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Dear readers,

The evolving meaning we make of revelation lies at the core of this latest issue of *Zeremim*. From reliving the mystery of encountering divinity to rethinking the origins of religious doctrines, the pages that follow invite the reader to uncover Judaism's Biblical roots and offshoots anew.

Rereading the Israelites' first collective near-death experience in "Love as Strong as Death: Eros and Thanatos in the Sinai Theophany," Rachel Adelman depicts one critical intersection of the ecstatic with the fatal as clearly witnessed through the lens of rabbinic interpretation. In her article, Adelman supplements Rosenzweig's summoning of Alcestis to convince others of death's transcendence in moments of heightened passion; Adelman turns to rabbinic narratives themselves that paint a similar image.

Love and death quietly merged as Reform Jewish leaders in the 1980s argued as to how their communities should determine the religious identity of the children of intermarriage—an act that some leaders espoused as a commitment to love and others pronounced as a death sentence to American Jewry. Zev Eleff's "Patrilineal Descent & the Shaping of Intermarriage Discourse in American Judaism" documents the debates rabbis held when responding to both the shifting demographics in American Judaism and the Reform mandate to embrace the sanctity of tradition and simultaneously to advance viable visions of a Jewish people with new needs in every generation.

The developments and stages of the many iterations of Judaism may in fact mirror the ever-transforming realm that process theologians consider the morphing quiddities of their God. Bar Guzi, in "Jewish Process Theology and the Problem of Evil: The Cases of Hans Jonas and Bradley Shavit Artson," compares and contrasts the theological writings of two Jews tackling theodicy and provides his own analysis of what it is that this shared outlook—even in its own various forms—offers seekers today.

For those who search the universe for meaning—spiritual and otherwise—Michael Wasserman suggests that religion and science do far more than contradict or complement the findings of the other. In his essay "Overlapping Magesteria: What Science and Religion Have In Common," Wasserman purports that religion and science both constitute utterly empiricist endeavors of making sense of observed

data – one set of observations focusing on a public external world, and the other concentrating on our private internal lives.

The meaning embedded in religious texts has never been confined solely to a superficial reading of these corpuses, and scholars' efforts to determine the most appropriate path to coherence have rarely been a simple, straightforward undertaking. In highlighting the complexities of interpretation that result from diverse theorizations of Biblical history, Richard Claman's "A Biblical Challenge: Can an Academic Approach Aimed at 'Best Explanation' of the Biblical Text Be Imported Into the Synagogue-Sermon World of 'Interpretation?'" asks how religious and ritual engagement with the Hebrew Bible can attempt to preach religious truths that can be affirmed by modern critical scholars' often-conflicting interpretations of ancient passages.

Not merely a single supernatural act that took place in a mythos set upon a mountaintop in some wilderness several millennia ago – revelation continuously finds itself reinterpreted and the contents attributed to it reread and reevaluated as those who engage with Scriptures encounter old and new questions that demand answers that feel both truthful and compelling. Rooted in such explorations, our issue concludes with a call for submissions for our upcoming special issue dedicated to the ways that modern Biblical scholarship can offer tools for advancing forms of Jewish thought and life best suited for the 21st century.

With the release of this issue coming on the heels of the tragic loss of lives of Jews at prayer at the Tree of Life*Or L'Simcha synagogue in Pittsburgh, PA, just a few weeks earlier, to be able to begin our third year of publishing our journal bespeaks Jewish longevity – a commitment to breathing Jewish life into study and Jewish study into life. A free online journal – catalogued by ISSN, indexed by RAMBI (The Index of Articles on Jewish Studies), and archived on our website – *Zeramim*, in this issue (as always), is blessed to present to a wide readership some of the most relevant conversations taking place in Jewish Studies today.

With gratitude,

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The editors of Zeramim receive and solicit submissions from a range of authors diverse in age, gender, and denominational identity. For information on how to submit original works to Zeramim, please see the back of this issue.

LOVE AS STRONG AS DEATH: EROS AND THANATOS IN THE SINAI THEOPHANY¹

Rachel Adelman

Franz Rosenzweig (Germany, 1886–1929), philosopher of Jewish thought, opens the second section of his opus, *The Star of Redemption*, with the evocative quote from Song of Songs, “Love is as strong as death [*’azzah kha-mavet ’ahavah*]”²—and asks: “Strong in the same way as death? But, against whom does death display its strength?” Rosenzweig then answers: against the beloved (that is, the woman), whom love seizes. In making this gendered distinction, he adopts the classic analogy in rabbinic literature of a male lover *possessing* the female beloved as a model for God’s love of Israel—with the Sinai theophany likened to the consummation of a marriage.³ Yet that marriage

¹ This paper was originally delivered at the World Congress of Jewish Studies, Jerusalem, August 2017.

² Song of Songs 8:6, Franz Rosenzweig, *Star of Redemption*, trans. Barbara E. Galli (Madison: University of Wisconsin Press 2005), p. 169; for an alternative, see trans. William W. Hallo, (New York: Holt, Rinehart and Winston, 1970), p. 156.

³ As in the allegorical reading of Song of Songs (see, for example, the Mekhilta of Rabbi Ishmael *Ba-hodesh* 3 and Song of Songs Rabbah 1). This metaphor or allegory originates in Biblical prophecy, where God is represented as a man who marries a woman—Israel, the nation—and then rejects her when she goes astray in worshipping foreign gods (see Hosea 1–3, Jeremiah 2–3, and Ezekiel 16 and 23). The relationship mirrors the unilateral and exclusive nature of marriage in the Bible—as the man “takes” a woman just as God “took” Israel out of Egypt and betrothed Israel to Him through the covenant at Sinai. For a critique of the patriarchal values underlying this metaphor, see Renita J. Weems, *Battered Love: Marriage, Sex, and Violence in the Hebrew Prophets* (Minneapolis: Fortress Press, 1997); Gerlinde Baumann, *Love and Violence: Marriage as Metaphor for the Relationship between YHWH and Israel*

is fraught with danger—Eros and Thanatos, love and death personified, engaged in a dance between mortality and transcendence, as dramatized in the medieval hymn *Dies Irae* and in musical compositions such as Franz Liszt's *Totentanz*.

In this paper, I engage with what emotionally and existentially undergirds the nature of that experience of “love and death at Sinai.” In what way does Israel, the beloved seized by death, “survive” the theophany at Revelation? While Emmanuel Levinas, the French philosopher so strongly influenced by Rosenzweig's work, comments directly on the Talmud,⁴ Rosenzweig's sources are more covert. In an attempt to understand his phenomenological reading of Revelation, I turn to the midrashic corpus—comparing the rabbinic interpretation of the Sinai encounter with the modern philosophical reading. Based on the description of the Israelites trembling at the foot of Sinai in the biblical text, the Mekhilta (a tannaitic exegetical midrash, circa 2nd century CE) and the narrative 8th century midrash *Pirqe deRabbi Eliezer* (henceforth, PRE)⁵ dramatize the experience of Revelation as a close encounter with death, or even a death and resurrection. While—in order to elucidate the experience of Eros and Thanatos at Sinai—Rosenzweig relied on Greek myth (a corpus with which his own readership might have been more familiar), I turn to rabbinic commentary. As traditional sources may enlighten the philosopher's reading of Revelation, Rosenzweig may enhance our understanding of the midrash. It is this mutual dance between classical texts and a modern reading that this essay sets out to choreograph.

in the Prophetic Books (Collegeville, MN: Liturgical Press, 2003), and Amy Kalmanofsky, *Dangerous Sisters in the Hebrew Bible* (Minneapolis: Fortress Press 2014), pp. 53–68.

- ⁴ See, for example, Emmanuel Levinas, “The Temptation of Temptation,” on the famous rabbinic understanding of נעשה ונשמע (*na'aseh venish-ma'*, “we will do, and then we will hear”) in the Babylonian Talmud (henceforth b.), Shabbat 88b, in *Nine Talmudic Readings* (Bloomington: University of Indiana Press 1990), pp. 30–50.
- ⁵ PRE is an aggadic, *i.e.* narrative, midrash, most likely composed in Palestine under Islamic rule. On the genre and provenance, See Rachel Adelman, *The Return of the Repressed: Pirqe deRabbi Eliezer and the Pseudepigrapha* (Leiden: Brill 2008), pp. 3–23 and 35–41.

Love and Death—Lover and Beloved

For the model of the transcendence of death at Sinai, Rosenzweig draws on the Greek myth of Alcestis (dramatized circa 438 BCE by Euripides).⁶ Betrothed to King Admetus, she willingly gives up her own life to save her husband's:

Against whom does death display its strength? Against the one whom it seizes. And love, of course, it seizes both, the lover as well as the beloved. But the beloved differently from the lover. It is in the lover that it originates. The beloved is seized: her love is already a response to the being-seized... Moreover, nature has given only the woman, and not the man, the capacity to die for love... Thanatos can approach her, too, in the sweet name of Eros, and most often the most feminine of woman... Her heart has already become firm in the tremors of love; it no longer needs the tremor of death. A young woman can be as ready for eternity, as a man only becomes when his threshold is crossed by Thanatos... Once touched by Eros, a woman is what man only becomes at the Faustian age of a hundred: ready for the final encounter—strong as death.⁷

“By nature,” according to Rosenzweig, a woman is ready for death, for eternity, at the moment she is seized by love—which fortifies her to cross the boundary between life and death *earlier* than a man, within her own life-time.

In mapping this “earthly analogy” onto Sinai, Rosenzweig suggests that Israel, at the Revelation of the Torah, moves beyond death, which

⁶ For a summary of the story, see “Alcestis” in the *Encyclopaedia Britannica*, as accessed at <https://www.britannica.com/topic/Alcestis-Greek-mythology> on October 11, 2018.

⁷ *The Star*, translation based on Hallo, p. 156 (modified in relation to Galili, p. 169).

imprints everything created with the indelible stamp of its condition of creature, with the words 'has been...' [Whereas] Love knows only the present, it lives only out of the present, aspires only to the present... For the soul, Revelation is the lived experience of a present that, though resting on the existence of the past, does not dwell in it; on the contrary this present walks in the light of the divine countenance.⁸

That is, the experience of receiving the Torah (through love) enables the mortal being in some way to transcend death by abiding in an eternal present.

Now, for Rosenzweig, it must be understood, Revelation is *not* the one-time encounter with God at Sinai upon the giving of the Torah, but the ongoing response to *mitzvah* in the *present*, to being commanded by the Torah, a carry-over of the original commanding presence of the 'Anokhi at Sinai⁹, and the command, "Love me," which is imbedded in the ritual declaration of the *Shema*.¹⁰ Famously, when Rosenzweig was asked whether he laid *tefillin*, he would answer: "Not

⁸ *Ibid.*, p. 156.

⁹ *I.e.*, the utterance of "'Anokhi ("I am") the LORD your God who brought you out of the land of Egypt..." (Exodus 20:2 and Deuteronomy 5:6).

¹⁰ See the discussion on "the Commandment:"

But the 'Love me!' [of the first paragraph of the *Shema*, Deuteronomy 6:5] of the lover—that is wholly perfect expression, wholly pure language of love. It is the imperative commandment, immediate, born of the moment... (*The Star*, trans. Halo, pp. 175–176).

Rosenzweig elaborates further: "The imperative of the commandment makes no provision for the future; it can only conceive of the immediacy of obedience" (p. 177).

On Rosenzweig's concept of ongoing revelation and the centrality of love, see Benjamin Sommer's discussion in *Revelation and Authority: Sinai in Jewish Scripture and Tradition* (New Haven and London: Yale University Press 2015), pp. 104–105, and Jon D. Levenson, *The Love of God* (Princeton and Oxford: Princeton University Press 2016), pp. 188–197.

yet.”¹¹ The ongoing experience of Revelation in the ideal practice of *halakhah* would enable the “external voice of God” in the Law (*Gesetz*) to be transformed into a personal imperative that proceeded from within, as Commandment (*Gebot*).¹² The sense of being commanded [*metzuveh*], paradoxically, invites the heteronomy, literally “Law of the Other,” *hetero-nomos* of Revelation, into the experience of autonomy, the intimate enclave of the self, *auto-nomos*. This tension between the authority of Sinai—as an external, commanding, historically-bound voice from the past—and the private conscience of the individual constitutes the greatest challenge of Revelation today.

While I am keenly aware that these categories—autonomy and heteronomy—are post-Kantian, they can be mapped onto the aggadic, *i.e.*, narrative, reading of Sinai, with Rosenzweig as our bridge. In turn, the narrative and poetic imagery of the *'aggadah* can help us navigate the modern phenomenological concepts. In the rabbinic corpus, the Sinai theophany may be understood as a passionate consummation, which entails a suspension of individual autonomy, a kind of trance or ecstasy—literally, an “*ek-statis...removal of mind or body from normal function.*”¹³ Alternatively, Revelation may be described as being wholly present *in the body*, yet transcending mortality through the experience of the divine presence.

Theophany: A Breakdance or Passionate Embrace

This experience of “the Present,” the beloved seized by love, is beautifully captured by the midrash on Israel’s wavering to the very

¹¹ Alan T. Levenson recounts this story in his essay on Franz Rosenzweig, *An Introduction to Modern Jewish Thinkers: From Spinoza to Soloveitchik*, 2nd ed. (Oxford, UK: Rowman & Littlefield 2006), p. 93.

¹² This distinction between *Gesetz*, the objective or external source of Law, and *Gebot*, the subjective experience of being commanded by law (as *mitzvah*), is elucidated in Rosenzweig’s essay *Die Bauleute (The Builders, 1923)*, and draws heavily upon the philosophy of Immanuel Kant. See Alan Levenson, *Modern Jewish Thinkers: An Introduction* (Northvale, NJ: Jason Aronson Inc. 2000), p. 112; see also Levenson’s excellent chapter on the impact of Immanuel Kant on modern Jewish thought; *ibid.*, pp. 321–325.

¹³ *The Oxford Classical Dictionary* (3rd ed. revised), p. 505.

borders of their being in the Mekhilta de-Rabbi Ishmael. In the biblical account, the Israelites react in trembling terror to the *ha-qolot* (הַקּוֹלוֹת) – having literally *seen* “the sounds/voices”):¹⁴

וְכָל הָעָם רֹאִים אֶת הַקּוֹלוֹת וְאֶת הַלְפִידִם וְאֶת קוֹל הַשּׁוֹפָר וְאֶת הַהָר
עָשָׂן וְיֵרָא הָעָם וַיִּנָּעוּ וַיַּעֲמְדוּ מֵרָחֵק;
And all the people saw the sounds and the light-flashes
and the sound of the Shofar and the smoking mountain,
and they were afraid, trembling, and stood far off.¹⁵

Instead of breaking through the boundary at the base of the mountain, as anticipated by God’s repeated warnings (Exodus 19:12–13, 21, and 24), the Israelites surge back.¹⁶ The exegetical prompt for the Mekhilta is found in the tension between the two verbs, *va-yanu’u*, “they wavered”) and *va-ya’amdu*, “they stood”). How could they both “stand” (still) and also “waver?”¹⁷ The midrash comments:

¹⁴ The term *qolot* (in Exodus 20:15 of the standard Hebrew Masoretic [*i.e.*, traditional] text – MT hereon), “sounds/voices,” is often translated as “thunder” (NJPS – New Jewish Publication Society translation of Tanakh, 1985; NRSV – the New Revised Standard Version, 1989) or “thunderings” (KJV – King James Version, 1611; JPS – first Jewish Publication Society translation of *The Holy Scriptures*, 1917); but the singular *qol* is repeatedly used to refer to the sound of the shofar blast or the voice/sound of God (Exodus 19:19). See the discussion in Benjamin Sommer, “Revelation at Sinai in the Hebrew Bible and in Jewish Theology,” *Journal of Religion* 79:3 (1999), pp. 422–451, esp. p. 428.

¹⁵ Exodus 20:15 MT; author’s translation.

¹⁶ Higher Biblical Criticism ascribes these to different sources. For a pointed reading of the contradictions between the various strands in Exodus chapters 19–20, and 24, see Baruch Schwartz, “What Really Happened at Mount Sinai? Four Biblical Answers to One Question,” *Bible Review* 12, no. 5 (October 1997), 20–46, esp. pp. 23–25. See also Sommer, “Revelation at Sinai,” 426–429.

¹⁷ The verb *va-yanu’u*, with the root נ-ו-ע [*nun-vav-ayin*] – meaning to quake, tremble, or quaver – is a term that describes the wavering of trees (as in Judges 9:9, 11, and 13). The prophet Isaiah uses the verb metaphorically: “וַיִּנָּע לְבָבוֹ וּלְבַב עַמּוֹ כְּנֹעַ עֵצֵי יַעַר מִפְּנֵי רוּחַ” (“their hearts and the hearts of their people trembled as trees of the forest sway be-

”ויעמדו מרחוק...”, חוץ משנים עשר מיל; מגיד שהיו ישראל נרתעים לאחוריהם שנים עשר מיל וחוזרין לפניהם שנים עשר מיל, הרי עשרים וארבעה מיל על כל דיבור ודיבור, נמצאו מהלכים באותו היום מאתים וארבעים מיל. באותה שעה אמר הקב”ה למלאכי השרת דדו וסייעו את אחיכם, ”מִלְכֵי צְבָאוֹת יְדֹדוֹן וְיָדוֹן” (תה’ סח:ג), ידודן בהליכה וידודן בחזרה. ולא מלאכי השרת בלבד, אלא אף הקב”ה, ”שְׂמָאלוֹ תַחַת רֵאשֵׁי וַיְמִינֹ תַחְבְּקֵנִי” (שה”ש ב: ו).

And they stood afar off (Exodus 20:15). Beyond twelve *mil*.¹⁸ This tells that the Israelites were startled and moved backward twelve *mil* and then again, returning, moved forward twelve *mil*—twenty-four *mil* at each *dibbur* (“utterance”), thus covering two hundred and forty *mil* on that day. Then God said to the ministering angels: Go down, and assist your brothers, as it is said: “The kings of the armies they flee, they flee [*yiddodun, yiddodun*]! (Psalms 68:13 MT);¹⁹ [that is, they are in headlong flight, staggering after the Israelites]—they *yiddodun ba-halikhah*

fore a wind”) (Isaiah 7:2). They are seized with terror in response to attack: “King Rezin of Aram and King Pekah son of Remaliah of Israel marched upon Jerusalem to attack it” (Isaiah 7:1).

¹⁸ A *mil* is about 2000 *amot*, about 1 km; 12 *mil* constitutes the outer boundary of the desert encampment; see Rashi on Babylonian Talmud, Shabbat 88b.

¹⁹ I draw from the NRSV translation: “The kings of the armies they flee, they flee!” (Psalms 68:12). Alternatives read: “did flee apace” (KJV), or “are in headlong flight” (NJPS, v. 13). But this could be, in rabbinic “creative philology,” a play on the words *dod* (“lover”), *dodim* (“love”), or *yedid* (“friend”). On the level of plain meaning, the root נ-ד-ד (*nun-dalet-dalet*) conveys (in the *qal*, here a participle verb form) to flee, retreat, run away as in Isaiah 10:31, 21:15, and 33:3; but also to wander, flutter, or stray. See Francis Brown, Samuel Rolles Driver, and Charles Augustus Briggs; *A Hebrew and English Lexicon of the Old Testament* (Oxford, U.K.: Clarendon Press, 1906), entry 5903, p. 622.

The NRSV and KJV translations are based on the versification in the Christian canon and therefore occasionally differ from the MT.

("hasten after them as they lurch back"), and *yiddodun ba-hazarah* ("hasten them to return"). And not only did the ministering angels assist Israel, but the Holy One, blessed be He, Himself also did,²⁰ as it is said: "His left hand is under my head and His right hand embraces me" (Song of Songs 2:6).²¹

What is described in the Mekhilta is a kind of shuckling dance, the swaying of worshippers bent in prayer. They are drawn forward and leap back, darting to and fro like a flickering flame, like the *ratzo' vashov* of the heavenly creatures in Ezekiel's vision of the Chariot (Ezekiel 1:14). At first, it is merely the angels, in headlong flight (pursuing the Israelites), who carry them back to Mount Sinai—identified as "מַלְכֵי צְבָאוֹת יִדְדוּן יִדְדוּן" ("The kings of the armies they flee, they flee!")²². Deploying rabbinic "creative philology," the repeated יִדְדוּן (*yiddodun*) resonates with the words דוּד (*dod*, "lover"), יָדִיד (*yedid*, "friend"), or even דוּדִים (*dodim*, "erotic love"). But, when the Divine Hosts are exhausted by the marathon, it is God who must intervene, cradling them Himself in His arms, as the quote from Song of Songs suggests: "שְׂמָאלוֹ תַחַת רֵאשִׁי וְיָמִינוֹ תַחְבֵּקֵנִי" ("His left hand is under my head, and His right hand embraces me")²³. Is it a chase? A loving embrace? Perhaps a breakdance? The image conveys a choreography of ambivalence, desire to hear the word of God, to be privy to prophecy in the direct Revelation at Sinai, and the terror of all that entails. They

²⁰ Here I identify God in explicitly male language, following the cue of the midrashic narrative and the analogy to the male lover in Song of Songs.

²¹ Mekhilta deRabbi Ishmael Bahodesh *Yitro* 9 (ed. H.S. Horovitz and I. A. Rabin, 2nd ed., Jerusalem 1960), p. 236. The words in square brackets are added for clarification. For an alternative version, see ed. J. Lauterbach, *Mekilta deRabbi Ishmael*, Vol. 2 (Philadelphia: JPS 1993), p. 340. For parallel midrashic accounts, see Babylonian Talmud, Shabbat 88b; Exodus Rabbah *Yitro* 29:4 and 9; Song of Songs Rabbah 5:1 (on Song of Songs 2:6); Tanhuma (ed. Buber) *VaYikra* 1:1; Tanhuma Yelammedenu *VaYikra* 1:1; and Pirque deRabbi Eliezer 41.

²² Psalms 68:13.

²³ Song of Songs 2:6.

flee to the limits of the camp,²⁴ for hearing the word of God moves them to the limits of their very being. In Deuteronomy, the mountain is described, like the burning bush, as being “בְּעַר בָּאֵשׁ עַד לֵב הַשָּׁמַיִם” (“ablaze with flames to the very skies [literally, the *heart* of the Heavens]”), though not consumed, “חֹשֶׁךְ עָנָן וְעֶרְפֹל” (“dark with the densest clouds”).²⁵ “The LORD spoke to the people out of the fire, but *they perceived no shape – nothing but a voice*” (v. 12). In a deeply existential way, the Israelites were the heart of that flame and, yet, like the burning bush, not consumed.²⁶

The Israelites then beseech Moses to intervene:

וַיֹּאמְרוּ אֶל־מֹשֶׁה דַּבֵּר־אֵתָהּ עִמָּנוּ וְנִשְׁמָעָה וְאֵל־יְדַבֵּר עִמָּנוּ אֱלֹהִים
פֶּן־נָמוּת:

And they said to Moses: “Speak you with us, and we will hear/heed, and let God not speak with us lest we die.”²⁷

Moses affirms the terror of death that they experience at the base of Sinai as a necessary trial:

אֵל־תִּירָאוּ כִּי לְבַעֲבוֹר נִסּוּת אֶתְכֶם בָּא הָאֱלֹהִים וּבַעֲבוֹר תִּהְיֶה
יְרֵאתוֹ עַל־פְּנֵיכֶם לְבַלְתִּי תִחְטְאוּ:

Be not afraid; for God has come only in order to test you and in order for the fear of Him to be ever with you – so that you do not go astray.²⁸

How much of the Torah or Decalogue was actually heard before the people asked Moses to intervene is a matter of debate – from the maximal: all Five Books of the Torah (and 613 *mitzvot*); to the minimal: only the first two of the Ten Commandments, or just the silent *’alef* of the

²⁴ See Rashi’s comment on the 12 *mil* (b. Shabbat 88b).

²⁵ Deuteronomy 4:11.

²⁶ See the discussion in Avivah Zornberg, *Particulars of Rapture: Reflections on Exodus* (New York: Doubleday 2001), pp. 278–279.

²⁷ Exodus 20:16; cf. Deuteronomy 5:21–24 MT.

²⁸ Exodus 20:17.

'Anokhi, (Exodus 20:2).²⁹ The implication of the latter is that the Israelites request intervention during the Revelation, not after.

In Exodus, but even more so in the Deuteronomistic account, it is this fear of the experience of God's voice (*qol*) that prompts Moses to become the intermediary. Specifically, the Israelites pronounce their terror in response to the fire of the theophany:

וְעַתָּה לָמָּה נָמוּת כִּי תֹאכְלֵנוּ הָאֵשׁ הַגְּדֹלָה הַזֹּאת אִם יִסְפִּים אֲנַחְנוּ
לִשְׁמֹעַ אֶת קוֹל ה' אֱלֹהֵינוּ עוֹד וְנִמְתְּנוּ: כִּי מִי כָל בֶּשֶׂר אֲשֶׁר שָׁמַע קוֹל
אֱלֹהִים חַיִּים מְדַבֵּר מִתּוֹךְ הָאֵשׁ כָּמֵנוּ וַיְחִי:

So now why should we die? For this great fire will consume us; if we hear the voice of the LORD our God any longer, we shall die. For who is there of all flesh that has heard the voice of the living God speaking out of fire, as we have, and remained alive?³⁰

Near Death: Too Close to the Flames

It is precisely this proximity to the consuming fire (the *modus vivendi* of God's presence)³¹ that prompts the midrash to imagine that God thereupon draws rain and dew from heaven to quench the fire,

²⁹ In the minimalist reading, the experience of recoil in Exodus 20:15–16 took place *during* the Revelation not after it, despite the alignment in the Torah. See Song of Songs Rabbah 1:2—in which the range of opinions are debated (discussed by Benjamin Sommer in *Revelation and Authority*, pp. 77–78). See also R. Yosef Qara (France, 1065–1135) quoted in the commentary of *Bekhor Shor* on Exodus 20:1. The Hasidic Rebbe Naftali Tzevi Horowitz of Ropshitz (d. 1827), quoting his teacher, Menachem Mendel of Rymanov (d. 1815), maintained that they only heard the silent 'alef of the 'Anokhi (discussed in Sommer, *Revelation and Authority*, pp. 89–92).

³⁰ Translation from NRSV; paralleling MT Deuteronomy 5:21–24 MT.

