MIDRESHEI HALAKHAH (Heb. מִדְרְשֵׁי הֲלָכָה; "Halakhic Midrashim"), the appellation given to a group of tannaitic expositions on four books of the Pentateuch. This body of tannaitic literature will be discussed below under the following headings: (1) Characteristics of Halakhic Midrash: (a) The Collections; (b) The Term Halakhic Midrash; (c) Literary Nature and Relation to Early Midrash; (d) Authority of the Bible; (e) Development of Exegetical Methods. (2) The Schools of R. Ishmael and of R. Akiva: (a) Distinct Exegetical Methods; (b) The Division into Schools; (c) Redaction of the Material from the Schools. (3) The Aggadic Material. (4) Traces of Early *Halakhah*. (5) Relation to Other Works: (a) Aramaic Targumim on the Torah; (b) Mishnah; (c) Tosefta; (d) Talmuds. (6) Time and Place of Redaction. (7) History of Research and Future Challenges.

1. Characteristics of Halakhic Midrash

(A) THE COLLECTIONS. Halakhic Midrashim (ḤM) contain both halakhic and aggadic (i.e., nonlegal) material from the tannaitic period, arranged according to the order of verses in the Torah, in contrast with other major compositions of this period – Mishnah and Tosefta – in which the material is arranged by subject. (See: *Mishnah: The Mishnah as a Literary Work; *Halakhah* in the Mishnah; *Aggadah* in the Mishnah.) ḤM were composed on four of the five books of the Torah: Exodus, Leviticus, Numbers, and Deuteronomy. There is only a single whole extant ḤM on each of these four books: **Mekhilta de-Rabbi Ishmael* on Exodus (MY), **Sifra* on Leviticus, **Sifrei* on Numbers (SN), and **Sifrei* on Deuteronomy (SD). Three other midrashim have been partially reconstructed from *Genizah* fragments, and from citations by *rishonim* (medieval authorities): **Mekhilta de-Rabbi Simeon ben Yoḥai* on Exodus (MS), **Sifrei Zuta* on Numbers (SZN), and **Mekhilta* on Deuteronomy (MD). Passages from an additional tannaitic midrash on the book of Deuteronomy, known as **Sifrei Zuta* on Deuteronomy (SZD), were recently discovered.

In his fundamental study of ḤM, Hoffmann drew a clear and persuasive distinction between the midrashic schools of R. *Akiva and R. *Ishmael, that differ from one other in their homiletical methods, midrashic terminology, the names of the major sages mentioned in them, and in the body of the exegeses. Hoffmann similarly demonstrated that the midrashim on each of the Pentateuchal books that have come down to us represent, in fact, these two schools, with one midrash from the school of R. Akiva and a second, from the school of R. Ishmael, extant for each of the books of the Torah (except for Genesis). MS, the major portion of Sifra, SZN, and SD belong to the school of R. Akiva, while the school of R. Ishmael is represented by MY, several additions that were appended to Sifra, SN, and MD. Other scholars, the most prominent of whom was J.N. Epstein, developed and expanded upon the distinctions between these two schools, while at the same time defining the unique character of each of the specific tannaitic ḤM.

Division of Midreshei Halakhah According to Types

	Type A ("*de-vei* R. Ishmael")	Type B ("*de-vei* R. Akiva")
Exodus	†*Mekhilta* (of *R. Ishmael*)	*Mekhilta* of *R. Simeon ben Yoḥai*
Leviticus	(fragments?)	† *Sifra*
Numbers	† *Sifrei* on Numbers	*Sifrei Zuta*
Deuteronomy	Deuteronomy = *Midrash Tannaim*	† *Sifrei Deuteronomy*

The Midrashim that were known in the middle of the 19th century are marked with a †.

A reexamination of the ḤM, taking into consideration additional passages from the three lost ḤM that were discovered in the *Genizah* and the new passages from SZD, teaches that, alongside the common elements of the midrashim belonging to each school, the differences between the midrashim are to be afforded greater prominence. The four midrashim from the school of R. Ishmael are marked by a relatively high degree of uniformity. Those from the school of R. Akiva, in contrast, are not homogeneous, and are to be divided into two subcategories that differ from each other in many realms: (a) MS, Sifra, and SD represent the classic midrashic school of R. Akiva, and bear a marked proximity to the Mishnah; (b) SZN and SZD exhibit a number of unique characteristics, both linguistically and with regard to their content, and have only very tenuous ties to the Mishnah of R. Judah ha-Nasi. This division, by itself, raises the possibility that the two groups of ḤM from the school of R. Akiva are merely representatives of the literary product of two academies, that originally included two parallel midrashic redactions for each of the Pentateuchal books from Exodus to Deuteronomy. Aside from the unlikelihood that the redactors of a school for the exegesis of the Torah would begin their activity with the Book of Numbers, or would be satisfied with midrashim on the Books of Exodus, Leviticus, and Deuteronomy, support for the existence of additional ḤM that have not been preserved may be brought from exegeses that were transferred verbatim from one midrash to another. Thus, for example, SZN and SZD contain exegeses that have their source in midrashim from the school of *Sifrei Zuta* on the books of Exodus and Leviticus. Remnants from other homiletical redactions of the tannaitic ḤM can also be discerned in many ḤM *baraitot* that are preserved in other compositions, most importantly, the Tosefta and the two Talmuds.

The above evidence teaches that the literature of the tannaitic Midrashim was originally much more extensive and richer than the extant written works. Such a perception requires us to beware of the drawing of unequivocal conclusions on the basis of the partial data that we possess, that are merely the tip of the iceberg. However, an awareness of our limitations does not exempt us from attempting to evaluate in considered fashion the body of data known to us regarding the details and rules of the ḤM.

(B) THE TERM HALAKHIC MIDRASH. The accepted name in scholarly literature for the tannaitic midrashim on the Torah,

"*midrashei ha-halakhah*," is somewhat misleading, since these midrashim also contain aggadic material, a fact that is especially striking in MY and in SD, half of whose exegeses are of an aggadic nature. Nonetheless, the name "*midrashei ha-halakhah*" is defensible, since almost all the legal material mentioned in the Torah is included in ḤM, while only scant nonhalakhic material, such as narratives, genealogical lists, ethical exhortations, and the like, are the subject of orderly midrashic exegesis in ḤM. Criteria have not been formulated that would explain why certain aggadic passages were included in ḤM, while others are not subject to such exegetical treatment. The clear linkage of the tannaitic midrashim to the halakhic material, specifically, can be learned from the fact that three out of the eight extant ḤM (MY, SN, and SZN) start with the first halakhic topic appearing in the appropriate biblical book, and not with the beginning of the book itself. This also explains the absence of any tannaitic midrash on the Book of Genesis, that is mostly concerned with nonlegal topics. It is worth noting in this context that a majority of the aggadic material incorporated in the ḤM seems to reflect an independent common source, and may not originally have derived from the two schools of halakhic exegesis. This strongly suggests that the midrashic material that was redacted by the sages from each of the two schools primarily contained passages that were fundamentally halakhic (see 3. The Aggadic Material below).

(C) LITERARY NATURE AND RELATION TO EARLY MIDRASH. ḤM literature draws a sharp distinction between the biblical text, on the one hand, and its interpretation by the rabbis, on the other. Every passage opens with a lemma consisting of the quotation of one or more words from the biblical verse, followed by a presentation of the exegetic interpretation of the words quoted. The quote and its interpretation comprise an independent literary unit known as a *midrash*. Generally, the order of the interpreted biblical passages precisely follows the order of the verses in the Bible, and only on rare occasions do the midrashim diverge from the biblical order.

