

Studies in Mishnaic Hebrew and Related Fields



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Editors

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# The Innovation of Nominalized Verbs in Mishnaic Hebrew as Marking an Innovation of Concept

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## Introduction

My thesis at first appears to be simple: that nominalized verbs, that is, verbal nouns that follow from each verbal conjugation by fixed morphological patterns, often appear for the first time in early rabbinic literature (here focusing on the Tannaitic corpora) to denote newly concretized or hypostatized abstract concepts which previously could only be inferred from their verbal usages. I will argue that such lexical innovations may signal a conceptual innovation or shift that needs to be understood in historical context. However, since the increased nominalization of verbs is a broader development both within Biblical Hebrew and between it and its successors, and since the shift to more abstract meanings can be traced in both verbs and their nominalized forms—the two sometimes advancing abreast of one another—we might ask to what extent the linguistic innovations facilitate the conceptual changes, or to what extent the conceptual changes serve to accelerate the linguistic developments.

Needless to say, the direction of such linguistic and conceptual interplay may be impossible to determine, especially since the relationship between the two can be presumed to be continually mutual and not

necessarily linear in nature. Both developments (of meaning and form) are already evidenced in late strata of the Hebrew Bible, in Hebrew texts of the late Second Temple Period, for example, the Dead Sea Scrolls, as well as in Hebrew papyrological and epigraphic material from the Judean desert from the period between the two revolts against Rome. However, they intensify and accelerate in early rabbinic literature, both in terms of morphology and conception, and this complex interrelation needs to be viewed as much as a historical development as a linguistic one.<sup>1</sup>

I am by no means claiming that this linguistic-conceptual-historical phenomenon is unique to Mishnaic Hebrew (and presume that it is not), and would be happy to be pointed to comparative linguistic studies that would confirm that it is broadly evidenced across languages and cultures. Nevertheless, I wish to claim that it can be of particular usefulness in better understanding both linguistic and conceptual developments of cultural historical significance in Mishnaic Hebrew as compared to its biblical and postbiblical antecedents.

Before proceeding, I should offer a caveat: the fact that a nominalized verb appears for the first time in a Tannaitic text (or for that matter in the Dead Sea Scrolls), does not necessarily lead us to conclude that it is *original* to that textual context and did not precede that context without leaving us any textual traces as could be revealed by the discovery, at any moment, of an earlier hitherto unknown text containing the nominalized form in question. However, such are the risks with any attempt at historical linguistics, and even more so when linking historical linguistics to intellectual or cultural history as I will here attempt. All we can do is admit to the risks but work on the basis of the extant evidence available to us. The selected examples that will constitute the core of this presentation cluster around the sacrificial cult and ritualized study, both of which were radically transformed in early rabbinic literature in the aftermath of the destruction of the Second Temple in 70 CE.

1 For the Judean desert evidence, see Mor 2015a, with reference to earlier scholarship and, more broadly, Bar-Asher 2012:208–16. See also Hurvitz 1995 and Mor 2015b.



## שכינה

We next turn to several nominalizations whose semantic shifts, I will argue, can be viewed, at least in part, as responses to the cry, said to have been uttered by R. Joshua ben Ḥananya to R. Yoḥanan ben Zakkai in reaction to the destruction of the Second Temple: **אוי לנו על זה שהוא חרב**: **מקום שמכפרים בו עונותיהם של ישראל** “Woe unto us, that this, the place where the iniquities of Israel were atoned for, is laid waste!”<sup>2</sup> Whereas the verb **שכַן** is frequently used in the Hebrew Bible to denote God’s dwelling in the Tabernacle (**משכן** or **מקדש**) or Temple (**בית**), and thereby and only by extension in the midst of Israel, the nominalized form **שכינה**, denoting the divine indwelling itself, is not attested in any pre-rabbinic text, whether of the Hebrew Bible, Ben Sira, or the Dead Sea Scrolls.

By comparison, the noun appears three times in the Mishnah, fifteen times in the Tosefta, and 216 times in the Tannaitic *midrashim*.<sup>3</sup> In biblical usage, the verb **שכַן**, when used for God, is almost always used in relation to the Tabernacle or Temple, as in Exodus 25:8: **ועשו לי מקדש ושכנתי בתוכם**: “And let them make Me a sanctuary that I may dwell among them” [NJPS].<sup>4</sup>

However, in early rabbinic literature the **שכינה** is said to dwell (or rest), not only within the Tabernacle or Temple, but within Israel as a whole, or among individual Israelites engaged in a particular meritorious activity

2 Goldin 1955:34.

3 This use of **שכינה** is well represented in all of the Tannaitic *midrashim*, with somewhat more frequency in those collections usually identified with the “school” of R. Ishmael. All numbers of lexical occurrences are approximate.

4 Similarly, see Exod 29:45; 1 Kgs 6:13; Jer 7:12; Ezek 43:7, 9. For two ambiguous cases, see Zech 2:14, 15. However, Zech 8:3 links God’s dwelling in Jerusalem to the site of God’s “holy mountain,” as in Neh 1:9, where “the place” (**המקום**) in which God causes his name to dwell is, presumably, the Temple. In both cases, I take the biblical text to refer to the Jerusalem Temple or its site. It should be noted that in Syriac, the equivalent to **משכן** (**משכנא**) means “tent,” as it most likely originally meant in Biblical Hebrew, e.g., Num 24:5, where “tent” and “sanctuary” are in parallel construction to one another.