³¹ God appears in the mode of fire at the burning bush (Exodus 3:2), at Sinai (Exodus 19:18 and Deuteronomy 5:4), in the consecration of the Tabernacle (Leviticus 9:23–24), with Elijah at Mount Carmel (1 Kings 18:38), and at the inauguration of Solomon's Temple (at least according to 2 Chronicles 7:1).

and spare the Israelites – inspired by the Sinai motif in Psalms 68. The Mekhilta continues:

ר' יהודה ברבי אילעאי אומר לפי שהיו ישראל משולהבין מחמת האש של מעלן אמר הקדוש ברוך הוא לענני כבוד, הזילו טל חיים על בני, שני "אֶרֶץ רַעְשָׁה אֶף שָׁמַיִם נָטְפוּ מִפְּנֵי אֱלֹהִים" וגו' (תהילים סח:ח), ואומר "גִּשְׁם נְדָבוֹת תִּגְיַף אֱלֹהִים נַחֲלֶתְךָ" (תהילים סח: ט-י).
 R. Judah b. Il'ai says: As the Israelites were scorched by the heat of the fire from above, the Holy One, blessed be He, said to the clouds of glory: Drop the dew of life upon My children, as it is said: "The earth trembled, the sky rained because of God, [this Sinai, because of God, the God of Israel]" (Ps. 68:9; cf. Judg. 5.4),³² and it also says:

³² In fuller context:

אֱלֹהִים בְּצִאתְךָ לִפְנֵי עַמְּךָ בְּצִעְדְּךָ בִישִׁימוֹן סֵלָה: אֶרֶץ רַעְשָׁה אֶף שָׁמַיִם נָטְפוּ מִפְּנֵי אֱלֹהִים זֶה סִינַי מִפְּנֵי אֱלֹהִים אֱלֹהֵי יִשְׂרָאֵל: גִּשְׁם נְדָבוֹת תִּגְיַף אֱלֹהִים נַחֲלֶתְךָ וְנִלְאָה אֶתְּךָ כּוֹנֵנֵתָה:

O God, when you went out before your people,
 when you marched through the wilderness, *Selah*
 the earth quaked, the heavens poured down rain
 at the presence of God, *zeh Sinai* ("the God of Sinai"),
 at the presence of God, the God of Israel.
 Rain in abundance, O God, you showered abroad;
 you restored your heritage when it languished... (Based on
 NRSV translation, Psalms 68:7-9; MT, *ibid.* 68:8-10.)

It is the reference to the "God of Sinai," or, rather, "*this Sinai*" [*zeh Sinai*], that seems to undergird the midrash. The same wording appears in Judges 5 (the Song of Deborah, *Shirat Devorah*), though (in that context) with reference to the battle against King Jabin of Canaan and his commander, Sisera. Given that *Shirat Devorah* is characterized as one of the earliest linguistic layers in the Hebrew Bible, it could be that this description originally referred to Sinai and was coopted for the battle description here; the reference to Sinai follows (v. 5):

ה' בְּצִאתְךָ מִשְׁעֵיר בְּצִעְדְּךָ מִשְׁדֵּה אָדוֹם אֶרֶץ רַעְשָׁה גַם שָׁמַיִם נָטְפוּ גַם עֵבִים נָטְפוּ מִיָּם: הָרִים נָלוּ מִפְּנֵי ה' זֶה סִינַי מִפְּנֵי ה' אֱלֹהֵי יִשְׂרָאֵל:

“You released a bountiful rain, O God; when Your inheritance [languished, You sustained it]” (Ps. 68:10).

This mythic account of Sinai, drawing on the poetic imagery of Psalm 68 and Judges 5, where the mountain quakes, the heavens pour forth rain, the clouds drip dew in response to God’s compassionate summons, is more than personification of nature, more than an expression of “*prosopopeia*” (Sir Philip Sidney’s term), a rendering in verbal terms that which cannot be seen by eyes of the flesh.³³ According to Murray Krieger:

The *prosopopeia* is a form of personification which gives a voice to that which does not speak and thereby gives presence to that which is absent. Through this figure, Sidney argues, God enters David’s poem (we are made to “see God coming in his majesty”). It is as if this figure is made to serve the larger objective of *enargeia*, the verbal art of forcing us to see vividly. Through “the eyes of the mind”—an appropriately Platonic notion—we are shown the coming of God and his “unspeakable and everlasting beauty.” Here, then, are words invoking a visible presence, though of course to “the eyes of the mind” alone. Though God’s may be only a figurative entrance, through His personified creatures, the poet makes us, “as

O LORD, when You came forth from Seir, advanced from the country of Edom, the earth trembled; the heavens dripped, yea, the clouds dripped water. The mountains quaked—before the LORD, *zeh Sinai* (“Him of Sinai”), before the LORD, God of Israel. (Based on NRSV translation, Judges 5:4–5.)

The Rabbinic sources quote either Psalm 68 or Judges 5.

³³ See the discussion in Daniel Boyarin’s essay, “The Sea Resists: Midrash and the (Psycho)Dynamics of Intertextuality,” in *Poetics Today* 10:4 (1989), pp. 661–667.

it were," see this entrance. He is there, in His living creation, and absent no longer.³⁴

But the Mekhilta does more; it has *narrativized* the drama of nature in response to the theophany. Nature does not merely mirror human emotion or dress the coming of God's Presence in trembling leaves or quaking earth. It dramatizes God's compassionate response to the near-death encounter at Sinai, when the Israelites (moth-like) came too close to the flames and were scorched: "שהיו ישראל משולהבין" ("the Israelites were enthralled [or enflamed] because of the fire"), or (in the language of the Tosefta), "והיו ישראל משתלחין מפני" ("the Israelites were released [or sent] into the fire").³⁵ In either case, these tannaitic sources do not imply an actual experience of death but a mere brush with death. When the heavens pour forth rain or the clouds drip cool drops, nature quenches the fire before Israel is

³⁴ Murray Krieger, "Poetic Presence and Illusion: Renaissance Theory and the Duplicity of Metaphor," *Critical Inquiry* 5 (1979), pp. 597-619, esp. pp. 601-602.

³⁵ See Tosefta 'Arakhin (Zuckerman edition) 1:10:

וכן מצינו שהיו ישראל עומדין לפני הר סני נמשכין לאחוריהן שנים עשר מיל באין לפניהם שנים עשר מיל על כל דבור ודבור ארבעה ועשרים מיל היה היום ברור והיו ישראל משתלחין מפני אש אמר להן הקדוש ברוך הוא לענני כבוד רבצו טל לפני בני יי' בצאתך משעיר בצעדך משדי אדום והקב"ה מרביץ לפניהם טללים וגשמים שני' גשם נדבות תניף אלהים וג':

And so we find that the Israelites stood at Mount Sinai, drawn back 12 mil and advancing forward 12 mil – at every single utterance, 24 mil. Clear as day, the Israelites were sent into the fire. The Holy One, blessed be He, said the Clouds of Glory, "Gather dew for My children," as it says: "LORD, when you went out from Seir, when you marched from the region of Edom," (Judges 5:4 NRSV), the Holy One, blessed be He, caused the dew to gather, as it says, "Rain in abundance, O God, you showered abroad" (Psalm 68:9 NRSV [v. 10, MT]).

consumed. While this divine command essentially saves them, it also dampens their desire for more.

Death and Resurrection at Sinai

By contrast, later rabbinic work of the Amoraic period (from the 3rd to 6th century) and beyond³⁶ conjecture a death and resurrection – not by fire but by exposure to the divine presence. I will analyze the passage in the late *midrash* of PRE, chapter 41, which – while acknowledging its dependence and overlap with earlier rabbinic sources – has the most elaborate account of the near-death encounter at Sinai. This chapter does not align chronologically with the prior one (PRE 40, on the burning bush), or the next (PRE 42, on the Exodus from Egypt), but, rather, chapter 41 follows the list of Ten Descents:³⁷ in the fourth descent, God promises to go down to Egypt with Jacob (PRE 39, *cf.* Genesis 46:3); in the fifth descent, God descends into the burning bush (PRE 40, *cf.* Exodus 3:8); and, in the sixth, God alights upon Mount Sinai (PRE 41, *cf.* Exodus 19:20). The composition then primes

³⁶ As in the Babylonian Talmud Shabbat 88b, Exodus Rabbah (*Yitro* 29:4, 9), Song of Songs Rabbah 5:1 (on Song of Songs 2:6), Tanḥuma (ed. Buber) *VaYiqra* 1:1, Tanḥuma Yelammedenu *VaYiqra* 1:1, and PRE 41.

³⁷ “The Ten Descents” in PRE refers to the ten occasions when God “descends” to the world in order to intervene in history, either to punish or to save. The list of the ten descents appears in PRE 14 (albeit flawed in the first printed edition). Here is a translation of the list, with corrections from the manuscripts:

God descended to the world in ten descents, as follows: 1) in the Garden of Eden, 2) during the generation of the dispersion [Tower of Babel], 3) in Sodom, 4) in the burning bush, 5) in Egypt, 6) at Mount Sinai, 7) in the cleft of the rock [after the sin of the ‘golden calf’], 8) and 9) twice in the Tabernacle, 10) and in the Future to Come.

See the discussion in Adelman, *Return of the Repressed*, p. 23.

us for the juxtaposition of the theophany at the burning bush and theophany at Sinai. From PRE 41 (2nd printed ed.³⁸):

מה כתיב בתריה? וידבר אלהים את כל הדברים האלה לאמר "אנכי יי' אלהיך אשר הוצאתיך..." (שמות כ: א–ב) יצא קול ראשון והשמים והארץ רעשו ממנו³⁹ והימים והנהרות ברחו⁴⁰ ההרים והגבעות נתמוטטו⁴¹ וכל האילנות כרעו⁴² והמתים שבשואל חיו ועמדו על רגליהם שנאמר "כי את אשר ישנו פה עמנו עמד⁴³ היום"

³⁸ There is no published critical edition of PRE, so I have selected the text from the Warsaw 1852, second printed edition (as published by Börner-Klein, *Pirke de-Rabbi Elieser*), providing reference to alternative manuscript and printed versions in the footnotes. For details, see Adelman, *Return of the Repressed*, pp. 306–307.

³⁹ The earthquake and storm are one way God manifests Himself in nature, "ה' בְּסוּפָה וּבְשַׁעֲרָה דָּרְכוּ" ("His way is in the whirlwind and storm") (Nahum 1:3). See Judges 5:4 (which we have already read as a reference to Sinai) and Joel 4:16 and Nahum 1:5.

⁴⁰ Based on Psalms 114:3.

⁴¹ See Nahum 1:5 (above), Habakuk 3:6.

⁴² As in Psalms 29:5, 9. But because the verbal root of כ-ר-ע (*kaf-reysh-ayin*, "fall prostrate/genuflect") does not collocate with trees, Rav David Luria ("Radal"), in his 19th commentary on PRE, suggests "*holel 'eylot*" ("the calving of the hinds/deer"), as in Job 39:1 (though this phenomenon, wholly natural, even mundane, does not resonate with nature's response to theophany in the poetic passages of Psalms and Prophets to which PRE alludes). See Radal on PRE 41, n. 44, repr. Jerusalem 1963.

⁴³ In the 1st printed ed. (Vienna [ויניציאה], 1544): עומד (*'omed*, "standing"). Radal comments (PRE 41, n. 45) on the use of the verb *'amad* ("stood") and suggests that the dead are made to stand as in Ezekiel's vision in the Valley of the Dry Bones (Ezekiel 37:10, cf. 2 Kings 13:21 and the end of Daniel [12:2]): "When the *dead* man came in contact with Elisha's bones, he came to life and stood up" (2 Kings 13:21), and in the midrashic paraphrase: "They [at Sinai] stood [but only] on that day [*ha-yom*]" (Deuteronomy 29:14).

The resurrection of the dead is a prominent theme throughout PRE. Isaac sets the precedent in the aftermath of the *'Aqedah* (PRE 31–32), with a whole chapter devoted to the topic (*ibid.*, 34). Most significantly with regard to our topic, the soul "beholds" the *Shekhinah* ("Divine

(דברים כט: יד) וכל העתידים להבראות עד סוף כל הדורות שם עמדו עמהם בהר סיני שנאמר "ואת אשר איננו פה עמנו היום" (דברים כט: יד) וישראל שהם חיים נפלו על פניהם ומתו ויצא קול שני וחיו⁴⁴ ועמדו על רגליהם ואמרו למשה משה רבינו אין אנו יכולין לשמוע קולו של הקב"ה ומתנו כשם שמתנו שנאמר "נפשי יצאה בדברו" (שה"ש ה: ו) וכתוב "ויאמרו אל משה דבר אתה עמנו ונשמעה" (שמות כ: יט) הקב"ה [את] קולן של ישראל וערב לו ושלח למיכאל ולגבריאל ואחזו בידיו של משה שלא כרצונו והגישוהו אל הערפל שנאמר "ומשה נגש אל הערפל" (שמות כ: כא).

What is written after that? "And God spoke all these words, saying: "I, the LORD, am your God who took you out..." (Exodus 20:1-2). The voice of the first (utterance) went forth, and the heavens and earth quaked from it, and the waters and rivers fled, and the mountains and hills trembled, and all the trees fell prostrate, and the dead in Sheol were revived and stood on their feet, as it is said, "not only with those who are standing here with us this day..." (Deuteronomy 29:14), and those (also)

Presence") upon death and says, "No man shall see me and live" (Exodus 33:20), but, upon dying, the human may see God (*ibid.*)! The obverse may also be the case; *because* they behold the *Shekhinah*, they die. The classic midrashic corpus concerned with resurrection limits it to the End of Days (Numbers Rabbah 14:22, Tanḥuma *BeMidbar* 17:17, Midrash Psalms 103:5, and so forth). PRE, however, expounds extensively on the resurrection scenes within the Bible and reads the quickening of the dead into many more biblical episodes. This aligns with the sense of apocalyptic eschatology that runs throughout the work (see Adelman, *Return of the Repressed*, 5–21). So, when the Israelites behold the full revelation of God's self at Sinai—as they see the Divine Presence—they die. Norms would dictate that people fall on their faces (*i.e.*, ויפלו על פניהם, "they fell on their faces") in supplication—or *in order not to see*, as Radal notes (PRE 41, n. 68; *cf.* Leviticus 9:24, 1 Kings 18:39, and Ezekiel 1:28 and 3:23). Only by the grace of the second utterance are they brought back to life as they ask to hear no more. For a list of parallel midrashic sources on Resurrection at Sinai, see footnote 36.

⁴⁴ See the parallel in the Babylonian Talmud, Shabbat 88b, to be discussed later.

who in the future will be created – until the end of all the generations – stood there with them at Mount Sinai, as it is said, “but also with those who are not here with us today” (*ibid.*), and the Israelites who were alive (then) fell upon their faces and died. The voice of the second (utterance) went forth, and they were revived, and they stood upon their feet and said to Moses, “Moses, our teacher, we cannot hear the voice of the Holy One, blessed be He, for we shall die as we died (just now), as it is said, ‘My soul failed me when he spoke’ (Song of Songs 5:6), and ‘And they said to Moses: ‘Speak you with us, and we will hear, [and let God not speak with us lest we die]’ (Exodus 20:16).” The Holy One, blessed be He, heard the voice of Israel, and it was pleasing to Him, and He sent for Michael and Gabriel, and they took hold of the two hands of Moses against his will, and they brought him near unto the thick darkness, as it is said, “And Moses drew near unto the thick darkness where God was” (*ibid.*, v. 21).

The extraordinary response of nature to the Sinai theophany is nearly ubiquitous in the rabbinic corpus, based on intimations in the biblical text (Exodus 19:16), and poetic elaborations in Psalms and Prophets (Deuteronomy 33:2, Micah 1:3–4, Psalms 97:4, and so forth). Those metaphors, or (in Heinemann’s term) “condensed myths”⁴⁵, are re-enlivened here: trembling mountains and skies, quaking of the earth, rushing waters, and fallen trees. But what makes this midrashic vignette unique is the explicit introduction of the Resurrection motif, not just for those standing at Sinai, but for *all* the dead. Drawing upon a homiletical interpretation on *Parashat Nitzavim*, Moses’ last exhortation to all of Israel, the author applies the verse as referring to the participants in the renewal of the covenant in the Plains of Moab to Sinai, and extends it not only beyond the present generation to the future, but to the dead (from the past), as it says: “וְיָאֵת אִשָּׁר אֵינָנוּ פֹה עִמָּנוּ הַיּוֹם” (“but also with those who are not here with us today”) (Deuteronomy

⁴⁵ My translation of his term; Isaac Heinemann, *Darkhei Ha-'Aggadah* (“The Methods of Aggadah”) (Jerusalem: Magnes Press 1970), p. 19 and p. 203, n. 45.

29:14).⁴⁶ Resurrection is wholly inclusive: *all* the dead stood on their feet and heard the opening of the Decalogue – so that the Sinai experience is pictured as an absolute encounter with Thanatos, a reversal of direction from that “undiscovered country from whose bourn no traveler returns” (Hamlet 3.1).⁴⁷ While those who had died were quickened at the first utterance, those alive and present fell on their faces and died. The prooftext, quoted in PRE, draws from the passionate near-encounter between the beloved and her *dod*, the male lover in the Song of Songs – “נפשי יצאה בדברו” (“My soul failed me [literally, left me] when he spoke.”)⁴⁸ The Israelites, then, were only resurrected with the second utterance. And they beg to hear no more. The author of PRE then explains why they heard only the first two of the *dibberot*

⁴⁶ This is a classic homiletical midrash on *Parashat Nitzavim* (see, for example Tanḥuma Yelammedenu, *Nitzavim* 3; Tanḥuma [ed. Buber] *Nitzavim* 8:8). In the biblical context, the scene concerns the renewal of the covenant in the plains of Moab (*‘arvot Mo’av*), as a “supplement” to the Revelation at Sinai:

כִּי אֶת אֲשֶׁר יִשְׁנֻן פֹּה עִמָּנוּ עַמֵּד הַיּוֹם לִפְנֵי ה' אֱלֹהֵינוּ וְאֶת אֲשֶׁר אֵינָנו
פֹּה עִמָּנוּ הַיּוֹם:

I am making this covenant, sworn by an oath, not only with you who stand here with us today before the LORD our God, but also with those who are not here with us today. (NRSV translation, Deuteronomy 29:14–15.)

In context, the renewal of the covenant refers to the present generation and all future generations. But, in this homiletical interpretation (PRE 41), it refers to all the past generations (the dead, who are made to stand – which is quickened by the voice of God), as well as to future generations.

The parallel midrashic literature only intimates that “those who are not here with us today” (Deuteronomy 29:14), refers to the Jewish souls that have not yet been born (Exodus Rabbah, *Yitro* 28:6) or to those who have already died (Tanḥuma [ed. Buber] *Nitzavim* 8:8).

⁴⁷ The ‘Abode of the Dead’ is referred to in Akkadian Ancient Near Eastern sources as “the land of no return” (*māt la târi*); see T. J. Lewis, “The Abode of the Dead,” in *The Anchor Bible Dictionary*, vol. 2, ed. D. N. Freedman (New York: Doubleday, 1992), pp. 101–111.

⁴⁸ Song of Songs 5:6.

[commandments]—one knocked them dead, presumably “אנכי ה'” (“I am the LORD your God”) (Exodus 20:2), while the next brought them back to the land of the living, “לא יהיה לך אלהים אחרים” (“You shall have no other gods before me”)⁴⁹. God then hears the pleas of Israel to withdraw from the experience of theophany, and Moses is *forcibly* drawn into the crucible, by God’s dynamic duo, Michael and Gabriel, presumably against his will.

The same idea is conveyed in the Babylonian Talmud (Shabbat 88b), combining the motifs of resurrection and the breakdance motion into the outer-limits of the camp (both homilies here attributed to Rabbi Yehoshua ben Levi):

ואמר רבי יהושע בן לוי: כל דיבור ודיבור שיצא מפי הקדוש ברוך הוא יצתה נשמתן של ישראל, שנאמר “נפשי יצאה בדברו” (שיר השירים ה: ו). ומאחר שמדיבור ראשון יצתה נשמתן, דיבור שני היאך קיבלו? – הוריד טל שעתידי להחיות בו מתים, והחיה אותם. שנאמר “גָּשָׁם נִדְבָּוֹת תִּגְיֵף אֱלֹהִים נִחְלָתָךְ [וְנִלְאָה אֶתְּהָ כּוֹנֵנְתָה]” (תהלים סח: ט – י).

ואמר רבי יהושע בן לוי: כל דיבור ודיבור שיצא מפי הקדוש ברוך הוא חזרו ישראל לאחוריהן שנים עשר מיל, והיו מלאכי השרת מדדין אותן, שנאמר “מַלְכֵי צְבָאוֹת יִדְדוּן יִדְדוּן” (תה' סח: ג).

Rabbi Yehoshua ben Levi said: at every single utterance that left the mouth of the Holy One blessed be He, the soul of Israelites left them, as it says: “נפשי יצאה בדברו” (“My soul failed me [literally, left me] when he spoke”) (Song of Songs 5:6), for, from the first utterance, their souls left them. [With regard to] the second utterance—how did they receive it? [God caused] dew to drop, which would, in the future, quicken the dead, and resurrected them, as it says, “The sky rained because of God, [this Sinai, because of God, the God of Israel when Your inheritance [languished, You sustained it]” (Psalms 68:9–10).

Rabbi Yehoshua ben Levi said: at every utterance that left the mouth of the Holy One blessed be He, the Israelites

⁴⁹ Exodus 20:3.

moved backward twelve *mil*, and the ministering angels led them back: “The kings of the armies they flee, they flee [*yiddodun, yiddodun*]!” (Psalms 68:13, MT).⁵⁰

While the Talmud, drawing from Song of Songs 5:6 and Psalms 68:9–10 (like the Mekhilta), suggests that there was a death and resurrection of sorts, not all the dead of *the past* were quickened with the first *dibbur* (“commandment”) as the author of PRE 41 suggests. That is, the word of God has the power to slay, but more importantly to enliven in the latter midrash. While the first *dibbur* awakens all the dead, “those who are not here with us today” (Deuteronomy 29:14), the second enlivens only those who could not withstand the first. “My soul failed me [literally: left me] when he spoke” (Song 5:6). According to PRE, it is not the rains or dew that quickens them, that sends their blood again pulsing through their arteries, but the word of God itself, as Hannah intoned in her prayer of thanksgiving: “The LORD deals death and gives life, / Casts down into Sheol and raises up” (1 Samuel 2:6, NJPS). In PRE 10, these words are attributed to Jonah in his prayer within the belly of the Great Fish, before he was vomited onto dry ground.⁵¹ The reluctant prophet also experienced a three-day death (evading the word of God) and a return to life when he relents, resuming his mission.

Conclusion: Into Life

What then brings Israel back to a sense of life, to groundedness, following the ecstatic, and near-death, or perhaps even real death, encounter at Sinai? The tannaitic sources emphasize the people’s terror, a breakdance response to the very boundary of being—somewhere between near-death and ecstasy. The later midrash takes this further: where the Israelites actually expire and need to be revived and Moses’ takes up the role of intermediary, and allows them to continue a relationship with God, albeit indirectly.

⁵⁰ B. Shabbat 88b.

⁵¹ For an expanded discussion of Jonah in relation to the resurrection motif in PRE 10, see Adelman, “Jonah’s Sojourn through the Netherworld,” in *Return of the Repressed*, pp. 211–258.

How do we map this back onto the contemporary tension, as depicted by Rosenzweig, between heteronomy and autonomy, between God's Law and individual conscience? Between the authority of Sinai and the ongoing experience of Revelation in one's present encounter with Torah? To answer this, I'd like to return to the question of Love, through the story of Alcestis who serves as Rosenzweig's feminine model for Israel. According to the Greek legend, she willingly relinquishes her life on her wedding night to save her husband from death (who had been cursed by the Fates to a bed of snakes, when he failed to make any sacrifice to the goddess Artemis for his success in the hunt by which he had won Alcestis' hand). For her, Eros overcomes Thanatos or, at least, the fear of death. Their names speak to this very dynamic: Alcestis [Ἀλκηστis] from the Greek, *alke* [ἀλκή] meaning "valiant, brave, strong", and Admetus [Ἄδμητος], meaning "untamed," "untameable," or perhaps impervious and invincible, like the adamantine stone.

In Rainier Maria Rilke's rendition of the myth, Alcestis addresses the god who comes to claim her as the sacrificial stand-in for her husband:

No other can be a substitute for him. I *am*.
I am his ransom. For no one else is finished,
as I am. What remains to me then of that
which I was, here? That *is* it, yes, that I'm dying.
Didn't she tell you, Artemis, when she commanded this,
that the bed, that one which waits inside,
belongs to the other world below? I'm really taking leave.
Parting upon parting.
No one who dies takes more. I truly depart,
so that all this, buried beneath him
who is now my husband, melts and dissolves itself -
So take me there: I die indeed for him.⁵²

The reason Alcestis is ready for death, willing to sacrifice her life in love for Admetus (echoing the Hebrew *'ad mavet*, "unto death,"

⁵² Rainer Maria Rilke, "Alcestis", translated by A. S. Kline (2001); https://www.poetryintranslation.com/PITBR/German/MoreRilke.php#anchor_Toc527606965 (accessed Oct., 2018).

with an inter-linguistic pun), is precisely because she already belongs to that other world; she, like no one else, is “finished,” or, rather, completed. Love satiates the soul to the brim, completes the sense of being. Likewise, the word of God filled the Israelites to the brim such that they leapt to the borders of their collective being (12 *mil*, the boundary of the camp); or, in the other midrashic image, their souls left their bodies. As death or dying, it is not an ecstatic experience, in the sense of “out-of-body,” but a total presence that fills the body to the limits of the skin with another Presence in love, manifest in the word of God. Only in this paradoxical way – Rosenzweig’s “not yet” – can the individual meet the commanding voice of Law.

However, Alcestis returns from the Land of the Dead – rescued by Heracles from Hades. So Rosenzweig ends *The Star*, with the words *Into Life*, the promise of *Eternal Life*.⁵³ Seized by love *unto death*, *‘azzah kha-mavet ‘ahavah*, the beloved returns to herself, dissolved in the relation of love with the Other, when Revelation finally culminates in the final Redemption. Both Rosenzweig, writing during the Weimar Republic in Germany after the “war to end all wars,” and PRE, composed after the Islamic conquest of Palestine in the 8th century, offer us a way to navigate the paradox of revelation through a myth of romantic love, in which one can live through the overwhelming encounter with the ultimate Other while holding onto the embodied, boundaried self.

