

NOTES

1. *Fritz Rosencweig: His Life and Thought*, edited by Nahum N. Glatzer (New York: Schocken Books, Inc., 1953), p. 97.
2. M. Sanhedrin 4:5.
3. I refer here to the extensive rabbinic discussions of *yisurin shel abaynah* (lit. "suffering as an expression of [God's] love"), many based on Proverbs 3:12 and Psalm 94:12. See, *inter alia*, *Sifre Va'urbanan* 32 and *Ha'azinu* 311, T.B. B.M. 84b and San. 101a, and B. Rabba 9:10.
4. For an extensive study of Jewish views on the afterlife, see my *The Death of Death: Resurrection and Immortality in Jewish Thought* (Woodstock, VT: Jewish Lights Publishing, 1997).
5. Sherwin B. Nuland, *How We Die: Reflections on Life's Final Chapter* (New York: Alfred A. Knopf, 1994), p. 58.
6. *Ibid.*, p. 267.
7. William James, *The Varieties of Religious Experience* (New York: Random House, 1929), pp. 137-138.
8. Quoted in *The New York Times* Science Section, October 10, 2000.
9. Quote in *TIME*, September 18, 2000.
10. I refer here to two publications by Daniel Callahan: "Death and the Research Imperative," *New England Journal of Medicine*, 342:9, March 2, 2000, pp. 654-656, and "Aging, Death and Population Health," *Journal of the American Medical Association*, 282:21, December 1, 1999, p. 2077.
11. In what follows, I have borrowed liberally from *Life and Death: Responsibilities in Jewish Biomedical Ethics*, Aaron L. Mackler, ed. (New York: The Louis Finkelstein Institute, The Jewish Theological Seminary, 2000), Part III.
12. For a thorough discussion of Reform's approach to the treatment of the terminally ill, see the statement in *Teshuvot for the Nineties: Reform Judaism's Answers to Today's Dilemmas*, W. Gunther Plaut and Mark Washofsky, eds. (New York: Central Conference on American Rabbis, 1997), pp. 337-363. For a sampling of approaches reflecting contemporary Orthodox authorities, see *inter alia* J. David Bleich, *Biomedical Dilemmas: A Jewish Perspective* (Hoboken, NJ: Ktav, 1998), and his *Judaism and Healing: Halakhic Perspectives* (Hoboken, NJ: Ktav, 1981), as well as Fred Rosner, *Modern Medicine and Jewish Ethics*, 2nd Revised and Augmented Edition (Hoboken, NJ: Ktav, and New York: Yeshiva University Press, 1991), Part III.
13. On the theological valence of hope, see my *Gabriel Marcel and the Problem of Religious Knowledge* (Washington, DC: University Press of America, 1980). See also Marcel's *Being and Having*, trans. Katharine Farrer (Boston: Beacon Press, 1951).
14. Paul Ricoeur, *The Symbolism of Evil* (Boston: Beacon Press, 1967), pp. 350-351.

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The Bavli's Ethic of Shame

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While the Bavli is often celebrated for its prominent ethical vision, little attention has been given to what makes the Bavli's ethics distinctive. Certainly, one finds beautiful traditions about justice, charity, parental honor, truth, compassion, repentance, hospitality, and so forth scattered throughout the Bavli. But one finds similar traditions in other rabbinic compilations, in the Bible, and in non-Jewish sources as well. What distinguishes the ethics of the Bavli from the ethics of other Jewish and non-Jewish works? Here I will argue that at least part of the answer to this question is the prominence of the concept of shame. To shame, embarrass, or humiliate another person is one of the most heinous sins in the view of the Bavli; to avoid humiliation and to preserve honor and dignity count among the greatest virtues. The Bavli's distinct emphasis on shame can be seen clearly when comparing traditions that appear in the Bavli with parallel versions that appear in the Yerushalmi or in other Palestinian midrashim. In many cases, the theme is present in the Yerushalmi or in other Palestinian midrashim. In many cases, the theme is present in the Bavli but lacking in the Palestinian parallel. I will also argue that this ethic can be traced primarily to the Bavli's post-Amoraic redactors, the Staninim.

Let us begin with the story of Samuel the Little, who went to great lengths to avoid shaming a colleague:

Once, Rabban Gamliel said, "Summon seven [sages] to my upper story tomorrow morning [in order to intercalate the year]."²

When he arrived there, he found eight. He said, "He who came up here without permission—let him descend." Samuel the Little stood up and said, "It was I who came up here without permission. I did not come here to intercalate the year, but I needed to learn the practical law [of how intercalation is done]." He [Gamliel] said to him, "Sit down, my son, sit down. It is fitting that all years be intercalated with your [participation]. However, the sages have said, 'The intercalation of the year may be done only by those who were invited.'"

