Introduction

On July 11, 1883, Hebrew Union College in Cincinnati, Ohio hosted a banquet to celebrate the ordination of the college's first class of Reform rabbis. The menu for this gourmet feast, later (in)famously known as the "*Terefah* [nonkosher] Banquet" and greatly mythologized, included four biblically forbidden foods (clams, crabs, shrimp, and frogs).[1] Over a series of elaborate courses, each accompanied with its own wine or spirit, the diners who partook of this feast – and those who stormed out – each made a statement about Reform Judaism's stance on the traditional Jewish dietary laws and, by extension, on its theology in general. The intra- and interdenominational consternation inspired, in part, by the "*Terefah* Banquet" eventually contributed to the bifurcation of American Judaism that we still see today.[2] More than simply consuming calories, it would appear that the "*Terefah* Banquet" was about staking a claim on a new Jewish identity.[3]

However, the use of a meal to create social distinctions and to enact and maintain distinct communities is far from a modern phenomenon, both

[1] A copy of the menu can be found in Jacob Rader Marcus, ed., *The Jew in the American World: A Source Book* (Detroit: Wayne State University Press, 1996), 240–241. On the myths surrounding this event, see Lance J. Sussman, "The Myth of the Trefa Banquet: American Culinary Culture and the Radicalization of Food Policy in American Reform Judaism," *American Jewish Archives Journal* 57/1–2 (2005): 29–52. As will be discussed in Chapter 2, the absence of pork from this menu is significant (see also Sussman, "Myth of the Trefa Banquet," 34–43).

[2] For a brief overview, see Marcus, *Jew in the American World*, 238–239; Sussman, "Myth of the Trefa Banquet," 43–44.

[3] Although the extent to which those who organized, hosted, dined, abstained, or departed from this banquet were, at that moment, intentionally or consciously engaging in making active identity statements is debated, it is clear that this is how the event was subsequently interpreted. See Sussman, "The Myth of the Trefa Banquet."

in Judaism and cross-culturally. The early rabbinic (tannaitic) corpus is replete with legislation concerning what and with whom one should or should not eat. The authors of these texts (singular: Tanna; plural: Tannaim) build on earlier precedents and introduce innovative practices regulating commensal interactions. In short, the food on one's plate serves as a social symbol (or sign) that communicates group association and disassociation.

This book examines how the tannaitic movement constructed identity through regulating culinary and commensal practices. Focusing on the extant literary corpus, redacted in circa third-century C.E. Palestine, I argue that the Tannaim both draw on earlier and contemporary Jewish and non-Jewish culinary and commensal customs and introduce innovations as part of an attempt to establish a discrete tannaitic identity. In these texts, the table is a locus for identity negotiation. Rules that regulate what, with whom, and how one eats – and how one prepares that food – are therefore understood to divide the world into a binary: those with whom "We" eat and those with whom "We" do not eat. Although commensality regulations are not the only manner in which the Tannaim attempt to establish their own unique identity (purity, for example, is another way), these rules are a key component of the larger identity formation process.

In addition to explaining a specific ancient data set, I develop a methodological framework for analyzing the interlocking dimensions of identity formation and commensality regulations that can be applied cross-culturally. As every recorded society that I am aware of has some form of food taboo (many for sound biological reasons),[4] the utility of refining such a heuristic model for cross-cultural and transhistorical studies is vast.

In particular, I seek to avoid three weaknesses that I detect in studies addressing the intersection between diet and identity in ancient Judaism.

[4] For example, evolutionary anthropologists Daniel M. T. Fessler and Carlos David Navarrete trace the origin of meat taboos specifically to "evolved psychological mechanisms and predispositions" developed to avoid biological harm to the human body. See "Meat Is Good to Taboo: Dietary Proscriptions as a Product of the Interaction of Psychological Mechanisms and Social Processes," *Journal of Cognition and Culture* 3/1 (2003): 1–40, 26. In addition to biological factors, anthropologist Marvin Harris argues that food taboos "can be explained by nutritional, ecological, or dollar-and-cents choices" (*Good to Eat: Riddles of Food and Culture* [Long Grove, IL: Waveland Press, 1998], 17).