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⁵³ See the discussion in Zachary Braiterman on Rosenzweig’s persistent obsession with death: “‘Into Life’?! Franz Rosenzweig and the Figure of Death,” *AJS Review*, Vol. 23, No. 2 (1998), pp. 203–221.

PATRILINEAL DESCENT & THE SHAPING OF INTERMARRIAGE DISCOURSE IN AMERICAN JUDAISM¹

Zev Eleff

In 1982, historian Jonathan Sarna issued a critique of the common acceptance of intermarriage in American Jewish life as a “disease” afflicting the Jewish community. The young professor argued that Jews ought to consider exogamy as an “unfortunate” and considerable “defect” in an otherwise unprecedentedly positive situation in the United States. To him, intermarriage

stems from our free, open and highly individualistic society. Intermarriage must be accepted as normative—an unfortunate but inescapable result of our voluntaristic democratic system.²

Much of the vociferous discussion about intermarriage was well within earshot of Sarna, whose intellectual home in those days was Hebrew Union College in Cincinnati. There, the faculty and students at the Reform rabbinical seminary were hardly of one mind on the matter. At this particular moment, the Reform Movement was embroiled in a fierce debate over how Jewish status could be altered to keep intermarried women and men in the religious fold. Sarna’s com-

¹ I have delivered various versions of this essay: once at the 2015 conference of the Association for Jewish Studies in Boston, and once at the 2018 Rabbinical Assembly convention held in Chicago. I am grateful for the thoughtful discussion and comments at those sessions and the helpful recommendations offered by the editors of *Zeremim*.

² Jonathan D. Sarna, “Coping with Intermarriage,” *Jewish Spectator* 47 (Summer 1982), p. 26.

ments reflected the need to get a better handle on the rhetoric and discourse that surrounded this crucial issue.

For many Jews, “intermarriage,” as Sarna made clear, was viewed as a contagion, the root of an American assimilation epidemic that threatened the continuity of the Jewish people in the United States. Since the 1960s, Jewish leaders had watched as coreligionists “vanished” amid romantic comingling with gentiles.³ Fair or not, lay-people and researchers singled out the Reform rabbinate for its inability to stymie the trend.⁴ For a long time, there had been much ado over Reform rabbis who had made it their policy to officiate at intermarriages. In 1973, the Central Conference of American Rabbis (CCAR) had forbidden its members from officiating at mixed marriages.⁵ In the subsequent decade, the volume of the outcry increased to a ferocious decibel. Much of this had to do with the decision of the Reform rabbinical group to accept “patrilineal descent” as a valid determinant of Jewish identity. That is, on the face of it, the Reform community agreed to accept the children of Jewish fathers and non-Jewish mothers into its ranks to increase the number of women and men who could conceivably identify as Jewish.

The CCAR’s decision represented a major shift in determining Jewish status. For almost two thousand years, matrilineal Jewishness was stated to be the essential factor to decide religious status.⁶ For many Reform rabbis, the change was motivated by an intermarriage rate that some claimed had climbed to about forty percent of Jewish

³ See Thomas B. Morgan, “The Vanishing American Jew,” *Look* 28 (May 5, 1964), pp. 42–46.

⁴ See, for example, Bernard J. Bamberger, “Mixed Marriages: Some Reflections on a Debate,” *CCAR Journal* 11 (April 1963), pp. 19–22.

⁵ See David Max Eichhorn, *Jewish Intermarriages: Fact and Fiction* (Satellite Beach: Satellite Books, 1974), pp. 127–35.

⁶ See Shaye J. D. Cohen, *The Beginnings of Jewishness: Boundaries, Varieties, Uncertainties* (Berkeley: University of California Press, 1999), 263–307. There are areas of intra-Jewish identity that are determined by patrilineal descent. For example, membership to the priestly group (*kehunah*) is determined based on the lineage of a Jew’s father. However, overall Jewish status, for the past millennia, has been a matter of matrilineal descent.

nuptials and an even larger swath of Jewish men.⁷ In these latter cases, traditional Jewish law considered the offspring of these unions non-Jews. The new method to accept a larger number of children of intermarriage was viewed as advantageous to mute the clamor over mixed marriages and Jewish continuity.

Yet, the architects of the patrilineal descent decision had more on their minds than intermarriage. Other scholars writing on the halakhic justifications and sociological underpinnings of the turn to patrilineality have overlooked a crucial point of this historical episode.⁸ In line with social commentators at that time, Reform Judaism's acknowledgement of patrilineal descent represented an acceptance of an American culture that allowed – or perhaps encouraged – women and men to “live in a world of choice.”⁹

The leaders who spearheaded the move toward patrilineal descent hoped to redefine the sometimes-interconnected notions of “status” and “identity” in American Jewish life – while also curtailing the religious and demographic attrition due to intermarriage.¹⁰ I write “sometimes” because, according to traditional Jewish law, an individual's personal religious identification has no bearing on her or his

⁷ See Erich Rosenthal, “Studies in Jewish Intermarriage in the United States,” *American Jewish Year Book* 64 (1963), pp. 3–53.

⁸ See, for example, Dana Evan Kaplan, *Contemporary American Judaism: Transformation and Renewal* (New York: Columbia University Press, 2009), pp. 161–205; Sylvia Fishman, “Fathers of the Faith? Three Decades of Patrilineal Descent in American Reform Judaism,” *The Jewish People Policy Institute* (May 2013), pp. 1–47; and Joan S. Friedman, “Guidance, Not Governance”: *Rabbi Solomon B. Freehof and Reform Responsa* (Cincinnati: Hebrew Union College Press, 2013), pp. 248–51. See also the many articles in a special issue on patrilineal descent in *Judaism* 34 (Winter 1985). For an exception to the aforementioned, see the terrific treatment of this issue in Samira K. Mehta, *Beyond Chrismukkah: The Christian-Jewish Interfaith Family in the United States* (Chapel Hill: University of North Carolina Press, 2018), pp. 78–111.

⁹ See Peter L. Berger, *The Heretical Imperative: Contemporary Possibilities of Religious Affirmation* (Garden City: Anchor Press, 1979), p. 18.

¹⁰ On these two terms, see David Ellenson and Daniel Gordis, *Pledges of Jewish Allegiance: Conversion, Law, and Policymaking in Nineteenth- and Twentieth-Century Orthodox Responsa* (Stanford: Stanford University Press, 2012), pp. 2–4.

status as a Jew. The traditional view of Halakhah requires matrilineal descent or the various ritual acts involved in formal conversion for entry into Jewish peoplehood. In fact, someone whose mother is Jewish but does not “identify” as Jewish is, in most cases, still very much a Jew in the traditional view of Halakhah.

For a growing number within the Reform community, this seemed unfair and unwise. Patrilineal descent, thus, was a means to synergize status and identity. Moving forward, neither a claim to a Jewish mother nor to a Jewish father would be sufficient to obtain status as a Jew. Instead, the patrilineal resolution determined that the “offspring of any mixed marriage is to be established through appropriate and timely public and formal acts of identification with the Jewish faith and people.”¹¹ Henceforth, affirmative Jewish identity emerged in Reform circles as the defining quality of Jewishness. Both status and identity were now understood as an individual’s choice. Patrilineal descent was therefore a uniquely American solution to the so-described “defect” within a pluralistic culture of “choice.”

The trouble for Reform leaders was in the messaging. The CCAR never countenanced intermarriage, nor did it allow its members to officiate at religiously mixed matrimonyes. Yet, this was not at all apparent to American Jews in the 1980s. There was a widespread perception in this period that patrilineal descent represented “some kind of a nefarious plot to compel rabbis to officiate at mixed marriages.”¹² For many observers, the patrilineal decision had far more to do with identifying an ‘easy way out’ of the intermarriage dilemma than it concerned a dynamic attempt to merge Jewish personal identity with legal and religious status. Of course, this reaction had a great deal to do with Conservative and Orthodox rabbis’ and laypeople’s firm opposition to the patrilineal decision.¹³ Contextualized more

¹¹ “Report of the Committee on Patrilineal Descent on the Status of Children of Mixed Marriages,” *CCAR Year Book* 93 (1983), p. 154.

¹² Alexander M. Schindler, “Remarks by the President of the Union of American Hebrew Congregations,” *CCAR Year Book* 93 (1983), p. 65.

¹³ See, for example, Ari L. Goldman, “Conservatives Reaffirm Rule on Determining Jewishness,” *New York Times* (March 12, 1985), p. A29; and Norman Lamm, “Seventy Faces,” *Moment* 11 (December 1986), pp. 26–27. The former source indicates that there were some within the Conservative camp who were willing to reconsider matrilineal descent.

broadly, it was also the result of a culture within the larger arena of American religion in the 1980s, marked by polarizing labels such as the “Christian Right” and “Liberals,” leaving little room for nuance and moderation.¹⁴ Both factors impelled one prominent Reform leader to admit in the mid-1980s:

For some reason, which I have never quite been able to fathom, the passage of the resolution... triggered an explosion which has led directly to the question of Jewish unity being raised in alarm.¹⁵

Ultimately, however, it was chiefly Reform Judaism’s inability to disentangle the discussion of personal status from intermarriage that hindered the movement’s attempt to stymie the concerns over religious exogamy. To the contrary, the patrilineal decision enhanced intermarriage anxieties and the general attention paid to it within and without Reform Judaism. Before long, it became an all-too-difficult task to persuade rabbinic and lay stakeholders to champion both components of the patrilineal descent decision and to telegraph a clear and persuasive message to American Jews.

The idea for patrilineal descent and its attachment to concerns over intermarriage emerged in the late-1970s. In December 1979, Rabbi Alexander Schindler, president of the Union of American Hebrew Congregations, called for a change in Reform policy at the biennial assembly in Toronto.¹⁶ Apart from Reconstructionist Judaism, the leading Jewish movements at that time all upheld matrilineal descent as the foundational marker of Jewish status.¹⁷ Schindler wished to

¹⁴ See David John Marley, “Ronald Reagan and the Splintering of the Christian Right,” *Journal of Church and State* 48 (Autumn 2006), pp. 851–68; and David Greenberg, “The Reorientation of Liberalism in the 1980s,” in *Living in the Eighties*, eds. Gil Troy and Vincent J. Cannato (Oxford: Oxford University Press, 2009), pp. 51–69.

¹⁵ Joseph B. Glaser, “Will There Be One Jewish People?” in *The Life of Covenant: The Challenge of Contemporary Judaism, Essays in Honor of Herman E. Schaalman*, ed. Joseph A. Edelheit (Chicago: SCJ, 1986), p. 46.

¹⁶ See Marjorie Hyer, “Change Proposed in Parental Link to Jews’ Lineage,” *Washington Post* (December 8, 1979), p. A4.

¹⁷ See Richard A. Hirsh, “Jewish Identity and Patrilineal Descent: Some Second Thoughts,” *Reconstructionist* (March 1984), pp. 25–34.

change that. "The status of Jew," he declared, "should be conferred on any child, either of whose parents is Jewish, provided they both agree to raise their child Jewishly and do so."¹⁸ The Reform spokesman believed he had sufficiently emphasized both pillars that scaffolded his patrilineal campaign: the threat of intermarriage and Jewish status determined by pronounced and proactive Jewish identity. In the heat of the Cold War and amidst American Jewry's widespread support for the State of Israel, Schindler conjured up the following image to argue his point:

Let me give you a dramatic case in point: Traditional Judaism denies the Jewishness of Ben Gurion's grandson, because his mother was converted to Judaism by a Reform Rabbi. Yet it accords Jewishness to the grandchild of Khrushchev because the mother, Khrushchev's daughter-in-law, was a Jewess.¹⁹

This sort of dual-rhetoric was crucial in the broadcasting of the patrilineal decision. Owing to Schindler's prominent profile, the response to his call in Toronto was forceful and forthcoming. The Israel Movement for Progressive Judaism criticized Schindler for suggesting, as that organization interpreted it, "that a child also be considered Jewish if only his father is Jewish."²⁰ Schindler responded, claiming that he had been misunderstood. His plan was not solely predicated on the acceptance of patrilineal descent. Rather, stated Schindler, "I would like the child's rearing—and ultimately his or her self-definition—to be on a par with genealogical factors in determining Jewishness." But he did not consistently give equal weight to his own argument for the centrality of Jewish self-identification. This portion of the argument was lost in Schindler's many references to intermarriage and his concern "to make certain that our grandchildren will be

¹⁸ Hyer, "Change Proposed," p. A1.

¹⁹ Alexander M. Schindler, *Reform Innovations and their Impact on Jewish Unity* (Waltham: Brandeis University, 1988), pp. 12–13. See also Alexander M. Schindler, "Who is a Jew?" *Reform Judaism* 11 (Spring/Summer 1983), p. 2.

²⁰ "Reform Group Rejects Schindler Proposal," *Jerusalem Post* (December 11, 1979), p. 2.

Jews.”²¹ This latter sort of rhetoric was most appealing to rabbis and lay leaders hopeful to respond to the challenges of Jewish assimilation.

In 1982, the CCAR held its annual meeting in New York. There, at the behest of Schindler, Rabbi Herman Schaalman’s Committee on Patrilineal Descent finally put forward its resolution that stated: “Where only one of the parents is Jewish, the Jewishness of a child is derivable from the Jewish parent, and is expressed by participation in Jewish life.”²² The opposition was fierce, stoked by the committee’s insistence upon affirmative Jewish self-identification. Many members had planned to vote for patrilineal descent—but not under the proposed terms. One CCAR member opined that he “would find even more offensive, totally unacceptable, any decision to deny automatic Jewish status to the child of a Jewish mother.” Another pointed to Schaalman and declared that “this amendment is basically against the Jewish people, Mr. Chairman.”²³

A third rabbi made it clear that much of the CCAR delegation had arrived in New York to solve the “intermarriage problem” rather than to transform Reform Judaism’s conception of religious status and identity:

I hope everyone recognizes that the amendment we passed turned upside down the proposal that Rabbi Schindler had made, and we are now voting on disenfranchising the children of Jewish mothers.²⁴

The debated resolution had not at all betrayed Schindler’s earliest call for patrilineality or any subsequent statement. Nevertheless, advocates of the proposal had failed to articulate a coherent and encompassing message. Few understood what was meant by the resolution’s demand that Jewish status be determined by “expressed... participation in Jewish life.” In response to the uncertainty, the motion to

²¹ Alexander Schindler, “Status of Children,” *Jerusalem Post* (December 12, 1979), p. 8.

²² Herman E. Schaalman, “Report of the Committee on Patrilineal Descent,” *CCAR Year Book* 92 (1982), p. 76.

²³ *Ibid.*, pp. 77–82.

²⁴ *Ibid.*, p. 78.

adopt patrilineal descent was tabled and sent back to the committee for further review.

Some of the confusion was the fault of imprecise nomenclature. "Patrilineal descent" provoked an image of egalitarianism. Without putting too much stock in the more detailed discussions, the rank-and-file Reform rabbis and laypeople assumed that "patrilinealism" represented an effort to establish a gender-blind form of genealogical Jewishness. This, of course, undermined Schindler's attempt to reformulate the concepts of Jewish status and identity. For this very reason, Rabbi Joseph Edelheit eschewed the "patrilineal" designation. Instead, Edelheit was one of the first to introduce the phrase "non-linear descent" into Reform discourse. "Non-linear" bespoke a loosening from genealogical Jewish identity, the kind that Schindler and other Reform leaders had promoted. The majority, though, still referred to the matter in terms of "patrilineal" rather than "non-linear."

One year later, the CCAR approved patrilineal descent by better than a 3-1 margin. It is unclear what caused the shift, but it may have had to do with fatigue and few other solutions to consider. Before the vote, a number of opponents like Rabbi Moses Cyrus Weiler and Dr. Jakob Petuchowski voiced determined disagreement. On this occasion in Los Angeles in March 1983, though, the majority of the Reform rabbinate had come to terms with affirmative Jewish identity. To be sure, a few CCAR members remained cautious. Rabbi Rav Soloff feared that the patrilineal resolution represented a "move toward a confessional definition of Jewish identity."²⁵ Most, however, agreed with Rabbi Jerome Malino. Malino was unmoved by Soloff's warning, believing that a more proactive requirement for Jewish identity was a "stringency" that Reform should embrace. "What are we uneasy about — being *machmirim*?" chided Malino, seizing upon the Hebrew word for "stringent." "We have been condemned over and over again because we have taken the easy way out or have seemed to take the easy way out."²⁶

Accordingly, the conversation at the Los Angeles meeting and the final wording of the crucial section of the 1983 resolution were sufficient to placate the undecided members of the CCAR. The framers of

²⁵ "Report of the Committee on Patrilineal Descent on the Status of Children of Mixed Marriages," *CCAR Year Book* 93 (1983), p. 150.

²⁶ *Ibid.*, pp. 153–54.

the resolution made sure to state that a child of either a Jewish father or a Jewish mother was granted a “presumption of Jewish descent.”²⁷ This softened the force of the requirement for proactive religious identity and offered a genealogical foothold for all children of mixed marriages.

For many, the patrilineal issue was cause for celebration. Mrs. Agnus Macintyre of Deming, New Mexico, wrote to Schindler to inform the Reform leader, “[a]ll my life I’ve ‘felt’ Jewish, and have never known anyone who accepted me as such, except Gentiles.”²⁸ Yet, it displeased the sensibilities of others who had desired more from the patrilineal proposal than a ‘quick cure’ to intermarriage. This group worried that the introduction of patrilineal descent merely projected a message that Reform Judaism had surrendered to intermarriage. The discontent festered. Months after the Los Angeles meeting, the Committee on Patrilineal Descent still wrestled with the use of “presumption” in the text of the resolution which seemed to imply automatic entry into Judaism without affirmative acceptance of Jewish identity. Nevertheless, the committee decided to retain the wording.²⁹ This disappointed some, such as Rabbi David Polish, who complained that the non-linear aspect of the resolution was “minimal and superficial.”³⁰ Other prominent Reform rabbis also expressed reservations after the fact and acknowledged a willingness, under the appropriate circumstances, to reconsider the resolution.³¹

Commentators beyond the Reform enclave paid little attention to the “elective” and “religiously affirmative” aspects of the new conceptualization of Jewish identity. A clearer articulation may not have helped win over pundits, but it may well have improved the civility of the ensuing discourse. Reform leaders and their opponents regular-

²⁷ *Ibid.*, p. 160.

²⁸ Agnus Macintyre to Alexander Schindler, April 2, 1984, Box 12, Folder 4, MS-630, American Jewish Archives, Cincinnati, OH.

²⁹ Minutes of the Committee on Patrilineal Descent, October 17, 1983, MS-630.

³⁰ David Polish, “A Dissent on Patrilineal Descent,” in *Towards the Twenty-First Century: Judaism and the Jewish People in Israel and America: Essays in Honor of Rabbi Leon Kronish on the Occasion of His Seventieth Birthday*, ed. Ronald Kronish (Hoboken: Ktav, 1988), p. 229.

³¹ See Gabriel M. Cohen, “An Interview with Alfred Gottschalk,” *National Post and Opinion* (June 28, 1989), p. 8.

ly faced off in the press. Rabbi David Ellenson, then professor at HUC's Los Angeles campus, testified around this time that "barely a week passes that some major journal of Jewish life and thought fails to include an article or an address excoriating us for the passage of this resolution."³² The media reports often left Reform leaders feeling under siege. For instance, Rabbi Donald Tam of Atlanta and Rabbi Daniel Silver of Cleveland wrote with rather passionate rhetoric to their local Jewish weeklies to clarify that patrilineal descent was not tantamount to freewheeling permission for intermarriage. Both Tam and Silver emphasized that the new policy was intended to empower religious identity as the major determinant of Jewish status.³³ Yet, this was not how many synagogue boards viewed the "Patrilineal Moment." For instance, Rabbi Simeon Maslin published a pamphlet entitled, "Reform Rabbis and Mixed Marriage," believing it "scandalous that so many congregations were declining to interview rabbis who would not officiate at mixed marriages."³⁴

The Reform institutional engines also bellowed—rather than quieted—intermarriage discourse. In 1987, the Research Task Force for the Future of Reform Judaism published a report that found that a third of Reform leaders "oppose their [children] dating non-Jews" but "do not forbid it."³⁵ The same task force released another poll that pointed out that most Reform lay leaders "reported their strong opposition to their children's interdating" and a considerable divide on the issue of Reform rabbis officiating at intermarriages.³⁶ Of course, the

³² David Ellenson, "The Integrity of Reform within *Kelal Yisra-el*," *CCAR Year Book* 96 (1986), p. 22.

³³ See Donald A. Tam, "Patrilineal Debate Continues," *Southern Israelite* (February 3, 1984), p. 6; and Daniel Jeremy Silver, "A Changed Approach Needed for Legal Definition of Jew," *Cleveland Jewish News* (May 20, 1983), p. 12.

³⁴ Mark L. Winer, "Should Rabbis Perform Mixed Marriages?" *Reform Judaism* 13 (Summer 1985), p. 2.

³⁵ Mark L. Winer, "Mom, We're Just Dating," *Reform Judaism* 15 (Summer 1987), p. 7. See also "Questions of Balance Answered by Reform Jews," *Jewish World* (November 6, 1987), p. 10.

³⁶ See Mark L. Winer, "Reform Leadership Survey: The Intermarriage Dilemma," *Reform Judaism* 15 (Spring 1987), p. 18; and Mark L. Winer, "Should Rabbis Perform Intermarriages?" *Reform Judaism* 16 (Summer 1988), p. 21.

commotion over intermarriage had commenced long before patrilineal descent but the CCAR resolution fueled the discussion and motivated dialogue and research to help Reform and other Jewish groups gain a better grasp of the issues.³⁷ A good share of the discussion was constructive—while another part was stewarded by a group that wished patrilineal descent and intermarriage to simply go away. Time and again, sizable numbers of Reform rabbis pushed the CCAR to rescind the patrilineal platform. On each occasion, the rabbinic leadership turned down the calls for reconsideration.³⁸ Instead, the mounting concerns directed the Reform Movement and sociologists of American Judaism to conduct more surveys and more thoroughly research the causes and results of intermarriage like it was still a “disease” in Jewish life.

In all probability, May 1987—when Rabbi Eugene Lipman assumed the presidency of the CCAR—was a lost opportunity for patrilineal gainsayers. Lipman ranked among patrilineal descent’s leading antagonists: “I voted against it, I don’t believe in it, I don’t practice it, I didn’t, I don’t, and I won’t.”³⁹ He was also a more-than-formidable opponent. Alexander Schindler once admitted to Lipman that, “[n]eedless to say, the last thing I want is a public pissin’ match with Gene Lipman.”⁴⁰ Still, Lipman, for the sake of institutional unity, could not be convinced at the CCAR conference to revisit the matter and rescind patrilineality. The proponents had persevered. At the very same meeting in Cincinnati, Schindler defended the good that patrilineal descent had brought to the national Jewish conversation:

We have transformed American Jewry’s mindscape. The subject of intermarriage is no longer taboo, and the concept of outreach, even conversionary outreach, is no longer a heresy within the American Jewish community. We

³⁷ See Lila Corwin Berman, *Speaking of Jews: Rabbis, Intellectuals, and the Creation of an American Public Identity* (Berkeley: University of California Press, 2009), pp. 53–72.

³⁸ See, for example, Jack Stern, “President’s Message,” *CCAR Year Book* 96 (1986), p. 2.

³⁹ James David Besser, “Primal Debate,” *Baltimore Jewish Times* (January 30, 1987), p. 70.

⁴⁰ Alexander M. Schindler to Eugene J. Lipman, January 20, 1987, MS-630.

have taken the discussion of intermarriage out of the house of mourning and into the house of study—in indeed, into the sanctuary itself. Without condoning intermarriage, we have recognized its reality and have begun to grapple with it.⁴¹

Certainly, there were those in the Reform rabbinate who still grieved over patrilineal descent. A survey conducted around this time revealed that one third of the Reform rabbinate opposed it, and more than half concurred that the resolution was “one of the most divisive acts in contemporary Jewish life.”⁴² But most still stood by Reform’s revised definition of Jewishness. The majority claimed that patrilineal descent brought to Reform Judaism many people who otherwise probably would not have been so impelled to identify as Jewish. Still, the resolution fell well short of Schindler’s vision of both remedying intermarriage and assuaging fears of assimilation by redefining Jewish status in American Jewish life. Despite the CCAR’s debates to the contrary, Jews tended to understand the patrilineal decision as a means to keep more Jews in the fold amid rampant intermarriage—not as a revolutionary reconsideration of Jewish status and identity in the twentieth century. But, perhaps more importantly, the rhetoric that surrounded patrilineal descent disabused the concerted attempt to address intermarriage as something other than a “disease.” Henceforth and after so much debate and discussion, the American Jewish community still struggles to relate to intermarriage as a “defect” within a complex modern American culture.

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⁴¹ Alexander M. Schindler, “Centennial Shabbat Sermons,” *CCAR Year Book* 99 (1989), p. 109.

⁴² Samuel Heilman, *Jewish Unity and Diversity: A Survey of American Rabbis and Rabbinical Students* (New York: American Jewish Committee, 1991), p. 50.

JEWISH PROCESS THEOLOGY AND THE PROBLEM OF EVIL: THE CASES OF HANS JONAS AND BRADLEY SHAVIT ARTSON

Bar Guzi

Introduction

The problem of evil is one of the greatest challenges to every theistic system. Is it possible to reconcile a belief in an all-powerful and all-good God with horrific manifestations of evil in the world? Can a theodicy—a vindication of both God’s goodness and providence in the face of evil—provide a satisfactory explanation to the reality of both natural evil—such as earthquakes, hurricanes, and fires—and moral evil—such as genocides and child abuse? And in what sense can a theological formulation help us deal with evil and to recover from tragedy?

One of the common ways of addressing the problem of evil and the apparent contradiction between God’s omnipotence and benevolence argues for the unintelligibility of God’s morality. This position is expressed already in the Bible, as we read in Isaiah 55:8: “For My plans are not your plans, nor are My ways your ways—declares the Lord.”¹ Such a position affirms the *morality* of God’s actions through denying the human ability to comprehend them.

