# A STUBBORN AND REBELLIOUS BIBLE:

# MODERN JEWISH SCRIPTURE, TROUBLING TEXTS, AND THE RECOVERY OF RABBINIC HERMENEUTICS

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**ABSTRACT**

This dissertation takes as its basis the much-theorized modern "return" of the Hebrew Bible to a central place in Jewish thought and practice. While the Bible had certainly never lost its unique and exalted status in the Jewish tradition, it is undeniable that modern Jewish thought is marked by a commitment to reestablishing the Bible as a foundational text for modern Jews. Part I of the present study considers the ways in which four modern Jewish thinkers - Moses Mendelssohn, Samson Raphael Hirsch, Martin Buber, and Franz Rosenzweig - have envisioned the Bible as a unique means of Jewish communal renaissance. I analyze these thinkers' attempts to employ the Bible for ethical and political ends, as well as the potential interpretive and theological challenges evoked by the presence of violent or otherwise troubling passages and themes in their sacred text – particularly when the violence in question is commanded by God.

In response to these ethical and interpretive challenges, Part II of this dissertation serves as a constructive response to these enduring questions. Drawing upon the corpus of classical rabbinic literature – Midrash, Mishnah, Gemara - I argue that this literature's unique hermeneutical and relational character can provide tools to allow modern Jewish readers to engage in sustained interpretation of violent or otherwise ethically troubling texts without requiring the reader either to endorse a given text as normative or to deny the Bible's sacred status.

As such, this study contributes both to the intellectual history of modern Jewish thought and biblical interpretation and to a broader conversation about biblical ethics, normativity, and divinely commanded violence. It also seeks to theorize the ethical import of classical rabbinic literature's famously distinctive formal features, and to draw connections between this literature and the fields of Jewish philosophy and ethics.

*This dissertation is in honor of my family:*
*My mother, Saralee R. Howard*
*My brother, L. Graham Howard Filler*
*My stepfather, James H. Schultz*

*And in memory of my father, Dr. Louis Filler z"l*

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Open my eyes, that I may perceive
the wonders of Your teaching.

גַּל-עֵינַי וְאַבִּיטָה נִפְלָאוֹת מִתּוֹרָתֶךָ

Psalm 119:18 (JPS)

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## INTRODUCTION

This dissertation's title, "A Stubborn and Rebellious Bible," is taken from the famous (and famously troubling) biblical commandment that if a mother and father find themselves parents of a "stubborn and rebellious son," they may present him to the elders of his town, formally charge him as incorrigible, and have him sentenced to death (Deuteronomy 21:18-21). The biblical discussion of this commandment concludes, "Thus you will sweep out evil from your midst: all Israel will hear and be afraid."[1]

As a title, the attributes (or accusations) of stubbornness and rebelliousness are useful ways to refer to two different philosophical and historical phenomena among modern Jewish philosophers, both of which undergird this dissertation. First of all, they can describe the persistent attempts of these Jewish thinkers to critique or reject the fraught expectations and invitation of their Christian counterparts, and the demand that modern Jews account for their Judaism in terms defined by Christianity. Against these calls for Jews to adequately defend their Judaism, reform it in accordance with Christian philosophical assumptions, or else turn to Christianity, modern Jewish philosophers' subtle refusal to comply – or, at least, their refusal to simply engage these questions in the categories assumed by their Christian counterparts – marks them as philosophical rebels. And lest we understand this rebellion as a simply binary opposition between Judaism and Christianity, it is also the case that some of the most urgent calls for Jewish "reformation" came from within the Jewish community, as Jews sought to respond to the

[1] Unless noted, all biblical quotations in this dissertation are taken from the Jewish Publication Society's (JPS) 1985 translation of the Jewish Bible. In this case, in fact, the son in question is translated by JPS as being "wayward and defiant," but I here I have retained the more famous and "traditional" English phrasing of the 1917 translation. See the *Tanakh: The Holy Scriptures*, trans. Jewish Publication Society (Philadelphia: Jewish Publication Society, 1985). For a version with sidebar commentary and a series of scholarly essays, see the *Jewish Study Bible*, ed. Adele Berlin and Marc Zvi Brettler (New York: Oxford University Press, 2014).

Christian invitation to acculturation into the public sphere. Any stubborn refusal to simply acquiesce to these calls thus required these modern Jewish rebels to address both their Christian critics and their Jewish challengers in language tailored to both communities.

Such refusals, in the context of the modern Jewish experience, are no easy task – for although the modern thinkers whose work I analyze in this dissertation assuredly wished to push back against the implicit and explicit assimilationist demands of the modern West, they were by no means refuseniks of modernity. In fact, all of these thinkers both acknowledged the virtues of Jewish acculturation, at least in some contexts and to some degree. But they insisted that such Jewish engagements must happen on Jewish terms.

And these Jewish terms were based first and foremost in the Hebrew Bible: a text that despite – indeed, perhaps, because of - its centrality in the Christian west must be re-introduced to Jews as a book all their own, with the ability to define their communal identity, religious and ethical obligations, and cultural distinctiveness. In this way, the Bible facilitated modern Jewish attempts to rejuvenate their communities, threatened both by antisemitism and unreflective assimilation. That is, the Bible was the "stubborn and rebellious" means by which many modern Jewish thinkers maintained their distance from the offerings of the modern west.

But the Bible itself, despite its usefulness in this regard, is no easy text. The same features that mark it as distinctively Jewish – its emphasis on the chosenness of one people, the Israelites; its ancient and often alien legal code; its narratives of a jealous and sometimes shockingly violent God – also frequently render it a persistently difficult and unwieldy text for modern ends. Thus the title of this dissertation, with its emphasis on the "stubborn and rebellious" Bible can also point to the enduring *difficulties* of appealing to the Bible for any

particular end. The Bible itself may, by its own textual character, stubbornly "resist" the ends to which it is being employed.

In this dissertation, I analyze the "stubborn and rebellious" character of the Bible in both of these contexts: the ways in which it serves as the basis for modern Jewish resistance to Christian terms and expectations, and the ways in which the same Bible might itself ultimately put up resistance to the ways in which it is being employed. This latter concept I address particularly through the presence of violent or otherwise ethically troubling texts – those passages that make philosophical appeals to the Bible more difficult, and create a new set of challenges for modern Jewish readers. Having introduced the theme of biblical violence and its interpretive challenges, I take up the question myself, suggesting a means by which the resisting Bible might yet remain a tool of modern Jewish resistance.

**The structure of the dissertation**

Thus, this dissertation is divided into two quite distinct parts. The two chapters of Part I are set entirely in the modern German-speaking Jewish world, amidst the fraught invitation to Jewish assimilation into the broader European public sphere. Chapter 1 takes up the work of two foundational modern Jewish thinkers: the 18th century luminary Moses Mendelssohn (1729-1786), an architect of the Jewish Enlightenment, and the nineteenth-century rabbi-philosopher Samson Raphael Hirsch (1808-1888), an innovator in Orthodox Jewish thought and practice.[2] In this chapter, we encounter them largely through their works most often described as "defensive":

[2] The movement with which Hirsch associated himself was called *torah im derech eretz*, or the observance of Torah alongside the "way of the land [in which one lives]." This movement sought to establish a means by which Jews would participate in the modern world while still maintaining strict observance of Jewish commandments and customs. For an extended discussion of this movement, see Mordechai Breuer, *Modernity Within Tradition: The Social History of Orthodox Jewry in Imperial Germany*, trans. Elizabeth Petuchowski (New York: Columbia University Press, 1992).

that is, as defenses of the continued philosophical legitimacy of Judaism amidst the modern invitations to Jewish emancipation, integration, and assimilation, even unto Christian conversion. Mendelssohn's famous *Jerusalem* (1783) and Hirsch's *Nineteen Letters* (1836) represent two philosophical attempts to insist on Judaism's continuing theological, political, and ethical relevance.

But in my reading, these two thinkers are far more resistant to the terms of assimilation being offered than has been generally understood. Their works, I argue, are not simply "defensive," but quite (albeit subtly) polemical, or confrontational, in their insistence that Judaism is not merely capable of meaningfully existing alongside Christianity, but, rather, that Judaism possesses tools for navigating modernity's theopolitical demands that Christianity does not.

Therefore chapter 1 introduces not only these foundational thinkers but the broad themes of polemic and cultural confrontation that will characterize much of the first part of this dissertation. In addition, this chapter introduces the notion of the Hebrew Bible as a – or perhaps *the* – essential tool of this confrontation. In my reading, Mendelssohn and Hirsch's appeal to particular biblical texts and themes provides the basis for their refusal to accept the terms of non-Jewish philosophical engagement offered them. And while their use of the text is quite selective, the method embodies their identification of the Bible as the ground for their persistently stubborn (and, indeed, rebellious) insistence on defining the terms under which modern Jewish acculturation may take place.

It is this emphasis on the Bible's power to correct and define modern Jews' encounter with the institutions of modernity that ties together the work of Mendelssohn and Hirsch in chapter 1 and the work of Martin Buber (1878-1965) and Franz Rosenzweig (1886-1929) in

chapter 2. Contemporaries, correspondents, friends, and collaborators, Buber and Rosenzweig came of age in a world whose possibilities for Jews were surely unthinkable for Mendelssohn and Hirsch. But like these philosophers before them, Buber and Rosenzweig insisted the Hebrew Bible must serve as the basis for twentieth-century Jewish encounters with modernity.

But Buber and Rosenzweig's methodology – their way of appealing to their Bible – is quite distinct from Mendelssohn and Hirsch's selective appeal to particular biblical texts and themes. It is the philosophical pair's distinctive approach to biblical reading, and the potential limitations of this approach, that defines not only chapter 2, but suggests the challenges that I take up in Part II of this dissertation.

Like Mendelssohn and Hirsch, Buber and Rosenzweig identify the Bible as the necessary basis for Jewish engagement with the demands of modernity, though, as I will discuss, the demands in question are quite different. Most notably, however, Buber and Rosenzweig's understanding of the Bible's import dramatically departs from Mendelssohn and Hirsch's. In their decision to undertake a new German translation of the Hebrew Bible, and in their distinctive approach to the acts of interpretation and translation, Buber and Rosenzweig emphasize not any particular biblical content, but the necessity that Jews have a new experiential "confrontation" with the Bible itself. In their extensive writings on the translation process, they eschew appeals to particular texts or ethical or political themes in favor of what I call an "anethical" approach, notably devoid of the theopolitical reflection that characterized Mendelssohn and Hirsch's biblical appeal.

Chapter 2 proceeds from a characterization and description of this absence. But despite Buber and Rosenzweig's confident assertion of the Bible's status and function in their philosophy, I argue that their method ultimately runs up against the "stubborn and rebellious"

Bible: a text containing passages so troubling to Buber that the philosophical commitments he himself (along with Rosenzweig) has asserted are insufficient in the face of this divinely commanded violence. Thus chapter 2 identifies the deep existential demands of Buber and Rosenzweig's approach – and the pair's failure to acknowledge the very human challenges presented by the presence of such passages in sacred scripture.

In response to this proposed limitation of Buber and Rosenzweig's philosophical approach, Part II of this dissertation takes up the ethical interpretive challenge embodied by Buber in chapter 2: how might Buber and Rosenzweig "encounter" such texts – as they have exhorted Jewish readers to do – in a way that maintains both their intellectual and moral integrity and the Bible's sacred status? In chapters 3 and 4, I appeal to the texts of classical rabbinic literature, a corpus of post-biblical Jewish literature that began to emerge after the destruction of the Second Temple in Jerusalem in 70 CE. This commentary literature, driven by rabbinic discussion and debate of legal matters, biblical texts, and oral traditions, is characterized both by its distinctive interpretive strategies and by the unique communal practices of study by which these interpretive debates take place. In these rabbinic interpretive strategies (chapter 3) and communal study practices (chapter 4), I argue that we may find means of addressing the challenges faced by Buber and Rosenzweig in ways that would allow them to realize their vision of how modern Jews might experience the Bible anew: all of it, even – or especially – its most troubling texts.

**Reflecting on the stakes of this study**

For the modern Jewish philosophers whose works define the first two chapters of this study, the stakes of their own projects are quite clear and quite high. Transcending their

methodological approaches is a shared diagnosis that Judaism in the modern period finds itself in crisis which no half-measures are sufficient to address. In Mendelssohn and Hirsch's case, the very survival of the tradition is at stake – for if they cannot make a convincing case, there is little chance that a people battered by antisemitism and attracted to the ostensibly less difficult demands of assimilation and even conversion will maintain their Jewish affiliations in any substantive way, if at all.

Buber and Rosenzweig, on the other hand, understand themselves to be writing to a Jewish community become all too complacent in their hyphenated German-Jewish identity, and confident that these facets may coexist with one another with relative ease. The philosophers thus seek to wrest apart this comfortably hyphenated identity, revealing the contradictions between its parts and forcing Jews to confront the demands of meaningful Jewish existence: a goal for which only the Bible, revealed anew as a strange, alien, and decidedly un-German text, can be effective.

But, of course, this dissertation does not simply seek to describe these modern Jewish philosophical, hermeneutical, and historical phenomena, important though they assuredly are. Rather, this dissertation is ultimately driven not only by the calls for biblical re-interpretation and confrontation, but by the discontents of this interpretative philosophy. In Buber's inability to confront, or experience, a troubling biblical text by the very method for which he and Rosenzweig have called, I see a broader question about the dark presence of biblical violence, and the inadequacy of much interpretive theory to address the theological and hermeneutical challenges occasioned by the presence of such texts.

The second half of this dissertation, therefore, has an unapologetically constructive orientation, seeking to address not only the historically located challenge of Buber and

Rosenzweig's philosophy, but the general and enduring challenge of biblical violence as well. I understand chapters 3 and 4 to speak not only to the intellectual-historical questions evoked by the modern Jewish biblical turn, but to Jewish readers after Buber and Rosenzweig, and to the persistent presence of the Bible in ethical discourse and political debate.

And contained within this constructive proposal for the reading of troubling texts is also a suggestion of the ultimate virtue of a Bible that contains such passages. It would be easy, reading Buber's shaken reaction to divinely commanded biblical violence, to think that a Bible shorn of such infelicities would be an infinitely preferable tool for the communal renewal which Jewish philosophers from Mendelssohn onward have envisioned. But in the interpretive tools of classical rabbinic literature, and in the rabbinic insistence on communal study, we should see the virtues of a text whose interpretation is consistently challenging – which is to say, a text that requires all the intellectual and relational energy that the reader can bring. The persistent ethical questions evoked by the Bible's troubling texts also create the necessity of creative and sustained interpretation in intimate communal discussion: just the sort of activity that modern Jewish philosophers sought.

In the Deuteronomy passage from which this dissertation's title is taken, the discussion of the capital commandment concludes with the observation that in light of severity of the stubborn and rebellious son's punishment, "all Israel will hear and be afraid." As they might: this commandment is certainly a troubling one. But in this project's appeal to rabbinic literature, I argue that if modern Jews ought not to deny the plain meaning of such a commandment, neither ought they fear the text, for – per the strategies and convictions of classical rabbinic literature - in its study is its redemption.

## PART I: Confrontation and the Jewish Bible

### Chapter 1: The Modern Jewish Bible and the Polemical Turn

In his historical study, *Germans, Jews, and the Claims of Modernity*, Jonathan Hess joins a group of recent scholars seeking to re-characterize the history of Jews – and specifically German Jews – in the modern West. Most previous studies of the relationships between German Protestants and German Jews, as well as of the debates within German Jewry, have, as Hess notes, placed "assimilation" at the heart of the German-Jewish experience. In this reading, the shift within German Jewry is a largely unidirectional one, from marginalized and relatively isolated community to assimilated modern (and notably fragmented) community; whatever existential struggles accompanied this shift were overcome by the inexorable pull of German assimilation.[1]

Seeking to overcome this paradigm, Hess readily notes that he is by no means the first contemporary scholar to argue that relationships between Germans and Jews involved a more complex set of processes of integration and resistance than was previously supposed. Thus, for instance, Michael Meyer's edited volumes *German-Jewish History in Modern Times* generally refer to Jewish "acculturation", as opposed to assimilation, in order to acknowledge what Hess calls the "productive manner in which German Jewry engaged with its non-Jewish environment."[2] So too Paul Mendes-Flohr's *German Jews: A Dual Identity* argues from the assumption that the identity negotiation of German Jews was by no means a unidirectional

[1] Jonathan Hess, *Germans, Jews, and the Claims of Modernity*, (New Haven: Yale University Press, 2002), 9.
[2] Ibid, 9. See also Michael A Meyer et al, eds. *German-Jewish History in Modern Times* (New York: Columbia University Press, 1996-98; 4 volumes). Hess calls this latter set of volumes "created to be the definitive general text for years to come," emphasizing its breadth and impending influence – and, therefore, the importance of the editorial choice to refer to "acculturation" as opposed to "assimilation."

process, but rather a process of hybridization, by which these Jews forged new self-conceptions from the struggle of integrating multiple identities and cultural demands.[3]

These cultural shifts occurred within the broad context of the *Haskalah*, or Jewish Enlightenment, a sweeping intellectual movement of European Jews beginning in the late 18th century among German-speaking Jews and spreading both east and west. In the movement's emphasis on universalism, reason, and liberal governance, the movement is easily, and rightfully, understood as a Jewish corollary to the European Enlightenment. But the movement's trajectory is incoherent without acknowledgement of its distinctly Jewish characteristics. As Shmuel Feiner and others have argued, the Haskalah was a movement that pursued two overarching and parallel goals. First, the reformers sought to facilitate Jews' entrance into the modern state by emphasizing the mastery of the German language (as opposed to Yiddish), the teaching of educational subjects beyond traditional Jewish texts, and the benefits of integration into civil society. At the same time, however, these *maskilim* also insisted on the necessity of maintaining distinctive and clearly defined Jewish communal culture and identity, though they differed on the content of these factors. Thus, the Haskalah can be understood as shifting and advancing Jewish status while at the same time maintaining a tension between unrestrained assimilation on the one hand or an utter rejection of cosmopolitanism on the other.[4]

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[3] Paul Mendes-Flohr, *German Jews: A Dual Identity* (New Haven: Yale University Press, 1999). David Sorkin's *The Transformation of German Jewry, 1780-1840* (New York: Oxford University Press, 1987) retains the older, more standard terminology of assimilation, but gestures toward the newer terminological choices of Meyer, Mendes-Flohr, and others, discussing the formation of German-Jewish culture as a distinctive construction, not simply a way-station on the road to assimilation.

[4] Among the many historical studies of the Haskalah, see particularly Shmuel Feiner's *The Jewish Enlightenment*, trans. Chaya Naor (Philadelphia: University of Pennsylvania Press, 2003) and *Haskalah and History: The Emergence of a Modern Jewish Historical Consciousness*, trans. Chaya Naor and Sondra Silverston (Portland: Littman Library of Jewish Civilization, 2004), as well as his essay "Toward a Historical Definition of the Haskalah" in *New Perspectives on the Haskalah*, ed. Shmuel Feiner and David Sorkin (Portland: Littman Library of Jewish Civilization, 2004), 184-219. See also David Sorkin, *Berlin Haskalah and German Religious Thought: Orphans of Knowledge* (Portland: Vallentine Mitchell, 1999).

But while these and other recent studies do acknowledge the complexity of Jewish self-conception in the modern German context, they may yet inadvertently overlook the significant power struggles endemic to this kind of acculturation. That is, while such studies do indeed attend to the give-and-take of Jewish acculturation in Germany, they still do not fully express the truly fraught nature of this enterprise, and the utterly asymmetrical power structures that governed Jewish and non-Jewish relationships in modern Germany. Referring to the early modern German-Jewish philosopher Moses Mendelssohn, a foundational figure of the Jewish Enlightenment, Hess writes,

> The mere fact that [e.g.] Mendelssohn and [his Christian friend, Gotthold] Lessing could collaborate and become friends obviously signals the perception of a common ground between Christians and Jews that is of enormous significance. Yet stressing dialogue and tolerance [as other historical works have done], even with an acknowledgment of their historical limits, runs the risk of overlooked the power dynamics permeating such debate, power dynamics that so many German-Jewish intellectuals of the period…explicitly struggled against in their polemical contributions to the debates over emancipation.[5]

Hess's juxtaposition of dialogue and polemic here is a trope that I will return to throughout this dissertation, particularly its first half. Here, Hess argues that within this fraught historical period, to focus on "relations" between Germans and Jews – even while acknowledging their limitations – is already to miss the significant power disparities between the communities. As he says incisively, "The notion that Germans and Jews might have entered into dialogue in some neutral social space where all power relations were suspended assumes that there could have been at least some basic level of formal equality between participants. For Jews intervening in this emancipation debates, it was precisely the absence of this possibility that was so striking."[6]

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[5] Hess, *Germans, Jews*, 9.

[6] Ibid, 10. Gershom Scholem's 1964 essay "Against the Myth of the German-Jewish Dialogue" is perhaps the first publication to take up this issue, though Hess critiques Scholem for his inability to identify the (so Hess argues) *impossibility* of such a dialogue under the political circumstances of early modern German. See Scholem's essays on this question in Werner J. Dannhauser's edited volume, *On Jews and Judaism in Crisis: Selected Essays* (New York: Schocken, 1976).

Hess, in other words, seeks to de-emphasize the notion of a "dialogical" relationship – even a heavily qualified one - between German Jews and Christians in favor of what he calls a "polemic" mode of interaction. In his reading, we misunderstand the notion of Jewish acculturation if we understand it simply as a general process of integration with some resistance along the way. By focusing on the disparate power dynamics that characterized encounters between modern Germans and Jews, we will be better able to identify the polemical or antagonistic elements of these encounters.

**Biblical interpretation and the Jewish Enlightenment**

But just as important as the power dynamics between these communities is the means through which these polemics were expressed. Hess notes, quite correctly, that the encounters between Jews and Germans took place not only in the realm of political discourse, but equally in the theological realm; he argues that "the debates over emancipation were as much about theology as about the politics of universal citizenship."[7] We should not understand this to mean that these debates were fundamentally political in nature while being cloaked in theological language (though this was undoubtedly sometimes the case). It is rather to say that questions of political sovereignty and religious diversity were inextricably bound up with one another; as Hess argues, "in considering the integration of Jews into a modern state, Germans were necessarily dealing with the legacy of Christian universalism, with Christianity's claim to normative status in the modern world."[8]

[7] Hess, *Germans, Jews*, 11.
[8] Ibid, 11.

While an unquestionably true claim, it is also notable that many of Hess's examples draw upon biblical hermeneutics in particular.[9] This is as it should be: European modernity is as defined by hermeneutical disputes amidst the Protestant return to the Bible as by any geopolitical question (if, indeed, it is even possible to separate Protestant biblicism and European geopolitics). It is not necessary to revisit the vast literature on modern biblical interpretation after the Reformation here.[10] It is, however, to note that, in Hess's terms and exemplified by Hess's own set of historical examples, it is more correct to place not "theology" in the broad sense but biblical interpretation in particular at the center of the debates between Jews and Christians over the nature of Jewish emancipation and German responses. Of course, biblical interpretation and theology are themselves contested and interrelated categories. But as I will demonstrate, an emphasis on biblical interpretation in particular allows us to more precisely characterize the polemical phenomenon that Hess identifies in his study.[11]

In this introductory chapter, I follow Hess in exploring the implications of a "polemical hermeneutic" towards the question of modern Jewish acculturation, particularly in Germany. Hess, of course, has argued for an approach that respects the fundamental power disparities between Germans and Jews in emerging modernity and re-centers these disparities in any historical or philosophical analysis of the period. Such an approach, he contends, can reveal

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[9] Hess, for instance, invokes the modern Christian critique of Jewish legalism in the Old Testament. Several recent studies have also located biblical interpretation at the heart of modern German-Jewish thought; Alan Levenson's *The Making of the Modern Jewish Bible: How Scholars in Germany, Israel, and America Transformed an Ancient Text* (Lanham: Rowman and Littlefield, 2011) provides a good overview of the scholarship on the question.

[10] For a recent edited volume on this question, see Alan J. Hauser and Duane F Watson, eds, *A History of Biblical Interpretation, Vol. 2: The Medieval through the Reformation Periods* (Grand Rapids: Eerdmans, 2009). This volume is distinguished by its inclusion of scholarship considering both Christian and Jewish responses and interactions with Reformation biblical hermeneutics.

[11] Of course, no discussion of the Jewish biblical turn is complete without reference to Baruch (Benedict) Spinoza, whose 17th-century critique of biblical authorship and interpretive authority in his *Theological-Political Treatise*, trans. Samuel Shirley (Indianapolis: Hackett Publishing Company, 2001) marks him as perhaps the first scholar of modern biblical criticism. For a recent scholarly account of Spinoza's understanding of revelation as the basis for his philosophy and biblical interpretation, see Nancy Levene, *Spinoza's Revelation: Religion, Democracy, and Reason* (New York: Cambridge University Press, 2004).

antagonistic elements in modern Jewish thought that are obscured by assuming more conciliatory or apologetic orientations.

To that end, this chapter focuses on two major Jewish thinkers, Moses Mendelssohn (1729-1786) and Samson Raphael Hirsch (1808-1888). These two philosophers have achieved canonical status in studies of modern Judaism; indeed, Hess analyzes other aspects of Mendelssohn's thought at length, though he overlooks the importance of Mendelssohn's hermeneutics. Here, though, they belong to a more specific category: Jewish thinkers who have most often been understood as providing "defenses" of Judaism's compatibility with the demands of Enlightenment rationality and the possibility of Jewish civic participation. These two thinkers are united by their particular desire to defend the validity of Judaism in modernity, a desire upon which generations of scholars have remarked; nearly all historical and philosophical evaluations of Mendelssohn and Hirsch include significant attention of the question of just how successful – or not – each one's "defense" has been. Mendelssohn's *Jerusalem, or On Religious Power and Judaism* and Hirsch's *The Nineteen Letters* are among the most-cited defensive texts of modern Judaism, particularly before the twentieth century.

But following Hess's broad turn from the conciliatory to the polemical, I will read both Mendelssohn and Hirsch as submitting not merely a "defense" of Judaism, but a polemical and – crucially – a biblically-inflected critique of that which modern Christianity is offering. Both of them, I argue, offer much more than a defense of Judaism's acceptability. While Hess analyzes Mendelssohn at length, I will expand upon his reading with a particular focus on Mendelssohn's biblical hermeneutics and his invocation of "ancient Judaism" to demonstrate that Mendelssohn actually responds to his challenger in way that not only defends Judaism, but undermines Christianity and Christians' ability to participate in the Enlightenment project. Hirsch, for his

part, explicitly declares that the maintenance of Judaism is necessary to fight the violence and materialism of modernity – problems which Judaism, and not Christianity, has the ability to address and repair. For both Mendelssohn and Hirsch, I pay particular attention to their use of biblical texts, both particular passages and invocations of "the Bible" more generally. Importantly, this focus does not require a massive rereading of either Mendelssohn or Hirsch; the biblicism of their polemics is actually inescapable, though it has often been overlooked. With this re-focus, we can sharpen Hess's observation about the centrality of theological questions in German-Jewish resistance and polemics as a means of engagement.

Importantly, this introductory chapter is limited in its scope; it is not intended to be a comprehensive account of German-Jewish hermeneutical polemics before the twentieth century. Rather, my goal is simply to establish the frequently polemical (or what I will sometimes call the "confrontational") nature of biblical interpretation in the early decades of Jewish emancipation in Germany, particularly when that interpretative work functions as a means not merely of defending Judaism but of actively resisting the terms of Christian modernity. In doing so, I will "set the stage" for a more intensive study of early twentieth-century Jewish biblical hermeneutics, its goals, methods, and – most notably, so I will claim – its striking discontents.

Just as this chapter does not offer a survey of modern Jewish hermeneutics in its entirety, it also does not seek to provide a comprehensive look at the work of Mendelssohn and Hirsch, though secondary works on these thinkers certainly contribute to my own reading of their polemical hermeneutics. Rather, this chapter focuses quite particularly on Mendelssohn and Hirsch's use of biblical interpretation not only to advance a defense of Judaism in European modernity, but also to do so in ways that – I argue - actually called sharply into question the Christianity and theopolitics of their respective ages.

**Moses Mendelssohn and rational religion**

When Moses Mendelssohn arrived in Berlin in 1743, he had already managed to learn quite a bit of Bible, Talmud, and Maimonides in his hometown of Dessau, despite an impoverished childhood and increasing physical difficulties; he had, during his childhood, developed a spine curvature that would stay with him all his life. His boyhood teacher and rabbi left for Berlin in 1743, with young Mendelssohn following shortly thereafter. There, he undertook a broad curriculum of study, including Latin, mathematics, western philosophy, and modern languages. Though he was intermittently taught by a variety of scholars, Mendelssohn was largely self-taught, but convincingly learned; he eventually became a tutor to the children of a wealthy textile merchant in the city. This same merchant entrusted Mendelssohn with ever more responsibility in his business, and Mendelssohn entered the realm of Berlin mercantilism.

But, of course, his future lay in quite a different direction. In 1754, Mendelssohn first met Gotthold Ephraim Lessing (1728-1781; to whom Hess made reference above), and they became close friends and later philosophical collaborators. Lessing had previously published a witty play, *Die Juden*, whose plot contained the argument that Jews certainly could, contrary to the prejudices of the day, possess intellectual gravitas and nobility of character, particularly when compared to the cast of superficial and hypocritical Gentiles that populated Lessing's play. In Mendelssohn, Lessing believed that he had found the embodiment of the "noble Jew" portrayed in his play.

In this way, Mendelssohn became not only a functioning member of Berlin intellectual society, but ultimately quite a famous one. While he was not the only Jew to achieve a place in this society at this time, he was indisputably the most well-known. But his ascent did not

mitigate his Jewishness; in fact, as Alexander Altmann writes in his magisterial biography of Mendelssohn, the opposite appears to be true. Both Mendelssohn and his Gentile interlocutors remained acutely aware of his Jewishness. As Altmann says,

> While it is true overriding common cultural interests facilitated bonds of friend that were hardly feasible at an earlier period, the difference between the two 'nations' – a term frequently used by Mendelssohn – were never glossed over. Indeed, it was an essential prerequisite of Enlightenment tolerance to face up to the Jewishness of Mendelssohn, however odd it may have looked to his friends, let alone his more distant admirers.[12]

Altmann's analysis in this regard takes a decidedly psychological turn, concluding, "It was gratifying psychologically to acknowledge the Jewish character of Herr Moses and yet to love him. The practice of absolute tolerance vis-à-vis this outstanding and amiable man demanded no great effort from a person able to appreciate his accomplishments and predisposed to Enlightenment liberalism."[13]

But while Mendelssohn's philosophical orientation facilitated his acceptance in Berlin intellectual society, his persistent commitment to meticulous Jewish observance (as opposed to simply "being Jewish") found many critics. Mendelssohn himself made not infrequent reference to his Jewish practice, particularly when an observance – of the Sabbath, for instance, or a fast day – made his presence at a gathering impossible.[14] Even in his frequent letters to other thinkers, when presumably there was less logistical need to reference his Judaism, Mendelssohn

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[12] Alexander Altmann, *Moses Mendelssohn: A Biographical Study* (Tuscaloosa: University of Alabama Press, 1973), 194. Few biographies of modern Jewish thinkers approach the depth and breadth of Altmann's; his work provides both a comprehensive picture of Mendelssohn's philosophical development and a thorough analysis of Mendelssohn's political and theological thought.

For further thinking about the significance of the term "nation", see Jacob Katz's *Tradition and Crisis: Jewish Society at the End of the Middle Ages*, trans. Bernard Cooperman (Syracuse: Syracuse University Press, 2000), particularly Part 1. Altmann also cites the short but very useful historical account of the usage of "nation" in Jewish discourse by I. Elbogen. "Die Bezeichnung „jüdische Nation". Eine Untersuchung." *Monatsschrift Für Geschichte Und Wissenschaft Des Judentums* 63 (N. F. 27), no. 4/6 (1919): 200-08. Last accessed 1 November 2016 at http://www.jstor.org/stable/23080165.

[13] Altmann, *Mendelssohn*, 194-195.

[14] Ibid, 195.

often referenced biblical and rabbinic phrases, Jewish holidays, and, occasionally, the fact of his circumcision.[15] These consistent reminders of Mendelssohn's continuing commitment to Judaism led a number of his conversation partners to seek his conversion to Christianity. More pertinent, however, are the number of people perplexed less by Mendelssohn's failure to convert in itself than by his persistence in maintaining both a robust adherence to the Jewish commandments alongside a profound commitment to Enlightenment reason.

In the years between Mendelssohn's entry into Berlin society and the publication of *Jerusalem* in 1783, he carried on extensive correspondence with theologians and philosophers in and beyond Germany. In the mid-1760s, Mendelssohn began a friendship with the Swiss philosopher and Christian theologian Johann Caspar Lavater (1741-1801), whose sustained interrogation of Mendelssohn's refusal to convert to Christianity served as the initial inspiration for Mendelssohn's new commitment to defending Judaism.

But while his correspondence with Lavater and others largely turned on questions of the veracity and philosophical heft of Judaism, Mendelssohn also began to consider the larger political question of Jewish civil rights. Altmann notes that Mendelssohn's growing reputation as the "German Socrates" and as a decent and respected man led many Jews to petition him for intercession when their fledging rights as citizens were threatened. In 1775, for instance, he received a letter from the small Swiss Jewish community, who were apparently threatened with relocation and restrictions on their ability to have children. Mendelssohn lost no time writing to Lavater, invoking their friendship, Lavater's humaneness, and "the Creator's first commandment to mankind," that is, to be fruitful in reproduction. Lavater employed his own influence and connections to have the restrictive measures cancelled. But while Mendelssohn was often able to

[15] Ibid, 195-196.

help in these particular incidents, it was not the same as providing a structural critique of the illiberal policies governing European Jews, which would require more sustained philosophical consideration.

Mendelssohn's biography, though fascinating in its own right, serves another, more immediate, purpose here. Given his consistent philosophical disputes with his largely Christian friends and colleagues, his biography may perhaps explain why scholars of Mendelssohn would assume his work to be primarily defensive in its orientation. As we saw above, Mendelssohn had indeed been in the business of defending his own practice, the rights of his co-religionists, and the institution of traditional Judaism for quite some time. Contemporary scholars of Mendelssohn and Jewish Enlightenment thought have certainly assumed the "defensiveness" of *Jerusalem*; Allan Arkush, for instance, argues that Mendelssohn's argument was "more rhetorical than real" and intended largely to allow Mendelssohn to maintain his "credentials as a loyal Jew" for the purposes of constructing a "version of Judaism suitable for a time when the Jews would take their places as citizens, alongside their Gentile neighbors, in a fully liberal polity."[16] But as I will argue, following Hess, Mendelssohn's *Jerusalem* actually reveals a preoccupation not with Jews alongside Gentiles, but rather with Judaism as notably *superior* to Christianity in its ability to build a "fully liberal polity."

### ***Jerusalem*: Jewish polemics with a biblical turn**

After these many years of debate and discussion with friends and intellectual combatants, it was ultimately an anonymous writer whose challenge spurred Mendelssohn to begin writing *Jerusalem*. Although August Friedrich Cranz (1737-1801) took credit for the short pamphlet

[16] Allan Arkush, *Moses Mendelssohn and the Enlightenment* (Albany: State University of New York Press, 1994), 292-293.

several years later, his identity was not known to Mendelssohn at the time he was writing his rejoinder; according to Altmann, it seems clear that Mendelssohn believed the source to be Josef von Sonnenfels, a well-known figure in the Viennese Enlightenment.[17] In 1782, another theological thinker of the time, David Ernst Morschel, added a post-script to the challenges articulated in the text. I follow scholarly convention in referring to Cranz as the writer, though Mendelssohn of course does not do so in *Jerusalem*.[18]

In this short tract, entitled *The Searching for Light and Right*, Cranz refers to some of Mendelssohn's previous writings on the subject of Judaism, Christianity, and Enlightenment reason.[19] The question to which Mendelssohn responds most is not the question of why, or whether, he, personally, should become a Christian – as Altmann says, "this was a question he could safely ignore," given his stature in his intellectual commuity – but the more general question of Jewish admission to the civil realm.[20] In reference to this question, Mendelssohn writes that Cranz's challenge "cuts me to the heart."[21]

In addition to this anonymous challenger, *Jerusalem* serves as a response to a series of current disputes in the Prussian political sphere over the ability of Jews to participate in academic and civil life, both of which came with theological expectations for professors and civil servants**.** Thus, *Jerusalem* opens with this clear articulation of Mendelssohn's concern: "State

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[17] Altmann, *Mendelssohn*, 502

[18] As Altmann tells it, Mendelssohn realized shortly after the publication of Jerusalem that Cranz, not Sonnenfels, was responsible for the challenging pamphlet. It was not until 1798, however, that Cranz explicitly took credit for the short text that served most directly to inspire *Jerusalem*. See Altmann, *Mendelssohn*, 510-511.

[19] August Friedrich Cranz, "The Search for Light and Right in a Letter to Mr. Moses Mendelssohn, on the Occasion of his Remarkable Preface to Menasseh ben Israel," in *Moses Mendelssohn: Writings on Judaism, Christianity, and the Bible*, ed. Michah Gottlieb (Waltham: Brandeis University Press, 2011), 55-67. For the original German text, see Cranz, *Das Forschen nach Licht und Recht in einem Schreiben an Herrn Moses Mendelssohn* (Berlin: Friedrich Maurer, 1782), accessed August 1, 2016, http://sammlungen.ub.uni-frankfurt.de/freimann/content/pageview/475904. Morschel's short postscript can also be found in the Gottlieb volume on pages 68-69.

[20] Altmann, *Mendelssohn*, 504.

[21] Mendelssohn, *Jerusalem*, 84. The German text, *Jerusalem oder ůber religiőſe Macht und Judenthum* (Berlin: 1783) was last accessed on August 15, 2016 at http://sammlungen.ub.uni-frankfurt.de/freimann/content/pageview/449449.

and religion – civil and ecclesiastical constitution – secularly and churchly authority – how to oppose these pillars of social life to one another so that they are in balance and do no, instead become burdens on social life, or weigh down its foundations more than they help to uphold it – this is one of the most difficult tasks of politics."[22]

In issuing his initial challenge to Mendelssohn, the (Christian) author Cranz frames his argument from within the tenets of Judaism and the "books of Moses":

> But as rational as all that you say about the subject [of ecclesiastical law] may be, it directly contradicts the faith of your fathers in the narrower sense. And in contradicts the pinciples of the [Jewish] church not only as the commentators understand them, but also even as they are explicitly stated in the books of Moses. It is common sense that there is simply no divine service without conviction, and that every forced act of divine service ceases to be one. Observing divine commandments out of fear of the ecclesiastical penalties fixed on them is slavery, which according to pure concepts, can never be pleasing to God. Nevertheless, it is true that Moses attaches coercion and punishments to the failure to observe the duties associated with divine service. His statutory ecclesiastical law orders that the Sabbath breaker, the defamer of the divine name, and others who deviate from his law be punished by being stoned to death, and that their souls be purged from their people…These ecclesiastical laws exist even when they can no longer be put into practice…According to ecclesiastical law, whoever spoke against the law in any way merited death and exclusion from his people.
>
> Armed ecclesiastical law is still one of the most important cornerstones of the Jewish religion and a principal article of the faith of your fathers. To what extend can you, my dear Mr. Mendelssohn, persist in the faith of your fathers and shake the entire structure by clearning away its cornerstones, seeing that dispute the ecclesiastical law that was promulgated by Moses and that appeals to divine revelation?[23]

This argument begins by acknowledging, in general terms, the author's agreement with Mendelssohn regarding the question of legal enforcement of "opinions" is absurd and contrary to reason. Here, Cranz responds to Mendelssohn's sharp critiques of religious oaths and other state-compelled religious assertions, which he had been advancing for some time; in his recent introduction to Menassah ben Israel's newly translated *Defense of the Jews,* Mendelssohn had

[22] Ibid, 33.
[23] Cranz, *Search*, 57, 60.

addressed this question at length.[24] Mendelssohn's anonymous challenger therefore opens by agreeing, in principle, with Mendelssohn's rational critique of state-compelled theological declarations for such purposes as civic or academic employment.

But, the writer insists, surely that notion, as rational as it may be, is actually at odds with Mendelssohn's own Jewish adherence! In the Torah, the author argues, internal conviction is inextricably bound up with outward observance of the commandments – and one who fails to observe these laws is absolutely subject to punishment by the ruling authority, punishments that may extend even to death. In this formulation, strict observance of the Sabbath, for instance, cannot be understood apart from the theological convictions that animate it, lest it seek to be "worship" at all and simply become rote action with no internal religious meaning.[25] For Sabbath observance to be meaningful, it must contain an animating set of convictions. And yet, transgression of the Sabbath is not only legally impermissible, but punishable by death. Is this not a clear example of the compulsion of belief, insofar as these beliefs are the basis for action? And if so, isn't Judaism ultimately at odds with the rational, non-compelled liberal state for which "my dear Mr. Mendelssohn" has so passionately advocated?

In this vein, the first section of Mendelssohn's treatise addresses the broad question of church and state, particularly as regards religious oaths and other external requirements to affirm personal ideological convictions. For Mendelssohn, such requirements are utterly illiberal and contrary to reason; as such, they have no part in any enlightened state. His argument against such strictures is straightforward: such a declaration of one's theological convictions does nothing to

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[24] Cranz refers here to the preface Mendelssohn had contributed to Menasseh ben Israel's *Vindiciæ Judæorum*, or "Defense of the Jews," which was translated into German in 1782 and included a supportive preface by Mendelssohn. Ben Israel himself was a 17th-century Portuguese-Dutch theologian and Jewish apologist.

