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FUTURES

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FORWARD

"Imaginal Bodies" heads the title of the paper Elliot Wolfson is scheduled to offer at a session on "Incarnation in Judaism and Christianity" at this year's American Academy of Religion conference in Chicago (November 18-22). If you place that headline alongside the careful, critical textual reading you would expect to find in Wolfson's work, then you may have an icon of the activity that characterizes some our members' recent work in postmodern Jewish philosophy. It is an activity of reading foundational Jewish texts in a way that is informed, at once, by reasoned, disciplined criticism and by some presence (or presences) that somehow hovers over the reader, awakening this perception or that, urging this concern or that, and providing a relationship with respect to which criticism also upholds and imagining also discerns. One could redescribe the metaphysical, methodeutic, or grammatological descriptions offered by a variety of thinkers as offering different descriptions of this presence: Plato's ideas; Philo's principles or archetypes; the real signs or symbols emerging in the

work of Augustine then Poinsot then Charles Peirce; Martin Buber's basic word-pairs; Max Kadushin's "value-concepts"; Garrett Green's notion of the "paradigms" of the imagination that inform scriptural hermeneutics; Michael Fishbane's notion of the mythopoesis that informs rabbinic midrash; Peirce's notion, again, of the "leading principles" that inform acts of interpretation. Any of these might work to identify the presence that leads the critical but engaged or faithful reader, provided we imagine them embodied in the kind of presence that also merits the term "imaginal body" or, perhaps, spiritual body? The point may be restated this way. To account for the way some of our contributors write, it may not be enough to appeal, on the one hand, to some "method of reasoning" even a "postmodern" one nor, on the other hand, to some "emotive or personal engagement." It might prove more convincing to refer to some relationship between an identifiable method of rational criticism and a less visible being that behaves at once like a concept (or, rather, a logos) and like a person.

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NEW MEMBERS INTRODUCTIONS:

Oona Ajzenstat: "I am a doctoral student at McMaster University in Ontario in the department of Religious Studies. I have been trained mainly by Political Theorists, Straussians and Voegelinians. My allegiance remains with the latter camp, but this is now somewhat irrelevant; I find myself working mostly with pedantic Christians of the British style. I am interested in theories of relation in text and life; thus midrashic hermeneutics and dialogical ethics and ontologies. My dissertation will be on Buber; I suspect that his work on hermeneutics will provide the ground on which he can be reclaimed for philosophy from the guru-seekers."

Haim Dov Beliak: "I am a rabbi and presently completing a PhD in Higher Education at the Claremont Graduate school on oppositional discourses and their impact on three universities. In a addition, a number of us in what is loosely called critical pedagogy are interested in letting people know about a conference we are planning for New York in March:

Mifgash: An On-Going Conversation Among Jewish Intellectuals. In the Spring of 1993 and 1994, a community of Jewish intellectuals within and outside the academy assembled to discuss issues of shared concern affecting our own lives and the Jewish future. The following questions were among those that emerged from our conversations.

1. Jews in the academy. What is the relationship of Jews and Judaism toemerging multicultural and pluralistic university settings? How do Jewish students and teachers understand their relationship to the academy? In what ways do institutions of higher education acknowledge and de/legitimate Jewish identification?

2. Campus milieu. What is the impact of being Jewish on academics' intellectual pursuits? What is the relationship of Jews, Judaism, and Jewish Studies to "oppositional discourses" in gender studies, minority studies, literary theory, film studies, and other multi-discipline or anti-discipline areas of inquiry?

3. Intra-Jewish concerns. How do intra-Jewish issues–such as difference in gender, modes of observance, and degrees of alienation–affect dialogue among Jewish academics?

4. Jewish learning. How can Mifgash most effectively function as an adult Jewish learning setting with impact on our personal and professional lives? In what ways can Mifgash support the projects of Jewish academics interested in studying Judaism or Jewish life for their professional enrichment? What barriers do Jewish adults including academics find to Jewish learning?

5. Jews and Social Responsibility. Do Jews working in the academy conceive of our scholarship as pertinent to the direction of North American culture? What relationship exists between Jewish values and broader social concerns? We invite your letter of application, your suggestions for our mailing list, and your ideas for any of our planned formats. Please send a brief statement about how the Mifgash Conversation interests you, a brief c.v. outline, andbiographical sketch to Mifgash, 9715 Lockford Street, Los Angeles, CA 90035.

"An East Coast Mifgash retreat is planned for March 24-26, 1995 in Pauling, NY. Some subsidy is available for both conferences. For information, contact Haim Dov Beliak: Phone: ___, Fax ___, Email: ____. Edu" Mifgash Planning Committee: Miriyam Glazer (Lee College), David Purpel (University of North Carolina-Greensboro) Maeera Schreiber (University of Southern California), Diane Schuster (Cal State Fullerton), and Roger Simon (Ontario Institute for the Study of Education at University of Toronto.) "

Avi Bernstein: " . . . . I am a doctoral candidate in Jewish/Religious Studies at Stanford University. I am at work on a dissertation on "modern Jewish identity" in the philosophical and Jewish writings of Hermann Cohen. I also follow contemporary debates in modern thought that bear on post modernism. I spent last year as a Lady Davis Fellow at Hebrew University where I enjoyed conversations with Richard Cohen and several others who mentioned this group. I am being advised by Arnie Eisen and Lee Yearley . . . . "

Philip Culbertson: "I've been involved in Jewish Studies for eleven years. My guide and mentor is Rabbi Zev Gotthold in Jerusalem, though I also spent several years part-time on the staff of the Shalom Hartman Institute there. I am currently teaching at St. John's Theological College in Auckland, New Zealand, in the fields of pastoral theology and New Testament. St. John's is the graduate department of theology for The University of Auckland. I've just finished my fourth book, which will be published by SUNY Press in late January, 1995. Entitled A WORD FITLY SPOKEN: CONTEXT, TRANSMISSION AND ADOPTION OF THE PARABLES OF JESUS, it explores the relationship between Hellenistic and early rabbinic parables, and some of the parables of Jesus from the gospel of Matthew. That was a huge project (and it's a big book!), so right now I'm resting a little in the field of Judaica. In the meantime, I'm working on two new books for Fortress Press: one on memory and story-telling during counseling, and the other on patterns of pastoral care in South Pacific cultures. Three million people live in New Zealand, but less

than 1% of them identify themselves as Jews, so Bitnetwork is an important resource for my staying in touch with developments in the fields of rabbinics and modern Jewish thought. I'm here only ten months out of every year; I spend the month of December in the US, and January at my private townhouse near the corner of Jaffa and King George in Jerusalem."

Edward Feld: "I am currently serving as Rabbi of the Society for the Advancement of Judaism (New York), after having been the Hillel Director at Princeton University for the last nineteen years. My book, "The Spirit of Renewal," was recently published by Jewish Lights Press, and I will be teaching a seminar on Martin Buber at the Jewish Theological Seminary this fall. Along with my ongoing interest in Jewish theology, I have recently been pondering the nature of Talmudic thinking and have been writing up an approach to several Talmudic sugyot."

Gail Labovitz: "I am [a Rabbi and] a doctoral candidate at the Jewish Theological Seminary in the department of Talmud and Rabbinics. I hope to take my first comprehensive exam in November. I come to post-modern theory largely through feminist theory and women's history – Joan Wallach Scott, Denise Riley, Judith Butler, etc. I am particularly interested in questions of how gender is constructed and represented in literary texts (since that's what I work with), but also how postmodern theory can illuminate those texts in areas other than gender and gender relations. I would like to know more about "general" postmodern theory and its applications to religious texts."

Jim Ponet: "I am a Hillel Rabbi at Yale University. A student of David Hartman's, I am deeply engaged by Political Philosophy, Moral Philosophy and Halakha. The task of working out the philosophical implications of Halakha in this age of landed and diasporic Jewry challenges me constantly. I continue to be enchanted by the work the late Joseph Soloveitchik."

