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THE TARGUMIM AND HALAKHA

By Professor JOSÉ FAUR

I. *Targumic and Rabbinic Studies—A question of methodology.*

A BASIC QUESTION, affecting both Targumic and Rabbinic Studies, concerns the authority of the *Targumim* (= T). Are the views and traditions contained in T indicative of the actual views and traditions current among the Jews at the time, or do they merely express a personal view of the *Meturgeman* ('translator')? Specifically: When T does not conform with the *Halakha* (= H), i.e., the normative view expressed in the Classical Rabbinic Texts (= RL), is it because T transmit a different and perhaps earlier H, or is it because T is transmitting a "personal view", whereas RL is transmitting an "authoritative opinion"?

This question bears directly upon the methodology to be applied to both Targumic and Rabbinic Studies. Were one to maintain that T expresses a "personal view", then discrepancies between T and H are fortuitous. Accordingly, RL, specially in matters concerning H, could not be used as valid criteria to establish the frame of reference and historical context of T. The only valid criterion would be one established on the basis of philological studies. However, since the materials that have reached us are, so far, insufficient to establish a definite philological basis, it means that unless some new dramatic discovery is made, the historical context of T will remain inconclusive. In the field of Rabbinic Studies, the foregoing view implies that the materials contained in T may not be used as valid criteria to understand the history and development of H. An effect of this view is that, for all practical purposes, the earlier and less developed stages of H may not be the object of scientific study. H as contained in RL represents a very advanced stage of development. The different

Halakhic traditions found in T and other texts which are not included in RL are to be considered, by definition, as "apocryphal" and "personal views", not as "authoritative".

In the course of my studies of Targumic and Rabbinic materials I maintained that a closer contact between these two fields would result in a better understanding of the entire intellectual and historical process of Judaism of which both Targumic and Rabbinic literature are the main—but not the only—sources of evidence. In what concerns the frame of reference and historical context of T, I maintained that much evidence—in my opinion conclusive evidence—could be gained by examining the H in T in light of the H in RL. To my mind, a close analysis of H in T will definitely show that the context of T, Neofiti 1 in particular, is pre-Mishnaic. In the field of Rabbinic Studies, a more significant insight into the history and function of H could be gained by examining its earlier stages as reflected in T. On occasion, a close analysis of H in both T and RL could help discover the specific historical circumstances behind the development of some halakhic point. An excellent illustration of this approach may be seen in the doctoral thesis of Dr. Moise Ohana, recently presented at the University of Barcelona.¹

2. *The nature of the Targumic Traditions*

The best exponent of the thesis that T represent only a "personal view" and therefore do not bear upon H, was H. Albeck.²

The major points of Albeck are two: (i) A distinction must be made between *Peshaṭ*, literal sense of the text, and *Derash*, exegesis that is a further elaboration of the text. (ii) Rabbinic tradition tolerated dissident opinions. Accordingly, the differ-

¹ For an illuminating discussion of the major points of Ohana's thesis, see Alejandro Díez-Macho, *El Targum*, Barcelona, 1972.

² "Apocryphal Halakha in the Palestinian Targums and the Aggadah", [heb.] in *Jub. Vol. to B. M. Lewin*, Jerusalem, 1940, pp. 93-104.

ences between RL and T may be the result of the *Meturgeman's* view as to what the *Peshaṭ* of the text is, without any implication as to what the *Derash* really is. Furthermore, even when actual differences between T and RL are found, this does not imply that these differences in interpretation were also differences in practice. The traditions contained in T may have been only at the theoretical level, representing a personal view as to what H *should* have been, not what was *actually* the case.

In an article published recently,³ Ohana reexamined the question of the authority of T. Specifically, Ohana challenged Albeck's thesis that T do not represent an authoritative opinion but, rather, the personal view of the *Meturgeman*. Ohana pointed out that Albeck's distinction between *Peshaṭ* and *Derash* is a gross anachronism. The foregoing distinction was introduced late in the Middle Ages.⁴ Moreover, *Peshaṭ* in RL represents the generally agreed meaning, rather than the literal sense of the text.⁵ In regard to the second point of Albeck, Ohana observed that the *Meturgeman* was neither uneducated, to be charged with flagrant ignorance of H, nor a scholar to be accorded the privilege of "dissenting" from the established norm. Rather, he was an

³ Moïse Ohana, "Agneau Pascal et Circoncision: Le Problème de la Halakha Premishnaïque dans le Targum Palestinien", *Vetus Testamentum*, XXIII (1974), pp. 385-399.

⁴ *Ibid.*, pp. 388-390.

