

'How Many Torah Have You?': Mapping the Relationship
Between Orthodoxy and Heterodoxy in Medieval Judaism
Through the Reception History of Psalm 19¹

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- ¹ חצנמל: דודל רומזמ
² מימשה: עיקרה דיגמ וידי השעמו לא-דובפ מירפסמ
³ מוי: תעדי-הוחי הלילל הלילו רמא עיבי מויל
⁴ רמא-ניא: מלוק עמשנ ילב מירבד ניאו
⁵ קרא-הלכב: מהב להא-שש שמשל מהילמ לבת הצקבו מוק אצי
⁶ אוהו: חרא קורל רובגפ שישי ותפחמ אצי ותחפ
⁷ הצקמ צומ מימשה: ותמחמ רתסנ ניאו מתוצק-לע ותפוקתו וא
⁸ תרות: יתפ תמיפחמ הנמאנ הוהי תודע שפנ תבישמ המימת הוהי
⁹ ידוקפ: מיניע תריאמ הרב הוהי תוצמ בלי-חמשמ מירשי הוהי
¹⁰ תארי: ודחי וקדצ תמא הוהי-יטפשמ דעל תדמוע הרוהט הוהי
¹¹ מידמחנה: מיפוצ תפנו שבדמ מיקותמו בר זפמו בהזמ
¹² קדבע-םג: בר בקע מרמשב מהב רהזנ
¹³ תואיגש: ינקנ תורתסנמ ניביימ
¹⁴ מג א יב-ולשמיי-לא קדבע קשח מידומ: בר עשפמ יתיקנו מתיא ז
¹⁵ ויהי: ילאגו ירוצ הוהי קינפל יבל ניגהו יפ-ירמא ווצרל

¹ *To the choirmaster: A Psalm of David.*

² The heavens tell the glory of God,
And the firmament proclaims the action of his hands.

³ Day to day pours forth speech,
And night to night announces knowledge.

⁴ There is no speaking, and there are no words.
Their voice is not heard.

¹ The terms 'biblical' and 'Bible' as employed throughout this paper will always refer to the Hebrew Bible. All translations of biblical Hebrew are my own unless otherwise stated.

- ⁵ The plum line has gone out through all the earth,
And their words to the ends of the earth.
In them he has placed a tent for the sun,
- ⁶ (Which comes out like a bridegroom leaving his canopy,
And, like a warrior, rejoices to runs the course).
- ⁷ His exit is from the edge of the heavens,
And his circuit is upon its borders,
And there is nothing hidden from his heat.
- ⁸ The law of the LORD is perfect; it restores the soul.
The testimony of the LORD is constant: it makes the simple wise.
- ⁹ The precepts of the LORD are right: they gladden the heart.
The commandments of the LORD are pure: they brighten the eyes.
- ¹⁰ The fear of the LORD is clean, enduring forever.
The rules of the LORD are true, righteous together.
- ¹¹ More desirable than gold, than much pure gold;
And sweeter than honey, honey of the honeycomb.
- ¹² Moreover, your servant is warned by them.
In obeying them there is great reward.
- ¹³ Who can understand transgressions?
Make me pure from hidden faults.
- ¹⁴ Obscure your servant also from insolent people; do not let them rule over me!
Then I shall be guiltless, and innocent of great rebellion.
- ¹⁵ Let the words of my mouth and the meditation of my heart be pleasurable in your presence,
O LORD, my rock and my redeemer

That there is a difficulty in the structural unity of Psalm 19 has been widely recognized. As discernible from the above translation, the Psalm consists of two seemingly independent sections: (1) Section A (vv. 1-7), a psalm concerned with nature (and especially the sun) as witness to the creative glory of God; and (2) Section B (vv. 8-15), concerned with the glory of the Torah. This disparity has prompted various attempts at explanation which can be divided into two broad groups: (i) attempts which stress the inherent unity of the two sections;² or (ii) conformation of the original distinction of the sections which make up the whole.³ However it is not only modern scholarship which has endeavoured to resolve the

² For example Derek Kidner, who refers to the sun of section A as an ancient Near Eastern motif for justice and so preparation for the theme of Torah in section B; D. Kidner, *Psalms 1-72* (London: Inter-Varsity Press, 1973), p. 9; cf. also the attempt of E. Lucas, *Exploring the Old Testament. The Psalms and Wisdom Literature*, vol. 3 (London: SPCK, 2003), pp. 97-9.

