

Introduction

In his novel *The Time of Trimming* (*et ha-zamir*), Israeli author Haim Be'er describes the emergence of messianic zeal among religious Zionist circles in Israel right before the 1967 war. In one unforgettable scene, the military undertaker Süsser listens with great dismay to Benny Brimmer, an enthusiastic young man talking about the Jewish people's obligation to rebuild the Jerusalem temple and to renew the sacrificial cult. Unable to contain his rage, Süsser interrupts the young man's sermon:

"I don't need a temple," Süsser cut Brimmer's tripartite plan off, "so that Zvi Yehuda Kook and 'the Nazarite' David Cohen¹ would be able to sprinkle the blood of lambs on the wall of the altar and offer the fat of rams. . . . If the minister of education² had appointed me as a judge for the Israel Prize, I would give the prize for the Wisdom of Israel to Titus Vespasian who with the aid of Heaven liberated us once and for all from this nightmare of a slaughterhouse and a station for the distribution of breasts and thighs on the Temple Mount."³

Many readers, I suspect, will find Süsser's appalled and disgusted outlook on sacrifices highly relatable. In the course of the last two millennia animal sacrifice turned

1. Zvi Yehuda Kook (1891–1982) was the most influential spiritual leader of Merkaz ha-rav yeshivah in Jerusalem, which pioneered the settlement movement after 1967 and called for active efforts to bring about a messianic redemption. Along with Rabbi David Cohen (1887–1972), also known as "the Nazarite" because of his ascetic practices, Zvi Yehuda Kook is considered the most prominent disciple of his father, Rabbi Avraham Yitzhak haKohen Kook. Zvi Yehudah Kook and David Cohen were the first rabbis to ascend to the Temple Mount on June 7, 1967, the day that the Israeli army took over East Jerusalem.

2. In the original Hebrew, Be'er specifically mentions the name of Zalman Aran, Israeli minister of education between 1963 and 1969.

3. Haim Be'er, *The Time of Trimming* [Heb.] (Tel-Aviv: Am Oved, 1987), 438 (my translation).

from a quintessential, indeed almost universal, channel of religious expression into a reviled trait of otherness—either the otherness of the past or the otherness of the “uncivilized”—such that the idea itself seems to most of us abhorrent.⁴ What I find particularly instructive about this passage from Be'er's novel is not so much Süsser's critique of sacrifices (which echoes many similar critiques, ancient and modern alike), but his comment that he finds Titus Vespasian worthy of a prize for “the Wisdom of Israel.” Süsser does not designate for Titus, the Roman emperor-to-be who sacked Jerusalem during the Great Revolt against Rome and eventually commanded the burning of the Jerusalem temple in 70 C.E., a prize for military accomplishments or political leadership. He wants to give him the prize for “the Wisdom of Israel,” which is regularly given by the State of Israel to scholars who specialize in various facets of the Jewish canon—rabbinic literature, liturgy, mysticism, philosophy, and so on.⁵ Titus, for Süsser, is a quintessential contributor to Jewish culture: in fact, he is perhaps the *founder* of Jewish culture.

Süsser's statement is radical, to be sure, but it powerfully echoes one of the most prevalent notions in the scholarly study of early Judaism, namely, that the destruction of the Jerusalem temple in 70 C.E. and the subsequent cessation of the Judean sacrificial cult⁶ effectively set in motion the Jewish culture of learning and of literary production, whose pioneers were the rabbis of late antiquity.⁷ According to this view, the rabbis, who had to adjust to a world with no center, with no cult, with no

4. On contemporary approaches to sacrifice, see Annette Yoshiko Reed, “From Sacrifice to the Slaughterhouse: Ancient and Modern Perspectives on Meat, Ritual, and Civilization,” *Method and Theory in the Study of Religion* 26, no. 2 (2014): 111–58.

5. For the sake of accuracy, it should be noted that the prize given annually for “the Wisdom of Israel” is actually called “the Bialik Prize” rather than “the Israel Prize.”

6. There is some debate among scholars on whether certain sacrificial practices persisted after 70 C.E. despite the absence of the temple; for a helpful survey of the relevant evidence, see James R. Brown, *Temple and Sacrifice in Rabbinic Judaism* (Evanston, IL: Seabury Theological Seminary, 1963), 20–24. I am in agreement with Alexander Guttman's assessment that while private sacrifices may have continued in different configurations, public sacrifices did come to an end after 70 C.E.; see Alexander Guttman, “The End of the Jewish Sacrificial Cult,” *Hebrew Union College Annual* 38 (1967): 137–48. This question, however, is largely inconsequential for this book, since it is clear that what the rabbis envision as sacrifice in their literature—an institutionalized, centralized, and highly structured and supervised cultic practice—did not exist in their own time.

