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3 Social and Institutional Settings of Rabbinic Literature

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Classical rabbinic literature was produced within rabbinic educational institutions, by the sages who taught and studied there, for the purpose of educating those who attended them. This much seems clear, though unfortunately, just about all specific historical details of this process are uncertain. Until recently, the consensus of scholars regarding the nature of the rabbinic schools of Late Antiquity was anachronistic. Throughout the Gaonic Period (ca. 700–1100 C.E.), rabbis studied in academies (*yeshivot*), which continued to be the dominant form of rabbinic organization during the Middle Ages and to the present day.[1] The term *yeshivah* indeed appears in the Mishnah and subsequent rabbinic works, and a few talmudic passages portray the rabbis in establishments that look like the Gaonic academy. Scholars therefore assumed that rabbis had founded academies in very early times, certainly in the tannaitic era and even during the Second Temple Period. However, the word *yeshivah* simply means "sitting" or "session," from the root *y-sh-b*, "to sit." That a rabbinic source describes the rabbis meeting in a session/sitting (*yeshivah*) to study Torah does not necessarily tell us anything about the forum in which they "sat." In principle, the rabbis could have held sessions in private homes, synagogues, courts, or anywhere they happened to be. In later times, the rabbis met in an academy, and thus the term came to refer not only to the study session but to the academy in which the session was held. But in earlier times, the nature of such sessions is an open question that can be answered only after careful study of the sources and their portrayals of rabbinic meetings.

Yet this task, too, is a tricky business due to the difficulties of deriving historical information from rabbinic sources – a problem already raised in the editors' Introduction to this volume. The sources themselves rarely provide descriptions of the schools or forums of learning. Where they do, the images tend to be exaggerated or utopian projections of rabbinic ideals, rather than realistic representations of contemporary situations. In many cases rabbinic sources project back upon earlier ages

the conditions at the time the sources were formulated, which gives a distorted historical picture. For these reasons, rabbinic traditions must be evaluated very carefully and assessed in the widest possible framework. In all cases, the sources closest in time with the era they purport to describe must be given preference. For example, the Mishnah's descriptions of tannaitic conditions are far more reliable than the portrayal of tannaitic times found in the Talmuds. But even this principle can be difficult to apply. The Bavli contains traditions that span at least a 500-year period (200–700 C.E.). Most of these traditions cannot be dated with precision, so that we cannot determine whether a source pertains to the beginning of that period or the end. I have therefore cited numerous sources in the following discussion such that the reader can appreciate the problems of interpretation and judge for him/herself the proper conclusions to draw.

TANNAITIC PERIOD (70–220 C.E.)

Rabbinic schools of tannaitic times are more accurately characterized as "disciple circles" than academies.[2] There were no school buildings, hierarchies of positions, administrative bureaucracies, curricula, or requirements. Because study was oral, there was no need for books or libraries either. A few disciples gathered around a rabbinic master and learned traditions from him in his home or in some other private dwelling that could serve as a school. But such formal instruction in the memorization and interpretation of texts constituted only part of the educational experience. It was supplemented on a daily basis as students served their master as apprentices, observing his daily conduct and emulating his religious practice as he passed through a market, journeyed to various villages, performed his personal hygiene, or ate his meals. After years of learning, having reached a certain level of proficiency and perhaps (though not always) formal "ordination" from their master, disciples might leave their master and strike out independently, attempting to gather their own circles of disciples. If their master died, they would have to seek a new master elsewhere as there was no institutional framework to provide continuity or a replacement. As opposed to an academy, the disciple circle was not an institution in that there was no ongoing life or continuity of the group beyond the individual teacher.[3] The "school" was essentially the master himself.

The most common term for the forum for rabbinic study and education in tannaitic sources is the "study house" (*bet midrash* = house of study).[4] Unfortunately, it is very difficult to determine the particulars

