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“ALL THE KNOTS OF JEWISH THOUGHT”: ETHICAL FORMATION, CLOSE READING, AND THEOLOGICAL REFLECTION IN THE STUDY OF TALMUD

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Introductory Remarks

Reading the Talmud with an eye to moral reflection and normative religious ethics is neither an obvious pursuit nor a simple task. Rabbinic literature is filled with everything from strange and phantasmic tales to intricate and detail-oriented exegetical dialectics. Topics in the ever-capacious Bavli range from messianic speculation and demonic remedies to prosaic discussions of rampaging oxen and other recondite legal minutia. This mélange of law and legend, curious and compelling in equal measures, has long served as a centerpiece of Jewish discourse, both theological and legal. So much so, in fact, that the Talmud often serves as literary proxy for Judaism and for the Jewish people.¹

¹ Barry Scott Wimpfheimer, *The Talmud: A Biography* (Princeton: Princeton University Press, 2018).

Many of its faithful students in *yeshivot* and seminaries do not conceive of their investigations into Talmudic literature as forays into fundamental questions of existence and moral philosophy. It is true that scholars, both traditional and academic, have long attempted to mine rabbinic sources for their moral teachings. In doing so, however, they often wrench these teachings from their broader literary, legal, and theological contexts in an attempt to demonstrate their consonance—and, occasionally, dissonance—with contemporary ethical keywords.² In academic circles, the hegemony of philology and historical criticism has gradually given way to new theoretical modes of tackling Talmudic narrative and law that highlight moral concerns. But sustained, mutually-constructive dialogue between the Bavli and moral theory or constructive ethics remains a young dimension of the professional discipline of rabbinics.³

Against this backdrop, Mira Wasserman's thought-provoking essay "Talmudic Ethics with Beruriah: Reading with Care" advances a compelling case as to how studying the Talmud may spark ethical reflection and habits through the art of close reading. Wasserman builds upon the works of Talmud scholars such as Aryeh Cohen, Julia Watts Belser and Jonathan Wyn Schofer, for whom ethical issues—both ancient and contemporary—rest at the heart of investigating rabbinic texts.⁴ Beyond the often fascinating content of Talmudic ethical discussions, Wasserman is interested in matters of exegetical form and the reading patterns that it engenders in scholars and students. She argues:

² See the remarks on new directions in environmental humanities, normative ethics, and religious studies in Anna M. Gade, *Muslim Environmentalisms: Religious and Social Foundations* (New York: Columbia University Press, 2019), 1–36, 78–79.

³ The essays in the *Journal of Textual Reasoning* 10, no. 1 (2018) provide an excellent resource for these modes of thinking.

⁴ We might also recall the idiosyncratic but perceptive works of Max Kadushin, such as *Worship and Ethics: A Study in Rabbinic Judaism* (Evanston, IL: Northwestern University Press, 1964), and the sophisticated reflections in Louis E. Newman, *Past Imperatives: Studies in the History and Theory of Jewish Ethics* (Albany: SUNY Press, 1998).

[D]istinctive features of talmudic discourse encourage and reward certain reading practices which in turn shape a particular kind of ethical subject. The practical difference that literary engagement with the Talmud makes is thus not in helping to adjudicate ethical dilemmas, but rather in forming ethical decision-makers who are attuned to details and oriented to the claims of others.

The Talmud, claims Wasserman, does not legislate normative ethics for most of its students, nor does it seamlessly provide modern readers with a clear articulation of the moral values needed to determine proper behavior. Rather, Wasserman highlights both the inquisitive forms of Talmudic discourse and its tales about the craft of rabbinic exegesis to argue that such modes of reading can shape the student's moral reasoning and cultivate the care and presence necessary for ethical choices. She asserts:

To what degree can the literary analysis of talmudic literature contribute to normative ethics? The chief contribution that emerges through this exercise relates not to instances of practical decision-making, but rather to the qualities and habits that characterize ethical decision-makers.

Wasserman is interested less in the quotidian legal subjects of Talmudic *sugyot* and the specific grist of the *shakla ve-tarya*, and more invested in examining how the textured ebb and flow of rabbinic exegesis and narratives may help readers develop mind-patterns that inform ethical reasoning. Her case study focuses on the famous tale of Beruriah (b. Berakhot 10a), whom Wasserman identifies as "an exemplary reader and a model moral subject" in refuting Rabbi Meir's attempt to deal with some thugs through her own act of creative exegesis.

In order to accomplish her goal of highlighting the "commonalities between the practice of careful reading and the practice of ethical discernment," Wasserman draws upon Jane Gallop's theory of close reading.⁵ Gallop argues that attentive concern to textual details is both

⁵ Jane Gallop, "The Ethics of Reading: Close Encounters," *Journal of Curriculum Theorizing* 16, no. 3 (Fall 2000): 7–17. See also the insightful remarks of Jane Kanarek, "The Pedagogy of Slowing Down: Teaching Talmud in a Summer Kollel," *Teaching Theology & Religion* 13, no. 1 (2010): 15–34; and Nel Noddings, *Caring: A Relational Approach to Ethics and Moral Education*

more educationally sound and ethically robust, since this mode of reading aims "to respect other people, ... [to listen to them, try and understand what they are actually saying, rather than just conforming our preconceptions about them, our prejudices]." ⁶ Close reading, suggests Gallop, forces students—and teachers—to slow down and consider what lies before them in a particular text without imposing conceptual, methodological, or ethical heuristics. This mode of interpretation, one that Wasserman believes is promoted and demanded by the Bavli's "form, content and language," guides readers into dialogue with new ideas and toward concern for the immediate other.

Rather than transactional approaches to education or the much-disparaged "banking" model of instruction, the goal of teaching Talmud must therefore extend beyond attempts to hone interpretive skills or imbibe massive quantities of information. Instructors should promote reading habits that foster moral, spiritual and intellectual growth with sensitivity, vulnerability and care—traits that Wasserman claims may be reflected in and modeled by the practices of reading the *sugyot* and narratives of the Babylonian Talmud. In certain aspects, Wasserman's expansive take on the potential ethical merits of reading the Talmud mirrors Maimonides's definition of Gemara as a *modum interpretation* rather than the memorization of an ossified corpus of rabbinic statements:

[T]he last third [of one's scholarly time] should be spent in reflection, deducing conclusions from premises, developing implications of statements, comparing dicta, studying the hermeneutical principles by which the Torah is interpreted, till one knows the essence of those principles, and how to deduce what is permitted and what is forbidden

(Berkeley and Los Angeles: University of California Press, 2013), 186: "School people talk incessantly about goals such as 'critical thinking,' and 'critical reading,' and 'critical reasoning.' So long as our critical skills and the exercises presented to develop them are confined to 'Ps' and 'Qs' and 'P implies Q' our schools will have the absurd appearance of a giant naked emperor. We need to look with unclouded eyes on what we are doing. The purpose of dialogue is to come into contact with ideas and to understand, to meet the other and to care."

⁶ Gallop, "Ethics of Reading," 12, cited by Wasserman.

from what one has learned traditionally. This is termed Talmud [*Gemara*].⁷

The category of “Talmud,” argues Maimonides, refers not to a stationary book but to a method of applying principles and investigating the pathways of the oral Law in all of its fullness. It is a far-reaching method of intellectual investigation, of repeatedly “turning over” the rabbinic texts with sensitivity, nuance, and attentiveness.⁸ Wasserman, too, has argued that it is not—or not only—content that defines the potential ethics of Talmud study. Cultivating one’s ethical character and sensitivity to obligations vis-à-vis the other are driven by the “humility, curiosity, and respect” modeled in and fostered by the craft of close reading.

Wasserman’s essay presents an admirable case for the importance of rabbinic *aggadah* as a particularly valuable resource in this quest to spark ethical reasoning through exegetical care.⁹ Two specific dimensions of her essay invite pushback, however, and I believe a third issue requires some significant reconsideration. In the upcoming pages, I hope to offer a series of counter-reflections that engage with literatures and perspectives not dealt with in Wasserman’s essay. These points are meant to complement and challenge her arguments without contradicting her fundamental point that reading the Talmud slowly and attentively can—and should—serve as a vehicle for moral reflection.

My first concern is that close attention to the details of Talmudic discourse, even with careful literary sensitivity, can foster a disposition very different than concern and respect for the other. The study of *Gemara*

⁷ *Mishneh Torah, hilkhhot talmud torah*, 1:11; as translated in Isadore Twersky, ed., *A Maimonides Reader* (Springfield, NJ: Behrman House, Inc., 1972), 65. See also Moshe Halbertal, *People of the Book: Canon, Meaning, and Authority* (Cambridge: Harvard University Press, 1997), 96–105; Hanina Ben-Menahem, “The Second Canonization of the Talmud,” *Cardozo Law Review* 28, no. 1 (2006): 37–51.

