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Introduction

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The essays presented in this issue of the *Journal of Textual Reasoning* and edited by Chaya Halberstam, Marjorie Lehman, and Randi Rashkover are a product of a seminar on "Thinking with Rabbinic Texts" held at the 2016 Association for Jewish Studies conference in Los Angeles. We are pleased to present the fruits of this seminar by serving as guest editors for this issue of the *JTR.* The seminar would not have been possible without the work of pioneers in textual reasoning who, nearly thirty years ago, planted the seeds for contemporary efforts to overcome the estrangement between Jewish thought and rabbinic text study.

In the past three decades, there has been widespread consideration of the role and relationship between Protestantism and modern Jewish thought. While scholars have long recognized and grappled with the place of Protestant ideas in Hermann Cohen's work,[1] more recently, a spate of works signals and traces the influence and implications of Protestant

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[1] See Wendell Dietrich, "The Function of the Idea of Messianic Mankind in Hermann Cohen's Later Thought," *Journal of the American Academy of Religion* 48, no. 2 (1980): 245-258. Also see Robert Erlewine, *Monotheism and Tolerance: Recovering a Religion of Reason* (Bloomington, Indiana: Indiana University Press, 2009). More recently see Annika Thiem, "Spectres of Sin and Salvation: Hermann Cohen, Original Sin and Rethinking the Critique of Religion," *Idealistic Studies* 40, nos. 1-2 (2010): 117-138.

culture on a wider range of modern Jewish thinkers. Along these lines, the work of scholars like David Myers, Leora Batnitzky, and, most recently, Paul Nahme come to mind. Arguably, the alliance between modern, western Jewish thought and Protestant culture derives from a more general liaison between modern western conceptions of reason and what G.W.F. Hegel refers to as the "principle of…Protestantism,"[2] or the notion that all knowledge is finite.

In certain instances, the influence of Protestant thought on Jewish thinkers is immediate and direct, as we see in the attention paid to the category of sin in the work of Hermann Cohen and Franz Rosenzweig. Other times, Protestant ideas constitute the polemical background over and against which Jewish thinkers analyze Jewish texts and practices. Moses Mendelssohn's analysis of Judaism as revealed legislation and not revealed dogma presents one such case. Another is Rosenzweig and Buber's ambitious effort to translate the Hebrew Scriptures into German in order to offset the cultural influence of the Martin Luther's earlier effort.[3]

More specifically, the impact of Protestant culture on Jewish thought appears in both the positivistic presuppositions of Wissenschaft des Judentums on the one hand, and in the estrangement between Jewish philosophy and rabbinic reasoning on the other hand. Throughout the modern period, the study of rabbinic literature has been dominated by philological and historical orientations. Consonant with its positivistic presuppositions, Wissenschaft des Judentums construed rabbinic literature as a corpus that had been completed. In concession to this colonialization of rabbinic literature by the methods of Wissenschaft des Judentum, modern Jewish thought in turn forfeited any serious interest in rabbinic thinking and prioritized the Bible over these later Jewish texts. The Bible, which is ostensibly shared with Christianity, became and

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[2] G.W.F. Hegel, *Faith and Knowledge*, trans. Walter Cerf and H.S. Harris (Albany: State University of New York Press, 1977), 57.

[3] For a detailed discussion on this point see Mara Benjamin, *Rosenzweig's Bible: Reinventing Scripture for Jewish Modernity* (Cambridge: Cambridge University Press, 2009).

remains the focus for modern Jewish thinkers searching for a textual source for constructive thought. For its part, the field of rabbinics still orients its model of training and scholarship around the ideals of Wissenschaft.

As evidenced by the founding of the *Journal of Textual Reasoning*, Jewish philosophers are beginning to see past the perimeters of the modern paradigm. Leading the way are Menachem Fisch and Peter Ochs. In his work, Fisch dramatically alters the terms of Jewish philosophy by challenging the philosophical hermeneutical limits of a modern, Protestant univocity and substitutes an examination of what he takes to be the parallel epistemological rules at play in scientific experimentation and rabbinic reasoning.[4] As well, few contemporary thinkers have done more to draw attention to the philosophical and theological significance of rabbinic thinking than Peter Ochs, the founder of the *Journal of Textual Reasoning*. Inspired by the work of the late rabbinic scholar Max Kadushin,[5] Ochs' work fashions a semiotically-focused collaboration between contemporary, post-ontological philosophical thought and rabbinic reading practices that paves the way for a new generation of Jewish philosophers to stage similar types of experiments.

