



March 2006

Introduction

Peter Ochs
University of Virginia

Follow this and additional works at: <https://scholarworks.wm.edu/jtr>



Part of the [Jewish Studies Commons](#)

Recommended Citation

Ochs, Peter. "Introduction." *Journal of Textual Reasoning* 4, no. 2 (2006): 1-7. <https://doi.org/10.21220/s2-9m4r-np52>.

This is brought to you for free and open access by W&M ScholarWorks. It has been accepted for inclusion in *Journal of Textual Reasoning* by an authorized editor of W&M ScholarWorks. For more information, please contact scholarworks@wm.edu.

RATIONAL RABBIS

PETER OCHS

University of Virginia

It is a pleasure to introduce a discussion that models the kind of discourse we hope to facilitate in the Society for Textual Reasoning. Here is a model of philosophy meeting Talmud and Talmud meeting philosophy. There are three aspects to this meeting. First, there is a celebration, reception and response to Menachem Fisch's book *Rational Rabbis: Science and Talmudic Culture* (Bloomington: Indiana University Press, 1997). Second, there is an essay by Menachem that served as the centerpiece of a Textual Reasoning session, hosted by the Study of Judaism section of the American Academy of Religion in November 2002. Menachem's essay, "Berakhot 19b: the Bavli's Paradigm of Confrontational Discourse," focuses on one of the central arguments of his book. Third, there is a set of responses to Menachem's essay, by Aryeh Cohen, Shaul Magid, and Jacob Meskin, along with Menachem's own reply. By way of introduction to this issue, here are a few comments on what you might expect to find in each of these meetings, sprinkled with a few editorial comments of my own on the exchange among these four wonderful textual reasoners.

1. *Rational Rabbis: Science, Religion, and Textual Reasoning*

Menachem's book is, on the one hand, a way of introducing the philosophic power of Karl Popper's philosophy of science for Jewish philosophers and Talmudists: a surprising and refreshing advertisement of the ways in which pragmatic trends in the philosophy of science may help us better appreciate some of the leading features of the rationality of the rabbis. Of particular interest is the mode of rationality that accompanies experimental science and that, through the reasoning of Popper and his pragmatic forebears (Menachem cites David Hume, William Whewell, Charles Peirce and John Dewey), is liberated from the dogmatic practices of other modern forms of scientific reasoning (RR, p. 15). Menachem recommends Popper's "constructive skepticism" as a significant way out of modernist scientism. Popper's "identification of the rational with the critical" leads, not to a wholesale skepticism, but to a discipline of rationality that brackets doubts about received knowledge until it has good reason to doubt specific claims in specific contexts (RR, p. 2). Menachem suggests that, if we add two refinements to Popper's skepticism, then it may serve as a constructive model not just for contemporary science, but also for rabbinic reasoning – both our rabbinic reasoning and its antecedent sources in the Talmud. The first refinement is to draw Popper's constructive skepticism out of its scientific casing and uncover other analogues both in philosophy more broadly and here in the study of religion. The second refinement is to recognize that, after Richard Rorty and Donald Davidson, and Robert Brandom our postmodern criticism should be directed not only against foundationalism but also against relativism.

To achieve these refinements, we first need to identify the larger class of practices, in both science and religion, that might display constructive skepticism. Menachem suggests that these are practices that belong to "goal directed systems, ... [or] any structure, theoretical, institutional, or material, designed or adopted by human agents as a means to specific ends" (Fisch essay, p.3). Arguing in a decidedly pragmatic voice, Menachem proposes that rationality is always already intrinsic to any such system, so that the system also displays criteria according to which

it will define its rationality. By focusing on *goal-directed systems*, Menachem identifies the domain of rationality we can be concerned about: rationality that will guide actions concerning some ultimately publicly observable effects, so that we have both a criterion of rationality *intrinsic* to a given system (rather than imposed on it from without) *and* criteria according to which the system of rationality become available to us on the outside: the ways that certain goals are achieved or not. Menachem then suggests that critical intelligence concerns itself with solving problems that arise in such systems and that we can classify problems as factors that inhibit a system's capacity to achieve its own goals. Here again, Menachem offers us away to identify the rationality that is both *indigenous* to a given system and yet available to outside observers through the *actions* that bring the system closer to its goals.