[25] Cranz himself invokes Jewish Sabbath observance as an example of "armed ecclesiastical law," per Exodus 31:15 and 35:2 and Numbers 15:32-36; he also argues that continuing observance of the Sabbath "which is not the Sabbath of the nations among which you live" would certainly cause complications in the question of allowing Jews to occupy civil positions which might require Saturday work. See Cranz, *Search*, 57 and 63.

create the moral or theological character of any institution. If a person already affirms a particular set of theological convictions, the verbalization of an oath will effect no change in their hearts or minds. If, conversely, they do not truly believe that to which they are being asked to swear, swearing will make them not a believer but simply a perjurer before the state. Mendelssohn concludes, "Not even the most sacred oath can change, in this respect, the nature of things. Oaths do not engender new duties; they are merely solemn confirmations of that to which we are in case obligated by nature or through a contract. Where no duty exists, an oath is a vain invocation of God, which may be blasphemous, but can in itself create no obligation."[26]

To legislate a person's internal convictions, therefore, is well beyond the purview of the state, particularly the state that wishes to govern in accordance with reason – and it is not rational to think that the state can compel belief. The state can, however, legislate the actions of its citizens; as Mendelssohn says, "it can reward and punish, distribute offices and honors, disgrace and banishment, in order to stir men to actions whose intrinsic value will not impress itself forcefully enough on their minds."[27]

But can this defense of state power coexist with adherence to the Jewish legal system? It is, he opens his rebuttal, an internally consistent evaluation of the situation – which is to say that *if*, as his anonymous correspondent charges, this were an accurate evaluation of Judaism, *then* indeed he would have no good response. Indeed, Mendelssohn admits, this characterization of Judaism would likely be affirmed even by some of his fellow Jews.[28]

But the stakes here are very high – for Cranz concludes by inviting Mendelssohn, like so many had invited him before to, given the putative blow to his continued Jewish observance,

[26] Mendelssohn, *Jerusalem*, 71.
[27] Ibid, 72.
[28] Ibid, 85.

finally find rest in the more rational arms of Christianity. With Mendelssohn's critique of religious oaths, Cranz believes he has cut himself off from his Judaism – surely he should now embrace the more rational demands of Christianity, "thanks to which," he asserts, "we have escaped coercion and burdensome ceremonies, and thanks to which we no longer link the true worship of God either to Samaria or Jerusalem, but see the essence of religion, in the words of our teacher, wherever the true adorers of God pray in spirit and truth."[29]

The second part of Mendelssohn's *Jerusalem*, then, is devoted to refuting the claims and assumptions contained in Cranz's argument. Mendelssohn's response is almost universally referred to as a "defense" of Judaism and its compatibility with the demands of reason and non-compulsion. Against this reading, I argue, of course, that Mendelssohn's response is actually an offense, and an attack, albeit a subtle one. In this reading, Mendelssohn does not merely argue that Jews *as well as* Christians may fully participate in the rational state, he actually argues that the nature of Judaism actually allows Jews to do it *better* than Christians. Mendelssohn's characterization of Judaism sets it not alongside Christianity, but against it, and (implicitly) finds Christianity wanting. Jews, in Mendelssohn's response, are in fact better suited to a liberal and rational state than their Christian counterparts – and it is precisely the nature of their Judaism that has given them the resources to do so.

While Mendelssohn's polemics form the basis of Hess's argument, his argument depends largely on Mendelssohn's extended discussion of Jesus, as well as Mendelssohn's evaluation of Jewish and Christian conduct toward the other; he largely overlooks Mendelssohn's appeals to the Bible and the role that close reading plays in the execution of his central claim. But in fact,

[29] Ibid, 86-87.

the heart of Mendelssohn's argument is in his invocation of biblical texts, particular Exodus 20, to form his argument.

Mendelssohn begins simply by declaring Cranz's characterization of Judaism as false; in fact, he asserts, it is an "essential point" of Judaism that it does not base itself on any particular set of creedal propositions, but rather on a set of compelled actions divinely revealed to the Israelites. As he famously writes,

> To say it briefly: I believe that Judaism knows of no revealed religion in that sense in which Christians understand this term. The Israelites possess a divine *legislation* – laws, commandments, ordinances, rules of life, instruction in the will of God as to how they should conduct themselves in order to attain temporal and eternal felicity. Propositions and prescriptions of this kind were revealed to them by Moses in a miraculous and supernatural manner, but no doctrinal opinions, no saving truths, no universal propositions of reason. These the Eternal reveals to us and to all other men, at all times, through *nature* and *thing*, but never through *word* and *script*.[30]

As Mendelssohn goes on to explain, this distinction is essential to an understanding of Judaism's character – and to any refutation of the assertions made by Cranz and others. His core argument here is simply that there is an important difference between divinely revealed legislation of individual and communal action, and divinely revealed legislation of thought: "doctrinal opinions, saving truths, universal propositions of reason." The latter is accessible to all humans at all times; the former was immediately accessible only to the newly liberated Israelites who stood at the base of Sinai.

This revelation of legislation Mendelssohn calls a "historical truth" – an episode revealed at a particular point in history to a particular set of people and no others. It may certainly be recorded for posterity, either by a witness or later on by someone else who found the witness' testimony compelling, but there is no *a priori* reason why anyone not present should affirm it or take it as revelatory. Mendelssohn concludes, "in historical matters, the authority and credibility

[30] Mendelssohn, *Jerusalem*, 89; italics are original.

of the narrator constitute the only evidence. Without testimony we cannot be convinced of any historical truth. Without authority, the truth of history vanishes along with the event itself."[31]

Mendelssohn clearly affirms the historicity of the divine revelation to the Israelites at Sinai, a question he had taken up in greater detail in previous correspondence. But in this writing, his intention is chiefly to contrast this sort of revelation – in which, he declares, only commanded actions were revealed – with the eternal truths of reason, which do not, and could not, be revealed only to particular groups or at particular times. As he asks, what kind of universal reason would it be that could not be accessible to everyone? And what kind of God would desire adherence to salvific truths only to limit them to the fortunate few witnesses to the Sinaitic revelation or their descendents? Rhetorically, he demands, "Why must [e.g.] the two Indies wait until it pleases the Europeans to send them a few comforters to bring them a message without which they can, according to this opinion, live neither virtuously nor happily? To bring them a message which, in their circumstances and state of knowledge, they can neither rightly comprehend nor properly utilize?"[32]

In reality, Mendelssohn claims, to each people at every time the "saving truths" may be revealed in a manner most likely to be understood by that people. They require no particular historical experience but simply the tools that God has already granted, and this is, he claims, constitutive of Judaism: "According to the concepts of true Judaism, all the inhabitants of the earth are destined to felicity; and the means of attaining it are as widespread as mankind itself, as charitably dispensed as the means of warding off hunger and other natural needs."[33]

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[31] Ibid, 93.
[32] Mendelssohn, *Jerusalem*, 94.
[33] Ibid, 94

Of course, this evaluation of the "universal" nature of reason and the means of realizing its truths firmly establishes Mendelssohn as the very model of an Enlightenment philosopher; his understanding of reason and how it works are by no means unique to him or his immediate intellectual circle, but a hallmark of early Enlightenment thinking. And this is precisely his intention: to uphold the tenets of Enlightenment rationalism, while arguing that this notion is endemic to the "true Judaism" he describes as "revealed legislation."

To pursue this characterization of Judaism, Mendelssohn turns, of course, back to the Bible's words – or rather, to the words which were *not* heard at Sinai:

> Revealed *religion* is one thing, revealed *legislation*, another. The voice which let itself be heard on Sinai on that great day did not proclaim, 'I am the Eternal, your God, the necessary, independent being, omnipotent and omniscient, that recompenses men in a future life according to their deeds.' This is the universal religion of mankind, not Judaism; and the universal religion of mankind, without which men are neither virtuous nor capable, was not to be revealed there. In reality it could not have been revealed there, for who was to be convinced of these eternal doctrines of salvation by the voice of thunder and the sound of trumpets?[34]

Mendelssohn here invokes the Hebrew Bible's Exodus 20 – or rather, a counterfactual Exodus 20. Exodus 20:2-3 actually contains the famous divine self-description of a God who intervened in the lives of the Israelites in very specific ways: [2]"'I am the Lord your God, who brought you out of the land of Egypt, out of the house of slavery. [3]You shall have no other gods before me.'" These words, which remind the Israelites of their dramatic and violent rescue from slavery, are much more evocative than the "universal" philosophical description Mendelssohn offers above – and the difference makes the counterfactual divine philosophical utterance ("I am the Eternal, your God, the necessary, independent being…") seem ludicrous. Mendelssohn's use of Exodus 20 here also contains an implicit hermeneutical assumption about the relationship between Exodus 20:2 and 20:3, with verse 2 clearly serving as evidence for the power of this

[34] Mendelssohn, *Jerusalem*, 97.

God and of his right to command the Israelites against worship of any others. That is, verse 2 serves as an argumentative mechanism for the legitimacy of the commandments that follow. This is, of course, precisely what Mendelssohn wishes to convey: the Israelites, having seen the power of their liberating God, would certainly be more inclined to obey the commandments (the "legislation") that immediately follow. Were the commandments of the sort that Mendelssohn reads Cranz as suggesting, the passage would be entirely unpersuasive.

This distinction between contingent revealed legislation and universal revealed religion, Mendelssohn claims, is not merely fundamental to Judaism, but sharply distinguishes it from Christianity, which – so the argument – does indeed claim that Christ taught salvific propositions that demand particular adherence to a specific religious system. Mendelssohn characterizes his argument thus: "I consider this an essential point of the Jewish religion and believe that this doctrine constitutes a characteristic difference between it and the Christian one."[35] Christianity certainly does recognize the idea of "revealed religion," incumbent upon all, as opposed to mere legislation, which is given to one people but certainly not incumbent upon any other.

Perhaps it is Mendelssohn's delicate phrasing here – "characteristic difference" as opposed to a more hierarchical turn of phrase – that has allowed many of his readers to conclude that he simply desires to demonstrate that Jews are not civilly hampered by their continued observance to Jewish law. But when we recall that Mendelssohn has placed the necessary absence of religious oaths or other means of theological compulsion *at the heart* of a rational liberal state, his distinction takes on crucial significance. Indeed, immediately after introducing his distinction between revealed religion and revealed legislation, he references oaths in particular, saying that as a result of Judaism's commitment only to revealed legislation, "ancient

[35] Ibid, 89.

Judaism has no symbolic books, no article of faith. No one has to swear to symbols or subscribe, by oath, to certain articles of faith. Indeed, we have no conception at all of what are called religious oaths; and according to the spirit of true Judaism, we must hold them to be inadmissible."[36]

Mendelssohn does acknowledge one obvious counterargument to this assertion – Maimonides' Thirteen Principles of Faith, which might seem very much like Jewish articles of faith. However, Mendelssohn argues that the significance of Maimonides' Principles has been much overstated and misunderstood. Maimonides, he argues, proposed the Principles with the intention of providing a basis for his scientific inquiry in the Aristotelian mode; the transformation of these articles into a catechism was a misunderstanding among people who didn't understand Maimonides' intentions. He further argues that the presence of competing claims (by later philosophers and schools of thought) underscores the truth that Maimonides' Principles do not have the status that many Jews and non-Jews have understood them to have. He concludes with a gesture to the Talmud, quoting without citation Eruvim 13b, where a voice from heaven famously intervenes in a rabbinic dispute; Mendelssohn, referring to the scholarly disputes about Jewish doctrine, invokes the "important dictum of our sages:…both teach the words of the living God."[37]

Judaism, Mendelssohn argues, is empty of compelled thought – and Christianity is not. But the construction and maintenance of a rational state requires just this kind of non-compulsion; Mendelssohn has already devoted much time to dismantling the notion of religious oaths of any kind, and Cranz, writing anonymously, has agreed. But in that case, Jews will be not

[36] Ibid, 100.
[37] Ibid, 101. For further discussion of Maimonides' Thirteen Principles and their significance in the Jewish tradition, see Menachem Kellner's *Must a Jew Believe Anything?* (Oxford: Littman Library of Jewish Studies, 1999).

only adequate participants in the civil realm, but *necessary* ones – for they have, by virtue of their Judaism, been habituated in the practice of non-compulsion. Christians, in contrast, are hampered by their religious faith, whose "revealed religious" nature makes it difficult for them to give up on their instincts to compel others to the correct faith. If the rational state envisioned by Enlightenment philosophers is to come to fruition, it is dependent on the example of Judaism, which – contrary to the characterization of Cranz and Morschel – has always affirmed the liberal value of non-compulsion necessary to bring such a state into being.

In this reading, Mendelssohn's particular attention to the proposed religious oaths may be especially pointed. After all, the religious oaths in questions have been proposed by Christians, suspicious of the presence and influence of non-Christians (who are, of course, largely Jews) in the public square. Mendelssohn, of course, concludes that such oaths are wholly irrational, a point with which his challenger Cranz agrees. But in the context of questions about state compulsion of religion, such oaths are also *evidence* for Mendelssohn's claim that it is Christianity whose tendencies toward compulsion are a threat to freedom of thought and the liberal state. The fact that such oaths have been proposed explicitly testifies to this Christian tendency. Mendelssohn's invocation of religious oaths in particular serves to further distinguish Judaism from Christianity on this matter - and the matter in question is, according to Mendelssohn, at the heart of the rational state that he envisions.[38]

[38] In another context, Mendelssohn's invocation of Christian colonialist tendencies also serves as a concrete example of the Christian tendency toward required religion. In his letter to the Christian theologian Johann David Michaelis, Hess says, Mendelssohn "used an acerbic irony unusual for his well-tempered philosophical style." (As suggested above, Mendelssohn's customarily temperate style may well have contributed to the conciliatory and defensive interpretation of his most famous work). In his letter to Michaelis, which focuses on the question of whether Jews may participate in military service, he refers broadly to Christians, who, "despite the doctrine of their founder, have become world conquerors, oppressors and slave traders." Whatever else is happening in this passage, Mendelssohn's reference to Christians as "world conquerors, oppressors and slave traders" may also be evidence of a tendency toward compulsion present in Christianity in particular. See Hess, *Germans, Jews*, 91-92.

Of course, the accuracy of Mendelssohn's characterization of Judaism is by no means uncontested. Nearly all intellectual historians of the period have considered Mendelssohn's central claims at length, particularly his all-important distinction between revealed religion and revealed legislation, and his assertion that Judaism is based only on revealed legislation. In general, historians have not been kind to this characterization, arguing that Mendelssohn overlooks a great deal in his own Jewish tradition that might undermine his evaluation.

For the purposes of my argument, the strict historical accuracy of Mendelssohn's evaluation is only of secondary importance. My claim, of course, is that Mendelssohn's response to Cranz is intended to function not only as a counter-characterization of Judaism – the particulars of which are certainly open for debate – but also, and crucially, not primarily as a defense of Judaism, but as a counter-offense against the supremacy of Christianity as a template for a rational, modern state. Mendelssohn does not argue that Judaism and its adherents are just as suited for the modern state as Christians – he argues that they are, in fact, much *better*. Rejecting Cranz's terms, Mendelssohn insists on defining Judaism for himself – and the definition he offers, by invocation of Exodus 20, is one that destabilizes Cranz's understanding both of Judaism and of Christianity.

**Samson Raphael Hirsch's polemical letters**

While Mendelssohn's inauspicious beginnings led him to a life amidst the largely non-Jewish philosophers and theologians of the Enlightenment, Samson Raphael Hirsch remained in a thoroughly Jewish milieu. Notably, however, his traditional Jewish parents' sympathy for the Haskalah, or Jewish Enlightenment, seem to have inspired them to send him to a non-Jewish school for his elementary education – a fact all the more surprising when considering that

Hirsch's grandfather served in a rabbinical capacity and his grand-uncle authored several Torah commentaries. In fact, the Talmud Torah school in Hamburg, where Hirsch was born, was administered by his grandfather. Seeking intensive training in secular as well as Jewish subjects, Hirsch began his education in a German grammar school, with his education supplemented by his parents. Indeed, Hirsch refers to his own education in his Second Letter, saying, "You know…that I was educated by enlightened, religiously observant parents; that, having been inspired by the writings of the Tanach at an early age, my maturing intellect led me, of my own free desire, to the study of Gemara…"[39] Although he is, of course, writing in a pseudonymous persona here, this description certainly accords with the character of Hirsch's upbringing, and bespeaks the maskilic orientation of his education; the emphasis on biblical literacy apart from rabbinic commentary is, as I discussed in the Introduction to this dissertation, a hallmark of modern Judaism.

Hirsch's rabbinic path, however, soon became clear; this, too, he references in the *Letters*, saying "I did not select the Rabbinical vocation because of practical consideration but solely to follow my inner life-plan."[40] He studied under Isaac Bernays, the chief rabbi of Hamburg, before leaving for Mannheim to study with Rabbi Jacob Ettlinger, one of the fiercest critics of the burgeoning Reform movement. In 1830, when he was just 22 years old, Hirsch became the chief rabbi of Oldenberg – and soon after, the anonymous author of the *Neunzehn Briefe über Judenthum*, the *Nineteen Letters on Judaism*, which was published in 1936 under the

[39] Samson Raphael Hirsch, *The Nineteen Letters*, trans. Karin Paritzky and ed. Joseph Elias (Jerusalem: Feldheim Publishers, 1995), 13. For the text in the original German, see Hirsch, *Neunzehn Briefe über Judenthum* (Frankfurt am Main: J. Kauffmann, 1911). See also Noah H. Rosenbloom's discussion of Hirsch's early education in *Tradition in an Age of Reform: The Religious Philosophy of Samson Raphael Hirsch* (Philadelphia: Jewish Publication Society, 1976, 53-56.

[40] Hirsch, *Nineteen Letters*, 13.

name Ben Uziel. In 1938, his work *Horeb*, a longer and more involved account of traditional Judaism was published in Oldenberg.[41]

Hirsch's biography, of course, is characterized by his consistent and principled opposition to the burgeoning Reform and Conservative movements in Judaism; though Hirsch himself participated in some Reform-inspired practices – such as wearing a rabbinical gown to services, opting to shave his beard, and sometimes appearing without a head covering – Hirsch's rabbinical activism and published works have marked him as a consistent advocate for Orthodoxy.[42] Such is certainly the case in the *Nineteen Letters*, the text most frequently identified as "defensive" in its orientation – and given the trajectory of Hirsch's career as an Orthodox rabbi, as well as the structure of the work, this identification is certainly understandable. However, like Mendelssohn's *Jerusalem*, I argue here that the putatively defensive work in fact contains many of the same polemical elements of *Jerusalem*, and, like *Jerusalem*, makes strategic use of the Bible to advance a philosophy at odds with the terms offered by Christianity.

Thus, while Mendelssohn's and Hirsch's biographies have little overlap, a comparison of their writings, particularly their most explicitly "defensive" writings, yields notable similarities. Hess's focus on modern Jewish polemical writing found its mark in Mendelssohn, whose ostensible "defense" of Judaism's viability has turned out to contain many more confrontational elements than are often supposed. Hirsch himself, in fact, commented on Mendelssohn's approach to modern Judaism in his penultimate letter, referring to the emergence of "a most

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[41] Hirsch, *Horeb: A Philosophy of Jewish Laws and Observances*, trans. Isidore Grunfeld (UK: Soncino Press Ltd, 2002; 7th Edition).

[42] Rosenbloom, *Tradition*, 66. These and other anecdotes about Hirsch's early rabbinic and writing career can be found in Isaac Heinemann's "Samson Raphael Hirsch: The Formative Years of the Leader of Modern Orthodoxy," *Historica Judaica* 13 (1951), 29-54.

brilliant and respected personality whose commanding influence has dominated developments to this day."[43] Hirsch ultimately finds Mendelssohn's philosophical approach quite troubling; he attributes Mendelssohn's deficiencies to his attenuated hermeneutics, saying that Mendelssohn "viewed the Bible only philosophically and aesthetically. Thus he did not develop the study of Judaism on the basis of its own premises but merely apologetically defended it aginst political stupidity and pietistic Christian challenges."[44]

Such an evaluation would seem to fit quite neatly with the common scholarly description, though not necessarily evaluation, of Mendelssohn's work. But in an important footnote, Hirsch clarifies that while this is his overall view of Mendelssohn's contribution, it does *not* apply to *Jerusalem*. This book, he says, is far more methodologically acceptable, insofar as it makes its claims "on Jewish grounds," as opposed to general philosophical grounds. If this work had been "developed further and then properly comprehended by his successors, they have might have given a different direction to the period that followed."[45]

Though Hirsch cannot give an unqualified affirmation of *Jerusalem,* its methodology of arguing from "Jewish grounds" is far more like Hirsch's own. And more generally, Hirsch's method and conclusions both find significant parallels with Mendelssohn's own; although there is far more secondary scholarship about Mendelssohn's work and historical context than Hirsch's, they actually turn out to have significantly overlapping concerns and methodologies. Previously, I argued that Mendelssohn's ostensible defense of modern Judaism actually contained a striking critique of Christianity and its ability to cultivate the mores of liberal citizenship in Christians. Hirsch, I suggest, makes a similar move in his most "defensive" book,

[43] Hirsch, *Nineteen Letters*, 268.
[44] Ibid, 268-269.
[45] Ibid, 269.

the pithy *Nineteen Letters*.[46] Given the *Nineteen Letters*' relatively few pages, Hirsch's attention to questions of interaction with non-Jews, questions of Jews and civil law, and Jewish responsibilities toward the non-Jewish world are particularly striking. Hess's "polemical hermeneutic" has provided us with a means of educing the resistant elements in these defensive works. That is, like Mendelssohn before him, I argue that Hess's work evinces not simply a defense and affirmation of Judaism alongside Christianity, but rather a notable critique of Christianity and its modern institutions, with Judaism standing in as a necessary corrective to Christianity's troubling tendencies. For Hirsch, the survival and thriving of Judaism is modernity is crucial not only for Jews but for their Christian neighbors, for whom the persistent of Jews *qua* Jews serves as the rare reminder of a world beyond material considerations. Christianity, at least in Germany, has little ability to serve the world in this way.

Like Mendelssohn's *Jerusalem*, Hirsch's book is - ostensibly – inspired by a challenge, though Hirsch's challenger is not a real writer, but rather a constructed representative of common critiques of traditional Judaism in this period. This critique, also unlike Mendelssohn's challenge from Cranz and Morschel, comes from within Judaism instead of from a Christian antagonist. Hirsch's book opens with a respectful but challenging letter from a young man, Benjamin, to "Naftali," the rabbinic persona under which Hirsch writes his letters (though I will generally refer to the writer of this work as Hirsch).[47] Benjamin is drawn as an intellectually curious Jew with whom Naftali has previously been acquainted, though the extent of their relationship is not

[46] Although Hirsch's *Horeb* is a much longer and more substantive account of the virtues of Orthodoxy, it should not be considered a "defensive" work in the same vein as the *Nineteen Letters*, insofar as it is not premised on a "response" to an external challenge as both *Jerusalem* and the *Nineteen Letters* are. That is, while Horeb certainly intends to contribute to a set of arguments regarding the legitimacy of traditional Jewish expression, it does not construct itself as a responsive work in the same way as *Nineteen Letters*.

[47] Joseph Elias argues that calling himself "Naftali" serves as an allusion to the writer's true identity; in the biblical patriarch Jacob's blessing of his sons, he calls his son Naftali a doe (Genesis 49:21) - in German, a *Hirsch*. Of Benjamin, the skeptical writer of the first letter, Elias refers again to the biblical namesake, "a source of worry to his father, but also of strength and power." See Elias' notes to Hirsch's first letter, p. 8-9.

articulated here. Nevertheless, having chanced upon one another and briefly rekindled their friendship, Benjamin describes Naftali's reaction to their meeting:

> You found me so changed in my religious views, and even more so in my actions and practices, that in spite of your genial, tolerant nature you could not hold back the questions that sprang spontaneously, as it were, to your lips: 'Since when? Why?' In response, I gave voice to a whole series of accusations against Judaism, about which my eyes had been opened by reading an coming into contact with the world only after I had left my parents' home and hearth.[48]

As Benjamin exposits, his relative ignorance of Judaism's texts and traditions is soon revealed to be due to the rote practices of his family and the poor efforts of his teachers, as well as "Christian writers, modern Jewish reformers of our faith, and above all, that view of life which has present age has produced, whose chief purpose and goal is only the suppression of the inner voice of conscience in favor of the external demands of comfort and ease."[49]

But this admission notwithstanding, Benjamin launches into his critique again, holding nothing back in his antagonistic questions about the Jewish tradition into which he was born. If, he asks, religion should bring a person closer to "happiness and perfection," has not Judaism utterly failed in this regard? After all, he argues, "From time immemorial, misery and slavery have been their lot; they have been misunderstood or despised by the other nations; and while the rest of mankind has ascended to the summit of culture, attaining prosperity and fortune, the adherents of Judaism have always remained poor in everything which makes human beings great and noble and which beautifies and dignifies existence."[50]

This unhappiness, he charges, is not merely a result of antisemitism and prejudice; it is, in fact, largely a function of the Torah's many prohibitions, which require communal isolation and impede creativity and scientific discovery. Its foundational texts are an embarrassment

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[48] Hirsch, *Nineteen Letters*, 3.
[49] Ibid, 4.
[50] Ibid, 4.

compared to the great literary and philosophical masters of the West. How, he wonders, can you "who know how to appreciate the beauties of Virgil, Tasso and Shakespeare, and can fathom the logical edifices of Leibnitz or Kant – […]find pleasure in the formless, tasteless writings of the Old Testament, or in the illogical disputations of the Talmud."[51]

At this point, Benjamin could justifiably be assumed to be arguing from the position of the still-young Reform movement quickly gaining ground in Germany, particularly among urban or philosophically inclined Jews. But as he clarifies toward the end of this letter, he finds the Reform ethos quite unsatisfactory as well: "There, indeed, everything that does not harmonize with today's concepts of the destiny of man or the needs of the time is being pared away little by little. But is this not in itself a step outside Judaism? Would it not be better, then, to adopt and implement these current concepts consistently, on their own, instead of tying them to ideas that are at variance with them, which can only produce an arbitrary patchwork?"[52]

Thus although young Benjamin's critiques certainly could come from a Reformer, the end of his critique includes the Reform movement as well, for its attempts to (so he charges) remain a Jewish movement while divesting itself of many of its foundational Jewish practices and concepts. Benjamin instead suggests that it would be more intellectually coherent to look outside Judaism for the values he assumes to be primary, instead of attempting to house them in the inhospitable framework of traditional Jewish thought and practice.

Of course, "Benjamin" is Hirsch's construction, so we ought not to assume that Hirsch is attributing to his challenger the most intellectually robust articulation of this particular set of claims. But in this context, I suggest that Hirsch's rejection of the reformers in this opening letter already indicates the more broadly - though still subtlely - polemical orientation of his responses

[51] Ibid, 5.
[52] Ibid, 6.

to follow. Hirsch could have written the book simply as a defense of traditional Judaism against the looming reformist movements, largely eschewing reference to the wider Protestant world; indeed, this is how Hirsch's work is largely understood. In this standard reading, while Hirsch is assumed to be a de facto critic of Christianity, his "real" concern is the burgeoning liberal Jewish movements, who demonstrate little understanding of traditional Judaism even as they present wide-ranging critiques of it; as I discussed above, his rabbinic career was characterized by his rejection of the modernization and liberalization initiatives of the Reformers.

Therefore, it is significant here that Hirsch is not satisfied with having Benjamin simply reject traditional Judaism in favor of its Reform counterpart. Rather, his opening letter establishes a much more expansive critique by having Benjamin suggest that he should look outside Judaism altogether for the creative, prosperous, and independent life he craves. Given Benjamin's suggestion, Hirsch is now positioned to respond not only to intra-Jewish critiques of Judaism, but to the invitation of the wider Christian world. That is, he is now able to respond not only to Jewish critiques of Judaism, but to the claims made about the non-Jewish world and - so Benjamin says - its ability to produce great literature, philosophy, and the conditions for joy and prosperity. The ensuing response, and defense, can now plausibly take on a much wider range of questions, and extend to Christianity and its ostensible virtues as well.

**Rejecting the grounds: Hirsch’s response**

In this discussion of Hirsch's work, I will focus on two particular features that, I argue, establish his *Nineteen Letters* as not merely an apologetic work, but - in Hess's terms - a notably polemical one as well. First, I attend to the notion, mentioned above, of responding to critique from within Judaism, or on what Hirsch calls "Jewish grounds." Then I will address his

articulation of Jewish destiny, and the particular responsibilities given to Jews by God, which are necessary for the construction and preservation of an ethical and God-fearing populace - and cannot be upheld by Christians. These themes, we will see, are in fact inextricably related for Hirsch, and further speak to his polemical, instead of merely defensive, intentions in the *Letters*.

This relationship between method and content is on display from the beginning of the second letter, when Hirsch begins his response to Benjamin; the remaining letters will only refer to Benjamin's responses, without presenting Benjamin's thoughts in full. We are, Hirsch reminds Benjamin, studying Judaism - so instead of assuming that, as Benjamin has asserted, that we know the purpose of "religion" in the general sense, we must first make sure that we know what Judaism demands of its adherents. In his opening letter, Benjamin had written that "every religion, I believe, should bring man nearer to his true purpose."[53] But, Hirsch retorts in the second letter, are you so sure that you know what the purpose of Judaism is? He suggests that,

> in the process of studying Judaism, perhaps our thinking about the purpose of man will undergo change and we may arrive at a different criterion for the existence and purpose of nations. But we must first acquaint ourselves with Judaism through the source which it, itself, offers, the only documentation and evidence about itself that it has salvaged from the wreck of all its other fortunes: the Torah. And through the Torah we must attain, also, an understanding of Yisrael's destiny.[54]

Hirsch begins, therefore, by casting doubt on Benjamin's assumptions about what "religion in general" is for. In insisting that we attend to the question of what Judaism is for, he subtlely restores Judaism to a central position, of necessity evaluated on its own terms. He then insists that such a destiny may only be disclosed from within the sources of Judaism, not from outside. Who, after all, are non-Jews, even the great philosophers and litterateurs of the west, to determine the meaning of Judaism? If, he asks, "from the cradle of this nation - in contrast to all

[53] Ibid, 4.
[54] Ibid, 15.

others - voices can be heard, voices that disclose the purpose of this people, for the sake of which it entered the arena of history and with which the course of its destiny is bound up, should we not listen to these voices and let them evaluate this nation's destiny?"[55]

Hirsch's insistence on this point serves two purposes. First of all, he re-establishes the Torah - he specifies both Written and Oral - as a body of sources capable of speaking on its own behalf, and undermines the authority of modern western voices to capably evaluate Judaism. Second, in invoking both "destiny" and Judaism's entrance into the "arena of history," he suggests that Judaism possesses a meaning and telos of importance to both the Jewish and the non-Jewish world.

Hirsch's commitment to the Torah as the basis for reasoning about Judaism comes to fruition in the Letters in a quite literal way: the next several letters are organized by the narrative arc of the Hebrew Bible, from the creation to the exile. In the opening of the third letter, Hirsch expresses hope that his words thus far "might have prompted you already to take the Book of Life into your hands. Let us now open it together."[56] This letter, the first in Hirsch's "biblical cycle," invites Benjamin to contemplate the creation of the natural world, and the God that spoke it into being, while the next letter turns to the creation of human beings and the significance of their being made *btzelem Elohim*, in the image of God. Moreover, the distinct character of this creation also speaks to the plans that God has for the people who have been created, and for God's will for them: "We must properly understand this Will, however, for therein lies the unique greatness of man: whereas the voice of God speaks *in* or *through* all other creatures, in the case

[55] Ibid, 15.
[56] Ibid, 27.

of man it speaks *to* him, challenging him to accept it, voluntarily, as the impelling force directing his work in life."[57]

This latter description seems to have multiple functions. First of all, of course, it responds to Benjamin's assumption about the purpose of religion: "the attainment of happiness and perfection," two goals at which, he asserts, Judaism has utterly failed. With his description of the nature and means of human creation, Hirsch implicitly rejects these self-focused goals. While other creatures may become mere instruments of God's plans, humans walk a different path: they must be called, invited, and challenged to *participate* in God's plan. Such a plan, we are to understand, is far more profound than Benjamin's individualist goals.

But Hirsch's language here, of God speaking to man, and challenging man to accept, also certainly prefigures the revelation at Sinai, where the Israelites are compelled to decide whether they will accept the gift and burden of the commandments and all that is entailed by affirming the covenantal relationship. Thus, Hirsch begins the process of "re-introducing" Benjamin to the commandments, not as that which "forbids every enjoyment," as Benjamin charged in the first letter, but as something that has consequences not only for the individual or even for a particular community, but for the world.

Hirsch's letters continue to follow the biblical narrative, using Noah and the flood to explore the means by which humans learn and then, quickly, forget the lessons they have learned. And finally, the time comes for him to, in accordance with the scriptural arc, introduce the people Israel and their relationship to the other nations of world. Having rejected Benjamin's characterization of religion's purpose and introduced a radically different notion of human

[57] Ibid, 59.

purpose and of the relationship between humans and God, Hirsch now finds himself able to precisely articulate his understanding of the historical and theological role of the people Israel.

Here, Hirsch's more polemical intentions are further revealed; although his language remains gentle and liturgically inflected, his argument contains a clear comparison between the character and goals of the people Israel and the other nations. The Seventh Letter is driven by the (implicit) question: what is the point of choosing one people over others? Hirsch, taking up this question at the end of the flood narrative, pointedly uses the degradation of humanity and the ensuing diluvian chaos to explain not only the covenant between Israel and God, but also to explain why this people must consistently suffer. The sinfulness of the antediluvian period, in which "God had been eliminated from life, and even from nature, material possessions had come to be viewed as the basis for existence, and physical enjoyment as its purpose" - necessitated the establishment of a people who might demonstrate another way. "Therefore, there would be introduced into the ranks of the nations one people which demonstrate by its history and way of life that the sole foundation of life is God alone; that life's only purposes is the fulfillment of His Will; and that the formal expression of this Will, specifically addressed to this people, serves as the exclusive bond of its unity."[58]

But the presence of such a people is not sufficient; if they are to demonstrate by their "way of life" the spiritual paucity of a selfish and materialist life, they must embody opposing characteristics. The material poverty and physical suffering that Benjamin invokes in his sweeping critique of Judaism are in fact *necessary* features of a people whose very existence is meant to jar the surrounding people out of their degraded condition. This goal, Hirsch insists,

> required a nation that was poor in everything upon which the rest of mankind builds its greatness and the entire structure of its life. Too all appearances being at the mercy of nations armed with self-reliant might, it was to be directly sustained by God Himself, so

[58] Ibid, 105.

> that, in manifestly overcoming all opposing forces, God would stand revealed as the sole Creator, Judge and Master of history and nature....by its fate and its way of life, this people was meant to provide an object lesson about God and about man's task, which mankind would otherwise have been taught only indirectly, through its historical experience.[59]

Still appealing to the devastation of the flood in Genesis, Hirsch says that "this people came to constitute the cornerstone on which humanity could be reconstructed."[60] His invocation of "humanity" here effectively extends beyond the literal to the figurative as well; it is not only that humans must repopulate the earth, but "humanity" must be restored to these humans' relationships with one another. Of course, such a mission requires a significant degree of separation from the other, non-chosen nations, so as not to be influenced by their obvious tendencies toward immorality and materialism. Such a separation must be maintained, Hirsch says, until that day when "all mankind will have absorbed the lessons of its experiences and the example of this nation, and will united turn toward God."[61]

Although Hirsch carefully maintains his biblical idiom as he lays out his understanding of Israel's origins and mission, his broader argument is impossible to miss. What Benjamin bemoaned as a seemingly intractable problem of Jewish existence, Hirsch has recast in teleological terms, and his message in clear: Jews are a suffering and poor people *precisely because* they have been chosen to embody the necessity of relying on God alone; their ability to

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[59] Ibid, 105-106.
[60] Ibid, 106.
[61] Ibid, 106. Hirsch's language here also clearly recalls the text of the daily Jewish prayer *Aleinu* (Literally, "it is on us," i.e. "it is our duty"), the thrice-daily recitation at the end of each prayer service, which contains the eschatological claim that "All who share this earth will see that only to You need we be humble, only to You need we be loyal. Then, Adonai our God, all will bow and bend before You, acknowledging Your name as precious. All humanity will join in the task You set, and You will lead all humanity forever."

In addition, of course, the *Aleinu* begins with the same characterization of Gentile religion and culture that Hirsch is making to Benjamin: "It is our duty to praise the Master of all, to ascribe greatness to the Author of creation, who has not made us like the nations of the lands nor placed us like the families of the earth; who has not made our portion like theirs, nor our destiny like all their multitudes. [Some congregations omit:] For they worship vanity and emptiness and pray to a god who cannot save."

maintain themselves against these odds serves to affirm the presence of God. Moreover, their continued poverty cannot help but remind others that it is possible to live life defined by something other than the continued pursuit of material wealth. That these people survive against these odds, Hirsch argues, must surely testify to the presence of a something beyond the immediate and material. And this is precisely the task that has been given to this one people, without whom the rest of the world would have to stumble around in confusion and ignorance, at best learning by trial and error and the vagaries of history how they actually out to live.

Such an articulation could certainly be read as a conventionally pious account of the mission of the Jews, and in that sense, Hirsch is not necessarily giving a startlingly new answer to questions about significance of Jewish chosenness. But, of course, the context in which he is writing serves to reframe his letters-long answer to Benjamin. Benjamin has not merely challenged Hirsch to provide an internal, existential account of Judaism. He has demanded that Hirsch answer for what Benjamin perceives to be the shocking deficiencies of Judaism in comparison to the Christianity of the people around him. In his point about the meaning, or lack thereof, of classical Jewish texts, Benjamin does not say that they are insufficient in themselves, but that their insufficiency is most clearly illustrated when compared to the "beauties of Virgil, Tasso and Shakespeare" and the "logical edifices of Leibnitz or Kant."[62] When discussing the practical implications of halakhic observance, Benjamin does not simply complain that such observance is overly demanding, he notes the impediments it places on relationships with non-Jews: "What limitations in traveling, what embarrassment in our association with gentiles, what difficulties in every business activity."[63]

[62] Ibid, 5.
[63] Ibid, 6.

In this context, Hirsch's response cannot be simply understood as a defense either of traditional Judaism as opposed to Reform, nor of Judaism's mere ability to function alongside Christianity in modernity. Rather, his insistence on the unique mission of the people Israel serves not only, or primarily, as a defense of the tradition but as a pointed critique of Gentile religion, which has no comparable tools for jarring the world from its materialism and spiritual complacency. A world without a robust and persistent Jewish presence is sorely lacking the guide that God has ordained to, by the Jews' existence, persistence, and suffering, represent another way of living. And having used the narrative arc leading to the flood in Genesis 9 to introduce the subject of Jewish covenantal responsibility, Hirsch implicitly suggests that the stakes of a continuing Jewish presence are in fact a matter of life and death – for everyone.

In the Seventh Letter, when Hirsch first lays out his philosophy of the relationship between Israel and the nations, he remains only in a biblical idiom. He speaks as one reflecting on the devastation of the flood in Genesis 9, and uses these world-ending consequences to introduce the kind of spiritual poverty that a chosen people were called in order to combat. But when, late in the letters, he turns to the explicit question of Jewish emancipation in western Europe, he employs precisely the same themes but goes farther, making clear the connection between the nation called and formed in Genesis and Exodus and the Jews of the present day.

Benjamin, having found Hirsch's intra-textual account of Israel's nature and mission persuasive, is apparently concerned: if what Hirsch has said about the Jews' mission is true, then surely the possibilities of emancipation are ultimately unacceptable. As Hirsch, putatively responding to another missive from Benjamin, says in the Sixteenth Letter, "You now doubt whether striving for emancipation is in keeping with the spirit of Judaism, because it means joining something alien and breaking away from Yisrael's destiny. You doubt whether it is

desirable, for Yisrael's uniqueness could easily be obliterated by too much closeness to the non-Jewish world."[64]

But for Hirsch, this implied concern from Benjamin allows him to re-state in more contemporary terms the necessity of relationships between Jews and non-Jews. While he readily admits the temptations of emancipation, he insists that the possibility of closer relationships between Jews and Christians in precisely in line with his understanding of Israel's unique mission. He writes, crucially,

> It is precisely the purely spiritual nature of Yisrael's nationhood that makes it possible for Jews everywhere to tie themselves fully to the various states in which they live, with the distinction, perhaps, that while others may consider the material benefits provided by the state - possessions and enjoyment in their widest interpretation - to be the ultimate good, Yisrael always can regard these only as means to fulfillment of the human mission. Just visualize the sons of Yisrael dwelling in freedom amid other nations, striving to attain their ideas; picture every son of Yisrael a respected, influential model of righteousness and love, spreading not Judaism - this is forbidden - but pure humanitarianism...How impressive it would have been, in the midst of human race pursuing and, indeed, often benightedly worshipping violence, wealth and gratification of the senses, if there had quietly lived, in open view, men who regarded possessions and enjoyment only as the means to practice justice and love toward all, men whose minds, imbued with the truth and wisdom of the Torah, maintained only sensible, truly human views, and who perpetuated these - for themselves and others - by expressing them in living symbolic actions.[65]

This fascinating statement reiterates Hirsch's overarching claim about the meaning of Jewish chosenness and the mission that accompanies it, a mission given to no other people on earth. But it does two further things. First of all, it responds to Benjamin's new concern about emancipation by imagining a counterfactual history in which the Jews of Europe had been less separated from their Christian counterparts - and therefore, more able to perform their mission toward the Gentiles. And in this flight of imagination, Hirsch also takes a step into a discourse about state power and its meaning for Jews. He thus turns Benjamin's concern on its head:

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[64] Ibid, 223.
[65] Ibid, 224-225.

emancipation, though not without its perils, has a particular meaning for Jews: where they can be more visible and socially and civilly accepted, their mission may actually flourish. They can demonstrate more vocally and widely that which only they know for sure: that God made the world and its inhabitants, and now requires a way of living that no other people – including, or especially, the relatively solvent and powerful Christian majority - can do.

Of course, one possible objection to Hirsch's reasoning here is that emancipation must surely lead to greater material prosperity for the Jews. Would this not limit Jews' ability to model a God-focused life absent of the crass materialism that, Hirsch says, afflicts the world? To this, Hirsch theorizes that the possibility of emancipation must point to the Jews' creeping success in fulfilling their mission! If, he says, Israel had not become well-trained in diasporism and the requirements for performing their humanitarian mission, then surely they would not be tested or tempted with these less demanding conditions. He concludes, "Only after *galus* [exile] is understood and accepted as it should be - when even in a time of suffering God and Torah are seen as the sole task in life, when material abundance is sought only as a means when God is served even in misery - only then is Yisrael perhaps ready for the even greater test of a life of [relative] ease and good fortune while it is dispersed in *galus*."[66]

Such an evaluation serves as the basis of what will become known as “neo-Orthodoxy,” the movement with which Hirsch is most famously associated. Indeed, the trajectory of the Nineteen Letters does present a philosophy of Jewish emancipation that both maintains the necessity of traditional practice and the increasingly necessity of more contact between Jews and their much more powerful Gentile neighbors. But this argument requires Hirsch to push back against his interlocutor Benjamin’s assumptions about the virtues of the Gentile world, and to

[66] Ibid, 225.

immerse himself anew in the biblical literature that, according to Hirsch, clearly lays out the singularity of Judaism, and its crucial role in corrective the perpetual errors and excesses of Christians and Christendom as a whole. Such a vision requires not a conciliatory attitude toward Gentiles, but a perpetually vigilant and critical one.

**The Hebrew Bible as Jewish polemical device**

In the introduction to this chapter, I drew upon Jonathan Hess's astute observation about the need to account for the deep power disparities between Jews and Gentiles in any evaluation of these relationships in the time of emancipation. Hess's means of addressing this oft-overlooked, yet crucially important, dynamic led him to introduce a more "polemic" lens through to evaluate Jewish-Gentile relations, particularly in German, from the beginning of the emancipation and into the 19th century. As he argued, careful re-reading of core modern Jewish texts or historical records with an eye for confrontation, as opposed to conciliation, reveals a far more contentious sytle of engagement than many scholars have previous supposed.

