

PREFACE

R. Abbahu in the name of R. Yosé bar Haninah: “It is written, ‘But they [Israel] are like a Man [Adam], they have transgressed the covenant’ (Hos. 6:7).

“‘They are like a Man,’ specifically, like the first Man. [We shall now compare the story of the first Man in Eden with the story of Israel in its land.]

“‘In the case of the first Man, I brought him into the garden of Eden, I commanded him, he violated my commandment, I judged him to be sent away and driven out, but I mourned for him, saying “How...”[which begins the book of Lamentations, hence stands for a lament, but which, as we just saw, also is written with the consonants that also yield, ‘Where are you’].

“‘I brought him into the garden of Eden,’ as it is written, ‘And the Lord God took the Man and put him into the garden of Eden’ (Gen. 2:15).

“‘I commanded him,’ as it is written, ‘And the Lord God commanded...’ (Gen. 2:16).

“‘And he violated my commandment,’ as it is written, ‘Did you eat from the tree concerning which I commanded you’ (Gen. 3:11).

“‘I judged him to be sent away,’ as it is written, ‘And the Lord God sent him from the garden of Eden’ (Gen. 3:23).

“‘And I judged him to be driven out.’ ‘And he drove out the Man’ (Gen. 3:24).

“‘But I mourned for him, saying, “How...”.’ ‘And he said to him, “Where are you”’ (Gen. 3:9), and the word for ‘where are you’ is written, ‘How....’

“‘So too in the case of his descendants, [God continues to speak,] I brought them into the Land of Israel, I commanded them, they violated my commandment, I judged them to be sent out and driven away but I mourned for them, saying, “How....”’

“‘I brought them into the Land of Israel.’ ‘And I brought you into the land of Carmel’ (Jer. 2:7).

“‘I commanded them.’ ‘And you, command the children of Israel’ (Ex. 27:20). ‘Command the children of Israel’ (Lev. 24:2).

“‘They violated my commandment.’ ‘And all Israel have violated your Torah’ (Dan. 9:11).

“‘I judged them to be sent out.’ ‘Send them away, out of my sight and let them go forth’ (Jer 15:1).

“‘....and driven away.’ ‘From my house I shall drive them’ (Hos. 9:15).

“But I mourned for them, saying, ‘How....’” ‘How has the city sat solitary, that was full of people’ (Lam. 1:1).”

GENESIS RABBAH XIX:IX.2

The theology of the Halakhah begins here and aims at the restoration of Man to Eden through Israel in the Land. In line with the Torah’s narrative, Israel represents the new Adam, God’s way of correcting what went wrong in the initial creation. The Land of Israel stands for the new Eden. Just as Adam entered a perfect world but lost it, so Israel was given a perfect world—in repose at the moment of Israel’s entry—but sinning against God, lost it. The story told from Joshua through Kings matches the story told in Genesis. The difference, however, is that Israel has what Adam did not have, which is the Torah, a point that does not enter here except by indirection. The Torah’s theory of who is Man¹ and what God wants of Man leaves no unclarity. What God craves is Man’s willing accord with God’s will, made known in the Torah, beginning with the drama, for which the Halakhah legislates, of the proclamation of God’s unity and yearning for Man’s love, freely given: *Hear, Israel, the Lord our God is unique. And you shall love the Lord your God with all your heart, with all your soul, and with all your might.*

That is why it follows, through realizing the law of the Torah, Israel regains Eden. This it will do in the Land that God had given it for its Eden but that had been lost to sin. And the Torah, setting forth the Halakhah, the rules for the social order of restored Eden, would reform Israel, even sinful Israel, ever so capable of rebellion against God’s will just as Adam had been. Then, a worthy occupant of the Eden that the Land was meant to be, had been for a brief moment, and would once again become, now and at the end of days, all Israel would rise from the grave to eternal life in the Land that is Eden. Death had come about through sin, but at the end, standing in judgment, those who acknowledge God and the Torah overcome sin, which is rebellion. Risen from the dead, having atoned through death, Man will be judged in accord with his deeds. Israel for its part, when it repents and conforms its will to God’s, recovers its Eden. So the consequences of rebellion and sin having been overcome, the struggle of Man’s will and God’s word having been

¹ In these pages “Man,” stands for man and woman, and I interchangeably use mankind or humanity. Then “man,” with a small m, refers to the male of the species, alongside “woman,” to the female.

resolved, God's original plan for creation will be realized at the last. The Halakhah, viewed whole, its category-formations read in logical sequence, tells this story, as I shall show in detail.