Contemporary Jewish philosophers and rabbinicists are greatly indebted to the pioneering efforts made by Fisch and Ochs. Unfortunately, these bold efforts to recognize the unique philosophical value of rabbinic thinking and to repair the social scientific domestication of the Wissenschaft approach to studying rabbinic texts have not been widely appropriated by Jewish studies scholars, educators, and community leaders.

In 2015, Dana Hollander, who holds the Canada Research Chair in Modern Jewish Thought at McMaster University, organized a symposium

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[4] Menachem Fisch, *Rational Rabbis: Science and Talmudic Culture* (Bloomington: Indiana University Press, 1997).

[5] Ochs presents his reading of Kadushin's work in Peter Ochs, *Understanding the Rabbinic Mind: Essays on the Hermeneutic of Max Kadushin* (Tampa: University of South Florida Press, 1990).

at Boston University on the topic of "Thinking with Rabbinic Texts." Hollander's project initiated an important new chapter in the collaboration between Jewish thought and rabbinic studies. Not only was Hollander's project designed to call into question the modern, western myopia against investigations into the character of rabbinic reasoning, it also spoke to the call by a number of contemporary rabbinicists to "advance [new] efforts to diversify methodologies and pedagogies in the study of Talmud and rabbinics."[6] If among the original goals of the textual reasoning movement of the late 1980's was " to nurture working relations between Jewish philosophers and rabbinic scholars,"[7] Hollander's project sought to develop working relations between Jewish philosophers and historians, philologists and text critical scholars of rabbinic texts in particular, in the hopes of staging an intervention into how Jewish studies is conceived of and taught in the academy.

The 2015 Boston meeting exposed the growing interest by both Jewish philosophers and academically trained scholars of rabbinic literature to share areas of expertise. Riding this wave, Yonatan Brafman, Randi Rashkover, and Lynn Kaye organized a three-session seminar at the Association for Jewish Studies meeting held in Los Angeles in 2016. Three of the essays in this issue (those by Lehman, Barer, and Epstein) were originally developed for that seminar. Aryeh Cohen, Chaya Halberstam, and Elizabeth Alexander attended the seminar, and their essays here also represent the goals of the meeting.

All four of the essays, and the response by Halberstam and Alexander, reflect the seminar organizers' hope to stage mutually beneficial conversations between thinkers and text scholars and to perform this collaboration between thought and text-study in their own analyses. Each illustrates an example of what it means to *think with* rabbinic texts. Each offers a case study of what it means to remain open to discovering the kind

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[6] Dana Hollander, "Thinking with Rabbinic Texts," proposal, Boston University, 2015.

[7] Peter Ochs, "Behind the Mechitsa: Reflections on the Rules of Textual Reasoning," *Journal of Textual Reasoning* 1, no.1 (2002).

of reasoning performed in rabbinic texts and to the possibility of thinking alongside or in view of this reasoning.

In her essay, "Law, Ethics and Hermeneutics: A Literary Approach to *Lifnim Mi-Shurat Ha Din*," Deborah Barer examines the rabbinic phrase, "*lifnim mi-shurat ha din*" ("within the line of the law"). As Barer explains, many contemporary Jewish scholars have deployed a "conceptual approach" to interpreting this phrase, following the precedent set by Aaron Lichtenstein in his 1975 essay, "Does Jewish Tradition Recognize and Ethic Independent of Halakha?" In a conceptual approach, a reader interprets a text through the lens of a preconceived idea of its meaning. In this case, contemporary readers interpret "*lifnim mi-shurat ha din*" as either the idea that ethics and law are independent, or the idea that ethics and law are inextricable. Unfortunately, Barer argues, the conceptual approach reaches a stalemate since both camps use the same texts to arrive at opposing conclusions. To refresh hermeneutical options, Baer recommends a literary approach that conjoins the findings of source and redaction criticism. In so doing, Barer stumbles upon the realization that the phrase "*lifnim mi-shurat ha din*" is a product of the redactive contribution of the *stam*, or Talmudic editors. Ultimately, the methodological novelty of Barer's essay hinges on her desire to refresh hermeneutical options. On the one hand, this desire signals the hermeneutical limits of the conceptual approach. On the other hand, it motivates her to dig deeper into the text to discover its own world of meaning. When she does, Baer discovers the *stam's* pragmatic impulse to distinguish between two modes of rabbinically enacted practical reason: rule-based decision making and discretionary decision-making. She discovers, in other words, the assumptions they hold, the interests that motivate them, and the inferential moves they make. In the end, Barer sets their thinking practices before us and invites us to reflect upon them, whether by comparing them to parallel analyses in contemporary legal theory or to our own communal habits of decision making.

