Rabbinic Judaism makes its statement through a variety of documents, produced over the first six centuries C.E. These documents—the Mishnah, Tosefta, Talmuds, and Midrash-compilations—exhibit three relationships, those of autonomy, connection, and continuity.

The documents viewed one by one are autonomous of one another, each exhibiting its own distinctive characteristics in combination. That is because a Rabbinic document of late antiquity always yields traits of rhetoric, topic, and logic of coherent discourse particular to itself. Every one is marked off as different from all the others, and all may be read on their own bases, in dialogue with Scripture or (in the case of the Tosefta and Talmuds) with the Mishnah.

But, though autonomous, the respective documents here and there connect to one another. That is generally in sub-groups. Some of the documents share materials with others, and groups of them carry forward a continuous line of tradition, e.g., exegesis of received texts beginning with Scripture or with the Mishnah. Not only so, but the entire Rabbinic canon divides, by its native categories, into two massive, distinct bodies of information, set forth through different modes of discourse: Halakhic and Aggadic, law and lore, politics and culture, broadly speaking. The distinct Halakhic and Aggadic documents bear shared traits of topic, logic of coherent discourse, and rhetoric.

The relationships of autonomy and connection do not complete the picture. The documents are continuous with one another, not only severally but also jointly making a statement in common. As a matter of broadly held opinion, which I share, the documents viewed whole form a continuity: “Judaism.” That forms the result of reading the documents without regard to documentary boundaries and recording the statement set forth by all documents together and by them all at once. The documents in this context thus constitute the principal evidence for a coherent religious system, it law and theology.
On what basis do people in general propose to found this insistence on documentary continuity? The reason is not only formal, namely, that the distinct documents collectively constitute, and are received as, a single canon, that of Rabbinic Judaism. Nor is it merely an articulated proposition, specifically, that the final document of the set, the Talmud of Babylonia, systematically and compellingly demonstrates how, in its framers view, that continuity of tradition comes to expression in harmony, consistency, proportion, balance, and coherence. Nor, indeed, is it solely traditional, namely, that there is the judgment of those that value and privilege these writings through the ages. It is the fact that from antiquity to our own day, the faithful of Rabbinic Judaism have treated the documents as interchangeable, ignoring all documentary boundaries. All together, these evidences of a broad consensus among the learned cannot be ignored.

Still, weighty but partial, none of these reasons to view the whole as a cogent, continuous statement answers the critical question of Rabbinic Judaism. That is as follows: do the writings, viewed all together and all at once, make a single cogent statement? To contribute to the answer of that question, here I take up the two largest native category-formations of matters, the Aggadah and the Halakhah. I ask how and specifically where, in what passages, do these distinct modes of discourse, setting forth each its own body of information, intersect? How do they make a statement in common? Accordingly, the question addressed—and answered in detail—by this exercise is, how does Aggadic discourse participate, play a role, in the presentation of the Halakhah? I assign priority to the Halakhah for the same reason everyone else who has ever studied Rabbinic Judaism does. The Halakhah defines the practice of the faith, the norms of conduct, and these bear the message, the professions, of the faith as well, embodying belief in concrete behavior. If I can show where and how Aggadah plays a role in Halakhic discourse, I can point to (some of) those systemic unities that I seek to identify.

The reason I find noteworthy the participation of the Aggadah within Halakhic discourse is simple. In the canonical documents of formative Judaism, the category-formations of the Halakhah, norms of behavior, and those of the Aggadah, norms of belief, scarcely intersect: never in the Mishnah, rarely in Tosefta, uncommonly even in the Bavli. Each comes to expression in accord with its distinctive