7. The view that identifies the rabbis as the founders of Jewish textual culture often ignores the rich priestly library of the Second Temple period, as it ignores the Greek textual creation of Hellenistic Jews. To a great extent, this view stems from the fact that nonrabbinic works were not traditionally preserved by Jews and have thus been eradicated from Jewish cultural memory: on this, see Rachel Eilior, *Memory and Oblivion: The Secret of the Dead Sea Scrolls* [Heb.] (Jerusalem: Van Leer Institute and ha-kibbutz ha-me'uhad, 2009). In other ways, those who endorse this view identify a substantial difference between priestly literature, which is based on an ethos of esoteric revelation, and rabbinic literature, which is based on an ethos of learning and inquiry. For elaborate discussion on this difference, see Azzan Yadin-Israel, *Scripture and Tradition: Rabbi Akiva and the Triumph of Midrash* (Philadelphia: University of Pennsylvania Press, 2014), 161–82.

established ways of approaching the deity, allowed their tradition to survive against all odds by turning it into texts and generating a whole intellectual culture around those texts.⁸ In the words of Jonathan Z. Smith, in the works of the rabbis “the locus of sacrifice was shifted from temple to domicile, and the act of sacrifice was wholly replaced by narrative and discourse.”⁹ In this regard, the destruction of the temple and the beginnings of “the Wisdom of Israel” are perceived as deeply intertwined.¹⁰ While scholars continue to disagree on whether the rabbis were devastated by the inability to perform sacrifices or secretly thought to themselves, “Good riddance,”¹¹ there does seem to be one shared premise among most scholars who approach the topic of sacrifices in rabbinic literature, which is that the most important thing about sacrifices in the world of the rabbis is their absence. That is to say, the most common answer to the question, “What did the rabbis think about animal sacrifices?” is “They thought that they can do without them.”

Various scholars described the rabbinic project, at least in part, as a project of creating a postsacrificial version of Judaism.¹² Whether as legislators acting “on the ground,” as theologians dealing with crisis and despair, or as a cultural elite creating new modes of religious expression and performance, the rabbis are often perceived as offering both discursive and practical “substitutes” for sacrifice.¹³ This

8. See, for example, David Goodblatt, “The Jews of the Land of Israel in the Years 70–135” [Heb.], in *Judea and Rome: The Rebellions of the Jews*, ed. Uriel Rappaport (Jerusalem: Am Oved, 1983), 178–80; Guy Stroumsa, *The End of Sacrifice: Religious Transformations in Late Antiquity*, trans. Susan Emanuel (Chicago: University of Chicago Press, 2009), 66–69; Stanley Stowers, “The Religion of Plant and Animal Offerings versus the Religion of Meanings, Essences, and Textual Mysteries,” in *Ancient Mediterranean Sacrifice*, ed. Jennifer Wright Knust and Zsuzsanna Várhelyi (New York: Oxford University Press, 2011), 47–48.

9. Jonathan Z. Smith, “Trading Places,” in *Relating Religion: Essays in the Study of Religion* (Chicago: University of Chicago Press, 2004), 223.

10. Indeed, Stroumsa (*The End of Sacrifice*, 63) uncannily echoes Süsser when he writes: “The Jews should no doubt pay thanks to Titus, whose memory they hold in contempt, for having destroyed their temple for the second time, for imposing on them the need to free themselves from sacrifice and its ritual violence, before any other society.”

11. On this contention, see Jonathan Klawans, *Purity, Sacrifice, and the Temple: Symbolism and Supersessionism in the Study of Ancient Judaism* (New York: Oxford University Press, 2006), 203–11.

