LEHRHAUS Over Shabbat

Behaalotekha

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Lehrhaus Over Shabbat for the month of Sivan is sponsored by Lauren and David Lunzer to commemorate the 28th yahrzeit of David's mother, Beila Raizel bas HaRav Binyamin, on 28 Sivan.

This week's Lehrhaus Over Shabbat is sponsored by Brenda and Elihu Turkel in honor of the Bar Mitzvah of their grandson, Simcha Meir (aka Max) ben Rav Ya'akov Doniel Halevi Turkel. May the parents – Sarala and Danny – continue to derive nachas from Max and all their children.

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Aggadah as Midrash Halakhah: Methodologies and Hiddush in the Tanur shel Akhnai Narrative

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1. The Two Sections – *Hilkheta* and *Aggadeta*

The Talmud consists of two genres – *Halakhah*, referring to legal discourse, and *Aggadah*, [1] consisting of narrative and homiletic teachings. The two are entirely different. *Hilkheta* is a record of rabbinic conversation: their debates around the Mishnah's law, reconciling seemingly contradictory *beraitot* with the *mishnayot*, or better understanding an *amora*'s view. In contrast, *Aggadeta* consists of the stories about those very rabbinic figures living their holy yet complex lives.[2]

[1] The terms *Halakhah* and *Aggadah* are freely interchanged with *Hilkheta* and *Aggadeta* (the Aramaic equivalent) throughout this essay.

[2] Some would go so far as to say subversive and even sacrilegious.

Hilkheta portions resemble Socratic seminars, a structured debate with specific nexus words to cue for the question types and answers. To understand the debates, one must have a command of a rather extensive amount of material: the concepts that compose the debate itself, fluency in classical commentaries like Rashi and Tosafot with their unique typeset, integrating those commentaries back into the primary text of the Talmud's conversation, then understanding how the discourse eventually weaves into the final law in the works of Rambam and *Shulhan Arukh*. It is a high threshold. Thus, when the learner successfully derives a *hiddush* (innovative insight), it is rather difficult but rewarding in the genre of *Hilkheta*.

Hikheta is deliciously engaging and compelling, especially for the intellectual elite.[3] Still, the intellectualism has a price: a heart can wither in the desert of raw discourse – thus, *Aggadah* then becomes a welcome oasis. In the kaleidoscope of rabbinic brilliance, the stone is *Hilkheta* and the sparkle is the *Aggadeta*.

This is also demonstrated through the assumed derivatives of the learning. The purpose of *Hilkheta* is to plumb into the depths of *Halakhah* - its rationales, applications, and limits. Although the Talmud will rarely conclude with the final law, nevertheless, the very redaction and publishing of the Talmud – a record of conversation about *Halakhah* – serves as the source text from which rabbis analyze and mine for their eventual halakhic conclusions. Sure, inherent in the legal discussion are the profound philosophies that instruct for a life well lived – but it is disingenuous to purport that philosophy is the Talmud's essential purpose.

Aggadeta, by contrast, is a story, and therefore more accessible, especially for the uninitiated, explicit with moral lessons meant to be readily understood. For example – while endless folios have *Hilkheta* discourse about the laws of repentance, just one story spanning only a few lines – of Elazar ben Dordayah sleeping with countless prostitutes then begging for *teshuvah* until he weeps himself to death – is a story that effortlessly demonstrates the law and ethos with immediacy and efficacy. Phrased differently, the tales of *Aggadeta* explicitly impart ethics and moral complexity, and should be read for the same reasons why humanity enjoys stories – imagination, inspiration, creativity, and moving our hearts.

Overwhelmingly, the Talmud is composed of *Hilkheta*; only a small percentage is *Aggadeta.* The stories are embedded into the legal discourse; the result is an interwoven experience of legal discourse with spurts of stories. Given this integration, I wonder: what *is* the purpose of blending them together? The redactors of the

[3] So much so that some students in Korea learn Talmud in order to develop their capacity for nuanced, rigorous logic. See https://www.youtube.com/watch?v=yAr5-q3fDq0.