⁸ Cf. Don Seeman, “Reasons for the Commandments as Contemplative Practice in Maimonides,” *The Jewish Quarterly Review* 103, no. 3 (2013): 298–327.

⁹ See also the arguments in Yitzchak Blau, *Fresh Fruit & Vintage Wine: The Ethics and Wisdom of the Aggada* (Jersey City, NJ: KTAV Publishing House, 2009); and Elliot N. Dorff, “Borowitz on Halakhah, Aggada, and Ethics,” *Journal of Jewish Ethics* 1, no. 1 (2015): 59–76.

lends itself to sophistry and abstraction, and it can indeed breed myopic legal formalism that utterly excludes personal moral judgement or human experience. Focused Talmudic study can also facilitate a type of intellectual self-obsession, with attention to details serving to stroke one's ego rather than to demand that she or he make space for others. Such concerns undergird Wasserman's emphases on the necessity of paying attention to rabbinic narrative, but I remain unconvinced that the close reading of *aggadah* is itself sufficient to offset these hazards. To this end, I believe that Hasidic approaches to Talmud study, inflected with devotion and theology, may have a very important role to play in this process.

The second issue emerges from a question: why shouldn't reading the legal sections of the Talmud serve as a comparable entrée into ethical reflection? Wasserman notes that "Talmudic narrative pushes beyond a legal frame to a more expansive vision of human flourishing." This is surely true, and it is a refreshing point. But the dimensions of law are, as she notes, closer to the domain of normative ethics, and Talmudic legal dialects often require the closest of readings. Exploring how close reading of *halakhah* may generate ethical reflection gives us the opportunity to consider approaches to Talmud study coined in Lithuanian tradition. Such modes of study, which focus almost entirely upon the discourse of *halakhah*, are intellectually stimulating and compelling from a jurisprudential perspective. Some intellectuals from within the *yeshivah* have argued quite forcefully that a student's moral self-formation is sparked precisely through careful, attentive reading of *halakhah*. But critical voices have emerged from within the world of Lithuanian Talmudism, and examining these indictments of legal exclusivity will reinforce Wasserman's claim regarding the mutual necessity *aggadah* and *halakhah*—though for a very different array of reasons.

My third point engages with Wasserman's admission that key elements of her argument are "by no means limited to talmudic studies." Gallop's approach to close reading as an ethical practice, of course, may be applied to all written works. Wasserman is clear on this point: "I contend that there is something special about the forms and styles of talmudic discourse that recommend it for cultivating the kind of curiosity

and concern that Gallop attributes to close reading.” She complements Gallop’s list of textual hiccups that force one to pay attention (arresting diction, imagery, italics, and so forth) with “other discursive elements that are particular to talmudic literature: shifts in language or linguistic register, technical terms, citations, attributions, and juxtapositions of form and genre.”

Yet even this expanded list of exegetical irritants could be applied to a great many classical works of Jewish thought, including great medieval books like Maimonides’ *Guide of the Perplexed* and the Zohar. Furthermore, could not close reading of the discourses of computer science, physics, or advanced mathematics—not to mention analytical philosophy or academic theology—accomplish similar care-oriented interpretive goals? Though I remain skeptical of the uniqueness of the Talmud in this respect, following this thread will lead us to consider the exegetical strategy of Emmanuel Levinas. The lectures of this French-Jewish philosopher and intellectual employ what might be called “close reading” to solicit contemporary ethical conundrums from the rabbinic corpus. Levinas chose to place the Talmud at the heart of his exegetical agenda precisely because of this work’s singular form and quotidian concerns.

These concerns with Wasserman’s argument surely reflect my intellectual biography and personal quest to renew the study of the Talmud as a spiritual practice.¹⁰ My encounters with the Talmud and readings of rabbinic literature have been shaped by my keen interest in mystical tradition as well as the broader landscape of religious ethics. These points are intended to challenge elements of Wasserman’s essay and to add further texture to her remarks, but they align with her central claim that Talmudic reading practices can —and, again, should—aim to cultivate “ethical decision-makers who are attuned to details and oriented

¹⁰ See Ariel Evan Mayse, “Like a Blacksmith with the Hammer: Talmud Study and the Spiritual Life,” *The Search for Meaning*, ed. Martin S. Cohen and David Birnbaum (New York: Mesorah Matrix, 2018), 369–409; and Mayse, “Neo-Hasidism and *Halakhah*: The Duties of Intimacy and the Law of the Heart,” *A New Hasidism: Branches*, ed. Arthur Green and Ariel Evan Mayse (Philadelphia: Jewish Publication Society and University of Nebraska Press, 2019), 155–222.

to the claims of others." As teachers of Talmud, whether in rabbinic seminaries or secular universities, this must be one of our foremost goals.

The Devotional Talmud

I subscribe to the belief that the examination of religious ethics must entail, at heart, an investigation set in a theological key.¹¹ The investigation of the Talmud as a resource for ethical reflection should therefore be guided by an awareness that the text has a message that is, to quote the late Schubert Ogden, essential to the "fully reflective understanding" of Judaism "as decisive for human existence."¹² In moving beyond the intellectual dimensions of reading Gemara, important as they are, we are called to approach the text of the Talmud as a work whose study is also a spiritual journey of mind and heart; it becomes a rich and rewarding mode of ethically charged devotion. This orientation toward Talmud study as an act of service, one that is complemented by praxis, provides an interesting challenge to abstract, exceptionless moral rules touted by philosophical ethicists. It furthermore engenders a sense of humility and devotion to the text as a teacher of questions both ultimate and quotidian. It is precisely this sense of modesty that prevents Talmud study from descending into intellective self-infatuation and the desire to triumph over others.

Hasidic teachings on Talmud study reveal a concern that exclusive concentration on abstruse dialectics can mire the student in an endless swamp of textual sophistry.¹³ One contemporary Hasidic thinker puts the issue as follows: "It is far more difficult to find people with refined ethical qualities (*middot*) than it is to find learned scholars."¹⁴ Scholars of religion often miscast mystics as shirking this-worldly or ethical obligations in

¹¹ See the two-volumes of James M. Gustafson, *Ethics from a Theocentric Perspective* (University of Chicago Press, 1983).

¹² See Schubert M. Ogden, "What Is Theology?" *The Journal of Religion* 52, no. 1 (1972): 22.

¹³ See *Likkutim Yekarim* (Jerusalem: 1973), no. 337, fol. 69a. See also *Ibid.*, no. 29, fol. 5a-b.

¹⁴ Shmuel Berezovsky, *Darkhei No'am* (Jerusalem: 2017), vol. 2, *middot* 108.

favor of ecstatic yearnings.¹⁵ This paltry understanding of “mysticism” was shaped by early twentieth-century thinkers, but the sources of Hasidism and its spiritual approach to study and moral development offer a different perspective entirely. Shifting the goals of religious study from metaphysics or theosophy, Hasidism emphasizes the experiential, ethical, and affective dimension of religious scholarship.¹⁶ In fact, Hasidic thinkers understand that all subjects—including Kabbalah—could become the focus of arid and soulless scholarship.¹⁷ These sources claim that Talmud study, is impactful and meaningful precisely when it is twinned with ethical commitments and devotional exercises that shape the contours and goals of one’s scholarship.¹⁸

¹⁵ For a few influential studies that challenge the dichotomy of mysticism/ethics and trace its genealogy, see Elliot R. Wolfson, *Venturing Beyond Law and Morality in Kabbalistic Mysticism* (Oxford: Oxford University Press, 2006); Steven T. Katz, “Ethics and Mysticism in Eastern Mystical Traditions,” *Religious Studies* 28, no. 2 (1992): 253–267; Elliot R. Wolfson, “Mysticism and Ethics in Western Mystical Traditions,” *Religious Studies* 28, no. 3 (1992): 407–423; Leigh Eric Schmidt, “The Making of Modern ‘Mysticism,’” *Journal of the American Academy of Religion* 71, no. 2 (2003): 273–302; Paul L. Heck, “Mysticism as Morality: The Case of Sufism,” *Journal of Religious Ethics* 34, no. 2 (2006): 253–286; and Daniel Ross Goodman, “Three Ethical Mystics: The Poetics of Ethics in the Spiritual Writings of Ralph Waldo Emerson, Abraham Joshua Heschel, and Abraham Isaac Kook,” *Journal of Jewish Ethics* 5, no. 1 (2019): 111–140.