12. For notable examples of this view, see Robert Goldenberg, “The Broken Axis: Rabbinic Judaism and the Fall of Jerusalem,” *Journal of the American Academy of Religion* 45 (1977): 869–82; Shmuel Safrai, “The Recovery of the Jewish Population in the Yavneh Generation” [Heb.], in *Eretz Israel from the Destruction of the Second Temple to the Muslim Conquest*, ed. Zvi Baras, Shmuel Safrai, Menahem Stern, and Yoram Tsafrir (Jerusalem: Yad Ben Zvi, 1982), 18–37; Baruch Bokser, “Rabbinic Responses to Catastrophe,” *Proceedings of the American Academy for Jewish Research* 50 (1983): 37–61; Shaye J. D. Cohen, “The Temple and the Synagogue,” in *The Temple in Antiquity: Ancient Records and Modern Perspectives*, ed. Truman G. Madsen (Provo, UT: Religious Studies Center, Brigham Young University, 1984), 151–74.

13. See, for example, Ben-Zion Rosenfeld, “Sage and Temple in Rabbinic Thought after the Destruction of the Second Temple,” *Journal for the Study of Judaism in the Persian, Hellenistic and Roman Period* 28, no. 4 (1997): 437–64; Michael Fishbane, *The Exegetical Imagination: On Jewish Thought and Theology* (Cambridge, MA: Harvard University Press, 1998), 123–35; Paul Heger, *The Three Biblical Altar*

view of the rabbis as replacing sacrifices relies primarily on about two dozen statements found in the later strata of rabbinic literature, particularly in the Babylonian Talmud, in which certain practices—prayer, fast, Torah study, charity, and the death of the righteous—are compared to sacrifices in their efficacy or value.¹⁴ Notwithstanding the question of whether those statements should necessarily be understood in terms of substitution or supersession,¹⁵ the immense emphasis given to those statements in assessing how the rabbis responded and adjusted to the destruction of the Jerusalem temple created a picture in which sacrifices play a part in rabbinic literature only as that-which-is-lost, as the past against which the rabbis carve their own present and future.

And yet, this picture is far from reflecting the contents of the rabbinic texts themselves. Roughly speaking, about a quarter of early rabbinic (Tannaitic) literature consists of elaborate instructions, discussions, and descriptions concerning the temple and the sacrificial cult,¹⁶ and much of this Tannaitic material continues to be debated and elaborated in later rabbinic (Amoraic) compilations, primarily in the Babylonian Talmud.¹⁷ The rabbinic sacrificial corpus, as I will refer to it throughout this book, does not treat sacrifices as metaphors or as placeholders of the forlorn past: rather, sacrifices are construed in this corpus as integral parts of the greater picture rabbinic texts aim to construct, a picture of life in accordance with the rabbis' interpretation of the Torah's law. This book's point of departure is the implicit claim that the early rabbinic sacrificial corpus makes through its very existence, namely, that sacrificial worship is an inherent component of the rabbis' legal, social, and religious vision. It thus sets out to explore how the early rabbis thought about the function, purpose, workings, and value of sacrifices by turning to the abundant rabbinic material that speaks at length about sacrifices, rather than to the relatively small collection of passages that speak about the lack thereof.

To be clear, this book is not an inquiry into sacrificial practices in early Judaism, whether before or after the destruction of the Jerusalem temple. Rather, it is an

Laws: Developments in the Sacrificial Cult in Practice and Theology (Berlin: Walter de Gruyter, 1999), 377–82; most recently, Moshe Halbertal, *On Sacrifice* (Princeton: Princeton University Press, 2012), 37–53. The paradigm of “substitution” will be discussed at length in the conclusion.

14. For some of the most oft-quoted examples, see BT Berakhot 17a, 26b; BT Sukkah 49b; BT Mō'ed Qatan 28a; BT Sotah 5b; BT Menaḥot 110a.

15. For an insightful discussion of this question, see Klawans, *Purity, Sacrifice, and the Temple*, 198–202.

16. This includes twenty of the sixty tractates of the Mishnah (and seventeen of the fifty-seven tractates of the parallel Tosefta), and about two-thirds of Midrash Sifra on Leviticus, in addition to substantial discussions in Sifre on Numbers and Sifre on Deuteronomy.

