Journal of Textual Reasoning (Old Series) 6:1 (February 1997)
ISSN: 1939-7518

Subscription:
TEXTUAL REASONING is sent free of charge to electronic mail addresses. Back issues are archived on worldwideweb: http://forest.drew.edu/~pmjp. Hardcopies cost $6/issue; $15 per volume (3-4 issues).

Send requests and payment to
Michael Zank, Dept. of Religion, Boston University, 745 Commonwealth Ave,
Boston, MA. 02215, Tel: (617) 353-4434, Fax: (617) 353-5441

Submissions:
Electronic mail to: _____or disks (preferably Apple/Macintosh, Word) to Michael Zank, (address as above).

* * * * * * * * * *

DEAR NETWORK MEMBERS

This issue continues a conversation about martyrdom in/and the Talmud that began at the PostModern Jewish Philosophy Network Talmud Institute in Princeton in August, 1995. Liz Shanks' article and the responses to it in Volume 5.1 started the on-line conversation. (The article can be found at http://forest.drew.edu/~pmjp/pmjp5-1.html) I published an article ("Towards an Erotics of Martyrdom") in Textual Reasoning 5.2, hoping that it would widen the circle of discussants further. (The article can be found at http://forest.drew.edu/~pmjp/pmjp5-2.html) With the essays in this issue that hope is realized.

There are three different groups of responses in this issue. The first group are those who are responding directly to the article and the sugya, and the questions raised by my reading of the sugya. The respondents in this

group are Michael Carasik, Denise Kimber Buell and Charlotte Fonrobert. In the second group of respondents Peter Ochs reflects on the specific type of "Textual Reasoning" in my article and situates it within the spectrum of Textual Reasonings. Kris Lindbeck reflects on some of the issues of interpretation of the sugya within the context of the broader issues that the sugya raises. The final respondent, Michael Zank, raises the question of the sexualization of our discourse–reflecting back on the article and the responses. I am personally grateful to all the respondents for their insightful and stimulating comments. As Mike Carasik says in his response: "The mark of a good reading, to my mind, is that it does not merely explain a text, but suggests further creative interaction with it…." The same is true for a good response, and I am sure that you will agree that these essays will generate much further creative interaction. (The text that everybody is discussing–Bavli Sanhedrin 74a-75a–is reproduced in full, in translation, at the beginning of the issue. The original is available on-line at http://www1.snunit.k12.il/kodesh/bavli/snhd074a.html) (Hebrew fonts for web browsers are available at: http://www.snunit.k12.il/heb_new.html)

The Textual Reasoning home page is up and running now (in addition to, and linked to, the archive at Drew). Please visit us at: http://acs6.bu.edu:8001/~lisrael/pjpnet/home.html. There is a short history of the Network and the Journal, and the editors' introductions, plus the all-important interesting links. This is a temporary address, and we will update all members when we move to a permanent site.

Aryeh Cohen
for the editors

CALL FOR PAPERS

For our May issue we are looking for short essays/reflections on Jewish Studies. What does this term mean? How is it deployed as an epistemological, political, bureaucratic tool? Is it time to abandon the term "Jewish Studies" or to use it as a paradigm. The first essay in this exchange

is in this issue. We are looking for essays of 750-1000 words. Deadline is mid April.

CONTENTS

INTRODUCTION

A brief recap is in order. In my paper I set aside any notion of kiddush hashem as a stable concept, and interrogated its functions within one sugya. Employing a reading method which emphasizes the poetics of the sugya ("sugyaetics"), I examined the ways that b Sandhedrin 74a-75a-seen as one of the central halakhic or legal discussions of kiddush hashem in the Bavli-thematizes desire, power, pleasure, love and sex. This moves the discussion towards an erotics of kiddush hashem. That is, the constructed meaning of the act of submitting to death, rather than worshipping idols, is embedded in an economy of fidelity, rape and adultery. The relationship of the "sanctifier of God's name" to God is understood along a spectrum of love and sex, licit and illicit. One of the tools/consequences

of this discussion is a rereading of Esther's role-and an erasure of her agency-in the rescue of the Jews in the Book of Esther.

THE SUGYA

Bavli Sanhedrin 74a-75b

1. But one who runs after an animal. (M San. 8:7)
2. It has been taught [in a Tannaitic source]: R. Simeon b. Yohai said: An idolater may be saved [from sin] at the cost of his own life,
3. by [reasoning] from the minor to the major: If [in the case of] the damaging of a common person, [the violater] may be saved [from sin] at the cost of his own life, how much more so the damaging of the All-Highest.
4. But can we punish as a result of an ad majus conclusion? – He maintains that we can.

5. It has been taught: R. Eliezer, son of R. Simeon, said: He who desecrates the Sabbath-may be saved [from sin] at the cost of his own life.

6. He agrees with his father, that we punish as a result of an ad majus conclusion, and then he deduces the Sabbath from idolatry by [a gezerah shawah based on the use of] 'profanation' [in connection with the Sabbath and idolatry].
7. R. Johanan said in the name of R. Simeon b. Jehozadak: By a majority vote, it was resolved in the upper chambers of the house of Nathza in Lydda:
8. Every [other] law of the Torah, if a man is commanded: 'Transgress and be not killed' he should transgress and not be killed,
9. excepting idolatry, incest, [which includes adultery] and murder.
10. And [in the case of] idolatry should he not [practice]?
11. Has it not been taught [in a Tannaitic source]: R. Ishmael said: whence [do we know] that if a man was bidden, 'Engage in idolatry and and you will not be killed,' that he should transgress, and not be killed?

12. From the verse, "[Ye shall therefore keep my statutes and my judgements,' which if a man do] he shall live in them" (Lev. 18:5)-but not die by them.
13. Might it be that even publicly [it may practised]?
14. Scripture teaches, "Neither shall ye profane my holy name; but I will be hallowed?" (Lev. 22:32)
15. They ruled as R. Eliezer.
16. For it has been taught [in a Tannaitic source]: R. Eliezer said: [And thou shalt love the Lord thy God with all thy heart and with all thy soul, and with all thy might.] Since 'with all thy soul' is stated, why is 'with all thy might' stated?
17. Or if 'with all thy might' be written, why also write 'with all thy soul'?
18. If there be a man to whom his life is more dear than his wealth, 'with all thy soul' is written;
19. If there be a man to whom his wealth is more dear than his life, 'with all thy might' [i.e., substance] is written.

20. Incest and murder [may not be practised to save one's life], – even as Rabbi's dictum.
21. For it has been taught [in a Tannaitic source]: Rabbi said, "For as when a man riseth against his neighbour, and slayeth him, even so is this matter."
22. But what do we learn from this [comparison with] the murderer?
23. Thus, this comes to throw light and is itself illumined.
24. The murderer is compared to a betrothed maiden: just as a betrothed maiden-[the ravisher's soul] must be saved at the cost of his life, so in the case of a murderer, he [the victim] must be saved at the cost of his [the attacker's] life.
25. And a betrothed maiden is compared to a murderer: just as [in the case of] a murderer-he must be slain rather than transgress, (so also must she [i.e. the betrothed maiden] rather be slain than allow her violation.) [25a. so also [in the case of] the betrothed maiden-he must be slain rather than transgress.]
26. And how do we know this of murder itself? – It is common sense.

27. Even as one who came before Rabbah and said to him, 'The governor of my town has ordered me, "Go and kill so and so; if not, I will slay thee"'.
28. He answered him, 'Let him rather slay you than that you should commit murder; who knows that your blood is redder? Perhaps his blood is redder.'