And it was not Samuel the Little [who had not been invited], but another man. But he [Samuel] acted this way to avoid shaming [his colleague]. (B. Sanhedrin 11a)

The first two sections of this story illustrate the zeal necessary to become a master of Torah. So dedicated was Samuel the Little to learn the details of a point of law, the procedure for intercalating the year, that he appeared uninvited at an elite gathering of sages. Torah must be actively pursued, not passively absorbed.³ As the Bavli observes elsewhere, "Torah is established only for one who kills himself over it" (B. Berakhot 63b). The last section, however, changes the slant of the story and teaches a completely different lesson: that one must do everything possible to spare another person from experiencing shame. Samuel the Little told a white lie and risked being reprimanded to protect the feelings of his colleague, whose motives for intruding upon the assembly are unknown.

This final addendum is clearly the work of the Bavli redactors. First, it is Aramaic, while the first two sections are Hebrew—the italics illustrate the linguistic shift. The Stammaitic stratum of the Bavli is mostly Aramaic, and such Aramaic addenda to Hebrew statements of the Amoraim are among the clearest signposts of Stammaitic activity. Second, the version of the story that appears in the Yerushalmi, although not identical to the Bavli, lacks the final section (J. Sanhedrin 1:2, 18c). Rabban Gamliel offers a similar comforting comment to Samuel the Little, that he considers him worthy in principle of intercalating the year, and the narrator informs us that they did not perform the intercalation on that day, but on the next. Shame is never mentioned. Thus, both form criticism (the Aramaic vs. Hebrew) and source criticism (comparing the Yerushalmi's version) suggest that the Stammaim reworked a Palestinian source in order to teach the importance of avoiding shame.⁴

The theme of shame can also be seen by comparing versions of a story about astrology found in the two Talmuds:

(J. Shabbat 8:6, 8d)

Two students of R. Hanina went out to cut wood. A certain astrologer saw them. He said, "These two will go out but not return."

When they went out they came upon a certain old man. He said to them, "Give me alms, for it has been three days since I have tasted anything." They had a loaf of bread. They cut it in half and

gave it to him. He ate and prayed for them. He said to them, "May your souls be preserved this day just as you have preserved my soul for me this day." They went out safely and came back safely.

There were some men there who had heard his [the astrologer's] words. They said to him, "Did you not say, 'These two will go out but not return'?" He said, "There is here a man of lies (= me) whose astrology is lies." Even so they went and searched and found a snake, half in this one's load and half in the other's.

They said, "What good deed did you do today?" They told him the deed.

Shmuel said to him [the man], "What have you done?" He said to him, "Every day we toss all our bread together [into a basket] and we eat. Today there was one among us who had no bread, and he felt ashamed. I said to them, 'I will get up and toss [the bread in the basket].'" When I got to him, I pretended as if I took from him in order that he not be ashamed." He [Shmuel] said to him, "You did a righteous deed (*tzedakah*)!"

He [the astrologer] said, "What can I do? For the God of the Jews is appeased by half a loaf." Shmuel went forth and expounded, "Righteousness (*tzedakah*) saves from death, not only from an unusual death, but from death itself."⁵

The two stories share the same basic plot: a gentile astrologer predicts that a Jew (or two Jews) will die. The Jew performs a righteous deed and is rewarded with a type of miracle, inadvertently killing the snake that had entered the pack and was "destined" to kill him. The stars, therefore, do not determine the fate of Jews, at least not conclusively. Rather, the performance of *mitzvoth* and presumably sins, which earns rewards and provoke punishments, is the decisive influence on a Jew's life.

Of interest to us is the nature of the meritorious deed that bestows life. In the Yerushalmi, the two sages give charity, feeding a hungry man. In the Bavli, the hero prevents a co-worker from being shamed. He does not feed

the poor man or even give him alms; apparently, all the workers will share the pooled food even if they do not contribute. But by pretending that the man had contributed, the hero enables him to eat without embarrassment. Again, it seems that the Bavli storytellers have reworked a story similar to the version preserved in the Yerushalmi. For in the Yerushalmi, the cutting of the snake fits neatly: when the sages replaced the knife after cutting their loaf, they happened to kill the snake. (And they went out to cut wood, so we know that they have a knife or axe.) A measure-for-measure theme is generated: they cut their bread in half; God or providence cuts the snake in half. As the old man explicitly prays, they sustained a life, so God sustained their lives. In the Bavli, there is no connection between the hero's deed and the cut snake. Nor is it clear exactly how the snake was cut; Rashi fills in the narrative gap: "he had cut it [the snake] with the reeds without knowing it."⁷ But reeds are never mentioned, only that the man was going to work in the fields. Moreover, the scenario of workers combining their food seems contrived. The storytellers probably devised this strange supping method in order to introduce the theme of shame. In any event, whatever the precise history of the tradition, shame is omitted from a Palestinian story but becomes the focus of the Babylonian version.