First, piecemeal data from texts spanning a large timeframe and covering a wide swath of geographically and culturally diverse territory (for example, Palestine and Babylonia) are assumed to present one coherent and consistent picture.[5] This scrapbook approach represents the bulk of previous scholarship in the field of rabbinics in general.[6] However, the recent trend in the field has been toward greater sensitivity to this issue.[7] To address this concern, I limit my scope to tannaitic literature.[8] Further, whenever possible, I distinguish between commensality regulations with precedents in earlier (almost always Second Temple-period) extant evidence and those that appear to represent tannaitic innovations. This approach brings into relief the ways in which the Tannaim specifically manipulate culinary and commensal practices as part of their identity construction.

Second, by focusing only on culinary regulations (what one eats) and commensal regulations (how one eats) between Jew and non-Jew, or between rabbinic Jew and nonrabbinic Jew, previous studies fail to address a key component of boundary maintenance: that the proverbial "fence around the Torah"[9] – the rabbinic metaphor for a hedging policy of erring on the side of caution, to prevent violating biblical legislation – allows for the creation of laws and practices designed to keep both "Us" in and "Them" out. Scholarship that concentrates solely on regulations

[5] E.g., Sacha Stern, *Jewish Identity in Early Rabbinic Writings* (New York: Brill, 1994).

[6] This approach is not unique to the study of rabbinics. Classicists, for example, grapple with this same issue. As Mary Beard notes, with regard to scholarship on the Vestal virgins: "The ancient texts it considers are *excavated*, not *read*. The method is a familiar one: the Roman antiquarian literature is combed – a bit of Labeo (quoted by Aulus Gellius) is dug out here, some convenient lines of Festus on the Vestal hairdo deployed there, with plenty of snippets from Pliny the Elder and Valerius Maximus sprinkled on for good measure. The byways of Latin literature ransacked and minutely dismembered, all (as intended) making a very learned impression. But what is left out of the picture (what Ancient History, as a discipline, has consistently ignored) is the character, point and focus of the texts so expertly dissected: what were these writers writing *about* when they wrote about the Vestals? Who wrote about Vestals, to whom, and why?" ("Re-reading (Vestal) Virginity," in *Women in Antiquity: New Assessments*, ed. Richard Hawley and Barbara Levick, 166–177 [New York: Routledge, 1995], 171–172, emphasis in original).

[7] E.g., Michael L. Satlow, *Tasting the Dish: Rabbinic Rhetorics of Sexuality*, BJS 303 (Atlanta: Society of Biblical Literature, 1995); Alyssa M. Gray, *A Talmud in Exile: The Influence of Yerushalmi Avodah Zarah on the Formation of Bavli Avodah Zarah*, BJS 342 (Atlanta: Society of Biblical Literature, 2005).

[8] "Rabbinic literature," writ large, refers to both the tannaitic and amoraic corpora, as I discuss later in this chapter.

[9] E.g., *m. Avot* 1:1 (ed. Albeck 4:353).

either between rabbinic and nonrabbinic Jews[10] or between Jews and non-Jews[11] does not provide a complete picture. Here I am influenced by the work of Arjun Appadurai, who examines the role that the practice of writing cookbooks plays in creating a national cuisine – and hence, identity – in contemporary India. Appadurai notes:

> What we see in these many ethnic and regional cookbooks is the growth of an anthology of naturally generated images of the ethnic Other, a kind of "ethnoethnicity," rooted in the details of regional recipes, but creating a set of generalized gastroethnic images of Bengalis, Tamils, and so forth. Such representations, *produced by both insiders and outsiders*, constitute reflections as well as continuing refinements of *the culinary conception of the Other* in contemporary India.[12]

To understand the identities constructed in cookbooks, a burgeoning topic in food studies, one must consider how these recipe collections construct the identity of both "Self" and "Other."[13] An important result of parsing the tannaitic data in this manner is that it highlights a key difference, namely that the boundaries that the Tannaim erect between

[10] For a recent example of this general approach to identity construction, although not in the domain of culinary and commensality regulations, see Daniel Boyarin, *Border Lines: The Partition of Judaeo-Christianity* (Philadelphia: University of Pennsylvania Press, 2004).