Rebecca Epstein-Levi's essay, "Textual Relationships: On Perspective, Interpretive Discipline and Constructive Ethics," also moves past conceptual foreclosures of rabbinic texts or what in particular is the

tendency by Jewish ethicists to mobilize fixed and univocal interpretations of these sources for immediate use and application to contemporary ethical quandaries. In her way, therefore, Epstein-Levi also grapples with the tendency by modern thinkers to neglect the thinking patterns presented by rabbinic texts. To do so, she argues, is to miss the fact that "rabbinic texts are primarily about the rabbis and their world and only secondarily about the subject matter they think with."

By contrast, Epstein-Levi advocates a "functionalist approach" that militates against demonizing, valorizing, or apologizing for what are taken to be the rabbis' fixed positions on key ethical questions. Not limited to strictly formal analyses of how the rabbis debate, argue, and juggle multiple interpretive possibilities, a functionalist approach, Epstein-Levi argues, is "case-based," which she illustrates in her discussion of the rabbinic taxonomization of conditions of ritual impurity. As such, it permits contemporary readers to watch the rabbis' thought processes in action and potentially pick up new strategies for managing similar types of cases in our contemporary world.

Both Barer and Epstein-Levi offer dramatic interventions that help challenge the long-standing rift between Jewish thinkers and text scholars. In her essay, "Searching for Redemptive Meanings: Grappling with Homophobia," Marjorie Lehman confronts the impact of this divide on the classroom experience. Lehman argues that, like their modern predecessors, contemporary students seek out textual coherence. When it comes to pressing social issues, young readers frequently stereotype rabbinic texts as sustaining certain social and ethical attitudes. In many cases, the tendency by students' to polemicize the texts leads to their disenchantment with and a sense of distance from them. As an historian of rabbinic texts, Lehman recognizes the pedagogical value of signaling the socio-historical context of the material she teaches. However, Lehman also recognizes the hermeneutical limits of an historical critical analysis and knows that, ultimately, her students want to converse with the texts they study but do not know how.

In her essay, Lehman describes a strategy she uses in the classroom to help students find a way into the texts they study. Drawing from the work

of Daniel Boyarin, Lehman advances what she calls a "pedagogy of confrontation" that not only bridges the gap between normative conceptualization and historical contextualization, but, more importantly, exposes textual sites of rabbinic confusion, anxiety, and doubt and entertains how the rabbis negotiate these challenges in and through their textual performance. Like Epstein-Levi and Barer, Lehman wants to watch the rabbis as they reason through their own normative commitments. She wants to observe how they negotiate "moral complexity" in a way that invites readers to follow suit. To demonstrate her approach, Lehman presents a counter-normative interpretation of Sanhedrin 7:4, which provides a rabbinic interpretation of the Joseph story whereby, as Lehman says, the rabbis' "use Joseph to express their own confusion" and invite us to investigate, assess and reflect further upon their way of thinking and how it relates to our own.

Taken together, the recent efforts to forge a vital connection between thought and text reflect more than merely an academic or even pedagogical need to access and engage with new sources and modes of reasoning. At the core of this nearly thirty-year old initiative is a communal need to cultivate our ability to think with rabbinic sources for the sake of preparing and exercising our own practical judgments here in the world. Aryeh Cohen explains this in his essay, "Enacting Resistance: Encountering Rabbi Aqiva in the Bet Midrash and on the Street," when he says that text study is an activity whereby "a text about the world is placed back in the world" whether we do so by preaching, or marching or "publicly bringing gatherings together."

Philosophically speaking, Cohen's account signals the deep recognition, implicit in all of the essays, that our reasoning practices are rooted in and responsive to the world within which we live. Seen from this perspective, text study becomes an interface between the accrued worldly wisdom of a long and complex canon of texts, and the developing worldly wisdom of communities who read them.

In their culminating response to the sequence of essays, Chaya Halbertsam and Elizabeth Alexander echo this point when they say that "the essays in this volume foreground normative questions. Rather than

pursue contemporary interests in the guise of an historicist project, they propose methods of mobilizing texts of antiquity in the making of contemporary selves." We hope they encourage scholars, teachers, and community leaders to develop their own models of text-world collaboration.