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## Theology of Hermeneutics

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### Introduction

Hermeneutics is the interpretation of texts with view to applying them and its theology is the way in which this is understood systematically and applied to life. Scripture is such a foundational document for the lifestyle and thought of Judaism that hermeneutics is at the heart of life. The theology of hermeneutics in Judaism's foundational literature can therefore tell us how early Judaism regarded Scripture and how they transmitted authoritative statements on law and ethics.

Hermeneutics covers a very wide range of activities within Judaism. It includes a great deal of what happens during preaching in a Synagogue and during debates in the Schoolhouse, for which we have a small amount of literary evidence. It also covers some of what happened in the Courthouse, in the teaching of the young, in meditations on Scripture in private and in small groups or among practitioners of the precursors of the Merkabah mysteries and other hidden groups, but none of these left early literary evidence. Even for those groups which *did* leave literary evidence, none of them left systematic theological statements about their view of Scripture or its interpretation.

Theological presuppositions which underlie the hermeneutics of Judaism were not dealt with in Rabbinic literature or in literature of other early Judaic groups. They therefore have to be inferred from the ways in which these groups actually used hermeneutic methods and from the methods which these groups chose to use. Even if they *had* discussed their methodology and assumptions, it would still be more instructive to look at how they actually carried out the task of hermeneutics.

A huge variety of hermeneutical methods developed within Judaism, from the seven *Middot* (or 'rules') which were attributed to Hillel to the 613 which were collected by Malbim.<sup>1</sup> A useful way to study the wide variety of hermeneutics is to examine the influences which contributed to and merged into post-Destruction Judaism. These influences can be identified mainly in Hellenistic Judaism and Sectarian Judaism such as Qumran. There were no doubt other sources of influence, such as the Dorshe Reshumot and Dorse Hamuroth but these have left little literary evidence. The biggest influence on Rabbinic Judaism came from those individuals and groups which Tannaitic Judaism regarded as their predecessors, a few of whom they called 'Rabbi' but most of whom had no title. In this article they will be referred to as "pre-70 CE rabbis".

Isolating and studying pre-70 CE rabbinic Judaism is fraught with problems, because many non-halakhic traditions about named individuals are patently unhistorical and most traditions in early rabbinic literature are anonymous. This study will therefore be limited to halakhic traditions which are attributed to named individuals or groups

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<sup>1</sup> R. Meir Loeb ben Yehiel Michael, 1809-1880, in his commentary on Sifra. The number 613 matched the number of biblical Commandments.

which were known to operate before the Destruction.<sup>2</sup> Although halakhic attributions are not always accurate, they can be used for dating because, as Günter Stemberger said:

Named attributions are generally reliable. Even when they are inaccurate, they tend to point to the correct time period. This is the conclusions of Neusner's studies of extensive text units.<sup>3</sup>

This article will examine the theology of hermeneutics in pre-70 CE rabbinic Judaism, and compare this with the theology of Hellenistic and Sectarian Judaism, in order to understand the influences which gave rise to the rich hermeneutic of classical rabbinic literature.

## Theology of Hermeneutical Methods

The hermeneutic methods which are used by Judaic exegetes to interpret Scripture provide an insight into their theology of Scripture. The methods which were actually used in pre-70 CE rabbinic Judaism are very different from the lists of *middot* or 'Rules' of hermeneutics which were compiled in classical rabbinic literature. Only a few of these *middot* are found in traditions before the Destruction, and there are many others which are not named in any of the ancient lists. I will use the terminology of the lists of *middot* where possible, though this terminology is often anachronistic. Other methods are given modern designations.<sup>4</sup>

### Methods which employ related texts

One of the obvious ways of studying any portion of text is to compare it with other portions which concern the same subject or which use the same vocabulary. This activity is carefully defined and confined in a handful of rules which were later incorporated into the classical lists of *middot*. The following are found in pre-70 rabbinic traditions:

**Gezerah Shavah** (חמ"ל חרזג, 'equal decree') links two texts by means of a shared word or phrase. There are two distinct variants to this method.<sup>5</sup> The first variant uses

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<sup>2</sup> This includes individuals up to Yohanan b. Zakkai, though only a few of his traditions can be shown to be pre-70. This also includes traditions of the Shammaites and Sadducees who lacked the authority to contribute to official debates after the Destruction. These hermeneutic traditions are usefully collected and analysed in my *Techniques and Assumptions in Jewish Exegesis before 70 CE*, *Texte und Studien zum antiken Judentum*; 30 (Tübingen, J.C.B. Mohr, 1992)

<sup>3</sup> Günter Stemberger, *Einleitung in Talmud und Midrasch* (Oscar Beck: München, 1982) ET by Markus N. A. Bockmuehl (London: T & T Clark, 1991; Minneapolis: Augsburg Fortress 1992, 1996) p.63

<sup>4</sup> The terminology is based on my *Techniques and Assumptions*. Alexander Samely has recently found 19 different methods in Mishnah, and his terminology is very similar, including Context, Redundancy, Word (similar to my Wordplay), and a group of methods which he calls Pragmatics. See Alexander Samely, *Rabbinic Interpretation of Scripture in the Mishnah* (Oxford 2002).

<sup>5</sup> M. Mielziner in *Introduction to the Talmud* (New York 4th ed. 1968. incl. bibliography by A. Guttmann. 1st ed. 1894) pp. 143-44 calls them exegetical *Gezerah Shavah* and constructional *Gezerah Shavah* respectively. A. Schwarz in *Die hermeneutische Analogie in der talmudischen Litteratur* (Vienna 1897) pp. 61-63 speaks about two evolutionary stages of *Gezerah Shavah*. Samely's *Rabbinic Interpretation* subdivides these rules much more extensively.

another text to help define a word or phrase whose meaning is obscure. Occasionally this is presented as a philological survey, saying that “whenever this occurs it means...for example...”, though this only occurs once in pre-70 CE traditions<sup>6</sup> Usually in early traditions this rule is used merely to point out a meaning in one other place as an example, without claiming that it always has that meaning. The second variant, *Gezerah Shavah II*, uses a shared word or phrase in order to suggest a link between two verses even if they are concerned with completely different subjects. This enables the interpreter to explain or expand one text in the light of another.

**Hegesh** (#QH, ‘comparison’) is very similar to the second variant of *Gezerah Shavah* though *Hegesh* tends to link texts by means of a common subject rather than just a common word or phrase, and it does not always have to link a specific text. Meilziner pointed out that they can be linked by nothing more than a common predicate<sup>7</sup> and in that sense it is a less-strict version of *Gezerah Shavah II*. For example, in a tradition where Hillel used *Hegesh* and *Gezerah Shavah*,<sup>8</sup> the *Hegesh* linked the Daily Sacrifice and the Paschal Sacrifice by a common predicate (they can both be called “community” sacrifices, though they are not called this in Scripture), whereas the *Gezerah Shavah* linked them by a common phrase which occurred in two Scripture texts (“its appointed time” in Num.28.2 and Num.9.2). However, in practice there is often little distinction made between the two, and *Hegesh* may originally have been another name for *Gezerah Shavah*.

**Contradiction** (#XK) is a method which is named in Ishmael’s list of *middot* though the way it is defined there does not represent the way in which it is used, especially in early traditions. It is defined in Ishmael’s list as the resolution of two contradictory texts by means of a third, but in practice a third text is rarely employed in resolving contradictions<sup>9</sup> and it is much more common to solve contradictions by other means. Contradictions are not always ‘solved’, because they can become the source of new teaching, as in the School debate about a single “Fringe” in Num.15.38 and the dual or plural “Tassels” in Deut.22.12. Both Schools appear to combine the texts, saying that they show that there should be a minimum of three threads (one for the “Fringe” plus two for the dual “Tassels”) or four threads (one “Fringe” plus three for the plural “Tassels”).

**The theology which underlies these methods** is an implicit belief in a single authorship of Scripture together with the assumption that it was written with an exactitude which did not allow for any contradiction or ambiguity. From the way that they treat Scripture, it is clear that they regarded it much more highly than a human document such as a legal or philosophical treatise which merely *aims* at coherence. They assumed that it was utterly impossible that there would be any contradictions or even any lax use of language in Scripture.

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<sup>6</sup> b.Hull.88b (cf. b.Sot.16a), a School debate about the meaning of “dust” in Num.19.17.

<sup>7</sup> Meilziner, *Introduction* pp. 152-53

<sup>8</sup> Neither of these methods is named in the earlier account in t.Pis.4.13f but b.Pes.66ab names *Gezerah Shavah* and y.Pes.6.1 names both *Hegesh* and *Gezerah Shavah*.

<sup>9</sup> A. Schwarz in *Die hermeneutische Antinomie in der talmudischen Litteratur* (Vienna 1913) p. 196 found only four examples in the whole of talmudic literature though he only accepted instances where the phrase “third text” (y#yl # bwtk) actually occurred.

They also expected a phrase or word to have the same meaning in every place where it occurred. It is particularly significant that they do not normally attempt a philological survey when they used a method such as *Gezerah Shavah*, because they are not attempting to find out if a word or phrase has a consistent meaning, or to find out the boundaries of its semantic field. They start with the assumption that a divine legislator would always use language in a strictly consistent way, so only one other example is sufficient to establish the meaning of that word or phrase.

Therefore they regarded the writing of Scripture as directed word for word by a divine author. Even if it was allowed that there was more than one human author, these authors were under the direct supervision or control of a divine author.

## Methods which examine the context

The context is the single most obvious way of understanding a portion of text, though the interpretation of individual words is often given more weight both in ancient and modern-day interpretations. It is therefore significant that a very large number of pre-70 CE rabbinic hermeneutic debates rely on an implicit understanding of the context. Although only a few of these actually *depend* on the context, it is striking that no pre-70 CE debates argues from a text which has been separated from its context in order to give it a different nuance.<sup>10</sup>

**Order** is a method which relies on the occurrence of one word or phrase before another. This method does not occur in any of the lists of *middot* and is actually contradicted by Eliezer's rules 31 and 32 which say that the order of phrases or events in Scripture can be read in reverse. The method of Order was used in the dispute against the Sadducees who wanted to light the incense before going behind the Veil so that by the time they entered, "*the cloud will cover*" (Lev.16.13b). The Sages said that the cloud should be formed *after* they had gone behind the Veil. They argued from the order of the phrases in verses 13b and 13a saying: "And is it not already said: *And he will put the incense on the fire before the Lord* (Lev.16.13a)".