Gerhard van der Linde: "I have a PhD in Theory of Literature and a Masters degree in Italian. I work as Subject Librarian for Semitics at the University of South Africa. Our Semitics Department teaches inter alia Judaica and Modern Hebrew. I thought `tuning in' to your list would help me to stay informed about developments in contemporary Jewish philosophy and that I could pass on what I pick up to various people here. I am also interested in postmodern(ist) philosophy as such, and am therefore curious to know more about the intersection between Jewish philosophy and postmodernism."

Talmud and Postmodern Jewish Philosophy:

1. Further Responses to "Framing Women/Constructing Exile" by Aryeh Cohen (BITNETWORK VOL 3.1)

a. David Weiss Halivni, Columbia University

[Ed. Note: Here is a transcription of Prof. Halivni's response to Aryeh Cohen's paper, offered in an oral interview in October, 1994. Paraphrased discussion is placed in square brackets.]

Ed: Aryeh has framed the `maasyot' [ of `Gittin'] with regard to the issue of the danger of women swearing. Are you [in `Mekorot umesorot'] framing it with regard to the yerushalmi's idea that swearing is unnecessary?

Halivni: or at least insignificant. I still believe that the major motivation that energized this particular `sugya' is its assumption that the person should not be punished if she swears truthfully. The only way they could find a reason that that woman was punished is that she indirectly replaced that portion of flour ....The Bavli is uncomfortable with the Palestinian tradition that swearing truthfully is in itself unacceptable. However, I still allow for the possibility that, in this particular text, although it is not a major factor, the author also was also motivated by a kind of anti-woman

bias, which may have been a reason for the fact that the story is formulated in terms of women, rather than men. For, if I am right that the major motivation [was about the issue of truthful swearing], then ...they could have told another story about a man. In order to understand this fully, we have to go elsewhere and look up other
texts.

First and foremost we should examine the problem of `neder' ("vow taking"), which is so close to `shevuah' ("oath taking"); in fact, `neder' and `shevuah' are considered as one. The Talmud says, in `Nedarim' (9a, Mishnah) `nadar b'nazir uv'korban uv'shevuah' ("he has vowed as in a Nazir's vow, an offering, and an oath"). Among many other places where `neder' and `shevuah' are almost interchangeable, we may think of the `kol nidrei' [we just performed this week].... Furthermore, in `Nedarim' 9a, the `gemara' cites `Kohelet' : `tov asher lo tidor mishetidor v'lo tshalem' ("it is better not to vow at all than to vow and not pay"). This this would suggest that, if you pay, it is fine: that is Rabbi Yehudah's view (and, as the commentators say, this is the `peshat'). But Rabbi Meir says `tov mizeh umizeh she' eyno noder "kol ikar": that it is better not to be `neder' at all. This recalls the notion that if you vow and pay it is not that different than if you swear and fulfill. Here [vowing and swearing are almost interchangeable; both are dangerous, and] it is totally in a male context.

[With regard to the danger of swearing,] we must of course quote the `gemara' in `ba meh madlikin' (`Shabbat' 31b). The mishnah begins `al shalosh averot nashim metot b'sha'a lidata: al she'eyno zehirot b'nidah, b'chalah, ubhadleket haner' ("women die in childbirth for three transgressions: for lack of attention to the laws of impurity, to `challah,' and to lighting shabbat candles"). `Nidah,' of course, concerns women, but `hadleket haner' (candle lighting) is only by convention yet still, it concerns women. Then the `gamara' imperceptibly changes and speaks of `men.' There are three levels [through which this change is effected.] First, from the mishneh, `al shalosh averot nashim' metot, concerning women.

Then the intermediary stage has `beavon nedarim ishto shel adam meta' — ("a man's wife dies (out of punishment) for his neglecting vows"): concerning both men and women. And the third stage has `beavon nedarim banim metim ki shehen ketanim' ("a (man's) children die when they are young (out of punishment) for his neglecting vows"): in which case women are totally left out.

So you see that this element of women is not exclusive: on the subject of `nedarim,' the rabbis [also argue that,] according to some, even if you fulfill a `neder,' you can be punished and this applies to men as well as women. There are many other sources that could be cited, as well. Nevertheless, let us consider the case where you offer a more atomized [analysis] concerning the author of this particular document. (The `lo shanu' statements, by the way, could be earlier than the rest and belong to another issue.) These statements fall into a general pattern, but this author in this sugya may have used such patterns [as vehicles to deliver] this additional anti-woman theme. But such a theme certainly cannot be generalized; and even for this author in this `sugya,' I do not believe that the theme of women captures the whole issue. It may have been an additional component, but probably not the major issue.

Ed: Finally, what about Aryeh's hypothesis that the structural distinction of `maasyot' and `lo shanu' statements may reflect an ideological distinction?

Halivni: In theory, I am generally inclined to see the possibility of such structures' carrying ideological notions, but not a `single' ideological notion. As a matter of fact, almost certainly not.

Ed: Are you saying that a particular redactor may make use of the structural distinction for this or that ideological purpose?

Halivni: I would go further. The same redactor may have opposite ideological positions in different places, and may use the same structure

to carry the different positions. The best example is when you have a `shekul mitsvot.' You have a whole series of `shekul' mitsvot `kneged kulam' ("the valuation of (certain) `mitsvot' over all others") applied to `tzedakah, shabbat,' and so on. Obviously only one `mitsvah' could be `shekul.' Each one comes only in a package when for example, one wants to emphasize the different `mitsvot': someone may emphasize the `mitsvah' of `tzedakah;' then sometimes later, somebody else will emphasize a different `mitsvah.' [The use of the structure "shekul mitsvah kneged . . ."] does not have to be consistent in its ideology, but there will in each case be an ideological use . . . [In general, then,] there could be ideological use of such structures, but this should not be presented as the ideology of the Talmud itself.

Ed: That also suggests that you do not object to Aryeh's rhetorical approach of, for the moment, suspending merely historical-critical reading and looking at literary-structural devices that may display certain ideological concerns.
Halivni: Yes, that is why I am not in principle against [what Aryeh is doing.] But this has to be done locally and any general statement [may refer to the structures themselves but not to any specific meanings. The analysis should not be over-generalized.]

b. Alan Brill, Boston
"I would always give pride of place to a strong misreading over a weak misunderstanding." In this statement, Aryeh Cohen changes the stage of understanding rabbinic Judaism from modern historicism to postmodernism. No longer should we look for the original meanings of texts by means of form criticism or for the primordial concept behind the text. The text itself as it exists in its current canonical form is the source of understanding. Even within the text, this is not to argue for a specific view, as much as to create a narrative framework in which the legal possibilities are all characters within the narrative and not alternate positions. Here, the definition of narrative as plot is clearly rejected. In its place narrative is defined as the dialogue process, as part of a cultural system, and as an

associative pattern of ideas: not the linear progression of the text, but the web of literary connections that is created. From a literary perspective, lines of argumentation that are rejected by the Talmud are not actually rejected. They continue to function as "concepts under erasure," creating literary connections that do not create philological word associations or organic thinking, but, rather, frame further discussion through their rhetorical function in given texts. In a narrative, as opposed to an historicist approach, the function counts.

Cohen's criticism of strictly historicist and legalist studies Talmud does more than he intended. While opening up space for a narrative reading of the Talmud, this criticism equally opens up space for a structural or platonic read of the text. Just as Barthes allows for psychoanalytic, or thematic, or structural reads of a text, so too does Cohen's method allow for a plurality of readings. Are all of these postmodern options? Further, is the criticism of historicism complete? Studying the rhetorical options of a text is not only a postmodern idea, but also a classical one. The narrative form of dialogue in the Talmud is a platonic one that, at the same time, brings back the question of history, but without historicism. What was the original intent of the editor of the Talmud? Is the Talmud a platonic document? Are the literary structures intended by the authors? Were the Talmudic Rabbis aware that the major theme of the text was their own power and not that of the Mishnah?

