

Sacrifice, Blood, and Intention in Early Rabbinic Literature

A Critical Reading of Mira Balberg's Blood for Thought

▼ **ABSTRACT** This article critically examines Mira Balberg's *Blood for Thought* and its interpretation of sacrifice in early rabbinic literature. It focuses on Balberg's argument that rabbis centralized blood in sacrificial rituals and downplayed individual intention. The author contests Balberg's view, arguing it oversimplifies the complex evolution of sacrificial concepts. The transition from Tannaitic to Amoraic literature is highlighted as a significant shift in conceptualizing sacrifice, especially after the Second Temple's destruction. The continued study of sacrificial laws in the Babylonian Talmud, particularly *Seder Qodashim*, suggests a more complex relationship between ritual, text, and religious identity than Balberg's 'formalization' theory implies. The article argues that theological-political dimensions of sacrificial discourse in rabbinic literature, especially in the context of exile and restoration hopes, deserve more attention. While acknowledging Balberg's contribution, the author calls for a more comprehensive approach considering the interplay between ritual practice, textual interpretation, and evolving religious and political contexts for a fuller understanding of sacrifice in rabbinic thought.

▼ **KEY WORDS** Judaism, Sacrifice, Blood, Mira Balberg, Rabbinic literature, Babylonian Talmud, *Qorban*

My contribution focuses on a limited scope, deliberately excluding the Bible, Second Temple Judaism, Qumran, and Early Christianity.¹ Instead, it concentrates on the concept of sacrifice in Tannaitic and Amoraic literature.² In addition, a significant part of this contribution involves a close discussion of Mira Balberg's relatively recent monograph, *Blood for Thought. The Reinvention of Sacrifice in Early Rabbinic Literature*, which represents one of the most innovative attempts to rethink the concept of sacrifice in early Jewish legal literature.³

My contribution primarily examines early rabbinic works that entertain a quite complex relationship with each other: the Mishnah (the main text of Jewish law, compiled by Rabbi Judah ha-Nasi in the third century CE), the Tosefta (a complementary text to the Mishnah with notable differences in wording, ruling, and textual material), the Sifra (a rabbinic commentary on Leviticus, later incorporated in other rabbinic texts in the form of quotations) from the Tannaitic period (c. 10–220 CE), and the partial Aramaic commentaries on the Mishnah (formally known as the *gemara*, 'completion'), which, together with the relevant passages from the Mishnah, the Jerusalem and Babylonian Talmuds, from the Amoraic period (c. 220–500 CE). This complex literature shows a profound evolution from biblical literature, which presented a variety of sacrifices and locations, ranging from spontaneous to systematized offerings. My contribution examines a series of key aspects in the evolution of Jewish sacrifice — the harmonization of sacrifices around the principle of blood, as proposed by Mira Balberg, and the metaphorical interpretation of blood for vegetable sacrifices — but also explores how the institution of sacrifice was transformed from a spontaneous, almost private act into a public or interpersonal act. In this respect, much attention is devoted to discussing the Hebrew concept of *kawwanah*, 'intention', which is examined here as a form of 'self-awareness' in contrast to Balberg's view that sacrifice would be changed into a sort of 'impersonal ritual system'. This approach reveals a complex transformation of sacrificial concepts in rabbinic thought, demonstrating how ancient practices were reinterpreted and systematized in the post-Temple era.

A Phenomenology of the Jewish Sacrificial System

Given the limited purpose of this contribution, I cannot exhaustively address the doctrine of sacrifice in Scripture. This too demanding task would involve tackling the highly complex issue of the gradual transition from spontaneous sacrifices performed on 'high places' (Exodus 20.21; I Samuel 9.12–14; Amos 5.21; Hosea 4.1–19), to more or less centralized cults, up to the centralization of worship in Jerusalem as

1 For a comprehensive examination of these topics, see the monographic issues: *Il sacrificio nel Giudaismo e nel Cristianesimo*, Monographic issue of *Annali della Storia dell'Esegesi* 18/1 (2001), and *I Cristiani e il sacrificio pagano e biblico*, Monographic issue of *Annali della Storia dell'Esegesi* 19/1 (2002).

2 Hebrew and Aramaic texts and their respective English translations are generally taken from the prominent online database Sefaria <<https://www.sefaria.org>>.

3 Balberg, Mira, *Blood for Thought: The Reinvention of Sacrifice in Early Rabbinic Literature* (Oakland: University of California Press, 2017).

substitute for the former ones (Deuteronomy 12.1–32). This contribution starts from the *ex-post* conception of sacrifice, whereby Scripture tends to convey a single theology of sacrifice. Therefore, this reading is not at all exhaustive of the historical development but strongly relies on the assumption that a process from spontaneous worship to centralized worship has already taken place.⁴

Balberg's phenomenology begins with a basic, almost minimalistic formalization of the sacrificial process:

the owner brings forth the animal to the entrance of the sanctuary, lays his hands on its head, and then (he or someone else) slaughters it. The variation among the different types of offerings comes into play only after the slaughter.⁵

This basic description of the sacrificial process is obviously generic but in its simplicity it adapts well to the five fundamental types of biblical sacrifice that presuppose an interactive model: *'olah* ('holocaust' or 'burnt offering', where the entire animal is consumed by fire); *zevach shelamim* ('peace offering' or 'fellowship offering', where parts of the animal are burned, and other parts are eaten by the priests and the offerer); *chata* ('sin offering', made to atone for unintentional sins); *asham* ('guilt offering', made to atone for certain specific sins); *minchah* ('food and drink Offerings', grain or meal offerings that don't involve animal sacrifice).⁶

This basic formalization of sacrifice is not exhaustive. On the contrary, Balberg acknowledges that the sacrificial process in Scripture typically involves 'a prolonged multiphased procedure'⁷ that includes three main phases and a series of sub-steps:

- I. Delivery (by the owner);
- II. Transformation (by the officiants);
 - a. ritual slaughter of the animal (*shekhitah*);
 - b. collecting the animal's blood in a sacred vessel (*qabalah*);
 - c. carrying of the animal's blood to the altar (*holakhah*);
 - d. sprinkling or throwing of the animal's blood on the altar (*zeriqah*);
- III. Distribution (by the officiants):
 - a. burning the fats and innards of the sacrifice on the altar where sacrifices were offered (*haqtarah*).

It should be noted that carrying of the blood to the altar (*holakhah*) is not necessary if the victim is slaughtered near it. On the other hand, sprinkling or throwing of the blood on the altar (*zeriqah*), however, only occurs if required by the kind of sacrifice. Finally, the final step usually includes burning the fats and innards of the sacrifice on the altar where sacrifices were offered (*haqtarah*). In this respect, Balberg notes that 'the burning of suet and meat, which in the Priestly Code features

4 Rhyder, Julia, *Centralizing the Cult: The Holiness Legislation in Leviticus 17–26* (Tübingen: Mohr Siebeck, 2019).

5 Balberg, *Blood for Thought*, p. 50.

6 Yerkes, Royden K., *Sacrifice in Greek and Roman and Early Judaism* (reprint, Eugene: Wipf & Stock Publisher, 2010), pp. 115–96.