In this thematization of shame, there is more at stake than an interesting difference between the Talmuds regarding the hierarchy of morals. The Bavli's emphasis on shame ultimately relates to important aspects of Babylonian academic life. Many of the sources that deal with shame pertain directly to issues that concern the academy or the relations between sages. In other words, we are dealing with a specific rabbinic concern, not merely an ethic that the Bavli deems essential to general Jewish social relations. A fine example of this phenomenon is the story of the "Oven of 'Akhnai," a tale undoubtedly familiar to readers of this journal (B. Baba Metzia 59a-59b).⁸ As is well known, the first half of the story centers on the interpretive authority of the sages.⁹ R. Eliezer disagrees with the rest of the sages over the purity of an oven constructed in an unusual way.¹⁰ After the sages reject his arguments, he performs miracles to prove the truth of his claims. When the sages also reject such proofs, he calls upon heaven to support him, whereupon a heavenly voice states that the law agrees with R. Eliezer. The sages nevertheless reject this voice by citing Deuteronomy 30:12, "It is not in heaven"; i.e., the law has been given to human beings to administer and interpret. And humans, the sages claim, operate by majority rule, based on an interpretation of Exodus 23:2. God happily accepts this argument, reacting with a smile and conceding, "My sons have defeated me." Up to this point, the story is about the potential gap between the original, divine intent of the Torah and rabbinic interpretation. The storytellers acknowledge the gap and offer the paradoxical insight that God has entrusted the sages with the Torah, so that their decisions actually fulfill the divine will. Even more paradoxically, the verses cited by the sages to justify their authority actually mean something different in their biblical contexts.¹¹ Thus, the sages' basis

for interpretive authority depends on the very interpretive authority it claims.

The second half of the story takes a different tack. The sages ban R. Eliezer and burn his purities. When R. Akiba informs him of the ban, he weeps at the degradation and humiliation. God punishes the sages for retaliating against R. Eliezer by devastating crops and almost drowning Rabban Gamliel, the patriarch who apparently bears primary responsibility for the ban. The story concludes:

Imma Shalom, the wife of R. Eliezer, was the sister of Rabban Gamliel. After that event she never allowed him (Eliezer) to fall on his face (and pray). That day was the new month and a poor man came and stood at the door. While she was giving him bread she found that he (Eliezer) had fallen on his face. She said, "Stand up. You have killed my brother." Meanwhile the shofar (blast) went out from the House of Rabban Gamliel (signalling that he had died). He said to her, "How did you know?" She said to him, "Thus I have received a tradition from my father's house: 'All the gates are locked except for the gates of verbal wrongdoing.'"

Imma Shalom futilely attempts to prevent R. Eliezer from pouring out his heart in prayer, for she knows from the near drowning that her brother is in grave danger. A distraction gives R. Eliezer the opportunity, he expresses his pain, and Rabban Gamliel immediately dies. The final line of the story points explicitly to Rabban Gamliel's sin: verbal wrongdoing (*onaat devarim*).

"Verbal wrongdoing," a rabbinic term lacking a precise English equivalent, constitutes a broad prohibition against all types of harmful speech, including humiliation, shame, and insults. Imma Shalom explains to her husband the magnitude of this sin. While God may have locked the "gates of prayer" or even the "gates of tears," meaning that he may ignore prayers and weeping because of the rupture caused by the destruction of the Temple, God always hears the cries of pain of the victim of verbal wrongdoing. An explicit interpretive key to the story blames the sages for their having verbally wronged R. Eliezer through their retributive ban and the pernicious impact of that news.

Not only does the conclusion of the story point to verbal wrongdoing, but the redactional context focuses attention on this theme. The story appears in the section of Talmud that comments on M. Baba Metzia 4:6, which articulates the prohibition of "verbal wrongdoing" and offers several examples. An aggadic *sigifa*, composed of additional traditions about the nature and severity of this sin, precedes the story. A few excerpts are worth citing since they provide further illustration of the Bavli's sentiments:

(a) A Tanna taught before Rav Nahman bar Yirzhak, "Whoever whitens the face (= embarrasses) of another in public, it is as if he sheds his blood." He said to him, "You have spoken well. For the red [color] leaves and white comes."