The midrashim are written in Mishnahic Hebrew, and are formulated concisely, in a reserved and focused style. These works occasionally contain fairly simple and straightforward interpretations of the language of the Bible, that are formulated in accordance with the vocabulary and terminology of rabbinic language and paraphrases of the language of Scripture. Generally speaking, however, the midrashim go far beyond the simple interpretation of the biblical passage to derive laws and ideas from Scripture, or find support in it for them, employing exegetical methodology. Additionally, at times the midrashim tend to append to the narrow interpretation of the verse expanded and extensive discussion of halakhic matters and aggadic topics that only indirectly bear on the verse.

Most of the midrashic interpretations are unattributed, but the name of the rabbinic author of the midrash is often mentioned at its beginning or end. Frequently, a number of anonymous midrashic interpretations are offered for a single biblical expression, or are presented with an explicit tannaitic disagreement regarding the meaning of a verse. In many instances, reasons and proofs are appended to the exegetical interpretation to reinforce the rabbis' understanding of the passage. Some of the reasoning is formulated as a dialectic dialogue, during the course of which several alternative interpretations are suggested, and explanations are presented as to why a certain interpretation is to be accepted, and not others. Other verses are frequently cited as proof texts in the course of the midrashic interpretation of the specific verse under discussion. At times, these proofs are themselves based on the midrashic understanding of the proof text as it was interpreted elsewhere, and not on its simple meaning. Other verses are brought to resolve contradictions between different verses or to clarify some new teaching that is understood to be implied by the repetition of verses and expressions that are mentioned in the Bible more than once. The midrashic interpretations are usually founded on fine distinctions drawn with regard to the general content of the biblical text, its individual words, and, at times, even its letters. All this is rooted in certain fundamental assumptions regarding the absolute authority of the Bible and its sacred text as a divine source, and in a profound belief in the exclusive legitimacy of the interpretation of Scripture that accords with rabbinic *halakhah*.

The above literary qualities are unique to the tannaitic midrashim. The earlier exigetical literature contains glimmerings and beginnings of this sort of midrashic method, but such a consistent and developed body of work appears for the first time in ḤM. Signs of the attempt to resolve the seeming conflict between the authority of the Torah, on the one hand, and its actualization and harmonization, on the other, can already be found in the Bible itself, especially in Chronicles, where these attempts were made by a paraphrastic reformulation of the verses of the biblical verses themselves. The same is true of the *Temple Scroll*, in which the passages that discuss the same topic in a number of places in the Torah are concentrated, along with their interpretation and completion in the spirit of the laws and views prevalent among the Judean Desert sect. All this, however, was done in a rewriting of the Torah's words, as the direct, first-person, command of God, in sharp contrast with the differentiation in the tannaitic literature between the quoted verses and their interpretation. The Qumran *Pesher* literature provides an example of quoted verses in lemmas alongside their interpretation, but this is only for subjects pertaining to philosophic, ethical, or political actualization of the books of the prophets, and not of *halakhic* topics that appear in the *Torah*, as it is in the ḤM. A rare trace of an early rabbinic midrash, that apparently consists solely of quoted verses and their adjoining interpretation, by means of other verses, can be found in the homiletical expansion of "My father was a fugitive Aramean" (Deut. 26:5) in the Passover *Haggadah*. A few instances of the quotation of a verse and the presentation of its halakhic interpretation-exposition, along with the mention of alternative interpretations and their rejection, exist in the New Testament, but, obviously, these

could hardly be compared with the systematic exegeses of the Torah in ḤM literature.

In comparison with the literature of the Judean Desert sect, ḤM literature exhibits a distinctly independent nature, that fundamentally differs from biblical literature: (1) unlike the Judean Desert scrolls, it does not present its interpretation as the absolute and unequivocal word of God, but rather as reasoned human interpretation of the verses of the Torah, that exposes the philological and theological difficulties that emerge from Scripture; (2) in contrast with those scrolls, that offer a consistent and uniform conception, the ḤM openly presents differing views and disagreements by rabbis from various generations, that are concentrated in a collective redaction; (3) the ḤM are written in pithy rabbinic language, while the Judean Desert scrolls employ language that more closely resembles that of the Bible, both in its grammar and in its lofty and dramatic style; (4) the great halakhic detailing of the ḤM, in comparison with the Bible, is vastly more developed than that in the scrolls; (5) in many instances the content of the *halakhot* set forth in the tannaitic literature is more removed from the simple meaning of the biblical *halakhah* than that of the Judean Desert scrolls. It is noteworthy, in this context, that in the second branch of the tannaitic literature, the Mishnah and the Tosefta, the *halakhah* is ordered in a completely new structure, that does not follow the sequence of the corresponding passages in the Torah.

The literary independence of the writings by the tannaim, in comparison with those of the Judean Desert sect, may be explained both by the relative lateness of the former, and by the overall worldview of the Sages regarding their own authority and power. We have not as yet uncovered written halakhic documents of proto-rabbinic orientation from the earlier period in which the Judean Desert scrolls were composed, thereby impeding our search for the main reason for these differences. Whatever the cause, it seems that the literary formulation of the ḤM in the tannaitic period was the result of several factors: (1) the canonization of the biblical literature and the conception that no books were to be added to the biblical canon bolstered the need to produce other compositions that clearly distinguished between the Bible per se, on the one hand, and its interpretation by the rabbis, on the other; (2) the consolidation of a more uniform version of the Bible and its sanctification, specifically, constituted a necessary condition for the composition of the exegetical interpretation of this text that would be based, inter alia, on a close reading of details in the accepted version; (3) the multiplicity of halakhic details that had no basis in the simple readings of Scripture, and the increasing gap between the early biblical law and the later rabbinic *halakhah*, furthered the need to create an updated compilation of *halakhot* and halakhic biblical exegesis; (4) the external polemics directed against the legitimacy of rabbinic *halakhah*, and the argument that it was only a human interpretation, led to an elaboration of the exegetical methods that had the potential for weakening these claims, while at the same time reinforcing the necessity of presenting the close link between the *halakhot* and the verses in independent compositions; (5) the internal debate between the different exegetical schools of the tannaim themselves also intensified the need for the redaction of midrashim by each of these schools. Another possibility is that external governmental prohibitions against Torah study, and the fear that this would result in the Torah being forgotten, spurred the process of a new summation of the *halakhot*, whether redacted by subject, as in the Mishnah, or in the order of the verses in the Torah, as in the ḤM. The general explanations cited above are applicable to a relatively long period; better knowledge of the time of the redaction of the ḤM might possibly enable us to gain a more correct understanding of the circumstances surrounding their redaction.

(D) AUTHORITY OF THE BIBLE. The Pentateuch, including all its verses, is perceived in ḤM as the authoritative and obligatory word of God. The belief in the divine source of the Pentateuch, and in the reliability of its transmitted and accepted version, constituted the necessary pre-conditions for the composition of ḤM, that in many instances are based on close readings of the minutest details of the words and even letters of the biblical text. The sages of ḤM openly do battle with the argument that Moses forged the Torah, or that he wrote certain verses of his own volition, while the *tannaim* concurrently reject the Samaritan version of the Torah on the grounds that it is a corruption of the original.

In no instance in ḤM or in other talmudic sources do we find the rabbis arguing among themselves as to the version of the Bible that is the subject of their exegesis, with one rabbi upholding a certain version, and another authority championing a different wording. Despite, however, the absence of overt disagreements between the rabbis concerning the versions of the Bible, ḤM contain indirect echoes of the awareness by the *tannaim* of more than a single version for some Scriptural passages, both in a number of explicit testimonies, and in several expositions that instruct: "Do not read x but y," when the second version does in fact exist in another textual tradition (and this is therefore not to be viewed as mere wordplay); and possibly also in midrashim that incorporate two alternative versions.