Another possible way of addressing this problem would be to argue, perhaps radically, that God is not all-good. Whether God has an “evil side” or is simply amoral or beyond good and evil, this position asserts that God is not confined to human moral sensibilities. Again, one might trace the origins of this position back to the Bible. The God of the book of Job seems to be amoral, not to say capricious:

¹ All biblical translations to follow are from *JPS Hebrew-English Tanakh: The Traditional Text and the New JPS Translation*, 2nd ed. (Philadelphia: The Jewish Publication Society, 1999).

When Job seeks moral justification for his suffering, God only declares God's power and primordially.² Thus we read in God's reply to Job:

Where were you when I laid the earth's foundations?
Speak if you have understanding.
Do you know who fixed its dimensions
Or who measured it with a line?³

To this declaration of divine power and primordially, Job replies:

See, I am of small worth; what can I answer You?
I clap my hand to my mouth.
I have spoken once, and will not reply;
Twice, and will do so no more.⁴

Although Job does not argue further, God speaks once more. In God's second response to Job, God's words link together the two aforementioned approaches of dealing with the problem of evil. It seems that God's unintelligible moral superiority stems directly from God's absolute power:

Gird your loins like a man;
I will ask, and you will inform Me.
Would you impugn My justice?
Would you condemn Me that you may be right?
Have you an arm like God's?
Can you thunder with a voice like His?⁵

Once again, Job's response expresses his inability to comprehend God's power and justice:

I know that You can do everything,
That nothing you propose is impossible for You.
Who is this who obscures counsel without knowledge?

² See, in particular, Job 38-42.

³ *Ibid.*, 34:45.

⁴ *Ibid.*, 40:4-5.

⁵ *Ibid.*, 40:7-9.

Indeed, I spoke without understanding
Of things beyond me, which I did not know.⁶

...
I had heard You with my ears,
But now I see You with my eyes;
Therefore, I recant and relent,
Being but dust and ashes.⁷

Job, realizing he cannot comprehend God's power and justice, chooses to "recant and relent." A potential problem, however, of the two aforementioned approaches, is that it is not clear how one could establish a relationship with the God they describe.⁸ How is it possible to establish a relationship with an entity whose acts we cannot understand at all: an entity who does not share—and even disregards—our moral sensibilities? What is the meaning of praying to such a God? How can one have faith in such a God? What exactly does it mean to *trust* in an amoral God, to *love* God? As Carl Gustav Jung answered to Job:

One can submit to such a God only with fear and trembling and can try indirectly to propitiate the despot with unctuous praises and ostentatious obedience. But a relationship of trust seems completely out of the question to our modern way of thinking.⁹

The problems that stem from the notion of God's moral superiority and its unintelligibility to human beings are perhaps best captured in two well-known literary works. In Albert Camus' *The Plague*, Father Paneloux, reflecting on the death in agony of a little child, ex-

⁶ *Ibid.*, 42:2-4.

⁷ *Ibid.*, 42:5-6.

⁸ On this point, see the interesting discussion by Nechama Verbin in her *Divinely Abused: A Philosophical Perspective on Job and His Kin* (London and New York: Continuum, 2011). For Verbin, the book of Job tells a story of a failed relationship, or in her words, "a relationship that subsists in brokenness" precisely because of the amoral and all-powerful image of God emerging from the book. See p. 142.

⁹ C. G. Jung, *Answer to Job*, trans. F.C. Hull (London: Hodder and Stoughton, 1964), p. 35.

presses a version of this theological position as he remarks: "That sort of thing [the death in agony of a little child] is revolting because it passes our human understanding. But perhaps we should love what we cannot understand." To this remark, Camus' protagonist, Dr. Rieux, responds: "No, Father. I've a very different idea of love. And until my dying day I shall refuse to love a scheme of things in which children are put to torture."¹⁰ Dr. Rieux simply refuses to accept Father Panloux's demand to love that which he cannot morally understand. For him, a God who does not share his moral sensibilities is not worthy of love.

A similar, yet more detailed argument is made by Fyodor Dostoyevsky's Ivan Karamazov. While Ivan accepts God, God's wisdom—and even the "eternal harmony" of eschatological times—he cannot accept *the world created by God*, a world in which children suffer.¹¹ For him, no divine plan, no eschatological bliss, could justify "the unexpiated blood of a little victim."¹² Precisely because Ivan does not expect to understand God, who created the world as God did, he rejects any notion of future harmony:

[T]oo high a price is asked for harmony; it's beyond our means to pay so much to enter on it. And so I hasten back to give back my entrance ticket, and if I am an honest man I am bound to give it back as soon as possible. And that I am doing. It's not God that I don't accept, Alyosha, only I most respectfully return him the ticket.¹³

Both Dostoyevsky and Camus point out through their protagonists the tension between God's omnipotence, benevolence, and intelligibility. For them, simply put, it is meaningless to speak of God's benevolence without affirming God's intelligibility. God's morality must, at the very least, conform with the most basic human moral sensibilities—for instance, regarding the absolute evil in children's suffering. For both, God's morality is the most crucial

¹⁰ Albert Camus, *The Plague*, trans. Stuart Gilbert (New York: Vintage International, 1991), p. 218.

¹¹ Fyodor Dostoyevsky, *The Brothers Karamazov*, trans. Constance Garnett (Mineola, New York: Dover Publications, 2005), p. 213.

¹² *Ibid.*, p. 222.

¹³ *Ibid.*.

aspect of the concept of God, for if God is amoral, let alone immoral, it is impossible to worship God out of love and good will. Harold Kushner summarizes this stance nicely in a spirit akin to the earlier quote from C. G. Jung:

A God of power extorts obedience, but cannot command love. A God who could spare the life of a dying child, who could prevent the earthquake but chooses not to, may inspire our fear and our calculated obedience, but does not deserve our love.¹⁴

One of the most well-known statements to share this same sensibility was made by John Stuart Mill:

Whatever power such a being [God] may have over me, there is one thing which he shall not do; he shall not compel me to worship him. I will call no being good who is not what I mean when I apply that epithet to my fellow creatures; and if such a being can sentence me to hell for not so calling him, to hell I will go.¹⁵

In this paper I present another way of addressing the problem of evil, namely from the perspective of Jewish process theology. Process theology is a theological movement based on the philosophy of Alfred North Whitehead and the theology of Charles Hartshorne, John B. Cobb, David R. Griffin, and others.¹⁶ Process theology

¹⁴ Harold Kushner, "Would an All-Powerful God Be Worthy of Worship?" in Sandra B. Lubarsky and David Ray Griffin (eds.), *Jewish Theology and Process Thought* (Albany: State University of New York Press, 1996), p. 90.

¹⁵ John Stuart Mill, *An Examination of Sir William Hamilton's Philosophy* (London: Longmans Green, 1865), p. 131.

¹⁶ A. N. Whitehead (1861, Kent, UK-1947, Cambridge, MA) was a mathematician and philosopher. His philosophical work *Process and Reality: An Essay in Cosmology* (1929) introduced the foundations of what came to be known as process philosophy. Charles Hartshorne (1897-2000),

approaches the problem of evil from a different direction, for it abandons some of the classical assumptions of theism—such as God’s omnipotence, omniscience, and immutability—and suggests the concept of a limited God. Over the last century, a growing number of Jewish thinkers and theologians, mostly in America, were inspired by process theology and attempted to translate its insights into their Jewish tradition. This paper discusses the ways in which two Jewish thinkers—Hans Jonas and Bradley Shavit Artson—use process theology as they attempt to articulate a response to the problem of evil.

Hans Jonas

For Hans Jonas (born in 1903 in Mönchengladbach, died in 1993 in New York), the twentieth-century was a century of trauma, destruction, and dislocation. As a German Jewish philosopher who escaped Germany in 1933 and lost his mother in Auschwitz, Jonas had both a philosophical and a personal motivation to address the question of human morality and the problem of evil. Jonas’ doctoral dissertation, *Der Begriff der Gnosis* (1928),¹⁷ written under the supervision of Martin Heidegger at the University of Marburg, deals with Gnosticism in ancient Christianity. His later philosophical oeuvre can be summarized as an attempt to formulate a new, alternative ethics for the nihilistic modern world. Later in life, Jonas observed that both Gnosticism and Heideggerian existentialism resulted in nihilism, for both reject the idea of the cosmos as a harmonious divine order, a whole that provides meaning to its individuals.¹⁸ However, Jonas deemed the modern nihilism of existentialism much more radical and desperate than the gnostic one:

John B. Cobb Jr. (b. 1925), and David R. Griffin (b. 1939) are some of the preeminent American philosophers and theologians who associate themselves with process thought.

¹⁷ Later published in German as *Gnosis Und Spätantiker Geist* (Göttingen: Vandenhoeck & Ruprecht, 1934), and in English as *The Gnostic Religion: The Message of the Alien God and the Beginnings of Christianity* (Boston: Beacon Press, 1958).

¹⁸ Hans Jonas, *The Phenomenon of Life: Toward a Philosophical Biology* (Evanston, Illinois: Northwestern University Press, 2001), pp. 211–234.

That nature does not care, one way or another, is the true abyss. That only man cares, in his finitude facing nothing but death, alone with his contingency and the objective meaningless of his projecting meanings, is a truly unprecedented situation.¹⁹

For Jonas, it is particularly existentialism à la Heidegger that legitimates radical nihilism. Its indifferent nature is considered by Jonas to be worse than Gnosticism's demonic nature, for it can provide no "direction" to meaningful existence. As the product of an indifferent nature, human beings must be indifferent as well; that is to say, they must reject the very possibility of the existence of any values or supreme meaning to their existence. In Jonas' words, "[t]he disruption between man and total reality is at the bottom of nihilism."²⁰

Yet Jonas was not a theologian and did not call for a return to religion. On the contrary, religion alone could not solve modern ethical problems for him. Instead, Jonas set for himself the goal of formulating "ethics no longer founded on divine authority," but on "a principle discoverable in the nature of things."²¹ In other words, he sought the objective reality of value—no less than the good in and of itself.²²

Jonas sought to suggest here what he termed "a 'gnostic' reading of Existentialism" as opposed to, and as complementary to, his former "existential" reading of Gnosticism.

¹⁹ *Ibid.*, p. 233.

²⁰ *Ibid.*, p. 234.

²¹ *Ibid.*, p. 284.

²² Given his "universal" philosophical focus, my choice to write on Jonas as a primarily Jewish thinker is not an obvious one. However, several scholars have already highlighted the "Jewish dimensions" of Jonas' work and their importance to understanding his work as a whole. See, for instance, Hava Tirosh-Samuels and Christian Wiese (eds.), *The Legacy of Hans Jonas: Judaism and the Phenomenon of Life* (Leiden; Boston: Brill,) 2008; and Christian Wiese, *The Life and Thought of Hans Jonas: Jewish Dimensions* (Waltham, Massachusetts: Brandeis University Press, 2007). I share this view and seek in this paper to highlight the potential contribution of Jonas' thought to Jewish philosophy and theology. In

Nevertheless, Jonas did experiment with theological writing, especially toward the end of his life. Occasionally, Jonas turned to what he called “speculative theology” precisely because he considered theological speculation—particularly in the mode of myth, which, he argues, has the ability to express truths that cannot be ex-

this sense, this paper is an attempt to respond to Wiese’s call to bring Jonas “into dialogue with other representative and currents of modern Jewish thought,” (Wiese, *The Life and Thought of Hans Jonas*, p. 163). For a critical account of this view, see Eric Lawee, “Hans Jonas and Classical Jewish Sources,” *Journal of Jewish Thought & Philosophy* 23:1 (2015), pp. 75–125. While Lawee admits that “Jonas does invoke Jewish sources at points,” he argues that Jonas tended “to decontextualize and/or creatively reinterpret them” (*ibid.*, p. 107). Lawee further argues that Jonas used Jewish sources

fleetingly, in a manner shorn of all technical detail, and with no evidence of interest in exploring, let alone drawing on the wisdom of, the ample Jewish commentary tradition that had come to surround it [the Jewish source which Jonas uses]. (*Ibid.*).

Thus, Lawee suggests that “Jonas was, in essence, a philosopher who happened to be Jewish rather than a philosopher of nature whose work was informed by Judaism” (*ibid.*, p. 117). Nevertheless, Lawee, too, calls to

extend efforts to create a dialogue between Jonas’s core teaching, his philosophical biology, and conceptions of the organic world propounded by more Jewishly engaged and learned thinkers as well as premodern exemplars of Jewish thought. (*Ibid.*, p. 110.)

In my mind, it is precisely Jonas’ creativity and originality of interpretation that makes the “Jewish dimensions” of his thought interesting and worth studying, especially when brought into dialogue with other Jewish thinkers, some of whom (*e.g.*, Artson) are more versed in Jewish tradition than he was. Moreover, the study of Jonas’ theological “speculations,” understood as a continuation by other means of his philosophy (see below), can shed light on the latter, or at least on Jonas’ motivation and philosophical temperament.

pressed otherwise—as the most appropriate, perhaps the only, vehicle for dealing with ultimate questions, the answers to which lie beyond the limits of human knowledge.²³ As Benjamin Lazier suggests, Jonas, in his theological writings, “continued by other means the itinerary he

²³ Jonas, following Kant and rejecting logical positivism, makes it clear that the fact something is not scientific demonstrable does not mean it is forbidden to speculate about it. In fact, his experience with studying the gnostic myths taught him that when it comes to certain questions, “philosophical Logos has nothing to say,” while mythology has the ability “for expressing a truth that couldn’t be spoken directly.” Hans Jonas, *Memoirs* (Krishna Winston, trans.) (Waltham, Massachusetts: Brandeis University Press, 2008), p. 216.

See also Hans Jonas, “The Concept of God after Auschwitz: A Jewish Voice,” in Lawrence Vogel (ed.), *Mortality and Morality: A Search for Good after Auschwitz* (Evanston, Illinois: Northwestern University Press, 1996), pp. 131–132; Hans Jonas, “Contemporary Problems in Ethics from a Jewish Perspective,” *ibid.*, pp. 176–177.

Jonas argues that, through mythological language and symbolic interpretation of it, theological speculations become more transparent and can express more successfully what cannot be expressed at all: the ineffable. See, esp., Jonas, *The Phenomenon of Life*, pp. 259–261. To put it in Jonas’ words:

The final paradox is better protected by the symbols of myth than by the concepts of thought. Where the mystery is rightfully at home, “we see in a glass darkly” [1 Corinthians 13:12]. What does “in a glass darkly” mean? In the shape of myth. To keep the *manifest opaqueness* of myth transparent for the ineffable is in a way easier than to keep the seeming transparency of the concept transparent for that, to which it is in fact as opaque as any language must be. Myth taken literally is crudest objectification. Myth taken allegorically is sophisticated objectification. Myth taken symbolically is the glass through which we darkly see. (*Ibid.*, p. 261.)

Note that Jonas’ familiarity with Christianity is apparent in the quote above. Jonas, a student of early Christianity, feels comfortable enough to quote a familiar metaphor from the New Testament in his philosophical work. On Jonas’ use of Jewish sources in his thought see Eric Lawee, “Hans Jonas and Classical Jewish Sources” (*supra*).

began with Augustine, Paul and the gnostics.”²⁴ Indeed, on several occasions, to support his philosophical, “secular” ideas, Jonas presented a myth, his variation of the Kabbalistic Lurianic myth of *tzimtzum* (self-contraction).²⁵ This myth (in Jonas’ version) depicts a God who chose to renounce God’s being for the “endless variety of becoming” and who divested God-self of God’s deity “in order that the world might be and be for itself.”²⁶ By withdrawing, God let the world run by chance, risk, and probability—without any divine direction and without knowing what this development will ultimately bring.²⁷ Creation is understood here as a continuous and undetermined process that follows its own logic. The myth further depicts human beings as God’s partners in creation. Humans, through their knowledge of good and evil and the complete freedom to make moral choices, are, via their actions, able to alter radically both the world and God.²⁸

This myth has several theological implications. First, this God is “a becoming God,” a God in process: “[A] God emerging in time instead of possessing a complete being that remains identical with itself throughout eternity.” This is not the perfect, trans-temporal, impassible and immutable God of the philosophers. Rather, Jonas’ God is af-

²⁴ Benjamin Lazier, *God Interrupted: Heresy and the European Imagination between the World Wars* (Princeton: Princeton University Press, 2008), p. 61.

²⁵ On the Kabbalistic concept of *tzimtzum* see Gershom Scholem, *On the Kabbalah and Its Symbolism*, (Ralph Manheim, trans.), (Schocken: New York, 1996), pp. 110ff..

²⁶ Jonas, “The Concept of God,” p. 134.

²⁷ See also Jonas, *Memoirs*, p. 216.

²⁸ Jonas, “The Concept of God,” pp. 134–136. Precisely because of this “awesome impact” of humanity’s deeds on God’s own destiny, Jonas’s God accompanies humanity’s acts with

the bated breath of suspense, hoping and beckoning, rejoicing and grieving, approving and frowning—and ... [by] making itself felt to [human beings] even while not intervening in the dynamics of his worldly scene. (*Ibid.*, p. 136.)

fectured by what happens in the world, including the acts of human beings.²⁹

Second, and most critically for Jonas, this God is not omnipotent and, thus, is limited. Jonas rejected the very concept of omnipotence on logical grounds. Power, for Jonas, is always relational: One being has the power to influence another being with a lesser power. Because absolute power—which contradicts the very existence of anything else besides itself—“has not object on which to act,” it is for Jonas “a powerless power,” or, simply, a self-contradictory and senseless concept. Omnipotence does not make sense theologically either: for Jonas, the Holocaust “added to the Jewish historical experience something unprecedented and of a nature no longer assimilable by the old theological categories.”³⁰ So much so, that it is impossible to attribute to God omnipotence, goodness, and intelligibility all at the same time. Claiming that God could have prevented the Holocaust but chose not to have done so means rejecting God’s goodness. On the other hand, claiming that God’s actions are unintelligible to us would mean disregarding our own moral sensibilities. Therefore, we would be better off renouncing the concept of omnipotence altogether.³¹

And third, this myth portrays a suffering God who could be hurt and disappointed by the world God created. God’s suffering

²⁹ The idea of “a becoming God” helps Jonas reject the idea of eternal recurrence, which he calls “Nietzsche’s alternative” to Christian and Jewish metaphysics. Jonas argues:

[I]f we assume that eternity is not unaffected by what happens in time, there can never be a recurrence of the same because God will not be the same after he has gone through the experience of the world process. Any new world coming after the end of one will carry, as it were, in its own heritage the memory of what has gone before; or, in other words, there will not be an indifference and dead eternity but an eternity that grows with the accumulating harvest of time. (*Ibid.*, pp. 137–38.)

See also Hans Jonas, “Immortality and the Modern Temper” in *Mortality and Morality*, pp. 115–130, esp. pp. 124–125.

³⁰ Jonas, “The Concept of God,” p. 133.

³¹ *Ibid.*, pp. 139–40.

stems from God's care about creation and humanity; it stems from the very relation God has with the world, from the moment of creation onward, and it can be found already in the Bible.³²

Jonas admits that his concept of God strays far from the concept of God as the Lord of history, the God who rewards the righteous and punishes the wicked. But this way of thinking about God allows him to shift the responsibility to evil from God to human beings. "From the hearts of men alone," writes Jonas, evil "arise[s] and gain[s] power in the world."³³ And again:

Having given himself whole to the becoming world, God has no more to give: it is man's now to give to him. And he may give by seeing to it in the ways of his life that it does not happen or happen too often, and not on his account, that it "repented the Lord" to have made the world.³⁴

Jonas' myth expresses a radical shift in the concept of God: According to it, God is not only limited, but, truly impotent. Elsewhere, Jonas addressed this issue and sought to answer the question regarding what constitutes God's power and action in the world. Jonas, in a naturalistic fashion, did not want to understand God's actions in the world as "crude miracles," that is, as actions which breach, pierce, or disrupt nature's causal chain. Instead, he understood God as operating in the world through human beings in a persuasive manner, in such a nonphysical way that leaves the natural order intact.³⁵

³² Jonas argues that although it seems at first glance that the idea of such a God clashes with the biblical God, it is not really the case: The God of the Bible is rejected by human beings; God grieves over them and regrets that God created them (See, for one example among many, Genesis 6:5-7). This is particularly true with regard to God's relationship with the chosen people. (Jonas refers in particular to the prophet Hosea). *Ibid.*, pp. 136-138.

³³ *Ibid.*, p. 141.

³⁴ *Ibid.*, p. 142; "Immortality," p. 129.

³⁵ Hans Jonas, "Is Faith Still Possible? Memories of Rudolf Bultmann and Reflections on the Philosophical Aspects of His Work," ch. 7 of Lawrence Vogel (ed.), *Mortality and Morality: A Search for Good after Ausc-*

For Jonas, every time human beings act from conscious choice, they codetermine, in a nonphysical way, the external course of things. To be sure, Jonas' naturalistic worldview remains intact, for our ability to affect the external course of things is limited by the laws of nature. Yet what Jonas sought to emphasize is that, unlike "blind nature" that "will nearly always select the most probable," humans have the ability to "let the most improbable become actual."³⁶

Now, if humans have the ability to codetermine the external course of things in a nonphysical way, we might think of God's actions in the world in a similar way:

If *we* can daily perform the miracle (and in some sense it *is* a miracle), with the choice of our souls, with our wishing and willing, our insights and errors, our good or evil aims—nonphysical, mental factors all of them—to intervene in and give *our* turn to the course of the world, then that kind of miracle that leaves the natural order intact should be possible also to God, although He may reserve such intervention for rare occasions and ends.³⁷

hwitz (Evanston, Illinois: Northwestern University Press, 1996), esp. pp. 157–161.

³⁶ *Ibid.*, p. 157.

³⁷ *Ibid.* (italics in original). Evidently, in so doing Jonas attempts to "leave room for the divine," while still remaining within a naturalistic worldview. Unlike his concept of God in "The Concept of God after Auschwitz," here God is depicted as limited, yet not as completely impotent. Cf. Jonas, *Memoirs*, p. 218:

I'm profoundly convinced that pure atheism is wrong, that there's something more, something we can perhaps articulate only with the help of metaphors but without which being in all its facets would be incomprehensible. Although it seems to me that a philosophical metaphysics can't develop a concept of God directly, that this pathway has been closed to us ever since Kant's critique of reason—hence my resorting to myth—I also believe that a rational or philosophical metaphysics isn't prohibited from formulating "suppositions" about the presence of the divine in the world. It seems to me, rather, that philosophical on-

Jonas goes so far as to argue for the possibility of revelation, understood as “an irruption of transcendence into immanence.”³⁸ Discussing the biblical prophets, Jonas argued that they “were not discoverers of a hidden God, but hearers of a God *making himself* known and *willing*, through them, to make himself known in all the world.” In other words, Jonas’ God has a will and a power to act upon God’s will via the human soul. Jonas emphasized that the very notion of the religion of revelation stands or falls on the ability of God to act “‘into’ the world and by a particular act, not simply ‘in’ the world and by way of its ever-present fitness for a transcendent interpretation.”³⁹ I shall return to this point below in my discussion of the critique of process theology.

Bradley Shavit Artson

Artson (b. 1959, San Francisco) is dean of the Ziegler School of Rabbinic Studies at American Jewish University, where he is vice president.⁴⁰ He admits that, as a congregational (Conservative) rabbi, he faced all kinds of life dramas, from spousal and child abuse to illness and death. But it was not until his own son, Jacob, was diagnosed with autism that he started to question his former theological position. Indeed, as Artson admits in a letter to his son:

Your diagnosis made it harder for me to clutch my liberal theology with a Monarch on high who might not manage every detail but who was nonetheless in control of the guaranteed outcome... For some time, I found myself lost and drifting, I still loved God and Torah, but I felt there

theology is allowed to leave room for the divine. It’s a questionable, groping attempt, for which I’ve never claimed a monopoly on truth... Myth also tries to develop a concept of God that makes bearable that which otherwise couldn’t be borne.

³⁸ Jonas, “Is Faith Still Possible?”, p. 161.

³⁹ *Ibid.*, (italics in original).

⁴⁰ As of July 2018.

was a rift, that I could not stand with you and still mouth those sentiments about Sovereign and commands, reward and paradise. For quite some time, I said nothing. I would not be disloyal to what I knew or to whom I loved by failing to assert that you did nothing to deserve autism, that it was neither punishment nor judgment, that God is neither arbitrary nor cruel.⁴¹

Note that Artson has a different type of problem to deal with than Jonas. For here, he seeks to explain theologically not moral or human evil but what seems to be “natural evil,” namely his son’s autism. In other words, unlike the Holocaust, his son’s autism is nobody’s fault except, perhaps, God’s. In some sense, Artson faces a more difficult task than Jonas, for he cannot merely shift the responsibility to evil from God to human beings; natural evil seems to be exclusively God’s fault. Moreover, Artson rejects theodicies that argue for the unintelligibility of God’s morality, for he argues that, according to the Torah itself, human beings are granted by God the ability to distinguish between good and evil.⁴² Artson is determined to emphasize that the classic conception of God—“the God of the philosophers”—is a product of the influence of Greek philosophy, through which Judaism has been filtered for centuries. Greek philosophies, he argues, transformed the very way Jews understand their Judaism. But understanding God’s power as omnipotent in the coercive sense is not only “a philosophical mistake” but also “a religious disaster,”⁴³ for it leaves us not only ethically tormented but also with a feeling of betrayal and abandonment.

Nevertheless, Artson claims to find a way to solve this problem, through integrating process theology and Jewish philosophy. The metaphysical worldview of process theology is clear in Artson’s work. For him, human beings, like all there is, including God, are not autono-

⁴¹ Bradley Shavit Artson, *God of Becoming and Relationship: The Dynamic Nature of Process Theology* (Woodstock, Vermont: Jewish Lights Publishing, 2013), pp. 155–156.

⁴² Artson, “I Will Be Who I will Be: A God of Dynamic Becoming,” in Elliot J. Cosgrove (ed.), *Jewish Theology in Our Time: A New Generation of Explores the Foundations and Future of Jewish Belief* (Woodstock, Vermont: Jewish Lights Publishing, 2010), pp. 5–8.

⁴³ Artson, *God of Becoming*, p. 131.

mous substances. Rather, everything that is is a dynamic event that is interconnected with other events. As modern physics teaches us, we are all interconnected with the entire cosmos, which is in a process of continuous and constant change.⁴⁴ God is understood in this worldview as the “organizing force”⁴⁵ of an eternal process of continuous and constant change. Crucially, this organizing force exists not outside the world, but rather within the world. In Artson words, “God permeates the world.”⁴⁶ Elsewhere, Artson refers to God as the “grand integration of all becoming.”⁴⁷ In this sense, for Artson, God is the whole that is greater than the sum of its parts; God, it seems, is more than the organizing Force/Power/Mind behind the process—God is this process itself, embracing the entire dynamic cosmos and changing with it.

