

# THE TALMUD OF BABYLONIA: SYSTEM OR TRADITION? A REPRISE OF SEVEN MONOGRAPHS

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The Talmud of Babylonia, a.k.a., the Bavli, is a vast, anonymous writing, which has served for the community of Judaism as the principal and authoritative statement of canonical theology and law. Reaching closure by the end of the seventh century, on the eve of the birth of Islam, the document together with its commentaries, codes of laws, and compilations of ad hoc decisions (“responsa”), defined Judaism. The importance of the Bavli as the foundation-document of a complex and varied set of societies, located in Asia, Europe, Africa, and North and South America, cannot be overstated. Anyone interested in media for the representation, in words, of the entirety of the social order—indeed, of a theory of world-order extended from here to eternity—will find in the Talmud of Babylonia an important example of writing for a utopian constitution. The anonymity of the writing, its use of two languages, its form as a commentary to a prior document, and the ubiquity of its never-identified “voice”—these paramount traits make analysis of the document exceedingly difficult. And yet, if we want to know how language serves to set forth a vision of the social order, we shall have to find out how such a foundation-document is composed. For in investigating the components and the composition of the writing, we may hope to follow the passage of a vision of society from the imagination of intellectuals to the practical and concrete formulation of writers.

One fundamental problem that requires closest attention is whether a document of this kind derives from a long agglutinative process, as the sediment of the ages accumulates into a hard tradition, or whether heirs of diverse materials reshape and restate the whole in a single formulation of their own. What is at stake in solving that problem is knowledge of how foundation-documents emerge: over time, through tradition, or all at

once, through the intellection of some few persons working together in one specific context? If the former, then in the formative history of the writing, we trace what we may rightly call tradition—a historical study. If the later, then in the analytical deconstruction and reconstitution of the tradition the framers set before us a single cogent vision, formulated into words at some one moment, a system, whole and complete—a philosophical study. In a series of seven monographs, I have examined the literary traits of the Bavli with decisive results in favor of the hypothesis that the Bavli forms not the outcome of a long sedimentary tradition, but the statement of its own framers (whether we call them compilers, authors, editors, or an authorship does not matter). Since colleagues in other fields, though interested in the methodological issues and substantive results, may find tedious the close reading of these seven books, I briefly summarize in this reprise the principal components of a large-scale and sustained research project that has come to conclusion.

My research differs from that which has gone before in one fundamental way. Prior scholarship has invariably begun its work on the Bavli, as on all other documents of the canon of Judaism, in its formative age by identifying the smallest units of thought, e.g., sentences and paragraphs, and analyzing them in relationship to other such atoms. Obscuring the documentary lines of structure and order, earlier studies have therefore composed literary history from atoms to molecules. But to do so, people have had to take for granted the veracity of attributions to named authorities of these smallest whole units of thought. All literary history therefore has rested upon the fact that to a given authority, a statement is assigned; since he really said it, we know when and where the saying was made, and from that point onward, we proceed. Furthermore, all prior authorities also take for granted that what a sage said was so was really so, and hence, once more, an uncritical agenda guided all research. Lest readers suppose that I overstate the credulity of prior work, I refer them to the survey conducted by my graduate students of twenty years ago and edited by me under the title, *The Formation of the Babylonian Talmud. Studies in the Achievements of Late Nineteenth and Twentieth Century Historical and Literary-Critical Research* (1970). A more appropriate title would have been, “Studies in the Failures . . .,” since the critical program of modern scholarship was never adopted by most of those we studied in that book: Graetz, Jaqitz, Weiss, Zuri, Halevy, Lewin, Kaplan, Klein, Epstein, S. Lieberman, H. Albeck, and Halivni. The sole exception to a long history of credulity was Abraham Weiss.

I begin with a different premise, which is that we do not know what we cannot show. Since we cannot demonstrate that what is attributed to a

named authority was really said by him, we have to find a different, and factual, foundation for our work. In my judgment that foundation is to be located at the outer limits of the documents themselves: how we now have them, the document viewed whole and complete, its indicative traits being those imposed at ultimate redaction. To take a homely metaphor, we study the anonymous writing the way we study an onion, by peeling back the layers, moving from outer to innermost ones. That other approaches than mine persist today goes without saying. Recent works by David Weiss Halivni (1969),<sup>1</sup> David Kraemer (1990), Richard Kalmin (1989), on the Bavli, and Daniel Boyarin for Midrash (1990), persist in relying entirely on attributions as the starting point of all inquiry. Still others write on problems of description and history of the rabbinic literature without addressing the critical program at all. The single most striking instance is the broadly circulated work of Adin Steinsaltz (1989, 1990), who continues to repeat as accurate statements about the character of the Bavli views that were disproved a hundred years ago; Steinsaltz has not kept up with the scholarly literature.<sup>2</sup>