Talmud were surely aware of the consumption experience they were creating, were they not?

This essay posits a seemingly tame claim that is actually quite novel: *Aggadeta* is a form of *Midrash Halakhah*, demonstrating and elucidating the Mishnah and Talmud's laws. Thus, it is the combined and linear study of the entire *Hilkheta* with the *Aggadeta* that illuminates the *Aggadeta's* essential meaning.

Applying a range of aggadic methodologies, including my own, this essay will analyze the narrative of *Tanur shel Akhnai* (The Oven of Akhnai), a tale central to Jewish thought.

2. The Traditional Approach to *Aggadah*

It is most common to learn *Aggadah* in one of two extremes.

One extreme (which is rare) is to learn *Aggadeta* alone, without any of the surrounding *Hilkheta*. In a vacuum, the story begins and ends, regardless of whatever conversation ensconces it. I often see this learning style either in one of two poles. Either the learner is in an introductory class, where teachers whet the palette for Talmud study with an inviting story, and cannot grasp much beyond it, or, in contrast, a scholar whose expertise lies in analysis, and will focus on the story alone.

The other extreme (which is most common) is to do the opposite – learn *Hilkheta* alone without any *Aggadeta*. Actually, in Rif's editing and condensing of the Talmud's conversation, he excludes *Aggadeta* altogether because there is no legal purpose to the stories (except on rare occasion).[4] This editorial choice only underscores how distinct *Aggadeta* is from the rest of the Talmud's corpus: complete removal indicates that it *could* be removed as a chunk, separate from the *Hilkheta* portion!

Nevertheless, there are times when the traditional learner does read the *Aggadah*, such as when learning about the *Tanur shel Akhnai*. What is their approach?

The traditional learner begins the story with the *machloket* (disagreement) between the Hakhamim and Rabbi Eliezer. The former claims that an oven is *tahor* (pure) and the latter claims that the same oven is *tamei* (impure). Exasperated, after attempting "all the answers in the world," Rabbi Eliezer posits that if the *halakhah* is like his view, then various miracles should occur, indicating God's tacit approval. Indeed, after beckoning them, a tree moved, water flowed upstream, the walls of the *beit midrash* began to cave – but still the Rabbis would not budge. Eventually, their fight escalated, climaxing with God declaring Rabbi Eliezer to be

[4] Exceptions include: *Sukkah* 15a, s.v. *"Rak bi-khetav yad"*; *Yoma* 4a, s.v. *"Ha-hi u-vera"*; *Rosh Hashanah* 2b-3a; *Megillah* 9a.

correct, only to then have Rabbi Yirmiyah respond that God's own voice bears no relevance in the face of a majority of sages who interpret differently. A key line in the narrative is *"Lo ba-shamayim hi,"* meaning, "The Torah is not in heaven!" but rather in the hands of humans to interpret as they will. The tale ends with Elijah's intercession, delivering a message of God chuckling, 'My children have bested me,' indicating God's approval of the Rabbis.This is the traditionalist telling of the story.

Despite the irony that fallible human beings can even oust God from a discussion about God's own work – the reason why this story is a cornerstone to the traditional Talmud learner is because it validates the very endeavor of rabbinic discourse. In undermining the voice of a *bat kol* (and, by extension, prophesy, or any other means of God's direct intervention) – only *human* voices are relevant to rabbinic discourse.

Thus, an important legal principle and purpose emerges from this story: no longer *God,* but rather *human* discourse, determines the law – even when those very humans render the law incorrectly in God's own eyes.[5] The Rabbis' best effort is good enough for God, so it's good enough for us.

This is to say, the traditional learner derives an ideological framework and philosophy to *h*alakhic discourse from the story. That is the traditional approach.

3. The Literary Method

The Modern Orthodox learner fuses two learning methods: traditional Torah learning and literary methods – word choice, alliteration, word play, chiasmus, and character analysis across tractates.

Sure, to the religious heart, *Aggadeta* is not a mere story like any other piece of literature such as the works of Shakespeare or Brontë – *Aggadeta* requires a sense of reverence appropriate for holy study in a *beit midrash* – however, these literary methods are valuable because they yield important insights.