Whence these ideas, and why claim that they represent the theology that animates the Halakhah of Judaism? Three definitions provide the answer: what is theology? What is the Halakhah? And how does theology pertain to the Halakhah?

[1] Theology systematically sets forth the results of thinking philosophically about religion.

[2] The Halakhah is comprised by the corpus of law set forth by ancient Judaism in the Written Torah (a.k.a., "the Old Testament") and the consequent Oral Torah comprised by the Mishnah, Tosefta, and two Talmuds.

[3] The theology of the Halakhah records the result of the Rabbinic sages' systematic, generalizing, universalizing reading of the narratives, exhortations, and laws of Scripture. From their comprehensive definition of those results in the form of practical norms for the construction of holy Israel's social order, we derive this account of the theological structure and system embodied therein.

Now to link the initial account of matters to the details that comprise the shank of the work. How Israel is like Adam, Man, spelled out by the exposition of Abbahu in the name of Yosé bar Haninah, captures the heart of the Halakhic system. That is because, shall see in the first two chapters of my account of matters, the themes of Creation, Eden and the Land, Sabbath play themselves out in concrete norms of conduct. These actualize for everyday life moments in the drama portrayed by Scripture. So the theology of the Halakhah begins in the sages' exposition of the parallel stories of Man (Adam and Eve) and Israel.² God created Man "in our image, after our likeness." Failing to accomplish his purpose through Adam and Eve, God tried again with Israel, only to be disappointed once more. The stories for a time run parallel: Adam and Eve, exercising their free will to rebel and so losing Eden form the pattern recapitulated

² "Israel" here forms a theological category-formation, defined by the Torah as those who know God in his self-manifestation in the Torah: "all those who inherit a portion in the world to come" *are* "Israel," to reverse the predicate and the subject of Mishnah-tractate Sanhedrin 10:1. "Israel" in the theology of Rabbinic Judaism does not refer to "the Jews," meaning, an ethnic group, or a this-worldly political entity, e.g., the State of Israel.

by Israel's gaining the Eden that the Land was meant to be, only through sin to lose the Land.

The Halakhic theology makes provision for the restoration. That, spelled out in Chapters Three, Four and Five, comes about in Israel's public life and civil order, in the here and now of Eden, by the will and act of repentant, regenerate Man. In line with Scripture's plain message, the Halakhah, specifically, explores the requirements of the restoration within the social formation of Israel in the Land of Israel. Accordingly, there is this difference. Educated by the Torah to exercise freedom of will to accord with God's will, repentant, regenerate Israel may regain Eden. That is both now, temporally, on sacred occasions and also in the end of days.

But the struggle between life and death, begun with Man's exile and the advent of death, goes on, as Chapters Six through Nine explain, from now to the end of days. It is embodied in the material forces of pollution marshaled by death, opposed by the Israelite in a constant state of alertness to contamination round about. Israel struggles for purity and against death. In the end, then, those who know God as self-manifest in the Torah, in its entirety (encompassing the oral and written parts) will rise from the grave and triumph over death, stand in judgment and regain eternal life in Eden. Israel then is that portion of humanity destined for eternal life by reason of its realization, within its social order in the here and now, of the Torah, wherein God is made known, his will made concrete for humanity. And the Halakhah, both in the Land and beyond its limits, guides Israel's encounter with God, both in the present hour and in the age to come.

