

Bad Tidings, Good Tidings

Around the year 986 CE, R. Ya'akov ben Nisim of Qayrawan (in present-day Tunisia) sent a series of questions on behalf of his community to the Geonic academy of Pumbeditha, which was then located in Baghdad. The Jewish community of Qayrawan wanted to know “how the Mishnah was written, did the people of the Great Assembly begin to write it and the sages of each generation write some of it until Rabbi [Yehuda the Patriarch] came and sealed it . . . and the Tosefta, which we heard that R. Hiyya wrote it, was it written after the sealing of the Mishnah or at the same time, and why did R. Hiyya decide to write it . . . and also how the baraitot were written, and how the Talmud was written.”¹ The concern of the sages of Qayrawan with these questions was not guided by pure textual-historical curiosity. At the core of their inquiry was a discord they detected between the well-established notion that the “Oral Torah” was received directly from Sinai and passed down uninterruptedly from one generation to the next, on the one hand, and the palpably layered and cumulative nature of rabbinic compilations, on the other hand. If the Mishnah is a faithful rendition of authoritative knowledge that goes all the way back to Moses, why did it take so long to write it? And why are rabbinic teachings dispersed between different compilations and not concentrated in a single work? It is possible that the learned men of Qayrawan were troubled by these questions specifically because of the challenges posed by the Karaites, who dismissed rabbinic teachings as “made up” and thus as devoid of authority.² But in truth, the tension between the ethos of an unbroken chain of transmission of all rabbinic knowledge and the disjointed, individually attributed, and noncohesive

1. See Benjamin M. Lewin, ed., *Iggeret Rav Sherira Gaon* (in Hebrew) (Jerusalem: Makor Press, 1972), 5–6; quoted from the French version (my translation).

2. As argued by Lewin, *Iggeret Rav Sherira*, V–XIV. Menahem Ben-Sasson, however, discounted the idea that Karaite polemic was the main impetus for the query. See Menahem Ben-Sasson, *The Emergence of the Local Jewish Community in the Muslim World: Qayrawan 800–1057* (in Hebrew) (Jerusalem, Magnes Press, 1996), 41–46.

nature of rabbinic texts would have been evident and potentially disturbing to any attentive reader of rabbinic literature.³

In response to this inquiry, the head of the Pumbeditha academy, Rav Sherira, and his son Rav Hayya composed a lengthy treatise that offers both a theory of composition of the Mishnah and Talmud and a chronological historiography of the rabbinic movement in Palestine and especially in Babylonia.⁴ The response, which came to be known as “the Epistle of Rav Sherira Gaon,” was upheld by modern Talmud scholars as “the foundation of the entire Talmudic science,” in the words of Ya’akov Epstein.⁵ The epistle begins with an important corrective to the question itself: the Mishnah was not “written,” and in fact no rabbinic work was ever written, but rather all rabbinic knowledge from the beginning of time was transmitted orally.⁶ Instead of “writing” one ought to speak about organization and standardization, and about “sealing” a particular textual corpus such that its content becomes more or less finite, but in an oral form. The question, however, still stands: How can one reconcile the idea of uninterrupted transmission of a cohesive body of knowledge with the ample evidence of dispersion, disagreement, and aggregation through time? The answer presented in the Epistle of Rav Sherira is that rabbinic literature as it stands before us bears the scars, so to speak, of an ongoing battle with forgetfulness.

In its heyday before the destruction of the Second Temple, according to the epistle, the body of transmitted rabbinic knowledge was one, coherent, undisputed whole. Each master taught this knowledge to his disciples using his own words and formulations, but the content and essence were always the same. However, after the destruction of the temple and subsequent calamities, disciples could not attend to their masters properly and therefore misremembered their teachings, which lead to controversies and conflicting interpretations.⁷ In the generation of Yavneh, after the destruction, R. Akiva and his disciples were able to recover some of the teachings that were “as good as lost,”⁸ but then R. Akiva and his fellows and his disciples all died tragically, “and the world was becoming increasingly desolate [of Torah].”⁹ Later on, a group of sages, the most prominent of whom was R. Meir, was able to reestablish the teachings of the previous generations, to

3. See Abraham Rosenthal, “Oral Torah and Torah from Sinai: Halakhah and Practice” (in Hebrew), in *Talmudic Studies*, vol. 2, ed. Moshe Bar-Asher and David Rosenthal (Jerusalem: Magnes Press, 1993), 448–89.

4. For a useful survey of the epistle’s content and context, see Robert Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven, CT: Yale University Press, 1998), 20–25.

5. Ya’akov N. Epstein, *Introductions to Amoraic Literature: Babylonian Talmud and Yerushalmi* (in Hebrew) (Jerusalem: Magnes Press, 1962), 610 (my translation).

6. See also Fishman, *Becoming the People of the Talmud*, 20–64.

7. Lewin, *Iggeret Rav Sherira*, 10–11; cf. T. Hagigah 2.9 (ed. Lieberman 383) and parallel in T. Sanhedrin 7.1 (ed. Zuckerman 425).

8. Lewin, *Iggeret Rav Sherira*, 12.

9. Lewin, *Iggeret Rav Sherira*, 13.

retrace the teachings that were corrupted and forgotten over time, and to resolve disagreements. Rabbi Yehuda the Patriarch, who was their disciple, then decided that something had to be done to prevent such massive forgetfulness from happening again. He came to the conclusion that the unfixed and free form of transmission—that is, the fact that each master chose a different way of conveying the same essential content to his disciples—could eventually lead to loss and erasure of traditions, “since he saw that the heart was diminishing, and the fountain of wisdom was being stopped, and the Prince of Torah was departing.”¹⁰ Therefore, Rabbi Yehuda the Patriarch set out to create a fixed and standardized version of the Mishnah, a particularly short and concise one, which would be transmitted from then on and withstand the ever-increasing danger of forgetfulness.

The story does not end there. From the time of its making, Rav Sherira continues, the Mishnah was accompanied by explanations and further observations that were likewise transmitted informally from master to disciple. But as the generations became less and less capable, those additional materials were not retained and were in danger of being forgotten. Therefore, these explanations and observations—otherwise known as “Talmud”—had to be compiled and collected in a corpus of their own, and later on the same thing happened to the explanations of the explanations, and so on. This is how the mammoth Babylonian Talmud was created as a textual (albeit oral) corpus: as a salvage project for knowledge that was once remembered without difficulty but with every generation became more and more precarious. For Rav Sherira, then, there is something inherently tragic about the very existence of rabbinic literature: it is a testimony to the recurring states of crisis that were the impetus for its preservation in fixed form, and to the looming threat of forgetfulness yet to come as “the generations decline.”¹¹

As Isaiah Gafni showed, Rav Sherira and Rav Hayya may have relied on existing genealogies and chronologies in their account, but the historiography they presented was highly selective and tendentious.¹² The Epistle of Rav Sherira is guided by a distinct polemical and ideological agenda, whether it is to thwart the accusations of the Karaites,¹³ to solidify the authority of the Babylonian academies

10. Lewin, *Iggeret Rav Sherira*, 20. The figure of “the Prince of Torah” (*Sar ha-Torah*) is closely connected to memory, and the honing and improvement of memory skills through the invocation of the Prince of Torah is most often described through metaphors that involve one’s heart (opening of the heart or expansion of the heart). See Swartz, *Scholastic Magic*, 33–50; Vidas, *Tradition and the Formation of the Talmud*, 167–202.

11. On the trope of generational decline as the driving force behind rabbinic literature in the epistle, see also Gerald J. Blidstein, “The Concept of Oral Law in R. Scherira’s Epistle” (in Hebrew), *Da’at* 4 (1980): 5–16.

12. Isaiah Gafni, “On Talmudic Historiography in the Epistle of Rav Sherira Gaon: Between Tradition and Creativity” (in Hebrew), *Zion* 73, no. 3 (2008): 271–96.

13. See Lewin, *Iggeret Rav Sherira*, V–XIV.

in the Jewish world,¹⁴ to create a Jewish juridical model that coheres with Islamic ideals,¹⁵ or all of the above. Yet the model presented in the epistle, of collective forgetfulness of the Torah as an ever-present danger and as the primary motivation and justification for rabbinic activity, did not come out of nowhere. The Geonic authors identified a trope that appears in nascent form in Tannaitic literature and is developed further in Amoraic literature, particularly in the Babylonian Talmud, and turned it into an overarching theory of rabbinic history. The trope of collective forgetfulness of the Torah, or, in its common rabbinic formulation, “The Torah is destined to be forgotten from Israel,” is the topic of this final chapter.

At the outset, it is important to distinguish the trope of collective forgetfulness of the Torah from the pervasive anxiety regarding individual forgetfulness of teachings, which was discussed in the previous chapter. On the face of it the two issues are connected: it stands to reason that the preservation of the Torah, particularly the Oral Torah, from one generation to the next depends on the faithful memory of those who study and transmit it. If individual memory falters on a large scale, ultimately the body of knowledge will be lost altogether. The sources presented in the previous chapter, however, do not make this connection. One’s discipline and perseverance in Torah study is described as an issue of personal piety and steadfastness, not as a matter of collective concern. In this chapter, we will see that the prospect of collective forgetfulness of the Torah is construed in rabbinic texts not as a result of the failure of individuals, but almost as a force of nature, as part of the foretold order of the world. Moreover, I argue that whereas individual forgetfulness of teachings is often presented as disastrous and irreversible, collective forgetfulness is presented as temporary and solvable. The “bad tidings” that the Torah is destined to be forgotten are often bound up in rabbinic texts with the “good tidings” of the Torah’s eventual recovery. I thus propose to understand the prospect of “the Torah being forgotten from Israel” as a useful and versatile rhetorical trope through which the rabbis make the case for themselves, rather than as an all-consuming fear that plagued the rabbinic movement from its very inception to its final generations.¹⁶

My purpose in this chapter is to offer a genealogy of the rabbinic trope of collective forgetfulness of the Torah, focusing primarily on its Tannaitic iterations

14. See Menahem Ben-Sasson, “The Structure, Goals, and Content of the Story of Nathan ha-Babli” (in Hebrew), in *Culture and Society in Medieval Jewry: Studies Dedicated to the Memory of Haim Hillel Ben-Sasson*, ed. Robert Bonfil, Menahem Ben-Sasson, and Joseph Hacker (Jerusalem: Zalman Shazar Center, 1989), 160–61.

15. This argument was succinctly proposed by Gafni, “On Talmudic Historiography,” 295–96. More recently, see Yishai Kiel, “Reinventing Yavneh in Sherira’s Epistle: From Pluralism to Monism in the Light of Islamic Legal Culture,” in *Strength to Strength: Essays in Appreciation of Shaye J.D. Cohen*, ed. Michael Satlow (Providence, RI: Brown Judaic Studies, 2018), 577–98.

16. As presented, for example, by Sussmann, “Oral Torah, Plain and Simple,” 257–58.

but also touching on its further development in Amoraic literature. I begin with a cluster of passages that all share a similar structure: their point of departure is a biblical verse that is read as prophetic, from which a homilist infers that “the Torah is destined to be forgotten.” At the core of these passages, I argue, is a well-established tradition according to which the Written Torah was forgotten during the Babylonian exile and recovered in the time of Ezra. The tradition about the disappearance and recovery of the Torah at a particular point in time was reworked in Tannaitic sources, such that forgetfulness of the Torah turned from a onetime cataclysmic event into an unspecified and possibly recurring event that happened in the past and will happen again in the future, but from which recovery is possible. By transforming the disappearance of the Torah from a single occurrence to a cyclical pattern, rabbinic homilists do away with the theological problematics of the tradition about the lost Torah and its reconstruction by Ezra, on the one hand, and make the case for the Sages’ own indispensable role as restorers and preservers of the Torah, on the other hand.

In the second part of the chapter, I show that alongside the model of cyclical forgetting and recovery of the Torah there develops an alternative Tannaitic model, according to which collective forgetting of the Torah cannot possibly happen. According to this alternative model, the biblical prophecies on bewilderment and lack of access to the Torah pertain to an abundance of Torah, to its proliferation and flourishing, rather than to its disappearance. Finally, both the cyclical forgetting model and the model that denies the possibility of forgetfulness altogether acquire new meanings upon the encounter of later rabbis with the Christian notion that the Jews have abandoned or given up on the Torah, and that it is therefore no longer their patrimony. The tapestry of sources from different corpora and from different historical contexts discussed in this chapter reveals that forgetfulness of the Torah, more than being a dreaded prospect, was a fruitful and generative literary motif through which the rabbis gave meaning to their vocation.

