*—now become textual scholars—took it over and turned it from a house to which the general public came for legal consultation, to a restricted place where scholars discussed the intricacies of Scripture among themselves. Even the content of the title *talmid hakham*, and the ensuing identity and activity of its bearer changed: where the *talmid* would first be an apprentice to a *hakham*, sitting "in front of him" while the latter answered the questions of the public, the term later became a synonym of *hakham*: a scholar studying with other scholars.

Rather than presenting an outline of these three chapters—which any serious scholar of midrash should read in full, because they bring home Mandel's argument based on what he is best in: detailed analysis of rabbinic texts—I will discuss some sections that interested me in particular.

The first relates to a rabbinic parable, a *mashal*. In his introductory chapter to part 2, Mandel quotes such a parable, found in a tannaitic Midrash, to illustrate his point that the main task of the *hakham* is to "establish, through proper legal reasoning, previously transmitted opinions and laws, not to produce new laws" (174-75).

*"hakhamim u-nevonim"* (Deut 1:13)—What is [the distinction] between *hakham* and *navon*? A *hakham* is like a rich banker: when [people] bring him [money] to view, he views [it]; when no one brings him [money] to view, he takes out his own and views [it]. A *navon* is like a poor banker: when [people] bring him [money] to view, he views [it]; when no one brings him [money] to view, he sits and stares.

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In my reading, this *mashal* demonstrates the exact opposite: that the banker's ability to "take out his own money and view it," refers to the *hakham*'s creativity, which makes him stand out from the *navon*, who can only work with what he receives from others. My reading is confirmed by a similar image in Clement of Alexandria (ca 150-215 CE), *Strom.* 1.28.177, quoting an agaphon of Jesus: "Rightly therefore the Scripture also in its desire to make us such dialecticians, exhorts us: 'Be approved moneychangers,' disapproving some things, but holding fast that which is good." "Disapproving some things but holding fast that which is good" is apt for a good money-changer, just as being a "dialectician" is for the *hakham*: this goes beyond "establishing previous traditions" and involves some creative action.

My second selection refers to a very specific expression used in the tannaitic Midrashim, i.e., *dorshei reshumaot omrim*. Mandel continues the discussion of this expression initiated by Lauterbach ("The Ancient Jewish Allegorists in Talmud and Midrash") and reacts against Daniel Boyarin ("On the Identification of the Dorshei Reshumot: A Lexicographical Study") (274). Whereas Boyarin claims that *reshumot* refers to obscure passages in Scripture, which the *dorshim* would come to interpret, Mandel, correctly, notes that none of the passages interpreted by the *dorshei reshumaot* are obscure, but rather that they expound "allusions" (the meaning of *rashum* according to him) present in the biblical text. Indeed, the *dorshei reshumaot* passages expound, e.g., "water" or "wood and "manna" as references to "Torah." This is in line with Lauterbach's view, who called the *dorshei reshumaot* "ancient Jewish allegorists," yet Mandel explains (in note 137) how he differs from Lauterbach. Whereas Lauterbach saw the *dorshei reshumaot*'s readings as specific spiritual interpretations of these words as "signs" for something else, i.e., Torah, Mandel, rather, holds that the *dorshei reshumaot* "expound the allusive meaning itself." This difference seems subtle, but it is consistent with Mandel's argument that *darash* does, even in these texts, not yet refer to detailed interpretation of words of Scripture, but rather as the exposition of truths contained—in this case—in a Scriptural text. I would, rather, be inclined to line up the *dorshei reshumaot* with the "special groups" mentioned by Mandel before (163, note 51), such as Philo, the Therapeutai and the authors of some parts of the New Testament, that do engage in scriptural interpretation, be it in an allegorical way, which is not standard in rabbinic midrash.

Third, if the "shift" in the meaning of *darash* towards "Scriptural interpretation" and the ensuing changing activity of the *hakham*, can be attached to one rabbinic figure, then this is, according to Mandel, Rabbi Akiva. The distinction between the "schools" of Rabbi Ishmael and Rabbi Akiva is well-known: the

tannaitic Midrashim are usually said to belong to one of these two schools. Where the differences are not so obvious for the narrative passages, they are significant for halakhic midrash. Mandel explains that R. Ishmael treated laws derived from Scripture and laws transmitted independently in the same way, without the need to anchor every non-Scriptural law in Scripture. "R. Ishmael and his school, perhaps under the influence of a priestly heritage that also took upon itself leadership in the teaching of law and custom, were the heirs of this ancient mode of religious leadership, and therefore the words *darash* and *midrash* in the collections attributed to this school, and to R. Ishmael personally, reflect this ancient sense" (277). This argument contains a possibly problematic assumption, namely that the priests—Ishmael descending from a priestly family—represented the same strand in the transmission and interpretation of laws that was associated earlier in this book with the Pharisees. Because this argument made me wonder whether I had missed a reference to the relation between the Pharisees and the Sadducees, I looked for a reference to "Sadducees" in the subject index. This led me to pp. 266-67, where I found not a single word about the Sadducees (they appear on pp. 286-87, but with no relevance to this issue). In any event, Rabbi Akiva's textual focus "gave rise to an increasingly complex and scholastic method of textual legal interpretation as well as a more elastic approach" (278). Somewhat paradoxically, Mandel attributes Akiva's freshness to a "combination of his creative genius and non-scholastic background" (279). Since Akiva's school received dominant status in the Mishnah and the teachings of the Amoraim, the path was now open for the development of midrash in its later, textual-interpretive, garb. This argument in general seems indisputable. My hesitance is, again, not with respect to the main argument, but regarding the fact that all details are presented in such a way that they fit the larger picture, whereas the evidence is not always that clear-cut.

To conclude, Mandel's opposition to the "reigning view" is mostly a matter of chronology: what came first? According to the "consensus," embodied for Mandel by Heinemann, Albeck, and his own teacher Ofra Meir, *darash* is a specific method of interpretation of Scripture that is depicted by Albeck, quite circularly, as an interpretation "in the manner of *midrash*" (no exact reference given). When the term *darash* is found in a context of teaching that is not Scripture, as is rife in the Babylonian Talmud, then this would be, according to the "reigning view," a stretching of the term *darash* and thus a later development. Mandel defends the exact opposite view: the *restriction* of the verb *darash* to a specific kind of interpretation of Scripture is the later development. Originally it referred to public instruction, usually in the realm of laws and customs, and not of Scripture per se. This argument is convincingly brought with

a lot of textual evidence, and, despite my hesitations about some of Mandel's arguments, seem to be true in general lines.

To those of us who have always been teaching the "reigning view," it may come as a relief that the book ends with the "age of interpretation," and that detailed, "polysemic" Scriptural interpretation became at last, even for Paul Mandel, the most common form of midrash in classical rabbinic Midrash (and I would say even already in tannaitic Midrashim such as the Mekhilta). The most important lesson to be derived from this book is therefore that literary scholars should be aware of historical developments, in this case of terms: *midrash* did not always mean the same, and Second-Temple texts featuring this term should not be adduced as proof that scriptural interpretation "in the manner of midrash" was a Jewish core-activity since the Second Temple period. The detailed linguistic investigation of the terms *midrash*, *darash* and *hakham* in their historical developments presented in this book offer a necessary corrective to scholars who juggle with "midrash" and "aggadah" as if these terms are obvious, unchanging and mutually interchangeable.

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