The Halakhah, accordingly, takes up the story of the perfection of Eden (Chapters One through Three in my exposition of the theology therein), then addresses the situation implicit in that story of Man's disobedience (Chapters Four and Five), and finally takes up the theme of the here-and-now embodiment of God's kingdom, the encompassing theological motif embodied in that story (Chapters Six through Nine), ending with a précis of the whole (Chapter Ten).

Embedded in the norms of public conduct, then, the theology embodied by the Halakhah³ portrays an account of the meaning of Man in the meeting with God. Thinking philosophically about religion,

³ In the Introduction I define "theology" in the present context and explain how I discern the theological structure and system that I portray in this account of matters.

about the data set forth by the stories that it tells, the rules that it sets forth, and the exhortations that bear its message, the Rabbinic sages produced theology. It is theology in an unconventional idiom, realized in norms of behavior that actualize norms of belief. In constructing a cogent system articulated principally in details, the sages of the Halakhah translate narrative and exhortation and episodic law into a fully integrated design of Israel's social order. The Halakhah then is comprised by not just rules but a wholly coherent system. That system, "Judaism" in secular language, recapitulates Scripture and perfectly realizes, in the norms of Israel's social order, Scripture's full truth about the human condition. James Joyce is reputed to have said that if Dublin were destroyed, it could be reconstructed, brick by brick, from the pages of *Ulysses*. Along these same lines, I allege, if the Hebrew Scriptures of ancient Israel, the Written Torah, were lost, the main lines of the narrative and its social vision could be reconstructed out of the details of the Halakhah set forth in the Oral Torah.

Seen from this perspective, the Halakhah takes its place alongside the great exercises of reflection, both remorseful and hopeful, in Western civilization, upon the Torah's account of who, and what, is Man. Like the Apostle Paul's masterpiece, his Letter to the Romans, with its tragic vision ("...as sin came into the world through one Man and death through sin...", reminiscent of Fourth Ezra's "Oh Adam, what hast thou done!"), like Augustine's *City of God*, like Michelangelo's Last Judgment in the Sistine Chapel, and like John Milton's *Paradise Lost*,—to name just four counterparts to the Halakhic meditation on the story of Man that begins in Eden—the Halakhah addresses the central problem of Western civilization as defined by the Torah. To all the heirs of Scripture Genesis records the nature and destiny of Man and sets the issues for reflection. But among all scripturally-founded constructions out of the vision of Man's tragedy the Oral Torah's stands quite by itself. That is because the Halakhah provides for the formation of an entire society in the image, after the likeness, of Scripture's account of how matters are supposed to be.

That response to Eden and its aftermath is unique in context, because of the Halakhah's immediacy and practicality. The Halakhah embodies the unique mode of thought conducted by the great sages of Judaism in its formative age, its concreteness, its insistence upon deed as the medium of deliberation. The Judaic sages thought

deeply but valued thought only by reason of its practical power to change Man: “study of the Torah takes priority, because study leads to concrete deed,” they decided. That is why the Halakhah—much of it a matter of theory at the time at which it was given the formulation we now have, from ca. 200 to ca. 600 C.E.—forms an account of how the very social fabric of Man embodied by Israel may be formed of a tapestry of right deeds to yield Eden within the very material of the ordinary. The Halakhah endows the ordinary life of everyday Israel with cosmic consequences.

For sages deliberation alone did not suffice, though, as we shall see, their account of deeds to be done in the quest for human regeneration rests upon deep layers of profound reflection indeed. Like Plato in the *Republic*, the sages conducted their thought through legislating the design of Israel’s social order. Unlike Plato they actively aimed to realize in everyday affairs the principles of their utopian theory of matters. Augustine told the story of the social order through history, Scripture’s history. For their part the Judaic sages wrote their *City of God* in law. In contemplating issues strikingly congruent to those addressed in the salvific program of Paul in Romans,⁴ it was through not theoretical theological reflections but practical rulings on the construction of the holy society that they conducted their inquiry into the logic of Man’s fate and what is required for his redemption. And, in the nature of their writings, sages produced few word-pictures, though their Halakhic writings adhered to remarkably powerful aesthetics, both in form and in intellectual elegance.

