

Hidary, Richard, *Rabbis and Classical Rhetoric: Sophistic Education and Oratory in the Talmud and Midrash* (Cambridge University Press, 2017). Pp. xi+335. £ 81.00 (Hardback). ISBN: 978-1-10717740-6.

Richard Hidary seeks to unearth the entanglements of rabbinic and Graeco-Roman rhetoric in this book. The issue of parallels between these corpora is not new, nor is the lack of pressing evidence for influence or indebtedness: many scholars argued for intercultural exchanges in their readings of rabbinic texts, and Hidary locates his research in this scholarly line.¹ In bringing together existing scholarship and expanding it with his textual readings of known and less discussed proof passages, Hidary proposes two theses: whereas the rabbis do not cite or quote Greek or Latin authors such as Aristotle, Cicero, Quintilian, or Libanius, the requirements for argumentation in the Second Sophistic sheds light on rabbinic discursive structures, both in Palestinian midrash, the Palestinian Talmud and the Babylonian Talmud. Hidary consequently reads these texts from a source critical and a rhetorical point of view and argues that the editorial techniques in particular are reflective of late antique rhetorical theory. Here, Hidary moves beyond isolated *topoi* in order to show how the very structure of a talmudic or midrashic *sugya* reflects schemes and dialectical techniques familiar to philosophical and rhetorical training techniques for Graeco-Roman legislators or philosophers. The second proposal is that the rabbis not only were aware of these devices and rhetorical theories but adapted these to fit in with their biblical-Jewish world views, in particular the absolute truth claim as embodied in Torah. Torah study, in this view, becomes a way of steering between a Platonic and a Sophistic way of addressing truth claims. As Hidary shows in his textual examples, rabbinic discourse allows for multiple truth claims in displaying highly theoretical cases where students learn to affirm and to negate a specific legal or non-legal point of view. It relates these techniques, however, to the Torah as a canonical text embodying the absolute, yet as such, inexhaustible truth. Rabbinic Judaism, thus, appears as one of the philosophical schools in late antiquity.

The book is structured clearly. The Introduction presents the scholarly debate as well as a historical location of the Second Sophistic in the geographical and cultural proximities of the rabbis. Thereafter Hidary addresses the core genres

1 Starting with Saul Lieberman, *Greek in Jewish Palestine* (New York: JTS, 1942); and, e.g., David Daube, "Rabbinic Methods of Interpretation and Hellenistic Rhetoric," *Hebrew Union College Annual* 22 (1949): 239–64. More recently, David Brodsky, "From Disagreement to Talmudic Discourse: Progymnasmata and the Evolution of a Rabbinic Genre," in *Rabbinic Traditions between Palestine and Babylonia*, ed. Ronit Nikolsky and Tal Ilan (Leiden: Brill, 2014), 173–231.

appearing in rabbinic literature: rhetorical structures in the proem of the rabbinic sermon in *Leviticus Rabbah*, *Tanhuma-Yelamedenu*, and *b. Shab. 30a-b*), as well as the *Pesach Haggadah* (chapter 1); rabbis as educators (chapter 2, basically *y. Ber. 1:1*); legal antagonism (chapter 3, *b. Ket. 49a* and *b. Meg. 6b*); *progymnasmata* and controversies as theoretical training tools in dialectical reasoning (chapter 4, e.g., *b. B. Qam. 27b-28a* *b. Men. 104a*); and hermeneutics (chapter 5, midrashic topoi and theory, e.g., *y. Pes. 6:1*, the famous passage on Hillel's rise to power). In each chapter, a socio-historical discussion of the *Sitz im Leben* accompanies detailed text analysis. The last two chapters return to the historical dimension as outlined in chapter 1 and discuss the rabbinic court system, which in its practice navigates between Platonic aversion of lawyers and Sophistic scepticism of absolute truth claims.

I would say the most innovative chapters are those dedicated to the talmudic discussions in their role of *progymnasmata*, far-fetched theoretical exercises for students of law or philosophy, well known from authors such as Cicero or Libanius. Rabbinic texts indeed feature similar, highly theoretical cases, aimed at sharpening the wits and hermeneutical techniques of students. The book surveys known scholarly literature but also offers bibliographical sources less known in a European context, especially on the field of legal theory. I liked the way Hidary broadened Goldin's explanation of the circle of Honi the circle maker as a legal symbol (referring to an essay by Suzanne Stone),² and defining a person within the circle as a defendant who had to await his or her verdict while standing in it.