The (apparently intentional) absence of open disagreements on this issue is all the more striking given the clear indications of rabbinic cognizance of the existence of biblical textual variants brought above. This should come as no surprise, because controversies regarding the text of the Bible were liable to have undercut the very basis of the tannaitic exegetes. It should be emphasized, as regards the biblical text underlying ḤM, that it is not absolutely identical with Masoretic Text, the details of which were finally formulated only in the medieval period. Here and there ḤM cite verses in a version that differs from Masoretic Text and that, at times, accords with other versions, such as LXX, the Samaritan Torah, or the Peshitta. We also find interpretations based on the non-Masoretic Text version, that prove that this was the commonly accepted text of

the Bible possessed by the *tannaim*-exegetes. An awareness of this phenomenon is of importance, both for an examination of the textual versions of the Bible, and for a proper understanding of the midrashic interpretations themselves.

(E) DEVELOPMENT OF EXEGETICAL METHODS. The first testimony in the tannaitic sources relating to the methods by which the Torah is expounded (*middot*) describes the principles employed by Hillel (Sifra, chap. 1, p. 9). These rules comprise, in practice, seven simple exegetical principles for the clarification of a given verse aided by an examination of other verses that contain (1) a law either more of less severe than that in the verse under discussion ("*kal va-ḥomer* [*a minori ad majus*]"); (2) a law equivalent to that in this verse (*gezerah shavah* [comparison of similar expressions]"); (3) a law that is specified in another place, but may be utilized elsewhere ("*binyan av* [prototype]"); (4) two verses that contradict one another ("*shenei ketuvim*"); (5) a verse that includes a general formulation along with one or more individual cases ("*kelal u-ferat* [general and particular]"); (6) a rare word or phenomenon that is explicated by other instances in other places ("*ka-yoẓe bo be-makom aḥer* [similarly, in another place]"); (7) a verse that is understood by its context ("*davar lamad me-inyano*").

A later list of 13 exegetical methods by which the Torah is expounded appears in the beginning of *Sifra*, in the name of R. Ishmael. In addition to their greater number, the methods of R. Ishmael are characterized by their extended explanation, their detail, and their distance from the relatively simple and straightforward principles of Hillel. For example: Hillel's "*shenei ketuvim*" is given an interpretation: "Two texts that refute one another, until a third text comes and decides between them"; *davar lamad me-inyano,* the method of "understanding from context," was supplemented: "*ve-davar ha-lamed mi-sofo* [and something that is learned from a later reference in the same passage]." Additional methods were specified, such as Hillel's "*binyan av*," that R. Ishmael developed into "*binyan av mi-katuv eḥad, u-binyan av mi-shenei ketuvim* [a prototypical inference from a single verse, and a prototypical inference from two verses]." The method of "*kelal u-ferat*" was the subject of especially extensive development, as it was divided into subsections, with an accompanying explanation of their meanings: "*kelal u-ferat*; *perat u-khelal* [particular and general]; *kelal u-ferat u-khelal* [general, particular, and general] – [the law] is discussed only in accordance with the subject of the particular case; […] everything that was in the general statement that is specified, that does so to teach [a law], is not specified only to teach of itself [i.e., the specific case], but rather to teach of all that is encompassed by the general statement," and many more.

Furthermore, at times we witness a development of the meaning of exegetical methods that were formulated in the same fashion in the lists of Hillel and R. Ishmael. An outstanding example of this phenomenon is the method of "*gezerah shavah* [analogy]," whose primary meaning, as proposed by Lieberman, is a comparison between two identical matters. It was already related of Hillel himself that he learned out a *gezerah shavah* before the elders of Bathyra, based on a single word that appeared in two similar matters, with this word bearing directly upon the law learned from it (T. Pesaḥim 4:13, p. 165 and parallels). Later on, in the tannaitic period, the *gezerah shavah* became an almost arbitrary comparison between *halakhot* taught on two different matters, based on the same or proximate word that appeared in both laws – for the most part, without any relation to the literal meaning of these words. By means of the new transformation of this method, it was now possible in effect to prove anything, therefore compelling the rabbis to employ various measures to limit its possible uses.

An additional *baraita* containing specific midrashic interpretations illustrating the use of each method was appended to the *baraita* in the beginning of *Sifra* of R. Ishmael's 13 exegetical methods. Most of the traditional interpreters of the methods based their clarifications on this explanatory *baraita*. It would seem, however, that the explanations given in this *baraita* for several of the methods were elucidated in a manner at variance with their original meaning in the first *baraita* of R. Ishmael, one that reflects more fully developed methods, as they were formulated in the late tannaitic period. The method of "*kelal u-ferat*" is an outstanding example of this change. According to the initial meaning of this *baraita*, "*ke-ein ha-perat* [similar to the particular statement]" is to be employed for diverse instances of generalizations and specifications, without regard for their order of appearance in the verse: a generalization followed by a specification; and a specification followed by a generalization; and a generalization followed by a specification once again followed by a generalization. In contrast with this understanding, reflections of which can be found in a number of locations throughout the talmudic literature, the explanatory *baraita* in *Sifra* regards each of these three possibilities to be a different rule, as is more common in the talmudic literature: "*kelal u-ferat* – when there is a general and a particular statement, the general statement includes only what is specified in the particular statement"; "*perat u-khelal* – the general statement is made an addition to the particular statement"; "*kelal u-ferat u-khelal* – you discuss only similar to the particular statement." This explanation facilitates an almost certain reconstruction of the original count of the 13 methods, that the explanatory *baraita* sets at fifteen or sixteen. The development of the exegetical methods was paralleled by the formation of a school headed by R. Akiva, who preferred to base midrashic interpretation on close readings of certain words and letters in the verse under examination itself, and not to rely upon general exegetical rules, thus resulting in a widening of the gap between the exegeses and the simple meaning of Scripture.

This gradual process of the formulation of complicated and developed hermeneutical methods that were ever more distant from the initial interpretive rules that were characteristic of the early exegetical methods, continued in the amoraic period. For example, in most of their exegeses, the *amoraim* applied the *kelal u-ferat* method to verses in which the "*kelal*"

no longer represents a biblical word of general content, and the "*perat*" does not denote a word that details the generalization. The main reason for this apparently can be traced to the ongoing attempt to find biblical proof texts for increasing numbers of laws, even though these *halakhot* had not initially been derived from Scripture, specifically. This tendency, of finding support in biblical verses for many diverse *halakhot* that had developed over the course of long periods of time, therefore gave rise to the need for a parallel development of the methods by which the Torah is expounded, and of the other exegetical methods.

(2) The Schools of R. Ishmael and of R. Akiva

(A) DISTINCT EXEGETICAL METHODS. One of the important achievements of ḤM research consists of the delineation of the methodological disagreement between R. Ishmael and R. Akiva concerning hermeneutical methods, and in its wake, the drawing of a distinction between the two chief types of ḤM: the midrashim that belong to the school of R. Ishmael, on the one hand, and those from the school of R. Akiva, on the other.

Some of the methodological differences between these two rabbis are already mentioned in tannaitic sources, and their consistent disagreement on a number of topics is also mentioned in amoraic sources. Only modern scholars, however, methodically collected the disagreements between these two rabbis concerning hermeneutical methods that are dispersed throughout the talmudic literature. The reconstruction of the differences between R. Ishmael and R. Akiva and their schools was made on the basis of four types of testimonies: (1) testimonies concerning dicta transmitted in the name of R. Ishmael or R. Akiva; (2) testimonies regarding views attributed by the talmudic sources to the schools of the two tannaim, such as "*tanna de-vei Ishmael*" or "*tanni R. Simeon bar Yoḥai*" of the school of R. Akiva; (3) disagreements implicit from an analysis of the differences between ḤM belonging to each school: (4) reconstructions of disagreements between R. Ishmael and R. Akiva proposed by the Talmuds. These different types of testimony generally complement one another. Based on a careful analysis and comparison of these various testimonies, scholars have reached well-founded conclusions. At times, however, the evidence concerning the disagreements between R. Ishmael and R. Akiva that emerge from the different types of testimony are inconsistent, and we should be cautious regarding generalizations and harmonizations, some of which were voiced by the talmudic sources themselves.