Note the contrast. God addressed the social order of a kingdom priests and a holy people and commanded the plural “you:” “You shall be holy, for I the Lord your God am holy,” so calling for Israel’s formation of a society worthy of serving as God’s place on earth. The great theologians of Christianity, Paul and Augustine, produced profound reflection upon precisely the same story of Man. The counterpart artists, Michelangelo and Milton, conveyed the Fall through art and poetry, through eye and ear and intellect respond-

⁴ Within the theology of the Halakhah set forth here, one could make the case that the Halakhah represents a systematic theological *Auseinandersetzung* with Paul’s Letter to the Romans, but to spell out exactly how that is so would prove disproportionate to what is at stake in these pages. The Halakhah bears its own claims to significance: its theology of the city of God embodied by the city of Man stands on its own merits, challenging the competing theology, based in part on the same Scriptures, of Christianity as Paul and Augustine framed matters.

ing to the tragic moment of Eden and its aftermath. But none in the line of Israelite Scripture but the Judaic sages conceived of responding to the generalities of the human condition by defining as the remedy to that condition the particular character of an entire social order, its norms of conviction and conduct, its culture embodied in rules of behavior and belief. In their mind, the very character of the community as constructed by concrete laws would form a commentary upon Man and the loss of Eden—a response to Eden but also a remedy for the rebellion that reduced Man to his and her present estrangement from God.

Had they wished to argue that the salvation of Man from the condition of the sin that brought about the fall would come about through law—the laws of the Torah in particular—they could not have framed a more compelling, and, in their context, a more eloquent statement than they did through the logic and exegesis of the Halakhah. My governing thesis, briefly summarized, is that the sages of the Halakhic, or legal, system for the practical conduct of holy Israel's social order in the Mishnah and Talmuds defined as the remedy for the human condition revealed first at Eden the practicalities of quotidian life of an entire community. In accepting God's rule Israel would embody the City of God, for Mankind the Israelite sector would accomplish corporately what for Paul's Christianity one Man is supposed to have done. In the Torah, as they portrayed the Torah, the system of norms of behavior meant to realize within the social order the norms of belief set forth by the sages of Judaism responded to the tragedy of the Fall—the starting point of the entire system—and the promise of restoration—the climax of its structure. This they did by defining the labor of social renewal, relating the rules of regeneration in the exact sense.

So much for the large theory of matters, yielding the theology of the Halakhah. That theology, I shall show in these pages point by point, holds together the details of the rules of concrete behavior and frames of them a systematic statement. The formation of the entire social order through legal norms to regain Paradise represents the unique genius of the Rabbinic sages. Their vision of the social order responding to God's imperative in the Torah forms the counterpart to the exercises introduced just now—Paul, Augustine, Michelangelo, and Milton. That observation vastly transcends generalities and rises to the specificities of ordinary affairs. Paul's insistence upon the inadequacy of the law to deal with the condition of Man's sin-

fulness finds its answer here. For it was through the Halakhah that the sages chose to show that, in the very context of the crisis of Man's fall, the Torah would bring about in the here and now of everyday life that very regeneration that, in Paul's system, faith was meant to accomplish.

In light of the workaday world for which sages legislated, moreover, it was as if they had read the City of God and undertook to show the Bishop of Hippo how to accomplish in the visible and tangible world the realization of the promise of citizenship in an unseen city. And, were they to have spread forth before the poet the artful language that conveys the Halakhah in the Mishnah, they might have said to him, "Here, here is Paradise recovered, these are its natural sounds, the Mishnah to be memorized like your poem" and to the artist, "Paint this—this picture of the world in repose, of Man regenerate, of Eden restored: 'Paint what Balaam found himself impelled to see: "For from the top of the mountain I see him, from the hills I behold him; lo, a people dwelling alone (Num. 23:9)."'” Paul, Augustine, Michelangelo, Milton worked in solitary splendor to frame a vision. Only the sages of Judaism undertook to render palpable and tangible Man's hope for his restoration in Eden in God's dominion. That is why, in my Halakhic portrait, we start with Eden and end in Israel in the village, aspiring to live in God's kingdom.