It is in this context that I introduced the famously "defensive" texts of Moses Mendelssohn and Samson Raphael Hirsch. Drawing up and expanding upon Hess's reading of Mendelssohn, I argued that Mendelssohn's much-maligned defense of Judaism's ability to fit into Christian modernity actually contains a subtle but sweeping critique of Christianity and its tendencies toward state compulsion. In the case of Samson Raphael Hirsch, his *Nineteen Letters* is generally understood as a pious defense of traditional Judaism against the liberalization of efforts of the Reformers. Yet the terms that Hirsch uses to introduce his response to Benjamin, and the role that he ascribes to Jews (and certainly not Christians) marks his work, in Hess's terms, as a notably "polemic" one, as it rejects the terms and mission of Christian modernity in

favor of a particularist Jewish vision of the necessity of Judaism as a continuing corrective to Christianity in modernity.

In their respective works, Mendelssohn and Hirsch reject both the methods of evaluation and the conclusions that serve as the opening assertions from their challenger (whether actual or constructed). Despite their conciliatory tones, both texts must be read not only, or primarily, as defenses but rather as strong refusals to acquiesce to the philosophical demands of a modern turn defined almost exclusively by the theological assumptions and political demands of Christianity. In response, Mendelssohn and Hirsch don't merely disagree but argue precisely the opposite: that the stated ideals of the European emancipation will remain unfulfilled without the singular intervention of Jews and Jewish thought. Jews, in the formulation of Mendelssohn and Hirsch, are not co-operators in the building of the emancipation. Rather, they claim that the ideals ostensibly embraced by Christian moderns cannot come to fruition without Jewish intervention and Jewish leadership; Christianity is simply structurally limited in its ability to achieve the aspirations of modernity.

For Mendelssohn, the burgeoning liberal state envisioned by the theorists of liberalization and emancipation require Jews to demonstrate how it can be done, by embodying the values of free thought and religious practice against the tendencies toward compelled belief deep in the bones of Christianity. Hirsch, for his part, sees little hope for a spiritually healthy populace absent the participation of Jews, who by their presence and their suffering (past and present) cannot help by jar the comfortable Christian majority out of their self-assured understanding of what it means to live a meaningful and righteous life. And while Hirsch pays far less attention to questions of civic participation per se than Mendelssohn, his reference to the violence and

intolerance of previous historical eras (when Jews had little chance to be influential) certainly posits a direct connection between Jewish presence and the political ideals of German modernity.

Importantly, both Mendelssohn's and Hirsch's claims not only allow but require German Jews to engage in both political and theological discourse with their Christian neighbors. Without these interactions, Judaism can be of little help to those who need it most. But we must also remember, per Hess's formulation, that the argument running through Mendelssohn's and Hirsch's texts is not merely functional. That is, their claims are not only designed to insist on the necessity of Jewish presence and tutelage in constructing a new society, though this is certainly crucial to their arguments. These claims also function formally as a rejection of the power of German Christians to even define the terms in which the arguments will take place. Even before Mendelssohn and Hirsch offer competing visions of German modernity and the Jews' essential role in building it, the very fact of their refusal to acquiesce to the dominant narratives around them is already a confrontational tactic. Their further willingness to engage, even if polemically, gives weight to their initial refusal.

And the basis of this refusal, the means that Mendelssohn and Hirsch employ in their initial refusal to adopt the assumptions of their challengers, is the Hebrew Bible. It is the Bible, and Mendelssohn and Hirsch's refusal to cede interpretive authority to their challengers, that serves as their first polemical move. Although Mendelssohn's appeal to the Bible, and in particular to the details of the Exodus narrative, is the better-known example of the modern biblical turn, it is actually Hirsch who offers the clearest methodological articulation of how the Bible should function in the argument he intends to make.

It is Hirsch who insists, as he begins his rejoinder to Benjamin, that any interrogation of the Jewish tradition must begin from within the tradition itself; as he says, "We must first

acquaint ourselves with Judaism through the source which it, itself, offers, the only documentation and evidence about itself that it has salvaged from the wreck of all its other fortunes: the Torah."[67] Hirsch further insists that for the Torah – both Written and Oral – to be an effective teacher, the way it is read is equally important: here, it cannot be read "as a subject for philological or antiquarian research" or "as corroboration for antediluvian and geological hypotheses."[68] Against the nascent fields of historical criticism and historical archaeology, Hirsch maintains that there is only one way for him and his interlocutor to read the text: as Jews. "As *Jews* we will read this book, as a book tendered to us by God in order that learn from it about ourselves, what we are and what we should be during earthly existence. We will read it as Torah – literally "instruction" – directing and guiding us within God's world and among humanity, making our inner self come alive."[69]

Hirsch's words here could be understood as expressions of conventional piety, coupled with suspicion of the influence of "secular" hermeneutics. But as we have seen, his intentions are much more expansive. He calls up a kind of anthropological language, saying to Benjamin that if they are embarking on a course of study in Judaism, "let us place ourselves within Judaism and ask ourselves: What kind of people are they who accept this book as the God-given basis and way of life?"[70] Hirsch's methodological vision, then, calls not for a passive acceptance of all things biblical, but for an active immersion in the language and tropes of the Hebrew Bible.

In keeping with this "immersive" method of biblical interpretation, Hirsch also insists that the Bible must be read in Hebrew, but his description of what this means extends beyond the immediately linguistic. When Hirsch says that "we must read the Torah in Hebrew," he adds,

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[67] Ibid, 15.
[68] Ibid, 15.
[69] Ibid, 15.
[70] Ibid, 16.

"i.e., according to the spirit of this language."[71] The particular syntactic structure of Hebrew – such as the potential for multiplicity of meanings latent in each verbal root – means that much is communicated in the words that may not be explicitly articulated. Hebrew's complex communicative structure means that

> the listening soul is expected to be so watchfully intent that, by its own effort, it will supplement what is not spelled out….Accordingly, we must read with an alert eye and ear, with a mind roused to full activity. Nothing is spun out for us at length so that we could, so to speak, absorb it while daydreaming.[72]

Having invoked the "spirit" of the Hebrew language, Hirsch thus uses the features and syntax of Hebrew to stand in for a more general approach to the Bible's words. A good reader must train themselves to be "roused to full activity"; and a passive, or daydreaming, orientation cannot yield the insights that Hirsch and Benjamin will be seeking.

Hirsch's "biblical method" is further borne out in his construction of the *Nineteen Letters* as a walk through the narrative arc of the Bible, beginning with creation and culminating in the exile. In building his argument this way, Hirsch clearly hopes to re-train his reader to think in a biblical idiom, immersed in biblical themes and language, instead of taking cues from non-Jewish texts, interpretive methods, and theological assumptions.

And, of course, it is this very same immersive interpretative method which Hirsch attributes to his forebear Mendelssohn. Hirsch critiques Mendelssohn on the grounds that this "brilliant and respected personality" had not" derived his freer spiritual growth from Jewish sources" but rather from western philosophical texts and disciplines. But *Jerusalem,* Hirsch says, does not fall into this trap, as Mendelssohn's claims here come from within the Jewish tradition;

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[71] Ibid, 16.
[72] Ibid, 16.

this book, Hirsch says, "defends freedom of thought and belief *on Jewish grounds*."[73] For Hirsch, it was only Mendelssohn's followers who did not understand the method they were seeing in *Jerusalem* (and which was not present in Mendelssohn's other works), and therefore misunderstood how they should read the Bible; misunderstanding Mendelssohn's intentions, his readers thought that the Bible should be read "not as a source of instruction, conveying values, but as a poetic composition, to feed the imagination."[74]

But in *Jerusalem,* Hirsch sees at least the outline of the same method that he himself employs. Mendelssohn, he declares, did not merely "appeal to" the Jewish textual tradition in a perfunctory sense, but insisted that the argument must emerge from within Judaism, and particularly from within the Bible, with its specific narrative turns, theological tropes, and syntactical features. Despite the differences in content between Mendelssohn's *Jerusalem* and Hirsch's *Nineteen Letters*, Hirsch identifies this particular method of biblical hermeneutics as common to both books. I argue, of course, that this is no coincidence. I have identified these two texts as not chiefly "defensive" in their aspect but rather quite confrontational, containing sweeping critiques of the Gentile world and the theological and political underpinnings of this world. Moreover, it is no accident that this biblical approach provides the foundation for Mendelssohn's and Hirsch's arguments. This appeal to the Bible is, of course, a manifestation of the larger "biblical turn" that has come to characterize theological modernity, as I discussed in the introduction to this dissertation. But the means by which this turn is manifest in Mendelssohn and Hirsch deserves further attention.

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[73] Ibid, 269; italics added. Notably, Hirsch also expresses general approval of Mendelssohn's account of Judaism's legislative, as opposed to universal religion, orientation, a feature that deserves more attention. While the ostensibly unpersuasive nature of this argument has often been invoked as evidence for Mendelssohn's failures (including, of course, the Christian conversions of his descendents), there has been no corollary critique of Hirsch, who affirmed Mendelssohn's distinction.

[74] Ibid, 269.

It is tempting to regard this biblical re-turn in Mendelssohn's and Hirsch's work as a conciliatory gesture in itself, by appealing to a text that they ostensibly share with their Protestant neighbors and upon which they can make claims. But, of course, the biblical moves in both *Jerusalem* and the *Nineteen Letters* function not defensively but rather quite polemically, serving as the basis for the arguments I have articulated above. The putatively "shared" nature of the Hebrew Bible, therefore, is actually a kind of trick: the invocation of the text may serve to lure the Gentile reader into a false sense of comfort and familiarity, only to find that this familiar text is being used to advance unfamiliar and undermining claims.

In introducing the challenge of his anonymous interlocutor, Mendelssohn invites his challengers to just this kind of re-reading. As he says, "Surely, the Christian who is in earnest about light and truth will not challenge the Jew to a fight when there seems to be a contradiction between truth and truth, between Scripture and reason. He will rather join him in an effort to discover the groundlessness of the contradiction. For this is their common concern."[75] Mendelssohn's explicit point, of course, is to invite the Christian into the shared endeavor of biblical consultation, with the seemingly innocuous suggestion that the text itself settle the dispute in question. But in this case, Mendelssohn's biblical reading serves as the basis for his claim that Judaism, and not Christianity, is founded on a kind of social organization that makes room for the theological freedom that Cranz and Morschel have called into question in his evaluation of Judaism, and which they see as necessary for the rational state to come into being. Mendelssohn's invitation to the Bible, then, takes on a slightly mischievous tinge, given the nature of the argument he intends to make – not simply one that rejects his challengers'

[75] Mendelssohn, *Jerusalem*, 87.

understanding of Judaism, but that also undermines their understanding of, and confidence in, their own Christianity.

Hirsch, of course, extends exactly the same innocent invitation to Benjamin, inviting him into a shared consultation of the biblical text. As Hirsch and his young student Benjamin are both Jewish, the invitation might presumably be less fraught with hidden intentions. But having called Benjamin into a shared text study, Hirsch methodically proceeds to dismantle Benjamin's assertions about nature of Judaism – and, as I have argued, Benjamin's critique of Reform, as well as tradition Judaism, means that he speaks, as it were, as a Christian; his critique could certainly come from outside Judaism as well as from within it. Hirsch's Jewishly-inflected encouragement to Benjamin to immerse himself in the Bible is thus as dangerous to Christianity as Mendelssohn's invitation to Cranz had been.

Yet despite the evident polemical purposes and interpretive methods of both Mendelssohn and Hirsch, this latent feature of their so-called defensive works has been rather overlooked.[76] Though we can only speculate about the reasons for this, the intellectual historian Hess - whose polemical re-reading of modern Judaism provided the lens for my own reading – suggests the most plausible explanation: that neither Mendelssohn nor Hirsch could be sufficiently confident in their own social position vis-à-vis the Gentile world for them to more

[76] Of course, these philosophical works are not Mendelssohn and Hirsch's only biblical endeavors, or even their primary ones. Mendelssohn, for his part, undertook a new German translation of the Pentateuch, accompanied by a series of commentaries (of which Mendelssohn contributed the commentary to the book of Exodus); the German words of the translation were rendered in Hebrew characters, as a means of making the German text more accessible to Yiddish speakers. This translation, entitled the *Sefer Netivot Hashalom* or *Book of the Pathways of Peace* is more commonly referred to as the *Biur*, or "explanation," referring to the Hebrew commentary that accompanied the German translation. Selections from this text can be found in the edited volume, *Moses Mendelssohn: Writings on Judaism, Christianity, and the Bible*, ed. Michah Gottlieb et al (Waltham: Brandeis University Press, 2011). Hirsch too wrote a voluminous commentary on the Pentateuch, as well as separate commentaries on the Psalms and other biblical themes. Tova Ganzel considers the polemical orientation of this production as well, in her "Explicit and Implicit Polemic in Rabbi Samson Raphael Hirsch's Bible Commentary, *Hebrew Union College Annual* 81 (201): 171-191.

explicitly signal their rejection of the Christian terms presented them. The final chapter of Hess's study concerns the "specter of Jewish power" and the "fantasies of Jewish domination" at the beginning of the nineteenth century.[77] In a context in which the reality of Jewish emancipation evoked fear and panic in many European Christians, a more overt critique might be out of the question.

In the twentieth century, however, we will see the language of polemic – specifically, of "confrontation" - in a much more frontal way. Martin Buber and Franz Rosenzweig, working both separately and together, employed the language of confrontation – between Judaism and German-ness, between person and person, and between person and biblical text – to call for the rejuvenation of a Jewish community they believed to have become far too complacent about the ability of meaningful Jewish practice and self-understanding to comfortably co-exist in the context of European Christianity. In this far more openly polemical discourse, the Hebrew Bible once again comes to the fore – this time, as a text containing both enormous possibility and also significant ethical and hermeneutical peril. It is to this twentieth-century context that I now turn.

[77] Hess, *Germans, Jews*, 169, 175.

## Chapter 2: Biblical hermeneutics and the ethical absence: Buber and Rosenzweig's biblical interpretive project

In the previous chapter, I argued that a close reading of "defensive" texts from Moses Mendelssohn and Samson Raphael Hirsch revealed a much more confrontational orientation toward European modernity than has previously been supposed. Reading through Jonathan Hess's "polemical" lens has uncovered a much less conciliatory approach to the demands of Christianity than readers of the two have commonly assumed. As we have seen, the relationship between modern Jews and their Christian neighbors is certainly not a matter of modernity being thrust upon unsuspecting Jews – both Mendelssohn and Hirsch, after all, are not simply resigned to, but proponents of, the emancipatory turn in Europe. Neither, however, are they simply assimilating in the terms presented to them. Rather, their works strive to advance modernity on their own, explicitly Jewish, terms – terms that not only demonstrate the feasibility of Judaism in modernity, but subtly undermine the confident Christian claims to the same.

I further argued for both the presence and the significance of the Hebrew Bible as the chief tool for this approach. Both Mendelssohn and Hirsch make strategic use of the biblical text to advance their claims, and both argue that the text is not only useful but necessary to anchor Jews and Judaism. But even beyond their careful use of certain biblical passages or tropes, they also insist on claiming the Bible on more foundational grounds – as something which defines the Jewish experience in unique and complex ways, and which in some sense must be re-claimed as a particularly "Jewish" text. This insistence on encountering the Bible *as* a Jew, and then making use of its content to specifically Jewish ends, defines the polemical character of Mendelssohn and Hirsch's ostensibly defensive work.

Finally, and importantly, I argued that a careful account of Mendelssohn and Hirsch's actually polemical works must attend to the plainly ethical and political aspects of their biblical interpretation. That is, these thinkers' embrace of the Bible cannot be understood simply as a means of insisting on the foundationally "Jewish" nature of the Bible for reasons of internal communal cohesion. Rather, both Mendelssohn and Hirsch present the Bible, properly understood by its Jewish readers, as presenting a deep ethical vision: of how Jews have been taught to conduct themselves in the public square, and what responsibilities the Jew has to Jews and non-Jews alike. Hirsch, for instance, insists that Jews must maintain a robust and visible Jewish practice not in spite of its difficulties or the criticism they may incur from non-Jews, but precisely *because* the purpose of the Jew is to manifest God's presence and demands to a world disposed to forget. In a world disposed toward selfishness and materialism, the continued presence of Jews *qua* Jews stands as a sharp reminder of a set of higher divinely-ordained ethical expectations in a world that – Hirsch says – has foregone such considerations. To put it another way: Mendelssohn and Hirsch both present a vision of Judaism by way of the Bible that insists on the alterity of Jews – the deep "otherness" of Jews and Judaism, particularly vis-à-vis Christianity - and the essential ethical virtue of that same otherness. Mendelssohn and Hirsch's ethical visions require Jews to remain distinctively and substantially Jewish for the vision to be viable.

Of course, as I noted in the previous chapter, Mendelssohn and Hirsch's insistence on the Bible's ethical import for Jews is quite selective; while they each strategically invoke some biblical passages, most of the text goes unremarked upon. Indeed, it is likely that a more comprehensive approach to biblical literature would complicate Mendelssohn and Hirsch's' arguments in significant ways. That is, their ability to uphold the Bible as a basis for modern

ethical and political reasoning is largely dependent on their willingness to be quite selective in their choice of texts and the lenses through which they analyze them. For the moment, however, my goal is simply to establish the explicit connection that both Mendelssohn and Hirsch draw between biblical interpretation and Jewish ethical action. Insofar as this connection has a notably polemical character, it too should be understood as part of Mendelssohn and Hirsch's subtle resistance to the emancipatory philosophical terms presented to both thinkers.

This vocabulary of polemic and resistance, and the notion of the Jewish Bible as a polemical device, has proven very useful in educing the confrontational aspects of Mendelssohn's and Hirsch's work. But in the early 20th century, this polemical vocabulary becomes an explicit, and central, part of Jewish thought – through the extensive philosophical and hermeneutical writings of Martin Buber and Franz Rosenzweig. In this second chapter, I turn my attention to Buber and Rosenzweig, and their famous commitment to the Jewish Bible as a transformative tool for modern Jews and modern Judaism. In the thinkers' dual insistence that modern Jews must have a new confrontation with the Bible – and, by extension, with their own Jewishness - we can further see the renewed centrality of the biblical in Jewish thought, and the hope that such a textual encounter would have a profound impact on modern Jewish communities in Europe and beyond. The subtly polemical aspects of Mendelssohn and Hirsch's thought become clear and explicit in Buber and Rosenzweig's textual-theological endeavors, though Buber and Rosenzweig's focus is quite distinct from that of Mendelssohn and Hirsch. Their dramatic exhortation to modern Jews to encounter the Bible anew, and be changed by it, comes to define their corporate writing and translation project, on which this chapter will focus, as well as much of their individual philosophical work.

But while Buber and Rosenzweig's dual commitment to the restoration of the Bible among modern Jews is undeniable, this chapter argues that the pair's project of restoration also has a significant, and largely overlooked, feature. Specifically, I argue that Buber and Rosenzweig's accounts of their biblical project, particularly the famed translation, are generally, and notably, devoid of the kind of explicit ethical consideration and exhortation that attended Mendelssohn and Hirsch's work. That is, while both Buber and Rosenzweig declare their intention to introduce modern Jews to a new "confrontation" with the Bible, this confrontation largely plays out in the pair's work with surprisingly little attention to the ethical questions suggested both by particular biblical passages and by the call to biblical return writ large.

This chapter, therefore, proceeds from an observation of this absence, an absence whose character it is important to clearly articulate. I do not argue in this chapter that Buber and Rosenzweig are not attentive to the ethical and political issues related to their biblical interpretive writings and essays on the translation in progress. Buber and Rosenzweig certainly understand their projects in the broader sense to have significant ethical implications, commitments which undergird much of their work. But given these commitments (articulated in general terms elsewhere in each of the philosophers' writing), the general absence of explicit ethical theorization in the pair's biblical writings may be all the more significant.

The warrant for this direction of inquiry is provided first by the striking difference between Mendelssohn and Hirsch's explicit "ethical hermeneutics" and Buber and Rosenzweig's comparatively de-ethicized – or what I will sometimes call "anethical" – writing. When read in comparison with Mendelssohn and Hirsch's explicit appeals to biblical passage and themes for ethical and political ends, the absence of this content in Buber and Rosenzweig's work is more striking. Buber and Rosenzweig generally eschew explicit consideration of Jewish

responsibilities – either to their fellow Jews, or to their non-Jewish neighbors - in the writings on their biblical translation, in favor of, instead, reflections on the formal literary features and import of their new translation, and the need for the translation to trigger a certain kind of experience in Jewish biblical readers.[1]

This chapter, pursues multiple goals. First, I seek to (re-)characterize Buber and Rosenzweig's approach to the Bible, particularly in their writings on their famous translation project, by calling attention to the significant absence of explicit ethical or political content in favor of a focus on literary themes in the text and a near total rejection of the Jewish commentary tradition. This pursuit will require some substantial recounting of Buber and Rosenzweig's particular concerns, cultural diagnoses, and linguistic approach; a significant portion of this chapter is given over to these considerations. But having done so, this chapter then enters into a more speculative mode, drawing out the potential limitations of Buber and Rosenzweig's formalist model of biblical encounter. For this final claim, I appeal to a little-theorized account from Buber about his experiences with "something dreadful": a biblical narrative characterized by its indiscriminate, shocking, and divinely-commanded violence. Buber's account of his own encounter with divinely sanctioned biblical violence serves as a counterpoint for the relatively de-ethicized hermeneutical philosophy and translation choices we see in Buber and Rosenzweig's description of their shared biblical project. That is, Buber's overt and shaken account of his reaction to biblical violence in particular provides a dramatic counterexample to the tone and content of Buber and Rosenzweig's biblical hermeneutics more generally.

[1] In pursuing this claim, I do not mean to draw a hard and intrinsic line between "literature" and "ethics"; indeed, there are a number of recent works theorizing the relationship between literature and ethics. I am, noting that Buber and Rosenzweig's analysis is largely couched in literary terms, and rarely takes up the ethical questions that undergird Mendelssohn's and Hirsch's work. For a thoughtful analysis of the aforementioned relationship, see Adam Zachary Newton, *Narrative Ethics* (Cambridge: Harvard University Press, 1997).

In what I will argue is Buber's inability to embrace the very kind of biblical confrontation for which he himself has called, we see the persistent ethical and interpretive difficulties presented by the presence of such troubling texts in sacred scripture. Speculatively, I will even suggest that Buber and Rosenzweig's notably anethical approach stems not only from their theological formalism, but perhaps in addition from their inability to satisfactorily address the ethical challenges presented by the Bible in a way that accords with their overarching claim about how the Bible should function in the lives of modern Jews.

This latter claim, though evocative, must ultimately remain a speculative one; I do not claim that the relative absence of explicit ethical consideration in the pair's work can be definitively addressed within the limitations of the historical record. However, I do insist that this mode of inquiry may prove to be a generative one – which is to say, that although my conclusions here may remain speculative, the *process* of re-reading Buber and Rosenzweig's work through this lens can illuminate a set of particular modern Jewish questions about the role of the Bible in Jewish life, the challenges of reading that Bible, and the fraught potential of the Bible to transform modern Judaism.[2]

**Considering the Buber-Rosenzweig biblical corpus and secondary scholarship**

While this chapter includes some analysis of Buber and Rosenzweig's pre-translation philosophical and hermeneutical writings, its chief focus is on their Bible translation project in the last years of Rosenzweig's life. This focus reflects not only the historical and philosophical

[2] In this speculative move, I am guided in part by Peter Ochs's concept of "pragmatic historiography": intellectual speculation that, while it may not violate the historical record, extends beyond that which may be verified by existing documentary evidence. In Ochs's formulation, the warrant for such extra-historical speculation may be found in the needs of a given community: in this case, the modern Jewish reading community envisioned by Buber and Rosenzweig. See Ochs, "Talmudic Scholarship as textual reasoning: Halivni's pragmatic historiography," in *Textual Reasonings: Jewish philosophy and text study at the end of the twentieth century*, ed. Peter Ochs and Nancy Levene (Grand Rapids: Eerdmans Publishing Co, 2003), 120-143.

significance of the translation project, but the arguments of two recent studies asserting the generally overlooked centrality of the biblical translation and the translators' series of essays reflecting on the translation endeavor in progress (as opposed to either Buber or Rosenzweig's most famous philosophical works) as a means of better understanding either thinker; I will address this recent scholarship presently.

In fact, the primary texts of this chapter are not the new German translation itself, but Buber and Rosenzweig's extensive written reflections on their endeavor. Though these writings certainly are not the last word on the translation, they represent Buber and Rosenzweig's own account of the methods and significance of the translation project undertaken together from 1925 until Rosenzweig's untimely death in 1929. It is these writings that primarily serve as the basis for my claim regarding not only the oft-studied innovations of the project but its notable absences as well. By attending to Buber and Rosenzweig's own descriptions of their project, we are, I argue, able to see what they choose to emphasize and which considerations are pushed to the margins of the project. These writings also serve as a useful comparison point between Mendelssohn and Hirsch's appeals to the Bible (albeit in more famous works).

This chapter, moreover, is undeniably weighted toward, and dependent on, themes and categories more explicitly articulated by Buber than by his collaborator Rosenzweig. While the pair's philosophical-textual projects have attracted considerable historical, textual, and philosophical attention, Buber's efforts have attracted far more attention. Unlike Buber, prior to beginning the translation Rosenzweig published little on the relationship between modern Judaism and biblical hermeneutics; Buber, by contrast, published many short biblical studies and other essays on questions of text and interpretation throughout his life.[3] Thus, scholarly sources

[3] Most of Buber's short essays on particular biblical passages or themes are collected in *On the Bible: Eighteen Studies*, ed. Nahum N. Glatzer (New York: Schocken Books, 1968). In addition to these essays, Buber wrote several

on Buber and Rosenzweig's work generally tend to be rather skewed toward material dealing with Buber's literary output, including his studies of Hasidic Judaism and his famous articulation of dialogical philosophy, *I and Thou*. Rosenzweig's hermeneutics, by contract, have received much less attention; his most famous work, the dense philosophical tome *The Star of Redemption*, has generally not been read in relationship to his later hermeneutical and translational endeavors.[4] Although, as I will briefly describe, some recent scholarship seeks to fill this gap, Buber's extensive writings are undeniably central to any consideration of the pair's biblical hermeneutics.

It is not my intention to provide a comprehensive survey of the scholarly material on either Buber or Rosenzweig's philosophy, though there does exist a substantial literature on multiple aspects of the pair's work. Given Buber and Rosenzweig's philosophical stature in twentieth century philosophical and theological thought – both in Judaism and, increasingly, in Christianity – there is a wealth of secondary literary and constructive philosophy that draws upon both thinkers individually as well as attending to their joint endeavors.[5] Notably, however, far

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longer studies on biblical themes, including *Moses: The Revelation and the Covenant* (New York: Harper, 1958); *Kingship of God*, trans. Richard W. Scheimann (New York: Harper, 1973); and *The Prophetic Faith*, trans. Carlyle Witton-Davies (Princeton: Princeton University Press, 2016; reprint edition). For an introduction to some of the chief themes in Buber's prodigious writings – including religion, Hasidism, Zionism, philosophy, and textual interpretation – see the Introduction to Asher D. Biemann's edited collection, *The Martin Buber Reader* (New York: Palgrave MacMillan, 2002), 1-19.

[4] Benjamin Sax's dissertation, "Language and Jewish renewal: Franz Rosenzweig's hermeneutic of citation" (PhD diss., University of Chicago, 2008) analyzes the presence of (largely unattributed) Jewish textual citation in Rosenzweig's *Star of Redemption*, but uses this phenomenon primarily as a springboard for a more abstract discussion of Jewish dialogical thought.

[5] In addition to the works I will discuss below, there is a wealth of resources on Buber and Rosenzweig's philosophy, theopolitics, and cultural context, including a number that place Buber and/Rosenzweig in conversation with other twentieth-century thinkers. In addition to the works I will discuss in some further detail, there is a wealth of resources on Buber and Rosenzweig's philosophy, theopolitics, and cultural context, including a number that place Buber and/Rosenzweig in conversation with other modern thinkers, both Jewish and non-Jewish. Among the recent notable English-language studies on Rosenzweig are Bruce Rosenstock's *Philosophy and the Jewish Question: Mendelssohn, Rosenzweig, and Beyond* (New York: Fordham University Press, 2009); Benjamin Pollack's *Franz Rosenzweig and the Systematic Task of Philosophy* (New York: Cambridge University Press, 2009) and *Franz Rosenzweig's Conversions: World Denial and World Redemption* (Bloomington, IN: Indiana University Press, 2014); Eric Santner's *The Psychotheology of Everyday Life: Reflections on Freud and Rosenzweig* (Chicago: University of Chicago Press, 2001); Robert Gibbs's *Correlations in Rosenzweig and Levinas* (Princeton: Princeton

less attention has been paid to the pair's biblical hermeneutics; even much of the scholarship focused on the Buber-Rosenzweig biblical interpretation addresses attends to the philosophical themes of the translation as opposed to delving into the actual language of the translation and the ways Buber and Rosenzweig justified their semantic choices.

Among the sample of secondary literature I address here, the works fall into one of two categories: those that attend to Buber and Rosenzweig's thought with little more than cursory attention to their biblical hermeneutics or the translation project; and those works that seek to rectify this oversight by focusing on the pair's biblical interpretive works. The first, and much larger, category seeks to understand Buber and Rosenzweig's philosophical importance, but pays only cursory attention to the pair's hermeneutical endeavors, despite the centrality of this work in the last part of Rosenzweig's life and during much of Buber's life. Among notable works of scholarship on this subject, Paul Mendes-Flohr's *From Mysticism to Dialogue*, about Buber's philosophy, and Batnitzky's much more recent *Idolatry and Representation*, a study of Rosenzweig's work, stand out both as important and careful works of intellectual history and as representative of the way in which Buber and Rosenzweig's thought has generally been treated.[6]

Mendes-Flohr careful reconstruction of Buber's thought is a case in point. *From Mysticism to Dialogue* (1989) persuasively argues that Buber's early philosophical instincts were

University Press, 1994); and Ernest Rubenstein's *An Episode of Jewish Romanticism: Franz Rosenzweig's* Star of Redemption (Albany: SUNY Press, 1999).

In addition to numerous edited volumes, there is a plethora of scholarly studies on Buber, including Dan Avnon's *Martin Buber. The Hidden Dialogue* (Lanham: Rowman & Littlefield, 1998); Rivka Horwitz's *Buber's Way to I and Thou: A Historical Analysis* (Heidelberg: Lambert Schneider, 1978); Martina Urban's *Aesthetics of Renewal: Martin Buber's Early Representation of Hasidism as Kulturkritik* (Chicago: University of Chicago Press, 2008); and Laurence Silberstein's Martin Buber's Social and Religious Thought: Alienation and the Quest for Meaning (New York: New York University Press, 1990). Zachary Braiterman's *The Shape of Revelation: Aesthetics and Modern Jewish Thought* (Redwood City: Stanford University Press, 2007) considers both Buber and Rosenzweig's philosophy in light of modern German art theory.

[6] These works in particular are cited by Mara Benjamin as important representative works of scholarship in Rosenzweig's philosophy.

more abstract and metaphysical in nature; he did not begin to speak of "dialogue," and still less to focus on the concept until rather later in his intellectual development. Yet, although Mendes-Flohr persuasively traces this evolution in Buber's thinking, he does not attend in any substantial way to Buber's biblical writings, despite the clear evidence of Buber's burgeoning dialogism in his writings on the translation in progress.[7] The translation project and Buber's wealth of writings on the Bible go almost entirely unnoticed, despite Buber's insistence on its centrality.

Batnitzky's *Idolatry and Representation,* a careful and evocative consideration of Rosenzweig's thought within the frameworks of both Jewish and Christian modernity, does attend to the question of Rosenzweig's hermeneutics and their ethical import. But despite this focus, Batnitzky pays almost no attention to Rosenzweig's approach to the actual Bible, preferring to employ the language of hermeneutics as a general philosophical lens through which to understand Rosenzweig's philosophy. This turn is manifest in Batnitzky's discussion of Rosenzweig's understanding of miracles, such as – for instance – the signs commanded by God and brought by Moses to demonstrate that the God of Israel has truly come to liberate the Israelites. These miracles, described in Exodus 4, include such wonders as Moses' ability to turn a wooden rod into a snake. For Rosenzweig, the employment of "signs and wonders" toward the end of persuading the Israelites of God's commitment, is evidence that such wonders should be "read" semiotically, as signs of something to come. The miracle, Rosenzweig argues, is not the rod-to-snake transformation itself, but the fact that God does in fact act as the sign had indicated that he would; as Batnitzky puts it, "it signifies beyond its event to a future event, the exodus from Egypt."[8] To understand miracles correctly, in Rosenzweig's terms, is to be able to interpret

[7] Paul Mendes-Flohr, *From Mysticism to Dialogue: Martin Buber's Transformation of German Jewish Social Thought* (Detroit: Wayne State University Press, 1989).
[8] Leora Batnitzky, *Idolatry and Representation: The Philosophy of Franz Rosenzweig Reconsidered* (Princeton: Princeton University Press, 2000), 42.

them correctly, and to understand their actual significance. Then the exodus itself is a miracle, a sign of God's continuing covenant with his chosen people. And so on, with each wondrous occurrence serving as a sign of the ongoing and unfolding relationship between God and Israel.

In the context of Rosenzweig's *Star*, of course, this discussion stands in for Rosenzweig's larger point about how modern Jews might re-orient themselves vis-à-vis the past. Instead of imagining themselves as divorced from the improbable events of Jewish sacred history (provided largely by the Hebrew Bible), the "hermeneutical approach" to history may provide questing Jews a new way to reread their own place in history. But even within this framework, Batnitzky largely declines to focus on Rosenzweig's actual interpretive approach to the Bible; the hermeneutics she invokes are largely Rosenzweig's interpretation of history with help from biblical examples, as opposed to a more overarching biblical hermeneutics or philosophy of interpretation. She notes his use of some biblical tropes – such as miracles – to create his philosophy of history, but does not draw out the broader implications of his attention to *biblical* miracles in particular as a foundation of his philosophy. Even when addressing the Buber-Rosenzweig translation project in particular at the very end of this book, Batnitzky only briefly discusses Rosenzweig's understanding of the Bible more broadly or its ethical implications.

**Addressing Buber and Rosenzweig's biblical hermeneutics**

The second category of scholarship, much less extensive, includes works devoted to articulating Buber and Rosenzweig's relationship to and interpretation of the Bible in particular – and the argumentative trajectory of these two works is instructive. At the top of this short list are Mara Benjamin's intellectual-historical study, *Rosenzweig's Bible: Reinventing Scripture for Jewish Modernity*, which was published in 2009, and Claire Sufrin's as-yet-unpublished 2008

dissertation, "Martin Buber's Biblical Hermeneutics."[9] Both works are grounded in the argument that both Buber and Rosenzweig are insufficiently understood without careful attention to their writings on the Bible in particular, and the ways in which their philosophy informs their hermeneutics, and vice versa. Both argue that Buber and Rosenzweig's biblical writings – culminating in the translation project – should be understood as central to each thinker's approach to Jewish thought, not ancillary to it; the significant lack of previous scholarship on this point testifies to the failure of contemporary scholars to recognize the importance of the Bible to Buber and Rosenzweig's philosophy.[10]

Benjamin, for instance, argues that a new analysis of Rosenzweig's thought with Bible interpretation at the center of this analysis "shifts our understanding of this titan of modern Jewish thought."[11] Specifically, she makes two overarching arguments: first, that attention to Rosenzweig's hermeneutics can illuminate heretofore overlooked elements of his pre-translation works, including, of course, the *Star of Redemption*. For instance, Benjamin argues that careful

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[9] Mara Benjamin's book, *Rosenzweig's Bible: Reinventing Scripture for Jewish Modernity* (New York: Cambridge University Press, 2009), began life as a doctoral dissertation at Stanford University, where Claire Sufrin also produced her dissertation on Buber's hermeneutics, entitled, "Martin Buber's Biblical Hermeneutics" (PhD diss., Stanford University, 2008); both dissertations were advised by Arnold Eisen, now of the Jewish Theological Seminary. Benjamin and Sufrin have both also published articles on topics related to these projects, including Benjamin's "The Tacit Agenda of a Literary Approach to the Bible," *Prooftexts* 27 (2007): 254–274; Sufrin's "History, Myth, and Divine Dialogue in Martin Buber's Biblical Commentaries" *Jewish Quarterly Review* 103.1 (Winter 2013): 74-100; and Sufrin, "A Legacy Greater than I-Thou: A Usable Bible and a Usable Martin Buber," *Sightings*, November 12, 2015, https://divinity.uchicago.edu/sightings/legacy-greater-%E2%80%9Ci-thou%E2%80%9D-usable-bible-and-usable-martin-buber.

[10] Among the few essays devoted particularly to Buber's biblical hermeneutics are Nahum Glatzer's short essay, "Buber as an Interpreter of the Bible," which attends both on Buber's approach to biblical translation (about which I will say much more presently) and to his other works on biblical themes, such as his study of Moses and his 1932 *Königtum Gottes* (*Kingdom of God*), a study of biblical messianism. James Muilenburg's essay, also entitled "Buber as an interpreter of the Bible," considers the influence of Buber's biblical interpretive works in Christian theology. Both essays can be found in Paul Arthur Schilpp and Maurice Friedman's edited volume, *The Philosophy of Martin Buber* (LaSalle: Open Court Press, 1967); pages 361-380 and 381-402, respectively. Dan Avnon's *Martin Buber: The Hidden Dialogue* (Lanham: Rowman and Littlefield, 1998) includes a chapter on Buber's hermeneutics in the context of the biblical translation, with a particular focus on Buber's guiding principle of *leitwort.* For a more recent consideration of the philosophical, cultural, and historical import of Buber and Rosenzweig's biblical translation project, see the *Jewish Quarterly Review*'s special issue on the translation, "Translating Texts, Translating Cultures" (2007). I will make specific reference to some of the essays from this edition throughout this chapter.

[11] Benjamin, *Rosenzeig's Bible*, 5.

analysis of Rosenzweig's use of, and allusions to, the Bible can aid in better understanding the author's concept of revelation. As she puts it, Rosenzweig in the *Star* insists on the "contentlessness of revelation," a revelation whose sacrality is purely in its existence as opposed to in any particular content contained in the revelation. At the same time, Rosenzweig opens his discussion of revelation with a biblical text – "Love is strong as death" from Song of Songs – suggesting that he cannot envision a discussion of revelation without a concrete citation to anchor his philosophy. Benjamin calls this move paradoxical, and argues that nuances like these in Rosenzweig's work call for attention to his use of the Bible in order to more precisely characterize Rosenzweig's understanding of revelation.[12]

The *Star of Redemption*, of course, is almost universally considered Rosenzweig's most significant and theologically sophisticated work. This work, famously drafted on military postcards sent home to Rosenzweig's mother during World War I, was first published in 1921. The dense and imposing *Star* attempts a systematic account of the relationship between God, the created world, and human beings, and argues that a triad of concepts – creation, revelation, redemption – can illuminate these relationships. As Rosenzweig argues, the Jewish liturgical calendar stands as a means of allowing Jews to access "eternity" through the cyclical character of the Jewish year, thereby allowing them to grapple anew with the enduring theological challenges of change, suffering, and death.[13]

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[12] Ibid, 19-20. Rosenzweig's invocation of the Song of Songs can be found in *The Star of Redemption* (South Bend: University of Notre Dame Press, 1985), 161.

[13] Franz Rosenzweig, *The Star of Redemption*, trans. William Hallo (South Bend: University of Notre Dame Press, 1985). Rosenzweig's far shorter book *Understanding the Sick and the Healthy* (Cambridge: Harvard University Press, 1999) serves as a useful introduction to many of the major themes of the *Star*. Benjamin Pollock's essay on the *Star of Redemption* provides useful guidance as to how to approach Rosenzweig's most philosophically imposing work. See Benjamin Pollock, "Franz Rosenzweig", *The Stanford Encyclopedia of Philosophy* (Summer 2015 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/sum2015/entries/rosenzweig/>.

But in *Rosenzweig's Bible*, Benjamin argues that although the *Star* is generally treated as the peak of Rosenzweig's thought, in fact this massive book should be understood as an early stage of Rosenzweig's philosophical development, an "immature experiment rather than a crowning achievement."[14] In Benjamin's view, the *real* culmination of Rosenzweig's thought is in his joint translation endeavor with Buber, despite its unfinished status at the time of Rosenzweig's untimely death. It is this project, Benjamin argues, that best represents Rosenzweig's attempt to draw together his varying philosophical commitments: "the multiple and competing social and cultural identifies he held, his changing theological and intellectual commitments, and his intensified polemical stance toward Christianity."[15] Benjamin thus calls for a reorientation of Rosenzweig scholarship toward the translation project as a means of understanding the evolution and maturation of Rosenzweig's thought; in this reading, his biblical hermeneutics are not incidental but crucial to an accurate understanding of Rosenzweig's philosophy.

Sufrin's dissertation on Buber's biblical hermeneutics follows a similar trajectory. While Buber's pre-translation works are of course significantly distinct from Rosenzweig's, Sufrin's argument is paradigmatically similar to Benjamin's: that although Buber's earlier works have served as the basis of most Buber studies, in fact Buber's biblical hermeneutics, particularly vis-à-vis the biblical translation project, is where Buber's philosophical commitments (particularly his focus on dialogism) find their fullest expression.

Though Buber published more extensively in his long life than Rosenzweig, who died young, he too is most often identified with one book: the short but powerful *I and Thou*, first published in 1923. This book, a foundational text in so-called "dialogical philosophy," pursues

[14] Benjamin, *Rosenzweig's Bible*, 20.
[15] Ibid, 21.

the idea that human existence should be understood in terms of relationships: between human beings, between humans and God, and even between humans and other animate objects, such as trees or animals. It is these relationships that serve to order human life and give it meaning and purpose. Buber calls the "persons" in these relationships I, You (Thou), and It. But while "I-It" relationships are the relatively shallow and fixed (that is, clearly defined and unchanging) relationships between a human being and another, an "I-You" relationship is far deeper, a consistently shifting and growing relationship in which both parties, the I and the You, are changed by their interactions. In this way, the human "I" exists and is defined by these relationships; human life, in Buber's terms, is thus inherently relational or dialogical, and has deep and evident ethical implications; the nature of my relationships with others serve to define the nature of myself, as well as my relationship with God, who for Buber is the ultimate You.[16]

But for Sufrin, focused on Buber's biblical hermeneutics in particular, the lack of attention to the Bible in Buber scholarship is a significant oversight. She observes that when the Bible is introduced in scholarly works on Buber, it is generally done with the intention of showing how this or that biblical passage is employed in his philosophical work; there is almost no attention to his hermeneutics on their own terms. Moreover, the "dialogical" nature of Buber's thought is so ingrained in these scholars' understanding of Buber that they tend to assume that all of Buber's biblical writings may also simply be called dialogical, although they generally do not provide any significant justification for this characterization. For Sufrin, the Buber-Rosenzweig biblical translation is a more robust dialogical production than Buber's other, earlier writings. She argues that while Buber's earlier biblical studies evince a concern with

[16] Martin Buber, *I and Thou*, ed. Walter Kaufmann (New York: Touchstone,1971). For a short introduction to this work and its place in Buber's oeuvre, see Michael Zank and Zachary Braiterman, "Martin Buber", *The Stanford Encyclopedia of Philosophy* (Winter 2014 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/win2014/entries/buber/>.

several related issues – such as historicism and revelation – Buber's philosophical aspirations are most clearly on display in his collaborative work on the Bible. Thus, Rosenzweig too is implicated in this characterization, and described as a participant in Buber's dialogical hermeneutical approach to the Bible.

