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978-0-521-38125-3 - Uniting the Dual Torah: Sifra and the Problem of the Mishnah

Jacob Neusner

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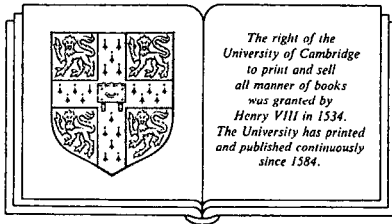
# Uniting the Dual Torah

SIFRA AND THE PROBLEM OF THE MISHNAH

JACOB NEUSNER

*The Institute for Advanced Study*

*Brown University*



CAMBRIDGE UNIVERSITY PRESS

*Cambridge*

*New York Port Chester*

*Melbourne Sydney*

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Published by the Press Syndicate of the University of Cambridge  
The Pitt Building, Trumpington Street, Cambridge CB2 1RP  
40 West 20th Street, New York, NY 10011, USA  
10 Stamford Road, Oakleigh, Melbourne 3166, Australia

© Cambridge University Press 1990

First published 1990

Printed in the United States of America

**Library of Congress Cataloging-in-Publication Data**

Neusner, Jacob, 1932–

Uniting the dual Torah : Sifra and problem of the Mishnah / Jacob  
Neuser.

p. cm.

Includes bibliographical references.

ISBN 0-521-38125-8

1. Sifra – Relations to Mishnah. 2. Mishnah – Relations to Sifra.

3. Tradition (Judaism) I. Title.

BM517.S63N49 1990

296.1'4–dc20

89-17320

CIP

**British Library Cataloguing in Publication Data**

Uniting the Dual Torah : Sifra and the problem of the  
Mishnah.

1. Judaism. Talmud-Critical studies

I. Neusner, Jacob, 1932–

296.1'206

ISBN 0-521-38125-8 hard covers

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For my best friend and best companion,  
who is my wife,  
SUZANNE RICHTER NEUSNER

a rollicking book, and one I have most enjoyed writing,  
goes to the person I have most enjoyed knowing

with the gift of whatever love I know how to give  
to the only person to whom I have ever given it

on the occasion, and in celebration, of  
our twenty-fifth wedding anniversary

March 15, 1989

*zeb mah sbeyesh*

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## Preface

The theme of this book is how a remarkable authorship set forth a distinctive solution to a long-standing problem in the theology, literature, and law of the Judaism of the Dual Torah. The problem was posed by the character and standing of the Mishnah. From the moment of its promulgation as the basis for the law of Judaism, the Mishnah was represented as authoritative. Therefore, in the context of the life of Israel, the Mishnah enjoyed its standing as *torah*, divine revelation, which yet was clearly not like The Torah revealed by God to Moses at Sinai. To that problem there were two solutions: the successor documents that undertook the exegesis, amplification, and application of the Mishnah and that presented by the authorship of Sifra. The solution proposed by the successor authorities to the Mishnah, in Tosefta, ca. A.D. 300, the Talmud of the Land of Israel or Yerushalmi, ca. A.D. 400, and the Talmud of Babylonia or Bavli, ca. A.D. 600, was to treat the word or conception, *torah*, as a common noun, signifying, among other things, process, status, or classification. Then the Mishnah found ample place for itself within the capacious classification, *torah*.

The solution proposed by the authorship of Sifra was to treat the word, *torah*, as solely a proper noun, The Torah, but *also* to insist that the Mishnah found a fully legitimate position within The Torah. That solution required the authorship of the Mishnah to undertake a profound critique of the logic of the Mishnah, both as that logic dictated the correct joining of two or more sentences into a cogent thought and as that logic governed the formation of propositions for analysis. In fact, the authorship of Sifra set forth a systematic critique of the Mishnah in its principal definitive traits: its topical program and arrangement, its principles of cogent discourse, and its logic of critical analysis and probative demonstration of propositions. Furthermore, it set forth a sizable portion of the Mishnah's contents, as these pertained to the book of Leviticus, within its

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own definition of the correct topical program and arrangement, its own principles of cogent discourse, and its own logic of critical analysis and proof.

This book, therefore, proposes the thesis that these two solutions came to full expression in the works of exegesis and amplification that adopted the Mishnah, the oral Torah, as the base text, and in the single work of exegesis and amplification that adopted Scripture, in the particular form of the book of Leviticus, as the base text. In the prologue I explain the thesis of this book and what I conceive to be at stake. In the shank of the book I develop the thesis. Simply, at stake in the Tosefta and two Talmuds, on the one side, and in Sifra on the other,<sup>1</sup> was how to unite the dual Torah. That is what I mean by “Sifra and the problem of the Mishnah.”