FORGETTING THE TORAH: FROM CATACLYSM TO CYCLE

Among the dozens of biblical injunctions for the Israelites to “remember” and “not to forget,” there is no event that features as prominently as the exodus from Egypt. The memory of the exodus is to be preserved, it is stated repeatedly, by telling one’s children of the enslavement in Egypt and the miraculous liberation from it, then by the children telling their own children, and so on and so forth in an unbroken chain. Biblical references to the exodus story present a recurring motif of intergenerational exchange, in which a son asks his father why certain practices are upheld, and a father responds by telling his son about the redemption from Egypt.¹⁷ For the rabbis, the model of children’s questions and

17. Ex. 12:26, Ex. 13:14; Deut. 6:20; cf. Jos. 4:6.

parents' answers became the performative principle of the ritual Passover meal (the *seder*) as they envisioned it,¹⁸ and they famously turned the different Pentateuchal instances of the question-and-answer sequence into four prototypes of sons, each of whom should be answered differently.¹⁹ Given that children asking their parents for explanations of practices is an inherent and even ritualized part of the Passover routine, it is quite surprising to find the following homily in the Tannaitic Midrash on the book of Exodus, the Mekhilta deRabbi Ishmael:

And when your children ask you, ["What is this observance to you?" you shall say, "It is the Passover sacrifice to YHWH, for he passed over the houses of the Israelites in Egypt, when he struck down the Egyptians but spared our houses"] (Ex. 12:26–27). The Israelites were given bad tidings at that time, that in the end the Torah is destined to be forgotten.²⁰ And some say, "The Israelites were given good tidings at that time, that they are destined to see children and children of children, for it was said, and the people bowed down and worshipped (Ex. 12:27)."²¹

In this homily the anticipated question of the children, upon seeing their parents' preparations for the Passover sacrifice, is interpreted as a lamentable indication that the children no longer know why their parents are doing what they are doing, because the Torah was forgotten. This intergenerational dialogue, in other words, is not viewed as an emblem of continuity of memory but quite the contrary, as a marker of rupture and loss of memory. It should be noted that the issue here is not the particular formulation of the children's question, but the very fact that the question is asked. In the tradition of "the four sons," known primarily from the Passover Haggadah, the question "What is this observance to you?" (*mah ha'avodah ha-zot lakhem*) is flagged for its usage of the second person and is associated with the "wicked son," who no longer sees himself as obligated or implicated in the commandment. This son "made himself an exception" and is therefore regarded as unworthy of redemption.²² Here, however, the problem is not the children's attitude toward the commandments, but their lack of access to the commandments in the first place.

Beyond the fact that the association of the children's question with forgetfulness is quite surprising, it is not clear to which point in time the Mekhilta refers when it speaks of "the end" in which the Torah will be forgotten. On the one hand, the immediate context of the topical verse in the Mekhilta suggests that the question

18. See M. Pesahim 10.4.

19. Mekhilta deRabbi Ishmael Pisha 18 (ed. Horovitz-Rabin 73–74); cf. PT Pesahim 10.4, 37d.

20. In Hebrew: *sof ha-torah 'atidah lehishtakeh*. The use of both *sof* and *'atidah* seems like a redundancy, and it is possible that this version is an amalgamation of two different phrases. The same redundancy appears also in the Mekhilta on Deuteronomy 17:18, which will be discussed below.

21. Mekhilta deRabbi Ishmael Pisha 12 (ed. Horovitz-Rabin 41).

22. See note 19 above. The "wise son" in this tradition also uses the second person in his query ("What are these testimonies, statutes, and judgments that YHWH our God commanded you?" [Deuteronomy 6:20]). In the Mekhilta and in the Palestinian Talmud, however, the word "you" in the verse is replaced with "us."

would be asked “when you come to the land that YHWH will give you,” which suggests that the Torah would be forgotten already by the immediate descendants of those who experienced the exodus. On the other hand, the apocalyptic-sounding words “the end” (*sof*) and “destined” (*‘atidah*) suggest that this line be read eschatologically, as a prophecy regarding a distant point in the future, at the end of times. Finally, it is possible that the prophecy pertains to an event that is located between the entrance to the land and the homilists’ own time—an event that is in the distant future for the audience of the prophecy (i.e., the Israelites in Egypt), but in the past for the audience of the homily. Since the word “children” (*banim*) refers to descendants in general and not only to immediate sons and daughters, and since the word “Torah” could mean anything from a specific body of laws through the complete Written Torah to the broadly conceived Oral Torah, this homily is remarkably—and I would argue, intentionally—ambiguous. Wherefrom, then, comes the notion that “the Torah is destined to be forgotten”?

Scholars tended to view rabbinic statements on the collective forgetting of the Torah, such as the one in the Mekhilta, either as expressing the ever-present anxiety pertinent to the oral nature of rabbinic teachings or as indicative of the trying political and social conditions in which the rabbis operated after the first and second Jewish revolts.²³ While I cannot dismiss the possibility that some rabbis may have indeed been worried about the diminishment of Torah learning or the loss of teachings, I argue that the notion that “the Torah is destined to be forgotten” originates not from the rabbis’ apprehension about the future, but from a well-established tradition about the past. At the core of the prediction that the Torah will be forgotten stands the notion that the Torah—specifically the *Written* Torah—was lost and forgotten during the Babylonian exile, and that it was eventually restored, in a somewhat different form, by Ezra the Scribe. The early rabbis, I propose, were familiar with a tradition regarding one cataclysmic event in which the Torah was forgotten, but they reworked and obfuscated this tradition such that its historical point of reference was ambiguated. Instead, they put forth a model in which forgetfulness of the Torah is an ever-present possibility—in the past, present, and future—but so also is its restoration.

Forgetting and Restoration in the Time of Ezra

One Tannaitic homily, which evidently originates in the (now mostly lost) Midrash known as the Mekhilta on Deuteronomy,²⁴ offers us the thread through which we

23. See, for example, Moshe Beer, *The Sages of the Mishnah and the Talmud: Teachings, Activities, and Leadership* (in Hebrew) (Ramat Gan: Bar-Ilan University Press, 2011), 19–21.

24. The homily is included in MS Vatican 32 of the Sifre on Deuteronomy, as well as in the medieval anthology *Midrash ha-gadol* on Deuteronomy, and it is also mentioned in the eleventh-century commentary of Hillel ben Elyakim. On the relations between the Sifre and the Mekhilta on Deuteronomy, see Menahem I. Kahana, “The Halakhic Midrashim,” in *The Literature of the Sages*, vol. 2, ed. Shmuel Safrai, Peter Tomson, and Zeev Safrai (Assen: Uitgeverij Van Gorcum, 2006), 95–103.

can trace the source of the idiom “the Torah is destined to be forgotten.” The homily comments on the Deuteronomic law that requires the king of Israel to make for himself a personal copy of “this written law” so that he will be able to consult the law regularly and study it diligently:²⁵

When he has taken the throne of his kingdom, he shall write a copy of this law for himself in the presence of the Levitical priests (Deut. 17:18). From here R. Eleazar ben Arakh expounded that in the end the Torah is destined to be forgotten.²⁶

R. Eleazar ben Arakh’s remark refers to the phrase “a copy of this law” (*mishneh ha-torah ha-zot*, lit. “a second of this Torah”). Why does this phrase indicate to R. Eleazar ben Arakh that the Torah is destined to be forgotten? Two interpretations come to mind. One possibility is that he understands the second copy as a backup: the king should produce a copy identical to an existing copy of the Torah, so that the second copy could be retrieved when the original copy is lost.²⁷ According to this reading, however, the Torah is not quite “destined to be forgotten,” since the second copy would actually prevent it from being forgotten. The second, and in my view more plausible, interpretation is that R. Eleazar ben Arakh reads the verse not as describing copy-making—that is, the production of an additional document identical to one that already exists—but as referring to the production of a replacement document for the original document, which was lost. The second Torah will be written only after the first Torah will have been entirely forgotten.

Like the homily we saw above in the Mekhilta on Exodus, this homily leaves it ambiguous whether the prediction “The Torah is destined to be forgotten” refers to a past event that has already taken place or to a future event that is yet to come. Here, however, another rabbinic passage on the Deuteronomic law of the king, and specifically on the phrase “a second of this Torah,” provides us with a more specific point of reference. This passage appears in the Tosefta as part of a discussion of the duties and restrictions imposed upon a king. Following the Tosefta’s comments

25. On “the law of the king” in Qumranic and rabbinic literature, see Steven D. Fraade, “The Torah of the King (Deut. 17:14–20) in the Temple Scroll and Early Rabbinic Law,” in *The Dead Sea Scrolls as Background to Postbiblical Judaism and Early Christianity*, ed. James R. Davila (Leiden: Brill, 2003), 25–60.

26. Sifre on Deuteronomy 160 (ed. Finkelstein 211). Cf. Midrash Tannaim on Deut. 17:18 (ed. Hoffmann 105).

27. The Karaite author al-Qirqisani indeed attributes such an interpretation of Deut. 17:18 to “the rabbanites.” He claims that the rabbanites misinterpret this verse as calling for the production of only two copies of the Torah, and that they read the story of the discovered scroll in the House of God in the time of King Josiah (2 Kgs. 22) as attesting that the Torah was entirely lost until the backup copy was found (a position that he entirely rejects). See Eve Krakowski, “Many Days without the God of Truth: Loss and Recovery of Religious Knowledge in Early Karaite Thought,” in *Pesher Nahum: Texts and Studies in Jewish History and Literature from Antiquity through the Middle Ages Presented to Norman Golb*, ed. Joel Kraemer and Michael Wechsler (Chicago: Oriental Institute, 2012), 121–40.

regarding the book of Torah that the king is to produce for himself, there appears a lengthy excursus about the script in which the Torah is written. Despite the length of this unit, it is worth presenting it here in full:

R. Yose says, “Ezra was worthy that the Torah be given by him, if Moses had not preceded him. Ascent was said in regard to Moses and ascent was said in regard to Ezra. Ascent was said in regard to Moses—*And Moses ascended to God* (Ex. 19:3), and ascent was said in regard to Ezra—*He, Ezra, ascended from Babylonia* (Ez. 7:6). In the same way that Moses’s ascent was for him to teach Torah to Israel, as it was said, *YHWH charged me at that time to teach you statutes and ordinances* (Deut. 4:14), so Ezra’s ascent was for him to teach Torah to Israel, as it was said, *For Ezra had set his heart to study the law of YHWH, and to do it, and to teach the statutes and ordinances in Israel* (Ez. 7:10).”

“He [= Ezra], too, was given both a script (*ketav*) and a language (*lashon*), for it was said, *The letter was written in Aramaic and translated* (Ez. 4:7)—in the same way that its translation was Aramaic, its script was also Aramaic. And it says, *Then all the king’s wise men came in, but they could not read the writing or tell the king the interpretation* (Dan. 5:8)—this indicates that [the script] was given on that same day. And it says, *He shall write a second of this Torah (mishneh ha-torah ha-zot) for himself* (Deut. 17:18)—a Torah that is destined to be changed (*torah ha-’atidah lehishtanot*).²⁸ And why is [the script] called ‘Assyrian’? Because it ascended with them from Assyria.”

Rabbi [Yehuda the Patriarch] says, “The Torah was given to Israel in Assyrian script, and when they sinned it became *da’atz* for them, and when they were rewarded, in the time of Ezra, the Assyrian [script] was restored for them, as it was said, *Return to your stronghold, O prisoners of hope; today I declare that I will restore to you double (mishneh)* (Zech. 9:12).”

R. Shimon ben Eleazar says in the name of R. Eleazar ben Perata who said in the name of R. Eleazar ha-modai, “In this [Assyrian] script the Torah was given to Israel, for it was said, *The hooks (vavei) of the pillars and their bands shall be of silver* (Ex. 27:10)—*vavin* (i.e., the sixth character of the alphabet in the Assyrian script) that look like pillars. And it says, *To the Jews in their script and their language* (Est. 9:10)—in the same way that their language has not changed, their script has not changed. Then why is it called Assyrian (*’ashuri*)? Because they are content (*me’usharin*) with their script. If so, why was it said, *He shall write a second of this Torah (mishneh ha-torah ha-zot) for himself* (Deut. 17:18)?—to teach that the [the king] should write down two [books of] Torah for himself: one that goes in and out with him and one that is placed inside his home.”²⁹

28. In MS Vienna 20: A script that is destined to change (*ktav ha-’atidah lehistanot*); cf. PT Megillah 1.9, 71b-c (= PT Sotah 7.2, 21c). In a recent article, Adiel Schremer and Binyamin Katzoff argued for the primacy of the MS Vienna version, but I do not find their argument wholly convincing. See Adiel Schremer and Binyamin Katzoff, “Inseparable Considerations: The Origins, Redaction, and Text of the Baraita about the Script of the Torah in Tosefta Sanhedrin 4:7” (in Hebrew), *Jewish Studies Internet Journal* 22 (2022): 1–21.

29. T. Sanhedrin 4.7–8 (ed. Zuckerman 421–22); cf. BT Sanhedrin 21b–22a, PT Megillah 1.9, 71b-c (= PT Sotah 7.2, 21c). For a full discussion of the text, see Schremer and Katzoff, “Inseparable Considerations.”

