

readers can decide for themselves. We can be thankful to Eberhart for collecting these essays, which do play out a variety of different arguments concerning the important themes identified in the title.

Jonathan Klawans, Boston University, Boston MA 02215

STEVEN D. FRAADE, *Legal Fictions: Studies of Law and Narrative in the Discursive World of Ancient Jewish Sectarians and Sages* (JSJSup 147; Leiden/Boston: Brill, 2011). Pp. xx + 627. \$251.

This thick volume is a valuable collection of essays, most published between 1993 and 2010, by one of the preeminent scholars of early Judaism, Steven Fraade, the Mark Taper Professor of the History of Judaism at Yale University. The book is organized into five sections. The first, "Introduction/Retrospective," contains "Introduction: Of Legal Fictions and Narrative Worlds" (previously unpublished) and "Nomos and Narrative before 'Nomos and Narrative.'" The second, "Dead Sea Scrolls," contains "Interpretive Authority in the Studying Community at Qumran"; "To Whom It May Concern: *Miqṣat Ma'ase Ha-Torah* (4QMMT) and Its Addressee(s)"; and "Rhetoric and Hermeneutics in *Miqṣat Ma'ase Ha-Torah* (4QMMT): The Case of the Blessings and Curses." The third section, "Comparative: Dead Sea Scrolls and Rabbinic Literature," contains "The Dead Sea Scrolls and Rabbinic Judaism after Sixty (Plus) Years: Retrospect and Prospect" (previously unpublished); "Qumran *Yahad* and Rabbinic *Havurah*: A Comparison Reconsidered"; "Looking for Legal Midrash at Qumran"; "Looking for Narrative Midrash at Qumran"; "Shifting from Priestly to Non-Priestly Legal Authority: A Comparison of the *Damascus Document* and the *Midrash Sifra*"; "Deuteronomy and Polity in the Early History of Jewish Interpretation"; "Ancient Jewish Law and Narrative in Comparative Perspective: The *Damascus Document* and the Mishnah"; "Theory, Practice, and Polemic in Ancient Jewish Calendars"; and "'The Torah of the King' (Deut 17:14-20) in the *Temple Scroll* and Early Rabbinic Law." The fourth section, "Rabbinic Literature," includes "Priests, Kings, and Patriarchs: *Yerushalmi Sanhedrin* in Its Exegetical and Cultural Settings"; "Navigating the Anomalous: Non-Jews at the Intersection of Early Rabbinic Law and Narrative"; "Literary Composition and Oral Performance in Early Midrashim"; "Rewritten Bible and Rabbinic Midrash as Commentary"; "Rabbinic Midrash and Ancient Jewish Biblical Interpretation"; "Rabbinic Polysemy and Pluralism Revisited: Between Praxis and Thematization"; "Moses and the Commandments: Can Hermeneutics, History, and Rhetoric Be Disentangled?"; "Hearing and Seeing at Sinai: Interpretive Trajectories"; "The Temple as a Marker of Jewish Identity before and after 70 C.E.: The Role of the Holy Vessels in Rabbinic Memory and Imagination"; and "Local Jewish Leadership in Roman Palestine: The Case of the *Parnas* in Early Rabbinic Sources in Light of Extra-Rabbinic Evidence." The fifth section, "Afterword/Prospective," presents "Afterword: Between History and Its Redemption" (previously unpublished). The book contains indexes of ancient authors and sources, modern authors, and subjects.

As a whole, this collection comprises a series of "micro histories" (F.'s designation [p. 6]) that emerge from reading legal texts from the Dead Sea Scrolls and rabbinic—especially early rabbinic or tannaitic—compilations. While not a substitute for a linear narrative,

F.'s "anecdotal" approach to early Judaism is well suited to the fragmentary and often opaque nature of both collections. This volume exhibits a sustained interest in Deuteronomy and its reception, continuing a line of inquiry from F.'s *From Tradition to Commentary: Torah and Its Interpretation in the Midrash Sifre to Deuteronomy* (SUNY Series in Judaica; Albany: State University of New York Press, 1991).

Throughout the book F. wrestles with the methodological issues involved in reading these two corpora together. The foremost problems are chronological, as these works are at least two centuries apart and the communities that produced and read them lived on the margins of Jewish society. Nevertheless, as F. notes, quite often the closest parallels to what we read in the Dead Sea Scrolls are found in early rabbinic texts. Thus, it would be negligent to read one without any reference to the other. His is a call to refocus Dead Sea Scrolls research, which still largely overlooks early rabbinic texts for comparative material. As for pinning down the relationship/s between the two corpora, F. rightly points out the problems with the "linear succession" and "shared tradition" approaches; he concludes that early Jewish historiography demands a degree of agnosticism (p. 121): "This is not to deny the possibility, even likelihood, of borrowed or shared traditions, but rather to admit that in most specific cases, we simply do not know. . . . Thus, for example, we have no way of knowing whether or to what extent the tannaitic sages had direct or indirect knowledge of the Dead Sea Scrolls . . ." (p. 405).

Fraade's approach to rabbinic literature can be characterized by three features. First, he clearly and rigorously separates tannaitic from later rabbinic texts, reading synchronically across early texts instead of diachronically through the lenses of the Talmuds and other post-tannaitic writings. Second, he offers close readings with attention to matters of text criticism, form, and philology, as well as to performative, rhetorical, and pedagogical functions within their respective communities of readers. Only with attention to these matters can the historicity of the text be uncovered. Third, F. contextualizes tannaitic texts with geographically and chronologically proximate sources (e.g., Dead Sea Scrolls and other Second Temple era texts; early Christian texts; Greek and Latin writings). He also places tannaitic texts into conversation with epigraphic and documentary sources from second-century C.E. Roman Palestine. Making F.'s approach notable and worthy of emulation is that he treats the extrarabbinic sources as more than mere background material: he accounts for each set of sources' distinctive rhetorical habits, function, discursive contexts, and community of interpreters. F.'s method is seen, for example, in his article on the *parnas* ("provider") and local Jewish leadership, which discusses inscribed weights as well as the Bar Kokhba and Wadi Murabba'at documents, demonstrating the rich yet often unappreciated variety of nonrabbinic sources for second- and third-century Palestine. Along these lines, archaeological finds beyond epigraphy and documents could be more fully engaged as comparative sources (see pp. 553-54 n. 85). Another minor quibble is that the studies could have been more thoroughly revised in light of scholarship published in the years since their initial publication.

I highly recommend this book to scholars both of Jewish law and of religions of late antiquity, especially specialists in Second Temple Judaism, the Dead Sea Scrolls, and rabbinic literature.

Gregg E. Gardner, University of British Columbia, Vancouver, BC V6T 1Z1, Canada