(especially study) *without* requiring the presence of the Tabernacle or the Temple. Consider, for example, *m. 'Abot* 3:6:<sup>5</sup>

רבי חלפתא איש כפר חנניה אומר: עשרה שיושבין ועוסקין בתורה שכינה שרויה ביניהם, שנאמר (תהלים פב, א) "אלהים נצב בעדת אל." ומנין אפילו חמשה? שנאמר (עמוס ט, ו) "ואגודתו על ארץ יסדה." ומנין אפילו שלשה? שנאמר (תהלים פב, א) "בקרוב אלהים ישפוט." ומנין אפילו שנים? שנאמר (מלאכי ג, טז) "אז נדברו יראי ה' איש אל רעהו ויקשב ה' וישמע וגו'." ומנין אפילו אחד? שנאמר (שמות כ, כד) "בכל המקום אשר אזכיר את שמי אבא אליך וברכתיך."  
 R. Halafta of Kefar Hananiah says: If ten sit and occupy themselves with Torah (study), the Divine Presence rests among them, as it is said, "God stands in the congregation of God" (Ps 82:1). And how do we know that the same is so even of five? As it is said, "And he has founded his group upon the earth" (Amos 9:6). And how do we know that this is so even of three? As it is said, "And he judges among the judges" (Ps 82:1). And how do we know that this is so even of two? As it is said, "Then they that feared the Lord spoke with one another, and the Lord hearkened and heard" (Mal 3:16). And how do we know that this is so even of one? Since it is said, "In every place where I record my name, I will come to you and I will bless you" (Exod 20:21).

Similarly, Israel's good deeds can cause the שכינה to dwell in its midst, as its sins can cause it to withdraw therefrom (הסתלקות השכינה).<sup>6</sup> In a sense, the שכינה has been disassociated from the משכן, able thereby to reside within Israel regardless of the presence or absence of the Tabernacle or Temple as God's "place of residence." This may be compared to the presence of angels among the members of the "Qumran community"<sup>7</sup> or the dwelling of hypostatized "wisdom" (=Torah) within the Jerusalem Temple according to Ben Sira.<sup>8</sup> However, in the case of early rabbinic literature

5 See also *m. 'Abot* 3:2.

6 See *t. Yoma* 1:12; *t. Soṭah* 14:3; *t. Šebu.* 1:4.

7 See Fraade 1993:46–69, at 64; Mach 2000:24–27, at 26.

8 See Sir 24.8–12, 23. The text is not extant in Hebrew, but Segal 1958:145, in his

the creation of a new, nominalized form of the verb שכ"ן facilitated this objectification and personification of the divine indwelling within Israel or a segment thereof in ways that are unprecedented and unexpected. The radical theological implications of this lexical development, for example, for worship (and study) in the aftermath of the destruction of the Second Temple, should be self-evident. The development of the שכ"נה as a "free-standing" divine emanation will become a central idea in later Hebrew, especially mystical, usage.

### וידוי

In the Hebrew Bible, as in post-Biblical Hebrew, the verb יד"ה, especially in the *hitpa'el* form (*hitwaddeh*), is used to denote confession of sins, almost always in the context of the sacrificial cult, that is, with confession accompanying sacrifice as part of the process of atonement. It is only in Mishnaic Hebrew, without any antecedents in the Hebrew Bible, Ben Sira, or the Dead Sea Scrolls, that the nominalized form וידוי appears: seven times in the Mishnah, ten times in the Tosefta, and twenty-three times in the Tannaitic *midrashim*. Once again, I would argue that this semantic development is directly related (regardless of direction), to a conceptual shift occasioned by changed historical conditions.

In the Hebrew Bible (e.g., Num 5:5–10) and in Second Temple Jewish writings,<sup>9</sup> confession, whether individual or collective, was required only under specific circumstances and in direct connection to sacrificial offerings under the auspices of the priesthood. Following the destruction of the Second Temple, however, rabbinic Judaism broadened its application in several directions. Confession became a positive religious obligation for all types of sin, independent of sacrifice, within or without the Land of Israel, as an essential step in the larger process of repentance leading to atonement, whether in preparation for judicial execution (*m.*

retroversion from Greek to Hebrew employs the verb שכ"ן and the noun משכן. Cf. *I En* 42.1–2; *Bar* 3.36–37.

9 In the Dead Sea Scrolls, see, for example: CD 9.13; 15.4; 20.28; 11QT 26.11.

*Sanh.* 6:2) or in the emerging liturgy for Yom Kippur (*t. Yoma* 4:14). Note, in particular, the direct causal link between וידוי (confession) and כפרה (atonement) in *m. Sanh.* 6:2: ומנין שכיפר לו וידויו “And from whence do we know that his confession atones for him?”<sup>10</sup> Having been freed of its scriptural attachment to sacrificial media of atonement (and priestly intercession), confession is nominalized as part of the process of its coming to stand, as it were, on its own two feet.