It is possible that the study house of the family of the *nasi* (patriarch), the dynasty of Rabban Gamaliel, was a school of a somewhat larger scale, especially toward the end of the tannaitic period. The vast wealth of the family and official (or semiofficial) Roman political recognition, coupled with their high status in the eyes of their fellow Jews, may have provided the necessary resources and prestige to create a quasi academy, that is, a school with a more developed organization and hierarchy. This assumption is complicated by the difficulty in determining when such political recognition was extended to the family and how substantive it was.[8] In one source, R. Eleazar b. Zadok reports: "Once we were sitting before Rabban Gamaliel in the study house in Lod. Zunan the overseer (*memuneh*) came and said, 'The time has come to burn the leaven'" (T. Pesahim 3:11). Was Zunan an official or functionary in the bureaucracy of the school? Or was he simply a servant or employee of Rabban Gamaliel who came to advise the rabbis that the hour had arrived? That R. Judah the Patriarch succeeded in composing the Mishnah in an authoritative or canonical form that was accepted by all rabbis may imply that he led a type of school that included a number of sages and their disciples. Once again we are frustrated by the lack of information in the sources.

In sum, the tannaitic rabbis were a loose network of like-minded sages dispersed throughout villages and towns of the Land of Israel. The leading rabbis organized "schools" at their homes, instructing small groups of disciples in a room or area designated for that purpose. From time to time, sages gathered together in the mansions or large houses of their supporters to discuss issues of importance. Disciples also accompanied their masters both on travels and on their daily business. They learned by observation and imitation and from discussions held throughout the day. When masters served as judges, disciples assisted their masters in the proceeding and deliberations.

AMORAIC PERIOD: THE LAND OF ISRAEL (220–425 C.E.)

The rabbinic social and organizational structure of amoraic times differs but slightly from that of the tannaitic era.[9] There is some evidence that more rabbis resided in the larger towns or cities of the Land of Israel, including Tiberias, Sepphoris, Caeserea, and Lod, rather than in smaller villages. The main location for rabbinic instruction continued to be the study house (*bet midrash*), and this remained a rather small-scale school, probably to be identified with the rabbi's house, where he met with a small group of disciples. In several amoraic sources, the study house is called after the master's name, for example: "R. Yohanan entered and expounded in the study house of Rabbi Benaya" (Y. Taanit 1:2, 64a). Another source refers to the *mezuzah* (doorpost amulet) of "the study house of R. Hanania" (Y. Megillah 4:12, 75c). We also have from this period the only unambiguous archaeological remains of a study house. An inscription on a lintel found in the Golan reads that "this is the study house (*bet midrash*) of R. Eliezer HaKappar."[10] But no identifiable structure was excavated with the lintel. The general lack of archaeological remains – or at least identifiable archaeological remains – of study houses suggests again that the rabbinic study house was indistinguishable from an ordinary house or building.

In addition to "study house," the Yerushalmi employs two other terms to designate forums of rabbinic study. Numerous sources describe rabbis teaching or expounding in the "assembly house" (Hebrew: *bet va'ad*; Aramaic: *be va'ada'*).[11] In most cases, this seems to be a synonym for the study house. There, rabbis study, teach, meet with other sages, and do all the things that they do in the study house. When once asked a difficult question that he could not answer, R. Eleazar responded, "You ask about the matter which the rabbis of the assembly house still need [to explain]" (Y. Bikkurim 1:8, 64d). That he refers to "rabbis of the assembly house" suggests that the assembly house was a common location for rabbinic meetings. In one story, Rabban Gamaliel instructs a student that "when I enter the assembly house tomorrow, stand up and ask about this law" (Y. Berakhot 4:1, 7d). Another story relates: "When R. Eleazar b. R. Shimon would enter the assembly house, Rabbi [Yehuda Ha-Nasi's] face would darken" (Y. Shabbat 10:5, 12c). Rabbi was afraid of his colleague's greater ability – a "dark face" expresses fear or concern.

The other term that appears in the Yerushalmi, albeit rarely, is "hall" or "great hall" (*sdar, sdara' rabba'*).[12] This, too, seems to be a synonym for study house, or perhaps a large private house made available to sages for gatherings. Rabbi Yonah once instructed, "Do not sit on the outer benches of the hall of Bar Ulla, because they are cold" (Y. Shabbat 4:2 [7a]). The benches, also mentioned in traditions about the assembly house, were those that the sages sat upon while studying. R. Mana relates that "I went up to the hall and heard Rav Huna say in the name of Rav ..." followed by a law about fasting. R. Yose reportedly "ruled in the great hall" on one occasion (Y. Taanit 2:2, 65c). One of these great halls was evidently located in Tiberias (Y. Shabbat 6:2, 8a). Why the sages came to refer to the study house as the "hall" or "great

AMORAIC PERIOD: BABYLONIA (200–550 C.E.)