7 Balberg, *Blood for Thought*, pp. 71–2.

alongside the manipulation of blood, [...] gets recast as a marginal and significantly less consequential activity by the rabbis.⁸ It might be useful to recall here, as Jacob Neusner argued, that Jewish law usually conceptualizes the altar and table as interconnected sacred domains differentiated solely by their hierarchical sanctity levels. This theological framework necessitates a systematic comparative analysis of meat preparation protocols across both spheres. Through rigorous examination of variables including consecrated versus unconsecrated animals and spatial demarcations within Temple boundaries, Jewish law establishes a comprehensive regulatory schema. The treatment of blood emerges as a crucial differentiating element, with consecrated animals requiring altar aspersion while secular ones mandate burial. This foundational text articulates detailed provisions regarding meat preparation, encompassing blood covering requirements, sciatic nerve extraction, meat-dairy segregation protocols, and ritual purity standards. Additionally, it delineates regulations governing priestly animal offerings. The discourse concludes with avian regulations pertaining exclusively to secular contexts, while maintaining an underlying assumption of adherence to both Written Torah prescriptions and Temple purity paradigms. This systematic approach reflects the Jewish law's broader objective of establishing coherent frameworks for religious practice across varying levels of sanctity.⁹

With respect to this new multiphased sacrificial process, there are at least three possible mishaps in the process: 1. a sacrificial substance is inadvertently taken out of the precincts of the Temple; 2. a sacrificial substance has inadvertently contracted impurity; 3. a sacrificial substance has inadvertently gone either partially or entirely lost. As Balberg notes, this procedural model is based on the binary opposition between 'blood' and 'nonblood' — like fat, muscles, and nerves — that are typically evacuated during the sacrificial process either by slaughtering, 'porging',¹⁰ consuming, or burning.¹¹ This process of elimination of nonblood conversely reflects the centrality of blood and its importance in formalizing the entire sacrificial process around a formal principle. In her understanding, the selection of a unifying principle has as its main consequence 'the rejection of the interactive model'.¹² In her study, Balberg particularly insists on the assumption that blood constitutes the fundamental element based on which the rabbis restricted the biblical institution of sacrifice and downplayed the role of 'intention' in the sacrificial process. This restructuration also required the various biblical sacrificial procedures — 'burnt offering', 'peace offering', 'sin offering', 'guilt offering', and even 'food and drink offerings', although they don't involve animal sacrifice — to be reorganized and therefore be unified according to a single fundamental principle: blood. Accordingly, the ritual passage is generally called

8 Balberg, *Blood for Thought*, p. 72.

9 Neusner, Jacob, 'Intersecting Realms of Sanctification: The Slaughter of Animals for Secular Purposes in the Context of Sanctification in Rabbinic Judaism,' in *Il Sacrificio nel Giudaismo e nel Cristianesimo*, pp. 255-280.

10 The process of 'porging' (from the Judeo-Spanish *purgar*, 'to cleanse') includes cutting away of forbidden fat and veins from *kasher* meat.

11 Balberg, *Blood for Thought*, p. 79.

12 Balberg, *Blood for Thought*, p. 30.

'*avodat ha-dam* and designates the 'service of the blood', with reference to the rituals involving the blood of the sacrificial animal.

Balberg offers her phenomenology of sacrifice as alternative to other conventional theories that typically conceive of the transformation of the Jewish sacrificial system into a ritual system of prayers in terms of a moral and religious evolution. This traditional understanding of sacrifice is epitomized in Guy Stroumsa's work *The End of Sacrifice: Religious Transformations in Late Antiquity*.¹³ In general, Stroumsa suggests that Judaism was already moving away from animal sacrifice but the destruction of the Jerusalem Temple by the Romans forced an abrupt end to the practice and imposed a revolutionary change into the patterns of ancient Judaism:

another consequence of the destruction of the Temple in Jerusalem is that it permitted the spiritualization of the liturgy, *leitourgia*, by transforming rites accompanying sacrificial activity, by prayers replacing the daily sacrifices, and by giving ancient prayers a value that they had not previously had. The destruction of the Temple did not imply only what I have just called 'spiritualization' — as ambiguous as the term may be, and which I am using (without any value judgment) to indicate the shift to a ritual without priests and without blood sacrifices.¹⁴

This view appears to reflect the rabbinic narratives that describe the destruction of the Temple as a traumatic event from which Judaism could only recover through the unparalleled efforts of the prominent rabbi Yochannan ben Zakkay. According to tradition, he requested permission from Emperor Vespasian to establish a Talmudic academy in Yavne, which allowed Judaism to survive. In particular, Stroumsa posits that the destruction of the Temple of Jerusalem 'forced' 'the Jews' 'to invent a new Jewish religion'.¹⁵ In some exquisite 'Pauline' undertones, he also juxtaposes the resulting 'new religion', based on prayers, against the previous one, based on the Temple service:

now it is the individual consciousness that is charged with constantly reinvigorating the relation with the divine, still more invisible and incomprehensible than when the Temple was standing [...]. It is the contrite heart and intention, both invisible by nature, that God appreciates.¹⁶

It is noteworthy that Stroumsa employs traditional Christian tropes, particularly in his argument that the destruction of the Temple facilitated a process of 'spiritualization' with the obvious implication that the sacrificial system would be 'carnal'. However, he also asserts that this term is unbiased, despite its sole use in describing a process of

13 Stroumsa, Guy G., *The End of Sacrifice: Religious Transformations in Late Antiquity* (Oxford: Oxford University Press, 2009).

14 Stroumsa, *The End of Sacrifice*, p. 64.

15 Stroumsa, *The End of Sacrifice*, p. III.

16 Stroumsa, *The End of Sacrifice*, pp. 105–06.

‘internalization’, or the ‘internalizing of worship with the weakening or disappearance of the idea of ritual purity’.¹⁷

Balberg has the merit of challenging this traditional narrative about the end of sacrificial practices. This traditional view posits that the cessation of animal sacrifice due to the Temple’s destruction was the main factor distinguishing Judaism in this regard, as most Mediterranean cultures had already begun to view animal sacrifice as primitive and overly materialistic by late antiquity. One might, for instance, consider the community of Qumran, which initially departed from the sacrificial system due to its profound contempt for the priestly elite officiating in the Temple of Jerusalem. However, this departure was ultimately driven by a progressive vision of the eschatological establishment of a new Temple, which effectively relegated the sacrificial system to a metaphysical background. In many respects, this anticipated some traits of Early Christianity and its departure from sacrificial practice, while still abiding by the theological notion of sacrifice.¹⁸ This perspective, however, may present an oversimplified view of religious practices in other traditions, such as Islam, where animal slaughter continues to play a significant role in religious observances and charity.¹⁹ On the contrary, Balberg argues that the cessation of sacrifice was a more complex, gradual, and ambiguous process than previously thought. Throughout late antiquity, the concept of sacrifice continued to play a significant role in both Jewish and Christian thought, even if not always in practice. The body of rabbinic literature on sacrifice, referred to as the rabbinic sacrificial corpus, doesn’t treat sacrifices as mere metaphors or remnants of a bygone era. Instead, these texts present sacrifices as integral components of a broader vision of life governed by rabbinic interpretation of Scripture. In particular, Balberg has addressed the academic narrative supporting this view of sacrifice’s decline and argued that this outdated theory may be influenced by certain biases and theological assumptions. She has especially emphasized that this traditional view tends to characterize blood sacrifice as archaic and inferior compared to more abstract or internalized forms of religious expression that emerged later:

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.²⁰

This perspective would stem from the fact that in general, the Hebrew word *qorban*, ‘offering’, and its cognates are never used in rabbinic literature in metaphorical or figurative senses, as Balberg notes. However, it should be noted that her assumption that the *qorban* in Second Temple Judaism would never be metaphorical is contestable.

¹⁷ Stroumsa, *The End of Sacrifice*, p. 108.

¹⁸ Gärtner, Bertil, *The Temple and the Community in Qumran and the New Testament: A Comparative Study in the Temple Symbolism of the Qumran Texts and the New Testament* (reprint, Cambridge: Cambridge University Press, 2010). See also: Martinez, Florentino Gracia, *Qumran and Apocalyptic: Studies on the Aramaic Texts of Qumran* (Leiden: Brill, 1992), pp. 180–213.

¹⁹ Zikri, Khairullah, ‘Deconstructing Animal Sacrifice (Qurban) In Idul Adha’, *Esensia*, 12 (2011), 235–54.

²⁰ Balberg, *Blood for Thought*, p. 4.