17. The Palestinian Talmud as it stands before us does not include the tractates of Order Qodashim (“Holy Things”) of the Mishnah, in which the majority of sacrificial material is contained. On the question of whether such tractates existed and in what form, see Yehoshafat Harel, “Palestinian Sugyot for Seder Qodashim” (PhD diss., Hebrew University, 2004).

inquiry into intellectual history: it ventures to understand how sacrifice as a religious concept and as a biblical trope was interpreted, reworked, and approached by a group of Jewish intellectuals in Roman Palestine in the first three centuries of the Common Era. Put differently, my purpose is to use Tannaitic sources to reconstruct a rabbinic *theory of sacrifice* and a rabbinic *ethos of sacrifice*. I am guided by the premise that rabbinic legal-ritual discourse (often referred to as *halakhah*) is a quintessential mode of intellectual and ideational expression, and by the conviction that the rabbis do not use their normative compilations simply to “tell people what to do” but also and perhaps especially to articulate religious views and ideals.¹⁸ My argument, as it will unfold throughout the book, is that the early rabbis present remarkably innovative perspectives on sacrifices, and radical interpretations of biblical cultic institutions, and that their reinvention of sacrifice gives it new meanings within the greater context of the rabbis’ social and religious ideology. Whether the rabbis’ transformations of the biblical sacrificial system took place despite the impracticality of sacrifice at their time or because of the impracticality of sacrifice at their time we cannot know: but what I will show in detail is that the impracticality of sacrifice did not in any way make this area of biblical law a fossilized, stagnant, or inconsequential one in the rabbis’ creation.

Throughout the book I will frequently refer to the panoply of rabbinic ideas and ideals on sacrifices as “the rabbis’ sacrificial vision” (without suggesting, as I will explain below, that the rabbis all speak in the same voice). I use this phrase as a way of suggesting that the rabbis create in their works an elaborate and vivid picture of sacrificial processes, actions, structures, substances, and even accidents, which rests on their notions of what sacrifice should be. In other words, the rabbis generate a *descriptive* account of sacrifices that is guided by a *prescriptive* view of cult, worship, individual, and community. In this regard the rabbinic sacrificial corpus is not entirely unlike two earlier textual compilations that offer an idealized description/prescription of sacrifice and cult, on which the rabbis heavily rely: chapters 40–48 of the book of Ezekiel and the Priestly and Holiness Codes of the Pentateuch. Neither of these texts describes a sacrificial setting that actually existed and functioned in its authors’ own time. Ezekiel walks the reader through a temple that was revealed to him “in the visions of God” fourteen years after the destruction of Jerusalem by the armies of Nebuchadnezzar,¹⁹ whereas the Priestly and Holiness Codes, which were presumably composed during or after the Babylonian

18. In this conviction I follow Jon Levenson, who put it in the following succinct words: “In the Hebrew Bible, as elsewhere in the cultural world in which it was composed, law often articulates a theological and moral ideal: it does not always stipulate a practice that all can reasonably be expected to undertake.” Jon D. Levenson, *The Death and Resurrection of the Beloved Son: The Transformation of Child Sacrifice in Judaism and Christianity* (New Haven: Yale University Press, 1993), 15.

19. Ezekiel 40:1–2.

exile of the sixth century B.C.E., present their ritual legislation as pertaining to the tabernacle or “the Tent of Meeting” that the Israelites carried through the wilderness.²⁰ Both Ezekiel and the Priestly and Holiness Codes (which agree on many details of the sacrificial cult, but not on all of them) conjoin sacrificial practices with which they were actually familiar, literary themes and ideas found in earlier traditions, neo-Babylonian concepts of worship and of civil religion, and fantasies on the ideal relations of space, society, and authority.²¹ It is virtually impossible to tell whether any of those authors were concretely interested in reforming an existing set of cultic practices, or in instituting a new set of cultic practices, in their own time and place or in a foreseeable or distant future. What matters for our purposes is that both Ezekiel and the Priestly and Holiness Codes are literary creations that put forth textual accounts of an idealized sacrificial cult as part of a more comprehensive religious and social agenda. I maintain that this is exactly how we should approach the rabbinic sacrificial corpus.

While the rabbinic sacrificial corpus is not a “vision” in the same way that Ezekiel 40–48 is a vision (that is, the rabbis do not claim to have “seen” the workings of the temple through divine revelation), this corpus does present a vision insofar as it builds a complex and vivid picture not of what is, but of what the authors think can be and should be. This picture is woven of threads of imagination and interpretation, memory and hope, necessity and fantasy. The fact that the rabbis have such a robust vision of the sacrificial cult does not tell us anything about whether, how, and when they thought this vision would ever be materialized. The only thing it tells us is that when the rabbis approached the topic of sacrifice as part of the greater edifice of Torah-based practice, they had distinct ideas about what sacrifice is, how it ought to be performed, and what its place is in the overarching scheme of Jewish life.

