

The Beruriah Incident: Tradition of Exclusion as a Presence of Ethical Principles

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Zusammenfassung

Die Geschichte, die als Beruria-Geschehnis bekannt ist und sich in Rashi's Kommentar zu *bAvodab Zarab* 18b (dem ATU Typus 920A* und 823A* ähnlich) findet, beschreibt das Scheitern und tragische Ende von R. Meir und seiner Ehefrau Beruria – beide gelten als tannaitische Identifikationsfiguren. In diesem Artikel wird die Authentizität dieser Geschichte untersucht. Dabei wird die Spur ihrer Verbreitung innerhalb der traditionellen jüdischen Gesellschaft vor der Moderne verfolgt. Weiterhin werden einzelne Bestandteile der Geschichte mit rabbinischer und internationaler volkstümlicher Literatur verglichen.

Abstract

The story known as the Beruriah Incident, which appears in Rashi's commentary on *bAvodab Zarab* 18b (related to ATU types 920A* and 823A*), describes the failure and tragic end of R. Meir and his wife Beruriah, two tannaic role-models. This article examines the authenticity of the story by tracking the method of distribution in traditional Jewish society before the modern era, and comparing the story's components with rabbinic literature and international folklore.

* Formal aspects of the genealogy of this story reviewed by: Itamar Drori, 'The Beruriah Incident,' *Encyclopedia of the Jewish Story: Sippur Okev Sippur* (Eds. Y. Elstein and A. Lipsker), vol. III (Ramat-Gan, 2013), pp. 115–154 (forthcoming).

Introduction

R. Meir arose, fled, and came to Babylonia; there are those who say due to this incident, and others who say due to the incident of Beruriah.

bAvodah Zarah 18b

One time she [Beruriah] mocked that which the sages said: Women are light minded. He [R. Meir] said to her: By your life! You will eventually concede [to the correctness of] their words. He instructed one of his disciples to tempt her to infidelity. He [the disciple] urged her for many days, until she consented. When the matter became known to her, she strangled herself; while Rabbi Meir fled because of the disgrace.

Rashi on bAvodah Zarah 18b¹

The tragic story of the fate of Beruriah and R. Meir has recently been the center of a cross-disciplinary debate regarding several issues emerging from this tale: philological-historical, Talmudic, literary and gender-related.² The primary motivation for the revival of the Beruriah Incident seems to be the desire to rewrite it, or place it in a new context that is not possible in traditional readings of the text.

The temptation to ‘correct’ the situation, and present the Beruriah Incident as foreign to Jewish culture, led to a disregard of the centrality of Rashi’s³ commentary, which was viewed as a ‘secondary text.’ In the late Middle Ages, Rashi’s commentary was already considered an integral part of Talmudic reading, and the study of this commentary was viewed as a required supplement to the study of Talmud. The attempt to discuss the accuracy of Rashi’s text independently from its historical acceptance that includes such terminology as ‘canon,’ ‘marginal,’ and ‘prejudice,’ is tantamount to erasing reading consciousness spanning at least 500 years, from the 16th to the 20th century. Examining the story within the expanse of Jewish thought prior to the 20th century may

¹ English: David Goodblatt, ‘The Beruriah Traditions,’ *JJS* 26 (1975), p. 78.

² Including, among others: Daniel Boyarin, ‘Diachronic vs. Synchrony: The Legend of Beruriah,’ *Jerusalem Studies in Jewish Folklore* 11–12 (1990), pp. 7–17; Brenda Bacon, ‘How Shall We Tell the Story of Beruriah’s End?’ *Nashim* 5 (2002), pp. 231–239; Dalia Hoshen, *Beruriah the Tannait* (Lanham: University Press of America, 2007); Eitam Henkin, ‘The Mystery of the Incident of Beruriah: A Suggested Solution,’ *Akdamot* 21 (2008), pp. 140–159.

³ R. Shlomo b. Issac, Ashkenaz and Northern France, 1040–1105.

shed light on various aspects of the story as an intrinsic cultural phenomenon in pre-modern traditional Judaism.

This essay examines the validity of two paradigmatic conventions at the core of prevalent critical analysis:

A. The Philological-Historical paradigm: The scarcity of documents that reference the story is an essential flaw in the document's authenticity. Had the precarious foundation of the story been widespread knowledge in previous generations, its status within traditional Jewish society would have been undermined long ago.

B. The Normative-Ethical paradigm: The values embedded in the Beruriah Incident are foreign to Talmudic philosophy and Midrashic texts.

A. The Scarcity of Documents:

The Philological-Historical Standing of the Story

The earliest known version of the Beruriah Incident appears in MS Parma Palatina 3155 (De Rossi 1292), the only manuscript containing Rashi's full commentary of *bAvodah Zarab*. The manuscript dates back to the beginning of the 14th century, around 200 years after Rashi's death, and is written in Sephardic-rabbinic style.⁴ Rashi's version, which preserves a singular tradition of the Beruriah Incident, is well known from the printed version of Talmud with Rashi's commentary (*Avodah Zarab* 18b). The earliest known version of this text was printed in Venice (1520).⁵ The manuscript includes minor variations compared with the printed version, which are discussed elsewhere.⁶ Ed. Venice is the prevalent version of Rashi's commentary to this day.

Mapping the migration of the story based on the appearance of different versions indicates a movement into the Sephardic sphere. In the 14th century,

⁴ The story appears *ibid.* pp. 65a–65b. I thank Noga Rubin who helped me locate and compare Rashi's versions at the Institute of Microfilmed Hebrew Manuscripts in the National Library, Jerusalem. MS P is the only known manuscript that includes all of Rashi's commentary on tractate *Avodah Zarab*, and specifically on 18b. Six additional fragments of the commentary that relates to other sections of the tractate survived. See: *A Tentative Catalogue of Manuscripts of the Rashi Commentary to the Talmud* (ed. S. Munitz and S. Pik; Ramat Gan: Bar-Ilan University, 1988, p. 45); Jonah Frankel, 'Nussah Perush Rashi,' *Darko Shel Rashi be-Perusho la-Talmud ha-Bavli* (Jerusalem: Magnes, 1977), p. 13, no. 39.

