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Doing Positive Jewish Theology: The Case of Divine "Regret"

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Steven Kepnes, following Peter Ochs, recommends the application of Charles Peirce's "thirdness" as "a way to understand the rich Jewish traditions of interpretation of scripture in Midrash, Aggadah (stories) and medieval exegesis, as ways of generating new understandings of God diachronically through tradition." He then advocates its usefulness for appreciating rabbinic midrash, especially in the development of theological language that does not resolve but negotiates the dichotomy between an absolutely transcendent, unknowable, and unseeable God that defies positive attributes or referents, on the one hand, and a personal, immanent, relational God on the other. To my mind, such a theology must maintain a balance, though one that might always be fraught with tension—one which acknowledges the *experienced*, personal, relational God so deeply entrenched in the biblical and rabbinic traditions, but which at the same time is at the very least mindful of the negative theology Maimonides so radically constructed in the Middle Ages. Though

¹ Peter Ochs, *Peirce, Pragmatism, and the Logic of Scripture* (Cambridge: Cambridge University Press, 1998).

arguments in favor of a certain theology may be credible in their own right, they could never advance Jewish theology without seriously engaging not just the Hebrew Bible, but both the ancient classical rabbinic traditions and the medieval rationalism of Maimonides. In this response, I move from theory to the practice of that classic rabbinic enterprise of microscopically parsing foundational texts. As such, I present an exercise in what a viable Jewish philosophical theology might look like as it emerges from specific narratives within the core scriptures of Judaism that are essential to the development of that theology.

Rather than an abstract theoretical response to Kepnes' suggestive alternatives, I propose a case study in philosophical exegesis focusing on the thorny issue of divine emotions, which implements a positive theology along some of the lines Kepnes proposes. Although all attributes, emotions, or personal characteristics offend Maimonides' philosophically rigid notion of divine unity, perhaps the most philosophically egregious is divine sight that prompts the particular emotion of regret (נחם), such as appears in Genesis 6. It offends notions of omniscience, for to take note of something implies God not having noticed it previously and thus to have acquired some new knowledge. 2 For a medieval rationalist like Maimonides, no such God exists that senses, emotes, re-evaluates, responds to, and intervenes in human affairs. Perhaps even worse, such a being is a figment of an idolatrous imagination.3 However, as Maimonides assert, "the gates of figurative interpretation are never shut in our faces."4

Rather than read as allegory or metaphor everything pertaining to God that taints divine ontology with corporeality,⁵ I encounter the text

² On the issue of the relationship between an atemporal God and a temporal world, see Eleonore Stump and Norman Kretzmann, "Eternity," Journal of Philosophy 78 (1981): 429-458.

³ See Mishneh Torah (Laws of the Foundations of the Torah), ch. 1, and Guide of the Perplexed, trans. S. Pines (Chicago: University of Chicago Press, 1963), I:60 (hereafter GP).

⁴ GP II:25, 327-328.

⁵ On the Maimonidean hermeneutical principle that mandates such readings, see Warren Zeev Harvey, "On Maimonides' Allegorical Readings of Scripture," in Interpretation and Allegory: Antiquity to the Modern Period, ed. Jon Whitman (Leiden: Brill, 2000), 181-188.

through another "gate" that opens it up to the human experience of the personal, responsive God the text so patently portrays. 6 I will attempt to decipher, both inner-biblically and philosophically, those biblical reports of divine vision accompanied by some change of heart signaled by "regret" or relent (nhm),7 what prominent biblical scholars consider an "essential feature of biblical theology." 8 This exercise involves close readings of key biblical passages as a complex system of signs that, in the words of Kepnes' characterization of Ochs' adaptation of Peirce to the Torah's logic, "aims not only at understanding the nature of God but also applying divine healing energy to a human situation of need." What follows is not an attempt to treat the phenomenon of divine "regret" comprehensively, but rather to focus on it in a particular context that traces its meaning along a series of human 'beginnings' from creation at the beginning of Genesis to the Tower of Babel episode in chapter 11.9 The result is a model of applied philosophical exegesis concerning the relationship between God and humankind that resonates well beyond the narrow illustration of regret, an issue vital to any Jewish philosophical theology.

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⁶ On this I agree with Hans Jonas' assessment that the Greek concept of divine transtemporality, passibility, and immutability "has never accorded well with the spirit and language of the Bible," in "The Concept of God after Auschwitz: A Jewish Voice," *The Journal of Religion* 67, no. 1 (1987): 6.

⁷ The KJV always translates the niphal form of *nhm* as "repent" when ascribed to God, but "regret" or "relent" are far more appropriate in these contexts. See Terrence Fretheim, "The Repentance of God A Key to Evaluate Old Testament God-Talk," *Horizons in Biblical Theology* 10 (1988): 50-51.

⁸ See the Excursus on the term *nhm* in F.I. Andersen and D.N. Freedman, *Amos: A New Translation with Introduction and Commentary* (New York: Anchor Bible Series 4A,1989), 641.

⁹ There are other critical instances of divine regret which I do not address in this paper. They appear in Exod. 32 (regret over retribution in response to the golden calf); Num. 23 (Balaam's pronouncement regarding divine regret); 1 Sam 15 (regret over appointment of King Saul); 2 Sam. 24 (regret vis-à-vis national collective punishment); and Jonah 3 (regret of intended punishment of Nineveh). I plan on a subsequent study that does in fact treat the issue of divine regret comprehensively, including close readings of these instances as well, in the hopes of demonstrating and corroborating even further the conclusions I reach in this study.

My readings apply a hybrid of various hermeneutical approaches to scriptural texts. They first draw on the rabbinic centrality of God as an ethical model for imitatio dei. 10 As such, I leave it to others to explore arguments for God's existence or to probe the meaning of divine "reality," and I instead concentrate on Peirce's final step. For him, any conclusions of such argumentation must in the end generate implications for the conduct of human life. Peirce's rubric, then, is perfectly in line with what was paramount in relation to the classical rabbinic conception of God. Any philosophical exercise related to God's reality must be presented "not as a proposition of metaphysical theology, but in a form directly applicable to the conduct of life, and full of nutrition for man's highest growth." 11 Likewise for the rabbis, rather than a necessary existence, Abraham's God was a God who visited the sick, just as Adam's was one who clothed the naked and Moses' buried the dead. 12 They treat these scriptural narratives as records, not of an abstract Being, but of encounters with a relational God in the Buberian sense of the self-proclaimed ehyeh God, one that is "being there, being present." 13 Maimonides considers the pure exercise of reason in terms of establishing some common ground on which human beings and God meet, an essential basis for any relationship. For him it consists of that human activity which most closely approximates divine activity and thus establishes the only means of gaining proximity to God.¹⁴

Though I find it difficult to apply Ochs' Peirceian approach to a concrete reading of scripture, his view of scriptural pragmatism also informs my reading that follows. According to Ochs, scripture is

¹⁰ See b. Sotah 14a and Maimonides, Sefer HaMitzvot, positive commandment #8.