### תשובה

Let us look at a related semantic innovation, similarly presuming atonement in the absence of sacrificial cult, although here the semantic innovation is less clear-cut. In Biblical Hebrew, the root שׁוׁב means to return, whether physically or spiritually. The nominal form תשובה, meaning the act of returning and responding, and acquiring in early rabbinic literature the meaning of individual, internalized repentance, appears in the Hebrew Bible only eight times, mainly in later books, and not once in Ben Sira.<sup>11</sup> Similarly, it appears in all of the non-biblical Dead Sea Scrolls only nine times. In none of these does it carry the meaning of individual, internalized repentance, but rather of collective returning (or responding). This is most likely the case in CD (MS B) 19.16–17, where we find the expression כִּי באו בברית תשובה ולא סרו מדרך בוגדים “for they entered into a covenant of repentance, but did not depart from the way of the traitors,” presumably referring to a renegade group whose תשובה was false.<sup>12</sup> However, this phrase is missing in the parallel in CD (MS A) 8.4, and therefore might be a medieval insertion.

- 10 The noun כפרה, meaning “atonement,” does not appear at all in the Hebrew Bible, Ben Sira, or the Dead Sea Scrolls. However, it appears nine times in the Mishnah, twenty-seven times in the Tosefta, and ninety-one times in the Tannaitic *midrashim*. It deserves a treatment in its own right.
- 11 A marginal gloss to MS B from the Cairo Geniza (43.8) uses תשובה in the sense of returning, with reference to the moon’s cycle.
- 12 There may be here a word play between two words for turning: תשובה and סרו. For other uses of the verb שׁוׁב to denote repentance (or conversion), see 1QS 3.1, 3.

For comparison, in Tannaitic literature the noun **תשובה** appears 164 times: eleven in the Mishnah, thirty-nine in the Tosefta, and 114 in the Tannaitic *midrashim*, in most of which it means individual, inner repentance. Once again, it is said to lead, for some types of sin, directly to atonement, as in *t. Yoma* 4:6: **על: עבר על: עשה ועשה תשובה אין זו ממקומו עד שמוחלין לו** ר' ישמעאל אומר ארבעה חלוקי כפרה הן: **מצות עשה ועשה תשובה אין זו ממקומו עד שמוחלין לו** “R. Ishmael says: There are four types of atonement: if a person violated a positive commandment, but repented [lit.: performed repentance], before he can move from his place they forgive him.” Here, in the case of the noun **תשובה**, we witness not so much a morphological innovation as a semantic shift that accompanies a significant expansion of usage as enabled by the objectification/nominalization of repentance. These changes need to be seen against the historical backdrop of the loss of sacrificial means of achieving both collective and individual atonement, and the new emphasis on confession and repentance as atoning media—especially for the individual—without reliance on sacrifices or priests.

## מקרא

With the early rabbinic emphasis on the centrality of study (**תלמוד תורה**) to religious life comes a defining of the curricular branches of such study, with each one denoted by a nominalized verb that either does not exist prior to the Tannaitic corpora or exists in very limited occurrence and undeveloped meaning. Such an explicit denoting of the branches of early rabbinic study and instruction, each with its own distinctive discursive characteristics, is unprecedented in either the Hebrew Bible or Second Temple Jewish literature. My favorite Tannaitic expression of this curricular menu is the following passage from Sifre Deuteronomy:

דבר אחר יערף כמטר לקחי, מה מטר זה יורד על האילנות ונותן בהם מטעמים  
לכל אחד ואחד לפי מה שהוא בגפן לפי מה שהוא בזית לפי מה שהוא בתאנה  
לפי מה שהיא כך דברי תורה כולה אחת ויש בה מקרא ומשנה תלמוד הלכות  
והגדות.

Another interpretation of “May my discourse come down as rain”

(Deut 32:2): Just as rain falls on trees and infuses each type with its distinctive flavor—the grapevine with its flavor, the olive tree with its flavor, the fig tree with its flavor—so too words of Torah are all one, but they comprise *miqrā*’ (Scripture) and *mišnā* (oral teaching): *midrāš* (exegesis),<sup>13</sup> *hālākôt* (laws), and *haggāgôt* (narratives).<sup>14</sup>

Let us look at each term in succession.

The first division is performatively defined as being between that which is recited from a written text (מקרא) and that which is recited orally from memory (משנה), with the latter comprising מדרש, הלכות, and אגרות. The term מקרא, in the sense of written scripture (rather than denoting as it most commonly does in the Hebrew Bible a convocation or assembly, usually followed by the word קודש), appears only *once* in the Hebrew Bible, but in an important passage, Neh 8:8: ויקראו בספר בתורת האלהים “They read from the scroll of the Teaching of God, translating it and giving the sense, so they understood the reading” [NJPS]. As at the revelation at Mt. Sinai, the public reading of the Torah (or some earlier form thereof) from a written text is of great revelatory and ritual significance (as it is, for example, in Exod 24: 4, 7). The word מקרא here, however, does not yet denote the entity “Scripture,” or a single verse thereof, as it will in early rabbinic usage (although this occurrence might be the origin of the later usage), but simply that which, at the beginning of the verse, is said to have been

13 This is the reading in MS London, as well as in MS Oxford and *Yalqut Šim’oni*. Finkelstein 1969, following the MS Berlin, has *talmūd*, while the Editio Princeps and *Midraš Hakamim* have neither.

