

A REVIEW OF *PEOPLE OF THE BOOK: CANON, MEANING, AUTHORITY*

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**Moshe Halbertal. *People of the Book: Canon, Meaning, Authority*.
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Rav Judah said in the name of Samuel; [The scroll] of Esther does not make the hands unclean. {Like the scrolls of other books of the Scripture}. Are we to infer from this that Samuel was of opinion that Esther was not composed under the inspiration of the holy spirit? How can this be, seeing that Samuel has said that Esther was composed under the inspiration of the holy spirit? – It was composed to be recited, but not to be written.

Babylonian Talmud, Megillah, 7a

The text is home; each commentary a return. When he reads, when, by virtue of commentary, he makes of his reading a dialogue and life-giving echo, the Jew is, to purloin Heidegger's image, 'the shepherd of being'. The seeming nomad in truth carries the world within him, as does language itself ... the textual fabric, the interpretive practices in Judaism are ontologically and historically at the heart of Jewish identity ... Time is truth's passport and its native ground. What better lodging for the Jew?

George Steiner, "Our Homeland, the Text"

Democracy thus appears as the means by which the revelation of truth is carried on. It is in democracy, the community of ideas and interests through community of action, that the incarnation of God in man (man, that is to say, as organ of universal truth) becomes a living, present thing, having its ordinary and natural sense. This truth is brought down to life; its segregation removed: it is made a common truth enacted in all departments of action, not in one isolated sphere called religious.

John Dewey, "Christianity and Democracy"

Near the end of Moshe Halbertal's inquiry into the meaning of the Jewish canon, (though less into the nature of its authority) he relates, in the past tense, i.e. as part of history, an as yet unfolding drama. Like all good histories, it is captivating. Halbertal tell us of the struggle in fourteenth-century Provence between philosophers and talmudists, between those who would go beyond the canonical texts to swim in the great currents of Aristotelian philosophy and those who categorically rejected such textual liberties. He identifies the protagonists, the positions, the stakes and the political trade-offs (including compromise positions) in what was, ultimately, but one moment in the making and definition of the canon. It contributed to the crystallization of what he terms "strong canonicity", meaning that the canon has an exclusive claim to truth and so to one's attention and study, excluding all other texts and traditions. Together with such prohibitions as on the study of Torah by non-Jews such a position was of utter incommensurability between the world of the Jewish text and that of non-Jewish philosophy. One immediately recalls the eighteen decrees of Beit Shammai as an almost analogous mode of radical separation that held no possibility of commonality, in discourse as in life. The reality, with the one, as with the other, was of course more complex.

Careful attention to Halbertal's discussion will show that he does not clearly tell us how the debate between Talmudists and philosophers over the nature of the "curriculum" was resolved. He leaves us with the

impression that the Rosh (Rabbi Asher ben Yehiel), the major scourge of the philosophers had the last word, but more than that he cannot do as his own work and those of his colleagues such as Avi Sagi (*Elo v'elo*) and Menachem Fisch (*Rational Rabbis*) among others at the Shalom Hartman Institute attest. Indeed, as Halbertal himself shows in the case of Maimonides's *Mishne Torah*, more than one move in the attempt to "seal", to force closure on the text and its interpretive strictures and criteria has, instead, led to a proliferation of commentaries and interpretations. The *Mishne Torah* did not replace the Talmud as source of inquiry and study, just as the closing or "sealing" of the Babylonian Talmud itself did not end the polyphony of voices which themselves, do – as the text itself more than once admits – point to sacrality itself. It is perhaps curious that this dimension of the "canon" is not explicitly discussed in Halbertal's work. For while he gives us a fascinating and compelling analysis of the ways different medieval schools (Ibn Daud, Maimonides, Nachmanides and his students) dealt with contradictory dicta of the authoritative text, he refrains from addressing the unique compilation of the Babylonian Talmud (and of midrash halacha, for that matter) which, rather than present us with a simple legal codex, weave together centuries of debates into an ongoing and seemingly never ending discourse.