This extended unit tackles a problematic issue in rabbinic lore, that is, the replacement of the Paleo-Hebrew script (which the rabbis called *da'atz*)³⁰ with the Assyrian script, more commonly known as the Aramaic alphabet, which is still in use today. As Shlomo Naeh discussed in detail, the rabbis were well aware that this change had taken place, yet this change was quite troublesome for them considering the significance and sanctity they attributed not only to the text of the Torah but also to the graphic shape of the letters in which it is written.³¹ The Tosefta passage presents two opposing views on the question of the change of script. R. Yose maintains that the new script was introduced during the time of Ezra, and he defends this change by portraying Ezra as a second Moses who received direct revelation (the script was “given” to him rather than changed by him). In contrast, R. Eleazar ha-modai asserts that the script that is used now is the original script in which the Torah was given. Rabbi [Yehuda the Patriarch] presents a seemingly mitigating position, according to which the original script was the Assyrian one but later on it changed, and Ezra merely restored the original script. The exegetical battleground between these different positions is the phrase *mishneh ha-Torah*, “a second (of this) Torah,” in the Deuteronomic law of the king, on account of which this unit was incorporated into this chapter of the Tosefta. For R. Yose, “second Torah” means a changed Torah, a Torah different from the original, whereas for R. Eleazar ha-modai it simply means that the king needs two identical copies. Each opinion is supported by additional proof texts, but Deuteronomy 17:18 is the pivotal point of reference in this unit, at least in its redacted form.

The Tosefta’s discussion of the script of the Torah provides a clear indication that Ezra was strongly associated with a transformation that the Torah underwent, and that this transformation was viewed as foretold in the phrase “a second (of this) Torah” in the book of Deuteronomy. However, the prediction entailed in this phrase, as R. Yose reads it, is not that the Torah is destined to be forgotten, as per R. Eleazar ben Arakh in the Mekhilta on Deuteronomy, but rather that the Torah is destined to be changed.³² Guided by the Tosefta and its parallels, in his edition of Midrash Tanna'im (the Mekhilta on Deuteronomy that he ventured to reconstruct) David Zvi Hoffmann amended the sentence “From here R. Eleazar ben Arakh expounded that in the end the Torah is destined to be forgotten (*lehishtakeah*)” to “From here R. Eleazar ben Arakh expounded that in the end the

30. In some versions: *ra'atz* or *ro'etz*. This name probably derives from the wedge-shaped characters of the Paleo-Hebrew script (*da'etz* in Aramaic means “wedged”).

31. Shlomo Naeh, “The Script of the Torah in Rabbinic Thought (A): The Traditions Concerning Ezra’s Changing of the Script” (in Hebrew), *Leshonenu* 70 (2008): 125–43. See also Tzahi Weiss, *Letters by Which Heaven and Earth Were Created: The Origins and the Meanings of the Perceptions of Alphabetic Letters as Independent Units in Jewish Sources of Late Antiquity* (in Hebrew) (Jerusalem: Bialik Institute, 2014), 190–208.

32. The reading “a Torah that is destined to be changed” appears earlier in the Sifre on Deuteronomy 160 (ed. Finkelstein 211), but without any explanation. In MS Oxford and the printed edition of the Sifre “to be changed” (*lehishtanot*) is interpreted as “to be repeated” (*lehisshanot*).

Torah is destined to be changed (*lehishtanot*).³³ Although the words *lehishtakeah* (to be forgotten) and *lehishtanot* (to change) are graphically similar, in all the textual witnesses that present this homily, including the medieval anthology *Midrash ha-gadol* that Hoffmann used in his edition, the text clearly reads “to be forgotten,” so one should not be too quick to dismiss this version.³³ Is there a connection, then, between the tradition that regards the phrase “a second (of this) Torah” as foretelling the change of script, and the tradition that views this phrase as foretelling the forgetting of the Torah?

As Naeh convincingly argued, there does appear to be a connection.³⁴ In the apocryphal book known as 4 Ezra, Ezra receives a vision that begins with God explicitly comparing him to Moses in his ability to receive direct divine revelation. Ezra responds with a request that similarly positions him as a second Moses—he wishes to be given a Torah, in place of the Torah of Moses that was lost forever:

For the world lies in darkness and its inhabitants without light. For your Law has been burned and no one knows the things which have been done or will be done by you. If then I have found favor before you, send the Holy Spirit to me, and I will write everything that has happened in the world from the beginning, the things which were written in your Law, that men may be able to find the path.³⁵

God agrees to grant Ezra’s request, and what follows is forty days of ongoing revelation—again very much like Moses’s—in which Ezra is able to regenerate the Torah from his own memory: “And wisdom increased in my breast, for my spirit retained its memory, and my mouth was opened.” While Ezra is speaking, the five scribes that he appointed are dutifully writing down every word that he is saying, but they are writing “in characters that they did not know” (*ex successione notis quas non sciebant*).³⁶ The new and unfamiliar script serves as evidence that the new text is the product of a genuine divine revelation and not of human fabrication. The account in 4 Ezra thus explicitly ties the forgetting of the Torah to the change of script: because the Torah was destroyed and utterly forgotten, there was a need for a new Torah, and this new Torah, revealed to Ezra and promulgated by him, proves its authenticity by being given in a wholly new script.

33. As pointed out by Naeh, “The Script of the Torah,” 137n54. A narrative tradition in which R. Eleazar ben Arakh is himself described as experiencing “forgetfulness of the Torah” (BT Shabbat 147b, Ecclesiastes Rabbah 7.2) suggests that the creators of the narrative may have been familiar with this homily as it appears before us. See also Marienberg-Milikowsky, “Wander Afar to a Place of the Torah,” 22–23.

34. Naeh, “The Script of the Torah,” 127–30.

35. 4 Ezra 14:21; quoted from James H. Charlesworth, ed., *The Old Testament Pseudepigrapha* (Peabody, MA: Hendrickson, 1983), 1:554. See also Michael E. Stone, *Fourth Ezra* (Minneapolis: Fortress Press, 1990), 410–22; Hindy Najman, *Losing the Temple and Recovering the Future: An Analysis of 4 Ezra* (Cambridge: Cambridge University Press, 2014), 26–40.

36. 4 Ezra 14:40–41 (ed. Charlesworth 1:555). See Stephan Pfann, “The Use of Cryptographic and Esoteric Scripts in Second Temple Judaism and the Surrounding Cultures,” in *Interpreting 4 Ezra and 2 Baruch*, ed. Gabriele Boccaccini and Jason M. Zurwaski (London: Bloomsbury, 2014), 173–96.

In truth, one does not even need to go as far as 4 Ezra to consider Ezra a restorer of a forgotten Torah. Already the biblical book of Nehemiah points in that direction in describing how, after Ezra's public reading of the Torah, the people were weeping, since they realized that they did not observe the laws written in the book.³⁷ The congregation in Ezra's and Nehemiah's time clearly encounters the laws of Moses for the first time, since it is only after this public reading that they learn about the festival of Sukkot.³⁸ As we will see in the next subsection, two rabbinic passages explicitly state that the Torah was forgotten in the time of Ezra, although these passages also make a point of mentioning additional episodes of forgetfulness. The notion that in the time of Ezra the Torah was completely forgotten and had to be generated anew resonates also in early Christian sources.³⁹ Of particular interest is John Chrysostom's account of the chain of transmission of scripture, which bears remarkable resemblance to the chain of transmission that opens tractate Avot of the Mishnah.⁴⁰ Whereas tractate Avot describes an uninterrupted transmission of the Torah from Moses to the prophets to the Great Assembly and the Sages, Chrysostom locates a rupture in transmission following the time of the prophets—that is, following the destruction of the First Temple—and then a restoration by Ezra (who, according to the rabbinic tradition, was the founder and head of the Great Assembly):

And look at it from the first, that you may learn the unspeakable love of God. He inspired the blessed Moses; He engraved the tables, He detained him on the mount forty days; and again as many [more] to give the Law. And after this He sent prophets who suffered woes innumerable. War came on; they slew them all, they cut them to pieces, the books were burned. Again, He inspired another admirable man to publish them, Ezra I mean, and caused them to be put together from the remains. And after this He arranged that they should be translated by the seventy. They did translate them. Christ came, He receives them; the Apostles disperse them among men.⁴¹

37. Neh. 8:5–12.

38. Neh. 8:13–15.

39. See Rebecca Scharbach Wollenberg, "The Book That Changed: Narratives of Ezran Authorship as Late Antique Biblical Criticism," *Journal of Biblical Literature* 138, no. 1 (2019): 143–60. This tradition also had robust afterlives in Muslim and Karaite texts, and it was used repeatedly in religious polemical arguments. See Richard Steiner, "A Jewish Theory of Biblical Redaction from Byzantium: Its Rabbinic Roots, Its Diffusion, and Its Encounter with the Muslim Doctrine of Falsification," *Jewish Studies Internet Journal* 2 (2003): 123–67; Omer Michaelis, "For the Wisdom of Their Wise Men Shall Perish: Forgotten Knowledge and Its Restoration in Maimonides's *Guide of the Perplexed* and Its Karaite Background," *Journal of Religion* 99, no. 4 (2019): 432–66; Eva Mroczek, "'Without Torah and Scripture': Biblical Absence and the History of Revelation," *Hebrew Studies* 61 (2020): 97–122. According to Karaite authors, what was lost and forgotten during the destruction period was not the Written Torah (which was never forgotten), but rather other knowledge and wisdom. See also Krakowski, "Many Days."

40. See also Tropper, *Wisdom, Politics, and Historiography*, 237–38.

41. John Chrysostom, *Homilies on Hebrews* 8.9 (on Hebrews 5:14); quoted from Philip Schaff, ed., *Nicene and Post-Nicene Fathers*, vol. 14 (Buffalo: Christian Literature Publishing, 1889), 407.

It seems evident, then, that the rabbis were familiar with a well-established narrative according to which after the destruction of the First Temple the Torah was forgotten and had to be made anew by Ezra, and that it was made anew in a new script. That this was viewed as a watershed moment in the history of Israel is indicated in the words of R. Yose in the Tosefta, who effusively compares Ezra to Moses. Most important for our purposes is the fact that the regeneration of the Torah by Ezra was legitimized through the verse “He shall write a copy of this law / a second of this Torah (*mishneh ha-torah ha-zot*) for himself,” which was read as a prophecy ascertaining that the loss and renewal of the Torah were part of a divine plan.

In the Tannaitic sources we have seen so far we find traces of this well-known narrative in two separate traditions that appear, on the surface, unrelated. One tradition (in the Tosefta) attributes to Ezra only the replacement of the script,⁴² whereas the other tradition (in the Mekhilta on Deuteronomy as well as, I propose, in the identically phrased Mekhilta on Exodus) only anticipates that at some unspecified point in history, past or future, the Torah was or will be forgotten. It stands to reason that the foundational narrative was reworked and adapted because the rabbis, or some of them, were uncomfortable with the idea that the Torah with which they were familiar was not actually the one given to Moses but a later rendition.⁴³ They therefore wished to downplay the significance of Ezra and of the new Torah he received, either by limiting his contribution to the change of script alone or by obfuscating the nature and time of the episode of forgetfulness and taking it out of context. As we will see shortly, a third strategy was to place Ezra as one of several restorers of the Torah rather than as a unique recipient of direct divine revelation.

To the two Tannaitic homilies that ambiguate the prediction that “the Torah is destined to forgotten” we may add a third homily attributed to the amora Rav, which likewise presents a prophecy that could pertain to the past or to the future:

Rav said, “The Torah is destined to be forgotten from Israel, for it was said, *YHWH will make your plagues astonishing* (Deut. 28:59). I do not know what this astonishment is, but since [Scripture] says, *Therefore, behold, I will continue to astonish this people with wondrous astonishment, and the wisdom of its wise will be lost, and the understanding of its men of understanding shall be hidden* (Is. 29:14), you must say, ‘Astonishment refers to the [forgetting of the] Torah.’”⁴⁴

Rav derives the prediction that the Torah is destined to be forgotten from the string of curses at the end of the book of Deuteronomy, many of which seem to be

42. According to R. Yose in the Tosefta (and later Talmudic sources), Ezra also changed the language of the Torah from Hebrew to Aramaic, but that change—unlike the change of script—was only temporary. See Weiss, *Letters*, 196–200; Scharbach Wollenberg, “The Book That Changed.”

43. See also Naeh, “The Script of the Torah.”

44. BT Shabbat 138b.

designed exactly to fit the Babylonian exile of the sixth century BCE.⁴⁵ While the curses in Deuteronomy speak of famine, siege, disease, and exile and have nothing to do with Torah learning, Rav draws a link between the “astonishing plagues” mentioned in Deuteronomy and another usage of the verb “astonish” (*p-l-ʾa*) in Isaiah, in which this verb appears specifically in the context of loss of wisdom and knowledge. Although Rav’s homily could be projected onto any point in the past or the future,⁴⁶ the fact that its point of departure is the bitter prediction of war and exile in Deuteronomy suggests that here, too, the idiom “the Torah is destined to be forgotten” may be rooted in the tradition about the eradication of the Torah after the destruction of the First Temple.