Benjamin and Sufrin's works share the notable characteristic of identifying a significant evolution in Rosenzweig and Buber's respective work. Both authors make a persuasive claim for the developing nature of the two philosophers' work, with the biblical translation project serving as a culmination of these philosophical developments. These subtle shifts in emphasis, method, and philosophical orientation are largely absent in previous works of scholarship on Buber and Rosenzweig, with the role of the biblical translation being overlooked almost entirely. The work of Sufrin and Benjamin represents a notable shift in Buber-Rosenzweig scholarship, as they seek to reorient scholarly attention toward the translation project, relegating the pair's previous writings to prolegomena. This chapter, therefore, is most particularly indebted to the careful intellectual-historical reconstructions of Benjamin and Sufrin, whose attention to the Buber and Rosenzweig's biblical hermeneutics in particular provide the basis for my theorization here.

But even these most helpful works, with their focused attention to the pair's hermeneutics, contain a set of assumptions which are called into question when placed in comparison with the biblical works of Mendelssohn and Hirsch discussed in the previous chapter. Both secondary works ably testify to the need for much more precise attention to Buber and Rosenzweig's hermeneutics as a means of understanding their philosophical development and ongoing influence. But they also largely share a particular assumption: that the ethical import of Buber and Rosenzweig's hermeneutics is more or less clear – that is, that the ways in

which the pair describe their biblical commitments and their translation project also clearly communicate their ethical and theopolitical convictions.

This assumption is called into sharp relief when compared to Mendelssohn and Hirsch's ostensibly "defensive" works. Mendelssohn and Hirsch's biblical references were of course quite selective; they both strategically employed some references – such as Mendelssohn's repeated invocation of Exodus 21 or Hirsch's frequent reference to the Israelites' chosen-ness – in service of their claims. But what is methodologically notable is that both of them made *explicit* the ethical and political commitments for which their biblical citations served as support. By contrast, Buber and Rosenzweig's biblical hermeneutics contains far fewer explicit claims about the relationship between their hermeneutics and their ethical commitments.

Nevertheless, the assumption that there is a clear ethical or moral vision expressed in the pair's work persists. In an article comparing Buber and Rosenzweig's translation to Robert Alter's 1981 work *The Art of Biblical Narrative*, for instance, Benjamin frequently employs the phrase "theological and moral" to describe the translators' vision for the Bible; as she writes, "For all three writers, the text's literary structure, narrowly defined, invites study in large part because it served as a portal to this broader understanding of the text's ongoing moral and theological import."[17] Yet while Benjamin considers the theological significance of the translation at length, she provides *no* examples of how the translation's literary approach expresses a particular *moral* vision. This is, of course, not to suggest that no such vision could be educed from Buber and Rosenzweig's writings. But it is surely suggestive that although Benjamin makes a general claim about the "moral and theological" import of the work, she does not offer any example of where this might be found.

[17] Benjamin, "The Tacit Agenda," 256. See also Robert Alter, *The Art of Biblical Narrative* (New York: Basic Books, 2011).

The remainder of this chapter, therefore, is divided into three sections. First, I draw upon two short autobiographical accounts from Buber and Rosenzweig to introduce the animating impulses behind their biblical interpretive projects, particularly the translation; second, I describe and characterize the interpretive moves that the pair do make, in order to draw out the notably anethical character of much of their work; and third, I pursue an account of this largely un-theorized absence of explicit ethical reasoning in the pair's work, particularly in their descriptions of the biblical translation endeavor. Of course, as I noted in the introduction, this account must remain largely speculative, as it extends beyond what the historical record can confidently confirm. Nevertheless, this process – of seeking to account for the notable ethical absence in Buber and Rosenzweig's work – can also be a productive means of reconsidering the challenges and anxieties expressed through Jewish biblical interpretation at the beginning of the twentieth century.

**Writing the biblical turn: the call for new biblical confrontation**

Sufrin and Benjamin have both provided extensive consideration of the philosophical works and significant biographical instances that led up to Buber and Rosenzweig's decision to begin work on a new German translation of the Bible; in what follows, I will make reference to some of the most important philosophical claims by both thinkers regarding the Bible's status and potential significance for modern Jewish readers. This section is grounded in two short autobiographical accounts that I have identified as particularly illustrative of how Buber and Rosenzweig came to see a new biblical translation as essential to the modern Jewish spiritual renewal they sought to bring about. This focus on Buber and Rosenzweig's own biblical encounters may illustrate the kind of encounters they hoped to facilitate for the readers of their

new translation, and the ability of such encounters to radically redefine the reader's relationship to Judaism and the Jewish Bible.

For Buber, his "awakening" to the Bible's power as an adult came, as he describes in a 1938 essay reflecting on the B-R biblical translation, in the wake of the 1904 death of Theodore Herzl. Buber was, of course, no stranger to the Bible; as a child in the house of the great midrashic scholar Solomon Buber (1827-1906), Buber had, he says, known the Bible for years before he ever saw a translation. When he did encounter a German translation (in this case, the famous Zunz translation of 1837-1838), Buber's experience was nearly unbearable; the German words revealed a Bible previously unknown to him – violent and confusing – and then, later, he found himself, as he says, "reading the [Luther] Bible with literary pleasure," an experience nearly as jarring as his previous experience.[18] For Buber, to conceive of sacred scripture as a "merely" enjoyable literary production was, apparently, almost as intolerable as his confusion upon seeing the sacred Hebrew text rendered in the vernacular.

"It took," Buber says, "thirteen years for anything new to happen." But arriving home after Herzl's funeral in Vienna, Buber opened the Bible anew:

> …to lighten my heavy heart I opened one book after another – in vain, nothing spoke to me. And then, casually, without hope, I opened the Scriptures – it was the story of how King Jehoiakim cut section after section from Jeremiah's scroll and threw them in the brazier's fire - and it went straight to my heart. I began again to read in the Hebrew Bible, not continually, only a passage from time to time. It was not familiar, as it had been in

[18] Martin Buber, *Scripture and Translation*, with contributor Franz Rosenzweig, trans. Everett Fox and Lawrence Rosenwald (Bloomington: University of Indiana Press, 1994), 208. This edited collection was originally published in German as *Die Schrift und ihre Verdeutschung* (Berlin: Schocken Verlag, 1936).

For a discussion of Zunz's important translation, see Abigail Gillman's online article, "The Jewish Quest for a German Bible: The Nineteenth-Century Translations of Joseph Johlson and Leopold Zunz," *SBL Forum* 7 (2009): https://www.sbl-site.org/publications/article.aspx?ArticleId=829#sthash.St5x3S7T.dpuf. W. Gunther Plaut's short monograph, *German-Jewish Bible Translations: Linguistic Theology as a Political Phenomenon* (New York: Leo Baeck Institute, 1992), originally presented as a lecture, provides a survey of modern German-Jewish biblical translations, including those by Mendelssohn, Hirsch, and Zunz.

> my childhood; but neither was it alien, as it had become afterwards. Every word had to be won, but every word could be won."[19]

Rosenzweig's own journey to the biblical translation project began from a different point than Buber's; he grew up far less steeped in traditional biblical scholarship and learning than Buber, and, in fact, had previously affirmed the continuing supremacy of Luther's biblical translation for Jews. In a January 1925 letter to Buber, Rosenzweig argued that "a new, official Bible translation was not only impossible but also forbidden, and that only a Jewishly revised Luther Bible was either possible or permissible."[20]

Rosenzweig was, of course, no stranger to translation projects; prior to the biblical project, he had considered his translation of Judah Halevi's poems to be an outstanding accomplishment, having successfully "render[ed] the foreign tone in its foreignness."[21] At the time, Rosenzweig apparently believed that the Lutheran biblical translation had achieved the same goal: having maintained, in translation, the strangeness of the Hebrew text. Yet only a few months later, Buber and Rosenzweig undertook a brand new German biblical translation of their own.

In 1926, the project underway, Rosenzweig wrote a letter to his teacher and colleague Eduard Strauss, who had worked with him to found the *Freies Judisches Lehrhaus*, and who had contributed courses on the Hebrew Bible – in translation – at the *Lehrhaus*. Founded in 1920 in Frankfurt, the *Lehrhaus* represented Rosenzweig's attempt to create a new community of Jewish

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[19] Buber, *Scripture and Translation*, 208. Claire Sufrin devotes considerable time to Buber's account of this episode in her doctoral dissertation, "Martin Buber's Biblical Hermeneutics," 1-4, as does Lawrence Rosenwald in his "Between Two Worlds: Martin Buber's 'The How and Why of Our Bible Translation,'" *Jewish Studies Quarterly* 14 (June 2007): 144-151.

[20] Buber, *Scripture and Translation*, 213. Rosenzweig's correspondence is collected in the edited volume, *Gesammelte Schriften 1: Briefe und Tagebucher*, 2 vols. (The Hague: Martinus Nijhoff, 1979).

[21] Rosenzweig's self-evaluation comes from the Afterward to his translation, and is described in Barbara Ellen Galli, *Franz Rosenzweig and Jehuda Halevi: Translating, Translations, and Translators* (Montreal: Queens University Press, 2002), 386. See also the chapter on Rosenzweig's translation of Halevi in Benjamin, *Rosenzweig's Bible*, 65-102.

adult learning in Germany; he hoped for Jews in all stages of Jewish knowledge to participate both as students and teachers, and to break down the institutional divide between "experts" and student non-experts.[22] In his description of his experience as a student in Strauss's course, Rosenzweig writes,

> For me, the great thing about your Bible classes was that on account of them, I was placed before the pure text in its nakedness, without traditional garments, actually for the first time in my life. That had been something I had encountered, almost only with the Psalms and the Song of Songs; I shrunk from reading the Torah and the prophets otherwise than in connection with the Jewish centuries, and so I did not dare to place myself alone before the text and before the text alone. Your Bible classes first showed me that this possible.[23]

These two accounts – of Buber after Herzl's funeral, and of Rosenzweig much more recently in the newly conceived *Lehrhaus* – may serve to draw out the chief themes and commitments of the translation project undertaken in the last years of Rosenzweig's life. Of course, these retellings need not be taken either as full expressions of either thinker's complex biblical philosophy, nor do they necessarily need to be read as uncomplicated historical accounts. In her discussion of Rosenzweig's letter to Strauss, for instance, Mara Benjamin expresses skepticism that Rosenzweig, who had been raised with little traditional Jewish education, had actually never been exposed to a Bible unsurrounded by Jewish commentary on the verses; she suggests that Rosenzweig's dramatic invocation of a "naked" Bible "testifies…to a fundamental fantasy of theological enlightenment since Augustine: that of discovering, as if for the first time, the naked word of the Bible."[24]

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[22] On the opening of the *Lehrhaus*, see Rosenzweig's published draft, "Upon Opening the *Judisches Lehrhaus*," *On Jewish Learning*, ed. N.N. Glatzer, (Madison: University of Wisconsin Press, 2002), 95-102.

[23] This letter is quoted in Benjamin, *Rosenzweig's Bible*, 122. Buber reflects on Rosenzweig's experience in an essay written after Rosenzweig's death, likely just as he, Buber, arrived in Mandatory Palestine in 1938. See Buber, "The How and Why of Our Bible Translation," *Scripture and Translation*, 207.

[24] Benjamin, *Rosenzweig's Bible*, 122. Both Benjamin and Sufrin compare Rosenzweig and Buber's respective experiences to Augustine of Hippo's account of his Christian conversion in the *Confessions*, wherein he heard a voice urging him to "take up and read." See Sufrin, "Martin Buber's Biblical Hermeneutics, 2-3. The original reference, of course, comes from Saint Augustine, *Confessions*, trans. Henry Chadwick (New York: Oxford University Press, 1991), 153.

Such an evaluation need not be taken as undermining these accounts; in fact, the opposite is true. These retellings, precisely by their likely "constructed" nature and the shared context of reflecting on the origins of the B-R translation, may function all the more clearly as means of expressing the convictions that gave rise to the translation project.

And these two accounts, despite their obvious content differences as well as the difference in Buber and Rosenzweig's own intellectual locations at the time of the biblical awakening, share some striking similarities; together, the two short recollections anticipate much of Buber and Rosenzweig's theoretical work on modern Jewish biblicism. First of all, and importantly, both accounts understand these experiences of biblical reading as dependent on an element of surprise. In Buber's case, he recounts that his decision to open a Bible was a matter of chance – he "opened one book after another," and, finding nothing satisfying, "without hope" turned to the scriptures, and was overcome. Rosenzweig, for his part, asserts that of his own accord, he would not have turned to a Bible shorn of its "traditional garments"; it required the command of his teacher to make him do so – and in this action, he realized anew the Bible's power.

Buber, though he does not specify from which Bible he read on the afternoon of Herzl's funeral, also appears to have opened a "naked" Bible. While he does not say so explicitly, it is notable that his experience apparently consisted of him opening the Book to a random page, and coming upon the text of Jeremiah 36, and the burning of the divine scroll in the palace of Jehoiakim. Buber makes no reference to any extra-biblical commentary which led him to, or helped to illuminate, the passage for him; the text, standing on its own, "went straight to [his] heart" with no need in that moment for assistance from later commentaries.

Thus in addition to the element of interpretive surprise, both accounts contain an emphasis on an "unmediated" encounter with the biblical text – an encounter, it should be understood, that departs from traditional Jewish approaches to the text as one that demands to be read through or alongside commentary. Buber's language – of a text going "straight to the heart" – may be read in concert with Rosenzweig's description, in his letter, of his new experience of a Bible divested of the "traditional garments" of commentary and explanation. In both accounts, the biblical experience is made possible by a lack of any intermediaries. A text cannot go "straight to the heart," after all, if there are centuries of commentary acting as a buffer between the text and the reader's heart. Rosenzweig employs an even more evocative metaphor, envisioning a naked book, exposed before the reader with no commentaries to surround, cover, or shield it from the reader's gaze. This metaphor is repeated in a 1926 letter from Rosenzweig to Buber in which he observes, "Scripture is for all us Jews wrapped in so much 'oral teaching' that it always amazes us when we see it itself once again…"[25] Here, not only does Rosenzweig evoke the image of an "unwrapped" Bible, unbound from its layers of commentary, but he also uses the language of "it itself" to describe the unmediated text, whose "true" nature, previously obscured by commentary, is now available.

The element of surprise, and the lack of textual intermediaries between the Bible and the reader, are bound up with a third element of Buber and Rosenzweig's accounts: the importance of coming to the Bible without preconceptions about its content or significance, or, similarly, coming to the Bible in a way that allows the reader to overcome existing *mis*conceptions.[26] In

[25] Benjamin, *Rosenzweig's Bible*, 122.

[26] The notion of being "surprised" by Judaism will remind some readers of the famously apocryphal tale of Rosenzweig's dramatic re-commitment to Judaism on Yom Kippur 1913, an experience which ended Rosenzweig's stated intention to convert to Christianity after the holiday. The historicity of this account depends largely on Nahum Glatzer's description of a conversation he held with Rosenzweig's mother, who told him that she immediately recognized a change in her son after that Yom Kippur; see Glatzer's comments in the edited compilation, *Franz Rosenzweig: His Life and Thought* (Indianapolis: Hackett Publishing Company, 3rd edition: 1998), 25. Of this

Buber's case, while he does not explicitly call for such an orientation, it is undeniable that the narrative power of his description is due largely to the fact, as he says, that he has no expectation that the Bible may be able to provide anything he needs. To expect the Bible to "help" in any way would require some sense of what was contained within the text or how it might be helpful, which might lead to nothing but disappointment. But Buber, randomly opening the Bible to a page in the book of Jeremiah, unexpectedly finds in this dramatic and wholly unsought account precisely what he is looking for, though he did not know it. Importantly, Buber does not say here what it was about this biblical passage that so overcame him; what he emphasizes is that he had no expectations in any direction, thereby maintaining narrative focus on the reading experience itself instead of on the force of any particular content.

Rosenzweig, of course, came to his experience differently; as a student in Strauss's Bible course, he cannot claim to have been completely ignorant of the likely content of the course in which he sat. In his case, the experience appears to have made possible not by an (even momentary) lack of preconceptions, but rather by a pedagogical method so shocking to him that it transcended his current understanding of the Bible. His language – of not "daring" to approach the Bible without traditional commentaries adorning the page – suggests fear or helplessness at the prospect of a "naked Bible"; he "shrunk from" the prospect of having to venture an interpretation of his own, perhaps feeling inadequate to propose meaning in the light of, as he says, the vast commentary tradition of the "Jewish centuries." Rosenzweig's description of the experience suggests that, if left to his own devices, he would never have attempted such thing.

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episode, Richard Cohen concludes only that, "What we do know is that from that day on, Rosenzweig never again considered conversion." See his Introduction to Rosenzweig's *Ninety-two Poems and Hymns of Yehuda Halevi*, trans. Thomas Kovach et al, ed. Richard Cohen (Albany: State University of New York Press, 2000), xvi. Pollock's *Franz Rosenzweig's Conversions* employs this famous narrative as the basis of broader reasoning about Rosenzweig's philosophy of personal salvation.

But have been "placed before the pure text" by his teacher – the language evokes a recalcitrant Rosenzweig being marched to the Bible by Eduard Strauss – he could not help but sit down and read. And the shock of the naked Bible – again, quite apart from any textual content - was enough to transcend his fears and expectations about the Bible enough to see it anew, in all its purity and nakedness, as Rosenzweig puts it.

These two brief autobiographical fragments may serve as a microcosm for many of the commitments animating Buber and Rosenzweig's new translation project. Indeed, in Buber's important 1926 essay, "People Today and the Jewish Bible," one of many reflections produced during the collaborative translation effort, he offers a description of how young Jews earnestly if uncertainly seeking a more vital way of life might manage to find their way back to the Bible:

> They too can, precisely when they are in earnest, open themselves up to this book and let themselves be struck by its rays wherever they may strike; they can, without anticipation and without reservation, yield themselves and let themselves come to the test; they can receive the text, receive it with all their strength, and await what may happen to them, wait to see whether in connection with this or that passage in the book a new openness will develop in them. For this, of course, they must take up Scripture as if they had never seen it, had never encountered it in school or afterwards in the light of "religious" or "scientific" certainties; as if they had not learned all their lives all sorts of sham concepts and sham propositions claiming to be based on it. They must place themselves anew before the renewed book, hold back nothing of themselves, let everything happen between themselves and it, whatever may happen. They do not know what speech, what image in the book will take hold of them and recast them, from what place the spirit will surge up and pass into them, so as to embody itself anew in their lives; but they are open.[27]

This dramatic description, of course, overlaps uncannily with Buber's 1936 account of his own experience years earlier after Herzl's funeral, and contains all three elements identified above as constitutive of both Buber and Rosenzweig's watershed encounters with the Jewish

[27] Buber, "People Today and the Jewish Bible, *Scripture and Translation*, 7. Note that Rosenwald and Fox, in their translation of Buber's title, depart from Olga Marx's rendering of the title as "The Man of Today" (*Der Mensch von Heute*), arguing that the German *Mensch* differs from "man" in referring equally to men and women. As Rosenwald and Fox justify it, "We have not in this translation wanted to obscure sexist terminology in the original, but equally we have not wanted to add to it." See fn 1in Buber, "People Today," 4.

Bible: Buber yearns for Jews to "yield themselves" to the Bible "as if they had never seen it," and to simply see "whether in connection with this or that passage in the book a new openness will develop in them."

In a letter to Eduard Strauss, Rosenzweig offers an overlapping vision of how Jews might approach the Bible anew. Although Rosenzweig is writing in a more general vein here, the method that he exhorts teachers of Judaism to follow anticipates his vision of biblical encounter in significant ways:

> Instead of confronting the seeker of knowledge with a planned whole, to be entered step by step, it would keep itself a mere modest beginning, the mere opportunity to make a beginning. At a university the student is faced with the edifice of a science that is complete in general outline and only needs development in detail; it lies outside the student, and he must enter it and make himself at home in it. This movement, however, would begin with its own bare beginnings, which would be simply a space to speak in and time in which to speak.[28]

Here, of course, Rosenzweig is laying out a vision of the *Lehrhaus* more generally, and a notion of how this school would different from other adult educational endeavors. But this vision contains clear echoes of Buber's own description above of how Jews might come to the Bible: with few expectations, with little clarity about ultimate goals, and in a way that rejects academic expectations of process or yield. Though Rosenzweig calls for a "modest beginning," it is clear that he understands this method to be a radical departure from conventional academic methods of study.

And in Rosenzweig's later letter to Strauss, where he describes his dramatic encounter with the unmediated Jewish Bible, we can also see how this experience may proceed from the pedagogical approach Rosenzweig passionately describes to Strauss: one that, by virtue of its lack of conventional structure, allows the learner to be surprised, caught off-guard, and left – at

[28] Rosenzweig, "Toward a Renaissance of Jewish Learning," *On Jewish Learning*, 68. This, too, is a letter to Rosenzweig's teacher and colleague Eduard Strauss.

least temporarily – without the intellectual or religious assumptions that have previously governed (and limited) their learning.

**Experiencing the Bible anew**

In both their theoretical descriptions of learning, and in their autobiographical accounts of (re)encountering the Jewish Bible, Buber and Rosenzweig insist on the necessity of a specific *experience*, one which bears little resemblance to the kinds of textual encounters the reader – they assume - will have had in either academic or Jewish institutional settings. Both of these settings, as Buber charges above, have utterly failed to present the text in a way that allows the reader to be, as it were, captured by the Bible and transformed by it. Such institutions, Buber argues, have merely taught "sham concepts and sham propositions claiming to be based on" the book. Against these dull and domesticated modern accounts of the Bible's meaning and significance, the "real" Jewish Bible has never had a chance to act on its modern Jewish readers in the way that Buber and Rosenzweig experienced, and which they hope to evoke in the readers of their new translation.

What is the virtue of such an experience? We know something of what these new encounters with the Bible have done for Buber and Rosenzweig themselves, but what is it they imagine the Bible can do for modern Jewry? In his 1911 essay, "Judaism and the Jews," Buber lays out his critique of the existential condition of the people he refers to simply as "western Jews." Although in later writings, Buber directs his critique to more specifically named groups – particularly the category of "intellectuals" – his first and foremost diagnosis is of a group he names simply as Jews in the modern West. It is to them that he directs his pointed questions: "Why do we call ourselves Jews? Because we are Jews? What does that mean, we are Jews? I

want to speak to you not of an abstraction but of your own life, of our own life; and not of our life's outer hustle and bustle, but of its authenticity and essence."[29]

With this dramatic opening, Buber declares his intention: to prod at the facile assertion of his readers' – and his own – Jewishness in the modern age. In this essay, he expresses his skepticism that such an assertion is actually manifest in the lives and thought of modern Jews, particularly relatively assimilated modern Jews in Germany. A look at the actual life circumstances of these Jews, he argues, reveals instead a deep alienation between the "subjective situation" which gives rise to the assertion of Jewishness, and the "objective situation" in which modern Jews find themselves. In Buber's diagnosis,

> All the elements that might constitute a nation for him, that might make this [German] nation a reality for him, are missing; all of them: land, language, way of life. Neither the land he lives in, whose nature encompasses him and molds his senses, nor the language he speaks, which colors his thinking, nor the way of life in which he participates and which, in turn, shapes his actions, belongs to the community of his blood; they belong instead to another community. The world of constant elements and the world of substance are, for him, rent apart.[30]

Such a situation may certainly occasion deep existential conflict. But Buber does not assert that the conflicted Jew should, therefore, withdraw from the western world or culture in order to cultivate their inner Jewishness; this is, he argues, not only impossible but actually undesirable. Rather, he claims, "we need to be conscious of the fact that we are a cultural admixture, in a more poignant sense than any other people. We do not, however, want to be the slaves of this admixture, but its masters. Choice means deciding what should have supremacy, what should be the dominant in us and what the dominated."[31] For Buber, this seemingly dire

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[29] Buber, "Judaism and the Jews," *On Judaism,* trans. Nahum N. Glatzer (New York: Schocken Books, 1996), 11.
[30] Ibid, 16-17. Rosenzweig too emphasizes the importance of a "blood-community," both in his *Star* (see, for instance, pages 299-300) and in a letter to Gritli Rosenstock-Huessy, where he comments, "There is something uncanny [*unheimliches*] about blood." The latter is quoted in Batnitzky, "Franz Rosenzweig on Translation and Exile," *Jewish Studies Quarterly* 14 (2007): 138.
[31] Buber, "Judaism and the Jews," 19.

situation is, in fact, a situation rife with potential – for it may inspire such Jews, given the right stimulus, to re-consider the relationship between their German-ness and the Jewishness, and to confront the differences and contradictions between these identities. They may realize that to be meaningfully Jewish in their present circumstances – geographic, linguistic, and so on – requires a consistent choice.

In a letter a few years later, Rosenzweig echoes Buber's existentialist tone, pointing to the fragmentation of Jewish (in particular, German-Jewish) life in the modern west:

> What, then, holds or has held us together since the dawn of emancipation? In what does the community of our contemporary life show itself, that community which alone can lead from the past to a living future? The answer is frightening. Since the beginning of emancipation only one thing has unified the German Jews in a so-called "Jewish life" emancipation itself, the Jewish struggle for equal rights. This alone covers all German Jews, and this alone covers Jews only…Here, really, is the final reason why our Jewish scholarship and our Jewish education are in such a bad way. This struggle for equal rights – civil as well as social – has been the only actual 'stimulant' our scholarship and our education have got from real life. Which is why neither the one nor the other has been able to free itself from the blinkers of apologetics. Instead of feeling and teaching the enjoyment of that which is ours, and which characterizes us, they have again and again tried to excuse it. And so we have come to our present pass.[32]

According to Rosenzweig, it is only the socio-political struggle for civil rights that has served to unite, maintain, or bring substance to modern Jews. Long gone, Rosenzweig claims, is the integrated Jewish past, which he describes romantically as one where the local synagogue

> acts as a member completing the body of a living life. [Now, however,] the beadle no longer knocks at house doors to summon us to shul…'Religion', to which life has denied a real place – and rightly, for life rightly rejects such lifeless, partial demands – seeks a safe, and quiet little corner. And it is indeed a little corner: life flows past it unconcerned. Nor can the synagogue, either, do what the Law and the home cannot – give Jewry a platform of Jewish life.[33]

[32] This essay, originally a letter to Eduard Strauss, was published as "Toward a Renaissance of Jewish Learning," in *On Jewish Learning*, trans. N. N. Glatzer (New York: Schocken), 63-64.
[33] Ibid, 63.

These two evaluations serve to introduce the critique of modern Jewish life that characterize both Buber and Rosenzweig's thought. Although Buber uses the language of "nation" here, while Rosenzweig focuses on the notion of a "Jewish life," both are suspicious of any easy self-assertion of Jewishness – for neither sees convincing accounts of what it means to belong to the Jewish nation or live a Jewish life. Most importantly, both seek to characterize the relationship between these modern Jews and their reasonably comfortable German Protestant environment. In his romantic invocation of the beadle going door to door calling the community to synagogue, Rosenzweig echoes Buber's diagnosis of their present reality: "All the elements that might constitute a nation for him, that might make this nation a reality for him, are missing; all of them: land, language, way of life."

If there is a call for confrontation in Buber and Rosenzweig's laments, it is for a confrontation between Jewishness and German-ness. Modern Jews must recognize their location: in the modern west, in a Christian country, long gone from the ghetto. They must acknowledge that despite the assimilationist advances of the last century, they will not find a meaningful Jewish life by seeking comfort as well-integrated German Jews. Rosenzweig, reflecting on this phenomenon, writes, "The relationship between a man's German nationality and his humanity is one that philosophers of history may meditate upon…but there is no 'relationship' between a man's Jewishness and his humanity that needs to be discovered, puzzled out, experienced, or created…One is a *judisch Kind* with every breath."[34]

Of course, there is nothing to stop Jews from trying. But Buber and Rosenzweig's assessment rests less on the possibility of success than in its consequences. One may (they imagine) certainly re-fashion oneself as a cosmopolitan German Jew. But the consequences for

[34] Rosenzweig, "Toward a Renaissance," 56.

one's Judaism in this scenario must be only negative, resulting in further meaninglessness. If one is seeking real Jewish life and real Jewish community, newly awakened to the significance of the "community of blood," they must first acknowledge the significant distance between that kind of community and the community in which they presently live as Jews. But such an awakening is not so easily induced. What artifact of Jewish life has this power?

In Buber and Rosenzweig's autobiographical accounts of their encounters with the Bible, as well as in their calls for biblical "encounter," we can see the beginnings of a reply. The Bible, properly understood, is perhaps the only thing that can call Jews back to their roots, and communicate their fraught location as Jews in the Christian west. As "evidence" for the Jewish Bible's previous ability to function in this way, Buber points to the Jewish past, in which, he says, the Bible indeed compelled its Jewish readers:

> This book has since its beginning encountered [*Dieses Buch tritt, seit es da ist*] one generation after another. Confrontation and reconciliation [*Auseinander und Ineindersetzung*] with it have taken place in every generation. Sometimes it is met with obedience and offered dominion; sometimes with offense and rebellion. But each generation engages it vitally [*aber immer befassen sie sich lebensmassig damit*] and faces it in the realm of reality [*Raum der Wirklichkeit*]. Even where people have said 'no' to it, that 'no' has only validated the book's claim upon them – they have borne witness to it even in refusing themselves to it.[35]

This opening description encompasses a number of themes prominent in this chapter. It is not clear that Buber's assertion regarding "one generation after another" (as opposed to *der mensch von heute*) is a quantitatively verifiable claim. Rather, its purpose is rhetorical – it contrasts the long history of the Jewish people with the relatively short period of time in which "the person of today" has come to be.

For these previous generations, Buber says, the Bible has "encountered" them – and the way he expands this statement tells us a great deal about Buber's own understanding of this

[35] Buber, "People Today," *Scripture and Translation*, 5; "Der Mensch," *Die Schrift und ihre Verdeutschung*, 14.

encounter. Buber insists that this characterization of previous generations held true whether the past reader eagerly invited the Bible into their lives or stood in "offense and rebellion" against it. Both of these categories of readers found themselves compelled by the text, which is to say that they found it nigh impossible to dismiss, even if it shocked or angered them. Such preoccupation, it seems, is at the heart of Buber's notion of engagement here – when a reader feels compelled by the text, for good or ill, in a way that is difficult to dismiss, they are experiencing the Bible's power. This "confrontational" orientation characterized the experience of Jewish readers when they came to the Bible.

For Buber, the past reader recognized that the Bible made some demand of them that could not easily – or perhaps ever – be ignored. To be sure, as he says, such readers were not always eager to hear these demands and obey them – but they acknowledged being called to respond to the text they read; they felt the weight of the Bible pressing down on them. Buber's statement also addresses those generations who, as he says, "refus[ed] themselves" to the Bible, which seems to indicate that they rejected the Bible entirely. But even in this rejection Buber sees a confrontation at work – precisely in their "no," they acknowledge the Bible's significance. Indeed, perhaps to rebel is an even more profound way of acknowledging the Bible's power – because a person rebelling also acknowledges, by their rebellion, precisely how difficult or strange the Bible's claims and demands can be. And even so, they understood the biblical text – any biblical text – to make continuous demands upon them: demands not defined by any given biblical commandment, but by the fact of the Bible's overarching revelatory nature, as a sign of God reaching out to the world.

This desired orientation can help us understand the importance of un-expectation and surprise in Buber and Rosenzweig's description of a meaningful biblical encounter, and their

decision to undertake a new German translation of the Bible. For German Jews, in the pair's formulation, the Bible – to the degree that it is read at all – is all too familiar, and familiarly set in its German Protestant context and language. The biblical experience that Buber and Rosenzweig seek, however, is one that catches the reader by surprise, startles them out of their pre- or misconceptions, reveals the Bible's raw and undomesticated Jewishness, and, therefore, may awaken the reader to a new and meaningful understanding of their Jewish existence in Protestant Europe, and the choices they face in how to live more vitally in this context. Buber and Rosenzweig's decision to undertake a new German-Jewish translation of the Bible represents their attempt to *create the conditions* for the kind of biblical experience which, they believe, can have such transformative power. Of course, each of them came to this realization without the benefit of a new translation – but such an experience, as they observe, is by no means common. What is necessary is the creation of a Jewish Bible whose language may facilitate this experience, by surprising, shocking, compelling, and implicating the reader in ways they did not expect.

Buber and Rosenzweig are not reticent in describing the ways in which they envision their new translation to work. The new translation should strike its readers as "foreign." With the German of Luther's translation hovering and creating expectations, this new German translation should surprise and shock by its creation of a new, more "Jewish" German text. In this way, readers may be jarred from their complacent certainty that they know the Bible, and the old familiar verses become new, strange, and decidedly un-German. As Benjamin puts it in her evaluation of Rosenzweig in particular, "[he] used scripture as the vehicle not for an argument for greater integration, certainly, not even primarily to make a case for Jewish difference, but to articulate a critique of German identity." Such a claim may refer to two kinds of identity:

German Christian identity, whose adherents do not recognize the deeply "non-German" elements of the Bible which has become so constitutive of German self-understanding; and German-Jewish identity, whose Jewish adherents have unthinkingly ceded the Bible to German Christianity, without understanding the ways in which the Hebrew Bible is actually far more Hebrew than German in its origins, language, and cultural assumptions.

**Buber and Rosenzweig's literary turn**

Here, I argue that Buber and Rosenzweig's approach to the translation project, as reflected through their extensive writings on various challenges and choices of the endeavor, is best described as a "literary" approach, though of course – as I will discuss - their literary choices are inflected by a host of theological and cultural considerations. By literary, I simply mean that the pair's focus is on particular formal features of the text, as opposed to theological or cultural means of interpretation. The philosophers' descriptions of their translational intentions are notably absent of the kinds of ethical considerations or claims central to Mendelssohn's and Hirsch's works.[36]

I reiterate, of course, that this absence should not be understood as a lack of concern for the relationship between the Jewish Bible and ethics – in fact, as I will argue in the final section of this chapter, I believe the opposite to be the case. Rather, my focus here is simply on the absence of explicit ethical *reflection* in Buber and Rosenzweig's reflections on the Bible, particularly when compared to the works of Mendelssohn or Hirsch before them.

[36] Benjamin and Sufrin both use the general term "literary approach" to describe Buber and Rosenzweig's interpretive choices. There is, of course, no shortage of scholarly literature on this broad means of biblical interpretation, though a survey of these works is beyond the purview of this dissertation. In addition to the aforementioned text by Robert Alter, however, two foundational texts in this area are Adele Berlin's *Poetics and Interpretation of Biblical Narrative* (Sheffield: Almond Press, 1983) and Meir Sternberg's *The Poetics of Biblical Narrative: Ideological Literature and the Drama of Reading* (Bloomington: Indiana University Press, 1985.

As an introduction to Buber and Rosenzweig's translation, I invoke the now-famous example of the pair's linguistic transformation of the Hebrew word *mizbeakh, g*enerally translated in English as an "altar" and in the German of the Luther Bible as *Altar*, referring to the structure on which sacrifices were made in the Bible.[37] The root of *mizbeakh*, of course, means "to slaughter," though in the Hebrew Bible the word is used to refer to the place on which sacrifices are offered, whether or not they are slaughtered animals. The word first appears early in Genesis, long before the building of the Tabernacle or, later, the Temple, when Noah builds a *mizbeakh* on which he sacrifices animals before God (Genesis 8:20).

But in Buber and Rosenzweig's hands, the connotations of *mizbeakh* are transformed when translated into German; famously, Buber and Rosenzweig chose to render the word as *Schlachtstatt*, a "slaughter-site," instead of the conventional *Altar*. Given Buber and Rosenzweig's dual commitment to facilitating a new encounter between Jewish readers and their Bible, this example stands as a paradigm of the pair's vision. *Altar*, though a technically accurate term, was clearly too overladen with Lutheran overtones to be useful to the kind of translation the pair sought to create. An altar, for modern Christians, must immediately conjure up a vision of the table in the front of churches on which the bread and wine are placed during communion – and this image is so dominant that it is likely that modern Jews would have quite the same set of associations. And the problem, for Buber and Rosenzweig, is as much the familiar and domesticated nature of altars as it is the Gentile associations of the term. Altars, whether for Christians or Jews, are neither unfamiliar nor off-putting; they are, rather, a standard part of the

[37] All transliterations are rendered according to the Society of Biblical Literature's *SBL Handbook of Style: For Ancient Near Eastern, Biblical, and Early Christian Studies*, ed. Patrick H. Alexander et al (Peabody: Hendrickson Publishers, 1999).

"furniture" of the western world, and the word – even in the biblical context of animal sacrifice – is unlikely to surprise the reader.

By rendering *mizbeakh* as *Schlachtstatt*, therefore, Buber and Rosenzweig restore the strange and bloody character of biblical sacrifice contained in the original Hebrew word, such that an unsuspecting reader may be shocked out of their certainty that they know what the Bible is all about. Gone is the familiar *Altar*, and in its place is a site where animals are slaughtered, bled, and offered to a jealous and demanding deity.

This example has come to stand in for the translation endeavor more generally, as the stark difference in the two translations incisively expresses Buber and Rosenzweig's goal of de-familiarizing the Bible by restoring its strange Hebraic character; in this way, the reader is far more likely to be surprised by its content, jarred out of their preconceptions, and able to see their Bible as generations past did (according to Buber), instead of with the jaded and complacent eyes of moderns.

Rudolf Stahl recounts a 1927 conversation between himself and Rosenzweig where, in reference to the translation of the book of Leviticus in particular, this particular translation choice was central. As Stahl records it, Rosenzweig said, "So you are saying that the content of the third book became even more foreign to you through the translation than it was before. That is exactly what we want. You should be disgusted! Your flesh should crawl. Only then will you come to the *Urtext*. When Luther writes 'altar' he obfuscates the sense of the word, which is only rightly described by the world 'slaughter-site.'[38]

Buber and Rosenzweig's decision to restore the "disgusting" connotations of *mizbeakh* – and Rosenzweig's celebration of a text that makes the flesh crawl – speak eloquently to the

[38] Quoted in Benjamin, *Rosenzweig's Bible*, 112.

reading experience that the two desire to make possible for modern biblical readers. But this example can also, I suggest, serve as an introduction to my claim regarding the turn *to* literature and *away* from explicit ethical reasoning that distinguishes Buber and Rosenzweig's biblical philosophy from that of earlier thinkers like Mendelssohn and Hirsch. With this notable example, the ends to which Buber and Rosenzweig imagine their translation being used have shifted considerably. In their articulation of the goals of their new translation, Buber and Rosenzweig seek to activate a particular visceral reaction to the text. Of course, their interpretive "experiential turn" is not for its own sake, as they too have particular ends in mind: they wish to surprise, shock, or disorient the readers into a new relationship with the Bible, undermining the reader's complacent certainty that they know what the Bible has to say and how it says it. But while their general goal – to "enhance the contradictions," as it were, between Judaism and Christianity - is quite commensurate with Mendelssohn and Hirsch's, their means have shifted dramatically, from arguments which invoke the Bible as the basis for particularly Jewish ethical and political reasoning to those based in a specific experience of the Bible. The "goriness" of sacrifice that Rosenzweig celebrates above, while a particularly "bodily" example of Buber and Rosenzweig's method, represents this notable turn in the pair's hermeneutical philosophy and their understanding of how the Bible "works" on their readers.

**The ways and means of the translation: *Leitwort* and *Kolometrie***

Here, I briefly describe two of the chief means by which Buber and Rosenzweig pursue their vision of restoring the Bible's literary power for modern Jewish readers: the emphasis on *Leitwort*, or "theme words" in the biblical text, and the focus on *Kolometrie*, meaning (as in the English "colometry"), the division of verses or phrases into smaller units, called *cola*. For the

translators, these units were the length of breaths, such that a "unit" of biblical text could be read in one breath. These literary themes, which Buber and Rosenzweig identified as governing their translation choices, serve to emphasize the degree to which the pair moved away from the explicitly ethical in their description of the Bible's significance for modern Jews.

The term *Leitwort*, according to Benjamin, was Buber's own invention, gesturing to the concept of *Leitmotif* to mean a recurring theme in art or literature. In their translation project, Buber and Rosenzweig emphasized the recurrence of certain words across the Bible as both a signature feature of the biblical text and one that must be retained and emphasized in the German translation.[39]

For Buber and Rosenzweig, this literary feature was one of the most significant characteristics of the Bible – and one that could be used to establish literary and theological connections between different biblical passages. Buber identified this feature as "the most powerful of means for proclaiming meaning without stating it," which is to say that through the consistent word choice across different biblical books and genres, the *Leitwort* could "communicate" connections between disparate texts without having to say so explicitly.[40]

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[39] As Benjamin notes, the structure of biblical Hebrew may technically account for the frequent word repetition in biblical prose; she notes that "the grammatical structure and limited vocabulary of biblical Hebrew ensure that any individual linguistic root can and must resurface in a relatively large number of verbs and nouns, compared with most modern European languages." See Benjamin, *Rosenzweig's Bible*, 147.

[40] Ibid, 147-8. For Buber and Rosenzweig these connections powerfully testified to both the orality of the Bible (since, they argued, such connections were easier heard than read) and to the unity of the biblical text. As Buber wrote of one *Leitwort* connection, "Investigating such a narrative can make us feel as though we have discovered a hidden, primordial midrash [*Urmidrash*] in the biblical text itself; and we may then be dubious. But the correspondences are so exact, and fit so perfectly into the situation as a whole, that we have to accept the idea: that the roots of the 'secret meaning' reach deep into the earlier layers of the tradition." See Buber, "*Leitwort* Style in Pentateuch Narrative," *Scripture and Translation*, 120.

There is now, of course, also a wealth of scholarly sources on intra-biblical allusion, or what is sometimes called biblical intertextuality. See, for instance, Benjamin Sommer, *A Prophet Reads Scripture: Allusion in Isaiah 40-66* (Palo Alto: Stanford University Press, 1998); Nahum Sarna, "Psalm 89: A Study in Inner-Biblical Exegesis," Biblical and Other Studies, ed. Alexander Altmann (Cambridge: Harvard University Press, 1963), 29-46; Daniel Boyarin, *Intertextuality and the Study of Midrash* (Bloomington: Indiana University Press, 1994); and Michael Fishbane, *Biblical Interpretation in Ancient Israel* (New York: Oxford University Press, 1985).