[11] E.g., David Moshe Freidenreich, Foreign Food: Restrictions on the Food of Members of Other Religions in Jewish, Christian, and Islamic Law (Ph.D. dissertation, Columbia University, 2006).

[12] "How to Make a National Cuisine: Cookbooks in Contemporary India," *Comparative Studies* 30/1 (1988): 3–24, 16, emphasis added. Further, I am particularly interested in Appadurai's suggestion that "[i]n the contemporary Indian situation, and to some degree generically, cookbooks appear to belong to the literature of exile, of nostalgia and loss" (p. 18). This conception makes apt the comparison between Indian cookbooks and rabbinic literature – which is written by a group of people who have experienced exile from, and the loss of sovereignty over, a land to which they feel theologically attached, as well as the destruction of their central cultic institution.

[13] The role that cookbooks play in Jewish identity formation in modernity has been the subject of several recent scholarly articles. For examples, see Nefissa Naguib, "The Fragile Tale of Egyptian Jewish Cuisine: Food Memoirs of Claudia Roden and Colette Rossant," *Food & Foodways* 14 (2006): 35–53; Alice Nakhimovsky, "You Are What They Ate: Russian Jews Reclaim Their Foodways," *Shofar: An Interdisciplinary JJS* 25/1 (2006): 63–77; Steve Siporin, "From Kashrut to Cucina Ebraica: The Recasting of Italian Jewish Foodways," *Journal of American Folklore* 107/424 (1994): 268–281. For a brief synthetic summary, including additional references, see Marion A. Kaplan, *The Making of the Jewish Middle Class: Women, Family, and Identity in Imperial Germany* (New York: Oxford University Press, 1991), 72–74. For a longer discussion, see Jenna Weissman Joselit, "Kitchen Judaism," in *The Wonders of America: Reinventing Jewish Culture, 1880–1950*, 171–218 (New York: Henry Holt, 2002).

themselves and nonrabbinic Jews are not necessarily the same as those built between themselves and non-Jews. With different guests, there is a different etiquette. Therefore, I examine both sets of regulations.

The third weakness is that much of scholarship on Jewish identity rarely theorizes the term itself.[14] As such, identity – which can be broadly defined, following Sacha Stern, as "the *perception and experience of a person's self* in its lived dimensions"[15] – is often used as a catch-all category in such a way as to have no clear meaning. For example, as Theodore R. Schatzki notes, "a person's identity embraces two analytically distinguishable and possibly divergent components: that person's meaning and that person's understanding of his or her meaning. The fact that identity possesses these two components opens the possibility of people's self-understandings diverging from the identities attributed to and foisted on them by or through others."[16] To overcome this confusion, I focus on tannaitic self-identity as a category of practice and not as an analytical category.[17]

Focusing on identity as a category of practice offers two advantages. First, because the tannaitic data are predominantly textual, one must be careful to avoid treating identity as being merely constituted by words or as being a purely discursive affair.[18] In this approach, rather than treating identities as linguistic phenomena, I follow Schatzki's suggestion that identities are "practice phenomena with linguistic aspects."[19] A prescription, for example, is not empty rhetoric, but rather is an attempt to craft a bundled set of social activities – a practice – that constructs, in part, a discrete identity. Understanding a practice to constitute a bundle of social activities allows me to combine both actions and words in my analysis of commensality regulations in the tannaitic corpus.[20]

[14] E.g., David Kraemer, *Jewish Eating and Identity Through the Ages* (New York: Routledge, 2007).
[15] *Jewish Identity*, xiv, emphasis in original.
[16] Theodore R. Schatzki, *The Site of the Social: A Philosophical Account of the Constitution of Social Life and Change* (University Park, PA: Pennsylvania State University Press, 2002), 47.
[17] Here I follow Rogers Brubaker and Frederick Cooper, "Beyond 'Identity'," *Theory and Society* 29 (2000): 1–47, especially pp. 4–6, 34.
[18] Schatzki, *Site of the Social*, 50–51.
[19] *Site of the Social*, 50; see also p. 77, in which Schatzki notes that practices are a "motley" of both "discursive and nondiscursive actions."
[20] In Schatzki's nomenclature: "doings" and "sayings." In general, see *Site of the Social*, 70–88. Schatzki ultimately defines a practice thus: "In sum, a practice is a temporally evolving, open-ended set of doings and sayings linked by practical understandings,