¹⁶ See Abraham Joshua Heschel, “Hasidism as a New Approach to Torah,” in *Moral Grandeur and Spiritual Audacity*, ed. Susannah Heschel (New York: Farrar, Straus and Giroux, 1996), 33–39; Immanuel Etkes, *The Besht: Magician, Mystic, and Leader* (Waltham: Brandeis University Press, 2005), 113–151; and Joseph G. Wiess, “Torah Study in Early Hasidism,” *Studies in East European Jewish Mysticism and Hasidism*, ed. David Goldstein (London and Portland: Littman Library of Jewish Civilization, 1997), 56–68. See also Melila Hellner-Eshed, *A River Flows From Eden: The Language of Mystical Experience in the Zohar*, trans. Nathan Wolski (Stanford: Stanford University Press, 2009), 155–228; Jacob Katz, “Halakhah and Kabbalah and Competing Disciplines of Study,” *Divine Law in Human Hands: Case Studies in Halakhic Flexibility* (Jerusalem: Magnes Press, 1998), 56–87; Lawrence Fine, *Physician of the Soul, Healer of the Cosmos: Isaac Luria and His Kabbalistic Fellowship* (Stanford: Stanford University Press, 2003), 207–219.

¹⁷ Such is found in an early Hasidic story, in which the Ba’al Shem Tov refers to a kabbalistic explanation given by Dov Baer of Mezritsh as “utterly without soul.” See Dan Ben-Amos and Jerome Mintz, ed., *In Praise of the Baal Shem Tov: The Earliest Collection of Legends about the Founder of Hasidism* (Northvale: Jason Aronson, Inc., 1993), 81–84.

¹⁸ See *Ma’or va-Shemesh* (Jerusalem: 1992), vol. 1, *va-yetse* 77–78.

It is therefore unsurprising that, while Hasidic thinkers have preserved a vision regarding the uniqueness of Talmud study, many Hasidic sources push to flatten the vistas of textual scholarship within the boundaries of the traditional canon.¹⁹ Hasidic teachings often present the world and the people within it as a kind of "book" filled with divine wisdom hidden precisely in the particularities, such that all matters justify what Wasserman calls the "granular attention to the details" that defines close reading.

An exceptionally interesting take on devotional Talmud study emerges in the teachings of Kalonymus Kalmish Shapira of Piaseczno (1889–1943), who put forward a vision that has much to offer the modes of reading highlighted in Wasserman's essay.²⁰ One of the most interesting and creative Hasidic mystics of the twentieth century, Shapira sought to inspire his readers—and listeners—to see the Talmud as a vital textual gateway through which to explore the infinite expanse of the heart's kingdom.²¹ Running counter to the shift toward formalistic and conceptual abstraction, Shapira's teachings reframe the study of Talmud

¹⁹ For a remarkably frank example, see Avraham Yitshak Kahn, ed., *Likkutim Yekarim — Yosher Divrei Emet* (Jerusalem: 1973), nos. 23–24, fol. 122b–123b.

²⁰ See my remarks on this in Ariel Evan Mayse, "The Devotional Talmud: Study as a Sacred Quest," *Hasidism, Renewal and Suffering: The Religious Legacy of Rabbi Kalonymus Kalman Shapira*, ed. Don Seeman, Daniel Reiser and Ariel Evan Mayse (Albany: State University of New York Press, forthcoming).

²¹ The literature on this figure is vast, but see Nehemia Polen, *The Holy Fire: The Teachings of Rabbi Kalonymus Kalman Shapira, the Rebbe of the Warsaw Ghetto* (Northvale: Jason Aronson, 1994); Daniel Reiser, *Imagery Techniques in Modern Jewish Mysticism* (Berlin and Jerusalem: De Gruyter and The Hebrew University of Jerusalem Magnes Press, 2018); Mendel Piekartz, *The Last Hasidic Literary Document on Polish Soil: Writings of the Rebbe of Piaseczno in the Warsaw Ghetto* (Jerusalem: Yad Vashem, 1979) (Hebrew); Don Seeman, "Ritual Efficacy, Hasidic Mysticism and Useless Suffering in the Warsaw Ghetto," *Harvard Theological Review* 101, no. 3–4 (2008): 465–505; and the new edition of Shapira's wartime sermons, published as Daniel Reiser, ed., *R. Kalonymus Kalman Shapira: Sermons from the Years of Rage* (Jerusalem: Herzog Academic College, World Union of Jewish Studies and Yad Vashem, 2017) (Hebrew).

as a spiritual quest, one undertaken by the scholar in order to reveal the deepest elements of the self and attain an intimate vision of the Divine.²²

As the founder and leader of a Talmudic yeshivah, Shapira sought to provide a spiritual alternative to the draws of secular culture and political life in twentieth-century Warsaw.²³ He understood that for many, including some Hasidim, Talmud study had lost its ability to command the heart and the mind.²⁴ Key to his educational project was developing a new way to read the texts of the tradition, to train a new generation of students and teachers to see the study of Gemara as an immersive spiritual experience.

Claims Shapira, communion with the Divine (called *devekut*) is the ultimate goal of all sacred learning, but this state cannot be reached simply through immersion in the Talmudic text. One must be prepared for the experiential dimensions of his scholarship:

According to one's degree of preparation...thus shall be one's understanding of Torah—each person grasps some sense of the Divine in exoteric and esoteric [subjects] (*nigleh ve-nistar*), for the blessed One is found in the Torah. When one understands a page of Talmud, such as “two individuals grabbing onto a garment,”²⁵ he grasps the portion of

²² On this question, see David Maayan, “The Call of the Self: Devotional Individuation in the Teachings of Rabbi Kalonymus Kalman Shapiro of Piaseczno,” MA thesis, Hebrew College, 2017.

²³ See Shimon Huberband, *Kiddush Hashem: Jewish Religious and Cultural Life in Poland During the Holocaust* (Hoboken, NJ: Ktav Publishing House, 1987), 178; Nehemia Polen, *The Holy Fire: The Teachings of Rabbi Kalonymus Kalman Shapiro, the Rebbe of the Warsaw Ghetto* (Northvale, NJ: Jason Aronson, 1994), 1–2. Shapira's project should be seen as part of a broader attempt at religious and spiritual renewal in inter-bellum Warsaw; see Glenn Dynner, “Replenishing the ‘Fountain of Judaism’: Traditionalist Jewish Education in Interwar Poland,” *Jewish History* 31 (2018): 229–261.

²⁴ See Shaul Stampfer, “Hasidic Yeshivot in Inter-War Poland,” *Polin* 11 (1996): 3–24; and David Biale et al, ed. *Hasidism: A New History* (Princeton: Princeton University Press, 2018), 602–605.

²⁵ B. Bava Metsia 2a.

divine illumination in that page,²⁶ even though his external mind (*da'ato haniglah*) thinks that these are matters of this world—Reuven, Shimon, a garment, a disagreement, and so forth.²⁷

To the untrained eye, the study of Talmud is nothing more than attention to the boring and terribly mundane elements of human life. But for the individual who has undergone spiritual preparation, cultivating the soul and developing the emotional faculties, the Talmud comes alive as a soul-document revealing a unique portion of the Divine.²⁸ Shapira further emphasizes that a student of Gemara must come to see the intricate details of Talmudic deliberations as disclosing God's presence. Just as God is revealed in the seemingly ordinary phenomena of the physical world, so do the concrete details of the Talmudic page reveal the divine majesty in palpable and highly tactile terms. Shapira thus concurs with Wasserman's evaluation of rabbinic Sages vis-à-vis the Hebrew Bible ("it is the sacred character of scriptural language that justifies granular attention to the details"), but he extends the vision to the Talmud itself.

The discourse of *halakhah* is quite obviously key to this process, but Shapira argues that the *aggadah* is equally crucial. He has no truck with the claim that such texts are only for those whose minds are not keen enough for *halakhah*. "Should a disciple of Torah (*ben Torah*) who studies Talmud skip over this homily?!", he writes. "Even were we all sages, if we all know the Torah, it is a commandment for us to study these words...[for] it is *aggadah* that draws forth the heart."²⁹ *Aggadah* can no more be eliminated from Talmudic study than the throbbing heart can be excised from the human body. Without the theological and spiritual core, the skeleton of

²⁶ See the formulation of the Kotsker Rebbe preserved in *Amud ha-Emet* (Bnei Brak: Pe'er, 2000), 210: "The light of a commandment rests within the Talmudic tractate in which it is discussed."

²⁷ Shapira, *Sermons from the Years of Rage*, ed. Reiser, *bo* 5702, vol. 1, 255.

²⁸ See Zohar 1:103b, *Sermons from the Years of Rage*, ed. Reiser, *bo* 5702, vol. 1, 254–255.

²⁹ *Ibid.*, 429. This formulation of "even were we all sages" draws upon the Passover Haggadah. See Samuel Heilman, *Defenders of the Faith: Inside Ultra-Orthodox Jewry* (Berkeley and Los Angeles: University of California Press, 1992), 227.

legal structures and the mind to which they adhere are doomed to become ossified and desiccated.