R. Ishmael's exegetic method is generally more moderate than that of R. Akiva, and the expositions by the former are less distant from the simple meaning of the biblical text than the far-reaching exegeses of R. Akiva. R. Ishmael also relies upon more *middot*, interpretive rules, and comparisons between different verses, in contrast with R. Akiva, who tends to focus upon the individual verse and draw conclusions regarding its exegetical meanings from its specific words and letters. These two *tannaim* frequently employ different exegetical methods to reach identical halakhic conclusions, while in some instances they differ regarding both the hermeneutical method and its halakhic significance. The following few examples will aid us in clarifying the differing approaches of R. Ishmael and R. Akiva to the exposition of "superfluous" words and particles, and the duplication of verbs, nouns, verses, and even of entire passages.

In one instance (TB Sanhedrin 51b) R. Akiva learns out a *halakhah* from the exposition of a letter *vav* that he considers to be superfluous, a legal conclusion that is vigorously opposed by R. Ishmael. As regards another exposition based on a seemingly unnecessary *vav*, according to R. Eliezer (Sifra, *Negaim*, chap. 13:2, 68b): "R. Ishmael said to him, 'My master, why, you tell Scripture to be silent until I expound(!).' R. Eliezer replied: 'Ishmael, you are a mountain palm,'" i.e., just as the palm that grows in the mountains bears no fruit, you, too, do not have the ability to expound. R. Akiva, in the footsteps of his teachers, also consistently expounded the particles "*akh*" (but) and "*rak*" (only) as exclusionary, on the one hand, and "*et*" and "*gam*" (also) as inclusory, on the other; R. Ishmael, as well, esteemed R. Akiva's erudition in these expositions (See Gen. R. 1, ed. Theodor-Albeck, p. 12). At times R. Akiva was even more adept at this than his teachers (See TB Pesahim 22b and the parallels).

R. Ishmael and R. Akiva similarly dissented regarding the interpretation of the combination of a finite verb with its infinitive, a standard grammatical form that commonly occurs in the Bible. R. Akiva expounds this literally, as referring to a specific and distinct *halakhah*, while R. Ishmael, in contrast, argues that "the Torah spoke in the language of man" (See, e.g., SN, *piska* 112, p. 121). It should be stressed that the expression "the Torah spoke in the language of man" appears in the tannaitic and amoraic sources only in relation to the rejection of exegeses based on verb-infinitive repetition, and on the repetition of the biblical phrase "man man" at the beginning of a topic. A similar situation is created by the concluding verses that come at the end of biblical passages, which R. Ishmael regards as literary repetitions, that are not to be expounded (See his view in SN, *piska* 152, p. 197; *piska* 157, p. 212). He also adopted a similar approach, in contrast to R. Akiva, regarding the repetition of entire passages.

R. Akiva's extreme methodology in his far-reaching expositions might possibly also explain the assertion by the Mishnah (mSot 9:15): "When R. Akiva died, the exegetes ceased." Noteworthy in this context is the aggadic tradition in TB *Menahot* 29b that the Holy One, blessed be He, said to Moses: "At the end of a number of generations there will be a man, Akiva son of Joseph by name, who will derive from every tip [of the letters in the Torah] mounds and mounds of laws." In practice, we do not know of any laws that R. Akiva derived from the tips of the letters, and this was most likely an extreme characterization of his hermeneutical method.

R. Ishmael, who opposed the overly precise exposition of biblical verses practiced by R. Akiva, based his own exegeses primarily on general hermeneutical rules and the com-

parison of different verses, as is demonstrated by his use of the 13 *middot* by which the Torah is explained, as described above. In addition to these rules, additional principles also were prevalent in the school of R. Ishmael, one of which relates to topics that are repeated in the Torah: "This is a rule for expounding the Torah: Every passage that was stated in one place but lacks one element, and was taught again in another place, was repeated only for the element that was omitted. R. Akiva says, Every place in which "*le-'emor* [saying]" is stated must be expounded" (SN *piska* 2, p. 4). This apparently indicates that the school of R. Ishmael maintained that expositions are not to be founded on the duplication caused by the repetition of the other similar verses in the two passages. The problem with this is that on occasion the ḤM of R. Ishmael, as well, employ such repetitions as the basis for exegeses, and it may reasonably be assumed that there was no unanimity within the school of R. Ishmael regarding this hermeneutical rule. At any rate, the incompleteness of our information regarding the opinions of both R. Ishmael and R. Akiva on this cardinal issue graphically illustrates the extent to which our knowledge regarding the conceptions of the *tannaim* are partial and imprecise.

Another hermeneutical rule of R. Ishmael relates to the tension between the simple meaning of the biblical text and what seemed logical and correct to the rabbis. R. Akiva resolves the contradiction by means of an extreme exegesis that removes the verses from their literal meaning and interprets them in accord with an opinion that seemed fitting to the *tannaim*. R. Ishmael, in contrast, candidly presents the inconsistency between the interpretation of the verse in accordance with his regular hermeneutical rules, on the one hand, and logic, on the other, and presents a compromise that allows both to coexist (See SN, *piska* 8, p. 14–15).

The tension between the simple meaning of Scripture and the *halakhah* is the subject of a similar disagreement between R. Ishmael and R. Akiva. The latter, as is his wont, explains the Torah in a manner that conforms with the *halakhah*. R. Ishmael, in contrast, pointedly indicates the instances in which there is a disparity between the two and says: "In three places the *halakhah* supersedes the biblical text" (*Midrash Tannaim* on Deut. 24:1, p. 154, and parallels). It nonetheless should be stressed that in many instances R. Ishmael, as well, uses his hermeneutical method to expound the Torah and harmonize it with the *halakhah*.

Another area in which we find a significant difference between R. Ishmael and R. Akiva relates to the bounds of the applicability of the *middot*, which R. Ishmael limits, while R. Akiva expands. A few examples: R. Ishmael permits the use of the *gezerah shavah* rule only if one of the two words on which it is based is free, i.e., it has not been used in other expositions. R. Akiva, in contrast, maintains that this hermeneutical method may also be used for two words that have already been put to other exegetical use. According to R. Ishmael, everything that is not specified in the Torah, but rather is learned by exegesis, cannot serve as the basis for an additional exposition. R. Akiva, on the other hand, permits founding a new exposition on a previous one; R. Ishmael is of the opinion that "punishments are not derived from logic" (in other words, a person is not punished for violating a law that is learned by a *kal va-ḥomer*), while other rabbis, including R. Akiva, according to one tradition, assert that punishments may be so derived.