Cohen's criticism of historicism rests on his setting out the narrative structure of the Talmud, but he uses the term narrative in two distinct senses. The first sense, that the Talmud is a literary-theological narrative and not history (Kermode), allows insight into the use of "concepts under erasure" and intertextuality. This sense of narrative is similar to the postmodern return to virtue and traditional texts (MacIntyre and Hauerwas), and the postliberal approach of using narrative to [establish an intratextual source of . . .] cultural context (Lindbeck, Frei, Theimann). Does Aryeh Cohen intend to reject the rationality of modernity in order to be rid of historicism? The second definition of narrative, displayed for

example in the work of Robert Cover or Cornell West, is that the text is a cultural narrative that historically informs both tradition and current options. This definition of narrative situates texts in their historical context in order to correct the narrative of power behind the text. If Sugyetics is about power and function, then it is not about classical rhetoric, dialogue, or literary deconstruction.

In both of these senses of narrative: if one makes a postmodern commitment to personal experience (David Tracy) that leaves one at odds with the narrative-legal approach of the Talmud; or if one tackles the repressive social aspects of the Talmud head on by viewing the Talmudic text as political in every line, then one has distanced oneself from Talmudic virtues in ethical choices, and one has returned to the rationality of modernity and liberalism (Stout). Similarly, if one does clean the Talmud of its sexist elements, then one submits it to a rationality outside of the narrative text. One has then created a theological abstraction, such as Christian Patristics without its patriarchy, in which the narrative is lost. The cultural definition of narrative leaves us with the most historically informed of narrative options. We can claim to live in different historic times and thereby read the sexism out of the text. One can view the "misreads" as misinterpretations when one claims to know an original historic intent.

The upshot of these two definitions of narrative in the article is that Aryeh Cohen's arguments are most politically radical when they are not historically radical and most anti-historicist when they are not politically radical. Either the narrative structure of the Talmudic text is non-historic as a weave of concepts and not a historic commentary; or it is an historically situated text that reveals its political agenda in its weave. Historical form criticism is denied but social history is revealed. Which is the more pressing need within the Jewish community: to correct its historicism by means of literary criticism, or to correct its cultural biases? Alternate disciplines to literature or law that may overcome these problems are phenomenology or anthropology. What would Gertz or

Tambiah say about the Talmud as a cultural system? A non-historicist cultural anthropology or a non-historical phenomenological hermeneutical approach with an awareness of our difference cultural system allows for both a pragmatic political change and a rejection of historicism.

While most traditional talmudic commentaries approach the text as either dialectic or practical law, there have been some commentaries (Meiri, Ritva, Luzzato) which discussed the rhetorical element in the law. In the sixteenth century, the Maharal (Rabbi Judah Loew, 1525-1609) already placed the Talmudic text in its narrative form as the center of Jewish thought. He developed a structural approach in which tannatic texts are seen as chiastic and developing from potential/hypothetical (from when? how?) to actual/definitive (cases with names). He treats the talmudic text as providing a narrative that is not subject to the common sense perspective of dialectic and that gives a symbolic/platonic understanding of peoplehood. The Maharal rejected the historic humanism of Azariah de Rossi that found Talmudic is interpretations and errors. Instead, the Maharal argued that each tractate has multiple cultural kernels without historic antecedents or causal relationship. The similarity of Aryeh Cohen's approach with that of the Maharal illustrates the value of Andre Nehar's suggestion that we look for postmodern Jewish thought in the Eastern European Jewish thinkers who were independent of both medieval rationalism and modern western Enlightenment.

Prof. Shalom Rosenberg was quoted to me (by Aryeh Cohen) as saying that the last century of historicism in western Judaism should be viewed philosophically as "one hundred years of solitude." Aryeh Cohen's rejection of form criticism in place of literary theory/cultural studies, allowing a confronting of the meaning of the text, can be considered as the start of a non-historicist postmodern dialogue on Talmudic studies.

c. Rabbi Ed Feld, Society for the Advancement of Judaism

This sugya (Gittin 34b-35a) is imbedded in a series of Mishnayot dealing with `tikun olam.' `Tikun olam' is a wild card claim within the legal structure allowing us to respond to issues of justice when straight-line legal reasoning would yield conclusions which are difficult to live with. Because of `tikkun olam,' we recognize the humanity of the non-Jew even though the inherited law is more provincial. Similarly, Hillel could overturn even Biblical precedent when an increasingly capitalistic society could no longer function with the Biblical imperative canceling loans in the Sabbatical year.

The situation in our sugya presents a peculiar conflict regarding `tikun olam.' Biblically, justice is always portrayed quintessentially as doing right by the widow and orphan. Here, the rights of the widow and orphan conflict with each other: you can support the widow only by taking money from the orphan. To whom does the court owe its greatest loyalty? The sugya seeks to move our sympathy from the mishnaic ruling, and thus from the side of the defenseless orphan to that of the poor widow, and it is in fact successful in raising the voice of the woman: no one can leave this sugya without hearing the pain of the widow, something seemingly absent from the purview of the Mishnah where the only means of her securing her property "taking an oath" is precluded.

In this situation there are no good outcomes; justice cannot properly be served. The stories illustrate the fact that even when people act justly they nevertheless can be guilty. Thus, the Rabbi who follows precedent and sees himself as having no choice but to carry out the strictures of the law is felled by disease. Even if he acted correctly, he is wrong. The same goes for the pious who saved a minuscule amount of flour. In such a world, it is impossible to act without sinning. The Rabbis are conscious that even when they act righteously they cause grief. Such is the terrible consequence of power. The tragedy of living in this world is that `tikun olam' may not be achievable.

2. A Response to the Responses Presented in NETWORK Vol 3.2: Aryeh Cohen

Before I present these initial reactions, I want to thank those who have taken the time and effort to respond. The responses have been universally thoughtful, and provocative in a very positive sense. I feel that there is an important discussion that is beginning here, and I look forward to continuing it at the AAR conference in Chicago. I have some brief initial comments about Gibbs & Ochs, and Mackler's responses, and then some more extended remarks about Meskin's response to sugyaetics as a whole, and the beginning of a response to Brill's remarks.

I look forward to the second part of Gibbs & Ochs essay in a future issue. The first part of their essay raises an important question about reading mishnah as a distinct activity from reading gemara. I agree with their contention that the entire chapter of mishnah has thematic unity and offers insight into the concerns displayed in the sugya. I would extend this to say that the sugyot in this chapter are reading the mishnah as a whole. Sugyot are consistently foreshadowing concerns of upcoming mishnayot. It would be interesting to see how widespread this phenomena is, and how it governs the reading of the mishnah. I think that some of the sugyot including to an extent our sugya are generated by specific readings of the mishnah as a whole chapter. For example, the recurring trope of they used to do something, then something bad happened and they stopped which is explicit in the early mishnayot is also assumed in our mishnah. Although I do not want to embark on an extended reading of the mishnayot of chapter 4, I would just add one more remark. I think that the chapter as a whole specifically the `tikkun olam' question circles around mishnah 5. It is the only mishnah in which the expression tikkun olam also makes literal sense.

Mackler's reading is suggestive and insightful. As he notes, "I find more interest in the tensions and discontinuities" than "the achievement of a significant, if imperfect resolution." It seems to me that part of our present

"fixing" entails returning to the original site of the discontinuities and tensions, and then once we have recognized those discontinuities and tensions trying to recover some of the voices we have lost to earlier imperfect resolutions.

Meskin's response to sugyaetics is interesting in the way that it recapitulates one of the narrative threads that I point out in my reading of the sugya itself. Setting up an opposition between sugyaetics and "orthodox yeshivot," Meskin casts the orthodox beis medrash "in the role of the conservative guardians of tradition" while sugyaetics is "the opposition." Drafting Burke and Churchill to man the ramparts of the study hall, Meskin attempts to ward off the "modern, one-sided, enlightenment" barbarian objectification at the gate (quoted appellations are from Meskin's response). At times "halakhic tradition" or "significant form of Jewish spirituality" are substituted on the "orthodox yeshivot" side of the binary. While I will fear that Meskin may be misreading my paper, I think that he is pointing to an issue that very much needs to be discussed by post-modern Jewish thinkers. That issue is whether the (romanticized?) pre-modern Yeshiva is actually the sanctuary for those disillusioned with the objectifying and totalizing project of modernity the modern academy being a vanguard of that project. But first some comments about the specific issues that Meskin raises in my reading and about sugyaetics.