³ So H-J. Kraus, *Psalms 1-59* (Minneapolis: Fortress Press, 1993), pp. 268-75; and P. C. Craigie, *Psalms 1-50* (Waco, Texas: Word, Incorporated, 1983), p. 179.

internal disparity in this Psalm. The *Midrash Tehillim* is a medieval rabbinic exegesis for the book of Psalms: here both sections of Psalm 19 are reconciled as a unity with a coherent message of praise for the ultimate rabbinic conception of the 'Dual Torah' (both the Written and Oral Law).⁴ In order to determine the method of this rabbinic (re)interpretation of Psalm 19, I will begin by defining my methodological programme with a brief review of the history of the academic discipline of rabbinics; I will then map the diachronic trajectory of the idea of the 'Dual Torah' in this rabbinic literature, before defining the social matrix which informed these developments. Thereafter an examination of the Midrash concerning Psalm 19 will be made, and a possible historical locus for the text will be suggested. Thereby I endeavour to situate this Midrash within the larger framework of a rabbinic history of ideas in an attempt to locate the process of thought which informed the rabbinic interpretation of Psalm 19.

The early history of rabbinics was defined by the 'Jewish Science' (*Wissenschaft des Judentums*) particularly associated with Leopold Zunz and outlined in his classic study *The History and Development of Jewish Homiletics*, published in 1832.⁵ The principal aim of this work was to stress the continuity and unity of all of Jewish literature and so—according to Zunz's programme of study—the biblical books of Jeremiah, Chronicles, and Daniel belong to the historical Haggadah; Isaiah and Ezekiel are the first mystical writers; and Hosea and Ezekiel contain the first Midrashim.⁶ This positivist historical method determined the direction of almost all subsequent academic-rabbinic study. So, Moritz Steinschneider, writing in 1847:

The formal contradistinction of Law and Prophecy is followed by the developments of Halacha and Haggada; the language of Ecclesiastes approaches very nearly to that of the Talmud, and many apocryphal books are, in fact, Midrash reduced to writing.⁷

This methodological programme became the normative curriculum of rabbinics: writing in 1970, Geza Vermes still felt able to maintain that 'it would be false to assume that biblical exegesis itself is essentially and necessarily a post-biblical phenomenon';⁸ developments such as the thematic approach of, for example, Ephraim E. Urbach (in which theological ideas are selected as themes from which to posit a synthesis concerning all of rabbinic literature⁹), and the biographical account common particularly of the earlier work of Jacob Neusner¹⁰ remained fully in this historical-critical model.

Yet it was Neusner himself who dramatically recast these basic assumptions about the possibility of writing such a history. Neusner's treatment of Yohanan b. Zakkai is witness to his progression of thought. Whereas in 1962 he was able to write a biographical reconstruction of the *Life of Yohanan ben Zakkai*, in 1970 he revised the subject under the programmatic title *Development of a Legend: Studies on the*

⁴ Cf. W. G. Braude, trans. *Midrash Tehillim* (New Haven: Yale University Press, 1959), 19: 2, 19: 7, 19: 14, and 19: 15.

⁵ S. Schechter, 'Leopold Zunz', in *Studies in Judaism: Third Series* (Philadelphia: The Jewish Publication Society of America, 1945), 84-142 (p. 101).

⁶ *Ibid.*, pp. 108-9.

⁷ M. Steinschneider, *Jewish Literature* (Hildesheim: Georg Olms Verlagsbuchhandlung, 1967), p. 2.