⁵ Only broken fragments survived from earlier versions of *bAvodah Zarab* with Rashi's commentary, such as the MS Guadalajara from Spain and MS Faro from Portugal (1480s). These do not include the relevant commentary on *bAvodah Zarab*. See: H. Dimitrovsky, *Seridei Bavli im Mavo Bibliographi-Histori* (New York: Beit ha-Midrash le-Rabanim be-Amerikah, 1979).

⁶ *ibid.* 1st footnote (marked *).

the story appears in MS Parma and in R. Isaac Aboab's *Menorat ha-Maor*. In the 15th century, the story is printed in a variety of publications in Constantinople and Italy, including *Hagadot ha-Talmud*, Rashi's Talmudic commentary, *Shalshelet ha-Kabbala*, and Abraham Zacuto's *Sefer Yubasin* (mentioned only).⁷ In the Ashkenazi sphere, the story is only circulated from the 18th century onward.⁸ Despite the fact that the story tradition was attributed to Rashi, who lived and wrote in Ashkenaz and Northern France, there is no documentation from the Ashkenazi domain indicating familiarity with the story, apart from a single reference in *Sefer Maharil* early in the 15th century – 300 years after Rashi's death, and approximately 100 years after the estimated appearance of MS P in the Sephardic domain.⁹

This map is part of a broader consistent pattern of appearances in remote locations from the geographical origins of the story. In the initial phase, the location of the occurrence described in the story is 2nd-century Israel. Nevertheless, no reference to the story can be found in any Israeli source. The singular (possible, not unequivocal) reference to the story was preserved in the Babylonian Talmud, which was edited approximately in the 5th and 6th centuries. In the 2nd phase the story is omitted from all known Babylonian traditions passed down by Geonic literature, although the story is hinted at in the text of the Babylonian Talmud. The only explicit reference to the story is found in Ashkenaz, in Rashi's 11th-century commentary, which is known to preserve mainly Israeli traditions. In the 3rd phase, which includes writings authored in the 12th to 14th centuries by the Tosafists, there is no indication that any of them are familiar with the tradition mentioned by Rashi. Instead, the story becomes widespread in the Sephardic sphere, in the abovementioned manuscript of Rashi's commentary, and in R. Isaac Aboab's *Menorat ha-Maor*. The story is only referenced once by the *Maharil* in the 15th century, and it is not until the 18th century that the story is written in full in Ashkenaz.¹⁰

⁷ R. Abraham Zacuto, *Sefer Yubasin* (Constantinople, 1566), p. 48a.

⁸ R. Moshe Frankfurt, *Sheva Petilot*; R. Yehiel Halpern, *Seder ha-Dorot*.

⁹ Referenced by R. Yaakov Molin (*Maharil*), Rabbi of Mainz, ~1360–1427, in *She'elot u-teshuvot Maharil le-Rabenu Ya'akov Molin* (ed. Yitshak Sats; Jerusalem: Mekhon Yerushalayim, 1979), p. 316, no. 199. This source is the last known mention of this story on the Ashkenazi front until the story was printed in Rashi's commentary on the Talmud in 1520 in Italy. From the 16th century onward, all references to the story relate back to the printed version of Rashi, and are no longer evidence of the preservation of oral traditions from the school of Rashi.

¹⁰ In Israel the story makes its 1st appearance even later, in a book entitled *Torat Mar'eh* (1897), a compilation of sayings about Tiberius and the sages buried therein, namely, R. Akiva and

This pattern requires analysis: Why would the story have become widespread in texts written at a significant distance from its origins, whereas the tradition is virtually nonexistent in locations near its origins? Is the recurrent pattern of lack of documentation from the supposed place of origin a coincidence, an indication of a temporary state; or perhaps evidence of a more fundamental phenomenon?

In order to understand the context of this pattern we must first introduce the dynamics involved in the creation of such a story. It is a widely recognized fact that the attempt to derive historical details about the sages from *Aggadah* written by the Rabbis is risky. In our case, previous studies have shown insufficient support not only for the Beruriah Incident, but for all Babylonian traditions about R. Meir and Beruriah in parallel Israeli sources, and the difficulty in correlating these traditions with the existing ones.¹¹ Nevertheless, and despite my belief that the position of a story in cultural perception is not measured in terms of the quality of historiographical documentation, certain fundamental assumptions can be made regarding the possible creation of the Beruriah Incident at a given time in history. These assumptions might clarify the acceptance process of the story.

First, it is essential to note that the story is critical of the role models of 4th-generation Tannaic leaders and educators.¹² Additionally, the story touches on the subject of incestuous affairs, which were considered a distasteful topic of discussion for reasons of religious and personal modesty.¹³ If the story occurred in reality, it was clearly not passed along by R. Meir or his peers in the context of a Beit Midrash class. Presumably, the initial circulation of the

R. Meir. The work was printed by Moshe Lilenthal in Jerusalem.

¹¹ See, for example: Yifat Monikindam, 'Beruriah as a Reverse-Analogy to R. Meir,' *Derekh Aggadah* 2 (1998), pp. 37–63, and in particular pp. 38–41; David Goodblatt, 'The Beruriah Traditions,' *Journal of Jewish Studies* 26 (1975), pp. 68–85; Tal Ilan, 'The Quest for the Historical Beruriah, Rachel, and Imma Shalom,' *AJS Review* 22, 1 (1997), pp. 1–17.

¹² Both the Mishna and Talmud include an explicit directive prohibiting explicit criticism of national leaders. When critique is necessary it is to be implied indirectly. This rule relates to biblical texts that are read but not translated (to Aramaic at the time). See *bMegillah* 25a–b.

