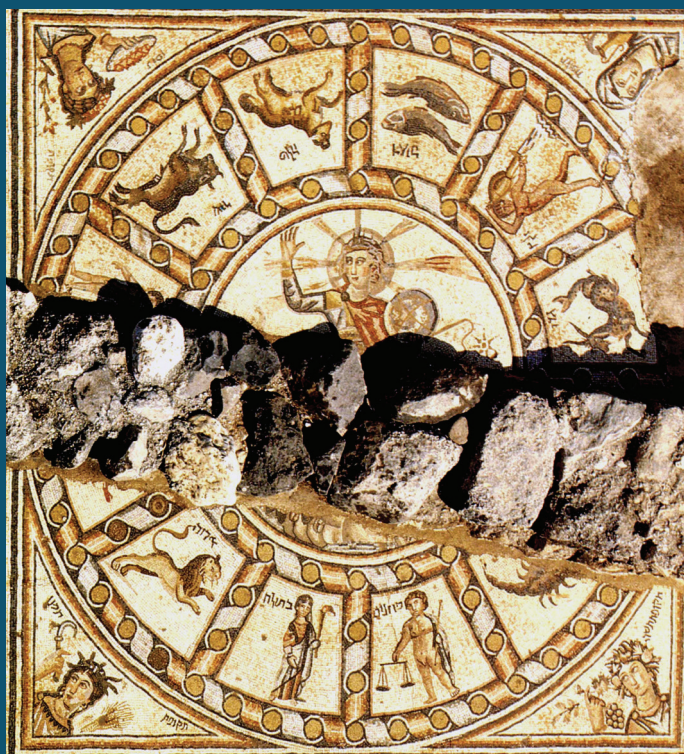


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# Diversity and Rabbinization

Jewish Texts and Societies  
Between 400 and 1,000 CE

EDITED BY GAVIN McDOWELL, RON NAIWELD,  
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# AFTERWORD: RABBINIZATION AND THE PERSISTENCE OF DIVERSITY IN JEWISH CULTURE IN LATE ANTIQUITY

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## 1.0. Introduction

The term ‘rabbination’—much like its sister-concepts Hellenization, Romanization, Christianization, and, for that matter, Minoanization—raises as many problems as it solves. It runs the risk of saddling research into the complex social and cultural processes that shaped Judaism in Late Antiquity and the Early Middle Ages with the unpardonable sins of diffusionism, homogenization, and teleology. The historical transformations that the term is intended to denote might be thought: 1) to emanate top down from a centralized source of power, authority, or prestige; 2) to produce a high degree of cultural uniformity; and 3) to carry an air of self-evident inevitability.<sup>1</sup>

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- 1 See the seminal critique of the category of ‘Romanization’ in Greg Woolf, *Becoming Roman: The Origins of Provincial Civilization in Gaul* (Cambridge: Cambridge University Press, 2000); also, e.g., Rachel Mairs, ‘An “Identity Crisis”? Identity and its Discontents in Hellenistic Studies’, in *Meetings between Cultures in the Ancient Mediterranean: Proceedings of the 17th International Congress of Classical Archaeology, Rome 22–26 Sept. 2008*, ed. by M. Dalla Riva [available at Bollettino di Archeologia Online, Rome]; Cyprian Broodbank, ‘Minoanisation’, *Proceedings of the Cambridge Philological Society* 50 (2004): 46–91.

At the same time, these sorts of terms signify interrelated clusters of phenomena that are so extensive and pervasive that they demand some sort of organizing rubric. Happily, scholars of ancient and medieval Judaism can benefit from several decades of historiographic refinement during which such concepts have been forged into more manageable tools of historical description and explanation.<sup>2</sup> These methodological advances—in conjunction with a century-long broadening of the evidentiary basis for the study of Judaism in Late Antiquity and the Early Middle Ages—have, I think, put us in a better position to capture the dialectical, variegated, and contingent process of rabbinization.

In this Afterword, I would like to accomplish two primary goals. First, I offer a brief survey of the different—and often divergent—uses to which recent scholarship has put the notion of ‘rabbinization’. Second, I present a concise catalog of many, though not all, of the sources at our disposal for studying the various facets of this process. In doing so, I draw heavily on the studies included in this volume. The fact that the sources for the study of rabbinization are as varied as they are fragmentary should not, in my view, be treated as a source of frustration, but rather as an opportunity for scholars to give due weight to the geographic, sociological, and institutional differences that conditioned the pace, extent, and nature of this process. Moreover, these sources attest the diversity of cultural and religious expression that continued to characterize Jewish life in the Mediterranean world during Late Antiquity and into the Early Middle Ages. I, therefore, conclude with some provisional reflections concerning the relationship between this persistent diversity and the growth of rabbinic hegemony in this period.

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2 See the sophisticated approaches to such processes of cultural and religious change in David Frankfurter, *Christianizing Egypt: Syncretism and Local Worlds in Late Antiquity* (Princeton, NJ: Princeton University Press, 2017), esp. 3–20.