⁸ G. Vermes, 'Bible and Midrash: Early Old Testament Exegesis' in *The Cambridge History of the Bible*, 3 vols. ed. by P. R. Ackroyd and C. F. Evans (Cambridge: Cambridge University Press, 1970), I: 199-231 (p. 199); *idem.*, *Scripture and Tradition in Judaism* (Leiden: E. J. Brill, 1961), p. 288.

⁹ Cf. E. E. Urbach, *The Sages: Their Concepts and Beliefs* (Jerusalem: Magnes Press, 1975), p. 4.

¹⁰ For example, J. Neusner, *Life of Yohanan ben Zakkai* (Leiden: E. J. Brill, 1962).

Traditions Concerning Yohanan ben Zakkai. This title denotes Neusner's line of research: in showing the fundamental unreliability of rabbinic documents as evidence for history, Neusner deconstructed the positivistic-historical model:

My purpose is thus not to produce a connected history of the man and his time, but to offer systematic observations on the tradition about him and through it, on the development of a sample body of Talmudic literature.¹¹

This statement is axiomatic of the theoretically consistent body of Neusner's later work, in which far from a positivist history, Neusner has written a descriptive history of the literature, document by document: each text is representative only of the boundaries of its own documentary setting, which Neusner determines to be the final stage of redaction in the progress of the transmission of the tradition.¹² Whilst such a methodological statement has not found universal acceptance,¹³ Neusner has instigated a reform in the way much of rabbinic history is approached.¹⁴ I will attempt to set this study of the development of the conception of the 'Oral Torah' in rabbinical literature in a Neusnerian framework: I will present no broad synthesis of this from throughout the literature but rather will trace this idea document by document, each in the context of its own setting, in order to locate the process of cognition inherent to the *Midrash Tehillim*, and to its understanding of Psalm 19.

The assumption that the literature of the halachah existed in an oral stage before its crystallization into textual form has underpinned not only Jewish rhetoric, but is also found in academic treatments of the concept. Thus I. Elbogen relates:

Between the completion of the Hebrew canon and the rise of Jewish literature there is an interval of several hundred years, and the reason why the literary activity of the Jews was so long in abeyance is that they regarded it as unlawful to commit their teachings to writing... prayers, academic and popular instruction, the development of law and custom, of ethics and religion- all these were carried on by oral instruction only.¹⁵

Thus there are two separate strands of tradition available in Jewish literature, the 'Written Torah' of the Pentateuch and the 'Oral Torah' which was expounded orally before reaching textual form;¹⁶ these two traditions, preserved in two complementary media, together make up the Dual Torah of normative Judaism, tracing their origin to the revelation at Sinai. The explanation for these differing modes of transmission is dictated by the supposed prohibition concerning the writing of halachot related in the later halachic literature itself,¹⁷ and reflected in the scholarly assumptions of Elbogen. Yet such a conception is not available in the earlier sources. That a halachic tradition was transmitted orally in the

¹¹ J. Neusner, *Development of a Legend: Studies on the Traditions Concerning Yohanan ben Zakkai* (Leiden: E. J. Brill, 1970), p. xii.

¹² See for example J. Neusner, *Transformations in Ancient Judaism* (Peabody, Massachusetts: Hendrickson Publishers, LLC., 2004).

¹³ For example the critique in D. Boyarin, 'On the Status of the Tannaic Midrashim', *Journal of the American Oriental Society*, 112: 3 (1992), 455-65 (p. 461).

¹⁴ Examples of this tendency in method include the work of P. Schäfer, 'Research into Rabbinic Literature: An Attempt to Define the Status Questionis', *Journal of Jewish Studies*, 37 (1986), 138-52 (p. 151); and S. Stern, 'The Concept of Authorship in the Babylonian Talmud', *Journal of Jewish Studies*, 46 (1995), 183-95 (p. 183).

¹⁵ I. Elbogen, 'Literature (Jewish)', in *Encyclopaedia of Religion and Ethics*, vol. 8, ed. by J. Hastings, (Edinburgh: T & T Clark, 1916), 97-104 (p. 97).