Second, practices establish social orders.[21] Because "[p]ractices are not just the context, but also the site where the meanings of arranged entities are instituted,"[22] understanding identity as a category of practice provides a glimpse at the blueprint for a society. For example, American *identity* is, at least in part, derived from one's participation in certain commensal practices, such as ingesting turkey, stuffing, cranberry sauce, and the like on the fourth Thursday of November (Thanksgiving); attending a barbecue, eating hot dogs, and watching fireworks on July 4 (Independence Day); consuming apple pie; and eating "peanuts and Cracker Jacks" at a baseball game, to name a few. To engage in these bundled sets of social activities is, in some sense, to perform an American identity. *Practices* are the means by which a given person or group of persons is plugged into a matrix of social relations. This observation offers a further avenue for crossing the theoretical chasm between text and social history. In short, *texts prescribe practices; practices index identity.*

By understanding identity to constitute a category of practice, I therefore argue that when tannaitic texts prescribe the consumption of or abstention from certain foods, for example, the texts themselves do not establish a distinct identity. In contrast, the prescriptions contained in a text are part of a tannaitic attempt to regulate practices, and those practices contextualize and establish the participant's identity for those people writing that text. Thus, the oft-stated principle that "you are what you eat" is understood to be a statement about identity insofar as it refers to the practice of eating as constituting an individual's identity.[23]

rules, teleoaffective structure, and general understandings" (*Site of the Social*, 87). My definition of a practice is also informed by another statement by Schatzki: "Practices are the bundled activities that one type of component of social orders performs" (*Site of the Social*, 71).

[21] See Schatzki, *Site of the Social*, 89–105.

[22] Schatzki, *Site of the Social*, 100.

[23] This saying apparently originates in a statement made by Jean Anthelme Brillat-Savarin: "Tell me what you eat, and I shall tell you what you are (*Dis-moi ce que tu manges, je te dirai ce que tu es*)" (*Physiologie du Goût: Première Édition Mise Ordre et Annotée avec une Lecture de Roland Barthes* [Paris: Hermann, 1975], 37; translation from *The Physiology of Taste, or, Meditations on Transcendental Gastronomy*, trans. M. F. K. Fisher [New York: Heritage Press, 1949], 1. I owe this reference to Hasia R. Diner, *Hungering for America: Italian, Irish, and Jewish Foodways in the Age of Migration* [Cambridge: Harvard University Press, 2001], 4). For similar proverbs, see the sources cited in Emiko Ohnuki-Tierney, *Rice as Self: Japanese Identities through Time* (Princeton, NJ: Princeton University Press, 1993), 3.

My usage of the term identity here contrasts with that of Sacha Stern, who describes rabbinic identity as "an all-embracing, ontological experience which covers all areas of one's existence."[24] The notion that identity is "all-embracing" is a rabbinic rhetorical strategy that Stern accepts too easily. Elsewhere, Stern explicitly refers to the role that practice plays in this identity, noting that "[i]n some contexts, it becomes more appropriate for us to refer to Jewish identity not as a passive 'experience' but rather as a *practice*."[25] In contrast, I argue throughout this study that culinary and commensally constructed tannaitic identity is *always* about practice. Identity is not a passive experience. Like the act of eating, it is an active social practice.

Further, the fact that the Tannaim utilize practices to construct a distinct identity is unsurprising. As Shaye Cohen has cogently argued, Jewish identity – which he labels "Jewishness" – emerges in the Hasmonean period (circa second to first century B.C.E.), when the term "Judean" took on a religious, rather than an ethnic, connotation.[26] From this time on, Jews in the Second Temple and Rabbinic periods emphasized their distinctiveness primarily via their practices, including circumcision and commensality regulations. Whereas to be a "Judean" meant that one was born into an ethnic lineage, starting in the second century B.C.E., to be a "Jew" meant to engage in specific practices. The who, what, when, where, and how of these practices, however, was up for debate.