Before setting forth the main results, I have to make reference to my work of (re)translating the Bavli (1984–1993), which was required before any analytical inquiry could commence. The reason is that the main problem in analyzing a sample of the Talmud of Babylonia is presented by the run-on character of the writing. Visually, what we see whether in the original languages or in English or German, Spanish or French or Italian, or any of the other languages into which the document has been translated whole or in part, simply are long columns of undifferentiated words, the sole division between a set of sentences drawn from the Mishnah and (ordinarily) much longer and more elaborate discussion of those

1. I have not yet seen Halivni's response to my critique of his method.

2. I shall cite one example of his misrepresentation of the Talmud. In his introduction to the Bavli, he states "The Talmud . . . deals with an overwhelmingly broad subject—the nature of all things according to the Torah. Therefore its contours are a reflection of life itself. It has no formal external order, but is bound by a strong inner connection between its many diverse subjects. . . . The authority of the Talmud lies in its use of this rigorous method in its search for truth with regard to the entire Torah—in other words, with regard to all possible subjects in the world, both physical and spiritual" (Steinsaltz, 1989, pp. 3, 7). His claim that the Talmud follows no "formal external order" is incorrect. If he were right, the Talmud would be about nothing in particular. But in fact the Bavli is very much about some few things—in all their rich particulars. And that statement pertains to the Bavli's substantive propositions, the things that, through an infinity of details, the framers wish to show time and again. Not only is the Bavli not disorderly, it is both orderly and, in a strict sense, wonderfully repetitious, because it says the same thing about many things. Steinsaltz's allegation is that the Bavli "has no formal external order." Nothing could be further from the truth.

sentences. Substantively, what we quickly perceive is that a passage of the Bavli moves far beyond the limits of Mishnah-commentary, and that movement twists and turns, so that a vast amount of information will be introduced that is only tangentially relevant to the starting-point in the Mishnah. Before any picture of the rules of composition of the document can emerge, we have to devise a method of identifying a whole unit of thought—beginning to end—and differentiating among its parts. This is not merely a formal problem, readily solved, as I had solved it two decades ago, by marking off chapters, paragraphs, and sentences (to draw on the metaphor of contemporary division).<sup>3</sup> It is a problem of a very substantial order. The reason is that the Bavli on the surface appears to be run-on, and many have found the writing to be not only confusing but confused, the result of a stream of consciousness, not propositional, not crafted and purposive at all.

The run-on and meandering quality of a Talmudic discussion is difficult to analyze as a single, cogent composition, and therefore impossible to classify as the work of showing how the Bavli's one voice speaks, until we realize a simple fact. The Talmud of Babylonia in contemporary terms would be presented heavy with footnotes and appendices. That is, in our mode of setting forth our ideas and the documentation for them, we include in our text the main points of proposition, evidence, and argument; we relegate to footnotes the sources upon which we draw; we place in appendices substantial bodies of secondary material, relevant to the main body of our text only tangentially, yet required for a full presentation of what we wish to say. The authorship of the Talmud of Babylonia accomplishes, within the technical limitations that governed its formulation of its proposition, evidence, and argument, what we work out through footnotes and appendices. Much of the materials subordinated to the proposition, evidence, and argument, derives from finished pieces of writing, worked out for use in a document we do not now have (and cannot even imagine!), now providing useful, if not essential, documentation for the document that we do have. Accordingly, my retranslation, for analytical purposes, made possible the work that is described here.

3. I published my results, in the context of the analysis of the Mishnah's division of purities, in Neusner (1977). There I showed how "chapter, subdivision of a chapter, a paragraph, and a sentence" (marked in my reference system by a capital Roman numeral, a Roman numeral in small letters, an Arabic numeral, and a capital letter) serve as metaphors for "completed unit of systematic exposition, subunit of exposition, formation of the smallest whole units of thought into a cogent statement, and the smallest whole units of thought," respectively.

