A Review of People of the Book: Canon, Meaning, Authority

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Moshe Halbertal. *People of the Book: Canon, Meaning, Authority*. Cambridge, MA: Harvard University Press, 1997. 208pp.

This book should be of great interest to Textual Reasoners for it assumes our starting point– that texts provide the common ground for all forms of Judaism. Halbertal's aim is not to define Judaism but the title provides us with one: what rabbis, mystics and philosophers share is a commitment to the culture of the book. This means that the central issues for Judaism have been textual issues: what books to read, how to read them, and who decides the what and how. Thus, the history of Judaism is a history of struggle over the canon and its interpretation.

This is Halbertal's beginning assumption and from here he embarks on an erudite investigation of canon formation and textual interpretation in Judaism. The result is the illumination of both the nature of canonicity and the uniqueness of Judaism among human text-centered traditions. Up until now, scholars have either applied contemporary theories to rabbinic texts to reveal underlying literary structures and theological meaning or

they have searched out rabbinic texts for creative strategies in applied textual interpretation.

What Halbertal shows is that rabbinic textual exegetes and their medieval commentators also reflected deeply and broadly about theoretical issues in canon formation and interpretation. In other words, in addition to being highly skilled in the pragmatics of textual exegesis the rabbis also reflected on the process and procedures of textual interpretation. The Jewish tradition thus gave rise to developed theories of text and interpretation (I would call it second-order textual reasoning or "textual theory") which correlates with many of the most sophisticated of contemporary theories of text and interpretation.

As I said, Halbertal argues that text-centeredness provides the common ground for all Judaisms. Yet his study reveals that this is not a stable common ground. For it shifts through history depending on the shifting politics of the canon of texts which gains authority in a particular period. Hence the subtitle: "Canon, Meaning and Authority." Halbertal investigates the form, hermeneutics, and politics of three Jewish textual canons: the Bible, the Mishna, and Talmud. He reveals in each a dynamic movement between openness and closure in the boundaries of the canon and the scope of interpreters to determine textual meaning. Thus the Jewish textual tradition appears as an accordion that shrinks and expands as it moves through time.

In his Introduction Halbertal provides us with a working theory of canonicity He suggests that there are three kinds of canons-normative, formative, and exemplary. The first provides norms and laws to be followed and is characteristic of scriptures and legal codes (3). The second provides a "society or profession with a shared vocabulary." (3) And the third, exemplary canons, provide "paradigmatic examples of values and achievement." This type of canon requires study to internalize and thus Halbertal suggests that we can also call it a "curriculum." In the Jewish case the first type is exemplified in the Bible, the second, in the Mishna and the third in the Talmud.

Halbertal argues, in Chapter One, that the sealing off of the Tanakh in the formation of the canon in 90 at Yavneh is the crucial event for text-

centered Judaism. For it means that direct revelation from God is replaced by mediated revelation through interpretation of the canon. Thus scribes and interpreters replace prophets, priests, and Kings in religious authority. Sealing the written torah and giving it the status of "canon" initiates intense creativity in interpretation that characterizes all following forms of Judaism because all developments must be seen as grounded in and developed from the originary text–nothing new can be created sui generis.

Halbertal argues contra Fishbane that before the biblical canon is sealed we do not really have interpretation. Rather each new version of an older story or law is presented as a replacement for the former (15). It is only when the canon is closed and no new text is allowed that new versions can and must be seen as interpretations. Furthermore, when a sealed canon is created interpretation becomes necessary and multiplied to keep the texts alive and apply them to new situations. Halbertal thus claims that "there is an interesting asymmetrical relation between canonization and hermeneutical openness. The more canonized the text, the broader interpretive possibilities it offers (44).

Although Halbertal does not take this route he could have moved from this statement about the sealed biblical canon and the "broad interpretive possibilities" it initiates to a discussion of the origin and necessity for oral torah in Judaism. This would make a fine bridge to Chapter Two on the Mishna. Yet perhaps because his concern and focus remains canonicity he moves, without an artful transition, to discuss the next "sealed off" series of authoritative texts in Judaism, the Mishna. Here Halbertal argues that the Mishna is unique as canons go because it is at once a code making definitive legal statements and a collection of oppositional legal positions. The Mishna thus initiates a tradition of hermeneutical pluri-vocality that characterizes Jewish text-centeredness. Halbertal refers to the Mishna as a "flexible code" (72) and he argues that the Mishnah "is the first canon of its kind known to us, a canon that transmits the tradition in the form of controversy" (45).