In his essay, "*Leitwort* Style in Pentateuch Narrative," Buber provides a multitude of examples of the *Leitwort* interpretive method in action, the first of which, in the Babel narrative, concerns the theme word *safah* meaning tongue and referring to speech; Genesis 11:5 opens with the famous assertion that "Everyone on earth had the same language (*safah 'ehat;* lit. "one tongue") and the same words (*devarim 'ahadim*)." In verses 1-4, which describe the doomed denizens of Babel building their city and their tower, *safah* appears only this one time. But in verses 5-9, the word appears four times in quick succession:

> [5]The Lord came down to look at the city and tower that man had built, [6]and the Lord said, "If, as one people with one language (*safah*) for all, this is how they have begun to act, then nothing that they may propose to do will be out of their reach. [7]Let us, then, go down and confound their speech (*sefatam*) there, so that they shall not understand one another's speech (*sefat re'ehu*)." [8]Thus the Lord scattered them from there over the face of the whole earth; and they stopped building the city. [9]That is why it was called Babel, because there the Lord confounded the speech of the whole earth (*sefat kal ha'arets*); and from there the Lord scattered them over the face of the whole earth.

Attending to the repetition of this particular *Leitwort* allows Buber to note, quite brilliantly, that when the people had only one language, the word *safah* itself also appeared only once. Afterward, however, when the Lord has confounded the people's speech and scattered them over the earth, the word appears four times in five verses. Buber concludes, "The earth, the people of the earth, the destiny of the earth's peoples – these are what the story is about. But language is where it happens."[41] The multiplicity of usages of the word *safah*, for Buber, emphasizes that language is the means by which the people are separated from one another – and even, perhaps, echoes the new multiplicity of human tongues now that the people no longer have "the same language and the same words."

The second interpretive feature of the pair's translation is their focus on the *Kolometrie* (or the English cognate "colometry") of the biblical text – which is to say, phrases divided up

[41] Buber, "Leitwort Style in Pentateuch Narrative," *Scripture and Translation*, 116-117.

into what Rosenzweig, in his essay "Scripture and Word: On the New Bible Translation," calls *cola*, or "breathing-colons," divisions based on the reader's breath.[42] As he writes,

> Breath is the stuff of speech; the drawing of breath is accordingly the natural segmenting of speech. It is subject to its own law: that we cannot speak more than twenty, at most thirty words without taking a deep break (and not just a catch-breath) – often indeed we can say only five to ten words. But within this boundary the distribution of breath-renewing silences follows the inner order of speech, which is only occasionally determined by its logical structure, and which for the most part mirrors directly the movements and arousals of the soul itself in its gradations of energy and above all in its gradations of time.[43]

Here, Rosenzweig claims that deep breaths are not simply a matter of physiological chance, but part of a much deeper phenomenon. His intention in making this claim is to introduce the unique word structure of the biblical translation – a structure wherein the words are rendered not as conventional sentences and paragraphs, but rather organized in lines and stanzas corresponding to the breath.

For Rosenzweig, modern German biblical readers must be "re-trained" to read the text without slavishly adhering to the conventions of verse division and – more recently – punctuation that structure existing biblical translation. Insofar as some punctuation marks and verse divisions have governed the way in which people read the Bible, the text is no longer "alive"; its potentially transformative power has been lost amidst the conventions governing its form, and the likelihood that the text will "sound" any differently than it ever has is gone. To inspire modern biblical readers, Rosenzweig declares, "we need more drastic measures…We must free from beneath the logical punctuation that is sometimes its ally and sometimes its foe the fundamental principle of natural, oral punctuation: the act of breathing."[44]

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[42] Introductory discussions of this use of colometry can be found in Benjamin, *Rosenzweig's Bible*, 154-160, and Kepnes, *Text as Thou*, 45-46.
[43] Rosenzweig, "Scripture and Word," *Scripture and Translation*, 43.
[44] Ibid, 42.

Buber and Rosenzweig's response to this challenge is the "experiment" of restructuring the Bible's words on the page such that the "shape" of stanzas departs significantly from traditional biblical printing. The result is a text that resembles metered poetry far more than prose, as is evident in the opening words of Genesis in Buber and Rosenzweig's translation:

*Im Anfang schuf Gott den Himmel und die Erde.*

*Und die Erde war Wirrnis und Wüste.*
*Finsternis alluber Abgrund.*
*Braus Gottes brutend alluber den Wassern.*

*Da sprach Gott: Licht werde! Und Licht ward.*
*Und Gott sah das Licht, daß es gut war.*
*So schied Gott zwischen dem Licht und der Finsternis.*
*Dem Licht rief Gott: Tag! und der Finsternis rief er:*
*Nacht!*
*Abend ward un Morgen ward: Ein Tag.*[45]
(Genesis 1:1-5)

Buber and Rosenzweig preserve the tradition divisions between biblical books, but – as is visibly evident above - not between verses. And while Luther's rendering of the traditionally numbered second verse smoothly connects the three clauses in one sentence, the Buber-Rosenzweig translation presents them as three terse statements, made short and direct by the lack of commas and connecting clauses.[46] For the pair, this restructuring should aid in reminding readers that the Bible is not, in fact, a German text – and that the aesthetically felicitous German words are a translation not only in the strict semantic sense, but also in a broader cultural sense. The awkwardness of these terse opening phrases should aid in the process of emphasizing that the text is far removed from the German language, crafted in another place and time and tongue.

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[45] Martin Buber with Franz Rosenzweig, *Das Buch Im Anfang*. Berlin: Lambert Schneider, 1926. *Die fünf Bücher der Weisung*. Berlin: L. Schneider, 1930.
[46] Martin Luther, *Die Bibel, oder Die ganze Heilige Schrift des Alten und Neuen Testaments nach der deutschen Übersetzung* (Berlin: Britische und ausländische Bibelgesellschaft, 1891), https://babel.hathitrust.org/cgi/pt?id=uc1.$b284421;view=1up;seq=5.

And just as Rosenzweig reveled in the restoration of "goriness" in *Schlachtstatt* instead of *Altar*, he likewise argues that the emphasis on breath allows the reader to access other biblical horrors. Referring to Genesis 4, Rosenzweig says, "Sentences that in unambiguous logic are distinct and so separated by periods – say, Cain's appalling answer, 'I do not know. Am I my brother's keeper?' are by the rendering of the vital, breathing course of speech brought together into a single movement, and thus given their full horror, previously half covered-over by the logical punctuation."[47]

Rosenzweig seems to be saying that the period between the two sentences of Cain's answer can, by virtue of the standard system of punctuation in use in German, obscure the fact that in speech – Cain *or* the biblical reader's – the two sentences are likely to be spoken in the same breath, thereby (in Rosenzweig's reading) underscoring the cynicism and duplicitousness of Cain's reply. The "visual" rendering of the sentences, therefore, does not express the truly "horrific" logic of the answer – but a text whose words have been reshaped to make space for breath may be able to preserve the horror. And while this may be effective even for someone reading to themselves, it is even more necessary when reading out loud, so that the reader (and audience) may be struck anew by the Bible's (often chilling) words. As Rosenzweig says pithily, "The bond of the tongue [when reading the Bible] must be loosed by the eye."[48]

**Theorizing the ethical absence**

[47] Rosenzweig, "Scripture and Word," *Scripture and Translation*, 43. Also quoted in Benjamin, *Rosenzweig's Bible*, 156.
[48] Ibid, 42.

These two guiding themes – *Leitwort* and *Kolometrie* – effectively represent Buber and Rosenzweig's approach to their translation: an approach that seeks, through semantic and structural means, to create a Bible capable of triggering the kind of dramatic experience that both Buber and Rosenzweig described for themselves, and that they desire modern Jewish readers to have. It is this experience – a defamiliarizing and jarring encounter with a text ostensibly familiar and even stale to most Jewish readers – that may impress upon Jews their own alterity within their German Protestant milieu. This crisis of self-understanding, for Buber and Rosenzweig, can usher in a commitment to more authentic and existentially demanding encounters with the Jewish tradition, the Jewish community, and the Gentile community as well. And while neither Buber nor Rosenzweig provides a full picture of what this new mode might encompass, it is clear that they imagine a way of living much more fraught with decision: when should one's Jewishness "overcome" one's German-ness, and when might the opposite be true? How can a modern German Jew live with authenticity and integrity within these disparate and often conflicting sets of cultural and theological demands and assumptions?

Buber and Rosenzweig's "experiential" focus – their exhortation to modern Jews to have a new and life-altering encounter with the Jewish Bible – perhaps serves as the most direct explanation of the largely anethical turn in their biblical interpretive writings. Unlike either Mendelssohn or Hirsch, Buber and Rosenzweig's writings on their translation do not demonstrate particular interest in elevating certain biblical themes, or emphasizing the ethical or political importance of a given biblical passage. Rather, they seek through their new translation to render the Bible new and unfamiliar to the Jewish reader – a process that not only peripheralizes ethical questions, but actually benefits from downplaying them.

Rosenzweig's delight at bringing the Bible's "goriness" to light is instructive in this regard. Passages that, as Rosenzweig says, make the skin crawl are blunt tools in Buber and Rosenzweig's interpretive toolbox; such texts in their new translation may certainly, for better or worse, surprise the Jewish reader into a new and more challenging relationship with both their Bible and their assumed comfort with their German Christian environment. As Leora Batnitzky argues in regard to Rosenzweig, the destabilizing intent of the Buber-Rosenzweig translation is closely related to Rosenzweig's emphasis on the meaning of Jewish exile. As long as Jews read comfortably in Luther's German, they do not experience themselves as being exiles; the Jewish Bible, and by extension its Jewish readers, have found a "home" in the German language.[49]

But a new encounter with the Bible, facilitated by Buber and Rosenzweig's chosen literary devices, can render the Bible strange again – not simply unfamiliar, but destabilizing in the character of its unfamiliarity. Here, Batnitzky calls upon Rosenzweig's frequent use of the term *unheimlich* to describe the pair's biblical interpretative pursuit; they wish to make the Bible, in Batnitzky's own rendering of the word, "strange and un-homey."[50] She concludes, "The aesthetic, political, and theological dimensions of this attempt are reflected perhaps most acutely in Buber and Rosenzweig's translation of the Hebrew Bible into German."[51]

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[49] Contained within Rosenzweig's emphasis on exile, of course, is a critique of Buber's burgeoning Zionism, a point on which the two diverged in significant ways. Rosenzweig's insistence on maintaining as literal a sense of exile as possible is fundamental to his work; as Batnitzky argues, it also drives his understanding of the translation project. For a brief overview of the pair's disparate views of Zionism, see Batnitzky, *How Judaism Became a Religion* (Princeton: Princeton University Press, 2011), 84-85. Rivka Horwitz's article, "Franz Rosenzweig and Gershom Scholem on Zionism and the Jewish People," compares Rosenzweig's resistance to Zionism with Scholem's secular Zionism and historical dialecticism; see the article in *Jewish History* 6 (1992): 99-111.

[50] Gershom Scholem, of course, criticized the translation on precisely these grounds; in a 1926 letter on the newly translated book of Genesis, he wrote, "[w]hat fills me with doubt is the excessive tonality of this prose, which leaps out almost uncannily [*fast unheimlich*] from the particular wording…" Quoted in *The Letters of Martin Buber*, ed. Nahum Glatzer and Paul Mendes-Flohr (New York: Schocken, 2013): 338. I have retained the slightly altered translation offered by Batnitzky in her discussion of Scholem's critique in "Franz Rosenzweig on Translation and Exile," 139.

[51] Batnitzky, "Franz Rosenzweig on Translation and Exile," 138.

In this reading, the anethical character of the pair's interpretative focus is central to their mission – so while this feature has received little attention, it should not be surprising per se. Rather, attending to this character serves to underscore the distinctive experiential goal that perhaps only the Bible can achieve. It is not simply that Buber and Rosenzweig do not think to consider the kinds of biblically-inflected ethical and political claims that drove Mendelssohn and Hirsch; it is rather that this kind of consideration is antithetical to their goal. Such explicitly ethical discourse might serve as a stabilizing factor, bringing the Bible into accordance with some other (and, given the context, likely more German and Christian) framework – when, of course, this is precisely what Buber and Rosenzweig do not want.[52] The Bible is powerful for modern Jews to the degree that it is surprising, strange, and sometimes chilling.

But in what follows, I introduce a short autobiographical fragment in Buber's writings that may reveal the existential limitations of Buber and Rosenzweig's formal literary approach. This fragment reveals in Buber a deep anxiety about the content of the Bible when that content includes brutality and violence – particularly brutality and violence commanded by God. As such, it also suggests that for Buber (and, as I specify, for Rosenzweig as well) the relationship between the Jewish Bible and particular textual content is a far more fraught one than is accounted for by the discussion above. This alternative account, therefore, functions here as a kind of philosophical experiment – for although it must remain in the realm of speculation, it also allows us to consider the limitations as well as the virtues of Buber and Rosenzweig's experiential approach to biblical interpretation.

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[52] This approach also, of course, preserves the pair's shared commitment to "contentless" revelation, meaning a revelation of God that simply reveals God-self, as opposed to any particular commandment or insight. Buber, of course, identifies this revelation with the dialogical relationship between a human and God, in which what is "revealed" is God's presence; the revelation is in the encounter. Rosenzweig too insists on revelation as the action of God turning to the individual and disclosing himself, as opposed to having a particular "object" to reveal. For a consideration of this foundational concept in Buber and Rosenzweig's thought, see Norbert Samuelson's *Revelation and the God of Israel*, particularly chapters 3 and 4 (New York: Cambridge University Press, 2002).

**Buber, the prophet Samuel, and the Amalekite king**

In this short autobiographical fragment, written near the end of his life, Buber recalls a meeting with an observant Jew with whom he had previously been acquainted. When they happened to meet again, they fell into a discussion of the Bible – as Buber says, "not of peripheral questions but central ones, central questions of faith."[53] And in this conversation, Buber and his interlocutor came to speak of a biblical episode that, Buber says, had haunted him in his youth: the brutal tale of God, the prophet Samuel, and the soon-to-be-deposed King Saul.[54]

Buber is, of course, referring to the notorious events of 1 Samuel 15, which tells the story of the downfall of Israel's first ruler, King Saul, after he fails to follow God's commands in battle. The prophet Samuel, sent by God to instruct the king, gives Saul these instructions: [2]"Thus said the Lord of Hosts: I am exacting the penalty for what Amalek did to Israel, for the assault he made upon them on the road, on their way up from Egypt. [3] Now go, attack Amalek, and proscribe all that belongs to him. Spare no one, but kill alike men and women, infants and sucklings, oxen and sheep, camels and asses!"[55] (1 Samuel 15:2-3)

Saul, however, does not follow the Lord's instructions to the letter. Although he and his army do indeed rout the Amalekites, he fails to kill their leader, King Agag, as well as a number of choice livestock. 1 Samuel 15:8-9 clarifies that Saul "proscribed all the people, putting them to the sword; [9] but Saul and the troops spared Agag and the best of the sheep, the oxen, the second-born, the lambs, and all else that was of value. They would not proscribe them; they

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[53] Martin Buber, *Meetings*, ed. Maurice Friedman (Chicago: Open Court Publishing Company, 1991), 52. Also published as "Samuel and Agag," in Paul Arthur Schilpp and Maurice Friedman, eds., *The Philosophy of Martin Buber* (La Salle: Open Court Publishing Company, 1967), 31-33.

[54] Buber makes brief reference to his first encounter with this passage in "The How and Why of our Bible Translation," *Scripture and Translation*, 207**.** Lawrence Rosenwald briefly remarks on this account in a footnote to his article, "Between Two Worlds," 14, but does not pursue it.

[55] The passage makes reference to Israel's previous dealings with the Amalekites as described in Exodus 17.

proscribed only what was cheap and worthless." As a result of Saul's disobedience, the prophet Samuel informs him, over Saul's extensive protestations, that God has rejected him as king.

It is left for Samuel to deal with the captured King Agag as God has commanded – and as he is brought before Samuel, as the text says, "with faltering steps," he speaks a phrase which Buber renders as, "Surely the bitterness of death is past [*'akhen sar mar hamavet*]."[56] Samuel pronounces Agag's death sentence – "As your sword has bereaved women, so shall your mother be bereaved among women" – and cuts him down.[57]

Referring to his childhood discovery of this story, Buber says, "I reported to my partner in dialogue how dreadful it had already been to me when I was a boy to read this as the message of God (and my heart compelled me to read it over again or at least to think about the fact that this stood written in the Bible)…I said to my partner: 'I have never been able to believe that this is a message from God. I do not believe it.'"[58] Buber's visceral reaction to this passage may be summed up in his rejection of the God depicted in this text: "Nothing can make me believe in a God who punishes Saul because he has not murdered his enemy."[59]

In Buber's recollection, his partner affirms Buber's own gloss on the biblical text: "Samuel has misunderstood God," and taken murderous action neither commanded nor sanctioned by God.[60] But the significance of this passage extends beyond its bit of insight into Buber's own moral and theological commitments. In his reflection on this hermeneutical

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[56] I have retained Buber's German translation (and its English equivalent) here. Other translations render this difficult phrase with slightly different connotations; the Jewish Publication Society translation, for instance, offers, "ah, bitter death is at hand." In this latter case, the king acknowledges his impending death, while in Buber's understanding of the verse, the king is unaware of what awaits him. The difference, however, does not seem to be one that would affect Buber's evaluation of the verse's ethical and theological character, as the king is brutally killed in either case

[57] This verb [*vayashasef*; he cut him to pieces] is notable as it occurs only once in the Hebrew Bible, and has particularly brutal connotations.

[58] Buber, *Meetings*, 52.

[59] Ibid, 54.

[60] Ibid, 52.

episode, Buber reveals his understanding of what has occurred in the observant Jew's refusal to affirm the Samuel text: he has, in Buber's terms, been forced to choose "between God and the Bible." What Buber witnessed, in this conversation, was a kind of theological wrestling match with a definitive outcome: this man, "when he has to choose between God and the Bible, chooses God: the God in whom he believes, Him in whom he can believe."[61]

For Buber and his conversation partner, this text presents a set of competing claims and directives: those of the biblical text, and those of God. In this case, the distinction between God and the Bible's words cannot be collapsed, lest this violence be slanderously attributed to God instead of to the misunderstandings of mere humans like the prophet Samuel. As Buber claims, this is a moment where "the manufactured" – that is, the words that have gotten mixed up with fallible human understandings of them – "has been mixed with the received" – that which maintains its pure revelatory status. But as Buber admits, "we have no objective criterion for the distinction; we have only faith."[62] That is, there is no objective means of determining of which passages we might conclude, horrified, that, e.g. "Samuel must have misunderstood God." Rather, the reader must sometimes simply choose God – as Buber the says, "the God in whom he believes, Him in whom he can believe" – over the text, whose God often behaves in ways that strain our ability to believe in or affirm such a God.

Notably, in this account, Buber ties this terrible moral and theological problem to the challenges of biblical translation. In his memory, Buber's experience of reading a German translation of the Bible spurred a childhood theological crisis. As he describes it, while the stories had seemed "self-evident" in their original Hebrew, reading them in translation make them seem much more awful. And in the latter autobiographical fragment, Buber closes by

[61] Ibid, 52.
[62] Ibid, 54.

revealing that the ultimate challenge of such texts as 1 Samuel 15 is in their translation. Though he has found a way to deal with such a text – he has, in this case, "chosen God" over the Bible's account of Samuel – the struggle is not over; as he confesses, "even today I still cannot read the passage that tells this otherwise than with fear and trembling. But not it alone. Always when I have to translate or interpret a biblical text, I do so with fear and trembling, in an inescapable tension between the word of God and the words of man."[63] The palliative effect of Buber's assertion that God surely must not have given such an order to Samuel is never quite enough to wholly overcome the stark reality of the words on the page, in which there is no apparent tension "between the word of God and the words of man."

This episode, then, is also ultimately a reflection on the theological difficulties of translation – and Buber's reflection is occasioned not by an interesting encounter with a rare Hebrew noun or infrequent verb form, but by a biblical passage whose violence and attendant theological quandaries have haunted him since childhood. And while Buber does say at the end that it is not simply this text but any biblical passage that presents this challenge, it is clear that it is in the case of passages like 1 Samuel 15 that the translational stakes are highest. Buber's stated concern about misunderstandings – that not only has Samuel misunderstood God, but that the biblical reader may misunderstand the text themselves and take it at face value – is of greatest consequence when God is put, as it were, on trial and found to be cruel or indiscriminately violent.

**The literary approach as a means of evading these questions**

I suggest that this brief and largely unstudied passage fragment of autobiography may serve as a means of re-theorizing the significantly anethical character of Buber and

[63] Ibid, 54.

Rosenzweig's approach to their biblical translation that I have identified in the pair's writings. Though of course this must remain in the realm of speculation, I propose that viewing Buber and Rosenzweig through the "lens" of this episode illuminates some of the potential anxieties lurking in the pair's approach.

What is most striking about Buber's description of and reaction to the divinely commanded violence of 1 Samuel 15 is that it seems to run quite contrary to the hermeneutical values repeatedly articulated in the pair's essays on their translation in progress. By all accounts, this text would serve as a perfect example of the Bible's potential ability to effectively destabilize German Jews' complacent sense of their cultural, linguistic, and theological location. Even without the benefit of a new translation, such a passage surely fulfills Rosenzweig's desire for readers to be horrified by their biblical encounter. It portrays both God and his prophet as vengeful and murderous – and it is not a passage that can be easily reinterpreted or transformed into metaphor. Such a passage, precisely because of its narrative infelicities, would seem to be a model for Buber and Rosenzweig's vision of a new Jewish biblical encounter.

But while Buber is assuredly destabilized by this passage, his reaction does not evince the generative potential that Buber and Rosenzweig are ostensibly seeking. The relish with which the pair sought to restore the strange, uncanny, or grotesque in other biblical examples is wholly lacking here. In fact, Buber refuses to engage the passage altogether, stating flatly and against all narrative evidence that the God in whom he believes would never have issued such a violent command to Samuel. He does not indicate why the violence of 1 Samuel 15 has affected him more deeply than any other of the Bible's many violent and ethically troubling passages, including many where the violence in question is equally commanded or approved by God. But contained within his rejection of the text's plain sense is a clear statement of why he finds this

passage so horrifying: "Nothing can make me believe in a God who punishes Saul because he has not murdered his enemy."

The nature of Buber's rejection is also instructive. His concern is not just with the murder per se – though it is clear that the image of the Amalekite king meekly approaching Samuel is a terrible one - but with the fact that it is ostensibly commanded by God, and so desired by God that Saul's failure to comply is grounds for him being stripped of his kingship. That is, Buber's dramatic reaction does not stem from his perception that the narrative in question should be understood as normative outside its narrative context; the command in question is clearly directly solely at Samuel. But the very fact that the text depicts God as issuing such a command is unthinkable to Buber, who simply rejects out of hand that his God would say such a thing.

Pursuing my alternative account of Buber and Rosenzweig's anethical approach, then, I argue that we cannot simply conclude that Buber and Rosenzweig are as accepting of such passages in the Bible as their interpretive rhetoric proclaims. In contrast, I suggest that passages like 1 Samuel 15 actually present Buber and Rosenzweig (and their readers) with a specific and enduring dilemma: how to make broad claims about the ability of the Bible and its transformative potential for modern Jews while also acknowledging its not-infrequently violent episodes, the God who commanded or at least does not punish them, and the uncertainty of how to understand the Bible's role in Jewish life as a result. There is, after all, no shortage of such biblical texts.[64] And while other cases, Buber and Rosenzweig showed themselves eager to

[64] There are a number of recent monographs on the ethical and theological questions occasioned by "troubling" biblical texts and themes, particularly in the Hebrew Bible. Eryl Davies' *The Immoral Bible: Approaches to Biblical Ethics* (New York: Bloomsbury T&T Clark, 2010) both surveys some of the most frequently invoked passages (including 1 Samuel 15) and evaluates the variety of theological responses to these passages. Regina Schwartz's *The Curse of Cain: The Violent Legacy of Monotheism* (Chicago: University of Chicago Press, 1998) addresses these questions from a more "secular" perspective. Other significant books in this category include Phyllis Trible, *Texts of Terror: Literary-feminist Readings of Biblical Narratives* (Minneapolis: Fortress Press, 1984); Susan Niditch, *War in the Hebrew Bible: A Study in the Ethics of Violence* (New York: Oxford University Press, 1995); and Saul M.

emphasize the "horror" of the Bible's words, passages like the above are, apparently, much less easy to negotiate, still less to celebrate. Buber's reaction to 1 Samuel 15 exposes his inability to fully embrace the formal anethical approach which he himself, along with Rosenzweig, has created.

Perhaps, then, we can understand Buber and Rosenzweig's turn to the literary and away from the explicitly ethical language that characterized Mendelssohn and Hirsch's work as an attempt to shift the Bible's category – and as such to evade the questions that more explicitly ethical invocations might raise among readers of the pair's many works on the Bible and its meaning. That is, by focusing on the Bible's literary features, Buber and Rosenzweig may find themselves less confronted by the ethical questions evoked by the text – questions that are not, as Buber's struggle with 1 Samuel 15 illustrates, easy to satisfactorily address even for themselves, let alone for an entire reading community. But, of course, Buber and Rosenzweig have themselves placed the importance of sustained biblical confrontation at the center of their shared interpretive project. Buber's refusal to confront to 1 Samuel passage reveals the enduring ethical and theological difficulties of the pair's endeavor.

Yet what is particularly notable about this proposal – that in this case, Buber and Rosenzweig's appeal to the literary effectively enables them to evade the questions of ethics in their biblical reflections – is that the situation wherein such passages are so troubling is one largely created or exacerbated by Buber and Rosenzweig's own philosophical and theological commitments. That is, Buber's dramatic refusal to countenance the plain sense of 1 Samuel 15, may, in fact, be a function of the biblical approach that he and Rosenzweig have identified as central to their vision of German Jewish transformation.

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Olyan's edited volume, *Ritual Violence in the Hebrew Bible: New Perspectives* (New York: Oxford University Press, 2015).

To begin with, we should recall Rosenzweig's invocation of the "naked text" – a theme to which he returns more than once. Rosenzweig's account of his new encounter with the Bible, facilitated by his teacher Strauss, depends on the fact that, as he wrote to Strauss, in his class, "I was placed before the pure text in its nakedness, without traditional garments, actually for the first time in my life." This new way of entering into the Bible was deeply transformative for Rosenzweig, as it demonstrated the power of the text and his own ability to make new claims about it, unencumbered by the strictures of traditional commentary and interpretation.

This "nakedness" has both literal and metaphorical import for the translation. In keeping with the emphasis on the reader's experience of the text, Buber and Rosenzweig determined that the physical format of the translation should be as spare as possible, with the words in their short, colometric form in the middle of the page and a great expanse of white space surrounding them. In this way, the words would veritably leap off the page, surprising even the most jaded or disinterested reader into a new experience of the text.[65]

But the commitment to a naked Bible should also be understood as an expression of a broader philosophical orientation: one that not only rejects the idea of commentary in the immediate physical proximity of biblical verses, but also seeks to undermine the hold of traditional Jewish commentary on the reader's imagination. Both Buber and Rosenzweig both express skepticism and sometimes outright disdain about the role and content of rabbinic commentary, in Jewish biblical discourse, even as they also intermittently appeal to the rabbinic tradition in specific cases.

Buber and Rosenzweig's turn away from the Jewish commentary tradition can be understood on multiple levels. In some cases, they find rabbinic conclusions simply untenable in

[65] Peter Gordon discusses this feature in particular in *Rosenzweig and Heidegger: Between Judaism and German Philosophy* (Berkeley: University of California Press, 2003).

the rabbis' willingness to depart from the biblical plain sense. In a 1928 letter to Rabbi Jakob Rosenheim, Rosenzweig argues that unlike Samson Raphael Hirsch (who himself wrote a Torah commentary), he and Buber cannot allow the commentary tradition to serve as a "*determinant* of the *Peshat* [plain sense]."[66] Though he and Buber are willing to honor rabbinic commentaries as "a complement and supplement" to the Bible, they cannot sanction previous interpretations, no matter how deeply embedded or long-standing, standing in for a reader's own interpretation of the text. Such an act would, presumably, undermine the immediacy of the reading experience that Buber and Rosenzweig are seeking to cultivate; if this is the goal, the authoritative readings of the past must be denuded of the power they wield over modern readers. They can, as Rosenzweig says, perhaps complement or supplement the text - though he never specifies how or when such commentaries should be integrated – but must not, by virtue of their "authoritative" status, determine the interpretive direction.

Rosenzweig invokes one verse (Deuteronomy 23:20) which, he says, was wrongly interpreted by the traditional Jewish commentators – but which commentary, he says, has been deeply influential for the development of the tradition.[67] For the purposes of understanding the pair's approach to commentary, the details of this particular verse are less important than the insight into the interpretive dilemma described in this anecdote. On the one hand, Buber and Rosenzweig find the traditional interpretation of the verse in question to be a violation of the plain sense; to translate the passage so as to advance this interpretation would lack hermeneutical integrity. On the other hand, they do not wish to alienate readers from the tradition altogether, or to make centuries of commentary appear utterly irrelevant in their apparent disconnection from

[66] Rosenzweig, "The Unity of the Bible," *Scripture and Translation,* 24; italics original.
[67] The verse in question instructs, "You shall not deduct interest from loans to your countrymen, whether in money or food or anything else that can be deducted as interest."

the plain sense. Thus, they split the difference, rendering the Hebrew into German that preserves the traditional interpretation and its significance for Jewish practice while maintaining the evident plain sense of the verse.

Sometimes, then, Buber and Rosenzweig's skepticism about the commentary tradition stems from its willingness to depart from the apparent plain sense of a given biblical passage. But more broadly, of course, the presence of commentary functions as a kind of unacceptable buffer between the reader and their Bible. The kind of immediacy of experience that they seek to cultivate depends on the reader's ability to look directly at the Bible's words and allow themselves to be changed by them. Commentary, even if less controversial in its claims, cannot aid in this immediacy. In addition, Buber and Rosenzweig's vision of a new, transformative Jewish approach to the Bible must also preserve the *individuality* of each reader's experience, such that what surprises or shocks one reader or hearer could be very different from what surprises or shocks another. But commentary, insofar as it presents an interpretation or set of interpretations, may have the consequence of limiting the "means of surprise" by circumscribing the ways the text or its significance are received by the reader. By untethering the Bible from the centuries of rabbinic commentary, Buber and Rosenzweig seek to, as Benjamin puts it, "[set] the original word of scripture free."[68]

These experiential goals, so frequently expressed by Buber and Rosenzweig in their essays and letters on the Bible and its German translation, requires them to call for a Bible shorn of the contributions of commentary (though, as I discussed above, they do not wish to jettison the commentary traditional altogether). But in so doing, they also limit the commentary's ability to

[68] Benjamin, *Rosenzweig's Bible*, 121.

aid in interpretation – even when the rabbinic gloss might provide assistance in defanging some of the Bible's more troubling passages.

In principle, of course, they do not wish to detooth the text; Rosenzweig's celebration of the primitive gruesomeness of animal sacrifice and the cold denial of responsibility by Cain are examples of texts where the translators seemingly embrace the Bible's ability to shock its readers and hearers. In cases like this, an appeal to commentary, regardless of its content, would surely diminish the visceral response to the text that Buber and Rosenzweig are aiming for. Thus they seek, through literary means, to *enhance* rather than diminish the impact of these passages, and embrace their ability to jar German Jews into a new understanding of the Hebraic (and decidedly non-German) character of the Bible.

But for passages like 1 Samuel 15, there is no celebration of its dark and bloody power. That violence, for Buber, has implications beyond the literary; it portrays God and the prophet Samuel as steely killers, demanding obedience to unthinkable commands. In this case, Buber refuses to embrace the plain sense, despite the pair's ostensible commitment to the biblical plain sense and their refusal to allow their interpretation to be governed by commentary. In the case of 1 Samuel 15, Buber, against all reason, rejects the evident meaning of the verses, asserting that the prophet Samuel must have misunderstood God's directives. When the text becomes truly morally horrific, not simply gory or chilling (and, of course, God does not sanction Cain's actions, but rather condemns him), Buber refuses to acknowledge it. The text is simply a problem, and it cannot be solved. Having called for Jews to be newly surprised by the Bible, and to come to it without expectations, Buber is nevertheless unable to jettison his own expectation of what God is, and how God should act.

Without the aid of commentaries to reinterpret such violent texts, or even simply provide enough verbal "cushion" to soften the blow, such passages simply stand on their own – ethically and theologically unacceptable in their plain sense yet unfixable according to Buber and Rosenzweig's hermeneutical principles. The pair's emphasis on literary choices and the ability of these literary devices to surprise the reader directs attention away from the more difficult ethical and theological questions that the Bible may spark – particularly for readers heretofore relatively unfamiliar with the Bible's content beyond a few culturally familiar narratives. Buber and Rosenzweig thus find themselves caught between two sets of convictions: their oft-expressed commitment to bringing the "naked" Bible to their readers, and the need to yet affirm their understanding of a God, as Buber says, "in whom he believes, Him in whom he can believe." That is, episodes like Buber's reaction to 1 Samuel 15 bring into sharp relief the deep existential *demands* of Buber and Rosenzweig's confrontational interpretive turn. But there is little in the pair's writings that acknowledges the demanding nature of the pair's call to confrontation, or the ways in which a reader might maintain the biblical encounter in the face of these demands.

Of course, when these readers pick up their Bible or hear it read, they will likely encounter passages whose ethical or theological character is as shocking to them as 1 Samuel 15 was to Buber. The absence of explicitly ethical discourse in the pair's biblical writings does not preclude this eventuality – which is to say, the absence of attention to this question in the pair's reflections on the translation is not the same as an absence in the translation itself. Whether they address this question or not, the text remains the same. Indeed, the pair's silence on the ethical questions could be read as a way of maximizing the surprise, such that the impact of such passages would be all the more acute; no reader could be said to have been "forewarned" of what they might encounter. But it is worth recalling that Buber and Rosenzweig's essays on their

translation in progress were also written for the public, as Buber emphasizes in the Foreword to *Scripture and Translation*. And yet, nowhere in these essays does either philosopher take up the question of how to understand the many texts that might affect readers the way that 1 Samuel 15 has affected Buber.

Previously, I noted that the most direct account of the ethical absence in Buber and Rosenzweig's writings was due to their experiential focus, which required very different tools than in Mendelssohn and Hirsch's earlier approaches. But Buber's refusal to countenance the content of 1 Samuel 15 suggests that this destabilizing biblical experience is more difficult than the pair ever suggested. If Buber's account is any indication, the pair have few tools for addressing such passages in ways that are theologically or ethically satisfactory for them, or in accordance with the goals they have sought to achieve with their new German translation. Having eschewed the commentary tradition and its potential ability to "repair" or nuance the text's meaning, and unwilling to revel in this divinely commanded violence (regardless of its ostensible ability to aid in the pair's larger goal), Buber and Rosenzweig simply decline to enter into this discourse at all.

There are, of course, no shortage of ways in which Buber and Rosenzweig might address these difficult theological and ethical questions regarding the Bible's plethora of what Eryl Davies understatedly calls "morally dubious passages." Davies' *Immoral Bible* offers a comprehensive evaluation of the variety of means by which biblical scholars and lay readers in Christian and Jewish religious communities alike have sought to "re-read" the Hebrew Bible so as to redeem the text's most seemingly terrible passages.[69] These attempts include such theories

[69] Eryl Davies, *The Immoral Bible* (Edinburg: Bloomsbury T&T Clark, 2010). See also two related articles by Davies, including "The Ethics of the Hebrew Bible", *Transformation* 24/2 (April 2007), 110-114, and "The Morally Dubious Passages of the Hebrew Bible: An Examination of Some Proposed Solutions," Currents in Bible Research, 3.2 (2005), 197-228; the latter serves as an excellent precis of Davies' monograph.

as what Davies calls the "evolutionary approach" – wherein the Bible is understood to "evolve" from a lesser to a greater morality; the "cultural relativists' approach," in which the Bible's ethical status is evaluated only on the terms of its age, instead of in anachronistic terms; and the "intra-canonical" – or "canon within a canon" approach, wherein some biblical books or passages are simply afforded more weight and divinity than others.

As Davies readily admits, none of these or the other approaches evaluated in *Immoral Bible* are without problems; each response may, in the process of redeeming, reinterpreting, or diminishing the impact of the text in question, create other hermeneutical problems or inconsistencies. For Buber and Rosenzweig, of course, these responses would all be found lacking to the degree that they do not uphold the vision of the Bible that the two want to pursue: a unified and continually impactful text, as meaningful to modern Jews as to its ancient hearers and readers. Buber and Rosenzweig surely would not countenance any theory of the Bible that diminishes the sacrality of some earlier, more "primitive" passages nor posits that some parts are simply "less divine" than others. The Bible that the two desire modern Jews to experience simply cannot be parsed in this way.

Perhaps the most persuasive response, or counterargument, to my speculative proposal regarding the ethical "absence" in the Buber-Rosenzweig writings comes from Steven Kepnes' *The Text as Thou* (1992). Although Kepnes is largely focused on Buber alone, when discussing the biblical translation and its associated writings, Kepnes widens his scope to include Rosenzweig as well; even when analyzing an essay written only by Buber, Kepnes frequently attributes Buber's philosophy to Rosenzweig as well, and refers to the "Buber-Rosenzweig philosophy."[70]

[70] See, for instance, Kepnes' opening discussion of the translation on page 43. Steven Kepnes, *The Text as Thou* (Bloomington: Indiana University Press, 1992).

Kepnes argues, compellingly, that the dialogical philosophy developed in Buber's *I and Thou* is actually most fully realized in his biblical and other later writings; in this way, Kepnes argument anticipates Sufrin's claim, discussed previously, that Buber's philosophical commitments are more fully developed in his later work (particularly his biblical writings) than in his most famous philosophical work, *I and Thou*. Sufrin does not take up Kepnes' argument in detail, saying only that Kepnes' dialogical focus leads him to miss some nuances of Buber's hermeneutical corpus.[71]

But for the purposes of this chapter, Kepnes argument in *Text as Thou* is quite relevant. I have proposed, of course, that the largely anethical character of Buber and Rosenzweig's biblical writings stems from their unwillingness to acknowledge the Bible's troubling texts and the challenge such texts might pose to their overarching biblical interpretive philosophy. Buber's inability to dwell on ethical and theological challenges presented by 1 Samuel 15 has provided an explicit paradigm for this putative phenomenon.

Kepnes' *Text as Thou*, however, suggests a counterargument to my speculative claim. In his study, Kepnes appeals to the paradigm of relationality – of relations defined by dialogue – in *I and Thou*, and argues that Buber's dialogism extends not only to the mode of interaction between human beings, but also between a human reader and a text; Kepnes appeals to Buber and Rosenzweig's biblical writings, particularly on the translation, as the basis for this claim. That is, if the reader is the "I," then the reader's text can be a "Thou" just as surely as another person can. As Kepnes puts it, following Buber's textual theorization, "Reading a book, like meeting any Thou, is the experience of otherness, of alterity and difference, which makes readers

[71] Sufrin, "Martin Buber's Biblical Hermeneutics," 30.

aware simultaneously of another and of themselves. [As Buber writes,] 'When one says You [Thou], the I and the word pair I-You…is said, too.'"[72]

As briefly discussed near the beginning of this chapter, *I and Thou* is based in Buber's argument that a self, an "I," is consistently being defined and reshaped by interactions with another "You" or "It." For Kepnes, the I-You dialogical encounters Buber describes in *I and Thou* extend also to the "encounter" a reader may have with a text. For Kepnes (and, by extension for Buber as Kepnes understands him), the "ethics" of Buber and Rosenzweig's biblical writings should be sought not in the particular content of their discussions of biblical prose, but in the broader dialogical framework in which their biblical analysis happens. In the pair's determination to reveal the alterity of the Bible to modern readers (a move which, they hope, will force German Jews to confront their own alterity to German Protestantism as well), they are by definition pursuing an ethical end, regardless of the themes they choose to address in their biblical writings. Their writings' ethical character is revealed in the language they use to describe the experience they hope to cultivate in modern biblical readers or hearers – one that surprises the reader, the "I," into a new and more authentic relationship with the text, which in Kepnes' reading also constitutes a Thou.

Kepnes' dialogical reading of Buber (and Rosenzweig's) hermeneutics is a creative and important contribution to Buber scholarship. And the argument, I think, does indeed hold: if Kepnes' claim is that the dialogism of *I and Thou* may obtain in the relationship between reader and text, this claim is indeed a significant one. The dialogism of the reader-text relationship is less immediately evident than the kinds of relationships invoked in *I and Thou,* but this drawing out the dialogism of the pair's hermeneutics is Kepnes' goal. And, of course, Sufrin's more

[72] Kepnes, *Text as Thou*, 72. From Buber, *I and Thou*, 54.

systematic reading of Buber's interpretive philosophy nuances Kepnes' argument, insofar as she concludes that to apply the blanket label of "dialogical" to Buber's biblical writings obscures the evolutionary nature of Buber's hermeneutics. But insofar as the label applies, Kepnes' reading represents an important contribution to a discussion of ethics in the context of Buber and Rosenzweig's biblical hermeneutics. Kepnes also does not substantially consider how the dialogical ethic of Buber's philosophy plays out when the relationship in question in between reader and text – but his attention to the twentieth century literature of dialogism and ethics shows that he clearly desires to attribute a robust ethic to the I-Text relationship.[73] Kepnes' reading is, I think, quite in line with Buber and Rosenzweig's own account of their biblical confrontational vision: a thoroughly formal understanding of the relationship between reader and text.

But the textual dialogism posited by Kepnes is still not sufficient to address the theological struggle revealed in Buber's anguished response to 1 Samuel 15. That is, Kepnes' invocation of Buber's own dialogism for hermeneutical ends is not, for Buber, enough to overcome the serious ethical and theological challenge Buber clearly sees in this most terrible of passages. Buber's refusal to admit the plain sense of the text in question demonstrates the degree to which the content of the biblical text in this case still matters very much to him, despite his and Rosenzweig's shared commitment to contentless revelation. When that content undermines his deeply felt conviction about God's nature, he does *not* respond to the dialogical invitation – in Kepnes' terms – posed to him by the text; instead, he simply denies the text, and its possibility of encounter. He refuses to maintain the alterity of a text like 1 Samuel 15 or a God like the one

[73] Kepnes is of course influenced here by Han-Georg Gadamer's magum opus, *Truth and Method*, which takes as its basis Heidegger's notion of "philosophical hermeneutics." See Gadamer, *Truth and Method*, trans. Joel Weinsheimer and Donald G. Marshall (New York: Continuuum, 1995).

who commands the killing, instead taking refuge in the notion that both the text and its God are actually more familiar and understandable than they appear, and able to be assimilated into Buber's pre-existing conviction about God's nature.