## 2.0. Rabbinization: A Brief History of the Concept

The term ‘rabbinization’ has only recently become a recognizable fixture of historical research on Late Antique and Early Medieval Judaism. Despite this short history, the term has undergone a major shift in its primary scholarly usage, which corresponds to developments in historiographic concerns.

From a search in Google Books Ngram Viewer, the term—at least in its English-language variant—does not appear until 1907.<sup>3</sup> From 1907 to 1963, the term appears in merely four books contained in the database. Published in 1907, David Philipson’s *The Reform Movement in Judaism* uses the term to describe the modern process of secularization in nineteenth-century Germany, asserting that “with the de-Orientalization and de-rabbinization has gone hand in hand a de-Judaization.”<sup>4</sup> One of the books from this period is a study of *Karaites in Byzantium*, which refers very broadly to the “ever more engulfing ‘Rabbinization’ of Jewish life.”<sup>5</sup> The last two books are studies of early Christianity, focusing on the Synoptic Gospels and the history of the sacraments, and use the concept in rather problematic theological terms.<sup>6</sup> It would seem that, before the 1960s, no book in English employed the term to describe or analyse the formation of rabbinic hegemony.

From the 1960s until the final years of the twentieth century, scholars began to deploy the concept of ‘rabbinization’ more

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3 As of 10 November 2017, when I accessed the site and compiled this data. For this search, I employed both ‘rabbinization’ and ‘rabbinsation’. The possible alternative spellings ‘rabbānization’ or ‘rabbānisation’ do not appear at all. I cannot comment responsibly on the introduction of equivalents in other languages, especially German, French, and Hebrew.

4 David Philipson, *The Reform Movement in Judaism* (New York: Macmillan, 1907), 535.

5 Zvi Ankori, *Karaites in Byzantium* (New York: Columbia University Press, 1959), 456.

6 *Studies in the Synoptic Problem by Members of the University of Oxford*, ed. by William Sanday (Oxford: Oxford University Press, 1911); Neville Clark, *An Approach to the Theology of the Sacraments* (London: SCM Press, 1956).

readily. Ron Naiweld shows in his contribution to this volume that during this period the term was especially characteristic of the writings of Jacob Neusner, where it generally refers to the ideological aims and rhetorical strategies that the rabbis of Late Antiquity used to project their own institutions, practices, and norms backwards in time.<sup>7</sup> This tradition of scholarship concerning the ‘rabbinization of history’ highlights how frequently rabbinic literature validated its own innovations by transposing scholastic institutions that had only recently developed back to the time of the biblical patriarchs and matriarchs. The rabbis also applied their penchant for creative anachronism to the more recent Jewish past, casting their rabbinic forebears as the most important arbiters of proper ritual protocol in the Jerusalem Temple prior to its destruction. They also sought to neutralize alternative sources of power and authority by, for example, domesticating charismatic figures like Honi the Circle Drawer or Hanina ben Dosa.<sup>8</sup>

From my survey, it would appear that Seth Schwartz’s 2002 essay ‘Rabbinization in the Sixth Century’<sup>9</sup> (prefigured by a few lapidary observations the previous year in his *Imperialism and Jewish Society*<sup>10</sup>) inaugurated a new era in the study of

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7 Beginning with Jacob Neusner, *The Rabbinic Traditions about the Pharisees before 70*, 3 vols. (Leiden: Brill, 1971).

8 See especially William Scott Green, ‘Palestinian Holy Men: Charismatic Leadership and Rabbinic Tradition’, in *Aufstieg und Niedergang der römischen Welt* II 19.2 (1979): 619–47. Ron Naiweld’s paper also points to similar usage of the term in the work of a number of prominent scholars over the course of three decades from the mid-1980s until approximately 2010.

9 In *The Talmud Yerushalmi and Greco-Roman Culture III*, ed. by Peter Schäfer (Tübingen: Mohr Siebeck, 2002), 55–69.

10 Seth Schwartz, *Imperialism and Jewish Society, 200 BC. to 640 CE*. (Princeton, NJ: Princeton University Press, 2001), 250, 260, 264, and 274; idem, ‘On the Program and Reception of the Synagogue Mosaics’, in *From Dura to Sepphoris: Studies in Jewish Art and Society in Late Antiquity*, ed. by Lee I. Levine and Zeev Weiss (Portsmouth, RI: Journal of Roman Archaeology, 2000), 165–81 (181).

‘rabbinization’. The vast majority of the publications since 2005 that employ the term use it to consider the institutionalization and extension of rabbinic norms and forms beyond the limited circles of the rabbis and their retainers.<sup>11</sup> It is noteworthy that the cluster of treatments of ‘rabbinization’ that have appeared over the last decade and a half have largely depended on the close reading of an eclectic range of sources drawn primarily from *outside* the rabbinic corpus, narrowly conceived. Certainly, rabbinic literature does provide evidence, albeit often indirect, regarding the increasing institutionalization of rabbinic academic practices as well as the posture that rabbis assumed vis-à-vis Jews outside of the rabbinic movement.<sup>12</sup> As a partisan literature that, since its beginnings, sought to invest the rabbis, both individually and collectively, with an aura of authority, rabbinic texts have yielded limited insight into the process of rabbinization. The academic study of rabbinization has largely moved away from grappling with the grandiose claims of classical rabbinic literature to consider a far more heterogeneous assortment of sources that might illuminate the gradual and always partial achievement of rabbinic hegemony.