29. When R. Dimi came, [he said that] R. Yochanan said: This was taught only [for a time which] wasn't a time of [oppressive] religious decrees.
30. But in a time of [oppressive] religious decrees, even [in regard to] a minor precept, one must rather be slain than transgress.
31. When R. Dimi came, [he said that] R. Yochanan said: Even [for a time which] wasn't a time of [oppressive] religious decrees, it was only permitted in private;
32. but in public, even [in regard to] a minor precept, one must rather be slain than transgress.
33. What is meant by a "minor precept"?
34. Raba son of R. Isaac said in Rab's name: Even to change one's shoe strap.
35. And how many [make it] "public"?
36. R. Jacob said in R. Johanan's name: There is no "public" with less than ten.
37. It is obvious that Jews are required, for it is written. "But I will be hallowed among the children of Israel." (Lev. 22: 32)
38. R. Jeremiah asked: What of nine Jews and one Gentile?
39. Come and hear: For it is taught: R. Jannai, the brother of R. Hiyya b. Abba drew [an analogy] from [the use of] tok ['among'] [in two passages].
40. Here is written, "But I will be hallowed among [be-tok] the children of Israel;" and is written there, "separate yourselves from among [mi-tok] this congregation;" (Numbers 16:21)
41. Just as there the reference is to ten, all Jews, so here too – ten, all Jews.
42. But did not Esther transgress publicly?
43. Abaye answered; Esther was merely natural soil (karka 'olam).
44. Raba said: Their personal pleasure is different.

45. For otherwise, how dare we yield to them [sc. the Parsees or fire worshippers] our braziers [or fire bellows] and coal shovels?
46. But their personal pleasure is different; so here too [in Esther's case] their personal pleasure is different.
47. This [answer] concurs with Raba's view expressed elsewhere.
48. For Raba said: If a Gentile said to a Jew.
49. "Cut grass on the Sabbath for the cattle, and if not I will slay thee,"
50. he should cut rather be killed;
51. "Cut it and throw it into the river," he should rather be slain than cut it.
52. Why so? – Because his intention is that he transgress a precept.

53. It was asked of R. Ammi: Is a Noachide commanded about the sanctification of the Divine Name or not?
54. Abaye said, Come and hear: The Noachides were commanded to keep seven precepts. Now, if it be so [that they were commanded to sanctify the Divine Name], they are eight.
55. Raba said to him: Them, and all pertaining thereto.

56. What is the decision?
57. R. Ada bar Ahavah said in the name of the disciples of Rab: It is written, "In this thing, the Lord pardon thy servant, that when my master goeth into the house of Rimmon to worship there, and he leaneth on my hand, and I bow myself in the house of Rimmon." (II Kings 5: 18)
58. And it is written, "And he said unto him, Go in peace." (II Kings 5: 19)
59. Now, if it be so [that a Noachide is bidden to sanctify the Divine Name], he should not have said this?
60. This one is in private, this one is in public.

61. Said R. Yehudah said Rab:
62. Ama'aseh: A man once gazed upon a certain woman, and his heart was consumed by his burning desire [his life being endangered thereby].
63. They came and consulted the doctors,
64. They [the doctors] said, 'His has no cure until she submit to him.'

65. Sages said: 'Let him die rather than that she should submit.'
66. [Said the doctors] 'Let her stand nude before him;' [they answered] 'Let him die, and she should not stand nude before him.'
67. [Said the doctors] 'let her converse with him from behind a fence.' 'Let him die and she should not converse with him from behind a fence.'
68. Now R. Jacob b. Idi and R. Samuel b. Nahmani dispute therein. One said that she was a married woman; the other that she was unmarried.
69. Now, this is justified according to the one who said that she was a married woman,
70. But according to the one who said that she was unmarried, why such severity?
71. R. Papa said: Because of the damage to her family.
72. R. AÂ¦ha the son of R. Ika said: That the daughters of Israel may not be immorally dissolute.
73. Then why not marry her? – Marriage would not assuage his passion,
74. According to R. Isaac .
75. For R. Isaac said: Since the destruction of the Temple, sexual pleasure has been taken [from those who practise it lawfully] and given to transgressors,
76. as it is written. "Stolen waters are sweet, and bread eaten in secret is pleasant." (Proverbs 9:17)

****

Response to Aryeh Cohen, "Notes Towards an Erotics of Martyrdom"
Michael Carasik, Hebrew College, Boston, MA

I would like to thank Aryeh for his reading of b. Sanh. 74a-75a. The mark of a good reading, to my mind, is that it does not merely explain a text, but suggests further creative interaction with it; and Aryeh's reading has done this for me. I will focus my remarks on the chief line to which Aryeh drew our attention (his line #25, in my translation): "so also must (s)he be slain rather than he transgress." Just as the textual crux of *t/yehareg* provided Aryeh with the kind of uncertainty into which a wedge that opens the text for interpretation can be fit, lines 24 and 25 both share a

grammatical indeterminacy that prompts further reflection. But bear with me a moment on my way to the Sanhedrin text; as a student primarily of the Tanakh, not the Talmud, I have a biblical errand to run before I can get there.

Shorn of its trendy language, the assertion that the "constructed meaning" of worshipping idols "is embedded in an economy of fidelity, rape and adultery" should occasion no surprise. This is, after all, not a rabbinic invention. The marital, and indeed sometimes sexual, metaphor for the relationship between God and Israel is well-grounded in biblical literature. This is not always deployed negatively. Even leaving aside the Song of Songs, Hosea 2:21 (so popular today on wedding invitations) comes immediately to mind: "I will betroth you to me forever." But there is a wide range of prophetic literature, Hosea 2 included, which portrays Israel's idolatry as adultery. Thus, the idea that "p'gam gavoha" of the Sanhedrin text could imply something equivalent to sexual shaming ought not to be surprising. In suggesting that Israel's idolatry makes God a cuckold, the rabbis were standing on the shoulders of giants.

Now to the text (in the translation provided by Aryeh):

24. The murderer is compared to a betrothed maiden: just as a betrothed maiden [the ravisher's soul] must be saved at the cost of his life, so in the case of a murderer, he [the victim] must be saved at the cost of his [the attacker's] life.
25. And a betrothed maiden is compared to a murderer: just as [in relation to] a murder one must rather be slain than transgress; so also must she [i.e. the betrothed maiden] rather be slain than allow her violation.

Aryeh points out that the claim of line 25 "that the maiden must allow herself to be slain, rather than to allow herself to be raped" is problematic. The "practical" problem of how she would engineer her death is not really the problem with this text, since rape is not the only sexual perversion at issue in the Talmudic discussion. From the sugyaetic perspective, the

"problem" with line 25 is the same as the problem with line 24. Let me explain.