(b) Abaye said to Rav Dimi, "What are they careful about in the West (= Israel)?" He said to him, "About whitening the face, as R. Hanina

said. . . . All who descend to Gehennom rise except for three who descend and do not rise. And these are they: He who calls his fellow by a nickname, and he who whitens the face of his fellow in public, and he who has intercourse with a married woman”
 (c) Rabbi bar Hanna said in the name of R. Yoḥanan, “It is better for a man to have intercourse with a married woman, but let him not whiten the face of his fellow in public.”
 (d) “It is better for a man to throw himself into a fiery furnace, and let him not whiten the face of his fellow in public.”
 (e) Rav Hisda said, “All the gates have been locked except for the gates of wrongdoing” R. Eleazar said, “[Punishment] for all [sins] is by a messenger except for wrongdoing”

We have here an impressive collection of denunciations of shame and verbal wrongdoing. The sin is worse than adultery (e), is equated with bloodshed (a), is punished directly by God (e) with eternal perdition (b), and should be avoided even at the cost of death (d). Rav Hisda’s saying about the locked gates (e) is the very tradition that Imma Shalom ascribes to “her father’s house” and that provides the explicit redactional link to the story. In this context, the story functions primarily to illustrate how this sin bears extremely severe consequences. What I labelled the first half, containing those fascinating paradoxes about interpretive authority and rabbinic autonomy, fades into the background. It serves as an introduction, a lengthy exposition, to the real concern of the story.

Support for this interpretation can be found once again by comparing the Yerushalmi’s version. A close parallel to the first half of the story appears in J. Moed Katan 3:1, 81c–d, including the heavenly voice and its rejection, based on Deuteronomy 30:12 and Exodus 23:2. In this account, however, R. Eleizer reacts with anger, not tears, when informed of the ban. The destruction of crops results not from Divine punishment for the sages’ treatment of R. Eleizer, but from the wrathful unleashing of R. Eleizer’s supernatural powers. More important, the second half of the Yerushalmi’s story diverges completely. Neither Rabban Gamliel nor Imma Shalom nor verbal wrongdoing is mentioned, and there is no potential drowning or threat to the life of any sage, much less a death. Instead, the story concludes with additional debasement of R. Eleizer. While he is walking in the hope that, since he has endured rubbish on his head; this event gives him the hope that, since he has endured fitting punishment, his colleagues may now forgive him. Whereas the Bavli story construes R. Eleizer as the victim and punishes the sages for wrongdoing him, the Yerushalmi presents him as the culprit and punishes him for opposing the sages. We have here another example to add to the two stories discussed above where the Bavli thematizes shame/verbal wrongdoing, while the Yerushalmi omits it completely.

The Yerushalmi story appears in Tractate Moed Katan in relation to a mishnah that mentions the ban and following a series of stories about individuals who were banned. I have argued elsewhere that the Bavli version

shows clear signs of reworking by the redactors.¹² It seems that the redactors revised a version similar to that of the Yerushalmi and recontextualized it in Tractate Bava Metzia in relation to a mishnah that mentions verbal wrongdoing. Be that as it may, the two versions undeniably stress different themes. While the Yerushalmi focuses on the ban and the consequences of opposing the sages, the Bavli emphasizes the verbal wrongdoing of R. Eleizer. (Modern scholars, by contrast, focus on the first half of the Bavli and issues of rabbinic interpretive authority—most contemporary readings ignore the tragic turn in the second half, as well as the redactional context.) The juxtaposition of the two halves of the story, in fact, makes an even stronger statement: *despite* the importance of the principles of majority rule and rabbinic authority, the sin of verbal wrongdoing outweighs them both. While God smiles at the sages’ rejecting his ruling, he lashes out with destruction and death when sages humiliate one another.

Shame and the Late Babylonian Academy

What explains the Bavli’s heightened focus on shame? The answer relates to a complex of factors that characterize the Bavli: a highly structured academy, dialectical argumentation, and verbal violence. To begin to see how these factors are interrelated, let us explore the subtle differences in a brief tradition found in the two Talmuds. When asked a question concerning a mishnah in Tractate Bikkurim, R. Eleazar responded as follows:

(J. Baba Kama 1:8, 64d)

(B. Baba Batra 81 a-b)

R. Eleazar said to him: “You ask He (R. Eleazar) said to him, about a matter which the sages “Do you ask me in the study-house of the assembly-house still need order to shame me?” (to explain).”