The program of the book is simple. In Chapters One and Two I describe the problem of the Mishnah as I conceive it to have confronted the heirs and successors of the framers of that document. Chapter Three then presents a sample of Sifra, including 6 of the 277 chapters of the writing. Chapter Four forms my theoretical statement and is the centerpiece of the book. Chapters Five and Six attend to formal questions of the order and organization of propositions and topics, on the one side, and the logic of cogent discourse on the other. Chapters Seven and Eight turn to the deep structure of logic: how we set forth and prove propositions. There I define the probative logic of hierarchical classification, comparison and contrast of like and unlike, that forms the foundation for all learning in antiquity; we call it *Listenwissenschaft*. I identify the particular traits of mind that characterize the Mishnah’s framer’s utilization of the logic of hierarchical classification and then show in detail the Sifra’s authorship’s sustained and stunning critique of the application of that logic. In Chapter Eight, I explain how that same authorship turned and rehabilitated *Listenwissenschaft* by showing the correct mode of defining classifications and comparing and contrasting categories in hierarchical order.

In this way I lay forth the proposition of this book, that in order to re-present the dual Torah in a single, whole statement, the authorship of Sifra set forth a sustained critique of practical reason. It was in their deep search into the written Torah that they found the principles of probative logic for the demonstration of the unity of two components of the Torah, oral and written. The underlying theological premise, of course, was that The Torah portrayed for humanity the workings of the mind of God, just as creation portrayed the workings of the hand of God. Therefore, when our authorship penetrated into the workings of the intellect revealed in The Torah, they entered into the mind of God.

For the purpose of interpreting the results of this book, I have invoked

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the metaphor of “critique,” suggesting that the authorship of Sifra has presented an attack upon, and a critique of, the logic of the Mishnah. But an equally valid metaphor may be provided by academic discourse. The Mishnah and Sifra coexisted in the curriculum of the master–disciple circles of the Judaism of the Dual Torah. Therefore, the authorship of Sifra represents one view of logic, that of the Mishnah, a different, and complementary view, of how to solve the same problems of taxonomic logic. Readers who prefer to see the data I set forth within a less colorful metaphor than the one I have used – a metaphor that represents one authorship severely criticizing the thought processes of a prior authorship – will find no argument from me.

Let me place the present work into its proximate and broad context. As to the former, the book takes its place as second within a trilogy of studies of Sifra. The first is the first complete translation of Sifra into any language, published as follows:

*Sifra. An Analytical Translation.* Atlanta, 1988: Scholars Press for Brown Judaic Studies. I. *Introduction and Vayyiqra Dibura Denedabah and Vayyiqra Dibura Dehobah.*

*Sifra. An Analytical Translation.* Atlanta, 1988: Scholars Press for Brown Judaic Studies. II. *Sav, Shemini, Tazria, Negaim, Mesora, and Zabim.*

*Sifra. An Analytical Translation.* Atlanta, 1988: Scholars Press for Brown Judaic Studies. III. *Aharé Mot, Qedoshim, Emor, Bebar, and Behuqotai.*

The third, summarized in the Appendix so far as the results pertain to this book, is *Sifra in Perspective: The Documentary Comparison of the Midrashim of Ancient Judaism*, Atlanta, 1988: Scholars Press for Brown Judaic Studies.

Since I present in this book numerous abstracts of my translation, I had best explain my intent and philosophy for translating Sifra in the present context. My translation provides the document with its first consecutive numbering system as well as its first detailed formal analysis. The translation on which this study rests is one that I call *form analytical*. In this translation, now in print, I prepare a way to answer the questions, such as those treated here, that can be addressed on the basis of a form analytical reading of a document when it is considered whole and complete, from beginning to end.

The correct methodological approach to the study of any document on its own terms is dictated by established procedures in all humanistic learning in the West. First, we have to allow a document such as Sifra to speak for itself. Its authorship’s own choices as to aesthetic and substantive questions alike must give its testimony. The choices of that authorship on how to express its ideas constitute the single authoritative



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commentary to the document.<sup>2</sup> In translating, that means that the traits of the document demand attention on their own, without an *a priori* premise as to the origin, purpose, or character of the writing before us. The beginning of criticism is a translation that makes possible independent analysis, sustained inquiry into objective traits of evidence, analysis of the indicative characteristics of that evidence, and interpretation through comparison and contrast of the outcome of that analysis and inquiry. The methodological requirements of contemporary humanistic inquiry dictate the empirical approach taken in my translation of Sifra as of the two Sifrés and the other Midrash compilations produced in the formative age of the Judaism of the Dual Torah. In the bibliography I specify the larger context of this work of translation and phenomenological analysis.

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**Notes**

<sup>1</sup> I shall deal with the standing of Sifré to Numbers and Sifré to Deuteronomy in respect to the Mishnah in the companion volume to this one, *Sifra in Context*. At this point I have no need to claim for Sifra utterly unique traits or standing, though I do maintain for our authorship a genuinely singular cast of mind.

<sup>2</sup> The conception that the medieval commentaries tell us of the original meaning of an ancient document need not detain us. When my translations are criticized as ignorant for ignoring what Rashi has to say about a passage in the Talmud of Babylonia, I marvel that my intent has registered. For that is not out of “ignorance” but entirely intentional. I began this mode of reading the rabbinic texts with the Mishnah, insisting that the Mishnah constitutes its own best exegesis, and that when people say things in one way and not in some other, that constitutes a signal as to their intent and meaning. I extended that same critical hermeneutics to principal documents of the rabbinic canon, and hope to complete the task. No one doubts that the received exegetical tradition contains points of interest, particularly as to the possible meanings of words and phrases.