¹³ On the moral-religious directive on avoiding verbalizing matters that relate to incest, particularly when the subject of discourse is present, see, for example, *bShabbat* 33a: 'R. Hannan b. Rava said: Everyone knows the purpose for which a bride stands under a marriage canopy; however, one who pollutes his mouth [and speaks of the matter explicitly] – will find that even a decree of seventy good years is converted into a decree of misfortune.' The violation of personal privacy in the incident of Beruriah is clear, and affects not only the exiled R. Meir and his family, but all of his pupils, who are all suspected of being involved in a grievous sin.

story was passed through hushed and unverifiable rumors regarding a woman who was no longer alive and a man who fled to Babylonia. The 3rd participant in the story – the pupil – remained in Israel, and was the only one who could deliver his version of the story, although he was unlikely to gossip happily about the demise of his teacher. It is therefore likely that a perspective of time and perhaps of space as well, was required for verification and public discussion of the rumor. If the story was conceived by a political or ideological enemy (such as a Christian or Cuthian) for the purpose of slandering R. Meir and Beruriah, this would have been done after Beruriah died and R. Meir fled, since both actions are described in the story. In order to validate the rumor, the enemy would probably have spread it using the dynamic described above, in order to add authenticity and thwart a possible attempt at disproving the story.

An additional relevant question relates to when the rumor was written. The process of codification of the Mishna had only just begun in the 2nd and 3rd centuries. Talmudic stories about Tanaim had not yet been written; it is inconceivable that a story such as this would be recorded in writing for the purpose of codification at that time, and probably not even for personal use. According to the outlook of Ashkenaz rabbis such as the *Rosh* and *Ra'aniya*, writing oral law was not permitted until after the final codification of the Babylonian Talmud.¹⁴ The more likely conjecture is that after the redaction of the Talmud in the 5th and 6th centuries – 200 or 300 years (!) after the possible occurrence of the Beruriah Incident – there might have been a need to write the story as part of a trend of an interpretive completion of the Talmudic text. In this event, the original version of the rumor would have been adapted and edited throughout the lengthy period of oral transference. Whether or not the story was put into writing during this period, the oral circulation probably continued until its appearance in Rashi's canonic commentary on the Talmud, and took its final form in the collective consciousness.

Now the pattern of recurring documentation in distant geographical locations from the original place of occurrence can be deciphered. There is no need to accept the position of modern scholars and commentators who believe the story originates in a defective or fictitious post-Talmudic text, possibly from the Geonic era, or Rashi's era (11th century), or from the transcription of

¹⁴ See: Yaakov Shmuel Spiegel, *Chapters in the History of the Hebrew book: Scholars and their Scholia*, (Ramat Gan: Bar Ilan University, 2005), pp. 40–41.

MS P 3155 (14th century).¹⁵ A simpler explanation can be offered: Since the subject matter of the story is harmful to the values of family and modesty, and damaging to the reputation of religious role models, it was passed down from mouth to ear, like many other traditions that are transmitted orally when public instruction is inappropriate, such as the laws of intimacy.¹⁶ In this case the implications of publicizing the story could be more severe, since demeaning R. Meir, whose traditions comprise the majority of the Mishna, could be detrimental to the standing of the Mishna as a sacred text. Perhaps these implications were the reason teachers preferred oral communication of the story: They could supervise the appropriate transfer context, one that would not lead their pupils to breach the boundaries of modesty or to contend the status of the rabbis in charge of transmitting oral traditions (as in the case of Beruriah herself in our story). The creation of a written tradition could only be achieved by pupils who wandered to distant locations, far from the place of origin. Pupils who migrated from their Beit Midrash viewed the act of writing as a means of documenting and preserving the narrative and interpretive tradition of the Beruriah Incident. This documentation was made possible due to the distance from the teacher's supervision and restrictions on dispersion of the story. This interpretation demands a reassessment of the absence of textual documents attesting to a familiarity with the Beruriah Incident: This characteristic becomes essential to the transference process of the story, and cannot impair its authenticity.

Inclusion of the Beruriah Incident in Rashi's canonic commentary on the Talmud in Italy began in 1520, marking a new era in the circulation of the story. Within 200 or 300 years, as the popularity of this edition grew, restrictions on

¹⁵ R. Yoel Zusman Hodes of Birmingham viewed the Beruriah Incident as a fictional story 'from beginning to end.' He claims that the story was written by *Hanei Tarbizai* – indicating pupils of the *Tarbizab*, which was considered a beginners' class and was unfamiliar with the correct texts of the Talmud, and therefore quoted the texts incorrectly. See: R. Yoel Zusman Hodes, *Al ha-Rishonim ve-ha-Ahronim* (London 1928), p. 15. For a survey of the *Tarbizab* see: Shalom Yona Tescharna, 'L'Toldot ha-Hinukh b'Yisrael b'Tekufat Geonei Bavel,' *Ha-Tekufa* 19 (Tammuz-Elul 1922), pp. 216–40. See also R. Yehuda Herzl Henkin, *Resp. Bnei Banim IV* (Jerusalem 2005), p. 104, article 4, no. 3; and more recently, Hoshen, *ibid.* no. 2; Henkin, *ibid.* no. 2.

¹⁶ See, for example, *mHagigga* 2:1: 'One must not lecture about illicit sexual relations among three [but only two –I.D.].' See also *bHagigga* 11b: 'There is a desire and lust for theft and forbidden relations [...] Illicit sexual relations, both in his presence and not in his presence – his inclination is greater.' The Talmud instructs great caution in teaching the laws of illicit relations, which should be done in private session and with great accuracy.

the content of the story would diminish. The unequivocal status of Rashi's commentary among Torah scholars almost became an expansion of the Talmudic text itself, and an integral part of Oral Torah. The authority of the widely distributed written text, which was studied and ratified again and again by teachers and rabbinic scholars, would moderate the cautiousness that characterized the oral transmission of the story.