**Context** (wnyn()) is the practice by which a recognisable portion of a text may be cited but the argument is based on other words in the same verse or a nearby verse. The reader must therefore be aware of the context of a quotation in order to understand the hermeneutics behind the argument. When Hillel argued that one could be defiled by a dead insect floating in a *miqveh* he cited "*and anyone touching their corpse is unclean* (Lev.11.36)" then adds "- even if they are in the midst of water". This addition appears to be arbitrary until one finds that the nearby verse 33 reads "*that which is in its midst shall be unclean*".

**No Redundancy** is the principle that Scripture would not include any words which are superfluous. Therefore, if there appears to be a word or phrase which is redundant in the context of the rest of the text, it must mean something which has not already been expressed. The Hillelites were able to find a new ground for divorce by means of this method. They pointed out that "*a matter of indecency*" (rbd twr ()) in Deut.24.1 must include more than just adultery because in that case it would be sufficient merely to say "*indecency*" (hwr (). They were able to argue that the apparently redundant

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<sup>10</sup> See the discussion in *Techniques and Assumptions* pp. 167-169

word “*matter*” (רַבֵּד) must indicate another ground by which one could get divorced for “any matter”, even the burning of soup. The Shammaite reply is not preserved, but from the Hillelite response to it we may deduce that they argued in a similar way: “If *matter* means ‘anything’ then it is redundant to include *indecenty*”.<sup>11</sup>

**The theology which underlies these methods** assumes not only that there are no errors in Scripture, but that the exact way in which it has been preserved and presented is similarly perfect. A minute examination of Scripture texts can sometimes blind the interpreter to the context from which it comes, but this never appears to occur within the traditions before 70 CE. One obvious example of this is the way that the order of texts was important in itself, whereas at a later time it was stated in Eliezer’s rules that the order could be ignored. Similarly the later rules of Limitation and Extension (where particles of speech such as “except”, K), were used to introduce unwritten exceptions to the law) are not used in these early traditions.<sup>12</sup> Although the author is divinely accurate, he is still using “the language of men”—a description which was later attributed to R. Ishmael.<sup>13</sup>

## Methods which use inspired insight

Some hermeneutic activity did not depend on mere logic, but required inspiration either from a fertile imagination or from a divine source.

**Unusual Form** (דַּוְּחָא) is a method which looked for strange features or even apparent mistakes in spelling. On the assumption that the divine author would not make elementary mistakes and that he might leave secret signals for his faithful, these unusual features acted as springboards for the imagination or inspiration of the interpreter. Judah b. Bathyra used Unusual Form to defend the Pharisaic Water Libation ceremony during the Tabernacles festival.<sup>14</sup> He pointed out that the unusual spellings of three words in Num.29 (which deals with the feast of Tabernacles) could be ‘corrected’ by removing three superfluous letters (m - y - m) which spells “water”.<sup>15</sup>

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<sup>11</sup> The hermeneutic methods are not explicit in the early account in m.Git.9.10 but the details in Sifré Deut.269 and Talmuds (y.Git.9.11; b.Git.90a) are likely to be accurate because they imply that the Shammaites had an equally strong counter-argument. These accounts do not actually spell out the Shammaite argument but it can be inferred from the supposed Hillelite response (which was probably added by later Amoraim). This suggests that the Shammaite argument was considered well-known enough to answer but they did not want to add any strength to that side of the debate by actually stating it.

<sup>12</sup> The only possible occurrence is the School debate at Sifra Em.Per.15.5 (Weiss 102c) where both sides argue from the word K), though both of them are attempting to understand its force in the context of the text, and neither try to introduce an unwritten exception.

<sup>13</sup> b.Ber.31.b; b.Ned3a

<sup>14</sup> bShab.103b. This *baraita* is likely to date back to the times of the Sadducees who said this festival was not found in Scripture. After 70 CE there was no-one who criticised it nor much reason to defend it.

<sup>15</sup> v.19 “and their drink offerings” (MhykSnw) which one would expect to be singular (hksnW); v.31 “and its drink offering” (hykSnw) where one would expect the normal spelling without the *yod* (hksnW); v.33 “according to their ordinance” (M+p#mk) where one would expect “according to the ordinance” (+p#mk) as in vv. 18, 21, 24, 27, 30 and 37.

**Wordplay** includes all kinds of manipulations, some of which were later formalised into methods such as *Gematria* (using calculations based on the letters) and *Notaricon* (using abbreviations or acronyms). In the earlier traditions the Wordplay usually consists of puns which were based on similar sounds or slightly different spellings. For example, the School of Hillel defended the teaching that pilgrimage is only mandated for those who can walk because Ex.23.14 says “three times” (Myl ḡF) which they point as “feet” (Myl ḡr A)<sup>16</sup>

*Al Tiqre* (yrqt l ) ‘do not read’) is a special type of Wordplay which does not occur in rabbinic traditions before 70 CE, but something similar is employed in sectarian Judaism. *Al Tiqre* proposes an emendment of the text, though Maimonides argued that no-one actually attempted to change the text,<sup>17</sup> and it is generally accepted that this was not their intention.<sup>18</sup> However, this does not change the fact that they proposed a temporary emendation in order to introduce a meaning which was not otherwise present in the text. Sometimes an interpretation based on this method may have been used for preserving a variant, especially when there is no problem with the present text<sup>19</sup> and when the proposed change concurs with variants which are preserved in other sources.<sup>20</sup>

The only time that *Al Tiqre* might possibly occur in pre-70 rabbinic traditions is in the School dispute about the meaning of the word My#bk "lambs" in Num.28.3. The Shammaites interpreted it as My#bwk "those who suppress (sins)" and the Hillelites interpret it as MySbk "those who cleanse (sins)".<sup>21</sup> However, they are both attempting to understand the significance of an apparently redundant verse (because the same thing is stated in Ex.29.38) and neither of them are proposing a change to the text, so this is not *Al Tiqre*. Bonsirven found many examples of *Al Tiqre* in Tannaitic exegesis but none can be dated before 70 CE.<sup>22</sup>

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<sup>16</sup> mHag.1.1 (cf. Sifré Det.143; b.Hag.4a; y.Hag.1.1; Mekh.Sim. p.218.28-29)

<sup>17</sup> See Moreh Nebukhim 2 ch.43; Z.H. Chajes, *The Student's Guide through the Talmud*. Trans. & ed. J. Shachter (London 1952. 1st ed: *Introduction to the Talmud* [Hebrew] Zolkiev 1845) pp. 159f; 188-194. Contra M. Gudemann, “Spirit and Letter in Judaism and Christianity” (*JQR* 4, 1891-2, 345-56) pp. 348-50.

<sup>18</sup> Bibliography in S. Lowy, “Some Aspects of Normative and Sectarian Interpretation of the Scriptures” (*ALUOS* 6, 1966—68, with “Dead Sea Scroll Studies” 1969, 98—163) n.62

<sup>19</sup> R. Kasher, “The Interpretation of Scripture in Rabbinic Literature” in M.J. Mulder, (ed.) *Miqra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity. Compendia Rerum Iudaicarum ad Novum Testamentum*. II. 1 (Philadelphia 1988) 547—594, p. 572

<sup>20</sup> Examples in S. Talmon, “Aspects of the Textual Transmission of the Bible in the Light of Qumran Manuscripts” (*Tex* 4, 1964, 95—132) and in F.M. Cross, & S. Talmon, *Qumran and the History of the Biblical Text* (Cambridge, Mass. 1975) 226—263.

<sup>21</sup> Pes.Rab.16, 84a; cf. Pes.Rab.48; Pes.Kah.6.61b. The fact that this tradition does not occur in any earlier source suggests that it may be a later invention.

<sup>22</sup> J. Bonsirven, *Exégèse rabbinique et exégèse paulinienne* (Paris 1939) pp. 120-128. He included the example of the "lambs" which, as seen above, is not *Al Tiqre*.

**Mashal** (ל #מ) can include anything from a single-phrase metaphor to an intricate story with many elements and characters.<sup>23</sup> Stories became very popular in later traditions but occur rarely before 70 CE. One rare early example is the following story which illustrates the importance of the command of the “forgotten sheaf” (Dt.24.19).<sup>24</sup>

A certain pious man forgot a sheaf in the middle of his field. He said to his son, "Go and offer two bullocks on my behalf, for a Burnt Offering and a Peace Offering." His son said to him, "Father, why are you more joyful at fulfilling this one commandment than all the other commandments in Torah?" He said to him, "God gave us all the commands in Torah to obey, but he only gave us only this one to obey accidentally."

This demonstrates that *Mashal* stories or parables were already in use for ethical teaching, though it is significant that this early example does not use *Mashal* to interpret a Scripture text.

**The theology which underlies these methods** assumes that Scripture contains hidden insights which are only available to the clever or the inspired interpreter. They treat Scripture as though it was written in a higher language than mere human language. This is perhaps what Yohannan b. Zakkai meant when he said “Let not our perfect Torah be like your idle chatter”.<sup>25</sup> Sometimes the divine author has left a hint that this hidden meaning exists (such as a mis-spelling) but mostly the interpreter has to discover this for himself. In the traditions before 70 CE there is little interest in these methods, except as a means to discover the primary meaning. The Schools both tried to use *Mashal* to decide whether creation followed the order suggested in Gen.1.1 (“the heavens and the earth”) or the order in Gen.2.4 (“the earth and the heavens”). The Hillelites followed Gen.2.4 saying that God built the foundations before the second story, while the Shammaites said that God built his throne and then the footstool, though the Sages solved the potential contradiction by saying that both were created together.<sup>26</sup> In later generations methods like this were put to very productive use in order to find several layers of meaning in Scripture.

## Methods which use rhetorical logic

When the various hermeneutic methods had discovered what a text meant, the resulting interpretation could be examined by means of a handful of other methods to see if it made sense both logically and practically. Most of these methods are so self-evident that they are never identified or named in rabbinic literature.

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<sup>23</sup> D.W. Suter, “Masal in the Similitudes of Enoch” (*JBL* 100, 1981, 193—212) discusses the various definitions. It is also called *homer* exegesis by Yohanan b. Zakkai (t.BQ.7.1-7). There are also many discussions in comparison with the parables of Jesus – the best is probably Brad Young, *The Parables: Jewish traditions and Christian interpretation* (Peabody MA: 1998).