Such broad and sweeping claims concerning the Halakhah, so uncompromising an insistence upon the theological cogency animating the Halakhah seen whole, not only episodically—these not only astonish, they jar. That is why in the Introduction that follows I have to spell out the definitions and approaches that govern. For the Halakhah has rarely found itself represented as cogent to begin with. Its natural disciplines of intellect favor atomistic exegesis, on the one hand, and episodic comparison and contrast, on the other. Only a few, at widely separated times and places, undertook to portray matters whole and in a coherent way. Not only so, but when the Halakhah has been set forth within a theory of cogency and coherence in detail, the character of the Halakhic theology has ordinarily been portrayed episodically, through cases and examples of we know not what. It has rarely been *systematically* represented, as I propose to do, in a cogent and continuous, coherent account. That intent explains the importance of the framework of the principal narrative of Scripture, its Authorized History, the story that is set forth from

Genesis through Kings in two parts: [1] the creation of Man to enjoy bliss in Eden, in perfect repose, then his and her rebellion and loss of Eden; and [2] the creation of Israel to enjoy the Land, then Israel's rebellion and loss of the Land. I allege that that is the intent of Scripture and of sages alike, and the validity of the Halakhic system that I portray depends on whether readers concur in my reading of the story that Scripture tells as the tale that the Halakhah means to embody in the actions of Israel's social order.

What about the topical sequence of my exposition? In the Halakhah I discern the logic of [1] loss and restoration, [2] sin and atonement, then [3] uncleanness and purification, standing for judgment and return and ultimate resurrection of all Israel, followed here. That narrative, from beginning to end, precipitated by the tension of the beginning, moving toward resolution at the end, dictates the order of the presentation and the reading of the details. Here, I maintain, we see the Torah's own hermeneutics—set forth in the narrative order from Genesis through Kings—turns out to guide the reading of the Halakhic component of the Torah as well.⁵ Step by step, followed within the necessary logic of that story, the chapters of the Halakhah unfold within the logic portrayed in this book, in inexorable sequence, to show how Israel restores the Land to its perfection, Israel to its perfect repose. But that is with the recognition that Israel, like Man, sins by reason of rebellion, setting its will against God's. Then the Halakhah provides for the character of Israel and makes possible that atonement that reconciles Israel to God. So the theology of the Halakhah addresses the human condition, to which rebellion and willfulness come by nature.

How do I propose to demonstrate these claims of the Halakhah's systemic cogency and systematic character? It is through a reading of the principal components of the Halakhic structure, with constant attention to details. Everyone understands that the Halakhic documents portray the results of applied reason and practical logic. Then I propose to recover that reason and to recapitulate, retrace the steps of, that logic.⁶ The Halakhah comes to us in a set of native categories that organize these details and form of them coherent units. We follow the native categories, which correspond to the topical (often

⁵ In *Dual Discourse, Single Judaism*, I show that the same narrative logic governs the formation of the Aggadic category-formations as well.

⁶ I work this out in detail in Neusner, *Hermeneutics*.

propositional) tractates that uniformly organize and so comprise the Mishnah, the Tosefta, the Talmud of the Land of Israel (Yerushalmi), and the Talmud of Babylonia (Bavli). All I have done is set the native categories into a certain order and ask them a few questions of a religious character.

I hasten to add that Judaism makes its theological statement through not only the Halakhah but the Aggadah, and there a corresponding, but autonomous formulation of matters emerges. This is fully expounded, within its governing logic, in my *Theology of the Oral Torah: Revealing the Justice of God* (Montreal and Kingdom, 1998: McGill-Queens University Press). How the two massive theological constructions correlate—as in logic they must and as in theory and in reality they ought to at every salient point—remains to be demonstrated, and, predictably, defines the next major undertaking that I now contemplate.