By ambiguating the idiom “the Torah is destined to be forgotten” such that it is not clear to which point in time it refers, rabbinic homilists were able not only to obfuscate a troubling but persistent tradition according to which the Torah was lost and replaced, but also to promote their own agenda of devotional study. The ambiguity allows the homilist in each passage to introduce the grim prospect of collective forgetting of the Torah as ever present, since the prophecy at hand could pertain to any time that has passed or that has yet to pass. These ominous statements generate what we may call “nostalgia for the present”: the audience—which is, by definition, preoccupied with Torah when being presented with this homily—is made to imagine a world without Torah, and thereby comes to long for the world in which it lives at the present moment.⁴⁷ The readers/listeners thereby gain a renewed appreciation not only of the Torah but also, by extension, of the institutions and structures that hold it in place.

At the same time, by not specifying when the said forgetting has occurred or will occur, these ambiguous homilies also *normalize* the prospect of the Torah being forgotten. The very fact that the prophecy could refer to the past, as well as to the near or distant future, gestures to the audience that collective forgetting of the Torah, unfortunate as it is, is not something from which the people cannot recover. Especially in the Mekhilta on Exodus, by juxtaposing the prediction

45. For example: “YHWH will bring a nation against you from far away, from the ends of the earth. . . . They will lay siege to all the cities throughout your land until the high fortified walls in which you trust fall down. . . . You will be uprooted from the land you are entering to possess” (Deut. 28:49–64).

46. Moshe Beer assumed that Rav was thinking of the precarious situation of the Torah in Babylonia in his own days; see Beer, *The Sages of the Mishnah and the Talmud*, 19. Nothing in the text itself, however, points in this direction. As Michaelis showed, medieval authors interpreted this prophecy as referring to something that happened prior to Rav’s time (although not necessarily in the time of Ezra); see Michaelis, “The Wisdom of Their Wise Men.”

47. In using the term “nostalgia for the present” I am inspired by the work of J.K. Barret on fantasies of potential futures in early modern English literature. “In these texts,” Barret writes, “invoking the future often means looking forward to looking back, which, in turn, might shape action in the present moment.” See J.K. Barret, *Untold Futures: Time and Literary Culture in Renaissance England* (Ithaca, NY: Cornell University Press, 2016), 4. I am grateful to Cynthia Nazarian for this very helpful reference.

of forgetfulness to a rather wholesome verse describing children who are asking their parents for the meanings of their actions, the homilist significantly softens the calamity at hand: rather than depicting it as a catastrophe, he depicts it as an almost expectable part of the ebb and flow of human generations. The homily's coupling of the "bad tidings" that the Torah will be forgotten with the "good tidings" that Israel can expect longevity and continuity as a people tacitly ties these two things together, suggesting that the price of multiple generations of descendants is that some generations may wander farther away from the Torah than others. In the next subsection I turn to several homilies that address the ebb and flow of the Torah over time even more explicitly, and that utilize this idea to make the case for the indispensable role of the rabbis, both as a group and as individuals.

A Cycle of Forgetting and Recovery

Earlier in this chapter I contended that the issue of individual diligence in the study and retention of Torah teachings, on the one hand, and the issue of potential collective forgetting of the Torah, on the other hand, are mostly separate in rabbinic texts. While rabbinic homilies frequently chastise disciples who do not make a sufficient effort to memorize their teachings, and they describe forgetfulness of teachings as a slippery slope leading toward spiritual demise, they do not tend to warn undiligent learners that because of them the Torah will end up being forgotten from Israel altogether. One Tannaitic Midrashic unit, however, integrates the theme of individual vigilance in Torah study and the theme of collective forgetfulness—not by suggesting that individuals should be blamed for the Torah being forgotten, but rather by claiming that it is possible for individuals to *save* the Torah from being forgotten.

This unit appears in the Midrash Sifre on Deuteronomy as part of a cluster of homilies on the verse "If you will surely keep this entire commandment that I am commanding you" (Deut. 11:22), a cluster that engages extensively with issues of memory and forgetfulness. These homilies are all concerned with the trials and tribulations of the individual disciple (and specifically the disciple making his first steps in the study of Torah), imploring him, in the words of Steven Fraade, "to attend constantly to 'words of the Torah' (both scriptural and rabbinic), working and reworking them like a farmer does his field or vineyard, lest they go to ruin."⁴⁸ The following homily ties the efforts of the individual to the fate of the Torah on a collective level:

[A] *If you will surely keep this entire commandment that I am commanding you.* Should you say, "Let the sons of elders recite (*yishnu*), let the sons of great ones recite, let the sons of the prophets recite"—Scripture says, *If you* (pl.) *will surely keep*—to teach you that all are equal when it comes to the Torah, and likewise it says, *Moses charged us with the law as a possession for the assembly of Jacob* (Deut. 33:4)—it

48. Fraade, *From Tradition to Commentary*, 18.

does not say, “The assembly of Priests, Levites, and Israelites,” but “The assembly of Jacob.” Likewise, it says, *You stand assembled today, all of you, before YHWH your God* (Deut. 29:10).⁴⁹

[B] If it were not for that one who arose and sustained the Torah in Israel, would not the Torah have been forgotten? Had Shaphan not risen in his time, Ezra in his time, R. Akiva in his time, would not the Torah have been forgotten? [On this] Scripture says, *A word in its season, how good it is* (Prov. 15:23)—a word that was said by that one is equal to everything else.⁵⁰

The first part of the homily (A) encourages the reader/listener to commit to the study of Torah and not to suppose that it is meant for others and not for him, since the Torah is emphatically designated for everyone. The second part (B) highlights the role that individuals play in the preservation of the Torah, presenting three examples of individuals without whom the Torah would have been entirely forgotten. The connection between the two parts is not immediately apparent. Louis Finkelstein explained (following the medieval commentator Hillel ben Elyakim) that Shaphan, Ezra, and R. Akiva serve here as examples of people who are not from among “the great ones” but nonetheless sustained the Torah.⁵¹ While this may be true of R. Akiva, it is more difficult to apply this reading to Shaphan the royal scribe and to Ezra the priest. Rather, I see the connection between the two parts of the homily as pertaining to the individual responsibility that every member of the community bears vis-à-vis the Torah. One should dedicate oneself to the study of the Torah and not assume that “others” will do it, because it may so happen that at a critical moment there will not be any others. The addressee of the homily is invited to imagine himself in a situation in which the Torah was forgotten by all others, and he is the only one who can save the day through his command of it.

In order to illustrate that the Torah can come to depend on one person alone (and by implication, that this person could someday be *you*), the homily mentions three examples: Shaphan, Ezra, and R. Akiva. Ezra, as we discussed above, is the most obvious example for a person who single-handedly restored the Torah after it had been forgotten. Shaphan, the court scribe at the time of King Josiah, can be viewed as a proto-Ezra of sorts: he was the one who was given the “Book of the Law” (*sefer ha-torah*) that was found in the temple and who read the scroll before King Josiah. When the king heard the content of the book he was mortified, realizing only then to what extent the law of God has been disregarded, and proceeded

49. MS Oxford, the printed edition, and *Midrash ha-gadol* add here: “If they had not been at that event (*ma’ ilu lo hayu be-ma’amad ze*) would the Torah have not been forgotten from Israel?” This addition strikes me as an artificial attempt to create a link between the two seemingly unrelated parts of the homily.

50. Sifre on Deuteronomy 48 (ed. Finkelstein 112).

51. See Finkelstein’s comments ad loc., and also Fraade, *From Tradition to Commentary*, 114.

to initiate a major reform to rectify the situation.⁵² In truth, all Shaphan did was to read the text of the scroll out loud, and yet the sequence of events in the story—the law is forgotten, the law is read out loud, the audience weeps, the law is restored—is so similar to that of Ezra’s restoration story that it is no wonder that the two were juxtaposed. R. Akiva, in contrast, is not associated with any known episode of the Torah being lost, but he is often regarded as one who played a pivotal role in establishing the study culture of the rabbis and in organizing and developing early rabbinic teachings.⁵³

The rhetorical power of this homily lies exactly in the mismatch between the three figures it mentions.⁵⁴ Whereas Ezra and R. Akiva are heralded as master explicators of the Torah, Shaphan is a very minor and insignificant character whose only redeeming trait is his literacy.⁵⁵ Whereas Ezra has an established reputation as restorer of the forgotten Torah, as we have seen above, Shaphan and R. Akiva do not. Whereas Shaphan and Ezra reestablished the Written Torah, R. Akiva (re)established the Oral Torah. By putting all three in a sequence, the homilist eradicates the disparities between different times, different people, and different circumstances, and thereby allows the list to provisionally include whoever will become the fourth in the sequence—which in this context is implied to be the reader/listener himself. Like the homilies we have seen above, the Sifre’s homily fuses together forgetfulness of the Torah in the past and forgetfulness of the Torah in the future, and like those homilies it obscures the original tradition about Ezra as a unique and inimitable “second Moses” who recovered the Torah that was entirely lost. The Sifre, however, does so not by removing any reference

52. 2 Kgs. 22:8–20; cf. 2 Chr. 34:14–28.

53. The prominent role of R. Akiva in the making of both Mishnah and Midrash is a recurring theme in rabbinic texts; see Epstein, *Introductions to Tannaitic Literature*, 71–78. For a critical assessment of these sources, see Yadin-Israel, *Scripture and Tradition*, 103–18.

54. Sara Tzfatman argued that the purpose of this list was to extol the practice of textual reasoning (*derashah*) as opposed to the practice of reciting received traditions (*shemu’ah*). She associates the former with the priests and scribes, and later on with the scholars of Babylonia, and the latter with the prophets, and later on with the scholars of Palestine. The connecting link between the three figures in the list, according to Tzfatman, is the scribal/priestly affiliation (Shaphan and Ezra) and the practice of expounding scriptures (Ezra and R. Akiva). Tzfatman also argues that this list was created as a Palestinian response to a tradition that associates the restoration of the Torah exclusively with Babylonian sages (BT Sukkah 20a, which I address below). See Tzfatman, *From Talmudic Times to the Middle Ages*, 273–78. While Tzfatman’s reconstruction is thought-provoking, it is also problematically ahistorical. As Paul Mandel showed, the verb *d-r-sh* prior to rabbinic times had a very different set of meanings than it does in rabbinic texts. Drawing a direct line from the priests and scribes of the First Temple (and even of the Second Temple) to Talmudic rabbis is thus a major leap, which is not supported by the texts we have. See Paul D. Mandel, *The Origins of Midrash: From Teaching to Text* (Leiden: Brill, 2017), 289–305.

55. It seems that at least some readers were troubled by the inclusion of a minor figure like Shaphan in this account. In his commentary, Hillel ben Elyakim mentions a version he saw in which it is Moses, not Shaphan, who appears as first in the chain.

to a specific episode of forgetting, but rather by offering a *sequence* of specific episodes of forgetting. Within this sequence forgetfulness and restoration of the Torah appear as a cyclical occurrence, and Ezra appears as a mere link, and not the most important one, in a chain of restorers.

While the cycle of forgetting and restoration conveys to the homily's audience how precarious the Torah is and how important it is to be diligent in studying it, it also downplays the dramatic weight of each episode of forgetfulness on its own and makes the recovery seem almost predictable. Eva Mroczek astutely observed that the pervasive trope of forgetfulness and restoration of scripture during the Babylonian exile was used in a host of ancient and medieval texts as a sign of providence and endurance: "What could be a crisis in the ideology of scriptural authority . . . becomes a founding chronotope, serving as a model for claims to new moments of revelation and communal vitality."⁵⁶ I would add that in the rabbinic context, this chronotope functions not only to ratify the vitality of the community, but also to assert the indispensability of the rabbis. When the tradition of Ezra's reestablishment of the Torah stands alone it is regarded in almost miraculous terms, but when it is one episode out of several it is recalibrated as a testament to the historical importance of Torah learners in different times and places. Furthermore, in positioning a quintessential rabbinic figure like R. Akiva as the third link in the chain, and in suggesting to the readers/listeners, who are presumably in the process of being initiated into the rabbinic study culture, that each of them could be next, this homily ultimately makes a case for the irreplaceable role of the rabbis as guardians of the Torah. Through this rhetorical move, the homilist takes a famous tradition about a singular historical incident in which the Torah was forgotten and restored and turns it into a timeless justification for the rabbinic pursuit and the rabbinic vocation as such.

The rhetorical move of the homily in the Sifre is so effective that we see it utilized in later sources as well. In one passage in the Babylonian Talmud, Resh Lakish extols R. Hiyya and his sons with the following words: "In the beginning, when the Torah was forgotten from Israel, Ezra ascended from Babylonia and established it; when it was forgotten again, Hillel the Babylonian ascended and established it; when it was forgotten again, R. Hiyya and his sons ascended and established it."⁵⁷ Without getting into the question of whether Hillel and R. Hiyya can each be associated with specific historical episodes of "forgetting,"⁵⁸ we see immediately that

56. Mroczek, "Without Torah," 119.

57. BT Sukkah 20a. Other traditions similarly extol R. Hiyya and his sons as righteous men who transformed the world for the better, but not as restorers of the Torah. See PT Ma'aser sheni 5.10, 56d and a parallel in BT Hullin 86a; BT Baba Metzi'a 85b.