¹¹ See "A Neglected Argument for the Reality of God" (1908).

¹² On the issue of Judaism being an orthopraxy rather than an orthodox religion, see Menachem Kellner, Must a Jew Believe Anything? (Portland, Oregon: Littman Library of Jewish Civilization, 1999).

¹³ Martin Buber, Moses: The Revelation and the Covenant (New York: Harper, 1958), 52.

¹⁴ See GP I:1, and indeed his entire philosophical and halakhic oeuvre.

a text of this world that delivers a corrective to this world as guided by rules that are not only of this world. These rules and the scriptural text are called "holy" as a sign both of their ultimate worth as ultimate sources of corrective rules ("holy" as "praiseworthy" in contemporary English) and of their otherness, or being not only of this world ("holy" as in the Old English term weird, and in the Hebrew term, kadosh, whose etymological root refers to "separateness" or "removal").¹⁵

I thus present a model for 'doing' positive Jewish theology that is anchored in Judaism's holy writ rather than only theorizing about it. Along the way it also negotiates the dichotomy of Maimonidean placelessness, a tenet of theoretical abstraction, and the rabbinic presentness of God as a 'place' (maqom) that is the reality of lived experience. The only way I know how to take Kepnes' correctly held view of scripture as "the primary witness to the reality of God and the repository of positive assertions about God" is to read scripture very closely in order to determine both the reality and the veracity of what it "witnesses."

Gen. 6:6-7 records the Masoretic version of the Hebrew Bible's first occurrence of divine regret prompted by some visual realization. The full context reads as follows:

When men began to increase on earth and daughters were born to them, the divine beings saw how beautiful (tovot) the daughters of men were and took wives from among those that pleased them. The LORD said, "My breath shall not abide in man forever, since he too is flesh; let the days allowed him be one hundred and twenty years." It was then, and later too, that the Nephilim appeared on earth—when the divine beings cohabited with the daughters of men, who bore them offspring. They were the heroes of old, the men of renown. The LORD saw how great was man's wickedness on earth, and how every plan devised by his mind was nothing but evil all the time. And the LORD regretted that He had made man on earth, and His heart was saddened. The LORD said, "I will blot out from the earth the men whom I created—men together with beasts, creeping things, and birds of the sky; for I regret that I made them. (Genesis 11:1-7)

¹⁵ Ochs, Peirce, Pragmatism, and the Logic of Scripture, 319-320.

What many biblical scholars have characterized as some mythic pagan fragment that survives intrusively in the Hebrew Bible cannot be so easily dismissed as such. It is a decisive moment in nascent biblical history provoking God's revulsion with the apparent way his creation has unpredictably unfolded. 16 Remove it and there is no context for God's visceral reaction to wipe out every sentient being on earth. Importantly, what instigated God's reassessment is another visual perspective which inverts God's initial judgment. Once deeming his creations "good," he now perceives them as "bad": "The LORD saw how great was man's wickedness on earth" (6:5). A radical reversal of God's assessment from what was primordially "seen" as good (tov) to what is now seen as bad (ra') is instrumental in transitioning God from Creator to Obliterator. 17 Man's badness cancels out God's goodness.

Divine regret is a response that corresponds directly to the specific offense of diminishing the divine presence experienced within human existence. The relevant sense of biblical regret is that which tempers an unmitigated affirmation of one's past actions by a concern beyond the self for the affects they have had on others. As the moral philosopher R. Jay Wallace argues, it is in the "implication of our lives and our attachments in historical and social conditions that we have powerful reasons to regret." 18 When humanity overreaches its limits, driven by selfaggrandizing impulses of arrogance, hubris, and power, it inflates its own worth at the expense of that transcendent domain into which it encroaches. Thus, it attempts to take up the space legitimately occupied

¹⁶ See for example Nahum Sarna's comment that "this passage cannot be other than a fragment of what was once a well-known and fuller story, now etched in the barest outline" (JPS Torah Commentary: Genesis [Philadelphia: Jewish Publication Society, 1989], 45).

¹⁷ James Kugel considers verses 1-4 simply a neutral historical account of mythic heroes unrelated to the flood story, but linked causally to it by subsequent interpretation because of its proximity to the flood story. See "The Descent of the Wicked Angels and the Persistence of Evil," in The Call of Abraham: Essays on the Election of Israel in Honor of Jon Levenson, ed. Gary Anderson and Joel Kaminsky (Notre Dame: University of Notre Dame Press, 2013), 210-235.

¹⁸ See R. Jay Wallace, The View from Here: On Affirmation, Attachment and the Limits of Regret (Oxford: Oxford University Press, 2013).

by God's presence. Consonant with the intensity of those impulses, the *encountered* God becomes progressively constricted, threatening exclusion altogether. Those human actions invite divine regret as a metaphysical expression of a divine retreat from the world, threatening an undoing of the goodness of creation. In other words, Gods' presence in the world is conditional on humanity's openness to it. ¹⁹ The greater the self-absorption, the less likely the possibility of divine presentness and encounter.²⁰

Divine regret conveys what Franz Rosenzweig considered the function of all biblical anthropomorphisms: "assertions about meetings between God and man." It signifies a diminishment of the possibilities of meetings, since acts of human arrogance "banish [God] into the distance." Consistent with the 'measure for measure' principle operative in divine governance, the contraction of God's presence is a reaction that directly correlates to the narcissistic expansion of the human self. Thus I read biblical reports of divine regret as Heschel does all divine responses,

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¹⁹ Richard Elliot Friedman discerns an incremental trend in the Bible itself from a world suffused by God's presence to its disappearance. See *The Disappearance of God: A Divine Mystery* (Boston: Little, Brown, and Company, 1995).