If sugyaetics were only drawing our attention to the differences among layers of successive Talmudic activity that is, by distinguishing the layer of ma'asim from the layer of the stammaim then there would be little with which to quibble. At least in the sample presented to us, sugyaetics seems to isolate the ma'aseh as problematic in general. In the specific context of the sugya from Gittin, the particular ma'asim in question embody certain troubling conceptions from which we need to be "saved" by later delimiting stammaitic statements of the form lo shanu ele. (Meskin par.3)

Sugyaetics is not about source criticism. I am not interested in "layers of successive Talmudic activity," but rather narrative strands of the sugya. Nor am I making a claim about the ma'aseh in general, but about the narrative strand that is the three ma'asim in this `sugya.' Beyond this point, Meskin may have misconstrued the relationship between the ma'asim and the other narrative strand. If one were to pursue a source critical analysis of the sugya based on attributions, the latter two ma'asim in the sugya (a certain woman and R. Huna/lines 34-38; and a certain woman and Rabbah son of R. Huna/lines 39-46) are later than the "lo shanu" statements which are not stammaitic, but are attributed to Rab and Shmuel, first generation Babylonian Amoraim. The first ma'aseh is unattributed and therefore there is no basis for saying that it is earlier than the Rab and Shmuel "lo shanu" statements. There is no "doing away with" the "layer of ma'asim," since there is no layer of ma'asim either in a sugyaetic reading or in a source critical reading.

A sugyaetic reading is drawn to the textuality/narratology of the ma'asim, as opposed to their adjudication. Meskin would have been better served by Jonah Fraenkel's `Darkhei Midrash Va'agadah,' than by Alon's Jewish Law. As I point out in my reading of the ma'asim, they are not legal precedents. There is no law learned from them. The latter two ma'asim posit a certain legal reality (and, to be sure, uphold it), and the first ma'aseh posits a certain cultural reality. All three ma'asim are scenes in which the tension between a woman's assertive voice and the tradition are enacted, with fatal consequences. In the first ma'aseh, the fatal consequences are inscribed by an anonymous third voice (line 17 "They said"). This ascription is part of the cultural reality that women who swear bury their children, as articulated in the midrash in the Palestinian Talmud that I quoted. This interpreted tragedy ("They said") has less to do with "inexplicable events" than with the inscription of the danger of a woman's voice. The "pastness" of the sugya is a result of the way in which the narrative strands are interwoven and play off each other in the stam. The seeming closure reached by Yehudah's statement (line 47-and see also

Mackler's reading), is undone by what comes next. However, I do not want to rehash my whole argument here.

Meskin's reading of the paper and the sugya is embedded in a larger and more significant cultural discourse. As Alan Brill points out in his response, there is no single monolithic tradition which continues the "significant form of Jewish spirituality" that is Talmud, to this day. There are many traditions, many readers. A large segment of the present day Yeshiva movement embodies a certain way of reading Talmud which finds its spiritual antecedents in Alfasi: this is reading for the halakhic bottom line. The very premise that Talmud is a collection of legal rulings, however, is itself questionable. Though Alfasi thought it should be, many of the medieval commentators disagreed (for example, the RITB"A, the RASHB"A). The present yeshiva style of learning as also the current Ashkenazic halakhic tradition is a result of choices made over the centuries. These choices were not dictated to Moses at Sinai, but were made by situated, engaged scholars at specific historic moments. Revisiting these texts, and possibly resisting these choices, is not "opening an endless quarrel with the past" although it might be opening a futile, and perhaps irrelevant, quarrel with those who claim a monopoly on that past. Revisiting these texts is reengaging in the dialogue with the ground of our present.

This post-modern dialogue must be as wary of a totalizing, essentialist definition of "fidelity to tradition" as it is of a totalizing and objectifying academic approach to religion. Giving the Yeshiva primacy over the academy does not serve to rectify the imperialistic scholarship of the enlightenment. It merely grants license and legitimacy to imperialistic scholarship in the Yeshiva (see the current fascination with "history" in the Orthodox community).

Finally, of course, in response to Meskin's claim (on p. 14) I must assume that all of us joined in this dialogue are seriously engaged in dialogue with

Talmud and the halakhic tradition, and that that engagement itself has compelled us to stand in this liminal space.

Alan Brill's response raises a significant question that lies at the heart of what I am trying to do with sugyaetics. He writes:

Aryeh Cohen's arguments are most politically radical when they are not historically radical and most anti-historicist when they are not politically radical. Either the narrative structure of the Talmudic text is non historic as a weave of concepts… Or it is ahistorically situated text that reveals its political agenda in its weave. … Which is the more pressing need within the Jewish community to correct its historicism or its cultural biases? (I am quoting from an early version of Brill's response.)

At this point in my thinking I would say that the Talmudic text reveals the history that it generates in the halakhic and commentary tradition. The political agenda in its weave flowers over the centuries. It is not a prehistory that can be recovered, but a moment at which a certain "post history" or "ground" is forming. As to the question of historicism or cultural biases, I lean towards correct cultural biases first, although the two cannot necessarily be easily separated. This is however, a (if not the) significant question for me, and a continuation of the one raised by Meskin's response.

3. A Response to the Response to the Responses: "Sugayetics, The Academic Study of Judaism, and Dialogue: A Further Response to Aryeh Cohen" Jacob Meskin, Williams College

I would like to thank Aryeh Cohen for continuing our dialogue in his `response to my response'. Opportunities for this sort of sustained intellectual give and take present themselves only rarely, and I am very pleased to be able to learn from, and enjoy, this one. And Aryeh Cohen is right–there is a big, terribly important issue at stake here, one that I suspect both Cohen and I (and a great many others) agonize over. What

IS the relation between modern, Enlightenment rationality–and its characteristic institutional and social forms–and the religion we call Judaism? What might TRADITION–whether "talmudic", "halakhic", or more sweepingly "Jewish"–mean as a specifically RELIGIOUS category in an era characterized by suspicion, individualism, and the decimating analyses of texts once thought integral into disparate historical and narrative fragments? These questions are not only about how scholars ought to think about texts and rituals–they are, even more pointedly, about how flesh and blood people living after the Enlightenment are to understand, practice, and live out the religion we call Judaism.

In point of fact, I believe that Cohen and I turn out to be quite close in our general approach to these questions. However, I disagree on how Cohen presents sugyaetics. This is certainly NOT because I hold a different view of certain fine-points of the Talmudic text–in this respect, I am clearly and admittedly the `am ha'aretz.' Yet I understand enough to be able to wonder at certain conceptual moves that my colleague the Talmudist makes in pursuing his sugyaetic agenda. And so let me clearly state that, even while I commend the intriguing innovation and bright promise that mark the sugyaetic project, I continue to worry that Cohen's manner of presenting sugyaetics remains entangled in a sort of "us" versus "them" academic disciplinary mind-set, where Judaism ends up being the object to be studied and sugyaetics, inter alia, ends up being an objective, scholarly method used to study it. I will question this subject/object bifurcation below, and must point out that my original response used words like DIALOGUE to characterize the relation between "Jewish tradition" (however we construe that word) and the modern, secular academy. Let me then raise several red-flags, and finish with a rather different way of construing the academic study of Talmud, and Jewish studies more generally.

I begin with a small point. I was very careful to reproduce faithful citations from Cohen's original piece, and to set them off as such. But I find several phrases attributed to me that in fact belong rather to Cohen, in particular

the phrase: "conservative guardians of the tradition" which does indeed occur in my response–BUT ONLY as a direct citation from Cohen's original piece. I do not advocate any such set of conservative guardians, and I only mention that apparently so worrisome phrase–"orthodox yeshivot"–once in passing at the very beginning of my response. So let me just plead here, Aryeh, that you not truncate my position too quickly into some sort of binary opposition.