¹⁶ Such a conception makes assumptions regarding a linear progression from oral to textual modes of communication and thus reflects an outdated understanding of the relation of cultural/structural simplicity to evolutionary priority: so James Frazer could posit 'a ruder and earlier phase of the human mind, through which all the races of mankind have passed or are passing on their way to religion and science' (J. Frazer, *The Golden Bough* (Hertfordshire: Wordsworth Editions Limited, 1993), p. 56).

¹⁷ For example, the *Babylonian Talmud* (hereafter referred to as 'B') *Shabbat* 115b; B. *Temurah* 14b; and B. *Gittin* 60 b (for an English translation refer to I. Epstein, trans. *The Babylonian Talmud*. 27 vols. (London: Soncino Press, 1948).

pre-Rabbinic period due to a requirement that halachot not be written is denied by the existence of divergent written traditions which record a great body of halachah, for example the *Book of Jubilees*.¹⁸ In addition to the solar calendar and ritual laws included in his vision of the Genesis narratives, the author(s) of *Jubilees* supplements the biblical rules concerning the Passover (chapter 49) and expands the biblical prohibition of work on the Sabbath (chapter 50). Thus whilst Josephus in his *Jewish Antiquities* (c. 94 CE) presents an account of a divergent tradition belonging to the Pharisees,¹⁹ concluding that this refers to ‘oral’ ordinances is to read *a priori* assumptions concerning the media of the transmission of these traditions into the text: rather Josephus only states that the Pharisaic traditions were outside of the ‘Laws of Moses’ (as were that of, for example, those of the author(s) of the book of Jubilees) and makes no assertion about their external form, whether oral or otherwise.

The earliest work of rabbinic literature, the *Mishnah*, similarly makes no assertions regarding its relation to Scripture: there is no rhetorical strategy which relates Mishnaic teachings to a Mosaic ‘Oral Torah’, or those of Scripture to a ‘Written’. Thus the *Mishnah* fails to define its very origin. Framed c. 200 CE, the *Mishnah* represents a new articulation in Jewish literature. The strategies which contemporary texts utilized in attempt to gain the status of revelation could include pseudepigraphy, claims of divine inspiration, stylistic imitation, or eisegesis.²⁰ Yet the *Mishnah* employs no such methods and the framers simply ignored these conventional validations. Rather the *Mishnah* records both remembered and socially operative halachic traditions: these traditions refer not only to discrete items of information but also to the entire complex of norms available in the community of the Sages (as evidenced by the faithful transmission of contradictory halachic instructions²¹). These halachot, then, are regarded as traditional to the Sages and thus legitimate, but this legitimation is rarely sought from Scripture itself: only three Mishnaic halachot seek Mosaic authorization.²² Indeed, that the Mishnaic tradition is conceived of as a body of norms with little precedent in the authority of Moses is felicitously represented by the *Mishnah* itself. So:

- A. The absolution of vows hovers in the air, for it has nothing [in the Torah] upon which to depend.
- B. The laws of the Sabbath, festal offerings, and sacrilege- lo, they are like mountains hanging on a string,
- C. for they have little Scripture for many laws.
- D. Laws concerning civil litigations, the sacrificial cult, things to be kept cultically clean, sources of cultic uncleanness, and prohibited consanguineous marriages have much on which to depend.²³

¹⁸ The dating of *Jubilees* is somewhat problematic. While the oldest extant copies have been dated on a palaeographic basis to c. 100 BCE, that the book seems aware of the ‘Book of Dreams’ from *1 Enoch* (c. 200 BCE) suggests a prior dating for the composition of the text. See J. C. VanderKam, *The Book of Jubilees* (Sheffield: Sheffield Academic Press, 2001), p. 18.

¹⁹ ‘...a great many observances by succession from their fathers, which are not written in the Law of Moses’: *Jewish Antiquities* XIII. 10. 6 (for an English translation refer to S. Mason, *Flavius Josephus: Translation and Commentary*, 9 vols. (Leiden: Brill, 2000)).

²⁰ So much of the literature from Qumran.