²⁰ My argument in this paper is consistent with James Kugel's charting of the evolving notion of the self in the biblical period. The idea of a remote God evolved along with an increasing sense of self. See *The Great Shift: Encountering God in Biblical Times* (New York: Houghton Mifflin, 2017), esp. ch. 4.

²¹ Franz Rosenzweig, "A Note on Anthropomorphisms in Response to the Encyclopedia Judaica's Article," in *God, Man, and the World: Lectures and Essays*, ed. and trans. Barbara Galli (Syracuse, NY: Syracuse University Press, 1998), 135-145; 138.

²² What Rosenzweig articulates is apropos my argument that the more the banishment, "all the more does man think that he may people the divine space which is full of divine power-currents between God and himself, with half and quarter-gods" (Ibid., 142).

²³ My argument here is consistent with findings of psychological experiments that draw a correlation between the emotion of regret and sense of self: the higher the self-esteem, the less likely to experience regret. See Susan Kavaler-Adler's case study, where she finds that regret broke the spell of "a narcissistic sense of self-sufficiency" ("Anatomy of Regret: A Developmental View of the Depressive Position and the Critical Turn Toward Love and Creativity in the Transforming Schizoid Personality," *The American Journal of Psychoanalysis* 64, no. 1 [2004]: 39-76; 44). For the rabbinic endorsement of the measure for measure principle (*midah k'neged midah*), see *m. Sotah* 1:7; *b. Sanhedrin* 90a.

in terms of disclosures not of his being but of relationship between God and humanity. Accordingly, since "an intention of man toward God produces a counteracting intention of God toward man,"24 the diminished awareness of God triggers God's regret as contracted presence.

From Eden to the Tower: 'Beginnings' of Venturing Beyond Finitude

Just as Kepnes frames his endeavor by "beginning again," starting with the medievals, so I will chart this exercise in philosophical exegesis along a series of beginnings going back to creation and the first stages in the unfolding of civilization. The term 'began' (החל) in the first verse in Gen 6 ("When men began to increase on earth and daughters were born to them") provides a semantic marker, or what Martin Buber termed a leitwort.25 It frames the passage that follows within a larger narrative of human initiatives launched in the Garden to displace God by becoming God. Adam and Eve inaugurate a chain of such post-garden attempts to breach the limits of finitude that will become endemic to human history, signaled by the term הלל ('begin'). 26 Rabbinic tradition long ago noticed its repeated appearance as a leitwort, signaling sequential links in some theologically significant chain. Thus, I consider my own extension of that insight to fit along another chain—that of the mesorah, or of transmission that contributes, however small a measure, to the continuity and perpetuation of Jewish theology. That textual chain linked by beginnings respectively heralds different manifestations of the malign venture to

²⁴ Abraham Joshua Heschel, *The Prophets* (New York: Harper & Row, 1962), 487.

²⁵ Buber defines this term as "a word or a word-root that repeats meaningfully within a text, a sequence of texts, or a set of texts: to the one who pursues these repetitions, a meaning of the text is opened up or clarified, or at any rate will be revealed more insistently" ("Leitwort Style in Pentateuch Narrative," in Scripture and Translation, ed. Lawrence Rosenwald and Everett Fox [Bloomington: Indiana University Press, 1994], 166.

²⁶ Classical rabbinic literature long ago took note of this term as an indicator of the same sense in the narratives mentioned. Though not as nuanced, the sense of 'rebellion' is consistent with my approach. See Bereshit Rabbah 23:4.

acquire that which lies beyond human finitude. The quest for godlike power launched by Adam and Eve to "become like God" (Gen 3:5, 22), persists along epochal beginnings.²⁷

The birth of Enosh and the onset of third generation humankind establishes the first such link when people "began (from root חלל) to invoke the Lord by name (YHWH)" (Gen. 4:26). Although this is a difficult verse that attracts diverse interpretations, one promoted by Rashi, another seminal interpreter in the Jewish chain of transmission, captures this venture of human overreaching. People began to incorporate God's name into common names, such as adding to them the prefix or the suffix el.28 In addition to the moral arrogance reflected in conduct that substitutes human beings for God, the naming here also suggests the problem of attributing to God characteristics associated with human beings that end up, as Kepnes soberly reminds us, "too facile, too simple designations for God." This beginning already intimates epistemological as well as ethical constraints in the use of language, and the warning to clearly distinguish between what is divine and what is human. Eve had already set the precedent for this kind of 'naming' with her own naming of Cain, which is etymologically derived from her declaration "I have gained (qaniti) a child with the Lord" (Gen. 4:1). Adopting a term that describes the relationship between God and creation in the sense of exercising control over it, 29 Eve persists outside the garden in a renewed attempt to become godlike. She revisits an ambition that was frustrated previously by

²⁷ As Reuven Kimelman describes the allure of the tree of good and bad, "With eyes fixed on the tree, [Eve] is not able to banish the snake-implanted thought of being but a bite away from divinity" ("The Seduction of Eve and Feminist Readings of the Garden of Eden," in Women in Judaism: A Multidisciplinary e-Journal 1, no. 2 [1998]).

²⁸ See Rashi on this verse in *The Pentateuch with Rashi's Commentary*, trans. M. Rosenbaum and A.M. Silbermann (New York: Hebrew Publishing Company, 19291934). For a detailed overview of all the various interpretations of this verse from ancient to modern times, see Samuel Sandmel, "Genesis 4:26b," *Hebrew Union College Annual* 32 (1961): 19-29.

²⁹ See Gen. 14:19. Umberto Cassuto understands Gen. 4:1 as an assertion by Eve that "I have created a man equally with the Lord...I stand alone with Him in the order of Creators" (*Commentary on Genesis: From Adam to Noah* [Jerusalem: Magnes Press, 1953], 132-135.

expulsion from the Garden, but this time via another route.³⁰ The ability to reproduce, to create human life, deludes humankind into imagining themselves as divinelike.³¹ The previous commissioning of Adam to name other living creatures (Gen. 2:19-20), sharing a divine activity that was central to the creation process, likely reinforced that image.³² The act of naming now perpetuates that same self-conception initiated by Eve via another means.