The observation that the story was originally transferred orally, in a process that naturally includes distortion, concealment, and a certain amount of blurring and silencing, is of the utmost significance. These are not external or technical features that relate to lost or incomplete documents. The nature of transference of the Beruriah Incident is an essential part of this literary text. The fundamental existence of the text in the collective consciousness relates to its ambiguous present-absent state. When each storyteller has to determine what to reveal and what to conceal, the act of historical documentation is reduced in order to reflect the cultural, social, and theological outlook of the narrators. In view of this, the written preservation of the story without questioning its canonic status from the Middle Ages until the 20th century reflects an internal attitude toward the reception of the story within Jewish culture, despite the stated problems and complexities. The spiritual and cultural baggage of each generation's storytellers, the baggage Gadamer refers to as the storyteller's *prejudice* (*Vorurteil*), did not lead to a rejection of the tradition, or to the condemnation of the values embedded in the story.¹⁷ This insight is even more essential than investigating the historical source of the story or the reliability of its traditions, since it relies upon many documents, and not only on conjecture.¹⁸

Rashi's commentary has additional value. Ricoeur wrote: "The reading of any text occurs within a community, within a tradition, within a living flow of thought."¹⁹ In the context of commentary on the Talmudic text, the 'interpretation,' (*perush*) which combines external oral traditions, should be preferred

¹⁷ This concept is essential in Gadamer's *Truth and Method*; it expresses his position on hermeneutics as the dialogical act of the reader, not only in his encounter with historical horizons different to his own, but also with cultural and religious traditions. See: Hans Georg Gadamer, *Truth and Method* (English Trans. Joel Weinsheimer and Donald G. Marshall; New York: Continuum, 1989).

¹⁸ These documents include copies and printed editions of Talmud with Rashi's commentary, mentions of the story and its versions. For partial review of these sources see *ibid.* It footnote (marked *).

¹⁹ Paul Ricoeur, 'Existence and Hermeneutics,' in: Josef Bleicher, *Contemporary Hermeneutics* (London: Routledge & Kegan Paul, 1980), p.236.

to the ‘explanation’ (*be’ur*) of the independent text, since the Talmud fundamentally was and remains a textual structure of Oral Torah, like its preceding Mishnaic traditions. The basic Talmudic practice was meant to be studies with a teacher, who is considered a transmitter of the oral tradition.²⁰

Rashi’s commentary is the most studied Talmudic commentary, and with good reason: It is a clear, thorough and well-edited summary of Ashkenazi traditions and the yeshiva learning enterprise in the Middle Ages.²¹ The obvious assumption that this commentary underwent far more editing than others does not diminish its validity or authority. On the contrary, the permanent integration of the commentary, with full exposure to the criticism of transmitters of the oral tradition – both teachers and pupils – reaffirms the canonic status of the commentary in Jewish consciousness. Reading the story as ‘nearly compulsory’ for the interpretation of the Talmudic text would not be an exaggeration; the reading has been integrated, or even merged, into the basic reading of the *sugya*.

B. The Foreignness of the Beruriah Incident to Talmudic Values

Positions contesting the authenticity of the Beruriah Incident were only voiced at the start of the 20th century.²² These positions differ from the traditional position toward the story.²³ These ‘critical’ voices created a dual alternative to

²⁰ Ze’ev Levy defines the term ‘interpretation’ (*perush*) as ‘an intermediary between the text and the reader, which adds or substitutes something from the original source, in order to remove obstacles and difficulties from the ordinary reader.’ This comes in contrast with ‘explanation’ (*be’ur*) which is intended ‘to clarify, without adding a thing.’ See comprehensive discussion in: Ze’ev Levy, *Hermeneutics* (Tel-Aviv: Sifriyat po’alim, ha-Kibutz ha-me’uhad, 1986), introduction – pp. 9–14, esp. p. 10. According to Levy’s definition, Rashi’s commentary on the Beruriah Incident is preferable to that of R. Hananel, R. Judah b. Klonimus, and even R. Nissim of Kairouan.

²¹ See comprehensive discussion in: Yirmiyahu Malhi, ‘Perush Rashi la-Talmud—Darkei Yetzirat ve-Hithavuto’ in: *Rashi’s Talmudic Commentary: Studies and Research on Rashi’s Commentary on the Talmud* (Jerusalem: Mossad HaRav Kook, 2009), pp. 3–13. Malhi notes that ever since the Italian printing of the Talmud in 15th- and 16th-century Italy, the Talmud has not been printed without Rashi’s commentary even in Spanish and Islamic countries (*loc. cit.* p. 3).

²² See: Alexander Siskind Rabinovitz, ‘Beruriah Eshet Rabbi Me’ir,’ *Alim: Kovetz shel Divrei Sifrut* (Tel-Aviv: Hit’ahadut ha-Nashim ha-Ivriyot le-Shivuy Zekhuyot be-Erets Yisra’el, 1922), pp. 81–83; Hodes, *ibid.* no. 15; Lippman Bodoff, ‘Rabbi Meir and His Wife, Beruriah: ‘Till Death Do Us Part’, *Midstream* 45, 5 (1999), pp. 13–15; Avraham Grossman, *Pious and Rebellious: Jewish Women in Medieval Europe* (trans. Jonathan Chipman; Waltham, Mass.: Brandeis University Press, 2004), pp. 156–157; Henkin, *ibid.* no. 15; Hoshen, *ibid.* no. 2; Henkin, *ibid.* no. 2.

²³ This position is represented in the following words: ‘anything which emerged from the hands of any of our rabbis cannot be doubted – and God Forbid destroyed.’ See: Rabbi Avraham

the traditional reading of the story: 1st, the ‘estranged’ approach to the story enabled criticism of the values and norms embedded in it; and 2nd, in some cases, it replaced the traditional contexts, and offered an analysis of the story in a new context, such as a feminist or folkloristic reading.²⁴

World folklore includes many tales with some similarities to the Beruriah Incident.²⁵ These can be divided into three major types. The 1st relates to a wise and successful man, who wishes to prove that any woman, wise and righteous as she may be, can be seduced. This type is portrayed in two different ways in the Aarne-Thompson-Uther tale type index: Type 823A* – “A Mother Dies of Fright When She Learns that She Was About to Commit Incest with her Son,”²⁶ and type 920A* – “The Inquisitive King”, about King Solomon, who disguises himself for the purpose of testing the innocence of his mother, Bathsheba, ultimately proving that she would succumb to temptation like all women.²⁷

The *Life of Secundus* relates a similar story about Secundus the Silent, the Greek neo-Pythagorean 2nd-century philosopher, famous for his misogynistic outlook.²⁸ In the relevant story, Secundus wishes to prove that all women are dishonest and promiscuous, as he had read in his philosophy books. He disguises himself and persuades his own mother to spend a lovers’ night with

Yeshayahu Karelitz, *Kovets Igrot le-Maran Hazon Ish z'l* vol. I (ed. Rabbi Shmu'el Grayniman; Jerusalem: Defus ha-Mesorah 1955), p. 59, no. 32.