R. Ishmael and R. Akiva also differ regarding the permissibility of expounding certain topics in public. R. Ba, in the name of Rav Yehuda (TJ *Hagigah* 2:1, 77a), attributes the law in *M. Hagigah* 2:1: "The forbidden sexual relationships may not be expounded before three persons" solely to R. Akiva, and as opposed to the opinion of R. Ishmael. Sifra (from the school of R. Akiva) accordingly did not include expositions regarding the forbidden sexual relationships in the portions of *Aḥarei Mot* (Lev. 18:7–23) and *Kedoshim* (Lev. 20:10–21), while the second midrash on Leviticus (from the school of R. Ishmael) does contain in these portions expositions of this subject, some of which were artificially included in several manuscripts of *Sifra*. Several explanations were offered for the reason behind this disagreement. I maintain that R. Akiva's position is to be understood in light of his extreme exegesis and his fear that the publicizing of such expositions on the subject of forbidden sexual relationships, that human nature craves, was liable to result in licentious behavior "and may come to permit that which is prohibited," in the words of TB (*Hagigah* 11b) on this mishnah. In contrast, R. Ishmael, who adopted a more moderate exegetical method, did not fear publicly expounding the passage of forbidden sexual relationships, presenting its prohibitions and concessions based on his hermeneutical rules. The *halakhah* in *M. Hagigah* loc. cit that "the Story of Creation is not expounded before two" is similarly attributed by R. Ba in the name of Rav Yehuda in TJ idem as following the view of R. Akiva exclusively, in opposition to the opinion of R. Ishmael. This dispute is reflected in the disagreement between the two *tannaim* concerning the legitimacy of the exposition in *Gen. R.*, p. 12, of the word "*et*" in Gen. 1:1. R. Akiva explains his position that the word is intended to prevent an erroneous Gnostic interpretation, that "we would say that the heaven and earth also are divinities," and therefore nothing can be derived from it, while R. Ishmael has no qualms in expounding the word *et* in this problematic verse of the act of Creation. *Gen. R.* p. 206 and p. 574 also contains a similar disagreement between these *tannaim* concerning the exposition of the word "*et*" in two other verses that are likely to be understood as supporting the view of the heretics; here as well, the dispute between R. Akiva and R. Ishmael is based in the different nature of the hermeneutical method of each Tanna. R. Ishmael was not wary of expounding these verses, while R. Akiva was apprehensive that the public exegesis of such sensitive verses in accordance with his extreme expositional method would be liable to serve as justification for the extreme interpretations of the heretics, following their methodology, and he therefore refrained from expounding them in public. In light of the above, we cannot accept the opinion of

Heschel that R. Ishmael was a rationalist who vigorously opposed esoteric expositions of the Torah and matters that cannot be attained by the intellect. More generally, the drawing of unnecessary connections between simple and literal interpretation and religious rationalism should be avoided.

(B) THE DIVISION INTO SCHOOLS. The discovery of the differing exegetical methods of R. Ishmael and of R. Akiva led scholars to divide ḤM into two schools: that of R. Ishmael and that of R. Akiva. This classification was based on the differences between the midrashim in the following areas: (1) The use of the exegetical *middot* that are prevalent in the midrashim from the school of R. Ishmael: Both midrashic schools make frequent use of several of the straightforward hermeneutical methods, such as *kal va-ḥomer* and *gezerah shavah* (although the emphasis that the word of the *gezerah shavah* is "free," as we could expect, appears only in the school of R. Ishmael). Other methods, such as *kelal u-ferat*, *perat u-kelal*, and *kelal u-ferat u-kelal*, appear only in midrashim from the school of R. Ishmael. (2) The terminology of the midrash: Some of the terms and introductory formulas that appear in ḤM are shared by all the midrashim, while additional midrashic terms are specific to each of the two schools. Some of these special terms are essentially related to the differing hermeneutical methods of the two schools, while others are merely alternative terms in which the redactors of each of the schools apparently were accustomed to use. (3) The names of the central rabbis: The midrashim from the school of R. Ishmael cite many dicta by R. Ishmael himself and by students from his school, headed by R. Joshia, R. Jonatan, R. Nathan, and R. Isaac, who receive scant mention in ḤM of R. Akiva and in the Mishnah, that also belongs to the sources of the school of R. Akiva. Conversely, ḤM of the school of R. Akiva make particular mention of R. Akiva himself and his students, headed by R. Judah and R. Simeon. In other instances, the midrashim are distinguished by the name each gives to the same rabbi (The most outstanding example of this practice is the use by ḤM of the school of R. Akiva of the name "R. Simeon," while the midrashim from the school of R. Ishmael cite "R. Simeon ben Yohai."). (4) Parallel expositions, appearing in a number of places in each school, whose content is virtually identical, or whose exposition employs a similar interpretive principle that is characteristic of each of the two schools. (5) Anonymous dicta whose attribution to the heads of the two schools is indicated by the parallels in the talmudic literature (Although this criterion was considerably amplified by Hoffmann, and after him, by Epstein, we should register a reservation, since ḤM also contain unattributed midrashim that the parallels ascribe to the rabbis of the opposing school. Scholars have not compiled orderly lists of this phenomenon, thus impeding an assessment of the relative weight of the unattributed dicta.). As was noted above, the fundamental division by early scholars, based on these criteria, between the schools of R. Akiva and R. Ishmael remains valid. A comprehensive and more precise examination, however, of the material based on these criteria themselves indicates that the midrashim from the school of R. Akiva are to be further divided into two subgroups, that are distinct from each other as regards their terminology, the names of the central rabbis who are cited, and their internal parallels.

(C) REDACTION OF THE MATERIAL FROM THE SCHOOLS. The redactors of ḤM did not limit their works to the teachings by the rabbis clearly identified with their respective school, and they frequently cited the views of rabbis from the other school. The redactors generally first included the material belonging to their own school, to be followed, in dialectical fashion, by the opinions of rabbis from the other school, adding the name of the author of the exposition, or without attribution, as "another interpretation [*davar aher*]," thus, precedence was given, for the most part, to the material from the school of R. Ishmael in ḤM of this school, to be followed by the teachings from the school of R. Akiva, while ḤM from the school of R. Akiva first present the dicta from their own school, and only afterwards the dicta from the school of R. Ishmael. The opinions of rabbis from the other school are usually presented in the terminology of the school to which the redactors belonged, and only in very rare instances is the terminology of the other school employed. Furthermore, at times we discern the tendentious redaction of the material in ḤM, with the redactors of each midrash presenting the views of the rabbis from the other school in a partial and fragmentary manner, in order to tip the scales toward the position that they favor. In conclusion, the redactors of ḤM are not to be considered "objective" editors of the sources they possessed. These redactors most likely belonged to the schools themselves, as can be learned from the exegetical methodology employed in their works; from the midrashic terms that they use, some of which are intrinsically linked to their exegetical methodology; from their system of ordering the material, with precedence given to the rabbis belonging to their own school; and from their tendentious adaptations of exegeses from the other school.

(3) The Aggadic Material

The major differences described above between ḤM belonging to the school of R. Ishmael and those from the school of R. Akiva find marked expression in the halakhic material that forms the core of this literature. The differences, however, between the midrashim from the two schools are considerably narrower in their aggadic passages, and the latter apparently originate in shared early material. The two parallel midrashim frequently contain aggadic expositions of extremely similar order, content, and style. Notwithstanding this, the differences between the two midrashim clearly indicate that these are two different redactions of early material, and not a division resulting from copying by different scribes. The two midrashic schools often differ in their specific interpretations of expressions and words, they sometimes adopt differing approaches to a certain biblical passage, and more comprehensive differences of opinion between the two are not unknown.

Despite the high degree of similarity in the aggadic material in the midrashim of both schools, most scholars have sought to apply to this material as well the accepted division of midrashim into the schools of R. Ishmael and R. Akiva. Although various signs supporting such a division appear at times, clear-cut differences between the schools in hermeneutical methods, exegetical terms, and names of rabbis are usually to be found only in the halakhic portions of the midrashim, and are hardly discernible in the aggadic sections. Accordingly, the common aggadic material of ḤM was quite probably not produced in the schools of R. Ishmael or of R. Akiva, but it is highly plausible that during the course of the appending of this material to the various ḤM, the later redactors of the two schools occasionally left their mark on this material, as well.