<sup>24</sup> t.Pea.3.8b (Zuchermann 3.13b). The end of the *Mashal* has been omitted here, because it was probably a later addition. It is very difficult to date this *Mashal*, but moral stories generally have more force if they contain contemporary details, so it is likely that this originated at a time when one could still offer sacrifices.

<sup>25</sup> b.BB116a; b.Men.65b; Meg.Taan. p.338

<sup>26</sup> b.Hag.12a (cf. y.Hag.2.1; Lev.R.36.1; Gen.R.1.1; 12.14). It is significant that both sides have arguments of equal strength (with the Shammaites perhaps a little stronger) and that the Sages overruled them both. It is therefore unlikely that this debate was a later invention.

**Qal vaHomer** (רמב"ח ל"ק, 'heavy and light') is the argument from major to minor: 'if this is so, then surely this lesser thing is also so'. It is the commonest of hermeneutic rules, both in exegetical and non-exegetical traditions, before and after 70 CE. The Sadducees use it to argue that a master is responsible for compensating damage done by a servant to someone else's property. They argued that if someone is responsible for damage done by an ox, then surely he is also responsible for damage done by a servant.<sup>27</sup>

**Precedent** is a method which relies on the legal principles of case law. Once a matter has been decided by a court, future generations must either follow it or explain their opposition to it. The actions of former heroes or wise men also provide precedents for lifestyle. Therefore, when the Schools debated how many children fulfilled the command to "multiply", the Shammaites argued from the precedent set by Moses who had two sons, whereas the Hillelites replied with the higher precedent set by God who had one male and one female child.<sup>28</sup>

**Reductio ad Absurdum** occurs frequently in rabbinic literature.<sup>29</sup> In the traditions before 70 CE it was mainly used in Pharisee-Sadducee debates. For example, the Pharisees used this against the Sadducee argument that masters should be liable for damage done by slaves.<sup>30</sup> They pointed out that in this case a disaffected slave could punish his master by setting light to someone's grain store. The Sadducees used it to show an absurd result of the Pharisee inheritance law that a dead son's family should inherit rather than a living daughter. They pointed out that this means a granddaughter could have greater rights than a daughter.<sup>31</sup>

**Logical Inconsistency** is a more general category than *Reductio ad Absurdum* and so there is some overlap. This is often used unconsciously, because all types of debate depend by their nature on some form of logic. Sometimes, however, it is appealed to directly, such as when the Sadducees complained about the Pharisaic view that Scriptures confer uncleanness while secular or heretical books do not.<sup>32</sup>

**Pragmatism** was applied when there is no Scriptural solution or where a strict adherence to Scriptural principles resulted in absurdities. One common formula which indicated the use of Pragmatism is "for the sake of the world" or "for the sake of peace". A large group of such rulings is found at m.Git.4.2-5.9. It is possible that this type of argument was once much more common and that it was later replaced by arguments based on Scripture. One example is the strange case of a man who is half slave and half free, perhaps because he had two owners but only one released him. The Hillelites said that he should be a slave and be free on alternate days. The Shammaites pointed out that this meant he could not fulfil his religious duty of

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<sup>27</sup> mYad.4.7

<sup>28</sup> t.Yeb.8.4 (cf. m.Yeb.6.6; y.Yeb.6.6; b.Yeb.61b-62a).

<sup>29</sup> L. Jacobs, *Studies in Talmudic Logic and Methodology*. (London 1961) pp. 38ff listed hundreds of examples in Amoraic and Tannaitic literature. This method was already identified by Mielziner in 1894 – (see Mielziner, *Introduction* p. 139 in the 1968 ed.).

<sup>30</sup> m.Yad.4.7, already discussed briefly with regard to *Qal vaHomer*.

<sup>31</sup> t.Yad.2.20 (cf. b.BB.115b-116a; y.BB.8.1; Meg.Taan. p.334).

<sup>32</sup> m.Yad.4.6

marrying because he could neither marry a free woman nor a slave. The Hillelites retracted and agreed that the remaining master should be compelled to redeem him.<sup>33</sup>

**The theology which underlies these methods** assumes that Scripture can be treated as a document which follows human logic. There is also an implicit admission that a Scripture interpretation can sometimes appear to produce nonsensical or absurd results. There is never, of course, any hint that Scripture itself might thereby be shown to be wrong, but this gives the interpreter the courage to examine the results of his exegesis critically. It is particularly startling when arguments from pragmatism appear to allow Scriptural commands to be disregarded. The most significant of these was Hillel's *Prosbul* which allowed lenders to escape the Seventh Year cancellation of debts which was proscribed in Deuteronomy 15.1–3 by making the loan 'through a court' (פרובול הַיָּד). This meant that the lender was technically the court, which was not subject to the law of the Seventh Year. This was done "for the sake of the world", i.e. for pragmatic reasons, because the Seventh Year debt cancellation was preventing the poor from finding anyone to lend them money when the Seventh Year was immanent.<sup>34</sup>

All this implies that Scripture is not only written in the language of men, but that it can be interpreted like any other human text. There is no admission that Scripture could be fallible like a human text, but it must be subject itself to human logic.

## Methods which are not used

The many *middot* or Rules of Hermeneutics which are found in the lists attributed to Hillel, Ishmael and Eliezer<sup>35</sup> are almost all absent from traditions which can safely be dated before the Destruction. The seven rules of 'Hillel' were expanded to thirteen in the list of 'Ishmael',<sup>36</sup> which were then expanded to thirty two in the list of Eliezer b. Jose HaGelili.<sup>37</sup> Some of them are difficult to find in any rabbinic literature, but most of them are found only in later traditions.

It is unlikely that the so-called *middot* of Hillel can be attributed to him. He supposedly introduced them during a debate with the Sons of Bathyra about whether

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<sup>33</sup> m.Git.4.5, cf. m.Ed.1.13; y.Git.4.5; b.Git.40b-41b; b.Arak.26b; b.BB.13a; b.Hag.2a; b.Pes.88a-b. This strange ruling was probably based on an actual case. It is unlikely that later rabbis would make up a case where the Hillelites were defeated.

<sup>34</sup> m.Shebi.10.3 is the earliest account of the reasoning behind this, and m.Git.4.3 is the earliest place where it says that it was done "for the sake of the world". Although it is unlikely that these explanations are as old as the words "Hillel ordained the *Prosbul*", there is no reason to doubt that either explanation was incorrect.

<sup>35</sup> The texts are conveniently collected and translated in my *Techniques and Assumptions* pp. 226-231.

<sup>36</sup> Ishmael's rules 1 & 2 are identical with Hillel's 1 & 2. Rule 3 is identical with Hillel's rules 3 + 4. Rules 4-11 are derived from Hillel's rule 5. Rule 12 is an extended form of Hillel's rule 7. Rule 13 appears to be totally new, though Doeve suggested that this may be an interpretation of Hillel's rule 4 — see J.W. Doeve, *Jewish Hermeneutics in the Synoptic Gospels and Acts* (Assen 1954) p. 68. Hillel's rule 6 is not found in Ishmael's list, probably because it was superfluous in the presence of rules 2 & 3. Kasher, "The Interpretation of Scripture" pp. 586-87 counted 16 rules in Ishmael's list because rules 3, 7 & 12 are, strictly speaking, two rules each.

<sup>37</sup> Eliezer's rules 5 & 6 are derived from Hillel & Ishmael's rule 1. Rules 7 & 8 are Hillel & Ishmael's rules 2 & 3. Rule 15 is Ishmael's rule 13 and 25 is a modification of his rule 8.

or not Passover over-rides the Sabbath. The tradition recording this dispute (t.Pis.4.13) and the list of his seven *middot* (t.San.7.11) are separate traditions in pre-Talmudic sources and they even contain different versions of his opponents' title ("Bene Bathyra" in t.Pis. and "Bene Pathyra" in t.San.). This dispute is also unsuitable for demonstrating the use of the seven *middot* because Hillel used only two of the seven to prove his point (*Qal vaHomer* and *Gezerah Shavah*), as well as one rule which is not in the list (*Heqesh*). This dispute was probably chosen because it is the only one in which Hillel is recorded as using *any* of the rules attributed to him. Ishmael's list of *middot* poses similar problems because in all the numerous exegeses preserved in his name, he only employed six of the 13 *middot* which were attributed to him, while he *does* employ *middot* which were espoused by his 'opponent' Aqiva.<sup>38</sup>

It is more likely that these lists represent a growing acceptance and recognition of hermeneutic methods.<sup>39</sup> Perhaps these lists represent attempts to limit the number of allowable hermeneutic methods at times when new methods were proliferating under the influence of outside cultures such as Hellenistic Judaism especially in the Diaspora.

## Purpose of these methods

### Looking for hidden meanings

The search for hidden meanings in Scripture did not flourish in rabbinic Judaism till after 70 CE, after which this endeavour produced wonderfully intricate interpretations during the next few centuries. The process is illuminated by the medieval acronym *pardes* (סדרפ) which stands for four types of hermeneutical meanings: *peshat* (+#פ), 'literal meaning'; *remez* (זמר), 'hint' as supplied by *gematria* or *notarikon*; *derash* (#רד), 'homiletic meaning'; *sod* (דס), 'mystery'. Apart from *peshat*, these types of hermeneutic might be said to be looking for hidden or secondary meanings within the text. They look beyond the obvious to find what the author has hidden for the discerning, careful or inspired interpreter.

It is anachronistic to use *peshat* with reference to Tannaitic or even Amoraic traditions because at this time the word meant 'to strip, flatten, stretch' though it sometimes meant 'authoritative teaching'.<sup>40</sup> It was not used for 'plain, literal meaning' till long after the popularisation of the various methods which look for secondary meanings. It is similarly anachronistic to use *derash* to describe the search for hidden or secondary meanings during the Tannaitic period, because the word simply meant 'interpretation' without any reference to specific methods of

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<sup>38</sup> M. Chernick, "The Use of Ribbuyim and Mi'utim in the Halakic Midrash of R. Ishmael" (*JQR NS* 70, 1980, 96—116); G.G. Porton, *The Traditions of Rabbi Ishmael*. 4 vols. (Leiden 1976, 1977, 1979, 1982) IV 160ff.

<sup>39</sup> G.J. Brooke, *Exegesis at Qumran: 4QFlorilegium in its Jewish Context*. (*JSOTSup* 29, Sheffield 1985) pp. 12-13; *contra* Mirsky who suggested that although Hillel did not invent his *middot* he was responsible for systematising them — see S.K. Mirsky, "The Schools of Hillel, R. Ishmael and R. Akiva in Pentateuchal Interpretation" in I. Brodie, (in honour), *Essays presented to Chief Rabbi Israel Brodie on the occasion of his seventieth Birthday*. Eds. H.J. Zimmels et al. (London 1967) 291—299.