1. *The Bavli and its Sources: The Question of Tradition in the Case of Tractate Sukkah* (Neusner, 1987c)

Having worked out [1] the description of texts, read one by one, in such works as my *Judaism: The Evidence of the Mishnah, The Integrity of Leviticus Rabbah*, and parallel studies (Neusner, 1981, 1985), [2] the analysis of those same texts seen in relationship to one another, that is, to comparison and contrast among a set of documents, hence to connection, as in *Judaism: The Classical Statement. The Evidence of the Bavli*, on the relationship of the Yerushalmi and the Bavli, *Comparative Midrash: The Plan and Program of Genesis Rabbah and Leviticus Rabbah and From Tradition to Imitation: The Plan and Program of Pesiqta deRab Kahana and Pesiqta Rabbati* (Neusner, 1986a, 1986b, 1987a),<sup>4</sup> I here proceeded to [3] the interpretation of texts under the aspect of continuity. When we describe the relationships between two documents or among three or more, we know what a given group of editors or authorities has contributed on its own, and also how that authorship restated or reworked what it received from a prior group. The authorship of a document that stands in a relationship of connection to prior writings will make use of their materials essentially in its own way. The authorship of a document that works in essential continuity with prior writings will cite and quote and refine those received writings but will ordinarily not undertake a fundamentally original statement of its own framed in terms of its own and on a set of issues defined separately from the received writings or formulations. In this monograph, for Bavli tractate Sukkah, I showed that the Bavli proves connected with earlier documents and also with some received sayings not written down in a systematic way in prior compilations. But the connections appear episodic and haphazard, not systematic, except in respect to the Mishnah. The Bavli cannot be shown systematically and generally to continue the program and inquiry of predecessors. The Bavli contains ample selections from available writings. The authorship of the Bavli leaves no doubt that it makes extensive use of extant materials, sayings and stories. But in the Bavli we deal with an authorship of amazingly independent mind, working independently and in an essentially original way on materials on which others have handed on a quite persuasive and cogent statement. Tosefta on the one side, Scripture and a heritage of conventional reading thereof on the other—neither has defined the program of our document or determined the terms in which it would make its

4. Note also Neusner, 1986c, 1987b.

statement, though both, in a subordinated position and in a paltry limited measure, are given some sort of a say. The Bavli is connected to a variety of prior writings but continuous with none of them.

2. *Making the Classics in Judaism: The Three Stages of Literary Formation* (Neusner, 1990a)

Two questions in the framing of a theory of the history of the anonymous literature of formative Judaism form the program of this book. The first is, what is the correct starting point of analysis of a document and its formative history? The second is, what are the principal results of starting from that designated point of entry? I test the hypothesis that the discrete sayings (lemmas) form the correct point of entry and show, through the formation and testing of a null-hypothesis, that that hypothesis is false. We cannot begin work in the assumption that the building block of documents is the smallest whole unit of thought, the lemma, nor can we proceed in the premise that a lemma traverses the boundaries of various documents and is unaffected by the journey. The opposite premise is that we start our work with the traits of documents as a whole, rather than with the traits of the lemmas of which documents are (supposedly) composed. Since, in a variety of books, I had set forth the documentary hypothesis for the analysis of The rabbinic literature of late antiquity,<sup>5</sup> I turned immediately to the exploration of the second of the two possibilities. How shall we proceed, if we take as our point of entry the character and conditions of the document of integrity, seen whole? Once I have demonstrated beyond any doubt that a rabbinic text is a well-crafted text and not merely a compilation of this and that, and further specified in acute detail precisely the aesthetic, formal, and logical program followed by each of those texts, I am able to move to the logical next step. That is to show that in the background of the documents that we have is writing of three types: [1] writing that is not shaped by documentary requirements, [2] writing that is not shaped by the documentary requirements of the compilations we now have, and also [3] writing that is entirely formed within the rules of the documents that now present that writing. These then are the three kinds of writing that form, also, the three stages in the formation of the classics of Judaism. Which kind of writing dictates the character of a document? In the work that followed, I demonstrated that it is writing of the third type; authors, compilers, or editors formed a theory

5. For the Talmud of the Land of Israel, a.k.a. the Yerushalmi, for example, in Neusner, 1983a, 1983b.

of what they wished to do in their particular compilation, and then they picked and chose out of the heritage of prior writings, reproducing verbatim what they had received, revising as they wished, or something in between—the whole a process of selection. This hypothesis, deriving from the present work, derived from *The Bavli and its Sources* and dictated the problem of *Tradition As Selectivity* and also *The Bavli That Might Have Been*.

