

Table of Contents

Introduction Jonathan Cohen	1
--------------------------------	---

Rabbinic Texts – History and Education

Silence, Speech and Song: Religious Education in Late Antiquity Marc Hirshman	11
---	----

The <i>Merqolis</i> and the Tannaitic Coding of Non-Jewish Ritual Avram Shannon	24
--	----

Listening to Texts, Reading People: Recovering the Interpersonal Experience in Talmud Education Joshua Gutoff	44
---	----

From the Middle Ages to Today – and Back Again

From “Religious Truth-Seeking” to Reading: The Twelfth Century Renaissance and the Emergence of <i>Peshat</i> and <i>Ad Litteram</i> as Methods of Accessing the Bible Robert A. Harris	54
--	----

This Too Shall Pass: The Afterlife of a Proverb Amy Shuman and Amanda Randhawa	90
---	----

The Oral, the Written and the Performed in Safed Matt Goldish	125
--	-----

*Traditionalists at the Onset of Modernity –
Listening and Reading*

Prolegomenon to an Exegetical-Spiritual Pedagogy for the
Study of *Sfat Emet*'s Homilies: The Case of 'Self-Trust'
Elie Holzer 139

Wounds, Kisses, and Torah Studies: Gender Issues in the
Stories of Rabbi Joseph Ḥayyim of Baghdad
David Rotman 165

Modern Jewish Thinkers – Educational Implications

Restoring the Oral Dimension of the Text – Subliminal
Dialogue in Genesis 23: Buber and Rosenzweig Meet
Abraham and Efron
Jonathan Cohen 195

Jewish Education as Interpretation: David Hartman and
Reconstructing the *Beit Midrash*
Ari Ackerman 220

*Contemporary Oral Interchange on
Traditional Jewish Texts*

Making the Written Text Oral by Collaborating in
Argumentation: Towards Detecting *Chavruta* Processes
among Ultra-Orthodox Learners
Reuven Ben-Chaim, Zvi Bekerman and Baruch Schwarz 240

Contributors 282

The Oral and the Textual in Jewish Tradition and Jewish Education

Introduction

Jonathan Cohen

We are particularly proud to present our readers with the 15th Volume of the *Studies in Jewish Education* series, entitled *The Oral and the Textual in Jewish Tradition and Jewish Education*. This edition of *Studies* is a very special one in many respects. It is the first collection of essays that has its roots in a conference sponsored by the Coalition of the three “Melton Centers” – located at the Jewish Theological Seminary in New York, at the Hebrew University of Jerusalem and at the Ohio State University in Columbus. This Coalition was established when Samuel Mendel Melton made a special endowment to the three centers, enjoining them to cooperate and share their resources for the benefit of Jewish studies and Jewish education in Israel and the Diaspora. Since then, four Coalition Conferences have been held, with all sites participating. This volume summarizes and expands upon the second of these conferences, held in Jerusalem during December, 2014.

This edition of *Studies* also comes at a unique stage in the history of the Melton Centre at the Hebrew University. Established in 1968 as the Centre for Jewish Education in the Diaspora – the Melton Centre (so named when Sam Melton endowed it in 1976) has been the Hebrew University’s main address for advanced degrees, state-of-

the-art research, professional development and community projects in the area of Jewish education. It has now passed its 50th year of activity and is proud of its achievements in all of these areas over the years. Among them: the curriculum for the Teaching of Jewish Values in the Diaspora; the Senior Educators Program; the Melton Blended (largely online) Masters Program in Jewish Education (MBM), the first of its kind at the Hebrew University and, most recently, the Melton Fellows Program – now recruiting excellent students for concentration in Jewish Educational Thought and Social Entrepreneurship. At this juncture, the Centre is entering a new era, characterized by a fuller integration into the School of Education, allowing for greater interaction and fructification among the various educational resources of the Hebrew University.

The first volume of *Studies in Jewish Education* was published in 1983 with Barry Chazan as editor. Seymour Fox and Nathan Rotenstreich of the Hebrew University joined with Israel Scheffler of Harvard and Marvin Fox of Brandeis to become the series' first editorial board. Since then, every two years on average, the Melton Centre has produced, on occasion in partnership with other kindred institutions, a volume of articles and essays written by some of the most prominent academic voices in the areas of Jewish studies and Jewish education. For the past 35 years, *Studies in Jewish Education* has been making a signal contribution to research in areas such as: curriculum for Jewish education, the teaching of Rabbinic Texts, the teaching of Bible and the teaching of Hebrew – as well as disciplines such as the philosophy of Jewish education, the history of Jewish education and the social sciences as applied to the study of Jewish education.