<sup>40</sup> R. Loewe, "The 'Plain' Meaning of Scripture in Early Jewish Exegesis" (*PIJS* 1, 1964, 140—185).

interpretation.<sup>41</sup> These terms are, nevertheless, useful for distinguishing between the search for a plain interpretation (*peshat*) and the search for special secondary or hidden meanings in a text (*derash*).

In early rabbinic hermeneutics before the Destruction there is very little interest in the hidden or homiletic meanings which are the bases of the most interesting comments in later literature. In early traditions there is relatively little use of methods such as *mashal* or wordplay, and methods such as allegory which ignore the context of a text are never used in traditions which can be safely dated before the Destruction. However, as will be seen, these methods were already in use among Jews in Alexandria and at Qumran. Later they were incorporated into rabbinic Judaism where they were employed very successfully in *halakhah* and *agada*.

### **Looking for legal foundations in *Halakhah***

The foundations of halakhah are Scripture, although there are also many unspoken presuppositions which are often overlooked because they are so foundational.<sup>42</sup> When halakhah increased in complexity, it started to become divorced from the foundation of Scripture, and this was felt keenly by some Tannaim who complained that “The laws of the Sabbath, festal offerings, and sacrilege - lo, they are like mountains hanging by a string, for they have little Scripture for many laws” (m.Hag.1.8). Akiba and others at Javnia found hermeneutic foundations for many *halakhot*, using new methods such as *Inclusion* and *Exclusion*. These scholars might also have been responsible for adding hermeneutic foundations to many of the School disputes. These exegetical arguments which sometimes accompany the School disputes in Mishnah were probably not part of the original traditions which were relatively fixed by 70 CE. However, the fact that they were added later does not necessarily mean that they did not accurately reflect the original exegetical reasoning employed by the Schools. This is especially evident when the Shammaites have a stronger exegetical argument than the Hillelites.

The search for legal foundations is the primary use of hermeneutics in the rabbinic traditions which can safely be dated before the Destruction. This does not mean that Scripture was not used for *aggadic* or moralistic purposes at this early time. It merely reflects the fact that the earliest edited literature, the *Mishnah*, is overwhelmingly *halakhic* in content. The Talmudic *baraitot* and early traditions in Midrashic works contain a significant number of *aggadic* uses of hermeneutics, but the dating of these sources is much less secure.

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<sup>41</sup> M. Gertner, “Terms of Scriptural Interpretations: A Study in Hebrew Semantics” (*BSOAS* 25, 1962, 1—27) pp. 5-7; e.g. Yohannan b. Zakkai in m.Sheq.1.4.

<sup>42</sup> The unspoken premises in rabbinic literature are expounded by J. Neusner in *The Generative Premises of Rabbinic Literature*, 5 vols (*Judaism Behind the Texts* 89, 98-101, Scholars Press, 1993-94)

# Early Theologies of Hermeneutics

## Hellenistic Judaism

### Homeric exegetes

Although it can be argued that some of the hermeneutic techniques originated in Scripture itself,<sup>43</sup> the first outside influence probably came from Homeric commentaries. Knowledge of the books of Homer may be indicated by the Sadducean taunt that the Pharisees claimed that Scripture made hands unclean while “the books of Homer” did not.<sup>44</sup> Whether or not this actually refers to Homer, the Hellenistic commentators were undoubtedly an influence on Philo, and possibly on the Sadducees.

These commentators used allegory in a similar way to that which was later found in Philo.<sup>45</sup> The Stoic Homeric commentators wanted to remove contradictions and anthropomorphisms, so it is not surprising that they should use methods similar to those used by Jews who wanted to do precisely the same thing with Scripture. Although their allegory often appears to be apologetic, it was often based on a sincere belief that Homer was actually trying to teach philosophic truths.<sup>46</sup>

They also employed minute examinations of the text and interpretations based on changing punctuation,<sup>47</sup> interpreting numbers (mainly by the neo-Pythagoreans) and trying out different word divisions (the *Diairesis* of the Greek grammarians). These methods were probably the inspiration for some of Philo’s hermeneutics.<sup>48</sup> Some of their logical and rhetorical methods such as *Reductio ad Absurdum* and *Qal*

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<sup>43</sup> *Qal vaHomer* is found in several places (see the list at Gen.R.92.7) and Pun is also used occasionally (Is.54.13 and Jer.1.11f). Traditionally, Gematria is used in Gen.14.14 (the numerical value of “Eliezer” at 15.2 is 318) – see other examples in C. Levias, “Gematria” *JE* 5, 1903, 589–592). Fishbane has also found examples of Context (which he calls ‘Conjunction’) and *Athbash* (#bt), the reversal of alphabets so )=t, b=#) e.g. at Jer.25.26; 51.41 where the meaningless K## becomes l bb, ‘Babylon’. See M. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford 1985) pp. 229-30, 393ff.

<sup>44</sup> m.Yad.4.6 “the books of Homer” (Mrymh yrps) is an uncertain translation, and different editions read Mrꞑmi srꞑmi Mrꞑmhj perhaps from Ḥmerhsia bibli ia or from rymh’ ‘to change, convert’ i.e. ‘books of Heretics’.

<sup>45</sup> J. Pépin, *Mythe et Allégorie. Les origines grecque et les contestations judéo-chrétiennes*. (Paris 1958, 1976) pp. 221-231; Y. Amir, “The Allegory of Philo Compared with Homeric Allegory” (*Esh* 6, 1970, 35–45. English abstract in *SP* 1, 1972, 73–74).

<sup>46</sup> J. Tate, “Plato and Allegorical Interpretation” (*CQ* 23, 1929, 142–154; 24, 1930, 1–10); Loewe, “The ‘Plain’ Meaning of Scripture” pp. 143-44.

<sup>47</sup> The early 3<sup>rd</sup> century BCE Homeric commentator Sosibius used this – see S. Lieberman, *Hellenism in Jewish Palestine* (New York 1950). It later became one of Eliezer’s *middot* (number 11).

<sup>48</sup> H.R. Moehring, “Moses and Pythagoras: Arithmology as an Exegetical Tool in Philo” in Elizabeth A. Livingstone, *Studia Biblica: 6th International Congress on Biblical Studies, Oxford 3–7 April 1978*, (*JSOT Sup* 2, Sheffield 1979) I: 205–208; J. Cazeaux, “Philon d’Alexandrie, exégète.” (*ANRW* II 21.1, 1984, 156–226) pp. 160ff; Irmgard Christiansen, *Die Technik der allegorischen Auslegungswissenschaft bei Philon von Alexandrien*, Beiträge zur Geschichte der biblischen Hermeneutik 7 (Tübingen 1969).

*vaHomer*<sup>49</sup> may have been imported into rabbinic hermeneutics via the Sadducees who used these methods a great deal (see below).

## Philo

The commentary form is first seen in a developed form in Philo and in the *Peshirim* at Qumran. The Targumim, which certainly go back to the first century in some form, and the various re-written Scriptures such as the Genesis Apocryphon and Temple Scroll, do not separate the text from the comments. When the commentary form treats the text in isolation, it elevates it to an untouchable status which suggests that the underlying theology of inspiration includes the concepts of perfection and unchangeability. This does not mean that re-written scripture was an attempt to change Scripture, but the commentary form was probably a conscious effort to avoid any appearance of wanting to change the immutable Scripture.

Philo's methods of hermeneutics are similar in many ways to those of later rabbis,<sup>50</sup> especially methods of wordplay or other indications that a text is unusual in some way. However, instead of using these methods to interpret the text, Philo uses them to indicate *when* the text needs to be analysed by means of an allegorical interpretation.<sup>51</sup> This is a very broad application of the principle of Unusual Form which regards small details such as puns, redundant or synonymous words, unexpected vocabulary or misspellings as a hint by the divine Author that there is something special to be found at that point. When Philo finds such hints, he uses allegory to explore the text.

The purpose of allegory for Philo is to find the philosophical truth which is hidden<sup>52</sup> and spiritual.<sup>53</sup> The meaning can be found in symbols<sup>54</sup> or in subtle nuances of the text.<sup>55</sup> His allegories are very similar to those found in Aristobulus and Aristeas. Borgen is over-confident when he traces a development from the Targumim and

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<sup>49</sup> D. Daube, "Texts and Interpretation in Jewish and Roman Law" (*JJSoc* 3, 1961, 3—28) and in H.A. Fischel (ed.), *Essays in Greco-Roman and Related Rabbinic Literature* (New York 1977) 165—182 p. 249.

<sup>50</sup> Several studies have sought to show this, including Z. Frankel, *Ueber palästinische und alexandrinische Schriftforschung* (Breslau 1854) and C. Siegfried who tried to show that a wide range of rabbinic *middot* are present in Philo in *Philo von Alexandria als Ausleger des alten Testaments* (Jena 1875) and "Philo Judaeus" (*JE* 10, 1905, 6—15). Others have highlighted particular methods such as Gezerah Shavah (Hamerton-Kelly) or notariqon (Stein; Belkin; Hanson – all discussing 'Abraham'). See R.G. Hamerton-Kelly, "Some Techniques of Composition in Philo's Allegorical Commentary with Special Reference to *De Agricultura* — a Study in the Hellenistic Midrash." in Davies, W.D. (in honour.) *Jews, Greeks and Christians: Religious Cultures in Late Antiquity. Essays in Honour of William David Davies*. Eds. R. G. Hamerton-Kelly & R. Scroggs (Leiden 1976) 45—56; E. Stein, "Die allegorische Exegese des Philo aus Alexandria" (*ZAW* 51, 1929 1, 1—61) p. 58; S. Belkin, "Some Obscure Traditions Mutually Clarified in Philo and Rabbinic Literature" in A.A. Neuman, & S. Zeitlin (eds), *The Seventy-Fifth Anniversary Volume of the Jewish Quarterly Review* (Philadelphia 1967) 79—103, pp. 83-5; A.T. Hanson, "Philo's Etymologies" (*JTS NS* 18, 1967, 128—139) p. 136.

<sup>51</sup> J. Pépin, "Remarques sur la théorie de l'exégèse allégorique chez Philon" (*CNCNRS* 1966, Paris 1967: 131—168) based on Siegfried "Philo Judaeus" p. 11.