3. *Tradition as Selectivity: Scripture, Mishnah, Tosefta, and Midrash in the Talmud of Babylonia. The Case of Tractate Arakhin* (Neusner, 1990b)

The specific research problem of this book is how the Bavli (the Talmud of Babylonia), as exemplified in one tractate, relates to its sources, by which I mean, materials it shares with other and (by definition) earlier-redacted documents. In this instance what I want to know is how Bavli Arakhin deals with the topic and facts set forth at [1] Lev. 27:1–7, 16–25, [2] the prior reading of Sifra to those verses, [3] the received version of those same facts set forth by Mishnah-tractate Arakhin, and [4] the exegesis of Mishnah-tractate Arakhin by Tosefta Arakhin. What is at stake is an account of just how “traditional” the Bavli is. The question that defines the problem is how the Bavli has formed of available writings (redacted in documents now in hand) a single, cogent, and coherent statement presented by the Bavli’s authorship as summary and authoritative: a canonical statement on a given subject. In what ways does a Bavli-tractate frame such a (theologically-canonical) statement out of what (as attested in extant writings) its authorship has in hand? In the exercise of which the present work is a continuation, *The Bavli and its Sources*, the prior source was the Talmud of the Land of Israel. The prior sources in this book are the Tosefta and Sifra. In both monographs my question is whether and how—in concrete, literary terms—a document makes its part of such a traditional statement, speaking, for its particular subject, in behalf of the entirety of the antecedent writings of the Judaic system at hand and standing in a relationship of continuity—not merely connection—with other such writings. The answer to that question will tell me how a traditional writing is formulated. If the question has no answer, and in the Bavli it does not, then it must follow that the Bavli is a document that has been framed through a process of not tradition but selection. And that is how I see the Bavli. Here, therefore, we inquire into the standing of a Bavli-tractate as testimony on its subject within the larger continuous system of which it is reputed to form a principal part. What we want to

know about that testimony therefore is how the Bavli relates to prior documents. The reason is that we want to know whether or not the Bavli constitutes a statement of a set of such antecedent sources, therefore a step in an unfolding tradition, so Judaism constitutes a traditional religion, the result of a long sedimentary process. As is clear, the alternative and complementary issue is whether or not the Bavli makes its own statement and hence inaugurates a “new tradition” altogether. In these pages I drew to a conclusion my work on the relationship between the Bavli and prior writing, both formed into completed documents (Yerushalmi, Sifra) and also not contained in closed compilations now available to us. In *The Bavli and its Sources* I had shown that earlier authorships—represented by the Talmud of the Land of Israel—wished to investigate in the Mishnah, the points they wished to prove by reference to verses of Scripture important in our tractate—these have little or nothing in common with the points of special concern systematically worked out by the authorship of the Bavli. The Bavli’s authorship at ca. 600 approaches Mishnah-exegesis with a program distinct from that of the Yerushalmi’s authorship of ca. 400, and the Bavli’s authorship reads a critical verse of Scripture within a set of considerations entirely separate from those of interest to the authorships of Leviticus Rabbah and Pesiqta deRab Kahana of ca. 450 and 500. Any notion that the Bavli’s authorship has taken as its principal task the restatement of received ideas on the Mishnah-topics and Scripture-verses at hand derives no support to speak of from the sample we shall examine. The same result, for Arakhin, emerged in this monograph.

#### 4. *Language as Taxonomy. The Rules for Using Hebrew and Aramaic in the Babylonian Talmud* (Neusner, 1990c)

Another, and separate, route of inquiry was defined by the linguistic traits of the Bavli, which differ from those of all other writings in the rabbinic canon of late antiquity except for the Yerushalmi. These traits support the claim that the Bavli explicitly recognizes the availability, and authority, of received writings or documents or traditions and the Bavli’s authors distinguish their own contribution from what they have received—a case, in contemporary literary critical jargon, of not intertextuality but intratextuality. Not only by routinely and ubiquitously using such language as “as it is said,” or “as it is written,” did the authorities of the Talmud of Babylonia separate their statements from those of Scripture. Also by their choice of the very language in which they would express what they wished to say on their own account they differentiated themselves from their antecedents. When it came to citations from prior,