²⁴ The ‘alienated’ critical approach toward the Beruriah Incident was made possible due to the ‘distancing’ and objectification of the story. Fraenkel uses Dilthey’s terminology and calls this ‘historical tact.’ See: Jonah Fraenkel, *The Aggadic Narrative: Harmony of Form and Content* (Tel Aviv: Hakibbutz ha-Meuchad, 2001), pp. 11–12.

²⁵ See: Haim Schwarzbaum, *The Misble Shu'alim (Fox Fables) of Rabbi Berechiah ha-Nakdan: A Study in Comparative Folklore and Fable Lore* (Kiron: Institute for Jewish and Arab Folklore Research, 1979), p. 411; and more recently: Hayim Granot, ‘Ma’aseh de-Beruriah,’ *Shenot Hayim* 4 (2010), pp. 33–42, esp. pp. 38–39. I thank Dr. Noga Rubin for introducing me to this source; and also Ben-Zion Fischler, ‘Ma’aseh Beruriah,’ *Yeda-’Am*, 36–37, 71–72 (2011), pp. 69–70. See a review of parallels in the section ‘Notes on motifs and motifemes’, *ibid.* 1st footnote (marked *).

²⁶ This type is represented in additional indexes, as type 2733 in the Tubach Index; and as Motif N383.3 and motif T412.2 in Thompson’s Motif Index: Frederic C. Tubach, *Index Exemplorum* (Helsinki: Suomalainen Tiedekatemia, 1969), p. 215; Stith Thompson, *Motif-Index of Folk-Literature*, vol. V (Bloomington and London: Indiana University Press, 1983), pp. 102, 385. See also ‘Wife Tests’ (H460–H480) in Motif Index, *ibid.* vol. III, pp. 415–416.

²⁷ See references: Hans-Jörg Uther, *The Types of International Folktales* (Helsinki 2004), part I, pp. 462, 543.

²⁸ *Secundus the Silent Philosopher* (ed. Ben Edwin Perry; Ithaca: Cornell University Press, 1964), pp. 119–27. On his misogynistic views, see his Q&A epigrams on ‘Woman,’ ‘Man’s Sorrow,’ ‘Venomous Viper in Man’s Clothes,’ and more. *Ibid.* pp. 158–159.

him for 100 dinar. After they got into bed, Secundus revealed himself in order to prevent them both from sin. The mother's shame drove her insane and she hanged herself, and he took a vow of silence for the rest of his life. In correspondence to the Beruriah Incident, which explains the background for R. Meir's departure for Babylonia, this too is an etiological story, which explains the origins of the philosopher's name, Secundus 'the Silent'.

Another tale that belongs to this category is the Armenian story of Sultan Kay-Qubad, whose faithful wife was so modest that she could not stand to hear mention of the names of men. She frequently spoke of the impurity of men, challenging the modesty of men – the equivalent of attributing flightiness to women. In his rage, the Sultan commanded his young and beautiful servant to test his wife by seducing her. The servant did so and successfully seduced her.²⁹

A 2nd folkloristic type that relates to this theme deals with the conflict between the wise woman and fellow men, who attempt to avenge their pride by killing the woman. This is the story of Hypatia of Alexandria (4th–5th centuries) in the *Life of Isidore* by Damascius.³⁰ Hypatia was a philosopher, a mathematician, and an astronomer. Damascius describes her walking through the streets of Alexandria in her philosopher's robe, settling difficult questions posed on Plato and Aristotle. Despite her beauty and wisdom, she was virtuous in the extreme, and protected her virginity. Hypatia's admiration made Archbishop Cyril jealous, and he had her murdered.

In the 3rd folkloristic type, the protagonist and his friend gamble over the innocence of his wife (type ATU 882 – "The Wager on the Wife's Chastity"). This type is paralleled in the Exemplary Story, and is labeled as 5194 in Tubach's *Index Exemplorum*. Most versions in this type relate a woman who

²⁹ See: Ahmed-i Misri Shaikhzade, *The History of the Forty Vezirs*, English translation from Turkish: E. J. W. Gibb, London 1886, p. 390, 'The Ninth Vezir's Story,' in: Haim Schwarzbaum, *The Mishle Shu'alim (Fox Fables) of Rabbi Berechiah ha-Nakdan: A Study in Comparative Folklore and Fable Lore*, Kiron 1979, p. 411.

³⁰ *Life of Isidore* by Damascius, the last head of the Neoplatonic Academy (~458–538), is part of the *Suda* – the historical encyclopedia of the Ancient Near East. The encyclopedia was written in the 10th century and recently translated into English from the original Greek. See relevant text on Hypatia: <<http://www.cosmopolis.com/alexandria/hypatia-bio-suda.html>>. Accessed August 5, 2009. The philosopher Isidore, Damascius's teacher, was the husband of Hypatia. Similarly to Beruriah, Hypatia is currently the subject of numerous studies, literary works, and even films.

withstands the seduction test, and a friend who falsely accuses her of sinning. Eventually, the woman's incorruptibility is exposed.