For now, I skip over our passage, the second link to which I will return later, and move to the third stage featuring a new beginning of history after the flood, introduced when the remaining survivors disembark from the ark. Noah's very first act is an excessive indulgence of his own creative abilities: "And Noah, the man of the earth, began and planted a vineyard and he drank of the wine and became drunk" (Gen. 9:20-21). Elsewhere, the Bible considers drunkenness symptomatic of delusions of grandeur, in explicit contrast to authentic divine grandeur. As Isaiah angrily predicts, "The crown of pride of the drunkards of Ephraim shall be trodden under foot" (28:1-3). Similarly, contemporary studies on motivations and effects of drinking and intoxication draw an association with power, concluding that it is an empowering stimulant which makes

³⁰ Though most traditional interpretations see Eve's pronouncement positively as a recognition of some kind of partnership between human beings and God in childbirth, Samson Raphael Hirsch for example understands it as an egotistical and vain declaration of self-importance (Commentary, trans. Isaac Levy [Gateshead, England: Judaica Press, 1973], 95.

³¹ Biological procreation is a way of gaining some kind of immortality, but it must always be considered in light of what truly achieves human immortality that is beyond the physical. See David Sedley, "Three kinds of Platonic Immortality," in Body and Soul in Ancient Philosophy, ed. D. Frede and B. Reis (Berlin: DeGruyter, 2009), 145-161.

³² A rabbinic midrash strikingly captures this danger of blurring the boundaries between God and man, which naming posed. After man properly names the animals, God asks man for his name. He responds, "'Adam' because I was created from the earth." God then asks man for his own name to which he responds "'Adonai,' since you are the master of all your creatures" (Pesiqta deRav Kahana 4). Despite wielding a godlike power, Adam did not succumb to the allure of thinking himself a god.

men "feel strong and important,...that they can dominate or influence others."³³

Since the fruit, planted by God, that endows human beings with divinity remained inaccessible, man now plants his own to gain the mastery over the creation that poses the allure of godliness. However, like Adam and Eve's expulsion from the idyllic environment of Eden, and Cain's own eviction from his native habitat to be condemned to a nomadic life and exposure to a hostile environment (Gen. 4:12-14), Noah too ends in a weakened state. His own child exploits his "vulnerability," leaving him at the mercy of his other children for protection (Gen. 9:22-23). Notably, a rabbinic opinion understands Ham's offense against his father as either castration or rape,34 both of which constituted a usurpation of the patriarch's authority in the ancient Near East. 35 Noah's abuse of power invites an assault against his own rightful power within the family unit. Ironically, Noah's curse condemning Ham's descendants to slavery introduces a new institution where human beings exercise godlike power over other human beings. The slave's total dependence on the master and the master's absolute control over the slave leaves no space for the encountered providential presence of God.³⁶ Here the positive theology of God's being and existence as absolute, self-sufficient, necessary, and the ground of all being, which Kepnes acknowledges that medieval rationalist

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³³ See A. Lynn Martin, *Alcohol, Sex, and Gender in Late Medieval and Early Modern Europe* (New York: Palgrave, 2001), 96, and Richard E. Boyatzis, "Drinking as a Manifestation of Power Concerns," in *Cross-Cultural Approaches to the Study of Alcohol: An Interdisciplinary Perspective*, ed. Michael W. Everett, et al., (The Hague: Mouton Publishers, 1976), 265–86.

³⁴ See *b. Sanh.* 70a; *Gen. Rab.* 36, 7; *Tanh.* 49-5. For a review of rabbinic and some patristic exegesis of the passage, see Albert Baumgarten, "Myth and Midrash: Genesis 9:20-29," in *Christianity, Judaism, and Other Greco-Roman Cults: Studies for Morton Smith at Sixty,* ed. Jacob Neusner et. al. (Leiden: Brill, 1975), 55-71.

³⁵ The rabbinic position has garnered some appeal among various biblical scholars. For but one example, see Robert A. J. Gagnon, *The Bible and Homosexual Practice: Texts and Hermeneutics* (Nashville: Abingdon, 2001), 63-71; 66-67.

³⁶ See my "The Treatment of Non-Israelite Slaves: From Moses to Moses," The Torah.com, accessed January 4, 2021, https://www.thetorah.com/article/the-treatment-of-non-israelite-slaves-from-moses-to-moses.

ontology provides, plays itself out concretely in the human realm. Slavery entails not just an ethical perversion, but a perversion in metaphysics as well. It occludes the conception of God as the ground of all existence, subordinating the creation to the Creator by placing the master in that same role vis-à-vis the slave. For Judaism, the notion of God as a selfsufficient, necessary existence is even more 'positively' powerful than Kepnes admits, since it provokes mandates for conduct. As Kepnes points out, "If God is absolute and complete Being we are obviously less so," and so the exercise of absolute control over another human being tends to corrupt the apprehension of that positive assertion which uniquely distinguishes God as "more so" than all other existences.37

The fourth stage consists of another attempted apotheosis, this time through military conquest and power aimed at political hegemony: "And Cush begot Nimrod; he began to be a mighty one in the earth" (Gen. 10:8). The passage then records Nimrod's renown as a result of his physical prowess: "He was a mighty hunter before the LORD; that is why it is said, 'Like Nimrod, a mighty hunter before the LORD'" (Gen.10:9). A prominent trend in both classical Jewish and Christian traditions interprets this negatively as a rebellious exertion of power against God.³⁸ Recent scholarship also interprets Nimrod's reputation negatively, considering the context and the similarities in language between the next

³⁷ The laws governing gifts for the poor, which demand a divine standard of care for those who are destitute, is another good illustration of the correlation between conduct and theology (Mishneh Torah, Gifts to the Poor 10:5). Isadore Twersky cites this law as a prime illustration of the teleology of mitsvot, which is characteristic throughout the Mishneh Torah and "shows that ritual acts, in the realm of theology or metaphysics, are also areas of ethics" (Isadore Twersky, "On Law and Ethics in the Mishneh Torah: A Case Study of Hilkhot Megillah II:17," Tradition 24, no. 2 (1989): 138-49; 146.

³⁸ See, for example, Rashi on this verse based on b. Erub. 53a/b. Pesah. 94a/b. Hag 13a; Augustine, Civ. 16A.; Philo, Gig. 65-66. For an overview of the "overwhelmingly negative" Jewish interpretation of the Nimrodian polity, ranging from classical rabbinic through modern times, see Alan Mittleman, The Scepter Shall Not Depart from Judah: Perspectives on the Persistence of the Political in Judaism (Lanham, MD: Lexington Books, 2000), 96–102.