As regards the relation between the midrashim, concerning their shared aggadic material, the aggadic material appended to MY and MD (from the school of R. Ishmael) is notably lengthier than the parallel material that was added to MS and SD (from the school of R. Akiva). Additionally, the aggadic material incorporated in the former two midrashim, from the school of R. Ishmael, is frequently superior in style and content to the parallel material in ḤM from the school of R. Akiva. On the other hand, the reader is struck by the considered thought invested in the aggadic material by the redactors of SD, and especially of MS, who sought to reformulate the deficient material that they apparently received. The two ḤM on the Book of Numbers contain similar aggadic material, but there are no extant direct textual witnesses from *Genizah* fragments of SZN, thus hindering the conducting of any reliable comparison between them. A preliminary examination of the fragmentary aggadic citations from SZN in *Yalkut Shimoni* and in *Midrash ha-Gadol* indicates a relatively major distinction between them and the aggadot of SN, and the characteristic features marking the relationship between them differ from the common features exhibited by the dual midrashim on Exodus and Deuteronomy. The aggadic material appended to SZN (from the school of R. Akiva) is often more detailed than its parallels in SN (from the school of R. Ishmael). These initial findings are therefore not surprising, because SZN represents an independent midrashic branch of the school of R. Akiva, and it is only natural that the aggadic material appended to it possesses unique features, that do not necessarily resemble the aggadic fragments added to MS and SD, that represent the other branch of this school.

Finally, it should be noted that our characterization of the aggadic material in ḤM relates solely to the large units of entire Torah portions that are of an aggadic nature, and not to aggadic expositions of a certain verse that are incorporated within the halakhic sections, that are an integral part of the classical midrashim from both schools.

(4) Traces of Early Halakhah

The decisive majority of the halakhic material cited in ḤM resembles parallel tannaitic material in the Mishnah, Tosefta, and *baraitot* in the Talmuds. Moreover, ḤM quote more dicta from later *tannaim* than does the Mishnah. At the same time, ḤM also preserve opinions from, or allusions to, *halakhot* that differ from the prevalent rabbinic *halakhot*, as the latter were transmitted in most of the talmudic sources. Some of these opinions reflect the views of *tannaim* that, for whatever reason, have not come down to us in the other traditions, while another portion is representative of early or rejected *halakhot* that were observed in the Second Temple period.

The reasons for the preservation of these early *halakhot* in ḤM are to be found mainly in the following elements: (1) the highly developed dialectic deliberations in ḤM, including methodical discussions of several possible interpretations of the Bible, including a reasoned acceptance of one interpretation over another, with this alternative (rejected) interpretation occasionally representing the early *halakhah*; (2) the diverse sources used by the redactors of ḤM, some of which, such as the Mishnah that was used by the school of R. Ishmael or that used by the subschool of *Sifrei Zuta*, have not reached us in an orderly form through other transmission channels; (3) the incorporation of early interpretations and midrashim in ḤM, at times as part of the attempt by the later redactors to adapt them to the accepted *halakhah* of their time; (4) the inferior standing of ḤM in comparison with the Mishnah, a fact that paradoxically led to the more faithful preservation of their original versions and traditions. On the other hand, the halakhic authority of the Mishnah and its orderly interpretation by the *amoraim* and later authorities often resulted in the emendation and adaptation of its versions and traditions, under the influence of the reigning *halakhah* in a later period.

The traditional commentators of ḤM generally sought to obscure the remnants of non-normative *halakhah* in ḤM, in order to adapt it to the more common and well-known *halakhah* brought in the Mishnah and the Talmuds. A. Geiger was the first scholar to systematically reveal the early *halakhah* in ḤM. L. Finkelstein devoted discussions in a number of studies of this topic, in the attempt to prove that Sifra contains many remnants of an early, Second Temple period, midrash on Leviticus, and that many early *halakhot* following Beit Shammai are retained in SD, along with more ancient fragments from the Second Temple period, and possibly even from the time of the Prophets(!). While Geiger and Finkelstein have certainly made significant contributions to the scholarly research in this field, both by raising the proper questions and by providing many fertile insights into these difficult issues, a not inconsiderable portion of their brilliant and far-reaching conclusions are not sufficiently based on a literal interpretation of the language of the midrash, nor are they supported by the direct evidence of the Dead Sea Scrolls that was published only recently.

(5) Relation to Other Works

(A) ARAMAIC TARGUMIM ON THE TORAH. The Aramaic Targumim on the Torah, which were read in public, incorporated a considerable amount of midrashic material that corresponds to the teachings included in ḤM. At times the Targumim assist in the interpretation of the midrashim, both for

the literal interpretation of the midrashim, and for an understanding of content of passages in which the exegesis alludes to a subject that is explicated in the Targumim.

Each Targum must be examined separately in order to answer the question of which came first, ḤM or the Aramaic Targumim. Early material that influences the language of the exegeses in ḤM is sometimes embedded in the Targum in MS. Neofiti, the Fragmentary Targum, and Onkelos. On the other hand, the Neofiti and the Fragmentary Targum occasionally contain homiletical expansions that would clearly seem to originate in ḤM. Although Pseudo-Jonathan is closely and consistently linked to ḤM, it would appear that the author of this Targum did not possess early midrashic material (as maintained by Geiger and other scholars), but rather made use of several of the currently extant ḤM, in order to complete the foundation of the Neofiti and the Fragmentary Targum, that, as is known, were available to him. Proofs of this use of ḤM by Pseudo-Jonathan can be brought from a number of corruptions in Pseudo-Jonathan that most likely were due to the errors made by the redactor of the Targum during the course of the rendition of ḤM. We would be hard-pressed to find a strong connection to ḤM and the other ancient Bible translations, such as the Septuagint, the Peshitta, and the Vulgate, and their primary contribution to the study of the midrashim lies in the versions of the Bible that they present, that are equivalent here and there to the accepted Bible text of ḤM.

(B) MISHNAH. The order of the *halakhot* of ḤM follows that of the biblical citations, which serve to demonstrate the close connection between the tannaitic *halakhah* and the verses. In addition, ḤM also interpret many aggadic passages. The Mishnah, in contrast, orders the tannaitic *halakhah* by subject, with the connection of the latter to the Bible generally not presented; moreover, the aggadic material in the Mishnah is very limited, in comparison to that in ḤM. Notwithstanding these differences, there is a clearly mutual relationship between ḤM and Mishnahic literatures; along with exegesis, ḤM contain a not inconsiderable number of quotations from mishnahyot and *baraitot*, that are frequently cited in ḤM after set terms such as "מיכן אמרו [From here they said]," "מיכן אתה אומר [From here you say]," "אמרו [They said]," and other such introductory formulas. In other instances, however, this material is brought in ḤM without a prefatory expression. On the other hand, every so often midrashic reasoning for laws is incorporated in the Mishnah, as well as short midrashic units that are characteristic of the school of R. Akiva. In other instances, the abstract halakhic formulation of the Mishnah is adapted from early midrashic material.

An examination of the mishnahyot and *baraitot* in ḤM teaches of an important distinction between MS, Sifra, and SD (from the central school of R. Akiva), on the one hand, and the midrashim from the school of R. Ishmael, on the other. The former make frequent use of the extant Mishnah: they often seek to link the verses and their exegeses with the Mishnah, and they generally cite our Mishnah verbatim. In MY and SN (from the school of R. Ishmael), on the other hand, the term "From here they said" is not so common, and when the Mishnah is cited, it is not brought in its actual language, but rather paraphrased and in abbreviated form; nor do these midrashim contain many instances of "from here they said" from *baraitot* and the Tosefta. This difference emerges quite strongly from a comparison of SN and SD, both of which are represented in the same important manuscript, Vatican 32. The abbreviation "וכולה מתניתין [etc. from the Mishnah]" is quite prevalent in SD, in which the Mishnah is quite frequently cited verbatim, but is totally absent from SN, in which the Mishnah is generally not cited in its original language. The disparity between the midrashim from the school of R. Ishmael and the Mishnah is also pronounced regarding the names of the rabbis who are clearly identified with this school, who are not mentioned in the Mishnah. To these indicators we should perhaps add the interesting finding that the term "*mishnah*" itself appears only in ḤM from the school of R. Akiva, and is totally absent from those of the school of R. Ishmael. It would therefore appear that the redactors of MS, Sifra, and SD (from the school of R. Akiva) related to the extant Mishnah, that also is founded in this school, as an authoritative source, while the editors of MY and SN (from the school of R. Ishmael), did not recognize the supreme authority of our Mishnah. An exception is the branch of SZ, that belongs to the school of R. Akiva, but is notedly singular in a number of realms: the decisive majority of the *mishnahyot* that it cites are considerably different from our Mishnah, and it has already been suggested that this is to be viewed as reflective of opposition by its redactors to Rabbi's court and teachings.