⁵ The term *peshaṭ* appears in RL in the sense of "usual, frequent, habitual", e.g., "... the left hand that it is not accustomed (*peshta*) to execute the commandments" (*Midrash Tanhuma*, [Constantinople ed., offset reproduction by Makor: Jerusalem, 1971], p. 30b). The rabbinic expression—*pashṭe de-gera*, should be understood as "the usual or common interpretation of the verse". Consider, for example, *Talmud Hullin*, 6a where, obviously, *pashṭe de-gera* has nothing to do with the "literal" meaning of the verse. In the summer of 1972, when visiting Barcelona, I expressed to Dr. Alejandro Díez-Macho my opinion that conceptually, *Peshaṭ* corresponds to *Dabar Sheḥasaduqim Modim Bo*, "Something that is agreed upon [even] by the Ṣadoqites (Sectarians)" i.e., something universally agreed by all Jews who have acquired an elementary education, see upon *Sanhedrin*, 33b.

integral part of his natural *milieu*, the *Bet Midrash*, and expressed the views and traditions of this institution.⁶

Ohana's arguments are both convincing and decisive. His refutation of Albeck's thesis is founded, both historically and conceptually, on solid grounds. However, to my mind, the question concerning the authority of T is so momentous, and the implication affecting the methodology to be applied to Targumic and Rabbinic Studies so radical, that an effort should be made to find a more positive type of evidence. Rather than to treat the question in abstract, as Albeck did, one should consider this question in light of what the Rabbinic Authorities expressed upon this matter. Specifically, since the Targumic Literature in question originated and circulated in Israel, it would be illuminating to examine the position of the Palestinian Talmud (= PT) on this subject. Strange as it may seem, Albeck as well as other Talmudic scholars who examined this problem, overlooked the position of the PT on this matter. And yet, PT makes it abundantly clear that the *Targum* was considered to express the authoritative standard H. Therefore, when the *Meturgeman* recited a Targumic version that implied even a subtle deviation from standard H, he was censured and requested to recite a targumic version that conformed with H.

⁶ "Agneau Pascal et Circoncision", pp. 397-399. It is worth noting that the *Targum* was explicitly excluded from the category of *Hora'a*, "personal authoritative view", see *Sifra*, [L. Finkelstein], New York, 1956, p. 200, *Shemini*, 7 IX, 1. Rabbi Abraham of Posquières, in his *Commentary to the Sifra*, [Vienna ed. offset reproduction: New York, 1947], fol. 46b, remarked that the *Targum* is not *Hora'a*, since its teachings are at the most elementary level. PT *Nedarim*, IV, 3 fol. 38c, included T in the category of "*Tora Shebikhtab*, ('Scriptures'), in regard to the permissibility of demanding wages for teaching it. As to the character and meaning of *Hora'a*, see *Keritut*, fol. 13b and *Horayot*, 2a. Albeck knew this *Sifra* and referred to it in his article (cited above, note 2) p. 95 note 4. However, from the context of that note it is not clear what he had in mind with this reference. It seems that the meaning of this passage had escaped his attention. Otherwise, it would have made no sense to maintain that the *Targum* expresses the "personal view" of the *Meturgeman*.

3. *Authority of the Targumim*

The authority of T is well established in PT. In a passage appearing both in *Bikkurim* III, 5 and *Megilla* IV, 1 the point is made that although it is not absolutely necessary to recite the Aramaic version during the reading of the *Tora*, when recited it must reflect the standard H. The three participants are Rabbis known to have flourished in Israel during the first half of the fourth century. One of them, R. Yermiya, deserves special attention. He happens to be our source "that 'Aqilas the Proselyte translated the *Tora* in front of [*lifne*]⁷ Ribbi 'Eli'ezer and Ribbi Yehosua' and he was praised". Often in Rabbinic Literature, *lifne*, "in front of" indicates "under the authority or supervision of". Accordingly, the Greek version of 'Aqilas was officially approved by two of the most distinguished Rabbinic authorities of the time. Obviously, this tradition testifies to the principle that the translation of the *Tora*, far from being treated as "a personal view" of the translator who had the right to "dissent", required Rabbinic sanction and approval. In the following passage, R. Yermiya, as well as his two other colleagues, leave no doubts that this principle was held in practice as well as in theory.

PT *Megilla*, IV, 1:

Ribbi Yona said: Although it was said that [reciting] the *Targum* [at the reading of the *Tora*] does not constitute an impediment, if he [the *Meturgeman*] made an error he must be corrected. Ribbi Yona, Ribbi Yermiya; one objected [when the *Meturgeman* translated] *Mana*. [Instead] he must say: *Salla*; the other objected [when the *Meturgeman* translated] *Peṭirin 'im Yarqin*. [Instead] he must say: *Peṭirin 'im Merorim*. However, we do not know who said this and who said that. [This may be determined] on the basis of what Ribbi Yona said: Is it permissible to bring

⁷ See PT *Megilla*, I, 11. Cf. Saul Lieberman, *Greek in Jewish Palestine*, New York, 1965, pp. 17-18.

them [the *Bikkurim*] on a silver tray? [His answer was in the negative]. Therefore you must conclude that he was the one who objected [when the *Meturgeman* translated] *Mana*, and demanded that instead he should say *Salla*. Ribbi Pineḥas objects [when the *Meturgeman* translated] *Peṭimin bene Torin*. [Instead] he should say: *Torin ubne Torin*.