"beginning" concerning the Tower of Babel. ³⁹ The very name Nimrod connotes rebellion as well (bearing the root *mrd*). History has been littered with such figures ever since. Every despot follows Nimrod's lead, threatening to replace God as the ultimate font of governance and control. The recurring proverb celebrating Nimrod as the archetype of aggressive colonizing might erodes God's authority which, in the minds of the subjugated populace, inevitably cedes to Nimrod's alone. ⁴⁰

Nimrod's authoritarian kingdom, which includes Babylon (Gen. 10:10), steadily deteriorates to the next "beginning": a concentrated presence in one location leading to a concerted national effort to build a monumental centre, whose summit would "reach the heavens" in order to "achieve a name" (Gen. 11:4). The modern era witnessed a resurrection of the tower project like no other, which precisely captures the theological perniciousness reflected in it. The supreme totalitarian evil of the twentieth century was to have been concretely enshrined in a "thousandyear Reich," where the same colossal architecture was planned for a supercity to be called Germania. Its aim was to crushingly overwhelm and dominate, gaining a kind of immortality over a polis that was to know only obedience and uniformity. 41 The planned Volkshalle centerpiece, Hall of the People, precisely replicated the architectural model of the biblical Tower, contemplating a height of nearly 900 feet and a dome sixteen times larger than St. Peter's Basilica in the Vatican. Hitler's architect could easily have been mistaken for a biblical exegete, interpreting the intentions of the ancient Tower when he described the purpose of his own monstrous design:

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³⁹ See Mary Katherine Y. H. Horn, "... A Mighty Hunter before YHWH": Genesis 10:9 and the Moral-Theological Evaluation of Nimrod," *Vetus Testamentum* 60 (2010): 63-68.

⁴⁰ *Pirqe deRabbi Eliezer* 11 lists Nimrod as second king after God's inaugural reign, thus the first human king, who "ruled from one end of the world to the other, for all the creatures were dwelling in one place and they were afraid of the waters of the flood, and Nimrod was king over them."

⁴¹ See, for example, Volker Ulrich, who considers Hitler's plans of colossal architecture a prelude not only to attain "hegemony over Europe but dominance over the entire world" (*Hitler's Ascent: 1889-1939*, trans. Jefferson Chase [New York: Vintage Books, 2017], 600).

It was not my aim that [the spectator] should feel anything. I only wanted to impose the grandeur of the building on the people in it. I read in Goethe's Travels in Italy that, when he saw the Roman amphitheatre in Verona he said to himself: if people with different minds were all pressed together in such a place, they will be unified in one mind. That was the aim of the Stadium; it has nothing to do with what the small man might think."42

Likewise, the ancient monolithic tower aimed at replacing God with the collective. Of course, as the last century so brutally attested, that collective is always embodied in an idolized individual. Thus, Nahmanides already presaged this when describing Nimrod as the first despot who set the precedent for a new type of political regime that consolidates power through tyranny.43

This constitutes another "beginning," opening the floodgates to imagining that there are no limits to human power. Note that God's fear is articulated in terms of aspirations rather than realistically attainable possibilities: "Behold, they are one people, and they have all one language; and this is what they begin to do; and now nothing will prevent them from what they imagine doing" (Gen. 11:6). A uniform community that suppresses dissent ("Everyone on earth had the same language and the same words" [Gen. 11:1]) and mirrors its self-perceived supremacy in overpowering architecture as a concrete assertion of its "name" ("Come, let us build us a city, and a tower with its top in the sky, to make a name for ourselves; else we shall be scattered all over the world" [11:4]) constitutes a consummately anthropocentric polis. The only other instance of the two operative terms together-batzar (prevent; withhold) and zamam (devise, plan, propose, conspire, imagine) - similarly expressing alarm provides the precise antidote to this warped anthropocentrism. Job, responding to the revelatory voice from the tempest after a desperate struggle with the illogic of divine governance expresses an enlightened awareness that is the antithesis of the tower

⁴² Cited by Robert Hughes in *The Shock of the New* (New York: Knopf, 2013), 63.

⁴³ See his Commentary on Genesis 10:9-10.

generation's consciousness. The tower builders delude themselves into envisaging no bounds to their aspirations. Job conversely discovers that only God's plans are limitless and attainable. Subversively employing the same pair of terms, he asserts, "I know that You can do everything; that nothing you imagine (from *zamam*) is withheld (*batzar*) from You" (Job 42:2).

Though notoriously difficult to translate, I believe Psalms 10:4 ("The wicked, because of their arrogance do not seek [God], thus there is no God in all his thoughts") sets this same root of *zamam* in a context of a life lived without God because it never searches for God. People's "thoughts" or "plans" (*mezimot*) are "arrogant" and self-absorbed to the extent of there being "no God." This captures precisely my argument of arrogance as a bar to the divine presence as a felt experience. As such, Job gains knowledge here that aligns precisely with Ochs' assertion that the biblical term *yada* best captures Peirce's claims about "our actual relationship to the real." As he states, "For the Biblical authors, 'to know' is 'to have intercourse with'—with the world, with one's spouse, with God. That is, it is to enter into intimate relationship with these others, retaining one's own identity while recognizing that, in one's own being, one is not alone, but with others."⁴⁴

Job then remorsefully expresses regret, the precise emotional instantiation of this awareness: "Therefore I abhor and regret for dust and ashes" (Job 42:6). Notably, the direct object of Job's abhorrence and regret is missing. What the verse implies, then, is that Job's reasoned understanding that a human being's insignificance—of being "dust and ashes" versus God's boundlessness—induces an overall posture of regret. Regret as a reflex of humility removes the barrier of self-centeredness which prevents the awareness of something greater than oneself. As Deuteronomy 8:14 warns, "Beware lest your heart grow haughty and you

⁴⁴ Peter Ochs, "Charles Peirce as Postmodern Philosopher," in David Ray Griffin et. al., Founders of Constructive Postmodern Philosophy: Peirce, James, Bergson, Whitehead and Hartshorne, ed. David Ray Griffin et. al. (Albany: SUNY Press, 1992), 43-87.

forget the Lord." 45 It therefore staves off divine regret, which reflects the minimization of God's presence that would be experienced by a human egocentrism impervious to its own limitations, that is incapable of regret.⁴⁶

Opening oneself up to the experiences and "truths" which I believe biblical and rabbinic theology unlocks, and which emerge from my reading of these texts, advances somewhat to fill the void left by the epistemological failures Kepnes notes of foundationalism, Kantianism, and, most importantly, the creeping supremacy of reductive materialism. Thomas Nagel does much of the heavy philosophical lifting to demonstrate the latter as false, but he resists advancing toward any notion of intentionality driving it, opting instead for a natural teleology absent a supreme Being. The fatal flaw in Nagel's argument is his dismissal of theism, or what he terms "metaphysical baggage," to account for what he admits are value and moral judgments in human life and conduct.⁴⁷ The philosophical theology of beginnings I have been charting provides an alternative which understands value in terms of metaphysical baggage that weighs on human conduct. And so, in the hope of consolidating all these beginnings toward one end, I revert to that other beginning I previously passed over, where the value signified by the key Hebrew term for "good" — tov—is decisive.