The present theological construction draws upon much completed research. Specifically, I investigated the religious traits of the native category-formations, the tractates, of the Halakhah in a twenty-four volume work *The Halakhah of the Oral Torah: A Religious Commentary*. There I conducted an interrogation of the Halakhah:

[1] what does it say: a survey of the principal rulings of the Halakhah in sequence, from the Mishnah through the Tosefta, Yerushalmi, and Bavli (with the Tannaite sources given in bold face type, the others not, as in this book);

[2] what are the organizing issues of a given category-formation: the particular points of emphasis, recurrent tension and resolution, of a given category-formation;

[3] what are the religious implications in dialogue with Scripture: when we ask about how a given corpus of Halakhah defines Israel's relationship to God, the interior relationships of Israel within its own framework, and the inner architectonics of the Israelite household, all from the perspective of sanctification, we are investigating the religious implications of the Halakhah.

But I did not publish the twenty-four volumes. I doubted anyone would read them beginning to end. Only one appeared.⁷ The other twenty-three volumes I reorganized and recast as a five-volume reference-work, *The Halakhah: An Encyclopaedia of the Law of Judaism*,

⁷ Neusner, *Halakhah*.

for reference purposes.⁸ What I present here, then, is a systematic recapitulation of the results in the formation by the Oral Torah in its Halakhic documents, in dialogue with Scripture,⁹ of a theological system of integrity, proportion, and cogency.

[1] *Recapitulating the Halakhah Whole*: In that project, I ask, first of all, what are the principal foci of the Halakhah of the respective native-categories? I have shown that the Halakhah is organized, not randomly but topically,¹⁰ and I have identified the primary issues to which diverse details of the Halakhah address themselves. To respond with a systematic account of the Halakhah of the formative age, through the Talmud of Babylonia of the sixth century C.E., I set forth the Halakhah within the native categories of the Mishnah (thus of the Tosefta, Yerushalmi, and Bavli as well). In the Encyclopaedia I cite the Halakhah verbatim, beginning with the Mishnah, then adding what is fresh in the Tosefta, following with those contributions to the statement, not to the analysis, of the law of the Yerushalmi and of the Bavli; the latter three documents proved to contribute, in the case of the Tosefta, a fair volume of complementary rules, and, in the case of the Yerushalmi and the Bavli, very little at all. Of the sixty-three tractates in the Mishnah, I deal with fifty-nine, omitting reference to Abot, a compilation of wise sayings; Eduyyot, not a topical composition; Middot and Qinnim, collections of descriptions of the Temple's layout, on the one side, and conundrums having to do with the presentation of offerings, on the other; none of these may be regarded as Halakhic—topical and exemplary and propositional right on the surface of matters.

[2] *The organizing issues*: the Halakhah in its native category-formations is organized topically, in accord with the inherent traits of things, along lines of a clear logic. That logic transforms facts into knowledge: what we want to know about a given topic. When we follow the lines of Halakhic exposition that govern in the Mishnah-Tosefta-Yerushalmi-Bavli, we discern foci of concern, areas of acute concentration, within a given subject. These identify, for most of the

⁸ Neusner, *Encyclopaedia*.

⁹ The relationship of the Halakhah to Scripture is worked out in detail in Neusner, *Scripture*.

¹⁰ I tested the category-formations of the Mishnah against those that govern in the Tosefta, Yerushalmi, and Bavli in *Hermeneutics*, Volume Eight. *Why This, Not That? Ways Not Taken in the Halakhic Category-Formations of the Mishnah-Tosefta-Yerushalmi-Bavli*. I further compared the category-formations of the Halakhah with those of the Aggadah in Neusner, *Unity*, and Neusner, *Dual Discourse*.

category-formations, the problematic that generates the details of the law: what, concerning a given topic, engages the intense interest of the sages.