In the Yerushalmi, R. Eleazar simply points out that the question pertains to an exceedingly difficult issue, a matter that the sages have yet to figure out. That is why he has no answer for his colleague. In the Bavli, R. Eleazar reproaches the interlocutor with a rhetorical question implying that the initial query was inappropriate. Difficult issues should not be asked *in the study house* because failure to answer results in *shame*. A rabbi who cannot answer a question directed at him will lose face before the other sages and students who witness the incident in the study house. Note that in the Yerushalmi, mention of the “assembly house” functions simply as a modifier for “the sages”; we do not know where the encounter took place. But in the Bavli, the “study house” is the locus of the event and, more important, the cause of the problem. In the heavily populated academy, the sage’s inability to answer will be manifest to all.

Ironically, the Bavli usually respects the capacity to propound questions

and to engage in dialectical argumentation as the highest form of academic ability. But because of their potential to cause shame, questions and objections (*kashiot*) are simultaneously treated with anxiety. R. Hiyya rebuked Rav when he once asked an unanticipated question of Rabbi Yehuda ha-Nasi:

Did I not say to you that when Rabbi [Yehuda ha-Nasi] is occupied with one tractate, you should not ask him about another tractate? Perhaps he will not be acquainted with it. Were Rabbi [Yehuda ha-Nasi] not a great man, you would have shamed him, for he would have taught an incorrect teaching. In this case, however, he taught you correctly. (B. Shabbat 3a-b)

Fortunately, Rabbi Yehuda ha-Nasi happened to know the answer to Rav's question. Had he not known, or had he answered incorrectly, he would have been shamed. Off-the-topic questions, which are likely to catch even the most erudite masters unprepared, simply should not be asked. Surprisingly, even questions related to the topic at hand perhaps should be avoided. An anecdote relates that Rav Shimi bar Ashi would regularly attend the lectures of Rav Papa and "would make many objections." Once, he came upon his master praying, "May the Merciful One save me from the shame of Shimi." Shimi therefore "resolved to be silent and not to make objections again" (B. Taanit 9a).¹³ In this case, Shimi did not intend to embarrass his teacher, but his objections were too good. When he found out how much distress he caused Rav Papa, he stopped objecting. Elsewhere, the Bavli explicitly warns students against asking questions that their teachers cannot answer. R. Hiyya interpreted Proverbs 23:1-2, which begins "When you sit down to dine with a ruler," in terms of "a student sitting before his master," as follows: "If a student knows that his master can respond with the answer, let him ask. If not, consider who is before you. Thrust a knife into your gullet if you have a large appetite [Proverbs 23:1-2], and let him be" (B. Hullin 6a). Rashi explains that the student should restrain his mouth (as if a knife were against his throat) and not embarrass his teacher. He should "kill" his appetite for knowledge and leave his teacher alone.¹⁴

In these sources, the questioner harbored no ill will toward his colleagues, and yet the possibility of accidentally shaming them mandated caution. How much more so did sages motivated by base intentions constitute acute sources of danger! When Rav Avia once angered Rava by sitting with muddy shoes upon his couch, Rava "wished to distress him," so he asked a difficult question. Rav Avia knew the answer, prompting Rav Nahman b. Yitzhak to observe, "Blessed be the Merciful One that Rava did not shame Rav Avia" (B. Shabbat 46a-b). In this case, Rava's attack failed; presently, we shall see why Rav Nahman was so relieved that no shame resulted.

A more malicious example appears in the story of the attempted deposition of Rabban Shimon b. Gamliel (B. Horayot 13b-14a).¹⁵ Holding the office of patriarch, Rabban Shimon b. Gamliel wishes to create a distinction between the honor shown to him and the honor shown to R. Meir and R. Natan,

who hold the second and third positions in the academic hierarchy.¹⁶ He therefore changes the way that the students rise in honor when his colleagues enter the study house. They respond by plotting to ask Rabban Shimon b. Gamliel to teach Ukrzin, an obscure tractate that he does not know, when he enters the study house on the next day. In this way, they hope to depose him and each to move up one rank. When Rabbi Yaakov b. Kudshai hears of the plot, he remarks, "Perhaps, God forbid, it will result in shame?" and tips off Rabban Gamliel, who proceeds to study the tractate. The two scholars challenge the patriarch as planned, but he has boned up on the material and even symics his rivals. Rabban Gamliel acknowledges, "Had I not learned it, you would have shamed me" and immediately banishes his opponents from the study house. Again, the failure to answer a question, in this case the call to expound on a particular subject, would have humiliated Rabban Gamliel. Only the lucky intervention of a colleague, horrified at the prospect of shame, obviates the situation.