⁴⁵ See Mishneh Torah, Hilkhot Deot, 2:3, which considers arrogance a trait that one must go to extremes to avoid since it is tantamount to a denial of a fundamental theological principle (kofer b'iqar). See also b. Sotah 4b-5a, which is a sustained disparagement of pride and arrogance. The common thread that runs throughout is that pride displaces God, best expressed as follows: "Concerning any person who has arrogance within him, the Holy One, Blessed be He, said: He and I cannot dwell together in the world" (5a).

⁴⁶ Janet Landman states, "Because it is not possible to 'have it all,' and because we know it, regret is a rational human experience" ("Regret: A Theoretical and Conceptual Analysis," Journal for the Theory of Social Behaviour 17, no. 2 (1987): 140).

⁴⁷ See his last chapter on "Value" in his Mind and Cosmos: Why the Materialist Neo Darwinian Conception of Nature is Almost Certainly False (Oxford: Oxford University Press, 2012).

The Beginning of Regret and Regret of the Beginning

The second instance of "beginning" in Gen. 6 is another stage in history, charted along a series of escalating ventures in human grandiosity. Though normally viewed as a trespass of heavenly divine beings into the terrestrial realm, I read it as the second post-Garden attempt by human beings to achieve some divine status. Eve began with conceiving of child-bearing as some divine-like power. Subsequently, that same pretension extends into the naming of the child. Here that project continues with manipulating children to attain godlike power. In the Garden, God created woman to resolve the problem of loneliness, a state of being described as "not good" (lo tov): "It is not good for man to be alone" (Gen. 2:18). Rashi identifies the "not good" as aloneness, since it might mislead toward a belief in two powers: God regnant in heaven, and man on earth. 48 Thus, the primordial human being's tov deficiency is linked precisely to the human will to power, to be like God. The tov which the creation of another human being introduced resolved that problem. It diminished the likelihood of arrogance, because authentic relational life requires a contraction of self, a tzimtzum to make room for another, modeled after the Lurianic cosmic tzimtzum whereby God contracted His own being to make room for creation. R. Joseph Soloveitchik profoundly suggests this kabbalistic notion as another divine action that must attract imitatio dei: "If lonely man is to rise from existential exclusiveness to existential all-inclusiveness, then the first thing he has to do is to recognize another existence. Of course this recognition is, eo ipso, a sacrificial act, since the mere admission that a thou exists in addition to the I, is tantamount to tzimtzum, self-limitation and self-contraction." 49 The creation of another human being diminishes the potential posed by solitary Adam for anyone aspiring to or being perceived as god, for it injects a tov that represents sharing and caring.

 $^{\rm 48}$ See Rashi's commentary on Gen 2:18.

⁴⁹ See R. Joseph B. Soloveitchik, "The Community," Tradition: A Journal of Orthodox Jewish Thought 17, no. 2 (1978): 15.

Genesis 6 commences with propagation that leads to the birth of women, reminiscent of the first creation of woman. It also identifies these naturally born women with a tov that effects some kind of an attachment to others, since the narrative records that "divine beings" were drawn to their tov. 50 This tov, however, subverts its pristine Edenic sense just described. It does not signify a relationship grounded in mutuality, but rather one of seduction and exploitation. The juxtaposition of these verses conveys a sinister sense that the birth of women presents an opportunity for the parents to manipulate their children's tov for their own empowerment.51

Virtually all of the prominent medieval Jewish exegetes view the "sons of god" as powerful members of a ruling class.52 Considering that kings were perceived as sons of gods in pagan ideology, their interpretation is not far off the mark. Indeed, some contemporary scholars follow suit and identify the benei elohim as rulers who were thought of as divine. 53 By promoting their tov, parents exploit their daughters to seduce

⁵⁰ Ancient translations already discern *tovot* in this narrative as connoting physical beauty. See Targum Onkelos, sapiran, and Targum Pseudo Jonathan, which interprets it as seductive make-up and suggestive clothing.

⁵¹ My reading of the first verse as setting the scene for the corruption of the parents is consistent with another interpretation that reads "beginning" (chalal) in the hifil sense of profane or pollute, and "propagate" (rov) as becoming powerful. The verse is rendered, "and the polluted part of humanity became great upon the face of the earth and daughters were born to them." See Archie T. Wright, The Origin of Evil Spirits: The Reception of Genesis 6:1-4 in Early Jewish Literature (Tubingen: Mohr Siebeck, 2013), 58.

⁵² See Rashi, Abraham ibn Ezra, Targum Onkelos on Gen. 6:2. Typical of their comments is R. David Kimhi, who identifies the sons of god with "legislators, notables, and heads of state" while the daughters of man are the "daughters of the masses who are weak." The former exploited and took advantage of the latter.

⁵³ In Psalm 2:7, God addresses the earthly king: "My son, I have fathered you this day." As a result, Emmanuel Usue identifies the benei elohim as kings and rulers ("Theological-Mythological Viewpoints on Divine Sonship in Genesis 6 and Psalm 2," in Psalms and Mythology, ed. Dirk J. Human [New York: T&T Clark, 2007], 75-90). David Clines also asserts that "it is not improbable that the author of his text in its final form should have understood it in reference to rulers of the primeval period who belonged in part to the divine world"

"sons of god," who are the most powerful of human beings and therefore gain divine status themselves. Correspondingly, the women are forcefully *taken*: "And they took for themselves any women they chose to" (Gen. 6:2). Parents forged relationships with their daughters rooted in a physical perception of their *tov*.54 That led naturally to its exploitation as a means of seduction to increase power, and as a sense of immortality through physically enhanced and politically connected progeny.