This emphasis on *aggadah* as a means of enkindling the soul was surely meant as a corrective to contemporaneous modes of Torah study, prevalent in Lithuania but found also in Poland, in which *aggadah* was disregarded in favor of *halakhah*. Like other early twentieth-century thinkers such Abraham Isaac Kook and Hayyim Nahman Bialik—and the more recent scholars discussed by Wasserman—Shapira underscores the crucial place of *aggadah* in Jewish cultural and spiritual development. Rabbinic *aggadah*, he argues, links together multiple modes of devotional literature, seamlessly integrating the fire of Kabbalah and the penetrating insight of Talmudic discourse.³⁰ Yet Shapira's emphasis that *aggadah* and *halakhah* are essentially imbricated and must therefore be read closely offers a certain challenge to Wasserman's privileging of narrative. She correctly notes that "narrative can serve as a supplement or corrective to rule-based forms of ethical reasoning," but this process works best when the student encounters a text that includes *both* interwoven genres.

Studying Talmud with the intensity and presence needed to reveal otherwise concealed dimensions of the self requires significant preparation. Close reading, we might say, is far from an accident of circumstance. Shapira claims that this process must begin with awakening the self to the spirit of prophecy—that is, to the spark of inner potential for spiritual growth, attunement, and actualization—and only then train his eyes upon the Talmudic text itself.³¹ Acknowledging the temptation of turning to books whose spiritual message is easier to access, Shapira argues that this would not address the fundamental issue: study of *any* text must become a matter of sacred attention:

Sometimes one may feel like a different person, as if joined to an angel, feeling that he has ascended and been raised up from the body, enjoying the most sublime delight and longing and becoming impassioned to ascend heavenwards toward God. This realization may even come about

³⁰ See also *Mevo ha-She'arim*, 186, 188–189.

³¹ *Derekh ha-Melekh, shavu'ot leil sheni* 5689, 406.

after studying a page of Talmud, such as the laws of partial admission, or one who switches a cow with a donkey.³² And the opposite is also true: at times one may gaze into all the ethical books and yet remain just as before—a rock that cannot be overturned, sunken in corporeality without and feeling of uplift.³³

Shapira is, of course, speaking of the Hasidic modes of reading and spiritual arousal designed to reveal the soul through the encounter with rabbinic literature, but his point is articulated in rather expansive terms: illumination in Talmud scholarship is a product of focused attention, presence, and open-heartedness, rather than the particular subject of inquiry.

Following Gallop's and Wasserman's arguments about how study may train "students to move beyond the solipsism of their own views and experiences and have real encounters with others," we might again ask if Talmudic literature is uniquely suited to this task. Charting a curricular and pedagogical path like Shapira's will help us avoid some of the solipsistic hazards of nitty-gritty textual analysis without forgetting the theological and ethical big picture. Furthermore, Shapira has reminded us that preparation and educational framing is absolutely essential to studying Talmud as a catalyst for moral reflection. Relying upon the formal structures of the Talmud for ethical instruction and "casting the Talmud in the role of professor," as Wasserman has it, is simply not enough. The Hasidic emphasis on Talmud study as a devotional praxis reminds us that the text must be approached with a sense of vulnerability, excitement, and care. Thus prepared, the reader may become transformed in the encounter with the rabbinic dialectics. I believe that this point remains equally valid for the many contemporary students who study this religious work in secular contexts.

³² M. Bava Metsia 8:4.

³³ *Derekh ha-Melekh, rosh ha-shanah*, 1925, 194–195.

Ethical Renewal in the Lithuanian Yeshivah

To consider Talmud study as an ethical moment is surely not exclusive to the mystical tradition. Nor should reflection upon religious or theological ethics necessarily preclude the focus on law as the primary subject of inquiry. In exploring the second issue, namely close-reading of *halakhah* in Talmudic ethics, we turn to the writings of three prominent twentieth-century rabbis who emerged from the world of Lithuanian Talmudism: Aharon Lichtenstein (1933–2015), Shimon Gershon Rosenberg (1949–2007, known by his rabbinic moniker of Rav Shagar), and David Hartman (1931–2013). All were shaped by their encounters with Joseph B. Soloveitchik (1903–1993), the hugely important Orthodox rabbi and scion of the Brisk Talmudic dynasty. Each of these three rabbinic scholars moved beyond Soloveitchik's shadow in unmistakable ways, though all remained committed to Gemara as the crown jewel of Jewish literature and the preeminent locus of religious scholarship. United by their primary commitment to *halakhah* and Talmudism,³⁴ Lichtenstein, Rosenberg and Hartman were deeply interested in the question at the heart of Wasserman's essay: the interface of ethics, Talmudic hermeneutics, and the praxis of study as a path of self-formation.³⁵

³⁴ For scholarship examining the rise of Lithuanian Talmudism and its broader intellectual contexts, see Paul E. Nahme, "Wissen Und Lomdus: Idealism, Modernity, and History in Some Nineteenth-Century Rabbinic and Philosophical Responses to the Wissenschaft Des Judentums," *Harvard Theological Review* 110, no. 3 (2017): 393–420; Shaul Stampfer, *Lithuanian Yeshivas of the Nineteenth Century: Creating a Tradition of Learning*, trans. Lindsey Taylor-Guthartz (Oxford and Portland: Littman Library of Jewish Civilization, 2012); Eliyahu Stern, *The Genius: Elijah of Vilna and the Making of Modern Judaism* (New Haven and London: Yale University Press, 2013); Chaim Saiman, "Legal Theology: The Turn to Conceptualism in Nineteenth-Century Jewish Law," *Journal of Law and Religion* 21, no. 1 (2005): 39–100; Shai Wozner, *Legal Thinking in the Lithuanian Yeshivah: The Heritage and Works of Rabbi Shimon Shkop* (Jerusalem: Magnes Press, 2016) (Hebrew).

³⁵ See also the method developed in Elisha Ancselovits, "Towards a New Theory of Halakhic Development," PhD dissertation, Liverpool Hope University, 2011.

The late Aharon Lichtenstein, who was Soloveitchik's son-in-law and an inheritor of the mantle of Brisk,³⁶ described Talmud study as a religious praxis with a moral component.³⁷ Lichtenstein did not often address the question of the study of Gemara as inviting or demanding ethical reflection in explicit terms, but his teachings and writings bring a kind of humanistic vision grounded in the liberal arts to the study of traditional Jewish texts.³⁸ The lack of overt ethical discussion in his Talmudic classes is therefore noteworthy, though the wish to disambiguate *halakhah* and *aggadah* surely reflects a longstanding impulse that is particularly visible in Lithuanian Talmudism. Studying Gemara and the discourse of *halakhah* remains the absolute center of Lichtenstein's worldview and educational project.³⁹ Invoking *aggadah* sermonically in his essays as well as his homilies, he notes that *aggadah* in Jewish tradition is a significant part of the religious quest.⁴⁰ But Lichtenstein unapologetically views narrative as a separate part of Talmudic discourse, a textual voice ultimately subordinate to that of *halakhah*.

³⁶ See Nathaniel Helfgot, "Divrei ha-Rav ve-Divrei ha-Talmid ve-Divrei ha-Rav: The Impact of Rabbi Joseph B. Soloveitchik's Thought on that of R. Aharon Lichtenstein," *Tradition: A Journal of Orthodox Jewish Thought* 47, no. 4 (2014): 86–112.

³⁷ Shlomo Zuckier and Shalom Carmy, "An Introductory Biographical Sketch of R. Aharon Lichtenstein," *Tradition: A Journal of Orthodox Jewish Thought* 47, no. 4 (2014): 6–16.

³⁸ This surely reflects Lichtenstein's doctoral work in English literature at Harvard. See Shalom Carmy and Shlomo Zuckier, "Music of the Left Hand: Personal Notes on the Place of Liberal Arts Education in the Teachings of Rabbi Aharon Lichtenstein," *Torah and Western Thought: Intellectual Portraits of Orthodoxy and Modernity*, ed. Meir Y. Soloveitchik, Stuart W. Halpern and Shlomo Zuckier (Jerusalem: Maggid Books, 2015), 281–314; Shlomo Fischer, "The Religious Humanism of R. Aharon Lichtenstein," *Tradition: A Journal of Orthodox Jewish Thought* 47, no. 4 (2014): 17–33; and Yoel Finkelman, "Canon and Complexity," *Tradition: A Journal of Orthodox Jewish Thought* 47, no. 4 (2014): 69–85.

³⁹ See the accessible conversations on Talmud and education presented in Chaim Sabato, *Mevakshei Panekha: Sihot im HaRav Aharon Lichtenstein* (Tel Aviv: Yediot, 2011).

⁴⁰ Aharon Lichtenstein, "Why Learn Gemara," *Leaves of Faith: The World of Jewish Learning*, volume 1 (Brooklyn: KTAV Publishing House, 2017), 9.