14 §306 (Finkelstein 1969:339.6–14). For other references to such a curriculum, see Fraade 1991:243, n. 92, as well as §58 (Finkelstein 1969:124. 11–14); §59 (*ibid.*, 125. 1–2); §161 (*ibid.*, 212. 1–4); §313 (*ibid.*, 355. 9–11); as well as *Sifra Šemini paraša* 1.9 (for the proper text and its interpretation, see Fraade 1998:109–22. On these divisions, see Finkelstein 1960. See also Fraenkel 1991:2, 481–84. Other rabbinic passages stress the interdependency of these branches of study and the ideal of becoming a master of all of them. See Fraade 1991:243, n. 96. For further references and discussion, see Goldin 1986:57–59.

“read,” that is, “the reading.” This is how the LXX understands the verbal noun: ἐν τῇ ἀναγνώσει. The usage of מקרא as denoting written Scripture, whether as a whole or in its parts, is not to be found in the Hebrew Bible, Ben Sira, or the Dead Scrolls, but is frequently found in the Tannaitic corpora.<sup>15</sup>

## משנה

The word מִשְׁנָה, with a *qamatz* under the *nun*, denoting oral teaching, does not appear once in the Hebrew Bible, Ben Sira, or the Dead Sea Scrolls. In the form מִשְׁנָה, with a final *segol* (or *šere* in construct form), meaning double, second, or deputy, it appears thirty-four times in the Hebrew Bible, never in Ben Sira, and thirteen times in the Dead Sea Scrolls. In such usage, in Deut 17:18, we find the expression אֶת מִשְׁנֵה הַתּוֹרָה הַזֹּאת “a copy of this Teaching” [NJPS], referring either to the section of Deuteronomy with rules for the king,<sup>16</sup> or to the book of Deuteronomy (or some antecedent) as a whole. The Septuagint, however, renders the phrase as τὸ δευτερονόμιον τοῦτο “this second law,” as if the Hebrew were משנה התורה הזו, from which comes, via Latin, the designation of the book as Deuteronomy. Some have speculated that the rabbinic Mishnah takes its name from the same Deuteronomic phrase, as if to claim a similar role with respect to rabbinic oral law as that played by the book of Deuteronomy with respect to the tetrateuch.<sup>17</sup> Support for

15 The word מקרא, in the sense of Scripture, occurs with the following frequency in the Tannaitic corpora: Mishnah: 15; Tosefta: 17; Tannaitic *midrashim*: 141. However, for the last, I have not been able to determine how many of these use the word in the sense of Scripture and not that of convocation or reading.

16 The Temple Scroll, in its expansive paraphrase, omits the word משנה and understands the phrase to refer to a Torah of rules pertaining to the king, which it then supplies. See Fraade 2003:25–60.

17 Compare Maimonides’ introduction to his *Mishneh Torah*, in which he refers explicitly to the Mishnah (and by implication to the Book of Deuteronomy) as antecedent to and warrant for his own codification of rabbinic law. See, most recently, Halbertal 2014:168–75.

this has been claimed from the use of the term *deuterôseis* by Jerome and Origin (via Rufinus) for extra-scriptural Pharisaic (=rabbinic) traditions, as referring to the Mishnah. However, this evidence is circumstantial at best.<sup>18</sup>

In short, the early rabbinic use of the word *משנה* to denote oral teaching (in contradistinction to *מקרא* as denoting Scripture), is *unprecedented*. However, in this sense it is found fourteen times in the Mishnah, eighteen times in the Tosefta, and sixteen times in the Tannaitic *midrashim*.<sup>19</sup> Needless to say, the term *משנה* does not denote *the* Mishnah (of R. Judah the Patriarch) in Tannaitic literature.

### *מדרש*<sup>20</sup>

The noun form *מדרש*, from the verb stem *דר"ש*, meaning to seek or inquire, appears in the Hebrew Bible only twice, and late, but with uncertain meaning beyond referring to something written: 2 Chr 13:22; 24:27. The LXX renders the first as ἐπὶ βιβλίῳ, and the second as ἐπὶ τὴν γραφὴν. The targum and Peshitta both render the word as is (*מדרשא*). NJPS translates the word in both places as “story,” whereas the NRSV translates it as “story” and “commentary” respectively. In its verbal forms in Biblical Hebrew, it most commonly appears with God as its object.