We know very little about the state of rabbinic Judaism in Babylonia during tannaitic times. More solid historical information is available for the amoraic period when students of Rabbi Yehudah Ha-Nasi brought the Mishnah to Babylonia in circa 220 and began to teach and disseminate rabbinic tradition among the Babylonian Jewish communities.[19] In their quest for authority and leadership, the rabbis had to grapple with the exilarch, who, like the patriarch, was sometimes a help and sometimes a hindrance.[20] The rise of rabbinic Judaism as the dominant form of Judaism in Babylonia was therefore a slow and gradual process.

The picture of rabbinic schools and social organization during the amoraic period in Babylonia is similar to that of the Land of Israel. Rabbinic study took place on a limited scale with individual rabbinic masters teaching small disciple circles in disparate towns and villages. The standard term for the place of study is *be rav*, the "master's house," which should be taken literally: Students or a group of sages met at the home of a certain rabbi. Thus, we find numerous reports such as the following: "Rav Huna, son of R. Yehoshua stated: I found the sages at the master's house (*be rav*) sitting and saying... and I said to them..." (B. Niddah 47a). Rav Huna relates to his contemporaries an earlier discussion with several rabbis that took place at an unidentified master's house. In many cases, the name of the master is given, for example: "Avimi learned [Tractate] Menahot at the house of Rav Hisda (*be rav ḥisda'*)" (B. Menahot 7a). Rav Hisda's house was probably the place where Avimi regularly studied. Similarly, "Meremar said: I asked the rabbis of Rav Yosef's house (*be rav yosef*), Who recites the [Passover] Haggadah at Rav Yosef's house?" Here Meremar asked the students who studied with Rav Yosef about his practice on Passover.[21] Although the source can be interpreted in several ways, it probably implies that the students who studied with Rav Yosef also spent the holidays with him. They learned not only from their formal studies in school but also by observing his ritual practices in a variety of contexts.[22]

Because the amoraic disciple circle was a voluntary and informal arrangement, disciples were always free to seek out another master. According to one story:

> R. Yose b. Avin regularly studied before R. Yose of Yokrat. He left him and came before Rav Ashi.... He [Rav Ashi] said to him, "Did you not regularly study before R. Yose of Yokrat?" He [R. Yose b Avin] said to him, "Yes." He said to him, "Why did you leave him and come here?" (B. Taanit 23b–24a).

R. Yose then explains that he left because his master treated his own son and daughter "without mercy," and he realized that he could expect the same sort of treatment. In this case, a disciple decides he would be better served by another teacher and simply abandons his former master for a different one. While Rav Ashi inquires why R. Yose b. Avin has joined his group, he does not seem surprised by such movements. Likewise, when a master died, the disciple would have no choice but to seek instruction elsewhere:

> Rav Huna bar Manoah, Rav Shmuel b. Idi and Rav Hiyya of Astunia regularly studied before Rava. When Rava died they came before Rav Papa. Whenever he recited a tradition before them and it did not make sense to them, they would signal one another. Rav Papa was embarrassed. (B. Taanit 9a–b)

When their master, Rava, dies, the students go to Rav Papa and join his disciple circle. They gesticulate to one another because their new master's teachings contradict what they had formerly been taught, which causes Rav Papa to feel that he is being mocked. Clearly, the source does not presuppose an academy or any such ongoing institution or it would state something like "When Rava died, Rav Papa took his place." Both of these traditions envision a small and loose association in which disciples were in principle free to study with the master they felt would most benefit them (assuming that that master would accept them as disciples) and to leave when they wished.

Like their counterparts in the Land of Israel, the Babylonian rabbis had a tenuous relationship with the synagogue. The synagogue was a communal institution led by local elites, which the sages slowly "rabbinized" over a long period. Though some rabbis prayed in synagogues regularly, it was not an important center of rabbinic study.[23] In fact, it seems that in Babylonia, the synagogue was less central to the general Jewish community than in the Land of Israel, therefore even less of a focus of rabbinic energy. A few traditions refer to study in the synagogue, for example: "Abaye said: At first I would recite traditions at home and pray in the synagogue. Now that I have heard that which [King] David said, 'O Lord, I love your temple abode' [Psalms 26:8], I recite traditions in the synagogue."[24] But such sentiments are few and far between.