The jockeying for the highest academic ranks in this story turns almost entirely on shame and its interrelated component, honor: when Rabban Gamliel reduces the honor of the two sages, they feel ashamed and respond in kind by attempting to shame him. Thus, academic rank and shame/honor are closely connected. R. Meir and R. Natan, in fact, assume that they can depose the patriarch by exposing his lack of knowledge and shaming him. This helps explain why avoiding shame is so important. Maintaining one's position in the academic hierarchy depended, to some extent, on not being shamed. It was not simply that a sage would feel like a fool or lose self-esteem for not knowing the answer, but that he might either be officially demoted or unofficially lose status in the eyes of his colleagues. In the Bavli's version of the story of Honi the Circle Drawer, we see the catastrophic results of loss of status. After a 70-year nap, Honi returns to the study house. The sages, however, cannot believe he is really Honi: "They did not believe him, and they did not treat him with the *honor* that he deserved. He prayed for mercy, and his soul departed" (B. Taanit 23a). Here again, the lack of honor is equivalent to the experience of shame. For the Bavli storytellers, death is preferable to such a state.

In the story of Rabban Shimon b. Gamliel, we also see very clearly the public dimension of shame. Almost by definition, shame presupposes an audience. One feels humiliated at the loss of face before others. As Julian Pitt-Rivers has written in his classic essay "Honour and Social Status": "Public opinion forms therefore a tribunal before which the claims to honour are brought, 'the court of reputation' as it has been called, and against its judgments there is no redress. For this reason it is said that public ridicule kills."¹⁷ Or, in the words of the Bavli itself, "To shame oneself is not the same as being shamed by others" (B. Taanit 15b-16a).¹⁸ R. Meir and R. Natan accordingly wait until the next day, when Rabban Shimon b. Gamliel enters the academy, presumably in the presence of the students mentioned at the outset of the story, in order to challenge him. Everyone seems to know that

there are gaps in Rabban Shimon b. Gamliel's knowledge and that Rabbin Meir and Natan are the superior scholars. The danger is that his lack of knowledge will be publicly exposed.

Thus, it is likely that the Bavli's concern with shame results in part from the fact that the Babylonian storytellers studied in well-populated academies akin to those of Geonic times. That issues were debated in the presence of numerous students made academic interactions "public." Recall that the traditions introducing the "Oven of Akhnai" cited above repeatedly denounce one who "whitens the face of his fellow in public" (a,b,c,d). It is, therefore, no accident that the Bavli's story of Avdan, which provides one of the most vivid descriptions of a study house packed with students, also provides one of the most vivid descriptions of the effects of shame (B. Ye'evamot 105b). The story pictures so many students crowded into the study house of R. Yehuda ha-Nasi that latecomers have difficulty in reaching their places. After Avdan exchanges insults with R. Ishmael b. Yose, R. Yehuda ha-Nasi embarrasses him before the assembled students. The consequences are ugly: "Avdan became leprous, his sons drowned, and his daughters-in-law annulled [their levirate marriages]." Nevertheless, Rav Nahman bar Yitzhak later reflected, "Blessed be the Merciful One who shamed Avdan in this world." Avdan ironically received appropriate punishment for insulting R. Ishmael b. R. Yose and thus avoided punishment in the world to come. Here, too, we sense the horrors of shame in the eyes of the storytellers.

Study within the academy, for the Stammaim, was a risky endeavor in which dangers constantly lurked. A midrashic tradition of King David's study house reflects the susceptibility to humiliation that the sages constantly feared.

David said before the Holy One, Blessed be He: "Master of the Universe, my blood would not flow out. But even when we are studying the [laws of] leprosy and tent impurity, they interrupt their studies and say to me, 'David: One who has intercourse with a married woman—how is he put to death?' And I say to them, 'One who has intercourse with a married woman is put to death by strangulation, but he has a share in the world to come. Yet the one who whitens the face of his fellow in public—he has no share in the world to come.'" (B. Sanhedrin 107a)¹⁹

King David's nasty colleagues enjoy shaming him by alluding to his adulterous relationship with Batsheva. Even when they are studying the most obscure and unrelated topics, complicated laws of purity, they raise the question of the punishment for adultery, obviously intending to remind him of his sin. For David, this humiliation is worse than corporeal violence. He claims that while he would not bleed even if physically attacked, the verbal assault "whitens his face" as if the blood flowed out. Not only did a sage risk humiliation by not being able to respond to an objection, but he could be humiliated by questions that included covert references to embarrassing events of his past.²⁰