non-scriptural authorities, they used one formation of the Hebrew language, specifically, Middle, or Mishnaic, Hebrew; when it came to the conduct of their own analytical process, they used one formation of the Aramaic language, Eastern or Talmudic Aramaic. They never alluded to authoritative facts, they always cited them in so many words; but the indication of citation—in a writing in which the modern sigla of quotation marks and footnotes were simply unavailable—came to expression in the choice of language. The Bavli is in one language, not two, and that language is Aramaic. The infrastructure of the document, its entire repertoire of editorial conventions and sigla, are in Aramaic. When a saying is assigned to a named authority, the saying may be in Hebrew or in Aramaic, and the same named authority may be given sayings in both languages—even within the same sentence. But the editorial and conceptual infrastructure of the document comes to expression only in Aramaic, and when no name is attached to a statement, that statement is always in Aramaic, unless it forms part of a larger, autonomous Hebrew composition, cited by, or parachuted down into, “the Talmud.” The Talmud speaks in a single voice, forms a unitary discourse, beginning, middle, and end, and constitutes one wholly coherent and cogent document, everywhere asking questions drawn from a single determinate and limited repertoire of intellectual initiatives—and always framing those questions, pursuing those inquiries, in Aramaic. Then where and why do the framers of this writing utilize the Hebrew language? Specifically, what signal is given, what purpose is served by the bi- or multi-lingualism of the Talmud? What do we know without further ado, when we are given a composition or a component of a composition in Hebrew, and what is the implicit meaning of making a statement in Aramaic? The answer is that the choice of language signals a taxonomic meaning. If we know which language is used, we also know where we stand in the expression of thought, and the very language in which a statement is made therefore forms part of the method of thought and even the message of discourse of the document. What is said in Hebrew is represented as authoritative and formulates a normative thought or rule. What is said in Aramaic is analytical and commonly signals an argument and formulates a process of inquiry and criticism. That is how language serves a taxonomic purpose: Hebrew is the language of the result, Aramaic, of the way by which the result is achieved; Hebrew is the formulation of the decision, Aramaic, of the work of deliberation. Each language serves to classify what is said in that language, and we always know where we stand, in a given process of thought and the exposition of thought, by reference to the language that is used at that particular place in the sustained discourse to which we are witness.

5. *The Bavli That Might Have Been: The Tosefta's Theory of Mishnah-Commentary Compared with that of the Babylonian Talmud* (Neusner, 1990d)

Yet a third kind of inquiry seemed to me called for, one that compared two or more documents' authorships' approach to the same problem. Since the Bavli is set forth as a commentary to the Mishnah, I decided to compare the Bavli's authorships' definition of their work with the Tosefta's counterparts' framing of the same task. For the Tosefta forms a commentary to the Mishnah, and so too does the Talmud of Babylonia or the Bavli. The latter document differs from the former in its conception of what is to be done with the Mishnah. By comparing the Tosefta's with the Bavli's treatment of the Mishnah, I show not only that the Bavli's approach to Mishnah-commentary differs from the Tosefta's (which is hardly surprising), *but that the differences in the aggregate are uniform and predictable*. I prove beyond doubt, on the basis of a substantial sample, the fact that the comparison yields a fixed and coherent set of contrasts. So what? It follows, in my way of thinking, that, as I demonstrated to be the case for the Tosefta's authorship in my *The Tosefta: Its Structure and its Sources* (1986d), so too the Bavli's authorship referred to a coherent and cogent program of exegetical principles when they turned to the Mishnah. That is why I attach such weight to the fact that the differences between the two documents—like those between the Bavli and the prior, and available, Yerushalmi, dealt with in *The Bavli and its Sources*, are fixed and predictable. When we compare one document's reading of the original source to the other document's reading of that same source, therefore, we are able to show by the persistence of a fixed set of differences that the latter document is a well-crafted and thoughtfully-composed statement, not a mere compilation of this and that: a composition, not a compilation. Since the Bavli is commonly represented as a mere conglomeration of whatever people happened to have received—a sedimentary piece of writing, not a planned and considered one, the result of many centuries of accumulation, not the work of a generation or two of thoughtful writers—these results provide a detailed argument against one proposition and in favor of another. What is important therefore is not only difference, but a pattern of difference: the Bavli's framers differ in their theory of Mishnah-commentary from the Tosefta's framers, and the differences are consistent throughout. In the contrast between the Tosefta and the Talmud of Babylonia, the Talmud of Babylonia emerges as a well-crafted and highly purposive document, and certainly not a mere compilation of this-and-that, the result of centuries of the accumulation, in a haphazard way, of the detritus of