Cervantes' *Don Quixote* (beginning of the 17th century), a parody-adaption of folkloristic materials, relates the story of "The Curious Impertinent": A husband who strives to prove the decency and absolute loyalty of his virtuous wife, and therefore enlists a friend to test her loyalty. Cervantes escalates the love story to a tragic complication: The two fall in love and neglect the cheated husband and friend, whose curiosity turns out to be a catastrophic mistake.³¹

International motifs H492.2 – "Husband has a friend woo his wife: She is seduced" and K1569.4 – "Husband outwits wife and paramour" originate in the French and Italian novel, and represent various cases of successful seduction.³²

These parallel stories of seduction for the purpose of proving that even the most righteous, virtuous women can be easily seduced have led some scholars to the conclusion that the Beruriah Incident is a folktale that was accidentally integrated into Rashi's commentary. According to this approach, the story is foreign to the values and norms of the rabbis.³³

However, a comparative analysis with prevalent narrative materials and functions (motifs and motifemes) proves that the story is in fact rooted in Talmudic philosophy and Aggadah. The axiom "Women are light minded" (*bKid-dushin* 80b), which was mocked by Beruriah, was stated by men, and addressed

³¹ Miguel de Cervantes Saavedra, *Don Quixote* (Trans. Charles Jarvis; Oxford and New York: Oxford University Press, 2008), pp. 278–344, chaps. XXXIII–XXXVIII. Some scholars asserted that the "The Novel of the Curious Impertinent" is related to 'Spinelloccio Tanena and Zeppa di Mino' in Boccaccio's *Decameron*, Eighth Day, Novel VIII; however, in that story there is no conspiracy between the husband and his friend; instead, the husband catches his wife in the act of cheating on him with his best friend. The husband initiates a new living arrangement, whereby the two couples live in consensual intimacy as a foursome.

³² A 15th-century French compilation entitled *Cent Nouvelles* includes a story in which the husband decides to put his wife through a seduction test. He loudly announces that a specific innkeeper is known for excellent performance in bed. The wife takes the bait and goes to the inn to experience the rumor herself; however, the husband coordinates a plan with the innkeeper, replaces him at the last moment, and reprimands his wife. The wife admits her sin and promises to change her ways and be loyal. See: Antoine de la Salle (ed.), *One Hundred Merrie and Delightful Stories: Les Cent Nouvelles Nouvelles* (Trans. from French: Robert B. Douglas; Paris 1899), vol. II, Story 65: 'Indiscretion Reproved, but not Punished.'

³³ Henkin, *ibid.* no. 15; Granot, *ibid.* no. 25. In contrast, Boyarin views the story as an expression of a halakhic atmosphere, but also believed that a folk tale foreign to Judaism was 'enlisted' and 'Jewified.' (Boyarin, *ibid.* no. 2, in particular p. 8).

to men.³⁴ The axiom is stated as the reason a man may not be in seclusion with two women, due to the perception that women are light-minded, easily swayed, and likely to be seduced. R. Meir perceived it as his duty to supervise his wife's observance of the halakhic norm and distance her from the possibility of sin. According to his perception, the fact that Beruriah was a Torah scholar in her own right did not remove his 'natural' 'manly' responsibility to guide his wife (and people of his household) in a halakhic lifestyle. This is the reason R. Meir felt the need to convince his wife that the rabbinic proclamation was true.

The problem lies in the fact that Beruriah's mockery was not perceived as a simple halakhic error; her disdain is portrayed as a severe sin of contempt and disregard for rabbinic authority, which is the mainstay of Oral Torah. Mocking the words of the rabbis was perceived as a grievous offense, as demonstrated by three Talmudic stories.³⁵ In the 1st story (*bGittin* 57a), Jesus the Christian quotes the words of the rabbis, "Whoever mocks at the words of the sages is punished with boiling hot excrement", when describing his own deserved punishment to Onkelos the Convert. The 2nd (*bBava Batra* 75a) relates the story of R. Yohanan's pupil, whose teacher accused him of mocking the words of the sages; as a result, he "set his eye upon him, and made him into a pile of bones", in other words, killed him.³⁶ The 3rd story (*bShabbat* 33b–34a) is about R. Shimon b. Yohai, who exits his cave and encounters an old man who was dismissive toward his halakhic ruling. As a result, he "set his eye upon him, and killed him".

The period shortly after the destruction of the 2nd Temple (late 1st century and onward) was marked by a raging war against Christians, heretics, and pupils who undermined the authority of the sages. During this time, the traditions of Oral Torah were collected and the process of inscription was initiated. The preservation of Torah from obliteration demanded a valiant effort of selection and redaction of canonic traditions. These efforts demanded an

³⁴ The expression 'women are light-minded' is mentioned in various places in the Talmud and in Midrashic texts, not as a required part of halakhic practice, but as a prevalent psychological perception of that era (*bShabbat* 33b; *bKiddushin* 81b; *Pirkei De-Rabbi Eliezer* 13; *Tanhuma, Vayera* 22 and parallels).

³⁵ For a relevant list of sources on the stringent attitude toward disregard of rabbinic authority see: Moshe Aberbach, *Jewish Education during the Eras of the Mishna and the Talmud* (Jerusalem: Rubin Mass, 2007).

³⁶ Based on the simple reading of the Talmudic text. Compare the description of the Killing of Judah b. Gerim by R. Shimon b. Yohai in *bShabbat* 34a.

exercise of authority and use of force against those who would undermine the status of the canon as absolute and sanctified.³⁷

Had Beruriah been a man, perhaps a scholar of the Beit Midrash, and as one, had she disputed in particular the halakhic position that prohibits the seclusion of a man with two women, instead of accepting the majority position, she would likely have been ostracized as a result. This was the outcome in the case of R. Eliezer b. Horkenus in the story about the oven of Akhnai (*bBava Metziah* 59b), as well as in the case of R. Meir, who was able to end his banishment due to his status as the greatest of the rabbis (*yMoed Katan* 3:1 10a–10b). However, as a woman, Beruriah's status was not equal to that of the male scholars, who were ordained by their rabbis to discuss and make halakhic rulings.³⁸ Therefore, when Beruriah performed the grievous act of mocking the sages (*mocking*, not raising a valid halakhic contention in the accepted manner), she placed herself in the position similar to a pupil who contested the authority of his rabbis, before the content of her words were even taken into account.