Throughout, I occasionally use the term "edible identity" to refer to the complex of culturally significant activities surrounding the preparation and ingestion of food that allows diners to make an identity statement by the manner in which they partake of their dinner. Through commensality practices, individuals act out their self-conceptions as members of a group and their public identifications with a group to form distinct identities: namely, those with whom "We" can eat ("Us") and those with whom "We" cannot eat ("Them"). This identity is enacted daily, turning

[24] *Jewish Identity*, xxxiii. Because Stern considers both tannaitic and amoraic literature, his conclusions will sometimes require adjustment for use in this book.

[25] *Jewish Identity*, 79, emphasis in original.

[26] Shaye J. D. Cohen, *The Beginnings of Jewishness: Boundaries, Varieties, Uncertainties* (Berkeley and Los Angeles: University of California Press, 2000), 109–139, especially pp. 135–136. For a recent critique of this approach, see Steve Mason, "Jews, Judaeans, Judaizing, Judaism: Problems of Categorization in Ancient Judaism," *JSJ* 38 (2007): 457–512.

the biological need to ingest calories into a culturally significant activity.[27] Massimo Montanari, an Italian historian of food in the medieval period, reminds us of the cultural relativity of these practices: "Culinary identities were not inscribed in the heavens."[28] I use the term "edible identity" to refer to this matrix of interrelated practices, the range and depth of which form the core focus of this work.

On a final note, I often interact with the work of anthropologists. Underlying these theories is the assumption that meals (and their concomitant social rules) form a decipherable code or language. For example, discussing the "code" of a meal, Mary Douglas notes, "To sum up, the meaning of a meal is found in a system of repeated analogies. Each meal carries something of the meaning of the other meals; each meal is a structured social event which structures others in its own image."[29] Here, Douglas is influenced by the work of Roland Barthes, who observes that "[t]o eat is a behavior that develops beyond its own ends, replacing, summing up, and signalizing other behaviors, and it is precisely for these reasons that it is a sign."[30] The theories of Douglas and Barthes, among others, have become the regnant scholarly view with regard to understanding how a meal operates culturally. In short, food is a system of signs – a code that can be decrypted.

Scholars have therefore worked to create a proverbial Rosetta Stone, seeking to translate the "language" of a meal. Montanari summarizes this approach well:

> In all societies, eating habits and rituals are governed by conventions analogous to those that give meaning and stability to verbal languages themselves. This aggregate of conventions, which we shall call "grammar," informs the food system not as a simple *compilatio*n [*sic*] of products and foods,

[27] Food is not unique in this manner. As Mary Douglas notes: "Like sex, the taking of food has a social component, as well as a biological one" ("Deciphering a Meal," in *Food and Culture: A Reader*, ed. Carole Counihan and Penny van Esterik, 36–54 [New York: Routledge, 1997]).

[28] *Food Is Culture*, trans. Albert Sonnenfeld (New York: Columbia University Press, 2006), 137.

[29] "Deciphering a Meal," 44.

[30] "Toward a Psychosociology of Contemporary Food Consumption," in *Food and Culture: A Reader*, ed. Carole Counihan and Penny van Esterik, 20–27 (New York: Routledge, 1997). Douglas herself acknowledges her debt to Barthes ("Deciphering a Meal," 36).

assembled in more or less casual fashion, but rather as a structure, inside of which each component defines its meaning.

The lexicon on which this language is based obviously consists of the repertory of available animal and vegetable products, very much like the kind of morphemes (the basic units of meaning) on which are built words as well as the entire dictionary. Thus, it is a lexicon that redefines itself in the changing context of environmental, economic, social, and cultural circumstances.[31]

Thus, the "syntaxes ('menus'), and styles ('diets')"[32] of a culture allow the careful historian or anthropologist to act like a lexicographer.