At this juncture, if we may be so bold in our imagination, I think we can envision Sam Melton, 25 years after his passing in 1993, smiling with satisfaction at the accomplishments of all his Melton Centers – knowing that his pioneering contribution to the enhancement of Jewish education has borne fruit. **We wish to dedicate this volume in particular, then, to the Melton family**, whose representatives continue to maintain regular contact with the various Centers and

their leadership, exhibiting an abiding interest in their activities and accomplishments.

Structure of the Volume and Themes from the Essays:

The sections and articles in the book largely follow the chronological order in which the various papers were presented at the Coalition Conference. The articles in the first section discuss the media and manner by way of which Jewish culture was transmitted in the rabbinic period – sometimes also known as late antiquity. Marc Hirshman’s essay, entitled “Silence, Speech and Song: Religious Education in Late Antiquity,” advises us at the outset of the centrality of the oral medium in rabbinic culture and education. While Torah scrolls were written and read out for ritual purposes, all learning in the rabbinic *Beit Midrash* took place orally. For that reason great emphasis was placed on careful listening and exactness of memory, lest certain “textpeople” (as Heschel called them in a different context) pass away, and their legal and narrative traditions pass away with them. At one point, there is a discussion of R. Akiva’s dictum praising song as a fit accompaniment to oral recitation not only as a mnemonic device, but as engendering a certain state of soul. The essay ends by comparing certain rabbinic dicta with passages from Plutarch praising the virtue of careful listening and criticizing habits of premature speech and interruption. All this, of course, bears clear witness to the dominantly oral character of rabbinic culture.

The next article in this first section, by Avram Shannon, is called “The *Merqolis* and the Tannaitic Coding of Non-Jewish Ritual.” While acknowledging that ritual in early and late antiquity was largely experiential, namely oral and mimetic, Shannon nonetheless draws our attention to what he calls the “fluidity” obtaining between the oral and written word in late antiquity. For example, the oral traditions of the “Jesus-movement” very rapidly became Scripture. Returning to rabbinic culture, Shannon focuses, by way of a case study, on a certain pagan ritual – the throwing of stones at a *merqolis*, most likely a bust, or herm, of Mercury – as an instance of a practice known to

the Sages either by hearsay or by observation, later canonized and iconized in the Mishnah as a quintessential act of *avodah zarah*, or strange worship. This practice was first “experienced” either orally or visually, then transmitted orally after having been encoded in rabbinic legal categories, and ultimately, together with the rest of the Mishnah, committed to writing in order to be subsequently re-imagined and further discussed orally by readers in later generations. Shannon provides us here with a most thorough and erudite inquiry into the Greek and Roman background of the practice itself, as well as its rabbinic construction and transmission.

The third and last essay in this section, that centers on rabbinic sources, is called “Listening to Texts, Reading People.” Its author, Joshua Gutoff, a scholar of education, searches for the educational implications that can be gleaned from the way the Sages interacted with their students in the educational situation. This was an oral setting to be sure, writes Gutoff, but precisely for this reason it was very much dependent on the moral quality of the human relations obtaining between teachers, colleagues and students. Since there were no other media to obstruct direct speech, a certain “ethic of address” had to be cultivated (although it may have on occasion been violated). In reading rabbinic texts, and attempting to extrapolate their humanistic import for subsequent generations (and not only for the rabbinic period proper), it becomes necessary to ask questions like: What is the ethical valence of the learning situation described in the text? What kind of relationships obtain between the interlocutors and what can we learn from them? What kind of virtues or limitations are revealed about the protagonists in the discussion? Further, asks Gutoff, now that rabbinic texts have been put into writing – can certain ethical reading practices be activated by contemporary readers to make up for the lack of the interpersonal dimension? For example, should we, as Martha Nussbaum advises with regard to literature, read rabbinic texts as an exercise in empathy – trying to understand culturally distant “others” from within?

The second section of the volume focuses on biblical exegesis, the circulation of folktales and the performative dimension of

hagiographic stories over the course of the Middle Ages and beyond. The first essay in this section, by Robert Harris, is called “From Religious Truth-Seeking to Reading” and brings us to the period some have called the “Renaissance of the 11th-12th century.” The essay describes and documents the transition from the oral culture of the Talmudic Sages and their followers to the beginnings of written culture and the modern conception of literature among the Jewish “literati” of medieval northern France. Harris convincingly shows how, under the influence of the Western-Christian milieu, exegetical giants like Rashi, Rashbam, Kara and others adopted the principles and practice of *peshat* interpretation, an orientation that was then appropriated as a legitimately “Jewish” way of reading the Bible. In the case of Rashi, for example, Harris asks us to pay more attention to the form of his exegesis than to its content. While most of Rashi’s comments may have originated as oral *derashot*, intent chiefly on “religious truth-seeking,” his policy in selecting *derashot* and adding remarks of his own is rooted chiefly in considerations identified with what he considered to be *peshat* reading: attention to context (both macro and micro), semantics, grammar and the internal logic of the law or narrative under consideration. Further, they come to us in the form of a running commentary on a written text. For Harris, this process represents a distinct transition from the oral mode (*derashot*) to the written mode in the history of Bible interpretation.