<sup>52</sup> V.Con.78; Mutat.65; Confus.190; Somn.I.164

<sup>53</sup> Abr.217

<sup>54</sup> Spec.III.178

<sup>55</sup> Opif.77; Mutat.138, 140; Spec.I.8; Q.Gen.4.243

Septuagint, through Aristobulus to Philo<sup>56</sup> because although the similarity between Philo and Aristobulus is striking,<sup>57</sup> there is nothing to suggest a literary relationship. Philo knew many contemporary allegorists, and he counsels them to learn from their fellows,<sup>58</sup> so there was probably a thriving community of scholars who shared ideas and perhaps who regarded allegorical interpretations as common property. Unlike Aristobulus, Philo was not primarily interested in apologetics. He has the same concerns as Greek philosophical literature – cosmology, mathematics, ethics, metaphysics and psychology – but he appears to genuinely believe that God has revealed these in Scripture. Even when he discusses sacred history, he does so like a Greek philosopher, interpreting Paradise and Sodom, for example, as symbols of immortal virtue and the destruction of evil.<sup>59</sup>

Philo regards allegory is a doorway to a higher meaning. He often questioned the plain meaning of the narrative<sup>60</sup>, though he never abandoned the literal meaning, and he criticised the 'extreme allegorists' for doing this.<sup>61</sup> In *Questions and Answers on Genesis and Exodus* he deliberately presented both allegorical and literal interpretations side by side with equal weight. It is possible that he wrote these works for those whom he calls the 'literalists' who do not accept any allegorical meaning. He calls them narrow minded "citizens of a petty state"<sup>62</sup> who are "uninitiated into allegory",<sup>63</sup> though he does not "blame such persons, for perhaps the truth is with them also" and he merely exhorts them "not to halt there but to proceed onward to figurative interpretations".<sup>64</sup>

Inspiration is needed to find the allegorical meaning. Philo regarded the whole Bible as prophecy, including the books of Moses whom Philo calls "the chief of the prophets... truly God-inspired"<sup>65</sup> who possesses the Spirit which was also given to the prophesying Elders.<sup>66</sup> Philo uses the same terminology of inspiration which was used of the Delphic Oracle,<sup>67</sup> and regarded OT writers to be inspired in the same ecstatic

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<sup>56</sup> P. Borgen, "Philo of Alexandria" in M.E. Stone (ed.), *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran Sectarian Writings, Philo, Josephus. Compendia Rerum Iudaicarum ad Novum Testamentum* II. 2 (Philadelphia 1984) 232—282, pp. 274-76.

<sup>57</sup> See especially the comparison by R.D. Hecht, "Patterns of Exegesis in Philo's Interpretation of Leviticus" (*SP* 6, 1979—80, 77—155) pp. 112ff .

<sup>58</sup> Cher.48, cf. Spec.I.214

<sup>59</sup> Q.Gen.4.51

<sup>60</sup> Plant.32ff; Ebr.144; Somn.1.94

<sup>61</sup> Migr.89-93. R.D. Hecht, "Patterns of Exegesis in Philo's Interpretation of Leviticus" (*SP* 6, 1979—80, 77—155) pp. 47ff points out that Philo only refers to these once, so they may not have been an important group.

<sup>62</sup> Somn.I.39

<sup>63</sup> Fug.179

<sup>64</sup> Confus.190

<sup>65</sup> Mutat.125-128, cf. Mos.2.187-292; Decal.175

<sup>66</sup> Gig.24

<sup>67</sup> Y. Amir, "Authority and Interpretation of Scripture in the Writings of Philo" in M.J. Mulder, (ed.) *Miqra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and*

way as a Greek poet who “knowing not what he does is filled with inspiration as the reason withdraws and surrenders the citadel of the soul to a new visitor and tenant, the divine spirit, which plays upon the vocal organism and dictates words”.<sup>68</sup> Philo considered exegesis to be similar, so that it comes directly from God and not via rules or methods. He described his own experience in *Cher.27*: “But there is a higher thought than these. I heard it from a voice in my own soul, which often times is God-possessed, and then divines where it does not know. This thought I will record in words if I can.”. Other times he was “filled with a corybantic frenzy and unconscious of anything, place, persons present, words spoken or lines written”.<sup>69</sup>

The theology behind this combines education and inspiration. It assumes that God is interested in educating his children in all the sciences of the Greeks, and that such learning is available to a diligent student of Scripture. However this learning is not apprehended only through education, because the inspiration of God’s Spirit is needed to reach the higher levels of meaning. There is nothing wrong with the plain sense, and it should not be abandoned because it too is part of God’s revelation. The spiritual and philosophical meaning, however, is only found by inspired hermeneutics. The rules which Palestinian rabbis were using to interpret the text were merely the tools by which an allegorist would discover that an allegorical meaning should be searched for. Although allegory is based on methods which can be learned, the interpretation itself is given not to the mind but to the soul of the inspired exegete.

## Josephus

Josephus' work, which encompassed all the books of the LXX, lies somewhere between a re-writing of the text and a continuous commentary on it. He is conscious at all times that this will be read by non-Jews,<sup>70</sup> so his apologetic agenda may have influenced the way that he has applied hermeneutic methods.

The methods of wordplay and minute analysis of the text which are used by Josephus appear sometimes to be totally original, so he was certainly a master of these methods. For example, his unique vocalisation of בל x in Gen.4.4 to read 'milk' is not known elsewhere,<sup>71</sup> and his many etymologies which are based on both the Greek and

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*Early Christianity. Compendia Rerum Iudaicarum ad Novum Testamentum. II. 1* (Philadelphia 1988) 421—453, pp. 429-38

<sup>68</sup> Spec.4.49, cf. Her.265. This same view is found in *Timaeus* e.g. “No man achieves true and inspired divination when in his rational mind” (71E). See D.T. Runia, *Philo of Alexandria and the Timeaeus of Plato* (Leiden 1986).

<sup>69</sup> Migr.35, cf. Mos.2.265; Somn.2.252. See H. Burkhardt, *Die Inspiration heiliger Schriften bei Philo von Alexandrien* (Basel 1988) pp. 156-171.

<sup>70</sup> H.W. Attridge, *The Interpretation of Biblical History in the Antiquitates Judaicae of Flavius Josephus* (Missoula, 1976) ch.4 says that Josephus' main aim is 'Moralising', using the history of Israel to illustrate that God rewards the righteous and punishes the wicked (Ant.Pref.1.14). Franxman has concluded that Josephus' aim is to show Israel in a good light, based on the passages which Josephus chose to omit, such as the incident of the Golden Calf — see T.W. Franxman, *Genesis and the 'Jewish Antiquities' of Flavius Josephus* (Rome 1979).

<sup>71</sup> Ant.1.54

Hebrew text are mostly original,<sup>72</sup> unlike Philo who appeared to use a source for his etymologies.<sup>73</sup>

Allegory occurs in Josephus, but not to a great extent. He used it mainly to explain the relevance of the Tabernacle and priestly vestments with allegories which are very similar to Philo's, though they also demonstrate some independent details.<sup>74</sup> The purpose of this allegory was apologetic, to show that the Laws of Moses conformed to "nature"<sup>75</sup>

Josephus presumably believed, like Philo, that inspiration was needed for allegory, because he regarded Moses himself as an allegorist<sup>76</sup> He certainly regarded himself as an inspired exegete when he re-applied biblical prophecies to the present,<sup>77</sup> such as when he consciously took on Jeremiah's mantle and re-applied his words about Nebuchadnezzar's siege to the present-day siege of Jerusalem.<sup>78</sup> He regarded himself as a priest and prophet, and believed that his priestly descent qualified him to interpret dreams,<sup>79</sup> to prophesy<sup>80</sup> and to interpret Scripture.<sup>81</sup> This self-understanding gives him the confidence to add details to his re-telling of Scripture stories and (more significantly) to omit incidents and even whole chapters,<sup>82</sup> even though he claimed to record the contents of Scripture "without adding anything nor omitting anything".<sup>83</sup> Josephus was probably thinking of the warning in Deut.4.2 or 12.32, but considered himself sufficiently inspired to be able to make these changes without altering the divine message.

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<sup>72</sup> A. Edersheim, "Josephus" in *Dictionary of Christian Biography*, ed. by W. Smith, H. Wace (London, 1877-87) 3 441—460, p. 452; S. Rappaport, *Agada und Exegese bei Flavius Josephus* (Vienna 1930) pp. xxxi-xxxiii; H. St. J. Thackeray, *Josephus, the Man and the Historian* (New York 1929) pp. 77-80; R.J. H. Shutt, "Biblical Names and their Meanings in Josephus, Jewish Antiquities, Books I and II, 1—200" (*JSJ* 2, 1971, 167—182); Franxman, *Genesis and the 'Jewish Antiquities'*". Edersheim and Rappaport find a few parallels with Philo, but Rappaport concludes that they mostly originate with Josephus.

<sup>73</sup> This was postulated in Stein, "Die allegonsche Exegese des Philo" and has been confirmed to a large extent by discoveries of onomastica similar to this proposed source – see D.A. Rokeah, "A New Onomasticon Fragment from Oxyrhynchus and Philo's Etymologies" (*JTS NS* 19, 1968, 70—82).

<sup>74</sup> Ant.3.123, 179-187; Wars 5.217f, cf. Philo Mos.2.88, 102f, 117-123. While Philo says that the four ingredients of the incense represent the four elements (Her.197), Josephus knows that the priests actually used thirteen ingredients so he says they represented all things from habitable and uninhabitable places (War.5.218, cf. notes ad loc. in H. St. J. Thackeray et al. *Josephus with an English Translation* Loeb Classical Library, 10 vols., London 1926—65).

<sup>75</sup> Ant.1.24; 4.226, 228

<sup>76</sup> Ant.1.24

<sup>77</sup> D. Daube, "Typology in Josephus" (*JJS* 31, 1980, 18—36); S. Niditch, "Father-Son Folktale Patterns and Tyrant Typologies in Josephus' Ant. 12.160—222" (*JJS* 32, 1981, 47—55).

<sup>78</sup> Ant.10.79. Other examples of Jeremiah's typologi

<sup>79</sup> Wars 3.351-4, cf. Life 208f

<sup>80</sup> Wars 4.622-9

<sup>81</sup> War 3.353 "inspired to read their meanings".