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11 See, e.g., Hayim Lapin, ‘Aspects of the Rabbinic Movement in Palestine, 500–800 C.E.’, in *Shaping the Middle East: Jews, Christians, and Muslims in an Age of Transition, 400–800 C.E.*, ed. by Kenneth G. Holum and Hayim Lapin (Bethesda: University Press of Maryland, 2011), 181–94; idem, *Rabbis as Romans: The Rabbinic Movement in Palestine, 100–400 CE* (Oxford: Oxford University Press, 2012), 151–67; Martha Himmelfarb, ‘Revelation and Rabbinization in Sefer Zerubbabel and Sefer Eliyyahu’, in *Revelation, Literature, and Community in Late Antiquity*, ed. by Philippa Townsend and Moulie Vidas (Tübingen: Mohr Siebeck, 2011), 217–36; Ra’anan Boustan, ‘Rabbinization and the Making of Early Jewish Mysticism’, *Jewish Quarterly Review* 101 (2011): 482–501.

12 See, e.g., Jeffrey L. Rubenstein, *The Culture of the Babylonian Talmud* (Baltimore, MD: Johns Hopkins University Press, 2003).



### 3.0. The Evidence for the Study of Rabbinization

Having attempted to clarify how the ‘rabbinization’ of Jewish society and culture has emerged as such a pressing historiographic problem, I now turn to the sources that can best illuminate the various facets of this process. My treatment of the various types of evidence at our disposal will be both selective and concise.

First, rabbinic literature itself, when read with due caution, can be used to track the process of rabbinization. Thus, for example, scholars have suggested that homiletical Midrashim from the fifth and sixth centuries (e.g., *Pesiqta de-Rav Kahana* and *Leviticus Rabbah*) reflect the activities of rabbinically-oriented preachers who sought to convey rabbinic exegetical traditions and religious norms to synagogue communities in Late Antique Palestine.<sup>13</sup> It has likewise been argued that some rabbinic tractates from a somewhat later period, such as *Seder Eliyahu Rabbah* and *Zuta*, offered their audiences a “minimal Judaism” that sought to popularize rabbinic piety and ethics.<sup>14</sup> Similarly, unconventional midrashic works like *Pirqe de-Rabbi Eliezer* incorporated a host of originally non-rabbinic motifs and traditions within the novel form of extended exegetical narration.<sup>15</sup> Taken together, these formal and rhetorical developments within the corpus of midrashic works produced from the fifth to tenth centuries may attest the ever-widening impact of rabbinic teachings and styles of learning, while also demonstrating the increasing malleability of rabbinic literary culture.

This picture may be augmented by the small corpus of rabbinic *responsa* and other halakhic writings that can be located with some degree of certainty in Palestine in the sixth to eighth

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13 See Rachel A. Anisfeld, *Sustain Me with Raisin-Cakes: Pesikta deRav Kahana and the Popularization of Rabbinic Judaism* (Leiden: Brill, 2009).

14 See Lennart Lehmhaus, “‘Were not understanding and knowledge given to you from Heaven?’ Minimal Judaism and the Unlearned ‘Other’ in *Seder Eliyahu Zuta*”, *Jewish Studies Quarterly* 19 (2012): 230–58, as well as Günter Stemberger’s and Ron Naiweld’s contributions to this volume.

15 See Gavin McDowell’s contribution to this volume.



centuries. Most notable is the *Sefer ha-Ma'asim*, which, according to Hillel Newman, indicates the existence of rabbinic courts of some kind prior to the Muslim conquests.<sup>16</sup> Such sources suggest that institutionalized mechanisms were already in place in this transitional period for the dissemination of rabbinic law and custom to other sectors of Jewish society in Palestine, although the exact scope of their reach is difficult to determine.<sup>17</sup>

The remains of monumental synagogues from Late Antique Palestine represent a second body of materials that may help the historian assess the degree, pace, and timing of rabbinization. Lee Levine has argued that these archaeological discoveries attest the limits of rabbinic power as well as the ongoing diversity of Jewish communal life well into the Early Medieval period.<sup>18</sup> Others have been more eager to discover in the synagogue mosaics, especially those depicting scenes from the Hebrew Bible, the active influence of the rabbis on the culture of the synagogue.<sup>19</sup> Still others have seen in the growing discomfort with images, evidenced in the purely inscriptional mosaic from the Jericho synagogue and perhaps in the highly controlled iconoclasm inflicted at nearby Na'aran, and especially in the rabbinic inscription at Rehov,

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16 Hillel Newman, *The Ma'asim of the People of the Land of Israel* (Jerusalem: Yad Izhak Ben Zvi, 2011), esp. 35 (Hebrew). See also the discussion of the *Ma'asim* in the contribution of Daniel Stökl Ben Ezra to this volume.

17 For a note of caution concerning the usefulness of the *Ma'asim* for assessing the social power and prestige of rabbis in the sixth and seventh centuries, see Lapin, *Rabbis as Romans*, 165–67.