As we saw, Harris’ study is concerned mainly with the doings of a literate elite operating in a particular cultural milieu in the 11th-12th century. The essay contributed by Amy Shuman and Amanda Randhawa, on the other hand, follows both the advent and reception of a popular proverb and folktale – “this too shall pass” – from likely origins in a medieval Sufi environment (emphasizing the theme of impermanence) to its reception among Jews of all kinds, through to versions that can be found on internet blogs that certainly make no distinction between an elite and the so-called masses. The adage “this too shall pass” is shown to be occasionally joined, by religiously-oriented Jews, to the proverb “and this too, is for the good,” thereby emphasizing the wisdom of God’s plan. The phrase

often appears as the culmination of a tale involving a King who commissions someone to obtain a gift that will make him both happy when sad and sad when happy. The emissary then obtains a ring, or some such thing that has the proverb engraved on it – and he is then either rewarded or reinstated. Shuman and Randhawa follow the tale and the proverb through many of its *gilgulim* – indicating (as Shannon did in the case of late antiquity) that there is much fluidity and back-and-forth motion between orally recited, textually composed and even electronic versions of the tale and proverb. The essay ends with a fascinating account of the fate of the proverb among parents of children with physical and mental disabilities, and among academics who deal in what is now called Disability Studies. It would seem that a protest has arisen against the attempt to assuage the suffering of the disabled and their families by saying “this, too, shall pass.” Their challenge would appear to be the confrontation with, and acceptance of, a condition that likely “will not pass.”

Matt Goldish’s essay takes us to the world of the well-known kabbalists who gathered in Safed towards the close of the Middle Ages, during the 16th century. While Shuman and Randhawa write of a “blurring” of the distinction between the written and oral in the “afterlife of a proverb,” Matt Goldish exposes what he calls a complex interaction between the oral, the written medium, as well as a performative or theatrical dimension – exhibited in certain hagiographical stories about the ARI (Rabbi Isaac Luria) that emerged from the Safed circle. In particular, Goldish analyzes three texts that preserve these stories. One of these stories is about R. Joseph Karo, the well-known legal authority and mystic, and the other two center on the persona of the ARI. Through the dramatizations and exaggerations of myth, Goldish believes that we can, for example, catch a glimpse of the historical personality of the ARI as possessed of a decidedly theatrical bent. He is shown to appeal to written books (a voice identifying itself as the Mishnah, a book written by R. Moses Cordovero) to conduct oral polemics against his opponents in the circle – to great theatrical and dramatic effect. The sentence that perhaps best captures Goldish’s thesis on

the theme of the Conference is: “The juxtaposition of oral, written and performative elements can create a powerful impression which bridges the ephemeral authenticity of orality and the rigid authority of the textual through the undeniable immediacy of experience.”

The third section presents us with traditional Jewish figures – a Hassidic “rebbe” and a prominent Eastern Jewish rabbinic figure – confronting some of the first manifestations of the modern spirit (growing out of the values of autonomy and equality) that began to penetrate the Jewish community during the 19th century. Elie Holzer’s analysis of the implicit hermeneutics of R. Yehudah Aryeh Leib Alter, known as the “Sfat Emet,” and its educational implications, is grounded in the hermeneutic perspectives of Paul Ricoeur and Emmanuel Levinas. It also draws on contemporary educational discourse that emphasizes the importance of self-trust on the part of students, and an atmosphere of mutual trust between students and teachers – to facilitate the enactment of what he calls “transformative education,” namely the kind of education that expands and deepens perspective rather than merely transmits knowledge. Through close analysis of selected homilies, Holzer claims that the Sfat Emet actually promulgates a new notion of Oral Torah. In this conception, the Oral Torah is not presented as a closed system fully revealed to Moses on Sinai, merely extrapolated and unfolded by the Sages. Neither is it seen as restricted to articulation by a select, elite group of the learned. The notion of Oral Torah is expanded to include the new interpretations and new actions of all Jews seeking a life of truth derived from within the text throughout the generations. The Sfat Emet, according to Holzer, seeks to inspire self-confidence, rather than self-effacement, in his hearers and readers – such that they might trust themselves to generate such novel understandings. This potential for the creation of new understandings and new patterns of action, this individual vitality, represents the aspect of divinity hidden within the soul of every person. From an educational point of view, learning conducted under the aegis of this orientation would strive to engender not just a new trust in traditional texts as potential bearers of meaning, but also a renewed self-trust within the learner.

This attitude, which would pervade the learning experience, is to be contrasted both with the “hermeneutics of suspicion” so common in contemporary academic circles and with the attitude of self-effacement so often imposed by traditional teachers on their students.