58. For attempts to connect these figures with historical episodes of crisis, see Beer, *The Sages of the Mishnah and the Talmud*, 20. Beer associates Hillel with the time of Herod, in which the elites were increasingly Hellenized, and R. Hiyya with the aftermath of the Bar Kokhba revolt, although he concedes that the latter connection is quite weak.

this statement, like the homily in the Sifre, uses Ezra as a touchstone to which other figures are compared in order to present the loss of the Torah and the recovery from this loss as a recurring pattern. Here, however, the sequence of restorers is not meant to put all Torah learners on a pedestal, but specifically *Babylonian* Torah learners.⁵⁹

Additional Talmudic texts, specifically from the Babylonian Talmud, reveal that the notion of periodical forgetting of the Torah, followed by its reinstatement by a prominent rabbinic figure, became a common rhetorical trope used to aggrandize the rabbis and to make a case for their actions—whether as individuals or as a distinct class.⁶⁰ One short narrative relates how an argument between two rabbis turned into a competition over who does more to prevent the Torah from being “forgotten from Israel.” R. Hanina tells R. Hiyya: “Are you fighting with *me*? If, Heaven forbid, the Torah should be forgotten from Israel, I will restore it through my sharpness (*mi-pilpuli*).” R. Hiyya responds by describing everything that *he* does so that the Torah not be forgotten, from making nets to hunt deer from whose hides Torah scrolls could be made, to going to cities in which there is no teacher for children, writing down the Torah for local children and teaching them the six orders of the Mishnah.⁶¹ While the two rabbis present radically different approaches to the responsibilities and social engagement expected of rabbis, they both present their enterprises as responding directly to the looming threat that the Torah would be forgotten. Here and in several other Babylonian passages the rabbinic *raison d’être* is presented as preserving the Torah and preventing it from being lost from memory altogether,⁶² whether by ordinary

59. Ironically, this statement is attributed to the Palestinian amora Resh Lakish, who in other contexts (e.g., BT Yoma 9b) professes his all-consuming hatred for the Babylonians (and perhaps this is exactly why the Babylonian redactors attributed this statement to him).

60. As Christine Hayes showed, the use of the motif of forgetting and restoration of the Torah to aggrandize the rabbis is prevalent in the Babylonian Talmud, whereas the Palestinian Talmud utilizes this motif in different ways—mostly to account for contradictory attributions of specific traditions. See Christine Hayes, “Halakhah le-Moshe mi-Sinai in Rabbinic Sources: A Methodological Case Study,” in *The Synoptic Problem in Rabbinic Literature*, ed. Shaye J.D. Cohen (Providence, RI: Brown Judaic Studies, 2000), 61–118. More recently, Alyssa Gray bolstered and expanded Hayes’s analysis by pointing to the Babylonian Talmud’s general tendency to emphasize human agency over divine intervention; see Gray, “The Motif of the Forgetting and Restoration of Law.” I agree with Hayes’s and Gray’s observations on the disparity between the two Talmuds in this respect, but I wish to emphasize that the Babylonian trope of restoration by an individual, who stands in for the community of Torah learners, appears already in the Tannaitic Midrashim. Whether or not we should read these Tannaitic accounts as highlighting human as opposed to divine agency is a matter of interpretation.

61. BT Kettubot 103b (= Baba Metzi’a 85b). On this anecdote, see Hirshman, *Stabilization*, 115–16. The exchange between the two rabbis has a close but very different parallel in PT Megillah 4.1, 74d; for a comparison of the Palestinian and Babylonian anecdotes, see Israel Ben-Shalom, “And I Took unto Me Two Staves” (in Hebrew), in *Dor le-Dor: Studies in Honor of Joshua Efron*, ed. Aryeh Kasher and Aharon Oppenheimer (Jerusalem: Bialik Institute, 1995), 239–40.

62. See also BT Baba Batra 21a, which credits Yehoshua ben Gamla’s public education enterprises for the fact that the Torah was not forgotten from Israel, and BT Sanhedrin 13b (= Avodah Zarah 8a), which credits Yehuda ben Baba for the fact that laws of fines have not been forgotten.

means like recitation and transmission or by radical measures such as writing the Oral Torah down.⁶³ Indeed, this service that rabbis or rabbi-like figures provide for the community is projected back onto biblical times: according to one tradition, after the death of Moses “seventeen hundred [teachings] were forgotten” and were restored only through the “sharpness” of the otherwise minor judge Othniel the son of Kenaz.⁶⁴

The trope of forgetting and restoration of the Torah was highly useful for the Talmudic rabbis not only because it allowed them to highlight their own role as the Torah’s potential or actual restorers, but also because it served as an apologetic model for any kind of rabbinic innovation. As Shalom Rosenberg observed, the theological-normative worldview that emerges from rabbinic literature is inherently paradoxical: on the one hand, it is guided by the axiom that any and every law and its minute details was already revealed to Moses at Sinai, while on the other hand, it acknowledges and even champions the rabbis’ prerogative to issue new rulings, decrees, ordinances, and interpretations.⁶⁵ One of several models offered in rabbinic literature for resolving or at least mitigating this paradox is a model of forgetfulness and restoration: the rabbis are not innovating anything of their own accord, but rather *retrieving* long-standing traditions that were lost. The story of halakhah, according to this model, is effectively a story of an ongoing and perhaps never-ending reconstruction project.⁶⁶

The rabbinic model of cycles of forgetting and restoration, in both its Tannaitic and Amoraic iterations, portrays the occasional collective disappearance of the Torah (or of some of it) as a regrettable, but also natural and predictable, part of human history. Rather than expressing anxiety regarding the forgetfulness of Torah (or in some cases invoking a *rhetoric* of anxiety), these texts convey a sense of trust

63. In BT Temurah 14b, two sages who used a written book of aggadah justify themselves by saying, “It is better for the Torah to be uprooted (i.e., for the prohibition against writing of Oral Torah to be transgressed) than for the Torah to be forgotten from Israel.” See also BT Gittin 60a, and the discussion of these passages in Furstenberg, “The Invention of the Ban against Writing Oral Torah.” Based on these passages, David Rosenthal concluded that “the prohibition on writing the oral Torah was removed—probably somewhere between the fifth and sixth centuries—so that the Torah would not be forgotten from Israel.” See David Rosenthal, “The History of the Mishnaic Text” (in Hebrew), in *Palestinian Rabbinic Literature: Introductions and Studies*, vol. 1, ed. Menahem Kahana, Vered Noam, Menahem Kister, and David Rosenthal (Jerusalem: Yad Ben Zvi, 2018), 71 (my translation).

64. BT Temurah 16a.

65. Shalom Rosenberg, *It Is Not in Heaven: Oral Torah—Tradition and Innovation* (in Hebrew) (Alon Shevut: Tevunot, 1997), 9–12.

66. Rosenberg, *It Is Not in Heaven*, 15–16. In the Palestinian Talmud, the forgetting/ restoration motif is used to account for several rulings that are attributed to different authorities from different generations, using the argument that these laws were forgotten by one generation and then reestablished by a later one (see PT Pe’ah 1.1, 15b, PT Pe’ah 2.4, 17d, PT Shevi’it 1.5, 32b, PT Shabbat 1.4, 3d). This trope appears also in the Babylonian Talmud (BT Shabbat 104a [= BT Megillah 2b], BT Yoma 80a, BT Megillah 3a, BT Sukkah 44a, BT Megillah 18a), but as Hayes and Gray both showed, it is used somewhat differently. See Hayes, “Halakhah le-Moshe mi-Sinai,” 102–8; Gray, “The Motif of the Forgetting and Restoration,” 179–93.

in the ultimate durability of the Torah and in the Sages' ability to recover it. Perhaps more than any other text, a tradition attributed to Hillel the Elder in the Tosefta presents an almost stoic approach toward the occasional forgetting of the Torah:

Hillel the Elder says, "In a time of gathering, scatter; and in a time of scattering, gather. At a time in which you see that the Torah is beloved by all of Israel, and all rejoice in it, you should be scattering it (i.e., teaching it widely), as it was said, *One scatters and gains yet more* (Prov. 11:24). At a time in which you see that the Torah is forgotten from Israel, and none care for it, you should be gathering it (i.e., collecting teachings and preserving them), as it was said, *It is time to act unto YHWH, your law has been broken* (Ps. 119:126)."⁶⁷

The Tosefta's interpretation for Hillel's cryptic statement "In a time of gathering, scatter; and in a time of scattering, gather"⁶⁸ presents the forgetting of the Torah almost as a force of nature, like the tides of the sea or the changing of seasons. There are times of great interest in the Torah, in which it is studied and cherished by many, and there are times of almost no interest, in which the Torah is widely forgotten. As in other texts we have considered, the Torah learner is the one stable factor who maintains the Torah through good and bad. This Tosefta passage, however, makes it clear that whether the Torah is forgotten or upheld on a collective level has got nothing to do with the actions of the dedicated Torah learner: he is expected to respond to those vicissitudes and to do his best to preserve the Torah in each situation, but the Torah will wane and wax nonetheless. Is it possible that the Torah could ultimately be entirely forgotten and never restored again? While the texts we have considered so far seem to leave this possibility open, the texts to which I turn next respond to this question with a resounding no.

FORGOTTEN BUT UNFORGETTABLE

Although the idiom "the Torah is destined to be forgotten" appears in several different contexts and settings in rabbinic literature, the concern with the impending disappearance of the Torah is most famously associated with one particular moment: the convening of sages in Yavneh after the destruction of the Second Temple.⁶⁹ The source of this association is a baraita in the Babylonian Talmud (BT Shabbat 138b) that commences with the words "When our rabbis entered the Vineyard at Yavneh,

67. T. Berakhot 6.24 (ed. Lieberman 40), and see Lieberman, *Tosefta ki-pshutah Zera'im*, 1:124. Hillel's statement appears also in BT Berakhot 63a and (in different wording) in PT Berakhot 9.5, 14d, neither of which mentions the word "forgotten." Rather, these versions only contrast the Torah being "beloved" with it being "not beloved."

68. Cf. Sifre zutta on Numbers 27:1 (ed. Horovitz 317).

69. On the convention at Yavneh as a myth of rabbinic foundation, see Daniel Boyarin, "The Yavneh-Cycle of the Stammaim and the Invention of the Rabbis," in *Creation and Composition: The Contribution of the Bavli Redactors (Stammaim) to the Aggadah*, ed. Jeffrey L. Rubenstein (Tübingen: Mohr Siebeck, 2005), 237–89.

they said, the Torah is destined to be forgotten from Israel.” Relying on this baraita, Yosef Haim Yerushalmi asserted, “Yabneh was the fortress against oblivion. It was there that the tradition was salvaged, studied, and recast in forms that ensured its continuity for ages to come.”⁷⁰ For Hanoch Albeck, the concern that the Torah might be forgotten was the generating force behind what he considered the quintessential work of the Yavneh generation, tractate Eduyot of the Mishnah.⁷¹ Albeck summarized the background for the formation of tractate Eduyot, a unique Mishnaic treatise in which rabbis report in a court-like setting the opinions and rulings of previous generations, as follows: “When the Sages entered the Vineyard of Yavneh, even though they were great in the Torah and were its princes, they were still concerned that the Torah may be forgotten from Israel, due to the burden of subjugation and troubles, and that the generations after them would not be able to preoccupy themselves with the Torah like previous generations did. . . . Therefore they decided to begin by ordering halakhot according to the names of their masters.”⁷²

Albeck’s account is based on a conflation of two different passages: the opening of tractate Eduyot of the Tosefta and the baraita that appears in the Babylonian Talmud. A closer look, however, reveals that the opening of Tosefta Eduyot is not concerned with forgetting the Torah at all, and that in the Babylonian baraita, too, forgetting the Torah means something quite different from the “oblivion” referred to by Yerushalmi. An analysis of the Tannaitic sources of which the Babylonian baraita consists, as well as of the anonymous Talmudic commentary on the Babylonian baraita, uncovers a different approach to the prospect of forgetting the Torah than what we have seen so far: an approach that denies that forgetfulness of the Torah is even possible. I begin by presenting the three Tannaitic texts that were integrated together in the Babylonian baraita, and then present and analyze the Babylonian Talmudic unit in full.

The first of the three texts, as mentioned, is the opening passage of Tosefta Eduyot:

[A] When the Sages entered the Vineyard of Yavneh they said, “The hour is destined to come (*’atidah sha’ah*) that a person will seek a word from the words of the Torah and will not find it, a word from the words of the Scribes and will not find it, for it was said, *The time is surely coming, says the God YHWH, when I will send a famine on the land; not a famine of bread, or a thirst for water, but of hearing the words of YHWH: They shall wander from sea to sea, and from north to east; they shall run to and fro, seeking the word of YHWH, but they shall not find it* (Am. 8:11–12).” “The word of

70. Yerushalmi, *Zakhor*, 110.

71. See Albeck, *Introduction to the Mishnah*, 82–84 and his references to earlier scholarship there. For a different view, see Epstein, *Introductions to Tannaitic Literature*, 427–29. For a survey of scholarship on tractate Eduyot, see Avraham Aderet, “Tractate Eduyot of the Mishnah as Testimony to the Process of Restoration following the Destruction of the Second Temple” (in Hebrew), in *Jews and Judaism in the Second Temple, Mishna and Talmud Period: Studies in Honor of Shmuel Safrai*, ed. Menahem Stern, Isaiah M. Gafni, and Aharon Oppenheimer (Jerusalem: Yad Ben Zvi, 1993), 251–65.