²¹ Cf. the *Mishnah* (hereafter I will refer to this text by the abbreviation ‘M’) *Edyot* 1: 5- 6 (for an English translation refer to H. Danby, trans. *The Mishnah* (Oxford: Clarendon Press, 1993)).

²² M. *Yadayim* 4: 3; M. *Edyot* 8: 7; M. *Peab* 2: 6; the *Tosefta*, c. 250 CE (hereafter ‘T’) confirms the Mosaic authority of M. *Yadayim* 4: 3 (T. *Yadayim* 4: 3) and adds only two further halachah which may be traced to their Mosaic ancestry (T. *Yadayim* 2: 16; T. *Sukkah* 3: 1 [for an English translation refer to J. Neusner, trans. *The Tosefta*, 6 vols. (Atlanta: Scholars Press, 2000)]).

²³ M. *Hagigah* 1: 8.

In the earliest halachic writings of the second century CE, then, the conception of the Dual Torah is absent.

In order to locate this conception, later rabbinic literature must be examined. Tractate *Abot* is a collection of wisdom-sayings included in the *Mishnah* (although the former is conventionally dated to sometime after the latter's redaction, c. 250 CE), and presenting a history of the transmission of Torah from Moses down to the generation of the Mishnaic framers. Thus many have seen in this the fully articulated statement of the Dual Torah. Yet such a statement is lacking from the text itself. *Abot* makes no explicit assertion as to the origin or authority of the *Mishnah*: rather it places the authority of the sages in line with Sinai. This implicitly locates Mishnaic tradition in the same authoritative sphere as that of Scripture, yet the explicit terminological distinctions ('Oral'/'Written') have not yet been developed. These implicit assertions do not become explicit until the Talmud and the Midrashim, largely products of the Amoraic era (200-500 CE). Here the Mishnaic traditions are given a Scriptural basis. This is available in some of the earliest Amoraic Midrash, so, for example in the *Sifre on Deuteronomy* (c. 300 CE),²⁴ and finds its most cogent articulation in the *Babylonian Talmud* (c. 500 CE): 'A certain heathen once came before Shammai and asked him, "How many *Toroth* have you?" "Two", he replied: "the Written Torah and the Oral Torah".²⁵ The fully articulated statement of a Dual Torah is thus available in the literature of the later rabbinic canon.

The situations which determined the crystallization of these literary traditions have been felicitously defined by Neusner. So, the *Mishnah*: a response to the changed configuration of political authority following the failed wars against Rome in 66-73 CE and in 132-135 CE. The Pentateuchal statement was dramatically reformulated to reflect the difficulty of maintaining an autonomous political and religious system in a heteronomous environment in which the Temple (biblical symbol of a sanctified Israel) was unlikely to be rebuilt. Thereby the Mishnaic system of sanctification supposed that beyond the locative sanctity of the Temple, the utopian Israel might be holy. This innovation ultimately became the enduring system of the normative religion.²⁶ Yet the problem of innovation within a tradition of canonized revelation is found within the canon itself: 'You shall not add to the word which I command you, and you shall not take away from it.'²⁷ Therefore each transformation must understand itself in relation to the original revelation and so as implicit already in the tradition, rather than a departure from it. While, as we have seen, the *Mishnah* felt no need to make such claims, in the Talmud and Amoraic Midrash 'Torah' becomes the mediating concept between halachot and Scripture. Such a statement itself constitutes an innovation, again generated in the matrix of a challenge to the political configuration of society. The political revolution in the social status of Christianity following the conversion of Constantine saw Judaism confronted by a competing formulation of Scripture. Thus the Jewish literary imagination responded with a clear restatement of the Scriptural authority of their

²⁴ Cf. *Sifre on Deuteronomy* 351.

²⁵ B. *Shabbath* 31a.

²⁶ J. Neusner, *Transformations in Ancient Judaism* (Peabody, Massachusetts: Hendrickson Publishers, LCC, 2004), pp. 37-40.