This book, then, seeks to understand the rabbinic sacrificial vision by tracing the junctures at which the rabbis, in reworking the biblical material that forms the basis of their legislation regarding sacrifices and temple cult, significantly depart from the biblical texts and present revolutionary perspectives. By piecing together those different departures and the innovations that the rabbis introduce to the sacrificial system we are able, I argue, to identify some of the conceptual and ideological underpinnings of the rabbis’ interpretive and legislative enterprise as they approach the topic of sacrifice. This book proposes that through careful scrutiniz-

20. On the historical context of the Priestly and Holiness Codes’ cultic legislation, see Ronald E. Clements, *God and Temple* (Philadelphia: Fortress Press, 1965), 100–122.

21. On the Priestly and Holiness Codes and their construction of the cult, see David P. Wright, “Ritual Theory, Ritual Texts, and the Priestly-Holiness Writings of the Pentateuch,” in *Social Theory and the Study of Israelite Religion: Essays in Retrospect and Prospect*, ed. Saul Olyan (Atlanta: Society of Biblical Literature, 2012), 195–216; on Ezekiel’s Temple vision, see Kalinda Rose Stevenson, *The Vision of Transformation: The Territorial Rhetoric of Ezekiel 40–48* (Atlanta: Scholars Press, 1996).

ing and analysis, out of the minute and often very technical details of the rabbinic texts on sacrifices emerges a rich and intriguing theory of sacrifice as a religious, social, and political practice.

THE SACRIFICIAL CORPUS

This book focuses in particular on the portions of early rabbinic literature, commonly known as Tannaitic literature,²² that deal extensively with the topic of sacrifice and temple cult. The Tannaitic compilations (all, to the best of our knowledge, composed in Roman Palestine) include the Mishnah, a normative codex that was finalized in the first quarter of the third century C.E.; the Tosefta, a codex structured as parallel and complementary to the Mishnah, which is presumably contemporaneous with it or somewhat later;²³ and the Tannaitic or “halakhic” midrashim, exegetical works on the books of Exodus, Leviticus, Numbers, and Deuteronomy, all roughly dated to the third century as well.²⁴ These works are all collective, composite, and multilayered: they have no single author, but contain an array of traditions, both anonymous and attributed to named rabbis, collected and compiled over a lengthy period of time. These works consist of a wide variety of genres—narratives, apodictic rulings, hermeneutic discussions, homilies, lists, and inquiries into case studies—and they also contain a wide variety of opinions: sometimes named rabbis are explicitly presented as disagreeing with each other on

22. The term “Tannaitic” comes from the noun *tanna*, literally “reciter.” The word *tanna* is used in the later strata of rabbinic literature to refer both to the early rabbis whose traditions are collected in the Mishnah and other contemporaneous compilations, and to individuals who memorized and recited those traditions in later periods upon demand.

23. For several decades, scholars have been debating whether the Tosefta is later than the Mishnah and should be seen as an early commentary on it, earlier than the Mishnah and should be seen as its main source, or the two are free renditions of the same essential text. See Abraham Goldberg, “The Tosefta—Companion to the Mishnah,” in *The Literature of the Sages*, vol. 1, ed. Shmuel Safrai (Assen: Van Gorcum, 1987), 283–302; Shamma Friedman, “Mishna-Tosefta Parallels” [Heb.], *Proceedings of the 11th World Congress of Jewish Studies C.1* (1994): 15–22; Friedman, “The Primacy of Tosefta to Mishnah in Synoptic Parallels,” in *Introducing Tosefta: Textual, Intratextual, and Intertextual Studies*, ed. Harry Fox, Tizah Meacham, and Diane Kriger (Hoboken, NJ: Ktav, 1999), 99–121; Martin Jaffee, *Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism, 200 BCE–400 CE* (New York: Oxford University Press, 2001), 39–61; Judith Hauptman, *Rereading the Mishnah: A New Approach to Ancient Jewish Texts* (Tübingen: Mohr Siebeck, 2005); Elizabeth Shanks Alexander, *Transmitting Mishnah: The Shaping Influence of Oral Tradition* (New York: Cambridge University Press, 2006), 35–55. I tend to adopt Shamma Friedman’s view of the Tosefta as a compilation of various materials relevant to the Mishnah: some of these materials are the sources of the Mishnah, some of them are later interpretations, etc., but the compilation as a whole is later.