(C) TOSEFTA. The Tosefta, that was redacted following the Mishnah, also was based in great measure on halakhic sources from the school of R. Akiva. It contains a bit more midrashic material on halakhic and aggadic topics than the Mishnah, and a portion of it was even taken from midrashic sources from the school of R. Ishmael (Such as two large fragments in *T. Shevuot*). In contrast with the Mishnah, the Tosefta occasionally mentions rabbis who are prominent representatives of the school of R. Ishmael (R. Nathan, R. Josiah, R. Isaac and R. Jonathan). Additional study of each of the separate ḤM is required to determine whether all ḤM that we possess had knowledge of the extant Tosefta, or whether they made use of other collections that included similar *baraitot*.

(D) TALMUDS. The *amoraim* drew upon collections of tannaitic ḤM on the Torah, as we learn from thousands of quotations from the latter in TB and TJ (see their listing, by their order in the Pentateuch, in Melamed, *HM in the Babylonian/Palestian Talmud*). Most of the citations in the Babylonian Talmud are from the school of R. Akiva, but there are also a large number of passages from the school of R. Ishmael, and additional sources. About forty percent of the quotations in the Talmud are of new material that does not appear in the extant ḤM, some of which was unquestionably taken from

other collections of the schools of R. Ishmael and R. Akiva and additional nonextant sources. The remaining 60 percent of the citations that are common to the Talmuds and ḥM apparently indicate that the *amoraim* possessed collections akin to the extant ḥM. The parallels for this material are not completely congruent, with the dissimilarity between the ḥM and TJ smaller than the difference between ḥM and TB Exceptional in this respect are *Sifra*, which is frequently cited by TB in its original language, and MS, with a not inconsiderable number of its expositions cited by TB Some of the differences between the otherwise similar parallels in ḥM and the Talmuds ensue from differing traditions and transmissions of the same basic or raw material, while in other instances various interpretive glosses and additions, along with numerous abridgements and adaptations, were attached to the *baraitot* in the Talmuds, notably in TB, but also in TJ We nonetheless may conclude with certainty that the *baraitot* in ḥM generally reflect the teachings of the *tannaim* in a manner better and more faithful to the original than their parallels in the Talmuds.

The *amoraim* often appended their explanations and clarifications to the *baraitot* of ḥM; needless to say, these ancient interpretations are of incalculable value for a full understanding of the tannaitic dicta. The midrashim were not, however, always given a literal interpretation by the *amoraim*, and several of the general perceptions in the Talmuds concerning the methods of the schools of R. Ishmael, R. Akiva, and other rabbis are inconsistent with the original views held by these *tannaim* themselves. In addition to the various concrete interpretive and halakhic considerations, that frequently influenced the nonliteral interpretation of the midrashic *baraitot* in the talmudic discussions, the *amoraim* also disagree with ḥM regarding several general principles concerning hermeneutical methods. This is especially true concerning the common tendency of redactors from both schools to base various *halakhot* on a single biblical expression, on the one hand, while, on the other, they find support for a single *halakhah* in a number of verses. One of the central assumptions prevalent in the Talmuds, in contrast, is that each biblical expression contains the foundation for a single halakhic derivation, and that the same *halakhah* is not to be derived from more than one biblical expression. The consistent application of this exegetical assumption in both Talmuds (which the Talmuds also ascribed to the *tannaim* themselves) led to the interpretation of many tannaitic midrashim in the Talmud in a manner which is not consistent with their literal or original sense. In addition to the growing belief in the unique halakhic significance of each and every biblical expression, the biblical exegesis of the *amoraim* themselves also represents a new direction in the development of midrashic methodology. Generally speaking, the latter took another step forward in developing the exegetical method of R. Akiva and his school, with increasing focus upon the details of the verse, and by basing ever-growing numbers of laws and their particulars on Scripture, while at the same time further distancing them from the simple meaning of the biblical text.

(6) Time and Place of Redaction

We probably should accept the predominant scholarly view that the final redaction of ḥM was conducted in the Land of Israel, in the first or second generation following the redaction of the Mishnah, that is, by the middle of the third century CE. An earlier dating cannot be proposed, because the latest rabbis mentioned in a majority of ḥM are from these generations. Nor, however, should a significantly later date be assigned to this editorial activity, placing it at the end of the amoraic period sometime in the fifth century, as has been suggested by several scholars, on the basis of quite weak evidence, and we certainly should reject the thesis of Wacholder that dates the redaction of several ḥM to the eighth century. The Mishnahic language of ḥM closely resembles that of the Mishnah, without influences of the Galilean Aramaic that was the predominant language of the *bet midrash* in the fifth century, at least in Galilee. The internal character of ḥM reinforces the theory that regards them as a transitional period between the Mishnah (that several quote verbatim) and the Talmuds. This transitional aspect is especially pronounced in the element of dialectic reasoning that is more fully developed in ḥM than in the Mishnah, but had still not reached the peak of its development that would come in the Talmud (even in the PT). Furthermore, the better preservation of tannaitic views in ḥM, in a form closer to the original, than in their emended and adapted parallels in the Talmuds, poses a very major obstacle for the conjecture that ḥM were redacted close to the redaction of the PT, after a lengthy period of "hibernation," in which they underwent no change. This same conclusion is also indicated by the fact that the more developed hermeneutical method of the *amoraim* is not discernible in ḥM.

Nor is it to be assumed, and this should be stressed, that the various ḥM were redacted at the same time, rather, a separate discussion must be devoted to the time of each individual midrash's redaction. For example, we should probably assign a slightly earlier date to the redaction of SN, which makes no mention of sixth-generation *tannaim*, except for a single narrative that speaks of R. Hiyya. Such a hypothesis is somewhat strengthened by the brevity and relative scarcity of associative expositions, in comparison with the other ḥM. It would appear, though, that after its initial redaction an additional stratum, from the "school of Rabbi," was incorporated in SN. On the other hand, while most scholars maintained that MS is the latest of ḥM, basing this estimate on its expansions, the use that it, in their opinion, made of other ḥM, and the developed nature that they found its *halakhot* and exegeses to possess, such a conclusion seems to lack a firm basis.

Most scholars properly think that all of the tannaitic ḥM were redacted in the Land of Israel, a conclusion that is supported by the similarity of the language of ḥM to that of the Mishnah and Tosefta, which were also redacted in the Land of Israel; and by the stronger affinity between the *baraitot* in ḥM and their parallels in the PT and the Palestinian *midrashei aggadah*, as compared to the frequent differences between them and the *baraitot* in the TB. Even more compelling evidence is

provided by internal indicators, such as the phenomenon of transferring literary units from one place to another, usually unaccompanied by any attempt to adapt them to their new position, corresponding to the common strategy of the literary redactors of the tannaitic and amoraic literature in the Land of Israel. The redactors of the TB, in contrast, frequently sought to have their displaced *sugyot* conform to their new position. The division of the Pentateuch into portions following Land of Israel practice is also noticeable in the redaction of ḤM.