**Conclusion**

Despite Kepnes' creative application of dialogical philosophy to Buber and Rosenzweig's hermeneutical writings, I conclude that the content-based ethical absence in the pair's work – so different from Mendelssohn and Hirsch's own eager invocations of the Bible's content for ethical and theopolitical ends – remains a significant feature of their biblical writings and descriptions of the biblical translation. And while my argument has largely focused on a *discursive* absence, it is worth noting that Buber and Rosenzweig rarely invoke other biblical passages that might pose serious ethical and theological challenges for themselves or their putative readers, even if the two philosophers do not address the challenge. That is, even in their extensive literary considerations, the pair rarely invoke as examples biblical passages that might occasion – were they so inclined – ethical and theological consideration of the sort visible in Buber's autobiographical fragment.

Given the core speculation of this chapter, a possible reason for this absence is not difficult to find. Presenting such texts without any attempt to address or acknowledge their violent or otherwise troubling character might call attention to Buber and Rosenzweig's largely anethical interpretative method, or suggest that they either found no problem in such passages or that they did but were unable to satisfactorily account for them. Thus, the pair's literary turn – which I have speculated may function as a means of evading the kinds of questions and anxieties

on display in Buber's discussion of 1 Samuel 15 – may extend even to the texts they invoke as examples in their extensive reflections on the Bible and its interpretation.

Thus I locate a kind of persistent irony at the heart of Buber and Rosenzweig's ambitious biblical project. The pair insist that biblical readers and hearers have a new "experience" with the Bible, akin to the experiences of Buber and Rosenzweig themselves. Their literary approach, as extensively discussed above, is one they have identified as useful for creating the conditions under which modern German Jewish readers are more likely to be able to encounter the Bible anew, as an unfamiliar, surprising, shocking, and decidedly non-German creation. In this way, Buber and Rosenzweig believe, these Jewish readers may be inspired to reconsider their ostensibly comfortable location in Protestant society. When confronted with a new kind of Bible, one that has clearly departed from the conventions of Luther's German translation, these Jews may realize their own ability to live more robustly Jewish lives, inspired by the newly-evident Jewishness of the Hebrew Bible. And lest this process be understood as a comforting one, Buber and Rosenzweig clearly envision something like a crisis, in which Jews realize the true Hebraic otherness of their Bible, and by extension of themselves. While neither Buber nor Rosenzweig devotes as much time to considering how this realize might concretely manifest itself in Jewish lives, they clearly envision a dramatic shift in how Jews understand themselves vis-à-vis the non-Jewish world in which they live.

Yet in the discursive absence that I have identified, and in the speculative account I have offered for this absence, we see the potential limitations and anxieties at the heart of this process for which Buber and Rosenzweig so confidently call. 1 Samuel 15, the passage that Buber refuses to countenance, could surely function precisely toward the experiential ends for which the pair yearn. It is nothing if not a shocking passage, one that might certainly serve to

destabilize modern Jews' understandings of God, the prophets, and the means by which the people Israel are established in their promised land. Yet despite its, and many other passages', ability to act on readers just as Buber and Rosenzweig have hoped, they provide no quarter for these texts at all. Of such biblical passages, which would seem to be among the most useful for the pair's goals, Buber and Rosenzweig have almost nothing to say. And Buber's dramatic and quite human rejection of the passage may explain why.

But this ought not to mean that the pair's project is ultimately untenable. What is required are interpretive tools that would allow the reader to, as it were, accept a given text's invitation to dialogue, even when the text in question is as unacceptable as 1 Samuel 15 was to Buber. Such tools, if we take Buber's experience as a model, must allow the reader to maintain their engagement with the text, instead of rejecting it as impossible, even if its depiction of God or description of God's commands is deeply troubling. The text must also retain its sacrality – which is to say that effective interpretive tools in this regard must not diminish the text's impact by denying its revelatory status. Such tools should facilitate a reader's "entry" into the Bible, even its most difficult passages, without thereby undermining the elements of surprise and un-expectation that are so fundamental to Buber and Rosenzweig's biblical project.

In the two chapters to follow, I argue for the ability of classical rabbinic commentary to provide these interpretive means. Thus these chapters mark a significant methodological departure from the previous two; from the German-Jewish philosophical milieu, I now turn to an entirely different historical era and another set of scholarly contributions. However, it should be clear that I regard the following two chapters as a response to the questions raised by Buber and Rosenzweig's project in particular, and to the ethical dilemma that I have speculated may be revealed by the absence of explicit ethical discourse in the pair's striking hermeneutical and

translational writings. These forthcoming chapters, therefore, might be described as contributing to a similar philosophical project as that conceived by Buber and Rosenzweig: one that enables modern Jews to discover their Bible – even its most difficult texts – anew.

## PART II: Recovering Rabbinic Literature for Modern Ethical Ends

### Chapter 3: Expanding Interpretation: The ethical potential of classical rabbinic hermeneutics

The second half of this dissertation, including this chapter and the final one to follow, seeks to respond to the absence I identified in Buber and Rosenzweig's biblical hermeneutics, particularly in regards to their famous translation project. More precisely, these chapters address the challenge that I speculated to be at the heart of Buber and Rosenzweig's ambitious philosophical and interpretive project: a challenge based in the pair's ultimate unwillingness to engage biblical texts which might be described as – in Phyllis Trible's memorable phrase – "texts of terror." The deep ethical and theological questions occasioned by such texts, and represented here by Buber's response to (or, perhaps, rejection of) the divinely-commanded violence of 1 Samuel 15, are notably absent in Buber and Rosenzweig's work.

As I argued previously, this absence and its speculative origins may illustrate the limitations of Buber and Rosenzweig's biblical work, despite their deep commitment to a Bible able to evoke dramatic responses in modern Jewish readers. Unable to address the ethical questions latent in the Bible's troubling texts, they leave their readers perhaps even more vulnerable to the same; if Buber and Rosenzweig are unable to negotiate the text's infelicities within the paradigm they have created, their envisioned readers – far less steeped in Jewish texts and traditions – are surely even less equipped.

The second half of this dissertation, therefore, is a constructive response to the absences I have identified in Buber and Rosenzweig's important work. Here, I propose a means of addressing these serious ethical and interpretive challenges: through a turn to the massive body of classical rabbinic literature – Midrash, Mishnah, Gemara - that came to define post-biblical

Judaism. Buber and Rosenzweig, of course, generally eschewed the commentary tradition in their biblical and translation writings, seeking to create an experience of the Bible unmediated by other sources, particularly sources whose "authoritative" status might serve to minimize the Bible's immediacy and impact on its modern Jewish readers.

But in these chapters, I focus less on any particular content of the rabbinic literature than on two more formal features of the literature: first, on a series of rabbinic interpretive strategies, and, in the chapter that follows, on the unique practice of communal textual discussion employed and exhorted in rabbinic literature. I argue that the rabbinic corpus contains methods of interpretation, as well as a model of communal study, which a modern reader might employ in order to robustly engage the Bible, even its most troubling passages. That is, I suggest that present in classical rabbinic literature is a set of fascinating tools for addressing the ethical anxieties I identified in Buber and Rosenzweig, and which may account for the notable absence of explicitly ethical content in their biblical writings. These rabbinic tools, I will argue, have the ability to make such texts "visible" again, instead of being occluded. More specifically, I argue that these rabbinic interpretive strategies allow textual analysis to proceed in a very specific way: by continually expanding or extending the conversation around a particular text or theme. This classical literature, I suggest, "works" by asking questions or noting details that broaden or deepen the analysis of the text in question. Importantly, these methods of analysis do not require the rabbinic interpreters to "endorse" the text in question, or to explicitly maintain its normativity. They do, however, facilitate concrete textual engagement of the sort that I have argued is notably absent in Buber and Rosenzweig's modern biblical writings. It is by way of this engagement – in the extended performance of textual interpretation and theorization – that, I argue, biblical readers may yet affirm the Bible's sacred status.

This third chapter is organized around two midrashic texts that serve as the basis for my identification of rabbinic interpretive strategies whose features may facilitate the kind of textual engagement I have in mind. Of these two early midrashic passages, one, from *Bereshit Rabbah* (meaning "greater," or "expansion" on Genesis) is aggadic midrash, and is comprised of homiletical reflections on the biblical book of Genesis; the other, the *Mekhilta* [Rules] *of Rabbi Ishmael*, is a halakhic midrash to the book of Exodus. Referring to non-legal discussion, aggadic midrashim such as Genesis Rabbah generally focus on narrative portions of the Bible; Genesis Rabbah is generally thought to have been codified between 300 and 500 CE. The Mekhilta, an example of *midrash halakhah*, focuses its attention on the biblical book of Exodus, but with the intention of identifying the biblical basis for the traditional 613 commandments.[1]

By way of these two texts, I identify and analyze four interpretive strategies identified by modern scholars of classical rabbinic literature. These strategies, I argue, may also function as means of discursive expansion and further textual engagement. In the first text, from Genesis Rabbah, I analyze the rabbinic identification of underdetermined details in a given biblical passage; the creative appeal to biblical intertexts; and the introduction of a *mashal*, or rabbinic parable, and *nimshal*, the ostensible "explanation" of the mashal. The second rabbinic text, from the Mekhilta, once again focuses on use of underdetermined details to facilitate interpretive entry into a text, and introduces a fourth interpretive strategy particular to legal discussion: the rabbinic invocation of competing legal claims as a means of complicating an interpretive discussion and deferring ultimate conclusions about the text's meaning or force. Each of these

[1] Azzan Yadin's recent monograph *Scripture as Logos: Rabbi Ishmael and the Origins of Midrash* focuses particularly on halakhic midrash, noting that the bulk of contemporary midrash scholarship has both focused on aggadic midrash and failed to note the important structural differences between aggadic and halakhic midrash. See Yadin, *Scripture as Logos* (Philadelphia: University of Pennsylvania Press, 2004).

four strategies, I argue, may serve as a means of sustaining and deepening interpretation: even, or especially, when the text in question is one that the reader would rather ignore or dismiss.

With this argument, I turn away from possible responses that require the reinterpretation, or semantic "repair", of the *content* of difficult biblical texts in order for them to be visible or considered sacred. That is, although I have suggested that the marked absence of substantive confrontation with many biblical themes texts in Buber and Rosenzweig's work stems from their shared assumptions about the ways the Bible should function in the lives of modern Jews, my response in the next two chapters is not itself an attempt to ameliorate the ethical or interpretive challenges presented by such difficult biblical content. Rather, I suggest that Buber and Rosenzweig's unsolved dilemma may be addressed by attention to a body of interpretive practices – practices that may, while not solving the content challenges, serve to reintroduce such texts into discussion and further facilitate the kinds of biblical experience for which Buber and Rosenzweig hoped.

**Surveying the scholarly literature**

My argument is dependent on the rich body of secondary scholarship in rabbinic literature, with many if not most of this research focusing on the formal features of rabbinic texts – which is to say, the means by which the rabbis do their interpretive work.[2] Though this scholarship certainly zeroes in on specific questions or themes (such as, for instance, the laws governing oaths, or the commandments derived from the biblical book of Exodus), these

[2] In this chapter and the one that follows, I will generally employ the term "rabbi" to refer to the interpreters featured in midrashic, Mishnaic, and amoraic literature. The Talmud itself employs a number of different terms to refer to these interpreters, including sages (*hakhamim*) and students/disciples (*talmidei hakhamim*) as well as rabbis. For a brief discussion of these terms in their context, see the introductory essay in *The Cambridge Companion to The Talmud and Rabbinic Literature*, eds. Charlotte Elisheva Fonrobert and Martin S. Jaffee (New York: Cambridge University Press, 2007), 3-5.

particular texts are employed for more general purposes: to determine the methods and nature of rabbinic literature writ large. Given this broader set of scholarly goals, contemporary theorists of rabbinic literature frequently "cross over" in their research – meaning that it is not uncommon for a work on Midrash in particular to draw upon research in Mishnah or Gemara to make an argument. Accordingly, this chapter is informed by a wide array of scholarly sources in the various "genres" that comprise the category of classical rabbinic literature.

My argument is, however, significantly weighted toward theorization of Midrash, characterized by creative and playful commentary and legal analysis of the Hebrew Bible. Although midrash extends from the early tannaitic period to well into the medieval era, the vast majority of scholarship on this form draws its conclusions from the earlier midrashic collections, those composed and codified before 600 CE, and it is largely this scholarship which informs my understanding of rabbinic midrash.[3]

Since the early 1980s, there has been an explosion of scholarship in midrash, particularly in relation to literary theory. Scholars such as Susan Handelman, David Stern, Geoffrey Hartman, Gerald Bruns, and Daniel Boyarin have all taken up the particular question of how the unique features of classical rabbinic midrash might be understood in relationship to the literary and philosophical features of post-modernism.[4] The earliest of these scholars, Handelman in her

[3] The period of the tannaim ("repeaters") is generally understood to range from the earliest years of the Common Era until approximately 200 CE, when the Mishnah was codified; the period following the codification of the Mishnah is referred to as the period of the amoraim ("speakers"), and is generally understood to extend until approximately 500 CE with the codification of the Babylonian Talmud. For an overview of classical rabbinic periodization, see Catherine Hezser, "Classical Rabbinic Literature" in *The Oxford Handbook of Jewish Studies*, ed. Martin Goodman (New York: Oxford University Press, 2003), 115-140. Seth Schwartz's essay, "Historiography on the Jews in the 'Talmudic Period' (70-640)", 79-114 in the same volume provides a useful overview of historical scholarship in rabbinic literature.

[4] See, for instance, Daniel Boyarin, *Intertextuality and the Reading of Midrash* (Bloomington: Indiana University Press, 1994); Susan Handelman, *Slayers of Moses: The Emergence of Rabbinic Interpretation in Modern Literary Theory* (Albany: State University of New York Press, 1983); David Stern, *Parables in Midrash: Narrative and Exegesis in Rabbinic Literature* (Cambridge: Harvard University Press, 1994) and *Midrash and Theory: Ancient Jewish Exegesis and Contemporary Literary Studies* (Evanston: Northwestern University Press, 1998); and Gerald Bruns, *Hermeneutics, Ancient and Modern* (New Haven: Yale University Press, 1995). Geoffrey H. Hartman and

*Slayers of Moses*, found significant overlap between the interpretive features of midrash and those of postmodern literary theory (such as, for instance, an emphasis on polysemy and the indeterminacy of language), and argued that this ancient Jewish literary heritage has lived on in the hermeneutical methods of such 20th giants as Sigmund Freud, Jacques Lacan, Jacques Derrida, and Harold Bloom.

Such claims are not without controversy.[5] But for the purposes of this study, suffice it to say that the extended intra-scholastic debate over how best to characterize midrashic hermeneutics has provided a great deal of insight into the structure of classical rabbinic midrash. Of the literary theorists of midrash, few have written as prolifically as Boyarin; his 1994 study, *Intertextuality and the Reading of Midrash* features prominently in this chapter. Two other scholars of rabbinic literature employed in this study are Steven Fraade and James Kugel, both of whom also articulate and theorize some the main features of midrashic interpretation: Fraade, through his study of the Sifre to Deuteronomy in *From Torah to Commentary*, and Kugel, through his lively *In Potiphar's House*, which traces a series of biblical texts from their inception to their "afterlife" in rabbinic commentary, as well as early Christian and Quranic exegesis.[6]

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Sanford Budick's edited volume, *Midrash and Literature* (New Haven: Yale University Press, 1987) also ostensibly belongs to this category, but many of the essays also serve as a good general introduction to the historical, theological, and literature features of midrashic literature. James Kugel's "Two Introductions to Midrash," Prooftexts 3 (1983), 131-155 serves as an excellent short introduction to the midrashic genre.

[5] Of particular note is the exchange between Handelman and David Stern on Handelman's *Slayers of Moses*, beginning with Stern's review of the book, "Moses-Cide: Midrash and Contemporary Literary Criticism," *Prooftexts* 4 (1984): 193-204. The exchange continues with Handelman's response, "Fragments of the Rock: Contemporary Literary Theory and the Study of Rabbinic Texts – a Response to David Stern," *Prooftexts* 5 (1985): 73-95 and Stern's rejoiner, "Literary Theory or Literary Homilies? A Response to Susan Handelman," *Prooftexts* 5 (1985): 96-103.

Unlike both Handelman and Boyarin, I make no argument in this dissertation regarding the essentially "Jewish" nature of midrash, although this is certainly a generative question. For readers interested in this question, however, several of the essays in Carol Bakhos' edited volume *Current Trends in the Study of Midrash* may be helpful, particularly Boyarin's essay, "De/Re/Constructing Midrash," ed. Carol Bakhos (Leiden: Brill Academic Publishers, 2005), 299-322.

[6] Steven D. Fraade, *From Tradition to Commentary: Torah and its Interpretation in the Midrash Sifre to Deuteronomy* (Albany: State University of New York Press, 1991); James Kugel, *In Potiphar's House: The Interpretive Life of Biblical Texts* (Cambridge: Harvard University Press, 1994).

In addition to this foundation in midrashic scholarship, this chapter also draws upon multiple important works in Mishnah and Gemara scholarship. The Mishnah, famously codified by R. Judah the Prince around 200 CE, represents an early redaction of rabbinic oral discussion on matters of Jewish law. Much recent scholarship on the Mishnah focuses on questions of the Mishnah's "goals," seeking to characterize the Mishnah's function based on the its structural and literary features.[7] The Gemara, itself a voluminous commentary on the Mishnah, is distinguished by some famously unique formal features, including an expansive and rambling "record" of rabbinic debate; the Gemara's well-known preservation of multiple rabbinic voices (even those whose legal opinions are clearly peripheral) has served as the basis for much contemporary theorization about the theological and historical bases for the distinctive redaction of this legal corpus.[8]

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[7] The following sources represent different poles in the ongoing scholarly debate about the Mishnah's character. See, for instance, Elizabeth Shanks Alexander, *Transmitting Mishnah: The Shaping Influence of Oral Tradition* (New York: Cambridge University Press, 2006); Abraham Goldberg, "The Mishnah: A Study Book of Halakhah," in *The Literature of the Sages*, ed. Shmuel Safrai (Philadelphia: Fortress Press, 1987), 283-301; Judith Hauptman, "Mishnah as a Response to 'Tosefta,' *The Synoptic Problem in Rabbinic Literature*, ed. Shaye J.D. Cohen (Providence: Brown Judaic Studies, 2000), 13-34; Martin S. Jaffee, "Writing and Rabbinic Oral Tradition: On Mishnaic Narrative, Lists and Mnemonics," *Journal of Jewish Philosophy and Thought* 4 (1994): 123-146; Hayim Lapin, *Early Rabbinic Civil Law and the Social History of Roman Galilee: A Study of Mishnah Tractate Baba Mesia* (Atlanta: Scholars Press, 1995); Dov Zlotnick, *The Iron Pillar: Mishnah: Redaction, Form, and Intent* (Jerusalem: Ktav Publishing House, 1988).

[8] For extended scholarly theorization of the Gemara's distinctive literary features and their theological and literary important, see, for instance, Aryeh Cohen, *Rereading Talmud: Gender, Law and the Poetics of Sugyot* (Atlanta: Scholars Press, 1998); Jose Faur, *Golden Doves with Silver Dots: Semiotics and Textuality in Rabbinic Tradition* (Bloomington: Indiana University Press, 1986); David Weiss Halivni, *Midrash, Mishnah, and Gemara: The Jewish Predilection for Justified Law* (Cambridge: Harvard University Press, 1986); Christine Hayes, *Between the Babylonian and Palestinian Talmuds: Accounting for Halakhic Differences in Selected Sugyot from Tractate Avodah Zarah* (New York: Oxford University Press, 1997); Louis Jacobs, *Teyku: The Unsolved Problem in the Babylonian Talmud: A Study in the Literary Analysis and Form of the Talmudic Argument* (New York: Cornwall Books, 1981); David Kraemer, *Reading the Rabbis: The Talmud as Literature* (New York: Oxford University Press, 1996); Jeffrey Rubenstein, *Talmudic Stories: Narrative Art, Composition, and Culture* (Baltimore: Johns Hopkins University Press, 1999). Though written in a more popular idiom, the edited volume *Why Study Talmud in the Twenty-First Century?: The Relevance of the Ancient Jewish Text to Our World*, ed. Paul Socken (Lanham: Lexington Books, 2009), a compilation of essays by scholars and rabbis also productively addresses some of the most distinctive formal features of amoraic discourse.

This scholarly literature defines the terms and parameters of my analysis throughout this chapter. Importantly, neither this chapter nor the one that follows make any arguments about rabbinic *intentions* for the methods by which their textual and legal analysis proceed; such theorization is well beyond the boundaries of this project. My goal is simply to demonstrate that the interpretive strategies of classical rabbinic literature – well-established and refined by contemporary scholars of classical rabbinic literature - may *also* function as a means of addressing the theological-ethical challenge presented by the Bible, and which I speculatively attributed to Buber and Rosenzweig previously. Each of the hermeneutical approaches I analyze in the following pages has been extensively described and theorized by contemporary scholars of rabbinic literature and history. In this chapter, I seek to demonstrate only that these interpretive methods can *also* serve as an entry into discussion of themes and texts that might otherwise go unaddressed for ethical and theological reasons.

**Providing the textual basis for theorization: Two midrashic texts**

In what follows, I present the first of the two midrashic texts that will serve as the basis for my analysis. My use of midrashic literature in particular should be easy to understand. My focus, after all, is on means of reading the Bible and on the ways in which rabbinic hermeneutical strategies may facilitate acknowledgement of and engagement with difficult biblical texts; of the classical rabbinic corpus, Midrash is certainly the genre most directly concerned with the question of how the Bible may be interpreted. Therefore, it is fitting to begin my discussion with some examples of the rabbinic texts most directly instructive to my argument.

My selection of both an aggadic and halakhic text seeks to more fully represent the midrashic genre, as well as acknowledge the breadth of the interpretive challenge that I have speculated faces Buber and Rosenzweig. It is important to remember that the pair's interpretive challenge is not merely a question of "the Bible" in some broad sense commanding actions which may be violent or ethically troubling. For Buber, whose struggle with 1 Samuel 15 I have employed for much wider theorization, the problem is that such violence is explicitly commanded by God. Indeed, it is this detail that leads Buber to reject the plain sense divinely-commanded violence of 1 Samuel. Thus, I present these two midrashim as a means of illustrating rabbinic strategies for responding and expanding upon both biblical narrative and biblical divine commands.

Finally, the two midrashic passages I have selected share one further feature: they both take up biblical texts which might be broadly described as belong to the category of "troubling texts." The first passage, from Genesis Rabbah, focuses on the flood narrative of Genesis 6-9, which, of course, depicts God destroying the earth and (nearly) all its people, leaving only Noah, his immediate family, and some animals alive. The second passage, from the Mekhilta of Rabbi Ishmael, takes up legal questions associated with slavery and the processes of freeing or retaining slaves.[9] However, it is crucial to re-emphasize that despite my choice of these two midrashic passages in particular, I make no claim about the rabbis' own intentions in engaging the texts as they do. In fact, for the purposes of my argument, I believe that nearly *any* portion of rabbinic literature would function just as well; the texts below are provided as a means of illustrating some of the central interpretive strategies of this literature, strategies which – I argue

[9] This latter passage is invoked in a short discussion of violent biblical passages by Abraham Joshua Heschel, who calls the biblical commands on this subject "primitive" and asks how one might understand biblical passages that "lead one to feel that God is not present in them." See Heschel, *God in Search of Man* (New York: Farrar, Straus and Giroux, 1976), 271.

– can further serve as a means of allowing entry into and deep engagement with texts that modern biblical readers might rather not (and which, of course, Buber and Rosenzweig did not). These strategies of text expansion, I will argue, allow the reader to enter into and be immersed in the biblical text – without having to endorse the ethical orientation of the passage in question or explicitly affirm its normativity. But in this immersive reading process, the reader performs an affirmation of the Bible's sacrality – by ever further engaging in and interpreting it, thereby perpetually renewing their relationship with the text and its details.

**Text 1:**
**Genesis Rabbah 28:2[10]**

A. ["So the Lord said, 'I will blot out man whom I have created from the face of the ground, man and beast and creeping things and birds of the air, for I am sorry that I have made them'" (Gen. 6:7)……R. Berekhiah in the name of R. Biba bar Yama: "['Let the waters be gathered together in one place:'] 'Let there be a line set out for the water,' in line with this verse of Scripture: 'And a line shall be stretched forth over Jerusalem' (Zech. 1:16 )

B. R. Abba bar Kahana in the name of R. Levi: "Let the water be gathered together to me, [so that] I may do with them what I plan in the future.'

C. "The matter may be compared to the case of a king who built a palace and gave residences in it to people who lacked the power of speech. Lo, they would get up in the morning and greet the king by making appropriate gestures with their fingers and with flag-signals. The king thought to himself, 'Now if these, who lack the power of speech, get up in the morning and greet me by means of gestures, using their fingers and flag-signals, if they had full powers of speech, how much the more so [would they demonstrate their loyalty to me]!'

D. "So the king gave residences in the palace to people possessed of full powers of speech. They got up and took possession of the palace [and seized it]. They said, 'This palace no longer belongs to the king. The palace now belongs to us!'

E. "Said the king, 'Let the palace revert to its original condition.'

F. "So too, from the very beginning of the creation of the world, praise for the Holy One, blessed be he, went upward only from water. That is in line with the verse of Scripture which states,

[10] This translation is taken from Jacob Neusner's *Genesis Rabbah: The Judaic Commentary to the Book of Genesis: A New American Translation* v.1 (Atlanta: Scholars Press, 1985), 293-295. I have made occasional emendations to the translation as necessary to best render the Hebrew text.

'From the roar of many waters' (Ps. 93:4). And what praise did they proclaim? 'The Lord on high is mighty' (Ps. 93:4).

G. "Said the Holy One, blessed be he, 'Now if these [waters], which have neither mouth nor power of speech, so praise me, when mortals are created, how much the more so!'

H. "The generation of Enosh went and rebelled against him, the generation of the flood went and rebelled against him, the generation of the dispersion went and rebelled against him.

I. "The Holy One, blessed be he, said, 'Let these be taken away and let those [that were here before, namely, the waters] come back.'

J. "That is in line with the following verse of Scripture: 'So the Lord said, "I will blot out man"' (Gen. 6:7)."

This midrash is a homiletical expansion of just one biblical verse: Genesis 6:7, which says, "The Lord said, 'I will blot out from the earth the men whom I created –men together with beasts, creeping things, and birds of the sky; for I regret that I made them."[11] This verse is, of course, the introduction to the narrative of Noah, his ark, and the flood which destroys nearly all the world's creatures. Genesis 6:5-6 describe God's chagrin at the sorry state of his creation, of whom, the Bible reports, "every plan devised by his mind was nothing but evil all the time." Few of the current inhabitants of the earth (including animals, though Genesis reports no sin on their part) will survive the coming deluge. But Noah, of course "was a righteous man; he was blameless in his age; Noah walked with God." (Gen. 6:9)

As the above midrash develops, though, it becomes clear that its chief question among all those which could be asked is a kind of logistical one: why water?[12] Why did God choose water

[11] For an extended treatment of homiletical midrashim, see Rachel A. Anisfeld, *Sustain Me with Raisin-Cakes: Pesikta DeRav Kahana and the Popularization of Rabbinic Judaism* (Leiden: Brill, 2009), which uses the Pesikta as a case study in homiletical exegesis. Anisfeld argues that homiletical midrashim are distinguished by their "preachability," as illustrated by the suggestion of intimacy between God and people, which draws the listener into the text, invites them to feel closer to God, thereby encouraging them to attend to the textual means by which the darshan connects the lemma to other intertexts.

[12] In his translation of and brief commentary to Genesis Rabbah, Neusner notes the emphasis on water as the instrument of destruction here. See Neusner, *Genesis Rabbah*, 296**.** He also makes this observation in *Confronting Creation: How Judaism Reads Genesis: An Anthology of Genesis Rabbah* (Columbia: University of South Carolina Press, 1991), 122.

as the instrument by which he would "blot out from the earth" everything he had created? The focus on water is clear from the beginning of the midrash, where R. Berekhiah commences discussion by saying "let there be a line set for the water," a gesture to Genesis 1:9, "God said, 'Let the water below the sky be gathered into one area, that the dry land may appear.'" Water, once covering the earth, is now corralled into a specific location, a notion which leads R. Berekhiah to quote a verse from the opening chapter of Zechariah: "And a line shall be stretched forth over Jerusalem." In R. Berekhiah's formulation, the "line" over Jerusalem echoes the "line" which divided the waters from the dry land in Genesis 1:9.

R. Abba bar Kahane follows up with a further expansion of what it means for the waters to "be gathered together," an interpretation which determines the trajectory of the rest of this midrash. He interprets God as calling the waters back to himself – "to me" - so as to be gathered together and stored for God's own purposes and plans "in the future." That is, while the plain sense meaning of Gen. 1:9 is that the waters were gathered into one place (i.e. the oceans) so as to create a space for dry land, R. Abba suggests that the "one place" to which the waters were gathered was God.[13]

To begin his illustration of how this relates to Genesis 6:7, and God's decision to blot out humanity, R. Abba bar Kahane offers a *mashal*, a parable, about a king whose palace was inhabited by mutes; despite their inability to speak, the mute palace guests would rise each morning and greet their king with hand gestures. Enjoying these accolades, the king reasons that surely people possessed of speech would be even more effusive in their demonstrations of praise and loyalty. Unfortunately, the king's expectations are dashed; when he invites speaking people

[13] This interpretation may be aided by the rabbinic practice of sometimes referring to God as *makom*, meaning "place." Thus the phrase "one place" [*makom echad*] in Genesis 1:9 could be read as God calling the waters back to the rabbinic *makom*, i.e. the "one God" who created and dispersed them

into the palace, they use their speech not to honor their king, but to claim the palace for themselves. Chagrined by his failure, the king orders the place to "revert to its original condition," presumably by repopulating the palace with loyal mutes instead of the presumptuous speakers who have replaced them.

In the *nimshal*, or putative explanation, of this parable beginning in part F, R. Abba bar Kahane draws a connection between the mutes of the mashal and the waters, created by God (the king) and placed on earth (the palace) on the second day of creation; the water greets God by "waving," as it were, each day. The "people possessed of full powers of speech," meanwhile, are associated with the sinful generations, entirely incognizant of the home in which they have been placed. R. Abba invokes Psalm 93:4, which not only describes "many waters" but puts them in relationship with God's greatness: "Above the voices of many waters, the mighty breakers of the sea, the Lord on high is mighty."

But God's expected "higher" creations have used their powers for rebellion, not for praise. Thus, the nimshal concludes with God ordering the people to be "taken away," and the previous "tenants," the expressive waters, to be brought back. In R. Abba's formulation, of course, the "former inhabitant" of the earth was the waters, who were previously gathered together in one place so as to make room for dry-land inhabitants, most notably humans. With this, the midrash returns to the place from whence it began, with R. Berekhiah invoking Genesis 1:9, and the gathering of the waters which will thereby leave space for dry land. A careful reader of this midrash will note, however, that it is not at all clear that the nimshal here actually serves a mere explanatory function. It is not obvious, for instance, that king's terse command to "let the palace revert to its original condition" is at all analogous to God's command to "let these be taken away and let those come back." Even a first reading of this mashal and nimshal should

complicate the notion that there is a one-to-one relationship between the parable and its explanation.

Broadly, however, the midrash offers an account of water as the tool of humanity's destruction in Genesis 6: because it was water which was moved, or gathered, so as to make room for humanity in the first place! With the inclusion of R. Abba's mashal, both water and humanity are imbued with characteristics which make the narrative more distressing and poignant: the waters, though humble, were able to honor God, whereas his human creations, for whom God's hopes were so high, have disappointed him so severely that they are no longer welcome.

**Unloosing the waters: underdetermined details, intertexuality, and meshalim as instruments of textual expansion**

In my analysis of this fascinating midrashic discussion, I will focus largely on two features of midrash on display here and identified in contemporary scholarship of rabbinic literature: the use of intertexuality, or intra-biblical allusion, throughout the midrash, and the strategic use of a mashal and nimshal, a parable and explanation, to aid in the expansion of the biblical verses. By way of broad introduction, it is essential to note that both of these interpretive features have the effect not of clarifying or "solving" any questions associated with the passage, but rather of making the text far more complicated. The plain sense of the biblical verses under discussion is not, on its face, difficult to determine. The verses communicate God's intentions – to blot out from the earth the people whom he has created – and God's reasoning – because, as the Bible says baldly, these people were "nothing but evil all the time."

The fact that midrash often begins by commenting on a "gap" or other ambiguity in the biblical text is well-established. Many contemporary scholars of classical rabbinic midrash have

noted the ways in which midrashic exposition is often initiated by identifying a textual "gap" in the biblical passage in question – whether the gap is a semantic ambiguity, a repeated word, or something else. James Kugel in particular has analyzed these textual "irritants," as he calls them, and argued that the rabbinic identification of such textual peculiarities is the primary means by which much rabbinic textual interpretation begins.[14]

It is fitting, therefore, to begin a discussion of rabbinic interpretive strategies, and their ability to draw readers *into* a given text – even a potentially quite troubling one – by focusing on this feature. In the aggadic midrash above, the detail that opens the rabbinic exposition is a question of method: why is water the instrument of God's destruction of the earth in Genesis 6-9? In the Mekhilta text I will introduce presently, the rabbis explicitly raise questions about seemingly minor or irrelevant details in the biblical passage at issue. Here, though, the midrash simply proceeds as though the question of God's method is a self-evident one, and a natural candidate for textual focus.

Before I turn to the means by which the rabbinic commentators take on this aquatic question, I note an important function of the focus on underdetermined details in a biblical text. First of all, this method is one that necessarily requires more and intensive rabbinic investigation, thereby drawing the readers more deeply into the text. Approaching the passage with a focus on the underdetermined means that a number of more "obvious" themes and questions in the passage are pushed to the side, at least for the moment. Such questions allow the rabbinic commentators to change the direction of textual inquiry – from something perhaps more evident to a detail they have decided to draw out and on which they will now focus their interpretive energies. Because underdetermined details are likely those whose "answers" (why water, for

[14] Kugel, *In Potiphar's House,* 247-255**.** His article, "Two Introductions to Midrash," also emphasizes this point.

instance) are not easily to definitively concluded, the rabbinic focus on such details will require the interpreters to scour the text for clues and means of connecting the words of the passage to the question they have brought to it.

The effect of this method, then, can certainly be to enact what might be called an evasive maneuver – from certain kinds of questions to other, less obvious kinds of questions. In this case, the focus on the underdetermined or unspecified in the text allows the rabbis to set a conversational agenda that necessarily pushes certain modes of inquiry to the periphery. Functionally, this means that among other themes, more difficult ethical or theological questions are also sidelined, at least for the moment; the rabbis do not engage in such speculation, preferring to open their questioning in a much different way. But crucially – both for an understanding of rabbinic hermeneutics and for my broader argument – the method also requires the rabbinic interpreters to delve *into* the text and engage its details in a way that indicates they have no wish to extricate themselves anytime soon. This method of (what could be seen as) evasion of a text's "big questions" requires the rabbinic interpreter to spend even more time with a given passage than they might have otherwise, now that they have introduced a whole new set of far less obvious queries to the biblical text. This effect of the rabbinic interpretive strategies I analyze here is essential to my functional claim about classical rabbinic literature: that the literature demonstrates means by which a reader can dwell in a given biblical passage's content, thereby indicating their deep regard for its divinity, without having to necessarily endorse its ethical content.

**Intertextuality**

In the above midrash from Genesis Rabbah, a significant means by which the rabbis begin to address the details of the text is by use of intertextual quotation. The passage above contains multiple instances of intertextual quotation, wherein biblical texts from throughout the Hebrew Bible are employed in the interpretation of the lemma, or base quotations (in this case, Genesis 6:7) under discussion. Given the centrality of intertextual quotation in the production of midrash, it should be no surprise that intertextuality is an important part of scholarly analysis of classical rabbinic interpretation.

For the purposes of this dissertation, however, my goal is only to draw out the means by which intertextual quotation might serve as a concrete means of expanding interpretation of a troubling biblical text, facilitating deeper engagement with the text's details while deferring conclusions about the text's "ultimate" meaning or larger significance. As I emphasized previously, I do not wish to make historical claims in this or the following sections regarding rabbinical intentions for these, or other, texts. Rather, I argue only that such hermeneutical strategies may function as a means of addressing the ethical-hermeneutical problem I have identified in the work of Buber and Rosenzweig.

Here, I observe that the complex intertextual quotations contained in the above passage again provides a concrete means by which the reader may enter more deeply into the lemma, as well as, of course, the intertexts introduced in the midrash. This observation is at the heart of Daniel Boyarin's argument in his now-classic *Intertextuality and the Reading of Midrash*. In his discussion of quotation in classical midrashic literature, Boyarin argues,

> The regnant view is that when a midrash…quotes a verse from another part of the Bible in the interpretation [of the passage in question], these quotations are prooftexts – texts cited in good or bad faith in support of previously determined conclusions. In contrast to this usual view of the role of these scriptural citations, I will argue that the texts cited (sometimes only alluded to), *are the generating force behind the elaboration of narrative*

*or other types of textual expansion...*[15]

That is, Boyarin's reading departs from that of previous scholars who had understood intertextual biblical quotation primarily as a means of justifying a pre-existing rabbinic interpretation, and simply employing other biblical texts to bolster the interpretations the commentator is seeking. By contrast, Boyarin argues that a close reading of midrashim containing intertextual quotation (which is to say, nearly all midrashim) does not support this view. Rather, he identifies intertextual quotation as a central means of expanding the text beyond the boundaries of the lemma, and introducing new themes and questions to the discussion of the lemma – while also inflecting the intertexts with thematic elements from the lemma. Midrash, Boyarin argues, demonstrates the rabbis' "simultaneous rejection and preservation of tradition" precisely through its "all-pervasive quotation which forms its very warp and woof."[16] This rejection and preservation is illustrated, per Boyarin's argument, in the way intertextual quotations are employed in midrash – not as simple prooftexts, but as "intertexts and cotexts of the Torah's narrative, as subtexts of the midrashic interpretation."[17] And importantly, the quoted intertexts are not biblical verses whose contribution to the midrash is immediately obvious; rather, "there is a tension between the meaning(s) of the quoted text in its 'original' context and its present context."[18]

This argument, which has been tremendously influential in contemporary rabbinics scholarship, dramatically expands our understanding of how intertextual citation "works" in midrash. For Boyarin, the relationship between the lemma and the intertext is, to say the least, a complicated one, in which the contextual meaning of each verse comes to inflect the other.

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[15] Boyarin, *Intertextuality*, 22. Italics are original.
[16] Ibid, 22.
[17] Ibid, 23.
[18] Ibid, 23.

This fascinating evaluation of the function of biblical quotation is borne out in the midrash above. The opening intertextual citation is from the biblical book of the prophet Zechariah; the full verse of chapter 1:16 says, "Assuredly, thus said the Lord: I graciously return to Jerusalem. My House shall be built in her – declares the Lord of Hosts – the measuring line is being applied to Jerusalem." In its context, this verse indicates Zechariah's status as a prophet of the post-exilic biblical period, when much of the southern kingdom of Judea had been exiled to Babylon.[19] The minor prophet Zechariah thus brings forth the word of the Lord promising that the people will be restored to their city and the Temple rebuilt. The promise of a "measuring line" perhaps indicates the precision with which the Lord will restore that which has been broken and lost in the exile; just as the dimensions of the Temple were given in exactness in the biblical book of 1 Kings, so in the restoration these will have meaning again as the Second Temple is built.[20]

But in the context of this midrash, the citation is employed to different ends. To the verse that forms the basis of this midrash, Genesis 6:7, R. Berekiah refers first to Genesis 1:9, where God commands the waters below the sky to be gathered all together so that there may be space for dry land to appear. The association of this verse with "lines" (in accordance with R. Berekiah's gloss, "Let there be a line set out for the water") stems from the relationship between

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[19] Carol L. Meyers and Eric M. Meyers, *Haggai, Zechariah 1–8: The Anchor Bible*. (Garden City, Doubleday and Company Inc), 1987. See also A. R. Petterson, *Behold Your King: The Hope for the House of David in the Book of Zechariah* (London: Bloomsbury T&T Clark, 2009).

[20] 1 Kings 6 opens, "In the four hundred and eightieth year after the Israelites left the land of Egypt, in the month of Ziv—that is, the second month—in the fourth year of his reign over Israel, Solomon began to build the House of the Lord. **2**The House which King Solomon built for the Lord was 60 cubits long, 20 cubits wide, and 30 cubits high. **3**The portico in front of the Great Hall of the House was 20 cubits long—along the width of the House—and 10 cubits deep to the front of the House. **4**He made windows for the House, recessed and latticed. **5**Against the outside wall of the House—the outside walls of the House enclosing the Great Hall and the Shrine—he built a storied structure; and he made side chambers all around. **6**The lowest story was 5 cubits wide, the middle one 6 cubits wide, and the third 7 cubits wide; for he had provided recesses around the outside of the House so as not to penetrate the walls of the House."

the word meaning "let them be gathered" (*yiqavu*) and the word for a measuring line (*qav*); Freedman notes that Genesis 1:9 could thus be translated, "let the waters be confined to a definite measure of quantity."[21]

But while the linguistic connection between Genesis 1:9 and Zechariah 1:16 is fairly easily established, what does the invocation of these two verses do for this midrash? If there is, as Boyarin argues, "a tension between the meaning of the quoted text in its 'original' context and in its present context," what does this tension produce? While we are of course limited to speculation here, I suggest that the introduction of the Zechariah verse works to draw a connection between the first act of divine destruction in Genesis and the much later biblical act of destruction of Jerusalem and the Temple. Perhaps the invocation of Zechariah 1:16 and God's promise of restoration serves as a reminder of hopefulness in the midst of utter destruction, thereby diminishing the bleakness of the watery death awaiting nearly everyone in the flood. At the same time, however, God's post-deluge promise that "Never again will I doom the earth because of man" (Genesis 9:21) is perhaps tempered by the knowledge that God did in fact wreak havoc once again in the act of allowing the Temple to be destroyed and his chosen people sent into exile. Indeed, Jon Levenson has argued that in some biblical literature, the Temple can be understood as the *axis mundi*, thereby making its destruction an almost literal destruction of the world.[22]

More generally, however, the citation of these intertexts in the midrash has introduced a new set of themes and associations to the discussion; now they become part of what Boyarin calls the "dialectical" relationship between the initial biblical text at issue in the midrash and the intertexts introduced by the rabbinic commentators. Rather than limiting or "closing" the

[21] This commentary note is cited in Neusner, *Genesis Rabbah*, 121.
[22] Jon D. Levenson, *Sinai and Zion* (San Francisco: HarperOne, 1987).

midrash's meaning, these intertextual citations have dramatically expanded the midrash's scope, connecting the relatively straightforward words of Genesis 6 to both the creation of the world, and the destruction and promised restoration of the Temple. The intertexts, therefore, have functioned as, in Boyarin's words, a "generating force" for textual expansion. They have, in order words, provided an interpretive entry way into the text. Importantly, the choice of intertexts is by no means obvious; the tension between the verses' in their original context and in their midrashic context is, as Boyarin argues, a central characteristic of midrashic intertextuality. The choice of intertexts, therefore, are at the rabbis' discretion; they choose how to enter into a discussion of the text. But the method of intertextuality, like the focus on underdetermined details, is one that serves to perpetually expand the scope of interpretation.