According to Artson, this God is neither omnipotent nor omniscient but is limited in power and knowledge and not in full control over creation. Like Jonas, Artson points out the logical fallacy inherent in the notion of omnipotence,⁴⁸ which is rejected by Artson for theological and moral reasons as well.⁴⁹ Creation, in Artson’s process theology, carries in itself a great risk, because the “cosmos itself does not follow a predetermined script.”⁵⁰ Rather, the cosmos follows its own inner dynamic, which is bounded by the laws of logic and physics and subjected to the free choices human beings make.

Following Maimonides, Artson argues that much of what human beings understand as “evil” is really a natural necessity that has

⁴⁴ Artson, “I Will Be Who I Will Be,” p. 8.

⁴⁵ Artson, *God of Becoming*, p. 22.

⁴⁶ *Ibid.*, p. 15.

⁴⁷ Artson, “I Will Be Who I Will Be,” p. 9.

⁴⁸ Artson takes issue with God’s omniscience as well. While he agrees that “God knows absolutely everything possible to know,” he insists that “knowledge regarding the future is simply impossible because the future has not yet happened and one cannot *know* something that does not exist.” *Ibid.*, pp. 4–5 (italics in original).

⁴⁹ Morally speaking, Artson argues that a “God who could stop a million babies from being murdered [during the Holocaust] and chose not to, for whatever reasons, is a monster and a bully.” Theologically speaking, such a God would violate Judaism’s and the Torah’s own standards of justice and morality. *Ibid.*, p. 5.

⁵⁰ Artson, *God of Becoming*, p. 31.

no inherent moral value. Earthquakes and hurricanes, for example, are simply natural, necessary, and amoral events.⁵¹ Process theology, as Artson emphasizes, understands these events in a similar vein, namely as “the very source of dynamism and life.”⁵² These are the very natural phenomena that brought forth life in the first place. The dynamism and change of this world mean not only growth and flourishing but also decay and death. Natural disasters, illness, and death are not God’s punishments but the logical outcomes of the metaphysics of becoming, according to which all material things are limited and finite.⁵³

We must stop here and ask, first, what kind of power does such a God possess? And second, where do we find or experience such a God in life? For Artson, God is the force in the cosmos generating creativity, novelty, innovation, complexity, and growth.⁵⁴ God’s power is not coercive but persuasive, and it manifests itself in our ability “to do the right thing.” For Artson, the human ability to “innovate and [to] choose” to make “the best possible choice”—despite and because of external constraints—is divine.⁵⁵ We can

⁵¹ Moses Maimonides, *The Guide of the Perplexed*, (Shlomo Pines, trans.) (Chicago: University of Chicago Press, 1963), p. 443 (III:12).

⁵² Artson, *God of Becoming*, p. 31.

⁵³ *Ibid.*, p. 32.

⁵⁴ This is the same terminology used by Mordecai M. Kaplan, perhaps the first Jewish thinker to integrate process thought and philosophy into Jewish thought. See especially his *The Meaning of God in Modern Jewish Religion* (New York: Behrman's Jewish book house, 1937); *Judaism without Supernaturalism: The Only Alternative to Orthodoxy and Secularism* (New York: Reconstructionist Press, 1958). For a discussion of Kaplan’s relation to process thought see Jacob J. Staub, “Kaplan and Process Theology” and William E. Kaufman, “Kaplan's Approach to Metaphysics,” in Emanuel S. Goldsmith, Mel Scult, and Robert M. Seltzer (eds.), *The American Judaism of Mordecai M. Kaplan* (New York & London: New York University Press, 1990); Sheila Greeve Davaney, “Beyond Supernaturalism: Mordecai Kaplan and the Turn to Religious Naturalism,” *Jewish Social Studies* 12:2 (2006), pp. 73–87; and Daniel R. Langton, “Jewish Religious Thought, the Holocaust, and Darwinism: A Comparison of Hans Jonas and Mordecai Kaplan,” *Aleph: Historical Studies in Science and Judaism* 13:2 (2013), pp. 311–348.

⁵⁵ Artson, “I Will Be Who I Will Be,” p. 9.

experience God's work through human beings especially in moments of distress, suffering, and grief. For example, reflecting on the death of Joel, one of his congregants who succumbed to cancer, Artson says:

I saw God being very busy throughout Joel's struggle—in moments of laughter and song, in the strength of the relating that bound us all as a community and kept Joel feeling connected through his very last minutes, in the determination to be there with and for his family throughout and beyond the ordeal. I never expected God to guarantee an outcome or suspend reality. I did expect to find God in the steady constant lure toward good choices and responsibility. And that expectation God did not disappoint.⁵⁶

For Artson, then, evil is understood to be "that aspect of reality not yet touched by God's lure or that part of creation that ignores God's lure."⁵⁷ God's "lure," according to Artson, is the way in which God works in/through/with humanity. God offers us "the best possible next step," and we have the opportunity to take it or to reject it. On our part, we intuit God's lure "from the inside;" we know what we should do, but it is our choice to make.⁵⁸ This understanding of God's action in the world is similar to Jonas', yet there seems to be a difference here: Where Jonas understands God to act "'into' the world by a particular act—"an irruption of transcendence into immanence"—Artson seems to hold a more immanent worldview that sees God's "lure" as an ever-present potentiality "in and through all of creation, at any level, inviting every aspect of creation to respond affirmatively" to it. Yet Artson makes sure to emphasize that since God is dynamic and in the process of perpetual change, the "divine lure" is "uniquely appropriate" to every aspect of creation in a precise moment.⁵⁹ That is to say, although Artson—as a process theologian who seeks to

⁵⁶ Artson, *God of Becoming*, p. 132.

⁵⁷ Bradley Shavit Artson, "Ba-derekh: On the Way—A Presentation of Process Theology," *Conservative Judaism* 62:1-2 (Fall-Winter 2010): p. 22.

⁵⁸ *Ibid.*, p. 14.

⁵⁹ Artson, *God of Becoming*, p. 41.

provide a consistent metaphysics—affirms God’s lure to be an ever-present potentiality in and through all of creation, he still leaves room for instances of individual and subjective revelation.

A Partial Answer to the Moral and Epistemological Critiques of Jewish Process Theology

In his discussion of the relation between the thought of Mordecai Kaplan to process theology, Jacob Staub observes that classical works in process philosophy and theology “are not entirely harmonious with the thrust of Kaplan’s vision.”⁶⁰ Kaplan, on the one hand, ultimately understood God as a power or a process making for the good—that is, for salvation, unity, creativity, and human worthwhileness and highest fulfillment.⁶¹ On the other hand, process theologians tend to understand God as an all-empathetic God. Criticizing Charles Hartshorne’s process theodicy, Harold Schulweis argues that “Hartshorne’s God express his love through His all-embracing appreciation of all things... God is our friend, but He is the advocate of our enemies as well.”⁶² God’s goodness is thus expressed by process theologians as God’s equal concern, or empathy, for *all things*; God does not favor one form of being over another. Consequently, such a God, in which both good and evil are included, is amoral. Thus, God’s goodness—precisely what process theology seeks to save by abandoning God’s omnipotence and omniscience—is undermined. In short, as Staub suggests, “[t]his is primarily a God of love rather than of justice.”⁶³ Therefore, he argues that process theology cannot fully explicate and systematize Kaplan’s thought:

⁶⁰ Staub, “Kaplan and Process Theology,” p. 291.

⁶¹ See, for example, Mordecai Menahem Kaplan, *The Meaning of God in Modern Jewish Religion*, pp. 60 and 76; Kaplan, *Judaism as a Civilization: Toward a Reconstruction of American-Jewish Life* (New York: The Macmillan Company, 1934), p. 400; and Kaplan, *Questions Jews Ask: Reconstructionist Answers* (New York: Reconstructionist Press, 1956), p. 103.

⁶² Harold M Schulweis, *Evil and the Morality of God* (Jersey City, New Jersey: KTAV Publishing House, 2010), pp. 59–60.

⁶³ Staub, “Kaplan and Process Theology,” p. 291.

A faithful explication [of Kaplan's thought] will not allow for an empathic, nonjudgmental God who cares about us but who does not, in some sense, represent the imperative to seek righteousness. In firm Jewish tradition, the Kaplanian perspective chooses to identify the divine with the prophetic and rabbinic ethics rather than with an all-inclusive embrace of the totality of all things—even at the expense of an account of the world that makes complete sense.⁶⁴

What about the theologies of Jonas and Artson? How do they relate to this tension? How should we reconcile Jonas and Artson's approaches with the traditional Jewish notion of the God of justice? An attempt to provide full answers to these questions, as well as an attempt to point out all similarities and differences between Jonas, Artson, and other process thinkers and theologians is beyond the scope of this paper. Nevertheless, I would like to suggest several comments on them. By doing so, I hope to emphasize that Jonas and Artson, very much like Kaplan, exemplify not a pure form of "classic" process theology but something more akin to a synthesis of process thought, existentialism (for Jonas), and Jewish tradition (mostly for Artson). Furthermore, I believe Jonas and Artson's personal backgrounds, motivations, and justifications—which are different from those of other, Protestant, process thinkers—push their thought even farther from "classic" process theology.

To begin with, unlike other process theologians, Jonas does not see his myth as systematic theology. In fact, the opposite is true. For Jonas, theology strives not toward cognitive knowledge about God but toward "an understanding"—that is, toward a meaningful concept of God which is consistent with Jonas' existential philosophy of biology.⁶⁵ In other words, Jonas is not a theologian at all and therefore not a process theologian, but a philosopher who draws from his own philosophy as well as from Jewish and Protestant religious sources. Thus, as Ron Margolin observed, Jonas' theological writings are

⁶⁴ *Ibid.*, p. 292.

⁶⁵ Jonas, "The Concept of God," pp. 131–132. See also Lawrence Troster, "Hans Jonas and the Concept of God after the Holocaust," *Conservative Judaism* 55:4 (2003), pp. 20–21.

accompanied by “long apologies” regarding his very engagement with metaphysics and theology in a post-Kantian world.⁶⁶ This is indeed the case in “The Concept of God after Auschwitz;” Jonas admits at the outset that what he has to offer is “a piece of frankly speculative theology”⁶⁷ and concludes the essay with the following words:

All this, let it be said at the end, is but stammering. Even the words of the great seers and adorers—the prophets and the psalmists—which stand beyond comparison, were stammers before the eternal mystery. Every mortal answer to Job’s question, too, cannot be more than that.⁶⁸

By this, I do not mean to suggest that Jonas’ argument does not deserve an argumentative assessment.⁶⁹ Rather, I seek to point out a crucial difference between Jonas and other process thinkers. Jonas arrived at his concept of a non-omnipotent God not simply because he was convinced by the logical soundness of Whitehead’s metaphysics. Rather, it was his own moral sense as well as his life-experience as a Jew (or, if you will, the “Jewish dimensions” of his thought) that led him to a specific theological worldview.

In other words, Jonas justifies his most radical and significant claim—that is, the rejection of God’s omnipotence—by appealing to Jewish tradition, to what he understands to be its ideals, values, and concept of God. True, Jonas *consciously* rejects the traditional Jewish concepts of God as the Lord of history or as the God of justice who re-

⁶⁶ Ron Margolin, “*Mi-heqer Ha-gnosis We-’ad Musag Ha-’elohim ’aharei ’aushvits: Qavim Letoledot Hayyav Ul-haguto Shel Hans Jonas*” (Hebrew, “From Gnosticism until the Concept of God after Auschwitz: The Life and Thought of Hans Jonas”), in Ron Margolin (ed.), *Musag Ha-’elohim ’aharei ’aushvits U-ma ’amarim Nosafim* (“*The Concept of God after Auschwitz and Other Essays*”) (trans. from German by Danit Dottan) (Tel Aviv: Resling, 2004), p. 20.

⁶⁷ Jonas, “The Concept of God,” p. 131.

⁶⁸ *Ibid.*, p. 142.

⁶⁹ For a critique of Jonas’ argument in “The Concept of God after Auschwitz” see Paul Clavier, “Hans Jonas’ Feeble Theodicy: How on Earth Could God Retire?,” *European Journal for Philosophy of Religion* 3:2 (Autumn 2011), pp. 305–322.

wards and punishes. But he does so from a Jewish standpoint, as it were, for he is well-aware that “on this question the Jew is in greater theoretical difficulty than the Christian.”⁷⁰

To the Christian ... the world is anyway largely of the devil and always an object of suspicion—the human world in particular because of original sin. But to the Jew, who sees in “this” world the locus of divine creation, justice, and redemption, God is eminently the Lord of *history*, and in this respect “Auschwitz” calls, even for the believer, the whole traditional concept of God into question.⁷¹

Precisely because the Jew seeks God’s judgment in “this” world and in history, the Jew is baffled and perplexed in the face of the manifestations of evil in them. For Jonas, given the catastrophic events of his lifetime and the injustice he witnessed, holding on to the “traditional” concept of God would inevitably lead him to reject God altogether. Yet,

one who will not thereupon just give up the concept of God altogether... must rethink it so that it is still thinkable; and that means seeking a new answer to the old question of (and about) Job. The Lord of history, we suspect, will have to go by the board in this quest.⁷²

Artson, on his part, who openly affirms process theology, is perhaps too versed in and influenced by Jewish sources and tradition to suggest a “classic” (*i.e.*, Protestant) process theology. For instance, Artson rejects God’s omnipotence not merely because it is “an account of the world that makes complete sense.” Rather, his rejection of God’s omnipotence stems from his commitment to what he understands as “Judaism’s and the Torah’s own standards of justice and morality.”⁷³

⁷⁰ Jonas, “The Concept of God,” p. 133.

⁷¹ *Ibid.*, italics in original.

⁷² *Ibid.*.

⁷³ Artson, “I Will Be Who I Will Be,” p. 5.

I know that if I saw a baby about to be murdered and I could intervene and stop it, my refraining from action would violate my Torah obligations. Such an abdication does not stop being a monstrosity just because God did it. Torah tradition affirms God's goodness unambiguously and asserts two claims that some theologians do not like to remember: we are told... that God gave humans the ability to distinguish between good and evil and that we are made in God's image. That is to say, Torah tells us explicitly that we share the same criteria.⁷⁴

In other words, process theology cannot fully explicate Artson for the same reason it cannot fully explicate Kaplan, for both see themselves committed to "Judaism's standards of justice and morality." But these are precisely the standards and values that led Artson to reject God's omnipotence in the first place in order to save God's goodness.

Thus, it would be more accurate to suggest that both Jonas and Artson use the categories and modes of thought developed within process thinking from Whitehead onward, without appropriating its entire metaphysical scheme, in their personal, and distinctively Jewish, attempts to deal with the problem of evil. Both seek to free God from the responsibility to evil in order to save God's goodness, even at the cost of giving up the traditional Jewish concept of God as the Lord of history or the God of justice who rewards the righteous and punishes the wicked.

Furthermore, Jonas and Artson do not understand God to be the amoral all-empathetic God of Whitehead. For Jonas, God possess a will and a power to act "into" the world through human beings. For Artson, it is only "those events that optimize love, justice, compassion, [and] relationship" that are considered revelatory.⁷⁵ However, as I showed earlier, for both Jonas and Artson, like Whitehead, God's power is not absolute, and it is the responsibility of human beings to act upon God's will. This is a heavy responsibility, for human beings hold "the fate of deity in [their] hands,"⁷⁶ for God and the world are affected by the deeds of human beings.

⁷⁴ *Ibid.*

⁷⁵ Artson, *God of Becoming*, p. 43.

⁷⁶ Jonas, "Immortality and the Modern Temper," p. 125.

I suggest that, for Jonas and Artson, the quest for justice and righteousness is inspired by God precisely because of God's goodness, which in turn is achieved by the rejection of God's omnipotence and omniscience. It is not only that God is not amoral, but it is God who provides morality and value to an otherwise cold and indifferent cosmos.⁷⁷ God works for justice in/through/with humanity. Thus, I agree with Michael Marmor, who observes that Jonas and Artson's process theologies replace theodicy by "odyssey of activism and the quest of justice."⁷⁸ In this sense, God is all-embracing only insofar as God inspires morality and justice or works for justice in/through/with every human being. Human beings possess the choice whether or not to listen, to follow, or to join God in this endeavor. Moral evil, in other words, is the direct outcome of the freedom of the entire cosmos, including human beings, to make "bad choices." In regard to Schulweis' critique, Jonas and Artson might respond that God is neither "our friend" nor "our enemies' friend" precisely because God's power is not coercive but persuasive. Put simply, God *cannot* coerce God's judgment. All God can do is to persuade us, and our enemies too, to act with love, justice, and compassion.

However, such an answer would not satisfy a critic like Schulweis, who argues that what determines the moral goodness of God are God's actions. But this very expectation from God to act in favor of the

⁷⁷ See, for example, Jonas, "Contemporary Problems," pp. 169–171:

The world of modern physics is neither "good" nor "bad," it has no reference to either attribute, because it is *indifferent* to that very distinction. It is a world of fact alien to value... Darwinism, in other words, offers an "image-less" image of man. But, it was the image-idea with its transcendent reference by whose logic it could be said "Be ye holy *for* I am holy, the Lord your God." The evolutionary imperative sounds distinctly different: Be successful in the struggle of life. And since biological success is, in Darwinian terms, defined by the mere rate of reproduction, one may say that all imperatives are reduced to "Be fruitful and multiply."

⁷⁸ Michael Marmor, "Resonances and Dissonances: On Reading Artson," *Conservative Judaism* 62:1–2 (Fall-Winter 2010): p. 107.

sufferer is at odds with the basic premise of process theology – that is, that God acts in the world in a persuasive, rather than in a coercive, manner.

Elsewhere, Schulweis points out another epistemic and moral problem of process theology:

How do we know whether what we do or what we are intent on doing is to be traced to “divine” luring, or “divine” persuasion, or “divine” invitation? Before or after the event, can we ever read the intent of mind of the One who lures? In what sense may it be claimed we know the “initial aims” of the lure and its “unfulfilled goals”?⁷⁹

Let me try to respond to Schulweis’ critique on his own terms. For Schulweis, the answer to the epistemic problem lies in what he terms “predicate theology.” Following Ludwig Feuerbach, Schulweis assigns the moral predicates of the divine a new status: Moral qualities no longer derive their meaning from their divine subject; rather, moral qualities are considered to be divine in themselves.⁸⁰ To answer the question regarding what constitutes these moral qualities, Schulweis adopts both Mordecai Kaplan’s notion of the emergence of values within a community and his pragmatism. First, Schulweis argues that moral qualities are “discovered in doing, feeling, thinking, willing, prizing, and evaluating experience.” In other words, moral qualities of godliness are discovered, consensually agreed upon, and validated within a community; they are the products of cumulative experience “which have proven to be of ultimate importance to the believer and the community of faith.”⁸¹ Second, Schulweis adopts Kaplan’s (and ultimately James’ and Dewey’s) pragmatic method: The divine moral qualities are corrigible, that is, they are subject to testing “against the stones of reality.”⁸²

But what is the answer of Schulweis’ predicate theology to the problem of evil? What does it provide for the sufferer who asks, “Why me?” Simply put, Schulweis’ predicate theology provides no answer,

⁷⁹ Harlod Schulweis, “The Pull of the Divine Lure,” *Conservative Judaism* 62:1-2 (Fall-Winter 2010), p. 56.

⁸⁰ Schulweis, *Evil and the Morality of God*, p. 129.

⁸¹ *Ibid.*, p. 135.

⁸² *Ibid.*.

but merely a consolatory and compassionate hug. This is so because God, according to Schulweis, is not responsible for evil. Similarly to Kaplan, Jonas, and Artson—Schulweis understands godliness as discovered in the “powers and energies” that raise up human existence.⁸³ Nature and history are both neutral and amoral. Godliness must be found within them, in human actions of encouragement, in compassion, in mutual aid, and in cooperation. For Schulweis, human beings, by their acts, create godliness, or, increase its presence in the world, a notion that resembles the Kabbalistic notion of *tikkun* (“rebuilding”), which views humanity as co-creator with God.

We see then that, at least regarding its answer to the problem of evil, Schulweis’ predicate theology provides similar arguments to those of Jonas and Artson. True, Schulweis’ predicate theology provides—by emphasizing that moral qualities are discovered, validated, and consensually agreed upon within the community—a protection factor, as it were, from fundamentalism, fanaticism, and despotism. Yet this “protection factor” could be applied to process theology as well and thus answer Schulweis’ own epistemic critique.

Conclusion

As we have seen, scholars have argued that it is theodicy that lies at the heart of Jewish adaptations of process thought and theology.⁸⁴ This paper follows this observation by asserting that the motivation of both Jonas and Artson in developing their process theologies was a moral one. Like other critics of classical theodicy, both Jonas and Artson claim that metaphysical accounts cannot answer the sufferer’s “why,” or more precisely, “why me.” According to them, no reason will adequately explain away the pain of human loss, tragedy, or illness. I sought to argue here that process theology, especially in its “Jewish version” of Jonas and Artson, does not merely attempt to answer the sufferer’s “why.” It attempts to do more than this.

⁸³ *Ibid.*, p. 145.

⁸⁴ Schulweis, “The Pull of the Divine Lure,” p. 55; Marmor, “Resonances and Dissonances,” p. 107.

First, it attempts to save not merely God's morality but our own moral sense as well. It asserts that only a moral God is worthy of worship. That is to say, only a moral God can deserve our love—and not merely our fear.

Second, the Jewish process theology manifested by Jonas and Artson understands theodicy as futile insofar as it is not primarily a call for action to eliminate suffering. For both Jonas and Artson, human beings are responsible for moral evil in this world, and any intellectual attempt to explain evil theologically not only misses the mark but testifies to irresponsibility on our part. In a critical essay of post-Holocaust theologies, Amos Funkenstein claimed that the focus on theology diverts us from acknowledging the real problem, namely, that human actions led to the catastrophe. Instead, Funkenstein called us to turn our attention from God to humanity. For him, the Holocaust is comprehensible and meaningful insofar as we understand it as a possibility of human life.⁸⁵ Jewish process theology, as manifested by both Jonas and Artson, understands evil as a real possibility of human life, and does not attempt to deny human responsibility to it. Thus, it might serve us better as a post-Holocaust theology as well. Jonas and Artson's emphasis on the moral autonomy and agency of human beings means real and heavy responsibility for all creation. The true sin, according to both, is to act similarly to Job's friends: to disregard our own moral sensibilities in order to defend evil, "because it requires either blaming the victim or denying our ethical compass."⁸⁶

And third, Jonas and Artson's Jewish process theology does not reject the reality of suffering by telling the sufferer that her suffering is for some "greater good." Rather, it tells the sufferer that she might never receive a satisfactory answer to her "why;" it tells the sufferer that God simply could not help. Furthermore, it affirms God's suffering as well. But process theology provides not only an answer which releases the sufferer from the need to cling onto the idea of an omnipotent God; it provides an existential and religious hope as well. Jonas quoted Etty Hillesum's diary from the Nazi camp of Westerbork as testimony that even amid the Holocaust the idea of a non-omnipotent

⁸⁵ Amos Funkenstein, "Theological Interpretations of the Holocaust: A Balance," in Francois Furet (ed.), *Unanswered Questions: Nazi Germany and the Genocide of the Jews* (New York: Schocken Books, 1987.), pp. 275–303.

⁸⁶ Artson, *God of Becoming*, p. 132.

and suffering God had a religious and existential meaning. Hillesum, Jonas noticed, prayed *for* God:

But one thing is becoming increasingly clear to me: that You cannot help us, that we must help You to help ourselves. And that is all we can manage these days and also all that really matters: that we safeguard that little piece of You, God, in ourselves. And perhaps in others as well. Alas, there doesn't seem to be much You Yourself can do about our circumstances, about our lives. Neither do I hold You responsible. You cannot help us, but we must help You and defend your dwelling place inside us to the last.⁸⁷

Margolin suggests that such a prayer resembles the Hasidic prayer for the sake of heaven, which is considered "loftier than a prayer for one's sake." He further suggests that, for Jonas, the aim of prayer is not to ask God to supply our material needs, but to "deepen the meaning of life by asking God to dwell in the world."⁸⁸ Such a God is a source of existential and religious hope for Artson as well, for "God is found not in the suspension of nature's propensities, but in the intrusion of novelty and surprise in normally established patterns, in the abiding nature of hope and the transforming power of love, a power that is persuasive, not coercive."⁸⁹

For both Jonas and Artson, then, God is still out there—not in evil, destruction, death, and illness, but in the very ability of human beings to transcend themselves, to overcome disasters and recover from trauma, to find creative solutions in times of distress, and to risk their lives for love. By so doing, human beings can affect God and strengthen God's presence in the world. In this sense, God is perhaps—at least potentially—omnipotent after all: God is the all-

⁸⁷ Etty Hillesum, *An Interrupted Life: The Diaries of Etty Hillesum, 1941–1943*, (trans. from Dutch by Arnold J. Pomerans) (New York: Metropolitan Books / Henry Holt and Company, 1996), p. 178.

⁸⁸ Ron Margolin, "Hans Jonas and Secular Religiosity," in Hava Tirosh-Samuels and Christian Wiese (eds.), *The Legacy of Hans Jonas: Judaism and the Phenomenon of Life* (Leiden: Brill, 2008), pp. 253–254.

⁸⁹ Artson, *God of Becoming*, p. 132.

powerful and endless force enabling, or liberating, humanity's divine potential to be more than we are.

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OVERLAPPING MAGESTERIA: WHAT SCIENCE AND RELIGION HAVE IN COMMON

Michael Wasserman

I am a rabbi from a family of scientists. I have scientific skepticism in my blood, but I have never felt that it conflicted with my work of building spiritual community. To the contrary, I believe that science and religion reinforce each other. Stephen Jay Gould wrote that science and religion can never truly clash because they have nothing in common. They are “non-overlapping magesteria,” neither of which has standing to refute the other’s claims.¹ I believe something more: that science and religion, truly understood, are at peace with one another because of what they share, not just because of how they differ. At a certain level, they support each other’s work. In an era when their cultures have grown polarized, when science and religion serve as rallying cries for warring camps, I feel that it might help to point out what the two kinds of inquiry, as I understand them, have in common. What follows is not a formal philosophical argument but a personal, practical effort to map out a middle ground in a world dominated by extremes.