various schools or opinions. Any sample of the Talmud that we take presents itself as exceedingly carefully and well crafted, a sustained and cogent inquiry. Scarcely a single line is out of place; not a sentence in the entire passage sustains the view of a document that is an agglutinative compilation. Ordinarily, for example, at any given passage of the Bavli, we begin with the clarification of the Mishnah-paragraph, turn then to the examination of the principles of law implicit in the Mishnah-paragraph, and then broaden the discussion to introduce what I called analogies from case to law and law to case. These are the three stages of our discussion. It would be very easy to outline a given Talmudic discussion, beginning to end, and to produce a reasoned account of the position and order of every completed composition and the ordering of the several compositions into a composite.

6. *The Rules of Composition of the Talmud of Babylonia: The Cogency of the Bavli's Composite* (Neusner, 1991a)

The Bavli's authors of compositions and framers of composites followed not only rules of language, but also laws of composition. These laws told them how to formulate their thought within a limited and determinate repertoire of rhetorical patterns and further dictated what issues must come first, which ones may be treated later, in the exposition of their ideas. These rules may be discerned only when we define the units of complete discourse that were to be composed. In this work I show that the composite of several distinct compositions formed the unit of complete discourse, and that, when the framer of a large-scale passage of the Bavli referred to rules of language and laws of composition that would govern his work, his goal was to put together in correct form and sequential order a set of composites. The rules of composition then governed composing composites. Here I show that all authors found guidance in the same limited repertoire of rules of composition. Not only so, but a fixed order of discourse—a composition of one sort, A, always comes prior to a composite of another type, B. A simple logic instructed framers of composites, who sometimes also were authors of compositions, and who sometimes drew upon available compositions in the making of their cogent composites. When we understand that logic, which accounts for what for a very long time has impressed students of the Talmud as the document's run-on, formless, and meandering character, we see the writing as cogent and well-crafted, always addressing a point that, within the hegemony of this logic, and not some other, was deemed closely linked to what had gone before and what was to follow. And on that basis we

perceive as entirely of a piece, cogent and coherent, large-scale constructions, not brief compositions of a few lines, which therefore become subject to classification whole and complete. So the work of uncovering the laws of composition involve our identifying the entirety of a piece of coherent writing and classifying that writing—not pulling out of context and classifying only the compositions that, in some measure, form constituents of a larger whole. Were we to classify only the compositions, we should gain some knowledge of types of writing accomplished by authors, but none concerning types of writing that comprise our Talmud. Why insist that a composite—and not the several compositions that may find their redactional location within a given composite—forms the basic building block of thought, and the irreducible minimum of discourse, of the Bavli? The reason is that only when we grasp how a variety of materials, some of them already completed compositions, are drawn together into a single sustained and comprehensive statement, shall we understand the work of the compiler. The Bavli is a work of purposive compilation, and when we understand the rules of composition in the twin-sense—the writing of compositions, the formation of composites—we shall have a clear picture of what the framers of the Bavli did. By contrast, if we knew only the rules that dictated the writing of the distinct compositions that the framers utilized, we should know only how the parts took shape, but not how the whole, served by those parts, found its coherence and cogency. The importance of recognizing that some pieces of writing were composed to serve the purposes of the formation of a particular document in which they occur, others to serve the purposes of some other document than one we now have, and still others to serve the purposes of a document that we now cannot even imagine, in the present context then is clear. The results of this work—demonstrating the cogency of the Bavli's composite—prepared the way for this final chapter in a six-year study.

*7. The Bavli's One Voice: Types and Forms of Analytical Discourse and their Fixed Order of Appearance* (Neusner, 1991b)

This monograph provides a final solution to the Bavli-problem framed in narrowly-literary terms: who speaks through the Bavli? Is it the voice of the penultimate and ultimate authorship, or does the document resonate with the voices of a variety of authors and authorships? Here I demonstrate through analysis of eleven tractates and classifying more than three thousand composites that the Bavli throughout speaks in a single and singular voice. It is single because it is a voice that expresses the same limited set of notes everywhere. It is singular because these notes are