Where I depart significantly from anthropologists of food, and the field of food studies in general, is in my data set. Too often, these scholars have turned their attention only to the food taboos contained in the Hebrew Bible.[33] The rabbinic corpus, however, is almost always ignored. Although they are interesting, I do not believe any of the anthropological originary claims for these food taboos (usually focused on the anomaly of the pig) – from Douglas's notion that pig is an animal "out of place" to Harris's economic and environmental causal argument – to be verifiable, as the data are too slender and their arguments are too often circular. Therefore, I prefer in my own work to look at a data set in which the absolute origins of the prohibition against pork, for example, are irrelevant. What matters for the Tannaim is that God instituted the ban in the Hebrew Bible. How they interpret, understand, and enact this regulation is verifiable.[34]

Even though I advocate a shift in focus, the theories that anthropologists have developed are useful for analyzing this different data set. Therefore, I adopt their approach in general throughout this book and attempt to translate the language of the meal, as constructed in tannaitic literature. I argue that the culinary and commensal regulations developed (and, in some cases, inherited) by the Tannaim are part of a larger process

[31] *Food Is Culture*, 99, emphasis in original.
[32] Barthes, "Toward a Psychosociology of Contemporary Food Consumption," 23.
[33] Most famously, see the many works of Mary Douglas: e.g., *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo* (New York: Routledge, 1999 [1966]), 42–58; and her recent reevaluation in *Leviticus as Literature* (New York: Oxford University Press, 2000); also see Harris, *Good to Eat*, 67–87; and Jean Soler, "Biblical Reasons: The Dietary Rules of the Ancient Hebrews," in *Food: A Culinary History*, ed. Jean-Louis Flandrin and Massimo Montanari, 46–54 (New York: Penguin Books, 2000).
[34] See Chapter 2 for an in-depth discussion of the pig.

of identity formation. From the daily dinner table – a "domestic theatre where members of the family in turn play the roles of performers and audience"[35] – to the festival meal, commensality is a social performance that enacts and maintains particular identities.

"THE SET TABLE": ORGANIZATION AND STRUCTURE

Shaye Cohen observes, "Between Us and Them is a line, a boundary, drawn not in sand or stone but in the mind."[36] In this study, I examine the commensal practices that erect the tannaitic boundary in the mind. To do so, I begin by looking at the historical realia. In Chapter 1 ("Realia"), I discuss the daily and annual life cycles of commensality in Tannaitic-period Palestine. Drawing on textual and material evidence from both tannaitic and roughly contemporary (Greek, Roman, and Christian) sources, I briefly (re)construct the culinary and commensal world that tannaitic meal practices seek to regulate. Without knowing what this world might have looked like, it would be difficult to establish the difference between rabbinic fantasy and historical description.[37] I therefore ask four questions: What did they eat? How did they obtain their food? How did they prepare their food? In what manner did they eat their food? In answering these questions, we discover that, in general, most of the evidence for the historical realia of food production and consumption for Jews and non-Jews does not differ greatly. However, this is only on the macro level (i.e., in general structure and appearance); on the micro level, as we shall later see, there are important nuances and subtle distinctions. Although the body of this chapter is designed to be accessible to the reader, I include detailed footnotes for experts in the field, as this is the only examination of this material in regard to tannaitic literature in particular. Although this study primarily addresses

[35] Jeremy MacClancy, *Consuming Culture: Why You Eat What You Eat* (New York: Henry Holt, 1993), 98.

[36] *Beginnings of Jewishness*, 341.

[37] Miriam B. Peskowitz uses the term "fantasy" as a critical term for the study of rabbinic literature. See *Spinning Fantasies: Rabbis, Gender, and History* (Berkeley and Los Angeles: University of California Press, 1997), 60–62, and *passim*. This term helps to caution against the following scholarly tendency to uncritically accept a text's rhetoric: "The vivid details of tailors, peddlers, and millstone grinders lend the passage a sense of accuracy and practicality. Reading it, I can almost hear the hustling chatter of artisans and customers at the marketplace. But this is a seduction" (*Spinning Fantasies*, 62).