As R. Yehosua^c Benveniste (1590-1665) pointed out, the foregoing passage refers to the Aramaic translations of the Pentateuch recited at the Synagogue.⁸ The major thesis of the above passage is that although it is not absolutely necessary to recite the Aramaic version of the Tora, nonetheless, if recited, it must be a version that reflects the standard H. Special attention is to be paid to nuances that may suggest an Halakhic interpretation that differs from standard H. Accordingly, whenever the *Meturgeman* falls into such errors he must be censured, and the correct version must be recited instead. The Talmud proves this thesis on the basis of the practice of Ribbi Yona and Ribbi Yermiya. These scholars censured the *Meturgeman* when he translated *Ṭene* (Dt 26, 2, 4) as *Mana* ('a vessel'), and *Maṣṣot u-Merorim* (Nu. 9, 11) as *Peṭirin 'im Yarqin* ('unleavened bread and greens'). They demanded that the *Meturgeman* should translate, respectively, *Salla* ('a basket'), and *Peṭirin 'im Merorim* ('unleavened bread and bitter-herbs'). The difference between these two versions is Halakhic. The version *Mana*, implies that the *Bikkurim* may be brought in any vessel, whereas according to Ribbi Yona it must be brought in a basket. Likewise, Ribbi Yermiya objected to the version *Peṭirim 'im Yarqin*, since it implies that any kind of vegetables may be used in the Pascal supper, whereas H demands that only bitter-herbs may be used. Similarly, Ribbi Pineḥas censured the *Meturgeman* when he recited the version *Peṭimin* ('fat') *bene Torin* ('pigeons'), since it implies that the biblical term *Torim*, which *Peṭimin*

⁸ R. Yehoshua^c Benveniste, *Sede Yehoshua^c, Talmud Yerushalmi, Sede Mo'ed*, Constantinople, 5514, *Megilla*, fol. 33a-b.

is translating, refers to large (i.e. 'fat') pigeons rather than to turtle-doves.⁹

It is worth noticing that two of the three cases treated above were of no immediate and practical consequence. Rather, they belonged to the realm of "theoretic H" since they are matters applicable only at the time of the Temple. Nonetheless, special care was exercised even in this area of Jewish law. It goes without saying that in matters of more immediate consequence, e.g., what kind of vegetable may be used for the Passover supper, that the Rabbis were not less concerned as to the Halakhic implications of T.

In concluding our brief discussion, it may be said that the Rabbis flourishing in Israel did not consider Targumic literature to be "a personal view" of the *Meturgeman*, neither did they accord him the privilege to "dissent" from the accepted halakhic norm. Rather, they demanded that the Aramaic version should comply with standard H. Even subtle nuances, as the three cases examined above, were censured. It is obvious therefore, that the Rabbinic Authorities did not consider the differences between T and RL to be fortuitous. It is most noteworthy that the three Rabbis who censured the *Meturgeman* flourished in Israel in the fourth century when the main Corpus of RL produced in Israel, was already formed. The Rabbis, who were the teachers and guardians of RL, saw quite clearly the effects that a Targumic version projecting a different Halakhic tradition, would have had upon the Jewish Community. Perhaps it is significant to observe that this concern was manifested in Israel rather than in Babylonia. There were two main reasons for this. To begin with, at that time, Jewish sectarians and Christians were quite active in Israel.¹⁰

⁹ For a different interpretation, see B. Ratner, *Ahawah Zion we-Jeruscholaim*, (heb.), *Megilla*, Vilna, 1912, p. 82; and *Sede Yehoshua*⁶, cited above, note 8.

¹⁰ For some glimpses on this matter, cf. 'Aboda Zara, 4a; *Sanhedrin*, 38b; PT *Sanhedrin*, XVII, 6, fol. 29c; XVI, 1, fol. 24d. I have further developed this subject in my forthcoming book, *Tyyunim*

Secondly, in Babylonia only the *Targum Onqelos*, which as a whole conforms with standard H was recited. Therefore there was no problem of conflicting "authoritative" traditions. The problems that T of the type of Neofiti I posed to the Rabbinic authorities, are to my mind the major reason for their limited circulation and eventually almost complete oblivion.¹¹

u-Meḥqarim be-Mishne Tora, vol. I, (Jerusalem: Mossad Harav Kook), Section "Aboda Zara", chapters 4 and 5.

¹¹ On some of these problems see the excellent discussion by Moïse Ohana, "Prosélytisme et Targum palestinien: Données nouvelles pour la datation de Néofiti 1", *Biblica*, 55 (1974), pp. 317-332.