For that reason, R. Meir viewed himself as responsible both to educate Beruriah and to punish her. The difficult question should be raised regarding the permissibility of a rabbinic leader to put himself in God's place and punish other people; however, such an act is not foreign to the spirit of the sages. As demonstrated earlier, R. Yohanan and R. Shimon punished their pupils *by death* (!) for mocking the sages. Possible solutions are offered for the problem of R. Meir causing his wife to sin by "placing a stumbling block"³⁹ before her: *Shalshelet ha-kabbalah* has R. Meir enter the room instead of the pupil;⁴⁰ in the *Ben Yehoyada* version a eunuch pupil is used;⁴¹ R. Meir has also been able to watch his pupil from a hidden location in order to prevent actual sin. Rashi's succinct version does not raise these possibilities due to its concise and 'nuclear' nature; however, the possibilities are not rejected either. Rashi does

³⁷ Regarding the rabbis' battle against the heretics, which included regulations of limited entry to the Beit Midrash and a blessing about heretics, see, for example, Aberbach, *idem.* no. 35, pp. 262–264.

³⁸ R. Meir's ordainment is mentioned in *bSanhedrin* 14a.

³⁹ See Leviticus (19, 14): 'You shall not curse the deaf, nor put a stumbling-block before the blind'.

⁴⁰ R. Gedaliah Ibn Yechia, *Shalshelet ha-Kabbalah*, *idem.* no. 2, p. 32.

⁴¹ R. Yosef Haim of Baghdad, *Ben Yehoyada* (Jerusalem 1958) (ed. princ. 1904), part IV, bAvodah Zarah, p. 175.

not state that Beruriah and the pupil committed adultery; only that she ‘consented’. Consent in this case might indicate no more than a verbal agreement.

Beruriah’s suicide is also not unique in rabbinic literature. Tractate *bBerakhot* 23a relates a suicide following publication of a sexual sin⁴² between a pupil and a prostitute.⁴³ Suicide (by hanging in the case of adultery) as a form of personal ‘educational’ punishment can be found in the Midrashic story about Alcimus, the pro-Hellenistic High Priest who wished to atone for his desecration of Jewish values. For this purpose, he created a device that would facilitate all four methods of capital punishment (*Gen. Rab.* 65:22).

Thus, from a normative-ethical standpoint, the Beruriah Incident correlates with the world of the sages, where rabbinic authority is absolute and harming that authority is taboo. This story is not comparable to the seduction tests of international folklore (which some scholars view as the source of the Beruriah Incident), which present the test as a wager between men, jealousy between the sexes, or pure curiosity.

In addition to the normative-ethical foundations, the structure of the story is congruent with rabbinic narrative. In contrast to the Beruriah Incident, for example, the story about R. Meir and the wife of R. Yehuda the butcher parallels Middle Age legends in its structure: The narrative is long and well developed; it includes lengthy dialogues; it is ‘epic’ in nature, and includes elaborate descriptions of time, space, and feelings; and the narrative includes common folkloristic motifs such as drunkenness, meeting with forest animals, etc.⁴⁴ The literary structure of the Beruriah Incident is as minimalistic, con-

⁴² In MS Parma Palatina 3155 (De Rossi 1292) Beruriah finds out about R. Meir’s seduction scheme when the scheme becomes public knowledge. This is expressed through the words ‘When the matter became known,’ in other words, public knowledge, at which time Beruriah became aware of the scheme. See: Rashi on *bAvodah Zarah*, chap. I, MS Parma – Biblioteca Palatina Cod. Parm. 3155 (Parma De Rossi 1292), p. 65b. In the text of the *ed. princ.* that became the foundation for the majority of late versions, the text reads ‘when the matter became known *to her*.’ This version diminishes Beruriah’s disgrace, which is revealed only to her husband and pupil. The later printed edition thus diminishes the public aspect of Beruriah’s disgrace.

⁴³ According to the narrative, the Phylacteries of a pupil were found by a prostitute, and she falsely accused him of giving them to her as payment for her services. When the pupil heard this, he climbed onto the roof and jumped to his death.

⁴⁴ See how a popular ‘Jewified’ story is designed in the Middle Ages. For example, variations of the story about R. Meir and the wife of his host can be found in *Midrash Aseret ha-Dibrot* and *Hibbur Yajeh me-ha-Yeshu’ah*. See: *Ma’asim al Aseret ha-Dibrot or Haggadah shel Shavu’ot* (ed. Judah Leib ha-Kohen Fishman; Jerusalem, 1924), pp. 34–36, commandment VII; Rabbi Nissim ben Jacob ibn Shahin, *Hibbur Yajeh me-ha-Yeshu’ah* (trans. Haim Zeev Hirschberg; Jerusalem: Mossad Harav Kook, 1953), pp. 68–70.

centrated, and deeply ‘dramatic’ (according to Frankel) as a Talmudic Aggadah. R. Meir and Beruriah are tragic heroes, and the plot, which is designed as a conflict between determined polar opposites, leads the protagonists toward an inevitable disaster. Regarding the ‘epic’ aspects, this story, as other Midrashic texts, offers an inadequate reflection of realistic elements such as the time, place, and psychological components of the characters – their internal world, thoughts and feelings – since the essence of the story is the normative-ethical investigation.⁴⁵

C. The Inclusion of Omitted Writings

In 1845, R. Zvi Hirsch (*Maharat*) Chajes (1805–1855), the known glossator of the Babylonian Talmud, wrote: “[...] and so too all stories which were disrespectful toward any of the rabbis of the Talmud were omitted, such as the story about the father of Shmuel and the Medes woman [from Media],⁴⁶ and the incident of Berurah [!] wife of R. Meir is only alluded to in the Talmud (*b. Avodah Zarah* 17b [!]), and Rashi there explains the occurrence according to that which he had heard passed from one person to another orally, but was omitted from the Talmud.”⁴⁷ In other words, concealment of the story and making do with only a hint of the occurrence were deliberate actions taken by Talmudic redactors, as a tribute of respect and admiration toward the great Talmudic scholars, even when they faltered.