**Mashal and Nimshal**

The third literary feature of this midrash is the presence of an extended tale featuring a disappointed king. The better part of Genesis Rabbah 28:2 is given over to this mashal, or parable, about the king and his two sets of subjects, with a nimshal, or "explanation" of the mashal, following the tale.[23] A cursory reading of the above mashal, or of the form in general, might suggest that a mashal is simply a "fable-ization" of a biblical narrative situation – and one which even makes explicit, via the nimshal, what each element of the mashal represents. But as David Stern points out, this is rarely the case. He argues that meshalim are generally quite a bit

[23] For a discussion of the translation of mashal as "parable," see Stern's discussion in *Parables in Midrash: Narrative and Exegesis in Rabbinic Literature,* beginning on p. 9. In his theorization of mashal, parable, and allegory, Stern significantly complicates the easy understanding of mashal as a parable in the western literary sense. However, for the purposes of my argument here, I choose to maintain the use of "parable," as my argument and analysis are not dependent on a precise understanding of mashal *as compared to* parables. Rather, as I say frequently, I am interested primarily in the ways in which the mashal form – however translated in English – may function toward a very particular ethical end.

more complex than the nimshalim which ostensibly "explain" them; the meshalim themselves also serve to complicate, not simply illuminate, the biblical texts in whose service they were offered. As Stern argues, "The narratives of most meshalim, which this model [mashal as simply illustrative] asserts are supposed to facilitate and assist their audience in understanding the mashal's lesson or its underlying meaning, are actually far more enigmatic and difficult to understand than the nimshalim themselves. In these parables, what requires elucidation is the narrative, not the nimshal or its lesson. Considered as illustrations, these meshalim are horrible failures."[24]

In Stern's view, then, the frequently quirky nature of meshalim makes it difficult to believe that they are designed simply to clarify some feature of a given biblical passage. The notion that meshalim function chiefly to illustrate or illuminate a biblical text cannot withstand a close reading of the multiple texts – biblical passages, meshalim, and nimshalim – in question, thus his conclusion that "considered as illustrations, these meshalim are horrible failures."[25] But it is precisely this "failure," I argue, that makes the mashal such an evocative means of creating sustained engagement with a biblical text. That is, the very elements of the mashal which make it unhelpful as a means of simple illustration make it useful as a way of expanding and complicating a biblical text – expansions and complications which encourage the reader to juggle an increasing number of textual factors into their interpretation, drawing them ever deeper into textual theorization.

The mashal offered above, per Stern's claim, functions as far more than a simple illustrative fable of Genesis 6:7. As a means of illustrating the transformations that take place from the lemma to the mashal to the nimshal, let us consider the shifting role and status of the

[24] Stern, *Midrash and Theory*, 43.
[25] Ibid, 43.

waters in the biblical text, and the accompanying commentary. The waters in Genesis 1 are notable from the beginning – if only because, unlike most other things in Gen. 1, they are not described as being "created"; in the first verse of Gen. 1, the Bible says only that the "spirit of God was hovering over the waters." It is apparently these same waters which are separated into two sets in Gen. 1:6, one above the firmament and one below.[26] The waters below the firmament are the ones which are the subject of Gen. 1:9.

In these famous opening biblical verses, the gathering of the waters under the sky into one place is literally a (speech-)act of God; he commands that the waters below the sky be gathered together, in order that dry land appear, "and it was so." About the waters themselves, their motivations or intentions, we know nothing - all that we are told in Genesis 1 is that they are effortlessly moved about by God in order to make space for dry land.

In comparison, in the mashal, the mute tenants are settled in the king's palace by the king, and these tenants possess consciousness and intentionality. Their "greetings" of loyalty and praise to their king are not unconscious or instinctive, but actions requiring agency; they *choose* to get up early each morning, and to devise signs by which to communicate their grateful feelings to the king. In the mashal, the mute tenants are made of the same stuff as the rebellious, speaking tenants, differing only in their abilities and their attitudes. In this mashal, the stark and inanimate waters of Genesis 1:9 are transformed into a community committed to praising their king, even with their communicative limitations. They are, in fact, so good at doing so that they

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[26] The opening verses of the Hebrew Bible: [1]When God began to create heaven and earth— [2]the earth being unformed and void, with darkness over the surface of the deep and a wind from God sweeping over the water— [3] God said, "Let there be light"; and there was light. [4]God saw that the light was good, and God separated the light from the darkness. [5]God called the light Day, and the darkness He called Night. And there was evening and there was morning, a first day.
[6]God said, "Let there be an expanse in the midst of the water, that it may separate water from water." [7]God made the expanse, and it separated the water which was below the expanse from the water which was above the expanse. And it was so. [8]God called the expanse Sky. And there was evening and there was morning, a second day.
[9]God said, "Let the water below the sky be gathered into one area, that the dry land may appear." And it was so.

inspire the king in the mashal to consider what other creatures with more expressive abilities could do.

The king's attempt to put this inspiration into practice in the mashal also departs from, or considerably expands upon, the biblical account of creation. In the mashal, the mute tenants, it seems, are expelled from the palace in order to make room for their more talkative counterparts. The invitation of the speaking tenants is not simply a next step in the king's plan to populate the palace, but a reaction to his positive interactions with the mute worshippers. While the biblical account of creation in Genesis 1 tells of a cosmic deity systematically creating ever more complex entities, with little self-reflection other than the characterization of some parts of creation as "good," the mashal imagines a king whose decision to bring in speakers is a (mistaken) attempt to improve upon his previous tenants. When this latter bunch of tenants rebel, refusing to acknowledge their debt to the king and his role in providing them with shelter, it is then that the king realizes his error in expelling the mutes from the palace, saying, "let the palace revert to its original condition."

The mashal, therefore, is by no means a simply illustration of Genesis 1 with an uncomplicated one-to-one correspondence between biblical and midrashic elements. Rather, as Stern's characterization of meshalim predicted, this mashal introduces a whole new set of narrative considerations, including the implied notion of the earth's physical elements as divine worshippers and their effect on God's new idea to create other kinds of worshippers. If indeed the mashal is meant as an illustration of the biblical text, it is one that considerably complicates the picture, instead of neatly and precisely representing the themes of the biblical passage in human terms. The "humanizing" of the actors in the mashal renders the episode far more, in Stern's words, "enigmatic" than the biblical account of creation, where a distant deity presides

over a non-sentient world.

The nimshal, of course, is ostensibly meant to make explicit the connection between the biblical text and the mashal.[27] But in the nimshal to this mashal, the role of the waters in the narrative shifts yet again. The notion of the waters' agency, introduced in the mashal, is retained in the nimshal, which makes creative use of an intertext from Psalm 93 to explain how the waters praised God. But in the nimshal, the waters are not expelled from earth, but simply added to, by way of the creation of humans. God's decision to "blot out" humanity in Gen. 6-7 is carried out not by reversing the expulsion of the waters (as in the mashal, where the previous tenants are ordered to be resettled in the palace), but by unloosing the waters which have been gathered into another location.

What has happened to the interpretation of Gen. 1:9 (and, of course, Gen. 6:7, the verse which has inspired this midrashic discursion)? By the time we have studied the mashal and nimshal on Gen. 1:9, we have a whole new set of questions to integrate into the interpretation of the flood narrative. Each midrashic "retelling" of Gen. 6:7 in light of Gen. 1:9 introduces new elements to our consideration of the biblical verse. Far from simply "illustrating" the biblical text in human terms (employing kings and so forth), the mashal actually *complicates* the verses, suggesting new questions that might be posed to the text as well as new emphases for interpretation. In this case, the mashal seeks to establish a relationship between the lemma, Gen. 6:7, and an intertext, Gen. 1:9 – and does so by refocusing attention on the role of water both in creation and in the impending "de-creation" promised by God.

Moreover, the "humanization" of the biblical elements, and the necessary shift from inanimate elements like water to sentient humans, introduces notions of intention and agency to

[27] David Stern considers the role of the nimshal at length in his *Parables in Midrash*, beginning on p. 16.

the discussion which may then be read back into the biblical text. By recasting the flood narrative as a matter of a king and his subjects, the mashal imbues the "characters" in question (like the waters) with more complex motivations. Consider, for instance, the development of the feelings that the king has for his tenants in the mashal. Seeing the eager greetings of his mute subjects, the king drastically misjudges the potential for even more effusive praise from people who can speak. The king's expectation - "if they had full powers of speech, how much the more so [would they demonstrate their loyalty to me]"- is thus not simply inaccurate, but tragically so; the reader knows that the king's expectations will be dashed and that the speaking tenants will be evicted. But in this case, the reader is invited to carry the tragedy and pathos introduced in the mashal back to the biblical narrative, and to reread the narrative in light of these elements.

This mashal, therefore, certainly bears out Stern's argument that meshalim in general are far more complex than the biblical text they purport to explain. And while this certainly makes it unsuitable to describe the mashal form as simply illustrative, it also demonstrates just how hermeneutically generative the mashal form may be: in a short story of a king and his subjects, the mashal introduces a new set of questions and considerations which may be used in interpreting and debating the Bible. The mashal form, by its complicated nature, thus *expands* and *opens* the discussion that may be had about the biblical text, inviting the reader to continually engage with it in increasingly more complex ways. The mashal form, like the citation of biblical intertexts discussed above, provides a concrete means of engaging in biblical interpretation – but without providing "answers" to the narrative, or making assertions about the text's ultimate meaning. Rather, the mashal form demonstrates a way of suggesting *more* questions that might be posed to the text, and other details that might be discussed. In this case, the mashal's emphasis on water shifts the focus to a question of divine procedure: why blot out

the earth with water, as opposed to anything else? And the mashal, in seeking to demonstrate one potential reason why waters was used, manages to introduce or emphasize a new series of elements for the discussion: divine expectation and regret, nature and humanity, praise and rebellion, mercy and judgment.

Importantly, the mashal form achieves this textual "expansion," creating a way for readers to delve more deeply into the biblical text and provide more themes for study*, without* requiring the reader to turn away altogether from the biblical passage in itself. That is, the mashal form does not require a reader to neglect the details of the narrative or transform the narrative into a more palatable metaphor in order to elicit productive interpretation. In fact, the mashal form here does the opposite: far from eliding the textual details, or denying the plain-sense meaning of the narrative, the mashal affirms the basic meaning of the Gen. 6 narrative and embraces the details – in this case, the fact that water will be the destructive tool of choice – in order to create a more complicated narrative, one which requires *more* attention and care to sufficiently attend to the biblical passage. And for the purposes of facilitating sustained and honest engagement with the Bible, particularly its most violent or difficult texts, the introduction of a mashal provides a way in. The rabbis' attention to an underdetermined detail – in this case, the justification for water-based destruction – facilitates an engagement with the passage that drives the interpreter ever deeper into the text and the constellation of questions around it.

In the following chapter from the Mekhilta, a halakhic midrash, I demonstrate the particular means by which the rabbis interact with a set of legal questions so as to draw the interpreter deeper into the text and its details. The context, as I briefly alluded to previously, is a halakhic discussion of Exodus 21, which opens with these verses:

> **1**These are the rules that you shall set before them:
> **2**When you acquire a Hebrew slave, he shall serve six years; in the seventh year he shall

go free, without payment. **3**If he came single, he shall leave single; if he had a wife, his wife shall leave with him. **4**If his master gave him a wife, and she has borne him children, the wife and her children shall belong to the master, and he shall leave alone. **5**But if the slave declares, "I love my master, and my wife and children: I do not wish to go free," **6**his master shall take him before God. He shall be brought to the door or the doorpost, and his master shall pierce his ear with an awl; and he shall then remain his slave for life. (Exodus 21:1-6)

**Text 2: Mekhilta of Rabbi Ishmael**[28]

[1] "His Ear": Scripture speaks of the right (ear). You say Scripture speaks of the right (ear). But perhaps it speaks only of the left (ear)? You must reason thus: Here it is said, "his ear," and there (Leviticus 14:17) it is said, "his ear." Just as there it is by the right (ear) (that the act is performed), so too here it is by the right (ear).

[2] "His Ear": Through the earlobe. These are the words of Rabbi Judah (bar Ilai, ca. 150 CE). Rabbi Meir (ca. 150 CE) says: Also through the cartilage. For Rabbi Meir used to say: A priest is not pierced (through the ear). But they (the other sages) said: He is pierced (through the ear). (He says:) A priest may not be sold (into slavery). But they said: He may be sold (into slavery).

[3] What is the reason that of all the organs the ear alone is to be pierced? Rabban Yohanan ben Zakkai (ca. 70 CE) interpreted it allegorically: His ear that heard, "Thou shalt not steal" (Exodus 20:13), and yet he went and stole, it alone of all the organs should be pierced.

[4] "With an awl": With any instrument. The Torah says: "And his master shall bore his ear through with an awl," but the halakhah says: it may be with any (boring) instrument. Rabbi (Judah the Patriarch, ca. 180 CE) says: I say, only with a metal instrument.

In the Exodus chapter from which this situation and set of divine commandments are taken, instructions are laid out regarding the rules of acquisition, ownership, and manumission of slaves. And indeed, this passage seems reasonably straightforward. A male Hebrew slave is eligible to be freed after six years of servitude, though without any kind of severance pay or other resources to take with him into his freedom. However, the passage notes that it is possible that the slave has married and had children while in slavery – and his wife and children are not eligible for freedom along with their husband and father; he must leave alone. He may, of course, forgo his freedom for the opportunity to remain with his wife and children in the home of his

[28] This translation is taken from Steven Fraade, who considers this midrash in *Legal Fictions: Studies of Law and Narrative in the Discursive Worlds of Ancient Jewish Sectarians and Sages* (Boston: Brill, 2011), 435-436.

master-owner, whom he may also love. In this case, as the verse tersely instructs, the owner should pierce his slave's ear with an awl, presumably to mark him as an owned man, and the slave will forgo any future possibility of living free with his family.

**What and who may be pierced? Underdetermined details and complex legal cases**

**As in the previous text, my analysis centers on the means by which this halakhic midrash does its work. Here, I focus in particular on**

In this portion of midrashic exegesis, the rabbis delve into the details of the biblical commands of Deut. 21:2-6.[29] Here, too, the rabbinic commentators seek out underdetermined details to enter into the commands. In this midrash, the rabbis find their entry point with questions about ears – from the broad question of why it is the slave's ear in particular that should be pierced by the awl to an even more specific question about which ear should be pierced. In response to the broader query about the ear as the location of the piercing, Rabban Yohanan ben Zakkai gives a creative explanation by gesturing to Exodus 20:13, wherein is contained the commandment, "thou shalt not steal." As the rabbi explains, ears are most directly responsible for "hearing" commandments; hearing, after all, is what ears do. Yohanan ben Zakkai grimly notes, however, that incidents of theft have occurred even after the ear received the divine command not to steal. (As Steven Fraade notes of this text, the rabbis seem to assume that the slave was sold into slavery as punishment for theft).[30] R. Yohanan suggests, therefore, that the appendage should bear the brunt of the piercing.

[29] Steven Fraade considers this text at length in his article, "Rabbinic Polysemy and Pluralism Revisited: Between Praxis and Thematization, *AJS Review* 31 (2007), 1-40.
[30] Ibid, 7.

The rabbis also take up the question of which ear ought to be pierced, and here too, the text's proposal stems from a reference to another biblical text. The biblical text instructs only that an ear should be pierced, perhaps indicating that which ear is a detail of little consequence. But in the Mekhilta, this under-determined detail – "Scripture speaks of the right (ear). You say Scripture speaks of the right (ear). But perhaps it speaks only of the left (ear)?" - becomes another opportunity for rabbinic innovation. Here, the Mekhilta indicates that in the absence of specification in this regard, it is necessary to look to another text, one which does specify (in a quite different ritual context) a particular ear. Leviticus 14:17 instructs, "The priest is to put some of the oil remaining in his palm on the lobe of the right ear of the one to be cleansed…" From this, the Mekhilta suggests that as the Leviticus passage specifies the right ear of the person undergoing the ritual, so too the Deuteronomy passage should be understood to refer specifically to the right ear of the slave.

But the Mekhilta text is far from finished. Still at issue is the question of which part of the slave's (right) ear ought to be pierced by the awl, and here the Mekhilta reports a dispute between two rabbis, one who asserts that the commandment refers to the earlobe, and another who avers that the cartilage is acceptable as well. But the question of location raises a related challenge: how might this affect *kohanim*, priests, who (as R. Meir asserts) may not be pierced anywhere, since the presence of a blemish on their body would render them unfit to serve as priests? Rabbi Meir's interlocutors disagree, asserting that a priest may be pierced, though such an act would presumably still disqualify them as fit for the priesthood. To Rabbi Meir's protest that in any case, a priest may not be sold into slavery to begin with, given his exalted status, others disagree. Even the awl specifically mentioned in the midrash becomes an issue of debate for the rabbinic commentators. Must it be an awl (*martzeia*) in particular, or is any boring

instrument acceptable? Rabbi Judah gets the last word, opining that whatever the instrument is, it must be made of metal.[31]

This Mekhilta passage, therefore, ably demonstrates that no element of these Exodus commands will be overlooked or taken for granted. As in the aggadic midrash above, this halakhic midrash relies on multiple interpretive strategies to expand the discourse around Exodus 21:1-6; here I will introduce one strategy particular to classical rabbinic *legal* discussion: the introduction and discussion of complicated or mitigating legal factors, or what Elizabeth Alexander calls "improbable cases."[32]

As in the midrash from Genesis Rabbah, the rabbis' commitment to locating underdetermined details drives this halakhic midrash forward. This chapter from the Mekhilta opens by explicitly seeking more specificity about how the commandment to pierce the unfortunate slave's ear should be carried out – and the midrash does so by seeking the answer to an unspecified detail: is the ear that should be pierced the right ear, or the left ear? In this case, the question is not one of a semantic ambiguity per se; there is no question that the biblical text is speaking about ears, and that one of those ears should be pierced under a particular set of circumstances. Rather, the midrash proceeds with the assumption that the Exodus passage has neglected to specify which ear – an omission which allows the rabbis to engage in a bit of creative exegesis to locate evidence leading to a more specific interpretation.

Pericopes 2 and 4 also make use of underdetermined details in the midrashic expansion of the biblical verses. In pericope 2, the underdetermined detail in question is the even more specific question of *where* on the ear the piercing should take place (a discussion to which I will return below). In pericope 4, the rabbis plumb the question of what, precisely, constitutes an

[31] His opinions are generally accepted.
[32] Alexander, *Transmitting Mishnah,* 150

appropriate instrument for making the mark on the slave's ear: does the word *martzeia* refer to an awl in particular, or more broadly to any instrument capable of cleanly making the hole? In both of these cases, the impetus for discussion and interpretation is not semantic ambiguity, but simply a lack of further specificity. While a reader could simply conclude that the level of precision demanded in this midrash is unnecessary – and that it was unimportant which ear was pierced, or where on the ear the piercing takes place – these underdetermined details become the means for midrashic expansion on the biblical text.

Such expansion may be a necessarily creative enterprise. After all, there is nothing intrinsically strange about, for instance, the commandment to pierce *ozno*, "his ear"; unlike some other cases of textual irritants where the gap in question is more evident, this commandment is quite clear in its meaning and intention. To solve for specificity, the rabbis must look outside the text in question and seek insight elsewhere, which is exactly what they do. In answer to the question of "which ear" in the first pericope, the rabbinic commentator introduces an intertext, in this case a verse from Leviticus 14:17. In its own context, this verse is part of a set of commandments regarding the means by which a priest should perform the ritual cleansing of a leper, a days-long ritual that culminates in several sacrificial offerings. In the description of the commanded ritual, Lev. 14:17 instructs that the priest, having poured an amount of oil into his left hand, should be put "on the ridge of the right ear of the one being cleansed, on the thumb of his right hand, and on the big toe of his right foot – over the blood of the guilt offering."

In this midrash, of course, the immediate function of this intertext is to attempt an answer to the question of which of the slave's ears should be pierced. But it is important to note that this intertext should not be understood to "solve" the Mekhilta's question. The intertext, after all, has nothing to do with slavery or ownership, and gives no indication that the priestly cleansing ritual

being described should serve as a paradigm for any other rituals. The most explicit connection between the lemma and the intertext here is the presence of ears, with the specifications of the Leviticus verse being incorporated into the rabbis' reasoning regarding the piercing commandment of Exodus 21.

But, of course, the intertext functions in quite another way as well: it invites priests and priestly rituals into the conversation. And the presence of priests serves to introduce the presence of a whole other set of questions regarding the legal status of priests, the ritual interlocutors between the people and God: how, if they were the slaves in question, would they be marked? Can a priest even be sold into slavery at all?

These questions preoccupy the rabbis in this midrash's second pericope, and allow them to expand the conversation well beyond slaves to include speculation about laws governing the priesthood as well. At the heart of the dispute is a question of where, precisely, the hole should be bored into the ear. Although R. Judah suggests the earlobe, R. Meir asserts that the cartilage should be pierced instead, or as well. His ruling, as the midrash makes clear, is based on his assumption that priests may not be sold into slavery. If they could, then they would be subject to regulations which could result in their ear cartilage being marked, which would render them unfit to serve in the Temple in Jerusalem as priests. A priest whose ear is pierced through the cartilage is not only marked as his master's property, he is deprived of his sacred responsibilities, and the community is deprived of a priest. But the other unnamed sages assert both that a priest may be sold into slavery, and, were the issue to arise, could be pierced in the same way as a layperson slave, despite the serious ritual implications of the act.

Such legal argumentation falls under the broad category of what Elizabeth Alexander

calls "improbable cases," those that explore "how different legal principles interact."[33] Although Alexander's focus is the Mishnah, not Midrash per se, her theorization about the formal features of rabbinic legal reasoning is centrally helpful here. In her characterization of these "improbable" legal disputes, Alexander refers particularly to Jacob Neusner's characterization of Mishnaic legal reasoning, which, he argues, "consistently ask[s] the same sorts of questions, about gray areas, doubts, [and] excluded middles."[34] Of these cases, Neusner argues, the rabbis seek to "force into conflict laws which, to begin with, barely intersect."[35] The rabbis' "job," in these cases, is to demonstrate that the two sets of laws may in fact intersect, even if at a quite improbable juncture.

This constructive juxtaposition of legal principles is certainly on display in the Mekhilta, as pericope 2 introduces the case of a priestly slave and his ability to take a piercing. While not utterly out of the realm of possibility, such a case is nevertheless highly improbable. It first requires the priest to be sold into slavery, a situation for which there is no biblical precedent; the possibility is not even mentioned in the biblical commandments regarding the acquisition and treatment of slaves. But even were the situation to obtain, the legal conflict does not arise until such a slave, set to be released, opts to remain in the ownership of his master, thereby necessitating his ear piercing. It is this possibility that presents the most evident legal conflict. Priests, as mentioned above, are biblically mandated to remain free of blemishes in order to retain their ability to perform their ritual functions. Leviticus 21, which lays out the requirements for priestly conduct and bodily integrity, begins with the Lord speaking to Moses and commanding him to "speak to the priests, the sons of Aaron. The chapter goes on to specify that

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[33] Ibid, 150.
[34] Jacob Neusner, *Judaism: The Evidence of the Mishnah* (Atlanta: Scholars Press, 1988), 256; also cited in Alexander, *Transmitting Mishnah*, 150.
[35] Neusner, *Judaism: Evidence of the Mishnah*, 257.

a priest may not, among other actions, "make gashes in their flesh." (Lev. 21:5). As the chapter concludes, "No man among the offspring of Aaron the priest who has a defect shall be qualified to offer the Lord's offering by fire; having a defect, he shall not be qualified to offer the food of his God." (Lev. 21:21)

These biblical prohibitions provide the complexity of the questions regarding the (improbable) case of priestly slaves. Rabbi Meir, of course, asserts that priests may not be pierced, gesturing implicitly to the injunctions in Leviticus 21. But his rabbinic interlocutors, who assert that a priest *can* be pierced, are perhaps interpreting Leviticus 21 a different way. The Leviticus verse, after all, does not say that *others* may not mar the flesh of a priest, it only specifies that the priest himself may not do so. Perhaps in claiming that a priest may be pierced under the circumstances of Exodus 16, the sages are noting the limited command of Leviticus 21.

In introducing the commandments governing priests' body to the Mekhilta, the rabbis bring together two spheres of law that would rarely seem to intersect with one another: the laws governing slave ownership and the laws governing priestly conduct and physical status. Alexander, in her analysis of this phenomenon in the Mishnah, argues persuasively that this approach (among others) demonstrates the Mishnah's character not as a simple legal compendium but as a subtle pedagogical handbook for classical rabbinical students. In this formulation, the introduction of legal cases whose circumstances render them highly improbable serves as a training method in legal subtlety; such cases will require students to grapple with multiple legal spheres and governing assumptions in order to come to any satisfactory judgment.

In the context of this chapter, I argue that the invocation and disputation of cases like this – whatever the rabbis' historical intentions – also function toward the same end as the other interpretive strategies I have analyzed. The introduction of complex legal issues serves to

dramatically expand the discourse in the Mekhilta, and demonstrates the rabbis' ability to bring in a whole other host of issues to what might seem to be a fairly straightforward set of commandments.

More specifically, it is of the utmost importance to note not only what the rabbis do with the Mekhilta, but also what they do *not* do. By immediately delving into the details of the commandments, the classical rabbis implicitly affirm the sanctity of the injunctions and the God who gave them. But notably, they do not ever say so. This detailed legal strategy performs acceptance of the commandments without ever having to explicitly affirm their basis. Were a given rabbi to be challenged in their ostensible support for the institution of slavery, this approach would provide them with plausible deniability – as, in fact, they have never explicitly affirmed that such commandments are justified. At the same time, they also have not explicitly rejected the commandments, thereby preserving the appearance of affirming the sacrality of these commands.

In the Mekhilta text, for instance, the discussion begins by asking which ear of the slave is to be pierced, the right or the left. In doing this, the midrash implicitly signals its acceptance of the basic premises of the commandment. That is, by immediately wading into the details of the commandment, the midrash demonstrates the assumptions that make the rabbis' detailed discussion possible: that the commandments are fundamentally normative, and that they intend to follow them as closely as possible. All that is necessary now – ostensibly – is to ascertain precisely how the commandment in question should be carried out.

But this commitment to detail, which functions structurally as a means of displaying rabbinical devotion, can simultaneously work to another end as well: to delay the time when the commandment can be carried out, or even considered ready to be carried out should the

circumstances arise. After all, given the rabbis' evident devotion to Torah, surely they wouldn't want to attempt to observe the law without fully understanding it or considering all possible legal issues! Something as important as God's commandments deserves the fullest interrogation of the law that the rabbis can provide. The irony, of course, is that the more detailed the interrogation, the longer the time before the rabbinical understanding of the law may be considered complete and ready to be carried out. In fact, given the presentation of multiple legal rulings in this Mekhilta and the midrash's failure to signal explicitly which opinions should be accepted, someone wishing to adhere to these commandments might find themselves at a loss as to how. By raising questions of legal specificity – for instance, about the location on the ear, or about the correct piercing tool – and then offering multiple answers without resolution, the Mekhilta has rendered the commandments in question difficult to carry out with any confidence. These and other issues would need to be addressed before the commanded procedures were settled – and the attention to underdetermined details, the introduction of intertexts, and the addition of other legal cases suggests that the practical issues under dispute will not be settled anytime soon.

The mechanics and implications of this legal deferral are central to my argument in this chapter. The interpretive strategies discussed above can indeed function as a means of deferring ethically troubling actions, or expanding the sphere of interpretation such that the analysis shifts to the text's details as opposed to broad overarching themes. But the centrally important point is that the Mekhilta demonstrates that this deferral and expansion can take place within the world of the biblical text(s) under discussion. The Mekhilta text above revels in the details of the Exodus commandments, details that lead the rabbis ever deeper into the text and a series of issues surrounding it.

**Reconsidering rabbinic intention: a suggestive conclusion**

In this chapter, I have been careful to emphasize that while the interpretive strategies identified and described by contemporary scholars of rabbinic literature can have the effect of addressing Buber and Rosenzweig's speculative theological and ethical challenge, I am not arguing that the rabbis themselves had this intention, even when discussing and interpreting texts which these same rabbis might have found equally troubling. In concluding this chapter, however, I introduce one classical rabbinic *sugya*, or passage from the Gemara, in which similar interpretive strategies are employed – and the sugya ends with an apparent acknowledgment that the characteristic rabbinic interpretive strategies have in fact resulted in their inability to put the law into practice.

The sugya in question, of course, is the famous dispute in b. Sanhedrin 71a, which deals with the question of how parents ought to discipline their "stubborn and rebellious son." The biblical text in question presents the commandment this way:

> **18**If a man has a wayward and defiant son [*ben sorer umoreh*] who does not heed his father or mother and does not obey them even after they discipline him, **19**his father and mother shall take hold of him and bring him out to the elders of his town at the public place of his community. **20**They shall say to the elders of his town, "This son of ours is disloyal and defiant; he does not heed us. He is a glutton and a drunkard." **21**Thereupon the men of his town shall stone him to death. Thus you will sweep out evil from your midst: all Israel will hear and be afraid.

This commandment, surely a troubling one, regarding parental responsibility is taken up in m. Sanhedrin 8 and dramatically expanded upon in a freewheeling rabbinic discussion beginning in b. Sanhedrin 68b and continuing for many pages. The Mishnaic commentary on this commandment begins with a question that echoes the method of textual interrogation we have just seen in the Mekhilta. The rabbis do not ask any overarching questions, express any dismay about the commandment, or question the God who has commanded it. They simply dive right

into the text's details, with the opening question being: at what age can one enter in the legal category of a son whose stubbornness and rebelliousness may be a capital offense? Unsurprisingly, given the kind of considerations that followed the "which ear?" question, the Mishnah's question about this particular underdetermined detail is by no means the end of the consideration. The Mishnah's response to this opening query specifies that no minors are liable, nor are males who have entered the legal status of manhood. The only males whose behaviors might possibly render them liable are they in a very specific liminal state: "From when he grows two hairs until the beard grows full. [This refers to] the lower beard [i.e. pubic hair], not the upper beard, [but this expression is used] since the Sages spoke in clean language."

Having now drastically limited the age range of the son (as well as affirmed the rabbis' modesty in sexual matters), the Mishnah goes on to query what marks someone as a "glutton and a drunkard," and responds by prescribing extremely specific amounts; m. 8:1 suggests that liability obtains when the son "eats a *tarteimar* of meat and drinks half a *log* [measure of liquid] of Italian wine." Rabbi Yosi, however, dissents, arguing that the proper amount of meat is a *maneh* [twice the amount of a *tarteimar,* according to b. Sanhedrin 70a]. Moreover, as the Mishnah asserts, even if the son in question eats and drinks these very large quantities in particular ritual contexts, or eats other foods that might be considered much worse (such as non-kosher meat), he still does not enter into the liable category; he must eat meat and wine in the (disputed) amounts for him to be liable for the commandment. The Mishnah further considers the status of the unfortunate son's parents, asserting that the parents must be of one accord in their evaluation of their child; if either of the parents does not consent to the charge, the son is not liable. Rabbi Yehuda further argues that "if the mother were not appropriate for the father," the son is also not able to be charged.

This Mishnah goes on in this vein for quite some time, identifying further details for consideration regarding the nature of the son and his parents. But the Gemara's commentary on this mishnah is even more impressively detailed, as one example from the vast amoraic discussion on this question will demonstrate. Referring to the Mishnah's discussion of the son's parents, the Gemara further presses the question of what characteristics the parents must possess in order for them to legally bring charge against their son. In response to Rabbi Yehuda's ruling that the mother must be "appropriate" for the father in order for the parents to bring the charge, the Gemara suggests, citing a *baraita* from Rabbi Yehuda that "if his mother was not identical to his father in voice, appearance, and height, he does not become a stubborn and rebellious son."[36] (b. Sanhedrin 71a) This rather bizarre ruling, we learn, comes from the rabbis' clever reading of Deut. 21:20, which describes a son who refuses to heed *kolanu*, "*our* voice"; this, the Gemara concludes, indicates that the mother and father have identical voices, or else they could not speak "as one" in this way. And if so, the Gemara suggests, we should also require that the parents have identical appearances and heights, to go along with their perfectly matched vocal timbres.

It is this final proposal that leads the Gemara to ask, in b. Sanhedrin 71a, if, perhaps, "there has never been a stubborn and rebellious son and there will never be [one] in the future," given the utter impossibility of fulfilling the legal requirements the rabbis have proposed. "And why, [then,] was [the passage relating to a stubborn and rebellious son] written [in the Torah]? [So that] you may expound [upon new understandings of the Torah] and receive reward [for your learning, this being an aspect of the Torah that has only theoretical value]."

It is notable that even here, in the very acknowledgment that the commandment as theorized has been rendered virtually impossible to carry out, the rabbis do not explicitly

[36] A *baraita* (meaning "outside") is a teaching of Jewish oral law not included in the Mishnah.

articulate their squeamishness regarding the law's content. In fact, at no point in either the Mishnah or the Gemara do the rabbis evince *any* explicit uneasiness about the law or the divine law-giver. Rather, they enter into discussion and debate about this commandment the way that they do all the others: using the distinctive interpretive strategies described in this chapter. And while this mishnah and amoraic sugya certainly illustrate a dramatically expanded discourse on the biblical passage in question, the means of interpretation is entirely characteristic of classical rabbinic hermeneutics.

Yet the sugya ends with two highly distinctive features. First of all, the Gemara proposes that in this case, no son, whatever his behavior, has ever been prosecuted as stubborn and rebellious; "there has never been a stubborn and rebellious son and there never will be [one] in the future." This is not an accident of interpretation: the rabbis have, in their long meandering discussion of the commandment, rendered the law quite impossible to apply – and they have done so by contributing interpretations so intentionally outrageous that the law is made practicably moot. Second of all, this reality is explicitly acknowledged, a rare feature of rabbinic literature. The Gemara asks outright why the commandment is included in the Torah at all, if rulings like Rabbi Yehuda's regarding parental characteristics are accepted. At which point, of course, the Gemara concludes that the commandment is there for study, not for action, and that such study will surely result in reward.

## Chapter 4: Humility and Height: A philosophical reading of rabbinic communal study

The previous chapter concluded with a discussion of the famous rabbinic discussion of the "stubborn and rebellious son," and the rabbis' fairly explicit attempts to legislate nearly out of existence this highly troubling commandment to capital punishment – while, of course, maintaining the divine origins of the Bible's commandments and the God who gave them. Importantly, this rabbinic episode closed with a rare phenomenon in rabbinic literature: explicit rabbinic reflection on the methods they have employed to come to this inconclusive conclusion. Following Rabbi Yehuda's absurd ruling regarding the son's parents' physical and vocal characteristics, the Gemara asks, if this commandment is virtually impossible to carry out, what is the purpose of our discursive efforts? The famous answer comes: "[So that] you may expound [upon new understandings of the Torah] and receive reward…"

This final chapter of this dissertation continues the theme of the previous chapter, in which I argued that the interpretive strategies of classical rabbinic literature could be used to expand the discussion of a particular biblical passage and defer any legal or theological conclusions about the text as a whole. This expansion and deferral themselves functions to allow biblical interpreters to engage the text – even the Bible's most troubling passages – in a careful, detailed, and extended way, without having to explicitly affirm the ostensible ethics or theological implications of a given biblical passage. Such methods, I have argued, restore troubling texts and their corollary ethical and theological issues to visibility, and make them engageable to interpreters, instead of simply ignored and obscured.

In this chapter, I continue this constructive argument through a focus on the specific and well-known practices of study invoked in the above sugya. These practices embody another distinctive feature of classical rabbinic hermeneutics: the emphasis on communal study, whether

with one partner, or in a larger group. These communal practices, I suggest, may in fact be necessary for the interpretive strategies of chapter 3 to function as I am suggesting. Specifically, I will argue that the presence of a textual study partner (or partners) can function as another means of extending discussion and deferring conclusion, even beyond the content-based interpretive strategies I have previously described. This communal learning "style," I suggest, is structurally constituted so as to maintain a discussion for as long as possible; to simply agree with one's interlocutor is to prematurely conclude interpretation, thereby ending the discussion. This set of practices, in contrast, requires each partner to push the other to further interpretation, thereby expanding and maintaining the discussion as long as possible.

Importantly, and in continuity with my previous analysis of rabbinic interpretive strategies, my amplification of these study practices for this purpose does not seek to address particularly difficult biblical texts by, as it were, "solving" their difficulties. Rather, this practice functions in quite the opposite way: it works by continually *not* solving, which is to say concluding, a discussion. In this way, the study partners continually affirm the Bible's sacrality – not by endorsing the content of any given text, but by demonstrating their commitment to its continual study. If, as I argued previously, rabbinic interpretive methods demonstrate commitment to the Bible's narratives and commandments through the extended performance of interpretation, I suggest that rabbinic learning practices also serve as a performance of rabbinic piety: one that facilitates the expansion of discourse. Such a method is notably useful, I argue, for dwelling in and theorizing about the Bible's most troubling texts, even while declining to explicitly affirm the text's normativity or theological orientation.

Which is to say, it is difficult to maintain the perpetual commitment to textual expansion and deferral while studying alone. As a means of theorizing these study practices, I appeal to a

different theoretical genre from the previous chapter. While chapter 3 drew upon the technical scholarly literature of classical rabbinic interpretation, this chapter proceeds in the distinctive idiom of twentieth-century philosophy and ethics. Specifically, I draw upon the philosophical analysis of Emmanuel Levinas (1906-1995), the French-Jewish phenomenologist and ethicist whose appeal to ethics as the basis of philosophy has been tremendously influential in post-war philosophical movements.[1] Levinas, of course, counted both Martin Buber and Franz Rosenzweig as two of his chief philosophical influences, and recent years have seen a flowering of scholarship analyzing the conceptual relationships between these thinkers, particularly between Rosenzweig and Levinas.[2] Yet my appeal to Levinas in this chapter is not primarily driven by this philosophical genealogy, generative though it has been. Rather, I am chiefly interested in applying Levinas' most foundational concept, the notion of the Other seeking a response, to the study relationship first invoked in classical rabbinic literature. Levinas' insistence on perpetual engagement with and response to what he calls "the Other" echoes the

[1] Levinas' work is cited widely across the humanities and social sciences, particularly in studies of religion and theology, critical theory, ethics and moral philosophy, political theory, and sociology. Any citation of Levinas' influence, however, must include Jacque Derrida, Maurice Merleau-Ponty, Maurice Blanchot, and Paul Ricoeur, all of whom wrote at the intersection of phenomenology, ethics, hermeneutics, and language studies. For a discussion of Levinas' influence on twentieth-century philosophy, including the philosophers mentioned above, see Simon Critchley's introduction to *The Cambridge Companion to Levinas*, ed. Simon Critchley and Robert Bernasconi (New York: Cambridge University Press, 2002), 1-32. For an overview of Levinas' influence in Jewish philosophy in particular, see Ze'ev Levy's essay, "How to Teach Emmanuel Levinas in the Framework of Modern Jewish Philosophy" in *Paradigms in Jewish Philosophy*, ed. Raphael Jospe (Teaneck: Fairleigh Dickinson University Press, 1997), 243-256. Michael Fagenblat's *A Covenant of Creatures: Levinas's Philosophy of Judaism* (Palo Alto: Stanford University Press, 2010) argues that, contra Levinas himself, Levinas should be understood as a specifically Jewish thinker whose ethical philosophy emerges from the tradition's emphasis on hermeneutics.

[2] See, for instance, Robert Gibbs, *Correlations in Rosenzweig and Levinas* (Princeton: Princeton University Press, 1994); Richard Cohen's compilation of essays, *Elevations: The Height of the Good in Rosenzweig and Levinas* (Chicago: University of Chicago Press, 1994); the edited volume *Levinas and Buber: Dialogue and Difference*, eds. Peter Atterton, Matthew Calarco, and Maurice Friedman (Pittsburgh: Duquesne University Press, 2004); and articles including Ronald Arnett, "A Dialogical Ethic 'Between' Buber and Levinas" in *Dialogue: Theorizing Difference in Communication Studies*, eds. Rob Anderson, Leslie A. Baxter, and Kenneth N Cissna (Thousand Oaks: SAGE Publications, 2003): 75-90; and the quite recent Lawrence Vogel, "Heidegger, Buber and Levinas: Must We Give Priority to Authenticity or Mutuality or Holiness?" in *Contributions To Phenomenology* 86 (2016): 201-213.

rabbinical emphasis on the virtues of text study with a partner, instead of alone.[3] Levinas' description of the Other in perpetual need, and perpetually seeking an answer, can, I argue, provide a philosophical account of how the text study relationship is supposed to work, and how it may function as a means of maintaining engagement with the Bible – even its most troubling texts and themes.

As in the previous chapter, the limitations of this argument are important to note. In my analysis of these communal study practices, I make no new claims regarding the rabbis' self-understanding of this practice, in the classical rabbinic period or afterward. Nor do I intend to give a comprehensive account of the study practices that characterize classical rabbinic literature more broadly. Finally, while there is a good deal of fascinating historical and socio-anthropological analysis of Jewish study practices in the yeshiva, from the early modern period to the present day, I am not primarily focused on these practices in the context of European (and later, Israeli and American) Jewish history and thought.[4] My focus remains on the philosophical

[3] A number of Levinas scholars has noted that Levinas' uses at least four different French words to refer to the Other, and is inconsistent in his reference to the other with the definite or indefinite article preceding the word; he variously refers *l'autre, l'Autre, autrui* and *Autrui*. There is little scholarly consensus on how, or whether, to attribute different characteristics to these different usages. In this chapter, I will generally employ the English "the other" when quoting or writing about this concept. In some cases, I choose to retain the capitalization as a means of maintaining the conceptual distance of the Other from what Levinas calls "the Same," or "the I." For a more technical discussion of this translation difficulty, as well as a survey of other theorization on the question, see Dino Galetti, "The grammar of Levinas' other, Other, autrui, Autrui: Addressing translation conventions and interpretation in English-language Levinas studies" in *South African Journal of Philosophy* 34 (2015): 199-213.

[4] Though it is beyond the purview of this dissertation, this fascinating literature is deserving of more critical consideration as both a historical and anthropological/ethnographic phenomenon. For a historical overview of the construction of the yeshiva as a means of maintaining and reproducing Jewish cultural and theological norms, see Shaul Stampfer's *Lithuanian Yeshivas of the Nineteenth Century: Creating a Tradition of Learning*, trans. Lindsey Taylor-Guthartz (Liverpool: The Littman Library of Jewish Civilization in association with Liverpool University Press, 2014). Among the ethnographic studies of Jewish study practice, see Samuel Heilman, *Defenders of the Faith: Inside Ultra-Orthodox Jewry* (Oakland: University of California Press, 1999); Tamar El-Or, *Next Year I Will Know More: Literacy and Identity among Young Orthodox Women in Israel* (Detroit: Wayne State University Press, 2002); Jonathan Boyarin's edited volume, *The Ethnography of Reading* (Oakland: University of California Press, 1993); and Vanessa Ochs ethnographic-autobiographical account, *Words on Fire: One Woman's Journey into the Sacred* (Boulder: Westview Press, 1999).

and ethical implications of this text study tradition, as first invoked and described in the corpus of classical rabbinic literature.