2. "Berakhot 19b: the Bavli's Paradigm of Confrontational Discourse"

To set the stage for our TR discussion, Menachem offers an essay that addresses his book's central illustration: the rhetorical device of *metivi*, or objection, and the way that device is employed in the amoraic discussion of Mishna Berakhot 3:1. Briefly stated, Menachem's argument is that the Talmud redacts this objection and the ensuing debate in a way that emphasizes an "anti-traditionalist" practice of halakhic reading, set against the backdrop of a traditionalist-sounding presentation of the rabbis' halakhic universe. In this way, the Talmud reinforces public recognition of the reliable system of halakha at the same time that it teaches its rabbinic readers (and leaders) to serve and extend the halakha according to a constructive skepticism.

3. The TR Discussion: against binaries?

All three respondents honor the way that Menachem integrates philosophy and text study in his mode of discourse. At the same time, each of them offers a respectful challenge to what they think is Menachem's tendency to over-read the particular debate in *Berakhot* 19b as being

sharply anti-traditional and to overstate the general tendency of the Bavli to be anti-traditional. Their challenges are of three different kinds.

Shaul is sympathetic with what he takes to be the practical goal of Menachem's argument: to urge non-traditionalist approaches to the halakha as alternatives to the excessive traditionalism in contemporary rabbinic life. In support of that practical goal, however, he argues that Menachem grants too much to the rabbinic literary corpus. For Shaul, the overall thrust of the literature *is* traditionalist (the rabbis are "anti-traditional in order to be traditional"), even if it also delivers the tools of suspicion (or anti-traditionalism) in passing. Shaul therefore suggests that we remain more suspicious of the literature's overall traditionalism in order to guard more diligently against that tendency.

Aryeh displays comparable sympathies with Menachem's practical goal, but he adds a different sort of caution. In this sense unlike Shaul, Aryeh argues that the Bavli integrates traditionalist and anti-traditionalist discourses and strategies – not more prone to one or the other. He takes *Berakhot* 19b as a case in point: the *metivi* does not, as Menachem suggests, favor the anti-traditionalist strategy; it mixes the two strategies. The overall implication, I believe, is that there is no getting around choice: if there is a contemporary need to overcome excessive traditionalism, then one must choose to do so; there is no automatic answer to be gotten simply by reading the text "as it is."

Jacob offers a third type of response. Like Aryeh, he believes the Bavli integrates the two discourses and strategies. But perhaps unlike his three interlocutors, Jacob argues that this integration is always to be preferred: halakhic judgment always requires a balance between critical reasoning and the traditionalism that grounds it. Of the four, Jacob is therefore the most critical of drawing stark, binary distinctions between the two tendencies. He argues that this "situated reasoning" is also the most pragmatic.

Responding to his three colleagues, Menachem notes that, since writing his book, he has indeed modified one argument. He now suggests that to canonize a text is to free its readers to give it new life in their own readings and, in this sense, to interrogate it, against the grain of any

traditionalism. To interrogate the canon cannot mean to erase it, however, but to affirm it in ways that challenge prior readings in the tradition. At the same time, Menachem still maintains the heuristic and corrective force of his strict dichotomy, and he still defends the force of anti-traditionalism. "Traditionalists," he writes, "equate the law and the legal tradition" (Fisch respond 5), but these need to be strictly distinguished. For Menachem and for anti-traditionalists, the law emerges through a critique of legal tradition.