72. Albeck, *Six Orders: Neziqin*, 4:275–76 (my translation).

YHWH”—this is prophecy, “The word of YHWH”—this is the end,⁷³ “The word of YHWH”—that no word from among the words of the Torah will resemble another.⁷⁴ They said, “Let us begin from Hillel and Shammai.”⁷⁵

This unit in the Tosefta is intricate, and it warrants a close investigation both of specific expressions (what does it mean that “no word resembles another?”) and of the purported connection between this opening and the enterprise of tractate Eduyot as a whole (how does “beginning from Hillel and Shammai” help “words of Torah” resemble one another?), which I cannot offer in the confines of this chapter.⁷⁶ One thing, however, is clear: this Tosefta passage is not at all concerned with the Torah being forgotten, but rather with the Torah being unorganized. As Shlomo Naeh astutely put it, the problem to which the Tosefta points is “an abundance of goodness”: not that the Torah will wither and disappear, but rather that there will be so much Torah, so many teachings, that one will not be able to find one’s way in it or to classify materials properly.⁷⁷ There is admittedly a connection between order and organization and retention in memory, and one could argue that lack of organization would ultimately lead to forgetfulness, but this does not seem to be the concern expressed in the Tosefta.

The passage in the Tosefta resonates closely with two homilies in the Sifre on Deuteronomy, which appear immediately after the homily about Shaphan, Ezra, and R. Akiva that we discussed in the previous section—that is, immediately after the Midrash discusses the collective forgetting of the Torah in the past and possibly in the future. The first of the two homilies reads as follows:

[B] Behold, it says, *they shall run to and fro, seeking the word of YHWH, but they shall not find it* (Am. 8:12). Our rabbis resolved (*raboteno hitiru*):⁷⁸ They would go from

73. This line is not immediately relevant to what precedes or follows it, and it may derive from an independent homily; see Naeh, “The Craft of Memory,” 583n187.

74. In MS Vienna 20: “that one would seek a word from the words of the Torah that resembles another.”

75. T. Eduyot 1.1 (ed. Zuckerman 454). In MS Vienna the passage concludes with the words “Let us begin: what is of the House of Hillel and what is of the House of Shammai.” For a discussion of the different versions of the text, see Michal Bar-Asher Siegal, “Tosefta Eduyot 1:1: On the Fear of Losing Torah and the Redaction of Tannaitic Materials,” in *Land and Spirituality in Rabbinic Literature: A Memorial Volume for Yaakov Elman 7–7*, ed. Shana Strauch Schick (Leiden: Brill, 2022), 38–50.

76. For thoughtful analyses of this passage in its context, see Adiel Schremer, “Avot Reconsidered: Rethinking Rabbinic Judaism,” *Jewish Quarterly Review* 105, no. 3 (2015): 287–311; Yair Furstenberg, “From Tradition to Controversy: New Modes of Transmission in the Teachings of Early Rabbis” (in Hebrew), *Tarbitz* 85, no. 4 (2018): 587–642.

77. Naeh, “The Craft of Memory,” 584. Schremer takes a somewhat different direction, arguing that the source of concern here is lack of sufficient distinction in rabbinic texts between “the words of the Torah” and “the words of the Scribes.” See Schremer, “Avot Reconsidered,” 306–10.

78. In MS Oxford and the printed edition: “and they will not find a matter of permission (*devar heter*).” This senseless version is clearly a corruption of the words “our rabbis resolved” (*rabotenu hitiru*), which were correctly preserved in MSS Berlin and Vatican 32.

town to town and from region to region over a swarming creature (*sheretz*) that touched a loaf, to know whether it is “first” (i.e., impure in the primary degree) or “second” (i.e., impure in the secondary degree).⁷⁹

Like the opening of Tosefta Eduyot, the homily’s scriptural anchor is Amos’s prophecy about a future time in which there will be “thirst for hearing the words of YHWH” that will remain unsated. In its original biblical context this prophecy is a very grim one, and it refers to God turning away from the people of Israel and abandoning them to their woes, no longer communicating with them. The homilists in the Sifre, however, decided to put a positive spin on this bleak prophecy. This is evidently the meaning of the clause “our rabbis resolved” (*raboteno hitiru*), which has long puzzled commentators and scholars.⁸⁰ The verb *hitiru* is not used here in the more common sense of “permitted,” but rather in the sense of “solved” or “untangled” (as it is often used in regard to dreams, curses, or vows).⁸¹ Amos’s prophecy was resolved by interpreting “the thirst for the words of YHWH” as a sign of proliferation and flourishing of Torah rather than a dearth of it. In the homily, the quest for the word of God takes the form of people wandering around, avidly seeking answers to an extremely specialized and arcane halakhic question regarding the degrees of impurity caused by contact between foodstuffs and swarming creatures. As Yair Furstenberg noted, the question presented in this homily is by no means a trivial one, and it was a matter of much dispute: “Those who wander cannot find the answer [to the question at hand] not because of the loss of the Torah, but because the Sages themselves do not know how to decide it. The abundance of halakhic traditions and interpretive possibilities left the determination of halakhah uncertain.”⁸² This, to be sure, is very far from the times of Shaphan or Ezra, mentioned in the previous passage in the Sifre, in which people transgressed unknowingly because the written law has been entirely lost and they were not even aware of its existence. According to this homily, the worst thing that could happen to the Torah is that it would become so plentiful and evolved that it would be difficult to receive clear answers to questions that are, in and of themselves, highly sophisticated.

79. Sifre on Deuteronomy 48 (ed. Finkelstein 112–13).

80. See Finkelstein ad loc., who maintained that these words should simply be deleted. Fraade interpreted that the rabbis permitted wandering around in order to seek halakhic answers, but his reading is not persuasive. First, there is no reason to assume that wandering in order to find halakhic answers should be forbidden in the first place, so it is not clear why one would state that it is permitted. Second, according to his interpretation this sentence bears no connection whatsoever to what precedes or follows it. See Fraade, *From Tradition to Commentary*, 256n197, 256n199.

81. Following Shlomo Naeh, “On Two Hippocratic Concepts in Rabbinic Literature” (in Hebrew), *Tarbitz* 66, no. 2 (1997): 184–85.

82. Furstenberg, *Purity and Community*, 285 (my translation).

This is also the spirit of the homily that immediately follows in the Sifre, which explicitly rejects the possibility that the Torah could ever be forgotten:

[C] R. Shimon ben Yohai says, “If [this is] to say that the Torah is destined to be forgotten from Israel, was it not already said, *It will not be lost from the mouths of their descendants* (Deut. 31:21)? Rather, [the verse refers to a situation in which] one person forbids, one person permits; one person renders impure, one person renders pure; and they will not find a word sorted out (*davar barur*).”⁸³

In its context in the Sifre, R. Shimon ben Yohai’s statement refers back to Amos’s prophecy quoted in the preceding homily (B), and specifically to a reading of this prophecy as foretelling the future disappearance of the Torah. This reading, to be sure, was not actually proposed in the preceding homily—as we saw, this homily interpreted the verse as referring to an abundance of Torah, not to its absence—but this does seem to be the reading that the homilists attempted to thwart by “resolving” the prophecy in a positive way. R. Shimon ben Yohai, on his end, declares that the notion that the Torah is destined to be forgotten is downright misguided: the Torah could never be forgotten, because it was promised to be Israel’s eternal patrimony. How, then, is one to explain the prediction that the word of God will one day fail to be found? R. Shimon reads the verse, like the preceding homily (B), as foretelling the proliferation of Torah and not its absence, but he locates a different problem that arises from this proliferation—namely, the multiplicity of conflicting opinions and disputes. In the preceding homily, what eager learners of Torah would not be able to find are answers to complicated halakhic questions, whereas according to R. Shimon what they would not be able to find is “a word sorted out” because there are so many opinions about each and every matter. For R. Shimon, then, as for the author of the opening of Tosefta Eduyot, the problem is not forgetfulness but disorientation and confusion.⁸⁴

We have seen, then, three Tannaitic readings of Amos 8:11–12, all of which—despite somewhat different emphases—either tacitly or explicitly reject the possibility that the Torah could be entirely forgotten, and instead present scenarios in which an overflow of Torah (multiple teachings, teachings that are extremely complicated, or conflicting opinions) may cause unclarity and bewilderment. We are now in a position to see how these three Tannaitic readings were all worked together in the Babylonian Talmud:

When our rabbis entered the Vineyard of Yavneh they said, “The Torah is destined to be forgotten from Israel, as it was said, *The time is surely coming, says the God*

83. Sifre on Deuteronomy 48 (ed. Finkelstein 113).

84. According to Furstenberg, both the Tosefta and R. Shimon ben Yohai specifically address the issue of disputes and controversies among the Sages. However, whereas for R. Shimon disputes are a problem that makes it difficult to find one’s way, for the Tosefta disputes are an organizing mechanism that can be used to impose order on Torah teachings. See Furstenberg, “From Tradition to Controversy,” 597.

YHWH, when I will send a famine on the land; not a famine of bread, or a thirst for water, but of hearing the words of YHWH (Am. 8:11), and it is written, *They shall wander from sea to sea, and from north to east; they shall run to and fro, seeking the word of YHWH, but they shall not find it* (Am. 8:12)."

"The word of YHWH"—this is halakhah, "The word of YHWH"—this is the end, "The word of the YHWH"—this is prophecy.⁸⁵

And what is "they shall run to and fro, seeking the word of YHWH"?—they said, "A woman is destined to take a loaf of heave-offering and go around synagogues and study houses to know whether [the loaf] is pure or impure, and no one will understand."

—To know whether it is pure or impure?! This is written in the body [of a biblical verse]: *Any food that could be eaten shall be impure* (Lev. 11:34)!

—Rather, to know whether it is "first" or "second" (i.e., whether the degree of its impurity is primary or secondary) and no one will understand.

—This too is [taught in] our Mishnah, as we taught, "If a swarming creature was found in an oven, the bread inside of it is 'second,' for the oven is 'first!'"⁸⁶

—They are uncertain as to what Rav Ada bar Ahava said to Rava: "Let this oven be seen as though it is full of impurity, and let the bread be 'first!'" [Rava] said to him, "We cannot say, 'Let this oven be seen as though it is full of impurity,' for it was taught: Is it possible that all vessels will become impure [if they are placed within] clay vessels? Scripture says, *If any of them falls into any earthen vessel. . . . Any food that could be eaten shall be impure* (Lev. 11:33–34). Foods become impure [when placed] within clay vessels, but vessels do not become impure [when placed within clay vessels]."

It was taught: R. Shimon ben Yohai says, "Heaven forbid that the Torah should be forgotten from Israel, for it was said, *It will not be lost from the mouths of their descendants* (Deut. 31:21). Rather, how do I explain 'seeking the word of YHWH, but they shall not find it'?—They will not find a sorted ruling (*halakhah berurah*) and a sorted teaching (*mishnah berurah*) in one place."⁸⁷

The Babylonian baraita, like Tosefta Eduyot, situates the homily on Amos 8:11–12 in the historical setting of the foundational convention at Yavneh, but it does not develop this element any further, and nothing in the baraita itself suggests that certain enterprises were taken on by the rabbis in response to the concern voiced at Yavneh. The concern that guides the sages of Yavneh was transformed in the Babylonian baraita from a concern with disorganization of the Torah to a concern that "the Torah is destined to be forgotten from Israel"—probably in order to correspond more closely with R. Shimon's statement at the end of the baraita

85. This line is missing in MS Munich 95.

86. M. Kelim 8.5.

87. BT Shabbat 138b–139a.

(“Heaven forbid that the Torah should be forgotten from Israel”). Since R. Shimon asserts that the Torah could never be forgotten from Israel, it made stylistic sense to construct the statement to which he responds as stating that the Torah will be forgotten from Israel.⁸⁸ To illustrate what this forgetting would look like, the Babylonian baraita uses the scene portrayed in the first homily in the Sifre, of an ongoing quest for answers in regard to purity and impurity. The Babylonian baraita is thus a conglomerate: the setting of Yavneh is taken from the opening of Tosefta Eduyot (A), the illustrative scene of “seeking the word of YHWH” is taken from the first homily in the Sifre (B), and the idiom “the Torah is destined to be forgotten from Israel” is taken from R. Shimon’s homily in the Sifre (C), which appears separately at the end of the baraita.⁸⁹

The Babylonian baraita modified the Tannaitic illustrative scene (B) in two significant ways. First, in the Babylonian version the generic “they” who wander between towns and regions to seek answers to their questions turned into a woman who goes around between synagogues and study houses. In this version, the one who seeks answers is very clearly a layperson—there is no more effective way to say “non-rabbi” than to say “woman”—and the places in which she seeks answers are distinctly rabbinic spaces. The Babylonian version thus makes the desire for rabbinic instruction even more ubiquitous and socially pervasive than it is depicted in the Sifre (and this, ostensibly, in the description of a situation in which the Torah was “forgotten”).⁹⁰ As I noted in the chapter 1, rabbinic narratives that highlight the Sages’ wisdom and benevolence often cast women in the roles of those who are in need of rabbinic guidance, perhaps in order to endow the rabbis with more power and authority by setting them against individuals who embody weakness. The rabbis’ inability to help the woman in this situation serves to dramatize the crisis described in this scene and to add pathos to it, as the image of a lone woman wandering around brings to mind the desperation of a helpless widow searching for food or charity. The distress of not finding halakhic answers is thereby portrayed as existential rather than merely intellectual.