Literary methods have been adopted and adapted to Tanakh learning decades ago. Beginning with Dr. Robert Alter's *The Art of Biblical Narrative*, published in 1981, a multitude of Tanakh scholars today interpret it with many literary methods.

Consider the teachings of Dr. Yael Ziegler and Judy Klitsner, two well respected Tanakh scholars today who employ literary methods. For example, Judy Klitsner has shown a multitude of connections between the Noah and Jonah stories: both have a threat of Divine destruction because an entire society became evil – except that in the former the punishment lasted for 40 days, while in the latter the punishment was threatened to be meted out

[5] I heard this in the name of Rabbi Jesse Horn of Yeshivat HaKotel many years ago.

in 40 days; the two diverge in repentance itself – in the Noah story repentance is not possible, while in the Jonah story it is, thus indicating different ethos of Divine mercy. It is no surprise that Dr. Gila Fine, editor-in-chief of Maggid Books and educator at Pardes, then applies literary methods to studying *Aggadeta*.[6] This is to say, it is in vogue in Modern Orthodox circles to use these methods as the key to unlocking a biblical or rabbinic narrative's meaning.

Consider here these insights to *Tanur shel Akhnai* derived through literary methods:

Regarding word choice, notice how the story begins with a debate about an oven that is "earthenware, cut into rings and sand placed between each ring." Then, when the Talmud clarifies why this oven is called 'an oven of Akhnai,' Rabbi Yehudah says, "It means that they surrounded it with words like a snake [*akhna*], and declared it *tamei*." Now consider Rashi's commentary: "It is the way of a snake to make [itself] into a circle and insert [its] tail into [its] mouth." Rashi is describing a ouroboros snake – a symbol representing the eternal cycle of destruction and rebirth.

Consider how this applies to the *Oven of Akhnai* itself: This is a story of rebirth in rabbinic literature – the exclusion of God's intercession and the centering of the Rabbis themselves in the *h*alakhic discourse.[7] Thus, the ouroboros snake type is no mere detail – it is a frame through which to understand the narrative that follows. Striking.

There is an additional symbolism to this oven: a hot container that transforms food is likened to a predatory snake devouring itself. Through this metaphor, the Rabbis encircle Rabbi Eliezer and use their words to symbolically strangle him to death. Further, the Rabbis become predatory and lethal perpetrators, self-destructing in devouring themselves through their abuse of Rabbi Eliezer. Ironic. This too is an insight derived from the word "*akhnai*."

Now consider the character arc of Rabbi Eliezer and the Sages. Regarding *Tanur shel Akhnai*, Rabbi Eliezer is steadfast in his conviction about the oven's status, refusing to cede to the Sages' position. Perhaps the source of it came from a place of stubbornness, integrity, or both – but either way, he stands alone in the face of the rabbinic majority. He even resorts to invoking miracles to support the veracity of his view. The Sages are not compelled. He is eventually ostracized and experiences great pain as a result.

Is Rabbi Eliezer the hero of the story? Maybe. While he is a person of moral courage for his conviction, he is also dogmatic to the point of being a bother. His dissent and insistence were not only unnecessary – they were disproportionate;

[6] Consider the multitude of times she utilizes literary methods in her book *The Madwoman in the Rabbi's Attic*.

[7] I once learned this from a havruta years ago, and I am ashamed to say I don't remember her name.

remember, it is just an oven. Why is he so adamant?

A literary approach to talmudic lore answers this question through considering Rabbi Eliezer's behavior in other *aggadetot*; seeing them in conversation with each other can explain Rabbi Eliezer's adamance.

Consider a parallel narrative in *Sanhedrin* 68a: the death of Rabbi Eliezer. In this story, too, Rabbi Eliezer opposes his son in insisting that he must still wear his *tefillin* (phylacteries) much like how, in *Tanur shel Akhnai*, he opposes the rabbinic majority about the oven's purity.[8]

The story opens on Friday afternoon, before Shabbat, while, on his deathbed, Rabbi Eliezer's son attempted to remove his father's phylacteries (to protect him from transgressing the rabbinic law against wearing *tefillin* on Shabbat and holidays). Rabbi Eliezer adamantly insists that, instead, his son and wife maintain their focus on Shabbat preparations (preventing them from transgressing a biblical law, inherently of greater importance). Upon seeing his logic, the Sages sit by his bed, albeit four cubits away, because they had previously ostracized him in the *Akhnai* narrative.