**Theorizing rabbinic study**

Just as the rabbis rarely explicitly reflect on their interpretive strategies, so they too relatively rarely provide explicit insights into the embodied study practices through which their interpretation takes place. As a result, these few existing references have had a (quite understandably) disproportionate effect on the trajectory of contemporary scholarship on rabbinic interpretation and study practice. One of the most famous passages in all classical rabbinic literature features a rabbinic dispute over the kosher status of a particular oven, the so-called "oven of *Akhnai*."[5] This passage describes the ensuing debate as one in which even when God himself weighs in on the legal question, some of the sages reject God's ruling, calling upon quotations from the Torah itself to demonstrate that the text and its interpretation is now in the hands of the sages, instead of the God who gave it; the narrative tells us, "[Years after,] Rabbi Natan encountered Elijah [the prophet and] said to him: What did the Holy One, Blessed be He, do at that time, [when Rabbi Yehoshua issued his declaration of rabbinic independence? Elijah] said to him: [The Holy One, Blessed be He,] smiled and said: My children have triumphed over Me; My children have triumphed over Me." (b. Baba Metzia 59a-b) In this story, the rabbis' ability to marshal the Torah as an interpretive weapon even against God himself is not condemned by the Divine, but rather celebrated; this narrative thus contributes an important

[5] The meaning of this word is uncertain. For a discussion of the significance of *Akhnai*, which in the story is called a "snake," as well as a sustained analysis of this famous story, see Jeffrey L. Rubenstein's *Talmudic Stories: Narrative Art, Composition, and Culture* (Baltimore: Johns Hopkins University Press, 1999). Rubenstein's book devotes chapter 2 entirely to this amoraic narrative, and includes two appendices with textual variants on the story.

insight into the rabbis' ideological assertion of their ownership over the text, and their ability to persuasively wield it even against God.

This famous narrative, known even to people with limited knowledge of rabbinic literature more generally, is actually invoked in the tractate as an example of the consequences of injurious speech, as the rabbinic dispute results in the ostracization of a rabbi on the "losing" side of the argument and the unfortunate death of another rabbi (details often elided in the affectionate retelling of this narrative). Even so, the emphasis in this narrative on the creative and communal practices of study are undeniable - practice so powerful that they have the ability even to overrule God. God's laughing admission of interpretive defeat here is not based in the particular questions of kashrut under discussion, but in the fact of the communal rabbinic commitment to continual debate amongst themselves; it is perhaps significant that God's celebration here is of his "children," communally, as opposed to any one particularly impressive rabbinic sage.

Of course, even before the invocation of these rabbinic methodological reflections, the communal "voice" of rabbinic literature was already quite present in the previous chapter's discussion of rabbinic interpretive strategies. Both of the midrashic texts under analysis, in addition to the Talmudic debate at the end of the chapter, featured a series of rabbis contributing opinions to an ongoing discussion and debate. The Talmudic sugya of the stubborn and rebellious son featured an extended "back-and-forth" between various rabbis offering quotations, dissenting opinions, and alternative rulings; this consistent conversational tone is perhaps the Talmud's most famous formal feature, distinguishing it from nearly all other legal material in both its historical context or ours.

It is important to emphasize, of course, that rabbinic literature is redacted literature, representing both compilation of oral traditions and codification of earlier textual productions. That is, as much as the Talmud may sound like a record of a unified set of conversations, it is in fact a carefully redacted model of conversation. This fact, however, should not be understood to undermine my arguments stemming from the presence of rabbinic oral dispute in this literature. Rather, it should strengthen this claim – for while the practice of oral transmission in late antiquity was by no means unique to the Jewish rabbis, the decision to retain the "sound" of this orality, including the presence of multiple and conflicting opinions, in the redacted product *is* unique. The Talmud stands alone, therefore, as a legal compendium which strives to maintain orality even in its written form.[6] And this conversational tone, of course, also upholds the importance of communal study – for a conversation requires someone else with whom to speak.

This chapter, as I have specified above, does not seek to make any additional historical about the significance of the rabbis' oral culture of study. I have a different, and rather simpler task. Insofar as classical rabbinic literature affirms – both by the Talmud's redacted form and by explicit rabbinic expression - the importance of communal study, I seek to theorize how this foundational rabbinic commitment may function towards the particular ethical ends that characterize my study of Jewish biblical interpretation.

**The Paradigm of Rabbi Yochanan and Resh Lakish**

[6] Martin Jaffee's *Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism 200 BCE – 400 CE* (New York: Oxford University Press, 2001) provides a thorough and fascinating overview of the development and significance of oral culture in Second Temple and early rabbinic Judaism. For a compact overview of various theories of rabbinic orality, see Elizabeth Shanks Alexander, "The Orality of Rabbinic Writing," in *The Cambridge Companion to the Talmud and Rabbinic Literature*, ed. Charlotte Elisheva Fonrobert and Martin S. Jaffee (New York: Cambridge University Press, 2007), 38-57.

The rabbinic textual basis of this chapter is another quite well-known rabbinic account of study practices – one notable for its utter absence of attention to any particular legal content under discussion. That is, the import of this account is clearly in the communal textual engagement, as opposed to in any given interpretive innovations. This famous passage features two amoraic rabbis, Rabbi Yohanan and his student-cum-study partner Rabbi Shimon ben Lakish, better known as Resh Lakish, who meet, begin to study together, and whose partnership ends in disaster – but, for the purposes of this chapter, a quite informative disaster. It is this singular account that will serve as the paradigm for my philosophical analysis that follows.

The circumstances of the pair's first meeting at the Jordan River is well known (and has been analyzed at length, most notably by Daniel Boyarin), but it is the development of the pair's relationship and – most of all – the description of their communicative style of study that are most relevant here.[7] As b. Baba Metzia 84a describes, after enticing Resh Lakish to undertake the study of Torah, Rabbi Yochanan became his highly successful teacher; the sugya tells us that under Yochanan's guidance, Resh Lakish became a "great man" in the house of study, a brilliant talmudic sage, and, it would seem, Yochanan's chief intellectual sparring partner. But their relationship was irrevocably damaged by a legal quarrel that ended in personal insult, after which both partners were stricken by the relational rift, and Resh Lakish ultimately died. In an attempt to ease Rabbi Yochanan's grief over the loss of his study partner, his colleagues attempted to find him a replacement in the person of one Rabbi Elazar ben Pedat, who was considered

[7] The evocative account of the two rabbis' meeting and the beginning of their relationship is analyzed at length in Boyarin, *Carnal Israel: Reading Sex in Talmudic Culture* (Oakland: University of California Press, 1993) and *Unheroic Conduct: The Rise of Heterosexuality and the Invention of the Jewish Man* (Oakland: University of California Press, 1997). See also Boyarin's essay, "Why is Rabbi Yochanan a Woman? Or, a Queer Marriage Gone Bad: 'Platonic Love' in the Talmud" in *Authorizing Marriage: Canon, Tradition, and Critique in the Blessing of Same-Sex Unions*, ed. Mark D. Jordan et al (Princeton: Princeton University Press, 2006), 52-67.

sufficiently sharp to serve as a new interlocutor for the bereaved Yochanan. But this new partnership, as the Gemara relates in its terse style, was utterly insufficient:

> [Rabbi Elazar ben Pedat] went and sat before [Rabbi Yoḥanan. With regard to] every matter that Rabbi Yoḥanan would say, [Rabbi Elazar ben Pedat would] say to him: [There is a ruling which] is taught [in a *baraita*] that supports your [opinion. Rabbi Yoḥanan] said [to him:] Are you [comparable] to the son of Lakish? In my [discussions with] the son of Lakish, when I would state a matter, he would raise twenty-four difficulties against me [in an attempt to disprove my claim,] and I would answer him with twenty-four answers, and the *halakha* by itself would become broadened [and clarified.] And [yet] you say [to me: There is a ruling which] is taught [in a *baraita*] that supports your [opinion.] Do I not know that what I say is good?
>
> [Rabbi Yoḥanan] went around, rending his clothing, weeping and saying: Where are you, son of Lakish? Where are you, son of Lakish? [Rabbi Yoḥanan] screamed until his mind was taken from him, [i.e., he went insane]. The Rabbis [prayed and] requested [for God to have] mercy on him [and take his soul,] and [Rabbi Yoḥanan] died.

This statement contains both an incisive and devastating description of Rabbi Elazar ben Pedat's inadequacies, and a clear articulation of the nature of Rabbi Yochanan's relationship with the lost Resh Lakish, a loss so great and irreplaceable that Rabbi Yochanan himself also mercifully expires at the conclusion of the sugya. The relationship that Yochanan describes and mourns is one based in Resh Lakish's willingness to continually respond to and critique Yochanan's interpretations and legal rulings. (This contrarian commitment is surely even more impressive given that Yochanan was originally Resh Lakish's teacher, which is to say that their status was by no means equal; given this disparity, Resh Lakish's eagerness to dispute with Yochanan is even more significant).[8]

In his description of studying with Resh Lakish, Yochanan describes Resh Lakish's seemingly reflexive contrarian attitude; he was, it seems, nearly incapable of simple agreement

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**8** In addition to the literature on rabbinic orality cited above, there is some scholarly consideration of the character of teacher-student interactions in rabbinic culture as well. Susan Handelman's study, first presented as a series of lectures at the University of Washington, considers these pedagogical relationships through literary and cultural theory. See Handelman, *Make Yourself a Teacher: Rabbinic Tales of Mentors and Disciples* (Seattle: University of Washington Press, 2011).

or affirmation, even (or especially?) of the great sage Yochanan's pronouncements. When Yochanan would offer an interpretation or judgment, Resh Lakish would respond not by suggesting one objection, but by raising – so Yochanan says - twenty-four problems with Yochanan's claim. Of course, we are not required to imagine that the number of objections was actually, or always, twenty-four; the point is to emphasize Resh Lakish's prodigious ability to generate the kinds of questions, counterarguments, cases, and anecdotes that (as shown in the previous chapter) characterize rabbinic discourse.

Yochanan's colleagues' attempt to assuage his pain with a new study partner is unsuccessful because the undoubtedly intimidated Elazar ben Pedat is unwilling or unable to engage in this way. For every point Rabbi Yochanan puts forth, Rabbi Elazar seeks to locate a baraita that can confirm Yochanan's interpretation. His orientation, in sharp contrast, is to conclude the discussion by affirming Yochanan, rather than extend and expand the discussion by question and critique. Yochanan, in turn, has no challenges to overcome, and his understanding of law and text remain stagnant. We can imagine Yochanan waiting expectantly for his partner to challenge him, only to be disgusted and disappointed when Elazar refuses to rise to the occasion. Such a conversation has no means of expanding or clarifying either rabbi's existing understanding of the issues under discussion.

As this tragic situation demonstrates, the quality of rabbinic study practices varies quite widely. The social and intellectual dynamic of Yochanan and Resh Lakish's interaction is depicted here as an ideal (though sadly fleeting) mode in which to study and learn. And while this account is particularly well-known, there are certainly other oft-cited references in classical rabbinic literature to the importance of the (engaged) community of learners, and the inadequacy of solitary engagement with Jewish text and law. A well-known discussion in b. Ta'anit 7a has

Rabbi Ḥama querying: "What is [the meaning of that] which is written: 'Iron sharpens iron, [so a man sharpens the countenance of his friend]'?[9] [This verse comes] to tell you [that] just as [with] these iron implements, one sharpens the other [when they are rubbed against each other,] so too, [when] Torah scholars [study together, they] sharpen one another in halakha." This rabbinic reflection on their own study practices continues with another jab at the one who would seek to study alone: "Rabba bar bar Ḥana said: Why are matters of Torah compared to fire, as it is stated: 'Is not My word like fire, says the Lord' (Jeremiah 23:29)? To tell you: Just as fire does not ignite [in] a lone [stick of wood but in a pile of kindling,] so too, matters of Torah are not retained [and understood properly by] a lone [scholar who studies by himself]." In still another discussion, this time in b. Berakhot 63b, the rabbis again emphasize the unfortunate consequences to a scholar who seeks to study Torah by themselves, darkly predicting that such a person will not only grow foolish, but be likely to fall into sin a result.[10]

The importance that this literature places on the role of the (disputatious) study partner is clearly based in the assumption that a single scholar is unlikely be to be able to generate for themselves the challenges that a partner can – and that these challenges are necessary to achieve a more precise understanding of the biblical and rabbinic texts and commandments under discussion. In his lament for Resh Lakish, Yochanan says that he "knows" the quality of, or justifications for, his own interpretation, including, no doubt, the baraitas that Rabbi Elazar sycophantically cites in affirmation of Yochanan's positions. The above citations' emphasis on the necessity of a partner or partners seems to acknowledge the limited human ability to

[9] The reference here is to Proverbs 27:17

[10] These and other well-known rabbinic citations are compiled in Elie Holzer and Orit Kent's practical study, *A Philosophy of Havruta: Understanding and Teaching the Art of Text Study in Pairs* (Boston: Academic Studies Press, 2014). See also Holzer's article, "Either a Hevruta Partner or Death:" A Critical view on the Interpersonal Dimensions of Hevruta Learning, *The Journal of Jewish Education* 75:2 (2009): 130-149.

sufficiently critique our own ideas. Having come, after sustained consideration, to a putative conclusion, it is not so easy – intellectually or psychologically - to imagine counterarguments or cases that would render a given conclusion once again inconclusive.

But in the context of this chapter, I argue that this celebrated mode of rabbinic interaction, whatever its origins or intentions, can also function as a way of extending and expanding conversation when the ethics of a given passage are troubling. The study partner, in this formulation, fulfills much the same role as the interpretive strategies described in the previous chapter; each partner seeks to continue the conversation when the other may have come to a dead end in their ability to further expand the sphere of analysis. And, of course, these "modes" of textual expansion are not wholly distinct in their function, but consistently dependent on one another; each study partner employs these same interpretive strategies to "raise twenty-four difficulties" with their partner. The rest of this chapter will be devoted to theorizing the mechanics of this interaction.

**Introducing Levinas**

For this, I turn to the philosopher Emmanuel Levinas. Levinas' uncompromising emphasis on the so-called "Other" and their needs as the basis of philosophy and ethics has been extraordinarily influential, within and outside of Jewish thought; Levinas' ethical turn, as mentioned previously, was significantly influenced by the work of both Buber and Rosenzweig, whose interpretive challenges have formed the basis of this dissertation's second part.

But in this final chapter, and for the purposes of theorizing the interaction between study partners, Levinas' insistence on the preeminence of the needs of some Other before any other consideration is the basis of my appeal to his philosophy. Thus, although this chapter is by no means intended to provide a comprehensive account of Levinas' thought, the foundational

concepts of Levinas' philosophy of the face-to-face encounter can yet serve to describe how the study partner relationship may function toward particular ethical ends. From Levinas' extensive body of writing, I particularly employ his *Totality and Infinity* (1961), generally considered one of his most important philosophical contributions, as well as several other works of which the 1962 essay "Transcendence and Height" is most essential for my argument in this chapter.

Of course, Levinas is by no means the only modern philosopher to consider the philosophical meaning of encounter, and the dialogical character of these encounters. Certainly the work of Buber himself, particularly in his famous *I and Thou*, is often considered the most important expression of dialogue as the basis of philosophy and ethics; it is this emphasis on the foundational import of dialogue that forms the basis of much comparative scholarship on Levinas and Buber and/or Rosenzweig. But one important difference between Levinas and Buber's understanding of encounter lies in their divergent understandings of the power relationship between persons, and the ethical implications of this difference. For Buber, the dialogical encounter between persons is ultimately an encounter of mutuality; both "actors" contribute to the other through their participation in any encounter. As Buber writes decisively in *I and Thou*, "Relation is reciprocity. My You acts on me as I act on it."[11] Though a focused study on Buber's famous text would certainly expand and nuance this characterization, the mutuality of Buber's dialogical vision is seemingly undeniable in this statement.[12]

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[11] Martin Buber, *I and Thou*, trans. Walter Kaufmann (New York: Touchstone, 1971), 67.

[12] The question of Levinas' and Buber's views of relationality is explored in several essays in the Atterton edited volume, *Levinas and Buber: Dialogue and Difference*. See also Randy Friedman's essay, "Alterity and Asymmetry in Levinas's Ethical Phenomenology," *Journal of Scriptural Reasoning* 13 (2014), https://jsr.shanti.virginia.edu/back-issues/vol-13-no-1-june-2014-phenomenology-and-scripture/alterity-and-asymmetry-in-levinass-ethical-phenomenology/. Buber's commitment to mutuality is articulated and defended in Kenneth Paul Kramer's *Martin Buber's I and Thou: Practicing Living Dialogue* (Mahwah: Paulist Press, 2004). Merold Westphal, in his *Levinas and Kierkegaard in Dialogue*, seeks to nuance Buber's position on this point, but ultimately admits that Buber has left himself open to this interpretation (Bloomington: Indiana University Press, 2008), 78.

It is precisely this assertion of reciprocity that leads Levinas to critique Buber's ethical vision. For Levinas, as we shall see, the foundation of a true ethical encounter is the perpetual *asymmetry* of the relationship between an I and any given Other. Levinas insists that any truly ethical encounter between two persons is a necessarily disparate one, not a relation of two equals looking one another squarely in the eye. This asymmetry, for Levinas, is what creates the urgency of response to the other's need. When the other expresses a need, or commands me to response, it is the precisely the asymmetrical nature of our relationship that compels me to act.[13] It is this urgent command to respond to the other that makes Levinas' philosophy best suited to explain the relationships of Jewish communal study at issue in this chapter. In the encounter between study partners, particularly when the partners are confronted by a troubling biblical text and do not understand it or even know how to continue engaging the text at all, the reader's need for interpretive help is of the utmost urgency. Levinas' uncompromising philosophy of obligation or response to the other provides the philosophical underpinning for how the study relationship works.

Any introduction to Levinas' philosophy should begin by identifying his object of critique. Levinas' arguments are based in a critique of western philosophy – and while this critique is certainly not wholly new to him, it is necessary to first ground him in this sweeping criticism[14] Western philosophy, Levinas asserts, "has most often been an ontology: a reduction of the other to the same by interposition of a middle and neutral term that ensures the

[13] This facet of Levinas' work has attracted a fair share of criticism, particularly from feminist philosophers. Though Levinas' insistence on asymmetrical obligation is essential to his ethics and to my argument in this chapter, Levinas' rejection of an ethic of reciprocity has been controversial among some feminist ethicists and philosophers. See, for instance, the critical essays in Tina Chanter's edited volume, *Feminist Interpretations of Emmanuel Levinas* (University Park: Penn State University Press, 2001).

[14] Levinas' most immediate critical targets are, of course, his teachers Edmund Husserl and Heidegger. For a short introduction these thinkers' influence on Levinas, see Glenn Morrison, "Levinas' Philosophical Origins: Husserl, Heidegger and Rosenzweig," *The HeyThrop Journal* 46 (2005): 41-59.

comprehension of being."[15] Levinas attributes this characterization, which he calls the "primacy of the same," to Socrates, and to the idea that reason begins with the ability of fully cognize, or understand, the other – which, for Levinas, requires "reducing" the other to that which can be understood. Levinas characterizes Socrates' teaching thus: "to receive nothing of the Other but what is in me, as though from all eternity I was in possession of what comes to me from the outside…"[16]

These phrases, rendered in Levinas' distinctive prose, form the basis of his critique and constructive project. And while his somewhat elliptical style may sometimes seem to obscure more than illuminate, I believe his meaning is relatively clear: western philosophy, generally speaking, has proceeded from the assumption that a given Other can, with time and effort, be wholly understood, categorized, and conceptualized. Philosophy, Levinas argues, has largely been the process of diminishing conflicts between the same and the other by theorizing the relationship such that "the other is reduced to the same," or, as he sometimes puts it, reduced to "the I."[17] This move, what Levinas calls "ontology," diminishes the Other, reconstituting them simply as something that I may understand. (Levinas himself generally speaks in the first person in his philosophy, when saying, for instance, "the Other looks to me" or "I am obligated to respond." In this chapter, I will often do the same, following scholarly convention in studies on Levinas).

This reduction, or reconceptualization, of the Other as an I is, for Levinas, both a violent move and the basis of further violence. It is, first of all, a power play, an attempt to redefine the other by my own terms. It is further an act of possession of the other – an understanding of the

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[15] Emnuel Levinas, *Totality and Infinity: An Essay on Exteriority*, trans. Alphonso Lingis (Pittsburgh: Duquesne University Press, 1969), 43.
[16] Ibid, 43.
[17] Ibid, 47.

other that "affirms the other, but within a negation of its independence," meaning that this kind of affirmation of the other requires them to give up their freedom to define themselves apart from my understanding of them.[18] This is what Levinas famously rejects as "ontology as first philosophy" – the definition of another's being as the basis of philosophical reasoning. It is, he says, "a philosophy of power."[19] This reductionist analytic, Levinas claims, "leads inevitably to another power, to imperialist domination, to tyranny...Being before the existent [person]…is freedom (be it the freedom of theory) before justice. It is a movement within the same before obligation to the other."[20]

As these claims are the basis of Levinas' philosophy, it is important to ensure their clarity. Levinas argues that insofar as certainly philosophical moves happen before others, western philosophers have, by and large, privileged questions of definition (ontology) before any other consideration: what is existence? what is the nature of a person? And such definitions, he claims, are necessarily reductionist – for how am I to define the other except by what I am and what I know? The only way I can enact this definition is by reducing the other to what I understand. There is no room in this philosophy for the other to elude my ontological framework – or, as Levinas often says, to "overflow" the framework, to remain something that cannot be organized and categorized such that I may proceed to further philosophical questions.

Therefore, Levinas says baldly, "The terms must be reversed."[21] That is, for philosophy to escape its tyrannical reductionist orientation, we must begin not with ontology – attempting to define and therefore comprehend the other - but rather by engaging with the other as an "existent," one who exists as an Other, even as this Other perpetually escapes my attempts to

[18] Ibid, 46.
[19] Ibid, 46.
[20] Ibid, 46-47.
[21] Ibid, 47.

reduce them to that which I can understand, or which is like me. This reversed move of engagement is what Levinas insists is truly ethical, and this reorientation is what he calls "ethics as first philosophy," ethics as the basis of philosophical reasoning. Now the other maintains their otherness, their "alterity," and I maintain my inability to perceive the other "in themselves."

For Levinas, the other's alterity is in fact infinite – by which he means that any given Other will inevitably remain independent of my ability to understand them. Introducing one of the chief concepts of his thought, Levinas says, "The way in which the other presents himself, exceeding *the idea of the other in me*, we here name face."[22] Two important themes are emphasized here: first of all, that the other's self-presentation will always overwhelm my understanding of them; there is always, and infinitely, "more" of them than can be assimilated into my understanding. And second of all, that the other's presentation will be represented by Levinas by the idea of a face. As Levinas describes, the idea of "face" as the metonym for the other is not arbitrary; rather, it is specifically chosen to evoke the idea of immediacy of interaction. When the other "faces" me, we have established contact whether I want to or not; the other is not a theoretical concept, but a material reality in front of me. As Levinas concludes, "The immediate is the face to face."[23] And considering this in literal terms can aid in clarifying Levinas' meaning. When I make visual contact with someone, regardless of my preexisting relationship with them, some kind of relation has already been established. The immediacy of our eye contact means that the relation has been constituted well before I can begin to consider them as an abstract entity capable of being assimilated into my existing categorical understanding. They have already established themselves as existing, well before I am able to begin analyzing the nature or origins of their existence.

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[22] Ibid, 50. Italics are original.
[23] Ibid, 52.

Levinas insists that the face-to-face encounter with another person is the basic "unit" of relationship, that without which no meaningful relation is possible. He also argues that language is the means by which the relationship between the Other and myself, the Same, is maintained. But when the other begins to speak, it does not mean that the distance between us diminished. In fact, Levinas argues that language actually serves to underscore the absolute distance between the other and me. "Language is a relation between separated terms," Levinas says, but the fact of speaking does not bridge the separation; language is simply the means by which I and the other remain in any relationship at all. But the relationship is perpetually one between separate beings, with no decrease in the gap possible or desirable. As Levinas concludes, "The fact that the face maintains a relation with me by discourse does not range him in the same; he remains absolute[ly other] within the relation."[24]

**Levinas and rabbinic study**

This emphasis on the foundational importance of the face-to-face encounter – even before we delve into the ethical intricacies of such encounters – should begin to indicate how Levinas' thought is useful for theorizing the mechanics of rabbinic study practices. If such an encounter is the "first principle" of Levinas' philosophy, it is also the basic unit of rabbinic study: the rabbis insist on the presence of another for generative study and interpretation to proceed (though, as the interaction between Yochanan and Elazar ben Pedat indicates, even the presence of a study partner by no means assures the success of the encounter).

But while this point of overlap is essential, it is only the beginning. Notably, Levinas himself identified rabbinic study practices, particularly the method of learning with a study

[24] Ibid,195.

partner, a havruta, as commensurate with his emphasis on face-to-face encounters as the basis of ethical reasoning. As Sarah Hammerschlag notes, Levinas saw the orality of rabbinic discourse (as presented in the Talmud) as having "reinvigorated the written word," and "emphasized the potential for speech to affirm the ethical face-to-face encounter." He therefore exhorted French Jews to take up these practices themselves, as a concrete means of enacting the kind of encounter at the base of his philosophy.[25]

Despite this, Levinas actually devoted little time to theorizing the relationship between the rabbinic communal study habits and his own philosophy of encounter. He did, of course, write a number of short studies on various rabbinic texts and themes; these studies appeal to rabbinic texts and themes as a way of drawing out elements of his own philosophy (while noting that he himself had little facility with the Talmud's halakhic material).[26] The question of the rabbis' own commitment to communal study and exegesis goes largely, and surprisingly, unremarked upon.

In this chapter's paradigmatic case of Rabbi Yochanan and Resh Lakish, whose relationship is never mentioned by Levinas, we can thus identify deeper points of overlap – which is to say, the character of the study pair's interactions is perhaps more explicitly "Levinasian" than Levinas himself noted in his general approbation of partner study. For what is essential in the study relationship between Rabbi Yochanan and Resh Lakish is not simply that they encounter one another and that speech passes between them, but that their speech is

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[25] Sarah Hammerschlag, "Literary Unrest: Blanchot, Lévinas, and the Proximity of Judaism," *Critical Inquiry* 36 (2010): 660.

[26] See, for instance, his confession of halakhic inadequacy in "The Temptation of the Temptation," in *Nine Talmudic Readings*, trans. Annette Aronowicz (Bloomington: Indiana University Press, 1994), 32. His lectures and essays in Talmudic exegesis are also contained in *In the Time of the Nations*, trans. Michael B. Smith (Bloomington: Indiana University Press, 1994); *New Talmudic Readings*, trans. Richard Cohen (Pittsburgh: Duquesne University Press, 2007); and *Beyond the Verse*, trans. Gary D. Mole (New York: Bloomsbury Academic, 2007). Ira F. Stone's *Reading Levinas/Reading Talmud* (Philadelphia: Jewish Publication Society, 1998) considers, in a rather unsystematic way, Levinas' philosophical foundations as the basis for Talmudic exegesis.

considered felicitous specifically by virtue of the fact that they do not come to agreement; the distance between them is maintained by their interpretative disagreement.

I suggest that the insistence on the virtue of disagreement may be understood through Levinas' language of the refusal to reduce the Other to the Same. In Levinas' terms, this requires the Same – the "I" – to reject the impulse to see an Other only on my terms, but to continually realize that the Other is more than I am able to grasp. Yet at the same time, Levinas' face-to-face encounter insists on the maintenance of the relationship as well; as he says, "our effort consists in maintaining…the society of the I with the Other – [which consists of] language and goodness."[27] That is, the fact of my inability to reduce the other to something I can understand does not mean that I can frustratedly turn away from the relationship (whatever its nature) altogether. Rather, I must persist in keeping the encounter going – in "facing" the other - even as I recognize my ethical obligation to refuse to assimilate the other into something I can understand.

This tension – between forgoing the encounter altogether and reducing the other to something I can understand – is at the heart of Levinas' ethical-philosophical project. I argue that it is also a productive way of understanding the discursive relationship between Rabbi Yochanan and Resh Lakish. Yochanan's description of his vigorous interactions with Resh Lakish emphasizes that Resh Lakish refuses to acquiesce to Yochanan's interpretation – but he also does not end the dispute by, for instance, walking away. Rather, he provides his famous twenty-four refutations, to which Rabbi Yochanan would then respond with twenty-four responses of his own. In Levinasian terms, the Other refuses to be reduced to the Same (by affirming the same

[27] Levinas, *Totality and Infinity*, 47.

interpretation), while also maintaining the face-to-face encounter that serves as the basis of all meaningful ethical and philosophical reasoning (by continuing the interpretive and legal dispute).

In so doing, the pair's discussion is expanded, and its conclusions deferred. But the dramatic consequences of the loss of Yochanan and Resh Lakish's partnership expresses the depth of their need for communal study. Both of them, of course, eventually die of causes that the Talmud attributes largely to their loss of one another. The urgency of their need for intellectual and social stimulation requires a more precise account of the means by which their discussion continues. What compels them to sustain the interaction?

**Humility and Height: an asymmetrical model for biblical study**

Levinas' philosophical model has provided a concrete model for describing how a relationship may be maintained not by seeking agreement, but precisely by acknowledging the ethical virtue of disagreement, and resisting the pull toward assimilation of the Other by the Same. This resistance, I have argued, is the mechanism by which communal study is maintained; by deferring agreement (even if a given point of disagreement in question might seem irrelevant or miniscule), the conversation continues. We might also note, somewhat playfully, that in Rabbi Yochanan's account of his debates with Resh Lakish, Yochanan says that the result of this continued dispute is a better understanding of the halakhic issues under discussion; he never says that he has a better understanding of Resh Lakish himself. Resh Lakish has, in Levinas' terms, retained his freedom of otherness, instead of becoming one with Yochanan.

But Levinas' insistence on the inherent asymmetric nature of any encounter speaks to the urgency of response that is commanded when I am faced by an Other – an asymmetry that, Levinas argues, sharpens the ethical imperative to respond issued by the other. Here I call upon Levinas' notion of the Other not only as one who cannot be assimilated or reduced, but as one

who faces me, or calls to me - as Levinas says - both from a position of humility and a position of height. Levinas has declared, of course, that an encounter with the face of the Other is the experience at the foundation of ethics and philosophy; his declaration of "ethics before ontology" expresses his conviction that philosophy grounded in ontological questions is necessarily a totalizing or colonizing move. But for Levinas, when I encounter the face of the Other (in any context), what happens? What does the Other's face communicate to me? The answers to this question are essential to Levinas' assertion of the asymmetry between the other and me.

In "Transcendence and Height," Levinas introduces the "meaning" of the face-to-face encounter in this way:

> The epiphany of the Absolutely Other is a face by which the Other challenges and commands me through his nakedness, through his destitution. He challenges me from his humility and from his height…The absolutely Other is the human Other (*Autrui*). And the putting into question of the Same by the Other is a summons to respond. The I is not simply conscious of this necessity to respond, as if it were a matter of an obligation or a duty about which a decision could be made; rather the I is, by its very position, responsibility through and through. And the structure of this responsibility will show how the Other (*Autrui*), in the face, challenges us from the greatest depth and the highest height – by opening the very dimension of elevation.
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> Hence to be I signifies not being able to escape responsibility.[28]

This assertion describes the Other as one whose face, by its nature, acts toward me – by challenging, commanding, and calling me to respond. But Levinas locates the "position" of the other – that is, the other's status in relation to me – in an unequal relationship: "from the greatest depth and the highest height."

To understand this somewhat obscure formulation requires us to consider the function of the other's summons. We are told that the Other commands. To command is to assume power: though anyone may command another to act, only the powerful person can assume that the commanded will take any demand seriously. The Other thus stands above me, looks down, and

[28] Levinas, "Transcendence and Height," 17. The inclusion of the translation of Other is the translator's.

issues a command, which I am, in Levinas' terms, bound to act upon. But at the same time, the other who looks at me requires a response – which is to say that other needs something that only I can provide, and it is this need that renders the other humble as well. The other cannot "respond" to themselves; only I can do that. In this lack, the other is also "destitute" – beneath me, poorer than me, and dependent on me for response. For Levinas, the other therefore simultaneously towers over me, commanding me to respond, and looks up at me with humility, seeking that which only I (as the other "party" to the encounter) can provide: a response to the other's need.

The simultaneous status of the Other as needy and demanding response is the perpetual status of the relationship between I and a given other. For Levinas, the relationship is never "equalized"; it remains, in perpetuity, one in which my responsibility to the other renders me both necessary to the other, and under the command of the other. Levinas puts it this way,

> The I remains accountable for this burden to the one that it supports. The one for whom I am responsible is also the one to whom I have to respond…It is this double movement of responsibility which designates the dimension of height. It forbids me from exercising this responsibility as pity, for I must render an account to the very one for whom I am accountable, or as unconditional obedience in a hierarchical order, for I am responsible for the very one who orders me."[29]

The other's dependence on me maintains their "humility" – they need something which without me they are destitute. But, as Levinas makes certain to clarify here, the other has expressed this need as an order, thus divesting me of any notion that I am acting out of pity. Before the face of the other, I respond because I must, because it is the only possible response to the question that the other has put to me by facing me at all.

In the wake of this severe and uncompromising set of claims, the obvious question for Levinas is surely: what does it mean to respond? *How* do I respond to the other's command? The

[29] Ibid, 19.

basic command of the other, Levinas says, is the command not to kill them. There are also scattered references to material responses throughout Levinas' work, including the declaration that to give what the other asks requires the "tear[ing of] the bread from one's mouth, to nourish the hunger of another with one's own fasting,"[30] a material claim in line with the severity of the Levinas' description of obligation. In another famous passage from Levinas' essay, "Judaism as Revolution," Levinas invokes the spirit of Rabbi Israel Salanter, the founder of the nineteenth century *musar* movement, saying "[T]he material needs of my neighbor are my spiritual needs," a formulation that again acknowledges material responses to the command of the other.[31]

But relative to the amount of time Levinas spends writing about the obligated relationship between and I and an other, his articulations of the concrete means by which I might respond are few and far between. In large part, Levinas' eschewal of such concrete considerations aligns with the nature of his philosophy. Levinas has said, after all, that my responsibility to the other who faces me is infinite. There are distinct perils, therefore, in providing too many material suggestions of how I might respond; such a move might inadvertently serve to delimit my understanding of how I "answer" the other. That is, to refer to Levinas' bread reference above, it would be incorrect to think that by providing food to a hungry other, I have discharged my obligation. For Levinas, the other's needs are perpetual, and my responsibility is infinite.[32]

In this chapter, though, I suggest that in the context of Jewish communal study, we should understand the other's needs, first and foremost, as *interpretive*. We see this in Rabbi

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[30] Levinas, *Otherwise than Being or Beyond Essence* (Pittsburgh: Duquesne University Press, 1998) 56.
[31] Levinas, "Judaism as Revolution," *Nine Talmudic Readings*, 118.
[32] It is beyond the purview of this chapter to consider the broader implications of Levinas' claims of infinity, and its relationship to questions of time (and, in a Jewish vein, messianism). Yael Lin considers these questions in depth in her monograph *The Intersubjectivity of Time: Levinas and Infinite Responsibility* (Pittsburgh: Duquesne University Press, 2013).

Yochanan's lament for Resh Lakish, who refused to end the interpretive process by acquiescing to Yochanan's rulings or readings. In the face-to-face encounter over a text or a question of Jewish law, what the other needs from me is my contribution to the discussion. When the other's face commands, it commands me to offer my own interpretive claim.

But emphasis on relationship asymmetry in Levinas' ethical philosophy serves to underscore the urgency and necessity of response. My governing argument, of course, is the means by which rabbinic study practices can maintain discussion such that the readers remain *within* the text and its details, even – or especially - when the text appears violent or ethically troubling. If the reader wishes both to affirm the text's divine status *and* to maintain their own ethical and hermeneutical integrity (by, for instance, acknowledge the violent plain sense of a passage), then the reader must continually perform allegiance to the text and its divine giver by studying it.

Thus, when the text in question is violent or ethically troubling, as 1 Samuel 15 was for Buber, the reader's need to maintain the discussion is not only a matter of legal or textual precision – as essential as these are – but an ethical imperative. It is only by the discursive maintenance that the reader continues to engage the text without having to either affirm it or dismiss it. The textual means of doing so, as we have seen, are the distinctive interpretive strategies of classical rabbinics. But as previously noted, the rabbis are not confident in the ability of any given sage, even the most learned, to continually produce objections to their own thought by themselves. Other people are needed.

When other faces me over our shared question or text, the other commands me to help them understand the passage – a command rendered more acute when the passage is violent or horrifying and thus cannot be easily understood as an expression of the divine will or character.

Facing a study partner with a difficult text between us, the stakes of our engagement are high. When the Other speaks, or questions the passage's meaning or ethical significance, they are not simply "asking a question about a text." In Levinas' language, they are both presenting a challenge out of deep need - I cannot understand this; help me – and issuing an imperious command: respond to my concern and my question. What Levinas calls the act of the other toward me "putting into question" is here a quite literal set of questions: what does this text or law mean? How do you interpret it? Is my conclusion correct? In responding, I perform my inescapable ethical responsibility to the person across from me, for they need something which cannot be gotten on their own. Levinas concludes that "to be I signifies not being able to escape responsibility." I become an I, as it were, through the dialogue which the Other's appeal has made incumbent upon me.

This asymmetrical relationship of obligation to the Other manifests itself here in my urgent obligation to continue offering interpretation, disallowing the conversation over a given text to stagnate or stop. In Levinas' terms, this is simply what I am commanded to do, in response to the other's need when that need is interpretive. But it is worth noting despite the formal asymmetry of any face-to-face encounter in Levinas' philosophy, I too might benefit from the performance of piety by way of sustained study. Previously, I made reference to Levinas' appeal to Rabbi Israel Salanter in the declaration that "the material needs of my neighbor are my spiritual needs." In a discussion of communal textual study, we might amend this pithy expression to say, the *interpretive* needs of the other are my spiritual needs. Whatever benefits I (inadvertently) receive from the face-to-face interaction during the practice of communal study, they are, in Levinas' formulation, those required for the sustenance of my spirit. In this case, the concrete manifestation of this sustenance might be found in my release from the need to dismiss

my own sacred texts when they trouble me, or dismiss the God whose ostensible commands have led to my interpretive dilemma.

**Conclusion**

The final two chapters of this dissertation have argued that the rabbinic interpretive strategies and distinctive communal study practices analyzed above may, whatever the rabbis' historical intentions, serve another purpose as well: to provide interpreters with a means of deeply engaging with a given biblical text even when that text appears too violent to understand, or too ethically challenging to seriously consider. This argument is, of course, a constructive response to my speculative claim regarding the notable lack of explicit ethical discourse in Buber and Rosenzweig's biblical writings. Buber's description of his own encounter with 1 Samuel 15 and the violent murder of the Amalekite king reveals his deep anxiety about violent biblical content – an anxiety that, I proposed, might serve as an alternative account of the largely anethical discourse of Buber and Rosenzweig's writings. In Buber's own interpretation of 1 Samuel 15, he declines to dwell in the text at all, defiantly asserting that the prophet Samuel must have misunderstood God's command – for God, Buber says, would never command such a thing. This, Buber avers, is the only interpretation of the passage he can live with, despite his admission that this interpretation has not entirely succeeded in quelling his fears and pain about such a passage in Jewish sacred scripture.

The classical rabbinic interpretive strategies described above, I argue, have the ability to do what I speculated Buber and Rosenzweig could not: truly encounter the biblical text in question, engage its details, and maintain its continuing sacrality even while declining to explicitly affirm the passages' "bigger" theological understanding or normative value. The "big

questions" – those which I have speculated are so challenging for Buber and Rosenzweig to address – may be deferred in these rabbinic interpretive and study practices as well. But the practices of classical rabbinic literature provide a means for interpreters to enter into and dwell within the biblical text, maintaining both their ethical instincts or commitments and the sacrality of the Bible.

This maintenance of sacred scripture is, therefore, largely performative. That is, a biblical interpreter in the rabbinic "mode" may signal their commitment to the Bible's divinity and sacrality not by explicitly affirming its content, but rather by the perpetual act of interpreting the text in more and greater detail, and in creating partnerships whose quality is measured by each reader's ability to engage with, not simply acquiesce to, the other's interpretive moves.

Of course, there is some irony in my appeal to classical rabbinic literature as a means of addressing the challenge I postulated in Buber and Rosenzweig's interpretive work – for as I discussed, they strongly eschewed the contributions of rabbinic commentary to their biblical interpretive and translational project, arguing that the inclusion of commentary would inevitably serve as a barrier between reader and Bible, diminishing the elements of surprise and immediacy so essential to their biblical philosophy. Insofar as commentaries might aid in, among other things, "solving" the difficulties of a biblical text, the pair rejected them – even if, as Buber's encounter with 1 Samuel 15 shows, the content of those commentaries might in some cases provide more persuasive – or at least more traditional – palliative approaches to such texts.

But my argument is that more carefully attention to the *methodologies* of classical rabbinic literature can actually serve to facilitate the existential ends Buber and Rosenzweig pursued, even if the particular content-based conclusions of the classical literature remain entirely peripheral to the pair's interpretive vision.

And those ends are, of course, confrontational. At the heart of Buber and Rosenzweig's interpretive project is their conviction that modern Jews must have a new kind of encounter with the Jewish Bible, one that highlights the Bible's profoundly Hebraic, and not German, character. Few elements of Jewish life have the power to create this kind of realization. And this encounter, of course, is itself a means of initiating further confrontation between Jewishness and Germanness – confrontation that, Buber and Rosenzweig hope, will undo modern Jews' complacent or disinterested assumption that their German-Jewishness may be maintained with little demand or loss. Buber and Rosenzweig's project seeks to invite the possibility (indeed, the necessity) of such loss – of cultural, linguistic, and theological stability for these modern Jews.

Buber's inability to inability to meaningfully engage 1 Samuel 15 may indicate that even for the architects of this project, the demands of this confrontation are sometimes too overwhelming. This dissertation, whose content includes biblical interpretation, Jewish dialogical philosophy, rabbinic study practices, and French phenomenology, ultimately pursues the question of how the demands of such Jewish confrontation have been, and might yet be taken up anew: in ways that allow the modern Jewish reader to have a fresh and startling encounter with a Bible they recognize as strange, troubling, and indisputably and distinctively Jewish.

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