18 See his contribution to this volume; also, e.g., Lee I. Levine, *Visual Judaism in Late Antiquity: Historical Contexts of Jewish Art* (New Haven, CT: Yale University Press, 2012), esp. 403–42.

19 See, e.g., Uzi Leibner, 'An Illustrated Midrash of Mekilta de R. Ishmael, *Vayehi Beshalah* 1: Rabbis and the Jewish Community Revisited', in *Talmuda de-Eretz Israel: Archaeology and the Rabbis in Late Antique Palestine*, ed. by Steven Fine and Aaron Koller (Berlin: de Gruyter, 2014), 83–96; Zeev Weiss, 'The Sepphoris Synagogue Mosaic and the Role of Talmudic Literature in its Iconographical Study', in *From Dura to Sepphoris: Studies in Jewish Art and Society in Late Antiquity*, ed. by Lee I. Levine and Zeev Weiss (Portsmouth, RI: Journal of Roman Archaeology, 2000), 15–30.

the growing influence of the rabbis.<sup>20</sup> These are live questions. The recent mosaic discoveries at Wadi Hamam, Horvat Kur, and Huqoq make clear how far we are from a scholarly consensus on this topic. To take but one example: the panel depicting the story of Jonah that was unearthed at Huqoq during the 2017 excavation season, in which the prophet is being swallowed by a succession of three fish, has as its closest parallels—in either image or text—a cluster of early medieval Jewish and Islamic traditions.<sup>21</sup> Should the mosaic be viewed as a reflex of an old midrashic motif that is preserved only in relatively late texts like the Midrash of the Repentance of Jonah the Prophet?<sup>22</sup> Or, as I think more likely, perhaps these medieval sources absorbed an exegetical tradition that was in general circulation in Late Antique Palestine and that did not *per se* originate within the confines of rabbinic Midrash. The complex dynamics of cultural interaction and transmission behind these tantalizing parallels should caution against simplistic readings of rabbinic tradition into the archaeological data.

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20 See, e.g., Schwartz, ‘Rabbinization in the Sixth Century’, 58. Compare Levine, *Visual Judaism*, 240–42, who likewise notes this “shift away from figural representation” and sees it as an indication of “internal Jewish social and religious pressures” (242), but does not attribute this phenomenon to ‘rabbinization’.

21 For preliminary description and analysis, see the mosaic section written by Karen Britt and Ra‘anan Boustan in Jodi Magness et al., ‘The Huqoq Excavation Project: 2014–2017 Interim Report’, *Bulletin of the American Schools of Oriental Research* 380 (2018): 61–131, esp. 111–15.

22 For the motif of the three fish, see the edition of this Midrash in Tamar Kadari, ‘The Repentance of Jonah the Prophet’, *Kobez al Yad: Minora Manuscripta Hebraica* 16 (2002): 67–84 (73) (Hebrew); see also the oblique reference to this tradition in the version of Midrash Jonah in *Bet ha-Midrash*, ed. by Adolf Jellinek 6 vols. (Jerusalem: Wahrmann Books, 1967), II, 99 (Hebrew). For comparative analysis of the Jewish and Islamic sources, see Tamar Kadari, ‘Aggadic Motifs in the Story of Jonah: A Study of Interaction between Religions’, in *Religious Stories in Transformation: Conflict, Revision and Reception*, ed. by Alberdina Houtman, Tamar Kadari, Marcel Poorthuis, and Vered Tohar (Leiden: Brill, 2016), 107–25.

More promising perhaps is the evidence of the vast, if only fragmentarily preserved, corpus of piyyut from Late Antiquity. Piyyut and rabbinic literature exhibit numerous forms of literary and linguistic convergence. To mention only the most uncontroversial: the basic performative contexts and genres of piyyut presume the structures of rabbinic statutory prayer; numerous piyyutim feature exegetical traditions that appear to have originated in rabbinic Midrash; and some refer to rabbinic social types, institutions, or practices and even re-use recognizable blocks of rabbinic text.<sup>23</sup> At the same time, a ‘revisionist’ approach to piyyut has stressed the significant divergences between the two corpora, most notably in their institutional locations and in their attitudes toward the priesthood and the history of the Hasmonaean dynasty.<sup>24</sup> The corpus of piyyut may be more heterogeneous in its institutional and ideological orientation than either the traditionalists or the revisionists have allowed. If we are far from consensus regarding the literary relationships between piyyut and rabbinic literature, we are even further from understanding how these two types of religious specialists—the Sage and the liturgist—might have navigated their competing or complementary communal roles, especially as their social profiles and cultural prestige varied from place to place and evolved over time.

The still-expanding pool of public inscriptions in Hebrew, Aramaic, Greek, and other Jewish languages from across

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23 On the relationship between rabbinic literature and piyyut, see the classic but dated Zvi Meir Rabinowitz, *Halakhah and Aggadah in the Liturgical Poetry of Yannai: The Sources, Language, and Period of the Paytan* (Tel Aviv: Alexander Kohut, 1965) (Hebrew); I would also like to thank Yitz Landes for discussing this issue with me and for sharing his unpublished seminar paper, ‘How “Late Antique” is Late Antique Jewish Poetry?’