The restrictions on written distribution of the story are not only a theoretical assumption. The important Yiddish compilation of stories *Ma’aseh Buch* (Basel 1602) explicitly states at the end of the story about the rescue of Beruriah’s sister (the emphasis is mine, I. D.): “There is another reason why R. Meir went to settle in Babylon. *But I am not permitted to write about this.* Whoever wishes to know more may look up the commentary on the Talmud and there

⁴⁵ Regarding essential characteristics of Aggadah, which is more dramatic than epic, and Aggadah as a reflection of the ‘religious order,’ see: Yonah Frankel, *Darkei ha-Aggadah ve-ha-Midrash* (The Ways of the Aggadah and the Midrash) (Givatayim: Yad la-Talmud, 1991), vol. I, pp. 238–242.

⁴⁶ The story about *Abuba de-Shmuel* [The father of Shmuel] is mentioned in the Tosafist commentary on *bKiddushin* 73a. The earliest known version appears in *Teshuvot ba-Geonim*, published by J. Musafia (Lyck, 1864), 29b–30a, note 97.

⁴⁷ Rabbi Zvi Hirsch (*Maharat*) Chajes, *Mero ha-Talmud* (Zhovkva, 1845), p. 33a [printed 31], chap. 31.

he will find the reason R. Meir went to Babylon.”⁴⁸ Indeed, from the 13th to the 19th centuries the Beruriah Incident cannot be found in manuscripts or print editions of popular story compilations, such as *Midrash Aseret ha-Dibrot*, *Tz’e’nah u-Re’nah*, *Yalkud me-Am Loez*, and *Oseh Peleh*.⁴⁹ The story was perceived as inappropriate for distribution, and the model of its omission from the Talmud was adapted to later canonic compilations, as though an unwritten law stated that only a general allusion to the story was permissible. However, it is important to note that until the 20th century the acceptance of the Beruriah Incident as part of the sacred canon was absolute. No known author questioned the authenticity of the story, in contrast with a variety of stories that were tagged as foreign and as a result were rejected from the canon by Talmudic glossators – knowledgeable scholars and halakhic authorities who acted as ‘cultural gatekeepers.’⁵⁰

The only version of the Beruriah Incident found in the Israel Folktale Archives, marked IFA 11947 (Iraq), is fragmented and incomplete. At the beginning of the story, the narrator apologizes to his audience, entirely female audience, for saying “Women are light minded”, and reminds that he only quotes those words of the rabbis. He goes on to describe at length the character of Beruriah as a great scholar and teacher in the Beit Midrash. Her sin is also described in detail. She told her disciples to add to the phrase “Women are light minded” the addition “except for Beruriah”. But at this point he suddenly chooses to stop and finish the story: “And for this she was punished. It’s a long story. Fell and died. Overthrew and killed herself”. The stuttering at the end of the story, and the attempt to view this event as an accident (not

⁴⁸ *Ma’aseh Buch* (Basel, 1602), p. 26b, no. 48. I thank Noga Rubin for her translation from Yiddish.

⁴⁹ For example, the story about *Huldah u-Bor* [the rat and the hole] first appears in Geonic literature and in Rashi’s commentary as an attempt to complete the Talmudic story. The story appears in the following compilations: *Ma’aseh Buch* (various editions and translations, 16th century onward); *Yalkut Me’am Lo’e’z* (Rabbi Yaakov Culi, 18th century); *Oseh Pele* (Joseph Shabtai Farhi, 19th century); *Sefer Ha-Aggadah* (Hayim Nahman Bialik and Yehoshua Hone Ravnitzky, 1910); *Mi-Mekor Yisrael* (Micha Joseph Bin Gorion [Berdycewski], 1938–1940), among others.

⁵⁰ These editors include such personalities as the abovementioned R. Zvi Hirsch (*Maharatz*) Chajes, who explicitly legitimized the story; R. Joel Sirkis (1640–1561), author of *Hagabot ha-Bakh* (Glosses of the Bach), and The Vilna Gaon R. Elijah (*Gra*, 1720–1797), whose strong reluctance to accept the story of R. Meir and the wife of his host is discussed in: Aaron Hyman, *Toldot Tana’im ve-Amor’im* III (London: ha-Express, 1910), p. 873, entry ‘Rabbi Me’ir.’

as suicide) Indicative of embarrassment and inconvenience. Moreover, in the midst of the narrative action, the narrator casts doubt on the legitimacy of his story.

As in various versions of the Talmud, *Ma'aseh Buch*, *Ein Ya'akov* and similar compilations (and in a sense also single folk version presented above) include only 'traces' of the story. The concept of a 'trace' was developed by Derrida, influenced by the philosophy of Levinas, and is an attempt to define the conscious existence of the text. According to this position, the significance of the text, or of the textual 'sign,' is always the trace of something absent that has happened and ceased. Moreover, in the sign system, each component is actually a trace of a previous trace, since signs naturally maintain a direct link to other signs, and not to events outside the signs. Based on this position, the act of erasing or diminishing signs paradoxically creates a greater presence, by emphasizing the existence of a residual trace that hints at the existence of another text. This hint is in itself the primary existence of the textual existence.⁵¹

This is the fundamental pattern of the textual being of the Beruriah Incident. The epistemological existence of this story in the reading and writing Jewish consciousness is an irreversible fact, even if we lack the ability to examine the ontological-historical status of the story. Attempts to reject or erase the story from the collective consciousness are similar in a sense to Nebuchadnezzar's acts of destruction in Judah: "You have slain a nation which was already dead, you have burned a Temple which was already burned, and you have ground flour which was already ground" (*bSanbedrin* 96a). Here, too, one might say, "You have erased a text which was already absent." The attempt to erase the text is the very act that emphasizes what is missing, and thus gives the story its presence.

⁵¹ Derrida described the concept of 'trace' in his essay: Jacques Derrida, *Of Grammatology* (trans. Gayatri Chakravorty Spivak; Baltimore & London: Johns Hopkins University Press, 1976 [1st pub: 1967]), Chapter 2.