Line 24 says, as a given (see line 26, "It is common sense"), that one may kill someone who is about to commit murder. Surprisingly, the prooftext that supports this, Lev 19:16b (*lo ta'amod al-dam re'ekha*), may not contextually mean this (see, e.g., Baruch Levine, "Leviticus," JPS Torah Commentary). Still, there is a certain amount of common sense in the idea that one should save a potential murder victim even if this requires killing the one who is attempting murder. But this is not what line 24 says. Line 24 says that one saves the CRIMINAL (from committing a crime) by killing him, not that one saves the victim. In the murderer's case, this is not clear, since everything is expressed with masculine pronominal suffixes, which could refer equally to the victim: *nitan l'hatzilo b'nafsho*. But the rapist's case uses the same phrase: it is required to save HIM at the cost of his life. The Soncino translation, which Aryeh has given us with a few changes, makes the mistake of translating as if the text read *l'hatzilah*, "to save her," and Aryeh properly corrected this; but by an oversight he retained the Soncino mistake in the clause about the murderer, leaving this as "he [the victim] must be saved." Once line 24 made the remarkable move of interpreting the killing as saving the criminal rather than his victim, the stage was set for a similar move in line 25. If one may kill someone to save him from committing a sin, certainly one may be required to die rather than commit a sin oneself. Just as *l'hatzilo* of line 24 forces us to read the masculine suffixes of the murderer clause to say that the murderer must be saved at the cost of his life, so in line 25 *tehareg* forces us to read *yehareg* of the murder clause to say that the man who is ordered to commit murder must die rather than do so. Similarly, it is the interpretive move in line 24, requiring that a potential criminal be saved from sin by death, that sets the stage for the move in line 25, requiring the completely innocent person to "sanctify God's name" by dying rather than profane it. These two individually somewhat innocuous moves combine, then, to add a remarkable corollary to the biblical view of idolatry: not only does one deserve death for it, but–

despite the biblical example of Na'aman–one must die rather than permit oneself to be forced to commit it. Lines 24-25 discuss only murder and perversion; but the missing member of the trio resonates in the discussion. In both Bible and Talmud, sex, idolatry and death go together. Aryeh called his piece "Notes Toward …", and indeed a number of interesting questions remain. I will mention just two. First, the phrase *karka olam* requires more inquiry. I (or rather my CD-ROM searcher) found it six other places in the Babylonian Talmud: Niddah 57b, where it is connected with a menstruating woman; Sanhedrin 47b (mentioned by Aryeh) and Avodah Zarah 54b, where it is connected with idolatry; and Baba Kamma 28b, 30a and 50b, where it is the subject of the ACTIVE verb "damage." Hence it does not seem to me that this is an otherwise ordinary term (equivalent to our "real estate" or some such); more thought about the role of the phrase in our sugya is in order.

Second, I was struck by the phrase *lehem nistar* at the end of the sugya (of course this is "bread eaten in secret," not "stolen waters" as mistakenly noted in Aryeh's comments–a hazard of electronic publishing). The hint of Esther's name in this phrase is quite lovely. But the assertion it attests to–that "Since the destruction of the Temple, sexual pleasure has been taken [from those who practise it lawfully] and given to transgressors," is remarkable. One can see that with the destruction of the Temple "avodah" has been taken away and given only to transgressors; perhaps the right to kill justly has also been taken away (with the loss of sovereignty) and given only to transgressors. But how is this true of sexual pleasure? If these two questions take us in a somewhat different direction than Aryeh intended to lead us, that is only further proof of the usefulness of his reading. Once again, thanks.

****

Response to Aryeh Cohen, "Towards an Erotics of Martyrdom"
Denise Kimber Buell, Miami University, Oxford, Ohio

I did not have the benefit of hearing or reading the initial discussion of this sugya at the 1995 conference, nor do I have any training in the study of Talmud (my primary area of study being early Christianity), which makes mine an idiosyncratic response. Nevertheless, I hope that it may serve to contribute to the broader discussion of Bavli Sanhedrin 74a-75a.

Let me begin at the end. I find Aryeh's conclusions persuasive–specifically that the sugya is constructed to necessitate the oxymoronic concept of a passive agent who produces the conditions necessary for transgression. This argument underlies his explanation of why the Venice 1527 edition leading to the Vilna edition's reading "tehareg ve'al ta`avor"–so also must she rather be slain than allow her violation–is a viable one. This passive agent is culturally coded as feminine, but the literary rhetorical context of this sugya encourages the male reader to identify with this feminine agent. As Aryeh argues, the sugya mobilizes the gendered notion of activity and passivity in such a way that idolatry is defined as sexual infidelity.

Because of the sugya's opening frame, a discussion of idolatry, the reader is led to view the one who risks damage through any transgression as analogous with the Divine. But the sugya soon destabilizes this identification, especially in 24-25, which compare a murderer first with a potential perpetrator of violence against a betrothed woman but then with the woman herself. Indeed the conclusion that one (whether the perpetrator or victim of violence) must be slain rather than transgress implies that both parties risk damage.

I would like to see Aryeh articulate more fully the connection between damage, pleasure and martyrdom. His provocative title provides merely a trace of what drives his analysis. He suggests that "idolatry is constructed in this sugya as adultery, sexual infidelity," which would be [sexual] damage (p'gam) to God. He continues, "resisting this adultery, not transgressing, not 'tasting pleasure' is sanctifying God's name," and that this sanctification is accomplished by a passive agent. Who and how is one then a martyr in the sense of the title–the passive agent who refuses

pleasure thereby sanctifying God's name? The feminine agent of temptation who submits to death rather than transgress? If either of these, can the one who seeks to sanctify God's name escape the paradox of inviting sexual damage to oneself only to refuse it to avoid [sexual] damage to the Divine?

Response to Aryeh Cohen, Towards an Erotics of Martyrdom
Charlotte Fonrobert, University of Judaism, Los Angeles, CA

I regret not having been present at the discussions during the POMO conference at Princeton, when Aryeh, first presented his thoughts about the Talmudic text from the Babylonian Tractate Sanhedrin.

To begin with, I would like to emphasize that I find Aryeh's reading extremely thought-provoking and helpful in trying to shed some light on this complicated sugya. In reading Aryeh's essay I find myself repeatedly agreeing with his readings of the Talmudic text. Thus, in what follows I will not engage in a refutation of Aryeh's readings so much as offering some remarks that may strengthen his readings as well as add some other dimensions to his considerations.

First, I would suggest that a reading of the sugya which forms the basis for Aryeh Cohen's essay might add the dimension of the biblical model for the rabbis to its considerations more clearly than it does already. This comes into play in particular with respect to the problem of kiddush ha-shem and idolatry. In as far as "idolatry is constructed in this sugya as adultery, sexual infidelity" – as Aryeh writes, it follows the language of the prophets that forms a Vorlage for rabbinic thinking about the relationship between God and human beings. As M. Halbertal and A. Margalit observe in their conceptual analysis of the various models of _Idolatry_ (1992): "The principal image in common use by the prophets for the elucidation of idolatry is the relationship between husband and wife, in which Israel is compared to the wife and God to the husband. … the image captures the uniqueness of the biblical religion: God unlike the

pagan gods is a jealous God who forbids the worship of other gods. According to this metaphor idolatry is a sexual sin; even in the early strata of the Bible idolatry is identified as such" (_Idolatry_, 1992:11; see also Eilberg-Schwartz, _God's Phallus_, 1994:99). Hence, already in biblical language the relationship between God and the people of Israel is represented as one that moves back and forth between marital fidelity (faithfulness to God) and infidelity/ adultery (worshipping other gods in biblical terms and avodah zarah in rabbinic terms). Hence, this biblical image forms the conceptual framework for the rabbis when they raise the problem of kiddush hashem with respect to idolatry in the sugya in bSanh 74a-75a.