This was made possible by a novel concept of "multiple revelation" (All the [opposing] words are given by ... one God; b. Hagigah 3b) and by

separating the ultimate meaning of the words from authorial intent. Neither God, nor Judah the Prince are presented as the ultimate authorities on the meaning of the revealed words. Meaning must thus be negotiated, in the words of Gadamer, "in front of the text"– between the text and the rabbinic interpreters– not behind the text in the will of God.

The strategies and politics of these negotiations therefore take center-stage in defining Judaism at each and every place and time. And because the canon of sacred text is itself equivocal and full of controversy Judaism naturally gives rise to a plurality of forms. Especially in periods in which central authority is weak Judaism is prone to give rise to conflicting schools and forms with competing interpretations of the canon.

To reduce the conflicting array of interpretations interpretive authorities are always tempted to "shrink" the variety of interpretations. By reducing the flexibility of the canon and religious leaders can produce unequivocal meanings and clear legal rulings. Therefore in both times of crisis when controversy threatens to tear Jewish communities apart and in relatively stable times when day to day matters of law require simple unequivocal answers, inflexible law codes are produced. We see this in both the Geonic and medieval periods when the Mishna and Gemara gives rise to the great codes of Jewish law.

The production of these inflexible codes, however, requires philosophical and theological legitimations and theorizing. Halbertal presents us with three representative positions. The "retrieval" model of Ibn Daud, the "cumulative view" of Maimonides, and the "constitutive view" of Nachmanides. Ibn Daud's (54) is an anti-controversy [we could call it a "modernist"] position. He re-presents the controversy in Mishna as confusion and neglect in the transmission and reception of the canon from one generation to the next. The text, however, contains hints of the "correct" interpretation and the interpretive task is therefore to retrieve the clear monologic revelation as it was originally given by God.

Maimonides also believed that controversy resulted from limitations in rational ability to concern the correct interpretation. He granted each generation the right to forge agreement on the interpretation of law through rational derivation and argument. (60) He presented his Mishna

Torah as the crystallization of accumulated reasoned rulings that could actually replace the controversy-laden oral law. Nachmanides (63) gave ultimate authority to the ruling court of rabbis in each generation. God had given the human rabbinical court the authority to constitute the canon as they saw fit.

Each of these three thinkers thus provides ways of understanding and legitimating how we get from the flexible canon to a "closed code" (72). But it is significant to note that none of these theories were ultimately successful in replacing the flexible canon as dissenters quickly rose to argue for the fundamental and necessary character of the flexible, controversy-laden canon.

Indeed, the argument for the value of the flexible canon which remained convincing derived from the power of the virtues of study of the canon, Talmud Torah. In studying the Talmud regularly and daily one does not merely learn what to do but one becomes formed and internalizes "attitudes, beliefs, judgments, sensitivities, aspirations and ideals" (91). Halbertal utilizes Wittgenstein's notion of a "framework" to suggest that the Talmud provided the fundamental accepted "givens" of Jewish society. The Talmud provided the "conditions of discourse," the constitutive matrix within which people lived (91).

When Talmud Torah became the defining ritual act of the Jew the Talmud became not only the formative intellectual curriculum but the prime determinate of personal character, social symbol and accepted communal value. In its role as framework text Talmud then gave the Jews their distinctive character as the "people of the book."

Certainly, there were attempts to push the Talmudic curriculum off of its position as central framework text and replace Talmud Torah with a non-textual matrix of value. Halbertal reviews the two most significant challenges, those presented by philosophy on the one hand and kabbalah on the other hand. However, the fact that each of these challenges had to couch their innovation in the form of textual interpretation of the written torah (in the Guide and Zohar) and find significant place for study of Talmud in their prescribed religious practices only seems to give further proof for the centrality of the Torah/textuality in Judaism.

Given the fact that the Jews were, for so many years, a people of the book and Judaism a religion of the book, Jewish modernity stands out as even more revolutionary than it may seem to us who take the radical transformation away from text-centeredness as our "given" situation. Halbertal focuses his final remarks around the Zionist revolution which replaced the text-centered Jew with Nation centeredness. He could also have addressed the other contemporary rival definitions of Jewish identity and culture such as the rational, autonomous Jew, the ethnic Jew or consumer-centered Jew.