Lichtenstein offers a few reasons for the primacy of studying *halakhah*. First, he asserts that the main thrust of oral Torah is concerned with law.⁴¹ “Our traditional emphasis upon the study of Halakha is thoroughly understandable,” writes Lichtenstein. “It is fully consonant with the nature of Jewish religious experience and rooted in our collective existence....[The Jew meets God] as commander. Jewish sensibility is pervasively normative.”⁴² According Lichtenstein, the study of God’s law as a religious quest entails an encounter with the ultimate Lawgiver. This moment makes a normative ethical claim upon the reader, as the student of the Talmud is reminded that he or she is “a summoned being, charged with a mission, on the one hand, and directed by rules, on the other.”⁴³ This moral feature of studying Jewish law sets it apart from the study of *aggadah*. It is the legal majority voice of the Talmud that provides the intellectual link between the scholar and the Divine, a bond that shapes the encounter during study but also results in commanding certain behavior and ethical norms.

Lichtenstein lists at least four additional reasons as to why Gemara rests at the center of his project. The first two—that the Talmud is the conceptual and textual anchor to which all later forms of Jewish discourse adhere, and that it affords a special link to the heralded rabbinic sages—have less to offer Wasserman’s claims regarding close readings of the Talmud. But Lichtenstein’s third point is quite helpful: Talmud study is a creative enterprise, not simply a matter of memorization but of reinterpretation and renewal. Rather than denying the individual personality of the reader, the study of Talmud demands that one embrace her or his unique creative capacity. Claims Lichtenstein, “To open a *sugya* is to gain access to a world in ferment...to be caught up, initially as witness and subsequently as participant, in a drama of contrapuntal challenge and

⁴¹ Ibid., 9.

⁴² Ibid., 3.

⁴³ Ibid., 3.

response, of dialectic thrust and parry."⁴⁴ Finally, he argues that the study of Gemara, qua dialogic encounter with *Ribbono shel 'Olam* is not simply intellectual.⁴⁵ Such reading and reflection transforms the one who sits before the Talmudic folios, for "the dynamic character of Gemara vibrantly energizes the student. The activated self is then more open to a more intense relationship, religious as well as intellectual."⁴⁶ Much like the mystically inclined Shapira, Lichtenstein portrays reading of rabbinic texts as leading to inner awakening and transformation. Yet for him, *pace* Wasserman, this happens precisely through close attention to the legal sections of Talmud.

Talmud study is, according to Lichtenstein and following Maimonides, "both text and method."⁴⁷ It is a religious and intellectual process of discovery, definition, and disclosure, an invitational quest in which the student moves from being an observer into being an active creator and exegetic shaper of the tradition. Talmud study is therefore a demanding path, and Lichtenstein admits—with some reticence—that it is not for everyone.⁴⁸ Such study requires preparation, commitment, conviction, intellectual acumen, and, at root, a doubled faith in one's self and in one's yearning to reach God: "It is the weakness of this dual faith which lies at the heart of much of the malaise concerning intensive learning of *halakhah* and Gemara."⁴⁹ Readers have come to see the legal dialectics of Talmud as irrelevant or unattainable because these crucial pedagogical and personal frames have fallen away.

Lichtenstein's essays and lectures provide a compelling phenomenological case for the power, thrill, and excitement of this type

⁴⁴ Ibid., 14. See also Aharon Lichtenstein, *By His Light: Character & Values in the Service of God*, adapted by Reuven Ziegler (Jersey City: KTAV, 2003), 71–72.

⁴⁵ Ibid., 14.

⁴⁶ Ibid., 15.

⁴⁷ Ibid., 14.

⁴⁸ See the fascinating essays by Aharon Lichtenstein and Yehuda Brandes in *Talmud Study in Yeshiva High Schools* (Atid: Jerusalem, 2007).

⁴⁹ Lichtenstein, "Why Learn Gemara," 8.

of Talmud study that focuses almost exclusively upon legal materials. But could the practices of close reading, as Wasserman describes them, produce space for moral reflection and galvanize ethical action when applied to Talmudic law? The relationship between religiosity and morality was one that occupied Lichtenstein in many of his works. Is the study of *halakhah*, he asks, sufficient to produce a moral person? This delivers us to a thorny problem in Lichtenstein's thought: the relationship between normative Jewish ethics and the demands of the law.

Arguing that the practical and detail-oriented nature of *halakhah* allows values and moral norms to emerge, Lichtenstein laments those who dismiss the language and values of Jewish law as inadequate for contemporary ethical concerns. For Lichtenstein, such claims reflect an impoverished view of *halakhah*. He takes umbrage with those who hide morally reprehensible behavior behind a strict, formalistic definition of Jewish law.⁵⁰ Lichtenstein thus notes that, while *halakhah* is necessary for any construction of Jewish ethics, Jewish law is insufficient when viewed entirely in a vacuum. He argues that the ethical scaffolding which surrounds and elevates legal dialects is part and parcel of *halakhah*: the imperative to go beyond the law is itself an expression of the goals and aims of rabbinic *halakhah*. Any impulse to supererogatory piety must itself grow forth from the trunk of normative demands.⁵¹ Close readings of rabbinic law may indeed become indispensable grist for a student's ethical formation, though careful calibration and pedagogical framing are necessary to ensure that this is the case.

This sophisticated formulation is alluring but profoundly limited. What happens when a modern-day reader of Talmud finds that external values present a challenge that cuts against the normative and ethical thrust of the rabbinic tradition? This question was key to the approach to Talmud study and ethics coined by Rav Shagar. Among the most

⁵⁰ See Aharon Lichtenstein, "Does Judaism Recognize an Ethic Independent of Halakhah," *Leaves of Faith: The World of Jewish Learning*, volume 1 (Brooklyn: KTAV Publishing House, 2017), 33–56.

⁵¹ *Ibid.*, 50.

interesting and bold thinkers to emerge from the world of religious Zionism since the death of Abraham Isaac Kook, Shagar was nurtured by the Lithuanian yeshivot in Israel and studied the writings of Soloveitchik. Yet he became increasingly drawn to the teachings of Hasidism in later decades.

Shagar came to see the writings and thought-patterns of mystical literature as a bridge to post-modernism,⁵² suggesting a flexible, attractive, and authentically Jewish approach to ethics and theology that could answer the radical decentering found in contemporary political and intellectual climates. Despite embracing the personal nature of truth, Shagar emphasized the role of boundaries and limits to "prevent postmodernism from sliding into absurdity."⁵³ The goal is "acting ethically and religiously out of a conviction that what I believe is true, but without going so far as to assert that faith in my own way renders other ways worthless."⁵⁴ Shagar's theology is a call to critique, dialogue, engagement—and, occasionally, intervention—but without the triumphalism, hubris, or intellectual jingoism that often characterizes religious communities across the world.⁵⁵

Given Wasserman's interest in reading practices and moral reflection, I am particularly interested in Shagar's take on the role of ethical development and Talmud study. The quest to renew the study of Gemara occupies a very important place in Shagar's life and educational vision.⁵⁶ He sees an intellectual crisis in the world of religious Zionism, and he argues that Talmud study was in particularly dire straits precisely because

⁵² See Alan Jotkowitz, "'And Now the Child Will Ask': The Post-Modern Theology of Rav Shagar," *Tradition: A Journal of Orthodox Jewish Thought* 45, no. 2 (2012): 49–66.

⁵³ Rosenberg, "Justice and Ethics," 108.

⁵⁴ *Ibid.*, 117.

⁵⁵ See Alan Jotkowitz, "Universalism and Particularism in the Jewish tradition: The Radical Theology of Rabbi Jonathan Sacks," *Tradition: A Journal of Orthodox Jewish Thought* 44, no. 3 (2011): 53–67.

⁵⁶ See, more broadly, Yair Dreyfuss, "Torah Study for Contemporary Times: Conservatism or Revolution?" *Tradition: A Journal of Orthodox Jewish Thought* 45, no. 2 (2012): 31–47.

it had become ethically and existentially irrelevant.⁵⁷ Although Shagar feels that there could be no robust Jewish life or ethics without intensive engagement with the Talmud,⁵⁸ he recognizes that young people in his world are finding it increasingly difficult to locate meaning in its words. The Lithuanian modes of scholarship, typified in the abstract analysis of Brisk, had not been enough to satisfy their intellectual, spiritual and ethical curiosity: “The Oral Torah has become the written Torah, and faith—inflexible ideology!”⁵⁹ Young religious-Zionist Jews need a more supple, immediate and morally-inflected approach to Talmud. Close reading of *halakhah* or *aggadah*, though an invaluable tool, is not sufficient to spark ethical reflection.