I must however thank Aryeh Cohen for correcting my conflation regarding source-critical, form-critical, and sugyaetic outlooks. I stand corrected. Sugyaetics focuses on NARRATOLOGICAL UNITS. In other words, sugyaetics attempts to identify the component stories and parts of stories through which larger narratives–such as e.g. the sugya itself–come into being. Thus my talk of "layers" of ma'asim must be abandoned, and with it I must also jettison claims that Cohen wants (as if it were possible) to "do away with" the "layer" of ma'asim. And indeed, I will now put Jonah Fraenkel's Darkhei Midrash Va'agadah on my reading list.

Yet having now arrived at a better understanding of sugyaetics, the inveterate philosopher in me cannot contain his various puzzlements. I am unable to avoid the conclusion that the sugyaeticist wants to have his kugel and eat it too. Let me quote two separate sentences from the third of the paragraphs that Cohen devotes to my response:
1) All three ma'asim are scenes in which the tension between a woman's assertive voice and the tradition are (sic) enacted, with fatal consequences.
2) The "pastness" of the sugya is a result of the way in which the narrative strands are interwoven and play off each other in the stam. Whatever one may think of the ultimate truth of statement 2), how can one deny either its conceptual daring, or the intellectual adventure to which it points? Here is an example of narratological analysis being used in a suggestive and fecund manner, yielding a sophisticated instrument for comprehending the powerful effects of stammaitic redaction of the talmudic text. Things are quite different with statement 1), however, and here I believe that Cohen must tread carefully, for sugyaetic analysis

CANNOT BY ITSELF produce the narrative units described in statement 1). Let me try to say why.

The general category of "ma'aseh" in sugyaetics is, of course, PURELY FORMAL–that is, it refers to certain identifiable, and more or less distinguishable mini-narratives. These relatively discrete units of narrative significance can, by definition, have all sorts of different CONTENT, since ma'asim can be about a vast number of things. But if this elementary observation is true, then I am puzzled about how Cohen can be so certain that the particular ma'asim from masekhet Gittin SIMPLY ARE "scenes in which the tension between a woman's assertive voice and the tradition (is) enacted." What enables the sugyaeticist alone to know the single, correct characterization of the meaning of the narrative units out of which the `sugya' is woven? Is this a matter for debate and legitimate difference of opinion? Or, rather, does sugyaetics DENY the basic distinction I drew above, namely that the ma'aseh is a FORMAL category in sugyaetic analysis, and that determining the ma'aseh's CONTENT (and what this content might mean) will differ dramatically not only from ma'aseh to ma'aseh, but also from one interpreter of a ma'aseh to another interpreter of that same ma'aseh? To put this point another way, is Cohen's statement that our three ma'asim are about the tension between a woman's assertive voice and tradition simply true by definition in sugyaetics? If this statement is NOT a priori, then these ma'asim might MEAN many other things, and they would go right on meaning many other things even though we could precisely fix their exact, identifiable narrative FORM–just as different interpreters find that one, single, self-identical parable, fable, or short story can MEAN a great many things.

In my original response to Cohen, I listed four possible meanings for the ma'asim in masekhet Gittin, noting that Cohen to his credit had supplied his readers with these alternative meanings in his own piece. I cannot possibly enter the fray on anything approaching an equal footing here with my colleague the Talmudist: he may well be right that these ma'asim

do indeed mean what he takes them to mean, and that the alternative readings must simply be rejected. But at least let me feel protective about the values of pluralism, conversation, and the rich multiplicity of meanings inherent in living textual traditions. Are these liberal values? Post-modern values? I don't really know, but you don't have to work through all of Derrida's texts to know that most attempts to stop the play of meanings once and for all involve the risk of violence. (Despite the apparent emphasis on getting the "halakhic bottom line" of which Cohen rightly speaks, room for disagreement is still maintained within this process, at least in the living commentarial space of the texts. And even were one, per impossible, to "get" such a halakhic bottom line, at least interpretive and halakhic freedom is retained.)

What is really going on here is that each student brings his or her own assumptions to the reading of the text–which is how it should be, and how it always has been. It then becomes the task of the text itself, in conjunction with other readers of that text and the student herself, to help the student begin to recognize her assumptions for what they are. She will want to maintain some of these assumptions; she will want to abandon some, and she will spend years deliberating over others. But in this process–especially as it has unfolded in the reading of Jewish texts–it becomes possible to revise and reconsider one's initial starting points. The profusion of commentators on every page, and the lively conversation among present-day readers engender a "dangerous dialogue" between reader and textual tradition–as opposed to the relative "safety" of scholarly analysis, where the analyst's own life and commitments almost always remain well out of play.

Indeed, two alternatives have for a long time dominated the academic study of Judaism: either one used her intellectual discipline as an external methodological tool with which to measure and manipulate the object (Judaism), or one fell helplessly into some species or another of "apologetics", with its concomitant connotations of rigorlessness. But something NEW is beginning to happen: several recent thinkers are

pushing beyond this dichotomous model, progressively creating a mutual or at least quasi-mutual INTERACTION between a particular academic discipline–philosophy, social theory, literary theory, psychology–and the endless dehiscence that is Jewish tradition. We see this emerging trend toward real dialogue in several different nexus of contact between Judaism and particular academic disciplines:

a) in psychology there is, inter alia, Moshe Halevi Spero's recent RELIGIOUS OBJECTS AS PSYCHOLOGICAL STRUCTURES: A Critical Investigation of Object Relations Theory, Psychotherapy, and Judaism, with its attempt to develop a "halakhic metapsychology";

b) in literary and textual theory there is the innovative work of Daniel Boyarin (and possibly also the older work of Andr_ Neher, whose profound literary meditation on the Tanakh, THE EXILE OF THE WORD, deserves to be better known);

c) in social and political theory there is the work of Mark Shell, who has investigated the historical roots of tolerance in Biblical and Talmudic discussions of the b'nei no'ach, suggesting that the absence of such an ethics of plurality may be partly responsible for much of the violence that has taken place in human history;

d) in philosophy there is the work of Hermann Cohen, Franz Rosenzweig, and Emmanuel Levinas.

All of these thinkers are moving forward in the relationship between Western culture and Judaism, for they all take Jewish tradition INTO western culture as a full and equal contributor. Here Judaism has ceased being just another object to be interrogated and probed according to the standards of particular academic disciplines. Instead, the many voices which compose the symphony called Jewish tradition become audible, and this symphonic tradition gains the right, as partner in a dialogue, to challenge and question "the" prevailing cultural standards for what constitutes intellectual inquiry in western culture. Here we are, finally, beginning to have fruitful CROSS-FERTILIZATION and ongoing interconnection. How else to describe Levinas' distinctively Jewish (and Talmudic) ethical post-phenomenology, or Rosenzweig's profoundly

Judaic critique of systematicity, or Spero's "halakhic metapsychology", or Hermann Cohen's Judaic kind of neo-Kantianism, or Daniel Boyarin's incisive critique of the documentary hypothesis from the vantage point of midrash and its generativity? Here, finally, different aspects of Jewish tradition may begin to "influence" or "affect" modern, western intellectual disciplines.