arranged in one and the same way throughout. The Bavli's one voice, sounding through all tractates, is the voice of exegetes of the Mishnah. The document is organized around the Mishnah, and that is not a merely formal, but a substantive order. At every point, if the framers have chosen a passage of Mishnah-exegesis, that passage will stand at the head of all further discussion. Every turning point brings the editors back to the Mishnah, always read in its own order and sequence. So the Bavli's speaks in a single way about some few things, and that is the upshot of this sustained inquiry. It follows that well-crafted and orderly rules governed the character of the sustained discourse that the writing in the Bavli sets forth. All framers of composites and editors of sequences of composites found guidance in the same limited repertoire of rules of analytical rhetoric: some few questions or procedures, directed always toward one and the same prior writing. Not only so, but a fixed order of discourse dictated that a composition of one sort, A, always come prior to a composite of another type, B. A simple logic instructed framers of composites, who sometimes also were authors of compositions, and who sometimes drew upon available compositions in the making of their cogent composites. So we have now to see the Bavli as entirely of a piece, cogent and coherent, made up of well-composed large-scale constructions.

The Bavli's one voice utilizes only a few, well-modulated tones: a scale of not many notes. When we classify more than three thousand composites, spread over eleven tractates, we find that nearly 90% of the whole comprises Mishnah-commentary of various kinds; not only so, but the variety of the types of Mishnah-commentary is limited, as a review of the representation of Temurah in detail, and of the ten tractates of our sample in brief characterization, has shown. Cogent composites are further devoted to Scripture or to topics of a moral or theological character not closely tied to the exegesis of verses of Scripture; these form in the aggregate approximately 10% of the whole number of composites, but, of tractates to begin with not concerned with scriptural or theological topics (in our sample these are Sanhedrin and Berakhot), they make up scarcely 3% of the whole. So the Bavli has one voice, and it is the voice of a person or persons who propose to speak about one document and to do so in some few ways. Let me spell out precisely what I mean. The results of the survey of eleven tractates and classification of all of the composites of each one of them yields firm and one-sided results. First, we are able to classify all composites in three principal categories: [1] exegesis and amplification of the law of the Mishnah; [2] exegesis and exposition of verses of, or topics in, Scripture; [3] free-standing composites devoted to

topics other than those defined by the Mishnah or Scripture. That means that my initial proposal of a taxonomic system left no lacunae. Second, with the classification in place, we see that much more than four-fifths of all composites of the Bavli address the Mishnah and systematically expound that document. These composites are subject to sub-classification in two ways: Mishnah-exegesis and speculation and abstract theorizing about the implications of the Mishnah's statements. The former type of composite, further, is to be classified in a few and simple taxa, for example, composites organized around [1] clarification of the statements of the Mishnah, [2] identification of the authority behind an anonymous statement in the Mishnah, [3] scriptural foundation for the Mishnah's rules; [4] citation and not seldom systematic exposition of the Tosefta's amplification of the Mishnah. That means that most of the Bavli is a systematic exposition of the Mishnah. Third, the other fifth (or less) of a given tractate will comprise composites that take shape around [1] Scripture or [2] themes or topics of a generally theological or moral character. Distinguishing the latter from the former, of course, is merely formal; very often a scriptural topic will be set forth in a theological or moral framework, and very seldom does a composite on a topic omit all reference to the amplification of a verse or topic of Scripture. The proportion of a given tractate devoted to other-than-Mishnah-exegesis and amplification is generally not more than 10%. My figure is distorted by the special problems of tractates Sanhedrin and Berakhot, and, in the former, Chapter Eleven in particular.

These two tractates prove anomalous for the categories I have invented, because both of them contain important components that are devoted to begin with to scriptural or theological topics. Tractate Sanhedrin Chapter Eleven, for example, lists various scriptural figures in catalogues of those who do, or do not, inherit the world to come; it further specifies certain doctrines that define the norms of the community of Israel that inherits the world to come. It will therefore prove quite natural that numerous composites will attend to scriptural or theological topics. Tractate Berakhot addresses matters of prayer and other forms of virtue, with the same consequence. In the analysis that follows, therefore, I calculate the averages of proportions of various types of composites both with and without these anomalous tractates. The upshot is that a rather inconsequential proportion of most tractates, and a small proportion of the whole, of the Bavli, is devoted to the systematic exposition of either verses of Scripture or topics of a theological or moral character. Seen in the aggregate, the proportions of the eleven tractates devoted solely to Mishnah-exegesis average 83%. If we omit reference to the two clearly-anomalous tractates,

Berakhot and Sanhedrin, the proportion of Mishnah-exegesis rises to 89.5%. If, then, we combine exegesis of the Mishnah and exegesis of the broader implications of the Mishnah's law—and in the process of classification, it was not always easy to keep these items apart in a consistent way—we see a still more striking result. More than 86% of the whole of our tractates is devoted to the exegesis of the Mishnah and the amplification of the implications of its law; without the anomalous tractates, the proportion is close to 94–95%.