They ask him various questions about the purity and impurity of various items including a ball, a last, an amulet, a pearl pouch, and a small weight. It is striking how both narratives center around an item's purity status.

He then laments how his own wisdom and knowledge had not been fully appreciated by his students. This is not boasting. It is grief. This is underscored by the Sages themselves – only coming to him, albeit at a physical and spiritual distance – when it is too late: he is languishing on his deathbed.

Thus, in the *Sanhedrin* narrative as well, we see Rabbi Eliezer intuitively disagreeing with others and speaking almost brazenly in their presence.

A second similarity between the narratives lies in Rabbi Eliezer's capacity to appeal or access the supernatural. In the *Akhnai* narrative, he beckons nature to change course (water moving upstream, etc.) Here, by his deathbed, he is able to accurately predict Rabbi Akiva's martyrdom, a painful death.

His adamance in the *Tanur shel Akhnai* narrative was not an exceptional occurrence; it reflects his fundamental, uncompromising approach to truth. This is to say, this is an inherent trait, rather than a reactionary state, for Rabbi Eliezer.

This is all to say, a literary method is quite effective

[8] I should add parenthetically – collapsing these narratives into one presents an arresting image – the coiling snake in *Tanur shel Akhnai* now coiling around Rabbi Eliezer's arm as *tefillin*.

at deriving insight as well.

4. The Rubenstein Approach

Rabbi Dr. Jeffrey Rubenstein, a professor at NYU's Skirball Department of Hebrew and Judaic Studies, is known for an innovative approach to aggadic analysis: read *Aggadeta* in conversation with the surrounding *Hilkheta*. In zooming out from the text to its context,[9] Rubenstein enables a more robust and, most importantly, a more accurate reading, because it is internally coherent with the story's presentation within the Talmud's text itself.[10]

So, whereas the traditional reader began the story at Rabbi Eliezer and the Sage's disagreement, Rubenstein considers the *mishnah* (*Bava Metzia* 58b) and the two *amudim* (folios) of *Hilkheta* discussion preceding the unfolding of the essential *Akhnai* narrative (as described above).

What is the topic of these folios? The *mishnah* and subsequent *gemara* consist of laws, teachings, and examples about *ona'at devarim* (verbal abuse). Thus, the *aggadeta* of *Tanur shel Akhnai* is merely one of many vignettes about this *mitzvat lo ta'aseh* (negative command) – with the *Akhnai* narrative being an ironic transgression of it, because it is rabbis themselves who are transgressing the law![11]

Rubenstein expands the story's endpoint as well. Most learners end their learning of the story with God's iconic statement: "My children have won against me!" [12] Yet, Rubenstein ends the story much later; he considers the many lines that follow – where Rabbi Elizer is heartbroken over being outcast to the point that his prayers inadvertently lead to the death of Rabban Gamliel.

Seen in this light, the Sages come across as a mob of bullies who harass and belittle Rabbi Eliezer to the point of making him a pariah – all while making themselves, ironically, into the villains of the story and transgressors of *ona'at devarim*. Sure, it might have been annoying that Rabbi Eliezer was so inflexible – but respectful discourse should never spin this far out of control, to the point of putting Rabbi Eliezer into *heirem* (religious sanction) and being outcast from the community. Certainly this is so when disagreeing about something as mundane as a weird oven's purity status.

Thus, Rubenstein's reading leads to the painful and even more ironic conclusion: the purpose of

[9] I heard this phrasing in a class from Gila Fine when she was teaching *Aggadeta* years ago.

[10] For more on Rubenstien's method broadly, and the treatment of the *Akhnai* story specifically, read his *Talmudic Stories: Narrative Art, Composition and Culture* (Johns Hopkins University Press, 1999).