Why are we allowed, as professional academics, to help our students to see the power and force of religious texts from other religious traditions, so that the religious ideas and motifs of, say, Christian and Buddhist religious texts are permitted to enter into the western intellectual discourse of our students, while we remain unable to think of doing this for the Talmud? Why is it acceptable to explain the vital Christology at work in Hegel, or the Catholicism which informs Eliot's FOUR QUARTETS, or the deeply Christian meditation on time that shapes Bulgakov's MASTER AND MARGARITA, or even the Christian mysticism at play in the later Heidegger, while the study of Judaism struggles to wipe out any hint of just this creative and mutually enriching intermingling? If profoundly Christian materials are allowed both to speak in the academic forum, and even perhaps to shape that forum and its rules, why must Jewish tradition remain a hapless, long-suffering, and silent golem in the academy? Academics engaged in the study of Judaism may not want "to POSKEN by the Rambam", but he still seems to serve as a fairly impressive role model for what we might perhaps want to strive to do. Who knows–it may well be that this is the only way in which we will ever seriously alter the anti-semitic historical momentum of western culture, by taking the next step (one already taken by Maimonides) and introducing Judaic ideas, critiques, insights, and patterns of living into the heart of western thought, thereby building up at least something like the sort of potent intellectual interfecundation that Christianity has enjoyed with western tradition. It seems to me that sugyaetics is perfectly poised to nurture this growing trend toward mutual exchange. I would hope that Aryeh Cohen will lend his considerable talents to this effort.

NOTE: * I would like to thank Barbara Lerner, Peter Ochs, and Susan Shapiro for helping me to clarify the ideas expressed in this piece.

A NEW SECTION: MATERIAL CULTURE AND POSTMODERN JEWISH PHILOSOPHY

Ed. note: From time to time, we will present our members' readings of various aspects of material culture. Feel free to submit your relatively brief reviews and commentaries! As for How we will read such things to the tune of an earthbound "naaseh v'nishmah," let's see what we do, first, and then we can talk about it!

To start us off with Cooking, we asked Ruth Ochs, for a postmodern recipe (she is a cooking teacher, and also the editor's mother). You may find her Jewish postmodernism embedded in the taste, as well as introduced in her initial comments. To start us off on film, we asked Norbert Samuelson to send a short piece he might already have in house (he frequently reviews for local papers, etc.). You may find his Jewish philosophy embedded in the choice of the film, the details of his recititation and reading, as well as intimated in his closing comments.

1. Cooking: "Brisket, New Style," by Ruth Ochs (Huntington, New York)

A postmodern Jewish recipe may mean one that returns to traditional Jewish cooking, but now with changes appropriate to our contemporary sense of how to protect health and, perhaps, ecology. Jewish cooking reflects the ingredients, dishes, and flavors of the various places Jews have wandered. It is thus a pluralistic cooking. You might want to call that "postmodern," too.

In bringing a traditional family recipe to today's needs requires only a few changes. Using many vegetables in the baking of the meat makes a flavorful, nutritional gravy; adding body, food value, and very little fat. The presentation of the meal is balanced with a carbohydrate (potato or

noodle), a green vegetable, and a yellow vegetable or any optional choices to make a wholesome and appetite awakening picture.

For starters, here is a "Brisket, New Style," to serve 6.

3 1/2 to 4 lb first cut brisket
2 onions, peeled, coarsely chopped
1/2 green or red pepper – cubed or coarsely chopped
2 carrots – sliced
2 stalks celery – sliced
3 cloves garlic – minced
1/2 tsp thyme
1/2 tsp oregano
1/2 tsp black pepper
pinch of cayenne pepper
2" slice fresh ginger – grated
OR 1/4 tsp ginger powder
1 sprig parsley – chopped
1 bay leaf – whole
*(if fresh herbs are available, double measurement)

Day before if possible 350 oven

Place all vegetables in baking pan. Combine spices and rub meat with all except parsley and bay leaf. Place meat over vegetables. Bake for 11/2 hours or until vegetables are brown and juices have collected in pan.

Remove from oven. Cool meat slightly, wrap in foil and refrigerate. Place vegetables and juices in container. Deglaze pan; add deglazed liquid and particles from pan to container and
refrigerate.

Next Day

Remove all fat from roasted vegetables and juices. Place vegetables and juices in blender or food processor. Add 1 cup beef broth and 1/2 cup dry red wine. Blend until pureed and smooth. Add more broth if gravy is too thick. Optional: add salt to taste.

Defat cold meat and slice across the grain. Hold to shape, as much as possible, and place meat (in shape) in Dutch oven. Pour pureed gravy over meat. Add bay leaf and bring to boil, then quickly to a simmer. Cook 1 1/2 hours or until meat is fork-tender. Remove bay leaf.

This can be done on top of stove burners or in 350 oven for 20 minutes, the 325 oven for remainder of time. Potatoes may be added around the meat 3/4 hour before meat is done. Add parsley and blend into gravy when meat is done.

2. Film
John Sayles' "City of Hope", by Norbert Samuelson, Temple University

Here are notes that I had written about John Sayles' "City of Hope" for a Jewish film festival at the Germantown Jewish Center two years ago. I think the theme is appropriate, and I would be interested in hearing responses to my reading of the film. For those who have not seen it, I first give data about the film (which is available at most decent video stores for rental), then a plot summary (which is fairly involved, particularly for a movie), and finally the relevant commentary.

Film Data:
1991 film by John Sayles (writer, director and editor). Produced by Sarah Green and Maggie Renzi. Executive Producers: John Sloss and Harold Welb. Distributed by Samuel Goldwyn Co. Director of Photography: Robert Richardson. Music by Mason Daring. 125 min.
Cast: Rinaldo family: Nick/Buck (Vincent Spano): Tony's younger brother; Joe (Tony lo Banco): Nick's father, engineer, owner of L St apartments; Angela (Barbara Williams): Nick's girlfriend, Michael Rizzo's ex-wife;

Paulie (Joe Grifensi): Joe's brother, assistant to mayor Bacci; Laurie (Gina Gershon): Nick's sister, school teacher; Riggs (Chris Cooper): construction worker, friend of Tony. The Black community: Wynn/Winston (Joe Morton): Community's councilman, former teacher at Madison State College; Jeanette (Gloria Foster): Wynn's wife, teacher at Madison State; Franklin (Daryl Edwards): Wynn's brother-in-law; Levonne Willis (Frankie Faison): Black Muslim leader; Desmond Price (Jojo Smallett) & Tito Robins (Edward Jay Townsend Jr.): black children who mug Les; Malik (Tom Wright): Black Muslim. The Italian community: Carl (John Sayles): garage owner, arsonist, fence; Bobby Kraus (Jace Alexander) & Zippo (Todd Graff): musicians & petty thieves; Vinnie (Scott Tyler): mechanic, waiting for chance to become a petty thief; Stagros (Charlie Yanko): Drug dealer & lunch truck owner; Styroczk (Bernard Camepari); Connie (Maggie Renzi) & Joanne (Marriane Leone): women from the community; security guard (Blair Shannon). The Hudson City government: Michael Rizzo (Anthony John Denison): rookie patrolman; Bauer (S.J. Lang): honest patrolman, Rizzo's partner; O'Brien (Kevin Tighe): dishonest cop; Simms (Randle Mell) & Gus (Steven Randizzo): city businessmen involved in Galaxie Towers; Zimmer (Michael Mantell): assistant to the district attorney; District Attorney (Bob North); Mayor Bacci (Louis Zorich); Errol (Ray Aranha)& Kevin (Jon Farris): patrolmen. Others: Les (Bill Raymond): Mugged professor of Urban Relations at Madison State College; Mad Anthony (Josh Mostel): owner of appliance store; Asteroid (David Strathairn): mad sage; Milford (John DeVries): Dean at Madison State; Roger (Dale Carman): Homosexual professor at Madison State; Yoyo (Stephen Mandillo): construction worker; Ramirez (Serafin Jovet): Hispanic drug dealer; Dawn (Eileen Lynch) waitress who works with Angela; Reesha (Angela Bassett); Mrs. Ramirez (Miriam Colon); Pina (Rose Gregorio); Paddy (Jude Ciccolello); Fuentes (Jaime Tirelli); Peter (Mason Daring); India (Olga Merediz); Thomas (John Griesenger); Suzanne (Ginny Young); Kerrigan (Lawrence Tierney); Christine (Maive Kinnead).