Rabbis and their students also interacted with non-rabbis in a teaching forum that the Bavli calls a *pirka'*. This seems to have been a sermon or lecture delivered by a sage to a lay audience: Several such descriptions begin "Rabbi So-and-so expounded (*darash*) at the *pirka'*". (see e.g. B. Pesahim 50a). Some sources draw a distinction between that which

Rav Asi explained their position and the basis for their dispute. In any event, Rav's silence suggests that he had no good reply to their claims. The Bavli proceeds to note that the law is that the man returns the broken axe and makes up the difference in price between a broken and functional axe.

THE SAVORAIC-STAMMAITIC PERIOD (550–800 C.E.)

The traditions incorporated into the Babylonian Talmud were compiled and reworked over the course of a lengthy period of time by generations of anonymous sages known as "Stamma'im" (*stam* = anonymous).[26] In contrast to the 'Amora'im, who attached their names to their traditions, the Stamma'im ceased preserving attributions. They dedicated themselves to the explanation, interpretation, and reworking of the amoraic traditions they inherited and constructed the *sugyot* (literary units) that comprise the talmudic text. The Stamma'im also reworked earlier *'aggadot*, including stories about the sages, and perhaps even composed some new narratives. But they reworked and told these stories in light of their own experience, projecting their own culture and situation upon the past.[27] Through these fictional narratives, we gain a window into the cultural world of the Stamma'im.

The rabbinic academy (*yeshivah* [Hebrew] or *metivta'* [Aramaic]), a permanent, ongoing institution, arose during stammaitic times.[28] Indeed, the development of rabbinic academies may have been a critical factor in the shift from amoraic to stammaitic times, that is, in the decision no longer to preserve attributions, as the introduction of new forms of social organization often entails significant cultural shifts. The stammaitic academy appears to have been a tightly organized, hierarchically structured body, led by the "Head of the Academy" (*rosh yeshivah* or *resh metivta'*). We cannot tell exactly how many sages studied there – the sources exaggerate the numbers – but there may have been fifty to a hundred full-time students of Torah and additional sages who attended intermittently.

The following passage from a fictional story about the Babylonian sage Rav Kahana and his visit to the academy of R. Yohanan in the Land of Israel offers a picture of the late Babylonian academy and illustrates how sages of later times projected their experience of that academy onto their descriptions of earlier ages (B. Bava Kamma 117a–b):

> The next day they seated him [Rav Kahana] in the first row [of sages]. He [R. Yohanan] said a tradition and he [Rav Kahana] did not object. He [R. Yohanan] said [another] tradition and he [Rav

> Kahana] did not object. They seated him back through seven rows until he was in the last row. R. Yohanan said to Resh Laqish, "The lion you mentioned has become a fox."
>
> ... He [Rav Kahana] stood up on his feet. He said, "Let the master go back to the beginning."
>
> He [R. Yohanan] said a tradition and he [Rav Kahana] objected [until] they placed him in the first row. He said a tradition and he objected. R. Yohanan was sitting on seven cushions. They removed a cushion from under him. He said a tradition and he objected to him, until they removed all the cushions from under him and he was sitting on the ground.

This academy is arranged hierarchically with the best students seated in the first row and the most inferior students at the back. Rav Kahana is initially seated among the superior students. When he cannot respond to the source under discussion, exhibiting an apparent lack of knowledge, he is relegated backward row by row. He no longer seems to be the "lion," the powerful master of talmudic debate, but a weak "fox," of mediocre talent. Subsequently, as Rav Kahana objects to every tradition, displaying his dialectical acumen, he is promoted row by row to the very front. R. Yohanan, the head of the academy, is depicted as sitting upon seven cushions or rugs, facing the assembly of sages, who were seated on the floor. The elevated seat is a sign of honor, befitting his status as leader of the academy, and so the story has him demoted when he proves unequal to his position.

The practice of seating aristocrats and leaders on a number of cushions was common in Persia, and appears to have been emulated in the Babylonian rabbinic academy.[29] Another story relates how the sages of the academy scrambled to find their places when the head of the academy entered. One sage who was slow "because of his weight, was trampling as he went," and was rebuked by his colleague, "Who is this one who tramples on the heads of the Holy People?"[30] Here, too, the sages of the academy seem to be sitting on the floor in designated places according to their status such that when the latecomer struggles to get to his seat, it appears that he treads on the heads of his colleagues.