To call our attention to this biblical background might strengthen Cohen's reading of the phrase *p'gam gavo'ah* at the beginning of the sugya for the potential transgression of the idolater as a damage of God in a sexual sense. Perhaps it is possible to take Cohen's considerations even one step further: He cautiously points out that the "sexual connotations of the p'gam are present in the phrase p'gam gavo'ah." What might be interesting to pursue further is to think about the parallelism between the betrothed young girl and God that the rabbinic text suggests! Admittedly, the logical argument of a fortiori (qal va-chomer) is not to be confused with a metaphoric relationship between the two elements of the argument. However, since at the very least on the level of linguistic connotations the term p'gam is a sexual term, we could ask: in what sense is God in the sugya thought of like the betrothed young girl in the biblical case? In what sense is idolatry here conceived of as not only adultery, but as rape, with God in the role of the potential victim? How, then, does the logic inherent to this parallelism accord with the more common (at least biblically) metaphoric representation of God as husband and Israel as wife? With these questions I would like to move to the part of the sugya that forms one of the [textual] center-pieces of Cohen's essay. That is, after the sugya suggests [against the mishnah it discusses] that a Jew's death should be preferable over his or her committing an act of idolatry, the Talmud moves to discuss the two other elements – incest and murder – of the famous

trilogy. The Talmud here takes up the biblical comparison between the case of murder and rape of the betrothed young woman in Dt. 22:26: "the young [engaged] woman [who was raped in the open country] has not committed an offense punishable by death, because this case is like that of someone who attacks and murders a neighbor." This biblical comparison creates considerable exegetical problems, since the biblical text – far from being self-explanatory – never explicates how the two cases are parallel which is what the sugya attempts to clarify. The Talmud constructs two parallels, one in terms of the perpetrators [the murderer as well as the rapist should be killed to prevent them from committing their intended deed] – the other, more problematic one, presumable in terms of the victims in both cases. Cohen focuses in particular on the latter, which, as he discusses extensively, is rendered even more difficult by the fact that we have different textual versions of the text here. According to our printed edition the comparison reads: "just as [in the case of] a murderer – he should be slain rather than transgress, so also [in the case of] a young betrothed woman – she should be killed rather than transgress" (bSanh 74a). As Cohen points out, at first glance the parallelism makes no sense and is, in fact, no parallelism, since the murderer and the young betrothed woman are compared. Cohen, therefore, continues to discuss the other variant. However, I would like to point out that perhaps we can make sense of the text (at least if we follow Rashi) as it appears in the printed edition more than Cohen allows for. The sugya constructs a parallelism not between the murderer and the rape victim, but between the one who is coerced to murder (see Rashi) and the one who is coerced to have sex. The terminus comparation is here is the coercive factor. In this sense, the Talmud can construct a (potential) murderer as a victim. Obviously, the biblical text [Dt. 22:26] does not really imply this understanding of the murder case, but in this manner the sugya can provide an "exegetical" basis for a preference of kiddush ha-shem over murder.

My last point in response to Cohen's essay, based on this reading, is that the sugya then does indeed assume that the rape victim of the biblical case has some form of "control" or "choice." With respect to the talmudic

argument that the young woman must allow herself to be slain, rather than to allow herself to be raped, Cohen writes: "….there is no basis for it. She is assumed to be a powerless (if not, biblically, passive) victim. She is not doing anything." Against Cohen, I do think that already the biblical case indicates an assumption that the woman – at least to a certain degree – can prevent her rape, by making the distinction between where the rape takes place: if in a secluded place where nobody could have heard her screams for help, she is an innocent victim; if in a place where she can scream for help and nobody heard her, she is guilty. Now, one can disagree with such a legal approach (and I do). But the biblical text, and the sugya expounding on it even more explicitly, imply that she has some form of control over preventing her rape. According to the sugya, she should rather let herself get killed than transgress, that is, let herself be coerced into sex.

Admittedly, this last point touches upon only one of the central parts of Cohen's paper. Nonetheless, by providing a rationale for the textual version as we have it in our printed edition, this part of his essay may perhaps connect better to his insightful discussion of the interpretation of Esther in this sugya. With this discussion Cohen makes an important contribution towards our thinking about Jewish conceptions of martyrdom and the gender-code inscribed on this discourse in Late Antiquity.

NOTES

Just as [in the case of] a murderer – he must be killed rather than transgress, so also [in the case of] a young betrothed woman – he must be killed rather than transgress."

I am not certain, however, why the talmudic text here phrases the case: "…she should be killed rather than transgress (i.e. allow herself being coerced)." This can be explained either as a desire to maintain the linguistic integrity of the parallelism, or from logic: since the texts assume that she would have some means to prevent sexual coercion here,

refraining from doing so would constitute a transgression. It goes without saying that such a logic is extremely painful.

II. Sexual Reasoning

1. Analysis by Peter Ochs

NETWORK readers have, over the past two years, been treated now to two tastes of Aryeh Cohen's reasonings about the Talmud. In his first essay, the subject of the NETWORK's 94 AAR session, Aryeh offered what he called a study of the "sugyatics" of a passage in Kiddushin. He argued that the sugya revealed a rabbinic tendency (among others) to "frame" woman as dangerous/ temptress. This time he reviews what he calls both the "poetics of the sugya" and "the textual/cultural logic" that makes the sugya a "sustained site of conflicting interpretation." He argues that, in the context of examining the issues of kiddush hashem and of the relations of murder to incest to idolatry, the sugya also delivers intriguing and contested claims about women's, men's, and God's sexuality.

I want first to praise Aryeh's (A's) work as a wonderful illustration of the genus of "textual reasoning" and, thus, of the subject of this NETWORK. I'll then muse about the species of textual reasoning that A appears to champion (and help generate). As part of an intra-TR dialogue, I'll then raise a question about what this species leaves out and puts in: suggesting why the species is both valuable and in need of dialogic engagement with other species. My guiding principle is that textual reasonings at their best will always also display their need of other kinds of textual reasoning, in dialogue with which they are complete, shalem, but not otherwise.

Praise: Here is praise not as evaluation, but as celebration of the elements of a performance that affirms the life, form, and hope of a community of inquirers. Call it a moment of song about one illustrative inquiry (I know you may smile at this, but do you remember how we sang at the 96 AAR? shouldn't this be part of the textual hermeneutic as well? What does it

mean to sing? Where are the Rosenzweigians to answer?) So, a song of celebration: A's loving to study Gemara with us, to receive it, ponder, think about it! More specifically, A's attending to the play of words and then the play of possible reasonings within parts of the text, divided typically by sugyot and their sub-plots and arguments! A's attending, toward this end, to what may correspond to the redactional layers of the text, especially the most comprehensive layer (stammaitic)! A's being guided in his reading by historical-critical evidences, but not being ruled by them: not, in particular, reading the layers of redaction as if they were, first and foremost, indices of the specific, constructive activities of specific individuals working in response to specific socio-cultural pressures to achieve specific ends! A's first reading those layers, instead, as they seem to be revealed by breaks in the rhetorical and logical flow of the sugya itself! and as supported by claims of the rishonim and later commentators! and by reasonings enriched by contemporary discourses of analysis! A's fascination with the breaks in the text, lacunae read as marks of the text's deeper speech from somewhere to us! Lacunae as positive signifiers for us as readers. A's not seeking to disembarrass us as readers of our own "thickness"– but leaving us, at the same time, not overly self-conscious! A's allowing his own "thickness" to appear –his creaturely presence as reader — by attending on several occasions to a few themes of interest/concern to him: in this case, the "frame" of "women as dangerous," the "erotics" of the divine/human encounter, and the logical-poetics of the sugya! A's making claims from out of this interest, but not over-stretching them by reading them into every passage or unambiguously into any passage! A's having interest in something that also interests some number of us and on several levels: of the surface of the text (and of our sensibility) and of something deeper in the text's life and in our contemporary life! In particular, A's having interest in issues of embodiment, through which authors and redactors and human subjects are reconceived ("re-," meaning over against a modern tradition that may suppress the body) as offering textual-practical interpretations with respect to somatic urgings, psycho-somatic and social concerns as well as intellectual/semiotic rules and patterns! A's therefore being open to

consider the erotic or sexual concerns and themes of a text's redactor as well as of its subject matter!