²⁷ Deuteronomy 4: 2.

tradition.²⁸ Scripture was to be rabbinized as it had earlier been Christianized through the New Testament: the Mishnaic system was thereby embedded in Scriptural authority through the restatements of the Talmud and Midrash; 'Oral Torah' became the legitimating concept which authorized rabbinic innovation.

That this literary ferment was preceded by a shift in traditional modes of perception is augmented by the writing of the Modern Hebrew literary critic Alan Mintz. Recognition of the transformative occasions afforded to Judaism by national catastrophe has underpinned Mintz's understanding of the Jewish literary imagination. Thus Jewish society,

...has had many massive national catastrophes visited upon it and still survived; and in each case the reconstruction was undertaken in significant measure by the exertions of the Hebrew literary imagination, as expressed in prophecy, liturgy, exegesis, and poetry.²⁹

Understanding catastrophe to be that which shatters the existing paradigms of meaning, Mintz accordingly traces literary (re)imaginings from biblical, through to modern times. Accepting this recognition as a valid framework from which to conduct our own analysis of the medieval *Midrash Tehillim*, we shall attempt an analysis of the Midrash of Psalm 19 and of its understanding of the conception of the Dual Torah, the development of which we mapped through the rabbinic sources. Thereby our task is to attempt to locate the reconfiguration of the paradigm of meaning which informed the editors of the *Midrash Tehillim*.

The term 'Midrash' derives from the verbal root שרר which in the Bible designates 'to search', 'to seek', or 'to examine'.³⁰ The noun שרר occurs only twice in the Bible,³¹ translated by the *New Revised Standard Version* translation of the Hebrew Bible as 'commentary' and by the *New International Version* as 'annotations'. But by the period of the rabbinic literature with which we are concerned, 'Midrash' had come to designate both a method of biblical exegesis and the compilations in which such exegesis were preserved. This exegesis largely derives from perceived surface irregularities in the text (much as modern exegesis): thus the principal task of Midrash is to interpret the text of the Bible. Yet the categories of midrashic interpretation have been delineated by James Barr as: (1) arbitrary analysis; (2) etymology; (3) pseudo-etymology; (4) *al-tiqre* types; and (5) popular etymology. These programmatic categorizations are indicative of Barr's negative evaluation of the philological worth of midrashic interpretation: midrashic conclusions are 'very frequently additions to the plain meaning'.³² So, for example, the Midrash of Psalm 19: here the rabbinic conception of the Dual Torah has been read into the psalm. Rabbinical Midrash is also known for the hermeneutics of aggadic interpretation, in which the biblical text is the catalyst for creative non-legalistic homiletic expositions of allegory and folk-lore. The period of the arrangement and collection of the aggadic midrashim can be divided into three groups: early, middle, and late. The early midrashim stem from the classical Amoraic period, edited in

²⁸ Neusner, *Transformations in Ancient Judaism*, pp. 92-4.

²⁹ A. Mintz, *Hurban: Responses to Catastrophe in Hebrew Literature* (New York: Syracuse University Press, 1996), p. x.

³⁰ Cf. Leviticus 10: 16; Deuteronomy 13: 15; Isaiah 55: 6; etc.

³¹ 2 Chronicles 13: 22 and 24: 27.

³² J. Barr, *Comparative Philology and the Text of the Old Testament* (Oxford: Clarendon Press, 1968), 44-50.

the fifth and sixth centuries CE; these classical proems were followed by the Midrash of the middle (640-1000 CE) and late periods (1000-1200 CE)³³; it is from these later stages which the *Midrash Tehillim* stems.

This dating has, however, proven controversial. Leopold Zunz proposed that the Midrash on Psalms 119-50 differed from that of the preceding Psalms; noting differences in language and subject matter, he concluded that it should be dated to the latest period of midrashic activity. From an examination of the linguistic usages and contents of the former collection, Zunz concluded that this first section was also late, belonging to the middle period and therefore edited in Italy in the latter half of the ninth century. This dating did not meet universal acceptance, and scholars such as Saloman Buber have restated the antiquity and Palestinian origin of the Midrash. However Chanoch Albeck has reaffirmed Zunz's position: whilst the author(s) of the Midrash drew upon the Palestinian Midrashim, the editing of the former section should be dated to the last centuries of the Geonic Period, whilst the latter half was later still, from the thirteenth century.³⁴ It is to the first section of Midrashim which the Midrash of Psalm 19 belongs, and so stems from the Italian Jewry of the late ninth century.