Empiricism and Religious Questions

The commonality between science and religion that I have in mind has nothing to do with content. It is not due to any similarities in what they teach, such as those between the symbolism of medieval

¹ Stephen Jay Gould, “Non-overlapping Magesteria,” *Natural History* 106 (March 1997), pp. 16-22.

Jewish mysticism and the physics of the big bang.² Nor is it due to emotions that we might associate with both, such as the wonder at the natural order that Albert Einstein saw as the core impetus of science and the purest distillation of religion.³ Rather, it is due to an essential kinship in their missions. Religion, like science, is an effort to make sense of what we perceive. In contrast with those who define religion as faith in the unseen, I would argue that it is more properly understood as an interpretation of the *seen*. Religion is akin to science in that it is rooted in empiricism in the broad sense. Like science, religion struggles to make sense of evidence, albeit a different kind of sense of a different kind of evidence. Religion, as I understand it, is the use of sacred language to interpret what we perceive about the world specifically as human beings. It is the use of symbols, narratives, and concepts to make reality coherent and intelligible to a searching self. Ritual practice plays an important role as well in that it concretizes and intensifies sacred language. It enables us to inhabit that language more fully, to put our bodies into it as well as our minds, which deepens its power to make the world – and our place in it – comprehensible. Religion is empirical in that it is a particular kind of effort to make sense of what we see.

One might ask: If empiricism is so broad a category that it can encompass things as different as science and religion, then is it not too broad a category to mean much of anything? If science and religion are both empirical, then what is not empirical?

Perhaps by answering that question, I can make my point clearer. Let me offer an example of a non-empirical mode of thinking, which is antithetical to both endeavors, in order to highlight what they have in common.

One of the most salient strands of anti-empiricist thought today is the reductionism (or reductive materialism) that pervades large parts of the academic world and much of the general culture as well. It is sometimes called physicalism because it teaches that the only true

² See, for an example of such discourse, Daniel Matt, *God and the Big Bang: Discovering Harmony Between Science and Spirituality* (Woodstock, VT: Jewish Lights 1996).

³ Albert Einstein, "Religion and Science," *New York Times*, November 9, 1930, p. 136.

way to describe reality is through chemistry and ultimately physics.⁴ It is also called scientism because it absolutizes science in a way that science itself does not.

Reductionism, by whichever name we call it, is the ideology of the most caustic critics of religion today. Its core complaint against religion is not that religious answers happen to be false but that religious questions are not really questions in the first place. It dismisses all religious language as a kind of nonsense that does not rise even to the level of being incorrect. Questions about what life means, why it matters, or where it points are questions about literally nothing. The perceptions that motivate those questions—our glimpses of a deeper moral order and transcendent purpose that whet our appetite for meaning—are illusions, shadows cast off by the chemistry and physics of our brains. More fundamentally, those questions are not really questions because the *I* that asks them, that seeks meaning and transcendence, is an illusion as well. There is no searching self but only the firing of neurons, which are reducible to the same laws that explain the rest of nature.

The claim that only physical things are real is based on an epistemological premise, an assumption about how we know what we know. That premise is that there is only one reliable point of view from which to see the world, that of a depersonalized observer. In other words, the most accurate observations of the world will always be the most emotionally detached, the most thoroughly drained of everything that makes them human observations. The more we strive to reach a vantage point entirely outside the self—like that of a camera controlled by a computer—the more clearly we will see reality. If one starts from that premise, then the conclusion that only physical things are real follows naturally. Since the only things that will appear real from a point outside the self are those that can be measured spatially and temporally, they must be the only things that *are* real.

It has often been noted that there is nothing scientific about scientism. The claim that there is nothing real except what we can see

⁴ See, for example, Thomas Nagel's discussion of physicalism, in the context of the mind-body problem, in *What Does It All Mean?* (Oxford, UK: Oxford University Press), 1987, p. 31. Nagel offers an extended critique of that philosophy in *Mind and Cosmos: Why the Materialist Neo-Darwinian Conception of Nature is Almost Certainly False* (Oxford, UK: Oxford University Press 2012).

from an external, impersonal point of view is not a claim that can be tested in the laboratory. But the point goes deeper than that. It is not merely that the claim is unscientific but that it is anti-scientific. Even scientists who have no specific interest in defending religion, who are motivated strictly by scientific principles, ought to reject reductionism simply because it is anti-empirical. Its sensibility and method are the opposite of science's.

Scientific skepticism is, above all, skepticism toward dogmatic claims untested by experience. The essence of the scientific method is to give priority to evidence over theory. To be sure, the scientific method takes into account that our eyes can lie. But, when experience and theory conflict, science always breaks the tie with more experience. It never permits theory on its own to override what we observe.

Reductionist reasoning moves in the opposite direction. It starts with the *a priori* claim that the only real things are those that we can see from an impersonal distance and rejects all evidence to the contrary. Specifically, it rules out all evidence that we derive from our inner lives. It dismisses self-awareness as a reliable source of data.

What is the most direct perception of reality that we have, from the moment when we wake up in the morning to the moment when we fall asleep at night? It is the perception of ourselves as autonomous, reflective beings. We experience our subjectivity, our personhood, more immediately than we experience anything else. That was Descartes' point when he argued that the one thing that he knew for sure was that his *I*, his conscious self existed—because, otherwise, who was having that experience of self-awareness? The self cannot be an illusion, Descartes insisted, because the very notion of illusion requires that there be someone to deceive. We might be mistaken in our belief that we have a body—or even that we have a brain—but we cannot be mistaken in our belief that we have a self—because it takes a self to be mistaken.⁵

Reductionists are unmoved by Descartes' argument. They insist that the self cannot be real because we cannot see it in the laboratory. When we probe the brain from the outside, we do not detect a self. We see the firing neurons that correspond to various mental states—including, perhaps, a sense of self—but we do not see mental states

⁵ René Descartes, *Meditations on First Philosophy*, 2nd Meditation.

themselves. Hence, the self, as we experience it from the inside, must be an illusion.⁶

A number of researchers have offered theories that account for the experience of self-awareness by reducing it to neurological activity.⁷ The problem with all such theories is not that they are wrong but that they are beside the point. The thing that they explain is not the thing that they purport to explain. They account for what we can observe from the outside, but fail to truly touch on what we experience on the inside, the very thing that they claim to account for. They tell us nothing about actual self-awareness – unless we assume from the outset that what we see from an external point of view is all that there is to know about our inner world. But in that case, they argue in a circle. They ask us to assume exactly what they claim to demonstrate: that inner states are reducible to chemistry and physics. That is why Thomas Nagel and other critics of reductionism consider all such efforts to explain the inner life from the outside futile.⁸

For our purposes, the key point is that the premise of those efforts is the opposite of scientific. If we are committed to empiricism, to putting experience first, then how can we justify writing off the most immediate perception that we have—our perception that we have selves, or rather that we *are* selves—simply on the basis of an *a priori* preference for one point of view over another? To dismiss direct evidence for no reason except prejudice against its source is not skepticism but dogmatism. The same can be said of related perceptions that reductionists write off as illusions but that seem irreducibly true to us when we look at reality from the inside – that we make choices, for example. We can certainly think of other instances in which we see real things from one perspective that we cannot see from another.

To be clear, I am not claiming that empiricism validates some version of Descartes' mind-body dualism. To suggest that our internal selves are as real as our external bodies need not mean that they are separate things, "the ghost in the machine" as distinct from the ma-

⁶ See, for example, Michael S. A. Graziano, *Consciousness and the Social Brain* (Oxford, UK: Oxford University Press 2013), pp. 15–17, where he compares the experience of awareness to the delusion of having a squirrel inside one's head.

⁷ *Ibid.*.

⁸ Thomas Nagel, *The View From Nowhere* (Oxford, UK: Oxford University Press 1986), p. 16.

chine itself.⁹ The more modest explanation is that mind and brain are different aspects of the same basic substance. They are like two sides of a coin, except that we cannot change which side of it we are seeing simply by flipping the coin. We have to change where we stand. Dual aspect theory teaches that to see our nature in full requires two different points of view: the view from outside and the view from inside.¹⁰ It seems to me that, if we start with a commitment to empiricism, we cannot avoid considering some version of that theory.

So, in answer to our question—If both science and religion are empirical, then what is not empirical?—I would start with the reductionism that pervades so much of our discourse today. It is perhaps the chief contemporary example of a mode of thought that demands that we ignore what we perceive.

Having identified an adversary that science and religion have in common, we can start to see their commonality more clearly. We can say this much at least: The scientific spirit at its best defends religious *questions*. Why? Because religious questions are responses to direct experience: the experience of selfhood, of autonomy and moral agency, of value and importance, of the numinous, and so on. From the outside, those things seem illusory. But from the inside, they appear as real as any physical facts. The empiricism at the heart of science challenges us to recognize that the questions that we ask about those things are real questions after all.

Empiricism and the Search for Religious Answers

Does the scientific spirit's support for religious searching go any further? Does it validate attempts to answer religious questions as well? Does it sanction the work of weaving sacred narratives and constructing theologies, systems of meaning that cannot be tested from the outside?

I believe that it does. In fact, I believe that a true commitment to empiricism not only validates the work of making meaning of what

⁹ The phrase "the ghost in the machine" was coined by Gilbert Ryle as part of his critique of Cartesian dualism.

¹⁰ See Thomas Nagel's explanation of dual aspect theory in *What Does It All Mean* (Oxford, UK: Oxford University Press 1987), p. 34.

we perceive from the inside but requires some version of that work. The same sensibility that pushes us toward scientific inquiry to make sense of what we see from an external point of view also pushes us toward the use of sacred language — or something functionally equivalent to it¹¹ — to make a different kind of sense of things that we perceive about the world from the inside, from the perspective of our humanness.

Before I try to make that case, let me offer some examples of how sacred language does that, how it serves as an interpretation of the seen.

When we speak of a human “spirit,” what are we referring to? If we start from Genesis as opposed to Plato, then what we are speaking of is not a metaphysical construct, a non-physical entity imprisoned in the body, but rather something very visible: the difference between life and non-life, which is crystalized in the metaphor of breath.¹² In the story of creation, the Bible portrays God breathing human life into inanimate clay because that image captures the paradox that we perceive at the heart of our personhood: that our life is in our bodies but not entirely *of* our bodies, that there is a dimension to us that, while not separate from our physicality, is not entirely bounded by it either. The language of physiology has no way to capture that paradox, a paradox that, from our inner point of view, appears as a brute fact. Hence, we turn to sacred language to express what we see.

Another example: When we speak of the world as created, we are not speaking primarily of something that we believe happened in the past. Rather, we are struggling to capture something that we see about the world right now. (In this, I am following the ancient rabbis, who taught that to believe in creation means to believe that it is constantly occurring.¹³) We are naming something that seems irreducibly

¹¹ I do not wish to define religion so broadly that it leaves no room for other types of personal meaning-making. It is important to respect those who define their search as secular. Nevertheless, it seems fair to say that secular philosophical or poetic language that cannot be verified externally is *like* religious language in that respect. Moreover, in many cases, such language is rooted in religious traditions.

¹² Genesis 2:7. The root meaning of the Hebrew *neshamah*, like that of its English equivalent, “spirit,” is “breath.”

¹³ See, for example, near the end of the first blessing before the recitation of the *Shema* in the morning service: *hamhaddeish betuvo bekhool yom*

true from the perspective of our humanness but that chemistry and physics do not capture. That is that the world matters, that it has value and importance, that—beneath the mathematical relationships that correlate what *is*—there is an *ought* behind existence. The world not only is but *rightly* is. In speaking of the world as created, we turn to sacred language to align our understanding of the world with our raw experience of it.

A final example: When we use the language of commandedness, which is central to all Jewish discourse, we are not speaking mainly about something that occurred in the past, about which we know only second-hand. More fundamentally, we are expressing our experience, right now of being pulled by concerns beyond our own, of being morally compelled. When we look at other living things from the perspective of our humanness, we see more than chemistry and physics tell us that we are seeing, more than molecules and atoms. We see fellow creatures with a claim on our attention and concern. The language of commandedness gives us a way to name a force that we experience as immediately as any physical force: the moral gravity that draws us out of ourselves.¹⁴

In all of these examples, sacred language makes intelligible what we perceive from the inside in something like the way in which a scientific theory makes intelligible what we perceive from the outside—by organizing and contextualizing it—except that the voice behind this kind of language is a voice of personal engagement, not impersonal distance. It speaks from the perspective of a searching self embedded in community and tradition, not from a position of emo-

tamid ma'aseh vereishit (“ . . . [God], who in goodness, renews continually, each day, the work of creation . . .”).

¹⁴ Specifically, I am referring here to the language of commandedness *bein adam lahaveiro* (between oneself and peers—or by extension other kinds of creatures). The language of commandedness *bein adam lamma-kom* (between oneself and God)—which is the traditional basis of ritual as opposed to ethical law—is a different matter. What concrete perception grounds that language? Franz Rosenzweig argued that the experience of the numinous is in itself commanding. Whatever ritual legislation it inspires is rooted in the raw experience of being pulled upon by the transcendent. See Rosenzweig’s letter in Nahum N. Glatzer, *On Jewish Learning: Franz Rosenzweig* (New York, NY: Schocken Books 1955), pp. 119–124.

tional detachment. Hence, it cannot be judged by the criteria of a science.

Now we can answer the question that we asked above: In what sense does a commitment to empiricism push us toward the use of sacred language—or something equivalent to sacred language—to make sense of what we perceive about the world from an internal, human point of view? In what sense does empiricism validate not just religious questions but the search for religious answers as well?

If empiricism is a commitment to be guided, first and foremost, by what we perceive, then one of its implications—as we have seen—is that we must not favor certain types of evidence over others based on *a priori* preferences. Another implication of that definition—specifically the part about being *guided* by experience—is that we must make some effort to interpret what we experience, to make sense of it. Without some attempt to contextualize what we perceive, we cannot be guided by it. Raw observations have no meaning on their own. They take on meaning only as we organize them into a conceptual scheme.

Science weaves together things that we perceive from an external, impersonal point of view. It constructs theories that explain how they relate to one another, which can be tested by further observations from the same perspective. But, if we were to stop there—if we were to limit ourselves to scientific answers in our search for meaning and coherence on the grounds that only those answers can be externally verified—then we would be violating the first implication of our definition. We would be making a decision to be guided by just one type of data, and we would be doing so based on nothing but an arbitrary preference for one point of view over another. We would be declaring that what we perceive from the inside—simply because we perceive it from the inside—is unworthy of our work of meaning-making and must be relegated to the realm of unintelligible noise. In doing so, we would be placing ourselves squarely in the anti-empiricist camp.

So empiricism, broadly understood, must be a commitment to interpret what we perceive *on its own terms*, to recognize that different kinds of data call for different modes of comprehension. To interpret our experience even-handedly—to honor what we see regardless of which point of view we see it from—means to grant that we must process different kinds of information differently, in ways consistent with the nature of the information. Making sense means different

things from different perspectives. Hence, a commitment to be guided by experience requires openness to different definitions of what kind of sense we ought to try to make of it. If empiricism calls on us to interpret external data from the outside, then it calls on us to interpret internal data from the inside, to make things that we perceive specifically as human beings intelligible to ourselves *as human beings*. The logic of empiricism, the same logic that drives our search for scientific knowledge, pushes us to turn to other kinds of language, language that cannot be tested from the outside, to interpret things that we know but cannot prove, things that we see but cannot measure.

Science and Spiritual Humility

I have argued that the scientific spirit supports the work of religion in that the empiricism at the heart of science motivates and validates religious searching too. But when I claimed at the outset that science and religion reinforce each other, that was only half of what I meant. I believe that religion, at its most authentic, supports the work of science as well, and that it does so on the basis of another value that they have in common: intellectual integrity.

In the real world, as we know, religion frequently does the opposite. Even when the scientific world respects religion, religion often fails to return the favor. Reactionary strands of faith push back against the sciences. They hold up sacred narratives as quasi-scientific claims about the world, as refutations of geology and biology. In that respect, they trespass on science's terrain.

But the insistence that religion has the kind of knowledge that can refute science is not essential to religious faith. To the contrary, religious fundamentalism as we know it is a recent innovation. Before modernity, when religion had less to be defensive about, it rarely made such quasi-scientific claims about the world.

Consider, for example, biblical narratives. When the Bible tells us that such and such a thing happened, modern readers often assume that its purpose was to give us the kind of information that we would turn to science or history to provide, the kind of information that a cold-eyed witness would have reported had he or she been at the scene. But the actual character of the narratives belies that assumption. Biblical stories are not anything like what we would expect of an at-

tempt to nail down external facts. They are full of loose ends. They contradict themselves without apology. They ignore questions that a scientist or historian would consider crucial, and they concern themselves with claims that would have been impossible to check, even by one who was there at the time. All of this suggests that their purpose was never to tell us what a dispassionate observer would have seen. It was to paint a picture of reality according to what we today would call the inner point of view.

The same can be said of most pre-modern systems of theology. To the extent that ancient and medieval theologians made seemingly objective claims about reality—such as the claim that God treats people fairly—they generally did so in a way that was impossible to falsify. Again, it seems that their purpose was not to describe reality from an impersonal perspective but to describe the world as they experienced it from the inside. It was not external facts that they were trying to account for but the world as it appeared to them as meaning-seeking human beings. The question that is so important to us—How does reality look to a detached, impartial witness?—was not their question.

It was not their question because they did not distinguish as sharply as we do between the external and internal points of view in the first place. They did not yet have the kind of modern selves that strive to step back from their natural vantage point and see the world from an entirely detached position. The objective point of view as we know it, a perspective that aspires to exclude the viewer's personhood, did not yet exist.

The core dilemma that religion faces in the modern world is to choose what it will do about a way of seeing that did not exist during the centuries when religion evolved. In responding to that challenge, religion has two options. Which one it takes depends on which of two traditional traits it prioritizes—traits that it never had to choose between before: comprehensiveness and integrity.

Until modernity, religion could claim jurisdiction over all that we perceive, and it could make that claim with full integrity. Impersonal investigation, as we understand it, did not yet exist because we had not yet asserted the degree of psychological distance that would make that kind of inquiry possible. But, today, if religion still claims ownership of all that we see, it engages in an act of willful denial. And the cost of willful denial is always some measure of integrity. Reactionary fervor always takes a toll in intellectual honesty.

Alternatively, religion can prioritize integrity and give up its claim to comprehensiveness. It can admit that it no longer owns all points of view, that there are types of knowledge that it does not have.

It seems to me that the more historically authentic of the two options, the one that requires less repudiation of the past, is to choose integrity over comprehensiveness. Religion that is less than all-encompassing is still recognizably itself. But religion that is less than honest is distorted beyond recognition. When religion claims to have the kind of knowledge that its very nature precludes, it turns into a caricature of itself. It betrays the very heritage that it claims to defend and forfeits the terrain where it could still do good.

Choosing honesty, even at the cost of comprehensiveness, seems to me to be the only way for religion to preserve its reason for being today. And to make that choice—to renounce what it cannot do for the sake of what it can—leads naturally to honoring science as a complementary endeavor. The self-limitation that makes sacred language relevant today also makes science necessary.

This is what I mean when I say that religion at its best affirms the work of science, just as science at its best affirms the work of religion. The honesty that makes religion matter cannot help but honor scientific inquiry, just as the empiricism at the heart of science supports religious searching. The line that we have drawn between their jurisdictions—between the inner and the outer points of view—is not an arbitrary truce line between two adversaries. Nor is it an impenetrable wall between two worlds that know nothing of each other. Rather, it is a division of labor that honors the essential characteristics of each type of work and is sanctioned and supported by the best in each. The core values of science and religion point toward the same partnership. More broadly, they point toward a middle ground in the culture wars, a place of modesty and moderation in a world torn by extremes.

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A BIBLICAL CHALLENGE: CAN AN ACADEMIC APPROACH AIMED AT 'BEST EXPLANATION' OF THE BIBLICAL TEXT BE IMPORTED INTO THE SYNAGOGUE-SERMON WORLD OF 'INTERPRETATION?'

Richard L. Claman

Recent years have seen a renewed discussion of the question whether, and, if so, how, "modern" historical (including philological) study of the Bible ("MSB")¹ should be brought into the synagogue

* **Editors' note:** This essay is intended to illustrate the sorts of issues and discussions for which we are inviting submissions, in our call for submissions, printed in the final pages of this issue.

¹ We will employ the abbreviation 'MSB' to signal that this phrase has a specific meaning here. We do *not* mean, by the term "modern," to include *all* contemporary approaches to study of the Bible: contrast, *e.g.*, the description of "The Modern Study of the Bible" in the essay by Adele Berlin and Marc Zvi Brettler in Berlin and Brettler, eds., *The Jewish Study Bible* (New York: Oxford U.P., 2004), pp. 2084–2096.

In particular, we exclude, for purposes of this article, approaches that are "post-modern." For a general critique of post-modern approaches to historiography, see, *e.g.*, Moshe Rosman's opening discussion, "Introduction: Writing Jewish History in the Postmodern Climate," in his *How Jewish is Jewish History?* (Oxford: Littman Library of Jewish Civilization; 2007), asserting:

Against extreme postmodern practice, a position that has evolved among historians, including those writing Jewish historiography, is that language, non-transparent and a priori interpretative as it is, is our only means to access reality; but there *is* a reality to be accessed and it *can be* accessed. (P. 11.)

sermon.²

Accordingly, we include within MSB, for purposes of this essay, only study that sees itself bound by the general methodologies of historical research noted in, e.g., David Hackett Fischer, *Historians' Fallacies: Toward a Logic of Historical Thought* (NY: Harper, 1970).

This is *not* to say that post-modern approaches are not also valuable, in their own ways: but there *are*, we suggest, important differences and consequences between modern and post-modern approaches, as will be noted further *infra*; and so we limit ourselves here to just modern approaches. See again, e.g., Berlin and Brettler, *supra*, who conclude their article by noting that (what they call)

Cultural hermeneutics, though not uninterested in historical reconstruction, also focuses on the ways in which access to the power to interpret the text and construe its meaning serves to empower those who have traditionally been marginalized. And postmodernism has attempted to underscore the ironies of all such strategies, since in its view a stable and definitive meaning always eludes the interpreter. (P. 2096.)

(They also note that the broad label 'feminist interpretation' *includes both* modern and postmodernist approaches.)

- ² For a recent raising of this question, see Rabbi Elliott Cosgrove's sermon on May 15, 2010, with the punning title "Kugel on a Hot Sommer Day" (referring to James Kugel and Benjamin Sommer; see below), available online at https://pasyn.org/resources/sermons/%5Bfield_dateline-date%5D-23. Rabbi Cosgrove began his sermon by asking:

If every single Jewish studies professor, from every campus across North America, were to get on an airplane that took off, flew away, and never came back again, would Jewish life change at all? Our synagogues, our Hebrew Schools, our Jewish summer camps, our UJA's, our relationship with Israel—if there were no Jewish studies departments on campus, would it have any effect on the Jewish community?

A central participant in this renewed discussion has been Benjamin D. Sommer, Professor of Bible and Ancient Semitic Languages at the Jewish Theological Seminary of America (in New York). Sommer has sought, *inter alia*, both (a) to argue, at a theoretical level (*contra* to, *e.g.*, James Kugel) that MSB *can* be integrated into a contemporary theological understanding of Judaism,³ and (b) to illustrate how such an integration might be accomplished, in respect of the key question of what God commanded at Sinai, in *Revelation & Authority: Sinai in Jewish Scripture and Tradition*.⁴ And his efforts have in turn

For an example of a discussion of our question already 100 years ago, see the "Introduction" to Solomon Schechter, *Studies in Judaism: First Series*, first published in England in 1896, reprinted in Philadelphia: JPS, 1911, and now available online at <https://archive.org/details/studiesinjudais00schegoog/page/n4>. Schechter (1847–1915, President of the Jewish Theological Seminary of America from 1902–1915) there spoke with apparent approval of Leopold Zunz (Germany, 1794–1886), and Zunz's historical analyses showing that, *e.g.*, Leviticus was written during the post-Exilic period, and so was later than Deuteronomy. Schechter suggested that such results could, in the short term, be integrated into 'the synagogue' via an evolutionary understanding of "Tradition." In the long run, however, he suggested that Judaism would need to re-emphasize that it stands for specific theological positions, or 'dogmas.' This nuanced position is very different from the position often associated with Schechter based on the title of his talk, "Higher Criticism—Higher Anti-Semitism," delivered at a banquet in honor of Dr. Kaufmann Kohler, March 26, 1903, reprinted in *Seminary Address and Other Papers* (Cincinnati: Ark Publishing, 1915), pp. 35–39. (That text can also now be found online at <http://www.bombaxo.com/2009/06/27/higher-criticism-higher-anti-semitism/>, at the "biblicalia" website.) All references in this article to materials available online were accessed on August 29, 2018.

³ See, *e.g.*, Sommer, "Two Introductions to Scripture: James Kugel and the Possibility of Biblical Theology," in *JQR* vol. 100, no. 1 (Winter 2010), pp. 153–182. (This is the essay referenced in Rabbi Cosgrove's sermon; see fn. 2, *supra*). Sommer was here reviewing James L. Kugel, *How To Read The Bible: A Guide to Scripture, Then and Now* (New York, NY: Free Press, 2009).

See also the collection edited by Sommer, *Jewish Concepts of Scripture: A Comparative Introduction* (NY: NYU Press; 2012).

⁴ New Haven: Yale U.P., 2015.

spurred substantial discussion.⁵

Against this backdrop, the aim of this paper is limited and pragmatic. This essay proposes to identify four practical obstacles facing the rabbi who wishes to introduce MSB into his/her synagogue sermon.⁶

First, we note that MSB does not speak in one voice. Part 1 of this article presents, as an example, how five prominent modern biblical scholars have understood a single word, and, hence, a single verse in the book of Jeremiah in different and, indeed, mutually inconsistent ways and used their respective interpretations as foundations for five different and mutually inconsistent understandings of Jeremiah's general message and, in particular, Jeremiah's relationship to the book of Deuteronomy. This presents, we suggest, a challenge for the synagogue rabbi of how to go about choosing amongst such competing explanations.