So the Talmud speaks through one voice, that voice of logic that with vast assurance reaches into our own minds and by asking the logical and urgent next question tells us what we should be thinking. Fixing our attention upon the Mishnah, the Talmud's rhetoric seduces us into joining its analytical inquiry, always raising precisely the question that should trouble us (and that would trouble us if we knew all of the pertinent details as well as the Talmud does). In this final monograph I have now demonstrated beyond a shadow of a doubt that the Bavli speaks about the Mishnah in essentially a single voice, about fundamentally few things. Its mode of speech as much as of thought is uniform throughout. Diverse topics produce slight differentiation in modes of analysis. The same sorts of questions phrased in the same rhetoric—a moving, or dialectical, argument, composed of questions and answers—turn out to pertain equally well to every subject and problem. The Talmud's discourse forms a closed system, in which people say the same thing about everything. The fact that the Talmud speaks in a single voice supplies striking evidence (1) that the Talmud does speak in particular for the age in which its units of discourse took shape, and (2) that that work was done toward the end of that long period of Mishnah-reception that began at the end of the second century and came to an end at the conclusion of the sixth century.

It follows that the whole—the composites of discourse as we know them, the sequence of composites as we have them—was put together at the end. At that point everything was in hand, so available for arrangement in accordance with a principle other than chronology, and in a rhetoric common to all sayings. That other principle will then have determined the arrangement, drawing in its wake resort to a single monotonous voice: "the Talmud." The principle is logical exposition, that is to say, the analysis and dissection of a problem into its conceptual components. The dialectic of argument is framed not by considerations of the chronological sequence in which sayings were said but by attention to the requirements of reasonable exposition of the problem. That is what governs. If there is a single governing method, then what can we expect to learn about the single, repeated message? The evidence before us indicates that the

purpose of the Talmud is to clarify and amplify selected passages of the Mishnah. We may say very simply that the Mishnah is about life, and the Talmud is about the Mishnah. That is to say, while the Mishnah records rules governing the conduct of the holy life of Israel, the holy people, the Talmud concerns itself with the details of the Mishnah. The one is descriptive and free-standing, the other analytical and contingent. Were there no Mishnah, there would be no Talmud. But what is the message of the method, which is to insist upon the Mishnah's near-monopoly over serious discourse? To begin with, the very character of the Talmud tells us the sages' view of the Mishnah. The Mishnah presented itself to them as constitutive, the text of ultimate concern. So, in our instance, the Mishnah speaks of a quarrel over a coat, the Talmud, of the Mishnah's provision of an oath as a means of settling the quarrel in a fair way: substance transformed into process. What the framers of the Bavli wished to say about the Mishnah will guide us toward the definition of the message of their method, but it will not tell us what that message was, or why it was important. A long process of close study of texts is required to guide us toward the center of matters.

The upshot of the long series of studies that conclude here is simple. We may speak about "the Talmud," its voice, its purposes, its mode of constructing a view of the Israelite world. The reason is that, when we claim "the Talmud" speaks, we replicate both the main lines of chronology and the literary character of the document. These point toward the formation of the bulk of materials—its units of discourse—in a process lasting (to take a guess) about half a century, prior to the ultimate arrangement of these units of discourse around passages of the Mishnah and the closure and redaction of the whole into the document we now know. What comes next? Well, now that we know that the Bavli is a document of remarkable integrity, repeatedly insisting upon the harmony of the parts within a whole and unitary structure of belief and behavior, we want to know what the Bavli says: the one thing that is repeated in regard to many things. Dismantling ("deconstructing") its components and identifying them, perhaps even describing the kinds of compilations that the authors of those components can have had in mind in writing their compositions—these activities of literary criticism yield no insight into the religious system that guided the document's framers. But the Talmud of Babylonia recapitulates, in grand and acute detail, a religious system, and the generative problematic of that writing directs our attention not to the aesthetics of writing as literature, but to the religion of writing as a document of faith in the formation of the social order. So we have now to turn to the message of the method of the Bavli: what the Bavli's one voice always wishes to convey.

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