24 See Michael Swartz’s assessment of the formal, institutional, and ideological divergences between the producers of piyyut and the rabbinic movement in his contribution to this volume. See also the seminal arguments in Joseph Yahalom, *Poetry and Society in Jewish Galilee of Late Antiquity* (Tel Aviv: Hakibbutz Hameuchad, 1999), 107–36 (Hebrew).

the ancient Mediterranean world has long been studied for information regarding the extent or limitations of rabbinic authority. I will not rehearse here the historiographic debate about the use of the title *rabbi* in the inscriptions.<sup>25</sup> Even if we concede that some or even all of these ‘inscriptional rabbis’ did in fact belong to the rabbinic movement (which is not something I am prepared to do), it nevertheless remains the case that the wider corpus of inscriptions provides indisputable evidence that Jewish communal life throughout the Late Antique Mediterranean generally operated according to structures of patronage and prestige that had little use for a formally recognized rabbinic leadership. If Schwartz is correct, the sixth-century inscription from Venosa, Italy, which employs the term *rebbites* in a new fashion, as a noun rather than as an honorific title, was a bellwether of wider developments.<sup>26</sup> The hagiographic *Actus Silvestri* from late fifth- or early sixth-century Rome, in which the Jewish disputants of Pope Silvester I (314–335 CE) are specifically characterized as a group of twelve learned rabbis, may also reflect the emergence of rabbis as communal leaders in parts of the Italian peninsula in this period.<sup>27</sup> Taken together with a series of later inscriptions from Venosa, Naples, and Brindisi that mention ‘rabbis’ as well as with the colourful account of a family of rabbinically-trained scholars, liturgists, and ritual experts in the eleventh-century *Megillat Ahima‘az*, this evidence may point to a pattern of increasing rabbinic influence in this region from

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25 See the diametrically opposed conclusions reached in Hayim Lapin, ‘Epigraphical Rabbis: A Reconsideration’, *Jewish Quarterly Review* 101 (2011): 311–46, and Fergus Millar, ‘Inscriptions, Synagogues and Rabbis in Late Antique Palestine’, *Journal for the Study of Judaism* 42 (2011): 253–77.

26 Schwartz, ‘Rabbinization in the Sixth Century’, 57.

27 See the brief discussion of the text within the broader pattern of evidence in Vera von Falkenhausen, ‘The Jews in Byzantine Southern Italy’, in *Jews in Byzantium: Dialectics of Minority and Majority Cultures*, ed. by Robert Bonfil, Oded Irshai, Guy G. Stroumsa, and Rina Talgam (Leiden: Brill, 2012), 271–96, esp. 272.

the late fifth century on.<sup>28</sup> While certainly suggestive, this dossier of sources remains slight, raising more questions than it answers concerning the origin, function, and scope of rabbinic leadership within some Jewish communities in Italy toward the end of Late Antiquity.

A fifth source of information about the consolidation of rabbinic authority is the corpus of Patristic writings in Greek, Latin, and Syriac. Regrettably, since Samuel Krauss's seminal multipart study from the early 1890s on 'The Jews in the Works of the Church Fathers', which already surveyed much of the evidence, scholars have most often limited themselves to a restricted set of writers from the second to fifth centuries, such as Justin, Clement, Origen, Eusebius, Ephrem, John Chrysostom, and Jerome.<sup>29</sup> These sources have shed important light on contacts between Christian intellectuals and local Jewish religious experts, rabbis apparently among them.<sup>30</sup> Sources like the *Didache*, the *Didascalia Apostolorum*, and the Pseudo-Clementine Homilies

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28 See the contribution to this volume by Giancarlo Lacerenza.

29 These authors form the basis for Samuel Krauss, 'The Jews in the Works of the Church Fathers', *Jewish Quarterly Review* 5 (1892): 122–57; 6 (1893): 82–99; 6 (1894): 225–61. In addition to the patristic authors treated in detail by Krauss, several others (e.g., Tertullian, Aphrahat, and Augustine) have also received a fair amount of scholarly attention. For an excellent overview of the sources and scholarship, see Paula Fredriksen and Oded Irshai, 'Christian Anti-Judaism: Polemics and Policies', in *The Cambridge History of Judaism, Volume 4: The Late Roman–Rabbinic Period*, ed. by Steven T. Katz (Cambridge: Cambridge University Press, 2006), 977–1034.