<sup>82</sup> He omits Gen.35.22 and the whole of Gen.38 and many more – summarised in P. Villalba I. Varneda, *The Historical Method of Flavius Josephus* (Leiden 1986) pp. 268-271.

<sup>83</sup> Ant.1.17, cf. 4.197; 8.56; 10.218

Josephus' theology of hermeneutics was in many ways similar to that of Philo, in that he believed that inspiration was needed to interpret the inspired text. He is far more restrained in his use of allegory, though this is not because he considered it to be unimportant because he planned to devote a future work to this subject.<sup>84</sup> Nevertheless he is far more interested in the plain historical meaning of the text, though he feels himself free to re-interpret prophecies in the light of the present because he regards himself sufficiently inspired to re-apply the text in this way.

## Sectarian Judaism

### Qumran Judaism

The *Pesher* commentaries stand out among the Qumran texts as documents which are concerned with hermeneutics, but there are also many examples of exegesis within the Damascus Document and the Manual of Discipline, as well as examples of re-written scripture in the Temple Scroll (and in the non-sectarian literature such as the Genesis Apocryphon and Jubilees), and examples of intricate mixing of Scripture allusions in the Hodayot. Almost all the Qumran texts are concerned with Scripture in one way or another, and the large number of Scripture texts which were also found there suggests that the community lived and breathed its language.

Unlike Philo and Josephus, the interpreters at Qumran rarely give any reasons for their interpretations. Even when Philo launches into a far-reaching allegory, he often justifies it by means of an etymology or some other feature of the text, which suggests that he is concerned to ground his hermeneutics in reason. At Qumran the *Pesher* commentaries are characterised by simple statements about what the prophecies mean, which almost invariably turn out to be speaking about the present day.

The Qumran exegetes were well aware of many of the hermeneutic methods which were later listed as the *Middot*. Brownlee identified 13 'Hermeneutic Principles' in the Habakkuk *Pesher*<sup>85</sup> which include many rules involving comparison with other texts,

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<sup>84</sup> Ant. 1.25. Perhaps he never wrote this work, or perhaps it was lost.

<sup>85</sup> W.H. Brownlee, "Biblical Interpretation among the Sectaries of the Dead Sea Scrolls" (*BA* 14, 1951, 54—76), though this was much criticised by K. Elliger, *Studien zum Habakuk-Kommentar vom Totem Meer* (Tübingen 1953) pp. 159ff. Brooke *Exegesis at Qumran* pp. 283ff compared these more directly with rabbinic *middot* and many others have succeeded in finding these methods at Qumran, though they are not all equally convincing – see P. Wernberg-Møller, "Some Reflections on the Biblical Material in the Manual of Discipline" (*ST* 9, 1955, 40—66); F.F. Bruce, *Biblical Exegesis in the Qumran Texts* (London 1959); A. Finkel, "The Pesher of Dreams and Scriptures" *RQ* 4, 1963—64, 357—370); GR. Driver, *The Judean Scrolls: The Problem and a Solution* (Oxford 1965) pp. 335ff; E. Slomovic, "Towards an Understanding of the Exegesis in the Dead Sea Scrolls" (*RQ* 7, 1969—71, 3—15); S. Talmon, "The Textual Study of the Bible — A New Outlook" in F.M. Cross, & S. Talmon, *Qumran and the History of the Biblical Text* (Cambridge, Mass. 1975) 321—400; M. Fishbane, "The Qumran Pesher and Traits of Ancient Hermeneutics" (*PWCJS* 6, 1977, 97—114); M. Fishbane, "Use, Authority and Interpretation of Mikra at Qumran" in M.J. Mulder, (ed.) *Miqra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity. Compendia Rerum Iudaicarum ad Novum Testamentum. II. 1* (Philadelphia 1988) pp. 339—377, 369-71, 374-75; D.J. Moo, *The Old Testament in the Gospel Passion Narratives* (Sheffield 1983) pp. 36ff; G.J. Brooke, "The Amos-Numbers Midrash (CD 7. 13b—8. 1a) and Messianic Expectation" (*ZAW NS* 51, 1980, 397—404); G.J. Brooke, "Qumran Pesher: Towards the Redefinition of a Genre" (*RQ* 10, 1979—81, 483—503) pp. 496-97; A.N. Chester, "Citing the Old Testament" in B. Lindars, (in honour) *It is*

allegory and wordplay (including re-pointing, dividing words differently, or even rearranging the letters in a word). One important non-rabbinic method which Brownlee identified was the use of textual variants as the basis of an interpretation.<sup>86</sup> Unlike the rabbinic method of *Al Tigrē*, ('do not read x but instead read y') these variants are simply stated as the authority behind an interpretation, without any statement about what the received text says. Further studies have produced many more examples.<sup>87</sup> The wide variety of Scripture texts found at Qumran suggests that they did not regard any particular text-type as the 'correct' version, so they were free to use whichever variant best fitted their interpretation. However it is also possible that they 'invented' variants, because many examples use variants which have not been found anywhere.<sup>88</sup> The Scripture texts left by non-Sectarians on Masada at about the same time do not exhibit this same variety and conform much more closely to the traditional Hebrew text, so this love of variants appears to be a feature of Qumran.

The inspiration required for choosing the correct variant or even for producing a new one resided in the Teacher of Righteousness and his followers. Although all the authors of Scripture were prophets (including Moses and David<sup>89</sup>), God revealed things to the Teacher of Righteousness which were not even known to Habakkuk<sup>90</sup> so that his words came "from the mouth of God".<sup>91</sup> Perhaps, as Wacholder suggested, the Habakkuk *Peshar* was written by the Teacher of Righteousness himself (because it is the only Qumran document which mentions his imperfections) and his followers who inherited his spirit imitated him in subsequent *Pesharim*.<sup>92</sup> Every member of the

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*Written : Scripture Citing Scripture. Essays in Honour of Barnabas Lindars, SSF*, Eds. D. A. Carson, H. G. M. Williamson (Cambridge 1988) 141—169.

<sup>86</sup> Brownlee's 4<sup>th</sup> Hermeneutical Principle

<sup>87</sup> G. Vermes, "The Qumran Interpretation of Scripture in its Historical Setting" (*ALUOS* 6, 1969, *Dead Sea Scroll Studies*, 85—97) and in G. Vermes, *Post-Biblical Jewish Studies*. Leiden 1975) 37—49; H. Ringgren, "Some Observations on the Qumran Targum of Job" (*ASTI* 11, 1977—78, 119- 126); Moo, *The Old Testament in the Gospel Passion Narratives* pp. 42ff; G.J. Brooke, "The Biblical Texts in the Qumran Commentaries : Scribal Errors or Exegetical Variants?" in W.H. Brownlee (in honour), *Early Jewish and Christian Exegesis: Studies in Memory of William Hugh Brownlee*. Eds. C. A. Evans & W. F. Stinespring (Atlanta, Georgia 1987) 85—100.

<sup>88</sup> See the details in Brooke, "The Biblical Texts in the Qumran Commentaries". B.J. Roberts, "Bible Exegesis and Fulfillment in Qumran" in D.W. Thomas, (in honour), *Words and Meanings: Essays Presented to David Winton Thomas*. Eds. P.R. Ackroyd & B. Lindars, Cambridge 1968) 195—207 regards this as a deliberate 'forced exegesis', while Trever and Sanford blame this exegesis for producing the 'wrong eschatology' which resulted in the massacre of the community by the Romans — see J.C. Trever, "The Qumran Covenanters and Their Use of Scripture" (*Per* 39, 1958, 127—138); W. Sanford, "Interpretation and Infallibility: Lessons from the Dead Sea Scrolls" in W.H. Brownlee (in honour), *Early Jewish and Christian Exegesis: Studies in Memory of William Hugh Brownlee*. Eds. C. A. Evans & W. F. Stinespring (Atlanta, Georgia 1987) 123—137

<sup>89</sup> CD.7.9ff; 11QPs.a.27.11, cf. D. Dimant, "Qumran Sectarian Literature" in M.E. Stone (ed.), *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran Sectarian Writings, Philo, Josephus. Compendia Rerum Iudaicarum ad Novum Testamentum* II. 2 (Philadelphia 1984) 483—550, pp. 507f

<sup>90</sup> pHab.4.17ff

<sup>91</sup> pHab.2.2

<sup>92</sup> B.Z. Wacholder, *The Dawn of Qumran: The Sectarian Torah and the Teacher of Righteousness* (Cincinnati 1983). Subsequent *Pesharim* refer to the Teacher of Righteousness in the past or as highly honoured — cf. 4QpPs.a.1-10.3.14ff; 4QpIs.e.1-2.2f.

community was probably considered capable of inspired exegesis, because they were set apart by the hidden laws which had been revealed to them out of Scripture<sup>93</sup> and new knowledge was constantly expected to be revealed to members of the community who would then share that knowledge with the others.<sup>94</sup>

There was little need at Qumran for allegory in the way that Philo and Josephus used it. The exegete simply said that 'this means that'. For example, in the Song of the Well at Num.21.18 'the *well* is the Torah', 'the *diggers* are the returned of Israel' and 'the *nobles of the people* are those who come to *delve* in the *well*'.<sup>95</sup> Philo recorded that the Essenes had oral traditions of allegorical interpretations,<sup>96</sup> and that Therapeutae had similar written interpretations,<sup>97</sup> though he attributed none of his allegories to them. If either of these groups are the same as the Qumran sectarians, Philo was perhaps familiar with interpretations which have not survived.

The theology of Scripture found at Qumran assumed that different versions were inspired. This may have been equally true for Philo and Josephus, because they are happy to base their interpretations on either the Greek or Hebrew text,<sup>98</sup> but the Qumran exegetes go well beyond them by appearing to accept *any* version, and even perhaps inventing their own variants. They are also confident in their belief that Scripture is written for all times, and especially for the present. The work of the inspired interpreter is to discover the meaning for the present.

### **Dorshe Reshumot and Dorshe Hamurot**

These two groups are mentioned in rabbinic sources with too few details to enable us to identify them securely. They are of importance because they used allegory and were well known to Palestinian rabbis. The meanings of these titles are something like 'Interpreters of Symbols' and 'Interpreters of Difficulties' respectively.<sup>99</sup> They are probably two names for the same group<sup>100</sup> though there have been some attempts to distinguish between them.<sup>101</sup> They certainly existed by the beginning of the second century,<sup>102</sup> and Ginzberg suggested that they were "already archaic in the year 70"<sup>103</sup>

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<sup>93</sup> 1QS.5.20ff; 8.11f. Cf. Fishbane, "Use...of Mikra at Qumran" pp. 364-67.