To take the last point to its extreme, if what "completes" the canon is always only its being read by a member of the community (hence the significance of the quote from the Babylonian Talmud above) it can, indeed, never be quite sealed. The canon, and I think this is precisely the uniqueness of the Jewish canon, always partakes of an inherent openness constructed in the sinews of tradition itself, of oral study and of everlasting commentary. Some contemporary scholars have seen this effervescence of tradition as a veritable carnival, a utopian supersession of order built into the very dictates of halachic order itself – or perhaps, of the order of the halacha. To be sure, in such cases, the tensions between "talmudists" and "philosophers" move from outside, that is from different social groups of scholars, to inside each individual scholar (a move congruent with their taking on the inverted commas) as, if I am not mistaken, the case of the Natziv of Volozhin (who Halbertal notes in a

different context) makes clear. This is the well-known phenomenon of compartmentalization where philosophy is allowed entry to aggaditah let us say, to moral and exegetical discussions, but never to halacha (hence for instance the almost disparaging attitude of many ultra-Orthodox Jews to all those biblical books not included in the Pentateuch). Yet the seduction of philosophy cannot be totally extirpated. For if the tradition itself is in some sense open, if "time" is "truth's passport" (and the famous Talmudic rendering of the account of Moses witnessing the interpretive brilliance – which, recall he could not fathom – and then the death of Rabbi Akiva would seem to indicate that this is the, or at very least, a view of the canon itself) then Talmud is always, talmud-torah and Ma'ashe Merkava is always being juxtaposed to the 'small thing' – with an antinomian potential that certainly Ben Gurion was aware of in his criticism of Avraham Kariv that Moshe Halbertal cites at the end of his work.

Sometime in the 1970's Menachem Begin appeared on Israeli television together with Isaac Bashevas Singer. It was a most enjoyable performance, highlighted by Begin deriding Yiddish as a language in which it would be impossible to build an Army (and hence by implication, a State). No commands would, in his perception be taken seriously. And though I doubt that Lithuanian Bundists would have agreed (though, who knows, perhaps Begin was correct after all) it is no doubt a similar fear that motivated BG's rejection of the Talmud for the Bible. As Halbertal presents it, BG's affection for the Bible and rejection of the Talmud and of the commentaries is of almost fundamentalist dimension, and given his "agenda" as they would say today, made perfect sense. In the Zionist attempt to make a "new man" (adam chadash) and to remold the individual and collective nature of Jewish identity into a most muscular and pragmatic democracy the demands of state-making and nation-building were of a particular order. Pliant myth, to be interpreted *de novo* rather than hermeneutic brilliance were the order of the day. Just as the life of the new Jewish agricultural laborers were to approach some putative Aryan ideal (and there is much of this to be found in Davar of the 1920's) so the Bible was to be reinterpreted in, I would posit a more Protestant dimension (as for instance it was by those others attempting to

found a new Jerusalem and remake the nature of man, on the American Strand, albeit 300 years earlier).

As the study of the thirteen exegetical principles of Rabbi Ishmael gave way to a new Jewish pragmatism (termed, appropriately enough “bitzuism”) revelation came more and more to be interpreted along terms Dewey would have approved of. That some would call that idolatry (not just Neturei Karta, but Yeshayahu Leibovitz z”l as well) is a matter best not entered into at this juncture. I mention it only for the implications it has on the continuing struggles and tensions between the Jewish canon and philosophy – as well as on the as yet unexplored problem of authority as it presents itself in both traditions. However, as the later has come to be more and more a worldwide pragmatism, rather than an Aristotelian teleology a certain form of accommodation between the two was seen to hold (torah v’madah). Yet, as the century closes this accommodation seems to be straining at the seams. (As one of my modern orthodox friends put it in terms of his children, “we left the ghetto, they are seeking a return to it”). New possibilities of common discourse are, however being broached, the best examples being some of Halbertal’s own work and that of his colleagues at the Hartman Institute. However and to truly engage in such discourse, neither necessarily accepting the principles of (in this case pragmatic) philosophy nor retreating into the folds of the “strong canon”, a greater engagement with other traditions and texts is called for. When, for instance, we reach that time when analyses such as those developed by Brian Stock in his now classic *The Implications of Literacy* (1983) (of the “textual communities” existent in 11th and 12th century Christian Europe) is engaged within works like Halbertal’s own then a new stage in this dialogue will have been reached.

Finally, we should note that Halbertal records the juxtaposition of different texts in the making of the Jewish canon. Many of these texts have been juxtaposed to the Talmud among which have been Rambam's *Mishne Torah*, the works of Aristotelian philosophy, the texts of the Kabbalah, and with Ben Gurion (in what I would term a 'Deweyian' mode) the Bible. One additional, yet critical set of juxtapositions has yet to be explored, that between written text and oral exegesis, an opposition whose engagement would, I would hazard, bring us to the core issues of authority and community (and so perhaps even to an alternative to pragmatism).