Shagar is indeed much concerned with how contemporary readers could ask ethical questions when studying ancient texts, reflecting on the degree to which the rabbinic sages dealt with ethical issues and whether or not the study of Jewish law necessarily produces moral beings. Shagar is keenly alert to the tension between Talmudic ethics and modern values, and he discusses this rift in surprisingly frank terms.⁶⁰ The bold solution, argues Shagar, lies in recognizing the validity of postmodern perspectives and contemporary culture, redefining “Torah” and its study in more capacious terms so that new forms of thinking and reflection can enter the *beit midrash*.⁶¹ He is adamant that the religious Zionist world must develop its own form of Talmud study; Shagar sees that the Lithuanian uncritical approach of studying Talmud as God’s pure and timeless would fail to

⁵⁷ Shimon Gershon Rosenberg, *In His Torah He Meditates: The Study of Talmud as a Quest for God*, ed. Zohar Moar (Efrata: Makhon Kitvei Harav Shagar, 2009), 13–37 (Hebrew). See the situation described in Elhanan Nir, “The Turn to Hasidism in the Religious-Zionist Israeli Yeshiva,” *A New Hasidism: Branches*, ed. Arthur Green and Ariel Evan Mayse, 403–424.

⁵⁸ Rosenberg, *In His Torah He Meditates*, 30.

⁵⁹ *Ibid.*, 196.

⁶⁰ Shimon Gershon Rosenberg, *Tablets and Broken Tablets: Jewish Thought in the Age of Postmodernism* (Tel Aviv: Yedi’ot Aharonot, 2013), 139–162 and 273–302 (Hebrew); see also Rosenberg, *Tablets and Broken Tablets*, 68–84; and Idem, “Justice and Ethics in a Postmodern World,” *Faith Shattered and Restored: Judaism in the Postmodern Age*, trans. Elie Leshem, ed. Zohar Maor (Jerusalem: Maggid Books, 2017), 105–118.

⁶¹ *Ibid.*, 196.

inspire his Israeli students and could not speak to their contemporary concerns.

Students who come from the modern and postmodern worlds experience a radical intellectual, literal, legal, and ethical disconnect from the text.⁶² The study of Gemara must therefore include the search for meaning—not in the abstract, but in a deeply subjective sense that reflects the student's personal, social, and existential situation.⁶³ Talmud study is about reinforcing and re-forging the covenant with the Divine, a link and shared agreement that is ever-changing, dynamic, and therefore mutually empowering.⁶⁴ A further radical edge to Shagar's proposal comes from the fact that he encourages separating the various strands of Talmudic discourse with the understanding that *halakhah* develops not according to immutable internal principles but within a particular in socio-historical context.⁶⁵

It is striking that Shagar's posthumous work on the spiritual dimensions of Talmud study has relatively little to say about questions of morality and ethics. Many of his other essays and books—including those on specific Talmudic *sugyot*—discuss how modern and postmodern Jews conceive of morality and law quite differently than Torah and the Talmudic sages.⁶⁶ My point therefore pertains not only to what Shagar actually says or writes about reading Talmud, but about how an expansive vision of Talmud study that combines theological, existential and ethical inquiry could buttress Wasserman's compelling argument regarding the

⁶² Ibid., 194.

⁶³ Ibid., 199.

⁶⁴ Ibid., 25–30.

⁶⁵ See also Lawrence Kaplan, "Back to Zechariah Frankel and Louis Jacobs?: On Integrating Academic Talmudic Scholarship into Israel Religious Zionist Yeshivas and the Spectre of the Historic Development of the Halakhah," *Journal of Modern Jewish Studies* 14, no. 1 (2015): 89–108.

⁶⁶ Shimon Gershon Rosenberg, *Halikhot 'Olam: Halakhah ve-Historiyah*, ed. Eitan Abramovitch (Alon Shvut: Makhon Kitvei Harav Shagar, 2016), 13–54. On *halakhah* and historical situatedness, see Ibid., 55–91.

study of rabbinics as a vehicle for ethical self-formation. Shagar argues that studying any portion of the Talmud, even when reading closely, only sparks ethical reflection when such educational goals have been carefully articulated and addressed. The disjuncture between student and text should be accepted and even accentuated as an opportunity for critical reevaluation. But, claims Shagar, successful moral reflection is a matter of spiritually oriented pedagogical vision rather than attention to textual form.

A final approach to ethics and Talmudic reading practices in Lithuanian Talmudism emerges from the writings of David Hartman. An erstwhile student of Soloveitchik,⁶⁷ Hartman sees the Gemara as the greatest book of Jewish theology and the study of Talmud as a profound opportunity for moral reflection that could bring together people from vastly different walks of life.⁶⁸ Highlighting the importance of applying intellectual creativity to the text, Hartman celebrates the discourse of Talmud as governed by “an autonomy of spirit.”⁶⁹ This emphasis on innovative reading, or *hiddush*, reflects an ethos and a scholarly élan imbibed from Soloveitchik. But Hartman goes much further than his teacher. Rather than blithely submitting one’s ethical sensibility to ancient rabbinic doctrines, Hartman argues that “the development of the *halakhah* must be subjected to the scrutiny of moral categories that are independent of the notion of halakhic authority.”⁷⁰ This empowerment demands that modern students of Talmud approach the text with integrity and courage, allowing the Sages’ words to shape their religious personalities but without compromising one’s own moral and intellectual independence.

⁶⁷ On his indebtedness to Soloveitchik, see David Hartman *Love and Terror in the God Encounter: The Theological Legacy of Rabbi Joseph B. Soloveitchik*, volume 1 (Woodstock: Jewish Lights, 2001), esp. 1–96.

⁶⁸ David Hartman, “Halakhah as a Ground for Creating a Shared Spiritual language,” *Tradition: A Journal of Orthodox Jewish Thought* 16, no. 1 (1976): 7–40.

⁶⁹ David Hartman, *A Heart of Many Rooms: Celebrating the Many Voices within Judaism* (Woodstock: Jewish Lights, 1999), 121.

⁷⁰ David Hartman, *A Living Covenant: The Innovative Spirit in Traditional Judaism* (Woodstock: Jewish Lights, 2010), 98.

Thus, claims Hartman, the Gemara becomes *the* site of moral reflection when tradition meets with the creative power of the student and her or his externally developed moral sensibility.

Hartman discusses his initiation into the world of Talmud study quite frankly, noting he was never given the tools to ask higher-order questions of the Gemara: "What is the epistemological basis of a given disagreement? What part of the tradition should be ascribed to revelation, what part human creativity, and what might be the implications of how the question is answered for the development of communal religious practice?"⁷¹ The encounter with Soloveitchik and Hartman's subsequent graduate training in the fields of philosophy, religious studies, and historical criticism taught him to see the Talmud as something more than abstruse dialectics.

But Soloveitchik's purist approach to Talmudic morality remains a point of contention, and Hartman rejects key dimensions of his teacher's legacy. "I find there to be something deeply inhuman in Soloveitchik's approach to halakhic spirituality," writes Hartman in what was to be his final book. "I must part company with a view of halakha that takes it out of history and out of human experience." Hartman emphasizes, unlike Soloveitchik, that observing laws that seem inconsistent with one's moral barometer "is devastating to halakhic culture. It yields a Torah not rooted in life, emaciating the lived spirit that is meant to shape the law in its evolving applications. It asks of halakhic Jews commitment to systems of law alien to their own sensibilities."⁷² Unadulterated submission leads to a damaging form of self-denial. We should note that this book, written in Hartman's twilight years, in some respects contrasts with his earlier positions in which he is much more confident in the humanity of the *halakhic* process and system even without historical contextualization.

⁷¹ David Hartman and Charlie Buckholtz, *The God Who Hates Lies: Confronting & Rethinking Jewish Tradition* (Woodstock: Jewish Lights, 2011), 15.

⁷² Hartman, *God Who Hates Lies*, 155.

Very much like Wasserman, this ethical yearning leads Hartman to reclaim *aggadah* as a necessary component of Talmudic reading that moves beyond the normative constraints of the law:

Detailed specification, however, engenders spiritual risks. One risk is missing the forest for the trees. One can become so caught up in details that the point of the norm or practice in question can be lost. Fascination with legal detail can lead to a religiosity of compulsive normative conformity....The integration of *aggadah*...with legal halakhic material in the midrash and Talmud helped retain the teleology of this system. General halakhic insights and goals, which are often best captured in dramatic story form, are an integral part of jurisprudential texts. *Aggadah* counteracts the tendency of law to become tight and humorless.⁷³

The *aggadah* helps to offset the tendency of legal materials to become constricting and narrow. Argued both here and by Wasserman, narratives offer a brooding voice of moral discontent which can challenge the norm-oriented system of *halakhah*. Hartman saw the legal dialectics of the Talmud as promoting a myopic—and perhaps even destructive—mode of close reading. But rather than Wasserman’s belief in the ethical potential of granular attentiveness to narrative, Hartman sees embracing *aggadah* and its sweeping theological vistas as the antidote to abstruse and hyper-detailed legalism.

In soliciting philosophical and ethical readings from *aggadic* and *halakhic* discourse, Hartman takes Soloveitchik’s homiletical style and applies it to the study of Gemara—something that Soloveitchik himself refused to do in any of his Talmudic lessons.⁷⁴ This method became the intellectual backbone of the Shalom Hartman Institute, which established itself as a center of religious, intellectual, and philosophical creativity after it was founded by Hartman in Jerusalem in the late 1970s. The core of this institution was the *beit midrash*, centered upon the study of the Babylonian Talmud in this morally inflected vein.