[11] Miriam Gedwiser wrote a fabulous piece for Lehrhaus elucidating exactly this point.https://thelehrhaus.com/scholarship/if-your-wife-is-short-bend-down-and-hear-her-whisper-rereading-tanur-shel-akhnai/.

[12] Consider that "*nitzahon*" means victory, while "*netzah*" means eternity.

the *Akhnai* narrative is not to support the rabbinic endeavor but, rather, to question rabbinic power.

Rubenstein's method is groundbreaking. He demonstrated how reading the *Aggadeta* with the surrounding *Hilkheta* shows a relational theme; this alone created a cradle for rich discourse, causing a wholly new interpretation of the narrative. Typically, when studying any text, the learner will emphasize the parts that they deem most important – thus resulting in 'peak sections' commanding the majority of one's attention, contrasted to 'valleys' that don't get much attention at all. But Rubenstein gives even-handed attention to both. In doing this, he shows how the text's presentation is itself a frame to interpretation: one cohesive whole.

Despite this, Rubenstein's method contains a weakness: it flattens the *Aggadeta*, shoehorning it into the flow from the *mishnah* and *gemara* surrounding it. Rubenstein relies on the Talmud redactor's themed thread, the coalescing of the story, and surrounding legal discourse. In this way, the Rubenstein method ironically simplifies the *Aggadeta*.

5. The Cahana Method of Learning *Aggadah*

My own method of learning *Aggadeta* mines for even deeper insights from the juxtaposition of *Hilkheta* and *Aggadeta*.

I read *aggadetot* as *Midrash Halakhah* – an interpretive method for rabbis to derive law from biblical and rabbinic text. Thus, these stories are both a demonstration *and* interpretation of halakhic ideas that inspired them.

Allow me to demonstrate with the case study of *Tanur shel Akhnai.* The first step in this method is a careful reading of the *mishnah* and *gemara* – just as I would when engaging in any *Hilkheta* learning – beginning with the *mishnah*. Then, in the *gemara*, I re-read the *mishnah* for deeper understanding (depending on the *gemara*'s questions on it). I then carry the *mishnah* and *gemara's* conversation with me as I continue onto the *Aggadeta* – using the *Hilkheta* as a lens to interpret the *Aggadah* that follows. Let me demonstrate this in the *Aggadeta* of *Tanur shel Akhnai*.[13]

Consider the *mishnah's* title and the following three clauses that begin the discourse (*Bava Metzia* 58b):

(1) *Title:* Just as there is *ona'ah* [fraud] in buying and selling, so too, there is *ona'ah* [abuse] with words.

(2) *First Case:* Therefore, one should not ask another, 'What is the price of this item?' if he has no intention to buy.

[13] I realized the following insights to *Tanur shel Akhnai* many years ago when I was learning in the Drisha Summer Kollel.

(3) *Second Case:* If someone was a *ba'al teshuvah* (someone who has returned to Torah observance after not having been observant), one should not say to him, 'Remember your past actions.'

(4) *Third Case:* If he was a son of converts, one should not say to him, 'Remember the actions of your ancestors,' because it states: 'You should not cause pain to a stranger, and you should not oppress him' (Shemot 22:20).

Regarding the title, the *mishnah* makes an astonishing claim: verbal abuse and financial abuse are equivalent. The *mishnah* accomplishes this merely with the word "kakh," meaning "so too." Inherent in this is a profound idea: verbal abuse is no less painful or harmful than financial abuse.

When does speech transgress the prohibition of verbal abuse? Without a specific metric to cover the scope of all human interactions, the *mishnah* presents three scenarios to demonstrate *ona'at devarim*. The thrust of the three cases is: it is rather simple to transgress this sin.

Regarding the first case being thematically connected to the tractate's topic of commerce, if one asks for the cost of an item, they imply their interest to the shopkeeper even if their heart feels otherwise. The shopkeeper's disappointment is inevitable; he will wonder why an interested customer did not purchase. The shopper causing disappointment is *ona'at devarim*.[14] This is the first case.