24. See the helpful survey in Menahem 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), 3–106.

a given matter, and other times a close study of the texts reveals incongruities and differences in approach either within the same compilation or across different compilations. All of this is to say that the term “the rabbis,” which I use repeatedly in the book to refer to the agents behind the ideas, interpretations, and innovations that will be examined in the following chapters, is very much an artificial construct. “The (early) rabbis” are essentially the aggregate of many voices that were preserved through the compilations mentioned above, voices that speak of different things, from different perspectives, with different concerns. Moreover, these voices themselves arrive at us mediated by centuries of additions, emendations, interpolations, and scribal errors, such that our ability to construct any real flesh-and-blood rabbis through these texts is very limited.

Nevertheless, despite the great variety and multivocality that characterize rabbinic literature, a close examination of the Tannaitic sacrificial corpus in its entirety reveals that there are fundamental ideas, convictions, and legal and ritual principles that prevail throughout the corpus and constitute a shared and uncontested foundation. In other words, there is a certain horizon of possibilities and expectations that determines how and with which conceptual categories the rabbis approach the topic of sacrifice, and this horizon is traceable in the Tannaitic corpus notwithstanding the many variations of opinion, rhetoric, and focal points found in specific texts. For example, as will be discussed in chapter 2, a fundamental principle that governs rabbinic sacrificial legislation across the board is that the application of the victim’s blood to the altar is the most important and decisive component of the sacrificial ritual. Different passages then present a variety of opinions on the extent to which blood is more critical than other components and on the dispensability of sacrificial substances that are not blood, but they all nonetheless work within the same framework that identifies the primacy of blood in the process. To take another example, there is an overwhelming consensus across different rabbinic compilations that congregational offerings can only be made using public funds, as will be discussed in chapter 3, although there is some nuance between different compilations as to what makes funds “public.” The book aims to reconstruct the horizon of possibilities and expectations that orients the rabbinic discourse on sacrifice in its broadest terms, while also giving account of the controversies, divergences, and shifting emphases that emerge in different textual junctures.

By referring to the ideational principles and frameworks that we see in Tannaitic compilations as “rabbinic” I am not presuming to make a claim on the exact point in time in which these frameworks and principles emerged. It is certainly possible that some of the rulings and concepts that appear in the Tannaitic literature were developed during the time of the temple, and perhaps were shared or even taken for granted among different Judean circles around the turn of the Com-

mon Era.²⁵ There are various areas of legislation in which we can identify strong resonance between Tannaitic texts and earlier texts from the Second Temple period (537 B.C.E.–70 C.E.),²⁶ and it is not inconceivable that if we had elaborate treatises on sacrifice from this period we would find in them echoes of the sacrificial discourse of the rabbis. However, extant texts from the Second Temple period offer nothing even remotely similar to the Tannaitic sacrificial corpus insofar as none of them is concerned with the actual *workings* of sacrifice. Texts from the Second Temple period dedicate much attention to the appearance of the temple and the priests,²⁷ to the types of offerings made on different festivals,²⁸ to the substances that can be used for sacrificial purposes,²⁹ and to the behavior of the priests and of the worshippers during the rituals.³⁰ But no text that precedes the Tannaitic corpus—at least none that is available to us—engages with questions such as what makes a sacrifice valid, how to correct sacrificial mishaps, what the relation between public and private offerings is, what constitutes a fulfillment of a sacrificial duty, and similar questions that stand at the heart of the rabbinic corpus. As Joshua Schwartz has shown in detail, Second Temple sources tell us almost nothing about the actual mechanisms of sacrifice, perhaps because while the temple cult was still active and vibrant these issues were too trivial to be of concern.³¹ Thus, when I describe certain rabbinic ideas as innovative or revolutionary, I do not propose that the innovation is necessarily a product of the second or third

25. Thus, for example, Meir Bar-Ilan argues that tractates Tamid and Middot of the Mishnah should both be understood as polemical documents, created specifically in contestation of sectarian positions found in various compilations from the Second Temple period and thus reflecting more general debates about the temple and its cult in Judea of the turn of the Common Era. See Meir Bar-Ilan, “Are Tamid and Middot Polemical Tractates?” [Heb.], *Sidra* 5 (1989): 27–40.