The word next appears in a Cairo Geniza manuscript (B) of Ben Sira 51:23 as part of the phrase *בית מדרשי*: *פנו אלי סכלים ולינו בבית מדרשי*: “Turn aside to me, you untutored, and lodge in my house of study,” where Ben Sira invites the unlearned to study with him. However, scholars have questioned whether this is the original Hebrew of Ben Sira and not, rather, a medieval Hebrew retroversion, the original perhaps having been *בית מוסר* “house of instruction.”<sup>21</sup>

18 See Cohen 2010:172, 187 n. 68.

19 The breakdown is *Mekhilta of R. Ishmael*: 1; *Sifra*: 4; *Sifre Numbers*: 0; *Sifre Deuteronomy*: 11.

20 See also Hurvitz 1995:7–9.

21 See Skehan & Di Lella 1987:575 (note), 576 (comment).



In contrast to these meager antecedents, we find some nine appearances of the noun *מדרש* in the Dead Sea Scrolls.<sup>22</sup> In five of them, *מדרש* is followed by the word *תורה*. In one case, the word serves as the title or classification of the text on the reverse side: *מדרש ספר מושה* (4Q249 1 verso).<sup>23</sup> Here, as elsewhere, it is not clear whether *מדרש* carries the sense of study in general, or scriptural interpretation more specifically. One text which well illustrates the centrality of the study activity denoted by the nominal form *מדרש* is 1QS 8.12–15:

ובהיות אלה ליחיד בישראל בתכונים האלה יברלו מתוך מושב (הנשי) [אנשי] העול ללכת למדבר לפנות שם את דרך הואהא כאשר כתוב במדבר פנו דרך •••• ישרו בערבה מסלה לאלוהינו היאה מדרש התורה אןשור צוה ביד מושה לעשות ככול הנגלה עת בעת וכאשר גלו הנביאים ברוח קודשו

And when these become members of the Community in Israel according to all these rules, they shall separate from the habitation of unjust men and shall go into the wilderness to prepare there the way of Him; as it is written, “Prepare in the wilderness the way of ••••, make straight in the desert a path for our God” (Isa 40:3). This (path) is the study of the Law which he commanded by the hand of Moses, that they may do according to all that has been revealed from age to age, and as the Prophets have revealed by His Holy Spirit. (trans. G. Vermes)

This use of *מדרש*, in the sense of interpretive study (with the emphasis sometimes more on “interpretive” and sometimes more on “study”), becomes much more frequent in the Tannaitic corpora,<sup>24</sup> where it appears sixteen times in the Mishnah, thirty-three times in the Tosefta, and fifty-one times in the Tannaitic *midrashim*.

22 Fraade 2000.

23 See the text and discussion by Pfann 1999:1–3, 7. For the most recent treatment, see Ben-Dov & Stökl Ben Ezra 2014.

24 For an overstatement of this distinction (that the word only acquires the interpretive sense in rabbinic literature), see Mandel 2006; Mandel 2012.

## הלכה

The noun form הלכה (pl. הלכות), denoting extra-biblical or rabbinic law, deriving from the meaning of its verbal stem, הל"ך, to go or conduct oneself, does not appear once in the Hebrew Bible, Ben Sira, or the Dead Sea Scrolls. Note, however, how the *hitpa'el* form of the verb, להתהלך, appears twenty-two times in the Dead Sea Scrolls to denote the correct manner (according to the community's principles and rules) in which people should conduct themselves, often in contrast to the ways of those who have departed from the correct "path" of law-guided conduct. Comparable in meaning to the rabbinic use of הלכה, as distinct from תורה (written) or מקרא, is the pairing of תורה and משפט in the Dead Sea Scrolls.<sup>25</sup>

Some have argued for "*halakha* at Qumran" from the expression דורשי חלקות "seekers after smooth things/falsehoods," based on Isa 30:10, and found seven times in the Dead Sea Scrolls.<sup>26</sup> The phrase is generally understood as a pejorative sobriquet for the Pharisees, for their leniency (from the perspective of the Qumran community) in legal interpretation and practice. If, as has been claimed, this is a word play on דורשי הלכות "interpreters of *halakhot*," the phrase would bear witness to the use of the noun הלכה at Qumran, at least with respect to the legal traditions of the Pharisees.<sup>27</sup> However, this is very unlikely both as a doubtful word play and because of the fact that the word הלכה is not found in any pre-rabbinic text, including at Qumran.<sup>28</sup>

While the *idea* of "*halakha* at Qumran" (or elsewhere in Second Temple Judaism) might make sense,<sup>29</sup> its terminological emergence in nominalized form must await the Tannaitic corpora, with their strong emphasis on the study and practice of הלכות (in dialectical tandem with

25 See Fraade 1993:56–58.

26 See CD 1.18; 4QpNah (4Q169) 3–4 i 2, 7; ii 2, 4; iii 6–7; 4QpIsac (4Q63) 23 ii 10.

27 See, for example, Schiffman 1994:250; Schiffman 2010:327–28.

28 This is convincingly and conclusively argued in Meier 2003. See also Zahn 2014:273–74.

29 For example, Schiffman 1975.

אגרות), beginning already in the Mishnah.<sup>30</sup> As one indicator of this emergent emphasis, in contrast to its total pre-rabbinic absence, the noun הלכה appears thirty-two times in the Mishnah, ninety-five times in the Tosefta, and forty-nine times in the Tannaitic *midrashim*, signaling its centrality to both rabbinic practice and pedagogy.

### אגדה

The noun אגדה (pl. אגרות), or in Tannaitic texts commonly הגדה (and הגרות), is usually understood to derive from the verbal root נג"ד in the *hiph'il*, as in Exodus 13:8, וְהִגַּדְתָּ לְבִנְךָ, “and you shall explain to your son” [NJPS], but with the meaning of narration or narrative (or whatever הלכה is not).<sup>31</sup> Like the noun הלכה, with which it is sometimes contrastably linked,<sup>32</sup> it does not appear at all in pre-Mishnaic Hebrew texts. While making its debut in Tannaitic texts, it does not appear nearly as frequently as does הלכה: only once in the Mishnah, three times in the Tosefta, and twelve times in the Tannaitic *midrashim*.