Well, I will leave out additional verses of this "song" (including the more concrete ones), but I trust you get the idea by now: a way of lifting up elements of A's practice of "textual reasoning." The next step is to ask, in even more abstract terms, what species of textual reasoning he has displayed. I would assume that the species trace out a continuum, from one limit of textual reasoning to the other. I assume that one limit is a-theoretical reading and the other limit is conceptually reductive reading; in-between (and all that is in between would belong to the community of textual reasoning, with prototypes more toward the middle; my commentary is closer to the reductive side) would lie various sorts of plain-sense reading, of the other levels of "PRDS," (the traditional four tiered understanding of the practice of interpretation) and, toward the other side, various "sciences" of reading, from historical to rhetorical, philosophical, and so forth. To categorize their readings, many TR folks have, through the first five years of the NETWORK, adopted models from existentialist phenomenology, from hermeneutics, various post-structuralist, postmodern and postcritical genres, deconstruction, semiotics, pragmatics, feminist theory, and so on. Now, TR folks begin to limn their work in categories more specific to Jewish textual reasoning itself, while in dialogue with these others. In these terms, I am struck by what may be A's structuralist leanings, alongside more post-structuralist patterns of rhetorical and redactional analysis. He may, in other words, display the sort of postmodern-structuralism that Derrida attributes to Foucault.

In "Cogito and the History of Madness," Derrida argues that Foucault misreads Descartes in a way that displays Foucault's structuralist assumptions. In the Meditations, Descartes considers the case where we may be deceived by the senses and not recognize it: "But it may be that although the senses sometimes deceive us concerning things which are hardly perceptible…, yet there are many others to be met with as to which

we cannot possibly have any doubt…. How could I deny that these hands and this body are mine, were it not perhaps that I compare myself to certain persons devoid of sense?" Derrida understands Descartes' reference to madness (being devoid of sense) to be merely hyperbolic: the point is that we do not normally doubt what's up close to our sight (unless we are asleep and dreaming, or are in error)… But, says Derrida, Foucault thinks that Descartes introduces madness (de'raison) in binary opposition to reason (raison): the rational is the good and the rational excludes what is mad. Beyond the pale of reason, madness will then be beyond the protection of rationality (and thus of justice and the rule of society). The social classes that define what is rational will also define what is mad and who is mad and thus who is excluded from societal protection. This is, finally, to define what counts in history: what can be measured, what can therefore be remembered, be recorded, be taught about. Madness and the mad are excluded from all this and excluded by the decision (of the rationalist) that establishes and imposes rationality. In Folie et de'raison, Foucault therefore writes that "The necessity of madness, throughout the history of the West, is linked to the deciding gesture which detaches it from the background noise, and from its continuous monotony, a meaningful language that is transmitted and consummated in time; briefly it is linked to the possibility of history."

In the words of one interpreter, "Foucault's reading of Descartes constructs through the idea of the decision'[to exclude madness] both a concept of agency [of the cogito] and a mechanism of exclusion through which that agency manifests itself as a historical instance. It is precisely the notion of individual agency and subjectivity which is at issue" (Dalia Judovitz, "Derrida and Descartes: Economizing Thought," in ed. H. Silverman, DERRIDA AND DECONSTRUCTION, Routledge, 1989). According to Derrida, however, Foucault fails to appreciate the fictive character of the Cartesian project, its hyperbolic, mad attempt to trace out the consequences of a rational possibility. On this view, Foucault projects onto Descartes' text Foucault's own portrait of autonomous subjectivity and its imagined capacity to exclude non-reason through the mere act of

decision; it is Foucault who encloses the Cartesian project within "a determined historical structure" and who therefore "risks doing violence [to the project]…, and violence of a totalitarian and historicist style" ("Cogito").

For Derrida, Foucault exhibits in his own reading of Descartes the very "structuralist" assumptions and methods that Foucualt attributes to Descartes. To repeat, these are the assumptions that an author possesses an autonomous subjectivity, enacts it through decisions that impose the subject's own rules of rationality on others, and achieves through this imposition a social sphere of power and influence and the authority to write history. One structuralist method is to re-interpret certain texts as products and symptoms of such subjective decisions, to criticize the texts' authors on this basis, to draw dichotomous distinctions between their behavior and its contrary and, finally, to advocate the contrary (usually represented by the structuralist's school of inquiry). What I find the most telling aspect of this method is the finality of its attributions: a text is viewed as really sympomatic of a specific subjective interest; SOMEBODY really has this interest and, on its behalf, really imposes something on somebody else.

Now, unlike Foucault, Aryeh is gentle in his reading: he offers possible readings, illuminations. He leaves open the possibility that these readings may offer insights into historical practices then and now, but he does not impose a strong a priori scheme for associating rhetorical traces with historically situated socio-political movements. Nonetheless, WITHIN the domain of our non-foundationalist styles of textual reasonings, he appears, in the following ways, to exhibit structuralist leanings. Of course, we may conclude that he does and for good reason, but let's discuss that later.

1. He refers the texts to authors and portrays both the authors and various characters in the texts narratives as having or lacking "agency": Esther has "agency," (the mark, I take it, of autonomous subjectivity) but may be

portrayed as either "active" or "passive" (agency defines a binary pair); God has active agency; the text is "constructed as this or that" ("construction," I take it, is a mark of authorial agency); various themes "frame" the sugya (the themes are also personified, as "agents" of a constructive activity of delimiting the sugya's frame; with respect to a given frame, the sugya is defined with respect to a binary opposition between some character and its contrary: the sugya "thematizes" sex/pleasure/death as opposed to not-thematizing this triad); and, ultimately, the martyr is a "passive" as opposed to an "active" agent of divine love.

2. Agency is enacted with respect to some binary pair of contrary attributes (as illustrated in #1); its activity can thus be mapped with respect to some concept and its negation. This feature also applies to the redaction of the sugya, as a whole and in its parts. A's 1994 presentation identified a competition within its sugya between one set of authors who employed the frame "women as dangerous" and another set who did not. In this paper, the locus of competition is Line 25, and it is between those redactors who would/and would not rather read that the female victim of rape was slain than that a man would have an erection against his will. Another example is God's agency in general: the essay portays God as embodied-and-sexual, as opposed to non-embodied and therefore non-sexual (rather than as opposed to embodied-in-other ways).

3. The rule and authority of any agency is refered, ultimately, to some "textual-cultural" norm and logic that determine, rather than merely suggest how authorial decisions will be rendered. Thus, A portrays the Line 25 competitors as serving a cultural norm about the sexual agency of men.