Second, whereas in the Tannaitic homily the question is whether the loaf’s impurity is primary or secondary, in the Babylonian version the woman only asks whether the loaf is pure or impure. While one could argue that this is simply a

88. The apparent trigger for incorporating this baraita here is the homily in the name of Rav that immediately precedes it (“Rav said, ‘The Torah is destined to be forgotten from Israel, for it was said, *YHWH will make your plagues astonishing*’”), which was discussed above.

89. By this I do not mean that the Babylonian redactors of the baraita were familiar with the Tosefta or the Sifre as they stand before us, but rather that they combined different oral (or written) traditions that were available to them.

90. As Furstenberg noted, the Sifre’s version does not necessarily indicate that it is “simple people” who seek halakhic knowledge. See Furstenberg, *Purity and Community*, 285n62; cf. Naeh, “Two Hippocratic Concepts,” 185.

textual variant or a scribal error,⁹¹ it seems evident to me that the baraita was deliberately modified so as to instigate the anonymous Babylonian introjection that immediately follows. In the introjection the anonymous Talmud dismisses the scene that is meant to illustrate how the Torah will be forgotten, in which the woman is desperately seeking to determine the purity or impurity of her loaf of bread, as unbelievable. The anonymous Talmud asks: How could the rabbis fail to answer such a trivial question when scripture says explicitly that foodstuffs that came into contact with a source of impurity become impure? The Talmud thus concludes that the baraita must be revised, and that the woman is not questioning whether the loaf is impure but only in what degree the loaf is impure (as the question stands in the Sifre). But this question, too, is immediately dismissed as trivial: How could the rabbis fail to answer the question about degrees of impurity when it, too, is answered explicitly—not in scripture, but in the Mishnah?

The Mishnaic passage that, according to the anonymous Talmud, entails the answer to the woman's query speaks of a very specific situation: a dead creature fell into an oven, thereby rendering the oven "first" of impurity and the bread that was in the oven "second" of impurity. This ruling is based on the principle that clay vessels (such as ovens) convey impurity in a lesser degree to anything placed within them. Once it identifies the Mishnah passage that supposedly answers the question, and thereby establishes the specifics of the halakhic situation that the woman in the baraita struggles with, the anonymous Talmud finally explains what the imagined rabbis with whom the imagined woman consults are actually uncertain about: they are wondering (as did the Babylonian amora Rav Ada bar Ahava) whether it is possible to consider the space of the oven as filled with impurity such that the loaf is seen as having direct contact with the dead creature (and thereby as "first" of impurity), or if they should consider the loaf's contact with the dead creature as mediated through the oven (which would make it "second").

Without getting into the intricacies of the halakhic issue at hand, we can see how the anonymous Talmudic introjection completely reenvisions the scene initially described in the baraita, and thereby also reenvisions the possibility that the Torah could ever be forgotten. It is impossible, the anonymous Talmud asserts, that rabbis would forget something that is explicitly mentioned in the Written Torah, and it is also impossible that rabbis would forget something that is explicitly mentioned in the Mishnah. The only thing that could happen is that rabbis would be uncertain regarding highly complicated halakhic questions that seem like they could be decided in more than one way. In other words, the nightmare scenario in which the rabbis cannot give straight answers to halakhic queries is what happens every single day in the rabbinic study house, whose trademark is debates, disagreements, and uncertainties. The anonymous layer thus pushes

91. See the discussion in David Weiss Halivni, *Sources and Traditions: Shabbat* (in Hebrew) (Jerusalem and New York: Jewish Theological Seminary, 1982), 370–71.

the readers/listeners to the same conclusion that R. Shimon ben Yohai expresses explicitly in the last section of the baraita: the Torah could never be truly forgotten. At worst there may be some lack of clarity regarding some highly specific issues, which in itself serves as a testament to the flourishing of Torah.

The anonymous Talmud, however, continues to report not only Rav Ada bar Ahava's uncertainty regarding the Mishnaic rule but also Rava's confident and unequivocal response to his uncertainty (namely, that we cannot see the loaf in the oven as having direct contact with the dead creature), thereby making it clear that in the Babylonian academy even this difficult question has an answer. The only difference between the imaginary rabbis who live in a world in which the Torah was forgotten and the rabbis who operate in the prosperous study culture of Babylonia is that the former do not have access to some of the highly specialized rulings to which the latter do have access. For the implied audience of the anonymous debate on the baraita, this highly scholastic construction of "forgetting the Torah" ultimately serves to generate its own nostalgia for the present, contrasting the virtuosic learnedness of the anonymous speakers with an imagined scenario of rabbinic "incompetence."⁹² The Babylonian baraita, then, is not about Yavneh at all, nor is it about any other moment in Israel's imagined past or future: it is about the present moment of Torah and Talmud learners, whose plodding scholastic undertakings gain prestige and value when conveyed through the malleable and versatile idea that "the Torah is destined to be forgotten."

Unbreaking the Tablets

Throughout this chapter I have argued that recurring rabbinic references to the prospect of the Torah being forgotten are best understood as a rhetorical trope rather than as an expression of genuine apprehension—whether an ever-present apprehension or a historically situated one. While this trope can be plausibly traced back to a tradition regarding a particular historical epoch (namely, the destruction of the First Temple and the restoration of Ezra), this tradition was worked and reworked in different contexts such that it could be applied to any point in the past or future, could be utilized as an overarching theory for the formation of halakhah, and could even be reinterpreted to negate the possibility of forgetfulness of the Torah altogether. In the preceding sections I focused primarily on the ways in which the trope of collective forgetting of the Torah serves to put rabbinic disciples and masters on a pedestal, whether as individuals or as a group, and to present them as the bulwark against collective forgetfulness. I conclude this chapter with a different iteration of this trope, in which the bulwark against complete oblivion is not the dedicated elite of Torah learners, but rather God's lasting covenant with the people of Israel. Whereas the homilies we saw earlier reject the possibility that

92. My reading coheres with Moulie Vidas's analysis of the anonymous layer of the Babylonian Talmud as a performative display of scholastic abilities; see Vidas, *Tradition and the Formation of the Talmud*, 70–80.

the Torah could be forgotten by turning absence of Torah into abundance of Torah, the homilies we are about to see do not deny that the Torah could be forgotten temporarily, but passionately assert that it could never be forgotten permanently. The driving force behind these homilies, I propose, is the rabbinic encounter with the Christian accusation that the Jews have abandoned and forgotten God's covenant and no longer have a claim to it.

Although various rabbinic texts suggest, either vaguely or explicitly, that collective forgetfulness of the Torah *could* happen in the future, there is only one rabbinic tradition of which I am aware that unequivocally declares that forgetfulness of the Torah *will* inevitably take place in the future. This tradition, which appears both in Palestinian Midrashic compilations and in the Babylonian Talmud, locates the episode of mass forgetfulness specifically in the eschatological future, in the final years before the coming of the Messiah. I present here the homily as it appears in the Amoraic Midrash of the fifth or sixth century, Pesikta deRav Kahana (the Babylonian version is almost identical, with a minor difference that I will address toward the end of the chapter):

The rabbis say, "In the seven years in which the Son of David comes— in the first year, *I will send rain on one town, but withhold it from another* (Am. 4:7). In the second year, arrows of hunger are sent. In the third year, great famine and men and women and children die and the Torah is forgotten from Israel. In the fourth year, hunger that is not hunger and satiation that is not satiation. In the fifth year, great satiation. They eat and drink and are glad and the Torah returns to its renewal. In the sixth year, thunder (*qolot*).⁹³ In the seventh year, wars. And at the end of the seventh year, the Son of David comes."

Said R. Abiya (or: Abaye),⁹⁴ "How many [cycles of] seven years have been like that, and he has not come."⁹⁵

The seven-year scenario described in this passage delineates what is known as "the footsteps of the Messiah" (*iqvot meshiḥa*) or "the birth pangs of the Messiah" (*hevele mashiah*), that is, the last few years before the coming of the Messiah that are associated with troubles and distress.⁹⁶ For our purposes, it is noteworthy that alongside the predictable calamities that are iconic of times of great upheaval (draught, famine, war, death) this apocalyptic account includes forgetting the Torah. On the face of it, this addition could be taken as an indication that

93. I interpreted *qolot* (lit. "sounds" or "voices") as "thunder" based on Ex. 19:16: "On the morning of the third day there was thunder and lightning (*qolot u-beraqim*)." Other commentators interpreted the term as referring to heavenly voices or to the sound of the horn (also inspired by Ex. 19:16).

94. In the Babylonian version: Rav Yosef.

95. Pesikta deRav Kahana 5 (Ha-hodesh ha-ze 9, ed. Mandelbaum 1:97–98), and see parallels in Songs of Songs Rabbah 4.2 and Pesikta Rabbati 15. Cf. BT Sanhedrin 97a (and partial parallel in BT Megillah 17b), as well as Derekh erez zutta 10.1.

96. See M. Sotah 9.15; BT Kettubot 111a. The idea of "the birth pangs of the Messiah" goes well back to the Second Temple period; see David Flusser, *Judaism of the Second Temple: The Jewish Sages and Their Literature*, trans. Azzan Yadin (Grand Rapids, MI: W.B. Eerdmans, 2009), 285–88.

in the world of the rabbis no greater disaster could be conceived of than forgetting the Torah, and there may certainly be truth to that. Yet I would argue that in the context of this apocalyptic prediction the emphasis is less on the fact that the Torah will be forgotten and more on the fact that it will be restored—and specifically, on the timing in which it will be restored. Since the passage describes an era of suffering and woes followed by the ultimate redemption, one could expect that the restoration of the Torah would take place at the end of the seventh year, when the Messiah Son of David finally comes. But this is not the case: the Torah, we are told, is not restored with or by the Messiah but rather two years earlier. The forgetting of the Torah is coupled with famine, which reaches its peak in the third year and subsides in the fifth year. This coupling suggests a modicum of normalization of the forgetfulness of Torah, as we have seen in other rabbinic texts: just as there are periods of famine and periods of satiation in the course of history, so there are periods in which the Torah is forgotten and periods in which the Torah is thriving.⁹⁷ The comment that immediately follows this passage furthers the impression that neither the forgetting of the Torah nor its restoration is a unique event, as one rabbi complains that many such cycles of seven years have gone by, but the Messiah has not yet come.

While we have seen the model of ebbs and flows of the Torah and of cycles of forgetting and restoration in other rabbinic passages, in the eschatological and Messianic context of this homily this model acquires a distinctive meaning. By emphatically disconnecting the restoration of the Torah from the coming of the Messiah and presenting it as a natural vicissitude, the creators of this homily tacitly reject the idea that the ability of Israel to reacquire the Torah hinges upon a Messianic figure. This rejection, I propose, may be understood as a response to the prevalent Christian view that the first covenant that God made with Israel was abandoned by the Jews, and that with the coming of Jesus Christ a new covenant was introduced to which only the followers of Jesus adhere, as this passage from the Epistle to the Hebrews illustrates:

For if there had been nothing wrong with that first covenant, no place would have been sought for another. But God found fault with the people and said, *The days are coming, declares the Lord, when I will make a new covenant with the people of Israel and with the people of Judah. . . . I will put my laws in their mind and write them on their hearts . . .* (Jer. 31:31–33). By calling this covenant “new,” he has made the first one obsolete; and what is obsolete and outdated will soon disappear.⁹⁸

In the Epistle of Barnabas, the author identifies the exact moment in which the old covenant was broken: it was the sin of the golden calf, in which the people of Israel

97. Interestingly, in *Derekh erez zutta* 10.1 the Torah is said to be forgotten in the third year, but there is no mention of its restoration in the fifth year. While this may be a simple scribal omission, this version may reflect a view that ties the restoration of Torah with the actual arrival of the Messiah.