⁷³ David Hartman, *From Defender to Critic: The Search for a New Jewish Self* (Woodstock: Jewish Lights, 2012), 59–60.

⁷⁴ My thanks to my friend and colleague Ebn Leader for sharing this insight with me.

By probing the interface of Talmudic exegesis and ethics in the writings of Lichtenstein, Hartman, and Shagar, my aim has been to show that those interested in reading practices and the struggle of ethics have something to learn from their reflections. This is true also of the educational environment of the *yeshivah* more broadly. As noted, I approach the world of religious ethics as intimately connected to the academic discipline of theology. As James Gustafson, a scholar of religion and theological ethicist, has so eloquently argued, "theology has its deepest significance within the context of piety, and in the context of a historic religious tradition."⁷⁵ Such piety is "a fundamental stance toward what is given in the world and human life: it is an attitude or disposition of respect, awe, and even devotion that is evoked by human experiences of dependence on powers we do not create and cannot fully master."⁷⁶ The model of Talmudic study in the *yeshivah*, seminary, or rabbinical school—in which ethical performance and reading practices remain intimately intertwined—has much to offer those of us whose primary teaching duties lie in secular universities.

Exegesis and the Other

Wasserman's suggestions regarding the uniqueness of Talmud study for ethical reflection begs a final comparison to the intellectual project of Emmanuel Levinas (1906-1995), a name who is curiously absent from her essay.⁷⁷ In broader circles, Levinas is best known for his philosophical works *Totality and Infinity* (1961) and *Otherwise than Being, or Beyond Essence* (1974). Giving expression to his own type of phenomenology, these works highlight sensitivity to "the face of the Other" (*le visage de*

⁷⁵ James Gustafson, "Say Something Theological!" (Chicago: The university of Chicago Press, 1981), 4.

⁷⁶ *Ibid.*, 5.

⁷⁷ For a basic introduction to Levinas's life and thought, and the massive scholarship thereupon, see Simon Critchley, ed., *The Cambridge Companion to Levinas* (Cambridge: Cambridge University Press, 2002); and Michael L. Morgan, ed., *The Oxford Handbook of Levinas* (Oxford: Oxford University Press, 2019).

l'autre), describe the “pre-ontological” obligation to care for and help others, and, in his later writings, evince reflections on the notion alterity. Scholars—and Levinas himself—are somewhat conflicted as to the extent to which these books are “Jewish” philosophy, but his post-Holocaust activities were much concerned with the rejuvenation of Jewish life.⁷⁸ A key part of this effort were his famous Talmudic lectures, delivered before the Colloquium of French-Speaking Jewish Intellectuals (*Le Colloque des Intellectuels juifs de Langue française*) starting in 1957.

How did Levinas come to study Talmud? Something must be said of the curious figure of Monsieur Shushani,⁷⁹ the enigmatic master with whom Levinas read rabbinic literature for the first time.⁸⁰ Levinas met Shushani not long after the Second World War, studying Talmud with him consistently for some five years. More than technical proficiency, Shushani taught Levinas how to read Talmud as a kind of moral philosophy that destroyed disciplinary boundaries and forced one to continuously re-interpret and create. Shushani’s erudition was staggering, and he used this knowledge in a flippant, bitter, and often nearly nihilistic manner in an attempt to debunk and even to destroy. “Mr. Chouchani,” wrote Levinas, “has made a dogmatic approach based purely on faith or even a theological approach to the Talmud altogether impossible for us.”⁸¹ Levinas was critical of pietistic Talmudists who simply rehashed ancient debates, but he was equally dissatisfied with the arid philology of

⁷⁸ See Michael Fagenblat, *A Covenant of Creatures: Levinas’s Philosophy of Judaism* (Stanford: Stanford University Press, 2010), esp. xi–xxvi; Samuel Moyn, *Origins of the Other: Emmanuel Levinas Between Revelation and Ethics* (Ithaca: Cornell University Press, 2005); Sarah Hammerschlag, *The Figural Jew: Politics and Identity in Postwar French Thought* (Chicago: University of Chicago Press, 2010); and Judith Friedlander, *Vilna on the Seine: Jewish Intellectuals in France Since 1968* (New Haven: Yale University Press, 1990).

⁷⁹ This mysterious figure, the identity of whom is the subject of much scholarly and popular speculation, played a formative role in the rabbinic education of Elie Wiesel and Shalom Rosenberg.

⁸⁰ See the remarks in Nehemia Polen, “Bridging the Abyss: The Influence of Three Rabbinic Luminaries on Elie Wisel,” (forthcoming).

⁸¹ Emmanuel Levinas, *Nine Talmudic Readings*, trans. Annette Aronowicz (Bloomington and Indianapolis: Indiana University Press, 1990), 8.

academic scholars.⁸² Levinas came under the spell of Shushani's intellectual wizardry without becoming chained to the darker parts of his legacy. Rather than importing a vision of Talmudic learning directly from Vilna or even simply translating the Lithuanian modes of study for post-War French Jews, Levinas, aided by Shushani's method, sought to develop a different mode of reading Talmudic sources that spoke to the fundamental ethical issues of being.

Why did Levinas turn to the Talmud rather than to other forms of Jewish philosophy or literature? The Talmud, claims Levinas, is a work whose form and structure most suits to the hermeneutical task. Levinas's philosophy seeks revelation in quotidian details, in the mundane and prosaic events of life or in the encounter between human beings. The abstruse and finely detailed Talmudic discussions, Levinas argues, "conceal an extreme attention to the Real."⁸³ This is not to say that God, per se, is manifest in these many and various details, since Levinas's attempt to read the Talmud as moral philosophy leads him to attempt to extricate

...from this theological language meanings addressing themselves to reason. The rationalism of the method does not, thank God, lie in replacing God by Supreme Being or Nature....It consists, first of all, in a mistrust of everything in the texts studied that could pass for a piece of information about God's life...it consists in being preoccupied, in the face

⁸² See Samuel Moyn, "Emmanuel Levinas's Talmudic Readings: Between Tradition and Invention," *Prooftexts* 23, no. 3 (2003): 338–364. See also Efraim Meir *Levinas's Jewish Thought: Between Jerusalem and Athens* (Jerusalem: Magnes Press, 2008); Elisabeth Goldwyn, *Reading Between the Lines: Form and Content in Levinas's Talmudic Readings*, trans. Rachel Kessel (Pittsburgh, PA: Duquesne University Press, 2015); and Ira F. Stone, *Reading Levinas/Reading Talmud: An Introduction* (Philadelphia: Jewish Publication Society, 1998); Étan Levine, "The Talmud in the Mind of Emmanuel Levinas," *Review of Rabbinic Judaism* 4, no. 2 (2001): 249–271; and Claire Elise Katz, "Levinas—Between Philosophy and Rhetoric: The 'Teaching' of Levinas's Scriptural References," *Philosophy & Rhetoric* 38, no. 2 (2005): 159–171.

⁸³ Levinas, *Nine Talmudic Readings*, 5.

of each of these apparent news items about the beyond, with what this information can mean in and for man's life.⁸⁴

Levinas thus interprets the Talmud through a lens colored by the philosophical systems of phenomenology and existentialism. He views rabbinic literature as presenting a kind of religious ethics grounded in daily life and embodying a decidedly non-theocentric lens.⁸⁵ The focus of the Talmud is the human being and all of his or her quotidian concerns, highlighting moral obligations and this-worldly care for the other.⁸⁶ And, much like Wasserman, Levinas believes that close reading of Talmud can reveal universal moral truths expressed through the particulars the prosaic and the quotidian.

This attempt to reveal the inner nature of the mundane is mirrored in the Talmud's own method of exegesis vis-à-vis Scripture. Claims Levinas, "[The Torah] extracts *ethical meaning as the ultimate intelligibility of the human* and even of the cosmic."⁸⁷ Levinas sets about getting beyond—or within—Talmudic sources that seem arbitrary, mundane or fanciful,⁸⁸ thus "seeking for the unity and progression of thought in the text, which...is made up of a series of apparently unconnected observations."⁸⁹ As Annette Aronowicz notes with characteristic insight in her introduction to *Nine Talmudic Readings*, a translated collection including lectures from 1963 to 1975:

⁸⁴ Ibid., 14.

⁸⁵ Scholars tend to underestimate the impact of Sartre upon Levinas's thinking; see Steven Hendley, "Moral Obligation in Sartre and Levinas," *Journal of the British Society for Phenomenology* 27, no. 3 (1996): 246–266; David Jopling, "Levinas, Sartre, and Understanding the Other," *Journal of the British Society for Phenomenology* 24, no. 3 (1993): 214–231; Ethan Kleinberg, *Generation Existential: Heidegger's Philosophy in France, 1927–1961* (Ithaca: Cornell University Press, 2018); Kris Sealy, *Moments of Disruption: Levinas, Sartre, and the Question of Transcendence* (Albany: State University of New York Press, 2013).