30 See, e.g., Gilles Dorival and Ron Naiweld, 'Les interlocuteurs hébreux et juifs d'Origène à Alexandrie et à Césarée', in *Caesarea Maritima e la scuola origeniana: Multiculturalità, forme di competizione culturale e identità cristiana*, ed. by Osvalda Andrei (Brescia: Morcelliana, 2013), 121–38; Paula Fredriksen and Oded Irshai, 'Include Me Out: Tertullian, the Rabbis, and the Graeco-Roman City', in *Identité à travers l'éthique: nouvelles perspectives sur la formation des identités collectives dans le monde greco-romain*, ed. by Katell Berthelot, Ron Naiweld, and Daniel Stökl Ben Ezra (Turnhout: Brepols 2015), 117–32.

and Recognitions may provide some of our earliest non-rabbinic evidence for the emergence of the rabbinic movement as a recognizable social phenomenon.<sup>31</sup>

Still, to my knowledge, ecclesiastical sources from the sixth to eighth centuries that might illuminate the gradual ‘rabbinization’ of Jewish society have gone largely untapped. To take one example that has received some attention: the seventh-century *Doctrina Jacobi nuper baptizati*, set in Africa, offers a starring role to a Palestinian Jew named Justus who brings word of recent developments back home, especially concerning reactions among local scholars to the teachings of “the Saracen prophet.”<sup>32</sup> When read together with the references to *rabbāniyūn* in the Qur’an (3.79; 5.44, 63) and in other early Islamic sources, this passage may contain precious information about the widening scope of rabbinic influence at the advent of Islam.<sup>33</sup> Alas, the *Doctrina Jacobi* also speaks throughout of ‘priests’ occupying leadership positions in the cities of Palestine, which has suggested to some that, at this pivotal historical moment, the rabbis represented at best bit

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31 See Annette Yoshiko Reed, ‘When did Rabbis become Pharisees? Reflections on Christian Evidence for Post-70 Judaism’, in *Envisioning Judaism: Essays in Honor of Peter Schäfer on the Occasion of his Seventieth Birthday*, ed. by Ra’anan Boustan et al., 2 vols. (Tübingen: Mohr Siebeck, 2013), II, 859–96.

32 See now Sean Anthony, ‘Muhammad, the Keys to Paradise, and the *Doctrina Iacobi*: A Late Antique Puzzle’, *Der Islam* 91 (2014): 243–65. For a critical edition, French translation, and historical analysis of the *Doctrina Iacobi*, see Gilbert Dagron and Vincent Déroche, ‘Juifs et Chrétiens dans l’Orient du VII<sup>e</sup> siècle’, *Travaux et Mémoires* 11 (1991): 17–273 (text and translation 70–219).

33 On the text’s seemingly genuine familiarity with contemporary Jewish culture and society more broadly, see now Pieter Willem van der Horst, ‘A Short Note on the *Doctrina Jacobi Nuper Baptizati*’, *Zutot* 6 (2009): 1–6. On the rabbinization of Judaism in Yemen after the middle of the sixth century, most likely immediately prior to the rise of Islam in the early seventh century, see Christian Julien Robin’s contribution to this volume and also Holger Zellentin, *The Qur’an’s Legal Culture: The Didascalia Apostolorum as a Point of Departure* (Tübingen: Mohr Siebeck, 2013).

players in the multipolar world of Jewish religious expertise.<sup>34</sup> More data will be needed to advance our understanding of this landscape.

By contrast, the evidence provided by the Roman legal compendia of the fifth and especially sixth centuries is somewhat less equivocal.<sup>35</sup> Most notably, Justinian's Novella 146, with its proscription of "the *deuterosis*," has figured prominently in accounts of the penetration of rabbinic reading practices into local Jewish communities in the Western Diaspora and a concomitant process of Hebraization.<sup>36</sup> Here, too, the situation is complicated: the ongoing vitality of Greek biblical translation into the Middle Ages, as reconstructed by Nicholas de Lange and others from Genizah documents, suggests that whatever inroads the rabbis made into these communities did not extinguish the local traditions of scriptural recitation cultivated by the so-called Hellenizing faction with whom Justinian had sided.<sup>37</sup> Similarly,

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34 See Oded Irshai, 'The Priesthood in Jewish Society in Late Antiquity', in *Continuity and Renewal: Jews and Judaism in Byzantine-Christian Palestine*, ed. by Lee I. Levine (Jerusalem: Yad Izhak Ben Zvi Press, 2004), 67–106 (Hebrew).

35 For a clear demonstration of how Roman legal sources can illuminate the institutional structures of Jewish communal life in the Mediterranean Diaspora, see Capucine Nemo-Pekelman's contribution to this volume.

36 On Novella 146, which was issued 9 February 553 CE, see Vittore Colorni, 'L'uso del greco nella liturgia del giudaismo ellenistico e la novella 146 di Giustiniano', *Annali di Storia del Diritto* 8 (1964): 19–80 (also published as a monograph: Milan: Multa Paucis, 1964), cited approvingly in Schwartz, 'Rabbinization', 67, and Willem F. Smelik, 'Justinian's Novella 146 and Contemporary Judaism', in *Greek Scripture and the Rabbis*, ed. by Timothy Michael Law and Alison Salvesen (Leuven: Peeters, 2012), 141–63. For a brief introduction, Greek text, and English translation, see Amnon Linder, *The Jews in Roman Imperial Legislation* (Detroit, MI: Wayne State University Press, 1987), 402–11.