98. Hebrews 8:7–13 (NRSV).

turned away from God's revealed laws almost immediately after receiving them. Moses's angry shattering of the tablets of the law upon realizing the Israelites' sin was a symbolic expression of the idea that the "old covenant" was no more, and that a new covenant would only be established through Christ:

Ours it [the covenant] is; but they [the Jews] lost it forever when Moses had just received it. . . . They lost it by turning unto idols. For thus says the Lord, *Moses, Moses, come down quickly; for thy people whom thou broughtest out of the land of Egypt hath done unlawfully* (Ex. 32:7). And Moses understood, and threw the two tables from his hands; and their covenant was broken in pieces, that the covenant of the beloved Jesus might be sealed unto our hearts in the hope which springs from faith in Him.⁹⁹

Similarly, Tertullian describes the Jews as those who forgot God and his laws and thereby abandoned the covenant. The covenant—and by implication, the Old Testament in which it is established—thus ceased to be the patrimony of the Jews, and was given to those to whom it was not originally designated, but who chose it voluntarily:

For Israel—who had been known to God, and who had by Him been upraised in Egypt . . . forgot his Lord and God (*domini et dei sui oblitus*), saying to Aaron: *Make us gods, to go before us: for that Moses, who ejected us from the land of Egypt, has quite forsaken us; and what has befallen him we know not* (Ex. 32:1). And accordingly we, who were not the people of God in days bygone, have been made His people, by accepting the new law above mentioned, and the new circumcision before foretold.¹⁰⁰

In the exegetical battle over the question of who is the rightful heir of the Old Testament, and of God's covenant established therein, the Christian argument was that the Jews had indeed received God's revelation and covenant but then forgot it—more accurately, abandoned it—and were therefore no longer entitled to it. While I do not think the eschatological homily in the *Pesikta* and its parallels was shaped distinctly as a polemical response to this argument, I do find it noteworthy that the homilist averts any possibility of interpreting the renewal of the Torah as the establishment of a new covenant. The Torah, in this account, is not abandoned by the people of Israel but is rather temporarily lost as a result of forces the people cannot control, and it is restored as new (*hozeret le-hidushah*) because it never truly ceased to belong to the people, not because the Messiah's arrival transforms the relationship between Israel and their God.

One rabbinic text, resonating with the Epistle of Barnabas, makes an explicit connection between the breaking of the first tablets and future forgetfulness of the Torah. In a series of homilies on the God-made tablets of the law, R. Eleazar comments on the verse "And the tablets were God's work, and the writing was God's

99. The Epistle of Barnabas 4:7–8; quoted from Joseph B. Lightfoot, ed., *The Apostolic Fathers* (London: MacMillan and Co., 1912), 272.

100. Tertullian, *An Answer to the Jews* III; quoted from Alexander Roberts, James Donaldson, and A. Cleveland Coxe, eds., *Ante-Nicene Fathers*, vol. 3 (Buffalo: Christian Literature Publishing, 1885), 210–11.

writing, engraved upon the Tablets” (Ex. 32:16), saying, “If the first tablets had not been broken, the Torah would have not been forgotten from Israel.”¹⁰¹ R. Eleazar evidently refers to the word “engraved” (*harut*), which appears in the description of the first tablets—those that were broken—but not in the description of the second tablets, which remained intact. The first tablets, he concludes, entailed the promise of permanence, of a Torah that would never be erased, but since those tablets were broken, that promise was not kept and the Torah was forgotten. Interestingly, R. Eleazar does not associate the Israelites’ forgetting of the Torah with the sin of the golden calf, which instigated Moses’s breaking of the tablets. Rather, he considers the tablets themselves as portending Israel’s ability or lack thereof to retain the Torah. In other words, R. Eleazar’s homily turns the Christian argument on its head (whether or not it does so purposefully I cannot say): the tablets were not broken because the Israelites forgot the Torah, but rather the Israelites forgot the Torah because the tablets were broken.

To what is R. Eleazar referring when he speaks, in the past tense, of the Torah having been forgotten from Israel? One possibility is that he is referring to a particular historical event or to a series of events of collective forgetfulness, examples of which we have seen earlier in this chapter. Alternatively, it is possible to interpret R. Eleazar’s statement as referring to the ongoing problem of learners’ struggles to retain their teachings. The breaking of the tablets, according to this interpretation, did not cause the Torah to be lost from the people wholesale, but rather brought about the problem that every dedicated disciple grapples with: how to keep memorized knowledge intact. According to this reading, the polemical thrust of the homily—if indeed there is one—lies in the reframing of forgetfulness itself: it suggests that the Israelites did not abandon the Torah, but quite the opposite—they are so preoccupied with it that they are incessantly striving to memorize it.

The terseness of R. Eleazar’s homily does not allow us to determine its exact meaning, nor to ascertain whether it reflects any awareness of Christian polemical arguments. Two Palestinian homilies, however, unequivocally reframe the notion of collective forgetfulness of the Torah as the occasional forgetting of dedicated learners. The biblical verses that the homilists target—specifically the verses from Jeremiah that proclaim the future establishment of a new covenant—make it highly likely that a battle with Christian arguments underlies these homilies.

The following homily appears in Pesikta deRav Kahana, in a cluster of homilies on the giving of the Torah at Mount Sinai:

[On the third month after the Israelites had gone forth from the land of Egypt], on this very day they entered the wilderness of Sinai (Ex. 19:1). Was it on this very day (i.e., today) that they entered?! Rather, [this is to say] that when you study my words they will not seem old to you, but rather [they will seem] as though the Torah was given today. [Scripture] does not say “on that day” but “on this day.” In this world I have

101. BT Eruvin 54a.

given you the Torah and only individuals labor in it, but in the World to Come I will teach it to all of Israel and they will study it and will not forget it, as it was said, *This is the covenant I will make with the people of Israel after that time, declares YHWH: I will put my law within them and write it on their hearts. I will be their God, and they will be my people* (Jer. 31:33).¹⁰²

God, speaking in the first person in this homily, implores the student of Torah to view the day on which the Torah was given at Sinai as the model for what Torah study should always be like. Interpreting the words “on this very day” in Exodus 19:1 as allowing for the reading “today,” the homily suggests that not only should the study of Torah always be fresh and new as though it was just given, but also that the study of Torah should be pursued by each and every person in Israel, in the same way that the initial revelation at Sinai was for all of Israel. Although the study of Torah in this world is only the domain of the few who are capable of fully immersing themselves in it, in the World to Come all will be able to do so, and none will ever forget what they learn.

The reference to forgetfulness seems a bit out of place in this homily: clearly, the contrast the homilist puts forth is between the study of few and the study of many, not between forgetfulness and retention. Why, then, is forgetfulness mentioned? The answer lies in the target verse that holds the entire homily together: “This is the covenant I will make with the people of Israel. . . . I will put my law within them and write it on their hearts.” The words “This is the covenant” refer back to the preceding verse in this prophecy, “The days are coming, declares YHWH, when I will make a new covenant with the people of Israel and with the people of Judah” (Jer. 31:31). Since no other biblical passage so famously encapsulates the Christian claim that the old covenant, which God made with the Jews, was broken and abandoned and replaced with a new covenant, I am quite certain that the homilist in the Pesikta was aware of this interpretation and attempted to propose an alternative to it. The Pesikta homilist interpreted the “new” covenant as referring not to a covenant that is altogether new, but to the idealized *experience* of the Torah learner, who always feels like the Torah was given “today.” The reestablishment of the Torah within the people is interpreted in the Pesikta not as a replacement of the revelation at Sinai, but as a *recreation* of the Sinai moment: in the same way that the Torah was the domain of all of Israel on the day on which it was given, so in the future it will again become the domain of all the people of Israel. As for “write it on their hearts,” an expression with clear associations of memory and internalization, this part of the verse was interpreted as portending the future ability of the Israelites to retain whatever they learn in their memory. In Jeremiah, the new covenant that will be written on the people’s hearts stands in contrast to the previous covenant that they have forgotten and broken, an idea that

102. Pesikta deRav Kahana 12 (Ba-hodesh 21, ed. Mandelbaum 1:219). This homily is missing from the main textual witness of the Pesikta, MS Oxford 151, because of torn pages.

was central to the Christian doctrine. But for the Pesikta homilist, the forgetfulness that will be overcome in the World to Come is not the sinful abandonment of God's law but the benign difficulty in memorizing one's teaching effectively.

We find the same interpretive move in the later Midrashic compilation *Song of Songs Rabbah*,¹⁰³ here in a homily that is concerned exclusively with the problem of forgetfulness:

Let him kiss me with the kisses of his mouth (Song of Songs 1:2). R. Yehuda says, "At the time in which the people of Israel heard *I am YHWH your God* (Ex. 20:2) the study of Torah took hold in their heart, and they would learn it and not forget a thing. They then came to Moses and asked him to be their messenger, as it was said, *Speak to us yourself and we will listen, but do not have God speak to us or we will die* (Ex. 20:19), what good is there in us being lost? At that point they began to study and forget. They said, 'Moses is flesh and blood, and when he passes, his teachings will pass, too!' Immediately they came to Moses. They said to him, 'Our master, Moses, let him reveal [the Torah] to us a second time, *let him kiss me with the kisses of his mouth*, let him make the study of Torah take hold in our heart again, as it was!' [Moses] said to them, "This is impossible now, but in future, *I will put my law within them and write it on their hearts* (Jer. 31:33)."¹⁰⁴

Like the homily in the *Pesikta*, this homily interprets the prophecy about a "new covenant" as referring to a restoration of the original revelation at Sinai—that is, recreating the conditions that existed on that particular day—rather than to a replacement of the old covenant. According to this homily, when God first gave the law to his people, his original plan was that the Israelites would never be able to forget any of it (this is reminiscent of R. Eleazar's homily on the first tablets that were "engraved" such that the law could not be forgotten). The Israelites, however, preferred to hear the law from Moses, since hearing God directly was too terrifying for them. When the Israelites entrusted their knowledge of Torah to the hands of a transient human being, that knowledge became transient, too, and they began to forget what they had learned. Having realized the mistake they had made, the Israelites then asked Moses for a second direct revelation—a new covenant—that would allow them to retain the Torah and never forget it. Moses assured them that this would eventually become possible, and the Torah would one day be "written on their hearts" so that they would never forget it, but not just yet.

The Midrashic passages we have seen in this subsection offer their own take on the trope of collective forgetting of the Torah. They put forth the notion that while there may be forces that temporarily impede Israel's ability to study and retain the Torah to the extent that they would like, the people never give up on the Torah, and therefore they can fully expect that a day will come when the

103. On the redaction time of *Song of Songs Rabbah*, and particularly of its opening units, see Tamar Kadari, "Behold a Man Skilled at His Work: On the Origins of the Proems Which Introduce *Song of Songs Rabbah*" (in Hebrew), *Tarbitz* 75, nos. 1–2 (2006): 155–74.

104. *Song of Songs Rabbah* 1.

Torah will never be forgotten again. In these homilies forgetfulness of the Torah is actually construed as sign of *commitment* to it: only those who dedicate themselves to Torah study and diligently try to memorize their teachings can struggle with the problem of forgetfulness as described in these homilies. Here it is worth noting that in the Babylonian version of the eschatological passage on the seven years before the coming of the Messiah, the text does not read “the Torah is forgotten from *Israel*,” as it does in the Palestinian version, but rather “the Torah is forgotten from *its learners*” (and again later, “the Torah returns to its learners”).¹⁰⁵ This minor but significant difference may indicate that the creator of the Babylonian version similarly tried to depict forgetfulness of Torah as a marker of devotion to Torah. If forgetting the Torah is part of the struggles of Torah *learners*, then it is situated in a context of dedication and effort to study Torah and it cannot be interpreted as abandonment of the Torah. I believe that these homilies are guided by an attempt to counteract the prevalent Christian accusation that the Jews abandoned the covenant and could only become part of the “new covenant” by accepting Jesus as Messiah. These homilies offer both a counter-model of forgetting (not abandonment, but temporary difficulty) and a counter-model of renewal (not an all-new covenant, but the restoration of an ideal past).

These homilies thus bring us full circle to the first chapters of this book, in which I argued that the rabbis turned forgetfulness of halakhic information or tasks into a marker of religious compliance and belonging. We began with scenarios that present pious but fallible practitioners, who constantly falter in their memory but always seek rabbinic guidance and are eager to be corrected, and I argued that the rabbis integrated forgetfulness into their halakhic system not as an aberration, but rather as a way of affirming the system. We conclude with a series of homilies in which the rabbis take grim biblical prophecies about the loss of God’s words and the abandonment of his covenant and transform them into affirmations of commitment and devotion to the Torah, whether of specialized Torah learners or of Israel as a collective. A desperate quest to find God’s lost words becomes a quest to find one’s way in the overabundant Torah, which has become so evolved and so sophisticated that one can be puzzled by it; and the castigation of Israel for the abandonment of the covenant is reconstrued as a promise to struggling Torah learners that one day they will retain their teachings without difficulty. As the rabbis set out to resolve the problems—practical, exegetical, and theological—that forgetfulness presents, they also use forgetfulness time and again as an opportunity to make the case for the culture they are creating and for their role within it. Their literature bears more than the scars of the battle with forgetfulness, as Rav Sherira claimed; it showcases just how productive and generative forgetfulness can be.

105. BT Sanhedrin 97a. This version also appears in *Derekh erez zutta* 10.1.