Honi's death, Avdan's massive reaction, and King David's suffering all derive from verbal violence, i.e., insults and caustic remarks. But, as we have seen, there was danger for both the shamed and the shamer. Rabban Gamliel died for perpetuating the verbal wrongdoing of R. Eliezer; David admonishes his colleagues that they will have no share in the world to come. In another story about academic relations, Rav warned Rav Kahana not to ask questions of R. Yoḥanan for seven years lest he shame him.²¹ Eventually, Rav Kahana does offer objections to R. Yoḥanan's claims, which R. Yoḥanan cannot answer. When R. Yoḥanan sees Rav Kahana's split lip, he mistakenly thinks that Rav Kahana is laughing at him, he feels embarrassed, and Rav Kahana dies (although R. Yoḥanan succeeds in resurrecting him when apprised of the error). Elsewhere, a strange tradition relates that once Rav Aḥilai came to harm in a case when Rava believed that no harm should result. Rava, however, did not consider this affliction to contradict his view because "Rav Aḥilai objected to him during his study session" (B. Pesahim 110a). The true cause of Rav Aḥilai's suffering was punishment for raising difficulties when Rava lectured before the assembly, potentially shaming him. Both causing shame and experiencing shame had violent consequences. Thus, R. Shimon reportedly offered the departing blessing: "May it be God's will that you neither be shamed nor shame others." (B. Mo'ed Katan 9b)

Conclusion

We can now understand why the Bavli emphasizes shame to a much greater extent than the Yerushalmi and other Palestinian compilations. The conditions that render the potential for shame so acute were exclusively found in Babylonia during Stammaitic times: the institutionalized academy where numerous sages were present and the assessment of dialectical argumentation as the acme of academic ability. For in Palestine rabbinic academies did not develop until post-Talmudic times. Thus, in a recent study of rabbinic social organization in Palestine, Catherine Hezser concluded that "[t]here is no reason to assume that study houses, houses of meeting, or halls were 'rabbinic academies' Those study houses which were associated with a particular rabbi would have ceased to exist with that rabbi's death."²³ These small schools in which a particular master taught his disciples were much different from the large, enduring academic institutions that developed in Babylonia in Stammaitic times.²⁴ In the Babylonian academies, study of Torah was conducted primarily in a dialectical fashion, in which sages endeavored to display their talents through propounding objections and quickly responding to challenges. A sage who could not answer an objection lost status and perhaps rank in the eyes of his colleagues; i.e., he felt ashamed. In Palestine, where other types of knowledge were valued more than argumentation, the failure to respond did not entail such consequences. Moreover, the oral milieu in which talmudic discussions took place rendered questions and objections *ad hominem* by definition. The directness contributed to a sense of personal

assault; hence, the experience of the academy as a place of verbal violence and danger. The injuries suffered were not physical, but emotional: shame and humiliation.

The presence of numerous students in the Stammatik academy meant that interactions were public. In disciple circles or small schools, such as those of Palestine and Amoraic Babylonia, where a few students studied with one master, there was less of an audience and hence less potential to feel ashamed. Furthermore, if academic position depended on performance, as several of the sources suggest, then a great deal was at stake in Babylonia. A sage who failed to perform risked being demoted. Loss of position inevitably involves loss of face, i.e., shame.

Of course, some Palestinian rabbinic sources do caution against shaming others.²⁵ The importance of honor and shame throughout Mediterranean societies is well known, and late ancient Palestine was no exception.²⁶ However, what we do not find in the Yerushalmi is the theme of shame *in an academic setting*.²⁷ All the sources discussed above either lack parallels in the Yerushalmi or have parallels that omit mention of shame. For the Bavli, as opposed to the Yerushalmi, shame was an academic problem that drew significant attention. This emphasis distinguishes the Bavli's ethics from the ethics of most other religious texts.