These stories portray the formal study sessions in which the head of the academy led a discussion and analysis of certain traditions. The rest of the sages sit arrayed in designated places before him and attempt to participate in the discussion so as to display their acumen. Yet the sages also spent a great deal of time studying in private or in small groups, preparing the sources assigned for the larger study sessions.

14. On the implications of this source concerning patriarchal authority, see Schwartz 2001a, 121–22.
15. Levine 1989, 137; Hezser 1997, 86–93.
16. The legend of Mar Zutra II is found in a chronology known as *Seder Olam Zuta*, published in Neubauer 1887–95, 2: 73–76.
17. See Gil 1992, 496–500, 653–57.
18. Albeck 1969, 669–81, cited in Levine 1989, 67.
19. The fundamental studies of rabbinic learning in Babylonia are Goodblatt 1975 and Gafni 1990. See, too, Neusner 1965–70.
20. On the exilarch, see Schwartz's essay in this volume.
21. That Rav Yosef was blind makes this a pressing question for the rabbis, as the blind are exempt from certain commandments.
22. An oft-quoted anecdote relates that Rav Kahana once hid under the bed of Rav, his teacher, in order to learn how Rav made love to his wife. When Rav rebuked him, "Kahana! Get out! This is not proper!" Rav Kahana replied, "This is a matter of Torah, and I need to learn it" (B. Berakhot 63a).
23. See Gafni 1990, 111–16; Neusner 1965–70, 2:273–74, 3:234–38, 4:149–51.
24. B. Megillah 26b. The Munich manuscript reads "Rava said" and concludes "I would only recite in the synagogue."
25. See Gafni 1982, 23–40.
26. On the Stamma'im, see Halivni 1986, 76–104, and the Introduction to this volume
27. See Rubenstein 1999.
28. See Rubenstein 2003, 16–38.
29. See Herman forthcoming, n. 33.
30. B. Yevamot 105b. However, there are some sources that suggest that sages sat on benches, not on the floor.
31. The etymology of this term is unclear. See Goodblatt 1975, 169–71; Gafni, 1990, 198–200.
32. For sources and discussion, see Goodblatt 1975, 165–70. Gaonic sources explicitly mention semiannual gatherings in Adar and Elul.
33. See, e.g., B. Bava Batra 22a and Goodblatt 1975, 156.
34. For manuscript variants, see Gafni 1990, 221. Some manuscripts add "R. Hiyya b. Abba said: I am among the leaders of the smaller *kallah* sessions [*reishe kalla*] of Rav Huna, and six hundred rabbis used to attend."

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4 The Political Geography of Rabbinic Texts

SETH SCHWARTZ

It is impossible to draw any simple causal connections between the characteristics of the various rabbinic corpora and the political environments in which they were produced. There is no way to argue convincingly, for example, that the structure (as opposed to some of the content) of the Mishnah and Tosefta reflect in some discernible way the conditions of the High Roman imperial East, or that the Bavli owes its compendious, generically composite, character to the conditions of the Sasanian west.

One reason for this is the state of our knowledge: Even in the case of the Palestinian documents, whose Roman political context is in fact quite well known (Sasanian history, by contrast, is very poorly understood), we are nearly completely ignorant of the circumstances in which the texts were produced. Rabbinic literature itself identifies the editors of some of the texts but – apart from the fact that these identifications are questionable – it reports next to nothing about the ways the editors worked (we may contrast the abundant contemporary information about the production of the Theodosian Code).[1] In the cases of some of the midrash collections and the Bavli, even the approximate dating of redaction is highly controversial, and the datings of the other corpora are perhaps not as controversial as they should be.[2]

There are more profound reasons for our inconclusiveness: The relation between any literary artifact and the political, cultural, and social circumstances in which it was produced can only ever be oblique and complex, in any case certainly resistant to comprehensive description. But our inability to provide a full account does not absolve us from the responsibility for attempting a partial one. In what follows, I will provide such an account by investigating historiographically and historically a single question: What can be known about the political and social roles of the rabbis who produced the texts? This investigation is ramified; it involves considering the status and position of the Jews in the two great empires of the Late Antique Mediterranean world and the Middle East, the relations between the leaders, if any, of religious or