As earlier determined, the discrepancy in form between the two sections of Psalm 19 is here reconciled through the mediating concept of the Dual Torah. It is worth noting at length the rabbinic interpretation. So 19: 3, from the first section of the Psalm, witness to the creative glory of God: 'Day to day pours forth speech, and night to night announces knowledge':

This verse alludes to our master Moses, who, it is said, *was with the Lord forty days and forty nights... and he wrote upon the tables the words of the covenant* (Exodus 34: 28). Does Scripture really mean to say that night also occurs in the presence of the Holy One, blessed be He? Is it not written *the night shineth as the day... both are alike to Thee* (Psalm 139: 12b)?... How then did Moses our master know when it was day and when it was night, that he could have reckoned forty days and forty nights in the presence of the Holy One, blessed be He? Scripture implies, however, that Moses knew it was day when the Holy One, blessed be He, instructed him in the Written Law; and Moses knew it was night when the Holy One, blessed be He, instructed him in Oral Law.³⁵

This is reconciled to Section B, concerned with the glory of the Torah. Thus the verses of this section are related to the six orders of the *Mishnah*. So Psalm 19: 8: 'The law of the Lord is perfect; it restores the soul' refers to the order of *Women* ('for it is said of a woman, "thou art all fair, my love; and there is no spot in thee" [Song of Songs 4: 7]'), whilst 'The testimony of the Lord is constant' refers to the order of *Seeds* ('for only the man who believes that the life of the world is sure sows seeds'). Psalm 19: 9 ('The precepts of the LORD are right: they gladden the heart') refers to the order of *Feasts* (for 'it is written "thou shalt rejoice in thy feast" [Deuteronomy 16: 14]'), whilst 'The commandments of the LORD are pure: they brighten the eyes' refers to the order of *Holy Things*, 'which brighten the eyes of the Sages'. Psalm 19: 10, 'The fear of the Lord is clean', refers to the order of *Clean Things*, and 'The rules of the

³³ M. D. Herr, 'Midrash', in *Encyclopaedia Judaica*, vol. 14, 2nd Edition, ed. by M. Berenbaum, and F. Skolnik, (Detroit: Macmillan Reference USA, 2007), 182-5 (p. 184).

³⁴ J. Elbaum, 'Midrash Tehillim', in *Encyclopaedia Judaica*, vol. 14, 2nd Edition, ed. by M. Berenbaum and F. Skolnik (Detroit: Macmillan Reference USA, 2007), 191-2; cf. W. G. Braude, 'Introduction to the Midrash on Psalms', in *The Midrash on Psalms* (New Haven: Yale University Press, 1959), xi-xxxvi (p. x).

³⁵ *Midrash Tehillim* 19: 7.

Lord are true' refers to the order of *Civil Laws*.³⁶ 'That this oral law stems from Moses is reaffirmed by an aggadic parable:

When R. Hanina and R. Jonathan were visiting certain towns in Judea, they came into a synagogue and observed that a reader was saying in his public prayer: "The God, great, mighty, and awful, glorious, powerful, and majestic". They silenced him, saying: Thou hast no right to add words to the form of the benedictions as fixed by the Sages. Whence do we know the proper form of the benedictions? From Moses, our master.³⁷

Thereby the eisegetical and aggadic interpretations both present a theologically coherent statement of the unity and message of Psalm 19, deeming it to be a psalm concerned with the Dual Torah. Therefore this Midrash is a cogent presentation of the rabbinic rhetoric of a dual revelation revealed through complementary media, and the ultimate (re)statement of the authority of the Oral Law as originally proposed by the Talmud and Amoraic Midrash.