<sup>94</sup> 1QS.6.9f.

<sup>95</sup> CD.6.3-9. See the much fuller analysis in my *Techniques and Assumptions* pp. 190-192

<sup>96</sup> Prob.82

<sup>97</sup> V.Con.29

<sup>98</sup> Philo's exposition of Gen.14 in Abr.232-244 uses the LXX "numbered" (v.14 hθiqmhse) as the basis for his interpretation "he made a roll-call", and the Hebrew "and he divided" (v15 ql xyw) as the basis for "and distributed them into centuries". See my *Techniques and Assumptions* pp. 200-201. Josephus used both Hebrew and Greek texts for the basis of his etymologies – see Shutt, "Biblical Names".

<sup>99</sup> These and other proposals are in J.Z. Lauterbach, "Ancient Jewish Allegorists in Talmud and Midrash" (*JQR NS* 1, 1910—11, 291-333, 503-531).

<sup>100</sup> As Rashi suggested – see re bBer.24a

<sup>101</sup> I. Lévi, "Les Dorshè Reschoumot" (*REJ* 60, 1910, 24—31); Lauterbach, "Ancient Jewish Allegorists". The frequent substitution of one for the other in different manuscripts or parallel traditions frustrates any serious attempt to separate them.

<sup>102</sup> Their exegesis was debated by Eleazar de Modin, R. Joshua and R. Eliezer b. Hyrcanus

because R. Yohanan b.Zakkai used "*Homer exegesis*" as though it were an established style of interpretation.<sup>104</sup>

Although it is possible that they were yet another lost Palestinian sect, it is also likely that they were rabbinic titles given to Alexandrian allegorists such as Philo<sup>105</sup> or to the Qumran Sect.<sup>106</sup> One of their interpretations is very similar to the Qumran interpretation of the Song of the Well (see above): "the words of Torah, which are compared to water, as it is said: Ho everyone who thirsts, come to the waters [Is.55.1]".<sup>107</sup> This shows a use of *Gezerah Shavah* to link two texts, but also a use of allegory which takes the meaning of the text far beyond its immediate context.

The few interpretations which have survived suggest that they used allegory in a similar way to Philo and Qumran, though it is impossible to say which they more closely resembled. They presumably shared the inspirational theology of hermeneutics which is found in Philo and at Qumran. What is most significant is that the rabbinic literature which records these interpretations regards their exegesis as different from their own.

## 'Pre-Rabbinic' Judaism

Historically, it is very difficult to determine how the predecessors of the Rabbis used Scripture and what their theology of hermeneutics was. The best source is the School debates, and it is also useful to look at debates with the Sadducees and traditions of named individuals who lived before 70 CE. The methods which these different groups used have already been examined above, but it is their *use* of these methods which give a clear insight into the theology of hermeneutics of these three groups.

### The School Debates

The debates of the Hillelites and Shammites are particularly important as an historical source because it is likely that they were recorded before 70 CE and used as a source for Mishnah. Although there was clearly some editing by the framer(s) of Mishnah, the relatively standard form of the debates in this source usually means that later editing can be detected. However, the most difficult aspect for this study is that the original debates probably contained very little exegetical detail. Their rival

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<sup>103</sup> L. Ginzberg, "Allegorical Interpretation" (*JE* 1, 1901, 403—411) and in L. Ginzberg, *On Jewish Law and Lore* (New York 1981, 1st ed. 1955) 127— 152, p. 405

<sup>104</sup> tBQ.7.3-7 and parallels.

<sup>105</sup> Lauterbach concluded that Dorshe Hamurot were Alexandrian Jews like Philo and that Dorshe Reshumot were Palestinian Jews who used a similar hermeneutics.

<sup>106</sup> I. Sonne, "A Hymn against Heretics in the Newly Discovered Scrolls" (*HUCA* 23, 1950- 51, 275—313); C. Roth, "A Talmudic Reference to the Qumran Sect?" (*RQ* 2, 1959—60, 261-268) II.5.3d points out that Dorshe Hamurot might be the opposite to Dorshe haHalakot תַּוְּקַל חֵן יִשְׁרָוּד 'interpreters of smooth/light things' which is probably a title for the Pharisees (pun on תַּוְּקַל חֵן) as found at CD.1.18; 4QpIs.c.23.2.10; 4QpNah.3-4.1.2,7; 3-4.2.2,4; 3-4.3.3,7; Hod.2.15,32, cf. 4.10, and at 4QpNah.1-2.2.7 according to a restoration by M.P.Horgan in *Qumran Interpretations of Biblical Books* (Washington DC, 1979) 170.

<sup>107</sup> bBQ.82a and parallels – see the analysis in Lauterbach 1910-:310. The Qumran interpretation was also based on Is.55.1, according to my analysis in *Techniques and Assumptions* pp. 190-192.

opinions are stated with the merest of explanation and no more than a hint of their basis in Scripture. Much of the time the exegesis can be inferred, and later editors have often added to the debate on the basis of such inferences. Although these additions are clearly late, they often provide the clue to how the Schools were thinking. Therefore, when used with care, the School debates give a very clear insight into 'pre-rabbinic' Judaism.

The School debates illustrate what can be called a Nomological approach to Scripture,<sup>108</sup> in contrast to the Inspirational approach which is illustrated by Hellenistic and Sectarian Judaism. They regarded Scripture as though it were a legal text which was authored by a perfect legal mind, and which must therefore be interpreted by legal methodology. Their approach is characterised by five assumptions:

*1) Scripture is totally self-consistent.*

Like any legal document, one section must be consistent with any other section, both in vocabulary and in meaning, and there can never be any contradiction. This assumption encourages the use of hermeneutic methods such as *Gezerah Shavah* or *Heqesh* which explain one text by means of another, because the way that the divine legislator used a word in one text should illuminate the meaning of that same phrase elsewhere. It also implies that all Contradictions can be resolved, and implies that one can use a method such as *Qal vaHomer* to relate the severity of one ruling to another. These methods only make sense when the texts which are being related to each other have been written by a single author who is being deliberately careful to avoid any misunderstanding or internal contradiction — which is exactly how a legislator seeks to write.

*2) Every detail in Scripture is significant*

A legislator strives to make every work in a legal text unambiguous and to remove every unnecessary word or phrase. Therefore the divine legislator can be assumed to have created a perfect Law in which every word and letter is significant. This is the theological basis for the hermeneutic method of No Redundancy which finds significance even in a single word which could apparently be omitted without changing the meaning. Even the presence of the second pronoun "you" in the command "Six days you shall labour and you shall do your work" (Ex.20.9) is considered significant by the School of Hillel, who argued that work may continue by itself on a Sabbath, so long as "you" do not do it. Therefore food can continue to cook by itself and dye can continue to colour cloth after the Sabbath has started.<sup>109</sup>

This principle also underlies the various hermeneutic methods of Wordplay, because one would not expect a divine legislator to make a spelling mistake, or to employ an unusual grammatical form unintentionally, and he would even predict the puns which could be created out of the words which he chose to use. Therefore any pun or unusual word must be treated as significant. Not all examples of Wordplay can be

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<sup>108</sup> This term was coined by me in *Techniques and Assumptions*.

<sup>109</sup> Mekh.Sim. p.149.15-21. Although this ruling is not found in an earlier source, it is almost certainly original because it retains the form of the School debates, and because it is the basis of the School rulings in M.Shab.1.5-8.

justified by this principle, but it encompasses all the examples which are used by the Schools.

### 3) *Scripture is understood according to its context*

If the Scriptures are a well written legal document, one would expect everything to occur in the correct context, and one would expect things to occur in the correct order. Therefore the Shammaites argued that the negative command not to mix cotton and wool overrules the positive command to put woollen tassels on a cotton garment because it occurs immediately before it.<sup>110</sup>

The rule of Context (which occurs in the list of 'Hillel') is rarely invoked, but it is frequently implied. Sometimes an interpretation is nonsensical without the context of a text which is cited. For example, when the Hillelites wanted to prove that God's mercy saves the person who is equally good and bad from Sheol, they cited "I love the Lord for he hears my voice and supplication" (Ps.116.1).<sup>111</sup> This proof is meaningless unless one remembers the context of the verse which concerns thanksgiving for salvation from Sheol.

### 4) *Scripture does not have any secondary meaning*

Legal documents are written as unambiguously as possible, so a hidden secondary meaning would not be expected, although minute details may reveal further information about the primary meaning. This principle is seen particularly where Wordplay is used, which often introduces a totally different meaning when it is used by Philo or at Qumran, but which always illustrates the primary meaning when used by the Schools. When the Shammaites said that one should lie down and stand up to say the *Shema* (a very literal interpretation of Deut.6.7), the Hillelites said that one should remain in the "way" that one happens to be, because Scripture says "when you sit in your house and when you walk in the way" (a play on the flexible word *Krd*). Although this is not a 'plain' meaning (in the eyes of a modern reader), this Wordplay illustrates the primary meaning rather than acting as a springboard for a completely new subject, as it would in the writings of Philo.

### 5) *There is only one valid text form of Scripture*

A valid legal document can only exist in one official version and no-one has the authority to issue an amendment except the legislating authority which produced the document. A paraphrase does not have the same legal authority as the original, though an authorised translation is valid. Whether or not it was true that there was a 'standard' set of Scripture scrolls in the Temple,<sup>112</sup> it is significant that they *thought* that this

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<sup>110</sup> Mid.Tann. p.138f, cf. bShab.25b; bMen.40a.