### תלמוד

As noted above (n. 13), the noun מדרש, denoting a form of interpretive study, often marked by dialectical rhetoric, sometimes appears in variant attestations (in both manuscripts and early printings) as the noun תלמוד, from the root למ"ד, with much the same meaning. The noun תלמוד, discounting its occurrence in the phrase תלמוד לימר, prior to the citation of a biblical proof text, occurs twelve times in the Mishnah, eleven times in the Tosefta, and one hundred and one times in the Tannaitic *midrashim*. While it is nowhere to be found in the Hebrew Bible or in

30 See Fraenkel 1991:2:481–99; Lorberbaum 2004:105–46; Fraade 2005; Fraade 2007; Fraade 2012; Simon-Shoshan 2012.

31 For the view that אגדה derives from the root אג"ד (to bind), see Lifshitz 2001–2003. For a rejection of this view, see Fraenkel 2004. For Lifshitz’s response to Fraenkel, see Lifshitz 2004.

32 See above, n. 30.

Ben Sira, it does appear in the Dead Sea Scrolls a total of three times (one by restoration) in the sense of teaching or instruction (and not study), whether it be true (divine) or false (apostate). As true teaching, we find in 4QBeatitudes (4Q525) 14 ii 15 its use with reference to divine teaching: ובתלמודה יתהלכו יחד כל יודעיכה “And in Your teaching will walk together all who know You.” Similarly, see 1QH 10.19–20, where it refers again to divine teaching: ויהפוכו לשוחה חיי גבר אשר הכינותה בפיו תלמודך “And they cast into the pit the life of the man in whose mouth You established instruction, and in whose mind You placed understanding.” For תלמוד as false teaching, we find in 4QpNah (4Q169) 3–4 ii 8: פשרו עול מתעי אפרים אשר בתלמוד שקרם ולשון כזביהם ושפת מרמה “Interpreted, this concerns those who lead Ephraim astray, who through their false teaching [*talmud*], their lying tongue, and deceitful lips lead many astray.”

In these three passages (and there are no more), תלמוד denotes true or false teaching or instruction, but not the *activity* of *study* as a religious practice, whether private or collective, as both religious obligation and experience, as either a part of a study curriculum or as that curriculum as a whole, as we find in the rabbinic expression (without antecedent) תלמוד תורה “Torah study” which appears six times in the Mishnah, three times in the Tosefta, and twenty-nine times in the Tannaitic *midrashim*. That is not to say that the Qumranites did not engage in Torah study as a performative act of deep religious value and experience (e.g., 1QS 6.6–8), rather that they did not develop a relatively consistent nomenclature by which to designate it, as was the case in the use of the nominalized verb תלמוד in Mishnaic Hebrew.<sup>33</sup>

## Conclusions

Needless to say, there are many more such examples of first-time nominalization in Mishnaic Hebrew signaling a conceptual shift or innovation. I have chosen nouns that cluster around the Temple on the

33 See Fraade 1993. For Torah study in Tannaitic texts, see Fraade 1991, esp. 3:69–121.

one hand and around study on the other, suggesting that they can tell us something about the transition between the loss of the former as the center of worship and the medium of atonement and the emergence of the latter as a central religious obligation and experience. But I should emphasize again that the examples herein provided are not all of one pattern in terms of when the innovation first appears or how rapidly it takes hold and spreads, and whether the “new” meanings already inhered in non-nominalized verbs in pre-Mishnaic Hebrew. Of the nine nouns examined here,<sup>34</sup> five of them<sup>35</sup> have no pre-Tannaitic antecedents whatsoever: *שכינה*, *וידוי*, *משנה*, *הלכה*, *אגדה*. The remaining four (*תשובה*, *מקרא*, *מדרש*, and *תלמוד*) have morphological antecedents, but display a significant shift of meaning and dramatic increase in frequency in Tannaitic sources. However, for two of them the morphological antecedents are minimal: *מקרא* (only once biblically, but with a different meaning, and not at all in Ben Sira or the Dead Sea Scrolls) and *תלמוד* (only three times in the Dead Sea Scrolls and never in the Hebrew Bible and Ben Sira). The remaining two have morphological antecedents, but undergo a significant change in meaning: *תשובה* (eight times in the Hebrew Bible, not once in Ben Sira, and nine times in the Dead Sea Scrolls), and *מדרש* (twice in the Hebrew Bible, once [?] in Ben Sira, and nine times in the Dead Sea Scrolls).