The historical matrix which informed this restatement is to be found in the social situation of ninth-century Jewry. Although from a relatively early date anti-Rabbinic principles were common to a large number of schismatic movements, these did not crystallize into a consolidated sect until the eighth-century, forming by the ninth a fully articulated dissident movement, Karaism. The catalytic agent of this ferment can be seen in the writings of Anan b. David in the eighth century, in particular in the work *Sefer ha-Mizvot* ('The Book of the Precepts'), written around 770.³⁸ Here we find the extraneous law of normative Judaism condemned: 'a false witness breathes forth lies.'³⁹ By the ninth century, Benjamin Al-Nahāwandī's *Sefer Mizvot* ('Book of Precepts') and *Sefer Dinim* ('Book of Rules') had become the most cogent statement of a Karaite theology (c. 830): 'for every rule I have indicated the pertinent verse of Scripture.'⁴⁰ Indeed, Karaism demanded a return to Scripture and thus rejection of any tradition of Scripture's interpretation: so, the Oral Law. Previous to the writings of Anan b. David and Al-Nahāwandī the movement had been merely a conglomeration of various anti-Rabbinic groups; following their clear theoretical statements these groups consolidated to become the Karaite movement, a sectarian Jewish group which once again posed threat to the traditional system of normative rabbinic Judaism. Territorial expansion, which saw the centre of Karaite intellectual activity shift to Europe,⁴¹ saw this threat posed directly at the framers of our Midrashim. Thus the Jewish literary imagination responded by traditional means with the production of literature. The *Midrash Tebillim* therefore reaffirms belief in the conception of the Dual Torah through the coherent statement of the Midrash on Psalm 19. This statement is reiterated elsewhere in the document: so the Dual Torah existed even before Creation (72: 6; 90: 12; 93: 3); to fulfil its commandments is the ultimate mark of distinction (20: 5). The study of this Dual Torah can curtail temptation (34: 2) but to not study will lead to the

³⁶ Ibid, 19: 14.

³⁷ Ibid, 19: 2.

³⁸ M. A. Cohen, 'Anan ben David and Karaite Origins,' *Jewish Quarterly Review*, 68 (1997), 130-40 (p. 131).

³⁹ L. Nemoy, trans. *Karaite Anthology* (New Haven: Yale University Press, 1952), p. 12.

⁴⁰ Ibid, p. 12.

⁴¹ D. J. Lasker, et al. 'Karaites', *Encyclopaedia Judaica*, vol. 11, 2nd Edition, ed. by M. Berenbaum, and F. Skolnik, (Detroit: Macmillan Reference USA, 2007), 785-802 (p. 791).

destruction of the world (75: 1; 76: 4): the *Midrash Tebillim* is a literary reimagining in response to the possible catastrophe posed by the Karaite threat to the rabbinic conception of a Dual Torah.

Observing the difficulty in the structural unity of Psalm 19, we began by noting the rabbinic interpretation of the psalm: as a coherent unity in praise of the Dual Torah. Our analysis therefore mapped the diachronic trajectory of this idea in rabbinic literature: it was proposed that this literature could be situated in actual social situations. Thus we saw that the development of the conception of a Dual Torah in these documents crystallized in response to the re-configuration of accepted paradigms of meaning; Mintz's recognition of the Jewish literary imagination as informed by catastrophic events augmented this observation. Turning to the *Midrash Tebillim*, it was then attempted to determine such a situation for this tradition. Accepting the Midrash of Psalm 19 to be a cogent restatement of the Amoraic era rabbinic ideal of the Dual Torah, it was suggested that the contemporary Karaite threat to this conception provided the context inherent to such a response. Our analysis, then, has attempted to provide a social location for the crystallization of the *Midrash Tebillim*, with particular reference to the Midrash on Psalm 19, and has thus provided a new understanding of this Midrash to be a coherent restatement to the Karaite threat to the Dual Torah, and therefore a continuation of the traditional rabbinic response of literary re-imagination in reply to possible catastrophe which we saw throughout our examination of the earlier traditions of rabbinic literature.