In fact, the etymology of the concept of *qorban* seems to suggest a rather complex semantics. The Akkadian term *qarābu* has a rich and multifaceted meaning in religious contexts. It primarily refers to the act of prayer, but extends beyond simple supplication to encompass blessing, greeting, and intercession. The word can describe praying on behalf of someone else before a deity or petitioning a god for a specific purpose. It is also used to denote the utterance of formal prayers or supplications. In personal contexts, it can mean to implore or beseech a deity, often with great earnestness. The term also carries connotations of dedication and devotion, particularly in relation to offerings or sacrifices. When used in reference to a deity, it can mean to bless or bestow a blessing upon someone or something. In social interactions, it can describe the act of greeting or welcoming someone with a blessing. This complex etymology suggests that the Akkadian concept of *qarābu* encompassed a broad spectrum of religious and social interactions, blending prayer, offering, blessing, and greeting into a single, multifaceted term.²¹

This complex semantics impacted on the Hebrew notion of *qorban* as one can easily expect and posits a serious criticism to Balberg's assumption that the Hebrew notion of *qorban* would not be metaphorical. On the other hand, it is evident that the approximation of the Hebrew notion of *qorban* as derived from the Akkadian *qarābu* to the Hebrew verb *qarav* ('to come near' in several verbal forms) is itself already a form of 'metaphorization' that was popularized in the book of Leviticus and then transmitted unto rabbinic literature in several classic passages. The combination of the Akkadian notion of *qarābu* as 'offering' with the Hebrew verb *qarav* as 'coming near' resulted in a notable change in semantics. In his analysis of the sacrificial lexicon of Leviticus, Jacob Milgrom put forth the proposition that the *Hiphil* or causative verbal form *hiqriv* 'bringing an offering' and 'bringing near' serves a dual function, one that is literal and one that is metaphorical.²² In the Levitical sacrificial lexicon, the Israelites are commanded to 'bring an offering' to the altar (Leviticus 3.1; Leviticus 12.7) unto the priests, who act on their behalf, present the offering at the altar, and thereby facilitate the Israelites' 'nearness' to God (Leviticus 1.15; Leviticus 2.8). From this perspective, it is worth noting that Balberg is true in arguing that the rabbis' proposal of a descriptive account of sacrifices was guided by a prescriptive view of cult after the destruction of the Temple, but this is not phenomenologically different from the fact that the Purity Code of the Pentateuch and Ezekiel were written when the Jewish sacrificial system was not in operation:

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.²³

²¹ *Chicago Assyrian Dictionary*, vol. 13 (Chicago: The Oriental Institute, 1995), s.v. *qarabu*, pp. 228–40, accessible online: <https://isac.uchicago.edu/sites/default/files/uploads/shared/docs/cad_q.pdf>.

²² Milgrom, Jacob, *Leviticus 1–16: A New Translation with Introduction* (New Haven: Yale University Press, 1991), p. 145.

²³ Balberg, *Blood for Thought*, p. 6.

What can be concluded from these preliminary observations?

Towards A New Notion of Sacrifice?

Balberg strongly argues for the uniqueness of Tannaitic literature and its practical nature: ‘no text that precedes the Tannaitic corpus [...] 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’.²⁴ In arguing so, Balberg engages with specific questions about sacrifice validity, correction of mishaps, relationships between public and private offerings, and fulfillment of sacrificial duties. These practical concerns were not addressed in earlier texts available to us. Balberg argues that even without actually performing sacrifices, Jews saw themselves as ‘people who sacrifice’.²⁵

A problematic point is Balberg mentioning a passage from Tractate *Menachot* of the Babylonian Talmud that famously argues that studying how to perform sacrifices is equivalent to performing them in the Temple of Jerusalem (bMen 110a):

בכל מקום מוקטר מוגש לשמי בכל מקום סלקא דעתך אמר רבי שמואל בר נחמני אמר ר' יונתן אלו תלמידי חכמים העוסקים בתורה בכל מקום מעלה אני עליהן כאילו מקטירין ומגישין לשמי

(*In every place offerings are presented to My name* (Malachi 1.11). [Does it] enter your mind [to say that it is permitted to sacrifice offerings] ‘in every place’? Rabbi Shmuel bar Nachmani says, Rabbi Yonatan says: These are student of sages engaging in Scripture in every place. [God says:] I ascribe them [credit] as though (*keillu*) they burn and present [offerings] to My name.)

Balberg does not comment on whether the rabbis intended their texts to serve as substitutes for actual sacrifices or this merely was a ‘legal fiction’, as is suggested by the Hebrew expression *keillu*, ‘as though’. She merely notes that Tannaitic texts rarely mention the Temple’s non-functionality — or its ‘inoperativity,’ as Giorgio Agamben would probably say — without addressing the underlying ideological expectation of the Temple’s reconstruction. She suggests that Tannaitic discourse on sacrificial processes helps reconstruct a rabbinic theory of sacrifice, while discourse on congregational offerings helps reconstruct a rabbinic ethos of sacrifice. She also notes that, in the biblical corpus, sacrifice is construed as functioning within a relationship between humans as well as between God and humans. Finally, it is notable that Balberg, focusing on rabbinic legal discussions (especially in the Mishnah), argues that the Jerusalem Temple and its service were rich sites of rabbinic reflection. Through the discourse of sacrifice, the rabbis were working through larger issues of ritual and community.

²⁴ Balberg, *Blood for Thought*, p. 9.

²⁵ Balberg, *Blood for Thought*, p. 228.

As examined above, Balberg emphasizes the concept of ‘process’ in sacrificial rituals, which she divides into main stages: 1. delivery; the offerer brings the sacrifice (animal or grain) to the priests in the sacred area; 2. transformation; priests prepare the offering for consumption; 3. distribution and consumption. Rather than focusing on rare, general, and anonymous statements — generally ascribed to the *Stammaim*, the unnamed latest layer in the Talmud — about Jewish law and the Temple, Balberg focuses on ‘the rabbis’ as ‘the aggregate of many voices’, given their problematic nature as ‘an artificial construct’.²⁶ Accordingly, Balberg examines how early rabbis actually dealt with the Scripture’s legal legacy. She argues that rabbis concentrated on the process of tossing blood on the altar, despite blood not being inherently sacred. The intention of the person offering the sacrifice becomes less important in this view. Balberg’s interpretation suggests that the blood serves as a neutral vessel for the main focus — the process itself. This approach represents a completely counter-current reading of sacrificial practices. Most notably, this notion of blood as a *neutral vessel* departs from Milgrom’s important assertion that in the ancient Near Eastern religions blood worked as a ‘ritual detergent’.²⁷ This ‘detergent’ power would essentially consist in absorbing impurity and transmitting it to the carcass of the sacrificed animal by means of a metaphorical, or rather metonymic, process, since the blood is taken as a part taken for the whole.²⁸

Surprisingly, while Balberg acknowledges this important understanding of blood as detergent, she does not really discuss its ‘metaphorical power’ against her assumption that this bodily fluid would function as a neutral vessel. On the contrary, while laconically referring to Milgrom, she admits only that ‘blood indisputably serves a concrete and distinct ritual function’.²⁹ Paradoxically, such an interpretation could potentially reignite anti-Jewish animosity by presenting a view of ritual that seems detached from any ‘spiritual meaning’, as it is claimed by Stroumsa. Furthermore, Balberg’s analysis can be seen as an almost structuralist reading of sacrifice. In structuralism, the focus is on the relationships between elements within a system rather than on the elements themselves. Similarly, Balberg emphasizes the process and structure of the sacrificial ritual over the symbolic meaning of its individual components. This approach suggests that the significance of the sacrifice lies not in the blood itself or the intentions of the participants, but rather in the systematic way the ritual is carried out: ‘their legislation amounts to a construction of sacrifice as a process without giver and without receiver’.³⁰ Balberg also notes that blood has a peculiar

26 Balberg, *Blood for Thought*, p. 8.

27 Milgrom’s observations are based on the Hittite Code, which describes a form of exorcism whereby the patient is ‘rubbed’ (*kuppuru*) and the impurity is removed with a ‘detergent’ (*kupiratu*). The lexical congruence between the Hittite term *kupiratu* and the Hebrew verb *kipper* ‘to expiate’ is readily apparent. See: Milgrom, Jacob, ‘Two Kinds of Ḥaṭṭā’*t*’, *Vetus Testamentum*, 26.3 (1976), 333–37. Cf. Milgrom, *Leviticus 1–16*, pp. 179–82.

28 Milgrom, Jacob, ‘Israel’s Sanctuary: The Priestly “Picture of Dorian Gray”’, *Revue Biblique*, 83 (1976), 390–99.

29 Balberg, *Blood for Thought*, 68. See also pp. 94 and 167.

30 Balberg, *Blood for Thought*, p. 93.

placement in Jewish sacrificial system, since the rabbis ‘made a point of establishing a categorical difference between blood and all other substances nonetheless’.³¹

This is indeed a crucial point in Balberg’s argument. On the one hand, she argues that blood ‘does not seem to belong to anyone’ in the strict sense that it ‘is part of the sacrificial transaction, but it is not the property of the sacrifice as such’.³² On the other hand, she does not appear to recognize the inherent paradox that blood unquestionably belongs — or, indeed, once belonged — to an identifiable individual, namely the sacrificial victim from whom it was taken. Consequently, the *act of* ‘neutralizing’ blood is contingent upon a prior process of ‘expropriation’, whereby the blood that previously belonged to the victim has been transformed into a neutral vessel for expiation.