David Rotman’s article examines stories first told orally by the “Ben Ish Chai,” R. Joseph Hayyim, one of the greatest spiritual leaders of Eastern Jewry, and later published as written texts. The stories, and their morals, arose in response to the changing status of women in 19th century Baghdad. Here we find examples of women who wish to study the Torah in the same manner as men, or to appear in the public realm. The Ben Ish Chai, as a traditional community leader, attempts to reinforce traditional values, but already makes certain implicit concessions to some of the changes that have already taken place with regard to women’s self-concept and aspirations. What we have before us, then, with attention to the theme of the conference, are stories, embedded in oral sermons, later appearing in published writings – reflecting the first halting attempts by a traditionalist to come to terms with modern trends regarding the status of women.

The essays in the fourth section treat of Jewish thinkers who have been thoroughly influenced by modernity and whose major writings appeared during the last 100 years. My own contribution is concerned with the manner in which Martin Buber and Franz Rosenzweig, perhaps the greatest Jewish thinkers of the 20th century, set about enlivening the written text of the Bible such that its original, oral voice might once again be heard. Buber and Rosenzweig, as is well known, collaborated on a translation of the Bible into German, and both served as active educators – Buber as the director of adult education for the besieged German Jewry of the 30s, and Rosenzweig as the founder and guiding spirit behind the *Freie Judische Lehrhaus*. They both felt that in order to become a resource for a Jewish educational renaissance, the text of the Bible must be read such that its primordial “spoken” quality is released. They believed that the Biblical writers encoded this original orality in the very textuality of certain Biblical narratives. The first part of the essay presents the reader, in concentrated form, with the essentials of the theology of

Buber and Rosenzweig – as related to the aesthetics of the Biblical text. The rest of the article undertakes a close reading of Genesis 23 as Buber and Rosenzweig might have read it. This is the chapter wherein Abraham conducts a lengthy and subtle negotiation with Efron the Hittite in order to obtain a burial site for his wife. The analysis of this chapter is meant to “unlock the code,” by exposing dissonances in the text and then accessing key words that address those dissonances.

David Hartman was another exemplary Jewish scholar and theologian deeply motivated by educational concerns. Ari Ackerman, in an essay entitled “Jewish Education as Interpretation: David Hartman and Reconstructing the *Beit Midrash*,” introduces the reader to important aspects of Hartman’s Jewish educational philosophy. Interestingly enough, a similarity emerges between Holzer’s understanding of the Sfat Emet and Ackerman’s reading of Hartman. Hartman also enjoins educators to encourage students to express their own individual insights concerning the texts they are studying, thereby taking part in what he calls the “Jewish interpretive community.” This interpretive community should be seen as both vertical (in time) and horizontal (in space) – and as the locus and embodiment of the process of Oral Torah. According to Ackerman’s reading of Hartman, the Jewish tradition itself is actually a comprehensive oral dialogue that is both diachronic and synchronic – conducted by way of the interpretation of written texts. In order to speak responsibly, however, students must learn the language of the Jewish family within which this conversation has been carried on for generations, although there is no requirement that he/she necessarily take on the observance of *mitzvot* or become an accomplished Sage.

We end this collection of essays on patterns of interaction between the oral and the textual in Jewish tradition and Jewish education – with a live exemplar of contemporary, oral interchanges based on the traditional Jewish legal codes and on the Talmudic discussions that underlie them. Reuven Ben-Chaim, Zvi Bekerman and Baruch Schwarz, using tools from ethnography and the learning sciences, articulate patterns of argumentation and collaboration that emerge

from a dyadic framework of text study known as *chavruta*. Two lifelong learners in an ultra-Orthodox *kollel*, over the course of more than a thousand recorded interchanges, delve into the issue of what is to be considered “washing” one’s clothes on the Sabbath, and examine it from almost every possible angle. The fact that these traditionalist interlocutors are barred from contradicting canonical rabbinic authorities certainly constrains the parameters of their discussion to a great degree. On the other hand, the authors discover that, in clarifying the issues at hand, the participants may, at certain times, line up and take the part of this or that authority, and that this practice actually helps hesitant learners to find their own voice.

In conclusion, I would like to take this opportunity to thank all those who made the publication of this volume possible. My first vote of thanks goes to the authors of the various essays who took the time to rework and expand their papers into articles. I would like to express my particular appreciation to my co-editors, Barry Holtz and Matt Goldish, whose dedicated assistance in the organization of the conference and the editing of the volume were indispensable. Our fine language editor, Rena Ashkenazi, pored over the various versions of the articles meticulously and expeditiously, helping the writers make their essays clearer and more communicative. We also wish to thank the editorial staff and management of the Magnes Press, as well as the Jewish Theological Seminary Press for their efforts and support that have led to the publication of this volume in its present, aesthetically pleasing and readable form.