Regarding the second case, after investing the significant effort to change one's lifestyle to Torah and *mitzvot* observance in becoming a *ba'al teshuvah*, it is up to that person to decide if, or how, he chooses to disclose the previous chapters of his life. For some, it could bring feelings of pride to tell others of their religious progress; for others, it could evoke feelings of shame and embarrassment to recall their sinful past. Worse, reminding a *ba'al teshuvah* of their past insinuates that others still perceive them through that identity, no matter how much time has passed, no matter how intentionally they have left that identity behind. Causing this pain is *ona'at devarim.*

And finally, regarding the third case, similar to the second – if someone reminds another of their parents' behavior before converting – it is shaming them for their loved one's previous life. Each child relates differently to their parents' history – some might feel proud of their parents' conversion.[15]

[14] I learned in the name of Rabbi Bennay Lappe that some commentaries also suggest that the shopkeeper might unnecessarily lower his prices, presuming that the shopper might have purchased had the price been lower, when, in reality, that was never going to be the case. The shopkeeper then unnecessarily lowers the price for someone who would have otherwise paid the full amount. This unnecessary loss of money is the fault of the first, dubious shopper.

[15] Much like Shlomo writing about his ancestor Ruth's conversion to Judaism in *Mishlei* 31 – it was Ruth who was the original *eishet hayil*.

But who is to say every child feels that way? Children are born into a reality and do not choose it. Shaming the child on behalf of their parents' history is *ona'at devarim*.

Let us now read these four parts of the mishnah into the *Aggadeta* of *Tanur shel Akhnai*.

The *baraita* with the *mahloket* between the Sages and Rabbi Eliezer editorialized, "and this is the oven of *Akhnai*." The Gemara, commenting on the *baraita*, then asks: "Why is it called the oven of *Akhnai*?" The Gemara answers: "Rabbi Yehudah said that Shmuel said: It means that they surrounded it with arguments [literally: words] like a snake [*akhna*], and declared it *tamei*."

The framing of the *Tanur shel Akhnai* story is the image of a snake squeezing the oven. Given that the Rabbis later burned all of the vessels Rabbi Eliezer had declared pure, this debate eventually led to the implosion of the very oven that began the conversation. Seen in conversation with the *mishnah*, the Hakhamim crossed the line into *ona'at devarim*, verbal abuse.

When the story begins, Rabbi Eliezer first attempts every answer in the world, but the Rabbis do not accept any of them. Exasperated, Rabbi Eliezer then invokes the supernatural – first having a tree move a significant distance. The Rabbis respond to it with this retort: "A proof cannot be brought from a carob tree."

But this is not the full truth. The issue is not the *tree*. The issue is that it is a *miracle*. Not understanding this, Rabbi Eliezer becomes increasingly grandiose in the miracles – eventually leading to a voice from God Himself! The reality is, though, that the Rabbis are never going to budge on their opinion – miracles or not. Had I been Rabbi Eliezer, I would have been devastated that nothing, truly nothing, could effectuate a change in changing their views.

This kind of goading is precisely what the *mishnah* was referring to in its first case of the shopper and the shopkeeper. Just like the shopper was never going to buy the item – the Rabbis are never going to "buy" Rabbi Eliezer's opinion. No matter what the shopkeeper would do to entice the buyer, no matter what tactics Rabbi Eliezer uses to convince the Rabbis – it was fruitless from the start. Just as it is abusive to give the wrong impression to the shopkeeper, so too, it is abusive for the Rabbis to give Rabbi Eliezer the impression that they can be swayed. It causes the shopkeeper and the minority rabbi alike to feel pain, and that is *ona'at devarim*.

Eventually, the Rabbis summarily excise him. Who would break the news? Rabbi Akiva offers, lest someone else were to go instead and cause greater pain to Rabbi Eliezer when telling him of his exclusion.