4. Aryeh therefore tends to refer actions and decisions to some finite series of causes, or motives, which terminates in some potentially identifiable rule or concept: such as a cultural norm about male sexuality. A's "sexual reasoning" portrays the amoraic/stammaitic redactor/composer as

interpreting certain biblical and mishnaic passages and issues on behalf of a specific notion of divine and of human sexuality, in particular of women's sexuality. He portrays sexuality itself as a drive or interest which, as such, is an agent of meaning but not also product of some other agency: a signe that is not also a signified. God can be sexually damaged therefore (pgm), but the hint at sexual damage is not then read as token of some other dimension of meaning (of which sexuality is an illustration or instance; and, by the way, can God not be portrayed in the sugya as parent (=family) of one who is damaged, rather than being directly damaged?). Features #3 and #4, combined, suggest that, for A, there is no infinite or indefinite authorship: whether this means either infinite semiosis (on the skeptical or relativist side) or divine authorship (on the realist side).

5. As for the places where a text is broken or equivocal (a significant "postmodern" feature of A's essays), A tends to re-read the site of difficulty as index (deictic sign) of a conflict between discrete agencies or the kinds of finite signs we just considered. Line 25 is one illustration; the portrayal of Esther is another (she is active/passive according to contrasting frames), and so on.

6. As for any evaluative dimension of A's reading: we may assume that A isolates the frames that denigrate women in order to censure them in some fashion, in favor of their contraries. A's tendency to personify authorship and to recognize subjectivity enables him to direct moral judgments to some actual human agency. But what of the sexuality of God, or at least of the divine-human relation? Would A censure readings that fail to portray God's sexuality, or thereby fail to portray God's embodiment? If not, what drives A's thesis: is his reading non-structuralist at this point? Or does he associate embodied theologies with psycho-socially, politically and hermeneutically integrated forms of decision-making?

As for what evaluative conclusion I may offer to my own structured reading of Aryeh. According to the model offered at the outset, I would assume that a post-modern variety of structuralist reading belongs within

the continuum and community of textual reasonings. I'd only suggest that there may be merit in identifying this species of reasoning in a project like Aryeh's, in disclosing a little more about the conditions that warrant it and the context of study that underlies it. Structuralist-like readings may, for example, be the most effective hermeneutical response to issues of justice or to conditions of systemic oppression. Even in these cases, there may be merit in exhibiting the readings' dialogic relation to non-structuralist textual reasonings about the same sugya. These would be reasonings that were not stimulated by the text's breaks and gaps to articulate some finite resolution of the kinds noted here, but that either retained the interpretive relativity of some postmodern readings or else refered the text's readers, in various ways, to the text's infinite, that is, divine authorship as well.

2. Kris Lindbeck, Jewish Theological Seminary, New York

I found Aryeh Cohen's discussion of this sugya on martyrdom and (sexual) transgression fascinating. His discussion of Esther was particularly useful for me, because several years ago I learned this sugya in a class which did not recognize how problematic both the question about Esther and the answers given by Abaye and Rava are. I also appreciated the idea that the story at the end is a comment on one way in which a man can be "sexually forced" — by becoming overcome with lust for a woman who does not act to seduce him but is simply "irresistible."

I am intrigued by Aryeh's argument that the sugya introduces the "strong idea that Esther was actually radically passive or . .. merely an object of pleasure and not an agent." In this, he contrasts Esther with Yael, whose seductive powers are praised and exaggerated in the Bavli. His argument is that there is no discernible reason for reading Esther as so passive, given that in another parallel case, that of Yael, a woman's "sexual manipulations" are celebrated.

In the case of Yael, I wonder whether the midrash considered her an Israelite (or, speaking anachronistically, a Jew). Although she is compared

to the Matriarchs, both the Bible and the text refer to her as the wife of "Hever the Kenite," who may be related to Moses' father-in-law, but is not part of the Israelite people. If Yael is thought to be a Gentile, then the difference between her and Esther has an obvious source. Esther's virtue is preserved by a paradoxical insistence that she was sexually completely passive — even if active in other ways. If Yael is not considered (fully) Jewish, then her actions are not those of an Israelite woman but a miraculous harnessing of the dangerous sexuality of Gentile women for the cause of Israel. I like this reading because it was within the powers of the midrash's creators to emphasize Yael's sexuality and seductiveness by describing her as acting like Judith, as seducing Sisera to lull his suspicions but never actually stooping to have intercourse with him — and I suspect that if Yael was seen as fully Jewish that scenario would have been preferred — especially because her intercourse with Sisera was adulterous.

Thus a Gentile woman can appropriately act as a seductive sexual agent in a good cause (there is no suggestion that Rahav ever ceased being a prostitute), but for a virtuous Jewish woman forbidden sexual activity is unthinkable no matter how good the motives and results.

Like several of the other respondents I find myself drawn to the textual mystery that intrigues Aryeh as well — the two alternate readings of his line #25 "she [the betrothed virgin] should be killed rather than submit to transgression," and the probably earlier alternate reading, "he should be killed rather than be forced into transgression" (my translation — the literal words are "he [or she] should be killed and not transgress.")

Since I approach the Talmud as among other things a historian I wonder whether the reading "she should [force(?) or allow(?) herself to] be killed" is a reading which was created later, and under the influence of European cultural concepts about rape and female virtue. As stated above, in the case of Esther the Talmud "protects her honor" by insisting on her complete sexual passivity. This is a strategy used in other sugyot for real

life situations as well, often in a way that seems beneficial to women who undergo sexual assault. For the Talmud such women are pictured as passive victims rather than as somehow colluding in the crime against them by being, for example, too seductive (a view which is still all too present today). A corollary of this view that the (Jewish) woman who undergoes rape is altogether passive is that she could not have prevented the crime against her and thus was not obligated to do so. In contrast, Greco-Roman and later European traditions have an idea of "death before dishonor," a concept that a virtuous woman will do anything possible, including killing herself or engineering her own death, to avoid rape. This idea is alien to what I believe is the dominant strand of the Bavli's laws about the status of women who have been raped. One sugya on Ketubot 51b advances — and does not conclusively refute — the idea that married women who have been kidnapped and raped by bandits are always considered passive victims (and thus not guilty of adultery and thus able to return to husbands who are not priests) because they submit to sex out of fear. Even if they are seen bringing bread — or even arrows — to their kidnappers, they are acting only out of fear, and are not considered guilty of adultery or of anything else.

In this case the passivity of the kidnapped women is extreme but appears to operate in their (legal) favor; there is not even the faintest suggestion that they should have died rather than be raped or that they might be punished for adultery — the only question is whether sexual abuse by their captors may ever be seen as anything except rape, even when it is not accomplished by physical force.

On the basis of this and other passages, it seems to me that the reading "she should die rather than transgress" might plausibly have been developed for two reasons. First, as Aryeh says, it was chosen because some readers of the Talmud were uncomfortable with the implication that a man may be sexually coerced. Second, it was developed because these readers were influenced by European ideas about rape and virtue which suggest that a "good woman" will not allow herself to be raped — and

hence that passive submission to rape is not the best choice for a "good woman" — i.e. that ideally "she should die rather than transgress."

I am perhaps especially sensitive to this issue because of my experience as a rape crisis counselor. In our training, we were taught to combat rape survivors' possible beliefs that they had done something wrong or they wouldn't have been raped; and we were also urged to examine ourselves for any trace of similar prejudices, so that we could overcome them. These beliefs are the legacy of a dominant European view of rape and female virtue which people are still seeking to unravel today.