Balberg’s analysis of blood in sacrificial contexts, suggesting that their work falls short of fully exploring the profound theological and philosophical implications of blood’s role. While she attempts to introduce the concept of blood as a ‘meta-substance’, she is elevating it beyond its mere physical properties: ‘nevertheless, I would like to propose that at least in the Tannaitic view, these two models are entirely consistent with each other, because permission and atonement are one and the same for the rabbis’.³³ This framing positions blood as a material that transcends its biological function, carrying deeper symbolic and spiritual significance. In this respect, I might stretch Balberg’s assumption and suggest that she is implicitly arguing that blood serves as a ‘sign’ if not a ‘metonymy’ of sacrifice, acting as a tangible representation of the ritual act itself. In literary and rhetorical studies, metonymy is a figure of speech where a thing or concept is referred to by the name of something closely associated with it. By radicalizing Balberg’s assumption on blood as a ‘meta-substance’ for sacrifices and therefore describing blood as a potential ‘metonymy’ for sacrifice, I would argue that blood comes to stand in for the entire concept and practice of sacrifice. This rhetorical device underscores the profound connection between blood and sacrificial rituals in various religious and cultural contexts. In this respect, Balberg’s formalization of sacrifice would hint at a dual nature or function of blood, though it doesn’t explicitly state what these functions are. We might infer that this duality refers to blood’s literal, physical role in living beings and its symbolic, spiritual significance in religious and cultural practices. This dual nature makes blood a unique substance that bridges the physical and metaphysical realms.

Rabbinic teachings on sacrifice emphasize the unity of the Israelite community. Rabbis often reframe individual sacrifices as communal offerings, stressing the importance of collective worship. They advocate for communal financing of sacrifices rather than private funding. This transformation occurred in two main ways: first, by diminishing the importance of the individual offering the sacrifice, as the rabbis focused on the priest’s intention during the ritual, they considered the giver’s intention irrelevant: ‘a fundamental principle that governs rabbinic sacrificial legislation

³¹ Balberg, *Blood for Thought*, p. 96.

³² Balberg, *Blood for Thought*, p. 96.

³³ Balberg, *Blood for Thought*, p. 100.

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';³⁴ second, by redefining the sacrificial act, as the rabbis shifted the focus from offering an animal as food for God to the proper handling of the animal's blood, since 'the rabbis redefined the sacrificial practice as consisting exclusively of blood-related activities, thereby severing the ritual representations both of the addresser and of the addressee from their portrayal of sacrifice'.³⁵

This interpretation highlights a shift from individual to communal religious practice and from literal to symbolic understanding of sacrifice. It suggests that rabbinical teachings aimed to foster a sense of collective identity and responsibility within the Jewish community, while also evolving the concept of sacrifice to align with changing theological perspectives. This rabbinic reinterpretation had significant implications for Jewish religious practice and community cohesion. It represented a crucial development in the evolution of Jewish thought and ritual observance. In Balberg's assumption, the rabbis negated the role of individual offerings in favor of congregational ones. As especially emerges in Leviticus, many offerings are done on the part of an individual to maintain or repair their relationship with God, but in the early rabbinic literature the offerings that matter are those by the community as a whole. Balberg exemplifies how these transformations come together in the case of the Passover sacrifice and examines the genre of ritual narrative, a literary account of a ritual performance distinctive of the Mishnah, which works a final transformation in comparison to Leviticus' narrative picture of miraculous events and famous individuals, focusing instead on the mundane and collective. She concludes that the rabbis depicted Jews as a people who sacrifice because it was key to defining them as a people and a religion in late antique discourse. The rabbis effectively created a new theory of ritual that transformed biblical sacrifice from a personal interaction with God into a performance-based relation within the Jewish community.³⁶

This transformation is reflected in the emergence of a 'congregational offering' (*qorban tzibbur*, literally: 'public offering') over 'individual offering' (*qorban yachid*). This shift in terminology may also have been influenced by the Roman distinction between *sacra publica* and *sacra privata*.³⁷ In Balberg's view, this transformation would be reflected in the rabbis' vehement rejection of using private donations for congregational offerings. This is based on the assumption that public sacrifices should be supported by 'everyone' rather than specific, possibly affluent individuals. In accordance with this, Tractate *Menachot* of the Babylonian Talmud states that the daily offering shall be publicly funded by the use of the common charity treasure. 'all of them [i.e. daily offerings] shall come from the collection of the [Temple] chamber' (שיהיו כולן) (באין מתרומת הלשכה).³⁸

34 Balberg, *Blood for Thought*, p. 8.

35 Balberg, *Blood for Thought*, p. 63.

36 Balberg, *Blood for Thought*, p. 139.

37 Balberg, *Blood for Thought*, p. 110 note 5.

38 bMen 65a, mentioned in Balberg, *Blood for Thought*, p. 116 note 32. Balberg actually discusses in detail a scholion from Tractate *Ta'anit* as reported in Ms Parma. Cf. Balberg, *Blood for Thought*, pp. 115–17.

Reconsidering the Notion of Sacrifice in Tannaitic Literature

Balberg bases her theory on the privileging the examination of Tannaitic material over Amoraic one.³⁹ In a rather energetic passage, she describes the relationship as follows:

One of the unmistakable trademarks of rabbinic legislation, in almost every area, is unprecedented emphasis on state of mind and intention [...] Contrary to what one could expect, however, Tannaitic texts make the point that the offerer's intentions and mindset have no bearing on the validity of the sacrifice [...] When the rabbis determine that a sacrifice is valid (*kasher*) or invalid (*pasul*) they assess only whether or not the sacrifice was performed correctly, in accordance with the required protocol [...] I argue is that the rabbis do not assign importance to the offerer's intentions in assessing the ritual validity of sacrifices.⁴⁰

This is actually a weak argument, as I will discuss below, because it does not take into account that intentionality is still presupposed even if it is not made explicit, so it is a matter of clarifying the ontology of sacrifice to consciousness rather than its phenomenology. One of the questions that emerges from Balberg's formalization is whether rabbinic literature actually 'centralizes' what appeared 'dispersed' in Scripture. In fact, this question hides a more important one — does rabbinic literature exist?

This is a difficult question that surprisingly would have to be answered in the negative, in almost Lacanian terms: 'there is no rabbinic literature'. Or rather, the idea of rabbinic literature — inclusive of editorial, argumentative, and theological consistency — that progressively points to the redaction of the Talmud is a later ideological projection. In other contexts, elsewhere I have drawn parallels between the 'force of attraction' that the Talmud exerts in rabbinic literature and the 'centripetal force' of Platonic and Aristotelian philosophy, which in turn has shaped and unified earlier pre-Socratic philosophy. Consequently, rabbinic literature, or more broadly, pre-Talmudic literature would then be as generic as the common designation of 'pre-Socratic philosophy', yet would offer a more or less uniform perspective on the legal discourse preceding the foundational systematization through the Talmudic corpus. According to this analogy, 'the Babylonian Talmud plays the same pivotal role that Aristotelian philosophy did with respect to its predecessors'.⁴¹ In other words, the various pre-Talmudic rabbinic texts would only emerge as a 'literature' — or a whole body of rabbinic texts — in relation to the centralizing power of the Talmud, and would therefore be a retrospective projection of its hegemonic power. In fact, there are at least two major segments with their own literature of reference, where the former is not necessarily a prodrome of the latter: the Mishnah and the Aramaic commentary thereon, known as *gemara* or 'completion'. Indeed, one could consider

³⁹ Balberg, *Blood for Thought*, pp. 4, 10.

⁴⁰ Balberg, *Blood for Thought*, pp. 31–33.