Humanity's new 'beginning' "to increase on the earth" reflects a Darwinian notion of reproduction that aims toward a purely physical preservation of the species through strength and fitness. Seduction was an instrument to reproduce the fittest. It perverts the relational tov God originally conceived and leaves a divine vision of existence shot through with the bad (ra'). Women are dominated by being the subjects of viewing, selecting and taking—not in the spirit of the original tov of reciprocity, but in that of commodification. God's initial introduction of tov into the world resolved the ethical and theological malaise of aloneness. The goodness signified by tov entailed a mutuality needed to cultivate, in Buberian terms, I-Thou versus I-It relationships. Thus, God condemns human beings and not the divine beings $(bnei\ elohim)$, since human beings succumbed to living at the level of the material.⁵⁵

The *tov* of others no longer consists of reciprocal relationship, but is rather a means to advance the self. Psychological studies have

("The Significance of the 'Sons of God' Episode (Genesis 6:1–4) in the Context of the 'Primeval History (Genesis 11)," Journal for the Study of the Old Testament 13 (1979): 33–46; 35.

⁵⁴ In her review of the role of daughters in the Bible, Karla Shargent states that "it is their maturing sexuality that is the focal point of their identification." That is precisely the case with the anonymous daughters, here supporting my argument that the fathers viewed their daughters solely in terms of their attraction as sexual commodities. See "Living on the Edge: The Liminality of Daughters in Genesis to 2 Samuel," in *A Feminist Companion to Samuel and Kings*, ed. Athalya Brenner (Sheffield: Sheffield Academic Press, 1994), 26-42; 31.

⁵⁵ My argument that human beings initiate the enticement of the *benei elohim* solves a "disparity," voiced by scholars such as Ronald Hendel, that this story breaks the pattern of the primeval cycle of narratives, since "humans are not the initiators of the corrupt activity" ("Of Demigods and the Deluge: Toward an Interpretation of Genesis 6:1-4," *Journal of Biblical Literature* 106, no. 1 (March 1987): 13-26; 24.

demonstrated that images of the self critically shape emotions. Thus, societies emphasizing interdependence rather than independence are more prone to express regret.⁵⁶ Those who are wholly self-absorbed in exercising their own will to power for their own benefit form a community that is antithetical to interdependence and are incapable of authentic regret. Therefore, God now perceives humanity as defined simply by its physical constituent of flesh (basar). Divine sadness and regret are descriptive of how human beings have negatively affected existence by vacating its godliness and filling the vacuum with themselves. This then elevates the monogamous spousal relationship between Israel and God Kepnes highlights, suggesting that "the deeply emotional and intimate character of the relationship between God and Israel" is beyond mere metaphor. As noted previously the biblical term "to know" (ידע) connotes both knowledge and intimate relationship, reflecting the idea that acquiring true knowledge of others is only fully realized in the context of authentic relationship.

Proximity to God, then, can be measured in terms of those characteristics that allow the most space for God's presence: selflimitation, restraint, and humility. As such, it is no wonder that the Bible singles out Moses, that human being closest to God in Jewish Heilsgeschichte, as the "humblest man on earth" (Num. 12:3). His very first act in biblically recorded history was to sacrifice his imperial future for the sake of another, in particular a slave who occupied the extreme lower end of the Egyptian class hierarchy. This selfless political act had theological consequences as well, because to surrender his destiny in the royal Egyptian family entailed a break with a systemic belief in the deification of human beings as the Egyptian monarchy was conceived. If we move from the biblical to the medieval, even Maimonides' Mosaic construct grounds Moses' career as a metaphysician extraordinaire in a sublime expression of self-limitation defining his first encounter with the divine presence. Moses hiding his face at the burning bush signified

⁵⁶ See, for example, Thomas P. Rohlen, "The Promise of Adulthood in Japanese Spiritualism," Daedalus 105, no. 2 (1976): n125-143.

philosophical restraint, which suppressed the urge to move beyond ones' intellectual limits toward knowing God. This poses the model of philosophical development that mandates a "feeling of awe and refrain and hold back until he gradually elevates himself." ⁵⁷ Arrogance would have initiated impulsive reasoning, leading to misconceptions of God and ultimately bad metaphysics. While Kepnes sees in the inconsumable burning bush the paradox of a deeply felt intimacy with a presence that can never be seen, for me the presence or absence of God is contingent on the human response to it, both active and contemplative.

Consistently Maimonides codifies this in his Mishneh Torah, adopting rabbinic ethics as metaphysics and considering arrogance or haughtiness (an elevated heart) tantamount to a denial of a fundamental principle (*kafar baiqar*).⁵⁸ In light of my argument this identity is not simply rabbinic flourish meant solely to impress the gravity of the ethical offense. A denial of a fundamental principle, or, in other words, disbelief in God's existence, is the precise logical metaphysical consequence of pride and arrogance. Filling the space with oneself precludes the possibility of a transcendent presence.

God's Phylacteries

I offered this analysis as an illustration of philosophically informed theological exegesis which treats the biblical text as a complex assembly of "imaginal" signs that demands unravelling. Both the Hebrew Bible and the classical rabbis, in the words of Elliot Wolfson whom Kepnes cites, adopt "imaginal" language that "serves as a symbolic intermediary allowing for the imaging of the imageless God." ⁵⁹ I believe that relationship is the only framework that can accommodate Kepnes' call for moving beyond the classic mode of logical philosophical reasoning to "more flexible categories of thought that include polarity, paradox, and

 $^{^{57}}$ GP, I:5, 28. Maimonides conducts a lengthy excursus on the virtues of extreme humility, for which Moses is the exemplar, in his Mishnah commentary on m. Avot 4:4.

⁵⁸ MT, Deot, 2:3.

⁵⁹ Through a Speculum That Shines (Princeton: Princeton University Press 1994), 8.

even contradiction." It is also the framework most appropriate for any Jewish philosophical theology because it is what graphically emerges from the imaginal signs of both the scriptural and the midrashic texts. It is deeply rooted in both the revelatory texts of the Hebrew Bible, in the Written Torah (תורה שבכתב), and in the foundational interpretation of those classical rabbinic texts: the Oral Torah (תורה שבעל פה) which transformed biblical religion into Judaism. It is therefore fitting to conclude this essay with a central scriptural passage and its subsequent rabbinic overlay, which expresses best the paradoxical nature of Jewish belief in God which Kepnes endorses.