III. Some Reflections on Our Preoccupation With Sexuality
Michael Zank, Boston University

I teach a class on Modern Jewish Thought this semester. The way I structured it, the exposition of modernity and Jews/Judaism takes about as much time as the exposition of the philosophers and their ideas. In the course of reading through some sources I was struck yet again with the sexual overtones of some of the antisemitic rhetoric advanced in the 1880's and following. Oskar Panizza captures this atmosphere in his satire "The Operated Jew" (1893) — a text brought to my attention by David Weininger, one of my graduate students and a contributor to our discussions (see tr 5-4). The "operated Jew" is Itzig Faitel Stern who has himself transformed into a pure German through cosmetic surgery, hair coloring, straightening of his bones, and, in pursuit of a German soul, a complete blood exchange (alluding to the tradition of Jews needing "Christian blood) as well as the recitation of "pathetic and sentimental passages by poets" etc. To crown the scientific achievements brought about by a medical team (Frankenstein and Pygmalion come to mind) the operated Jew is to marry and produce offspring. However, at the climactic wedding banquet, he returns to type. Before going into a drunken stupor and returning to his natural state as a Mr. Hyde, Faitel recites what he regards as a splendid joke the telling of which is worth losing all the achievements of a gentile appearance he paid for so dearly with the money

of his rich father and his own patient suffering, effort, and determination. Here is what Faitel thought to be so funny:

Faitel's glass had been filled once again by the innkeeper, who stood behind him. While terrified and sympathetic forces focused on him from all directions, Faitel himself began to speak with a squeaky and entirely different tone of voice. "What doth he do in the next three hours, the holy Jehovah?-Deradang! Deradang!" [Faitel's once habitual manner of adding meaningless syllables to his speech. MZ] With one quick swoop, his thumbs were in the pockets if his wedding vest. Now he bobbed back and forth and gave an infatuated look at the heavens. — Again with a changed voice giving the answer: "He sitteth and copulateth the men and women!" Again the first voice: "How long doth the holy Lord copulate the men and women?" the same positur; lascivious movements back and forth on the chair; jumping up and down, gurgling, clicking of tongue. — the voice answering: "Three hours long doth he copulate the men and women!" First voice: "What doth he do in the afternoon, the holy Jehovah? Derdang! Deradang!" — Answer: "he doth nothing, Jehovah. He taketh a rest!" First voice: "What didst thou say? What doth thou mean? The holy Jehovah doth nothing? What doth he do? What doth Jehovah do in the afternoon? Huh?" — A young boy's voice from the distance: The holy Jehovah playeth with Leviathan in the afternoon!" — The first voice interjects triumphantly: "Naturally! He playeth with Leviathan!" [Translation: Jack Zipes (Routledge, 1991)]

From earlier in the story we know that the first-person-narrator was interested in Faitel because of his knowledge of talmudic matters that could not be found in the printed editions and translations, alluding to the understanding of kabbalah as "juedische Geheimwissenschaft" (the secret science of the Jews). Panizza succeeds in weaving a number of important strands of meaning into his satirical tale of the doomed attempt at Jewish assimilation. His attention to sexual themes is particularly striking. On the one hand, the theme of dangerously unrestrained male sexualilty is a common motif in racial sterotypes not only in antisemitic rhetoric. The

African-American male, for example, is subjected to similar type-casting in Western societies. Panizza, however, seems to allude to a variety of desires, all of which are clothed in sexual imagery: Faitel's longing to overcome his difference and unite with the admired German, blood, soul, and all. This desire is evidently misdirected but seems to be based on Faitel's longing to overcome imperfection. Faitel looks at the heavens with "infatuation," a heaven where he envisages the "holy Jehovah" occupied with "copulating men and women." The child (the pre-sexual, innocent human being) envisages Jehovah playing with Leviathan, the symbol of chaos and distortion which Faitel himself also represents in his pitiful body.

Why are we preoccupied with the theme of sexuality? Michael Carasik has given us a clue when he writes:

"Shorn of its trendy language, the assertion that the 'constructed meaning' of worshipping idols 'is embedded in an economy of fidelity, rape and adultery' should occasion no surprise. This is, after all, not a rabbinic invention. The marital, and indeed sometimes sexual, metaphor for the relationship between God and Israel is well-grounded in biblical literature. This is not always deployed negatively. Even leaving aside the Song of Songs, Hosea 2:21 (so popular today on wedding invitations) comes immediately to mind: 'I will betroth you to me forever.' But there is a wide range of prophetic literature, Hosea 2 included, which portrays Israel's idolatry as adultery. Thus, the idea that "p'gam gavoha" of the Sanhedrin text could imply something equivalent to sexual shaming ought not to be surprising. In suggesting that Israel's idolatry makes God a cuckold, the rabbis were standing on the shoulders of giants."

Similarly, Peter Ochs gives his response to the discussion on Aryeh Cohen's comments on Bavli Sanhedrin 74a-75b the title "Sexual Reasoning."

I have been in an exchange with a German scholar, Dieter Adelmann, whose life's pursuit is the study of Hermann Cohen, who is afraid that the things that need to be said in order to begin to understand Jewish philosophy are, to Christian ears at least, blasphemous. Adelmann interprets Cohen's "logic of origin" as a reference to a "theologumenon of procreation" (Zeugung). Cohen's idea of a "unity of the cultural consciousness" cannot be understood unless "culture" is determined as "culture of procreation." The origin of culture (so Adelmann) is determined by Cohen (in contrast to other anthropological assumptions) in the culture of procreation. I think this is a fertile idea (no pun intended). What it means is the following.

What is God? What do we learn about God from Bible and rabbinic practice? No doubt, the "Hear o Israel" focuses our attention (daily in prayer, i.e., in the basic curriculum aimed at the cultivation of the human being in thought and practice) on a single attribute: the singularity of YHWH, whose name (according to Cohen and other exegetes) is, grammatically speaking, a "factitivum" (hiph'il, causative). The singularity of God implies not merely the otherness of God compared to what others mean when referring to "elohim;" what "we" mean by God ("elohenu") is a being-towards-the-future, a becoming, a generative principle. What is being generated or created is the future as ONE, i.e., the cultural task of unification (yihud) the perpetuity of which is not an empty infinity but the very promise contained in the name of God and which is beginning to be experienced in the cultivating effects of the history of the covenant.

In Judaism, procreation is the primary act of culture rather than a function of nature. To wit, the stories unfolding in Genesis, from the very beginning; the very first commandment; the genealogies (eleh toledot), the patriarchal stories, the kinds of sins (the sons of Noah!, Judah and Tamar), etc. The deepest secrets of the Kabbalah are secret only because they are are fraught with possibilities of misconstrual for those who

misunderstand the fundamental theologumenon of procreation. — So far the words of Adelmann in my interpretation.

Itzig Faitel Stern is Panizza's way of communicating what happens when the Jewish discipline and cultivation of procreation has lost its purpose, its frame of reference. It is still there, it frightens others (because it seems blasphemous), but it needs to be recultivated. Hence "sexual reasoning."