Plot Summary:

The story begins with Nick quitting a "no-show" job on a construction site in the city for no apparent reason other than he has "f–d up" his life. Gradually the film reveals the reasons why, and in the process we learn about two almost totally decayed societies — Nick's family and Nick's city. In both cases the decay resulted from people merely compromising with their environment in honest attempts to find some meaning to their lives.

THE FAMILY: Tony's status as family and community hero (as an all-state basketball guard to Sacred Heart High School) comes to an end when he, together with his friend Carl, gets drunk, hits a woman with his car, and flees the scene. (Carl's leg is permanently injured in the accident.) Faced with Carl's confession to the police (to save himself) that Tony was the driver, Tony's father, Joe, makes a deal with the police. To save Tony from arrest and jail, Joe makes Tony enlist in the marines. Tony is sent to Viet Nam where he is killed. Tony's younger brother, Nick, only knows that his father made his hero brother volunteer against his will. Nick feels guilty that he (the inferior sibling) is alive and blames his father for the death. He believes that his father's deal-making killed his brother, and he vows that he will not let his father makes deals for him (which is why Nick quits the construction job). But everything that Nick does in one way or another is a "deal." The only exception is his feelings for Angela, whom he meets in a bar (on his way to take part in a robbery). He instantly idealizes her as his long sought-for true love. (When he meets her he says "I like you," and she responds "You don't know me," to which he replies "Yes I do; you're something great.") Angela's life also is a series of tragic deals. Angela compromised her future when she graduated high school eight years earlier and married her school boy friend, Pete Rizzo, whom she knew even then was no good. Rizzo becomes a policeman with a dangerous pattern, at both home and work, for alcohol abuse and violence. Angela gets a divorce, and now struggles to support her seriously ill two year old son, Jesse, working as a waitress at DeLullo's. She no longer looks for any happiness or meaning in life; she only wants to survive. Because of her son, she has no hope for a future relationship

with a man; she only wants to avoid involvement with another "no good" like Rizzo. When Nick enters her life, she is afraid to hope again for happiness. Nick persuades her to hope, and then he dies.

Nick needs $2,000 to pay off a gambling debt with Carl. (He bet on the L.A. Angels to win. [In this world "angels" are losers.]) He asks his sister, Laurie, for the money. He pressures her to make this "deal" with him because he once helped her get an abortion, so that she wouldn't have to marry her no-good boy friend. Laurie can only give him $50. (She says she does it Because "it's family.") To raise the rest of the money Nick agrees to drive the car for Carl's flunkies, Bobby and Zippo, when they rob Mad Anthony's Appliance Store. (Bobby and Zippo do these crimes in the futile hope of raising enough money to make it as musicians.) The job is supposed to be easy. Carl gives them a key to the store, which is supposed to be empty at night. However, it isn't. Wynn, the local city councilman, made a deal with Mad Anthony to hire Wynn's brother-in-law, Franklin (who has a conviction record himself for robbery), as a security guard at minimum wage in exchange for some video equipment for the councilman's planned community center. Unbeknown to Carl, Bobby, Zippo or Nick, Franklin began work that night. Armed with a water gun, Franklin captures Zippo and Nick. Nick abandons the (stolen-by-Carl) car he was driving and gets away. However, Bobby and Zippo name Carl to Detective O'Brien, and O'Brien gets Carl to identify Nick as the driver. (O'Brien investigated Nick, not in the interest of justice, but to ingratiate himself to the DA's office in hope of a promotion, which [at least tentatively] he gets as a special investigator.)

A warrant goes out for Nick's arrest. However, Joe makes a deal with the mayor that gets the charges dropped. (Carl and Joe both do to/for Nick precisely what they did to/for Tony, with the same final consequence — the death of a son of Joe Rinaldo.) Nick runs into the drunk, off-duty Rizzo, who shoots Nick (presumably because he is wanted as a suspect but really because he is sleeping with Angela). Nick escapes, fatally wounded, and Rizzo is picked up by two patrolman, Error and Kevin.

Refusing to make a "deal," to lie to protect a colleague who just shot an unarmed man, they arrest Rizzo. With one bullet Rizzo has destroyed three families: The Rinaldo's, Angela's, and his own.

THE CITY: Wynn gave up being a teacher at Madison State to enter city politics to make a difference for his people and his city. He succeeded in being elected councilman in his Black/Hispanic community, but he has not succeeded in anything else. He tries to get Levonne, the leader of Black activist P Street Community Center, to come to the city council meeting to fight for more money for schools. Wynn fails both to get Levonne's cooperation and to get more money. (The school bill fails in the council 7-2.) His only success comes from making a deal — he gets Franklin a job as a security guard for Mad Anthony. That evening Errol and Kevin hassle two black children, Desmond and Tito, for wandering into the Italian section of the community. The police justify their action by saying, "if you can't get respect, you settle for fear." What they get from the two boys is racial anger, which they take out by attempting to mug Les, a white professor of Urban Affairs at Madison State, while he is out jogging. Les gets away, stops a police car, and the police arrest Desmond and Tito. To protect themselves, Tito lies and says that they beat up Les because he sexually assaulted them. Desmond agrees to go along with the lie. The police don't believe the boys, but their cause is taken up by Levonne and the other leaders of the community's black radicals. Wynn interviews Desmond and Les and concludes that Les was telling the truth, but he decides that for political reasons he would have to stand up for his constituents against the white outsider. In the end he convinces Les to drop the charges, defusing the issue, because to do so would be in everyone's best interest. In other words, for the sake of pursuing his higher political goals of helping his community, he makes a dirty deal with Les.

At the same time, the leaders of the city's business community want the buildings owned by Joe Rinaldo on L St. cleared out so that they, backed by a group of Japanese businessmen, can build the Galaxie Towers luxury

apartments — a project actively opposed by Wynn, because he realizes that it will contribute to driving his minority constituents out of their own community. At DeLullo's restaurant, with Angela working as their waitress, Simms and Gus, representing the businessmen, offer Zimmer, representing the District Attorney's office, a substantial bribe for both the D.A. and mayor Bacci's reelection campaign. The mayor agrees to the deal and gets his assistant, Paulie Rinaldo, to work on his brother Joe. Joe, however, refuses, because he knows that it would make the poor people who live there homeless. The mayor's office begins to apply pressure to make Joe change his mind. Joe, who is constructing the building of his dreams (with the backing of organized crime money in exchange for work agreements ith the construction unions controlled by the Mafia), begins to run up against a series of violations of city codes and union walk outs, all of which demonstrates that unless he cooperates on the L St. building, he will never get to build his new structure. Still, Joe refuses, until, that is, he learns that his son Nick is wanted by the police for robbery.

Paulie informed the mayor that his brother would not tear down the buildings because of its tenants, and suggests to the mayor that the problem could be overcome by hiring a professional arsonist, through Carl, to burn the buildings down. Joe wouldn't have to do anything himself; all he would have to do is agree not to rebuild or repair his buildings after they are torched. Joe finally agrees on two conditions — all charges are dropped against Nick, and no one is in the building when it is burned. The mayor and the D.A. agree. Carl hires Bobby and Zippo to torch the buildings. They succeed in burning them, but they are not empty. Unbeknown to anyone, a women and her thirteen month old child, who were living in an already closed off section of the apartments, die in the fire.

Wynn uses his deal with Les to galvanize his constituents at a meeting at the P Street Community Center (where Levonne had planned to crucify Wynn politically for siding with whites against blacks [which Levonne had counted on because he knew Wynn to be an "honest" man]) to march

on a fundraiser that the mayor was holding uptown. In front of TV cameras Wynn embarrasses Bacci publicly, forcing him politically to abandon the Galaxie Towers project. In the end, despite everyone's good intentions, no one gets what they wanted. The business men don't get their Galaxie Towers, and the mayor loses the money (and maybe even the election). Joe loses his son and his buildings, thirteen families become homeless, and two people die. There are no winners in the game of politics. In some sense Wynn has won. (Certainly his nemesis, Levonne, has been defeated.) He has galvanized the support of his community to do something negative, viz. to stop of Galaxie Towers project. (Wynn had told the mayor that he and his constituents would "make the L Street apartments a symbol for everything that's fucked up in the city.") But that victory in itself offers no hope of success to Wynn's positive programs — better education and jobs for his constituents, for while the Galaxie project probably would not have created work for his people, he has no other project to offer as a politically viable alternative.