One might ask however: but *why* is it necessary to choose? Cannot one just draw upon the differing 'insights' of, say, Baruch Halpern, or Richard Elliot Friedman (two of the five scholars to be discussed *infra*), in the same way that we routinely draw upon the differ-

⁵ See, *e.g.*, the contributions to "Revelation and Authority: A Symposium," at <https://thetorah.com/revelation-and-authority/>. And see Sommer's response (February 2018) at <https://marginalia.lareviewofbooks.org/response-benjamin-d-sommer-jewish-theological-seminary/>. See also, *e.g.*, Yehudah Gellman, "Conservative Judaism and Biblical Criticism," *CJ* 59:2 (Winter 2007) pp. 50-67, addressing an early version of what would become *Revelation & Authority*. (See Sommer's discussion therein at pp. 298-299, responding to Gellman).

⁶ We are excluding, accordingly, the question of how academic students of the Bible, in their own personal lives, have sought to integrate MSB with their individual halakhic observance. See, *e.g.*, Eliezer Diamond, "Torah Study" in Martin Cohen, ed., *The Observant Life* (NY: Rabbinical Assembly, 2012), esp. at pp. 88-91.

We are also excluding 'adult-education' venues outside of the synagogue sermon itself, where certain of the obstacles noted herein might be mitigated.

Lastly, in referring to the 'rabbi,' we mean to include also anyone speaking in the sermon slot typically assigned to the rabbi.

ing insights of the four great medieval commentators found in our so-called Rabbinic Study Bible (“*Miqra’ot Gedolot*”),⁷ namely, Rashi,⁸ Rashbam,⁹ Ibn Ezra,¹⁰ and Nachmanides¹¹?

The short answer is that there is a fundamental difference between the purpose of MSB (as narrowly defined, see fn. 1, *supra*), and traditional commentary – and it is helpful, we suggest, for the overall point of this article, to identify this difference up-front. In brief, the medieval commentators were striving to implement the dictum in Numbers Rabbah 13:15 (12th cent.) that there are 70 faces (or facets) to the Torah, so that the text can legitimately be interpreted, simultaneously, from multiple different perspectives. The *Zohar* (late 13th cent.), in seeking to legitimize its own mystical perspective, referred to four such approaches with the acronym *PaRDeS* – referring to the perspectives of: *peshat* (“plain meaning”, or meaning based on the immediate context of the passage at issue); *remez* (literally, “hint,” referring to allegorical and/or philosophic implications of the text); *derash*, or *midrash* (referring to the method of the classic Rabbinic commentaries from the Land of Israel in Late Antiquity, e.g., Genesis Rabbah and Leviticus Rabbah); and *sod* (the “mystical”).¹²

While, on rare occasions, we might say that a grammatical proposition asserted by one of the medievals is just incorrect in light of our modern knowledge of the Hebrew language and comparable Semitic languages, for the most part, when, say, Rashbam contends that his grandfather Rashi relied too much, in commenting on a

⁷ Michael Carasik, between 2005 and 2018, working with JPS, has published an English version of *Mikra’ot Gedolot*, thus allowing the English reader to see all of the major medieval commentators addressing, on a single page, the same verse – thus highlighting the dialogue amongst them.

⁸ R. Solomon ben Isaac, 1040–1105, northern France. See Carasik, *supra*, for summaries concerning these medieval commentators.

⁹ R. Samuel ben Meir, ca. 1085–ca. 1174, northern France, grandson of Rashi.

¹⁰ R. Abraham Ibn Ezra, 1089–1164, b. Spain, d. England.

¹¹ R. Moses ben Nachman, 1195–ca. 1270, b. Spain, d. Israel.

¹² See the essay by Barry Walfish on “Medieval Jewish Interpretation,” pp. 1876–1900 in the *Jewish Study Bible*, *supra* fn. 1. See also, e.g., various essays in Sommer, ed., *Jewish Concepts of Scripture*, *supra* fn. 3. Other typologies have also been suggested.

particular text, on “midrash”-style analysis, and failed to address the “*peshat*”-style approach to its fullest extent, the modern rabbi remains free to draw upon both Rashi and Rashbam, simply recognizing their different perspectives.

By contrast, MSB, insofar as it is constrained by the standards of modern (as opposed to post-modern, see fn. 1, *supra*) study of the past (whether of past events, and/or of past literary product), attempts to provide a ‘best’ explanation in response to a historical or philological question, subject to generally accepted methodological standards.¹³ As a consequence, for example, it is generally accepted that certain theories that were advocated in the past have now been *refuted* by, *inter alia*, discoveries of new texts, and/or better readings of previously known texts. E. A. Speiser, in his ground-breaking commentary on Genesis,¹⁴ asserted that the triplet of stories featuring the ‘wife as sister’ (Genesis 12:10–20, Gen. 20:1–18, and Gen. 26:1–12) could be explained in reference to a custom that he discerned in certain texts from the ancient Mesopotamian city of Nuzi. But subsequent re-investigation of the issue, “based on almost twice the amount of documentation available to Speiser, ... revealed that Speiser’s interpretation of the Nuzi texts could no longer be maintained.”¹⁵ Likewise, while James Michener, in ch. 3 of his novel *The Source*,¹⁶ relied upon the accepted understanding, as of that time, of Canaanite engagement in ritual prostitution for his dramatic portrayal thereof, Jeffrey Tigay has explained that

There is in fact no evidence available to show that ritual intercourse was ever performed by laymen anywhere in the ancient Near East, nor that sacred marriage, even if it involved a real female participant, was practiced in or near Israel during the Biblical period.¹⁷

¹³ See fn. 1, *supra*.

¹⁴ N.Y.: Doubleday [Anchor Bible], 1964.

¹⁵ Barry Eichler, “On Reading Genesis 12:10–20,” in Mordechai Cogan *et al.*, *Tehillah le-Moshe: Biblical and Judaic Studies in Honor of Moshe Greenberg* (Winona Lake: Eisenbrauns, 1997), pp. 23–38; quote from p. 25.

¹⁶ NY: Random House; 1965.

¹⁷ See his Excursus #22, at pp. 480–481 in his commentary on Deuteronomy (Philadelphia: JPS, 1996).

Now, for various reasons, MSB has not yet reached the point of achieving general agreement upon a ‘best’ explanation. And modern Bible scholars are well aware of this deficiency. Thus, a recent scholarly review concerning the portions of the book of Isaiah often attributed to an 8th century B.C.E. prophet referred to as First Isaiah begins:

The deep divide among scholars regarding the composition and redaction of Isaiah [chs. 1–39] undermine the progress and impact of all research on the book. Disagreement among scholars is natural and inevitable, but when prominent perspectives differ by multiple centuries on the date of a given text, outsiders to the debate could be forgiven for doubting whether there is much science to our scholarship. Empirical approaches grounded in comparative data from Isaiah’s ancient Near Eastern world offer a potential way forward.¹⁸

Nevertheless, MSB remains committed to seeking, by the lights of “modern” methodologies for studying the past (including its literary products), a ‘best’ available explanation, and *not* to offering only alternative ‘interpretations.’ Accordingly, we submit that the “deep divide” (as quoted above) within present-day MSB in respect to many fundamental points, as illustrated in Part 1 herein, indeed presents a pragmatic problem to our hypothetical rabbi.

Part 2 of this article notes, moreover, that, even within MSB, there are several competing frameworks—so that even if it appears, on the surface, that there is nothing controversial in the argument of a particular Bible scholar, nevertheless, he or she may be relying upon an underlying framework that *is* controversial. We illustrate this by reference to Sommer’s *Revelation & Authority*, which relies specifically upon certain controversial tenets of the so-called neo-documentarian hypothesis. Once these underlying ‘framework’ battles are identified, the question returns: how is our hypothetical rabbi supposed to

¹⁸ Christopher Hays, “Introduction,” at p. 1, in the issue, “The Formation of Isaiah in its Ancient Near Eastern Context,” *Hebrew Bible and Ancient Israel*, vol. 6, no. 1 (2017).

choose amongst the competing 'modern' underlying frameworks?

Part 3 herein focuses on a conceptual limitation inherent to MSB: it seeks to read any given biblical text as it was understood at the moment(s) *in the past* when the text was first spoken, and/or published¹⁹; and it is beyond the scope of MSB, as a sub-discipline of the modern study of the past, to say anything about how any such 'original' understanding might be relevant today (or might be re-cast to become relevant).²⁰ We are all familiar with instances where various biblical texts, by their *express* statements, present challenges to our modern understandings of Jewish ethics (in reference to, *e.g.*, commands to wipe out the then-existing inhabitants of the Land).²¹ Less obvious may be cases where a modern value is *missing* from the text; and, in Part 3, we discuss an example of such a 'missing' value. If we are to adopt MSB, we need to recognize the conceptual limits of that approach; but are those limitations acceptable—given our need in the synagogue to address contemporary problems?

Finally, in Part 4 herein, we note a more localized contextual concern: the sermon is often delivered following a 'Torah service' that

¹⁹ We use 'published' here in the sense of Baruch Halpern, "Jerusalem and the Lineages in the Seventh Century BCE: Kinship and the Rise of Moral Liability," in Halpern and Hobson, eds., *Law and Ideology in Monarchic Israel* (Sheffield: JSOT Press, 1991) pp. 11–107, *e.g.*, at p. 79, arguing that "it appears that Hezekiah commissioned the first collection of literary prophecy" and then publicized that collection as part of his specific political/strategic program. (This essay is reprinted as ch. 10 in the collection of Halpern's essays published as *From Gods to God: The Dynamics of Iron Age Cosmologies* [Tübingen: Mohr Siebeck; 2009].) Such 'publication' may have been transmitted, however, by means of oral reciters; see generally David M. Carr, *The Formation of the Hebrew Bible: A New Reconstruction* (NY: Oxford U.P., 2011).

²⁰ See, *e.g.*, the remarks delivered by Prof. Baruch J. Schwartz, on March 22, 2015, at the Pardes Institute, Jerusalem, on the publication of the second edition of the *Jewish Study Bible*, available at <https://thetorah.com/how-can-a-torah-commentary-be-source-critical-and-jewish/>, "How Can a Torah Commentary be Source-Critical and Jewish?."

²¹ See K. Berthelot, J. E. David and M. Hirshman, eds., *The Gift of the Land and the Fate of the Canaanites in Jewish Thought* (NY: Oxford U.P., 2014).

was substantially reformulated in the 17th and 18th centuries to reflect the mystical approach of the 16th century kabbalist R. Isaac Luria (1534–1572) (referred to as the “Ari” – *ha-elohi Rabbi Yitzhak*, the saintly Rabbi Isaac²²). How does MSB fit within that liturgical context?

Part 1: The Problem of Multiple Inconsistent Positions

Consider the following verse from Jeremiah, ch. 8 vs. 8:²³

אֵיכָה תֹאמְרוּ חֲכָמִים אֲנַחְנוּ וְתוֹרַת יְהוָה אֲתָנוּ אֵבֶן הַגִּיהַ לְשֹׁקֵר עֲשֵׂה
עֵט שֹׁקֵר סִפְרִים:

Baruch Halpern proposes the following translation:

How can you say, ‘We are wise men, and the Torah of Yhwh is with us’, even as the pen of deceit of scribes made it into deceit [*sheker*]?²⁴

A quick review shows that modern Bible scholars have proffered multiple—but mutually inconsistent—explanations for this verse, and its significance. Thus:

²² See Lawrence Fine, *Physician of the Soul, Healer of the Cosmos: Isaac Luria and his Kabbalistic Fellowship* (Stanford, CA: Stanford U.P., 2003) at 28.

²³ While earlier and later portions of ch. 8 are included in the synagogue *haftarah* cycle (see the *haftarot* for *Tzav* and *Tish’ah Be’Av*), this verse is ‘skipped’ and, so, is not generally familiar to synagogue-goers—whether in the standard Ashkenazic or Sephardic traditions. (See the “new JPS” *Prophets* [1978], “Table of Scriptural Readings” [including Ashkenazic and Sephardic traditions] at pp. xiii–xviii).

²⁴ Baruch Halpern, “The False Torah of Jeremiah 8 in the Context of Seventh Century BCE Pseudepigraphy: The First Documented Rejection of Tradition,” ch. 4 in his collection *From Gods to God, supra*, fn. 19 (first appearing in a 2007 festschrift, which version is available also on-line). JPS, *The Prophets* (1978) translates as follows: “How can you say, ‘we are wise, and we possess the Instruction of the Lord’? Assuredly, for naught the pen has labored, for naught the scribes!”

1. According to a well-known book by Karel van der Toorn,²⁵ this verse shows that Jeremiah was *opposing* the book of Deuteronomy, which was, at that time, first being endorsed and publicized by King Josiah.²⁶ Thus, van der Toorn asks us to note “the disparaging reference in the Book of Jeremiah to the ‘Teaching of Yahweh (*torat yhwah*) as the product of the deceitful pen of the scribes’ (Jer. 8:8),” and asserts that “it makes sense to think that it was indeed an early edition of Deuteronomy that provoked Jeremiah’s criticism.”²⁷ This view might certainly strike an American who grew-up reading Richard Elliott Friedman as odd – since Friedman (see the next paragraph) has argued that indeed Jeremiah, together with his scribe Baruch, *wrote* the book of Deuteronomy!

2. Friedman, in his popular book *Who Wrote the Bible*,²⁸ agrees that Jeremiah was, in this verse, objecting to *some* existing book. But, Friedman reasons, since Jeremiah (in his view) (co-)wrote Deuteronomy, Jeremiah must have been objecting to some *other* book. And so, by process of elimination – since Friedman assumes that whatever Jeremiah was objecting to is included within our Torah – Friedman concludes that the ‘book’ to which Jeremiah objected must have been “P,” the Priestly Code (corresponding to most of Leviticus, plus the first part of Numbers, the last chapters of Exodus, and various insertions in Genesis). Hence, according to Friedman, this verse is evidence showing that “P” must have existed as an identifiable source *prior* to the time of Jeremiah, and, hence, prior to Deuteronomy! Thus Friedman argues (at pp. 209–210):

We have already seen quotations of P in the book of Jere-

²⁵ Karel van der Toorn, *Scribal Culture and the Making of the Hebrew Bible* (Cambridge, MA: Harvard U.P., 2007).

²⁶ Van der Toorn follows the theory that Deuteronomy, in whatever form it was ‘discovered’ in the ruins of the Temple (see 2 Kings 22:8–20), was not ‘known’ until that ‘discovery.’ Contrast, *e.g.*, other views suggesting that at least parts of Deuteronomy were known earlier, *e.g.*, Halpern, fn. 19, *supra*.

²⁷ At p. 143.

²⁸ Richard Elliott Friedman, *Who Wrote The Bible?* (2d ed.) (N.Y.: Harper Collins, 1997), at pp. 146–148.

miah itself. Jeremiah plays upon P expressions, reverses the language of the P creation story, denies that God emphasized matters of sacrifices in the day that Israel left Egypt. Jeremiah knew the Priestly laws and stories. He did not like them, but he knew them.

How hostile he was to them can be seen in an extraordinary passage in the book of Jeremiah. Jeremiah says to the people:

How do you say, “We are wise, and Yahweh’s *torah* is with us”? In fact, here, it was made for a lie, the lying pen of scribes.

The lying pen of scribes! Jeremiah uses even tougher language than the modern Bible critics [such as Van der Toorn] (“pious fraud”). Jeremiah says that a *torah* that the people have comes from a lying pen. What *torah* is that? Most investigators have claimed that it was Deuteronomy. They assumed that it had to be Deuteronomy because they accepted the Wellhausen hypothesis that P was not yet written in Jeremiah’s days. But this meant seeing Jeremiah as attacking a book written in the same style as his own book. It meant seeing Jeremiah attacking a book with which he agreed on virtually every major point. And, to my mind, it meant seeing Jeremiah as attacking a book that he (or his scribe) wrote. All because they thought that P was not written yet. But it was.

It is not surprising to find Jeremiah so hostile to the Priestly *torah*. The Priestly stories attacked his hero, Moses. The Priestly laws excluded him and his family from the priesthood. What we have in Deuteronomy is just what we might expect: a hint that its author was acquainted with P, but no sign of acceptance of P as a source of law or history.

Conclusion: the P stories and laws were present in Judah by the time of Jeremiah and [Deuteronomy]; that is, before the death of King Josiah in 609 B.C.

3. Baruch Halpern, in a well-received article,²⁹ agrees that Jeremiah is here objecting to some existing text; but Halpern argues that the text to which Jeremiah is opposed is an early version of 'JE,' i.e., the old versions of the Genesis/Exodus/wilderness-wandering stories, which versions still endorsed child sacrifice—including a version of the 'Akedah' (Genesis ch. 22; the 'Binding of Isaac') that existed *before* it was re-written to express an opposition to child sacrifice, in accordance with the arguments advanced by Jeremiah and Ezekiel in opposition to child sacrifice. Thus Halpern summarizes:

The upshot is that pre-seventh century BCE sources presuppose infant sacrifice, which was of course practiced in Jerusalem until Josiah's day, at the Tophet that he defiled in the Valley of Hinnom. From a preliminary viewpoint, in other words, it would appear that Jeremiah and Ezekiel, in an age of the rejection of tradition, embrace the rejection of JE, probably already combined and promulgated in the early seventh century, in favor of the traditions represented by Deuteronomy, the Deuteronomistic History, and P.³⁰

4. William Schniedewind, in his *How the Bible Became A Book: The Textualization of Ancient Israel*, which focuses on the relation between oral and written modalities of transmission of Biblical traditions, argues that Jeremiah is here opposing the fundamental concept of reducing *any* of the Biblical traditions to writing, in contrast to the traditional oral transmission:

The wider context of the Jeremiah passage, however, puts it into perspective. In Jeremiah 8:7-9, this written *Torah* of YHWH is juxtaposed with different types of oral tradition:

7 Even the stork in the heavens knows its times;
and the turtledove, swallow, and crane observe
the time of their coming; but my people do not

²⁹ See fn. 24, *supra*.

³⁰ At p. 340, in the 2007 pagination.

know the tradition (*mishpat*) of YHWH. 8 How can you say, "We are wise, and the Law (*Torah*) of YHWH is with us" [when in] fact, the false pen of the scribes has made it into a lie? 9 The wise shall be put to shame, they shall be dismayed and taken; since they have rejected the word (*davar*) of YHWH, what wisdom is in them?

Critical to the proper interpretation of this passage from Jeremiah are the Hebrew terms (italicized in parentheses in the translation) *mishpat*, *Torah*, and *davar*. Clearly, the *Torah of YHWH* refers to a written text, though scholars usually debate which text. Some think that it refers to Deuteronomy; others suggest that it refers to already written (and false) interpretations of Deuteronomic law. I think the issue is not *which text*, but the authority of any written text as opposed to oral tradition. The context clears up the issue. Verse 9 refers to the "word (*davar*) of YHWH"; this is a technical term in Biblical Hebrew literature that refers to the oral word of God given to the prophets. Wisdom is associated with the oral tradition of the community and proclamations of God's messengers, so how could one reject them and still be wise?

The term *mishpat* in verse 7 is a bit more fluid in meaning; however, it may be translated as "the *tradition of YHWH*" or "the *custom of YHWH*." *Mishpat* is often found in biblical literature in places where it appeals to no known written tradition, yet there is obviously a well-established custom or tradition at work. So, for example, a new king is installed in a traditional procedure and place, "according to the custom (i.e., *mishpat*) of the king" (2 Kgs 11:14). The prophet Samuel warns Israel about "the ways (i.e., *mishpat*) of a king" (II Sam 8: 9, 11). The use of *mishpat* as a legal term does not reflect written texts, but rather legal judgments. In most cases, there is no written text as such that could even form the basis of the *judgment* (e.g., Gen 18:25; Lev 19:15). Both the social context of Jeremiah's day and the immediate literary context suggest that Jeremiah 8:8 is a protest against the

authority of the written texts that were understood as subverting oral tradition and the authority of the prophets.³¹

5. Moshe Weinfeld (1925–2009), in his classic *Deuteronomy and the Deuteronomistic School*,³² argued that, in effect, all of the foregoing have mistranslated the line from Jeremiah, in not recognizing that “*la-sheker*,” as an *idiom*, means something different from “*sheker*” standing alone—as already recognized (he contends) in the Septuagint. Thus Weinfeld, in suggesting that Deuteronomy emerged from a “scribal circle,” explained Jeremiah’s statement as follows:

Jeremiah fully identified himself with the religious ideology of the book of Deuteronomy and also appears to have supported the Josianic reforms (Jer. 11:1–8). There is no evidence to support the view that Jeremiah regarded Deuteronomy as an invention and forgery, as many scholars contend. The word *sheker* in Jer. 8:8 does not mean ‘forgery’, but ‘in vain’, ‘to no purpose’ as in I Sam. 25:21: ‘Surely in vain (*la-sheker*) have I guarded...’. The prophet in our verse is not denouncing the book of Deuteronomy but condemning the ‘*hakhamin sofrim*’ for not observing the teaching that they themselves had committed to writing: the pen of the scribes has made (i.e. composed) to no purpose, the scribes have written in vain.³³

This is not the place to attempt to adjudicate as to which of these five competing general understandings of the book of Jeremiah, and of the relations between that prophet and the book of Deuteronomy, is soundest, according to accepted principles of historical/philological research. But plainly these positions cannot *all* constitute the ‘best’ ex-

³¹ William Schniedewind, *How the Bible Became A Book: The Textualization of Ancient Israel* (NY: Cambridge U.P., 2004), at pp. 116–117.

³² Moshe Weinfeld, *Deuteronomy and the Deuteronomistic School* (first published, Oxford: Clarendon Press, 1972; reprinted, Winona Lake: Eisenbrauns, 1992).

³³ At p. 160. See also “Preface” at p. vii and at pp. 158–160.

planation for the text. Nor, as outlined above, could our hypothetical synagogue rabbi simply present, *e.g.*, Friedman's position as constituting an *interesting* 'insight' into the past: Friedman, and the others noted here, are not seeking to be 'interesting,' but rather to provide what each asserts is *the 'best'* available explanation; and each proposes to be judged, and cited, accordingly. If, say, Weinfeld's analysis of the text is the best explanation, then Van der Toorn is not 'interesting,' but rather simply wrong.

But, how is our hypothetical synagogue rabbi supposed to choose amongst these, for purposes of a sermon?

Part 2: The Problem of Underlying Inconsistent Frameworks

There have been, in recent years, two major attempts to utilize MSB in the cause of progressive Jewish theologies: David Frankel's *The Land of Canaan and the Destiny of Israel* (hereafter, abbreviated as *The Land*),³⁴ and Benjamin Sommer's *Revelation & Authority* (see fn. 3, *supra*). While these works do not appear to directly conflict in the manner discussed in Part 1, *supra*, nevertheless, the underlying *frameworks* of these two works, in reference to their fundamental approaches to the study of the biblical text, are, however, incompatible—and, indeed, as Sommer acknowledges, his main argument would fail if Frankel's framework approach were adopted.

In brief, Sommer argues that there is a certain *unanimity* amongst (what he sees as) the key four predicate documents comprising the Pentateuch—*i.e.*, what he regards as J, E, P, and D,³⁵ as those documents stood as of around the 6th cent. B.C.E.—in respect of their

³⁴ David Frankel, *The Land of Canaan and the Destiny of Israel: Theologies of Territory in the Hebrew Bible* (Winona Lake: Eisenbrauns, 2011).

³⁵ The division of the Pentateuch in reference to four main sources, known as "J," "E," "P," and "D," has been standard in Biblical scholarship for two hundred years. The precise delineations amongst these sources, however, continues to be a subject of debate. Moreover, many scholars, as noted *infra*, identify *additional* sources. Thus, the author of Leviticus 19 (the so-called "Holiness Code") is often associated with a later 'priestly' author referred to as "H." And the 'Balaam' cycle in Numbers is sometimes associated with a source from the East of the Jordan River.

understandings of Sinai, and the importance of law to the ongoing lives of the Israelite community.³⁶

³⁶ Thus Sommer writes:

While the four sources disagree in considerable ways in regard to lawgiving – where it happened, when it happened, why it happened, and most of all what the actual law is – they agree on the importance of law. [Sommer's footnote at this point refers to Frankel, *The Land*, and seeks to distinguish Frankel's approach.] For each of the four, Sinai was not merely about theophany or God's self-disclosure; it was about command. It is worth pausing to note this, because one could of course imagine revelation in other ways, and some biblical texts outside the Pentateuch do so. A few poetic texts refer to Sinai as a place where God appeared to Israel for the sake of the manifestation itself, regardless of lawgiving (Habakkuk 3.3–6; see also Psalm 114, which alludes to Exodus 19 subtly while conjoining the event at Sinai and the event at the Reed Sea but does not mention law specifically). Others speak of Sinai or similar locations south of Canaan as the place from which God went forth to wage war on behalf of His people (Judges 5.4–5; Psalm 68.8–10). A similar understanding of Sinai plays a role in Exodus 3–4, where Moses experienced God's presence in the form of a strange flame inside a bush. There God revealed the divine name (Yhwh) and commissioned Moses to serve as Yhwh's lieutenant in the war of liberation against Israel's Egyptian overlords. One may ask, then, who appeared at Sinai – God the lawgiver; God the warrior; or, quite simply, God? While there need be no contradiction among these three possibilities, different texts emphasize them differently. The section of the biblical canon that came to be most authoritative in all forms of Judaism, however, accentuates the legal aspect of revelation. (This statement is equally true of rabbinic and Karaitic Judaism, and it was valid for Qumran Judaism as well. It applies even more strongly for the Samaritans, who regard only the Pentateuch as canonical and do not accept the Prophets and Writings in their scripture.) Within the Tanakh it is specifically

Sommer, however, is a follower of the methodology known as the neo-documentarian position.³⁷ According to that position: (a) we can see how J, E, P, and D—as once-separate documents—were all merged together at one point in time; but (b) we cannot say *anything* about the pre-history of any of those four documents, *i.e.*, prior to the time of that merger. Accordingly, we must accept D as it appears today, where the ‘law section’ in Deuteronomy, chapters 12–26, is combined with a Sinai (or more precisely, Horeb) narrative in ch. 5.

