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## Transmitting Mishnah: The Shaping Influence of Oral Tradition

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**REVIEW**

Elizabeth Shanks Alexander

*Transmitting Mishnah: The Shaping Influence of Oral Tradition*

(Cambridge and New York: Cambridge University Press, 2006), hc, xvi+246 pp.

Reviewed by Karla Suomala, Luther College

The Mishnah is the foundational document upon which the two Talmuds (Babylonian and Palestinian) were created, and as such, it was central to both the formation of the Talmudic world and Judaism as we know it today. In *Transmitting Mishnah: The Shaping Influence of Oral Tradition*, Elizabeth Shanks Alexander argues that not only the content of the document but also the circumstances of its oral transmission and study helped make it so significant.

Using insights gained from orality studies, particularly the work of Albert Lord and Milman Parry who developed a model of oral composition based on observation and analysis of live oral tradition, Alexander reevaluates the Mishnah's traditional association with orality. She suggests that the Mishnah's function and role can be better understood when viewed through an "oral conceptual lens" – one that sees the text as a product of considerable interaction between its performers and their audiences – rather than a purely literary lens which assumes a text that was fixed in written form and viewed as authoritative very early in its history.

Through her focus on a small selection of materials from *m. Shevuot*, Alexander shows that two features of this "oral conceptual lens" are particularly important to our understanding of mishnaic textuality and transmission. First, she asserts that the Mishnah's earliest transmitters did not understand the text of the Mishnah to be fixed, thus undermining the idea that the Mishnah achieved an immediate authoritative status based on its fixed literary form. Second, she demonstrates that "without a fixed exemplar, passive rote memorization [was] simply not possible; instead active intellectual engagement [was] required in order to reconstruct the text in each new performative context" (8).

In Chapter 1, Alexander shows how early performers of the text saw the material as a set of features which could be arranged in different ways, according to the context of each performance. Since the Mishnah and Tosefta share a lot of material and come from roughly the same time period, Alexander identifies a number of these features in a side-by-side comparison of *m. Shev. 7:1-7* and *t. Shev. 6:1-4*; they include the use of 1) similar overarching structures (both the Mishnah and the Tosefta focus on the debate between R. Shimon and the sages in the first part, and both elaborate the principle assumed by the sages in the second part), 2) common fixed phrases ("he swears and collects"), and 3) shared underlying conceptual concerns (how ingestion of prohibited foods impacts culpability for an oath not to eat). She concludes that the transmitters of the tradition had a strategy for reproducing tradition that did not rely exclusively on memorizing and reproducing words in a verbatim fashion.

By the end of the Talmudic period, the textual traditions of *m. Shevuot* were well on their way to being viewed as authoritative traditions. Their language was assumed to be charged with meaning, and they were assumed to have been composed with a high degree of intentionality. Eventually a fully developed theory of Mishnah as divinely inspired Oral Torah would emerge. By closely examining the commentaries on *m. Shevuot* in both the Yerushalmi and Babylonian Talmuds, Alexander provides insight in Chapter 2 into the process of how this growing sense of

fixity and authority happened. She demonstrates how the Yerushalmi didn't necessarily assume a high level of fixity in the mishnaic text, but that the later Bavli views the text as more established. This discussion is significant to both rabbinic studies because it "reverses long-standing conventions that assume that the Mishnah was authoritative at the time of its promulgation," and to biblical studies which is also "concerned with the process by which traditional texts become authoritative and scripturalized" (29).

Traditionally, in trying to discern the function of the Mishnah, scholars have been primarily divided into two groups – one arguing that the Mishnah functioned as law code and other arguing that the Mishnah functioned as a pedagogical tool. In Chapter 3, Alexander suggests that these two views don't have to be mutually exclusive by demonstrating that the Mishnah, while imparting content, also helped students to learn various modes of legal analysis. In effect, she expands the pedagogical function to include training in methods of legal analysis, while simultaneously maintaining the idea that Mishnah could have also served as a legal resource.

In Chapter 4, the author tests the hypothesis that is proposed in Chapter 3, showing that the analytic habits developed through mishnaic performance by early students of the Mishnah extended well beyond this period to later students of Mishnah who used some of the very same analytic approaches. By using the device of the borderline case to explore legal ambiguities, sages not only transmitted legal content but also particular intellectual habits as well. This is significant in that it demonstrates "a continuity in the intellectual character of rabbinic culture during its earlier tannaitic and later amoraic and post-amoraic manifestations" where discontinuity has been generally assumed (30).

Alexander's use of orality studies as a tool through which to view rabbinic literature is the highlight of this book. Her explanation (in the Introduction) of how these two fields intersect and shed light on each other is helpful to scholars of rabbinic texts, but also accessible and useful to those in other fields such as biblical studies who are interested in textual transmission during the early centuries of the common era. The idea that textual formation was a much longer process than many have previously assumed and that it involved a complex interplay between written and oral forms can help scholars in these fields reorient their understanding of textual authority, corruption of texts, and even the idea of "original" when applied to a particular text.

One of the only drawbacks, and perhaps a necessary one, is the author's limited application of her ideas to such a narrow sampling of texts, primarily from *m. Shevuot*. It will be interesting to see future studies that evaluate other mishnaic material through the oral conceptual lens, and that assess its validity across a broader range of texts.