NOTES

1. This article is part of a book in progress, tentatively titled *The Culture of the Bavli*. It develops several ideas from my book *Talmudic Stories: Narrative Art, Composition, and Culture* (Baltimore: Johns Hopkins University Press, 1999), especially pp. 270–279.
2. To decide whether to add a leap month (Second Adar) so that the festivals would fall in the proper seasons.
3. The story is brought up in the context of a talmudic discussion of the laws of intercalation. It follows the ruling found in the preceding *baraita* that the intercalation may be conducted only by those sages explicitly invited for that purpose. While the primary function of the story is to exemplify that law, it simultaneously teaches a lesson about ideal rabbinic character.
4. The *segha* at B. Sanhedrin 11a continues with stories of other rabbis and biblical figures who acted in a similar fashion to Samuel the Little, implicating themselves in a wrongdoing so as not to shame the true offender.
5. That is, the fates of Jews are not determined by the stars (horoscopes).
6. An "unusual death" is a premature or accidental death. Even the most righteous eventually die. The point is that they do not die prematurely ("an unusual death"), nor do they live merely a normal lifespan ("death itself"), but enjoy extreme longevity.
7. Rashi, B. Shabbat 156b, s.v. *betarzi*.
8. Almost every book of modern theology mentions the story, and there are now review articles summarizing scholarly treatments; Ishaq Englund, "Majority Decision vs. Individual Truth: The Interpretations of the 'Oven of Achnai' Aggadah," *Tradition*, 15 (1975), pp. 137–52 = "The 'Oven of Achnai': Various Interpretations of an Aggadah," *Annual of the Institute for Research in Jewish Law*, 1 (1974), pp. 45–57 (in Hebrew); Suzanne Last Stone, "In Pursuit of the Counter-Text: The Turn to the Jewish Legal Model in Contemporary American Legal Theory," *Harvard Law Review*, 106 (1993), pp. 813–894.
9. For a comprehensive analysis of the story, see An Elton, "Ha-simbolizatsia shel markvei ha-tulla basipur ha-talmudi" (M.A. thesis, Hebrew University of Jerusalem, 1982), and Jeffrey L. Rubenstein, *Talmudic Stories*, pp. 34–63.

10. The oven is made of alternating sections of clay and sand, thus resembling the coils of a snake (*takina*).
11. See Daniel Boyarin, *Intertextuality and the Reading of Midrash* (Bloomington: Indiana University Press, 1990), p. 30.
12. Rubenstein, *Talmudic Stories*, pp. 51–60.
13. This is the reading in the Munich manuscript.
14. Rashi, B. Hullin 6a, s.v. *ve'im*.
15. For a detailed discussion, see Rubenstein, *Talmudic Stories*, pp. 176–211.
16. The portrayal of the patriarch as the head of the academy is an anachronism. The story projects the Babylonian reality onto the Tannaitic setting.
17. Julian Pitt-Rivers, "Honour and Social Status," in *Honour and Shame: The Values of Mediterranean Society*, ed. John G. Peristiany (Chicago: University of Chicago Press, 1974 [orig. ed., 1966]), p. 27.
18. The Munich manuscript contains a slightly different reading.
19. See the Munich manuscript and the parallel at B. Baba Metzia 59a. The tradition is attributed to Rava.
20. See B. Baba Metzia 33a for another example in which a rabbi interprets a question from his disciple as a covert personal attack and feels ashamed.
21. B. Baba Kama 117a. Note again the deterrent against difficult questions.
22. The Munich manuscript reads, "that you neither be shamed nor feel ashamed [yourself]."
23. Catherine Hesser, *The Social Structure of the Rabbinic Movement in Roman Palestine* (Tübingen, Germany: J.C.B. Mohr, 1997), p. 214. See, too, Shaye Cohen, "The Place of the Rabbi in Jewish Society," in *The Galilee in Late Antiquity*, ed. Lee Levine (Jerusalem and New York: Jewish Theological Seminary, 1992), p. 167. Cohen suggests that the school of the patriarch may have been a "real" academic institution, "but the schools of other rabbis were nothing more than disciple-circles."
24. For full documentation of this claim, see my forthcoming paper, "The Rise of the Babylonian Talmudic Academy: A Reexamination of the Evidence," and Rubenstein, *Talmudic Stories*, pp. 270–272.
25. See J. Pessahim 8:9, 21b; J. Kiddushin 1:6, 61b. The Mishnah lists *boshet* (shame) as one of the damages paid in cases of personal injury (M. 8:1).
26. See John G. Peristiany, ed., *Honour and Shame: The Values of Mediterranean Society* (Chicago: University of Chicago Press, 1974 [orig. ed., 1966]); David D. Gilmore, *Honor and Shame and the Unity of the Mediterranean* (Washington, DC: American Anthropological Association, 1987); David A. deSilva, "The Wisdom of Ben Sira: Honor, Shame and Cultural Values of a Minority Culture," *Catholic Biblical Quarterly*, 58 (1996), pp. 433–455; Joseph Plevnick, "Honor/Shame," in *Biblical Social Values and Their Meaning*, ed. J. Pileh and B. Malina (Peabody, MA: Hendrickson, 1993), pp. 95–103.
27. Some of the Bavli traditions cited above are attributed to Palestinians, and some of the stories are about Palestinian sages. The reliability of such traditions is a major issue of scholarly contention. In this paper, I am treating such sources as Babylonian. The complete absence of similar traditions in the Yerushalmi and other Palestinian midrashim supports this claim.

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