Thus, we have nouns which are morphologically represented pre-rabbinically, whether in the Hebrew Bible, Ben Sira (in only one case, and a questionable one at that), or the Dead Sea Scrolls, but whose meanings have changed or broadened significantly, as have their frequency, in our earliest rabbinic texts. These are *תשובה* (but with one possible antecedent of the rabbinic usage in the Dead Sea Scrolls), *מדרש* (with two late occurrences in the Hebrew Bible but with uncertain meaning, and with one uncertain appearance in Ben Sira), and *תלמוד* (which first appears in the Dead Sea Scrolls, but without the meaning it acquires in our earliest rabbinic sources). Interestingly, in those cases where the morphological ground has been set pre-rabbinically (e.g., *תשובה* and

34 For a tenth, see above, n. 10.

35 Six if we include *כפרה*, as per n. 10.

מדרש), the frequency of use of these terms in their new meanings in Tannaïc literature is relatively high, to suggest that these nouns were able “to hit the ground running,” facilitating not so much innovation as acceleration and intensification.

Implicit in the preceding discussion has been my suggestion that the nominalization of words related to both worship and study reflect not simply semantic innovation of its own accord, but conceptual innovation in response to the traumatic destruction of the Second Temple and its aftermath (and in the case of the Dead Sea Scrolls, alienation from the existing Temple prior to its destruction). On the one hand, God’s dwelling among Israel, confession of sins, and repentance (leading to atonement) through the process of verbal nominalization are objectified, even hypostatized, so as to be detached, even if only partly, from the Temple and its sacrificial worship. On the other hand, the nominalization of such activities as reading Scripture, oral teaching, dialectical study, correct conduct, and narration reflects the greatly enhanced practice and religious significance of these activities in response, if only in part, to the same historical trauma, which could be seen also as accelerations of processes already begun, at least in some circles, before the Temple’s destruction.

At the risk of being too reductive, they can all be seen as ways of achieving access to or an experience of the divine presence and providence through alternative media, which may have pre-existed, but are now newly emergent in nominalized lexical forms that did not previously exist or pre-existed but now acquire new meanings and frequency.

Finally, I should emphasize that the relation between such lexical innovations or transformations and changed historical conditions, and the ideational responses that they engender, is dynamic and multi-directional rather than linear or unidirectional, accompanying a broader tendency in Mishnaic Hebrew toward greater verbal nominalization when compared to its Hebrew antecedents.<sup>36</sup> That is to say, these lexical-conceptual innovations and transformations were as much responses to history as propellants of history.

36 See above, n. 1.

## Bibliography

- Bar-Asher 2012 = M. Bar-Asher. *Leshonot rishonim: Studies in the Language of the Bible, the Dead Sea Scrolls and Aramaic*. Jerusalem: Magnes, 2012. [In Hebrew]
- Ben-Dov & Stökl Ben Ezra 2014 = J. Ben-Dov & D. Stökl Ben Ezra. “4Q249 Midrash Moshe: A New Reading and Some Implications.” *Dead Sea Discoveries* 21 (2014): 131–49.
- Cohen 2010 = S. J. D. Cohen. “Sabbath Law and Mishnah Shabbat in Origen *De Principiis*.” *Jewish Studies Quarterly* 17 (2010): 160–89.
- Finkelstein 1960 = L. Finkelstein. “Midrash, Halakhah and Aggadot.” In *Yitzhak F. Baer Jubilee Volume on the Occasion of His Seventieth Birthday*. Edited by S. W. Baron et al., 28–47. Jerusalem: Historical Society of Israel, 1960. [In Hebrew]
- Finkelstein 1969 = L. Finkelstein. *Siphre ad Deuteronomium*. New York: Jewish Theological Seminary of America, 1969; reprint of Berlin: Berolini, Jüd. Kulturbund in Deutschland, 1939.
- Fraade 1991 = S. D. Fraade. *From Tradition to Commentary: Torah and Its Interpretation in the Midrash Sifre to Deuteronomy*. Albany: State University of New York Press, 1991.
- Fraade 1993 = S. D. Fraade. “Interpretive Authority in the Studying Community at Qumran.” *Journal of Jewish Studies* 44 (1993): 46–69.
- Fraade 1998 = S. D. Fraade. “Scripture, Targum, and Talmud as Instruction: A Complex Textual Story from the *Sifra*.” In *Hesed ve-Emet: Studies in Honor of Ernest S. Frerichs*. Brown Judaic Studies 320. Edited by J. Magness & S. Gitin. Atlanta: Scholars, 1998.
- Fraade 2000 = S. D. Fraade. “Midrashim.” In *Encyclopedia of the Dead Sea Scrolls*. Edited by L. H. Schiffman & J. C. VanderKam, 549–52. Oxford: Oxford University Press, 2000.
- Fraade 2003 = S. D. Fraade. “‘The Torah of the King’ (Deut. 17:14–20) in the Temple Scroll and Early Rabbinic Law.” In *The Dead Sea Scrolls as Background to Postbiblical Judaism and Early Christianity: Papers from an International Conference at St. Andrews in 2001*. Edited by James R. Davila. STDJ 46. 25–60. Leiden: Brill, 2003.