This matches with the second case of the *mishnah*. Notice how Rabbi Akiva is, himself, a *ba'al teshuvah* – someone who only learned the Alef Bet at age forty – and thereby empathizes with the experience of being an outsider. As Rabbi Akiva himself offers to go – this only comes to highlight

how, even after all the years of being an acclaimed Torah scholar, his past experience as being an outsider is precisely why he was chosen for this role.[16] The *mishnah* clearly stated that this could be painful to the point of being verbally abusive.

And, to no one's surprise, Rabbi Eliezer is distraught when he hears the news. One of the supernatural effects of this anger is a huge storm that targets the sea where Rabban Gamliel is traveling. Notice carefully how Rabban Gamliel realizes the source of the storm: "It appears to me that this is only because of Rabbi Eliezer *ben Horkenus*." This is the very first time in the entire narrative that Rabbi Eliezer's *father* is mentioned; every other time he is only called by his first name, 'Rabbi Eliezer.'

Then notice Rabban Gamliel's prayer: "It is revealed and known to You that I have not acted for my honor, *and not for the honor of my father's house*, but for Your honor, so that strife shouldn't increase in Yisrael!" Rabban Gamiliel does not merely say that he had pure intentions to decrease *mahloket* – rather, he hedges his words on *not being an honor for his father's house*. Why mention his father?

The answer is linked now, chronologically, to the *mishnah*'s third case! There we are told that reminding another of their father's past choices is verbally abusive. Consider Rabbi Eliezer's father[17] – he was in the working class and not supportive of Rabbi Eliezer becoming a *talmid hakham*. In contrast, Rabban Gamliel came from a long lineage of *Nesi'im* – heads of the *Sanhedrin* court – a position of power and prestige, but also a position of proximity to the *beit midrash*. Would Rabban Gamliel still have invoked his father had he been from a lower class too? No, it was a subversive way of boosting his ego, making himself feel superior over Rabbi Eliezer, a new outcast who came from a weaker class anyway. Phrased differently, Raban Gamliel's invoking of his father and Rabbi Eliezer's father was surreptitious – and transgressed the third clause of the *mishnah*.

What we see is the *mishnah*'s laws demonstrated literarily through the story of *Tanur shel Akhnai*; thus the *mishnah* serves as a guiding lens for interpreting the *gemara* and *Aggadeta* that follows.

6. Summary and Conclusion

In sum, this essay considered a number of approaches to studying *Aggadetah* broadly and, specifically, the story of *Tanur shel Akhnai*. We saw how a traditionalist derived the meaning of rabbinic discourse, we examined how the literary learner derived meaning from the language of '*Akhnai*' itself and Rabbi Eliezer's development

[16] It is also relevant that Rabbi Akiva appears in other talmudic narratives around mourning, for example, the last page in *Ta'anit*. As someone with deep sorrows and resilient strength, these are also traits that made Rabbi Akiva a great choice to talk to Rabbi Eliezer.

[17] Avot de-Rabbi Natan 6. https://www.sefaria.org/Avot_DeRabbi_Natan.6.3?lang=bi&with=all&lang2=en.

arc, and we studied Rubenstein's method, reading the narrative in conversation with the surrounding *Hikheta* text.

It is the careful analysis of how the *Aggadah* demonstrates the laws beforehand that makes this approach deliciously innovative. In my method, there is a necessity to study the full *Hilkheta* in concert with the *Aggadeta* – thus creating a masterful symphony. In learning how the two can infer insights fluidly between each other, we see how to elevate the meaning and import of the entire section. Cherishing the fullness of the text – the *Hilkheta with* the *Aggadeta* – results in a holistic, and therefore innovative and compelling, read of the text from its start to its end. The analysis becomes complete.

Six: The Talmudic Histo-Remix

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Book Review of Gila Fine, *The Madwoman in the Rabbi's Attic: Rereading the Women of the Talmud* (Jerusalem: Maggid Books, 2024).

Gila Fine's new book, *The Madwoman in the Rabbi's Attic*, is an adventure in reading. Fine posits that the six named heroines of the Talmud conform to, and then undermine, six literary female archetypes. Utilizing critical literary analysis and drawing insights from the cultural and historical context of the narratives, Fine presents an elegant and well-argued theory of what the rabbis of the Talmud set out to accomplish, and of what we, the readers, can gain from a rigorous study of these *aggadot*.