Though Kepnes cites the inconsumable burning bush of Exod. 3:3, I am drawn to that other encounter between Moses and God in Exod. 33, which hinges on knowledge of and relationship with God. God responds famously to Moses' request to "behold His Presence (kavod)" with a partial revelation of His "back" (ahor) rather than his face (panim) (v. 22), for to see God straight on is beyond human capacity ("You cannot see My face, for man may not see me and live" [v. 20]) While a key prooftext for Maimonides' apophatic theology, it also points toward a kataphatic one a paradoxical combination captured by a contradiction in that very same chapter where, a few verses earlier, Moses' relationship to God is described as "face to face" (v. 11)! But the paradox is held logically in place by the complex nature of the relationship reflected in the characterization of the "face to face: encounter as "a person speaks to his neighbour." The context however reveals that the unfettered openness of "face to face" transpires during Moses' isolation from others, at the tent reserved for divine meetings specifically located "outside the camp, at some distance from the camp" (v.7), further insulated by a "pillar of cloud (vv. 9-10). Conversely, the partial "back" revelation occurs in the context of Moses' advocacy on behalf of his community. ("Consider, too, that this nation is Your people" [v. 13]; "How shall it be known that Your people have gained Your favor...so that we may be distinguished, Your people and I" [v.16]). This distinction ensues from my previous discussion of God's reaction to solitary Adam in the garden ("It is not good for man to be alone") and anticipates the rabbinic prioritization of human relationships (בין אדם

לחברו) over those exclusively reserved for relationship with God (לחברו אדם). 60

In other words, forming a relationship with God by philosophizing regarding his nature and existence takes a back seat to cultivating human relationships and caring for others. Only when it doesn't detract from the latter, when Moses reverts to his persona as a lonely man of faith sequestered in a space reserved solely for God, does God open up in the fullness of his being that reveals its positive dimensions.

Of course, no authentic Jewish philosophical theology can stop at scripture; it must engage its subsequent link in the midrashic exegetical chain. The rabbinic overlay to this passage offers an illustration of a different logic that conforms to the "theology of thirdness" Kepnes considers endemic to midrash. This "theology of thirdness" "stretches our normal use of language to its limits in its attempt to express the inexpressible." It deepens this relational paradigm even further by identifying God's back with the "knot of His phylacteries" (tefillin)! 61 Dramatically turning their own back on any apophatic approach, the rabbis follow the implications of this anthropomorphic depiction to its logical extreme. The compartments of human tefillin contain scriptural passages such as "Hear oh Israel, the Lord our God, the Lord is unique" (Deut. 6:4), but surely it is absurd for God's tefillin to contain the same! Thus, the Rabbis maintain that God's tefillin contains a reciprocal verse "Who is like Your people Israel, a unique nation on earth?" (1 Chron. 17:21). 62 God's and Israel's phylacteries are mirror images, each expressing a unique relationship to the other. The partial disclosure of God's being to Moses, in his capacity of caring for his community, consists of the covenantal bond between him and his people. This then preserves a duality of a backsided God signified by Moses' glimpse of God's tefillin,

⁶⁰ Because we addressed the Tower of Babel episode, see for example Rashi's explanation for why the punishment for that generation was far less devastating than the deluge inflicted on humankind of Noah's time. See also Maimonides, *MT*, *Laws of Repentance* 2:9.

⁶¹ B. Berakhot 7a, also cited by Rashi on verse 33:23. See also Menachem Kasher's excursus in his Torah Shelemah (Jerusalem: Torah Shelemah Institute, 1992) (Heb.) vol 21-24,122-124.

⁶² B. Berakhot 6a.

and the frontal God contemplated by Moses in the space exclusively reserved for Moses and God. The former reveals a Being uniquely known in relationship, while the latter reveals a universal Being known by philosophical reasoning, even if only apophatically. After all, even according to Maimonides, the more you negate the more you know God: by analogy to a guessing game whose goal is to identify a specific object by way of ruling out other objects, "the negative attributes make you come nearer in a similar way to the cognition of God, may He be exalted."63

Postscript

In fine, while not surrendering what we have developed in the elusive pursuit of positive theology, I must, as always, retreat somewhat. It is imperative that the conversation extend well beyond both mine and Kepnes's, Ochs's, Gellman's approaches if we are to end up with a sustainable Jewish philosophical theology. Another critical question missing that sorely needs addressing picks up on that first raised by Moses, which provoked the partial divine revelation of the "back" just discussed. Rabbinic interpretation understands Moses' demand of God, "Show me Your ways" (Exod. 33:13), to be a plea for the providential rationale underlying innocent suffering and why many of the righteous suffer while the wicked often enjoy success in life. 64 In our time, this questioning of God's providence, and indeed his nature, has become particularly acute for Jewish philosophical theology. The enterprise of "generating new understandings of God diachronically through tradition" must now be undertaken in the shadow of the Holocaust and must take into account the theological struggles of those who experienced it as intrinsic to that tradition. Which of those "perfections" long ascribed to God since the medieval period might have to be revised or rejected as a result needs consideration?

⁶³ GP, I:60, 144.

⁶⁴ B. Berakhot 7.

Therefore, I conclude with a short provocation related to the notion of divine regret for what remains, perhaps forever, a desideratum. Hans Jonas argues that after Auschwitz, we can no longer hold onto God's goodness without sacrificing one of the other omni-perfections attributed to God. Adapting the kabbalistic notion of *tzimtzum* noted previously, or God's limiting his own being for the sake of the world's existence, Jonas suggests the same for the omnipotence which God ceded in favor of human freedom. In his words:

By forgoing its own inviolateness, the eternal ground allowed the world to be. To this self-denial all creation owes its existence and with it has received all there is to receive from beyond. Having given himself whole to the becoming world, God has no more to give: it is man's now to give to him. And he may give by seeing to it in the ways of his life that it does not happen or happen too often, and not on his account, that it "repented the Lord" [that God regrets] to have made the world.65

From the moment human beings were created they are challenged with exercising that divine gift of freedom in a way that staves off divine regret and ratifies God's primordial decision to create the world. Though Job's regretful posture noted previously is still valid in terms of the relationship between human beings and transcendence, perhaps the theological framework of that relationship—of an overwhelmingly powerful God whose providence defies scrutiny—is no longer viable. Job's acknowledgment to God, "I know that You can do everything" (Job 42:2), the certainty of God's omnipotence, which evoked his regret, has been cast into doubt in the shadow of the *Shoah*.

^{65 &}quot;The Concept of God After Auschwitz," 12.