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ENGAGING AND TEACHING TROUBLING TEXTS

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The following reflections arise out of a specific teaching situation. I teach a third-year course at the Ziegler School for Rabbinic Studies at the University of Judaism which is called "Aggadah and Halakhah." The course explores in both a general way and through specific Midrashic and Talmudic texts the relationship between the genres of Rabbinic literature which are traditionally known as Aggadah and Halakhah. Aggadah often is seen as comprising stories, homilies, religious epigrams and anything else that is not Halakhah or law. Using a model which is proposed in different ways by the Zionist author and visionary H. N. Bialik and the legal theorist Robert Cover, I try to show the ways that Halakhah and Aggadah are inextricably linked together. The specific issue that I was looking at in this class was divorce. I was trying to show the ways that divorce as symbolic representation of the exilic relationship between God and Israel impacted the purely legal discussions of divorce law.

To this end, one of the texts we studied was a midrash which contained a parable which pictured God and Israel as husband and wife. The husband beat his wife mercilessly. The guardian of the wife then approached the husband saying: "If you do not want to remain married

to this woman, then kill her." The husband replied that he would never kill her, even if his whole estate was destroyed. The nimshal or moral of this parable was that though God might cause Israel to suffer terribly, God would never destroy Israel completely.

I studied this midrash with the class on a Wednesday. There was some discussion of the midrash and how problematic the picture of a relationship between husband and wife was, and then the class period was over. This class did not meet until the next Monday. The midrash, however, would not leave me. I was a bit surprised at the extent to which I was disturbed. I had been working with similar material for years, and I thought that I had arrived at a way of dealing with these texts by stating the ways in which they were disturbing and identifying the political motivations behind them. This approach did not work for me this time. It is not that I was not convinced that there were political motives, and that these texts uncovered the Rabbinic anxiety about power, and their perception of women as a threat to their power. My students also seemed to accept this analysis, at least to a degree.

The source of my unease was that I was teaching these texts to students who understood them as being Torah. I see these texts as Torah. In this context, it cannot be enough to explain, analyze and locate the texts. The question remains (to paraphrase the Palestinian Sage Resh Laqish): Would a holy text say something like this?

In wrestling with this mashal I came to the following three-step framework. The three steps loosely resemble three Biblical scenes in which the Biblical characters struggle with troubling situations.

The first step is modelled after Aaron. When Moses tells Aaron that Aaron's sons have been killed at the dedication of the tabernacle (Leviticus 10), Aaron's response is silence. The silence, it seems, is first an acknowledgment that this too is a way of God (Moses had just said by way of explanation: This is it that the LORD spoke, saying: Through them that are nigh unto Me I will be sanctified, and before all the people I will be glorified.). This might be a way of God that is difficult or problematic, yet this is still a way of God. Aaron's silence lets the impact of the death hang in the air in its tragedy and difficulty, untainted by piety or apology.

As a reading practice, this model dictates that at first the reader allow a text to wash over him or her as is, in all of its troubling aspects, without the vitiation of apologetics or even the distancing of historicistic location (i.e., in the culture in which the Rabbis lived.

The second step is modelled after Abraham's interaction with God concerning the destruction of Sodom and Gomorrah. When God tells Abraham that God is about to destroy the cities, Abraham argues with God. Abraham's point of leverage in arguing with God is "shall not the judge of all the earth do justly?" That is, is God in this situation living up to the ethical standard that God demands.

As a reading practice this model suggests that the reader judge the text by the standard of the text. "Is this text living up to the ethical standards demanded by these texts?" Is this mashal representing a relationship between man and woman that is consonant with that found in Rabbinic literature in general, or is this text an aberration?

The third step is modelled after Moses' argument with God following the incident of the Golden Calf (Exodus 32). When God seeks to destroy the people of Israel, Moses' response is: "forgive your people or if not, blot me, I pray Thee, out of Thy book which Thou hast written."

The final step in this suggested reading practice is the hardest one. For, finally, the reader must decide whether or not this troubling text is Torah. That is, is this what one has in mind when one recites the blessing for studying Torah, is studying this text an act of *talmud torah*? Moreover – and here the context of the specific teaching situation is all-important – in what way would one want this text to inform one's practice? To put this in another way, given that this text is part of the cultural framework that produced the laws of divorce, to what extent am I ready to let this mashal stand as part of that cultural framework?

This brings me back to Robert Cover. Cover writes the following in his seminal essay "Nomos and Narrative."

> "Th[e] objectification of the norms to which one is committed frequently, perhaps always, entails a narrative – a story of how the law, now object, came to be, and more importantly, how it came to be one's own. Narrative is the literary genre for the objectification of value."

The final step in this engaged reading practice is taking responsibility for the narratives in which legal choices were enmeshed (intentionally or unintentionally) or grounded (intentionally). Rejecting or accepting some of those narrative moments is part of a movement towards a wholistic change in norms. Within the context of a Rabbinical School, where reading texts is an act of Talmud Torah and the Halakhah does define the parameters of daily life and the interaction with the sacred, there is no more significant point in study than this final moment of deciding where the boundaries of Torah are.