DISCIPLINE(D) THINKING

On Judaism and Jewish Studies
Aryeh Cohen, University of Judaism

The question of what Jewish Studies is, and the blurred boundaries between Jewish Studies and Judaism, is a constantly recurring concern of the academic study of Judaism itself. Louis Ginsburg, the American practitioner of Jewish science as a practice of Judaism, mentions Saadia Gaon as "the pioneer of a number of fields of Jewish science." (Geonica I:97) In this way he constructs his own predecessor, and field of study. Hayyim Nachman Bialik, the author and Zionist thinker, in his programmatic essay "The Hebrew Book," raises the question of what should be included in an anthology or collection (*kinus*) of the best of Hebrew literature of all time. He suggests the criteria of the "Holy Spirit of the nation" in deciding which books should be included in the canon. This spirit, Bialik claims, is also to be found among Jews who didn't write in Hebrew, and their works should be translated. (He notes Philo, Spinoza and Heine) On the other hand, Bialik dismisses those who founded Wissenschaft as having been heretics to the language (*kophrim balashon*)-opening the treasures of the nation to foreigners who might then come and claim them for their own. Gershom Scholem explicitly rejects this criterion.

Scholem's own argument for a "counter-historical" historiography (as David Biale has called it) seems to resemble and reenact his own rejection

of German bourgeois culture. The "demonic" for Scholem was, and remained, the important force in Jewish history. Baruch Kurzweill, in an essay on Scholem's _Shabbtai Zevi_ (collected in a section of his book of essays _In the Struggle Over the Values of Judaism_ called "The Supposed Spokespeople of Judaism") attacks Scholem on the grounds that Scholem's *theology* is dangerous.

Abraham Joshua Heschel, in the introduction to his three volume Hebrew work, *Torah Min Hashamayim*, frames his exploration of Rabbinic theology with the complaint that if a Jew searching for some spiritual sustenance were to wander into the current (mid sixties) academy they would find only dry bread and salt, with nothing to satisfy their religious craving-especially in comparison with what they might find elsewhere. His answer, of course, was to reinject Aggadah into Halakhah. Each of these scholars was in some way concerned with the definition of the field of Jewish Studies, and the point at which Jewish Studies interfaced with or crossed over into Judaism.

It is only appropriate that we are still troubled by what Jewish studies is. As an area studies, Jewish studies is interdisciplinary and resists easy classification. As organization of a body of knowledge, it is only helpful as long as it is seen as one frame for the constituent parts of that body of knowledge. Professor Krister Stendahl has said that when the women's studies program was being set up at the Harvard Divinity School, there was a need for a succinct definition of what women's studies was. The definition that they came up with was the following: "Women's studies is not the study of women, or studies by women, though these are part of it. Women's studies is study in which gender is a category of analysis." If we were to transfer this definition to Jewish Studies, what would we have in the last phrase. Jewish studies is study in which *what?* is a category of analysis. The possibilities are many-Judaism, the Jewish people, Jewish texts, Jews as individuals, etc. Depending on how we fill in the blank, we have a very different conception of what it is that makes this field a field.

I would claim that Jewish Studies is primarily a commitment to a certain narrative arc. This is an arc which connects the Bible to Rabbinic literature to medieval Jewish philosophy, poetry and mysticism to contemporary Jewish expressions in literature, philosophy, theology, art, etc. What the specific points on the arc might be is of course open to debate. The debate, however, takes place within the overall narrative understanding. Rejection, subversion, betrayal as well as enhancement, acceptance, interpretation are all recognizable moves on the same arc, the same serial narrative.

At the same time there is a recognition that the Jewish Studies commitment is not the only locality for the knowledge organized along this narrative arc. There are other competing narratives-e.g. Bible to New Testament to Church Fathers to Scholastics, etc.-or synchronic organization-late antiquity, medieval philosophy-which have equally legitimate claims on this knowledge. The Jewish Studies claim is that when placed on this arc, the Bible, the Mishnah, Gersonides, Spinoza, Kafka or Yona Wallach mean differently than when otherwise contextualized.

In the field of Rabbinics, for example, the 19th century Protestant agenda saw Judaism as background and Christianity as foreground, and on the other hand valorized that which could be categorized as spirit and trivialized that which could be categorized as the letter of the law. This agenda, which was embraced in various ways by the founders of Wissenschaft des Judentums, Ahad Ha'am, parts of the Jerusalem academy-though rejected by Bialik and Heschel-has been largely challenged and overturned by the last two decades of scholarship in America pioneered by Jacob Neusner but taken up in various ways by many others.

Jewish Studies is once again a contested site. In light of the important questions emerging from what has been referred to as the "New Academy," Jewish Studies is involved in questions of identity and

resistance within the academy. As I mentioned before, Jewish Studies has always been implicitly involved in questions of identity or commitments to identity, and has always been a site of some resistance to the hegemonic culture, it has not necessarily ever left what has been called the enlightenment or scientific/objective model. (The Scholem-Bialik-Kurzweill polemics are very instructive in this regard.)

Thus, for some, the commitment that is Jewish studies, is also a commitment to an identity or spirituality. Sarah Horowitz in an excellent article on Jewish Studies in the new academy has suggested that "Jewish Studies is the study of Jews in their (or our) own terms." (155) Horowitz also claims that "Jewish Studies reveals the existence of a counter academy-or, more properly, counter academies, each with its own competing canonical and ideological stance: the Yeshivah, the maskilic center, the secular academy." (162) Though I think these definitions have merit, I would like to problematize them.

Both of these definitions collude in the same problematic stance. On the one hand-who is the "us" that will study Jews in "our" own terms? What this statement clouds is the fact that the "us" who study often have a very serious conflict of interpretation–or at least interpretive stance–with other Jews outside the academy who can make equally legitimate claim to study "the Jews on our terms." This is especially evident in the study of the Jewish literature of late Antiquity. It is often those self-same discourses–feminism, post-modernism–which generate important avenues of inquiry, and interpretive stances that separate the "us" in the academy from other Jews who have differently legitimate claims on and stances toward these texts.

This same problem is evident in regards to Horowitz's second statement. Calling the Yeshivah, the maskilic center, and the secular academy "academies," even "counter-academies," masks the fact that the languages spoken in the three different places are incommensurate with each other. While Jewish Studies might "reveal the existence" of the

Yeshivah, for example, it is unclear what if any impact this can have on the *practice* of the academy. While we have common texts, we have no common language.

The irony is that the move from a historicistic, *wissenschaftlich* stance to an engaged stance generated by the questions raised in the "new academy," has made the chasm deeper and wider. It used to be said in Yeshivot that academics can say what Abayye wore, but in the Yeshivah we can tell them what he said. When the academy is making more claims on the meaning and ownership of these texts there is no longer any mode of discourse with the Yeshivah. The existence of this chasm between Yeshivah and academy is clearest at the points where the two "sides" seem to meet, that is in the Conservative seminaries, or Yeshivah University.

The conflict between these two types of practice is obvious also in the conflicting reactions to and perceptions of academic students of Rabbinic literature. In the Yeshivah, the appellation "University professor of Talmud" is another way of saying heretic; while in the non-Orthodox lay world, "University professor of Talmud" is another way of saying Rabbi.

In conclusion I would say that while Jewish Studies can offer important resources for opposition to certain hegemonic understandings of the Western academy-it must be recognized that Jewish Studies is not in any simple way *the* Jewish voice, and is in significant ways oppositional to certain understandings of parts of the Jewish community. That is, there is a need to be aware that Jewish Studies is itself a praxis which is different from, and, at times, oppositional to (many types of) Judaism.

NOTES

"Jewish Studies as Oppositional; or Gettin' Mighty Lonely Out There," in _Styles of Cultural Activism_ ed. Philip Goldstein, (Newark: University of Delaware Press, 1994): 152-164.