The answer to the question Halbertal poses at the end of his book: Can the Talmud regain its "formative role" in present-day Jewish culture? is already clear: It cannot. Yet in a postzionist, postmodern, situation where the secular replacements for text-centered Judaism continue to reveal their bankruptcy as ideologies that are unable to deliver on their utopian promises Jews will continue to pick up fragments of Jewish texts. And a small but not insignificant proportion of these Jews will try to cut out pieces of their Jewish secularity and attempt to patch those empty spaces with the textual pieces. So that even if the book will never again play the role as framework text for the majority of Jews, the fragments of texts which they take into themselves could still pull them upward toward the sense of the holy which our rabbis in their blessed moments lived and died for.

POSTSCRIPT: QUESTIONS TO THE AUTHOR

by Steven Kepnes

Having reviewed Halbertal's important and wonderfully suggestive book I would now like to raise a few questions for the author's consideration which I might summarise with the title: "On the need for *The People of the Book* Part 2." This is because my major critique of the book is that it is too short. As the topic of the book–the hermeneutics of canon in Judaism in particular and in text-centered societies in general– is so interesting the reader is constantly frustrated by suggestive remarks

which are not fully explored and fleshed out. This occurs at multiple levels.

A.   At the level of theory. Halbertal presents categorizations and generalized principles for a theory of the nature and function of textual canons in an unsystematic fashion which cries out for further articulation. When Halbertal refers to the work of other contemporary religious, literary, and philosophical theorists (as he does with Michale Fishbane, p.14 E.D. Hirsch p.47 or Ludwig Wittgenstein p.90) the reader is always enlightened. But this occurs in an ad hoc manner and often without extensive elaboration. Thus after the *People of the Book* Volume I Halbertal could return to both develop more fully a theory of canonicity and place his theory in the context of existent scholarly work. For example, Halbertal's analysis of the Talmudic canon and its rivals could benefit from use of Deleuze and Guattari's categories of "major and minority literatures." [Giles DeLeuze and Felix Guattari, *Kafka: Toward a Minor Literature* (University of Minnesota Press, 1986)] Hannan Hever has applied these categories to the canon of modern Hebrew literature with great result. [cf Hever, "The Struggle over the Canon of Early -Twentieth-Century Hebrew Literature" in Steven Kepnes ed. *Interpreting Judaism in a Postmodern Age* (NYU, 1996).] A more extensive theoretical presentation would require something that is definitely lacking, namely a much more extensive comparative discussion of textual canons in non-Jewish societies. This is perhaps the chief flaw of the present book. For though Halbertal often makes general statements about literary canons or specific statements about the uniqueness of the textual-canons of Judaism he seldom provides the in-depth comparative analyses to other text-centered traditions to substantiate his claims. Thus, Halbertal's statements about "text-centered societies" would benefit from data taken from at least one other text-centered community. Perhaps he could do this by engaging a scholar of such a community.

B. At the level of analysis of canonicity in Judaism Halbertal could easily expand each of his three chapters: on the Bible, the Mishna, and Talmud. This latter chapter (3) contains seven short sections each of which could be easily expanded with great benefit to the reader.

C. At the level of the relationship between Jewish philosophy and Jewish canonicity. A sub-theme running throughout the book is the relationship between Jewish texts and Jewish philosophy. Given the central assertion, that Judaism is a text-based religion, philosophy seems to have to take a second seat to Jewish texts. This means, for example, that it must couch its innovations as interpretations of Jewish texts. This means that conceptional systems which stand alone outside of Jewish texts are not accepted by the "traditional authorities." Yet at the same time, we see that philosophers, like Maimonides, did argue for the independent authority of reason and the philosophical system and that they often created such systems. In addition, the requirement to remain within a textual canon which was by definition open to multiple interpretations often cried out for philosophical clarification as to which interpretation was true or ethical, or at least was most consistent with the contours of earlier thinking, or most adequate to the needs of the contemporary situation. In text-centered tradition in which "these words" and "those [opposite] words" were both considered "true" and in a tradition in which this text in the hands of a skilled hermeneut (such as one inspired by Gnosticism) could appear to say the exact opposite of what the plain sense or previous tradition suggested the role of the clear-thinking rational philosopher might not be considered secondary but actually primary! Thus what I am suggesting is that Halbertal could write another chapter (indeed a book) in which he explicitly explores the boundary between text-centeredness and reason in Judaism. So that Volume 2 of *People of the Book* may be called the "People of Text and Reason"?