[3] *Religious implications*: The third point of interrogation is, what is implicit, what are the religious issues—issues concerning the nature of Israel in relationship to God, Israel’s life as a holy kingdom, and Israel’s affairs within its households—that inhere in those details of the Halakhah that respond to what I call a generative problematic? These are crafted by the Halakhah into a cogent statement, a judgment of what counts in a given topic. The answer dictated by that question produced a simple structure and order. The native-categories of the Halakhah fall into three large divisions:

- [1] laws concerning Israel’s encounter with God,
- [2] laws governing Israel’s regulation of its own social order, and
- [3] laws pertaining to Israel at home, within the walls of the household.

These three large divisions correspond to the generally-accepted tripartite composite: relationships between Man and the Omnipresent, between Man and his fellow, between Man and himself.

But the results of the *Religious Commentary*, while recapitulated, do not dictate the narrative logic of the present work, which asks not about relationships with God—necessarily the centerpiece of a religious commentary—but the recapitulation of Man’s fate, a different issue, such as is dictated by the comparison of Man to Israel with which we began. What changes now is a reordering of the results in response to Scripture’s portrait of Man and of Israel, the one representing the question, the other, the answer. In my *Religious Commentary* I wanted to know the *structure* of matters, of the native categories and their principal divisions. Here I investigate the *system*, how the Halakhah lays itself out in response to Scripture’s account of the human condition. And that dynamic movement from creation to death, Sinai to resurrection, requires a close reading of details.

It is always a pleasure to acknowledge the collaboration in work of mine that is extended by generous colleagues. I discuss my work on a nearly-every-day basis with a number of helpful colleagues, whose comments by phone and (more regularly) by e-mail prove stimulating and who provided important correctives. These include Professor William S. Green, University of Rochester, for thirty years now a constant partner in my scholarly and other projects; and, also, in

no special order, Professor José Faur, Bar Ilan University; Professor Guenter Stemberger, University of Vienna; Professor David Aaron, Hebrew Union College-Jewish Institute of Religion; Professor Bruce D. Chilton, Bard College; Professor Ithamar Gruenwald, Tel Aviv University; Professor Mayer Gruber, Ben Gurion University of the Negev; Professor James Strange, University of South Florida; and Professor Alan J. Avery-Peck, College of the Holy Cross. With these colleagues and (from time to time) many others not named, I engage in a constant dialogue on the issues raised here. I owe them thanks for their patience, good will, and, especially, their criticism of my proposals. In the study of the history of Judaism, they all are highly accomplished participants, and, as a group, I would claim they embody the state of the art. I am very lucky to enjoy collegiality and merit their engagement—sometimes on a daily basis—of dialogue on scholarly problems.

I owe much to the first University of Chicago Press reader, who, warmly appreciative of the submitted work to be sure, correctly proposed that I write an Introduction and a Conclusion, which I had omitted from the draft originally submitted. The former explains the work and permits others to replicate its methods and reproduce its results. The latter—Chapter Ten—briefly summarizes the results and points to what must come next. This further clarification of matters I was happy to do, with results that I think manifestly justify the reader's insistence that I explain myself more fully. In the original manuscript, I explained too little and took for granted too much.

Not only so, but, consequently, my editor at the Press, Alan G. Thomas, wisely wanted me to reread—therefore, inevitably, rewrite—the entire manuscript. This systematic reconsideration of every line brought me much enjoyment too. I had been away for nearly two years, having finished the work in 1997 and submitted it in 1998 and gotten the first reader's response in 1999. In the space of time in which the review process went forward, I completed research on the hermeneutics of the Halakhic category-formations, reworking some of the results important here as well, on the category-formations of the Aggadah, and on the unity of the two media of discourse, Halakhah and Aggadah. The results, extending my vision well beyond prior limits, underscored the requirement of rereading and revising my draft of 1997. So the editorial process made the work still more joyful than the original writing had brought, and I am thankful. But in the end Brill provided a more prompt publication than Chicago, and I choose my main publisher once more.

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