I am, however, not fully convinced whether this contradicts the magical explanation of the circle: legal procedures mime or adapt magic actions, as the stress on correct procedure in Roman ceremonial law suggests. The book also triggers questions that, in this reviewer's opinion, are not clearly settled. First, how do we fathom historical influence in order to explain parallels in legal structure and thought if the rabbis did not read these books? This is an issue haunting the scholarly world since Lieberman, and Hidary's book, while carefully distinguishing knowledge of these traditions from actual influence, seems to opt for actual knowledge. In my own Ph.D. thesis, on legal logic in the disputes between the Houses of Hillel and Shammai, I discussed the legal fiction as lurking behind the Hillelite position on the *Eruv*, e.g., *m. Eruv. 1:2*, as influenced by Roman fictions that allows law to be interpreted according

2 Judah Goldin, "On Honi the Circle Maker: a Demanding Prayer," in *Studies in Midrash and Related Literature*, ed. Barry Eichler and Jeffrey Tigay (Philadelphia: Jewish Publication Society, 1988), 331-335; Suzanne Last Stone, "Rabbinic Legal Magic. A New Look at Honi's Circle as the Construction of Legal Space," *Yale Journal of Law and the Humanities* 17 (2005): 97-123.

to the alleged intention of the legal actor, even if this intention is not or not fully present in reality (e.g., *Lex Cornelia de Falsis*, 81 BCE).³ However, there was no smoking gun to claim dependence on Roman legal logic for any position of the House of Hillel. Neither is there definite proof for Hidary. The counter argument would be that legal systems—and the rabbis were without doubt trained specialists on law—by nature of deadlocks, ambiguities and gaps in canonical texts, and tension between innovation and continuity, are forced to develop similar techniques and methods of interpretation, thus ushering similar rhetoric debates and practices. To be clear, I am, with Hidary, inclined to argue the opposite and see the rabbinic world as a Greco-Roman sub-culture in its osmotic relationship to contemporary philosophy. However, while offering some compelling readings, Hidary is not able to offer proof for actual influence, apart from a sparse geographical reference and the mentioning of a rhetor/advocate in a parable (Sifre Deut. 343). In his final chapter, Hidary seeks to locate the rabbis next to and opposite of the early Christian world. Here, I am afraid, he is less convincing in stretching rabbinic pluralism over against Christian monothetic religion. First, rabbinic traditions also reflect tendencies towards establishing more definite truth claims, as Daniel Boyarin, analyzing strands of univocality in stammatitic redaction of the Babylonian *sugya*, suggests.⁴ Moreover, Christian rhetoric reflected both abhorrence of Sophistic reasoning as well as continuity of other dimensions of late antique rhetoric. Paul actually makes a good case, and I am not talking about the Areopagus-Paul of Acts 24, but the author of highly rhetorical letters, allowing for contradictory claims on the Law: compare, e.g., Rom 1:17 with Rom 2:13). Admittedly, this is not an explicit appeal to pluralism, but it exists, nonetheless. A salient example of rhetorically arguing for pluralistic unity within a torn-apart church, and thus allowing for a certain span of pragmatic pluralism, is John Chrysostom, pupil of Libanius, notorious for his use of similar rhetoric in his anti-Jewish sermons. Clearly, we are not talking tolerance or respect here. Hidary, nonetheless, has succeeded in showing the relevance of rhetorical theory for rabbinic discourse, as an important heuristic tool for reading texts that at first sight might look as absurd. Maybe these entanglements of Jewish and non-Jewish elites are what Hidary is arguing for at the end, in this piece of fine scholarship.

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3 Eric Ottenheijm, *Disputen omwille van de hemel: rol en betekenis van intentie in de controverses over sjabbat en reinheid tussen de Huizen van Sjammai en Hillel* (Amsterdam: Amphora, 2004).

4 Daniel Boyarin, *Socrates and the Fat Rabbis* (Chicago: University of Chicago Press, 2009).