Fine begins each chapter by outlining the particular archetype under discussion. Her first chapter considers the shrew as described in biblical, rabbinic, and Greek literature. Fine then moves on to *Arabian Nights*, *the Canterbury Tales*, *the Taming of the Shrew*, "Rip van Winkle," *Great Expectations*, and *Jane Eyre* to complete the sketch of the shrew as a dominating, ill-tempered, and irrational madwoman. With this in mind, she turns to Yalta, whom she designates "the great shrew of the Talmud." Fine analyzes the story, described in *Berakhot* 51b, of an enraged Yalta smashing four hundred jars of wine, and demonstrates how Yalta is presented as a classic shrew.

Then, as in each chapter, Fine revises her reading of the story to show that the talmudic heroine is in fact pushing back against the archetype. In Fine's reading, the destruction of the wine jars is a "very clever, very sophisticated response" to Ulla's argument denigrating women as merely vessels that hold the fruits of the male body. Fine imagines Yalta saying:

> "Vessels are unimportant, are they?", she asks as she sends jar after jar crashing to the ground.

> "Alright. Let's see how you do without them."

In Fine's re-reading, Yalta is entirely reasonable. She is not a shrew, but an intelligent woman crafting a cogent and incisive response.

Fine concludes each chapter with the moral of the story. In Yalta's case, Fine argues that we learn about the danger of dismissal. She cautions, "[d]ismiss the Other as irrational, or wicked, or unworthy, and they will become the very thing you dismiss them for." Yalta's actions are an appropriate staking out of her selfhood in the face of Ulla's belittling treatment of her.

In further chapters, Fine explores Homa as a Femme Fatale, Marta as a Prima Donna, Heruta as embodying the Madonna/Whore dichotomy, and Ima Shalom as the Angel in the House. My favorite chapter was Fine's analysis of Beruria as an Overreacherix. As Fine explains:

> The overreacherix, as I shall call her, is a woman who likens herself to a man, engaging in a typical masculine pursuit. This too is an act of hubris, And here too, hubris leads to nemesis, as the overreacherix falls precisely because of the feminine nature she thought herself able to transcend.(118)

Fine lists Jezebel, Hippolyta, Cleopatra, Joan of Arc, and Catherine the Great as cultural examples of the overreacherix. She describes historical women such as Margaret Ann Bulkley and Enriqueta Favez who pretended to be men in order to work as doctors in the 19th century, but eventually were outed as female and disgraced. Fine initially sees Beruria in this light, a woman who tried to study Torah as a man but is ultimately undone by her own arrogance and overreaching. Fine then demonstrates that the negative story of Beruria's death exists outside of the Talmud's set of Beruria narratives. Indeed, she argues that the Beruria Incident, in which her husband Meir persuades his student to seduce Beruria, is "what is known as a pseudo-Rashi, a later comment mistakenly copied into Rashi and misattributed to him."(150)[18] Instead, Fine claims that the rabbis of the Talmud admire Beruria's erudition, even as she often bests them. From this, Fine concludes, "In this the rabbis are far more noble than so many of us. The most tolerant among us, who most readily accept the Other into our midst, still cannot bear to be outdone by them." (157)

I have taught the Beruria narratives so many times that I know them by heart. Their depictions of a female Torah scholar are deeply important to me, professionally and personally. Reading Fine's analysis of Beruria is the experience of an

[18] See too Eitam Henkin, "The Mysterious Bruriah Episode," *Tablet Magazine* (October 20, 2022), located at https://www.tabletmag.com/sections/arts-letters/articles/mysterious-bruriah-episode.

exhilarating conversation with an exceptionally erudite, well-versed and creative companion. The texts are aired out and re-arranged and everyone can learn something new.

One last note: *The Madwoman in the Rabbi's Attic* is a beautiful book. Pictures are included to bring to life the cultural valence of the six classical female archetypes. The prose is smooth, the citations clear, helpful and not burdensome. It is not only an adventure in reading, but a smooth and elegant ride.