26. See, for example, Hanoch Albeck, “The Book of Jubilees and the Halakhah,” *Jewish Studies* 45 (2008): 3–48; Ya’akov Sussman, “The Study of the History of Halakhah and the Dead Sea Scrolls: First Talmudic Contemplations in Light of the *Miqsat Ma’ase ha-Torah* Scroll” [Heb.], *Tarbitz* 59 (1990): 12–76; Ahron Shemesh, *Halakhah in the Making: The Development of Jewish Law from Qumran to the Rabbis* (Berkeley and Los Angeles: University of California Press, 2009); Vered Noam, *From Qumran to the Rabbinic Revolution: Conceptions of Impurity* [Heb.] (Jerusalem: Yad Ben Zvi Press, 2010).

27. See Steven Weitzman, *Surviving Sacrilege: Cultural Persistence in Jewish Antiquity* (Cambridge, MA: Harvard University Press, 2005), 79–95.

28. See especially Lawrence Schiffman, *The Courtyards of the House of the Lord: Studies on the Temple Scroll* (Leiden: Brill, 2008), 297–380; Schiffman, “Sacrifice in the Dead Sea Scrolls,” in *The Actuality of Sacrifice: Past and Present*, ed. Alberdina Houtman, Marcel Poorthuis, Joshua Schwartz, and Joseph Turner (Leiden: Brill, 2014), 89–106.

29. See Martha Himmelfarb, *Between Temple and Torah: Essays on Priests, Scribes, and Visionaries in the Second Temple Period and Beyond* (Tübingen: Mohr Siebeck, 2013), 61–78.

30. See Jutta Leonhardt, *Jewish Worship in Philo of Alexandria* (Tübingen: Mohr Siebeck, 2001).

31. Joshua Schwartz, “Sacrifice without the Rabbis: Ritual and Sacrifice in the Second Temple Period according to Contemporary Sources,” in Houtman et al., *The Actuality of Sacrifice*, 146.

century C.E., but only that there is no textual precedent for this idea that predates the Tannaitic corpus.

The systematic and innovative treatment of sacrifice in rabbinic literature is not limited to the Tannaitic corpus, but can be found also in the Amoraic literature that was composed in Palestine and Babylonia approximately between the third and sixth centuries C.E. Several tractates of the Palestinian and Babylonian Talmuds are dedicated in part or in their entirety to aspects of the sacrificial cult,³² and random discussions about sacrifices regularly appear as part of larger scholastic endeavors in hundreds of places throughout the two Talmuds. The Talmudic material on sacrifices, however, is not included in this book's inquiry and is not mentioned except on occasion, when it provides important alternative versions or pertinent explanations for the Tannaitic material. Although many traditions that appear in the Talmuds are presented as Tannaitic in provenance through their attributions to early rabbis or through the terminology with which they are introduced, I am generally reluctant to include those traditions in the Tannaitic corpus, as I find it virtually impossible to assess the "authenticity" of such passages. My choice to restrict the book to the material that appears in the Tannaitic compilations derives from my aim to present a relatively synchronic picture of rabbinic approaches to sacrifices, rather than to outline a trajectory of development or change throughout the rabbinic period as a whole. Since the Talmudic discussions on sacrifice almost exclusively rely on and set out from the Tannaitic corpus, I consider Talmudic materials to be important aids in approaching the earlier material, but see them as a "second story" on top of the Tannaitic foundations rather than as sources through which the foundations themselves can be reconstructed.

To the extent that aspects or components of the Tannaitic sacrificial corpus received attention in modern scholarship, this attention was most often guided—explicitly or implicitly—by one predominant question, namely, why this material exists in the first place. This question pertained less to the Tannaitic midrashim, whose engagement with sacrificial issues can easily be understood as dictated by the content of the Pentateuchal books around which the midrashim are structured, but was forcefully presented in regard to the Mishnah (and the parallel Tosefta), which are self-standing normative codices. Taking it for granted that the Mishnah is a legislative code that seeks to enforce certain modes of behavior on the Jewish populace of the authors' time, scholars pondered the question of why such significant portions of the Mishnah are dedicated to practices and institu-

32. The Talmudic tractates that discuss sacrifices and temple cult extensively are *Pesaḥim*, *Yoma*, and *Ḥagigah* (both in the Palestinian Talmud and in the Babylonian Talmud); *Sheqalim* (Palestinian Talmud only); *Zevaḥim*, *Menahot*, *Ḥullin*, *Bekhorot*, *Arkahin*, *Temurah*, *Karetot*, *Me'ila* (Babylonian Talmud only).