37 See, e.g., the studies collected in *Jewish Reception of Greek Bible Versions: Studies in Their Use in Late Antiquity and the Middle Ages*, ed. by Nicholas de Lange, Julia G. Krivoruchko, and Cameron Boyd-Taylor (Tübingen: Mohr Siebeck, 2009).



the scheme of rabbinic attribution that was laid over medieval Byzantine compositions in Hebrew, such as the tenth-century Hippodrome of Solomon, lend only a veneer of rabbinic authority to what appears to be an expression of the vibrant indigenous literary culture of Constantinople and its environs.<sup>38</sup> However tempted we are, we should resist historical accounts that lead directly from Novella 146 to the medieval ‘Minor Midrashim’ published by Adolf Jellinek, J. D. Eisenstein, and others.<sup>39</sup>

Even Geonic writings from the eighth to eleventh centuries tell a suitably complex story. On the one hand, we have a sizable corpus attesting the newfound assertiveness of the rabbinic leadership in Iraq and Palestine. On the other, the Geonic *responsa* from before the ninth and tenth centuries show the heads of the *yeshivot* grappling with a wide range of non-rabbinic forms of Judaism, which the Rabbanite leaders had not yet conceptualized as a unified Karaite opposition.<sup>40</sup> Moreover, Marina Rustow’s penetrating analysis of Rabbanite–Karaite relations has taught us that Rabbanism and Karaism are best viewed not as stable sociological or even ideological entities, but as competing discourses of tradition.<sup>41</sup> The vying claims to authority, which Rabbanite and Karaite *literati* never tired of broadcasting, mask

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38 See Ra’anan Boustan, ‘Israelite Kingship, Christian Rome, and the Jewish Imperial Imagination: Midrashic Precursors to the Medieval “Throne of Solomon”’, in *Jews, Christians, and the Roman Empire: The Poetics of Power in Late Antiquity*, ed. by Natalie B. Dohrmann and Annette Yoshiko Reed (Philadelphia: University of Pennsylvania Press, 2013), 167–82, esp. 171–72 and the literature cited there.

39 Compare the ‘rabbinizing’ discussion of the relationship between ‘medieval’ Midrashim and classical Midrash in Bernard H. Mehlman and Seth M. Limmer, *Medieval Midrash: The House for Inspired Innovation* (Leiden: Brill, 2016), 20–36.

40 See Robert Brody’s contribution to this volume and his earlier studies cited there.

41 On the significant technological, political, and spatial constraints on the extension of rabbinic and especially Babylonian hegemony in the medieval period, see Marina Rustow, *Heresy and the Politics of Community: The Jews of the Fatimid Caliphate* (Ithaca, NY: Cornell University Press, 2008). On

the practical work of competition and cooperation that obtained among various kinds of Jewish elites in their negotiations with each other, with far-flung local communities, and with the Fatimid state. In this respect, the process of rabbinization remained fundamentally incomplete well into the Middle Ages.<sup>42</sup>

The Jewish magical tradition, in all its regional, linguistic, and formal variety, offers scholars a promising body of non- or para-rabbinic materials for tracing the process of rabbinization. Gideon Bohak has persuasively shown that there exists a significant disjunction between the types of magical practice attested in rabbinic literature and the Jewish magical sources themselves.<sup>43</sup> However, the two bodies of evidence intersect at certain points that demonstrate a dynamic relationship between them. It remains to be seen whether scholars can divine patterns in the evidence that might elucidate the processes by which rabbinic authority, texts, and expertise became available or even attractive to larger segments of Jewish society. Among the many examples that I might invoke, perhaps the most promising is the corpus of Aramaic incantation bowls from Late Antique Iraq. The heterogeneity of the bowls presents both challenges and opportunities. Some specimens show no evidence of contact with rabbinic tradition. Others invoke named rabbis, refer to rabbinic traditions, or even incorporate passages from rabbinic literature. Thus, a pair of recently published bowls (MS 1929/6 and MS 2053/170) cite material from chapter five of Mishnah Zevahim.<sup>44</sup> Even in such cases, rabbinic elements are merely one ingredient

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the competing uses of the past in Rabbanite–Karaitic polemics, see Yoram Erder's contribution to this volume.

42 On the belated emergence of rabbinic hegemony among medieval Jewish communities in Europe, see also Michael Toch's contribution to this volume.

43 Gideon Bohak, *Ancient Jewish Magic. A History* (Cambridge: Cambridge University Press, 2008), 417–22.

44 Shaul Shaked, James Nathan Ford, and Siam Bhayro, *Aramaic Bowl Spells: Jewish Babylonian Aramaic Bowls, Volume One* (Leiden: Brill, 2013), 22–23. For discussion, see Geoffrey Herman's contribution to this volume.

within a capacious Mesopotamian religious *koiné*—and not necessarily the most essential. We await systematic assessment of the significance of the rabbinic elements in the bowls and in the magical materials more generally for our understanding of the process of rabbinization.