⁴¹ Dal Bo, Federico, *Deconstructing the Talmud: The Absolute Book* (London: Routledge, 2019), p. 86.

the prestige of the Mishnah described in the Gaonic academies in ‘almost Quranic’ terms as the ‘supreme beauty’ or *shupra*, for which it would be the perfect book:

when all the world contemplated the beauty (*shupra*) of the arrangement (*tretzta*) of our Mishnah and the truth of the matters (*devarim*) and the precision of expression (*milta*), they all abandoned those that they had been learning by repetition (*de-hawu tanu*). These legal matters (*halakhta*) spread in all Israel and became the rest of the legal matters. All [the others] were abandoned and became, for instance, external legal matters (*baraita*), which one takes into consideration as an instrument as an interpretation or an auxiliary expression. Yet, Israel relies on these legal matters and all Israel has accepted them with faith (*emuna*), as they contemplated it. None disagrees with this.⁴²

In this respect the *gemara* is not necessarily its ‘completion’ but for a long time only its ‘commentary’. This is a model inherited from the biblical system and, according to Balberg, should be understood in social terms as organizing a social space rather than as a direct channel of communication with divinity, so ‘the rabbis conceive of sacrifice not as a mode of interaction but as a mode of transformation, both of the offerer and of the offering’.⁴³ Balberg reiterates this principle several times when talking about ‘a rejection of the notion that sacrifice’⁴⁴, ‘a rejection of the communicative model’⁴⁵, and ‘the vehement rejection of any individual funding of congregational sacrifices’⁴⁶, in favor of ‘a collectivistic ideology’⁴⁷, whose ‘most radical expression’ would be ‘the identification of the Passover and pilgrimage offerings as congregational offerings’.⁴⁸

According to Balberg, the evolution of the rabbinic sacrificial system — that is, its formalization process — reflects the circumstance that ‘the rabbis construed sacrifice as a process without addresser by eliminating the agency of the offerer’.⁴⁹ Balberg believes that this formalization actually serves a specific purpose by focusing everything on the function of blood according to an almost phenomenological procedure of *epoché* or ‘bracketing’ what is irrelevant: ‘when both these components are bracketed, the work of blood is all that is left’.⁵⁰ More specifically, Balberg’s formalization relies on two assumptions:

42 Sherira Gaon, Letter, quoted in Dal Bo, *Deconstructing the Talmud*, p. 130.

43 Balberg, *Blood for Thought*, p. 85.

44 Balberg, *Blood for Thought*, p. 60.

45 Balberg, *Blood for Thought*, p. 61.

46 Balberg, *Blood for Thought*, p. 111.

47 Balberg, *Blood for Thought*, p. 115.

48 Balberg, *Blood for Thought*, p. 134.

49 Balberg, *Blood for Thought*, p. 62.

50 Balberg, *Blood for Thought*, p. 86. For the relevance of phenomenological *epoché* for religious realism, see: Mickey, Sam, ‘Living the *Epoché*: A Phenomenological Realism of Religious Experience’, in *The Problem of Religious Experience: Case Studies in Phenomenology, with Reflections and Commentaries*, ed. by Olga Louchakova-Schwartz (New York–Berlin: Springer, 2019), pp. 113–124.

1. marginalization of the owner in favor of a sacrificial process by third parties: ‘send money to the Temple, and to have other people buy and deliver an offering on one’s behalf’;⁵¹
2. abstraction of the sacrificial process in terms of blood manipulation by taking to extremes the rabbinic dictum whereby “there is no atonement except in blood” (והלא אין כפרה אלא בדם) (Sifra Dibbura de-Nadevah 4. 10; cf. tZev 8. 17, bYom 5a, bZev 6a, bMen 93b).

And yet Balberg argues that the notion of intention is paradoxical in Tannaitic literature:

the rabbis, then, significantly transform the concept of voluntary offering: they take it to mean not that one actually brings an offering to the Temple of one’s own free will, but rather that one willingly creates for oneself an obligation to bring an offering to the Temple.⁵²

Balberg, however, is unconvincing in her observation: late antiquity still lacks a clear definition of consciousness, which in the West only comes centuries later with Augustine and the definition of consciousness as memory.⁵³ In this sense, the concept of consciousness is described analytically as a voluntary act of submitting to an obligation that is described and normed according to ‘impersonal’ principles. But this does not mean that intentionality does not have a fundamental importance. It is an analytic circumlocution to ‘explain’ the concept of ‘consciousness’. After all, the evolution of the concept of will is loosely explained while commenting on a passage from Tractate *‘Arakhin* of the Mishnah:

while in its biblical usage the word *ratzon* means ‘acceptance’ or ‘satisfaction’, and accordingly the phrase *li-retzono* means ‘so that one be accepted’ (by the deity), in rabbinic Hebrew *ratzon* means ‘will’ or ‘desire’, and the phrase *li-retzono* is interpreted to mean ‘in accordance with one’s will’.⁵⁴

A (Case) Question of Intentionality in the Mishnah and the Tosefta

One of the most contentious aspects of Balberg’s theory is not her quite convincing formalization of the notion of sacrifice around the concept of blood but rather her tendency to resolve the sacrificial process almost as a ‘formal act’. It is noteworthy that Balberg proposes to ‘discuss the role of intention, will, and state of mind in the rabbinic sacrificial system’⁵⁵ and yet fails to elucidate the concept of ‘intention’

⁵¹ Balberg, *Blood for Thought*, p. 62.

⁵² Balberg, *Blood for Thought*, p. 35.

⁵³ It is evident that the most pertinent reference is the tenth book of Augustine’s *Confessions*. See Dal Bo, Federico, ‘Lo spazio della memoria nelle Confessioni di Agostino’, *Studia Patavina*, 47.1 (2000), pp. 149-166.

⁵⁴ Balberg, *Blood for Thought*, p. 36. Cf. mArak 5.6.

⁵⁵ Balberg, *Blood for Thought*, p. 31.

itself or to utilize the term ‘intentionality’ as if she refrained from exploring a higher classification for the various ‘intentions’ that may be involved in the sacrificial process.

On the contrary, it should be noted that Jacob Neusner appreciates the role of intentionality in the cult of sacrifice, especially noting that this question is not explicitly addressed in the Written Torah’s treatment of the subject but is rather considered to be implicit in it. Accordingly, Neusner merges the notions of ‘intention’ and ‘intentionality’, and openly identifies them with the rabbinic notion of *kawwanah*.⁵⁶ The inadequacy of Balberg’s philological analysis manifests in her cursory treatment of *kawwanah* within the rabbinic corpus. This particularly emerges in two cases. First, she renders the rabbinic expression *kiven libo* literally as ‘he directed his heart,’ rather than the more precise ‘he intended his mind’ in her citation from Tractate *Rosh ha-Shanah*.⁵⁷ Her problematic rendering exemplifies this methodological shortcoming. This translation choice not only misconstrues the semantic field of rabbinic intentionality but also demonstrates an insufficient engagement with the conceptual framework of conscious religious praxis in rabbinical thought. Translating *lev* directly as ‘heart’ misrepresents the Hebrew concept, which designates the ‘mind’, that is the mental intention or willingness to fulfill religious obligations. This mistranslation obscures the passage’s focus on conscious, deliberate commitment to performing commandments, to ‘intend his mind’ to perform a specific commandment. Second, she translates the unusual verbal expression *mitkawwen we-dochoqo* (literally: ‘he intends and pushes it’) (mSheq 3:3) with the English ‘would intentfully push it’ while quoting from Tractate *Sheqalim*.⁵⁸ While this translation is correct, at least on a vocabulary and grammar level, it fails to convey the full complexity of this unusual, almost unique analytical Hebrew expression, which phraseologically *distinguishes* between the act of intending and what is intended, as it also does in the second unique case *mitkawwen we-ro’eh* (literally: ‘he intends and sees’) (mMid 2. 4). On the contrary, the Mishnah commonly uses the verb *mitkawwen* with the infinitive form with the Hebrew letter *lamed*, similarly to the English expression ‘intend to’.⁵⁹ In doing so, it clearly makes the intended act grammatically and syntactically dependent on the verb of intention: *mitkawwen*. In addition to this, as discussed below, the theological-political conception, which is entirely absent from Balberg’s treatment, is also a collateral consequence of this interpretation of intentionality.