4. Concluding Comments

Without taking sides in this debate, I will close by celebrating the contributions Menachem's *Rational Rabbis* makes to TR. The first contribution is the way that Menachem brings the logic of science to the attention of rabbinic philosophers. Except for Menachem – and also Norbert Samuelson – there is a paucity of attention being given today to the place of science in Jewish thought. Yet, there are at least two reasons why the practice and philosophy of science is of urgent significance for Judaism today. One reason is that our inattention to science is part of our inattention to the natural or created world. This inattention, in turn, is part of our persistent assimilation into the philosophic dualism of modern western humanism: a dualism that, for example, separates the *Geisteswissenschaften* from the *Naturwissenschaften* and segregates Jewish thought increasingly into the former. Leaving aside for now the bad consequences of this dualism for western civilization, one bad consequence for Judaism has been to reinforce European Jewry's diminished sense of being at home in the world of agriculture or of the natural world. Another bad consequence has been to dislocate modern Jewish thought from the classical doctrine of creation. This doctrine implies that we inhabit a world that is our home and place of responsibility because the things of this world are God's word as much as the words of Torah are God's word – no more, but also no less. Menachem's practice of studying scientific rationality *and* Talmudic rationality reintroduces Jewish thought to the natural world as a

knowable world, in the sense that to be a creationist is to believe that the world out there belongs to a language we are taught to read. His practice also reintroduces scientific reasoning to Jewish and scriptural textuality, since the God who speaks creation also speaks Torah.

Another reason for our attending to science is that care for science entails care for logical and diagrammatic thinking. I worry that our postmodern critique of modernist logics has begun to breed an allergy to all logics, as if logics of probability, vagueness, and quantum theory were somehow attached to the ideologies and politics of foundationalism and its attendant colonialism. An account of the rabbis' experimental or probable or skeptical reasoning entails a logic of these kinds of non-determinate reasonings; to ignore such a logic is to weaken, not strengthen, our appreciation of the non-determinate strategies of rabbinic inquiry. Having been inattentive to science for so many decades now, Jewish thinkers may have been inattentive to the significant changes in science since the emergence of quantum mechanics in the very early 20th century. This meant the demise of Newtonian mechanics and, with it, the emergence of non-determinate accounts of the world, guided by logics of indeterminacy. For over a hundred years, the logic of science has, in fact, edged much closer to the logic of textual reasoning. The logic of science has come, for example, to recognize the relation of the observer, or reader, to the realia observed or read and thus the place of interpretation and history in science, as well as the place of the things of this world in shaping how we interpret and think and believe.

If Menachem gets us thinking about the experimental or skeptical rationality of the rabbis, this is not because he has tempted us to read some "external" methods of modern science *into* the Talmud. Drawing on and expanding Popper's pragmatism, Menachem has also given us a performative lesson in the hermeneutical rule that accompanies pragmatism's theory of repair. It is that, *if* a goal-directed system is repairable, then guidelines for repairing problems in that system must be intrinsic to that system *and* that those guidelines will remain invisible or wholly indefinite until the problems arise. Consistent with this rule, Menachem has portrayed "rabbinic rationality" as indigenous to the

rabbinic literature and as intrinsically or textually indeterminate apart from the concrete occasions on which it is summoned into reparative action. The appearance of a given problem (*s'tira*) or objection (*metivi*) is a sign that some concrete problem has arisen in the rabbinic system and that guidelines for repairing this specific problem may be drawn from out of the system and applied to repairing that problem. There is no presumption that these guidelines will be necessarily useful in this way on any other occasion.

In these terms, what Menachem labels "traditionalism" may also be a label for efforts to mis-apply the rabbinic system's reparative guidelines by imagining them to have enduring usefulness beyond the context-specific occasions for which they have been identified and defined. If so, then Menachem's case against traditionalism would be strengthened if he made more explicit the specific contemporary problems that have stimulated him to engage in this inquiry and that have provided a context for his and our seeing and defining the rabbinic system's guidelines for repairing traditionalism.