By way of bringing to a close this rather skeptical sketch of the sources that have been brought to bear on the problem of rabbinization, I turn very briefly to consider how the variety of apocalyptic, cosmological, martyrological, and mystical sources produced between the sixth and eighth centuries might contribute to the picture. Some scholars have proposed seeing in this congeries of sources—often also bundled together with piyyut, Targum, and the remains of public Jewish art and architecture—a more or less unified ‘non-rabbinic Judaism’, which they have variously labeled ‘synagogal’ or ‘priestly’.<sup>45</sup> In my view, we should not lump all Jewish texts or artifacts that appear to fall outside the bounds of rabbinic culture into a unified, overarching category; such grand generalizations ultimately perpetuate a dichotomous view of Late Antique Judaism that assesses all expressions of Jewish culture primarily in terms of their relationship to the rabbis. The realization that we can no longer accept the view that the rabbis served as the leadership of Jewish society in Late Antiquity does not necessitate that we posit the existence of a single class of alternative leaders. Moreover, we need not follow the scholarly habit of viewing the process of rabbinization and the persistence of diversity within Jewish culture in strict opposition to each other.<sup>46</sup> It may be

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45 See the maximalist formulation in Simon C. Mimouni, *Le judaïsme ancien du VI<sup>e</sup> siècle avant notre ère au III<sup>e</sup> siècle de notre ère: des prêtres aux rabbins* (Paris: Presses Universitaires de France, 2012) as well as the contribution to this volume by José Costa, who builds upon Mimouni’s category of ‘synagogal Judaism’. Costa also provides ample bibliography for the line of scholarship that he seeks to advance.

46 See, e.g., Levine, *Visual Judaism*, 425, where Levine’s conclusions regarding the relationship between Jewish art and the rabbis is brought under the rubric “The diversity of artistic remains versus an all-inclusive

that rabbinic expertise and the attendant power it conferred flourished alongside other forms of professional knowledge and knowhow. We must thus reckon with the fundamental autonomy of local Jewish communities and of their primary benefactors and leaders,<sup>47</sup> not to mention the variety of religious specialists—scribes, poets, artists, magicians, and so on—that operated within and across those communities.<sup>48</sup> This process of professionalization was not unique to Jews, but was characteristic of the period of Late Antiquity more broadly.

I would propose that, rather than treating difference from rabbinism as *the* privileged feature of the diverse range of Jewish expressive forms that do not bear the hallmarks of rabbinic culture, we ought to allow for what I would call ‘difference-within-difference’. Thus, for example, the creators of Jewish magical and mystical sources need not have occupied the same institutional locations or served the same social functions simply

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rabbinic umbrella.” For a different understanding of the relationship between ‘pluralism’ and ‘hegemony’ in the study of Jewish culture, see Ra’anan Boustan, Oren Kosansky, and Marina Rustow, ‘Introduction: Anthropology, History, and the Remaking of Jewish Studies’, in *Jewish Studies at the Crossroads of Anthropology and History: Authority, Diaspora, Tradition*, ed. by Ra’anan Boustan, Oren Kosansky, and Marina Rustow (Philadelphia: University of Pennsylvania Press, 2011), 1–28. I would stress that in order to trace the dialectic between the emergence of rabbinic hegemony (however gradual) and the persistent diversity within Judaism in Late Antiquity, we need not posit a single ‘continuum’ within Jewish culture nor diminish the significant differences among its various expressions. On this issue, Costa’s contribution to this volume mischaracterizes my work.

- 47 On the ‘local factor’ in generating the diversity of the material remains of Late Antique synagogues, see Lee Levine’s contribution to this volume and the citations to his earlier work there.
- 48 On the importance of moving beyond abstract categories—whether formulated in the singular as ‘Judaism’ or in the plural as ‘Judaisms’—to consider the variety of ritual specialists who operated within Jewish society, see Michael Swartz’s contribution to this volume and the citations there to his earlier and forthcoming work.

because their products are in an important sense ‘non-rabbinic’.<sup>49</sup> At the same time, we should attend to the permeability that existed among these discursive domains. Just as certain rabbis surely came into possession of books of magic, and rabbinic writings appropriated concepts and terminology that originated within the literary context of Hekhalot literature, so too did rabbinic literary forms have an impact on the linguistic idioms and modes of self-authorization employed in many ‘non-rabbinic’ genres.

A proper history of rabbinization still waits to be written. Such a history must go beyond tracing the movement of elements from one literary tradition to another to consider the period-specific conditions that generated this intertextual web.<sup>50</sup> It is only once we have a clearer profile of these structural shifts that we will be able to grasp the emergent appeal that rabbis and rabbinic knowledge apparently held for widening sectors within Jewish society.

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49 See the persuasive comparison of magical, mystical, and rabbinic literatures in Bohak, *Ancient Jewish Magic*, 326–41. See also the similarly nuanced treatment of the relationship between Hekhalot literature and piyyut in Michael D. Swartz, ‘Hekhalot and Piyyut: From Byzantium to Babylonia and Back’, in *Hekhalot Literature in Context: Between Byzantium and Babylonia*, ed. by Ra‘anan Boustan, Martha Himmelfarb, and Peter Schäfer (Tübingen: Mohr Siebeck, 2013), 41–64.

50 See Ra‘anan Boustan, ‘Introduction: Hekhalot Literature at the Intersections of Jewish Regional Cultures’, in *Hekhalot Literature in Context: Between Byzantium and Babylonia*, ed. by Ra‘anan Boustan, Martha Himmelfarb, and Peter Schäfer (Tübingen: Mohr Siebeck, 2013), xi–xxiv.

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