From an argumentative standpoint, Balberg relies on a passage from Tractate *Yoma* of the Mishnah (mYom 8:8):

⁵⁶ See: in particular: Neusner, Jacob, ‘Sacrifice in Rabbinic Judaism: The Presentation of the Atonement-rite of Sacrifice in Tractate *Zebahim*, in the Mishnah, Tosefta, Bavli, and Yerushalmi’, in *Il sacrificio nel Giudaismo e nel Cristianesimo*, pp. 225-253 and Neusner, Jacob, *Theological Dictionary of Rabbinic Judaism. Part One: Principal Theological Categories* (Lanham: University Press of America, 2005), pp. 55-64.

⁵⁷ Balberg, *Blood for Thought*, p. 39. Cf. mRS 3.7, quoted in Balberg, *Blood for Thought*, n. 43, p. 40

⁵⁸ mSheq 3.3, quoted in Balberg, *Blood for Thought*, p. 122.

⁵⁹ See, for instance, the Hebrew expression *mitkawwen litol* ‘intends to remove’ in mPeah 6.11. For similar formations, see also mTer 3.8; mShab 10.4; mYoma 5.3; etc.

חטאת, ואשם ודאי מכפרין. מיתה, ויום הכיפורים מכפרין עם התשובה. התשובה מכפרת על עבירות קלות, ועל עשה, ועל לא תעשה.

(A sin-offering and a definite guilt-offering atone [for those sins]. Death and The Day of Atonement atone [for sins when accompanied] by repentance. Repentance [itself] atones for light transgressions, for positive and negative [commandments] and for heavy [transgressions] in abeyance until Yom Kippur comes and atones [for the transgression]).

In particular, Balberg juxtaposes the expression 'a sin-offering and a definite guilt-offering atone' against to the expression 'atone [for sins when accompanied] by repentance', and surprisingly concludes that 'in such a case, the sacrifice is void, and the woman is not considered to have completed her purification process, even though her own intentions regarding those birds were commensurate with the law'.⁶⁰ Balberg especially relies on the fact that there is an elision of the concept of redemption. According to Balberg, the difference between intention and process with predilection for process is also argued on the basis of a passage from the Tosefta that would suggest the principle that 'in any case everything follows the slaughterer' (אין הכל הולך אלא) (לאחר השוחט (tZev 5:13)). This concept also is reiterated in the *midrash* (Vayqra Rabbah 22.7) but is not stipulated in the Mishnah. Therefore, this predilection is at least marginal or problematic with respect to the major works of rabbinic literature.

However, Balberg discusses the aforementioned passage from Tractate *Yoma* of the Mishnah in a problematic way. She argues that the elision of the notion of repentance should suggest that the notion of intentionality is evacuated from the sacrificial system. And yet it cannot be overlooked that the alleged elision of the notion of repentance has classically been explained by the fifteenth-century Jewish commentator Obadiah of Bertinoro in quite simple terms (on mYom 8:8):

ואשם ודאי מכפרין. הכפורים מכפרין עם התשובה. ולא חש התנא להזכירה, דמסתמא כשהוא מביא חטאתו ואשמו כבר עשה תשובה, שאם לא היה מתחרט לא היה מביא קרבן.

(A sin-offering and a definite guilt-offering atone [for those sins]. Death and The Day of Atonement atone with repentance: For if the Tanna did not consider mentioning it, for undefined, when he brings his sin-offering and guilt-offering, he has already done repentance, for if he had not felt regret, he would not have brought a sacrifice).

It is notable that in no passage of the Aramaic commentary (*Gemara*) on Tractate *Yoma* is there any allusion to redemption occurring without 'repentance' (*teshuvah*). On the contrary, it is clearly stated that 'death and the Day of the Atonement atone by repentance. With repentance, yes, but by themselves not' (מיתה ויום הכיפורים מכפרין עם) (התשובה. עם התשובה - אין, בפני עצמן - לא (bYom 85b).

⁶⁰ Balberg, *Blood for Thought*, p. 40.

On the other hand, Balberg then also comments in similar terms on another passage from Tractate *Zevachim* of the Mishnah, attributed to the fourth-generation Tanna Rabbi Yose ben Chalafta (mZev 4:6):

לשם שישה דברים הזבח נזבח: לשם זבח, לשם זובה, לשם השם, לשם אישים, לשם ריח, לשם ניחות. והחטאת והאשם, לשם חטא. אמר רבי יוסי, אף מי שלא היה בליבו לשם אחד מכל אלו, כשר, שהוא תנאי בית דין, שאין המחשבה הולכת אלא אחר העובד.

(The slaughtered offering is slaughtered for the sake of six matters: For the sake of offering; for the sake of the one who sacrifices; for the sake of God; for the sake of [consumption by the] fires [of the altar]; for the sake of aroma; for the sake of pleasing [of God]; and, in the cases of a sin offering and a guilt offering, for the sake of [atonement for the] sin. Rabbi Yose [ben Chalafta] says: Even [in the case of] one who did not have in mind (*she-lo hayah be-libo*) [to slaughter the offering] for the sake of any one of these, [the offering is] valid, as it is a stipulation of the court because the thought follows only the one performing the rite (*she-ein ha-machshavah holekhet ela acher ha-'oved*).

The rationale of this passage is quite clear. The Mishnah here establishes a very simple and acceptable legal principle: regardless of the state of mind, inclination or thought behind a legal act, the latter is valid if it is performed according to the legal requirements. In this case, the Mishnah simply states that legal validity overrides intention. Should we necessarily polarize ritual and intention by claiming that the latter is clearly subordinate to the former?

In particular, it should be noted that Balberg indulges this sentiment and radicalizes the content of the Mishnah as she is building on Louis Finkelstein's unique — and exclusive — interpretation of this passage.⁶¹ Indeed, Finkelstein radicalizes the polarization between owner and officiant on the basis of a parallel passage from the Tosefta that adds, for clarification, the ruling that 'everything only follows the slaughterer' (לעולם אין הכל הולך אלא לאחר השוחט) (tZev 5.13). In issuing this additional ruling, the Tosefta expressed its concern about the erroneous assumption that the 'slaughterer' (*ha-shochet*) can be the recipient of the legal act which he performs in place of the officiant (*ha-'oved*) who, on the other hand, had no intention of performing it. This additional ruling reaffirms the legal principle in the Mishnah (mZev 4.6) that the sacrifice is valid even though whoever has appointed another to perform a legal act on his behalf did not intend to do so. And yet, Balberg surprisingly elaborates as following:

Louis Finkelstein, however, suggested a different, and in my view highly compelling, interpretation for this passage. According to Finkelstein, R. Yose's comment should be read as contrasting the officiant (*'oved*, that is, the priest who ritually handles the blood and suet of the animal) with the slaughterer (*shochet*, the one who kills the animal) [...] the prerogative of invalidating sacrifices

61 Finkelstein, Louis, *Sifra on Leviticus*, vol. 4 (New York: Jewish Theological Seminary Press, 1990), p. 88, quoted in Balberg, *Blood for Thought*, p. 42 note 51.

through wrongful plans is reserved exclusively for those who perform the slaughter and handle the blood, and emphatically not for the owners.⁶²

And yet it seems to me that this distinction between the agents of the sacrifice — possessor, butcher, priest, officiant, etc. — rather shows a different theoretical difficulty: identifying who the recipient of this sacrifice really is, if one cannot find an initial ‘will’ to perform it. But these corpora persist in considering the sacrifice to be valid and legally binding anyway. In other words, it seems to me that these corpora encounter the theoretical difficulty of identifying ‘personal responsibility’ for a legal act in the face of an empty will to perform it. On the other hand, the distinction between these different agents does not necessarily imply such a radical polarization as Balberg claims on the basis of Finkelstein’s reading. In this case, however, it is worth recalling that Maimonides, while acknowledging the generality of the identity of the officiant, is clear in stating that the Mishnah here primarily excludes the owner and identifies the officiant with anyone else involved in the process: ‘our Rabbis taught: the slaughterer or the receiver or the sprinkler, but not the owner of the slaughtered sacrifice’ (לא הזבח בעל אבל אבל הזורק או המקבל או השוחט ר"ל) (Maimonides, comm. on mZev 4:6). Again, Obadiah of Bertinoro comments similarly on the basis of the famous French commentator Rabbi Shelomo Itzhqhi, better known as Rashi (Rashi on bZev 46b), and writes (comm. on mZev 4.6):

שאין המחשבה הולכת אלא אחר העובד. הלכך אי הוה אומר שלא לשמן אף כי אמרו הבעלים לשמן, לאו מידי הוא, דלאו בדידהו תליא מילתא, דכתיב (ויקרא ז':י"ח) המקריב אותו לא יחשב. והלכה כרבי יוסי:

(Therefore, if he would say that it was not for their sake, even though the owners stated that it was for their sake, it is not anything, for the matter does not depend upon them, as it is written (Leviticus 7.18): ‘it shall not count for him who offered it.’. And the *halakha* is according to Rabbi Yossi).

