The Law of Jealousy

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Published by Brown Judaic Studies

Destro, Adriana.
The Law of Jealousy: Anthropology of Sotah.

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Appendix 3

The sociology of the Mishnah is presented by J. Neusner through three fundamental elements: 1) a caste of priests, 2) a class of householders, and 3) a professional class of scholars and scribes (1981b, 230-256). The unitary system of the tractates accounts for the interdependency and the global force of these components.

a) As far as the priestly caste, its influence and its code are concerned, it should be remembered that in the mishnaic text there is no discussion of priestly roles or behavior.

Even if the priests' mentality and points of view appear clearly in many of the subjects discussed, the Mishnah is never set up as an elaboration or a document which is directly founded on priestly principles. This is due to the fact that the sages tend to go further than the competence of the priests. They are the refounders of Israel, not the transmitters of a religious elite. At the moment when the Temple and the cult setting die, the rhetoric of the sages reproduce their value without reproducing the priestly world as such. In perspective, that world will be substituted by the work and the dialectic of the sages, not by a specific category of protagonists of the cult or by the scholars.

This having been said, it should be added that the level of the priestly caste is always a privileged area for the structuring of Israel. National sentiment was nourished by the priests. Their elite experience always distinguished Israel and always defined the nation.

b) The class of householders emerges from the ordinary facts of life, but above all from village custom. The paysant head of the family should be considered to be the ideal recipient of a large part of the rules, transactions and testimonies reported in the tractates.

The Mishnah – it must be stressed here – attempts to tackle the specific existential situation of a type of man who is surrounded by a wife, children, daughters-in-law, nephews and nieces, servants and laborers. He is the foundation of an agricultural society which has been instructed to sanctify the earth and its products, and to control the means of production and communal uses. There are other categories in the village: shopkeepers, craftsmen, and people who are not settled.
All of them, however, are dominated by the father of a peasant family, the custodian-owner of the land. This is in virtue of the principle that "he who owns something alone can sanctify it: God in heaven, the householder on earth" (J. Neusner, 1981b, 251).

The householder however appears as an implicit subject, not expressly nominated. In general, he is considered to be a voluntary agent, but not really autonomous. His material life is within God's creation, which has no need of progress or improvement. Thus, the category of landowner (householder) is not exactly economic. It translates a vision which is much wider, a religious-symbolic reality in which the symmetry between Heaven and earth dominates. The landowner represents the man who participates practically in the divine plan, who enjoys the final effects of sanctification. "Appointed times," agrarian and matrimonial rules, dietetic or ritual norms are defined only for such a man.

c) After the destruction of 70 C.E., the condition of the sages acquires enormous importance because they cleanse the cultural framework of structures and mechanisms which have withered away, and of immobility of praxis. The great social losses are rendered less tragic because the sages present various plans of support and readaptation to the new reality.

That is, the profession of expert on the Torah plays an essential role in the reactivation of the nation after 70 C.E. It leans on competence in legal-religious subjects and on the capacity to create symbolic representations.