<sup>111</sup> t.San.13.3, cf. b.RH.16b-17a; ARNa.41

<sup>112</sup> Sof.4.4 and parallels. See the discussions in J.Z. Lauterbach, "The Three Books Found in the Temple at Jerusalem" *JQR NS* 8, 1917—18, 385—423) and in S.Z. Leiman, *The Canon and Masorah of the Hebrew Bible: An Introductory Reader* (New York 1974) 416—454; M.H. Segal, "The Promulgation of the Authoritative Text of the Hebrew Bible" (*JBL* 72, 1953, 35—47); S. Talmon, "The Three Scrolls of the Law that were Found in the Temple Court" (*Tex* 2, 1962, 14—27) and in S.Z. Leiman, *The Canon and Masorah of the Hebrew Bible: An Introductory Reader* (New York 1974) 455—467; S. Zeitlin, "Were there Three Torah Scrolls in the Azerah?" (*JQR NS* 56, 1965—66, 269—272) and in S.Z. Leiman, *The Canon and Masorah of the Hebrew Bible: An Introductory Reader* (New York 1974) 469—472.

existed. It is also significant that no emendations of the text or even an oral variant (אִרְגָּל) are ever proposed in Mishnah nor Tosefta.<sup>113</sup>

The closest that the Schools ever came to amending the text of Scripture is the alternative punctuation which formed the basis for the Hillelite reply to the Shammaites who ate special food on the Sabbath. The Hillelites argued that one should praise God every day because it says: “Blessed be the LORD day [by] day” (Ps.67.19[68.19]).<sup>114</sup> This depends on a change in the traditional punctuation which reads: “Blessed be the LORD; day by day he bears burdens for us” (as supported by Targum). However, the Hillelites did not claim to change the text and the LXX supports both forms of punctuation (“Blessed be the LORD; blessed be the LORD daily...”) so it is likely that they depended on the force of the LXX which was an 'official' translation.

### **Sadducee-Pharisee debates**

The Sadducees and Boethusians may have been different groups, but they are now indistinguishable, partly because they were too similar and partly because their traditions became intertwined. Their debates with Yohanan b. Zakkai and with the '*Perushim*' ('Pharisees'?) can almost certainly be dated before 70 CE because they lost their influence after the Destruction. These debates are particularly trustworthy when their arguments are the strongest, because it is unlikely that later Rabbis would invent them.

Like the School debates, the debates with the Sadducees involve mainly those methods which were later listed as *Middot*. There are no examples of allegory or searches for hidden meanings. They are concerned with the primary meaning of the text and they interpret Scripture as though it was a legal document. They use the same Nomological principles as found in the School debates.

One important difference lies in the Sadducean use of methods of hermeneutics such as *Reductio ad Absurdum*, Logical Inconsistency, Pragmatism, and *Mashal*. These methods are used by others, but to a far lesser extent. These types of methods are used in ten out of the twelve exegeses of the Sadducees or Boethusians which have survived,<sup>115</sup> while they are only used in six other traditions in about one hundred other exegeses which have survived from before 70 CE.<sup>116</sup> *Mashal* is probably a forerunner of allegory, and the others are logical or rhetorical methods, all of which are found in Hellenistic debates.

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<sup>113</sup> S. Rosenblatt, *Interpretation of the Bible in the Mishnah* (Baltimore 1935) and *The Interpretation of the Bible in the Tosefta* (*JQR Mon* 4, Philadelphia 1974).

<sup>114</sup> Two *baraitot* in b.Betz.16a (cf. Mekh.Sim. p.148). The second *baraita* is a School debate while the first is a biographical story about Shammai and Hillel. It is likely that the story is a later expansion of the debate. The Hillelite position is represented solely by the exegesis, which suggests that it has not been added later.

<sup>115</sup> Used in ARNa.5; mYad.4.6; m.Yad.4.7; b.BB.115b-116a; t.Kipp.1.8; t.Hag.3.35; m.Makk.1.6; b.Men.65ab; Meg.Taan. p.338; b.Shab.108a. Not used in Meg.Taan. p.331 or b.Men.65a. For details see my *Techniques and Assumptions* pp. 88-118.

<sup>116</sup> As compiled and analysed in my *Techniques and Assumptions*.

Josephus jibed that the Sadducees “reckon it a virtue to dispute with [their] teachers”<sup>117</sup> and called their disputes “boorish” and “rude”<sup>118</sup> which may suggest that they argued with each other in the Greek tradition of rhetorical debate rather than rabbinic-style scholarly discussion.<sup>119</sup> In the debates which have survived, the Sadducees tend to be portrayed as stupid, but it is significant that when they introduce methods such as *Reductio ad Absurdum* into the debate, these same methods are then taken up by their opponents. This may be a subtle acknowledgement that the Sadducees were responsible for bringing this type of method into the hermeneutics of Judaism.

The use of these rhetorical methods may indicate a theology which regards Scripture as nothing more than a human document. However, the fact that they attempt to base their beliefs on Scripture suggests that they had a high regard for it, so it is probably more true to say that they regarded it as *so* important that all human endeavour should be brought into service in its interpretation. The only thing that can be said with certainty is that they did regard it as a document which was written within the constraints of human logic and which assumed human understanding.

### **Named Attributions before 70 CE**

Although there is a new confidence in the trustworthiness of attributions in rabbinic literature, this does not extend to the earliest individuals who tend to attract legendary stories and whose sayings have had to traverse too many generations. However, the halakhic sayings of individuals in the mid and later first century can be relied on relatively securely, because these were treated by later generations with all the rigour of later legal opinions, unlike their biographical traditions which are unreliable.

The named individuals before 70 CE use virtually the same collection of hermeneutic methods which are found in the School debates, with the same underlying assumptions which characterise a Nomological approach to Scripture. As far as the style of interpretations are concerned, these two collections of traditions appear to represent roughly the same group of people. This is in severe contrast to the exegetical traditions after 70, where a much broader set of hermeneutic methods are used, and where some of the assumptions underlying the Nomological approach no longer apply.

### **Changes after 70 CE**

Soon after 70 CE (or perhaps just before) Yohanan b. Zakkai introduced allegory, which was sometimes called 'Homer' exegesis, and this became increasingly popular.<sup>120</sup> He started to transform the Song of Solomon from a love-song into a story

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<sup>117</sup> And.18.16 (1.4)

<sup>118</sup> War.2.166 (8.14)

<sup>119</sup> Suggested by D. Daube, “Rabbinic Methods of Interpretation and Hellenistic Rhetoric” (*HUCA* 22, 1949, 239—263) and in A. Corré, (ed.) *Understanding the Talmud* (New York 1975) 275—289, p. 5

<sup>120</sup> See the survey in J. Bonsirven, “Exégèse allégorique chez les rabbins tannaïtes” (*RSR* 23, 1933, 510—541).

about Israel,<sup>121</sup> and Akiba completed this process.<sup>122</sup> Akiba is also credited with the introduction of Inclusion and Exclusion, by which the primary meanings of many texts were expanded to encompass halakhic rulings which hitherto had no basis in Scripture. These types of development were welcomed and encouraged in order to find foundations for more halakhah. They were especially used in agadic exegesis which used them to find many interesting and sometime entertaining results.

Philo was never adopted into rabbinic Judaism,<sup>123</sup> but the allegorical methods which he used influenced later generations of rabbinic exegetes, probably via Qumran or other Alexandrians. The far-flung and wide-ranging allegories of Philo never became part of mainstream rabbinic Judaism, but the principle that philosophical and ethical instructions were hidden underneath apparently bland or confusing words became a fertile field for Judaic homiletics.

The single valid text-form of the Scriptures continued to be the basis of rabbinic exegesis, though there was a much wider acceptance that emendations could be proposed and that they could even reach a semi-official status as an oral reading. Even in the absence of a traditional oral reading, it was still acceptable to start an exegesis with "Do not read... but ..." ( ) l ) ... yrqt l ) ). Meir collected variants, which were used exegetically,<sup>124</sup> and although they never became part of the official text, they were nevertheless held in high regard.

These changes marked a movement away from the Nomological principles that a legal text would avoid hidden meanings, non-contextual atomistic interpretations, reversals in order, and variant text forms. There was, of course, opposition to these changes and Nomological principles can be found in much Amoraic exegesis.<sup>125</sup> The School of Ishmael countered that "Scripture speaks the language of men"<sup>126</sup> and a group called 'the Scribes' were opposed to allegory in the days of Gamaliel III.<sup>127</sup> But, on the whole, these new ways of looking at Scripture were found to be enlightening and productive, so that some of them became enshrined in the lists of *Middot*.<sup>128</sup>

## Conclusions

The theology of early rabbinic hermeneutics can be discovered from the hermeneutic methods which are used and, more importantly, the way in which pre-Rabbinic Judaism before 70 CE actually interpreted the text of Scripture. Different branches of

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<sup>121</sup> In m.Taan.4.8 it is still used like a love-song. Yohanan started to allegorise it (Mekh.Ish.1), though this was perhaps started by Hananiah (ARNa.20).

<sup>122</sup> t.San.12.10; b.San.101a

<sup>123</sup> He was rediscovered by Azariah dei Rossi in the 16<sup>th</sup> century.

<sup>124</sup> Gen.R.20.12

<sup>125</sup> I. Frankel, *Peshat (Plain Exegesis) in Talmudic and Midrashic Literature* (Toronto 1956)

<sup>126</sup> b.Ber.31b; b.Ned.3a.

<sup>127</sup> b.Sot.15a.

<sup>128</sup> Especially the rules of Eliezer which include Extension and Limitation (#1-4), secondary or hidden meanings (#10, 16) and changes in order (#31-32).

Judaism had different theologies of Scripture and therefore of hermeneutics. These differences fall roughly into two types: Inspirational and Nomological. Hellenistic Judaism (as represented mainly by Philo and Josephus) and Sectarian Judaism (represented mainly by Qumran) followed the Inspirational approach, while the forerunners of the Tannaim (the Schools, the *Perushim* and various named individuals living before 70 CE) followed mainly the Nomological approach. After 70 CE, the Inspirational approach is found somewhat in Tannaitic traditions and much more in Amoraic traditions, especially in the agada.

Nomological hermeneutic theology views Scripture as though it was a perfect legal document, drawn up by a divine legislator. This view is characterised by five assumptions:

- 1) *Scripture is totally self-consistent.*
- 2) *Every detail in Scripture is significant.*
- 3) *Scripture is understood according to its context.*
- 4) *Scripture does not have any secondary meaning.*
- 5) *There is only one valid text form of Scripture.*

Inspirational hermeneutic theology views Scripture as though it contains hidden or spiritual meanings which are not obvious to the casual or uninspired reader. The presence of hidden meanings are indicated by apparent contradictions or apparently insignificant mistakes or strange spellings or by apparently superfluous words. Hidden or spiritual meanings can be explored by using allegory or wordplay or sometimes by an inspired re-application where the interpreter says "this means that". Philo used this type of interpretation to find philosophical truth, while Josephus used it apologetically to show that Scripture conformed to Graeco-Roman sensibilities and the later Rabbis used it to find Scriptural foundations for new *halakhot*.

These two theologies both became valuable sources of interpretations in Rabbinic Judaism. The Nomological theology was used mainly in halakhic traditions while the Inspirational theology was used mainly for agada, though there was a great deal of overlap.