What is important to note here is that Bertinoro holds that the sacrifice is not performed in the name of the possessor even if this was done in his name on the basis of what is stipulated in Scripture (Leviticus 7.18).

Balberg correctly associates the marginalization of the owner based on the centralization of the cult and therefore the necessity of using agents instead of the owner and argues: ‘if the marginalization of the owner in rabbinic sacrificial legislation is indeed innovative, what stands behind this innovation? One possibility is to explain the bracketing of the owner in strictly pragmatic terms’.⁶³ The rabbis recognized a practical challenge in the Judean sacrificial system: the centralization of worship at a single Temple in Jerusalem. This unique arrangement made offering sacrifices straightforward for Jews living in distant lands like Greece, Rome, or Egypt, who could simply visit their local Temple. It was not anticipated that these individuals would undertake a lengthy journey to Jerusalem. Consequently, they were permitted

62 Balberg, *Blood for Thought*, pp. 42, 44.

63 Balberg, *Blood for Thought*, 62.

to engage the services of agents who would perform the requisite sacrifice on their behalf. This is a matter that is extensively documented in the Second Temple literature.⁶⁴ It is somewhat paradoxical that those residing in Judea itself, who may have been too impoverished or disabled to undertake travel, were nevertheless expected to visit Jerusalem and present an offering in person.⁶⁵ To address this, a widespread custom emerged among Jews living outside Jerusalem. They would send money to the Temple, entrusting someone else to buy and present the offering in their name. The practice is well-documented in both Second Temple Judaism literature and rabbinic writings, highlighting how the Jewish community adapted to the geographical constraints of their centralized worship system.

The Notion of Sacrifice in Amoraic Literature: A (Covert) Theological-Political Question

The reservations I have about the doctrine of intentionality as set forth by Balberg are not only methodological, but also concern theological-political nuances. These are aspects I consider indispensable when reading rabbinic literature, particularly Amoraic literature. This corpus is predominantly composed in Aramaic and builds upon the preceding Hebrew Tannaitic literature.

The supposed extreme formalization of the sacrificial process in fact has consequences that devalue the complexity of the Amoraic commentary on *Seder Qodashim* — or what has become part of the Talmud as an Aramaic commentary on the Mishnah. On this point Balberg is quite vague. While not mentioning the specific quality of *Seder Qodashim* and its ‘renaissance’ in the Babylonian Talmud, Balberg nevertheless notes that the focus on the sacrificial system is also transmitted from Tannaitic to Amoraic literature. It is important to recall the composite nature of the Talmud at this point. It is formally constituted of two discrete literatures. The first of these is the Aramaic commentary (*gemara*, literally: ‘completion’) on portions from the Mishnah. The Mishnah is the fundamental third-century Hebrew legal code. The second component consists of the relevant passages from the Mishnah itself. It is important to note that the Aramaic commentary never addressed the entire corpus of the Mishnah, and therefore is incomplete. Furthermore, the Talmud was redacted in two main versions: the one written down in the Land of Israel around the fourth century CE and the one written down in Babylonian around the fifth century CE. These two commentaries eventually resulted in the corpora of the Jerusalem Talmud and the Babylonian Talmud, respectively.

Unfortunately, Balberg zeroes in on the sophistication of rabbinic literature in general and its appropriation of Tannaitic literature in particular, going so far as to state that ‘the destruction of the Temple plays little to no role in the rabbis’ sacrificial

64 The rabbinic legislation is to be found in mSheq 7:7 and mGit 3:3. See Balberg, *Blood for Thought*, p. 62 n. 119.

65 See, for instance, Tractate *Chagigah* and relative rulings. See Goodman, Martin, ‘The Pilgrimage Economy of Jerusalem in the Second Temple Period’, in *Judaism in the Roman World* (Leiden: Brill, 2007), pp. 59–68.

corpus'.⁶⁶ This conception flattens the hermeneutic dimension of the texts precisely on the idea, animated by a historiographical positivism that leads it, on the one hand, to consider that 'ritual in a text is text and not ritual'⁶⁷ but above all, on the other hand, to consider that 'the texts' silence on this matter as a sign that the core of the texts precedes the destruction or as an indication of denial inherent in trauma or as a mode of political resistance or in any other way'.⁶⁸

It is important to note that there are significant differences between the two versions of the Talmud in their commentary on specific portions of the Mishnah. While the Jerusalem Talmud typically preserves a greater number of Tannaitic and Amoraic traditions than the Babylonian Talmud, it devotes a greater or lesser degree of attention to specific portions of the Mishnah. For instance, the Jerusalem Talmud offers commentary on *Seder Zera'im*, which pertains to the agricultural laws of the Land of Israel. In contrast, the Babylonian Talmud provides commentary solely on Tractate *Berakhot*, which addresses 'benedictions', due to the preponderance of interest in prayers. It is notable that the Jerusalem Talmud offers no commentary on *Seder Qodashim*, a section of the Mishnah that primarily addresses the function of the Temple of Jerusalem. In contrast, the Babylonian Talmud provides a detailed commentary on this section, although it was redacted outside the Land of Israel and under Persian rule.⁶⁹ It seems to me that the issue of 'political resistance' must be addressed in parallel with the absence of an Aramaic commentary (*gemara*) on *Seder Qodashim* in the Jerusalem Talmud. This absence can probably be justified by the very nature of the *Seder Qodashim*: laws concerning rituals and sacrifices in the Temple would not have been considered of practical relevance after the destruction of the Second Temple; therefore, rabbinical circles neglected their study. However, such a 'historiographic' explanation is not entirely persuasive. The Jerusalem Talmud addresses subjects that are no longer of great relevance to contemporary Jewish life, particularly in the wake of the destruction of the Temple of Jerusalem. Furthermore, it illustrates an interest in related matters, as evidenced by the presence of parallel passages between thematically similar sections of the Mishnah. One might, for instance, consider the content of Tractate *Sheqalim* from *Seder Mo'ed*, which is thematically similar to *Seder Qodashim* but is only commented upon in the Jerusalem Talmud and not in the Babylonian Talmud.⁷⁰

66 Balberg, *Blood for Thought*, p. 13.

67 Balberg, *Blood for Thought*, p. 15.

68 Balberg, *Blood for Thought*, p. 13.

69 On these and similar topics, see: Dal Bo, Federico, *Massekhet Keritot: Text, Translation, and Commentary* (Tübingen: Mohr Siebeck, 2013), pp. 1–28.

70 On the lack of an Aramaic commentary on *Seder Qodashim* in the Jerusalem Talmud, see Harel, Yehoshafat, *Sugyot Eretz Israelyot le-Seder Qodashim* (Unpublished Ph.D. Thesis, Hebrew University, 2013). On the influence of the Jerusalem Talmud unto the Babylonian Talmud, see also Gray, Alyssa M., *A Talmud in Exile: The Influence of Yerushalmi Avodah Zarah on the Formation of Bavli Avodah Zara* (Providence: Brown University Press, 2003). For a systematic confrontation between the two Talmuds, see Rabbi Ahikam Kashat's *Amrei Be-Ma'arava* and *Darkhei Ha-Talmudim*, freely circulating as private prints on the digital platform Hebrewbooks <<https://hebrewbooks.org/52701> and <https://www.hebrewbooks.org/65095>>.