⁸⁶ See Hanoch Ben-Pazi, "Theodicy as the Justified Demands of Atheism: Yeshayahu Leibowitz Versus Emmanuel Levinas," *Modern Judaism* 36, no. 3 (2016): 249–276.

⁸⁷ Levinas, *Nine Talmudic Readings*, 93. Emphasis in the original.

⁸⁸ Ibid., 55.

⁸⁹ Ibid., 32.

This world and these times contain, in Levinas's view, a *hidden* dimension...the relation to which makes human life what it is. It is this play between the ordinary and the extraordinary—or, perhaps better put, this ability to extract the ordinary from the ordinary and to point to the ordinariness of the extraordinary—that the reader can expect to see in the Talmudic commentaries.⁹⁰

The task of a reader of Talmud is to extract philosophical reflections from the ordinary, conjuring up a concealed dimension of the Gemara that is expressed by—and hidden within—its seemingly ordinary concerns. According to Levinas, achieving this aim is not at all a passive process; freedom of exegesis is absolutely critical to his hermeneutical strategy: "Without it, the sovereign exercise of the intelligence recorded in the pages of the Talmud can change itself into the litany or pious murmur of a consent given beforehand, a reproach that could be made to Talmudists whose familiarity with these pages is nevertheless to be envied."⁹¹ This flexible and attentive creativity separates the modern student of Talmud and his or her ethical concerns from the pious Talmudists of old. Like the other scholars surveyed in this essay, Levinas sees his Talmudic studies and teaching as continuing the very project of Talmud—expanding and extending the exegetical efforts of the rabbinic sages.⁹² In doing this, attention must be given to its many layers of meaning, and if it is successfully carried out, it changes the reader's vision of care and obligation to the self, to the world, and to the Other.

One of Levinas's goals is to translate the particular ethical discursive elements of Talmud into a universal key. This was a key element of his reading of Judaism in the critical years after the Holocaust. "To accept the Torah is to accept the norms of a universal justice," claims Levinas. "The first teaching of Judaism is the following: a moral teaching exists and certain things are more just than others....What we call the Torah provides

⁹⁰ Ibid., xxviii.

⁹¹ Ibid., 8.

⁹² Ibid., 39.

norms for human justice.”⁹³ This theme is a very important one for Levinas: “The chief goal of our exegesis is to extricate the universal intentions from the apparent particularism within which facts tied to the national history of Israel, improperly so-called, enclose us.”⁹⁴ Jewish experience, and the suffering of the Jews, means that one must “understand the suprahuman demand of morality, the necessity of finding within oneself the source of one’s moral certainties.”⁹⁵ The Jews, claims Levinas, bear a universal message, one that is embodied in rather than occluded by the particular and detailed concerns of the Talmud.⁹⁶

Much like Wasserman, Levinas is convinced that the Talmud is a sui generis work in its capacity to sustain close reading and to make way for moral reflection. Levinas is, by his own admission, less interested in rabbinic discussions of *halakhah* than in the narratives and stories of *aggadah*.⁹⁷ Levinas would likely agree with Wasserman’s claim that “narrative signals the limits of rule-based reasoning, and the way its penchant for close reading invests alterity and particularity with meaning.” But Levinas occasionally seeks to combine the law and narrative, and he frequently notes that interior piety or intellectual reflection alone are insufficient grounds to train ethical behavior. To truly inhabit the ethical mandate of Talmudic reading practices, Levinas argues, one must be engaged in a life of action rooted in the encounter with the text: “The originality of Judaism consists in confining itself to the manner of being...in the least practical endeavor, a pause between us and the nature through the fulfillment of a mitzvah, a commandment. The total interiorization of the Law is nothing but its abolition.”⁹⁸ Such remarks are

⁹³ Ibid., 66.

⁹⁴ Ibid., 5.

⁹⁵ Ibid., 82.

⁹⁶ On the importance of this theme of universalism and particularism in French Jewish thought, see Sarah Hammerschlag, ed., *Modern French Jewish Thought: Writings on Religious and Politics* (Waltham: Brandeis University Press, 2018), ix–xxvii.

⁹⁷ See his remarks in Levinas, *Nine Talmudic Readings*, 32.

⁹⁸ Ibid., 83.

a weighty critique of philosophers and religious individuals who favor inner states of grace or illumination and ignore the dictates of normative behavior. The individuals, thinks Levinas, miss the point: intellectual reflection, including Talmud study and exegesis, achieves its ultimate realization only in acts of care expressed in deeds.

Concluding Remarks

Let us return to my initial concerns with Wasserman's essay. First, despite her insistence on the uniqueness of the Talmud as a written landscape for close reading and ethical formation, this issue remains an open question for me—at least, when the Gemara is judged by its textual or literary forms. Following his fiery master Mr. Shushani, Levinas's Talmudic lectures demonstrate how—and intimate why—the quotidian matters of the Gemara's narratives are so well suited to supporting contemporary ethical concerns. I am unconvinced, however, that the Talmud's claim on moral formation is singular or exclusive. Close reading practices could be applied to *The Guide of the Perplexed*, the Zohar, the laconic and stirring homilies of early Hasidism—or perhaps even to the intricate legal scholarship of Lithuanian Talmudism!—with similar results.

Second, in some sense I am deeply sympathetic to Wasserman's aim of considering "the text as professor," as an educational partner whose very form instructs the students to slow down and pay attention to what lies before their eyes. But this process and the ethical reflection it may engender is far from automatic. Even careful and attentive Talmud study is insufficient without critical theological, ethical, and educational framing. Here I believe Wasserman's point should be complemented by Hasidic conceptions of study as a devotional praxis, reminding us that the text must be approached with a sense of vulnerability, excitement, and care to pave the way for the reader to become transformed in the encounter with rabbinic dialectics.

Finally, the study of rabbinic *halakhah* surely has its limits, but if properly complemented and framed, these legal sources have just as much

to offer in sparking ethical reflection. This point is raised and hammered home by the Lithuanian thinkers whose works were surveyed above. Both Hartman and Shagar, *pace* Lichtenstein, demand that *halakhah* be studied as part of a capacious body of discourse in which narrative and nomos are stitched together. Wasserman's privileging of *aggadah* notwithstanding, encounter with Jewish legal materials has an important role to play in our student's educational experience.

Elsewhere I have argued that diving deeply into the details of Jewish law and its conceptual structures is necessary to articulate a contemporary ethics regarding environmental pollution.⁹⁹ Rather than mining Talmudic sources for ethical insights while tossing out the finer points that govern its laws, I am deeply interested in how a close reading of these rabbinic sources may yield a progressive ethical voice on issues of environmental degradation. Climate change and the impending environmental disaster surely represent one of the greatest moral and existential crises of our day. Talmud and the literature of *halakhah* must be studied as an opportunity for ethical reasoning and spiritual development. Seeing the Talmud with these eyes allows the student to confront the deepest questions of existential and moral meaning. Such a lens transforms the rabbinic texts from abstract sophistry into a religious quest, a personal journey of self-formation through which one comes to reflect upon the critical moral and philosophical questions of our present day.¹⁰⁰ Reading and teaching these rabbinic texts to engage with issues of theological and moral significance requires scholars to reclaim the non-legal dimensions of Jewish thought—*aggadah*, expansively defined—as an equal partner in the conversation.

"One who wishes to be pious," says Rav Yehudah, "must fulfill the laws of damages (*nezikin*)."¹⁰¹ These laws must be studied carefully, such that their ethical message may challenge and reshape our behavior in

⁹⁹ Ariel Evan Mayse, "Where Heaven and Earth Kiss: Jewish Law, Moral Reflection, and Environmental Ethics," *Journal of Jewish Ethics* 5, no. 1 (2019): 68–110.

¹⁰⁰ See also Hava Tirosh Samuelson, "Jewish Environmental Ethics: The Imperative of Responsibility," *The Wiley Blackwell Companion to Religion and Ecology*, ed. John Hart (Hoboken, NJ: John Wiley and Sons, 2017), 179–194, as well as the other essays therein.

¹⁰¹ B. Baba Kamma 30a.

striving to defend God's world and partner in its sustained existence. Such rabbinic truisms are once again mirrored in the writings of James Gustafson. "Piety," he claims, "takes on the form of obligation...we are called to be responsible stewards of what is given us in nature and in society; we have obligations to discern what human actions and relationship fit our place in the larger scheme of things."¹⁰² The practices of piety, theological reflection, and ethical responsibility are tightly imbricated with one another. Wasserman's thoughtful and important essay reminds us that careful, sustained attention to the method of Talmudic discourse may have a very important role in helping us fulfill this quest.

¹⁰² Gustafson, "Say Something Theological," 6.