HOPE IN THE TWO SOCIETIES: The film ends with two acts of reconciliation that together constitute an expression of "hope" for society. The first is at the level of the city. Desmond's mother forces him to tell the truth out of her absolute commitment to honesty. Desmond (the student) goes to Les's home to apologize for what he did, and Les (the teacher) becomes his mentor. The second is at the level of the family. As Nick lies dying on top of his father's unfinished dream building, Joe finds him and the two reconnect as father and son. However, Sayles's messages are never simple. The final vision in the film is Joe shouting for help from the top of his building in the hope that someone will hear him and call an ambulance for his son. However, no one is there to hear but Asteroid — the mad prophet who hears everything said and repeats indiscriminately whatever he hears, to whom no one ever listens.

Commentary

Thornton Wilder's "Our Town" projected a society of functional families that came together to form a greater society in a functional town. In both

societies, there were no visible expressions of external government. The communities worked because people were loving and carrying. Implicit in Wilder's fantasy of a mythical small town America was a condemnation of the then popular socialist utopian projections of externally imposed governmental structures that could turn ordinary (even base) people into a community of secular saints. Underlying Wilder's counter, laissez-faire vision of the family and the state was his fundamental optimism about the nature of humanity. But what if that optimism is misplaced? What if human beings are inclined by nature, not towards goodness, but towards evil? What if people left to their own devices, with the best of intentions, do not reach out to each other with love and sympathy, but instead blindly use each other in the pursuit of rationalized greed? The result is Dane's inferno in urban America, i.e., Sayles's "city of hope."

In one sense, Sayles's picture of the Hudson City explains the setting of Spike Lee's city on the Hudson. In "Do The Right Thing" both nature (the heat) and society (the government, from the police to the mayor) conspire to prevent the citizens from doing what is right. But in Lee's New York, good people can make a difference. The mayor saves lives even if he cannot change them, and Mookie can turn people's violence from people to property. But in Sayles's city there are no good people; there are only people with good intentions. In fact, the intentions of practically everyone is good. (Joe's goal was to build something of his own. Similarly, Nick says, "I want to be my own boss." "Like your father?" asks Angela. "No," he responds, "not like him.") But intentions are not what matters; character is. In other words, the film's title is entirely ironic. (Bobby calls prison hell, to which Zippo responds, "No. If this were hell, my mother would be here. Compared to hell this is Disneyland.") Certainly that is what the ending suggests, for nothing could be more despairing than the futile wails of Asteroid that turns a call for help (to save Nick's life) into a meaningless flow of sounds. For there is no difference between Asteroid's mimicking "Why settle for less when you can have it all" and "Help, we need help over here in the building." It makes no difference if you settle for more or less; either way you don't get it all; in fact you get nothing that

really matters. Similarly, the prophetic cry for help in the building (= the family = the city = the state = the world) will not help anyone.

Perhaps this final judgment is too harsh. Sayles himself said about his film that a "cynical view would be that there absolutely is no hope, and I don't mean the title that ironically …" But what hope is there? The answer is what happens in the penultimate scene to Desmond. It may be too late for the older Nick; but by no means is it obviously too late for the youthful Desmond. His mother's commitment to the truth on absolute (Kantian?) terms makes him willing to confess and be honest. Now, he never gets the chance to confess, because Wynn has already sold him out by convincing Les that it was in his best (Utilitarian?) interests to drop the charges. (As Joe [in the false belief that he could make a difference in his family] sold out his son Tony/Nick by not letting him face the consequences [bear responsibility] for what he did, so Wynn [in the false belief that he could make a difference in his community] sells out his constituent Desmond.). Joe saved Tony/Nick from prison, and in so doing led Toy/Nick to death. We do not know what could be the consequences of Wynn saving Desmond now from juvenile court. In all likelihood it would be that Desmond, like his friend Tito, has no future except the adult, hard-time prison to which their elder Italian role models, Bobby and Zippo, are fated. But Desmond may escape his destiny; there may be "hope." The absolute, utterly impractical demand of his mother that Desmond tell the truth has brought Desmond to Les's home, and Les, for no good reason whatsoever, has decided to love his neighbor/enemy as himself.

On this interpretation, there is hope, but it is not Joe Rinaldo's (Spinozistic) effort to become self-sufficient. At the end of the film, he defends the compromises he made and excuses the harm that he caused by saying "I did the best I could," which probably is true — for himself, his family and his city. (When the unsuccessful Wynn says "I don't play anything" [referring to golf and politics], the golf playing, seemingly successful black ex-mayor responds "You've got a problem.") But then Joe confesses, with far more insight and far more honesty, "All my life I thought that I was

the one in control. … Jesus, I'm not in control of a damn thing." Mayor Bacci too did the best that he could to turn around the city's decline and poverty, to make it a "city of hope," which he thought (in his naivete) meant giving people jobs. But, at the end of the film, that dream too comes to an end as Wynn, his followers, and the next generation of political wheeler-dealers march on the mayor's fund-raiser in front of the TV cameras. But it also is not Wynn's political idealism that will bring hope to the city. The wise, mafia elder reveals to Joe, after he tells him that he approved the torching of Joe's building, that after giving most to those who let you make it, and some to those you said you wanted to help, you end up with nothing that is your own. Similarly, Wynn's black political mentor also found out that he could not accomplish anything, even as the mayor, except to serve his own people who gradually, over the course of twelve years, brought him and themselves down through their corruption. All of these pursuers of power started out trying to make society better, but they were all forced into short term compromises that led to their long term failure. Without politics nothing can be done in the society, but politics demand compromise, and it is that very compromise that feeds the society's decay.

In the spirit of Thornton Wilder's "Our Town," Sayles proclaims that the hope for any society, big or small, is not politics. Rather, it is private integrity and personal relations. The examples of hope in this city are Les and Desmond's mother. It is the mother's insistence on absolute honesty that makes Desmond seek out Les and it is Les's uncompromising dedication to his craft as a teacher that enables him to connect with Desmond, despite the fact that the man Les is white and abused and the boy Desmond is black and the abuser. Again, in the end there is some hope. Human beings do not always act naturally; they do not always choose to do what serves their best interests. Sometimes, in spite of themselves, i.e. for no good reason whatsoever, they do the right thing, i.e., they love their neighbor as themselves.

FUTURES

TALMUD AND POSTMODERN JEWISH PHILOSOPHY.
We gather to study Gittin 34b-35a and to discuss responses to Aryeh Cohen's paper at the annual meeting of the Network. This is scheduled for Sunday night November 20 9:00pm (to 11pm max.) during the 1994 Annual Meeting of the American Academy of Religion in Chicago. The meeting place is Hilton Conference Room 4B. Refreshments will be served, as per our custom. Please bring printouts of Aryeh's paper and the responses to the session (that means parts of Network Vols. 3.1, 3.2, 3.3).

1997 INTERNATIONAL CONFERENCE ON POSTMODERN JEWISH PHILOSOPHY.
Yes, another reminder to keep this on your calendars for May or June of 1997. We plan to meet at the AAR convention for an initial discussion about the Conference. The plan is to gather in front of the Chicago Hilton Hotel Registration Desk at 6:00 pm on Sunday Nov. 20, to go out together for dinner. Kindly send us an email if you'd like to join, or if you want to join the discussion but cannot make this meeting: to ____ (or call: 201-408-3222).

DIALOGUES IN POSTMODERN JEWISH PHILOSOPHY: Another reminder: we need more volunteer editor/composers to contribute parts to these future sections: a) philosophic dialogues culled from the Samuelson discussion group; b) Talmud and Postmodern Jewish Philosophy; c) (a new one) Bible and Postmodern Jewish Philosophy.