The evidence presented indicates that it is not possible to conclude that the Jerusalem Talmud did not address *Seder Qodashim* merely on the grounds of its supposed irrelevance following the destruction of the Temple in Jerusalem. Conversely, the existence of an Aramaic commentary on *Seder Qodashim* in the Babylonian Talmud provides the most compelling argument against the notion that the study of Temple rituals and sacrifices is no longer theologically relevant. This leads to the question of why these rituals were studied in Babylonia, given that the Temple of Jerusalem had been destroyed for almost half a millennium. Indeed, the rabbis continued to study such laws, possibly in the belief that studying them counted as merit, just as if one had offered a sacrifice in the Temple. In fact, it is impossible to determine whether an Amoraic commentary on *Seder Qodashim* ever existed in the Jerusalem Talmud and, if so, why it disappeared. However, it is worth considering one further circumstance: in the thirteenth-century religious circles associated with the German Pietists incorporated the *Seder Qodashim* into the daily study of the Talmud with messianic and kabbalistic implications.⁷¹

The lack of discussion on this point is probably one of the most debated and problematic points of the entire monograph, which among other things fails to assess the theological-political importance of the sacrificial system, as clearly emerges with the study of *Seder Qodashim* in the Babylonian Talmud. Consequently, Balberg's act of 'formalization' also implies the act of emptying, if one may say so, the 'intentionality' of the institution of sacrifice itself. In other words, we might say in a Hegelian vein: just as the 'sacrifice' has an intention expressed by a self-consciousness, so too the institution of sacrifice itself has an 'intention', which consists in realizing certain theological-political aims. It is a matter of distinguishing between aspects of a different nature. From a simply hermeneutic and textual point of view, it can certainly be said that the Amoraic literature originates as an evolution of the Tannaitic literature on a theological and textual level. In fact, the Mishnah is commented upon in writing (*gemara*), coordinating the Mishnah with the Sifra etc. From a theological-political point of view, however, this evolution is much more complex because it involves the construction of an ideology that incorporates the layers of earlier rabbinic literature within a more complex textual and theological framework. The temporal distance separating the Tannaitic literature from the Amoraic literature — i.e. from the 'authors' of the third-century Mishnah to its 'commentators', spanning from the first to the fifth century CE, leaving aside here the extremely complex issue of the relationship between orality and writing — also has important consequences.⁷²

The Amoraic literature stands in formal continuity with the Tannaitic literature. This implies the acceptance of the principle of blood as the unifying criterion of sacrifice but poses a problem in the area of interiority. In the Amoraic literature it is made explicit as the most important thing in the sacrificial rite: the sacrificial rite

71 On this, see Kanarfogel, Ephraim, *'Peering Through the Lattices': Mystical, Magical, and Pietistic Dimensions in the Tosafist Period* (Detroit: Wayne State University Press, 2000), p. 60.

72 On the complex stratification of Talmudic literature and its dating, see the classic work: Weiss Halivni, David, *The Formation of the Babylonian Talmud* (Oxford: Oxford University Press, 2013).

becomes 'unactual' and is therefore replaced by prayer, which in turn is associated with interiority expressed in analytical form, as discussed above. This transformation, or perhaps more accurately, this theological adjustment in the context of the factual destruction of the Temple of Jerusalem, was not necessarily alien to the 'spirit' of contemporary Near East religions (I use here the term 'spirit' as a deliberate pun). This is because both Greek and Roman sacrificial systems were progressively declining in practice, as investigated by Jan Bremmer.⁷³ Conversely, the Mishnah demonstrates a profound interest in the institution of prayer, as evidenced by its initial Tractate *Berakhot*. In this regard, Graeco-Roman religions, rabbinic Judaism, and Early Christianity were evolving de facto into non-sacrificial religions that retained a theological, if not eschatological, interest in the 'theory' of sacrifice but did not necessarily rely on its continued practice.

However, a substantial difference is the continuation of *Seder Qodashim* even when the destruction of the Temple becomes an incontrovertible and irreversible historical fact. While in the Tannaitic era the rebuilding of the Temple was not yet inconceivable, in the Amoraic era it is an established fact, an irreversible reality. This therefore projects the question of the study of the sacrificial system into an unprecedented dimension, especially considering a striking fact: there is no Aramaic commentary on *Seder Qodashim* in the Jerusalem Talmud but only in the Babylonian Talmud. In this sense, the act of composing an Aramaic commentary on *Seder Qodashim* in Babylonia can be regarded as a form of political-theological 'resistance'. Furthermore, it gives rise to a series of intriguing, potentially unanticipated implications for the contemporary discourse on the relationship between politics and religion.

Conclusions

My final assumption is that Balberg's suggestion of reading the evolution of the sacrificial process from Tannaitic to Amoraic literature in terms of *progressive formalization* should also be read according to their deep theological-political orientation.

Balberg takes a position as a liberal Jew and thus implicitly opposes the ultra-Zionist idea of restoring the Temple as it is against ritual as he cautiously implies by mentioning, at the very beginning of her work, Haim Be'er's novel *The Time of Trimming* and his sarcastic rejection of the ideal of rebuilding the Temple of Jerusalem.⁷⁴ This assumption has some critical, quite more intriguing ramifications. As discussed above, the 'necessity' for an Aramaic commentary on *Seder Qodashim* is based on the fact that this section of the Mishnah is dedicated to the function of the Temple of Jerusalem. Consequently, it provides the context for the sacrificial system, irrespective of whether this was formalized around a neutral or non-neutral agent, such as blood. The rabbis' sustained interest in this section of the Mishnah serves

⁷³ Bremmer, Jan N., *Greek Religion and Culture, the Bible, and the Ancient Near East* (Leiden: Brill, 2008).

⁷⁴ Balberg, *Blood for Thought*, p. 1.

to illustrate the challenges inherent in Balberg's monograph. It is also important to note that *Seder Qodashim* serves as a liturgical platform for appreciating the institution of sacrifice and therefore was extensively studied in Jewish Orthodox Brisk *yeshivot* during the nineteenth and twentieth centuries. This period saw a resurgence of interest in *Seder Qodashim* — which has been dubbed the 'Qodashim Renaissance'. This resurgence has also been linked to the messianic expectations that inform Jewish fundamentalism and its apocalyptic dream of restoring a Third Temple together with the sacrificial system.⁷⁵ Balberg does not address the topic of Jewish fundamentalism or the aspiration for the rebuilding of the Third Temple. It would undoubtedly be of significant interest to apply her theory of blood as a neutral agent to the concept of Jewish fundamentalism and the restoration of the sacrificial system. This would entail investigating which historical rite had been superseded and whether it could be reinstated. In this respect, Balberg's monograph *Blood for Thought* demonstrates a fascinating yet somewhat underdeveloped concept: the neutral, if not formalist, nature of blood in the Tannaitic and Amoraitic system as a potential antidote — or perhaps even a Derridian *pharmakon* — against the rise of Jewish fundamentalism.

Mira Balberg's work *Blood for Thought* offers an innovative reinterpretation of sacrifice in early rabbinic literature, focusing on the centrality of blood and the transformation of sacrifice from a personal interaction with God to a formalized, communal, process-oriented ritual — that seems to function regardless of the presence of a Temple. While her analysis provides valuable insights, it may oversimplify the complex evolution of sacrificial concepts in rabbinic thought. Her emphasis on the marginalization of individual intention in favor of ritual process is contested by some traditional interpretations and other scholarly perspectives, as discussed above. The transition from Tannaitic to Amoraic literature represents a significant shift in the conceptualization of sacrifice, particularly in light of the destruction of the Second Temple. This shift involves not just ritual practice, but also theological-political implications that Balberg's analysis may not fully address. The continued study and commentary on sacrificial laws in the Babylonian Talmud, particularly the *Seder Qodashim*, suggests a more complex relationship between ritual, text, and religious identity than a simple 'formalization' of sacrificial processes. The theological-political dimensions of sacrificial discourse in rabbinic literature, especially in the context of exile and hopes for restoration, deserve more attention than they receive in Balberg's analysis. While her work contributes significantly to our understanding of early rabbinic conceptions of sacrifice, a more comprehensive approach that considers the interplay between ritual practice, textual interpretation, and evolving religious and political contexts may be necessary for a fuller understanding of this complex topic. In conclusion, while her analysis offers valuable insights into the evolution of sacrificial concepts in early rabbinic literature, it also highlights the need for continued scholarly debate and investigation into this rich and multifaceted aspect of Jewish religious thought and practice.

⁷⁵ See: Inbari, Motti, *Jewish Fundamentalism and the Temple Mount: Who Will Build the Third Temple?* (New York: SUNY, 2009).