- Fraade 2005 = S. D. Fraade. "Nomos and Narrative before *Nomos and Narrative*." *Yale Journal of Law and the Humanities* 17 (2005): 81–96.
- Fraade 2007 = S. D. Fraade. "Ancient Jewish Law and Narrative in Comparative Perspective: The Damascus Document and the Mishnah." *Diné Israel: Studies in Halakhah and Jewish Law* 24 (2007): 65\*–99\*.
- Fraade 2012 = S. D. Fraade. "Review of Aharon Shemesh, *Halakhah in the Making: The Development of Jewish Law from Qumran to the Rabbis*." *Journal for the Study of Judaism* 43 (2012): 131–35.
- Fraenkel 1991 = J. Fraenkel. *The Ways of the Aggadah and the Midrash*. 2 vols. Givatayim: Yad La-Talmud, 1991. [In Hebrew]
- Fraenkel 2004 = J. Fraenkel. "The 'Aggadah' in Talmudic Literature: A Return to the Old." *Netu'im* 11–12 (2004): 63–79. [In Hebrew]
- Goldin 1955 = J. Goldin, trans. *The Fathers according to Rabbi Nathan*. Yale Judaica Series 10. New Haven: Yale University Press, 1955.
- Goldin 1986 = J. Goldin. "The Freedom and Restraint of Haggadah." In *Midrash and Literature*. Edited by G. H. Hartman & S. Budick. 57–59. New Haven: Yale University Press, 1986.
- Halbertal 2014 = M. Halbertal. *Maimonides: Life and Thought*. Translated by J. Linsider. Princeton: Princeton University Press, 2014.
- Hurvitz 1995 = A. Hurvitz. "Continuity and Innovation in Biblical Hebrew – The Case of 'Semantic Change' in Post-exilic Writings." In *Studies in Ancient Hebrew Semantics*. Abr-Nahrain Supplement Series 4. Edited by T. Muraoka, 1–10. Louvain: Peeters, 1995.
- Lifshitz 2001–2003 = B. Lifshitz. "'Aggadah' and Its Role in the History of Oral Law (*Torah She'Be'al Peh*)." *Shenaton Ha-Mishpat Ha-Ivri: Annual of the Institute for Research in Jewish Law* 22 (2001–2003): 233–328. [In Hebrew]
- Lifshitz 2004 = B. Lifshitz. "We Lament the Earlier Ones: A Response to Prof. Yonah Frankel." *Netu'im* 11–12 (2004): 81–93. [In Hebrew]
- Lorberbaum 2004 = Y. Lorberbaum. *Image of God: Halakhah and Aggadah*. Jerusalem: Schocken, 2004. [In Hebrew]
- Mach 2000 = M. Mach. "Angels." In *The Encyclopedia of the Dead Sea*



- Scrolls*. Edited by L. H. Schiffman & J. C. VanderKam, 1, 24–27. Oxford: Oxford University Press, 2000.
- Mandel 2006 = P. Mandel. “The Origins of Midrash in the Second Temple Period.” In *Current Trends in the Study of Midrash*. Edited by C. Bakhos. 9–34. Leiden: Brill, 2006.
- Mandel 2012 = P. Mandel. “Legal Midrash between Hillel and Rabbi Akiva: Did 70 CE Make a Difference?” In *Was 70 CE a Watershed in Jewish History? On Jews and Judaism before and after the Destruction of the Second Temple*. Edited by D. R. Schwartz & Z. Weiss, in collaboration with R. A. Clements. 343–70. Leiden: Brill, 2012.
- Meier 2003 = J. P. Meier. “Is There Halaka (the Noun) at Qumran?” *Journal of Biblical Literature* 122 (2003): 150–55.
- Mor 2015a = U. Mor. *Judean Hebrew: The Language of the Hebrew Documents from Judea between the First and the Second Revolts*. Jerusalem: The Academy of the Hebrew Language, 2015. [In Hebrew]
- Mor 2015b = U. Mor. “The Verbal Noun of the *qal* Stem in Rabbinic Hebrew Traditions and *qēṭēlâ/qēṭîlâ* Alternations.” *Journal of Jewish Studies* 66 (2015): 79–96.
- Pfann 1999 = S. Pfann. *Qumran Cave 4, Halakhic Texts*. DJD 35. Edited by J. Baumgarten et al. Oxford: Clarendon, 1999.
- Schiffman 1975 = L. H. Schiffman. *The Halakhah at Qumran*. Leiden: Brill, 1975.
- Schiffman 1994 = L. H. Schiffman. *Reclaiming the Dead Sea Scrolls: The History of Judaism, the Background of Christianity, the Lost Library of Qumran*. Philadelphia: Jewish Publication Society, 1994.
- Schiffman 2010 = L. H. Schiffman. *Qumran and Jerusalem: Studies in the Dead Sea Scrolls and the History of Judaism*. Grand Rapids, MI: Eerdmans, 2010.
- Segal 1958 = M. H. Segal. *Ben Sira ha-shalem*. Jerusalem: Bialik Institute, 1958.
- Simon-Shoshan 2012 = M. Simon-Shoshan. *Stories of the Law: Narrative Discourse and the Construction of Authority in the Mishnah*. Oxford: Oxford University Press, 2012.

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Skehan & Di Lella 1987 = P. W. Skehan & A. A. Di Lella. *The Wisdom of Ben Sira*. The Anchor Bible 39. New York: Doubleday, 1987.

Zahn 2014 = M. N. Zahn. Review of Schiffman, *Qumran and Jerusalem: Studies in the Dead Sea Scrolls and the History of Judaism*. *Dead Sea Discoveries* 21, 2 (2014): 272–74.