However, Frankel believes (as do many others) that we *can*, for example, discern different layers *within* what is now the book of Deuteronomy; and, in particular, we can see that, at an early stage, D did *not* include any reference to Sinai (or Horeb)!³⁸ Scholars who believe that we can identify layers within D often point to, in support of their approach, the opening lines of the “*Arami Oved*” [‘my father was a wandering Aramean’] ‘confessional’ (from Deuteronomy 26:5–10), from which we read today at the center of our modern Passover Haggadah—and note that there is no reference therein to Sinai, in between the references therein to the Exodus, and to the entry into the Land. Accordingly, Frankel, and others, *e.g.*, Alexander Rofé,³⁹ would argue that those lines represent an ancient tradition that had not yet incorporated the alternative Sinai/Horeb traditions, and hence an older ‘layer’ of D.⁴⁰

the Pentateuch that is normative for Jews, and the Pentateuch (in this respect following each of its main predecessor texts) consistently interweaves lawgiving with revelation. In Judaism’s core canon, God’s self-manifestation took place not only to teach theology or to establish relationship but also to command. (Pp. 123–124.)

³⁷ At p. 270, fn. 67. See also, advocating for this approach, Joel Baden, *The Composition of the Pentateuch: Renewing the Documentary Hypothesis* (New Haven: Yale U.P., 2012); and Jeffrey Stackert, *A Prophet Like Moses: Prophecy, Law and Israelite Religion* (NY: Oxford U.P., 2014).

³⁸ Frankel, *The Land* at pp. 85–96.

³⁹ Alexander Rofé, *Introduction to the Literature of the Hebrew Bible* (Jerusalem: Simor; 2009).

⁴⁰ See Frankel, *The Land* at pp. 38, 119–120, and 727. Rofé, *supra* fn. 39, at pp. 258–259, explains:

The ordinary reader, reaching Deut. 26:5–10 after having read most of the Pentateuch, thinks that these verses are a summary of the familiar story. Von Rad's hypothesis, however, turns the matter right round. Rather than a summary, we have here the first oral kernel, in its *Sitz im Leben* in the communal life of the Israelite cult, that was later developed into a comprehensive and detailed story by J and by the other authors of the Pentateuch who followed him.

I find von Rad's bold hypothesis plausible. In its favour is the evidence of those elements of the first-fruits recitation that run contrary to the usual story of the Pentateuch, and which thereby demonstrate that the first-fruits recitation, far from being a précis of the longer story, is instead a distinctive, ancient kernel. Note that the worshipper's confession begins, not with the three Patriarchs, but with one only, i.e., Jacob, who is called an 'Aramaean'. (It is not clear whether Jacob is so designated on account of his mother or of his having resided with Laban, or of some other tradition regarding his origins.) In any event, the sequence of the three Patriarchs has not yet become part of this confession. More remarkable still is the fact that the 'first-fruits recitation' describes YHWH as intervening in Israel's destiny only from Egypt onwards; he had not revealed himself to Jacob. We have here a clear parabola. First the Israelites were nomads; cf. '*oved*' [meaning] 'wanderer', as in '*tzon ovdot*,' 'wandering sheep' (Jer. 50:6), after which they became sojourners in Egypt and then slaves; then, when they were at their nadir, they cried to 'YHWH, our God' (according to LXX) who intervened, took them out of Egypt, and made them masters of the land 'which you, YHWH, have given me'. YHWH first revealed himself, then, not to the Patriarchs, but to Israel in Egypt—a unique description which could not have been coined as a summary of the books with which we are familiar. It preserves, rather, the memory of an independent tradition, that preceded the formulation of the Pentateuchal documents. At the same time, the confession is at the centre of the religious awareness of the ancient Israelite worshipper. Thus, it is very, likely to be the ancient

Accordingly, if one accepts the methodology of Frankel and Rofé, and, if one has concluded that earlier identifiable traditions within D thus did *not* include Sinai and also did not include an emphasis upon law, then Sommer's unanimity argument is called into question.⁴¹

Conversely, however, there are some good reasons why the neo-documentarians like Sommer have rejected alternative methodologies: approaches like those of Frankel (or Rofé) have trouble explaining how the texts could have been changed in so many respects, in such an ongoing and continuous process of change, over such a long period of time. On their evolving-text approach, it is as if every night, over a period of at least two hundred years (from, say 500–300 B.C.E.), partisans of different ideologies took turns sneaking into the Temple in Jerusalem, and making various changes to the official Torah text that was kept there, in favor of one or another political position. For example, one scholar following this methodology has argued that we can see, within Numbers ch. 27, how advocates of Priestly power in the Second Temple period modified the pre-existing text telling the story of how Moses transferred leadership to Joshua, by adding-in a role for the high priest at the time (*i.e.*, Aaron's son Eleazar).⁴² (We dis-

kernel from which, over time, the documents with which we are familiar developed.

See also at pp. 294–298.

⁴¹ Sommer is aware, of course, of Frankel's position: see *Revelation & Authority* at p. 312, fn. 111.

⁴² See Itamer Kislev, "The Investiture of Joshua (Numbers 27:12–23) and the Dispute on the Form of Leadership in *Yehud*," *Vetus Testamentum* 59 (2009), pp. 429–445. According to Kislev, the original text, *before* a role for Eleazar was written-in, was as follows (at p. 438):

*And YHWH answered Moses, Single out Joshua son of Nun, an inspired man: lay your hands upon him thereby placing some of your radiance upon him, so that the whole Israelite community may obey him. By his instruction they shall go in and out of battle. Moses did as YHWH commanded him.

Kislev asserted (at p. 440):

cuss that text further in the next section.) But, did no one *notice* that these changes were being made? Did no one object?

Accordingly, if our hypothetical synagogue rabbi wishes to present a sermon based upon Sommer's 'reading' in *Revelation & Authority*, can he or she fairly do so, without also noting how Sommer has adopted 'framework' constraints that are controversial even within MSB? And must our hypothetical rabbi take a position in respect of those 'framework' disputes, in order to present a particular scholar's contention fully and fairly?

Part 3: What Happens When MSB Shows That Our Texts Are Missing Values We Consider Important?

Many of us would like to be able to argue—in reference to circumstances today both in the United States, and in Israel—that liberal democratic values are inherent in Judaism.^{43,44}

As just noted, the Torah *does* include a story concerning the selection of a new leader, *i.e.*, upon the imminent death of Moses—and thus *had* the opportunity to teach a 'democratic' lesson: but our text does *not* do so.

In Numbers 27:17–23, as it now stands, Moses suggests to God that Israel will need a new leader once Moses dies; and God directs a ceremony to be held whereby Moses, with the aid of the High Priest Eleazar, designates Joshua as the new leader.

It may be surmised that the background for these revisions lay in the aspirations of priestly leadership that came about during the Persian period, as the hopes for reinstating the monarchy weakened and eventually receded into the realm of messianic imagination.

⁴³ Those of us living in Canada may be experiencing less of a tension today. We do not mean to exclude Jewish communities elsewhere in the world.

⁴⁴ See, *e.g.*, for a typical advocacy of this position, Bernard M. Zlotowitz, "The Biblical and Rabbinic Underpinnings of the [American] Constitution," *Judaism* vol. 37 no. 3 (1988), pp. 328–334.

Imagine, however – to dramatize the ‘opportunity missed’ (and with apologies in advance insofar as the attempt at humor in the proposed counter-narrative falls flat) – that the story in Numbers 27 had gone like this:

- Moses suggests that a new leader be designated.
- God proposes the following: the 600,000 Israelite men of fighting age are to be gathered into 600 groups of 1000 each; and each group is to designate one representative, to be called an ‘elector.’ These 600 electors are then to gather and vote on the person most qualified to be the new leader. If the electors choose wisely, they, and the designee, and all Israel will be blessed; but if they do not choose wisely, everyone will be cursed.
- The 600 electors then gather. 500 vote for Joshua; 100 vote for a very young Bernie Sanders. God is pleased and blesses everyone.

The point of this counter-story is, of course, to highlight that there isn’t any democracy in the Torah. Imagine how different the history of Christian Europe, with its ‘divine right of kings,’ might have been, if the Torah had, from the beginning, endorsed democracy. And imagine how different Jewish political theory might be today, if there had been a clear alternative in the Torah itself to a Davidic king as the ideal.⁴⁵

A common reaction, when I have previously ‘tried out’ this hypothetical counter-narrative, has been: but, of course, the Torah did not teach democracy, for Numbers was written before anyone else in the Ancient Near East had thought about democracy.

To which my response has been – yes, that’s exactly the point: the Torah was written within a particular historical context, as illuminated for us by MSB. MSB can *contextualize* for us the values that the Torah does and/or does not teach: but it is simply beyond the role of MSB to argue as to how we might nevertheless ‘derive’ contemporary values from our time-specific text.

⁴⁵ See my article “A Proposed Distinction Between Expectational and Aspirational Messianism” in *Zeramim* II:2 (Winter 2017–2018), pp. 121–138.

There may, however, be good reason why, in advocating for a contemporary understanding of Judaism, we would be reluctant to thus flat-out 'admit,' per an MSB analysis, that the Bible *is* missing some values that we today regard as essential. Perhaps we appropriately prefer 'midrash' to MSB precisely so that we don't have to confront this values gap. Strikingly, chapter one of Martin Goodman's recently published *A History of Judaism*⁴⁶ begins *not* with the Pentateuch nor with the Prophets, but rather with Josephus, in the first century C.E. — and his midrashic review of the 'tradition.'

Moreover, as American Jews, we are living, perhaps surprisingly, in an age of renewed Christian Bible Fundamentalism, as seen in, for example, the assertion by the U.S. Attorney General Jeff Sessions that the New Testament, in Romans 13:1-5, commands, in the name of God, that the immigration laws as interpreted by our government officials must be strictly followed, regardless of the cruel penalties imposed on parents and children seeking entry into this country.⁴⁷ And a fundamentalist 'Bible Museum' now stands in the heart of Washington D.C..⁴⁸

One way to oppose such Christian Fundamentalism is to argue that that is just *not* what 'the Torah' means. But, as a minority in this country, it is difficult for us to make that argument.⁴⁹ Moreover, we cannot then avoid the rebuttals that point out that the Torah also endorses a number of values that liberal Jewish Americans tend to reject, *e.g.*, the death penalty, or slavery, or the unequal treatment of women.

There is an important late midrash that takes a different approach. We learn in *Pesikta Rabbati* 5 (following the translation of Ste-

⁴⁶ Princeton: Princeton U.P., 2018.

⁴⁷ See, *e.g.*, *USA Today*, 6/16/2018 (available online at <https://www.usatoday.com/story/news/2018/06/16/jeff-sessions-bible-romans-13-trump-immigration-policy/707749002/>), "Jeff Sessions Quotes Romans 13 Defending Trump Immigration Policy."

⁴⁸ See Candida Moss and Joel Baden, *Bible Nation: The United States of Hobby Lobby* (Princeton: Princeton U.P., 2017), reviewing the background ideology of the new museum.

⁴⁹ See my "Judaism and American Civil/Political Society In the Age of Trump" in *Zeremim* I:3 (Spring 2017), pp. 111-129.

ven Fraade):⁵⁰

R. Judah b. R. Shalom (ca. 375) said: Moses requested [of God] that the oral teaching [*mishnah*] be written. The Holy One, blessed be he, foresaw that in the future the nations would translate the Torah and read from it in Greek and say, “They are not Israel.” The Holy One, blessed be he, said to him, “O Moses! In the future the nations will say, ‘We are Israel; we are the children of the Lord.’ And Israel will say, ‘We are the children of the Lord.’ Now, the scales would appear to be balanced [between the two claims].” The Holy One, blessed be he, would say to the nations, “What are you saying that you are my children? I only recognize as my son one in whose hand are my ‘mysteries’?” They would say to him, “And what are your ‘mysteries.’?” He would say to them, “the oral teaching [*mishnah*].” . . . Said the Holy One, blessed be he, to Moses, “What are you requesting, that the oral teaching be written? What then would be the difference between Israel and the nations?” Thus, it says, “Were I to write for him [Israel] the fullness of my teaching [*torah*]”; if so, “they (Israel) would have been considered as strangers” (Hos. 8:12).

In other words, our answer to such Christian Fundamentalism, then and now, might be – our covenant with God is based on the Oral Torah, and on how *it* interprets the (written) Torah.

The implications of this midrash for the place of MSB in contemporary Jewish thought seem to me to be double-edged. On the one hand, perhaps what this midrash is teaching is that, in effect, there is no place for MSB, because all that counts is the Oral Torah. On the other hand – and this is, perhaps, the approach taken by medieval commentators like Rashbam (*supra* fn. 9): since we *have* the Oral Torah as a separate source of authority for our halakhic practice, we should

⁵⁰ See Steven Fraade, “Concepts of Scripture in Rabbinic Judaism,” in B. Sommer, ed., *supra* fn. 3, *Jewish Concepts of Scripture* at p. 39. A parallel version is set forth in Tanhuma, *Vayyera* 5, as discussed in Moshe Halbertal, *Concealment and Revelation: Esotericism in Jewish Thought and its Philosophical Implications* (Princeton: Princeton U.P., 2007) at pp. 2–3.

feel even *more* comfortable in examining the Torah critically and contextually.⁵¹ Perhaps a better understanding of where 'we came from,' and of the original context of Scripture, will show how far our values have evolved, and suggest ways in which they might further evolve.

It may seem odd, however, to 'return to Tradition' in this way: for Moses Mendelssohn (Germany, 1729–1786), at the start of the so-called Enlightenment ("Haskalah") movement, sought precisely to return Judaism to a focus on Bible, to escape what he viewed as the constraints of the Talmudic 'tradition.'⁵² See, similarly, David Ben-Gurion's 'turn to the Bible' for purposes of his Zionist ideology.⁵³

Perhaps, instead of ping-ponging between Bible and Talmud, we need an approach that incorporates, yet moves beyond, both of these (see, *e.g.*, Schechter's suggestion in fn. 2, *supra*). Surely, however, that is a topic for another day; it is enough here to note that MSB, by its inherent limits, forces us to confront some uncomfortable broader questions.

4. The Problem of Liturgical Context

We turn, as our last 'problem,' to a concern that is more prosaic, and more specific to the synagogue.

The high point (in physical terms, if not also emotional terms) of the 'Torah liturgy' in many contemporary synagogues occurs when the Torah scroll is lifted (*hagbah*'), and (in many synagogues) we all proclaim⁵⁴:

⁵¹ See, similarly, Bernard Schwartz, *supra* fn. 20.

⁵² See Barry Scott Wimpfheimer, *The Talmud: A Biography* (Princeton: Princeton U.P., 2018) at pp. 196–198.

⁵³ See Wimpfheimer, *supra*, at pp. 204–207. See also Alan Levenson, "Reading the Bible," *JQR* vol. 107, no 4 (Fall 2017) pp. 557–568, re-viewing, *inter alia*, Anita Shapira, *The Bible and Jewish Identity* [Hebrew] (Jerusalem: Hebrew U. Magnes Press, 2005).

⁵⁴ Translation from *The Artscroll Siddur* (RCA edition) (Brooklyn: Mesorah, 1990), at p. 445.

This is the Torah that Moses placed before the Children of Israel, upon the Command of Ha-Shem, through Moses' hand.

And many of us also point with a pinkie finger, or tallit, towards the Torah, as it is lifted and opened.

This fundamentalist declaration is, of course, *not* contained in any single verse in the Torah: rather, it is a mash-up of Deut. 4:44 and Numbers 9:23.

Professor Ruth Langer has shown,⁵⁵ through her exhaustive historical analysis of all available pre-modern prayer books (and/or manuscripts, and commentaries), that: (a) the recitation of the *first* half of the above-quoted declaration, *i.e.*, consisting of only Deut. 4:44, is first attested only in the mid-16th cent.,⁵⁶ and (b) the addition of the concluding words, from Numbers 9:23, is first attested in 1700, "explicitly as a custom of" R. Isaac Luria, the great 16th cent. Safed Kabbalist (known as the "Ari," see fn. 22, *supra*).⁵⁷

Langer also notes:⁵⁸

Not a single [pre-modern] prayer book or halakhic text on Torah reading dictates the now-common custom of pointing to the text while reciting these words. The origin of the custom is obscure, both in Ashkenaz and in the oriental rites where it is also common. It is possible that it is somehow connected to the widely imitated custom of [R. Isaac] Luria, the Ari, to try to be close enough to the scroll at this point to be able to read its letters... [H]e was known deliberately to follow the Torah scroll to its place of display so that he could read the letters and receive the "light" transmitted through the contents of the scroll itself.

⁵⁵ Ruth Langer, "Sinai, Zion and God in the Synagogue: Celebrating Torah in Ashkenaz," in Ruth Langer and Steven Fine, eds., *Liturgy in the Life of the Synagogue: Studies in the History of Jewish Prayer* (Winona Lake: Eisenbrauns, 2005).

⁵⁶ At p. 138.

⁵⁷ At p. 148 and fn. c.

⁵⁸ At p. 143, fn. 56; and continuing with pp. 151–152.

The sermon is often delivered very shortly after this fundamentalist declaration, and physical affirmation, derived from the Ari's mystical beliefs as to the sanctity of each letter of (and indeed of each seemingly blank space in) the Torah scroll.

How is one to move from that mystical 'high' to the mundane historical/philological analyses of MSB? How can we teach a critical understanding of the Torah's contents, and at the same time imagine the Torah scroll itself as mystically embodying God's presence, and leading us into battle, scattering God's foes?

Perhaps we need to also teach a historical-critical understanding of our liturgy, in addition to, and as a prelude to MSB. In any event, however, do we wish to have our contemporary understanding of the Torah framed by the mysticism of the Ari? Perhaps the task of bringing MSB into the synagogue is even more essential, as a counterbalance to the unwillingness of many synagogues to alter 'the liturgy'—regardless of how 'recent' that liturgy might be. (Or perhaps we might re-locate the sermon to *before* 'hagbah'.)

Conclusion

I see three insights emerging generally from the welter of MSB:

1. A variety of different groups, with different backgrounds and with different historical experiences, all have wanted to be included in 'Israel' and have wanted their traditions to be included in the overall story. Thus, for example, Yigal Yadin argued that the 'Tribe of Dan' began as one of the Philistine-type 'Sea Peoples,' but joined Israel, and its story came to be included as part of the 'twelve-tribe' narrative.⁵⁹
2. Despite their differences, the different components comprising Ancient Israel all shared certain values—even though they debated sharply as to how to *prioritize* those values.

⁵⁹ Yigal Yadin, "'And Dan, Why Did He Remain in Ships? (Judges 5:17)," reprinted as ch. 12 in Frederick Greenspahn, ed., *Essential Papers on Israel and the Ancient Near East* (NY: NYU Press, 1991) (first published in 1968).

Sometimes, the Tanakh itself has preserved both sides of a debate. Thus, for example, as shown by Paul Hanson,⁶⁰ the prophet known as Third Isaiah, in Isaiah ch. 66 (the *haftarah* for *Shabbat Rosh Hodesh*) and the prophet of Zechariah ch. 3 (in the *haftarah* for *Shabbat Hanukkah* and also for the portion *Beha'alotekha*) debated sharply as to the primary need for those residing in Jerusalem as of around 520 B.C.E. (*i.e.*, following the destruction of the First Temple in 586 B.C.E.): Isaiah advocated a program of general economic development, and spiritual enrichment, while Zechariah focused on investing all available resources in building the Second Temple.

Other times, modern scholarship helps us to imagine one of the otherwise-unattested voices in an ancient debate. Thus, Römer and Brettler⁶¹ have argued that there was once a debate as to whether the Torah itself should include the story of Israel's entry into and conquest of the Land, *i.e.*, including what is now the book of Joshua, so that the Torah would consist of *six* volumes, or whether the Torah should stop with the death of Moses – thus focusing more on the role of law, rather than the role of the Land, for Jewish life. (And applying this approach elsewhere, one can hear a variety of minority voices implicit, even where the text appears to be univocal.)

3. Conversely, MSB has also shown how other texts has *harmonized* debates. Thus, to take a famous example: whereas Ex. 12:9 required that the Passover offering be roasted by fire, and Deut. 16:7 required that the offering be boiled, 2 Chron. 35:13 reported that when Josiah caused the people to celebrate Passover, “they boiled the paschal-offering in fire, according to law” – a culinary contradiction.⁶²

I suggest that we need inclusiveness, *and* we need to hear differing, and different, voices, *but* we also need to understand how to harmonize. If MSB can point us to precedents for how we achieved these goals in the past, then that might well warrant inclusion of MSB in our

⁶⁰ Paul Hanson, *The Dawn of Apocalyptic: The Historical and Sociological Roots of Jewish Apocalyptic Eschatology* (Philadelphia: Fortress Press, 1975), esp. pp. 170–186.

⁶¹ Thomas Römer and Marc Brettler, “Deuteronomy 34 and the Case for a Persian Hexateuch” *JBL* 119/3 (2000), pp. 401–419.

⁶² See Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon Press, 1985) at p. 135.

A Biblical Challenge: Can an Academic Approach Aimed at 'Best Explanation' of the Biblical Text Be Imported Into the Synagogue-Sermon World of 'Interpretation?'

Richard L. Claman

synagogue sermons today—but the obstacles noted here should not be overlooked.

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***Zeramim: An Online Journal of
Applied Jewish Thought***

presents

**a call for papers
for our Spring 2019 issue
on**

**BIBLICAL SCHOLARSHIP AS A
MODERN JEWISH HERMENEUTIC**

Although Bible scholars continue to ask new questions regarding the historicity, origins, and implied subtexts of the Hebrew Bible's contents, something of a Jewish “folk religion” that espouses a nearly fundamentalist understanding of Jewish sacred texts still permeates many Jewish communities. But, when Jews seek to engage with tradition through a critical lens, the veritable challenges academicians have posed demand coherent responses that are intellectually honest and religiously sensitive. In the Spring 2019 issue of *Zeramim*, we would like to highlight problems and proposals, and questions and answers that work towards the formation of a 21st century Judaism that has embraced (or otherwise attempted to respond adequately to) the complexities highlighted by biblical scholarship.

For this upcoming special issue, we invite submissions that relate to any of the following themes:

- To what extent has biblical source criticism constituted a Jewish enterprise? (Whereas, nearly a millennium ago,

Abraham ibn Ezra hinted at late interpolations into Biblical texts, many rabbinic dicta preceding and following him have confidently asserted that “one shepherd” gave the entirety of the Torah. In recent years, James Kugel has written of the compartmentalization of his religious identity and his scholarship, and Benjamin Sommer has written of his integration of his theology with his scholarship. Can reconstructing original texts help Jews encounter preferable, coherent, and compelling lessons learned from textual layers – and, if so – how?)

- What lessons can the Jewish community learn from, or in spite of, the Hebrew Bible’s exclusion or underrepresentation of certain contemporary (and presumably ancient) phenomena (miscarriages, gender-non-conforming persons, conversations between non-male humans, the domestication of animals, disabilities, pacifism, and adoption, to name a few)?
- How can Jews today reconcile their modern moral compasses with the sanctification of biblical passages that, in text or subtext, may condone actions commonly perceived as unethical (for example, genocides, physical abuse of partners or children, or capital punishment as a response to certain transgressions that do not physically harm others)?
- What outcomes do anthropology, philology, and cultural studies provide Jews today when exploring the myths, narratives, and peoples described in the Hebrew Bible? (What folk practices, linguistic tendencies, and societal norms ought Jews today, as the heirs of an ancient culture, accept or reject?)

Please send your submissions to submissions@zeramim.org by **February 12, 2019** in accordance with the following guidelines:

GENERAL SUBMISSION GUIDELINES

Content

Zeramim welcomes the submission of essays in any subject of applied Jewish studies – articles analyzing subjects of Jewish inquiry that offer a unique lens on any aspect of Jewish life or thought that affects the present and/or future of how Jewish culture, religion, and/or people operate in the modern world.

Style

Submissions should be intellectually informed by and informative of current understandings in Jewish academia, referencing recent studies. Any terminology or abbreviations likely to be unfamiliar to non-specialists should be succinctly clarified in the article itself. Submissions should be accessible to a lay readership and helpful to professional academics and/or Jewish professionals; an ideal submission should be able to bring a nuanced exploration of a subject to a diversity of readers.

Gendered Terminology

Gendered pronouns for entities that might be either without gender (*e.g.*, “God Himself”) or not necessarily restricted to one gender (*e.g.*, “a scholar should doubt himself”) should only be used if the author intends to convey a point about gender by identifying a gender in such situations. Likewise, gender-neutral nouns (*e.g.*, “humanity”) are encouraged instead of gender-exclusive nouns (*e.g.*, “mankind”) unless a point about gender is intended to be conveyed by using gender-exclusive terminology. *Zeramim* encourages gender-neutral language (*e.g.*, “God’s self”) and gender-inclusive language (*e.g.*, “a scholar should doubt himself or herself”); we ask our authors to be sensitive to the assumptions involved in such usages and how our readers will perceive those assumptions.

Length

Submissions may be no longer than 10,000 words.

Citation

All articles should include their notes in the form of footnotes (*i.e.*, not endnotes). *Zeramim* does not publish appendices of cited sources. Authors may base their style of citation in any recognized methodology of citation (MLA, Chicago, Manual of Style, *etc.*) so long as the (not comprehensive) guidelines below are met:

- All citations of published works should include the full names of the referenced works along with the works’ authors and dates of publication.

- **BOOKS:** Citations from books should include the names of the books' publishers.
- **ANTHOLOGIES:** Citations of works from anthologies should indicate the names of the anthologies' editors.
- **JOURNALS:** Citations from journals should include the journals' volume and issue numbers.
- **WEB:** Web citations should include a URL and date of access.

Languages

Submissions should be in English but may integrate terms and passages from non-English languages as long as the foreign language text is translated into English. Key characters, terms or phrases in languages written with characters other than those of the Latin alphabet (*e.g.*, Hebrew, Greek, Arabic, *etc.*) should appear in transliteration (and – if able to assist a reader – their native spellings). Authors may follow any system of transliteration (*e.g.*, SBL, Library of Congress, *Encyclopaedia Judaica*, *etc.*) but should be consistent within a single submission.

Biography

Every submission should include a 2–5-sentence biography of any and all of its authors.

Submitting

All submissions must be submitted to submissions@zeramim.org as .docx files, and all appendices to articles must be part of the same document submitted for consideration.

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Submissions for *Midrash Zeramim*, though artistic in nature, should include an introductory statement that addresses the point that the submission seeks to make and refers the reader/listener/observer to relevant sources that inspired the contribution and may provide further thought.

For all other matters related to style and format, please see the General Submission Guidelines above.

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