All this also applies to the midrashim belonging to the school of R. Ishmael, that some scholars thought were redacted in Babylonia, an opinion resting on the assumption that most of the leading *tannaim* from this school, headed by R. Josiah, R. Jonathan, R. Natan, and R. Isaac were Babylonians. A re-examination of the subject revealed that several of these rabbis, such as R. Josiah, were not Babylonians at all, and that some of them seemingly immigrated to the Land of Israel. Especially impressive is the statement in MD by R. Jonathan – who was (unjustifiably) considered in the past to be a Babylonian *tanna* – that is incorporated in a passage that extols the importance of the obligation to reside in the Land of Israel, and vehemently opposes leaving the Land, even for the purpose of Torah study: "I vow [*noder*] never to leave the Land [of Israel]" (MS Oxford Heb. c 18.5). All the above evidence therefore points in the direction of the Palestinian redaction of all ḤM.

At present we do not possess sufficient data for a more precise determination of the location within the Land of Israel of the *batei midrash* of R. Ishmael and R. Akiva, nor of settlements or regions in which the various ḤM were redacted. This question is obviously related to the difficulties involved in the identification of the last redactors of each of the midrashim, a subject to which most scholars have devoted lengthy inquiries, without reaching convincing or commonly accepted conclusions. It is to be hoped that new archaeological and future literary finds will aid in solving these knotty questions.

(7) History of Research and Future Challenges

The first steps in the systematic research of ḤM were taken in the late eighteenth and early the nineteenth centuries by scholars of the Wissenschaft des Judentums: A. Geiger, L. Zunz, Z. Frankel, J.H. Weiss, M. Friedmann, and others. They focused on three main areas: (1) a historical description of the development of the talmudic and midrashic literature as a whole; (2) the manner in which *halakhah* and midrash were learned in antiquity and developed; and (3) a reinterpretation of the various ḤM.

In the late 19th and early 20th centuries the study of ḤM intensified, with works by I. Lewy, D. Hoffmann, S. Schechter, H.S. Horovitz, and others, who focused on three other spheres: (1) the schools of R. Ishmael and R. Akiva and the classification of ḤM by this criterion; (2) the publication of critical editions of the major ḤM based on mss.; (3) the reconstruction of lost ḤM, based on **Yalkut Shimoni*, **Midrash ha-Gadol*, **Genizah* fragments, and other sources.

Modern ḤM scholars, the most prominent of whom were J.N. Epstein, Ch. Albeck, S. Lieberman, and L. Finkelstein, continued the publication of ḤM while conducting up-to-date studies in a diverse range of related subjects. Except for Finkelstein, however, these scholars devoted most of their energy in the study of tannaitic literature to the Mishnah and Tosefta, causing them to somewhat neglect the ḤM.

Continued progress in ḤM research depends, first and foremost, on vigorous effort to discover their lost portions in the libraries throughout the world, accompanied by the publication of new critical editions of all ḤM. Since the publication of the first editions, scholars have uncovered new manuscripts for most of the midrashim, *Yalkutim* and additional midrashim that quote passages from ḤM, and several previously unknown commentaries by *rishonim* and *aḥaronim*, whose versions and interpretations cast further light upon the subject of our scholarly inquiries. Eastern textual versions are of especial importance, primarily the many fragments from the Cairo *Genizah*, whose existence was not known to the editors of the early editions. The methodology of the critical editing of the talmudic sources has also advanced by great strides in determining the text and presenting textual variants.

Based on more authoritative editions of ḤM, a detailed commentary should be composed for each collection. New editions accompanied by critical interpretation will provide the foundation for a renewed discussion of all the basic issues pertaining to these midrashim. They will also facilitate an overall clarification of the formal and substantial character of ḤM and the meaning of the specific *halakhot* and ideas they contain, in comparison with the other strata of the talmudic literature, on the one hand, and other works, spanning a broad range of periods, both Jewish and non-Jewish.

Preparatory work in several of these realms has been undertaken in recent years, such as the production of a CD-ROM of tannaitic literature by the Historical Dictionary Project of the Academy of the Hebrew Language in Jerusalem; the systematic collection of extant ḤM fragments in libraries throughout the world, most importantly, substantial fragments from the *Genizah*; the publication of transcriptions of all the *Genizah* fragments (apart from the *Sifra*); preparations for the new scientific publication of several midrashim; the linguistic examination of good ḤM mss.; the development of a literary approach that will aid in the analysis of the halakhic and aggadic passages in ḤM; and an orderly and detailed commentary of several passages from ḤM. It is to be hoped that these will yield fruits that will continue to meet the scholarly challenges that we have listed.

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[Menahem I. Kahana (2nd ed.)]

MIDSTREAM, U.S. Jewish monthly. *Midstream* was founded as a quarterly in 1955 by the Theodor Herzl Foundation with the object of creating a serious Zionist periodical that would have an intellectual impact upon American Jewish life. Under the editorship of Shlomo Katz, the magazine published articles and fiction of merit on various aspects of U.S. Jewry and Israel. In 1965 it became a monthly.

Billing itself as "the leading intellectual Zionist magazine in the world," it then became an opinion magazine covering political, social, and religious topics that are relevant to Jewish communities around the world. In 2004, *Midstream* had a subscription list of 6,500 readers.

[Ruth Beloff (2nd ed.)]

MIEDZYRZEC PODLASK (Pol. **Międzyrzec Podlaski**; called **Mezhirech** or **Mezrich** by the Jews), town in Lublin province, E. Poland. An organized Jewish community existed in the town from the middle of the 17th century. Between 1689 and 1692, the *parnasim* of the community of Miedzyrzec Podlaski waged a stubborn struggle against the leaders of the community of *Tykocin (Tiktin) for the hegemony over the Jewish communities in the vicinity of *Mielec. A magnificent synagogue, which was still standing in 1970, was erected in Miedzyrzec Podlaski at the beginning of the 18th century. The owners of the town during the 18th century, the Czartoryski family (see Adam *Czartoryski), encouraged Jews to settle in order to develop the town. At the fair held twice a year in the town, local Jewish merchants, as well as those from other towns, played an important role. In 1714 the community of Miedzyrzec Podlaski and the Jews of the surrounding villages which were under its jurisdiction paid 1,000 zlotys as poll tax. In 1759 a compromise was reached between the communities of Miedzyrzec Podlaski and *Lukow: the Jews living in the surrounding villages and townlets would pray in Miedzyrzec on the High Holidays and would also bury their dead there; they would pay their taxes one year to one community and the next year to the other. In the 19th century, during the period of Russian rule, there were no residence restrictions in Miedzyrzec Podlaski. Around the middle of the 19th century, the influence of Ḥasidism spread among the Jews there. At the time of the political agitation in Poland (1861), a Hebrew manifesto on the contemporary problems was circulated among the Jews of the town. In 1863 a number of the local Jewish craftsmen assisted the Polish rebels supplying them with equipment and food. During the second half of the 19th century, a Jewish working class emerged which found employment in the sawmills, the tanneries, the production of ready-made clothing, and hauling. The organized Jewish proletariat and youth participated in the 1905 revolution. At the end of 1918, a Jewish self-defense group was active in the town. Between the two world wars, branches of all the Jewish parties were established, as well as Jewish educational institutions (*Tarbut, CYSHO, Beth Jacob). During the 1920s a weekly, *Podlashier Lebn*, was published.

[Arthur Cygielman]

Holocaust Period

Before the outbreak of World War II, there were about 12,000 Jews in the town and they constituted 75% of the total population. During the first year of Nazi occupation, about 4,000 Jews from other places were forced to settle there. In December 1939, 2,300 Jews from Nasielsk, Pultusk, Rupiń, and Serock were deported to Miedzyrzec Podlaski. In April 1940